



Town of Richmond
Planning & Zoning Office
P.O. Box 285
Richmond, VT 05477
www.richmondvt.gov

MEETING MINUTES 12/10/2025 DRB MEETING

DRB Members Present: David Sunshine (Chair), Matt Dyer (Vice Chair), Padraic Monks, Matt Parisi, & Robert DiPalma.

DRB Members Absent: N/A.

Staff: Danté DeNault (Acting Zoning Administrator & E911 Coordinator) & Keith Osborne (Director of Planning & Zoning).

Public Attendance: Angelike Contis, Katharan “Kate” Blofson, Jay McCormack, Susanne Parent, MMCTV Tom Astle, & MMCTV

Start Time: ~7:00 p.m.

Summary

Agenda Item # 1: CU2025-06, 203 Bridge Street (Parcel ID: BR0203)

- Applicant Mount Mansfield Community TV (MMCTV), represented by Executive Director Angelike Contis and Board Member Katharan “Kate” Blofson, presented opening remarks on their proposal to install a mast and antenna on the Town Center building to enable a low power FM non-commercial community radio station.
 - o Applicant applied for and received a construction permit from the FCC to launch a community radio station. The permit expires in April of 2027.
 - o The small mast and antenna will transit at 100 watts or less, which is low power community radio.
 - o Applicant has received initial approval from the Town of Richmond Selectboard.
 - o Applicant noted that the antenna depicted in their new logo will not look like the antenna that is proposed to be installed under this project.
- DRB Chair David Sunshine asked about interference between the proposed antenna and the Highway Department’s antenna.
 - o Applicant agreed to work on and cure any interference with any other antennas on top of the City Center building.
 - o Applicant’s Broadcast Engineer has assured the organization that interference will not be a problem.

- It was explained that once Burlington Communication provides the frequencies for the existing antennas, that appropriate RF filters can be installed to filter out those frequencies. Burlington Communication manages all the two-way radio systems.
- Applicant also explored moving the Highway Department's antenna to create some distance between it and the proposed antenna.
 - Applicant expressed that if the Highway Department's antenna needs to be moved, the cost for doing so will be borne by themselves.
- Applicant further explained that the FCC is very specific about what kind of antenna and structure may be built for a low power FM radio station.
- DRB Member Robert DiPalma sought clarity on Applicant's height calculation.
 - Applicant explained the rationale behind the numbers included throughout their application materials. It was explained that the height listed in the FCC application, 82 feet, was an overestimate.
 - The tip of the Town Center cupola (the top of the building) is 69 feet.
 - Applicant assured that the proposed mast and antenna will be 69 feet or less.
- With no more questions or any public comment, the DRB moved to approve CUR2025-06.
- **CONCLUSION:**
 - The DRB voted unanimously to approve CU2025-06 subject to the two (2) following conditions:
 1. Applicant shall consult with and follow the recommendation of Town Officials as to the color of the mast.
 2. Applicant shall cure any interference with any other antennas placed on top of the Town Center building.

Agenda Item #2: APE2025-01, Appeal of Zoning Permit 2025-61 (Parcel ID: JR1330)

- Continued hearing from November 11, 2025. Appellants Chelsye and Trevor Brooks of 1364 Jericho Road challenge the issuance of Zoning Permit 2025-61, pertaining to Appellee/Applicant Jay McCormack's driveway at 1330 Jericho Road, Richmond, VT 05477.
- Chair Sunshine discussed his possible conflict of interest.
 - An official Vermont Ethics Board response was filed with the Town stating his rationale for why he believes no conflict of interest is present here.
 - Chair Sunshine asserted that no conflict is present. He explained that as an abutting landowner, the application on appeal involves a part of land at least a half to three quarters of a mile from his land, except for a little abutting piece way up at the top of the land.
- Applicant/Appellee Jay McCormack mentioned that he was not able to make last month's DRB meeting because he was out of the country in New Zealand for work.
- DRB Chair Sunshine discussed the two possible avenues for the hearing.
 - One, grant continuance to the Appellants, who, were unable to attend this DRB meeting; or.

