



TOWN OF MADISON PLANNING BOARD
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PLANNING BOARD MINUTES
January 4, 2023

MEMBERS PRESENT: Chairman Marc Ohlson; Paul Marks; Dave Cribbie; Paul Littlefield; Paul Marks; Charlie Allen; Karl Nordlund; Selectman Josh Shackford; Alternate Jay Buckley; Alternate Phil LaRoche

MEMBERS EXCUSED: None

OTHERS PRESENT: Katharine Young, Land Use Boards Administrator; MadTV Aysia Morency and Kasia Scentsas; and other members of the public

CALL TO ORDER: Chairman Ohlson called the meeting to order at 7:00 PM.

POSTING DATES & LOCATIONS: Notice was posted at the Madison and Silver Lake Post Offices, in the Madison Town Hall - upper and lower levels on December 22, 2022.

ELEVATION OF ALTERNATES: There were no elevations as a full board was present.

APPROVAL OF AGENDA: **Motion** by Cribbie, seconded by Marks to approve the agenda as presented. The motion passed **unanimously**.

APPROVAL OF DRAFT MINUTES: **Motion** by Marks, seconded by Cribbie to approve the November 2, 2022 minutes as written. The motion passed **unanimously**.

Motion by Cribbie, seconded by Littlefield to approve the December 7, 2022 minutes with amendment thereto. The motion passed **unanimously**.

Chairman Ohlson opened the public portion for public comment.

PUBLIC COMMENT:

Paul Leeber of 28 Middle Shore stated he had a general discussion with his attorney about STRs and what was going on here in Madison. Leeber's attorney owns property in Lincoln, New Hampshire and told Leeber that in Lincoln, they have regulations in place.

Raja Shrestha 3 Upper Lakeview Drive provided the Board with a handout, the Town of Lincoln, New Hampshire Regulations Relative to Permits for Short Term Rentals and stated that all property owners pay \$100.00 per year, the regulations are reviewed every year, this document spells out rules for STR owners and there is accountability on the STR owner. Shrestha stated he believes there have been no lawsuits and

this works well. Shrestha further stated that the STR ballot proposed language is two to three pages and very lengthy and confusing and voters will not know what they are voting for or against and he is asking the Board to reconsider and maybe shorten the proposed language. Lastly, Shrestha requested that the Board update the definition of dwelling to allow transient and the term non-transient needs to be removed from the definition. Selectman Shackford called the point of order. Chairman Ohlson stated there will be a Public Hearing for this issue to be discussed later.

Chairman Ohlson closed the public portion of the hearing.

Old Business: Chairman Ohlson signed Boundary Line Adjustment Plans for **Case #22-05 – Boundary Line Adjustment** – Craig Bailey of Bailey Engineering as Agent for Thomas and Margaret Jones, Trustees and Scrub Oak Scramblers, Inc. for Map 234 Lots 049 and 050.

Chairman Ohlson opened the public hearing to consider and accept public input on the following Zoning Ordinance Changes:

Chairman Ohlson read aloud Short Term Rental, Appendix A from the Public Hearing notice as follows:

1. The addition of a definition of Short Term Rental to Appendix A.

Add a new definition to Appendix A

SHORT TERM RENTAL-A dwelling unit where lodging with sleeping accommodations is provided for compensation for less than 185 consecutive days. Short Term Rentals shall not include the rental of one or more bedrooms in an owner occupied dwelling.

Bergeron asked the Board a procedural question, if the Public Hearing happens tonight based on all the information provided, procedurally, where does this go as it works its way to the Warrant and can this be concluded this evening and make its way to the Warrant or would there have to be another Public Hearing after this? Chairman Ohlson stated there would be a Warrant produced from tonight's Public Hearing and that the Warrant would be driven from this language.

Chairman Ohlson read 5.13 Short Term Rentals by Special Exception aloud from the Public Hearing notice as follows:

• Addition of a new section 5.13 Short Term Rentals by Special Exception;

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 hazards.

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

1. The owner of the Short Term Rental shall provide name, address, and telephone number of a contact person that resides within New Hampshire 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 one individual and the same of one management company located in the State of New Hampshire that can be contacted in the event the owner cannot be contacted. Said individuals or management companies shall be authorized by the owner of the Short Term Rental to act on behalf of the property owner on any/all decisions relative to occupancy and/or use of the Short Term Rental.
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 or a Madison Fire Department approved third-party inspection agency, individual or company 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.

Chairman Ohlson opened to public comments.

Kathy Koziell of Lakeview Drive stated she provided the Board with copies of an article called “Airbnb is Running Riot in Small-Town America”. Koziell stated that the Town of Madison would be struck with all the down sides of STRs but none of the upsides and Koziell asked the Board to please consider not putting this on the ballot.

Paul McKenna of Oak Ridge Road stated that he was denied a request for a video presentation and stated he is part of a group called Preserve the Community 03849 and wanted to go over a few excerpts from the June 1, 2022 Planning Board meeting. McKenna stated at this meeting, Attorney Spector-Morgan was present and she stated she had met with Cordell Johnston, Esq. and both Boards and that the two attorneys agreed that the Planning Board should leave the STR issue alone and let the Selectmen handle this issue. McKenna asked Chairman Ohlson why the Board went against the advice of their counsel’s recommendation? Chairman Ohlson stated that he talked with Attorney Spector-Morgan specifically about this and Attorney Spector-Morgan stated politically this is a bad move but regulatorily something needed to be done. McKenna stated Chairman Ohlson did not answer his question and wanted to know why the Board decided to go forward and did the Board vote on it even though it was against Attorney Spector-Morgan’s advice? Chairman Ohlson stated yes. McKenna stated that some members of the Board at the June 1, 2022 stated once it is pulled together there would need to be a legal review and McKenna asked if this has been done. Chairman Ohlson stated yes. McKenna wanted to know how the Warrant Article is going to benefit the town? Chairman Ohlson stated it is a property rights question. Chairman Ohlson stated a regulation was on the books for over 37 years and it has not been enforced. McKenna stated it has been enforced now as the Selectmen have sent out letters. Chairman Ohlson stated yes and how many successful enforcements have there been in the last four decades. Chairman Ohlson stated there have been zero. McKenna stated the Planning Board’s consultant, Shawn Bergeron said permitted use is difficult and the problem with the Special Exception is flawed. Bergeron called point of order and stated that he is not a consultant to the Planning Board and does not know where that information is coming from. McKenna stated that the Board asks Bergeron questions. Bergeron again stated he is not a consultant to the Planning Board. McKenna further stated Bergeron said that abutters do not get a say under permitted use and the Planning Board attorney stated that you cannot take away Special Exception but can get a variance if you can meet the requirements and the Planning Board is overlooking the Master Plan and that the Board said there are no current plans to update the Master Plan even though the Board is mandated to do that. McKenna stated the Selectmen are increasing the proposed budget by \$200,000.00 and the Planning Board is proposing a 70% increase in legal fees and that members from both Boards and counsel have said the only way to regulate STRs is to raise taxes.

