

Town of Jackson Planning Board
Minutes - May 14th, 2020 - Regular Meeting (Virtual)
- UNOFFICIAL UNTIL APPROVED

Call To Order: Bill Terry, Chair, called the meeting to order at 7:10 P.M. Attending were Members Bill Terry, Scott Badger, Kathleen Dougherty, Chris McAleer, David Campbell, Sarah Kimball, Alternate Huntley Allan, and Selectperson's Representative Dick Bennett. Jerry Dougherty was in public attendance. Hank Benesh was also present to record audio and video of the Zoom meeting, which may be found on JacksonFlicks.com.

Approval Of Minutes: Minutes from the April 30th regular meeting were reviewed. Scott motioned to approve the minutes, and David seconded. The motion was carried unanimously, and the minutes were approved.

Public Comment: Public attendees did not express any public comments.

Changes to Zoning Ordinance Document Proposed by North Country Council (NCC): The goal of the document was to make the ordinances easier for non-Planning Board individuals to understand. Members reviewed the proposal document prior to the meeting. Scott asked if it would be possible to make copies of the draft available at the town office to poll interested parties for review and feedback. Kathleen suggested that Kevin Bennett, building inspector, should review the document for comprehension and precision. The Board supported this suggestion.

Sarah mentioned the Planning Board was referred to in error as the "Jackson Planning Department" at several points in the document. Sarah also addressed the overabundance and irrelevance of some annotations added to section headers and subheaders. Some of the callouts were appropriate, but many others seemed unnecessary. The addition of an appendix of charts also seemed redundant. Sarah suggested outlining the document in a table of contents for simple references. Scott suggested that the Board review the callouts to identify necessary and unnecessary annotations. Members agreed that the current draft overcomplicated the original document and needed revision. Bill commented that the draft was unsatisfactory, and the Board agreed.

Bill posed whether or not the Board should continue to work with NCC on updating the zoning ordinances. Scott believed the NCC intended to vet the vocabulary of the original document and clarify complicated terms rather than alter the document. Bill confirmed these intentions. Kathleen raised concerns about needing to update language in regards to RSA guidelines. David informed that this would be outside the NCC's project scope, and Sarah reminded that any substantial changes to zoning ordinances would need to be put to a town ballot.

Bill summarized the tasks before the Board and confirmed that no additional expenses would be allocated to the project at time of writing. Sarah volunteered to compose an expanded table of contents for the document. She also suggested that the other Members should review the document and identify complicated sections that require clarification.

Defining Zoning Map for Rural Residential vs. Village Districts: Bill and Scott worked with Peter Malia to compose a draft for the affidavit used for Short-Term Rental registration. Dick informed that the approval of the affidavit and the overall application will be an agenda item on the next meeting for the Board of Selectmen.

Bill received a question for the Board about defining between rural residential properties and commercial properties. Scott commented that clear boundary lines have not been established, but a distance measurement system is used to determine commercial boundaries. Because there are no clear boundary lines, there are issues where a property may occupy space on both rural residential and commercial districts. On Scott's suggestion, Bill asked for approval to speak with Peter Malia regarding said properties, and Dick approved the required expenditure.

Scott also identified the issue of clustered properties. For example, Wentworth occupies a commercial property, but some of its condominiums, which are owned by private individuals, lie beyond the measured distance for the commercial district. This would create a conflict with the Short-Term Rental regulations. Scott proposed to Bill that the entirety of clustered properties occupying both commercial and rural residential property should be classified as commercial use.

Sarah and Scott raised the topic of clearly defining district lines and establishing multiple zoning districts within the town in order to control building development. This topic was tabled.

Bill recognized Jerry Dougherty to comment on the issue of clustered properties. In Jerry's opinion, the location of the property owned by the individual, not the location of the common space owned by the association, should determine the zoning for that property. Dick and Scott recognized this opinion but agreed that it would be best to confer with Peter Malia to confirm the legality of the issue.

The Board discussed exploring options for composing a more comprehensive map of boundary lines. Sara mentioned the Granite database, which may have been used by the NCC in creating their charts for the zoning ordinance draft.

Bill recognized Jerry Dougherty with a question. Jerry suggested that, as Scott mentioned, Peter Malia should be asked if the placement of a structure should be used to determine zoning of the

structure upon property which borders both commercial and rural residential districts. The Board agreed that the question should be addressed to Peter.

Other Business: The Planning Board scheduled its next meeting for June 11th via virtual conference.

Scott asked if a roll call vote would be required for virtual meetings. Dick and Bill stated that roll call votes would only be required if the vote is not unanimous.

Dick motioned to adjourn, and Chris seconded. The motion was carried unanimously, and the meeting was adjourned at 8:20 P.M.

Respectfully submitted by Will Reisig