



MEETING POSTING

TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25

All meeting **notices and agenda** must be filed and time stamped with the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays)

RECEIVED

2024 JUN 05 PM 02:45
NANTUCKET TOWN CLERK
Posting Number:T 517

Committee/Board/s | SELECT BOARD SHORT-TERM RENTAL SUBCOMMITTEE

Day, Date, and Time | TUESDAY, JUNE 11, 2024, 6:00 TO 8:00 PM

Location / Address | REMOTE PARTICIPATION VIA ZOOM - ONLY

Signature of Chair or Authorized Person | ERIKA MOONEY

WARNING: IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

Join Zoom Meeting

<https://us06web.zoom.us/j/83631909009?pwd=uZaPaYVJaVaLFNUN5FxcpsEa6hCagj.1>

Meeting ID: 836 3190 9009

Passcode: 853834

- I. CALL TO ORDER*
- II. SELECT BOARD LED DISCUSSION FOR POTENTIAL CONSOLIDATION OF CITIZEN AND/OR TOWN-SPONSORED SHORT-TERM RENTAL WARRANT ARTICLES FOR SEPTEMBER 17, 2024 SPECIAL TOWN MEETING.*
- III. ADJOURNMENT*

**** Public Comment will be held until the Thurs. June 13, 2024 Select Board Short-Term Rental Subcommittee meeting.**

Citizen Warrant Article

Primary Sponsor Name: Charity I Benz, on behalf of Put Nantucket Neighborhoods First

Address: 5 Milestone Crossing
Nantucket, MA 02554

Email: cibenz@comcast.net

Phone #: (508) 292-8290

Warrant Article Title: Zoning Bylaw Amendment Regulating Short-Term Rental Use

To see if the Town will vote to (may attach body of article on separate page):

Please see attached 8 petition sheets containing the signatures of 112 Registered Nantucket voters

Charity I Benz
May 28, 2024

PNNF STR Article

(Zoning Bylaw Amendment Regulating Short-Term Rental Use)

To see if the Town will vote to amend Chapter 139 of the Town Code (Zoning) as follows:

1. Amend § 139-2 (Definitions and Word Usage), by inserting the following new term and definition and inserting it in alphabetical order.

SHORT-TERM RENTAL

A dwelling unit or portion(s) thereof that is not a transient residential facility, where: (i) at least one room or dwelling unit is rented to an occupant or sub-occupant; and (ii) all accommodations are reserved in advance. Rental periods with a change in occupancy in excess of 31 calendar days shall not be considered a short-term rental. The rental of property for a total of 14 days or less in any calendar year shall not be considered a short-term rental.

ACCESSORY SHORT-TERM RENTAL

A Short-Term Rental use that complies with this bylaw.

2. Amend § 139-7A (Use Chart) by inserting “Accessory Short-Term Rental” between “Tertiary Dwelling” and “Apartment Building” in the Use column and inserting the designation “A” in all columns with a “Note: Subject to the requirements of §139-38.”

3. Add a new section to Chapter 139 as follows:

§139-38 ACCESSORY SHORT-TERM RENTALS

1. In residential districts, each Lot may be used as an Accessory Short-Term Rental for 28 days (4 weeks) per calendar year as a permitted Accessory Use to a Principal Use, subject to the following conditions:
 - a. The Lot is used for Residential Use at least 32 days per calendar year.
 - b. The Lot may be used as an Accessory Short-Term Rental for an additional 7 calendar days (1 week) for every additional 28 calendar days (4 weeks) of Residential Use beyond the minimum in Subsection 1.a.
 - c. On Lots with multiple Dwelling Units, the Accessory Short-Term Rental limits set forth herein are cumulative of all Dwelling Units on a Lot, and there shall be only one Dwelling Unit used as an Accessory Short-Term Rental at any one time;
 - d. There shall be a minimum stay of 4 calendar days for Accessory Short-Term Rentals throughout the year, except July and August when the minimum stay shall be 7 calendar days;
 - e. A Lot shall have no more than eight changes in Accessory Short-Term Rental occupancy during a calendar year; and

- f. All Accessory Short-Term Rentals shall be registered with the Town and operated in accordance with General Bylaw § 123 of the Town Code.
2. Exemptions. All Accessory Short-Term Rentals occurring during any time when the Lot is Owner Occupied shall be permitted as of right and exempt from the limitations set forth in this provision, except that Subsection 1.d above shall apply.
3. To register under General Bylaw § 123 as an Accessory Short-Term Rental Use, the Owner must submit as part of its annual registration documents: (a) copies of all rental contracts for the prior year (redacted as appropriate); (b) signed certification documenting compliance with the limitations set forth in this Bylaw regarding Residential Use, Accessory Short-Term Rental days, turnovers and any other information required by the Board of Health.
4. All other Short-Term Rentals in residential districts are prohibited.
5. For the purposes of this Section only, Residential Use shall mean occupied by the Owner or tenancy of at least 32 consecutive days in any calendar year without sublet.

