

Nantucket Short Term Rental Working Group

Meeting Summary

January 31, 2023 | 5:00 PM – 8:00 PM ET

Meeting Objectives

- Review and Discuss Public Input
- Discuss and Approve Data Gathering Work Plan
- Clarify Meeting Schedule and Work Plan

Meeting Materials:

- STRWG meeting summaries from November 22 and December 5
- Synthesis of input from December 12 Public Workshop
- Plan for Data Gathering and Analysis
- *Fall 2023 DRAFT Special Town Meeting Timeline
- STRWG Draft Schedule and Work Plan

To find meeting materials, please visit the project website [here](#).

Welcome & Overview

Stacie Smith, Consensus Building Institute (CBI), welcomed members of the Short Term Rental Working Group (STRWG) and the public to the first meeting of 2023. She reviewed the meeting agenda and meeting guidelines. She then asked the group to approve the meeting summaries from the November 22nd and December 5th meetings. Both summaries were approved. She explained that today we would be discussing the summary from the December 12th public input session, and those minutes would be approved at the next meeting.

To see the full list of WG members and alternates in attendance, please see Appendix A.

Review Synthesis of Public Input

Simenesh Semine, CBI, gave a presentation to review the findings from the public input session held in December 2022. She reviewed the meeting demographics, and then gave a synopsis of the discussion themes from the first and second breakout groups. STRWG members made the following points or questions (responses from CBI in italics):

- One section is called "Corporate Entities", but it is not clear what is referencing because people talked about several topics under that header such as absentee ownership or businesses. Can you clarify what that means?
 - We recognize STRWG members have used "corporate" in different ways. *In the public meeting, most participants seemed to be referring to corporate or for-profit entities with no personal associations to Nantucket owning STRs – this was in fact one of the most common themes of public support.*
- When we went into the second discussion, you made it seem like the policy levers were ideas that the group had agreed to, when in fact they were just ideas we were brainstorming.

- *We meant to make it clear that none of these policies were agreed upon, but rather ideas that the group found promising for consideration.*
- Can you clarify what you mean by “wealth considerations?”
 - *Some groups noted that it was the ultra-wealthy – those who could afford second homes without needed to rent them - who were driving the anti-STR discussions. Others felt that eliminating the ability to short term your property will make it so that only the uber wealthy will be able to afford second homes.*
- Is it possible to have the raw notes to be made available to the group?
 - Yes, we can share notes with redacted names and addresses, since we did not tell people that these notes would be shared. We do want to caution people from making quantitative assumptions, as the level of detail varied from group to group, and the meeting attendance was not representative of the total population.
- Maybe we should send out a survey to all homeowners to get more representative demographics.
- The town does not usually redact names - because this was a public meeting, it should be assumed that all comments are public information.
 - *Because people were speaking in small groups, and another person was taking notes about what they said, I do not make that assumption, and would not feel comfortable nor see value in sharing people's names.*
- Regarding enforcement, the Finance Committee is reviewing several articles that would be very difficult to enforce, and that should be a big consideration for this group.
- It seemed like a good portion of the group thought that one-week minimums were a good idea, but it would be interesting to know the demographics of people who supported that. It seems like most were seasonal homeowners. For some year-round residents, one-week minimums would be very difficult.
 - The framing was one short term rental per week, not that each rental must be a duration of a week, but some groups might have misunderstood that.
- Given that, we should clarify the level of support for one-rental per week.
- We need to clarify that there is no flexibility in how the Community Impact Fee gets applied, because it seems like people were confused about that.
- Considering the high attendance, I think the meeting was a huge success. I hope we can get the summary out to all the people who registered for the meeting. This is long, so maybe we also provide them with the slides for those who do not want to read the full summary.
 - *CBI will send the final summary (edited based on this conversation) along with the slides to all the people who registered for the meeting.*

Discussion: Plan for Data Gathering and Analysis

Stacie then reviewed the plan for data gathering and analysis, being led by the Select Board. This process involves the procurement of a third-party analyst by the Town who will work with and report to the STRWG, who will integrate data being collected by NAREB, through their own consultant, and Granicus, as well as any other data collection. This timeline has not been finalized because NAREB is still working on compiling their data, but the tentative plan is to present data to the group in March. Stacie introduced Brook Mohr who volunteered to lead the procurement process for the Board of Selectmen. Brooke explained that this process has taken a long time because the procurement process requires dates, scope of work, and timelines. The purpose of this effort is to marry the two data sets to answer the questions this

group has asked regarding data. The two outstanding tasks to finalizing the timeline are for NAREB to execute a contract with their vendor, and for the Special Town Meeting date to be finalized. She explained she cannot begin hiring the third-party analyst until this happens. Stacie acknowledged that this draft schedule might be pushed back but committed to providing regular updates on timeline and schedule. STRWG members then raised the following issues.

