



PLANNING COMMISSION MEETING MINUTES OF JULY 14, 2026

Members: Etienne Hancock, Joshua Goldstein, John Meyer, Wally Reeve

Absent: James Morris,

ADMINISTRATION and STAFF: Tyler Machia, Zoning and Planning Administrator

PARTICIPANTS/GUESTS: Martin Green, Jerry Throne

CALL TO ORDER

Joshua Goldstein called the Planning Commission to order at 5 PM at the Tegu Building.

AGENDA CHANGES/ADDITIONS

Tyler introduced an additional agenda item. The Commission members were sent an attorney-client privileged memo regarding earth extraction. Discussion ensued about accepting the document and the scheduling of a potential executive session to discuss it. The Commission debated the necessity of an executive session, with Joshua expressing concerns about transparency and the practicality of discussing the memo's contents. A motion was proposed but was revoked.

Motion made by Wally Reeve to accept the privileged document from the attorney and set a future executive session for discussion at the next meeting. Motion seconded by John Meyer.

Further discussion resulted in the motion not passing. Wally and John rescinded their motion. There was discussion about what information in the document was privileged. It was agreed that the confidential information should be differentiated, as it was not clear. Tyler will follow up on this.

Motion made by Wally Reeve to accept the attorney's privileged document. Motion seconded by John Meyer. Motion carried (4/0).

APPROVE PRIOR MEETING MINUTES

1. Approve minutes from 5/29/26

Motion made by John Meyer to approve the minutes of 5/26/26. Motion seconded by Wally Reeve. Motion carried. (4/0)

2. Approve minutes from the 6/9/26 meeting.

Motion made by John Meyer to approve the minutes of 6/9/26. Motion seconded by Wally Reeve. Motion carried (4/0).

NEW BUSINESS

1. Debrief on zoning bylaw public hearing.

Tyler reported that at the joint Selectboard and Trustees meeting, the 2026 Zoning Bylaws were approved and were in a 21-day window before taking effect. Both groups thanked the Planning

Commission for their years of exacting work.

2. Initial discussion on AI data center regulations.

Tyler presented a discussion on AI data center regulation, sharing insights from South Burlington's AI Data Center regulations, especially noting their definitions and Royalton's approach in their town plan. He noted that while Royalton's plan-based regulations may not be legally enforceable, he focused on the performance standards they propose, such as power consumption and water usage limits, that could serve as a model for their potential interim bylaws. Tyler noted that enforcement of these regulations must be equitable for all data centers, as well as potentially Copley Hospital and the school systems.

Tyler highlighted concerns about the legal weight of town plans versus zoning bylaws, questioning how certain requirements like a five-year moratorium could be implemented. They discussed the challenges of regulating data centers through performance standards rather than specific use bans, noting that current state processes like Act 250 may already address these concerns, as the governor vetoed a proposed state AI data center bill. Jerry Thorne expressed concerns about hazardous waste generated by data centers, including heavy metals and minerals from cooling water, and agreed to research specific waste types. Etienne asked him to send a list of the Conservation Commission's concerns to the Planning Commission.

OLD BUSINESS

1. Continued discussion on proposed earth extraction regulations.

The group discussed earth extraction regulations and legal review feedback. Tyler explained that while the Development Review Board has broad authority to attach conditions for safety and welfare, certain enforcement mechanisms like ongoing monitoring, specific dust control requirements would be problematic due to legal constraints. The discussion centered on whether to continue with a tiered approach or adopt performance standards, with Tyler suggesting they could review South Burlington's regulations as an alternative model. The group agreed that Tyler would review the legal feedback to identify problematic language and propose modifications to the tiered before seeking stakeholder input on performance standards and tier thresholds.

The Planning Commission discussed challenges with reviewing and potentially modifying a bylaw regarding earth extraction due to legal constraints in a confidential memo. Etienne asked Tyler to [work with Brent to develop a policy or guidance for the Planning Commission on handling attorney-client privileged information and what topics cannot be discussed in public.](#) The conversation ended with a decision to continue discussions at the joint meeting of the Selectboard and the Planning Commission on July 20th, where they will also address the implementation section of the town plan in collaboration with the Economic Development Coordinator.

Public commenters, including Jerry and Martin, raised concerns about the inability to address dust and air pollution monitoring due to enforcement and resource limitations. Martin also expressed concerns about public safety.

FUTURE PLANNING AGENDA TOPICS

The conversation ended with a motion to adjourn and a confirmation to cancel the July 28th meeting in favor of a joint meeting on July 20th.

- 1. Identify 5 priorities from chapter 7 of the town plan to discuss with MACC and the Economic Development Coordinator at a future meeting.**

Tyler will [attend the July 20th joint meeting with the Selectboard to discuss AI data center regulations and other topics, and bring questions from the Planning Commission.](#) Thus, it [was decided to cancel the July 28th Planning Commission meeting.](#)

Motion made by Wally Reeve to continue to address future planning topics at the next Planning Commission meeting. Motion seconded by Etienne Hancock. Motion carried (4/0).

CORRESPONDENCE/NOTICES

The attorney's letter to the Planning Commission members was discussed as noted.

ADJOURN

Motion made by Etienne Hancock to adjourn. Motion seconded by Wally Reeve. Motion carried. (4/0)

Meeting adjourned at 7:12 pm

Submitted and filed this 7/16/26.

Bonnie McDermott, Scribe

Please note all minutes are in Draft form and are subject to approval at the next Planning Commission meeting.