Or to take any action relative thereto.

PROPOSED BYLAW ON SHORT-TERM RENTALS

§139-__ SHORT-TERM RENTALS

1. In residential districts, each Lot may be used as a Short-Term Rental ("STR") for 28 days (4 weeks) per calendar year as a permitted accessory use to a Principal Use, subject to the following conditions:
 - a. The Lot is used for Residential Use at least 32 days per calendar year.
 - b. The Lot may be used as an STR for an additional 7 days (1 week) for every additional 28 days (4 weeks) of Residential Use beyond the minimum in Subsection 1.a.
 - c. On Lots with multiple Dwelling Units, the STR limits set forth herein are cumulative of all Dwelling Units on a Lot, and there shall be only one Dwelling Unit used as an STR at any one time;
 - d. There shall be a minimum stay of 4 days for STRs throughout the year, except July and August when the minimum stay shall be 7 days;
 - e. A Lot shall have no more than eight changes in STR occupancy during a calendar year; and
 - f. All Short-Term Rentals shall be registered with the Town and operated in accordance with General Bylaw § 123.
2. Exemptions. All STRs occurring when the Lot is Owner Occupied shall be permitted as of right and exempt from the limitations set forth in this provision, except that Subsection 1.d above shall apply. Cottage colonies that were operating as Short-Term Rentals prior to 1972, when Nantucket enacted zoning, are exempt from the provisions of this Section.
3. To register under General Bylaw § 123 as an accessory use STR, the Owner must submit as part of its annual registration documents: (a) copies of all rental contracts for the prior year (redacted as appropriate); (b) signed certification documenting compliance with the limitations set forth in this Bylaw regarding Residential Use, STR days, turnovers and any other information required by the Planning Department or pursuant to regulations promulgated by the Board of Health governing the use of STRs.
4. All other STRs in residential districts are prohibited.
5. For the purposes of this Section only, Residential Use shall mean occupied by the Owner or tenancy of at least 32 consecutive days without sublet.

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

May 28, 2024

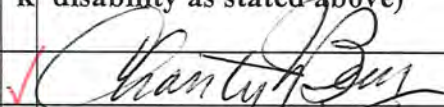
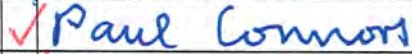
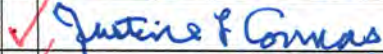
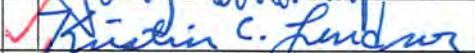
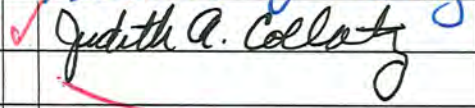
2:10 pm

~~_____~~ considering the attached article regarding short term rental.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III		
	C Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e d	P r e c	PRINTED NAME
1	✓ 	5 MILESTONE CROSSING	0	1	CHARITY BENZ
2	✓ 	48 Syjam Road	0	1	Rick Atherton
3	✓ 	11 Somerset Rd	0	1	Clifford Williams
4	✓ 	4 Roberts Lane	0	1	Pamela Perun
5	✓ 	23 ATLANTIC	0	1	PAUL CONNORS
6	✓ 	23 Atlantic Ave	0	1	PAUL P. CONNORS Justin P. Connors
7	✓ 	62 Center Street	0	1	Frances Karttunen
8	✓ 	19 Cato Ln.	0	1	Jerry Lendway
9	✓ 	19 Cato Ln.	0	1	Kristin Lendway
10	✓ 	12 Harbor View Way	0	1	Judith A. Collatz
11			0	1	
12			0	1	
13			0	1	
14			0	1	
15			0	1	
16			0	1	
17			0	1	
18			0	1	
19			0	1	
20			0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified. For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (10) TEN

signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

Nancy L. Holmes
Judith Wodynshi
Carolyn A. Gould
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

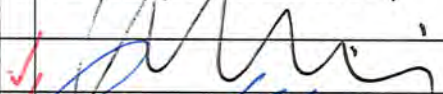
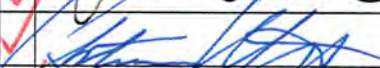
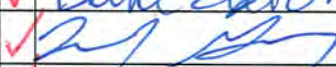
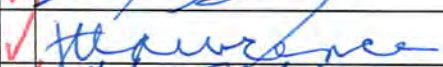
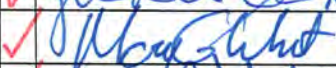
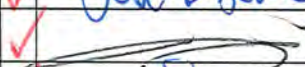
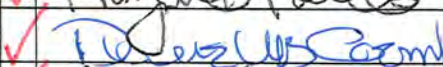
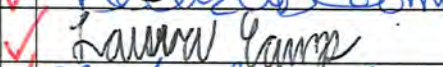
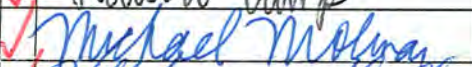
May 28, 2024
2:10 pm

