

TOWN OF MARLBORO, VERMONT
PUBLIC HEARING MINUTES
September 26, 2026

Meeting	Marlboro Select Board – Public Hearing on Proposed Subdivision Regulations
Date / Time	Saturday, September 26, 2026, 3:00 PM
Location	Marlboro Community Center and via Zoom
Select Board Present	Molly Welch (Chair), Jeff Skramstad (Vice Chair), Kate Kirkwood
Staff Present	Nick Morgan (Town Administrator)
Others Present	Tamara Stenn (Energy Committee), Nick Sherefkin (Energy Committee consultant), Donald Sherefkin (Planning Commission)
Residents Present	Catherine Rhodes, Nancy Anderson, Gussie Bartlett, Peggy Tiffany

1. Call to Order

Chair Molly Welch called the public hearing on the proposed Marlboro Subdivision Regulations to order at 3:00 PM, during a recess of the Select Board's informational meeting.

BEGIN ZOOM RECORDING

The hearing was also recorded by BCTV.

2. Overview of the Proposed Subdivision Regulations

Donald Sherefkin of the Planning Commission presented the proposed regulations. Printed copies were available, and the regulations were displayed on screen.

2.1 Goals

- The existing subdivision regulations were largely boilerplate written for communities much larger than Marlboro. The Planning Commission's goals were to make the regulations appropriate to Marlboro, make them easier to read and understand, and align them with how the Town actually operates.
- A flowchart on page 6 shows the step-by-step process for minor and major subdivisions.

2.2 Minor and Major Subdivisions

- The Zoning Administrator is the first point of contact and helps determine whether a project is a minor or major subdivision.
- The threshold for a major subdivision has been raised. Up to four lots may now be created as a minor subdivision, and five or more lots triggers major subdivision review. The five-year window for counting lots is unchanged.
- Minor subdivisions, including boundary line adjustments, may be approved by the Zoning Administrator without going to the Development Review Board (DRB). The applicant must still provide a survey and supporting documents, and interested parties must be notified. The Zoning Administrator may refer an application to the DRB if needed and overlay district requirements still apply.

2.3 Conservation Subdivision

- The regulations add a new conservation subdivision option (Section 3), modeled largely on Brattleboro's approach in West Brattleboro.
- Most of the Town is zoned for two acres per residence. Under the conservation option, a landowner who sets aside 50% of the land may build the same number of units as otherwise allowed, but on smaller, clustered lots (for example, one acre or three-quarters of an acre, provided the soils support a working septic system). This is less expensive to build and better for the environment and avoids the suburbanizing effect of uniform two-acre lots.
- Every major subdivision will require an environmental review map identifying ecologically sensitive areas, which are excluded from the buildable area. For example, a 50-acre parcel with 20 unbuildable acres would allow 15 units (30 acres ÷ 2 acres).
- The conservation subdivision may be used in any zoning district.

2.4 Related Zoning Issues

- Multi-family housing and co-housing are governed by the zoning bylaws, not the subdivision regulations. The Planning Commission recommends that its next step be a revision of the zoning bylaws, with more flexibility for multi-family housing to support affordable housing. Two-family dwellings are currently allowed.
- In the commercial zones (Commercial East and Commercial West), single-family residences are allowed but primitive camps are not.
- The zoning bylaws (originally adopted in 2010 and revised as recently as 2018) need updating. For example, they still include an obsolete educational zone, and some provisions are unclear. The acting Zoning Administrator will keep a list of unclear provisions for the revision.
- The Select Board noted that it is applying for a Municipal Planning Grant to fund the zoning bylaw revision, with a consultant such as the Windham Regional Commission drafting changes for Planning Commission review.

3. Public Questions and Comments

- Attendees found the new regulations much clearer and more readable than the previous version.
- The Planning Commission's own public hearing produced only a handful of corrections, which have been incorporated.
- It was asked that the regulations state clearly up front that every subdivision requires a survey, since residents are sometimes surprised by this. It was noted that Malcolm Moore stressed the importance of the survey at the Planning Commission hearing. Table 2.2 and the subdivision flowchart list the survey requirement at each step. Because revising the regulations text now would restart the public hearing process (about six months), it was agreed that the requirement is sufficiently clear in the regulations, and that a prominent note would be added to the summary document attached to these minutes.
- The regulations emphasize that the subdivision plat and deed must be recorded within 180 days of approval, or the approval is void.
- It was noted that some complicated subdivision applications may be coming in the future.

4. Attachment

Nick Morgan displayed a two-page comparison of the existing and proposed subdivision regulations, which will be attached to these minutes. A note will be added at the top stating that every subdivision requires a survey. Nick Morgan will email the summary to Donald Sherefkin for review. These minutes may be amended once the attachment is finalized.

Attachment: Comparison of Existing and Proposed Marlboro Subdivision Regulations (2 pages)

5. Board Action

No motions were made and no action was taken.

6. Close of Hearing

There being no further questions or comments, Chair Welch closed the public hearing at 3:25 PM, and the Select Board returned to its informational meeting.

Respectfully submitted,
Nick Morgan, Town Administrator

Minutes recorded by: Nicholas Morgan - Town Administrator Date: 9/30/2026.

Approved by Select Board at 10/8/26 meeting