

TOWN OF MARLBORO
Development Review Board

Site Plan Review
Findings and Decision

Permit Application #18-25 SP

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review under the Town of Marlboro Zoning Bylaw of an application for Site Plan approval submitted by Applicant Kevin Thatcher, CHA Consulting, Inc., 11 King Court, Keene, NH 03431; on behalf of Owner Marlboro College (Daniel Cotter, Director of Plant & Operations - Maintenance), PO Box A, Marlboro, VT 05344; Location: 2582 South Road, Marlboro, VT; Tax Map Number 11-01-37; Proposal: Approve Site Plan for construction of a new classroom building and a residence hall to replace two (2) existing dormitory buildings (Howland and Marlboro Gardens).

2. The application was received by Mary Sargent, Zoning Administrator, on October 31, 2018. The preliminary sketch plat was received on October 31, 2018. The final subdivision plat was received on January 16, 2019. A copy of the application and final plat are available for review at the Marlboro Town Office.

3. On November 5, 2018, and again on March 4, 2019, notice of a public hearing was published in the *Brattleboro Reformer*.

4. On November 5, 2018, and again on March 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

5. On November 8, 2018, and again on March 5, 2019, a copy of the notice for a public hearing was mailed to the applicant and to the owner. On November 8, 2018, and again on March 5, 2019, a copy of the notice for a public hearing was mailed to the following owners of properties adjoining the property subject to the application:

- Adelbert Ames Estate, 84 Jenckes Road, Brattleboro, VT 05301-9652
- Geoffrey Hendricks, 486 Greenwich Street, New York, NY 10013
- James Levinson & Louise Cochran, PO Box 50, Marlboro, VT 05344-0050
- Marlboro School of Music, Inc., 1528 Walnut Street, Suite 301, Philadelphia, PA 19102

6. The application and preliminary sketch plan were considered by the Development Review Board at a public hearing on November 20, 2018 at 7:21 PM. The final Subdivision plat and Site Plan were considered by the Development Review Board at a public hearing on March 19, 2019 at 7:05 PM. The Development Review Board reviewed the application and plat under the Town of Marlboro Subdivision Regulations, as amended March 4, 2010, and the Town of Marlboro Zoning Regulations, as amended March 6, 2018.

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

- Steven John, Chair
- Jean H. Boardman, Vice-Chair
- Gail MacArthur
- John Nevins
- Brent Seabrook
- Mary Sargent, Zoning Administrator

8. At the outset of each 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:

- November 20, 2018: No interested parties attended
- March 19, 2019: Bennett Grout, Chair, Marlboro Planning Commission; Staley McDermet, Vice-Chair, Marlboro Planning Commission

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

- Permit Application #18-25 SP, signed and dated 10/31/2018
- Existing Condition Plan of the proposed construction site, prepared by HGA (Hammel, Green and Abrahamson, Minneapolis, MN), unsigned, dated August 17, 2018
- Boundary Line Adjustment Plat, prepared by Eric J. Poreda (CHA, Albany, NY), signed and dated 1-7-2019
- Proposed Site Layout Plan, prepared by HGA, unsigned, dated August 17, 2018
- Schematic design of the Project in detail (18 pages), prepared by HGA, unsigned, dated August 17, 2018
- Town of Marlboro CTI Map, showing parcel boundaries and 20-foot contours, printed on November 19, 2018
- Town of Marlboro CTI Map, showing NAIP Imagery 2014, printed on Nov. 19, 2018
- Town of Marlboro CTI Map, showing Ortho Imagery 2015, printed on Nov. 19, 2018
- List of abutters to Marlboro College Main Campus property (Tax Map # 11-01-37 & 11-01-34), with corresponding Town of Marlboro CTI map, printed on November 7, 2018

These exhibits are available for review 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 subject property is located at 2582 South Road in the Town of Marlboro, VT; Tax Map # 11-01-37. The property is more fully described in a Deed, recorded at Book 20, Page 231, of the Town of Marlboro Land Records.
2. The property is located in the Educational District as described on the Town of Marlboro Zoning Map on record at the Town of Marlboro municipal office, and in Section 310 of the Town of Marlboro Zoning Regulations.
3. Site Plan approval is requested for construction of a new classroom building and a residence hall to replace two (2) existing dormitory buildings (Howland and Marlboro Gardens), on a parcel in the Educational District. The project meets the requirements of Section 310 of the Marlboro Zoning Bylaw.

DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the Development Review Board approves the Site Layout Plan as described in Permit #18-25 SP.

The Development Review Board approves the application subject to the following conditions:

- Building permit will not be issued until all required State permits have been received
- Exterior lighting will be kept to a minimum that meets fire and safety requirements for egress and entry, with particular care to avoid lighting "wash" to the sides and above

Dated at Marlboro, Vermont, this 1st day of April, 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.