~~For the purpose of considering~~ The attached article regarding Short term rentals.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III		
	C h e c k Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e d c o 1	P r e c o 1	PRINTED NAME
1	☒ 	27 LILY ST	0	1	ABIGAIL CAMI ^P
2	☒ 	40 VESPER	0	1	Christina Wiggins
3	☒ Diane Elliott	28 Lily St	0	1	Diane Elliott
4	☒ 	32 Lily St.	0	1	Richard Gray
5	☒ 	32 Lily St	0	1	Joanne Lawrence
6	☒ 	35 Lily St	0	1	Mary G West
7	☒ 	3 CHASE WAY	0	1	ANNE SCHMIDT
8	☒ 	27 LILY ST	0	1	ELIZABETH CAMP
9	☒ 	28 Burnell St	0	1	Mary SMITH
10	☒ Raymond Pohls	24 Pine Street	0	1	Raymond Pohls
11	☒ 	44 UNION ST	0	1	DAE W B COOMBS
12	☒ Laura Camp	10 Mount Vernon St	0	1	LAURA CAMP
13	☒ 	99 Orange St	0	1	MICHAEL MOLINAR
14	☒ 	45 fairgroves Rd	0	1	HOLLY WITTIGELL
15	☒ 	21 Hummock Pond	0	1	Peter Sendelbach
16	☒ 	21 Hummock Pond Road	0	1	Otto Stark Sendelbach
17	☒ 	106 W. CHESTER ST	0	1	MARTIN MCKERROW
18	☒ Renee Hanan	23 Lily St	0	1	RENEE HANAN
19	☒ C. Addison Hanan	23 Lily St.	0	1	CADDISON HANAN
20	☒ Jeannette Wiggs	15 HEDDLEWOOD	0	1	JEANNE RIGGS

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check this ☒ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

- N B no such registered voter at that address.
- S B unable to identify signature or address as that of
- W B wrong district or community.
- T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (20) Twenty signatures checked this ☒ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)
Carolyn A. Gould
Marcy A. Holmes
Judith Wodynski
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by
Registrars
May 28, 2024
2:10 pm

~~for the purpose of considering~~ the attached
article regarding short term rentals

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I		II	III	
	C Signatures to be made in h person with name e substantially as registered c (except in case of physical k disability as stated above)	Now Living At (Street and Number)	W a r r e d c o l	P r e c o l P R I N T E D N A M E
1	✓ <i>Anne Dewez</i>	5 Mill Street	0	1 Anne Dewez
2	✓ <i>Laura Deane</i>	17 Heavens St.	0	1 LAURA DEANE
3	✓ <i>Chuck Davis</i>	15 Mill St	0	1 CHUCK DAVIS
4	✓ <i>Lindsay Weyer</i>	3 Marsh Hawk	0	1 Lindsay Weyer
5	✓ <i>Christine Senfrel</i>	3 Mill St.	0	1 Christine Senfrel
6	✓ <i>Sam Baker</i>	30 Hussey St	0	1 Sam Baker
7	✓ <i>Dorothy B Baker</i>	30 Hussey St	0	1 Dorothy B. Baker
8	✓ <i>Nancy Camara</i>	105 Goldfinch Dr	0	1 Nancy Camara
9	✓ <i>Tammy Murphy</i>	2 Daffodil Ln	0	1 Tammy Murphy
10	✓ <i>Mary Howell</i>	4 Copper Lane	0	1 Mary Howell
11	✓ <i>Susan Campese</i>	5 Gloucester St.	0	1 Susan Campese
12	✓ <i>Edmund Liddle</i>	7 Mill St	0	1 Edmund Liddle
13	✓ <i>Deborah Beale</i>	9 Sherburne Commons	0	1 Deborah Beale
14	✓ <i>Ann B Oliver</i>	24 Sherburne Commons	0	1 Ann B Oliver
15	✓ <i>Stephen Surtis</i>	50 MIA Comet Ave	0	1 STEPHEN SURTIS
16	✓ <i>J P Caron II</i>	16.5 Wydale Rd	0	1 J P Caron II
17	✓ <i>Polly Thayer Miles</i>	9 Old Quodret Mill Rte.	0	1 Polly Thayer Miles
18	✓ <i>Nathaniel Philbrick</i>	4 Silver St.	0	1 Nathaniel Philbrick
19	✓ <i>Melissa Philbrick</i>	4 Silver St.	0	1 Melissa Philbrick
20	✓ <i>Virginia Kinney</i>	3 1/2 Silver St.	0	1 VIRGINIA KINNEY

Instructions to Registrars

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Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (20) Twenty
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Judith Wodzynski
Spacy 2 Holmes
Carolyn A. Gould
Registrars of Voters of the Town of Nantucket

