

NOTICE OF DECISION - Denied

Zoning Board of Adjustment,
Town of Jackson NH

Case No: 2024-03

You are hereby notified that the application of Mr. Edmund Harvey (the “Applicant”) of 196 Packers Falls Rd., Durham, NH (V07 L109; 7 Balsam Dr., Jackson) appealing an administrative decision by the Board of Selectman concerning section 4.4.3.6(b)(v) of the zoning ordinance concerning advertising the number of bedrooms for a short term rental property has been **DENIED**, by failing to have at least three members of the Zoning Board of Adjustment vote to grant the appeal.

Findings of fact:

Summary of the facts of the case discussed at the above public hearing held on October 16th:

1. In June 2024 the Select Board cited the Applicant for advertising a 3-bedroom rental with a maximum occupancy of six, stating that the ordinance limits any advertising with regard to the number of bedrooms to the figures on the tax card and building permit. The applicant’s tax card and building permit indicate two bedrooms.
2. The Applicant’s appeal argued that the ordinance only limits the maximum occupancy that can be advertised and is silent on the number of bedrooms that can be advertised.

By a vote of two in favor and two in opposition, a motion to grant the Applicant’s appeal was denied.

Frank Benesh
Chairperson, Zoning Board of Adjustment July
21, 2024

Note: The selectmen, any party to the action, or any person directly affected has a right to submit a motion for a rehearing of this case by the ZBA within 30 calendar days of the date of the public hearing. See New Hampshire Revised Statutes Annotated, [Chapter 677](#). This notice has been placed on file and made available for public inspection in the records of the ZBA. Copies of this notice have been distributed to the Applicant, Planning Board, Board of Selectmen, Town Clerk, and Property Tax Assessor