

LEGALS
TOWN OF MARLBORO
DEVELOPMENT REVIEW BOARD

A public Hearing before the Development Review Board of the Town of Marlboro will be held in the Town Office with Zoom videoconference at 7 PM on Tuesday, August 16, 2022, to consider:

1. 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.
2. 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.
3. 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.

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 Development Review Board Meeting
Time: Aug 16, 2022 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/85110454228?pwd=MnlSd05vb3AvSnE3K2pSNmF5ZW5qQT09>

Meeting ID: 851 1045 4228
Passcode: 858108

One tap mobile
+13017158592,,85110454228#,,, *858108# US (Washington DC)
+13126266799,,85110454228#,,, *858108# US (Chicago)

Dial by your location
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)

Find your local number: <https://us02web.zoom.us/u/kb1NwAd5Cg>

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

| | |
|--|--|
| Owner(s) <u>WILLIAM + KIRSTIN EDELGASS</u> | Applicant (if different) _____ |
| Mail Address <u>PO Box 88</u> <u>MARLBORO, VT 05344</u> | Mail Address _____ |
| Phone <u>(802) 579-8601</u> | Phone _____ |
| Email <u>william.e@buddhistliving.org</u> | Email _____ |
| Address <u>464</u> <u>PALMETTO DR.</u> House # _____ Road _____ | Present Use <input checked="" type="checkbox"/> Single or Two-Family Residence <input type="checkbox"/> Multi-family Residence <input type="checkbox"/> Accessory Dwelling Unit <input type="checkbox"/> Camp <input type="checkbox"/> Educational <input type="checkbox"/> Commercial <input type="checkbox"/> Undeveloped Land <input type="checkbox"/> Other _____ |
| Tax Map # <u>11</u> - <u>01</u> - <u>19</u> | |
| Zone <u>R.R.</u> # Acres <u>18</u> | |
| Book <u>53</u> Page <u>71</u> | |
| Proposed Project (sketch plan required) <input checked="" type="checkbox"/> New Structure <input type="checkbox"/> Additional to Existing Structure <input type="checkbox"/> Accessory Use <input type="checkbox"/> Other _____ | Proposed Project (site plan required). <input type="checkbox"/> Change of Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Variance <input type="checkbox"/> PUD <input type="checkbox"/> Other _____ |

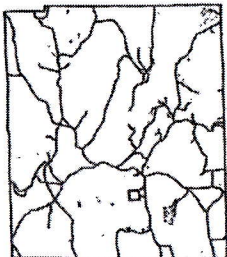
Explain proposal, including dimensions and height to peak. (Attach additional sheets if needed.)

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

WE ARE APPLYING TO BUILD A GARAGE WITH A
LIVING SPACE ABOVE (THE GARAGE WAS IN OUR
INITIAL APPLICATION FROM MARCH 2010 BUT WE
NEVER BUILT IT). THE CURRENT PLAN IS FOR A 24'x25'
STRUCTURE

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.



Property Location

Property Information:

