



Village of Marvin

FOR IMMEDIATE RELEASE:

04/10/2025

CONTACT:

Christina Amos

(704) 843-1680

manager@marvinnc.gov

Response to Publicly Submitted Concerns

The following content is related to questions and concerns the Village Council has heard over the last few weeks regarding various topics currently facing the Village. The following is an attempt to provide additional clarification and guidance on specific topics of resident concern:

How are some of the past and current priorities of the Council formed?

The [2019 Community Survey](#)¹ played a key role in shaping the Council's goals (specifically for the Marvin Heritage District (formerly known as the Village Center District)) and the expansion of walking trails and greenways. This survey was used as a foundation in the formation of master planning documents created shortly after the survey (i.e., [2020 Greenway Master Plan](#)², the [2020 Future Land Use Plan Map](#)³, and the [2020 Land Use Plan](#)⁴). The survey results revealed that a majority of respondents supported the development of a Village Center District along New Town Road, with strong preferences for small-scale businesses like coffee shops, restaurants, and specialty retail, as well as public spaces such as walking paths. Additionally, the survey highlighted overwhelming support for increased walkability and recreational opportunities, with a significant majority favoring the development of sidewalks, greenways, and trails over the next five to ten years. Council heard resident priorities/preferences and prioritized efforts to update future planning tools that fostered a pedestrian-friendly and community-oriented district which formed the 2020 Land Use Plan and 2020 Greenway Master Plan to guide development over the next several years. These planning documents included priority goals that aligned with the community's response to expand the Village's trail network, ensure better connectivity between neighborhoods, parks, and community hubs while enhancing overall accessibility and quality of life in Marvin. While some residents may not currently agree with those goals and priorities, it is important to note how Master Plan/Land Use Plans were created with the input of public response at the time. The Council has heard conflicting priorities over the last year and has advised staff to budget funding in FY 25-26 for a new community survey; to revise the 2020 Greenway Master Plan; and for a Comprehensive Land Use Plan. Until those updates and revisions are finalized and adopted, the Council has taken the approach to use the guidance provided by current adopted plans. Government work takes time because it's built to be careful and thorough. Government processes are designed to be thorough and deliberate, ensuring that decisions are well-considered, and policies serve the public effectively. While this means things may take time, it also helps create more stable and carefully crafted outcomes. Good policies aren't rushed, they're made to last.

¹ [Village of Marvin 2019 Survey Report](#)

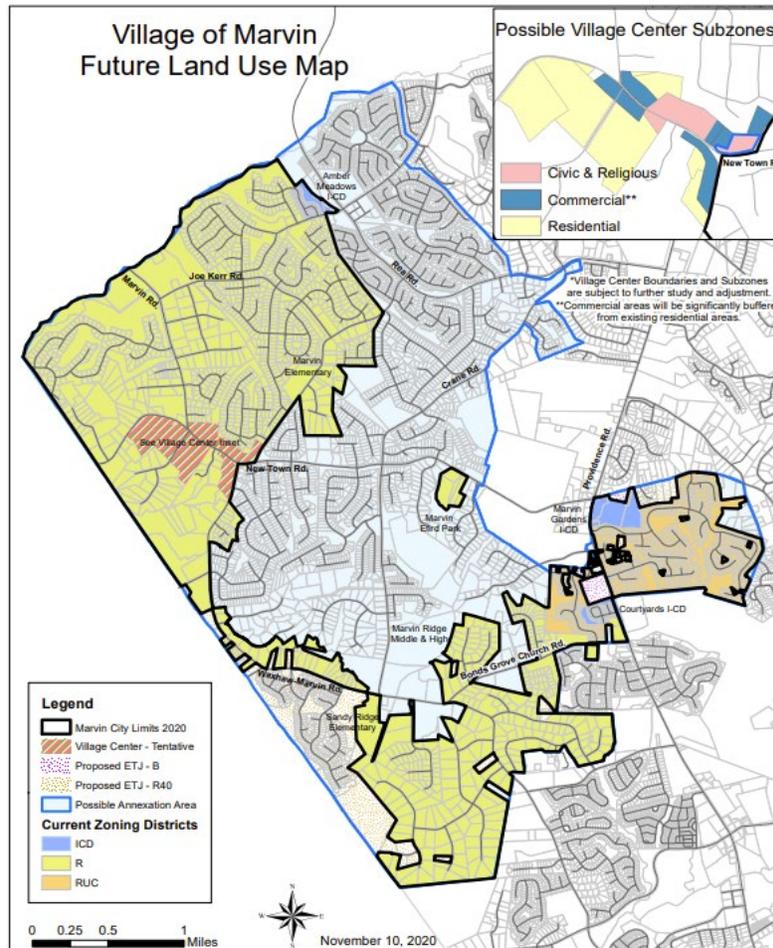
² [Village of Marvin 2020 Parks & Greenways Master Plan](#)

