



**TOWN OF MADISON
PLANNING BOARD
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As posted for November 2, 2022 Public Hearing at 7:00pm
Madison Town Hall Meeting Room

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Add a new definition to Appendix A

SHORT TERM RENTAL—A non residential dwelling unit where lodging with sleeping accommodations is provided for compensation for less than 185 consecutive days.

Add a new section 5.13 **Short Term Rentals**

Short term rentals shall be permitted in all zoning districts without site plan review upon the issuance of a special exception by the Zoning Board of Adjustment. A special exception shall be granted only if the Zoning Board of Adjustment finds that the following criteria are met:

1. The operation and appearance of the Short Term Rental are compatible and not offensive, injurious, or a nuisance to its neighborhood and will not substantially impact the value of the abutting properties.
2. The Short Term Rental will not create traffic or other safety hazard.

All Short Term Rentals shall be subject to the following conditions and requirements:

1. The owner of the Short Term Rental shall provide the name, address, and telephone number of a contact person that resides within the state who is authorized to accept service of process for any legal proceeding brought against the owner of the property.
2. The owner of the Short Term Rental shall provide the name, address, telephone number, and e-mail address of two individuals or management companies that can be contacted in the event the owner cannot be contacted. Said individuals or management companies shall be authorized to act on behalf of the property owner.
3. All Short Term Rentals shall comply with the NFPA 101 Life Safety Code requirements for One and Two Family Dwellings and shall be inspected by the

Town of Madison Fire Department prior to approval and every two years thereafter to ensure compliance. At a minimum, the following shall be required:

- a. Smoke detectors shall be installed and properly functioning in all required locations, including but not limited to each bedroom.
- b. Carbon monoxide detectors installed and properly functioning in all required locations.
- c. Primary exits and a secondary means of escape shall be provided and maintained.
- d. No basement or other below-grade space shall be used as a sleeping area unless compliant exits and a secondary means of escape are provided and maintained.
- e. A properly sized and fully functional ABC fire extinguisher shall be installed in an obvious location on each level of the Short Term Rental.
- f. The maximum number of people that the Short Term Rental may be advertised to accommodate shall be two people for each legal bedroom plus two additional people. The number of legal bedrooms shall be determined by the building permit or, if the dwelling unit was constructed prior to the requirement for a building permit, by the number of bedrooms on the approved State of New Hampshire subsurface (septic) approval.
- g. In the event a Short Term Rental is proposed for a property that does not have a State of New Hampshire subsurface (septic) approval, a subsurface system meeting current State of New Hampshire standards shall be designed and approved for construction by the NH Department of Environmental Services and submitted to the Zoning Board of Adjustment as part of the special exception application. Said approved design shall be maintained on file as part of the special exception approval, but shall not be required to be constructed unless the existing subsurface system fails, at which time, the approved subsurface system shall be constructed and all occupancy of the structure shall terminate until an Approval for Operation for the replacement system is issued by the State of New Hampshire and provided to the Town of Madison.
- h. Parking for 1.5 vehicles per bedroom shall be provided in a designated parking area on the same property as the Short Term Rental, and all occupants shall be required to park in the designated area.
- i. The owner of a Short Term Rental shall provide proof of a current NH Rooms and Meals Tax license number.
- j. The owner of a Short Term Rental shall be responsible for:
 - i. Removal of trash and legal disposal of the same off premises.
 - ii. Ensuring that all parking by renters is limited to the property.
 - iii. Ensuring compliance with the specified occupancy limits.
 - iv. Any other site specific conditions imposed as conditions of the special exception.