SOUTH BURLINGTON PLANNING COMMISSION

28 JULY 2026

The South Burlington Planning Commission held a regular meeting on Tuesday, 2026, at 7:00 p.m., in Room 301, City Hall, 180 Market Street, and via Zoom.

MEMBERS PRESENT: D. MacDonald, Acting Chair; J. Moscatelli, M. Emery; M. Mittag

ALSO PRESENT: P. Conner, Director of Planning and Zoning; K. Peterson, City Planner; T. Barritt, E. Fitzgerald, R. Doyle

1. **Instructions on exiting the building in case of an emergency:**

Mr. MacDonald provided instructions on emergency exit from the building.

2. **Agenda: Additions, deletions or changes in order of agenda items:**

Ms. Peterson asked to add minor changes to the wording of the RTE LDR under Other Business. This does not relate to the current round of LDR amendments.

3. **Open to the public for items not related to the Agenda:**

No issues were raised.

4. **Planning Commissioner announcements and staff report:**

Mr. Conner noted the good turnout yesterday for the groundbreaking for the bike/ped bridge.

The new Deputy City Manager will be on board next week.

Tomorrow is Tom DiPietro's last day with the City. Erica Quallen Towle will take over as Interim Public Works Director.

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5. **LDR Amendments, Minor Changes and Planning Commission Report:**

Ms. Peterson noted this is a minor change after a re-read by staff. The Commission should decide whether the report needs to be amended. Staff fees it does not.

Mr. Mittag moved to confirm that Planning Commission Report for LDR26-08 does not require amendment to the report. Ms. Emery seconded. Motion passed 4-0.

6. **Transferrable Development Rights: Discussion of Potential Options:**

Mr. Conner reminded members that last summer's amendments to the LDRs included heights, and the City Council asked about the possibility of additional heights being made available in City Center with TDRs. The Commission was asked to come back with some specific ways TDRs can be used. Mr. Conner noted that with TDRs, there has to be a constraint so that a developer will want to buy them. Staff has come up with some additional ways TDRs might be used.

Ms. Emery asked how TDRs would be used for parking. Mr. Conner explained that parking does not met the qualifications for TDRs, but lot coverage does. Mr. Mittag recalled that the Planning Commission did this once with Shearer. Mr. Conner said lot coverage could be increased up to 60% with TDRs, which would be a 10% increase.

Ms. Emery said she was also intrigued by allowing TDRs for larger homes. She felt encouraging smaller homes was good, but people in larger homes pay more taxes, and the city needs people in all walks of life.

Mr. Mittag said allowing more height does appeal to him. He felt the parking idea would be complication but they could get it right.

Mr. MacDonald said he didn't think they should change the height rules midstream. He noted there hasn't been any interest in building anything with 12+ stories. He was OK with existing constraints and did not want to create an artificial market.

Ms. Emery wanted to leave City Center alone and "go up" in other parts of the City.

Mr. Mittag noted the concern with an "obligation" to people who were told that their TDRs were sellable if they would conserve their properties. Mr. MacDonald

said the City has no "obligation." Ms. Peterson said that is true, but the political side of it is something else.

Mr. MacDonald asked if there has been feedback from people who are unhappy about not selling their TDRs. Mr. Barritt said one resident came to the Council and complained about having TDRs she could not sell. There may be others. He said there is a "slippery slope" here. There was no guarantee that the TDRs would be sold. State rules have also changed. He felt it is a "balance situation."
Ms. Emery said she thought we should think creatively. She was open to lot coverage in certain parts of the city (Airport area, Kimball Avenue, etc.). She was also open to heights in certain areas.

Mr. MacDonald said he didn't favor new constraints in order to sell TDRs.

Ms. Peterson reviewed what the City has done. She also reviewed what the State did in terms of more permissive residential development including added density and additional number of units in buildings

Mr. Conner said the challenge is that TDRs were meant to be a "carrot" not a "stick." He noted that 7 stories are allowed on Shelburne Road, but the City hasn't seen a request for more than 5. The same is true in Technology Park. Mr. Mittag said the developer at Fayette Drive would have put on another story on the building on the corner with a TDR.

Mr. Conner said another idea is to set what a TDR is worth such as 2000 sq. ft. per story (the equivalent of a dwelling unit). They could say 4000 sq. ft. or more would be allowed, depending on the location.

Mr. MacDonald liked targeting areas as long as they can choose the areas. Mr. Conner said that must be tied to a larger planning purpose. Ms. Peterson added you can do it on a parcel by parcel basis.

Ms. Peterson stressed that there are a lot of moving parts. She said that in the past 5 years developers have been coming in with developments below what is allowed.

