

**Town of Jackson Planning Board
Minutes – March 17, 2022 – Public Hearing/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, Selectmen's Representative John Allen, Alternate James Wasco, and Alternate Dick Bennett (via zoom); Member Chris McAleer and Alternate Huntley Allan were unable to attend. Public attendees included Hank Benesh, Andy Fisher from Ammonoosuc Survey Co., Building Inspector Kevin Bennett, Rick Davis and Friedel von Geler. Audio and video recorded by Hank Benesh will be made available on Jacksonflicks.com. Bill Terry moved to have Alternate Wasco as a voting member.

Approval Of Minutes: Minutes from the February 17, 2022, were reviewed. Member Kimball moved to approve the minutes, and Member Badger seconded. The motion was approved unanimously.

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

PUBLIC HEARING: Chairman Terry called the public hearing to order at 7:09 P.M. Voting Members were Bill Terry, David Campbell, Sarah Kimball, Scott Badger and Kathleen Dougherty, Selectmen's Representative John Allen and Alternate Jim Wasco.

Boundary Line Adjustment Application: Owner of the proposed property for the Boundary Line Adjustment at 32 Mountain View Road and Dundee Road Tax Map V6 and Lots 14 and 23 is Nancy Lee Morrell Trust. Andy Fisher presented a new plat drawing to the Board to correct a labeling error. Andy reported that Nancy Lee Morrell purchased the lot behind her current property last year (former Beal property). The current Beal property is 13.27 acres and after the adjustment will still be 11.07 acres. The property being considered for the boundary line adjustment is not good for development but is creating a buffer for Nancy Lee Morrell's current lot. The adjustment does not impact the current lot. Abutter Friedel von Geler, asked if this adjustment will impact his property; Andy confirmed that this adjustment will not impact his property. Member Campbell presented the check list to the Board.

Chairman Terry requested a motion to accept the application, Member Kimball moved to accept the application, and Member Badger seconded. The motion to accept was accepted unanimously. Chairman Terry requested a motion to approve the application. Member Badger moved to approve the application and Member Dougherty seconded; the motion was approved unanimously.

Chairman Terry adjourned the public hearing at 7:24 P.M.

Lot Merger application – Member Campbell presented an application for merging two lots located Map Tax R18 and Lots 40 and 41. The lots are .29 acres (lot 40) and .33 acres (lot 41). Board discussed lot sizes and that the merger would create a single larger lot. There are no buildings currently on either lot. Chairman Terry requested a motion to approve the merger application. Member Badger motioned to approve with a second from Member Dougherty; motion was approved unanimously.

Chairman Terry introduced two topics requested for discussion by the Board tonight that could improve the density of housing in Jackson that are not fully addressed in the current Zoning Ordinance (ZO).

PUD/Frontage discussion : Andy Fisher presented to the Board a question regarding a property that currently has less than 200 ft. of frontage but the property has proper density for a multiple buildable lot. The question is whether the ZO would allow the building of multiple units on property that meets density provisions of the ZO but the property has less than 200 ft. of frontage. Member Kimball clarified that the current requirement for cluster housing is 200 ft. of frontage. Member Badger questioned whether a non-conforming lot can be allowed to have cluster housing or is it for a single home only. Andy stated that the property owner is trying to develop a plan for multiple units. Andy stated they have thought of putting a road on the property to adjust for frontage, but if you put a road in to meet conforming frontage that road will limit the amount of housing available to build on the property. Member Badger said that a requirement for a road to be built could cut both ways - it could limit the amount of area available for development or require increased density to justify the expense. Selectman Allen said that for any road to be built it would need to be built to Town standards. Chairman Terry asked why the Town has the limits set as they are today; is it to limit development in the residential district or is it a safety issue. He also

pointed out that the ZO limits density due to soil requirements. Chairman Terry and Member Badger discussed the non-conforming lot issue; currently the ZO would not allow for a PUD to be built within this type of property. Member Badger expressed that he feels this is a legal question. Andy's point is that there are many properties that have pre-existing non-conforming frontage and the density to build so what can be done with them. Chairman Terry stated that the Board previously dealt with a property where a second house was requested to be built on a piece of property; the Board required the property to sub-divided. Member Kimball stated that the current ZO allows for a non-conforming lot in regard to soil limitations for septic to be limited to a two-bedroom home, but if the owner received approval of septic from the State for multiple units, the owner could possibly go to the ZBA for a variance. Additional discussion focused on driveways being limited to serving only two units. No decisions were made regarding this issue; it was more of a discussion on what can be done with existing non-conforming properties in the future when it comes to development.

Apartment dwellings allowed in Residential area: Kevin Bennett and Rick Davis asked the Board if an apartment facility can be built in a residential area. He currently owns a building that has two apartments, and he is considering adding a third apartment. He said the property had been reviewed and approved by the Fire Marshall. They are trying to improve the availability for affordable long-term housing in the area. Kevin said the current zoning allows for only two apartments in residential area. Member Kimball read from the ZO (Section 8) that the property being discussed would be classified as a Multi-Family Residential Development. Chairman Terry then indicated the ZO for a Multi-Family Residential Development is subject to Section 6 and meeting soil density requirements using the formula within the section. Selectman Allan asked if adding a kitchen to the new unit will increase the water output. Rick will need to ensure the soil density requirement is met. No further discussion.

Chairman Terry announced Member Badger needed to leave the meeting. Chairman Terry moved to have Alternate Bennett be a voting member.

Short-Term Rental (STR) Applications : Member Campbell presented to the Board three (3) applications for STR registrations :

- Sandberg, Willem – 37 Old Jackson Road: Owner is requesting to be considered within the commercial section thereby not being limited to the 30 rentals per year. This property is within 493 ft. from the central line of the road on Rt. 16 to the front of the lot line of the property. The house is located within the residential district. The Board reviewed the map for the location of the house. Member Kimball reminded the Board we discussed that the residential limitation is based on the structure and not the property line, except as Chairman Terry stated, if there are multiple units, we would consider all units to be in the Village District if any one of the properties are in the Village District. Chairman Terry asked for a motion to accept, Member Kimball motioned to accept with comments that it is rural residential and limited to 30 rentals and must submit advertising when available, Alternate Wasco seconded. Motion accepted unanimously.

- Robert & Beth Denaro – 36 Middle Mtn. Trail: Two bedrooms tax card and two bedrooms septic, but is advertising three bedrooms, sleeps six. Discussion that the advertising needs to change to two bedrooms, with sleeping six is appropriate. Chairman Terry asked for a motion to accept, Member Dougherty motioned to accept with comments that the advertisement must be changed, Alternate Wasco seconded. Motion accepted unanimously.

- Michael Gothie – 683 Dundee Road: three bedrooms tax card and three bedrooms septic, advertising two bedrooms, sleeps four. No discussion. Chairman Terry asked for a motion to accept, Alternate Wasco motioned to accept with no comments, Member Kimball seconded. Motion accepted unanimously.

Member Dougherty moved to adjourn the meeting, and Member Kimball seconded. The motion was approved unanimously, and the meeting was adjourned at 8:24 P.M.

Respectfully submitted by David L. Campbell, Secretary