

TOWN OF MARLBORO
Development Review Board

Application for Boundary Line Adjustment
Findings and Decision

Permit Application # 25-05 LD

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review, under the Town of Marlboro Zoning Bylaw, of an Application for a Boundary Line Adjustment submitted by Owners Brian & Suzanne Whitehouse, PO Box 346, Marlboro, VT 05344-0346; Location: South Road, Marlboro, VT; Tax Map Numbers 11-02-02 & 11-02-03; Proposal: Boundary Line Adjustment; Shift 0.39 (+/-) acres from Parcel 11-02-02 to Parcel 11-02-03.
2. The Application was received by Mary Sargent, Zoning Administrator, on April 9, 2025. A copy of the Application is available for review at the Marlboro Town Office, and on the DRB page of the Marlboro Town website (marlborovt.us).
3. On May 3, 2025, Notice of a public Hearing in the Town Office with *Zoom* videoconference was published in the *Brattleboro Reformer*.
4. On May 5, 2025, 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 May 8, 2025, a copy of the Notice of a public Hearing was mailed to the Applicants. On May 8, 2025, a copy of the Notice of a public Hearing was mailed to the following Owners of properties adjoining the property subject to the Application:

- Timothy Segar & Cathy Osman, PO Box 414, Marlboro, VT 05344-0414
- The Whetstone Inn, PO Box 7, Marlboro, VT 05344-0007
- Town of Marlboro, VT, PO Box E, Marlboro, VT 05344
- Marlboro Meetinghouse, PO Box 64, Marlboro, VT 05344-0064
- Malcolm Moore, PO Box 123, Marlboro, VT 05344-0123
- Marlboro School of Music, Inc., 1528 Walnut Street, Suite 301, Philadelphia, PA 19102-3604
- Martina Lantin & Wendell Kelley, PO Box 162, Marlboro, VT 05344-0162
- Peter & Carol Ann Johnson, PO Box 513, Marlboro, VT 05344-0513
- Marlboro Volunteer Fire Co., Inc., Attn: Michael Schneider, Treasurer, PO Box 69, Marlboro, VT 05344-0069
- Paul & Patricia Stello, PO Box 261, Marlboro, VT 05344-0261
- Elisa Difeo, PO Box 356, Marlboro, VT 05344-0356
- Windham & Windsor Housing Trust, 68 Birge Street, Brattleboro, VT 05301-8428
- Benjamin & Angela Mousseau, PO Box 365, Marlboro, VT 05344-0365
- Joshua Burns & Bonnie Holmes, PO Box 441, Marlboro, VT 05344-0441
- Richard & Ellen Holmes, PO Box 58, Marlboro, VT 05344-0058
- Ames Hill-Marlboro Community Center, PO Box 2124, West Brattleboro, VT 05303-2124
- Kenneth & Patricia Mangan, PO Box 241, Marlboro, VT 05344-0241
- Kathryn Ratcliff, PO Box 356, Marlboro, VT 05344-0356

6. The Application was considered by the Development Review Board at a public Hearing in the Town Office with *Zoom* videoconference on May 20, 2025. The Development Review Board reviewed the Application under the Subdivision Regulations of the Town of Marlboro, as amended March 4, 2010.

7. Present at the Hearing were the following members of the DRB:

- Steven John, Chair
- Jean Boardman, Vice Chair
- Brent Seabrook, Clerk
- Gail MacArthur
- Eva Grimaldi (via *Zoom*)
- 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 attended the Hearing:

- Brian Whitehouse, PO Box 346, Marlboro, VT 05344-0346 : Applicant (via *Zoom*)
- Paul Stello, PO Box 261, Marlboro, VT 05344-0261 : Abutter
- Carol Ann Johnson, PO Box 513, Marlboro, VT 05344-0513 : Abutter
- Evan Wyse

9. During the course of the Hearing the following Exhibits were submitted to the Development Review Board:

- Permit Application, signed by both Owners and dated 3/18/25
- Property Survey & Property Line Adjustment Survey Plat, dated 3~12~2025, showing location of proposed adjusted boundary between Parcel 11-02-02 and Parcel 11-02-03
- Town of Marlboro CTI maps (4), showing existing parcel boundaries & dimensions, 20-foot contours, and *Color Imagery*, printed on May 1, 2025
- List of Abutters to Whitehouse property (Tax Map # 11-02-02) & Marlboro Volunteer Fire Co. property (Tax Map # 11-02-03), with corresponding Town of Marlboro CTI map, printed on May 1, 2025

These Exhibits are available for inspection at the Marlboro Town Office, and on the DRB page of the Marlboro Town website (marlborovt.us).

FINDINGS

Based on the Application, testimony, Exhibits, and other evidence, the Development Review Board makes the following Findings:

1. The Applicants seek a Boundary Line Adjustment to shift approximately 0.39 acres from Parcel 11-02-02 to Parcel 11-02-03.
2. The source property, Parcel 11-02-02, is a parcel of 14.22 (+/-) acres located at Ames Hill Road & South Road in the Town of Marlboro. The property is more fully described in Deeds recorded in Book 56, Pages 854-862, of the Town of Marlboro Land Records.
3. The properties are located in the Village District (VIL) as described in the Town of Marlboro Zoning Map on record at the Town of Marlboro municipal office, and in *Section 306 - Village (VIL)* of the Marlboro Zoning Regulations, dated March 6, 2018.
4. The proposal meets the criteria for a Boundary Line Adjustment, described in *Article II, Section 2.1 (E)(1)* of the Marlboro Subdivision Regulations, dated March 4, 2010.

DECISION AND CONDITIONS

Based upon these findings, and subject to the Conditions set forth below, the Development Review Board grants the Boundary Line Adjustment described in Permit # 25-05 LD: to shift approximately 0.39 acres of land from Parcel 11-02-02 to Parcel 11-02-03.

The proposed Boundary Line Adjustment meets the requirements of Articles II & III of the Marlboro Subdivision Regulations.

The Development Review Board approves the Application, subject to the following conditions:

The deeds describing Parcels 11-02-02 & 11-02-03 shall be revised to correspond with the reconfiguration of these lots, and duly filed in the Town Records.

The Approval of the Development Review Board shall expire 90 days from the date of this Decision, unless the approved Plat is duly filed or recorded in the office of the municipal clerk.

Dated at Marlboro, Vermont, this 12th day of June, 2025.



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.