DATE and TIME this paper received by Registrars
May 28, 2024
2:10pm

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

~~Consider the proposed~~ considering the attached article regarding short term rentals.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III			
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e d	P r e c	PRINTED NAME
				0	1	
1	✓	<i>Leigh Marr</i>	61C Masadah Ln	0	1	Leigh Marr
2	✓	<i>Tana O'Keefe</i>	3 Burnt Swamp Ln	0	1	Tana O'Keefe
3	✓	<i>Leslie Forbes</i>	19 LONG POND DR	0	1	LESLIE FORBES
4	✓	<i>David D. Werth</i>	19 LONG POND DR	0	1	DAVID D. WERTH
5	✓	<i>Noel Berry</i>	16 WOODBURY LANE	0	1	NOEL BERRY
6	✓	<i>Paul J Bruno</i>	16 WOODBURY LANE	0	1	PAUL J BRUNO
7	✓	<i>Catha Ray</i>	7 GOLD STAR DR	0	1	Catha Ray
8	✓	<i>Emily Pihl</i>	15 MIZZENMAST Rd	0	1	EMILY PIHL
9	✓	<i>Barbara Holsted</i>	14 Lyon St	0	1	Barbara Holsted
10	✓	<i>Toni B. McKereau</i>	106 West Chester St	0	1	Toni B. McKereau
11	✓	<i>Alline Grider</i>	10 F STREET	0	1	Alline GRIDER
12	✓	<i>Catherine M Slattery</i>	261 Madaket Rd	0	1	Catherine M Slattery
13	✓	<i>V.E. Girvan Liptona</i>	11 Midland Ave	0	1	V.E. Girvan Liptona
14	✓	<i>Joseph P. Liptona</i>	11 Midland Ave	0	1	Joseph P. Liptona
15	✓	<i>Jocelyn Duffey</i>	12 Long Pond	0	1	Jocelyn Duffey
16	✓	<i>Paul Genis</i>	12 Long Pond Dr.	0	1	PAUL GENIS
17	✓	<i>Elizabeth Braun</i>	90 W. CHESTER	0	1	ELIZABETH BRAUN
18	✓	<i>Kramer Johnson</i>	54 ESSEX RD	0	1	Kramer Johnson
19	✓	<i>Kathryn Coyne</i>	17 Long Pond DR.	0	1	Kathryn Coyne
20	✓	<i>John Coyne Jr.</i>	17 Long Pond Dr	0	1	John Coyne Jr.

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For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (20) twenty
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

[Signatures]
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote ~~_____~~

DATE and TIME this paper received by Registrars

May 28, 2024
2:10 pm

~~_____~~
purpose of considering the attached article regarding short term rentals

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

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I		II	III			
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e n t e d	P r e s e n t	PRINTED NAME
1	✓	PHARDING	3 Saxeamin Way	0	1	Patricia Harding
2	✓	M Fale	52 Cato Ln	0	1	Maria Fale
3	✓	Howard	16 Polpis	0	1	Ellie Howard
4	✓	N. Ridge	97 Goldfinch	0	1	Nicole Ridge
5	✓	M. Sybert	3 meadowview Drive	0	1	Madeleine Sybert
6	N	C. Collins	6 Tripp Drive	0	1	Courtney Collins
7	N	J. Spence	693 Vestal St.	0	1	Gail Spence
8	N	G. Myers	28 Kelly Rd	0	1	Gillian Myers
9	✓	M. Lepore	87A Skyline Drive	0	1	Mercedith Lepore
10	✓	C. McLaughlin	30 Essex Rd	0	1	Carol McLaughlin
11	✓	S. Kirk	8 Bayberry Ct #4	0	1	Sarah Kirk
12	✓	C. Lepore	48 Prospect St.	0	1	Kathleen Lepore
13	✓	EPH Lepore	48 PROSPECT	0	1	EPH LEPORE
14	✓	Ayesha Khan	11 South Valley Rd.	0	1	Ayesha Khan
15	✓	Jerry W. Adams	6 MEADOWVIEW DR	0	1	Jerry W. Adams
16	✓	Paola Velez	73 D Himsdale Rd	0	1	Paola Velez
17	✓	Cynthia C vonKampen	84 Skyline Dr	0	1	Cynthia C vonKampen
18	✓	Sally Obrenski	7 Kelley Rd	0	1	Sally Obrenski
19	✓	Audrey Obrenski	7 Kelley Rd	0	1	Audrey Obrenski
20	✓	William Obrenski	7 Kelley Rd	0	1	William Obrenski

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W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (17) Seventeen
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Judith W. Woodman
Carolyn A. Gould
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

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DATE and TIME this paper received by Registrars
May 28, 2024
2:10 pm