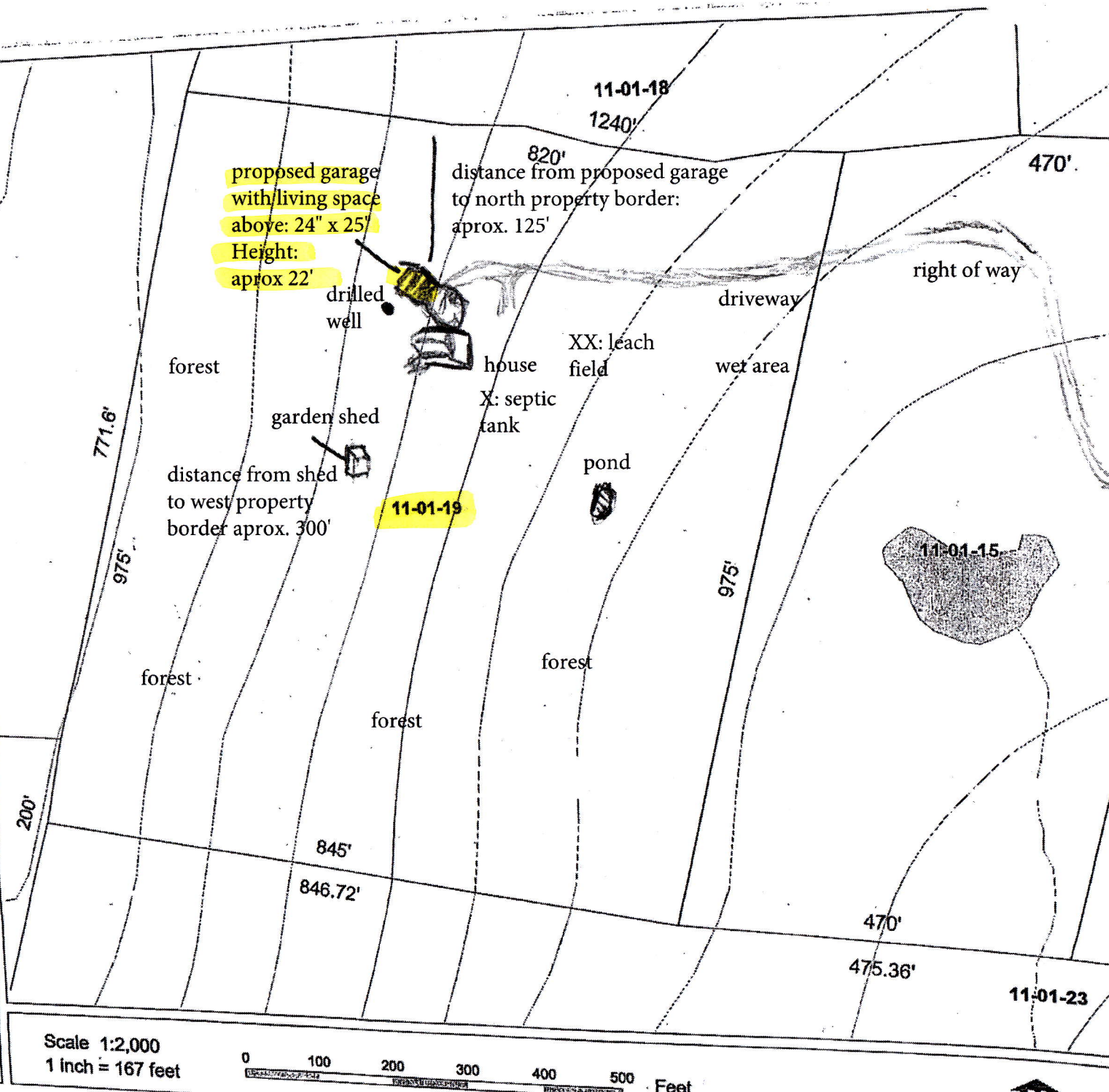
11-01-19

18 Acres (18.4ac)
0

Anne, Meyer Trustee
(Meyer 2007 Anne Trust)
0
Gloucester MA 01930

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

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



Scale 1:2,000
1 inch = 167 feet



TAX MAP NUMBER 11 - 01 - 19

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.

Will H. Ely / Kirsti Edelman 7/19/22 7/19/22
Signature(s) 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

Date

MARLBORO OFFICIAL USE ONLY

Permit # 22-20 CU

| Zoning Administrator | Development Review Board |
|--|--|
| Date received: <u>22 JULY 2022</u> | Date DRB determines application complete: |
| Date accepted as complete: | Date of hearing: <u>16 AUGUST 2022</u> |
| Fee received: \$ <u>150.⁰⁰ + 80.⁰⁰ Date: <u>22 JULY 2022</u></u> | |
| ACTION: <u>APPROVED</u> <u>DENIED</u> <u>REFERRED TO DRB</u> | ACTION: <u>APPROVED</u> <u>DENIED</u> |
| Date of action: <u>REFERRED TO DRB: 3 AUGUST 2022</u> <u>POSTED</u> | Date of action: |
| Effective date: | Date decision issued: |
| Expiration date: | |
| Inspection date: | |
| Notes & Conditions: <u>3 AUG 2022: NEEDS SITE SKETCH; HEIGHT.</u> | Conditions/Findings Letter: (within 45 days of hearing adjournment) |
| Signature: | Signature: |

