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LEGALS
TOWN OF MARLBORO
DEVELOPMENT REVIEW BOARD

A public hearing before the Development Review Board of the Town of Marlboro will be held as a Zoom electronic meeting at 7 PM on Tuesday, December 15, 2020, to consider:

1. Permit # 20-24 CH: Owners: Jacob & Meghan Smith, PO Box 121, Marlboro, VT 05344-0121; Applicant: Jason MacArthur, PO Box 512, Marlboro, VT 05344-0512; Location: 90 Turnpike Road, Marlboro, VT; Tax Map Number 12-00-04; Proposal: Change of Use; Convert existing garage/pottery studio building into a Professional Residence-Office consisting of an apartment & homeopathic apothecary studio, accessory to an existing single-family home.
2. Permit # 20-26 CH: Owners: Anne Diebel & Rafil Kroll-Zaidi, 249 Front Street, Apt.2, Brooklyn, NY 11201; Location: 389 Cowpath 40, Marlboro, VT; Tax Map Number 12-00-30.11; Proposal: Change of Use; Convert a storage shed into a Primitive Camp.

The above Applications are available for inspection at the Marlboro Town Office, and on the Marlboro Town website (marlborovt.us).

Persons wishing to participate in the meeting from a remote location will find contact information posted on the DRB page of the Marlboro Town website (marlborovt.us). Persons wishing to appeal and be heard may do so in person or be represented by an agent or attorney. Communication about an application may be filed in writing with the DRB or at the Hearing.

Mary Sargent, Zoning Administrator
marlborozoningoffice@gmail.com

Scheduled Zoom meeting:

Topic: Marlboro DRB Hearing
Time: Dec 15, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/82894619957?pwd=SnNLa0xScXR1RldjT1BWYzFzMmVTdz09>

Meeting ID: 828 9461 9957
Passcode: 078539

One tap mobile
+13126266799,,82894619957#,,,,,0#,,078539# US (Chicago)
+16465588656,,82894619957#,,,,,0#,,078539# US (New York)

Dial by your location
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)

Meeting ID: 828 9461 9957
Passcode: 078539
Find your local number: <https://us02web.zoom.us/j/82894619957>

ZONING PERMIT APPLICATION

Permit # 20-24CH

Town of Marlboro, Vermont

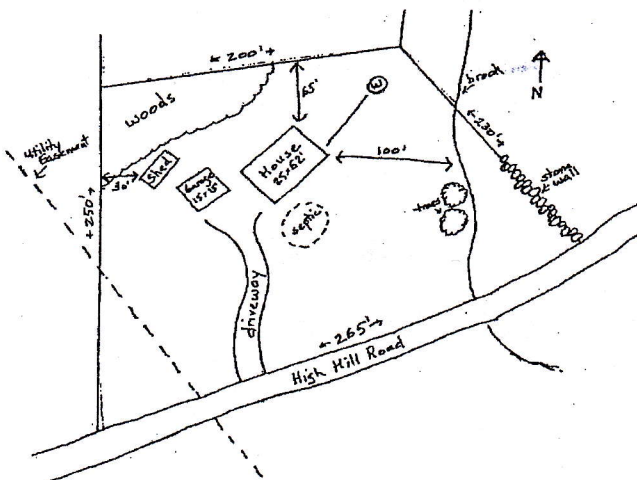
PO Box E Marlboro, VT 05344 802-254-2181

Fax 802-257-2447 marlborozoningoffice@gmail.com

General Information for Permit Applicants

- An application can not be processed until it is complete and accurate, and the appropriate fees have been paid.
- A complete application requires the signature of the owner(s) of record of the property **and** authorization to represent owner, if the applicant is not the owner of record.
- Any additional pages or attachments must be signed and dated by the applicant, and must include the tax map number of the parcel being developed.
- Fees must be submitted with the application. See permit fee schedule for amounts due.
- Inspection by the Zoning Administrator may be required before the project start.
- The Zoning Administrator has 30 days to act after the receipt of a **complete** application [24 V.S.A. 4448(d)]. **Plan your projects with this time frame in mind.** No permitted development may be undertaken until the appeal period (15 days following the issuance of a zoning permit) has passed.
- Denials may be appealed to the Development Review Board by filing a written request within 15 days of the denial.