- Two, grant the appeal based on the fact that, per counsel from the Town's Attorney, the permit was incorrectly granted by the Acting Zoning Administrator.
- The Town's Director of Planning and Zoning, Keith Osborne, explained that regardless of the DRB's decision, a procedural defect in the issued permit exists. So, Osborne suggested that the Board approve the appeal, vacate the permit, and direct the Applicant to submit a new permit.
- DRB Board Member Padraic Monks sought clarity on the process to continue the hearing and make a decision on the appeal.
 - Chair Sunshine clarified that the two options presented were two separate issues. Either the hearing is continued, or, the permit is invalid due to a procedural defect.
 - DRB Vice Chair Matt Dyer reviewed Appellants' memo and explained that their request was for either invalidation or continuance.
- DRB Member DiPalma requested that if a resubmission is needed, that the Applicant spell out how the amended permit differs from the original permit. This will help the Board understand what is already baked in, verses what's changed.
- McCormack chimed in on what changed. He mentioned that the width of the driveway is not 24 feet wide for the whole driveway.
 - DRB Member Monks cut off McCormack's line of testimony for going into the specifics of the project.
- DRB Member Parisi moved to go into deliberative session. It was seconded by DRB Member Monks.
- After coming out of deliberative session, the DRB came to the following conclusion.
- **CONCLUSION:**
 - The DRB voted unanimously to invalidate Zoning Permit 2025-61 because the permit issued by the Acting Zoning Administrator was, based on advice of the Town Attorney, invalid.
 - Because Zoning Permit 2025-61 was deemed invalid, the DRB voted unanimously to dismiss the appeal, APE2025-01, as moot.

12.10.25 DRB Transcript

Start Time: ~7:00 p.m. (note: the timestamps below correspond to the respective Zoom recordings for [Recording One](#) and [Recording Two](#)).

[Start of Recording One]

DeNault 00:14

The recording is now in progress.

Sunshine 00:17

Okay, it's just about to be seven, so I welcome everyone to the December meeting of the Development Review Board for the Town of Richmond. If you're in the audience, and I can't see who's in the audience, if there's anybody, please sign in in the back. Otherwise, Dante, you want them to note their name and address on the chat block. Is that correct?

DeNault 00:44

Correct.

Sunshine 00:45

Okay, we have a couple hearings today. The first hearing is CU2025-06, Mount Mansfield Community TV. They seek a DRB approval to install a modest mast and antenna on the City Center Building to enable a low power FM, non-commercial, community radio station. And Angelike, will you be the only person--or Kate, are you also going to speak?

Contis 01:23

It's going to be both of us.

Sunshine 01:25

Okay.

Contis 01:26

Kate is our real radio expert, yeah.

Sunshine 01:27

Let me swear you both in. Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth.

Contis 01:35

I do.

Blofson 01:36

I do too.

Sunshine 01:37

Okay, is there anybody on the Board that feels that they have a conflict of any sort with this application?
No.

Dyer 01:46

No.

Monks 01:46

Nope.

DiPalma 01:47

I didn't.

Parisi 01:48

I do not.

Sunshine 01:48

Okay, having heard that no one has a conflict, we'll go forward and Angelike, or whichever one of you wishes to speak first, why don't you go ahead and tell us what you have in mind here?

Contis 02:06

I think I'll start, and Kate can fill us in on the technical stuff maybe as we get going. But for the last few

years, MMCTV has been working on a project to launch a community radio station, and we were thrilled when we found out from the FCC that they passed--or there was a window that opened in 2023. We applied, and they said okay, and they gave a construction permit which runs for three years. So till April of 2027 we have time to put up modest, like a small mast and an antenna to transmit at 100 watts or less, which is low power community radio. And we'd love to do it on top of the Richmond Town Center. And we did get an initial okay from the Richmond Select Board when we were applying, because you need to do that to have a landowner saying that in general they approve of that. And yeah, so we're just coming to you for the details to get this installed atop the Richmond Town Center, where there currently is a Highway's department antenna as well on the little chimney in the back. Kate, would you like to add some more? I'm trying to give a short version of this story.

Blofson 03:24

That all sounds great to me. Yeah. My name is Kate Blofson, and I used to work with an organization called the Prometheus Radio Project that, like, built and advocated for these low power FM stations all across the country. So there are a bunch of others in Vermont, some of which are also owned and operated by public access stations. And I'm on the board of MMCTV, and it's just a wonderful fit, and especially also to be like right in the middle of things at the Town Center. Yeah, and I'm happy to answer whatever questions I can about attachment or other details.

