MINUTES

DEVELOPMENT REVIEW BOARD

15 SEPTEMBER 2026

The South Burlington Development Review Board held a regular meeting on Tuesday, 15 September 2026, at 7:00 p.m. in the Auditorium, City Hall, 180 Market Street, and via Go to Meeting interactive technology.

MEMBERS PRESENT: Q. Mann, Chair; M. Behr, F. Kochman, J. Lesko, C. Johnston

ALSO PRESENT: M. Keene, Development Review Planner; A. Levin, Planning Department; P. Conner, Director of Planning & Zoning; A. Gagnon, C. Gendron, K. Luce, M. J. Rizzo, D. Allen

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

Ms. Mann provided instructions on emergency exit from the building.

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

No changes were made to the agenda.

3. **Comments and questions from the public not related to the Agenda:**

No issues were raised.

4. **Announcements:**

There were no announcements.

5. **Presentation on Amendments to the Land Development Regulations adopted 3 August 2026:**

Mr. Conner reviewed the amendments to the LDRs as follows:

DRAFT

1. Nonconformities & Adaptive Reuse: Allows buildings that have existed for 15 years in districts that allow residential uses to be converted to a number of dwelling units. Building square footage may be expanded by no more than 50%.

   Aligns the definition of a non-conforming structure to City Center/Form Based Code; retains the status only if at least 50% of all load-bearing walls/pillar elements remain.

   Updates allowance for expansion of non-conforming structures to be 50% of the square footage. Allows greater expansion of historic buildings.

Mr. Kochman asked if these are permitted or conditional uses. Mr. Conner said they are permitted.

2. Significant Natural Communities and RTEs: Properties of 10 acres or more will be subject to study of rare/endangered species. The Agency of Natural Resources (ANR) will get a copy of the application and can comment within 30 days. No comment from ANR will be considered evidence that they are not raising a substantive issue. (The DRB should note this.) The DRB may invoke technical review on elements of the application.

Mr. Kochman stressed that this does not preclude the DRB from having an issue.

3. Update to T4 Zoning: Expands Form Based Code to area including property north of Williston Road, west of I-89 in HSMU district.

4. Use Updates: Data Center added as a defined commercial use and regulates size and location. Also adds scales for Trucking Center Commercial uses and regulates their location.

5. Minor technical amendments.

6. Electric Vehicle Charging: re-establishes connection of City standards for EV charging to 2024 Residential Building Energy Standards and 2024 Commercial Building Energy Standards.

7. Zoning Permit Updates: Eliminates zoning permits for interior renovations and façade materials replacement or roof replacement as long as no expansion modifications or additional bedrooms.

Mr. Conner then explained the T1A process to which municipalities with downtown village or growth areas are eligible. There would be no longer an Act 250 process in those areas. The DRB has an important role in this. If there is an application that already has an Act 250 permit, those permit conditions become part of the City permit if they are still relevant.

Mr. Behr asked if there will be criteria for building conversions. Mr. Conner said there will be standards, and all the other site plan criteria come into play.

6. **Continued Site Plan Application #PZ-SITE-2026-11 of J. B. Development Corp., Inc., dba Peregrine Design Build, for anew 5040 sq. ft. footprint building on an existing undeveloped 3.05 acre lot, 69 Randall Street:**

Ms. Keene advised that this item was withdrawn.

7. **Continued Master Plan Application #PZ-MASTER-2026-2 of Beta Technologies, Inc., to establish a master plan for a 101-acre area, consisting of 3 development areas including the previously approved Beta Master Plan area plus newly acquired properties in immediate proximity to the north and south of Williston Road:**

Staff comments were addressed as follows (picking up from where review left off at the previous hearing):

#13. Regarding the Traffic Impact Study, Ms. Mann asked if the applicant has an update. Mr. Gendron said they have met with staff, and VTrans (who are totally on board with this). The applicant's responsibility will be to pull together the mitigation strategies. The hope is to have something to review at the next hearing.

#14. Regarding additional traffic, Ms. Keene noted there will be an update with every application.

#15. (addressed at the previous meeting). The applicant had nothing new to add.