Julie Erickson Bishop of 1079 Plains Road thanked the Board for all their hard work. Bishop questioned the language in the ordinance where it states “a contact as an individual and a contact as a management company”. She asked if the Board would consider changing it to be and/or an individual or management company? Chairman Ohlson acknowledged he understood that if you were an individual owner, you

would not have a management company. Bishop further stated she is in favor heavily of the regulations for STRs and she is concerned about lawsuits if STRs are the only ones having these regulations and maybe look at the language and does not want her tax money going to any lawsuits.

Bill Dempster of 157 Doe Drive has questions about the current draft of the language and asked the Board who did the Board consult with, Code Enforcement, Police, Fire, Selectmen and ZBA and did they get an opinion and what was their input on the Warrant Article? Chairman Ohlson stated the Select Board and the ZBA Board and if we need to have a public meeting, they can come meet with the Planning Board who is a volunteer Board and works very hard and it is well known the Board is doing this. Dempster asked what steps were taken to ensure the proposed Warrant Article complies with federal, state and local ordinances and laws and did they comply? Chairman Ohlson stated the Board sought legal counsel through the whole process. Dempster asked if legal counsel feels it is in compliance with all state, federal and local laws? Chairman Ohlson stated he had hoped so. Dempster asked during the development of the final draft, what sections of the Town of Madison Master Plan were used to guide the decisions in the design of this Warrant Article? Chairman Ohlson stated Buckley read from the Master Plan at the last meeting and Chairman Ohlson asked Dempster if he read the Master Plan? Dempster stated he did read the Master Plan and the only section he can concur is Buckley read only this section. Dempster referred the Board to the Special Exception and asked Chairman Ohlson to provide a real-life example of substantial impact on the value of abutting properties, is it monetary or is it based on abutting neighbors' subjective importance and usefulness. Chairman Ohlson stated there would be a Public Hearing with the ZBA and all abutters are notified and the ZBA considers their knowledge of the neighborhood and that the Board members are knowledgeable people and they visit sites and are familiar with the process. Dempster stated that Chairman Ohlson is on the Zoning Board of Adjustment and could he provide an example for the folks of the abutters either present or watching on TV. Chairman Ohlson asked an example of Special Exceptions? Dempster stated no, the substantial impact of value of the abutting properties. Chairman Ohlson stated he has only been on the Zoning Board of Adjustment for only two years and could not provide a response. Dempster asked the Board to please define not granting a Special Exception based on traffic. Chairman Ohlson stated if the ZBA has concerns, they require a traffic study and one was done recently in 2022. Dempster asked that in order to grant a special exception, you need a traffic study? Ohlson stated yes. Dempster asked the applicant or the abutters? Chairman Ohlson stated the applicant. Dempster asked the Board to describe or point to the definitions of offensive, injurious and nuisance to the neighborhood and give examples of where the criteria applies? Chairman Ohlson stated it is common sense and this is the legal language that ends up in Zoning Ordinances and is widely used and accepted and tried in courts. Dempster asked what are the definitions? Chairman Ohlson stated it has to be reasonable. Dempster asked why are STRs exempt from site plan review as use change to non-residential as defined in RSA 674:43 in the definition of commercial detail in the Madison Zoning Ordinance? Chairman Ohlson stated the Board elected not to have two family homes subject to site plan review. Dempster went on to say that some of the requirements the Board is asking for allowing parking and is specific in the site plan review that talks about parking and what is allowed and this should not be reviewed or just let it go? Chairman Ohlson stated it would be reviewed for example, if you have a small lot, no parking, four bedrooms and can park two cars. Dempster stated well if you do the math, you are only allowed 1.5 spaces and yet advertising for eight people to drive. Chairman Ohlson stated you would not get a Special Exception.

Bob King, Chief of Police – Chairman Ohlson stated that King was at a November 30th meeting where King said that he was certain every member of this Board had a financial conflict. King questioned if he