Contis 04:05

And just from the get go, we have a new, we have a new logo which shows, kind of like a big tower. But just to be clear, even though it works for a logo, the actual antenna is like, basically like a stick with a little things sticking out from it. So it's not going to be like our logo. Just to be clear, it just is like the traditional radio logo.

Sunshine 04:29

I guess my only question is, and I've seen this in other situations where there would be interference between your antenna and the other one up there, does the organization agree to work on and cure any interference? With any other antennas?

Contis 04:53

Absolutely. Kate, would you like to take that one?

Blofson 04:57

Sure, yeah, they're like, our Broadcast Engineer assures us it won't be a problem, like if the antennas are collocated there. Once we find out the frequencies from Burlington Communication, which manages all the two way radio systems, then we can install appropriate like RF filters to filter out those frequencies, so it shouldn't be an issue. We also talked a little bit about if it might be possible to move the Highway Department antenna so they weren't quite so close to each other, because that is pretty close for the two antennas to be.

Sunshine 05:37

That's what I thought. So if it needs to be moved, would the cost for doing that be borne by your organization?

Blofson 05:48

That's, yeah, that's what we were thinking. We're sort of going to see if it's possible and appropriate, first of all, with [] Eric at Burlington communications, and then, yeah, what the cost might be. It's actually, you can see the cable running up to the current antenna, and our assembly will look much the same. So it

might not be that onerous of a task, but we'll see.

Sunshine 06:19

Okay.

Contis 06:21

And may I just add one thing, David, that the FCC is very specific about the kind of antenna and structure and like, they're very specific about what you can use for a low power FM radio station. So it's not like we just go up and put whatever our Engineer [has] also set up many throughout the state of Vermont in the US. So it's a very specific setup for when you launch the station.

Sunshine 06:47

Good to hear. Any other thoughts or comments from or questions from the rest of the Board?

DiPalma 06:54

Yeah, I have a question. The project description refers to a[n] antenna on a 12-to-16-foot mast, which I assume will be attached to one of the chimneys on the roof of this building. But then it also says that the overall height will be 82 feet or less. If you add a 16-foot mass to the roof, is probably 30-35 feet. How do we get to 82 feet?

Contis 07:31

From the measurement that we had from the architects that did the study that's in our application that we, from a previous study, the tip of the cupola is 69 feet. So, like the math was like, we have been crunching the numbers, and our application was probably overshooting with the FCC. There's no way we're going to do 82 feet. It's going to be 69 feet or less.

DiPalma 07:59

Okay, thank you.

Sunshine 08:04

Anything else from any of the other board?

Parisi 08:09

No.

Dyer 08:10

Nope.

Sunshine 08:11

Is there any public comment? Is there anybody in the public out there? I can't see.

Dyer 08:21

Not here.

Sunshine 08:29

Okay. I have, I have to pull up the Staff Notes. Were there any comments in the Staff Notes--I don't have them in front of me at the moment--that you wanted, Dante that you wanted to be included in any decision we make?

DeNault 08:47

Yeah, I think the one condition I was, that was suggested, was a discussion of the color, of what the mast should be--whether it should match the and whether or not it should match the, excuse me, match the existing color of the other mast, though that might be subject to change if the Highway mast is relocated.

Contis 09:13

Would you like us to answer that? Or I'm sorry it wasn't clear if you would address that.

Sunshine 09:17

Yeah, what's your thoughts on that Angelike?

Contis 09:21

My thoughts is that since this is a historic Richmond building, that we should just ask Richmond, or whoever is in charge the building, what they'd like to see in terms of color, and we'll make it happen. So if they want it to be white, like the one that's up there, if they want it to be like brick colored, any of those things, we can make it happen.

Sunshine 09:42

Okay, so you have no problem agreeing to that.

Contis 09:45

I have no preference whatsoever as long as it looks good.

Sunshine 09:50

Fair enough. Okay, what would the Board like to do? I'd entertain a motion.

DiPalma 10:01

Well, it seems like we have two choices here if we want to approve it. I guess I would make a motion that that the DRB approve the application on the condition that the applicant consult with and follow the recommendation of city, er, Town Officials as to the color of the mast.

