

Town of Jackson Planning Board
Minutes - January 16th, 2020 - Public Hearing
- UNOFFICIAL UNTIL APPROVED

Call To Order: Bill Terry, Chair, called the hearing to order at 7:05 P.M. Attending were Members Bill Terry, Scott Badger, Kathleen Dougherty, Sarah Kimball, David Campbell, Chris McAleer, and Alternate Huntley Allan. Selectperson's Representative Dick Bennett notified the Chair he would not be in attendance. Hank Benesh was also present to create an audio/visual recording of the meeting, which may be found on JacksonFlicks.com.

Public Hearing: The Board presented the proposed regulations to be placed on short-term rental (STR) properties in the Town of Jackson (hereafter, "the Town") to all public attendees. Discussion was led primarily by Bill Terry and Scott Badger. Some changes were made to the proposed regulations between the time of public posting and the public hearing and were addressed directly. Public attendees were recognized to ask questions and provide comments or suggestions throughout the hearing.

The primary purpose noted in the proposed STR regulations is "to preserve the traditional character of residential neighborhoods that can be negatively impacted by" misuse/abuse of STR properties. When asked by public attendees how the regulations would serve this purpose, Members answered that, by registering their properties with the Town and being made responsible for use of their properties by renters, the regulations should encourage property owners to better maintain the public facing of their properties and discourage misuse/abuse of said properties by renters. Scott also stated the regulations would promote STR properties in the residential district whose operations support the character of the Town while placing fewer limits on STR operations run as businesses in the commercial district.

STR properties in residential districts, including STRs in operation at time of adoption of the regulations, would be permitted only with the approval of a Conditional Use permit. Such permits would carry a \$50 application fee and require the submission of additional information. Applications would be administered by the Board of Selectmen first and their decision submitted to the Planning Board for comment before being approved or denied. An aggrieved party may submit an appeal to the Selectmen's decision and state their reason(s) why their decision should be reconsidered. If the request is received within the 30 day period, the Selectmen would bring the application to a public hearing in a timely fashion.

As part of the application, the owner of the STR property in question would be required to submit the name, address, and phone number of a responsible in-state contact for redress in case of a reported incident. The requirement for a fire and safety inspection was removed entirely from the posted regulations. Instead, applicants would be required to sign an affidavit to the effect that all fire and safety standards in the property in question are met. Not present in the posted regulations, an added requirement would ask that applicants present their room and meals tax license number. Failure to meet these requirements may result in denial of the application.

STR properties in residential districts where no long-term tenants are present and where the owner is not present at least on occasion would be limited to 25 rentals per year. Bill recognized several public attendees who challenged the policy and questioned if existing STRs would be affected by this limitation. Bill and Scott clarified that, under state guidelines regarding non-conforming use, existing STRs operating in the residential district would not be bound by the 25 rentals per year restriction.

Failure to comply with regulations would result in fines and penalties: first, a warning; second, a \$275 fine, and; finally, revocation of the STR property's Conditional Use permit and inability to reapply for a period of one (1) year. Public comments agreed that the "cooldown" period of one year seemed rather harsh and suggested decreasing the length of said period. After receiving further comments, the Board agreed to also consider changing the word "will" to "may" in regards to penalties being incurred.

David Campbell motioned to adjourn the public hearing, and Scott Badger seconded. The motion was carried unanimously, and the public hearing was adjourned at 9:20 P.M.

Regular Meeting: Following the adjournment of the public hearing, a regular meeting for the Board was held. The primary discussion was centered around whether or not the Board should meet to make any further refinements to the proposed STR regulations before the deadline of January 22nd. After some discussion on the current state of the proposed regulations, Members agreed to meet for a working session on Tuesday, January 21st at 7:30 P.M.

Chris motioned to adjourn the regular meeting, and Scott seconded. The motion was carried unanimously, and the Board adjourned at 9:55 P.M.

Respectfully submitted by Will Reisig