EXAMPLE



Marlboro, Vermont
Town Clerk's Office
Received & Recorded

Date _____

Book _____ Page _____

Attest: _____

Town Clerk

Complete all information in ink. If an item does not apply to you, please write in "n/a".

Owner(s) <u>Jacob + Meghan Smith</u>	Applicant (if different) <u>Jason MacArthur</u>
Mail Address <u>PO Box 121</u>	Mail Address <u>PO Box 510</u>
<u>Marlboro, VT. 05344</u>	<u>Marlboro, VT. 05344</u>
Phone <u>267-226-8258</u>	Phone <u>802-254-5306</u>
Email <u>jacob@packet.com</u>	Email <u>appletreebuildersvt@gmail.com</u>
Address <u>90 Turnpike Road</u> House # Road	Present Use
Tax Map # <u>12 - 00 - 04</u>	<input checked="" type="checkbox"/> Single or Two-Family Residence
Zone <u>RR</u> # Acres <u>92.5</u>	<input type="checkbox"/> Multi-family Residence
Book <u>61</u> Page <u>453</u>	<input type="checkbox"/> Accessory Dwelling Unit
	<input type="checkbox"/> Camp
	<input type="checkbox"/> Educational
	<input checked="" type="checkbox"/> Commercial
	<input type="checkbox"/> Undeveloped Land
	<input type="checkbox"/> Other _____
Proposed Project (sketch plan required)	Proposed Project (site plan required).
<input type="checkbox"/> New Structure	<input checked="" type="checkbox"/> Change of Use
<input type="checkbox"/> Additional to Existing Structure	<input checked="" type="checkbox"/> Conditional Use
<input type="checkbox"/> Accessory Use	<input type="checkbox"/> Variance
<input type="checkbox"/> Other _____	<input type="checkbox"/> PUD
	<input type="checkbox"/> Other _____

Explain proposal, including dimensions and height to peak. (Attach additional sheets if needed.

Each additional sheet must include the tax map number in the upper right corner of pages.)

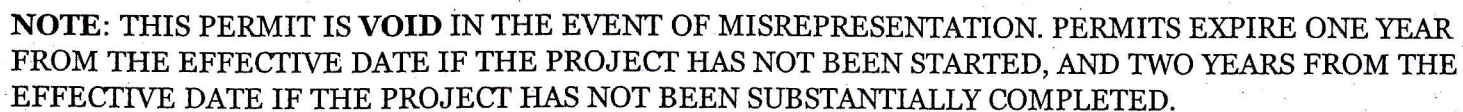
See attached sheet

Submit a project sketch, locating the project area. The sketch plan must be **in ink** and must:

- ☐ show boundary lines, road frontage, driveways, easements, and rights-of-way
- ☐ locate **all** existing buildings/structures, with dimensions, heights, and setback distances from property lines, roads, brooks, and ponds.
- ☐ locate all proposed structures, with dimensions and setback distances from property lines, roads, brooks, and ponds
- ☐ indicate existing and/or proposed wells, septic tanks, and leach fields
- ☐ indicate North
- ☐ show location of brooks, ponds, wet areas, and significant landmarks or resources, such as stone walls or cellar holes.

Littlehales
Property line

Tax MAP # 12-00-04

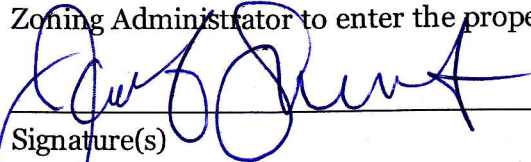


Date Valid:

TAX MAP NUMBER 17 - 00 - 04

Authorization of Owner(s) of Record:

I (We) certify that all information on this document is true and accurate. I (We) authorize the Zoning Administrator to enter the property.


