



**Minutes**  
**MARSHVILLE PLANNING BOARD**  
**August 8, 2022 - 7 pm.**

**In Attendance:** Chairperson Susan Drake by ZOOM, Board Members Tom Appenzeller, Tracy Stancil, Rusty Johnson (at 7:20 pm), and Nanci Mandeville

**Staff in Attendance:** Town Clerk Ann Sutton and Planning Administrator Jonathan Wells

**Call To Order:** Chair Drake called the meeting to order.

**Invocation and Pledge:** The invocation was given by Board Member Stancill. All gave the Pledge of Allegiance.

**Consent Agenda:** A motion was made by Board Member Stancill a to approve the July 11, 2022, Planning Board Minutes. Board Member Appenzeller seconded this. All ayes.

**Discussion (old):**

The Town Council approved the Planning Board Rules of Procedure on August 1, 2022. The Rules and Procedures for the Board of Adjustment will be given to the Town Council on August 15, 2022, for review and approval on September 6, 2022.

In the August 1, 2022, Union County Board of Commissioners meeting, Tracy Stancill and Tom Appenzeller were approved as the Planning Board and Board of Adjustment members from the ETJ.

Planning Administrator Wells has updated the contact list for the Planning Board and Board of Adjustment.

**Discussion (new):**

Planning Administrator Wells spoke of Bona Fide Farms. He passed out a copy of the General Statute.

In the zoning context, the term "Bona Fide Farm" as used in North Carolina General Statute (N.C.G.S.) § 153A-340(b)(2) is the legal term applied to a parcel of land that enjoys special status as engaged in farm and/or forestry use regardless whether such use is inconsistent with the particular zoning overlay on that parcel. To secure this legal status and accompanying zoning exemption, the statute lays out four safe harbors to qualify.

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- (1) A farm sales tax exemption certificate issued by the Department of Revenue.
- (2) A copy of the property tax listing showing that the property is eligible for participation in the present-use value program pursuant to G.S. 105-277.3.
- (3) A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- (4) A forest management plan.

Planning Administrator Wells got a listing of properties that could take advantage of present value tax listing.

Planning Administrator Wells gave a presentation on mobile vendors. A mobile vendor ordinance was brought to the Planning Board to consider. The first consideration was site plan issues, including vehicle or trailer location. Then Mr. Wells mentioned mobile vendor parking; setbacks and sight distance requirements; trash receptacles, furniture, signage, number of vendors per spot; and management of site when not in operation. Other problems to consider were safety, utilities, and food issues. Finally, mobile vendor permits needed to be discussed.

Board Member Appenzeller asked if the food vendors that presently show up in the town are inspected. Board Member Mandeville said that Union County Health Department was responsible for inspections of food vendors in Union County. Board Member Appenzeller said that anyone vending in the town should have proof of insurance. Chair Drake noted that we would need to speak with the town attorney for any issue that could become a liability for the town. Planning Administrator Wells pointed out that the town needs a checklist for vendors that would include the permits required and any town regulations that would apply to the particular vendor. There are many issues to consider. Chair Drake said it would be worth the time to develop a policy for food vendors and other mobile truck vendors. She said everyone should take notes and bring ideas and thoughts back to the table in September or October.

Planning Administrator Wells discussed the value of having someone from the businesses meet with the Planning Board. It was asked if someone from the Marshville Chamber of Commerce could meet with the Planning Board. Planning Administrator Wells felt like a business member of the town could help create a Mobile Vendor Policy. Chair Drake said that the previous Planning Administrator did reach out to the Marshville Chamber and asked someone to join the Planning Board meetings to discuss concerns of the town businesses. Unfortunately, no Chamber Member has come. Planning Board Member Appenzeller felt the Chamber could provide information on what they require from food truck vendors before the Randy Travis Festival. Town Clerk Sutton will check with the Community Coordinator Lakeshia Medlin about connecting with the Chamber. Planning Member Appenzeller thinks it would be a good idea for the Planning Board to attend a Marshville Chamber meeting. The Planning Board could introduce themselves and find out what the Chamber was doing. It was suggested that Mrs. Medlin come to the next meeting to discuss what she knows about the community. Town Clerk will talk with Mrs. Medlin about talking with the Planning Board.

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Planning Administrator Wells said he would not be available for the September 12 Planning Board Meeting. Mr. Wells suggested that the meeting be canceled. Planning Board Member Johnson said it would be hard to have questions answered without Planning Administrator Wells available. However, if Mrs. Medlin can come to the meeting, we can still have a meeting.

**Public Comments:** No public comments.

**Adjourn:** Planning Board Member Appenzeller made the motion to adjourn the meeting. This was seconded by Planning Board Member Johnson. All ayes.