

TOWN OF MARLBORO  
Development Review Board

Application for Variance Findings and Decision

Permit Application #17-21 V

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review under the Town of Marlboro Zoning Bylaws of an application for a variance submitted by Owner: Marlboro College (Matthew Barone), PO Box A, Marlboro, VT 05344; Applicant: Wood & Wood Signs (Patricia Papa), 98 Carroll Road, Waitsfield, VT 05673; Location: 2070 South Road, Marlboro, VT 05344; Tax Map number 11-01-41.11; Proposal: To install a sign at the driveway entrance identifying Marlboro College Graduate School Admissions Office, within the setback from South Road as well as the setback from the property line.
2. The application was received by Mary Sargent, Zoning Administrator, on September 1, 2017. A copy of the application is available at the Marlboro Town Office.
3. On September 6, 2017, notice of a public hearing was published in the Brattleboro Reformer.
4. On September 6, 2017, notice of a public hearing 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](http://marlborovt.us)
5. On September 6, 2017, a copy of the notice of a public hearing was mailed to the applicant. On September 6, 2017, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application.

- James Levinson & Louise Cochran, PO Box 50, Marlboro, VT 05344
- Laura Berkowitz & Patrick Johnson, PO Box 384, Marlboro, VT 05344
- Douglas Korb & Erika Haupt, PO Box 23, Marlboro, VT 05344

6. The application was considered by the Development Review Board at a public hearing on September 19, 2017. The Development Review Board reviewed the application under the Town of Marlboro Zoning Bylaw, as amended March, 2007.

7. Present at the hearing were the following members of the Development Review Board:

- Steven John, Chairman
- Jean Boardman, Clerk
- Gail MacArthur
- Matt Tell, Alternate
- Mary Sargent, Zoning Administrator
- Julia von Ranson, DRB Administrative Assistant

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. A record of the name and address of persons wishing status as an interested person, a summary of their evidence with regard to the criteria, and a record of their participation at the hearing is attached hereto.

- No Interested Parties

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

- Permit Application, signed and dated September 19, 2017
- Letter from Marlboro College President Kevin Quigley, dated Sept. 1, 2017, authorizing Dan Cotter and Matthew Barone to represent the College regarding any permit application
- Site plan sketch by Wood & Wood Sign Systems, dated Sept. 1, 2017, showing location of a new sign at intersection of South Road and driveway to the building
- Drawing by Wood & Wood Sign Systems, dated Sept. 1, 2017, with specifications of the new sign
- Town of Marlboro CTI Maps (2), showing parcel boundaries, dimensions, and 20-foot contours, printed on Sept. 1, 2017
- Town of Marlboro CTI Maps (2), showing Bing Imagery (aerial view of existing development of the parcel), printed on Sept. 1, 2017

- List of abutters to Marlboro College – Graduate Center Offices property at 2070 South Road, (Tax Map # 01-01-41.11), printed on Sept. 1, 2017

These exhibits are available 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 variance to install a sign at the driveway entrance, identifying Marlboro College Graduate School Admissions Office, within the setback from South Road as well as the setback from the property line. The variance request requires review under the following sections of the Zoning Bylaw: Section 305 Rural Residential, Area, Dimensional and Coverage Requirements, Front Yard Minimum: 50 feet (from highway right-of-way).
2. The subject property is a 12.97 acre parcel located at 2070 South Road in the Town of Marlboro. Tax map parcel no. 11-01-41.11. The property is more fully described in a Deed recorded at Book 57, Page 177, of the Town of Marlboro Land Records.
3. The property is located in the Rural Residential District as described on the Town of Marlboro Zoning Map on record at the Town of Marlboro municipal office and Section 305 of the Zoning Bylaw.
4. The following unique physical circumstances or conditions peculiar to the subject property are found: The property on which the Graduate School Admissions Office is located has a 25' wide panhandle which provides the only access to the building. No other location is possible for a sign.

Because of these unique circumstances and conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Bylaw and authorization of a variance is necessary to enable the reasonable development of the property.

Unnecessary hardship has not been created by the applicant.

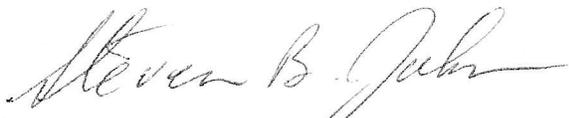
For the following reasons, the variance will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare: The character of the neighborhood is rural residential and on the border of the Educational District.

The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the Bylaw and from the Town Plan.

#### DECISION AND CONDITIONS

Based upon these findings, the Development Review Board approves the following variance: to install a sign at the driveway entrance, identifying Marlboro College Graduate School Admissions Office, within the setback from South Road as well as the setback from the property line.

Dated at Marlboro, Vermont, this 4th day of October, 2017.



Steven B. John, Chairman  
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.