Town of Jefferson

Planning Board Meeting Minutes

Jefferson Community Center

November 14, 2023

Members of the board present: Chairman Mike Meehan, Mark Gross, Kevin Meehan, Mike Smith, Jason Call, Andi Gendron, alternate; Becca Hatfield, alternate.

Members of the public: Maura Chappelle, Megan Wells and Richard Garabedian.

Meeting minutes recorded by, Megan Wells.

Chairman, Mike Meehan called the meeting to order at 7:02pm.

Roll call was completed for all board members present.

**Review of previous meeting minutes**

Chairman Mike Meehan reviewed the minutes from the last meeting. Mike Smith mentioned that there was a discussion about short term rentals at the last meeting that was recorded in the minutes, and suggested that, that particular paragraph be shortened.

Jason Call brought up the consultation with Newmann, and that they were told the use of the right of way would depend on how the language is written on any deed. The board discussed adding another sentence that would indicate that the town’s concerns are with their own regulations, because they don’t want to sound like they are passing the buck. The board’s concerns are with driveway access. Mike Smith mentioned that when this is brought to a hearing, that it will be looked at again.

Chairman Mike Meehan asked if the board wanted to make any changes to the minutes. There were no comments.

Mike Smith made a motion to accept the minutes. Mark Gross seconded, and the motion passed.

**2024 Budget**

Chairman Mike Meehan asked the board members if they had a chance to look over the budget sheet. Mike Smith mentioned that they were almost the way through the calendar year, and were spending about $9,100 at the end of this year. Mike Smith said that he thinks they should raise the budget by $1,000 and have the budget be at $10,000 or $10,500 due to inflation and that the cost of stamps has gone up .66 cents. Mike Smith also mentioned that they might hire a secretary as an employee, and that will cost money. Chairman, Mike Meehan asked Jason Call what his thoughts were on this. Jason had no comments at the time. Mike Smith talked about how they might work on changing ordinances, and that it might cost money as there could be legal fees.

The board continued their discussion, and it was mentioned that they went $1,000 over budget for this year. Jason Call suggested that raising the budget to $10,000 would be a good idea.

The board mentioned that they would most likely not be having a board meeting the week of Christmas this year.

Kevin Meehan said that he thinks there is no issue with raising the budget to $10,000 for 2024.

Mike Smith made a motion to request that the budget be raised to $10,500. Jason Call seconded, and the motion passed.

**Board Correspondence**

Chairman Mike Meehan stated that there were no readings or communications to the board. Member of the public Maura Chappelle asked how to send correspondence to the board if Charlene is not around. Mike Meehan said that they can still send the correspondence to Charlene or himself, as Chair of the board.

**Jefferson Campground**

Mike Smith went over the Jefferson Campground Regulation Rational Basis Argument. Mike Smith explained that this was put together by the board, and the purpose of a rational basis is to protect the rights of the landowners, abutters, and the community without discrimination and without arbitrary limitations on their freedoms defined by the Constitution.

A discussion was had on what the state requirements are for a campground. The state’s minimum is 600 square feet for tent sites, and for RV-Trailer sites, it’s 1000 square feet. The board wanted to do a larger set back and that 200 feet was a reasonable buffer, as there can sometimes be noise, fires, and lots of other things that can happen in a campground. The board discussed the importance of wanting to keep the rural character of the campground, and overall, this is what the board considers to be their rational basis. It was mentioned that Charlene will present this to an attorney and it may be challenged in court or not be challenged in court.

Mark Gross mentioned that the attorney had asked why it doubles the state regulations, and that the attorney was referencing the 20 acres of land that the campground is on. Mark Gross questioned, why the attorney would ask about that, since there is no regulation on 20 acres. Kevin Meehan mentioned that he does not think the board needs to make the size larger. Mike Smith asked if there were size requirements on campsites in other towns. Mike Smith said that the attorney mentioned that the board can consider the campground and property next to it to preserve the rural area.

Mike Smith asked the board if they wanted to identify how many months the campground can operate. It was suggested to make it so the campground could be open from April through November, as most people will not visit a campground in the winter. It was discussed if the board wanted to leave it as seasonal, or put specific months in that the campground can be open. Mike Smith suggested making it so that the campground has to be closed 1 or 2 months a year. Kevin Meehan suggested looking at what the state regulations say, because it will outline how long a campground needs to stay open. Mike Smith looked up RSA 216 and verified that a campground can’t be open year-round. Mike Smith talked about making it so the campground can be open 10 months out of the year. Mark Gross said that anyone who opens a campground will want to be open in the winter for those that snow machine.

