

Development Review Board Decision Letter

Town of Marlboro Vermont

Hearing concluded January 20, 2026

Permit # 25-23 LD

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review, under the Town of Marlboro Subdivision Regulations, of an application for Minor Subdivision submitted by Daniel and Gail MacArthur, P.O. Box 30, Marlboro VT 05344-0030; Location: 33 Woods Road, Marlboro, VT; Tax Map Number 08-02-20.3.

Proposal: Minor Subdivision: Divide a 4.7-acre parcel into two (2) lots. Lot 1 is 2.4 acres with existing Single-Family Dwelling; frontage on MacArthur Road. Lot 2 is 2.3 acres with existing garage & shed; access to MacArthur Road by deeded right-of-way: Woods Road (private road).

2. The application was received by Mary Sargent, Zoning Administrator who scheduled the hearing for October 21, 2025. A copy of the application and plan are available at the Marlboro Town Office. The Hearing was continued and concluded on January 20, 2026.

3. The application and proposed Subdivision Plat were considered by the Development Review Board at public hearing on Oct. 21, 2025 and continued as revised for Jan. 20, 2026. The DRB reviewed the application and plat under the Town of Marlboro Subdivision Regulations, as amended.

4. Present at the hearing were the following members of the Development Review Board:

Steven John, Chairman Jean H. Boardman, Vice-Chairman Gail MacArthur (recused)	Brent Seabrook Malcolm Moore, Alternate Eva Grimaldi - absent
--	---

Also present:

Daniel and Gail MacArthur, Applicants

5. 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. §aa65(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.

FINDINGS

1. Applicants seeks a Minor Subdivision Permit to divide a 4.7-acre parcel into two (2) lots. Lot 1 is 2.4 acres with existing Single-Family Dwelling; frontage on MacArthur Road. Lot 2 is 2.3 acres with existing garage & shed; access to MacArthur Road by deeded right-of-way: Woods Road (private road).
2. The Applicants seeks a Waiver of Setback to preserve the buildings presently located on the two proposed lots.
3. The property is located in the *Rural Residential District (RUR)* as described in the Town of Marlboro Zoning Map.
4. The waiver request requires review under *Section 305 – Rural Residential (RUR)*: Side Yard Minimum Setback: 50 feet from the parcel boundary.
5. Granting of a Waiver will have no undue adverse effect on the neighborhood in which the property is located, nor the Town in general. It will not alter the essential character of the neighborhood in which the property is located, and does not adversely impact the use, enjoyment, or development of adjacent property.
6. The Waiver requested does not reduce the Setback dimension by more than the minimum amount necessary.

DECISION AND CONDITIONS

Based on these Findings, the Development Review Board approves the Application for Minor Subdivision, with the following Conditions:

1. Submit to the Town Clerk a Subdivision Plat by a surveyor including a 12.5-foot setback for the dwelling on Lot 1 and shed on Lot 2, as well as an easement of 12 feet radius surrounding and protecting the present well as a potable water source.
2. This Plat will be approved by the signature of the DRB Chair and witnessed by the Town Clerk.
3. Deeds for each lot and the Surveyor's Plat will be submitted to the Town Clerk for recording in Archives.

4. The Applicants obtain an E-911 identification number for each of the two newly created land parcels.

Dated at Marlboro, Vermont, this _____ day of January 2026.

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. S 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.