

**Town of Jackson Planning Board**  
**Minutes – November 18, 2021 – Regular Meeting**  
**- UNOFFICIAL UNTIL APPROVED**

**Call To Order:** Bill Terry, Chair, called the meeting to order at 7:06 P.M. Attending were Members Bill Terry, David Campbell, Sarah Kimball, Kathleen Dougherty, Scott Badger (via Zoom), Chris McAleer, Alternate Huntley Allen and Alternate Dick Bennett (via Zoom). Selectman's Representative John Allen and Alternate James Wasco were unable to attend. Public attendees included Hank Benesh and Dennis Cunningham. Audio and video recorded by Hank Benesh will be made available on Jacksonflicks.com.

**Approval Of Minutes:** Minutes from the October 14, 2021, meeting was reviewed. Change to minutes were for the STR applications, #2, the word "approved" was changed to "accepted". Member Kimball moved to approve the minutes, and Member McAleer seconded. The motion was approved unanimously.

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

**Discuss on possible sub-division by Dennis Cunningham** – Mr. Cunningham presented to the Planning Board his idea of subdividing his property on Temple Drive. He wishes to build a home on the "new" property. The current house will remain on the one parcel of land. Temple Drive is a private road. He says there is enough frontage to create two parcels off the private road. His end goal is to build a new home. Member Badger asked if he has considered a Cluster Development; Mr. Cunningham had not considered this option. Member Kimball asked about the effect on the adjoining property along with an easement on the property. Chairman Terry mentioned that the Planning Board approved a Border Line Adjustment between the properties earlier this year. The size of each property is flexible. Member Kimball reminded the need to make sure the soil testing is done. Alternate Bennett asked how many homes are on Temple Drive and who manages maintenance of the road along with the structure of the road. Mr. Cunningham indicated he maintains the road; there is no formal association, but residents share the cost for plowing and that the road is gravel. Alternate Bennett confirmed that there would be no more than four homes on the road and no more than two homes on one driveway. Chairman Terry indicated that the design/idea appears to meet the standard. Chairman Terry asked about road frontage and Mr. Cunningham confirmed a minimum of two hundred feet is available for each lot on Temple Drive. Chairman Terry pointed out that during design the engineer will need to confirm that the size of both lots meets soil requirements. Current total lot size is 18.5 acres, Member Badger mentioned that the option for a Cluster Development, which allows multiple units on a single property with common land, allows for less frontage requirements. Member Kimball and Member Badger explained the definition of Cluster Development. Chairman Terry advised that Mr. Cunningham should take his idea to an engineer to develop a plan that will meet Subdivision Ordinance requirements and then submit an application for formal approval.

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**Groundwater Protection Ordinance:** Member Kimball presented a revised version of a model ordinance. Member McAleer and Member Kimball attended a related webinar and both learned the importance of this ordinance and that ground water needs to be protected. Member Kimball said an important section is to define what constitutes the Ground Water Protection District, so we can protect our public water system, wellhead protection area and stratified-drift aquifer. She indicated the Planning Board will need to have a map of covered areas and will need to contact North Country Council to see if they can develop our map. Chairman Terry assured Member Kimball that the cost of a map would be in the budget and asked to clarify what the map will have listed, to make sure that anyone can tell what property is impacted. Member Kimball spoke with Kevin Bennett about properties with underground oil tanks and the need to educate individuals about regulations. Alternate Allen asked if a change in a residential well can affect other wells. Member Kimball also presented another section that needs to be defined on who would monitor, such as Emergency Management Director or Health Officer or a designee appointed by Board of Selectman. For us to continue, we will need to get a map and make sure everyone has read the proposed ordinance completely. Alternate Bennett asked if we are going to present at Town Meeting in March. Chairman Terry asked who else will need to review our draft to ensure we are covering what is needed for the ordinance. Member Kimball agreed to coordinate review by outside sources. Member Kimball will also check with NCC for map development and requested the Board read the proposed ordinance and give her feedback. The Board agreed that a Public Hearing will be held to discuss the new ordinance following Board review. Voter approval to adopt would be required in March.

**Short-Term Rental (STR) Ordinance Discussion enhancement:** Chairman Terry reminded that we discussed the need for a new owner to complete an application and affidavit to ensure the Town has updated contact information and the new owner agrees to take responsibility for the provisions of the Conditional Use Permit associated with an STR property. Town Counsel Peter Malia advised that we codify the requirement and provided draft language for the Board to update the Zoning Ordinance. The draft was shared with Board members and Chairman Terry requested that members review and be prepared to approve at the next Planning Board. This topic would be included in the proposed Public Hearings and will be subject to voter approval in March.

**Short-Term Rental (STR) Applications:** The Board reviewed three (3) applications for STR registrations for multiple parties and at different addresses.

1. **Purdy, Dale & D’Arcangelo, 163 Carter Notch Road.** Member Campbell presented the application and that it met all requirements. No discussion. Member McAleer moved to accept the application and Member Kimball seconded. The application was accepted unanimously.
2. **Schaffner, Veronica & Walter, 95B Dinsmore Road.** Member Campbell presented the application and that it met all requirements. No discussion. Member Kimball moved to accept the application and Member Dougherty seconded. The application was accepted unanimously.

3. **Alexander, Taylor & Lynn, 130 Whitney Hill Road.** Member Campbell presented the application and that it met all requirements with the exception that no ad was currently available. The Board discussed and agreed that a comment will be added for the Selectmen to verify that an ad be reviewed in the future to ensure compliance. Member Campbell moved to accept the application with comments and Member Dougherty seconded. The application was accepted unanimously.

Member Campbell will have housekeeping language for a vote to update the Subdivision Ordinance with the agreed upon numeric lot numbering system at the next Planning Board meeting.

Member McAleer moved to adjourn the meeting, and Member Badger seconded. The motion was approved unanimously, and the meeting was adjourned at 8:27 P.M.

Respectfully submitted by David L. Campbell, Secretary