

TOWN OF MARLBORO

Development Review Board

Application for a Minor Subdivision

Findings and Decision

Permit Application # 25-17 LD

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review, under the Town of Marlboro Zoning Bylaw, of an Application for a Minor Subdivision submitted by Applicant Emily Falta, PO Box 2542, W. Brattleboro, VT 05303; on behalf of Owners Mark & Megan Littlehales, PO Box 148, Marlboro, VT 05344-0148; Location: 1174 MacArthur Road, Marlboro, VT; Tax Map # 08-02-27; Proposal: Minor Subdivision; Divide a (+/-) 20.9-acre parcel into two (2) lots, both with frontage on MacArthur Road. Lot 1 is 17.4 acres, with existing Single-Family Residence and Accessory Structures. Lot 2 is 3.5 acres, undeveloped.
2. The Application was received by Mary Sargent, Zoning Administrator, on June 26, 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 August 2, 2025, Notice of a public Hearing in the Town Office with *Zoom* videoconference was published in the *Brattleboro Reformer*.
4. On August 4, 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 August 6, 2025, a copy of the Notice of a public Hearing was mailed to the Applicant and to the Owners of the subject property. On August 6, 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:
 - John & Margaret MacArthur Trust, PO Box 30, Marlboro, VT 05344-0030
 - Brian Potter & Jamie Schilling, PO Box 448, Marlboro, VT 05344-0448
 - Jacob & Meghan Smith, PO Box 121, Marlboro, VT 05344-0121
 - Hollace Bowen & Paul Love, PO Box 489, Marlboro, VT 05344-0489
6. The Application was considered by the Development Review Board at a public Hearing in the Town Office with *Zoom* videoconference on August 19, 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 Development Review Board:

- Steven John, Chair
- Jean Boardman, Vice Chair
- Brent Seabrook, Clerk
- Gail MacArthur
- Eva Grimaldi
- Mary Sargent, Zoning Administrator
- John Marinelli, Scribe

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:

- No Interested Parties attended

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

- Permit Application, signed by both Owners, dated 6-23-25; and by the Applicant, dated June 23, 2025
- Preliminary Subdivision Survey Plat, prepared by Bradford Lackey, dated 7 ~ 29 ~ 2025
- Town of Marlboro CTI maps (2), Tax Map Number 08-02-27, printed on July 17, 2025, with dimensions, 20-foot contours, and *Color Infrared* Imagery
- List of Abutters to Littlehales property (Tax Map # 08-02-27), with corresponding Town of Marlboro CTI map, printed on July 17, 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 Applicant seeks a Minor Subdivision to divide a (+/-) 20.9-acre parcel into two (2) lots, both with frontage on MacArthur Road. Lot 1 is 17.4 acres, with existing Single-Family Residence and Accessory Structures. Lot 2 is 3.5 acres, undeveloped.
2. The subject property, a parcel of (+/-) 20.9 acres, is located at 1174 MacArthur Road in the Town of Marlboro; Tax Map Number 08-02-27. The property is more fully described in a Deed recorded in Book 68, Page 215, 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, dated March 6, 2018.
4. The proposal meets the definition of a Minor Subdivision, described in *Article II, Section 2.1 (B)* of the Marlboro Subdivision Regulations, dated March 4, 2010.
5. The proposal conforms to the General Standards for a Minor Subdivision, described in *Article III, Sections 3.1 & 3.2* 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 Minor Subdivision described in Permit # 25-17 LD: to divide a (+/-) 20.9-acre parcel into two (2) lots, both with frontage on MacArthur Road.

Lot 1 is 17.4 acres, with existing Single-Family Residence and Accessory Structures.

Lot 2 is 3.5 acres, undeveloped.

The proposed Minor Subdivision 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 approval of the Development Review Board shall expire 180 days from the date of this Decision, unless the approved Subdivision Plat and corresponding Deeds are duly filed or recorded in the office of the Marlboro Town Clerk.

Dated at Marlboro, Vermont, this 26th day of August, 2025


Steven John, Chair
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.