

September 18, 2025

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

**Re: Combined Preliminary Subdivision and Final Subdivision Applications,
 Jessica and Michael Sipe**

Mr. Chair:

As you are aware, the Sipes are applying to subdivide their roughly 15-acre parcel into two lots: a 1.74-acre parcel and a 13.05-acre parcel. The 2-lot subdivision will restore the 1.74-acre parcel to its original 2006 configuration. The 13.05-acre parcel was partitioned and merged with the 1.74 acre parcel in a 2008 subdivision modification and will become a separate parcel with this subdivision. The end-goal is to subdivide the Sipes' current parcel – currently containing two building envelopes and a mixture of residential and associated commercial uses - into two parcels that allow a residential use in each.

This subdivision proposal has been before the DRB on several occasions in the last year. Sketch Plan review was conducted in November 2024 and identified a building envelope use restriction. Preliminary Subdivision review was conducted in June 2025, in which the DRB denied the Sipes' application because of the building envelope use restriction. In coordination with the Town, the Sipes then applied for a Subdivision Modification solely to remove the building envelope restriction, which the DRB approved in August 2025. At that time, the DRB also granted the Sipes permission to file a combined Preliminary and Final Subdivision Application to be heard in a single hearing.

The present proposal is identical to the original Sketch Plan and Preliminary Subdivision applications, except for the removed building envelope restriction. No development is proposed, other than creating the new parcel lines. In consultation with the Town of Richmond Planning Staff, if the subdivision is approved, the Sipes will file an application to change the use of the existing structure on the 13.05-acre parcel to add a residential use, which we are advised can be reviewed administratively. No change to the existing building footprint is proposed with that changed use. A state wastewater permit amendment and association addition to the wastewater system would be needed prior to issuance of a Certificate of Occupancy.

The Sipes request the following waivers from Application submissions pursuant to Subdivision Regulation 310, 420, and 704:

1. Subdivision Regulation 310.1.3: waiver (if needed) from Plat location map requirements. DRB Final Decision of Pre Sub 2025-05 (FF 13) noted that it was unclear if the Plat area map in the upper right corner met the Town requirements, which may use a USGS map. We understand

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- from the surveyor that the provided area map is the industry standard that meets the scale requirements, and request a waiver of the provision, if needed.
2. Subdivision Regulation 310.2.8: waiver from indicating interval contours of the Plat. DRB Final Decision of Pre Sub 2025-05 (FF 17) noted a lack of contour lines. Contours are indicated on the included Subdivision Site Plan to enable DRB review. They are omitted from the Plat to make information relevant to the subdivision more legible.
 3. Subdivision Regulation 320: waiver from setting field markers. DRB Final Decision of Pre Sub 2025-05 (FF 18) noted a lack of field markers. Both parcels were preexisting lots with existing survey pins, as identified on the Plat. Applicants request a waiver from setting additional markers, or if some additional markers are needed, then a waiver from setting markers around the entire 15-acre parcel.
 4. Subdivision Regulation 420.2.2-4: waiver from listing roadway widths, lines, deflection angles, radii, length of curves, tangent distances, and bearings. Hinesburg Road, Wild Apple Lane, and Wolf Lane are already permitted and built out. This application proposes no changes to the roadways so the information would be costly without assisting the DRB with evaluation the application.
 5. Subdivision Regulation 420.3.5: waiver of a typical cross section and proposed grading of driveway. The driveway was initially installed around 2000 as a utility road for the Wild Apple Community wastewater system, and the initial portion leading to the photography studio was upgraded to Town of Richmond driveway standards in 2016 when the structure was permitted and constructed. No change to the driveway is proposed.
 6. Subdivision Regulation 420.3.10: waiver from professional engineer statement re: public and private infrastructure. All infrastructure has been previously approved and installed, and no new public or private infrastructure is proposed.

If any waiver is not granted, the Sipes request the DRB condition their decision on updating the Plat to include the needed information prior to recording the Plat.

The following address the specific Town of Richmond Subdivision Requirements:

Section 200 SKETCH PLAN – The DRB conducted Sketch Plan review in November 2024 and advised the building envelope limitation required removing. The restriction was subsequently removed. No other issues were identified.