Signature(s)

9/28/2020
Date

Certification of Applicant (if different):

I hereby certify that all information on this document is true and accurate, and that I am acting on behalf of the owner of record.


Signature

9/21/20
Date

MARLBORO OFFICIAL USE ONLY

Permit # 20-24 CH

Zoning Administrator	Development Review Board
Date received: <u>29 SEPTEMBER 2020</u>	Date DRB determines application complete:
Date accepted as complete:	Date of hearing: <u>15 DECEMBER 2020</u>
Fee received: \$ <u>165.00</u> Date: <u>29 SEPT. 2020</u>	
ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED <input checked="" type="checkbox"/> REFERRED TO DRB	ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED
Date of action: <u>REFERRED TO DRB: 30 Nov. 2020</u>	Date of action:
Effective date:	Date decision issued:
Expiration date:	
Inspection date:	
Notes & Conditions:	Conditions/Findings Letter: (within 45 days of hearing adjournment)
Signature:	Signature:

From:

Jason MacArthur, Apple Tree Builders

Re: Proposed Project at 90 Turnpike Road for Meg and Jacob Smith

We are proposing converting a space which has been in use as a commercial pottery making facility for approximately 40 years into a mixed use space combining an apartment for visiting friends and family and a small office space for Meg, a homeopathic doctor.

The building was built in two stages:

- 1) a 30' x 30' original building built in the early 1970s
- 2) a 30' x 25' addition built in the 1990s

The entirety of the newer building will be converted to apartment space.

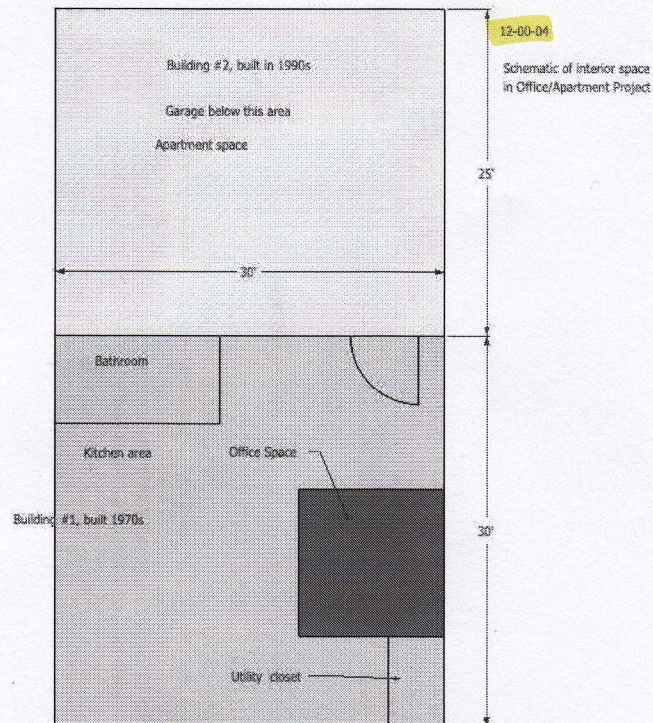
Within the older building the space is mixed use. There will be a bathroom and a kitchen for the apartment in here, a small discreet office of approximately 100 ft² for Meg to work in, and an open concept common room.

Impact on traffic/parking: The owners envision little impact on traffic and parking. The homeopathic office will mostly serve as a space for blending and distribution of materials. At most the owner envisions serving one to two patients per week on an in person basis, as the bulk of her work is and will continue to be remote.

