TOWN OF MARLBORO
Development Review Board

Application for a Minor Subdivision
Findings and Decision

Permit Application # 25-03 LD

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review, under the Town of Marlboro Zoning Bylaw, of an Application for a Minor Subdivision submitted by Randolph & Kathleen Pell, PO Box 403, Marlboro, VT 05344-0403; Location: 294 Honeycomb Hill, Marlboro, VT; Tax Map Number 06-02-07; Proposal: Minor Subdivision; Divide a 22.4-acre parcel into three (3) lots. Lot 1 is 5.3 acres with existing single-family dwelling & garage; Lot 2 is 11.6 acres, undeveloped; Lot 3 is 5.6 acres, undeveloped. Each lot has access to VT Route 9 by deeded right-of-way: Honeycomb Hill (private road).

2. The Application was received by Mary Sargent, Zoning Administrator, on March 13, 2025. A copy of the Application is available for review at the Marlboro Town Office, and on the DRB page of the Marlboro Town website, marlborovt.us.

3. On March 29, 2025, Notice of a public Hearing in the Town Office with *Zoom* videoconference was published in the *Brattleboro Reformer.*

4. On March 31, 2025, Notice of a public Hearing in the Town Office with *Zoom* videoconference was posted at the following places:

    - Marlboro Town Clerk's Office
    - Bulletin Board outside the Marlboro Town Clerk's Office
    - Marlboro Town website, marlborovt.us

5. On April 1, 2025, a copy of the Notice of a public Hearing was mailed to the Applicant. On April 1, 2025, a copy of the Notice of a public Hearing was mailed to the following Owners of properties adjoining the property subject to the Application:

    - John Elting & Alisha Reynolds, 4830 VT Route 9, Brattleboro, VT 05301
    - Mike & Barbara Andreotta, 4815 VT Route 9, Brattleboro, VT 05301
    - Heather Bevilacqua, 5 Usher Street, Milford, CT 06460
    - Civita Russo, PO Box 386, Marlboro, VT 05344-0386

- John & Mary Begin, c/o Lisa Begin-Kruysman, 1640 Sandpiper Court, St. Marys, GA 31558
- Clifford Benjamin, 2324 SE 9th Street, Pompano Beach, FL 33062
- Carter & Sandra Cooley, PO Box 427, 21 Brookfield Road, Brimfield, MA 01010-0427
- State of Vermont, Dept. of Transportation, 103 South Main Street, Waterbury, VT 05676
- Nicole Birkholzer, PO Box 175, Marlboro, VT 05344-0175
- Julia Arduini & Anastasia Houze, PO Box 387, Marlboro, VT 05344-0387
- Emma Redden & Alana Redden, 21 South Williams Street, #7, Burlington, VT 05401

6. The Application was considered by the Development Review Board at a public Hearing in the Town Office with *Zoom* videoconference on April 15, 2025. The Development Review Board reviewed the Application under the Subdivision Regulations of the Town of Marlboro, as amended March 4, 2010.

7. Present at the Hearing were the following Members of the Development Review Board:

    - Steven John, Chair
    - Jean Boardman, Vice Chair
    - Brent Seabrook, Clerk
    - Gail MacArthur
    - Mary Sargent, Zoning Administrator
    - John Marinelli, Scribe

8. At the outset of the Hearing, the Development Review Board afforded those persons wishing to achieve status as an Interested Party an opportunity under *24 V.S.A. § 4465(b)* to demonstrate that the criteria set forth in that Statute could be met. The following persons sought Interested Party status:

    - Barbara Andreotta, 4815 VT Route 9, Brattleboro, VT 05301 **:** Abutter

9. During the course of the Hearing the following Exhibits were submitted to the Development Review Board:

    - Permit Application, signed and dated 3/9/2025
    - Conceptual Subdivision Plan, Preliminary, prepared by Hoyt Gilmour Survey Associates, dated Nov. 2024
    - Environmental Report prepared by Pieter van Loon, State of Vermont Licensed Forester, dated March 16, 2025
    - Pell Natural Features Maps (2), prepared by Pieter van Loon, dated March 2025, with contours & satellite imagery of natural features identified in Environmental Report

- Town of Marlboro CTI maps (2), Tax Map Number 06-02-37, printed on March 25, 2025, with dimensions, 20-foot contours and *Color Infrared* Imagery
- List of abutters to Pell property (Tax Map # 06-02-37), with Town of Marlboro CTI map, printed on March 25, 2025

These Exhibits are available for inspection at the Marlboro Town Office.

FINDINGS

Based on the Application, testimony, Exhibits, and other evidence, the Development Review Board makes the following Findings:

1. The Applicant seeks a Minor Subdivision to divide a 22.4-acre parcel into three (3) lots. Lot 1 is 5.3 acres with existing single-family dwelling & garage; Lot 2 is 11.6 acres, undeveloped; Lot 3 is 5.6 acres, undeveloped. Each lot has access to VT Route 9 by deeded right-of-way: Honeycomb Hill (private road).

2. The subject property is a parcel of 22.4 acres, located at 294 Honeycomb Hill in the Town of Marlboro; Tax Map Number 06-02-37. The property is more fully described in a Deed recorded in Book 37, Page 453, of the Town of Marlboro Land Records.

3. The property is located in the Rural Residential District (RUR) as described in the Town of Marlboro Zoning Map on record at the Town of Marlboro municipal office, and in *Section 305 - Rural Residential (RUR)* of the Marlboro Zoning Regulations, dated March 6, 2018.

4. The proposal meets the definition of a Minor Subdivision, described in *Article II, Section 2.1 (B)* of the Marlboro Subdivision Regulations, dated March 4, 2010.

5. The proposal conforms to the General Standards for a Minor Subdivision, described in *Article III, Sections 3.1 & 3.2* of the Marlboro Subdivision Regulations, dated March 4, 2010.

DECISION AND CONDITIONS

Based upon these findings, and subject to the Conditions set forth below, the Development Review Board grants the Minor Subdivision described in Permit # 25-03 LD: to divide a 22.4-acre parcel into three (3) lots. Lot 1 is 5.3 acres with existing single-family dwelling & garage; Lot 2 is 11.6 acres, undeveloped; Lot 3 is 5.6 acres, undeveloped. All lots have access to VT Route 9 by deeded right-of-way: Honeycomb Hill (private road).

The proposed Minor Subdivision meets the requirements of Articles II & III of the Marlboro Subdivision Regulations.

The Development Review Board approves the Application, subject to the following Conditions:

The approval of the Development Review Board shall expire 180 days from the date of this Decision, unless an approved Plat and corresponding Deeds are duly filed or recorded in the office of the Marlboro Town Clerk.

Dated at Marlboro, Vermont, this 22 nd day of April, 2025 .

Steven John, Chair
Marlboro Development Review Board

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.