

TOWN OF MARLBORO  
Development Review Board

Application for Change of Use  
Findings and Decision

Permit Application #18-13 CH

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review, under the Town of Marlboro Zoning Bylaw, of an application for Change of Use submitted by Leon G. Knapp, 19 Woody's Drive, Dummerston, VT 05301; Location: 1092 Lahar Road, Marlboro, VT; Tax Map Number 07-02-25.1; Proposal: Convert a primitive camp into a single-family residence, with a 12'x24' addition to the existing structure.
2. The application was received by Mary Sargent, Zoning Administrator, on June 28, 2018. It was accepted as complete on January 24, 2019. A copy of the application is available at the Marlboro Town Office.
3. On February 4, 2019, notice of a public hearing was published in the *Brattleboro Reformer*.
4. On February 4, 2019, 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 February 4, 2019, a copy of the notice of a public hearing was mailed to the applicant. On February 4, 2019, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
  - Marlboro Maximus LLC, % Peter Durgin, 535 Cummings Rd., Chester, VT 05143
  - Albert & Nancy Cohen, % Stephen Cohen, 1140 Beacon St., Unit 105, Brookline, MA 02446
6. The application was considered by the Development Review Board at a public hearing on February 19, 2019. The Development Review Board reviewed the application under the Town of Marlboro Zoning Bylaw, as amended March 2018.

7. Present at the hearing were the following members of the Development Review Board:
  - Steven John, Chairman
  - Jean Boardman, Clerk
  - Gail MacArthur
  - Brent Seabrook
  - John Nevins
  - Mary Sargent, Zoning Administrator
  
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:
  - No interested parties attended
  
9. During the course of the hearing the following exhibits were submitted to the Development Review Board:
  - Permit Application, signed and dated 6/28/18
  - Approved survey map of Subdivision Permit #16-04 LD, signed by Joseph DiBernardo and dated July 9, 2015
  - Section of survey map covering subject property, enlarged to show dimensions and existing and proposed structures with setbacks.
  - ProVal Sketch Worksheet showing layout/dimensions of existing camp structure and proposed addition
  - State of Vermont WasteWater System Permit # WW-2-5726, dated October 17, 2018
  - List of abutters to Leon Knapp property (Tax Map # 07-02-25.1), with corresponding Town of Marlboro CTI map, printed on February 3, 2019

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 Change of Use to convert an existing primitive camp building into a single-family residence, with a 12'x24' addition to the existing structure.

2. The subject property is a 7.96 acre parcel located at 1092 Lahar Road in the Town of Marlboro; Tax map parcel # 07-02-25.1. The property is more fully described in a Deed recorded at Book 62, Page 271, of the Town of Marlboro Land Records.
3. The property is located in the Rural Residential District as described in the Town of Marlboro Zoning Map on record at the Town of Marlboro municipal office, and in Section 305 of the Zoning Regulations of the Town of Marlboro.
4. Change of Use approval is requested to convert a primitive camp into a single-family residence on a parcel in the Rural Residential District. The project meets the requirements of Section 305 of the Zoning Bylaw.

#### DECISION AND CONDITIONS

Based upon these findings, the Development Review Board approves the following Change of Use: to convert an existing primitive camp building into a single-family residence, with a 12'x24' addition to the existing structure. No conditions were established at the hearing.

Dated at Marlboro, Vermont, this 19<sup>th</sup> day of March, 2019.



Steven 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.