August 8, 2022

To – Marlboro Development Review Board, and
William and Kirsten Edelglass

From - Pieter van Loon

Re: Proposal to build a garage

Last month, I was contacted by William and Kirsten Edelglass about the need for a review of their property to satisfy requirements in the Marlboro Zoning Regulations, specifically Section 354 – *Standards and Special Requirements for Development Activities in the Wildlife Habitat Overlay District*. Their proposal is for the construction of a garage located in the side yard of their existing home.

As a preliminary step in the analysis, a desk review was done using layers within the ArcMap GIS-based Natural Resource Atlas developed and maintained by the Vermont Agency of Natural Resources. The following layers were consulted:

Vernal pools (Known and suspected vernal pools)

Deer Wintering Areas (State-significant deer yards)

Non-game Natural Heritage (Rare, Threatened, and Endangered species and natural communities)

Streams and Wetlands (VT Significant Wetlands Inventory)

VT Wildlife Crossing and Linkage Analysis (Known wildlife crossings and travel corridors)

Only the wetlands layer showed resources in the project area or the buffer zones described in Section 354. There is a small stream and series of wetlands at the bottom of the hill east of the site. These features are crossed by the existing driveway and will not be further degraded by the proposed project.

My review is also based on extensive visits to this area in the past in my roles as a private consulting forester and forester for the VT Land Trust. The resources of particular interest according to the regulations are wildlife corridors, water features (such as streams, ponds, and wetlands), deer wintering areas, mast stands, and vernal pools.

The project is near a likely wildlife travel corridor and in the neighborhood of known wildlife crossings. However, because the garage is being built within an already developed area, there will be no additional adverse effects to wildlife corridors or crossings.

The project is near the top of a ridge and requires very little site disturbance, so will have no bearing on water features.

Mast stands (most commonly areas dominated by beech or oak) provide important wildlife food resources. Beech-dominated areas are found west of the site. Again, because there is already a

residential dwelling on the site, the garage is not expected to cause any additional negative influence on this resource.

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. If you would like me to be present at the hearing, please let me know. I can be reached at home at 254-3872 or by email at vltforester@gmail.com.

Pieter van Loon

VT Licensed Forester – 148.0122514



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): Kirstin Edelglass and William Edelglass
P.O. Box 88
Marlboro, VT 05344

Permit Number: WW-2-3666-1

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

| Lot | Parcel | SPAN | Acres | Book(s)/Page(s)# |
|-----|----------|---------------|-------|--------------------|
| 1 | 11-01-19 | 378-117-10386 | 18.40 | Book:50 Page(s):38 |

This application, for a proposed 1-bedroom apartment over a new garage using existing water and wastewater systems on a lot with an existing 3-bedroom house (originally permitted for 4-bedrooms) with no increase in permitted design flows, located at 464 Palmetto Drive 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 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.
- 1.5 All previous permits and/or Certifications of Compliance issued by Drinking Water and Groundwater Protection Division for this property shall remain in full effect except where specifically modified or amended herein.
- 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 | Revision |
|---|--------|------------|------------|
| New Apartment Connection Plan for William & Kirstin Edelglass | 1 of 1 | 02/25/2010 | 06/06/2022 |

- 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, water pipes, sewer services, earthwork, re-grading, excavation, or other construction that might interfere with the operation of a wastewater system or a 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.



Regional Offices – Montpelier/Essex Jct./Rutland/Springfield/St. Johnsbury

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.