³ [Village of Marvin 2020 Future Land Use Map](#)

⁴ [Village of Marvin 2020 Land Use Plan](#)



Village of Marvin



What is the background of the Marvin Heritage District?

The district has been discussed and included in conceptual plans as early as 2004. Below is a detailed timeline of its history:

- **October 2004 – Village Center District Becomes a Goal in the 2004 Village of Marvin Land Use Plan.** The Plan calls for an identifiable “Village Center” to give Marvin a more uniquely identifiable and recognizable character. The Center should be located in the vicinity of the old Village Hall on New Town Road.
- **March 2012 – Master Plan “Identifying the Village of Marvin”:** A “Master Plan” for the Village of Marvin was presented to all the Boards and Council on recommendations on creating an identity and references the creation of the Village Center District.
- **June 2012 – Town Center Development Guideline:** A consulting firm out of Charlotte created development guidelines for the Village. Recommends that a Village Center Zoning District should be created to promote the development of a pedestrian-oriented Village Center consisting of a diverse mix of residential, business, commercial, office, and institutional, educational and culture uses.
- **2014 – The Proposed 2014 Land Use Plan:** Goal is to locate the Village of Marvin Center within our historical roots which lie along New Town Road, between Marvin School Road and Marvin Road.



Village of Marvin

- **2019 Community Survey**⁵: 54% of households supported the Heritage District while 35% were opposed and 11% were undecided.
- **June/July 2020 – Building a Village Center and Creating Initial Growth in the Village of Marvin NC Growth – Smart Up Report** (“Village Center Report”).⁶ The study recommended the Village create zoning regulations that accommodate the growth of mixed-use development, allowing some retail, commercial, and office space, while maintaining the aesthetic qualities that makes Marvin unique.
- **August 2020 – Presentation made to the Village Council on the Village Center Report**⁷ Recommends setting the Village Center boundaries and considering a special zoning district.
- **November 2020 – The Current Village of Marvin Land Use Plan is Adopted**⁸
 - Recommends a Creating of a Village Center District and Identify the Boundary on Future Land Use Map.
 - The Village of Marvin, 2019 Community Survey Report and the Building a Village Center and Creating Intentional Growth in the Village of Marvin, NC, both adopted as part of the Village of Marvin 2020 Land Use Plan.
 - Over the two years leading up to the Land Use Plan’s 2020 adoption and since then, numerous citizen engagement opportunities have been provided.
- **December 2021 – The Marvin Heritage District Small Area Plan Adopted**⁹
The Village also approved an amendment to the adopted Marvin 2020 Land Use Plan through the adoption of the Marvin Heritage District Small Area Plan during their December 2021 Regular Meeting.
- **February 2021 - Village Center Feasibility Analysis conducted by DFI**
 - Analysis was to evaluate the financial feasibility of the Marvin Village Center concept.
 - Analysis looked at 3 different density scenarios along with the draft Village Center Development regulations for open space, parking and buffer requirements.
- **January 2022 – The Marvin Heritage District Created as a Conditional Zoning District in the Zoning Ordinance**
- **May 2024 – Marvin Development Ordinance Adopted and Marvin Heritage District Small Plan Amended**¹⁰

⁵ [2019 Community Survey](#)

⁶ [CPNI, NCGrowth-SmartUp. 2020. “Building a Village Center and Creating Initial Growth in the Village of Marvin, NC.”](#)

⁷ [CPNI, NCGrowth-SmartUp. 2020. Workshop Presentation.](#)

⁸ [Village of Marvin 2020 Land Use Plan](#)

⁹ [Marvin Heritage District Small Area Plan \(Amended 2024\)](#)

¹⁰ Ibid.



Village of Marvin

REZONING/DEVELOPMENT CONCERNS

The following are questions/concerns specifically related to rezoning/development that were recently submitted in Planning Board or Council meetings:

Was Village Hall built without adequate stormwater control measures?