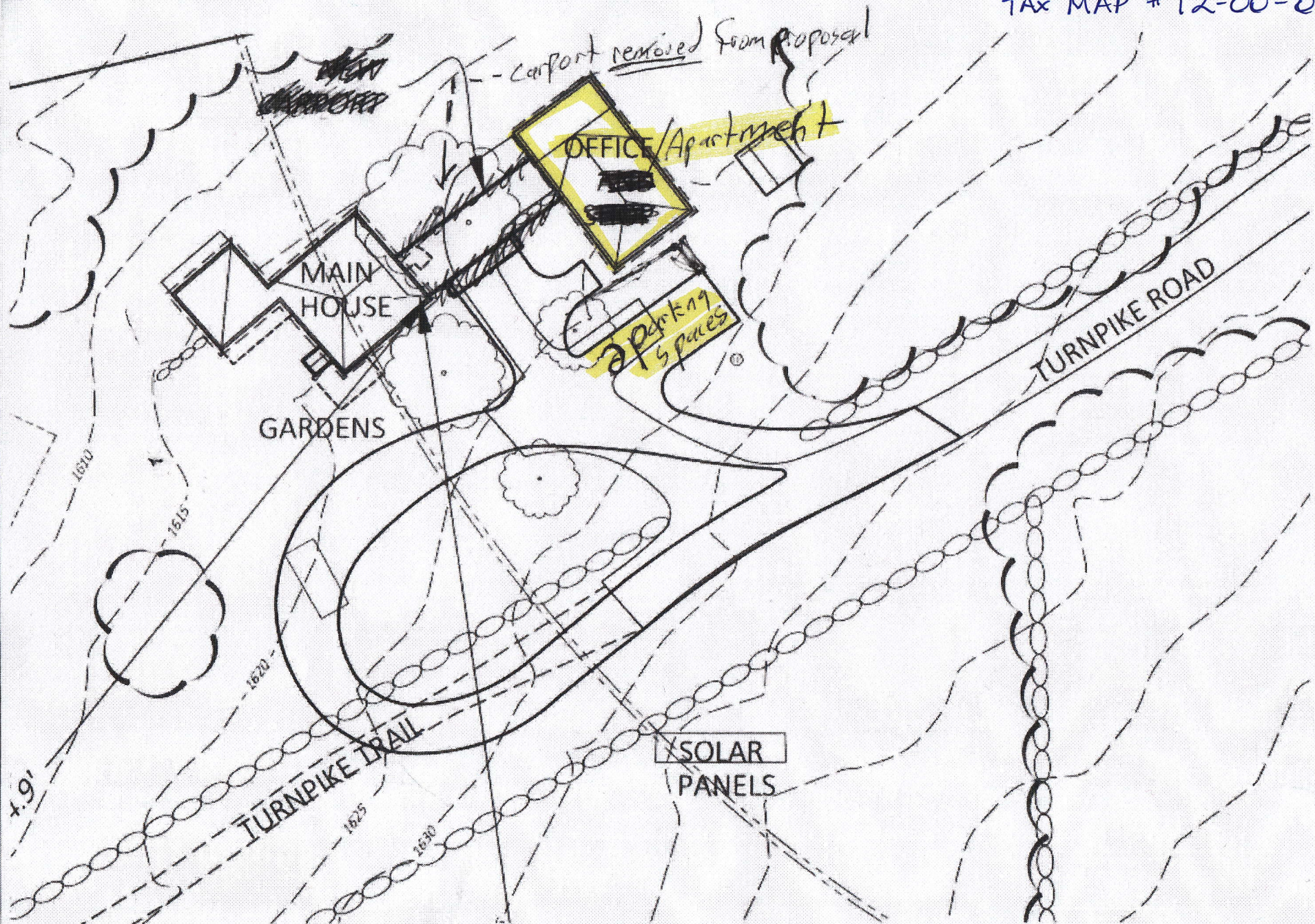
Both spaces will be served by a WasteWater system recently approved by the State of Vermont but not yet built.

