

JACKSON PLANNING BOARD

MINUTES –January 5, 2017 –PUBLIC HEARING

- UNOFFICIAL UNTIL APPROVED

Call to Order: The meeting was called to order at 7:10 PM by Sarah Kimball, Chair. Attending were: Members Sarah Kimball, Scott Badger, Jason Bagley, Dick Bennett, Kathleen Dougherty, Bill Terry, and Betsey Harding; Alternate attending was: Chris McAleer. Daren Levitt had indicated he would be unable to attend. All Members present would be voting. Also in attendance were: Jerry Dougherty III, Bea Davis, Kevin Bennett, and Hank Benesh, who was making an audio-visual recording of the meeting.

Minutes of December 8: Bill moved, and Scott seconded, acceptance of the minutes; all approved.

Matters not on the Agenda for the evening: Jerry Dougherty commented that the Master Plan approved on October 13, 2016, was not as finalized, printed and distributed, and indicated that another vote by the Board would be necessary to approve it in this form. Sarah stated that any editing and changes to text had been made prior to the Board's vote in October; only the addition of photos and attendant re-formatting occurred after the vote. Jerry apologized, indicating he had misunderstood.

PUBLIC HEARING - Proposed Amendments to Jackson's Zoning Ordinance: The version that had been on the website and offered by the Town Offices was distributed to the Board and the audience. Sarah opened this portion of the meeting with an explanation about **Proposed Amendment #1:** the italicized portion adds back into the ordinance wording about soils as they affect the number of lots permitted; this wording had been present in the 2012 Zoning Ordinance and before, but had been omitted in recent years.

Proposed Amendment #2 adds language required by State law on Accessory Dwelling Units (ADUs) to be effective by June 1, 2017. Jerry inquired, referring to proposed section 6.1.4, if an owner of a 4-bedroom residence wanting to add an accessory dwelling unit might not be permitted in some instances. Sarah explained that the lot's soils types might not be sufficient for that approval. Betsey then read excerpts from the NH Municipal Association's publication *The New Law on Accessory Dwelling Units* stating, "A municipality may not require a separate water or septic system for the ADU, although it...must require adequate provisions for water supply and sewage disposal in accordance with state law." Jerry proposed that the Board reference the law, or get the wording directly from Town Engineer Burr Phillips. Scott commented that the Board's reasoning is that it works best to have one place for people to find such information. Regarding proposed section 6.1.5, Sarah stated that this wording brings into our ordinance information necessary to clarify how to interpret specifics of lot sizing and number of bedrooms. She added that Burr Phillips met with us and presented information we needed in order to develop these proposed changes.

Proposed Amendment #3: Changes at proposed section 6.1.6 correct the formula's denominator to ensure that commercial development will be judged in the same way residential development is, a change recommended by Burr Phillips.

Proposed Amendment #4 is a five part proposal of minor changes needed to bring Jackson's Zoning Ordinance into compliance with State law on Accessory Dwelling Units. Jerry questioned the wording of proposed section 9.5 which specifies that a required door between attached primary and accessory dwelling units may be locked or unlocked, asking why not just using the wording of the State law that it may be unlocked. Scott and Bill explained that the Board wanted options to be very clear.

Scott moved that the Board approve the wording of all four amendments to be placed on the Town Warrant for a March 2017 vote; Bill seconded the motion and all approved. We agreed that our publicity will state that these changes are recommended by Burr Phillips or are needed for compliance with State law, and approved unanimously by the Planning Board. If permitted, the ballot will also show those statements. Betsey agreed to work with the Selectmen's Office on proper wording, consulting with the Town attorney if necessary.

Other Business: Sarah asked for a vote to accept the printed version of the Master Plan as Jerry suggested; the

Board unanimously approved.

Dick moved to adjourn, and Scott seconded the motion; all favored. The meeting was adjourned at 7:55 PM.

Following adjournment, photographs of the group of attending members were taken to submit for use in the Town's Annual Report.

Respectfully submitted,

Betsey Harding

(Note: an audio-visual record of the meeting may be found on Jacksonflicks.com)