Village Hall was built in accordance with [Village Ordinance § 151.062](#) which adopted and incorporated provisions contained in the *Charlotte-Mecklenburg Stormwater Manual* which stated¹¹:

B. In order to prevent flooding and damage to properties, all developments disturbing an acre or more of land and having net increased impervious built-upon area exceeding 24% of the total area of the development site minus all built-upon area that was developed before the adoption of this ordinance, shall provide stormwater detention to control the peak runoff from the two-, ten-, 25-, 50- and 100-year, 24- hour storm events to pre-development levels. *Developments disturbing less than one acre and are not part of a common plan of development are exempted from this stormwater detention regulation.*

C. *A design professional shall certify documents demonstrating that construction of the project or subdivision will not increase the rate of runoff from the site nor cause any adverse impacts on downstream facilities or property.*

In addition, North Carolina Department of Environmental Quality (NCDEQ) follows provisions set forth in [15A NCAC 02HN](#) where all procedures for permits related to point source discharges to surface waters are delineated. 15A NCAC 02HN.1017 states applicability of post construction requirements “shall apply to all development subject to Rule .1016 of this Section [which is not applicable as that specifically applies to unincorporated areas of counties] OR ***that disturbs one acre or more of land***, including a development that disturbs less than one acre of land that is part of a larger common plan of development or sale, and is subject to a local NPDES [National Pollutant Discharge Elimination System] post-construction stormwater program pursuant to Rule .0153 of this Subchapter.”¹²

A professional certified engineer, as required in Marvin Ordinance § 151.062(c), calculated and administered the development of Village Hall construction plans. As required by the Village of Marvin and Union County in the review and approval of all development plans before construction plans can be approved and before any certificate of occupancy is issued from Union County, a professionally certified engineer in the State of North Carolina must certify and bound the seal with their professional license to submitted plans in accordance with all applicable laws and regulations as governed by the [North Carolina Board of Examiners for Engineering and Surveying](#).¹³

What mechanisms are put in place to ensure all development proposals and approvals are adequately planned and properly manage stormwater runoff/flooding?

The new [Marvin Development Ordinance \(MDO\) §19.3-1](#)¹⁴ states as follows:

b) In order to prevent flooding and damage to properties, all developments disturbing an acre or more of land and having net increased impervious built-upon area exceeding 24% of the total area of the development site minus

¹¹ [Village of Marvin Ordinance 2020-03-01: An Ordinance Amending Sections 150.065 Stormwater and 151.062 Stormwater Drainage/Stormwater Detention to Coincide with State Regulations in the Village Of Marvin, North Carolina.](#)

¹² [Subchapter 02H: Procedures for Permits: Approvals, Section .0100: Point Source Discharges to the Surface Waters](#)

¹³ [“Rules & Laws.” North Carolina Board of Examiners for Engineering and Surveying.](#)

¹⁴ [Marvin Development Ordinance, Article 19 – Stormwater Management](#)



Village of Marvin

all built-upon area that was developed before the adoption of the MDO, shall provide stormwater detention to control the peak runoff from the two-, ten-, 25-, 50- and 100-year, 24-hour storm events to pre-development levels. Pre-development areas refer to conditions prior to new disturbance. Developments disturbing less than one acre and are not part of a common plan of development are exempted from this stormwater detention regulation.

As mentioned in the previous question, NCDEQ regulations and requirements still exist and will be analyzed individually with each development proposal to assure compliance. As stated in MDO [Section 19.3-1\(B\)](#)¹⁵, a professional certified engineer shall certify documents demonstrating that construction of the project or subdivision will not increase the rate of runoff from the site nor cause any adverse impacts on downstream facilities or property. **Each developer** is responsible for assuring all requirements are met in their proposals which are required to be sealed by a professional engineer AND another professionally certified Engineer hired by the Village reviews each set of plans for approval. Additionally, professional staff (contractual Engineers with the Village of Marvin) and NCDEQ (if applicable) oversee the development and perform routine inspections to ensure compliance.

Why are stormwater control and management plans not available for all proposed development projects currently being considered?

