

TOWN OF MARLBORO DEVELOPMENT REVIEW BOARD MEETING

Tuesday, June 15, 2021, 7:00 p.m.

DRAFT MINUTES

Permit #21-12 W

Attending

DRB:

Steven John (Chair)

Jean Boardman (Vice Chair)

Gail MacArthur

John Nevins

Matthew Tell (Alternate)

Mary Sargent (Zoning Administrator)

Peter Barus (Administrative Assistant)

Applicant:

Aaron Aldrich

Kathleen Martin (Land Surveyor)

Public:

Donald Patterson

Call to Order

The meeting was called to order at 7:04 p.m.

The videoconference was recorded, and was attended in person and electronically.

Dr. John introduced everyone and explained the proceedings of a quasi-judicial hearing; that it has the effect of law upon Applicants, who have a right of appeal; that the Board may enter Deliberative Session, closed to the public, to render a Decision, which would then be posted for fifteen days before taking effect, during which period the project in question may not proceed.

1. Permit # 21-12 W: Owner: Aaron Aldrich, 552 Hinesburg Road, Brattleboro, VT 05301; Location: 4535 VT Route 9, Marlboro, VT; Tax Map Number 06-02-31; Proposal: Waiver; Add upper & lower decks to house located within side yard setback from parcel boundary to the south.

Dr. John opened the Hearing and administered the oath to Mr. Aldrich.

Mr. Aldrich was recognized, and requested a waiver on the 50 ft. boundary setback rule, to build a deck attached to the building at 4535 Rt 9; that there had been a deck previously, which had fallen down; that the new deck would extend to within approximately 5 ft. of the boundary, recently surveyed by Ms. Martin.

Dr. John discussed the location, near Augur Hole Road and Rt. 9; the house at the SE corner of the property, with a shed on the back (SE side), and that the deck had been on the W side; and discussed the distance from the building to the property line; and noted that according to submitted maps, one corner of the original deck had been 4.9 ft., the shed 9.8 ft., and the other end of the deck 26.5 ft. from the property line.

Dr. John asked if at present the property lines were the same as when the house was purchased, noting that in the case of a variance, other options must be taken into account; and asked whether there were other considerations, such as valued vegetation. Mr. Aldrich explained that the deck must go over a retaining wall that had

TOWN OF MARLBORO DEVELOPMENT REVIEW BOARD MEETING

Tuesday, June 15, 2021, 7:00 p.m.

DRAFT MINUTES

a good set of cantilevered stone stairs built into it, a feature that had particularly attracted him to the property.

There was discussion of Abutters. Mr. Aldrich noted that other houses were not visible from the house; that no Abutters had communicated.

Ms. Boardman asked about the terrain at the retaining wall. Mr. Aldrich explained that the wall was 4.5 ft. tall, approximately 10 ft. from the house; that the extra four feet provided space to address frost movement.

There was discussion; that the low ground on the property was between the house and the wall; that the septic system was 75 ft. from the SE corner of the house, and a well 75 ft. from the front of the house; and that the location of the doors to the deck would be on one level, effectively on a second storey.

The Chair invited questions, noting that the Board would enter Deliberative Session before coming to a decision.

Hearing Adjournment

The Hearing regarding Permit #21-12 W was Adjourned at 7:36 p.m. by unanimous consent.

Deliberative Session

(NB: conducted following the second Hearing, placed here as pertaining to the above matter)

Ms. MacArthur moved to go into Deliberative Session regarding Permit #21-12 W. Second by Mr. Tell. All in favor.

The Board entered Deliberative Session at 7:46 p.m., and returned to regular session at 8:01 p.m.

Ms. MacArthur moved to grant a Waiver to Aaron Aldrich to add a deck to his house (Permit# 21-12 W). Second by Ms. Boardman. All in favor.

TOWN OF MARLBORO DEVELOPMENT REVIEW BOARD MEETING

Tuesday, June 15, 2021, 7:00 p.m.

DRAFT MINUTES

Permit # 21-13 W

Attending

Steven John (Chair)

Jean Boardman (Vice Chair)

Gail MacArthur

John Nevins

Matthew Tell (Alternate)

Mary Sargent (Zoning Administrator)

Peter Barus (Administrative Assistant)

Applicant:

Donald Patterson

Public:

Call to Order

2. Permit # 21-13 W: Owner: Donald Patterson, 3005 Higley Hill Road, West Marlboro, VT 05363; Location: 3005 Higley Hill Road, Marlboro, VT; Tax Map Number 02-00-56; Proposal: Waiver; Addition to garage located within side yard setback from parcel boundary to the west.

Dr. John opened the Hearing at 7:35 p.m. and administered the oath to Mr. Patterson.

Mr. Patterson was recognized, and explained that he would like to put an addition on the garage measuring 12 ft. by 24 ft.; that the garage was now 20 ft. by 24 ft. and would be 35 ft. from the boundary; requested a Waiver; noted that Dan Elliott was the abutting property owner; and that he had not spoken with Mr. Elliott.

There was discussion of the map, showing the existing house 45 ft. from the garage. Mr. Patterson explained some changes that had been made previously to the original right-of-way.

The Chair invited questions.

Ms. MacArthur moved that the Board grant a Waiver to Permit #21-13 W, to add an addition to the garage located within the side-yard setback, for Donald Patterson. Second by Mr. Tell. Ms. Boardman abstaining, the Motion passed.

Hearing Adjournment

The Hearing was Adjourned at 7:45 p.m. by unanimous consent.

TOWN OF MARLBORO DEVELOPMENT REVIEW BOARD MEETING

Tuesday, June 15, 2021, 7:00 p.m.

DRAFT MINUTES

Other Business

Dr. John discussed the hybrid meeting format; there was discussion. It was noted that subsequent hearings would proceed in the same way until further notice.

It was noted that under the Public Meeting Law, after the emergency order was lifted at least one individual must be present at the physical location of a meeting; and that this allowed public access regardless of internet service.

Dr. John noted that an Annual Meeting had not been held following the Town Meeting, and polled members as to holding an election. There was consensus.

Election of Officers

Election of Board Chair

Ms. Boardman nominated Dr. John as Board Chair. All in favor.

Dr. John was duly elected Board Chair.

Election of Board Vice-chair

Ms. MacArthur nominated Ms. Boardman as Board Vice-chair. All in favor.

Ms. Boardman was duly elected Board Vice-chair.

Minutes

Mr. Barus was invited to continue as recorder.

Rules of Procedure

Present meeting rules will be continued, by unanimous consent.

Alternates

It was noted that additional alternates would be beneficial, and should be conversant with the Zoning Regulations; and that this would be a matter for the Selectboard.

Dr. John commended everyone on a successful hybrid-format meeting.

Adjournment

Mr. Tell moved to Adjourn. All in Favor.

The meeting was Adjourned at 8:14 p.m.

Respectfully submitted, June 15, 2021, Peter Barus, Admin. Asst.