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 & 2 | 3-bedroom single-family home for up to 6 occupants and a 1-bedroom apartment for up to 2 occupants | 560 | 560 |

5. WASTEWATER SYSTEM

- 5.1 Prior to 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, 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.

Julia S. Moore, Secretary
Agency of Natural Resources

By 

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

Dated July 12, 2022

cc: Michael A. Marquise
Department of Public Safety, Division of Fire Safety

Town Clerk's Office

Marlboro, Vermont

Received & Recorded

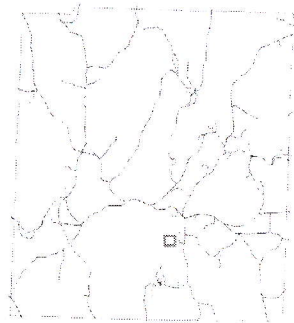
Date July 13, 2022 12:02 PM

Book 67 Page 100

Attest 

Asst Town Clerk

Town of
Marlboro



11-01-19

464 Palmetto Drive

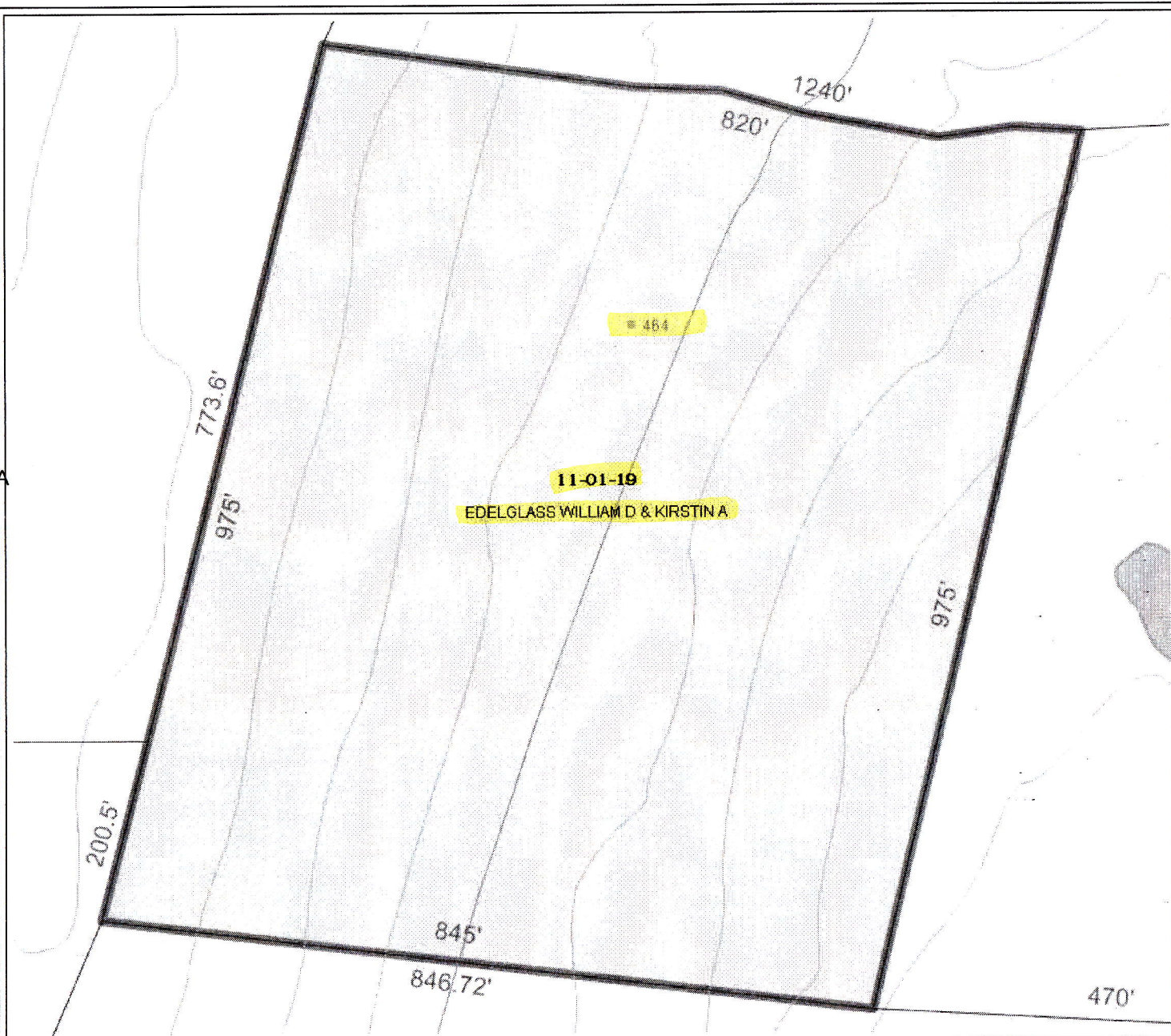
Edelglass William D & Kirstin A
PO Box 88
Marlboro, VT 05344-0088
18 acres Grand List
18.18 acres GIS

