

TOWN OF MARLBORO  
DEVELOPMENT REVIEW BOARD MEETING

Tuesday, June 18, 2019

Marlboro Town Office

In attendance: Steven John, DRB Chair; Jean Boardman, DRB Vice Chair; Mary Sargent, Zoning Administrator; John Nevins, DRB Member; Brent Seabrook, DRB Member; Matt Tell, DRB Alternate; Lauren MacArthur, DRB Administrative Assistant; Lauren Poster, Applicant; Fletcher Proctor, Applicant

Call to Order: Steven John, Chair, called the hearing to order at 7:07pm.

The DRB convened the hearing for Application #19-05 CH, a change-of-use request to convert a free-standing studio into a one-bedroom apartment, with no change to the footprint of the existing structure.

Steven explained that this is a quasi-judicial hearing and that the applicant has the right to appeal. Steven swore in Lauren Poster.

Lauren Poster explained that the building does not currently have running water and has not been in use recently. Lauren and her husband would like to renovate it and turn it into an apartment for a friend. The new apartment would have water shared with the house, and it would have its own septic tank. There is an existing leach field that will be expanded. Michael Marquis has done the wastewater design and a Wastewater System and Potable Water Supply Permit was received yesterday, 6/17/19 from the State. The building is two stories, but the apartment will only be on the first floor. There is no setback issue because this is an accessory dwelling with habitable floor area less than 30% of the primary dwelling.

Jean Boardman wondered about how to handle commercial rentals, in general, when applicants plan to rent out spaces. This will be discussed by the DRB at another time.

Brent had a question about more than one dwelling existing on one property. Section 412 on page 49 of the Zoning Regulations was consulted.

Lauren Poster asked if they would be able to begin work on the leach field before the two-week waiting period. Because the leach field will be upgraded and expanded anyhow for use by the primary residence, and a permit has been received, there is no need to wait on this work.

The Board decided to go into executive session after speaking with the second applicant.

The hearing on Application #19-05CH was suspended at 7:30pm

The DRB convened the preliminary hearing for Application #19-06 LD.

Fletcher Proctor was present, representing the executor of the Eames estate. Mr. Proctor explained that Mr. Eames divided his land between his family and the Jenkes Foundation, with Old Sodom Road providing a straight line which serves as the boundary line between the parcels: the west parcel would be 278 acres and the east parcel would be 494 acres. It was clarified that Old Sodom Rd has been thrown up and legally, the town is no longer responsible for maintenance of Old Sodom Rd. The survey is in process and should be complete by the end of the summer (perhaps late August). Through probate court, there will be a decree of distribution. There are no plans for construction or further subdivision. The land is under current use. The two parcels cannot be distributed to the two beneficiaries without the DRB's permission to divide the parcel and hand down the two pieces of land separately.

The preliminary hearing on Application #19-06 LD was suspended at 7:40pm

Brent Seabrook made a motion to go into Executive Session. The motion was seconded by John Nevins. At 7:41pm, the DRB went into executive session regarding Application #19-05 CH.

The DRB came out of Executive Session at 8:07pm.

Brent moved to grant a change of use from an existing structure, presently used as a studio, to an accessory dwelling unit on parcel #11-01-57. Jean seconded the motion. There was no discussion and unanimous approval.

Brent Seabrook made a motion to go into Executive Session to discuss Application #19-06 LD. The motion was seconded by Matt Tell and approved unanimously. The DRB went into Executive Session regarding Application #19-06 LD at 8:10pm

The Board came out of Executive Session 8:25pm

Jean made a motion to send a letter stating that the Board sees no issue and has no questions with regard to the division of the property, but cannot issue a decision until the application is completed with the final survey submitted to the Zoning Administrator. The motion was seconded by Matt Tell. There was no discussion and unanimous approval of the motion.

The preliminary hearing was closed at 8:24pm.

There was further informal discussion about upcoming hearings and issues, including the issue of Airbnb and other commercial renting. Matt Tell assured the Board that affordable housing, and commercial renting, including Airbnb is on the Planning Commission's radar.

Brent moved to adjourn, Matt seconded.

The meeting closed at 8:32pm.

Respectfully submitted,  
Lauren B. MacArthur,  
DRB Administrative Assistant