

TOWN OF MARLBORO
Development Review Board

Application for Change of Use
Findings and Decision

Permit # 25-11 CH

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review, under the Town of Marlboro Zoning Regulations, of an Application for Change of Use submitted by Quynh Doan, 2671 Higley Hill Road, West Marlboro, VT 05363; Location: 2671 Higley Hill Road, Marlboro, VT; Tax Map Number 02-00-59; Proposal: Change of Use; Build an Accessory Dwelling Unit situated on the second floor of a new 2-car garage, on a parcel with an existing Single-Family Residence.
2. The Application was received by Mary Sargent, Zoning Administrator, on May 8, 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, and again on September 6, 2025, Notice of a public Hearing in the Town Office with *Zoom* videoconference was published in the *Brattleboro Reformer*.
4. On August 4, 2025, and again on September 8, 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 in the Town Office with *Zoom* videoconference was mailed to the Applicant. On August 6, 2025, a copy of the Notice of a public Hearing in the Town Office with *Zoom* videoconference was mailed to the following Owners of properties adjoining the property subject to the Application:
 - Joseph Gorbecki, 63 Munger Lane, Bethlehem, CT 06751
 - Douglas Hollenbeck, 29 Timothy Drive, Westerly, RI 02891
 - Donald Patterson, 3005 Higley Hill Road, West Marlboro, VT 05363
 - Bergen Swanson & Olivia Barrand, 2769 Higley Hill Road, West Marlboro, VT 05363-9503
 - Polli-Jo Moryl, 43 Marlboro Heights, West Marlboro, VT 05363
 - Michael & Tamara Purcell, 2756 Higley Hill Road, Wilmington, VT 05363-9801
 - Lizbeth Carmichael, 228 Monarch Drive, Southington, CT 06489

- Peter Starkweather, 1237 Higley Hill Road, Wilmington, VT 05363
 - Richard & Donna Hawes, 2631 Higley Hill Road, Wilmington, VT 05363
 - Mark Goodman, 118 Concord Drive, Madison, CT 06443
6. The Application was to be considered by the Development Review Board at a public Hearing in the Town Office with *Zoom* videoconference on August 19, 2025. Due to the absence of the Applicant, consideration of the Application was deferred until September 16, 2025, at 7 PM. The DRB 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, Chair
 - Jean Boardman, Vice Chair
 - Brent Seabrook, Clerk
 - Gail MacArthur
 - 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. The following Exhibits were submitted to the Development Review Board during the course of the Hearing:
- Permit Application, signed by Owner Quynh Doan, dated 8 May 25
 - Site sketch showing approximate location of existing house with well & septic field; and proposed Accessory Dwelling Unit/garage; undated
 - Wastewater Disposal System and Potable Water Supply Design Site Plan showing location of existing Single-Family Residence, driveway, well & septic tank; and proposed new structure with corresponding well & septic tank; prepared by Trinity Engineering Technical Services, LLC; dated 6/13/2025
 - Approved State of Vermont Wastewater System Permit # WW-2-7964, dated July 17, 2025
 - Town of Marlboro CTI Maps (2): Tax Map number 02-00-59, printed on May 20, 2025, showing dimensions, 20-foot contours, and *Color Imagery*
 - List of Abutters to the Doan property (Tax Map number 02-00-59), with corresponding Town of Marlboro CTI Map, printed on May 20, 2025

These Exhibits are available for review at the Marlboro Town Office, and on 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 Change of Use Permit to build an Accessory Dwelling Unit situated on the second floor of a new 2-car garage, on a parcel with an existing Single-Family Residence.
2. The subject property is a 6.6-acre parcel located at 2671 Higley Hill Road in the Town of Marlboro, VT; Tax Map Number 02-00-59. The property is more fully described in a Deed recorded at Book 69, Page 58, in 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* of the Marlboro Zoning Regulations.
4. The proposed project is allowed by right in the *Rural Residential District (RUR)*, and conforms with the purpose of the District.
5. The proposed structure meets the requirements for *Dwelling Unit, Accessory*, as described in *Article VII - Definitions* of the Marlboro Zoning Regulations.

DECISION AND CONDITIONS

Based upon these Findings, the Development Review Board approves the following Change of Use: to build an Accessory Dwelling Unit situated on the second floor of a new 2-car garage, on a parcel with an existing Single-Family Residence.

No conditions were established at the hearing.

Dated at Marlboro, Vermont, this 24th day of September, 2025.


Steven John, Chair
Marlboro Development Review Board

Town of Marlboro
Marlboro, Vermont 05344

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*.

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