

## **Minutes - December 5, 2019 - Working Session**

### **-UNOFFICIAL UNTIL APPROVED**

**Call To Order:** Bill Terry, Chair, called the meeting to order at 7:10 P.M. Attending were Members Bill Terry, Scott Badger, Sarah Kimball, Kathleen Dougherty, Chris McAleer, Alternate Huntley Allan, and Selectperson's Representative Dick Bennett. Member David Campbell notified the Chair he would not be in attendance. Hank Benesh was also present to create an audio/visual recording of the meeting.

This work session was held to further refine a proposal of regulations to be imposed on short-term rentals (STRs) in the town of Jackson, to be presented for public consideration at later public meetings. Scott reported on his discussions with Cordell Johnston at NHMA that existing STRs should be "grandfathered in", meaning they would not be subject to the proposed regulations, and they may not be immediately required to be inspected for safety upon enactment of related regulation(s). Applications for registering a STR should apply to the property and not to the property owner, and a property which has been registered as an STR may be required to undergo regular safety inspections but should not require re-registration. The Board discussed the establishment of STR properties for conditional use under innovative land use RSA and agreed they preferred that the Planning Board should review and approve registrations. There was some debate on whether the Planning Board or the Board of Selectmen (BOS) should make an initial approval before passing the registration on to the other. Members also recognized potential issues with post-purchase development of property (tearing down and rebuilding) for the specific purpose of facilitating STRs.

The Board recognized defining and measuring boundaries and limitations as an obvious barrier to refining regulations. Members agreed on definitions for an STR as a property rented out and run as a business, with the property owner not present during the rental period, and deliberated on drawing clear lines between second home and STR property purchases and between residences and businesses. The Board agreed cooperation and compromise between STR property owners and the guidelines which would regulate them would be essential to creating and maintaining stable regulations.

Bill notified the Board that January 8th, 2020 will be the last acceptable date for posting or publishing notice for the first hearing on proposed adoption or amendment of zoning ordinances. Members suggested being more proactive toward informing the public about developing STR regulations, either through focused informative sessions or by advertising public meetings and encouraging public attendance.

The Board considered including language for regulations regarding septic loading, which would dissuade renters from violating maximum occupancy regulations. Members also deliberated on limiting the number of rentals per unit per year for STRs not occupied by the property owner nor long-term tenants in the residential district. Language regarding regulations on STRs which permit pets was considered, but members agreed that such regulations would be difficult to define and/or enforce. The Board briefly discussed fees and fines, referring to RSA guidelines as the foundation for more specific regulations. Members agreed that registration fees should cover overhead costs and the cost of the necessary building inspection but should not be prohibitively high, while fines for violations should be high enough, within reason, to dissuade repeat offenses.

The Board considered a number of issues to discuss with the town attorney, Peter Malia, including: requiring all STR property owners, including those “grandfathered in”, to register with the town of Jackson; developing strong, clear-cut language to properly define regulations; deciding on fire and safety inspection and enforcement regulations; deciding on fines and fees for STR property owners; monitoring property owner and renter compliance with regulations (beyond disturbances or safety-related incidents reported by neighbors and/or abutters), and; encouraging property owners to be responsible about renter compliance by threatening loss of registration as a consequence.

Dick moved to adjourn the working session, and Chris seconded the motion. All voted in favor, and the session adjourned at 8:15 P.M.

Respectfully submitted by Will Reisig.

(Note: An audio/visual record of this meeting may be found on [JacksonFlicks.com](http://JacksonFlicks.com).)