Sunshine 10:27

And I would add, ask you to add to that, that they agree to cure any interference with any other antennas that are up there.

DiPalma 10:37

I'll accept that amendment.

Dyer 10:40

I would second that motion.

Sunshine 10:43

Okay, all in favor?

[collective, unanimous AYE's from all five presiding DRB members].

Sunshine 10:48

Great. Thank you. Angelike, so we have 45 days to respond. I think we'll do it quite quickly and get to you our decision in writing.

Contis 10:59
Great. Thank you.

Blofson 11:01
Thank you.

Sunshine 11:03
Thank you very much. Sounds exciting.

Contis 11:06
Yeah it's very exciting, and it definitely has an emergency response component. We just got word the other day that the State of Vermont is providing ... us with \$8,400 to buy the transmitter and the emergency response box. So we are excited to help out with the Town in the future in those situations.

Sunshine 11:23
Oh, good, great. Well, thank you very much.

Contis 11:28
Thanks, have a good night.

Sunshine 11:32
Okay, next on the agenda. I'll introduce it and then we can have a little discussion about it. It's CU. No, wrong one, it's APE 2025-01. Chelsea and Trevor Brooks are appealing a zoning permit 2025-61, it's a continuation of a hearing that we gave a continuance to in November, and the applicants--the appellants, rather--challenged the issuance of that zoning permit for allegedly missing information and violating the Town's Zoning Regulations. We have since been given an opinion, a memo from the Planning Director stating that, according to the Town Attorney, the permit was issued by Dante and Dante as, what's your official title now Dante?

DeNault 12:39
Acting Zoning Administrator.

Sunshine 12:41
Acting Zoning Administrator did not give him the right to sign that permit, and for that reason, that permit is null and void. However, that is a decision that the Board needs to make. So, before we get started, is there anybody on the Board that feels they have a conflict in this matter?

Parisi 13:06

Dyer 13:07
I do not.

Monks 13:08
No.

DiPalma 13:09
I don't.

Sunshine 13:09

It's been pointed out to me as Chair that I have a conflict, or I have a potential conflict because I am an abutting landowner. I have since filed a response to that on the official Vermont Ethics Board form stating why I don't believe I have a conflict. I am an abutter but the question being brought before the Board, the application, has to deal with the part of the land that's at least a half to three quarters of a mile from my land, except for the little piece way up top that abuts me. So I don't believe I have a conflict, and I don't believe I need to recuse myself. Having said that, is there, we could take this into a couple different stages. One is, we could decide, first, whether we believe and agree that the well, okay, so a continuation has been requested by the applicant, the appellants. Since we gave it a continuation to the landowner last month, I would say.

McCormack 14:29

And hey guys, it's Jay McCormick here, and I'm online. Just wanted to let you guys know I'm here. And you know, I apologize for not being at the last meeting I was, I was actually in New Zealand for work and, and so I was not able to make that meeting, and but I am on this one.

Sunshine 14:50

Okay, so we did give a continuance to Jay, the landowner last month and in fairness we probably should give a continuance to the appellants, however, part and parcel of that is that the Town Attorney has stated that the permit was incorrectly granted by the Acting Zoning Administrator and feels that we should grant the appeal based on the fact that the permit was wrongfully given, but that is a decision that our Board can make. We may accept that, or we may not. If we, so, we have two ways to go. We can grant a continuance and hear this, and I would say, if we grant a continuance, we should make it contingent on the fact that they both had one continuance--I don't want to see these landowners keep trying to get continuances on each other. So I would say each has had a continuance, and there would be no further continuances given, and we'd hear this application in January. Or the board could agree with the Town Attorney that the permit was wrongfully given, and we can affirm the appeal and move forward in this manner. What's the sense of the Board members?

Dyer 16:29

I'm assuming that if we move to continue, we are therefore validating Dante's decision, at least his authority to make the decision, and we're sort of ruling on that,

Sunshine 16:47

Well that's, I don't, I don't really know that that's true. I think we could continue it, but we'd still be faced with ... that issue when we open the hearing up. The fact that the appellants are not at this hearing does not, according to the Town Attorney, preclude us from acting on the appeal. Does that makes sense to everybody?