stated he was “certain everybody did”? Chairman Ohlson stated yes and Cribbie stated yes as he watched it. Chairman Ohlson asked King to tell him what his is as he would like to know what financial interest he has? King stated he must have been mistaken and that not everyone on the Board has a financial interest. Chairman Ohlson stated “that is what you said”. King asked Chairman Ohlson if there is more than one person on this Board that does? King stated what he is saying is not exactly wrong and if he enumerated every person on this Board maybe he was incorrect but if the point is more than one, then King is not incorrect. Chairman Ohlson asked King if he was speaking as the Chief of Police and King stated yes and as a life-long resident of this town up until very recently. King stated “that if you think I do not have any vested interest in this in more than one way, you are mistaken there as well”. Chairman Ohlson stated that he does not like to be publicly assailed on this job. King asked if there is more than one person on this Board that has a financial interest in this Special Exception? Chairman Ohlson stated he did not know. King responded that in fact, Chairman Ohlson does know and the fact that Chairman Ohlson did not know, is that either he is lying or being naïve and asked Chairman Ohlson which one is it? Chairman Ohlson stated he does not need any further comments from King. King stated that he and Chairman Ohlson had a conversation about this more than once and King asked Chairman Ohlson if he could remember that conversation. Chairman Ohlson could not. King stated that Buckley was there and Nordlund was there which was at the presentation put on by NH Municipal. Nordlund stated that King said “if Nordlund owned an STR, he would be ok with it but if someone were from out of town, he would not be ok with it”. Nordlund stated he is not ok with that type of leadership from the police department that is ok for one and not the other. Bergeron addressed King stating that King is the most knowledgeable of all the legal aspects of everything going on with this and he can either raise this to a bad level or keep it where it needs to be. Bergeron asked King to please tone it down. King asked the Board if he could continue to speak. Allen responded to let King speak. King asked where would this conform to what the purpose of the Zoning Ordinance is? Chairman Ohlson stated he read the Zoning Ordinance today. King referred to the section where it states “purpose”? Chairman Ohlson thinks it protects property rights which is the purpose of the Zoning Ordinance. King stated there are about ten purposes. King read aloud paragraph two from the Zoning Ordinance Article 1: General Provisions, 1.1 Purpose as follows **“This Zoning Ordinance by application and provision of State Law seeks to protect existing property owners against a new use nearby which may be incompatible or undesirable and also damaging to existing owners present property by lowering its desirability and value”**. King asked if Chairman Ohlson feels this Special Exception is in conformance with that? Chairman Ohlson stated yes and King asked how? Chairman Ohlson read aloud the following paragraph from the Zoning Ordinance Article 1: General Provisions, 1.1 as follows: **“This ordinance and its regulations as herein set forth are for the purpose of promoting public health, safety, general welfare, and the natural beauty of the environment which provides the primary basis for the unique character of the Town area and its residents. It also regulates the conservation of natural resources, stabilizing the value of the land and its improvements within the Town, and encouraging uses that are in harmony, visually and aesthetically, with rural living in accordance with the provisions of RSA Chapter 674, 16-21. This zoning ordinance, by application and provision of State Law, seeks to protect existing property owners against a new use nearby which may be incompatible or undesirable and also damaging to existing owners present property by lowering its desirability and value”**. King stated this is the purpose of the Zoning Ordinance in Madison but how does this Special Exception conform to that? Chairman Ohlson stated it regulates that use that has not been regulated. King asked which use? Allen responded STRs today which have not been regulated and they exist and the regulation that the Board is proposing does not say you should have them or not but it provides a regulatory outline for those that are there. Allen further stated when you have a town meeting people will either vote for it or not but this

gives STRs regulatory language they have to comply with and right now there is nothing in place. King asked if this puts a limitation on STRs? Allen stated this puts some regulations on STRs. King referred back to a statement that Chairman Ohlson made earlier as to how many successful enforcement of zoning infractions have gone on here in Madison in the last four decades and he asked when this is not enforced, what happens then? Allen stated there is an enforcement audit, police are given the regulations and people need to get permits and if they don't get them, they are illegal. King stated the ability to enforce does not change just more rules. Allen stated it is the nature of the game.

J. Shackford addressed Chairman Ohlson to let Rajan Shrestha continue with his public comment from earlier before to be able to speak now.

Rajan Shrestha of 3 Upper Lakeview Drive wanted to propose a few things on the ordinance that is going on the ballot and Shrestha wanted to propose a suggested definition of Short Term Rental and read aloud as follows: "The use of a single family residence where lodging with sleeping accommodations is provided for compensation for less than 185 consecutive days. Short Term Rentals are not classified as businesses or commercial use and shall not include the rental of one or more bedrooms in an owner-occupied dwelling or B&B, and Short Term Rental use is allowed in all districts".

John Cancelarich 108 Eidelweiss Drive stated he was following up on what Chief King said earlier and he is concerned that the Board stated the reason they are doing this is property rights and the reason the Board should be doing this is it is in the handbook and it is a state law pursuant to RSA 674:2 which has been amended several times and goes back to the Master Plan and the only requirement elements is the vision statement and the land use section as these two elements are required to support a Zoning Ordinance and he read aloud to the board "**A good rule of thumb is asked the question have conditions in your town changed significantly since the last Master Plan to warrant re-examination of its policies and recommendations. This would especially apply if significant zoning amendments are being considered**". Cancelarich stated the "STR". "**In this case supported to represent the implementation of the Master Plan, if zoning amendments are being proposed that are in odds with the Master Plan, something needs to be done, either the Master Plan needs to be updated to reflect the circumstances or the Zoning Ordinance should be considered inconsistent with the goals of the Master Plan**". Cancelarich stated this is the law of the land in New Hampshire and that the Master Plan contains three decades of information about the town as to who we are and what character the town is from and the Board does not follow this as the STR is not part of it as this is a new occurrence as STRs have exploded over the last ten years here. Cancelarich stated we need to talk as a community and the Board should not make a regulation simply stating just let people vote on it. Cancelarich further stated this is not the Board's purpose and the Board's purpose is to create the Master Plan and if the Master Plan is not in the same sequence as this Ordinance, then the Board needs to go back to the community with the Master Plan and re-establish as a community where we want to go. Cancelarich stated the Board's job for the past two years has not been easy because that the Board is doing something on their own and not following the state laws and what regulations apply today. Cancelarich referred to Chairman Ohlson's previous comment that they were just going after property rights and Cancelarich asked this is not listed in the Master Plan is it? Chairman Ohlson stated he did not read the Master Plan today. Allen stated legal counsel reviewed everything and they are in compliance. Chairman Ohlson stated the Master Plan has been updated regularly and the pandemic has put the board on limited meetings. Cancelarich asked should we just take a shortcut here and let the Board decide whatever ordinance they want. Chairman

Ohlson asked Cancelarich if he had anything to say to this ordinance. Cancelarich stated it does not follow the Master Plan, it is not following regulation.

John Arruda 40 North Division Road stated the purpose of the Master Plan calls to keep the rural character of this town. Arruda stated we are putting a commercial enterprise into a rural residential zone. Arruda stated he has had discussions with people that this is not commercial but Arruda states he is having a hard time as money is being exchanged for a service and it is a commercial operation. Arruda asked if the Special Exceptions travel with the property forever or can it be undone? Chairman Ohlson stated it does, unless a violation of the terms of Special Exception, then it could be undone. Arruda stated there are cost factors involved with an enforcement issue and they would have to hire a company or someone who has the capability of doing what needs to be done. Nordlund asked how other towns do it without hiring someone as he has not found any towns who have.