Section 300 PRELIMINARY SUBDIVISION – The two prior Preliminary Subdivision hearings did not identify and substantive issues with the proposal, other that the building envelope restriction that has been addressed. DRB Final Decision of Pre Sub 2025-05 noted several items to address for the Final Subdivision hearing, mostly concerning the Plat. All items have been updated, except where a Waiver is requested above.

Section 400 FINAL SUBDIVISION

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420.1 Hard Copy Plats are attached.

420.2 Final Subdivision Plat is nearly identical to Preliminary Subdivision Plat, except where updated pursuant to DRB Preliminary Subdivision Decisions. Other changes include better identifying wastewater and utility easements, reference to Final Decision SUB 05-057A

4.20.3 FINAL SUBDIVISION PLAN

- (1) The wastewater system is identified on the Plat; the Certification is provided. If the subdivision is approved, the system will require a state permit amendment and enlargement prior to the issuance of a Certificate of Occupancy for a residential use.
- (2) Potable water locations are already installed and identified on the Plat.
- (3) See Planning and Design Standards at Section 500, below.
- (4) Natural Resource Protection. Both parcels are already built-out with no further proposed development. Most of the lands outside the building envelopes are restricted to agricultural use.
- (5) Cross Section of Proposed Roadway Grading. Waiver requested above, as the driveway was first installed around 2000 and upgraded to a driveway in 2016, per DRB approval. No driveway changes are proposed.
- (6) Bridges and Culverts. Not applicable.
- (7) Roadway and Open Space statement. Not applicable.
- (8) Contours. See Subdivision Site Plan; waiver request, above, from inclusion on Plat for legibility purposes.
- (9) School, etc. Statement. Not likely relevant but provided at DRB request.
- (10) Infrastructure certification. See waiver request above as infrastructure has already been approved and installed and no new infrastructure is proposed.
- (11) No other documents or information has been requested during prior hearings or were identified by Planning Staff. The Sipes will provided other information upon request.

Section 500 PLANNING STANDARDS

- (1) No known natural features or easements impacted by the subdivision.
- (2) No known historic or natural features are impacted by the subdivision.
- (3) No construction is proposed to impact runoff or erosion.
- (4) The structures and infrastructure are already permitted, and the proposed subdivision and anticipated residential use are both compliant with the Town Subdivision and Zoning Regulations.
- (5) The 1.74 acre parcel is already approved and used for residential use; the 13.05-acre parcel is well suited for the same.
- (6) Adding a single additional residential use is consistent with the Town Plan and only a nominal additional burden on Town government.
- (7) Omitted.
- (8) Both parcels are currently permitted for water and wastewater.
- (9) Water and wastewater infrastructure is existing and not polluting surface or ground waters.
- (10) No unreasonable increase in road traffic.

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- (11) No undue adverse impact on wildlife. Structures and infrastructure are already existing.
- (12) No change to air, water, noise or light pollution. Structures and infrastructure are already existing.

Section 600 ROADWAYS: Not Applicable. No new roadway is proposed.

Section 610 LOT LAYOUT: Both lots have sufficient lot size and road frontage, previously approved building envelopes, and is in conformance with Zoning and Subdivision Regulations.

Section 620 PEDESTRIAN AND BICYCLE ACCESS: Not applicable.

Section 630 OUTDOOR LIGHTING: Not Applicable. Existing lighting conforms with Zoning Regulations; no new lighting is proposed.

Section 640 TREES, SHRUBS, LANDSCAPING: Not Applicable. No new construction or change to vegetation is proposed.

Section 650 DRAINAGE AND FILL: Not applicable. No new construction, drainage, or fill is proposed.

Section 660 WATER SUPPLY AND WASTEWATER DISPOSAL SYSTEMS: See Permit ww-4-2720-1. The home on the 1.74 acre parcel is part of the Wolf Lane Subdivision community waste water system, which is located to the south on Lot 14, Parcel ID #WF0188. The ADU on the 1.74 acre parcel and the Studio on the 13.05 acre parcel are served by Permit ww-2720-1, attached. Both wastewater systems and both potable water systems are sufficiently isolated. See Subdivision Plat.

Section 670 Utilities and Easements. All utilities and easements are depicted on the Plat.

Section 680 PHASING: Not applicable. No phasing proposed.

Please let me know if I can be of any assistance or provide any additional information.

Best regards,



Adam Miller,
Associate Attorney