~~_____~~

~~The purpose of considering~~ the attached article regarding short term rentals

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	C h e c k S ignatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r a n t e d P r e s e n t e d	PRINTED NAME
1	✓ <i>Patricia Wright</i>	10 Cherry St. 02554	0 1	Patricia Wright
2	✓ <i>Reginald Levine</i>	1 Prospect St 02554	0 1	Reginald Levine
3	✓ <i>Max J. Wolf</i>	14 Fair Street	0 1	Max J. Wolf
4	S <i>Faith Trable</i>	315 Polpis Rd	0 1	Faith Trable
5	✓ <i>P. Anderson</i>	13 Deer Run.	0 1	P. Anderson
6	✓ <i>Jan Kuptch</i>	27 Meadow View	0 1	J. KUPATEK
7	✓ <i>Yvette St. Jean</i>	33 First Way	0 1	Yvette St. Jean
8	✓ <i>Robert S. Elger</i>	48 Shakespeare Green	0 1	Robert S. Elger
9	✓ <i>Shelc Darn</i>	24 Bluebird	0 1	Shelc Darn
10	S <i>Merrilee Wing</i>	90 Box 2902	0 1	Merrilee Wing
11	✓ <i>Whitney Burt</i>	60 N. Cambridge	0 1	Whitney Burt
12	✓ <i>Birith Rustad</i>	85 Goldsmith Dr.	0 1	Birith Rustad
13	✓ <i>Normand Berthelotte</i>	85 Goldsmith Dr.	0 1	Normand Berthelotte
14	✓ <i>Lucy Bixby</i>	24 Gloucester St.	0 1	Lucy BIXBY
15	✓ <i>Coastance Congdon</i>	4 Pine St	0 1	Coastance Congdon
16	✓ <i>Joe Hammer</i>	14A Fair St	0 1	JOE HAMMER
17	✓ <i>Stacey Sparr</i>	854 Polpis	0 1	STACEY SPARR
18	✓ <i>Peter J. Greenholz</i>	254 Polpis	0 1	Peter J. Greenholz
19	✓ <i>Mike Wood</i>	14 Fair St.	0 1	Mike Wood
20	✓ <i>Erica Ellis Wideman</i>	14 Macomet Ave	0 1	ERICA ELLIS WIDEMAN

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (18) Eighteen signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

Carolyn A. Gould
Priscilla Holmes
Judith Wodynski
Registrars of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by
Registrars

May 28, 2024
2:10 pm

~~Call a Special Town Meeting for the~~
purpose of considering the attached
article regarding short term rental.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III			
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W	P	PRINTED NAME
				a r d	r e c	
1		Charity Bend	5 HILLSTONE CROSSING	0	1	CHARITY BEND
2		Bill Atherton	18 Syjam Road	0	1	BILL ATHERTON
3	✓	D. Anne R. Atherton	48 Syjam Road	0	1	D. ANNE ATHERTON
4				0	1	
5				0	1	
6				0	1	
7				0	1	
8				0	1	
9				0	1	
10				0	1	
11				0	1	
12				0	1	
13				0	1	
14				0	1	
15				0	1	
16				0	1	
17				0	1	
18				0	1	
19				0	1	
20				0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check this ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (1) one
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Judith Wodynski
Carolyn A. Gould
Nancy Z. Holmes
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

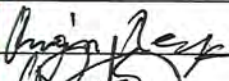
May 28, 2024
2:10 pm

~~Call a Special Town Meeting~~
~~for the purpose of considering~~
the attached article regarding
short term rentals.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II		III	
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e n t c o d e	PRINTED NAME
1	✓		10 ORCHID PL APT 1-A	0 1	AMIN REXES
2	✓		9a Cynthia LN	0 1	Fausto J. Paniagua
3	✓		2 wildflower RD	0 1	Yodira Fernandez
4				0 1	
5				0 1	
6				0 1	
7				0 1	
8				0 1	
9				0 1	
10				0 1	
11				0 1	
12				0 1	
13				0 1	
14				0 1	
15				0 1	
16				0 1	
17				0 1	
18				0 1	
19				0 1	
20				0 1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

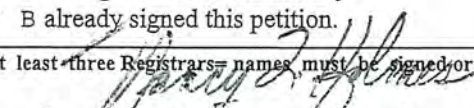
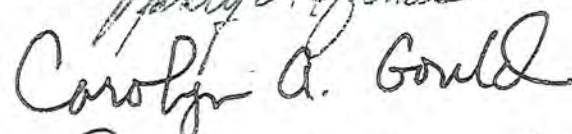
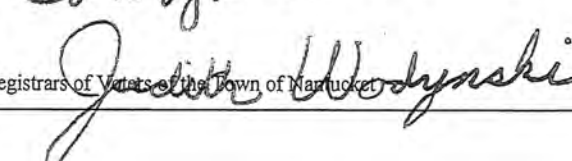
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (3) THREE
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)




Registrars of Voters of the Town of Nantucket

Citizen Warrant Article

Primary Sponsor Name: Pamela Perun

Address: 4 Roberts Lane, Nantucket, MA

Email: justpjp@gmail.com

Phone #: 508 825-2195

Warrant Article Title: General Bylaw Amendment Regulating the
Operation of Short-Term Rentals

To see if the Town will vote to (may attach body of article on separate page):

Expand the definition of businesses prohibited from
operating short-term rentals

By: Pamela Perun

Date: May 29, 2024

(General Bylaw Amendment Regulating the Operation of Short-Term Rentals)

To see if the Town will vote to amend Chapter 123 (Short-Term Rentals) of the Code of the Town of Nantucket as follows:

1. Amend § 123-2 (Definitions), by substituting the following new definition for the existing definition of Corporation.

CORPORATION

~~All businesses and charitable entities required to file Articles of Incorporation and Annual Reports with the Massachusetts Secretary of State or an equivalent agency of another state, pursuant to G.L. c. 156D, § 2 or G.L. c. 180, § 4, respectively.~~

Any entity organized under the law of any state or country which is taxable as a corporation under the Internal Revenue Code, or which would be taxable thereunder as a corporation if it had become taxable under the Internal Revenue Code. Such entities shall include without limitations corporations, limited liability companies which are taxed as corporations, and so-called Massachusetts Business Trusts, provided, however, that a limited liability company and an S corporation shall not treated as Corporations when every shareholder, partner, member is a natural person, as established by documentation provided by the applicant as required at the time of registration and subsequently thereafter from time to time as required under regulations established under this Chapter.

2. Amend § 123-2 (Definitions), by inserting the following terms and definitions and inserting them in alphabetical order.

INTERNAL REVENUE CODE

The United States Internal Revenue Code of 1986, as amended.

PARTNERSHIP

Any entity organized under the law of any state or country which is taxable as a partnership under the Internal Revenue Code, or which would be taxable thereunder as a partnership if it had become taxable under the Internal Revenue Code. Such entities shall include without limitation general partnerships, limited partnerships, and limited liability partnerships taxed as partnerships.

REAL ESTATE INVESTMENT TRUST

Any entity defined in Internal Revenue Code, §856.

3. Amend §123-3 (Registration, Permitting, Prohibitions, Inspection and Fees) as follows:

H. Short-Term Rentals are prohibited in dwelling units owned by a Corporation, **Partnership, Real Estate Investment Trust, or any similar entity which pools funds from investors and is engaged primarily in investment activity.** ~~Short-Term Rentals are permitted in dwelling units owned by a limited liability company, Trust, or S-Corporation only when every shareholder, partner, or member of the legal entity is a natural person, as established by documentation provided by the applicant at the time of registration.~~

Or to take any action relative thereto.

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

if the Town will vote to:

DATE and TIME this paper received by Registrars

MAY 29, 2024
2:55

Expand the definition of businesses

Prohibited from operating short-term rentals. Page 1

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III			
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W	P	PRINTED NAME (And Previous Residence if different than column II)
				a r d	r e c	
1	✓		4 Roberts Lane	0	1	Pamela Perun
2	✓		11 Vesper Ln	0	1	ROBERT SARVIS
3	✓		50 VESTAL ST.	0	1	PATRICIA M. BIDER
4	✓		17 York St	0	1	Nigel Goss
5	✓		1 Field Ave.	0	1	Chris Hanson
6	✓		101 Sankaty Rd	0	1	Patricia Rose
7	✓		101 Sankaty Rd	0	1	Kenneth Rose
8	✓		10 Fair St	0	1	Melissa Nassbaum
9	✓		144 ORANGE ST	0	1	SUSAN E. ROBINSON
10	✓		3 APPLETON RD	0	1	Louis GUKENUACCA
11	✓		Janice E. Ellsworth	0	1	Janice E. Ellsworth
12	✓		6 old Tom Newick Rd	0	1	Deirdre Duffy
13	✓		6 Farmer Street	0	1	Juelith Belash
14	✓		52R Hooper Farm Rd.	0	1	Calista West
15	✓		6 Farmer Street	0	1	JOHN W. BELASH
16	✓		4 Rides Lane	0	1	Brian King
17	✓		11 S Shore Rd	0	1	Sara Boyce
18	✓		2 Maclean Ln	0	1	Colleen Murphy
19	✓		14 Cynthia Ln	0	1	Henriette B. Tardif
20	✓		254 Market Rd	0	1	Henry C. Ross

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified. For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (20) twenty signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

May 29, 2024 2:55p

Expand the definition of businesses

Prohibited from operating short-term rentals.

