



MARSHVILLE PLANNING BOARD Minutes October 10, 2022 - 7 PM.

In Attendance: Chairperson Susan Drake, Board Members Tom Appenzeller, Tracy Stancill, and Rusty Johnson. Nancie Mandeville absent.

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 Johnson. All recited the Pledge of Allegiance.

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

- Approval of August 8, 2022 minutes – August 8, 2022 minutes not available. A motion was made by Board Member Johnson and seconded by Board Member Appenzeller to table the approval of minutes.

The discussion came up again for needing another member or two for the Planning Board and Board of Adjustments. Board Member Appenzeller would like a local business owner to join the boards. Planning Administrator Wells said that we could not have anyone not living in Town. He mentioned that the Planning Board could canvass local business owners to see if anyone is interested.

Discussion on Murals:

Town Administrator Wells said that the Town made a policy concerning the mural ordinance a year and a half ago. The Town Board approved the ordinance in March, 2020. The original ordinance was meant to be a stop-gap for the creation of murals until a more formal ordinance could be created. This original mural ordinance was not incorporated into the Marshville Development Ordinance, so technically it can not be enforced. Planning Administrator Wells would like to come back next month with a zoning amendment for murals to send to the Town Board for approval.

Board Member Johnson questioned the definition of a mural and whether general artwork would be accepted.

Planning Board members Appenzeller and Stancill have seen artwork such as wings or a swing that people drive just to have a picture made.

Planning Board Member Stancill also asked if a mural is just verticle or could it be horizontal. An example would be to have a picture of cotton on Main Street during the Randy Travis Festival. Chair Drake felt that type of picture was not permanent, but there had been a discussion about this at a previous meeting.

Susan Drake said some murals could show what the building is selling without advertising the business. However, Chair Drake felt that the Town Council would want to decide what murals to approve.

Board Member Johnson asked how we know what is political, derogatory, or inflammatory. Planning Administrator Wells said that the Town Council would need to look at this and make determinations. The Planning Board looked at the older mural version and gave good feedback. It is time for a new version. Chair Drake said the Town did not want cartoons, graffiti, advertising, or murals in poor taste when the old ordinance was created.

Historic murals, such as an old Coca-Cola sign, may be viewed differently.

Planning Administrator Wells asked what should be the maximum size of a mural. Chair Drake asked if it would depend on the size of the building. Should we not give artists leeway according to their vision? It was decided that the size of the mural would be determined on a case-by-case basis. And more than one mural can be on a wall.

Planning Administrator Wells asked if there should be a certain distance between murals. Planning Board Member Applenzeller did not feel it was necessary to control at this time. Chair Drake agreed.

It was determined that murals should only be permitted within MS, MSP, and C-74 districts and not in the TMU.

Administrator Wells will bring back a text amendment for the mural ordinance in November that will include all the items discussed.

Discussion on Signage: Planning Administrator Wells would like to review the town sign definitions to ensure they are correct. People are looking at the distinction between sign restrictions and regulations and first amendment free speech. Planning Administrator Wells does not think we have a problem with the Town Ordinances. He would like to go back to our sign definitions and make sure all is correct.

The Board of Adjustment: The Board of Adjustment denied the variance on the Vape Shop Sign. Town Administrator Wells told the sign applicant that it would be necessary to have a text amendment for what the business would like to do with its signage. Planning Administrator Wells gave the petitioner a copy of the sign ordinance and a form to fill out. Mr. Wells does not want to do a text amendment that is for his business only. It needs to be suitable for all of Marshville.

Official Zoning Map Update: Planning Administrator Wells has reached out to the Union County GIS Department. He spoke with Bryan McFadden. They are interested in helping us with our maps. Mr. McFadden opened the map files that were sent to him, and he thinks he can make adjustments to the mapping. Planning Administrator Wells will meet with him next week.

Chair Drake mentioned that when the 2016 map was adopted, no one looked at it well. One area that we had a question about was Green Street. RMST went too far into the

neighborhoods. This area would never be in RMST because it does not meet the criteria for RMST. Green Street was always SFR-1. The Green Street RMST area needs to revert to SFR-1. Planning Administrator Wells explained that the Town Board approved the current map. It will be necessary to make the changes, have the meetings necessary, and have the map approved again.

Planning Administrator Wells wants the ability to create, update, and maintain a map. Mr. Wells said we have to contend with the fact that we do not have an official map. He will put it on the November or December agenda to review the map and suggest items that need to be changed.

2035 Comprehensive Plan: Planning Administrator Wells asked to have discussions about the 2035 Comprehensive Plan. If the Planning Board gets to the point where it is looking at more wholesale changes to the zoning map, it should be a reflection of the 2035 Comp Plan. If the 2035 Comprehensive Plan is updated first, then zoning map changes would mirror the approved updated comprehensive plan. Chair Drake said that Planning Board members should review the 2035 Comprehensive Plan.

Chair Drake asked if changes to the zoning map could be made now if they were consistent with the current 2035 Comprehensive Plan since the zoning map has mistakes. Admin Wells will have to look at that. Planning Administrator Wells said It would be unfortunate to change things now if it is going to be changed again in a new updated comp plan.

Mobile Vendors: Planning Administrator Wells said he had spent time reviewing and talking with Lakeyshia Medlin about Article 15 “Special Events and Temporary Structures.” He feels this is the place to put the mobile vendor issues in the ordinance. However, he would like to know how to make mobile vendor information clear, concise, and user-friendly. Planning Administration Wells finds this article very confusing and will work with Mrs. Medlin to bring clarity.

Board Member Appenzeller left at 8:15 pm.

Public Comments: There were no public comments.

Adjournment: Planning Board Member Johnson made a motion to adjourn the meeting. Planning Board Member Stancill made a second to the motion. All ayes. 9 pm