Projects are not likely to submit that level of construction plans until they are closer to development as all approvals are contingent upon compliance with all the aforementioned local and state regulations and laws ([MDO Article 19](#)¹⁶ and [15A NCAC 02HN](#)¹⁷). Stormwater plans are legally required before final plat approval. There are currently three (3) proposed and/or approved developments to illustrate different phases stormwater control measure planning approval:

| <i>Development</i> | <i>Location</i> | <i>Approval?</i> | <i>Are Stormwater Plans Submitted?</i> |
|--------------------|-------------------|---|--|
| Marvin Oaks | Marvin School Rd. | Awaiting rezoning request consideration. | No, applicants will not even start construction plans until a rezoning request is approved. |
| Marvin Grove | New Town Rd. | Zoning approved, awaiting construction plan approval. | Almost, construction plans are being drafted by the applicant. Once completed, the plans will be submitted to the Village and applicable agencies (NCDOT, NCDEQ, Union Water, etc.) for review and comments. Once all comments from the Village and other agencies have been addressed, the Village does one final review for compliance and then can be release for construction. |
| Heritage at Marvin | New Town Rd. | 100% approval. | Yes, all plans have been reviewed and adjusted for comments from NCDEQ, and Village of Marvin Engineers, and full set of construction plans have been approved for construction. |

How are you planning stormwater control measures with the Village Hall Park project?

As mentioned in the previous question, stormwater control measures and post construction stormwater programs must meet the requirements of both Marvin Village Ordinances and requirements of NCDEQ requirements as set forth in [15A NCAC 02HN](#)¹⁸; projects over one acre or more are required to have on site stormwater control

¹⁵ [Marvin Development Ordinance, Article 19 – Stormwater Management](#)

¹⁶ Ibid.

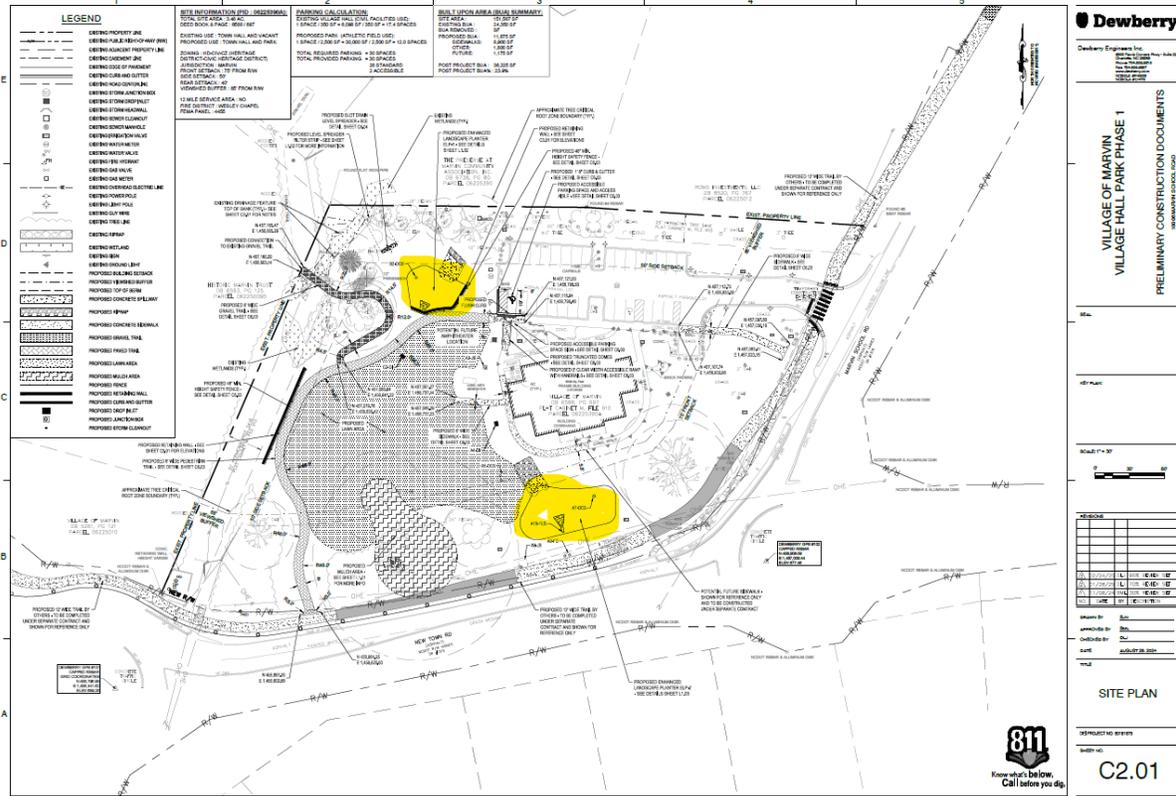
¹⁷ [Subchapter 02H: Procedures for Permits: Approvals, Section .0100: Point Source Discharges to the Surface Waters](#)

¹⁸ Ibid.