#16. Regarding comments from the Director of Public Works about the water line. Mr. Gendron said they are meeting with the Water Department tomorrow. Their connection to Green Tree Drive is good.

#17. The applicant was asked to clarify whether there is distributed parking plan. Mr. Gagnon said it is generally distributed, but there will be shuttles coming in from different locations. Having parking distributed makes sense as it is a large campus with a lot of ground to cover. Mr. Gendron added that they have identified a parking lot in Area 1.

#18. Staff feels the proposal to be on track but recommends that the DRB require the applicant to locate the civic space in Area 3 into the transition area and deconcentrate the scale and level of proposed commercial activity in a sensitive residential area. Mr. Gendron said they will dedicate a portion of that area to civic space. Mr. Gagnon added there will be a smooth transition from the residential area.
Mr. Keene said she does not see anything about the scale/level of commercial activity. Mr. Gendron said they can deal with noise, etc. Ms. Mann asked that the applicant identify the type of commercial activity. Mr. Gendron said they can do that.

Mr. Behr asked if the applicant has scheduled another neighborhood meeting. Mr. Gagnon said it will be next week. Information has been mailed.

#19. Staff asked that the applicant be required to provide information regarding roadway length, right-of-way, network characteristics, etc. Mr. Behr said the Board will need a lot more detail as what is provided is still very preliminary.

#20. The applicant removed this request.

#21. Staff recommended the Board require satisfactory proposal triggers for civic space prior to closing the Master Plan. Ms. Keene noted that the Board has allowed 2 separate applications, but they would not allow any zoning permit to be pulled until there is specific civic space approval. Mr. Kochman stressed this has to be 10% usable civic space. Ms. Mann suggested that civic space could be tied to a CO. Mr. Gagnon said that makes more sense as people going into the building will be using the civic space. Ms. Keene suggested there should be a CO for the civic space prior to the zoning permit CO.

#22. Regarding water line improvement triggers, Mr. Gendron said they are working with the Water Department on this, trying to iron out "grey areas."

#23. The stormwater area has been shown.

#24. Regarding staging and temporary uses, staff asked the access roads, location of field offices, etc., be shown for each temporary use. Ms. Keene stressed the need for clarity here. Mr. Gendron said each site could be different; for a bigger project, there could be a bigger field office. Ms. Keene said if there is equipment for one project on another site, that is a problem. Mr. Kochman said there should be a condition so the City knows where everything is, and staff should be notified if things are being moved around.

#25. Regarding management responsibility, staff recommends the applicant disclose any change of the responsible party and delegate any future entities to comply with master plan commitments. Ms. Gendron said that makes sense.

#26. Staff suggested the applicant be required to propose a framework for evaluation of whether improvements should be proposed for public dedication. Mr. Kochman asked why the Board should care at this point. Mr. Behr said if they are building something to dedicate to the City, it should be built to City standards. Mr. Kochman said everything should be built to City standards. Mr. Gendron said they will provide a framework for the next review.

Mr. Johnston said they should talk about triggers at the next hearing (i.e., what might be outside the applicant's control such as floods, supply chain, etc.).

Public comment was then solicited and received as follows:

Mr. Allen: He is a tenant at 3060 Williston Road and is seeking guidance regarding the future of the building. Other tenants share the concern about a timeline or general strategy. He noted the City of Burlington is now clearing out boxes and shredding contents. Mr. Gendron said he can't speak to timelines yet. He invited the tenants to the Wednesday meeting. He stressed they are still developing a plan for the site. Mr. Allen noted that one night power went out for an extended period of time with no warning which disrupted work of 2 of the tenants. They would like a warning if this is to happen again. Mr. Gendron note this property is in development area 2. As it will be in the master plan, whatever happens should happen within 10 years.

Ms. Lesko then moved to continue PZ-MASTER-2026-2 until 6 October 2026. Mr. Kochman seconded. Motion passed 5-0.

8. Minutes:

No minutes were reviewed.

9. Other Business:

No other business was presented.

As there was no further business to come before the Board, the meeting was adjourned by common consent at 8:31 p.m.

These minutes were approved by common consent on October 6, 2026.