

TOWN OF MARLBORO
Development Review Board

Boundary Line Adjustment Review
Findings and Decision

Permit Application no. 16-06 LD

1. This proceeding involves review of an application for a Boundary Line Adjustment between parcels #12-00-61 and 12-00-62.
2. The application was received by the Zoning Administrator on 28 April 2016. A copy of the application is available at the Marlboro Town Office.
3. On 2 May 2016, notice of a public hearing was published in the *Brattleboro Reformer*.
4. On 2 May 2016, notice of a public hearing was posted at the following places:
 - Marlboro Town Office
 - Marlboro Town Bulletin Board
 - Marlboro Town website
5. On 2 May 2016, a copy of the notice of a public hearing was mailed to the applicant. On 2 May 2016 a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
 - Matthias Naegele, 112 West St., Hadley MA 01035 (applicant)
 - Cowpath 40 Realty Trust, PO Box 107, Marlboro VT 05344
 - James C. Betteridge, 1110 Bardell Dr., Wilmington DE 19808-3000
 - Joseph Sarnowski, 327 Long Lane Farm, White Stone VA 22578
 - Robert L Merriam Jr., PO Box 2545, Brattleboro VT 05303
 - Cowpath 49 Qprt Trust, 76 Meriam St., Lexington MA 02420
 - C. Arthur & Kevin C. Patton-Hock, 6 Williams Court, Somerville MA 02143
 - Michele A. Streeter, 187 Summit St., Franklin NH 03235
 - Ames Hill-Marlboro Community Center, PO Box 2124, West Brattleboro VT 05303-2124
6. The application was considered by the Development Review Board of the Town of Marlboro at a public hearing on 17 May 2016. The Development Review Board reviewed the application under the Town of Marlboro Zoning Regulations, as amended March 2007.
7. Present at the hearing were the following members of the Development Review Board:

- T. Hunter Wilson, Chairman
- Jean Boardman, Clerk
- Brent Seabrook
- Gail MacArthur
- Bennett Grout
- Mary Sargent, ex officio member, Zoning Officer

8. At the outset of the hearing the Development Review Board afforded those persons wishing to achieve status as an interested person 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:

- James C. Betteridge, 1119 Bardell Dr., Wilmington DE 19808
- Kathleen A. Martin, PO Box 161, Saxtons River VT 05154
- Robert Merriam, PO Box 61, Marlboro VT 05344
- Catharine Hamilton, 1801 Ames Hill Rd., Marlboro CT 05344

9. During the course of the hearing the following exhibits were submitted to the Development Review Board:

- Letter from Matthias D. Naegele, 112 West St. Hadley MA 01035, authorizing James C Betteridge or Kathleen A. Martin to represent him before the Marlboro DRB for a Boundary Line Adjustment on his property at 1536 Cow Path 40.
- Letter from Matthias D. Naegele, 112 West St., Hadley MA 01035 requesting a waiver of the requirement to provide topographical information on the plan of the Boundary Line Adjustment.
- Marlboro Listers' map of James C. Betteridge property Tax map#12-00-62 including the property of Matthias Naegele Tax map #12-00-61.

These exhibits are available at the Marlboro Town Office.

DECISION AND CONDITIONS

Based upon findings and subject to the requirements of Sections 2 & 3 of the Subdivision regulations., the Development Review Board approves the application for the Boundary Line Adjustment as defined in application#16-06LD.

Dated at Marlboro Vermont this 8th day of September 2016.

Jean H. Boardman
Clerk, DRB

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding 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.