PERMIT #20-24CH

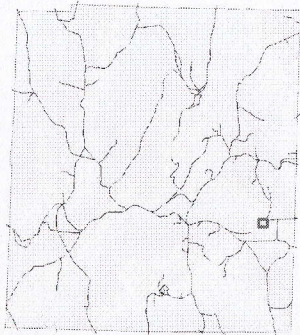
TAX MAP #12-00-04



PERMIT #20-24 CH
TAX MAP #12-00-04



Town of
Marlboro



12-00-04

90 Turnpike Road

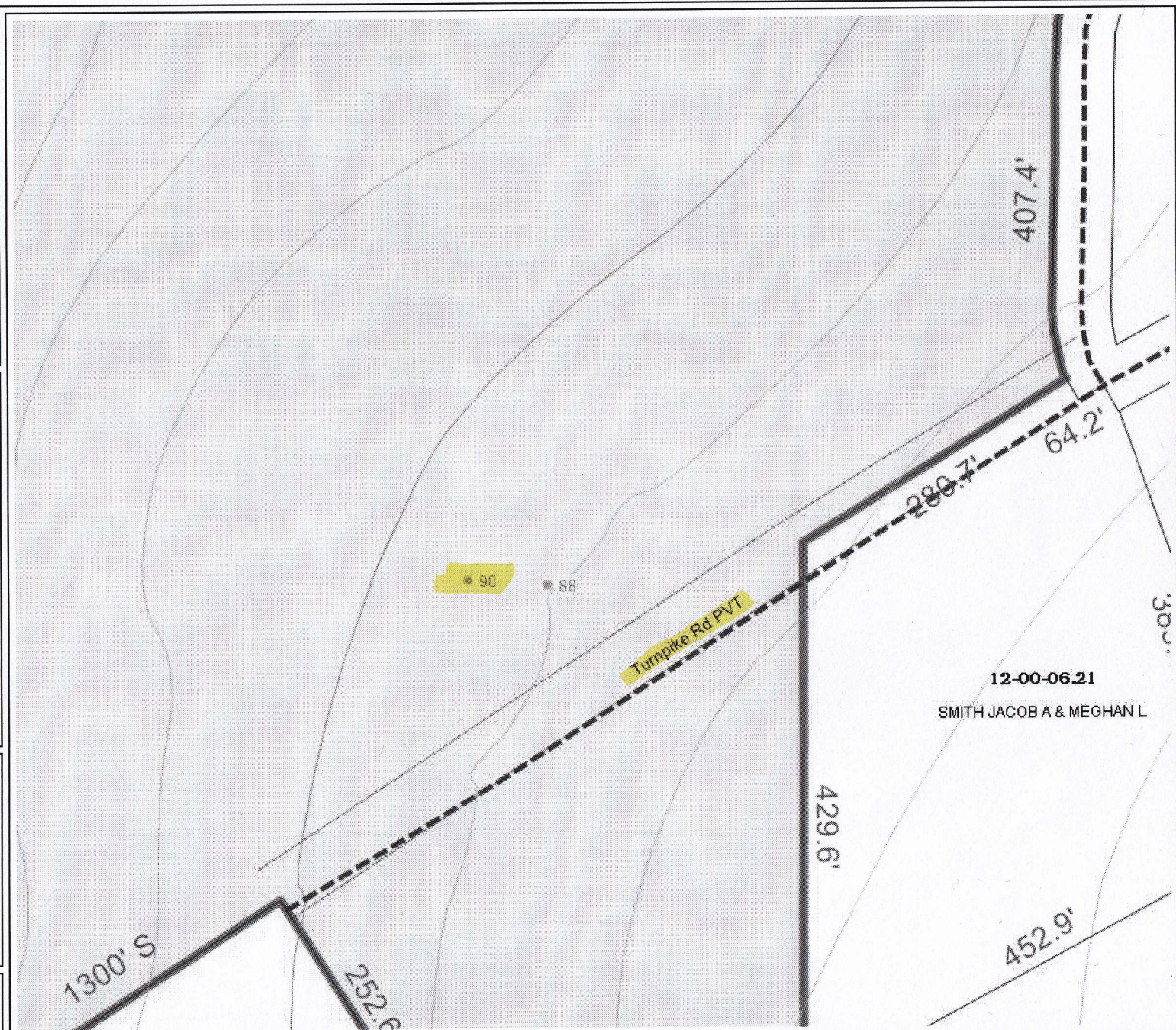
Smith Jacob A & Meghan L
PO Box 121
Marlboro, VT 05344-0121
113.8 acres Grand List
112.53 acres GIS
92.47 selected

PERMIT #20-24CH

Map Features:
Parcel Lines
Building Locations
Road Centerlines
Streams & Ponds
20' Contours

The Town of Marlboro and CTI assume no liability as to the sufficiency, accuracy, or the user's interpretation of the data delineated hereon. Current to April 1, 2020

This map is for assessment purposes only. It is not to be used for description, conveyance, or determination of legal title.