Role of the Town's Data Analyst

Some members were confused about the role of the data analyst that the Town would be hiring. Stacie and Brooke explained that Granicus was hired to support data for the Town's Registry, and that NAREB's data expert would serve under NAREB's direction, so they felt that an unbiased data expert who served the STRWG committee was necessary to ensure people felt confident that the data analysis would be accurate and impartial. The town will develop a scope of work and request three quotes before selecting a vendor. One member noted that once someone is selected, they will need to have an in-depth meeting with the WG so they can understand the groups needs and wants regarding different data sets. They should also be someone who can clearly and plainly communicate data findings to the group and answer questions in a way that is accessible to the public. Stacie confirmed that the workplan anticipated having the expert meet with the STRWG early on and mid-way through their task, in addition to at the end.

STRWG Involvement

Several members expressed a strong interest in being a part of the data analysis process, to ensure they felt comfortable with the data that was being provided and to not feel left in the dark. One member also expressed frustration about the lack of communication around data previously and was worried that the group could not get the information it needed in time if they could not see any data until March. Stacie noted advice from the Town Attorney where he explained that any conversation with more than one WG member would be considered a "subgroup" and would therefore be subject to Open Meeting Law and would require pre-posting, public access, agendas, minutes, and materials posted. Brooke explained the complications and delays in this process and apologized for any WG members who felt in the dark. She explained that NAREB's data is proprietary information, and legal considerations that require care in how WG members are involved in the procurement process.

Several members suggested ideas on how the STRWG members could be involved while waiting for the data and procurement process. One member suggested that WG members could define data elements that would be used to ensure data sets were compatible. Brooke explained that NAREB and Granicus have been working together to ensure that when the data is brought together, definitions will be consistent. Someone else suggested that this group could have a subgroup meeting to review the scope of work for the third-party analyst before it is finalized. Stacie agreed and added this to the workplan.

Stacie acknowledged member requests for information about where we are in this process, and suggested CBI provide weekly email updates on the data process between STRWG meetings. One member appreciated that idea and cautioned the group against getting too involved in the data gathering process, lest they slow it down and make it too granular.

Noise Complaints

One member suggested, in the meanwhile, collecting snapshot of noise complaints or police reports in general to get an idea of the noise and nuisance problem. Megan noted that this was already done and cross-referenced with the state registry, but this was an exhaustive and largely unhelpful.

Economic Impact Analysis

One member asked if there was a plan to include an economic impact analysis in this process. Stacie explained that the scope for the Town's analyst does not include an economic analysis. She suggested that the group discuss what information they would want that would be possible in the allotted time, and the Town could then decide whether and how to resource that. Brooke noted that if there was any policy the group proposed that would drastically change the number of STRs or would have a significant financial impact on the Town, the Financial Committee would be the best group to discuss this with. She noted that an analysis on the economic impact to the entire island would be too difficult to scope or undertake. One member noted that most financial impact analyses are a guessing game, but as a member of the Financial Committee they would be happy to calculate simple estimates for how finances would be impacted based on the group's proposals, such as if we removed "x" number of STRs.

Registry Portal

One member expressed disappointment that the Registry portal would not be available until the Fall. Brooke noted that if this group thought that there were pieces of data that would help any regularity framework be monitored outside of the Registry, they are welcome to suggest it.

Discussion: Town Meeting and STRWG Schedule

Stacie then discussed the STRWG schedule and workplan going forward. She explained that Work Group meetings require resources and should be scheduled appropriately. Stacie walked through the draft schedule, which called for a hiatus in meetings until the Town's data analysis had begun work, estimated at March 15th, but noted that several members had requested meeting again sooner. She noted that the schedule called for another longer in-person meeting, likely in May, and another public meeting to review draft policies. She then opened the discussion to questions and comments, including other topics that members wanted to address.

Case Studies

Several members suggested that the group look at case studies from other communities who have implemented STR regulations and could share their experiences, including how they were created and how their regulations impacted their communities. Members discussed which kinds of communities they thought would be interesting to investigate. While some suggested staying close to Nantucket, to hear case studies with similar cultures and state regulations, others thought it was more important to prioritize communities who are further along in this process or have been successful to give this group direction. Stacie said she thought a speakers panel of representatives from other communities could be integrated into the March 14th meeting agenda, and that CBI would send a survey to the group asking for community suggestions. She also noted that there could be a subgroup meeting to review these communities with members before we reach out to people.