PERMIT #22-20CU

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*

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conveyance, or determination of legal title.*



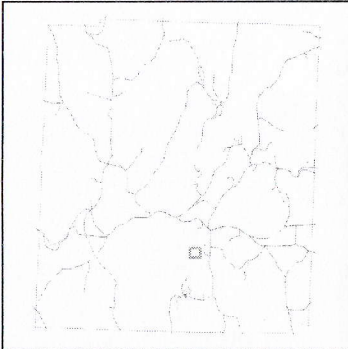
Map Scale 1:1,900
1 inch = 160 feet

0 100 200 300 400 500 Feet

Map Printed on
July 27, 2022



Town of
Marlboro



11-01-19
464 PALMETTO DRIVE
EDELGLASS, W.&K.

PERMIT #22-20CH

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

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Map Scale 1:1,900
1 inch = 160 feet

0 100 200 300 400 500 Feet

Map Printed on
July 27, 2022



Date: 7/28/2022

Abutters to Edelglass Property
Tax Map # 11-01-19

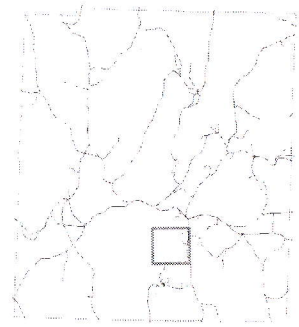
Page 1 of 1

Location: 464 Palmetto Drive

| <u>Tax Map #</u> | <u>Location / E911 Address</u> | <u>Name of Abutter</u> | <u>Mailing Address</u> |
|------------------|--------------------------------------|---|---|
| 11-01-15 | Palmetto Drive (No E911 address) | George Leoniak | PO Box 466 Marlboro, VT 05344-0466 |
| 11-01-18 | 163 Fern Hill Road | Jeffrey & Michelle Bower | PO Box 11 Marlboro, VT 05344-0011 |
| 11-01-19 | 464 Palmetto Drive | William & Kirstin Edelglass (Applicants) | PO Box 88 Marlboro, VT 05344-0088 |
| 11-01-20 | Lyman Hill Road (No E911 address) | Jon Hendricks | 488 Greenwich Street New York, NY 10013 |
| 11-01-22 | Lyman Hill Road (No E911 address) | Estate of Geoffrey Hendricks | c/o Tyche Hendricks 1342 Parker Street Berkeley, CA 94702 |
| 11-01-23 | 1274 South Road | Hugh & Helen Whitney | PO Box 17 Marlboro, VT 05344-0017 |

!

