

TOWN OF MARLBORO
Development Review Board

Application for Conditional Use
Findings and Decision

Permit Application # 22-08 CU

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review, under the Town of Marlboro Zoning Bylaw, of an Application for Conditional Use submitted by Owner: Vermont Museum of Natural History, Ed Metcalfe, President, 7599 VT Route 9 East, West Marlboro, VT 05363; Location: 117 Adams Crossroad, Marlboro, VT; Tax Map # 10-00-12.2; Proposal: Conditional Use; Establish a designated Community Building to host educational programs and Active Recreation on-site.
2. The Application was received by Mary Sargent, Zoning Administrator, on March 29, 2022. A copy of the Application is available for review at the Marlboro Town Office.
3. On April 2, 2022, notice of a public Hearing in the Town Office with *Zoom* videoconference was published in the *Brattleboro Reformer*.
4. On April 4, 2022, notice of a public Hearing in the Town Office with *Zoom* videoconference 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 April 6, 2022, a copy of the notice of a public Hearing was mailed to Owner of the property subject to the Application. On April 6, 2022, a copy of the notice of a public Hearing was mailed to the following Owners of properties adjoining the property subject to the Application:
 - Eva Grimaldi, PO Box 473, Marlboro, VT 05344-0473
 - Wilmington Social Lodge #38 F&AM, PO Box 179, Wilmington, VT 05363

6. The Application was considered by the Development Review Board at a public Hearing in the Town Office with *Zoom* videoconference on April 19, 2022. The Development Review Board reviewed the Application under the Zoning Regulations of the Town of Marlboro, as amended March 6, 2018.

7. Present at the hearing were the following members of the Development Review Board:
 - Steven John, Chairman
 - Jean Boardman, Vice Chairman
 - John Nevins
 - Matt Tell, DRB Alternate
 - Peter Barus, DRB Administrative Assistant
 - 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:
 - Eva Grimaldi, 244 Pool Farm Road, Marlboro, VT : Abutter
 - Andrea Livermore, 615 Butterfield Road, Marlboro, VT
 - Allan McLane, 615 Butterfield Road, Marlboro, VT

9. During the course of the hearing the following exhibits were submitted to the Development Review Board:
 - Permit Application, signed and dated 3/27/2022
 - Site Plan, titled "Lands of Vermont Museum of Natural History, Inc.", showing existing and proposed development on the property (including structures, parking, and water well/waste water system), with dimensions and setbacks, unsigned and undated
 - Narrative letter introducing the Museum and providing a general overview of the programs under consideration for the site, unsigned and undated
 - Picture of a model trail sign/information kiosk being considered to support anticipated outdoor programs at the site, unsigned and undated
 - Email from Rick Oberkirch, Permit Specialist, Vermont DEC, dated 8/30/2021, confirming that the proposed projects would not require any State permits/Project Review Sheets
 - Email from Jeff Svec, Regional Engineer, Vermont DEC, dated 4/15/2022, confirming that the proposed projects would comply with the current State Waste Water permit
 - List of abutters to Vermont Museum of Natural History property (Tax Map Number 10-00-12.2), with Town of Marlboro CTI map, printed on March 30, 2022

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 Conditional Use permit to establish a designated Community Building to host educational programs and Active Recreation on-site.
2. The subject property is a parcel of 2.1 acres located at 117 Adams Crossroad in the Town of Marlboro; Tax Map Number 10-00-12.2. The property is more fully described in a Deed recorded in Book 66, Page 773, of the Town of Marlboro Land Records.
3. The property is located in the Rural Residential District (RUR) as described in the Town of Marlboro Zoning Map on record at the Town of Marlboro municipal office, and in *Section 305 - Rural Residential (RUR)* of the Marlboro Zoning Regulations.
4. Conditional Use approval is requested to establish a designated Community Building to host educational programs and Active Recreation on-site. The project satisfies the definition of a Community Building and meets the requirements in *Section 305 - Rural Residential - (RUR)* of the Marlboro Zoning Regulations.

DECISION AND CONDITIONS

Based upon these findings, the Development Review Board approves the following Conditional Use: to establish a designated Community Building to host educational programs and Active Recreation on-site.

The following condition was established at the Hearing:

The Owner shall limit parking to the twenty (20) spaces previously established by the Pool Learning Center.

Dated at Marlboro, Vermont, this 30th day of June, 2022.


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.