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November 14, 2024

David Sunshine, Chair  
Development Review Board  
Town of Richmond  
203 Bridge Street  
Richmond, Vermont 05477

**Re:    Sipe Sketch Plan Review**

Mr. Sunshine:

I represent Jessica and Michael Sipe regarding their property at Faye's Corner. The Sipes have received conflicting guidance about how Town Zoning allows them to use a portion of their property. Our goal is for the DRB to provide informal guidance about how the DRB may view potential uses before investing resources to bring a developed proposal back before the DRB. We understand the guidance is nonbinding.

Please note that we have been advised to come before the DRB for Subdivision Sketch Plan Review, but no subdivision is currently proposed. Rather, we wish to discuss current allowable uses of a portion of their property.

The Sipes' property is part of a 2006 8-lot subdivision on Wolf Lane. In relevant part, Lot 8 consisted of 1.74-acres and Lot 7 consisted of 106-acres. Each parcel had building envelopes located adjacent to each other. The 2006 Subdivision Approval conserved all relevant portions of Lot 7, aside from the building envelope, to protect the community wastewater system and viewshed. (Ex. A & C).

In 2008, the Town approved a subdivision amendment that merged portions Lot 7 into other lots. About 13-acres of Lot 7, including the building envelope, were merged into Lot 8, thereby creating a 15.05-acre parcel with two adjacent building envelopes. (Ex. D & E).

The Sipes purchased Lot 8 in 2015. They permitted and built a residence and ADU in the original building envelope on Lot 8. They also permitted and constructed two structures in the original Lot 7 building envelope: a commercial photography studio and a greenhouse for non-agricultural use, which are served by an independent water and wastewater systems on Lot 7. (Ex. G & H).

The present issue relates to the original building envelope on Lot 7 that is currently being used for permitted commercial uses. The 2006 site plat labeled the Lot 7 building envelope "Proposed Building Envelope for Agricultural Use Only No Residential Use" (Ex. B) and the 2006 DRB Subdivision Approval, in the context of imposing limits on the portion of Lot 7 outside of the building envelope, referred to the building envelope by that label. (Ex. A, FF 5 & Decision 3). The Zoning Administrative Officer has advised that the building envelope might be



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therefore limited to agricultural uses, thereby making their existing permitted commercial uses non-conforming and substantially limiting potential future uses.

The Sipes have received conflicting guidance in the past as numerous factors indicate the limits apply only outside the building envelope. (*See, e.g.*, Ex. F at Staff Discussion 2). As future uses of this area will require DRB review, the Sipes would appreciate understanding how the DRB might understand current restrictions, if any.

The Sipes look forward to discussing their property with the DRB and would appreciate non-binding DRB guidance as to current allowable uses.

Best regards,

Adam H. Miller  
Attorney for Jessica & Michael Sipe