Town of Marlboro



11-01-19

464 Palmetto Drive

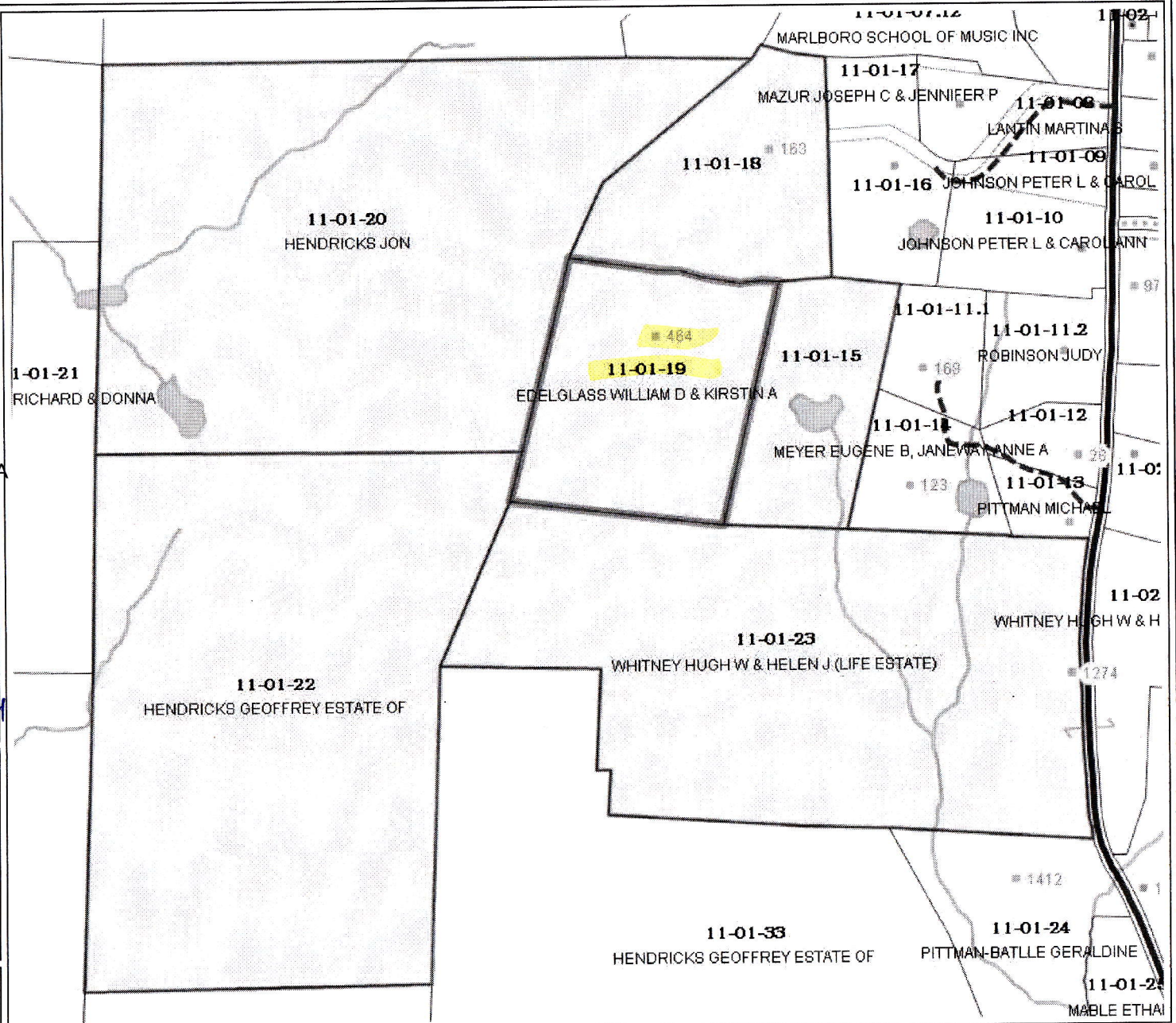
Edelglass William D & Kirstin A
PO Box 88
Marlboro, VT 05344-0088
18 acres Grand List
18.18 acres GIS

PERMIT #22-20CH

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

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or the user's interpretation of the data
delineated herein. Current to April 1, 2020

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Map Scale 1:6,800
1 inch = 570 feet

0 400 800 1200 1600 2000 Feet

Map Printed on
July 27, 2022