Cribbie stated a town north of us created this position and that person lives in Madison does that management. Nordlund stated one town that we know about in all of New Hampshire. Arruda asked how are they going to manage it if they do not hire someone? Chairman Ohlson stated his issue with the whole STRs issue is the town has to either send letters to all STRs to close them down and there would be considerable legal battle over or create a judicial process for them to become legal and neither situation is good. Chairman Ohlson asked how do we go from where we are today to what is a better place, is it a better place to fight the battle with every STR owner and shut them down or put a legal judicial process in place outside the courts within our town and make it fair and able to be enforced on a local level. Chairman Ohlson does not know what the answer is, as to the enforcement question and it is going to cost money. Arruda asked how are they going to get inspections done every other year and only charge a minimal amount of money? Chairman Ohlson stated the STRs would need to pay for the inspections. Chairman Ohlson stated that if this is a bad middle of the road, don't vote for it. Arruda stated they will have to hire someone internal to do this job and it is going to be expensive. Littlefield stated hiring someone would be cheaper than the legal fees of shutting STRs down. Chairman Ohlson stated this is giving people a path.

Sharon Schilling of 537 Bickford Road stated that Chairman Ohlson previously stated they are creating a "middle of the road". Schilling stated it may be good and may be bad but it is one middle of the road that did not exist and the failure of this is that the town, maybe through oversight, chose not to enforce those regulations and zoning laws that were already on the books and those people operating before 1987 once the zoning laws came into place, those zoning ordinances did not provide for STRs and nor do they today and our attorneys have said our zoning regulations mimic very closely to the southern part of the state who have been to the Supreme Court and had their zoning regulations upheld where STRS were not allowed. Schilling further stated that if we stand firm that STRs are not authorized in Madison that it is going to cost money and no one knows how much it will cost. Schilling stated we are now creating a regulation where none existed and creating a Special Exception that goes with the property that cannot be undone unless you violate the original Special Exception. Schilling stated that she would challenge the Board to go back and look at the last two to three years as she has looked at this and she has not seen the Zoning Board disapprove a single Special Exception and in fact, they approved a Special Exception where the town's people and abutters wrote over 50 letters to say creating that Special Exception would create a nuisance to the people who lived around that property and the ZBA disregarded it. Schilling stated we are putting language in our zoning regulations that did not exist.

Schilling deferred the Board to a statement that Chairman Ohlson made earlier stating a site plan review is not required. Schilling stated that Chairman Ohlson stated a Site Plan is needed for a Special Exception. Chairman Ohlson stated there would need to be something in writing to prove someone can park eight cars and a site plan by Site Plan Regulations would cost \$5,000.00. Schilling asked to call it a modified site plan, but do not state that a site plan is not required.

Schilling stated the set definitions and wording for the Warrant Article posted on the website are not what was discussed, argued and debated about in December and there are additions that did not exist especially the information under and she read aloud **“NEW INFORMATION Unless they are proposed to utilize existing, nonconforming buildings, minimum setbacks for Professional Offices and Bed and Breakfast facilities shall meet the setback requirements of 5.9 A and C. Other uses shall meet the setback requirements of 5.9 B and C”**. Schilling asked why is this addition included in the STR section? Chairman Ohlson stated that this is something else and that this is not listed under the STR section and is under a new section entitled “New Information” which will be discussed tonight during the Public Hearing.

Schilling had a question about the definition of STR as follows and read aloud **“Short Term Rentals shall not include the rental of one or more bedrooms in an owner-occupied dwelling”** and asked if this is referring to a Bed and Breakfast or just referring to the fact that someone rents a bedroom out of their house to help pay taxes and rent it for more 185 consecutive days? Chairman Ohlson stated or less than 185 consecutive days and if you are living there, this does not apply to that. Schilling also had a question as to “compensation for less than 185 consecutive days” and Schilling stated she could rent a house out for 184 days not rent it out for a day and then rent it out for another 184 days and it is considered an STR? Schilling stated the definition is not clear. Chairman Ohlson stated this is zoning and none of it is clear. Schilling stated it was clear when we chose not to enforce existing regulations and that was clear. Chairman Ohlson stated there was not a problem until Airbnb and the internet blew it up. Schilling asked why couldn't you choose to enforce the regulations now and figure out from there where all of this leads and then if it requires some level of zoning change. Chairman Ohlson stated who benefits if we don't enforce? Schilling stated if the people vote the town to enforce this, then that is the will of the people who voted the members into these offices. Chairman Ohlson stated that at last year's town meeting people wanted a subcommittee to explore STRs and put a regulation in place and because last year there were two regulations on the ballot and this is where the Board's thinking is on this and trying to solve that issue and maybe the Board is totally wrong, vote the Board out and vote against it and get a new Board and get new people as his Board is being held together by a very thin string and his Board is great and diversified. Schilling stated STR regulations are designed to bring us to a better place and no one has defined what that better place looks like, is it well regulated, happy people who comply or is it where enforcement has noise ordinance to follow, what is the goal? Chairman Ohlson stated maybe a better place would be people at STRs don't throw their garbage on his property or get a shotgun at Walmart and shoot up his trees because they got their hunter safety license at Walmart. Chairman Ohlson stated if you don't want it then vote against it. Schilling asked how to communicate with the town about whether or not these STR Regulations get us to where the town wants to be and right now without an updated Master Plan, we do not know where that is but know where it was and at least spend the time to review the Master Plan to see if there are certain subsections that need to be updated before putting regulations and ordinances in place that cannot be undone and if you ever disapproved one, you would be challenged in court and if you meet the three criteria, the Board cannot disapprove it and there is no backing out.