Oborne 17:23

I would add at the end of the day, regardless, the applicant is going to have to submit another permit. Regardless, there was a procedural defect initially. And, you know, there my again, to influence the Board I guess, is to approve the appeal, vacate the permit, direct the applicant to submit a new permit--per my memo. That's my position, and obviously the, it solely, as David explained, it solely rests with the Board how you want to proceed with this, but that's my public comment on this.

Parisi 17:59

So, isn't there precedent from a previous DRB meeting regarding a sign of approval that was done by the

Zoning Administrator, but since it had gone past that at a certain point, they were able to get that sign approved.

Oborne 18:19

15 day appeal period?

Parisi 18:20

Yes.

Oborne 18:21

Yep. So this is an active permit. It was a stay. There's a stay on it because the right procedure, the procedure was followed correctly for the appeal prior to the 15 days running.

Monks 18:38

Just process wise, we're sure we could continue the hearing and make a decision on the appeal?

Sunshine 18:49

Not really, I think, if, I guess, if we, I think it's two separate issues Padraic, and I think we either [1] continue and then consider the issue at the next meeting, or [2] we could sit, we consider the issue of the wrongfully, the allegedly wrongfully issued permit at this meeting, and if we were to consider that and find for the appellants, then that would preclude any further hearings on this permit.

Monks 19:29

That makes sense to me. But I thought you said we had granted, we were granting, potentially, you know, two continuances. Is there any potential harm to the appellant and us going forward and making a decision, potentially to void the permit?

I can't think of any, but you know, they've requested a continuance, and if we do choose to move forward to void the permit, we're effectively having the hearing right, and they've asked us to continue ...

Sunshine 20:00

Yes.

Monks 20:01

... that hearing? So, I don't see a problem with it, but I just, I just want to, you know, get a little.

Sunshine 20:06

I've opened the hearing, and we either grant a continuance now that the hearings open, or we move forward on whether we grant the appeal or not.

Parisi 20:18

Can we do that in deliberative session, or do we have to grant the continuance first?

Sunshine 20:35

Interesting question. I would say, if we wanted to, we've opened the hearing. I think we've opened the hearing so we could go into, if we voted to go into deliberative session, we could do that, and then when we come out of deliberative session again, make a decision.

Dyer 20:55

For what it's worth, their request says either invalidation or continuance. So, to your point, Padraic, my guess, if we decided that we wanted to invalidate it, they'd be satisfied with that without continuing it.

Monks 21:12

Okay, yeah, thanks for catching that.

Sunshine 21:13

Exactly. I agree. Bob, do you have any other thoughts?

DiPalma 21:19

I was just trying to think through what would be the next step. We invalidate the permit. I assume the applicant will resubmit the permit application, the same documents will be submitted the, the appellant, I assume will take a timely appeal and submit the same set of documents. So we're going to be right back in the in the position where we are today.

Oborne 21:41

Well, it seems it might not necessarily be the same documents. So it's a permit.

DiPalma 21:47

Okay.

Sunshine 21:48

It would be a new permit. It would be a new application with a new decision by the Zoning Administrator.

DiPalma 21:59

Okay, well, actually, I don't, I don't object to that, because I've, both in for this hearing, and last month, I've struggled to understand what this current, how this current permit differs from what was granted in the in 2024-02. And if there's going needs to be a resubmission, that would be an opportunity for the Applicant to spell that out for us so that the Board will understand what is already baked in, because there's a non-appealable decision, versus what's in in this new permit application.

McCormack 22:39

So I think I can chime in on that. This is Jay, and I think I think Dante has a pretty good grip on why I'm applying for this zoning application, and it's because when I first applied for my building permit for my driveway, somehow it was deemed that I had to build it 24 feet wide. I didn't build it 24 feet wide. I built it to the same location that was depicted, so it follows the same, same lines, but it's not 24 feet wide. It varies in width. And that's, that's really at the end of the day, that's, that's why I'm doing this zoning application, is to basically submit an as built driveway plan to be able to get a CO and I was kind of confused on why, you know, I didn't know if getting a Certificate of Occupancy for a driveway was a normal procedure for the Town, but that's somehow I how I ended up, you know, with my building permit for the driveway is, I had to get a CO for it. And really, at the end of the day, we're just talking about that the width is not 24 feet wide for the whole driveway.