Village of Marvin

measures. The Village Hall site combined with the newly proposed Village Hall Park (i.e., common plan of development) will exceed one (1) acre and therefore will include stormwater control measures as follows:



Note: The plans above are conceptual and subject to change as we are still awaiting comments and amendments from NCDEQ.

If all developments were adequately planned, why would certain properties be witnessing flooding issues now?

There could be an array of matters individually or collectively causing issues for a parcel; the ultimate analysis would require an individual hydraulic and hydrological study of the parcel in question. These studies shall be conducted by professional engineers at the property owner’s expense as these can be costly. Residents who have reported concerns of flooding, stormwater runoff, erosion, etc., it is important to note that several combination/s of any of the following could be a factor/s (*note: the following list is not meant to be all inclusive*): 1) Individual issues pertaining to one particular property (e.g., topography or poor grades of lot; clogged house gutters or storm drain/s on personal property side, etc.); 2) issues caused by a neighboring property (i.e., a civil matter between the two parties); 3) properties in or in close proximity to a [FEMA declared special flood hazard areas](#)¹⁹ and/or issues related to natural blockages downstream in the special hazard area (e.g., downed trees; beaver dams; bank erosion; etc.); 4) various issues related to infrastructure located within storm drainage easement/s (e.g., blockages, damage, improper function of an open channel, swell, catch basin, underground pipe, etc.); 5) heavy rain event, etc. Note: any of the above-mentioned issues can be the responsibility of various parties depending on how deeds/plats and CCR’s are recorded, maintenance agreements, location of the issue (inside/outside of a Public Right of Way), etc.

¹⁹ [FEMA Flood Map Service Center: Search By Address “Marvin NC”](#)



Village of Marvin

Has the Village done anything to address flooding concerns residents are experiencing now?

Absolutely. In response to flooding issues witnessed over the last few years, the Village has conducted an array of efforts:

- 1) **2021:** Village Hall was constructed in accordance with Marvin Ordinance and NCDEQ regulations for post-construction stormwater management as calculated and sealed by a professional engineer.
- 2) **September 2022:** Requested assistance of North Carolina Department of Transportation (NCDOT) to conduct a hydrologic study of drainage flows and capacities around Village Hall property from their 24-inch culvert under the section of road between the two roundabouts. Completed in 2023 with no findings of necessary changes.
- 3) **Spring 2024:** Village of Marvin staff conducted a preliminary analysis of blockages along Marvin Branch (stream that runs between Marvin Creek and the Preserve) that could potentially be causing down stream flow issues. An array of blockages was identified which required further professional analysis and subsequently, Village staff wrote a Streamflow Rehabilitation Assistance Program Grant application that was awarded on 6/27/2024 in the amount of \$300,000 by North Carolina Division of Soil and Water Conservation. Over the next six months, staff wrote a Request for Qualifications (RFQ) for engineering firms to complete the work and subsequently conducted an in-depth analysis and interviews to determine the most qualified firms.
- 4) **Summer 2024:** *Marvin Loop Stormwater Assessment Study:* An engineering firm hired to conduct a hydrologic and hydraulic study of areas near the Village's trail along Marvin School Road and Joe Kerr Road. The findings resulted in several areas within the NCDOT Right of Way. Village staff coordinated with NCDOT Maintenance Division to redefine ditches; cleanout/repair of culverts; and remove abandoned/nonfunctioning culverts. Remaining work identified in the scope of recommendations will be assessed in the spring/summer of 2025 to see if mitigation efforts from NCDOT solved the issues. This was done in a phased approach to mitigate costs to taxpayers of the Village of Marvin if the efforts from NCDOT helped mitigate concerns.
- 5) **Fall 2024:** The Village hired an engineering firm to conduct a full Stormwater Inventory on all Village and NCDOT owned residential subdivisions roads. The intent of this inventory was to develop a comprehensive analysis of stormwater infrastructure located within the public right-of-way and assess conditions to develop a maintenance plan that assures adequate functioning of the Village's stormwater network. That inventory should be completed in the next two months and staff have already made budget allocations in FY 25-26 and earmarked future financial needs to regularly assess conditions identified herein.
- 6) **2024-2025:** [Union County Hazard Mitigation Plan Process](#): Union County conducted a multi-jurisdictional Process involving three (3) counties and several municipalities in the formation of the [Cabarrus Stanly Union County Hazard Mitigation Plan](#). Seven (7) of the eleven (11) goals that Marvin implemented over the next 5 years involved flooding/erosion control actions such as identification and development of process to address street drainage issues; creating a stormwater management plan; restricting development on slopes greater than 15%; assessing drainage culverts; etc.²⁰