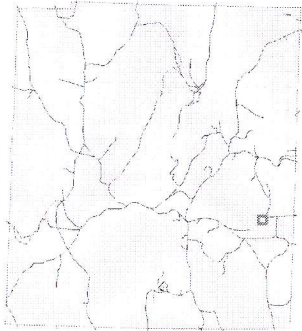
Map Scale 1:1,500
1 inch = 120 feet

0 100 200 300 400 500 Feet

Map Printed on
December 7, 2020



Town of
Marlboro



12-00-04
90 TURNPIKE ROAD
SMITH, JACOB & MEGHAN

PERMIT #20-24CH

Map Features:
Parcel Lines
Building Locations
Road Centerlines
Streams & Ponds
Ortho Imagery 2019

The Town of Marlboro and CTI assume no liability as to the sufficiency, accuracy, or the user's interpretation of the data delineated herein. Current to April 1, 2020

This map is for assessment purposes only. It is not to be used for description, conveyance, or determination of legal title.



Map Scale 1:1,500
1 inch = 120 feet

0 100 200 300 400 500 Feet

Map Printed on
November 23, 2020





Documents for Recording

State of Vermont
Department of Environmental Conservation

Agency of Natural Resources
Drinking Water and Groundwater Protection Division

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
Wastewater System and Potable Water Supply Rules, Effective April 12, 2019

Permittee(s): **Jacob A. Smith and Megan L. Smith**
P.O. Box 121
Marlboro, VT 05344-0121

Permit Number: WW-2-6257

This permit affects the following property/properties in Marlboro, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1	648-000 12-00-04	378-117-10635	113.80	Book:61 Page(s):453

This application, a proposed Advanced Enviro-Septic® wastewater disposal system for a proposed 2-bedroom residence with a home office and a second building with a home office including connecting all buildings to the existing water system on a lot with an existing 3-bedroom home served by its own wastewater system, located at **90 Turnpike Road in Marlboro, Vermont**, is hereby approved under the requirements of the regulations named above subject to the following conditions. Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

1. GENERAL

- 1.1 The permittee is responsible to record this permit in the Marlboro Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2 The permittee is responsible to record the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Marlboro Land Records.
- 1.3 Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4 The wastewater system includes the use of an Innovative/Alternative component. Each prospective owner of a lot that utilizes an Innovative/Alternative component shall be shown a copy of the **Innovative/Alternative System Approval letter #2004-02-R7 for Advanced Enviro-Septic® (AES), Enviro-Septic® (ES), and Simple Septic® (SS) Pipe Leaching System** prior to conveyance of the lot.
- 1.5 By acceptance of this permit, the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.6 This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments, or local officials prior to construction.

2. CONSTRUCTION

- 2.1 Construction shall be completed as shown on the plans and/or documents prepared by Michael A. Marquise, with the stamped plans listed as follows:

Title	Sheet	Plan Date
Water Supply and Septic System Site Plan Design and Notes for Jacob & Megan Smith	1 of 2	09/23/2020
Water Supply and Wastewater Details and Notes for Jacob & Megan Smith	1 of 2	09/23/2020

- 2.2 Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.



2.3 No buildings, roads, earthwork, re-grading, excavation, or other construction that might interfere with the operation of the wastewater system or potable water supply are allowed on or near the site-specific wastewater system, wastewater replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules is required.