David Lucas of 37 Island Drive stated he was on his Planning Board for his town and was town counsel after that in his town for 15 years. Lucas stated the Board should stick to exactly what they are doing and that they will have usual suspects on either side telling you what you are doing is wrong and illegal and why it will hurt the town and destroy it and turn it into Sedona, Arizona. Lucas has written tons of ordinances in his time and his recommendation is to keep it simple and that the proposed language makes perfect sense and when it comes time for town vote, it is a little complicated and it could create confusion for voters as to the number of regulations but keep it simple. Lucas further stated that everything the Board is doing is absolutely legal and he is a Massachusetts and New Hampshire Zoning Attorney and thanked the Board for their volunteer service and for what they are doing.

LaRoche thanked Lucas for his comments. LaRoche asked Chairman Ohlson if he could speak to some issues heard tonight? LaRoche referred to Schilling's comment as to where is the better place and LaRoche is asking the same thing and what are they trying to fix and what the Board of Selectmen are trying to get rid of and as to Arruda's comment, absolutely rural character is the smartest thing said. STR's have been a part of this community for a long time. LaRoche stated he has been a vocal voice on this Board to pump the brakes on this and sit back and he is not a fan of Special Exceptions and thinks there is a better way and there is still work to be done on this. LaRoche stated the Board has met with Selectmen, ZBA and their attorneys and he thought what they had was an agreement only to see it violated the next week with actions by other Boards. LaRoche asked residents to pump the brakes and it is very hard to sit there and be charged with malfeasance as to the members duties and he stated they are responding to an agenda not creating one.

Nicole Nordlund of 227 East Madison Road stated she is glad the Board is answering as she has questions. Nordlund asked is this a thing as Arruda pointed out because it is money for service in a residential area and she is wondering if that is why we are putting regulations or some people want to ban them because it is commercial use in residential? Nordlund asked how do we pick the STR industry and not the telehealth from home or doing someone's books in their home. Nordlund asked how far do Board's go into people's homes and where do we draw the line and if it is a commercial entity, there is commercial activity probably in 90% of the homes in Madison receiving money for? J. Shackford stated those are home occupations. Nordlund asked if home occupation is different from home business? Nordlund referred to property value and does not think it is a far stretch that if we have no STRs allowed in Madison our property values will go down. Nordlund wants her property value as a resident of Madison to be worth the most it possibly can be and she believes the Planning Board's charge should be to protect property values and she thanked the Board for that. Nordlund asked the Board if they are for STRs or against them and that there are a lot of people that are not against STRs to the point that they do not want to spend a lot of money and see it in their tax bill next year. Nordlund asked the Board if they would consider an affidavit system so we do not burden the townspeople in enforcing this and people get Affidavits for Special Exceptions instead of inspections? Chairman Ohlson stated the Board will consider it.

Mike Mauro of 1838 Plains Road stated that the Board's attorney told the Planning Board not to do this and the Board did not listen to that and he asked what happened between that meeting and when the Board decided to have the ordinance? Chairman Ohlson stated Attorney Spector-Morgan thought it was politically stupid and Mauro added also financially. LaRoche responded to Mauro and stated Attorney Spector-Morgan stated to Mauro to do nothing Mauro stated Attorney Spector-Morgan said the Board

would spend money improperly if both the Select Board and Planning Board were at odds over this and two things were presented in the future as far as legal fees go if this thing goes one way or another. Mauro stated that at that meeting with Attorney Spector-Morgan, she stated to let it go and kick it back to the Selectmen and let the courts figure it out. LaRoche stated that the meeting was a non-public meeting and Attorney Spector-Morgan stated either way you go there will be litigation. Mauro referred to Chairman Ohlson's comment to pass this Warrant Article and if there is enforcement then just don't enforce it then why is the Board proposing this if it is going to cost the town money and he stated this made no sense. Chairman Ohlson stated that if the good STR owner wants to comply and become legal, they have a path rather than a court case. Mauro stated Chairman Ohlson's response was that with that legal recourse, then town would have to enforce the number of cars and trash. Mauro asked if he misunderstood. Chairman Ohlson stated that the Special Exception process would define how many cars an STR can have in the yard and most STR owners are good and want responsible people and this gives that responsible STR owner a way to resolve this issue instead of a court case.

Terry Cancelarich of 106 Eidelweiss Drive stated she has heard a lot tonight about property rights and asked what is being done to protect her property rights and she stated so far, she has not heard much? Cancelarich stated she had an awful STR across the street and she asked what if there is a large party at the STR nearby, what happens, who calls the police is she supposed to do this? Cancelarich stated she has. Cancelarich stated she was threatened and yelled at and they had to leave their home and return to Massachusetts. Cancelarich asked the Board, what are they doing to protect her from that? Cancelarich asked what if the police come and the party is disbursed, is there a fine or is the Special Exception revoked, are there any repercussions at all? Cancelarich asked under these regulations will there be Sex Offender Registry checks? Cancelarich stated they had an issue with a neighboring STR that had a creepy middle-aged man on the dock staring at her 14-year-old niece. Cancelarich asked the Board what happens to protect the people of the community? LaRoche stated this is not what the Board should be doing. Buckley stated they are a Land Use Board and they cannot do that. LaRoche stated this is not the Board's duty and cannot regulate behavior. Cancelarich asked about parties and 10-20 cars parked in the yard on the weekend. Cancelarich stated after two years of contacting the police and Bob Boyd, Code Enforcement Officer fines were imposed on the STR owner and the STR owner carried on with doing what they were doing as the rental far more covered the fines and Cancelarich had to hire an attorney and then the STR owner sold the property. Cancelarich stated one of her property rights is not to be deprived of her property. LaRoche stated they cannot regulate morality and that has to come from the residents. Cancelarich asked if there are ten cars parked at an STR what should we do? Marks stated she should vote for the regulations. Cancelarich does not want to have to call the Board or the police and does not want to be in this position. LaRoche stated that is how statutory law works. Cancelarich asked what the repercussions are? Littlefield stated they would lose their right to rent and Special Exception. Cancelarich asked if she is supposed to come to the Board to have the STRs Special Exception revoked? Chairman Ohlson stated she should go to the Selectmen for revoking and STRs Special Exception. Cancelarich asked how many times this has been done in this town? Chairman Ohlson stated we do not have the regulations in place yet.