Mr. Conner said a TDR could be used for a decrease. Mr. Mittag said they want density. He suggested the Farrell St. area as good for allowing TDRs. Mr. Conner said the issue is flood plain and river corridor.

Mr. Mittag said there was a lot of interest in requiring TDRs for larger homes when the TDR Committee discussed this a few years ago. He felt that someone who can afford to build a large home can afford a TDR. He favored that.

Mr. Conner asked what staff should follow up on. Members responded as follows:

a. Cap on new dwelling units (some interest)
b. Manipulate lot sizes one stage higher than what exists now (interest)
c. Right-sizing a road down to a "driveway" (it was felt neighborhoods might be unhappy with this. There could also be a length limitation
d. Setting a ratio of impervious surface to building coverage (Staff noted the new dental office building takes up only 5,440 sq. ft. of the allowable 20,180 sq. ft.) (a majority of members were OK with moving forward on this)
e. Building width and depth, more variety in the scale of buildings. This could be tricky as people might just turn a building, and it doesn't guarantee quality space (members were divided on this, Mr. MacDonald was opposed)
f. Manipulate what a TDR is worth in some sections of the City. Cannot make a value too high or people won't buy them. (Members were OK with this)

Members asked that the full list be brought back so there can be a full discussion.

Mr. Barritt asked if the Open Space Fund would pay for the survey that needs to be done for conserving land. Mr. Conner said he didn't see why the City couldn't do this, but he wasn't sure about using the Open Space Fund. Mr. Conner felt it wasn't worth the cost to do one or two TDRs on your property.

Public comment was solicited. There was no public comment.

7. 802 Homes: Introductory Presentation by Staff:

Ms. Peterson reviewed the history of 802 Vermont and noted the State is developing floor plans for different types of homes that are relevant in Vermont. They are looking at 10 housing types up to a 10-plex that would meet building codes, fit into the Vermont village/town idea, and could fold into a community's regulations. Projects would still have to be reviewed for setbacks, etc. Mr.

Conner said there would be 3 levels of energy compliance. Ms. Peterson added some would be ADA compliant. Some municipalities are working with the State on this (Essex Junction, Manchester, Burlington). The goals is to have construction-ready plans by the end of the year.

Mr. Conner said staff took a quick look at this and found that the City's regulations are set up to take advantage of this, and it could provide entry-point housing for families. Ms. Peterson said units could be modularly built, but they wouldn't have to be.

Mr. Conner then showed the catalog of designs including:

a. Railroad flat (small and narrow)
b. Foursquare
c. Narrow lot 4-plex
d. Intergenerational triple decker (2.5 stories)
e. Village 4 (4-plex that looks like a single family home)
f. Stackable 4-plex
g. Adaptable units
h. Side-by-side duplex
i. Back-to-back duplex (could adapt an existing home to this)
j. 4-square (square ADU/starter home
k. Paired starter home duplex
l. Town house 2+ unit aggregated

Staff has been tracking this to see what options could exist in the City's regulations to make this possible.

8. **Meeting Minutes of 14 July 2026:**

Mr. Mittag noted his intention was to include other green space such as Veteran's Park, etc. when he spoke of driving on Swift Street.

Mr. Mittag moved to approve the Minutes of 14 July 2026 with the above addition. Ms. Emery seconded. Motion passed 4-0.

9. **Other Business:**

   a. **Planning for FY27 Organizational Meeting:**

Ms. Peterson canvased members as to their intention to be present at upcoming meetings.

b. City of Burlington plan BTV New North End public hearing on 28 July 2026:

For information only.

Ms. Peterson said staff has been working with the Agency of Natural Resources regarding "rare & endangered species," and they will provide a letter of support with the following "tweaks":

a. After "ways to slightly clarify" add "or issuance of a specific permit"
b. One lack of clarity was identified regarding distance from the property of a species

Staff suggests these "tweaks" be addressed in the next round of amendments, and the Agency is OK with that. It could go with the bedrock amendment.

Mr. Mittag asked about the Wake Robin presentation. Mr. Conner said they are asking to allow "long term care facility" in that area of the city where it is not now permitted outside of the Traffic Overlay District.

Mr. Mittag noted that the Official City Map shows a road going through a number of properties. He felt it needs to be taken off the map as it is holding up a development on Spear Street. Mr. Conner said there is a process already underway, and it is now with the City Council which will have 120 days to either take action or not. If they do not take action, the plan will be back to the DRB without that issue.

As there was no further business to come before the Commission, the meeting was adjourned by common consent at 9:01 p.m.

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Clerk