3. INSPECTIONS

3.1 No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) on a Secretary-approved form that states: *"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests"* or which satisfies the requirements of §1-311 of the referenced rules.

3.2 Prior to the use of the potable water supply, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, Odor and pH. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Drinking Water and Groundwater Protection Division and the Vermont Department of Health prior to use.

4. DESIGN FLOW

4.1 Lot use and design flows (gpd) shall correspond to the following:

Lot	Building	Building Use / Design Flow Basis	Wastewater	Water
1	1	Existing 3-bedroom home for up to 6 occupants	420	700
1	2 & 3	Proposed 2-bedroom home for up to 4 occupants with home office and a building with a 2 nd home office	280	

5. WASTEWATER SYSTEM

5.1 Prior to the construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.

5.2 Should a wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.

5.3 This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

6. POTABLE WATER SUPPLY

6.1 Prior to construction or site work on the lot, a designer shall flag the center of the proposed potable water source and the owner shall maintain the flag until commencement of construction of the source.

6.2 Should a potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.

Peter Walke, Commissioner
Department of Environmental Conservation

By 

Dated November 10, 2020

Jeff Svec, Assistant Regional Engineer
Springfield Regional Office, Drinking Water and Groundwater Protection Division

Enclosure: I/A Approval Letter

cc: Michael A. Marquise
Marlboro Planning Commission
Presby Environmental, Inc.

Date: 12/7/2020

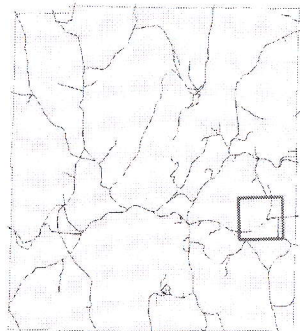
Abutters to J. + M. Smith Property
Tax Map # 12-00-04

Page 1 of 1

Location: 90 Turnpike Road

<u>Tax Map #</u>	<u>Location / E911 Address</u>	<u>Name of Abutter</u>	<u>Mailing Address</u>
07-04-34.2	No road frontage	Daniel & Gail MacArthur	PO Box 30
08-02-23	No road frontage		Marlboro, VT 05344-0030
08-02-26.2	MacArthur Road (No E911 addresses)		
08-02-24	2280 Ames Hill Road	Arne Hammarlund &	PO Box 449
08-02-25.1	No road frontage	Hollis Burbank-Hammarlund	Marlboro, VT 05344-0449
08-02-25	No road frontage	Jacob & Meghan Smith	PO Box 121
12-00-02	No road frontage	(Owners)	Marlboro, VT 05344-0121
12-00-03	No road frontage		
12-00-04	90 Turnpike Road		
12-00-06.21	Turnpike Road		
08-02-26.1	1112 MacArthur Road	John & Margaret MacArthur Trust	PO Box 30
			Marlboro, VT 05344-0030
08-02-27	1174 MacArthur Road	Mark & Megan Littlehales	PO Box 148
			Marlboro, VT 05344-0148
08-02-29	1000 Stark Road	Brian Potter & Jamie Schilling	PO Box 448
			Marlboro, VT 05344-0448
12-00-01.1	337 Old Turnpike Road	Andrew Hauty & Dan'sy Jobi	PO Box 53
			Marlboro, VT 05344-0053
12-00-06.1	227 Fox Road	Jeffrey Burt & Sara Kazemi	PO Box 89
			Marlboro, VT 05344-0089
12-00-06.22	1013 Stark Road	Hollace Bowen	PO Box 489
			Marlboro, VT 05344-0489
12-00-29	1854 Ames Hill Road	Charles & Patricia Townsend	PO Box 335
			Marlboro, VT 05344-0335

Town of Marlboro



12-00-04

90 Turnpike Road

Smith Jacob A & Meghan L
PO Box 121
Marlboro, VT 05344-0121
113.8 acres Grand List
112.53 acres GIS
92.47 selected

PERMIT #20-24CH

Map Features:
Parcel Lines
Building Locations
Road Centerlines
Streams & Ponds

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