Nicholas Borelli of 4 Lakeview Drive stated this will change the town forever and every single dwelling unit in Madison can become an unsupervised hotel and why is the Planning Board working hand in hand with STR owners and real estate brokers knowing the taxpayers of Madison will have to subsidize these businesses year after year to allow them to operate and why is the board not looking to protect the families that actually live here.

Paul Leeber of 28 Middle Shore Drive stated the Town of Lincoln's regulations is an annual renewal and if STRs cause any issues, they will not be renewed and they pay \$100.00 each year for renewal and he has not heard the Board state they have consulted with any other towns about how they do things and maybe the middle of the road will get a little better then where we are right not.

J. Shackford stated he liked the Town of Lincoln Regulations and noticed in those definitions that it is not in the Board's Short Term Rental about the owner occupied part and that this has not been touched on yet tonight at all and that is a big one for him.

Schilling referred the Board to Addition of a new section 5.13 Short Term Rentals by Special Exception, 3(g) and read aloud **“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, as which time, the approved subsurface system shall be constructed and all occupancy of the structure shall terminate”**. Schilling stated her concern is if someone gets approved for an STR and they had a septic system and they have a plan but now it has been three to five years since they have been operating it and that is when the system fails and requirements for septic systems have changed, this ordinance does not allow for review of that for compliance. Allen stated the state will not give them a permit and the permit they get at the time of the Special Exception, if they wait past two years, that permit with the DES is expired and they have to renew it. Schilling stated there is no language as to subject to an approved permit. Littlefield stated that is a given and it is only approved for two years and relatively straight forward.

Chairman Ohlson moved the Public Hearing to Change to Section 1.3B, Existing, Non-conforming Uses.

Bergeron asked Chairman Ohlson if the Board is going to vote on each of your proposed changes individually or wait to the end of the meeting to vote on all of them. Chairman Ohlson asked the Board and Chairman Ohlson stated they are going to wait.

Chairman Ohlson closed the public comment on Short Term Rental Special Exceptions and stated the Board can make small changes but not big ones and the Board can vote to put it on the ballot the way it is or the Board can vote to not put it on the ballot the way it is or the Board can vote to meet again in two weeks and leave the Board short of the deadline and Chairman Ohlson asked L.Shackford and she stated you have to give ten clear days of notice and January 25, 2023 is the last day to post and publish the final notice of the Planning Board Public Hearing but then the meeting would be February 6, 2023 and we are going to print at that point.

Chairman Ohlson asked for a Motion to do something.

Buckley stated when the Board reviewed this last month and what stuck out to him was the definition of a Short Term Rental being a dwelling unit and a dwelling unit is already defined in our regulations. Article #6 last year basically bans STRs and here we are defining it with a term that bans them and we are doing it again and the definition of a dwelling unit is for non-transient residential purposes and the definition for non-transient is 30 days or more and anything short term less than 30 days according to our current definitions would ban STRs. Buckley asked Shrestha for his draft definition he read to the Board earlier. Buckley stated last month it was originally, and he forgot the term Attorney Spector-Morgan used, but she

has changed it now to dwelling unit which, of course, is what re-defined Article #6 last year which banned STRs going forward in March. Buckley further stated he listened to a lot of the comments tonight and they could either take Shrestha's proposal as the definition or go one by one go through the other pieces that were proposed tonight or he heard a lot of residents concerned about the continuance use of the property in perpetuity once it is given the Special Exception. Buckley stated the Town of Lincoln proposal is an affidavit that is signed and basically states three strikes and you are out and to appease those concerned, he is in favor of this as well. Buckley likes these rules and to the Selectmen's Representative, J. Shackford's comment earlier as to owner occupied property, the property owner cannot be from out of town and stay out of town and Buckley likes this idea as it discourages investors coming here and buying property in Madison and renting STRs 365 days per year. Buckley further stated that the Lincoln Regulations are one page, there is a \$100.00 fee annually and signing an Affidavit that you will comply with all town ordinances. Buckley stated should the rules be different for STRs then it should be for property owners and he feels they should be the same. Buckley stated going back to the Town of Lincoln Regulations and the benefits about this is, there is no life safety with STRs and the life safety code should be extended to all properties in town and not just STRs.

Chairman Ohlson stated that Buckley bringing up these issues just changed the Board's position.

Chairman Ohlson stated that he thought the Board had gotten past all of this and Buckley is now changing, in major ways, this proposed ordinance and he is not opposed to these changes but they are quite different then what was noticed for the Public Hearing and you just blew the clock out of the water if you want to go with this. Buckley stated this is a regulation in Lincoln and has no legal challenges and what we are trying to do is present something and could not find any other town with the language we have proposed and he is worried the Board could be setting up a challenge to the Board's regulations through legal means. Buckley stated they do not want to use the term "Dwelling Unit" and it should be struck down and use Shrestha's definition. Chairman Ohlson stated it was too late. Buckley asked if we were going to use "Dwelling Unit" as our definition? Chairman Ohlson stated we could use "Dwelling Unit" or deep six this ordinance and look at it again next year.

LaRoche stated the Board does not want to revisit this every year but they need to get it right since it was not right last year but it looked like it was not in the best form. LaRoche asked Buckley if there were other definition problems and is "Commercial Use" an issue and Buckley stated the word "Commercial" was taken out of Madison Zoning Definitions in 2010 and it still exists today and was just an administrative issue and on the ballot in 2010 it was voted out and it just never got updated.

Nordlund stated transient and non-transient use appears in the Zoning Ordinance and does not appear it was ever voted on by town but appears in the Zoning Ordinance.

Chairman Ohlson stated when you pass something on the ballot it has to be integrated into the ordinance and that 2018 was fine from what he could tell.

Chairman Ohlson does not know where the Board is going with this and would entertain a motion.

Allen asked if they could talk with Attorney Spector-Morgan tomorrow.

David Lucas stated STR is a use STR is not a unit and that is how you fix it.

