

**Town of Jackson Planning Board**  
**Minutes - July 9th, 2020 - Regular Meeting (virtual)**  
**- UNOFFICIAL UNTIL APPROVED**

**Call To Order:** Bill Terry, Chair, called the meeting to order at 7:07 P.M. Attending were Members Bill Terry, Kathleen Dougherty, Chris McAleer, David Campbell, Sarah Kimball, and Alternate Huntley Allan. Scott Badger and Selectperson's Representative Dick Bennett were not in attendance, and Huntley was appointed as a voting member. Public attendees included Kevin Tilton, Judie Sears Houston, Joan Heysler, Sheryl Vernon, Christine Costello, Liz and Martin Hawkes, Steve DiBenedictis, Heather Johnson, Francis Lyons, Charlene Ross, Katie Reardon, Diana Provencher, and Bob and Linda Peet. 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 June 11th regular meeting were reviewed. Two sets of minutes were submitted, but only the more recent edit of the minutes should be considered accurate and correct. Sarah motioned to approve the edited minutes, and David seconded. The motion was carried unanimously, and the minutes were approved.

**Public Comment:** Public attendees did not express any public comments for non-agenda discussion.

**PUBLIC HEARING: Review of Proposed Subdivision Application:** A public hearing was held to review a two-lot subdivision application for Tax Map R30 Lot 3. Kevin Tilton of HEB Engineering, on behalf of Johansen Family Holding, LLC, was recognized to provide details on the proposed subdivision. The 108-acre parcel would be divided into one 71-acre lot and one 37-acre lot, each with sufficient frontage.

The Board recognized Judie Sears Houston, abutter, who asked if the Board would place any restrictions on clearing of land on the subdivided lot. Bill responded that such restrictions do not fall within the Board's purview. Judie also asked if the Planning Board would ensure continued easement to provide access to the Saco River if the subdivided lot were to be sold to a new landowner. Bill answered that ensuring easement is a legal issue to be handled by the property owner and does not concern the Board. Chris commented that precedence for implied easement could apply to existing paths but affirmed Bill's statement that such easement is not decided by the Planning Board. Sarah also commented to similar effect, reinforcing Bill's statement.

The Board recognized Sheryl Vernon, abutter, who also expressed a desire to observe continued easement for access to the Saco River and asked to be put in touch with the Johansen family to establish some productive discussion. Bill reiterated Chris' mention of precedence, stating that paths which have previously existed and been maintained for easement may be recognized and

continue to be maintained as such. The Board recognized Liz and Martin Hawkes, abutters, who raised questions about ownership of Waterfront Road and adjacent property on the shore of the Saco River. Kevin explained that Waterfront Road is owned by the Johansens but is also considered a legal easement. The Hawkeses also voiced concern about the use of easement to access the river. Kevin stated that, in addition to potential implied easement, as previously discussed, a legal easement on Lot R31/7A, owned by John Barrett, Jr., could also be used for river access.

Sarah asked the Board if the Bartlett Planning Board would also need to be involved, since part of Lot R30/3 lies in Bartlett across the town line. Kevin explained that the Bartlett Planning Board was notified, but because the lot is not being subdivided within the town of Bartlett and would not become the sole access through Bartlett, the subdivision would not require the Bartlett Planning Board's approval. The Board recognized Bob Peet, abutter, who asked if ownership of existing easements would be transferred between owners if the property on which they lie were to be sold. Kevin confirmed that ownership would be transferred if the lot were to be sold.

The Board recognized Diana Provencher, abutter, who asked if a subdivided lot could be subdivided again in the future. Kevin stated that such subdivision could occur as long as both subdivisions satisfy the minimum 200 ft. of frontage required by Jackson's zoning ordinance. However, because the subdivision abutting Diana's property would have only 319 ft. of frontage, additional frontage would need to be constructed before another subdivision could occur. The Board recognized Francis Lyons, abutter, who expressed concerns about some logging that might be done close to the property line near his abutting lot. Upon his request, Kevin agreed to make available a physical copy of the map of the proposed subdivision.

Bill explained that, due to the nature of the virtual meeting, the Board gave him permission to check the checklist for the application himself instead of examining the checklist item-by-item with the other Members. He found the checklist to be completed and satisfactory and asked that the Board vote to accept and then approve the application. First, **Kathleen motioned to accept the application, and Chris seconded. The motion was carried unanimously, and the application was accepted. After acceptance, Kathleen motioned to approve the subdivision application, and Huntley seconded. The motion was carried unanimously, and the application was approved. Following this approval, the public hearing was closed.**

**Review of Short-Term Rental Applications:** The Board reviewed eleven (11) applications for short-term rental registrations for multiple parties and at various addresses, as listed in the meeting's agenda. Members agreed that all eleven applications were completed, and no issues were raised. Because no comments were made, **Chris motioned to accept all of the applications as a group, and Huntley seconded. The motion was carried unanimously, and the applications were accepted and returned to the Board of Selectmen for approval.**

The Board recognized Heather Johnson, short-term rental applicant, who said she only heard about the imposed regulations from a friend and did not receive any notice from the Town of Jackson about the need for registration. She expressed concern that other short-term rental owners were also not informed and might not be aware of the regulations. Sarah answered that town officials did not know who already owned and operated short-term rentals and, therefore, could not specifically inform them. She also explained that information about the new regulations could be found in Jackson eNews and on the Town's website. Bill responded that he was unsure if the Board of Selectmen had pushed any broad notifications about the new short-term rental regulations and the need for registration. However, he stated the topic was featured as a primary issue during several previous Planning Board regular meetings and working sessions and was met with much feedback from townspeople and short-term rental owners alike. Sarah recommended suggesting to the Board of Selectmen that a notice regarding the requirement for short-term rental registrations be appended to the next property tax notice to be sent out to residents. Bill assured that he would pass along Heather's concerns to Dick, as he was absent from the virtual meeting and would normally have represented the Board of Selectmen.

**Capital Improvement Plan Update:** In Dick's absence, Kathleen said there was no relevant information to provide for an update, and the discussion was delayed until the next meeting.

**Other Business:** Chris motioned to adjourn the meeting, and David seconded. The motion was carried unanimously, and the meeting was adjourned at 8:32 P.M.

Respectfully submitted by Will Reisig