

DRAFT MINUTES

TOWN OF MARLBORO ~ DEVELOPMENT REVIEW BOARD MEETING

Tuesday, August 16, 2022, 7:00 PM

Permits #22-17 CU, #22-18 CU, #22-20 CU

Attending:

DRB:

Jean Boardman (Vice Chair)
Brent Seabrook (Clerk)
Gail MacArthur (Recused for Permit #22-18 CU)
John Nevins

Zoning Administrator:

Mary Sargent

Applicants:

William Edelglass (#22-20 CU)
Lauren MacArthur (#22-18 CU)
Krishna Maples (#22-17 CU)
Sparrow (Elizabeth) Stevens (#22-17 CU)

Public:

Dawn Hastings (by videoconference)
Jon & Joanne Hendricks (by videoconference)
Staley McDermet (in person)

Call to Order:

The meeting was called to order at 7:05 PM.

The meeting was chaired by Jean Boardman, Vice Chair. She noted that the Chair, Steven John, was away; that neither of the DRB Alternate Board members were available to attend the meeting; and that Gail MacArthur had recused herself from participating in the Application of Jason & Lauren MacArthur (#22-18 CU). The order of the Applications under consideration will be #22-18 CU, followed by #22-20 CU, then #22-17 CU.

Jean Boardman expressed gratitude to Pieter van Loon, Consulting Forester and Marlboro Tree Warden, for providing thorough and comprehensive Environmental Consultant Reports for all three Applications on very short notice.

Applicants and Interested Parties were sworn in.

Permit # 22-18 CU ~ Jason & Lauren MacArthur

Permit # 22-18 CU: Owners: Jason & Lauren MacArthur, PO Box 512, Marlboro, VT 05344-0512;

Location: 1073 MacArthur Road, Marlboro, VT; Tax Map Number 08-02-19.1; Proposal: Conditional Use; Build an Accessory Structure (studio) located within the Wildlife Habitat Overlay District.

Interested party attending: Lauren MacArthur, Applicant

The Hearing was convened at 7:12 PM.

Lauren MacArthur presented the proposed project for a studio “get-away” with no plumbing. She reported that she spoke with Allan McLane about assigning an E911 address to the building, and that Allan had informed her that an address was not required.

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Brent Seabrook asked for clarification of details of the site sketch provided in the application.

Jean Boardman read the complete Environmental Consultant Report relating to this Application. The Report concludes: "After conducting my review, it is clear the project is in conformance with all aspects of Section 354 and it is my opinion that it may be approved by the Development Review Board without hesitation or condition."

There were no further questions from the Board.

The Hearing was recessed at 7:26 PM.

Permit # 22-20 CU ~ William & Kirstin Edelglass

Permit # 22-20 CU: Owners: William & Kirstin Edelglass, PO Box 88, Marlboro, VT 05344-0088; Location: 464 Palmetto Drive, Marlboro, VT; Tax Map Number 11-01-19; Proposal: Conditional Use; Build a garage with an Accessory Dwelling (one-bedroom apartment) on the second floor, located within the Wildlife Habitat Overlay District.

Interested Parties attending: William Edelglass, Applicant; Jon & Joanne Hendricks, Abutters

The Hearing was convened at 7:31 PM.

William Edelglass presented the proposed project for a garage with a one-bedroom apartment on the second floor. He explained that the garage was originally part of the Permit approved for the construction of their house in 2010, but was never built.

Joanne Hendricks asked how to get information about the Application; she was directed to the Folder for Public Access available on the DRB page of the Town website.

Gail MacArthur asked about the WasteWater permit. William Edelglass confirmed that amended Permit # WW-2-3666-1 was issued on July 12, 2022, approving the updated configuration of development on the site.

Joanne Hendricks protested that Jon Hendricks, as an Abutter, was never notified about the construction of the original Single-Family Dwelling in 2010. William Edelglass answered her questions about the dimensions of his house, number of floors, and other details. She was encouraged to call the Town Office if she has further questions. (The Wildlife Habitat Overlay District took effect in March, 2018.)

Jon Hendricks stated that he had no objection to this Permit.

There were no further questions.

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Jean Boardman read out the conclusion of the Environmental Consultant Report relating to this Application. The Report concludes: "After conducting my review, it is clear the project is in conformance with all aspects of Section 354 and it is my opinion that it may be approved by the Development Review Board without hesitation or condition."