²⁰ [Proposed 2025 Cabarrus Stanly Union Regional Hazard Mitigation Plan](#)



Village of Marvin

- 7) **Spring 2025:** *Streamflow Rehabilitation Assistance Program:* On 3/27/2025, the Village Council approved an agreement with Dewberry Engineering firm to conduct an array of preliminary environmental services to include field surveys, aquatic habitat assessments (for Carolina Heel-splitter), and jurisdictional water delineations to produce a natural resources report. From there, Dewberry will adequately submit all records to the North Carolina Wildlife Resources Commission (NCWRC) and coordinate permitting with the United States Army Corp of Engineers (USACE) and NCDEQ while also advising proper site selection and prepare construction plans while submitting and coordinating floodplain development permits.
- 8) **Jan-April 2025:** *Consideration of Comprehensive Engineering Analysis of Village Streams:* The Village has also been working to prepare a scope of service to conduct a stream condition analysis. The intent of this study is to assess all streams within Marvin to identify potential problem areas, create peak flow and flooding analyses, and provide recommendations on future projects that match available State and Federal funding sources. This project will include a public input process to allow assistance in the identification and prioritization of issues. Staff expect to finalize scope of work with proposed firm by late spring 2025 for consideration.
- 9) **Fall 2025:** Engineering analysis and implementation (construction/remediation) of issues identified in engineering report/analysis of the Streambank Rehabilitation Assistance Program.

How can the conditional zoning process within the Marvin Heritage District work to promote and assure safety, security, and noise control in addition to the Village's existing regulations and processes?

Conditional Zoning: The conditional zoning process allows for specific conditions to be proposed by the petitioner, Village Council, Planning Board, or Village staff, but only those conditions mutually approved by the Village Council and the petitioner in writing may be incorporated into the zoning regulations and permit requirements. Conditions and site-specific standards imposed in a conditional zoning district shall be limited to those that address the conformance of the development and use of the site to Village ordinances, an officially adopted land use, comprehensive or other plan and those that address the impacts reasonably expected to be generated by the development or use of the site ([MDO §5.4-2](#)).²¹

Safety/Security: The Village already has peak demand law enforcement coverage through its contractual services with the Union County Sheriff's Office that is regularly monitored and adjusted to assure coverage. In addition, the Marvin Oaks developer has mutually agreed with Village of Marvin officials AND Union County Sheriff's Office to make the conditional approval contingent upon a Union County Sheriff Office satellite office as part of the development plans during Phase 1 of the project. In addition, staff has recommended regulating the hours of operation of the development (like Marvin Gardens) as a part of the conditional zoning consideration.

Noise/Lighting:

Lighting: All lighting plans would be studied with the construction documents if the rezoning is approved and will be considered per [§8.5-6\(H\)\(6\)](#)²² of the MDO for the Heritage District which specifically calls for the following:

²¹ [Marvin Development Ordinance, Article 5 – Amendments](#)

²² [Marvin Development Ordinance, Article 8 – Districts](#)



Village of Marvin

Photometric plans shall be required by the Planning and Planning, Zoning & Subdivision Administrator to ensure lighting **shall not affect surrounding residential uses**. Light trespassing shall not exceed one (1.0) foot-candle at any property line that adjoins residential uses or property zone for residential uses.²³

Noise: The Village has regulations [per §2.16](#) of the MDO and Chapter 92 of the Marvin Code of Ordinances²⁴ which states:

- (1) Noise. No use shall be operated so as to generate recurring noises that are unreasonably loud, cause injury, or create a nuisance to any person of ordinary sensitivities. No nonresidential use shall be operated so as to generate any noise in an adjacent residential or mixed-use district (SFR, RR, MS, MU, or TNDO), as detected in that district without instruments, that is louder than the noise which could be generally expected from uses permitted in that district.