Monks 23:52

It seems like we're getting into, you know, testimony on the specifics of the project, which is kind of outside, like we're like, are we going to continue the hearing? Are we going to go into deliberative session? I think we need to cut this line of testimony.

Parisi 24:04

I would make a motion. I think I'd make a motion to go into deliberative session, that's my.

Monks 24:09

I'd second that.

Sunshine 24:11

All in favor?

[collective, unanimous AYE's from all five presiding DRB members].

Sunshine 24:13

Okay, so the Board has voted to go into deliberative session. We can cease the recording, ask all the members of the public to log off, and we will make a decision of some sort in the deliberative session, and then come or talk about in the deliberative session, and then make a decision when we come out of the deliberative session.

Oborne 24:44

Well, what I'm going to do is, I'm going to, I'm going to stop the meeting, so people cannot, you know, there's no video at this, right. So I'll be stopping the meeting. I would suggest that anybody who is online to just hold on and from time to time, click back in. That's the best we can do at this point, if nobody's here. I don't know what other procedure we could go by.

DeNault 25:07

Well, we could potentially move everyone into a waiting room if they're looking to get back and, you know, let them back in once deliberative session. You know, once, once the Board comes out of deliberative session.

Oborne 25:22

I'm not sure I have the ability to do that mentally.

DeNault 25:27

Sure, totally.

Dyer 25:29

I mean, can't we just ask people other than the Board members to leave and call it a day?

Sunshine 25:32

Yeah, that's what we've done in the past.

Oborne 25:35

Ok.

Sunshine 25:36

So, Jay, we'd ask you to leave.

McCormack 25:39

Yep, I can leave.

Sunshine 25:44

I'm sorry, Jay, what?

McCormack 25:44

Yeah, I was just saying I can, I can leave. I'll, I'll hop off here. And, yeah, appreciate everyone's time.

Osborne 25:52

Not a problem. And Dante, you'll have to vacate also.

DeNault 25:56

Yep, yeah. You're, you're driving, Keith, you have. Alright, let me just make sure, I know that I was made host so I just want to make sure that you are. Keith, I am making you the host now. You should see a, it should have just, the permission should be transferred. Alright, I'll head out. Keep me posted. I'll be happy to log back in.

Sunshine 26:30

Okay. We are now in deliberative session.

[end of recording one].

...

[deliberative session].

...

[start of recording two].

Sunshine 00:03

Okay. We have come out of deliberative session. I would entertain a motion on the application in front of us.

DiPalma 00:13

Okay, I'll make the motion that based upon advice from the Town Attorney we have determined that the application submitted by the Applicant, or the permit issued by the Acting Zoning Administrator was invalid, and therefore, the permit is invalidated. And, because there is no permit issue, would also move to dismiss the appeal as moot.

Sunshine 00:48

Do I have a second on that?

Dyer 00:51

I'll second.

Sunshine 00:53

Okay. All in favor?

[collective, unanimous AYES from all five presiding DRB members].

Sunshine 00:58

Great. Keith, is there anything else this Board needs to discuss before we adjourn?

Oborne 01:07

Not at this point, no. Nope.

DiPalma 01:11

So, Keith, do you expect that the Applicant will submit a new permit application?

Oborne 01:19

Yes, and, you know, I think that potentially the Board should direct the Applicant to submit a new application, even though it's obvious, you know, as a part of that motion.

DiPalma 01:31

Well, I guess the Applicant can do what he wants.

Oborne 01:33

That's correct.

DiPalma 01:34

Right. I would say that if there is an opportunity I would recommend that the permit application spell out in very specific terms how is this application different from the permit that was issued in 2024.

Oborne 01:52

Well, I would, I would, yes, I would, I could have a sidebar with you or I could comment on that right now if you wish.

DiPalma 02:01

No, I don't think that is necessary. Yeah.

Monks 02:04

Perhaps the direction from the Zoning Administrator to the Applicant is to include that description and assessment of the difference between the two applications.

Oborne 02:16

Yup. That's fine, we can do that.

Monks 02:19

Great.

Sunshine 02:21

Okay. I would entertain a motion to end this hearing.

Dyer 02:28

Motion to adjourn.

DiPalma 02:31

Second.

Sunshine 02:32

All in favor?

[collective, unanimous AYES from all five presiding DRB members].

Sunshine 02:36

Thank you all.

[end of meeting].