Page 2

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III		
C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W	P	PRINTED NAME (And Previous Residence if different than column II)
			a r d	r e c	
1	✓ <i>Justine P Connors</i>	23 Atlantic Ave	0	1	Justine P. Connors
2	✓ <i>Barbara Holsted</i>	14 Lynn St	0	1	Barbara Holsted
3	✓ <i>Terry Lendway</i>	19 CATO LN.	0	1	Terry Lendway
4	✓ <i>Isaiah Williams</i>	53 Skyline Dr.	0	1	Isaiah Williams
5	✓ <i>Shiria Mahjoubi</i>	33 Pleasant St	0	1	Shiria Mahjoubi
6	✓ <i>Tina M Lorenzen</i>	21 West York Lane	0	1	TINA M LORENZEN
7	✓ <i>Rosemary McLaughlin</i>	39 Surfside Rd	0	1	ROSEMARY MCLAUGHLIN
8	✓ <i>Hillary H. Rayport</i>	89 Marsh St.	0	1	Hillary H. Rayport
9	✓ <i>Georgia Ann Snell</i>	7 Wamasquid Place	0	1	GEORGIA Ann Snell
10	✓ <i>Bruce D. Miller</i>	4 HENDERSON DR	0	1	BRUCE D. MILLER
11	✓ <i>Jeanne Miller</i>	4 Hendersons Dr.	0	1	Jeanne Miller
12	✓ <i>Casey Lendway</i>	19 Cato lane	0	1	casey Lendway
13	✓ <i>Judith A. Collatz</i>	12 Harbor View Way	0	1	Judith A. Collatz
14	✓ <i>Frances Karttunen</i>	67 Center Street	0	1	Frances Karttunen
15	✓ <i>Mary Bergman</i>	15 Nanina Drive	0	1	Mary Bergman
16	✓ <i>Margaret Carr</i>	73 Bartlett Rd	0	1	Margaret Carr
17	✓ <i>Allen B. Reinhard</i>	4 Eagles wing way	0	1	Allen B. REINHARD
18	✓ <i>Kezia Duarte</i>	3 Cedar Circle	0	1	Kezia Duarte
19	✓ <i>John A Copenhaver</i>	3 N. LIBERTY St.	0	1	JOHN A COPENHAVER
20	✓ <i>Lynn R Blake Jr</i>	11 LAUREN LA	0	1	LYNN R BLAKE JR

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified.

For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (20) twenty signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars— names must be signed or stamped below)

Mary D. Holmes
Judith Wodyski
Carolyn A. Gould
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

May 29, 2024 2:55

Expand the definition of businesses

Prohibited from operating short-term rentals. page 3

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III	
C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r a n t	P r e s e n c e
			PRINTED NAME (And Previous Residence if different than column II)	
1			0	1
2	✓ Campbell Sutter	15 Appleton Rd	0	1
3	✓ Elizabeth Sutter-Sims	15 Appleton	0	1
4	✓ Rick Atterton	48 Squam Road	0	1
5	✓ [Signature]	7 FAIRFIELD ST	0	1
6	✓ [Signature]	10 Gloucester St	0	1
7	✓ Teresa Cook	50 Chicory Place	0	1
8	✓ Emily Molden	139.5 HUMMOCK POND RD	0	1
9	N Anna Day	77B Skyline Dr	0	1
10			0	1
11			0	1
12			0	1
13			0	1
14			0	1
15			0	1
16			0	1
17			0	1
18			0	1
19			0	1
20			0	1

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (7) Seven
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

Judith W. Wodyski
Carolyn A. Gould
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

May 29, 2024 2:55

Expand the definition of businesses

Prohibited from operating short-term rentals. Page 4

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II		III	
C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W	P	PRINTED NAME (And Previous Residence if different than column II)
			a r d	r e c	
1	✓ Paul R. Connors	23 ATLANTIC AVE	0	1	PAUL R. CONNORS
2	✓ Kristin C. Lendway	19 Cato lane	0	1	Kristin Lendway
3	✓ Skylar Lendway	19 Cato Lane	0	1	Skylar Lendway
4	✓ Abigail Camp	27 Lily Street	0	1	ABIGAIL CAMP
5	✓ Elizabeth Camp	27 Lily St.	0	1	ELIZABETH CAMP
6	✓ Mary West	35 Lily St	0	1	Mary West
7	✓ Diane Elliott	28 Lily St	0	1	Diane ELLIOTT
8	Elizabeth Camp	27 LILY ST.	0	1	ELIZABETH CAMP
9	✓ John T. Dammin	12 New Mill St	0	1	John T. Dammin
10			0	1	
11			0	1	
12			0	1	
13			0	1	
14			0	1	
15			0	1	
16			0	1	
17			0	1	
18			0	1	
19			0	1	
20			0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified. For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (8) eight signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

Carolyn A. Gould
Judith Wodynski
Registrars of Voters of the Town of Nantucket
Mary J. Holmes

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

Expand the definition of businesses prohibited from operating short-term rentals pages

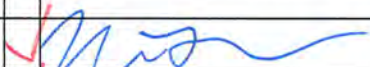
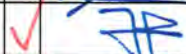
DATE and TIME this paper received by Registrars

May 29, 2024 2:55

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III		
	C Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r d	P r e c	PRINTED NAME (And Previous Residence if different than column II)
			0	1	
1		76 Somerset Rd	0	1	Kimberly Lattippe
2		2 wildflower RD	0	1	Yodira Fernandez
3		4 Calchast Lane	0	1	JURGITA BUDAITE
4		10 Martins Lane	0	1	Albert Messina
5		5 Althea's Ln.	0	1	P. Budzynski
6		2 Creek Lane	0	1	Lisa Linton
7		213 greglen ave	0	1	Sandra Reynoso
8		5 Williams St	0	1	Aisha Kanner
9		7 Sesapana Rd	0	1	Barbara Dale
10		73 orange st	0	1	Anne Lynn
11		6 Keel Lane	0	1	JANE P. ROCHE
12		1 Keel Lane	0	1	MICHAEL J. ROCHE
13			0	1	
14			0	1	
15			0	1	
16			0	1	
17			0	1	
18			0	1	
19			0	1	
20			0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (11) eleven signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