Policy Levers

One member suggested using the time prior to getting the data to dig deeper into the policy levers that had been surfaced at the December 5th meeting. Others agreed that it would be helpful to have more time to discuss policy levers with each other and the community to better understand them. A member also suggested developing a draft framework for how the group can develop, analyze, and evaluate policy options.

Citizen Articles

One member suggested that this group talk about the Citizen Articles related to STRs that have been submitted for the Spring Town Meeting, to better understand what they would do and how they might impact the approaches this group might select, if they were voted in. Stacie explained that she has been given explicit instruction by the Town that this group is not to weigh in on the citizen articles.

Meeting Without CBI

To have more meetings, one member suggested that this group elect a Chair so that they can have meetings where the town does not have to resource CBI. Stacie noted that this would require a consensus of the group to vote for a chair, and that person would be responsible for the agenda setting, meeting summaries, and all posted materials. A member who sat on the group responsible for devising this committee expressed strong disagreement with this suggestion, noting that the Town hired a neutral facilitator because all members of the group come to the table with their own interests. Stacie notified the group that CBI has submitted an amended budget to the town to support additional meetings, but that CBI requires at least two weeks between meetings in order to make progress from the previous meeting, and to turn around materials, meeting summaries, and create and post new meeting agendas. Stacie will be presenting the revised workplan to the Select Board on February 1st.

Other Ideas

WG members suggested the following as other ideas that could be discussed in a February meeting:

- Articulating and define the problem
- Session with the Town Council to discuss levers and their legality
- Analyze ideas from the Public Input Session to see if there are policy options
- Get a better understanding of zoning and general bylaws
- Create a policy analysis tool that we can use once we get the data

Stacie suggested that the group could meet on February 14 to focus on some of these topics. The Town clarified that February 28 was school vacation week, and that the Town does not hold citizen meetings during that time. A member requested that meeting times be moved to 6-9 pm in order to avoid conflict with the Finance Committee – the group agreed to this.

Public Comment

- Larc Jaycobs: I live in Sconsett, and we have an adjacent joined lot with a rental property. It is entirely likely that if you do not grandfather rentals of local owners they will be forced to sell, and it will go to wealthy renters – creating an empty house community. If the goal is to improve affordable housing, you can't convert a three-million-dollar home into affordable housing unless you make them condo's it which would impact density and overcrowding. I don't understand why it matters if there is a high turnover rate if it's the same number of heads in beds – you will be forcing single week rentals out – and that does not support families. Many of our renters are multigenerational families and it makes me proud to offer them a place. I don't get why the short-term family rental market is on the table.
- Ron Kokot: I have rented my house to people on vacation, and it has turned out extremely well. I have a point of clarification – when we discussed the public input summary you mentioned that people talked about their significant concerns about the divides STRs have made between neighbors. I don't think that true and the wording should be adjusted if you mean that the debates

about STRs have caused divides. Also, there may be different solutions for different portions of the island.

Next Steps

Stacie Smith went over the next steps and action items:

- CBI will create a meeting summary
- CBI will send out a survey about STR case studies
- CBI will revise the summary from the December 12 public meeting and share with all registered members
- CBI will schedule an additional meeting for February 14th from 6pm to 9pm to focus on policy levers and a framework for evaluation
- CBI will update the Workplan based on today's input and on the Town's data procurement schedule
- The Town will create a schedule for Fall Town Meeting once the date is finalized (proposed as November 7).

Stacie thanked everyone for their participation and closed the meeting.

Appendix A: Subgroup Members and Attendance

Working Group Members

John Kitchener, At Large
Karen Zagayko, At Large
Dave Iverson, Planning Board Member
Peter Schaeffer, Finance Committee Member
Julie Lindner, ACK Now
Thomas Dixon, Affordable Housing Advocate
Jim Sulzer, At Large
Kathy Baird, Nantucket Together
Peter Kahn, Advisory Committee of Non-Voting Taxpayers
Meri Lepore, Board of Health Designee (Non-voting)

Working Group Alternates:

Robin Nydes, Nantucket Together
William Gardner, Advisory Committee of Non-Voting Taxpayers

Working Group Staff

Stacie Smith, Consensus Building Institute
Simenesh Semine, Consensus Building Institute
Megan Trudel, Planning Department Liaison
Adrian Rodriguez, Administrative Team