

JACKSON PLANNING BOARD

MINUTES - October 24, 2018 - WORK SESSION

UNOFFICIAL UNTIL APPROVED

Call to Order: Bill Terry, Chair, called the meeting to order at 7:00 P.M. Attending were Members Bill Terry, Scott Badger, Sarah Kimball, Chris McAleer, Kathleen Dougherty, Selectmen Liaison Dick Bennett, and Alternate David Campbell. Alternate Huntley Allen notified Bill Terry that he would not be attending the meeting. The meeting was open to the public, but no public was in attendance.

This work session was held to develop a rough draft of a regulation proposal for short-term rentals (STRs), in the town of Jackson, to be presented for consideration at a later public hearing. Before beginning in-depth discussion, Board Members agreed that Planning Board meetings and work sessions are an effective method to assemble proposed STR regulations, but input from innkeepers, realtors, residents and other interested parties may offer additional insight in future meetings. Copies of the STR regulations proposed by Laconia and Freeport were distributed to all Members. The Board frequently referred to these documents as reference material.

The Board first addressed the question of how to define a property as an STR. Members generally agreed that a property's purpose could be judged easily enough by its appearance, citing Laconia's documentation to support the argument. In contrast to seasonal residence, in which a homeowner might be absent for entire seasons but otherwise occupy their residence on a permanent basis, or in contrast to a bed-and-breakfast arrangement, in which the homeowner rents out a space in their residence while still occupying it themselves, the Board agreed to define an STR as one that is not permanently occupied by the homeowner and is typically rented out for periods of 30 days or less. Some Members raised a question of whether or not to distinguish between or permit/prohibit an STR based on its location within a business or residential district. Through some discussion, the Board agreed that location should not be a factor in regulations.

The principle of maximum occupancy required clarification and was a source of some debate between Members. The initial proposal of limiting STRs to parties based on the property's expected maximum occupancy was met with some opposition. In particular, Chris McAleer strongly anticipated negative feedback to a hard occupancy limit. A suggested alternative was based on Freeport's regulation of two occupants per bedroom plus two children age twelve or younger. Members also agreed that STRs ought to be marketed responsibly regarding maximum occupancy of the property.

Regulations based on square footage were also considered, but no definitions were decided. The definition of viable square footage make regulations difficult, since not all areas could be factored into square footage, such as spaces without adequate egress. Members discussed parking issues, such as allowing space for snow removal, designating parking areas, and prohibiting parking on state roads. The Board agreed that parking for short-term rentals should be limited to designated, on-site locations.

Safety was a major concern for the regulation of STRs. The Board agreed that liabilities and responsibilities of safety should lie with the homeowner and not with the town. Beyond this, Members agreed that STR owners should supply contact information for 24/7 emergency support, as stated in RSA guidelines. Members further agreed on additional points regarding safety: that STR property should be subject to regular building inspections, except when the homeowner provides an affidavit to the property's safety; that the township's fire, police, and other authorities should have the right to perform said inspections, and; that a police response to a safety-related disturbance should prompt a safety review for that property.

The Board discussed the rights of abutters and agreed that owners of properties abutting an STR should have access to public records of the registration of said property. Members considered an upper cap on the number of rentals per year for each registered STR but no specific number was decided during the session. Fines and penalties for violations incurred during a rental period were also discussed, and Members agreed that the party responsible for answering to said fines and penalties would depend on the nature of the violation, but no exact penalties were decided.

Discussion and review of the drafted regulations for STRs will resume at the regularly scheduled November meeting of the Planning Board.

Bill Terry moved to adjourn the work session, and Chris McAleer seconded the motion. All voted in favor, and the session adjourned at 8:30 P.M.

Respectfully submitted by Will Reisig, recorder.

Commented [1]: