

Town of Jackson Planning Board
Minutes – December 14, 2023 – Public Hearing and Regular Meeting
- UNOFFICIAL UNTIL APPROVED

Call to Order: Chair Bill Terry called the meeting to order at 7:00 P.M. Chair Terry conducted the roll call of all members. Attending were Members Scott Badger, David Campbell, Kathleen Dougherty, Dick Bennett, Alternates Jerry Dougherty and Jim Wasco and Selectmen's Representative Bob Thompson. Absent was Member Sarah Kimball. Public attendees included Hank Benesh, Andy Fisher from Ammonoosuc Survey Co and John Pietkiewicz. The meeting was recorded by Hank Benesh and will be made available on Jacksonflicks.com.

Chair Terry stated that Alternate Jim Wasco would be a voting member tonight.

Approval of Minutes: Minutes from the meetings on November 9th and November 29th were reviewed. Member Badger moved to approve the minutes for November 9th and Alternate Wasco seconded. The motion was approved unanimously. Alternate Wasco moved to approve the minutes of November 29th and Member Campbell seconded. The motion was approved unanimously.

Public Comment: No public comment.

PUBLIC HEARING – Chairman Terry called the Public Hearing to order at 7:05 P.M. Voting members were Chair Terry, Members Scott Badger, David Campbell, Kathleen Dougherty, Selectman Representative Bob Thompson, and Alternate Wasco.

- **Sub-division for property owned by John M. Pietkiewicz and Linda N. Ulchak Rev. Trust. Located at 196 Dundee Road, Tax Map R-5, Lot 3.**

Andy Fisher presented plans for the sub-division on the property to create a smaller lot. All frontage and setbacks are appropriate. Andy indicated they are still waiting for a final decision from the State regarding the new lot. He stated that since the new lot is smaller than five acres the State must allow for an exception. He is not expecting any issue with the State.

The Board reviewed the subdivision checklist, and all items were correct. Member Badger motioned to accept the application and Member Bennett seconded. The motion was approved unanimously. Member Badger motioned to approve the subdivision with the condition that State approval is received for the smaller lot size. Member Bennett seconded the motion. The motion was approved unanimously.

Member Badger motioned to close the Public Hearing; Member Campbell seconded the motion. The motion was approved unanimously.

Short-term Rental (STR) Zoning Regulation: Chair Terry proposed to the Board a change to the current zoning regulation. The change was the use of Accessory Dwelling Units (ADU) as STR. Currently there are no restrictions on both a Primary Dwelling home and an ADU to be used as a STR. This issue was raised by Kevin Bennett, Jackson's Building Inspector a few months ago as something we should review. Chair Terry consulted with NH Municipal Association regarding any limitations or restrictions on limiting the use of ADU. Chair Terry found no restriction in the State RSA, therefore opened the discussion with the Board on what should be done. After some discussion, it was decided that we should add language that allows only one dwelling unit be designated as a STR per property. This would apply in all zones and allow either the Primary home or the ADU to be designated as the STR but not both. Chair Terry offered to speak with Town Counsel to draft the new language and the warrant article. Member Bennett motioned to approve that Chair Terry meet with Town Counsel. The motion was seconded by Member Dougherty. The motion was approved unanimously. Chair Terry will present the language at the January meeting for approval and then a public hearing will be held later in January.

Short-term Rental Applications:

- Lyla Trust – Brian & Margaret Goetz, 111 Whitney Hill Loop: Member Campbell presented the application. He stated that the application and documentation were appropriate, but were missing the ad for the rental home, otherwise it met all requirements. He mentioned that owners had been renting out this property in the past but on a limited word of mouth basis. They are looking to increase the number of rentals this summer. Member Badger questioned when we were going to end the exception for past rentals and apply the limitation of 30 rentals per year. After some discussion it was determined that the Board could accept the application with the comment that this property be limited to 30 rentals per year. Member Badger motioned to accept the application with comment and Alternate Wasco seconded the motion. The motion was approved unanimously.

Capital Improvement Program Update (CIP):

Chair Terry opened the discussion by stating that it was his understanding that the Select Board was looking for the Board to present items to the Select Board prior to the budgeting process and the proper priority that should be considered for each item. He said that it can be hard to close out a program before it is complete. Selectman Thompson confirmed that we should do our best to present those items that should be completed in 2024 regardless of the CIP being completed. Member Badger recommended that we do not include any costs associated with items unless they are confirmed by the department or board, such as the Library or School Boards costs. Alternate Dougherty commented that the School Board commissioned a group to evaluate all aspects of the school.

The Board discussed which items from the CIP could be presented to the Select Board for consideration in the 2024 budgeting process. Those items include 1. roof over the salt storage, 2. a major culvert repair, 3. Replacement/repair to the Fire Station, 4. Increase capital reserve for culvert repair from \$95K to \$150K, 5. initial funding of Housing Commission that would focus on possible solutions for affordable housing in Jackson. Member Badger updated the Board on current projects for affordable housing being considered in Jackson, such as Black Mountain employee housing, U.S. Forest Service allowing for housing to be built on their property, and a resident in Jackson looking at a possible land swap with the U.S. Forest Service. Member Badger stated that the creation of the commission would only require a warrant article, which is not part of the CIP, but the funding would be part of the CIP role. Selectman Thompson suggested that when the Board makes recommendations to the Select Board, we mention how something will be funded. Chair Terry reminded that the Board needs to focus on the needs of the Town of Jackson.

Chair Terry said that we need to make sure we make final decisions and vote on CIP priorities at the next meeting. Then a public hearing will be scheduled that will deal with the CIP items and the proposed changes to the zoning ordinance as it relates to ADU.

Member Bennett motioned to adjourn the meeting and Member Dougherty seconded. The motion was approved unanimously, and the meeting was adjourned at 8:35 PM.

Next Planning Board meeting is January 11, 2023.

Respectfully submitted by David L. Campbell, Secretary