L. Shackford stated that if the notice went out at the end of next week and can have in the paper on January 14, 2023 you have to have available to the public what you are going to talk about at the public meeting on January 25, 2023. Chairman Ohlson stated they would have to have another work meeting in between. LaRoche stated counsel needs to be present at this meeting or response to the email that was sent to her. LaRoche stated he was not elevated to vote so he cannot vote on this. LaRoche stated he likes the Town of Lincoln Regulations and we should get it right or back off.

Motion by Allen to have everything by January 14, 2023 and the Public Meeting on January 25, 2023.

Discussion:

Littlefield asked Allen if he was making a motion? Allen stated to have Attorney Spector-Morgan review the Town of Lincoln Regulations. LaRoche asked that someone make a motion to accept Lincoln and it will open up for discussion if it gets seconded, and we can take it up and table it, use Roberts Rules of Order. Allen stated to not use “accept” but to “discuss” and LaRoche stated if the motion is seconded, we can open discussion and then the motion can be tabled.

Motion by Allen, seconded by Nordlund to discuss Lincoln with Attorney Spector-Morgan.

Littlefield stated there was a motion for the meeting on the 25th. Cribbie stated we are in discussion right now and we have a process that we have been working on for the past two and a half years and we are now talking about changing everything all over again and he is against the regulation as it stands currently as well as the Lincoln Regulations as it stands and does not believe anything with Special Exceptions other than licensing the facilities is the way to go and is incredibly frustrated. Cribbie stated we have gotten information from our attorney telling us we will never see the money from any of the fines and we will be spending attorney fees. Chairman Ohlson stated the Town of Lincoln Regulations is not a Planning Board document but a Board of Selectmen document. Cribbie is in agreement and stated he will not vote on Town of Lincoln Regulations or the Special Exception.

Chairman Ohlson stated a motion has been made and seconded and he agrees with Cribbie to a certain point and that this not something the Planning Board should be talking about as it is a Board of Selectmen problem, not a Planning Board problem. Chairman Ohlson stated again, the Town of Lincoln Regulations are a Board of Selectmen document and we should either vote with what we have for a Special Exception or vote against what we have as a Special Exception as a failed motion and the motion that was made by Allen was to discuss with Attorney Spector-Morgan the Town of Lincoln Regulations seconded by Nordlund. Chairman Ohlson stated if the Board wanted to go in the Lincoln Regulations direction, they do not need to speak to Attorney Spector-Morgan.

Chairman Ohlson stated that a motion was made by Allen to move forward with the proposed Special Exception. LaRoche called point of order as a motion is already on the floor and has been seconded and that motion needs to be considered, Allen can withdraw it or revoke it, call the question. Cribbie stated the motion was to discuss the Lincoln Regulation that was proposed by Allen and seconded by Nordlund and we are in discussion and Allen is now withdrawing his motion. Chairman Ohlson stated there is no motion on the floor.

Ohlson asked for a Motion to resolve the STR Special Exception.

Discussion:

Cribbie asked Chairman Ohlson if the Board was going to discuss the definition and then do the Special Exception separately as they are to different issues.

Chairman Ohlson read aloud the definition of Short Term Rental.

Motion by Cribbie, seconded by Nordlund to accept this language with the premise it will be brought to Attorney Spector-Morgan to confirm that it is not going to be in conflict with any existing definitions. Votes were 8 - 1 with Shackford opposing. The Motion passed **unanimously**.

Chairman Ohlson asked for a motion to approve Addition of a new section 5.13 Short Term Rentals by Special Exception.

Motion by Nordlund, seconded by Allen to approve 5.13 Short Term Rentals by Special Exception on the March ballot. There was a roll call vote. Votes were 4 - 3 with Shackford, Cribbie and Ohlson opposed and Littlefield abstaining because this is not going in the right direction. **The motion did not pass.**

LaRoche asked Chairman Ohlson since he is not elevated, he cannot make a motion but would anyone else be willing to so they can discuss Town of Lincoln Regulations? Chairman Ohlson stated our attorney has told him they cannot charge to do this. LaRoche wants this discussed with the attorney in its entirety to see if it is another way out, since Chairman Ohlson does not favor the Special Exception and that has failed and we need to figure another way. Cribbie stated where this is a permit, counsel has stated permits are handled by the Selectmen's Board.

Buckley asked if the Board should do another work session? Chairman Ohlson stated he thinks it is too late. Nordlund and Littlefield would like another meeting on January 25, 2023. Cribbie stated they would need to have a meeting between now and the 25th and then the Public Hearing on January 25th. Buckley stated that the Board owes it to the residents to try to create regulations. Chairman Ohlson stated that Buckley brought up a document that was a Selectmen's ordinance that is not even a planning document. Cribbie stated you cannot rush revamping this in three weeks. Buckley stated he thought he was pretty clear when he read the definition of dwelling unit as defined last year and we all know what it did. Chairman Ohlson stated the Board should have a vote at the end of the Public Hearing.

Chairman Ohlson stated we are now moving to 1.3B Existing Non-Conforming Uses and trying to get this language so we are legal.

Christopher Meier, Esquire with Cooper Cargill Chant P.A. stated the Board publicly noticed this in writing and it does not have to be publicly read. Attorney Meier stated he represents the Connelly family who is at 585 East Shore Drive and they were involved in the litigation over this section of the Zoning Ordinance. Attorney Meier looked at the proposed amendment of 1.3B and the Board has added two sections to the final sentence of the ordinance to now read "Any such horizontal expansion" where it used to read "Any such expansion" and where it used to read "fifty percent 50% of the square foot area of the first floor footprint" to now read "fifty percent 50% of the square foot area of the non-conforming portion

of the first floor footprint” Attorney Meier stated that policy wise, on behalf of the Connelly’s, they like the addition of “non-conforming portion of the first floor footprint” as this reduces the amount of expansion you can have in a residence. The “horizontal” is confusing, however, both changes are confusing and Attorney Meier agrees with Chairman Ohlson this amendment is not ready as presented tonight. Attorney Meier stated that one of the arguments they had that went to the Supreme Court was the what horizontal expansion was. He further stated as previously written, it says “any expansion shall be limited in size to a total of fifty percent (50%) of footprint” and this limits that to horizontal and the Board’s is a permissive zoning ordinance and does this allow vertical expansion, he believes no, but the other side of litigation would say as amended, yes and that permits expansion down into the basement as long as you are within the reasonable footprint where expansion is enough that you do not hit the highest roofline of the existing structure whether within the building envelope or without the building envelope. He stated you still have a fight over what vertical expansion is and what that allows and that fight he thinks, might allow under a developer or someone expanding a house, what he was trying to avoid in Connelly litigation entirely which is people being to drive a truck through this expansion limitation by potentially allowing vertical expansion, you allow expansion without restriction so as long as you are going up and down you could, you could drill down to the center of earth and expand the home that way or go up as long as you do not hit the highest roof line of the existing structure. Attorney Meier stated that you do not get the benefit of the expansion cap that you are looking for and someone could get around that going vertically.