In addition, in [§92.01-92.99](#)²⁵ (which applies to all properties in Marvin), the following acts are declared to be nuisances:

- a) Horns and signal devices. The sounding of any horn, whistle or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger signal or as required by law, so as to create any unreasonable, loud or harsh sound, or the sounding of the device for an unnecessary and unreasonable period of time;
- b) Sound-amplifying devices. No sound-amplifying devices on or within motor vehicles shall emit noise in excess of 60 dBA measured at a distance of 50 feet or greater from the motor vehicle; and
- c) Pets. The keeping of any animal or bird, which, by causing frequent or long continued noise, shall disturb the comfort and repose of any reasonable [person](#)²⁶ of ordinary sensibilities in the vicinity; provided, however, that this chapter shall not apply to a dog or dogs being used in a lawful hunt.
- d) It shall be unlawful for any person or entity to emit or cause to be emitted any noise across a [property](#)²⁷ line or to a public street, [sidewalk](#)²⁸ or public vehicular area in excess of 65 dBA between 8:00 a.m. and 9:00 p.m. Sunday through Thursday and between 8:00 a.m. and 11:00 p.m. on Friday or Saturday or 50 dBA at any other time, as measured anywhere within the boundary line of the nearest residentially-occupied property.

Additionally, the hours of deliveries can also be regulated through the conditional zoning process.

Commercial trash collection: Any noise derived from refuse collection shall also comply with the Marvin noise ordinance stated above. Additionally, the Village Council shall consider amending collection practices of solid waste program, [§160.06](#)²⁹ to include commercial properties that create additional penalties for any violators.

²³ [Marvin Development Ordinance, Article 8 – Districts](#)

²⁴ [Marvin Development Ordinance, Article 2 – General Standards & Specifications](#)

²⁵ [Village of Marvin Code of Ordinances, Chapter 92 – Noise](#)

²⁶ [Village of Marvin Code of Ordinances, Chapter 10, §10.05 DEFINITIONS “Person”](#)

²⁷ [Village of Marvin Code of Ordinances, Chapter 10, §10.05 DEFINITIONS “Property”](#)

²⁸ [Village of Marvin Code of Ordinances, Chapter 10, §10.05 DEFINITIONS “Sidewalk”](#)

²⁹ [Village of Marvin Code of Ordinances Chapter 160: Residential Garbage and Refuse Collection and Disposal](#)



Village of Marvin

What is the Village doing to address concerns of traffic congestion due to development proposals?

A Traffic Impact Analysis (TIA) may be required based on the site trip estimates, types and locations of proposed site accesses, crash history at adjacent intersections, nearby highway improvement and development context, or at the discretion of the NCDOT District Engineer and /or the Village of Marvin. NCDOT's TIA trip threshold is 3,000 daily trips. The proposed development is under this threshold to require a TIA; however, the applicant for the Marvin Oaks development has agreed to conduct a for the proposed development. The TIA must be of sufficient scope and detail to allow the Village and NCDOT to evaluate the impact of the proposal and the need for roadway capacity, operation and safety improvements resulting from the proposed development. Supplemental analysis may be required if there is a change in the development plan, site plan, or land use. NCDOT issues driveway permits for all sites along their roadway system and will address ingress/egress during the driveway permit submittal after the rezoning process.

How will parking be adjusted to ensure adequacy and place perimeters to ensure overflow does not create on-street parking in surrounding neighborhoods?

The Marvin Development Ordinance [§8.5-6\(H\)\(3\)](#) does not regulate a minimum number of parking spaces based on land use within the Heritage District specifically with the exception of ensuring ADA compliance. This is a deliberate departure from conventional zoning due to the district's envisioned unique mix of land uses and rural development patterns, which do not align with typical suburban parking minimums. Therefore, the number of parking spaces proposed for development is voluntary, and parking regulations will instead emphasize appearance and functionality.³⁰

The Heritage District prioritizes pedestrians and cyclists over motorists when deliberating site specific design plans and amenities. This emphasizes walkability and the small-town character. To address concerns of overflow on-street parking, additional considerations and petitions to the Council to enact ordinances to restrict on-street parking can be considered.