The Hearing was recessed at 7:44 PM.

Permit # 22-20 CU ~ Elizabeth (Sparrow) Stevens & Krishna Maples

Permit # 22-17 CU: Owner: Elizabeth Stevens, PO Box 256, Marlboro, VT 05344-0256;
Location: 2150 North Pond Road, Marlboro, VT; Tax Map Number 04-00-23; Proposal: Conditional Use;
Build a Single-Family Dwelling located within the Wildlife Habitat Overlay District.

Interested Parties attending: Elizabeth (Sparrow) Stevens, Owner; Krishna Maples, Applicant;
Dawn Hastings, Abutter; Staley McDermet.

The Hearing was convened at 7:50 PM.

Krishna Maples presented the proposed project to the Board. He described the cabin he plans to build from a pre-cut kit obtained from the Jamaica Cottage Shop. He discussed the existing WasteWater Permit #WW-2-2478, issued Dec. 26, 2006, and confirmed that it is still valid; it runs with the land when the land is sold. Rebecca Chalmers, VT DEC District Wetlands Ecologist, confirmed by email that the project is in compliance with the Vermont Wetland Rules, and a site visit is not required.

There was discussion about the nearby wetlands. The WasteWater Permit requires annual inspection of the system for 3 years, until it has been confirmed to be functioning correctly. The additional oversight was attributed to the proximity of the wetlands. Sparrow Stevens reported that Rebecca Chalmers, VT DEC Wetlands Ecologist, told her that the edge of the wetland had receded from the proposed location of the house.

Brent Seabrook asked if there was an existing structure on the property. Krishna Maples stated that what is there is in the way, and will be removed. Three locations labelled "Temporary structures to be removed" are identified on the Natural Features Map included with the Environmental Consultant Report.

Staley McDermet asked for clarification of the location of the proposed house with regard to the original WasteWater Permit. Krishna Maples confirmed that the house is not in the same location as it is on the original site plan of the septic system. In order to minimize further disruption (clearing) of the site, the house will be in the location where the unpermitted, now collapsed, trailer was parked by the previous owner. The change of location of the structure is within acceptable limits, and does not invalidate the Permit.

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Dawn Hastings was concerned about the condition of the property now. She wanted to be sure that the requirements/conditions of the WasteWater Permit would be diligently adhered to. Krishna Maples assured her that he would: "I'm here because I want to follow all protocols. I want to do this right."

Staley McDermet brought up moving the location of the septic system, to eliminate the need for a pump system. Discussion followed. Any significant modification of the approved site plan would require re-engineering the system and amending the WasteWater Permit.

There were no further questions or discussion.

Jean Boardman read out the conclusion of the Environmental Consultant Report relating to this Application. The Report concludes: "After conducting my review, it is clear the project is in conformance with all aspects of Section 354. With respect to Section 372, it is my recommendation that the Development Review Board approve the Application with the Condition that areas disturbed during construction be protected from eroding by application of a native seed mix and mulch."

The Hearing was recessed at 8:48 PM.

Executive Session

Brent Seabrook moved to enter Executive Session. Second by Gail MacArthur. All in favor.

The Board entered Executive Session at 8:53 PM, and returned to Open Session at 9:10 PM.

Brent Seabrook moved to approve Conditional Use Permit #22-18 CU for an Accessory Structure located within the Wildlife Habitat Overlay District, with no Conditions. Second by John Nevins. The motion was passed unanimously, except Gail MacArthur abstained.

Gail MacArthur moved to approve Conditional Use Permit #22-20 CU for a garage with a one-bedroom apartment on the second floor, located within the Wildlife Habitat Overlay District, with no conditions. Second by Brent Seabrook. The motion was passed unanimously.

Brent Seabrook moved to approve Conditional Use Permit #22-17 CU for a Single-Family Dwelling located within the Wildlife Habitat Overlay District, with the Condition that areas disturbed during construction be protected from eroding by application of a native seed mix and mulch. Second by Gail MacArthur. The motion was passed unanimously.

The Hearings concluded at 9:25 PM. The meeting was adjourned at 9:26 PM.

Respectfully Submitted, 19 August 2022, Mary Sargent, Zoning Administrator