Attorney Meier further stated the second piece is the non-conforming portion and again, that limits it and in the Connelly litigation they were arguing that you could expand the conforming portion of the building as much as you want and he stated that is still unclear in this ordinance and asked if the Board is saying the non-conforming expansion is limited in size and conforming expansion is allowed or is the Board saying any expansion is limited by 50% of the non-conforming portion. He further stated this change to the ordinance makes cloudier and he feels in the future, there will be arguments about whether this includes expansion that is within the building footprint and depending on what the Board wants and it is unclear from the changes what the Board wants, in terms of policy, this should be and tabled and go back to Attorney Spector-Morgan and do what the Board wants and make it so people will not be fighting about it.

Chairman Ohlson stated he thought a volume was included. Cribbie stated the Board determined they did not want volume.

Chairman Ohlson stated he thought they had a volume. Cribbie stated the Board determined to not include volume. Allen stated he is the only one on the Board who does not want to allow expansion of nonconforming use and go to the ZBA argue the case, maybe convince them and get approval but to try to run a regulation that someone is not going to argue with is not going to happen. Attorney Meier stated that is why you have variances and have an escape valve built into the ordinance and people will not fight about the expansions.

Cribbie stated that partly to 1.3B and some other things they are in the same position as last year and the Board asked their attorney to fine tune the language at the last meeting and Cribbie felt they were close and what came back from the attorney was far from what the Board had agreed on and it is worse than what they agreed upon last month. Cribbie stated that as a Board in the next month or two they should

come up with a schedule that lays out a definitive schedule that all future zoning ordinances will go out at this month and will be having their first hearing which Cribbie feels should be in September.

Attorney Meier stated he could come back for that meeting and tell the Board why Allen is right that you should not allow expansion in a nonconforming use and except a variance.

Cribbie stated he liked what Attorney Spector-Morgan did where she listed “footprint of the existing structure as of March 2007, not including decks, chimneys of existing structures”. Attorney Meier stated this was existing language and did not change. Chairman Ohlson stated it was existing language and that Attorney Boldt, attorney for the ZBA did not like it because it gives two definitions of footprint. Allen stated this needs to be consistent with footprint. Allen suggested a “Building Envelope” and DES permit.

Chairman Ohlson if any quick language could straighten this out. Attorney Meier proposes the Board rework 1.3B and strike the whole paragraph so existing structures can remain but they cannot be expanded and strike B and do not add language back to replace it.

Bergeron stated he would like to see 1.3B be left alone.

Attorney Meier suggested strike B entirely so there are no issues in the meaning and rewrite B how the Board wants it and put on that on the vote and do not allow expansions in the meantime. Cribbie stated that would be a larger change and they would need to have another Public Hearing on this one item. L. Shackford stated October would be the first Public Hearing as you cannot be more than six months ahead.

Motion by Allen, seconded by Cribbie to not put 1.3B on the ballot. The motion passed **unanimously**.

Chairman Ohlson stated that Bergeron came to the Board about a setback on a Class IV road of an existing structure and he wanted to reduce the setback and Attorney Spector-Morgan thought the cleaner way would be for existing structures not to have to meet the setback and any other special exception would have to meet the setback but for an existing structure you do not have to meet the setback for Professional Offices and Bed and Breakfast facilities shall meet the setback requirements. Buckley asked if Attorney Spector-Morgan is suggesting to remove Section #3 under Conditions to be met and striking it out and replacing it with “New Information”. Chairman Ohlson read 5.9A, B & C aloud.

Chairman Ohlson opened for Public Comment.

Bergeron stated this is to what was talked about for 1.3B and what was talked about at the December meeting pertains specifically to the setbacks for Class IV roads and there was a study and what the language does here completely strikes the setback requirements and that was not the case. Chairman Ohlson stated for existing buildings. Bergeron stated that as this pertains to minimum setbacks under 5.9A Special Exceptions 4.2B throws any setback requirements for every single proposed Special Exception that is listed.

Schilling agrees with Bergeron to an extent and does not believe this should be in here as she thinks the variance process takes care of this if you do not meet the setbacks from any road in the entire town, setbacks should not be eliminated and if there not a reason to allow a change of use to an existing building and turn it into a Professional office or Bed and Breakfast facility, you are changing the use of that and

potentially the volume of individuals who are there so what matter what road it is on it should still have to be setback requirements. She further stated that if the Planning Board wanted to make different setbacks for Class IV roads maybe 65' instead of 75' may be an option but the "New Information" as listed does what anyone wants it to do.

Motion by Cribbie, seconded by Marks to not move forward with the language amended for 4.2B on the ballot. The motion passed **unanimously**.

Motion by Cribbie, seconded by Allen to reconsider Cribbie's previous motion for the definition for Short Term Rentals.

Chairman Ohlson stated the Board is voting to remove the definition of Short Term Rentals from the Ballot for March.

The motion passed **unanimously**.

Chairman's Report - No items.

Selectmen's Report – No items.

Cribbie stated there is no New Business item, but he is proposing that the Board start considering the discussion now and furthering it next month under Old Business of coming up with a formal schedule moving forward for these Warrant Articles.

ADJOURNMENT: Motion by J. Shackford, seconded Littlefield to adjourn. All Approved. The meeting adjourned at 9:40 pm.

Respectfully Submitted,

Kate Young
Land Use Boards Administrator