Why is there no concern for the commercial development of Marvin Oaks (proposed Marvin School development between Village Hall and the Preserve) and Marvin Grove (approved New Town Road development between Village Hall and Methodist Church) affecting the schools?

Both Marvin Grove and Marvin Oaks are commercial developments only. Neither are permitted to have a residential component and therefore will have a minimal impact on population growth and the school system.

Why have the plans changed for the Marvin Oaks development? And why do some believe there is a lack of transparency in this process?

The Marvin Oaks Site plan has only had minor changes since it was first introduced at the Neighborhood Meeting on 2/4/2025. The only changes that have been made are to the elevations of the proposed buildings and the building placement. The applicant also proposed at the 3/18/2025 Planning Board Meeting to reduce the size of building 4 and make it only a single-story building, reducing the overall square footage of the development.

³⁰ [Marvin Development Ordinance, Article 8 - Districts](#)



Village of Marvin

How were the General Obligation Bonds tied to Projects?

The purpose of the General Obligation Bond Referendum was to provide a reliable funding mechanism to permit various projects to be completed more timely and efficiently; it was never the intent to stop all projects that were a part of the process. The Council will consider each project annually as a part of its budget process moving forward. Other than road and transportation infrastructure, the Marvin Heritage District was not a part of projects listed within the General Obligation Bond Referendum. See [bond presentation](#) for more information.³¹

HISTORIC PRESERVATION

The Village of Marvin is not required to have a local designation commission (i.e., historic preservation commission); this is a voluntary program. The questions and answers below will attempt to clear up any confusion related to historic preservation and Marvin's requirements.

Is Marvin required to have a Historic Preservation Commission/Local Designation process?

No, [N.C.G.S. §160D-944](#) enables local governments authority, but does not mandate participation.³²

Are there any properties listed in the National Registry of Historic Places located within Marvin, NC?

[No.](#)³³

Marvin adopted Resolution 2024-06-01 Authorizing Historic Designation of the Kerr Family Farm on 6/10/2024; how is that not recorded and how did Marvin declare if it doesn't have a Historic Commission?

There is a difference between local designation (as designated by a local historic preservation commission) and the National Register of Historic Places. The Village's resolution as adopted enabled the Union County Historic Commission to encourage the Union County Board of Commissioners' designation of the property. This resolution was site specific to the Kerr Farm with exact parcel identification in the resolution; this resolution did not apply to any other parcel/s in Marvin. The parcel is located along Joe Kerr Road which is nowhere near or in proximity to the Marvin Heritage District.

If the Marvin Heritage District is ELIGIBLE for designation does this mean it is automatically registered or is further action warranted?

Further action is warranted before designation is at the local level or in the National Register of Historic Places.

What is Section 106 of the National Preservation Act of 1966 and when does it apply?

[Section 106](#)³⁴ applies any project will involve **FEDERAL** permitting, funding, and/or agencies. Put simply, if there is no federal involvement (via funding, permits, property, etc.), Section 106 does not apply. This information has been confirmed by the North Carolina Department of Natural and Cultural Resources Division of State Historic Preservation Office.

³¹ [Town Hall Minutes and Bond Presentation](#)

³² [North Carolina General Statutes \(NCGS\) Chapter 160D-944 - Designation of Historic Districts](#)

³³ [National Registry of Historic Places Database](#)

³⁴ ["An Introduction to Section 106." Advisory Council on Historic Preservation.](#)



Village of Marvin

Does Marvin have any current projects going through the Section 106 process or have any in the past?

Yes, one was conducted in [2016](#)³⁵ for the Roundabouts at New Town and Waxhaw Marvin and New Town and Marvin School Road. Additionally, the Village entered a contract with Dewberry Engineering firm the [4/25/24 Council Meeting](#) for the Marvin Loop project where coordination with the State Historic Preservation Office was listed within the Environmental Planning phase to assure National Environmental Policy Act compliance.³⁶

###

³⁵ [Gledhill-Earley, Renee. 2016. "Historic Structures Survey Report, Construction of Roundabouts at Intersection of SR 1315 \(Newtown Road\) at SR 1307 \(Waxhaw-Marvin Road\) and SR 1315 \(Newtown Road\) at SR 1316 \(Marvin School Road\), PA 16-04-0021, Union County, ER 16-1523." North Carolina Department of Natural and Cultural Resources State Historic Preservation Office.](#)

³⁶ [Dewberry Contract/Scope of Services starting on Page 64](#)