Mike Smith said they may have to define the seasons, for example, doing something like being open from May though October and then December through March.

Mike Smith made a suggestion to ask the attorney if all of this will need to be specified in an ordinance. Jason Call suggested leaving it as is, and calling it a “seasonal” for now. Mike Smith clarified that the board agrees on keeping it the same and leaving it as a seasonal for the time being. Mike Smith said that the attorney asked for a rational basis, and whether the board should provide their rational basis to the attorney or not. Jason Call said yes, that the board should provide it. There was no motion needed on this topic.

Chairman Mike Meehan said they will decide what to do with the rational basis. Jason Call made a suggestion to the newer board members that they should read through the land ordinances and bring up any questions at the next meeting. He then suggested that the new board members look at the subdivision ordinances as well.

**Short Term Rentals**

Chairman Mike Meehan said that he had highlighted in the minutes from the last meeting the section that talks about the right-of-way. Mark Gross researched this information on short-term rentals. Mark Gross mentioned that the Town of Maddison has a draft of what they did. It was also mentioned that the Town of Jackson had the latest regulations on short term rentals. Mark Gross gave everyone copies of these two items, and suggested using it for guidance.

Mark Gross also did some research on how other towns police their short-term rentals and most of them use a police officer to deal with the complaints, and then the complaint goes back to the town office.

Mark Gross said the Town of Jefferson does not have any police officers, but that some towns hire a third-party company to handle situations like this, unless the situation is serious enough where a police officer is necessary.

Mark Gross expressed concerns about Jefferson not having enough money to pay for someone to do this. Kevin Meehan said that on the county level, they do have a zoning and planning board and that in the past, the county has been willing to have someone available on an “at needed” basis for some towns.

A discussion was had about the Sherrif’s role in a town or county and that a Sherrif can enforce town regulations, if the town pays the Sherrif to do so. Mike Smith talked about how other town have set up an agreement that’s legally binding, where if the short-term renters disobey, then they are gone.

Mike Smith asked if there was any other discussion on this. Mark Gross talked about how the Town of Meredith uses a company to enforce regulations. Becca Hatfield talked about regulations VS enforcement and how a lot of the short-term rental owners can regulate things on their own. An example was used, where if you have a parking lot that is regulated for 4 cars and there are 15 cars, then the property owner is losing money and will handle the situation on their own. Becca Hatfield mentioned that it all starts with people knowing who to contact and what the expectations of them are.

Mike Smith said that there is no way for a short-term rental owner to prevent a bad renter from coming in.

Andi Gendron talked about the importance of having house rules, for example, not being allowed to have fireworks. Mike Smith said the best way would be to take a security deposit in advance. Kevin Meehan said that that’s technically the short-term rental owner’s job.

Mark Gross mentioned that anyone that owns a property and lives in town will manage and police the property, however, the problem is the short-term rental owners that live in Massachusetts, as they are not in the area to police it.

Mike Smith and Chairman Mike Meehan talked about how to modify an ordinance and how it would be presented on a warrant article. A discussion was had about the hearing schedule.

Member of the public Richard Garabedian asked if the Planning Board is going to draft a change to the land use ordinance and what part will be in the subdivision ordinance. Chairman Mike Meehan said that none of it will be in the subdivision ordinance. Richard Garabedian talked about how the Town of Jefferson is different then the Town of Jackson, and that Jackson has a police force and their tax rate is half of the Town of Jefferson’s. He also mentioned that Jackson has three times the budget that Jefferson does. Richard Garabedian said that instead of looking at regulating the campgrounds and short-term rentals, the Planning Board should be looking to plan for the future of the town and it’s infostructure, with the direction of the Select Board. Member of the public, Maura Chapelle asked Richard what he meant by infostructure, and Richard said he meant to make the roads better. Maura Chapelle said the reason why the Planning Board is focusing on the short-term rentals and campground regulations is that the people in Jefferson want it to stay the way it’s always been. She used an example of the quietness of the town and that you hear animals instead of cars.

Kevin Meehan suggested moving the meeting along and changing the topic.

Chair Person, Mike Meehan asked if there was any other business. Jason Call talked about the previous Zoning Board meeting and that there were 2 short-term rentals that were approved. Mark Gross asked if anyone had ever had any short-term rental complaints and no one had.

Mike Smith made a motion to adjourn the meeting. Mark Gross seconded, and the motion passed.

Meeting adjourned at 8:37pm.

Respectfully Submitted by,

Megan Wells