

JACKSON PLANNING BOARD

MINUTES – March 9, 2017 –PUBLIC HEARING & SPECIAL MEETING - UNOFFICIAL UNTIL APPROVED

Call to Order: The meeting was called to order at 7:05 PM by Sarah Kimball, Chair. Attending were: Members Sarah Kimball, Scott Badger, Jason Bagley, Dick Bennett, Kathleen Dougherty, Bill Terry, and Betsey Harding; Alternate attending was: Chris McAleer. All members would be voting. Also in attendance were: Norman Head, Seth Burnell of HEB Engineers, Ellie Koeppel, Denis A. Murphy, Dave Hastings, John Bruni, DD Warren, and Hank Benesh, who was making an audio-visual recording of the meeting.

Minutes of February 6: Scott moved, and Kathleen seconded, acceptance of the minutes; all approved.

Matters not on the Agenda for the evening: None.

PUBLIC HEARING - Boundary Line Adjustment: Tax Map R 18, lots 11 & 12, Owned by Lynne Stamey: Wesley Smith from Thorne Surveys explained the layout of the proposed BLA, indicating that both lots are owned by Lynne Stamey. She wants to have the riverside lot expanded, making smaller the lot bordering on Carter Notch Road, with the back boundary to be set alongside a small streambed, a physical boundary that by Jackson's Zoning Ordinance already requires setbacks. Sarah read a letter submitted to the Board from Robert Najjar, who had requested that it be a part of the record. Mr. Najjar stated that, in 1988 the then-owners received approval to move and expand an existing structure that was located within the setback area of the River Conservation District for the Wildcat River; that was never done, though that original building has since been renovated a couple of times. As the Board saw in reviewing records, instead of moving that original structure, a new, larger home was permitted to be constructed, also located partly within the setback area of the River Conservation District for the Wildcat River. The Board discussed the facts and timeline of changes within that property and saw that in 2005 the Board of Selectmen indicated that the property and structures were accepted as currently placed and built, and this fact seems to remove the Planning Board's power to challenge placement of structures; it was noted that in 2007, a 2-bedroom septic system was designed for the cabin and placed further from the river, leaving the existing larger septic system to serve only the bigger of the two dwelling units. Chris began reading the checklist for compliance with our Zoning Ordinance. We noted that one abutter (Billings) had not been noticed about the pending application, and that there was no reference on the plan to any deed restrictions that might apply. Because the Planning Board cannot finalize approvals until all parties have been offered an opportunity to comment, the hearing on this application will be continued to the April 13 meeting.

PUBLIC HEARING - Boundary Line Adjustment: Tax Map R 12, lots 179, Owned by Jackson Ski Touring Foundation and R-12, lot 170, Owned by Martha E. Horowitz Trust: Bill commented that he would recuse himself prior to the vote. Seth Burnell from HEB Engineers presented the application, commenting that the intent was to correct an area preparatory to finalizing a conservation easement. Kathy began reading the checklist, but it quickly became apparent that an abutter's name (Russos) had not been noticed about the pending application so, as with the last application, the Board continued the hearing on this application to the April 13 meeting.

AS-BUILT PLAN REVIEW: Jim Rines of White Mountain Surveys stated that the originally approved as-built plans of March 1983 did not show Unit 22 at all. The sheets submitted for this meeting properly placed that unit, now housing Madeline's Deli & Café; Mr. Rines requested that the Board review and sign all three sheets for the records. Betsey inquired about the issues that Mr. Shellmer had raised at the Board's October 13, 2016 meeting, concerning Shellmer's Unit 20, and the area labeled LC 21 (for Limited Common land lot 21), which contained both Mr. Shellmer's septic leaching line and a gazebo that had never been issued a building permit. Board members inquired if, by signing the as-built, we were also giving approval to issues raised by Mr. Shellmer's questions; it was decided that we would affirm the as-builts only as they pertained to Unit 22, for Madeline's.

Other Business: Dick introduced a question from the Jackson Building Inspector inquired about a property at 54 Green Hill Road; since the structure has been demolished, how could that non-conforming property now be redeveloped? After brief discussion, Sarah commented that this is not an issue before the Board at this time.

Nominating Committee Report: Scott reported that he, Jason, and Betsey met and developed a slate of Board officers, and that the nominated people have agreed to serve. The slate is: Bill Terry to serve as Board Chair, Scott Badger to remain as Board Vice-Chair, and Betsey Harding to remain as Board Secretary. Chris moved approval of the slate, and Kathleen seconded it. All approved.

Betsey and Chris announced that they have decided to switch positions, with Chris to become a full member, filling Betsey's term, and Betsey to become an Alternate, in Chris's position; the Board of Selectmen have approved this change.

Adjournment: All favored adjourning at 9:20 PM.

Respectfully submitted,

Betsey Harding

(Note: an audio-visual record of the meeting may be found on Jacksonflicks.com)