Marcy Z. Holmes
Judith Wodynski
Carolyn A. Gould

Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

May 29, 2024 2:55

Expand the definition of businesses prohibited from operating short-term rentals

Page 6

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III	
C	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W P a r e d c 0 1	PRINTED NAME (And Previous Residence if different than column II)
1	☒	5 MILESTONE CROSSING	0 1	C.I. BENZ
2	☒	10 Cherry St.	0 1	Patsy Wright
3	☒	71 Milestone Rd	0 1	ELIN CAREY
4	☒	71 Milestone	0 1	Frank Duto
5	☒	71 Milestone Rd	0 1	Catherine Boulter
6	☒	71 Milestone Rd	0 1	Eleanor Goldstein
7	☒	65 Milestone Rd	0 1	Joyce Bernier
8	☒	44 Tennessee Ave	0 1	David B. King
9	☒	44 Tennessee Ave	0 1	Beverly Hall
10	☒	10 N. Cambridge St	0 1	Whitney Burr
11	☒	53 Norquanta	0 1	Yvonne King
12	☒	1 Prospect St.	0 1	Reginald Leving
13	☒	71 Milestone Rd	0 1	Mark Anderson
14	☒	4A Evergreen way	0 1	Nate Leibowitz
15	☒	11 Nohadeer Way	0 1	Noah Davidson
16	☒	14 Fair Street	0 1	Max Wolf
17	☒	14 Fair Street	0 1	Audre'A Oilly Wolf
18	☒	35 Surfside	0 1	
19	☒	2 Newtown Rd.	0 1	Becky Mack
20	☒	16 Green Medgyn	0 1	Diana M. Huel

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ☒ against the name of qualified voter to be certified. For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (19) NINETEEN signatures checked thus ☒ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

May 29, 2024 2:55

Expand the definition of businesses

Prohibited from operating short-term rentals. page 7

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III			
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r d c	P r e s e n t c	PRINTED NAME (And Previous Residence if different than column II)
1	✓	Cathy Ward	4A Sunn St.	0	1	CATHERINE WARD
2	✓	Lyn C. Boyajian	27 Pine St	0	1	Lyn C Boyajian
3	✓	Melissa Philbrick	4 Silver St	0	1	Melissa Philbrick
4	✓	Nathaniel Philbrick	4 Silver St.	0	1	Nathaniel Philbrick
5	✓	Julie A Fitzgerald	1 New Hummock Cr	0	1	Julie A Fitzgerald
6	✓	Jennifer Anderson	6 M St.	0	1	Jennifer Anderson
7	✓	Renee Hanan	23 Lily St.	0	1	Renee Hanan
8	✓	Paul LaPaglia	5 Atlantic	0	1	Paul LaPaglia
9	✓	Thomas Daly	72 Hummock Pond Rd	0	1	Thomas Daly
10	✓	Scott A. Anderson	6 M St.	0	1	
11	✓	Elizabeth Wrigg	15 Clifton Sr	0	1	Elizabeth Wrigg
12	✓	JAWIGGS	15 CLIFTON SR	0	1	JAWIGGS
13	✓	LEANNE W. RIGGS	18 MEADOWS LCU	0	1	LEANNE W. RIGGS
14	✓	CAROLINE A. ELLIS	8 GUAISE PASTORS	0	1	CAROLINE A. ELLIS
15	✓	Shaele Deane	24 Bluebird	0	1	Shaele Deane
16	✓	Polly Thayer Miller	9 Old Quodret Milk Lk	0	1	Polly Thayer Miller
17	✓	G. Nicholas Miller	9 Old Quodret Milk Pte	0	1	G. Nicholas Miller
18	✓	Danny Newhouse	15 Liberty St.	0	1	Danny Newhouse
19	✓	Sunny Daily	6 Nanna Dr.	0	1	Sunny Daily
20	✓	Betty MacDonald	10 Presella Lane	0	1	Betty MacDonald

Instructions to Registrars

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (20) twenty
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars - names must be signed or stamped below)

Carolyn A. Gould
Judith Wodyski
Carolyn A. Gould
Registrars or Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

Registrars

To see if the Town will vote to:

May 29, 2024 2:53

Expand the definition of businesses

Prohibited from operating short-term rentals.

Page 7 a

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II		III	
C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r d	P r e c	PRINTED NAME (And Previous Re if different than co
			0	1	
1	Cathy Ward	4A Silver St.	0	1	CATHERINE
2	John C. B.	27 Pine St	0	1	Lyn C. Boya
3	Melissa Philbrick	4 Silver St	0	1	Melissa Philbrick
4	Michael Philbrick	4 Silver St.	0	1	Nathaniel P.
5	Julie A. Fitzgerald	1 New Hummock Cr.	0	1	Julie A. Fitzgerald
6	Madeline	6 M St.	0	1	Jennifer
7	Renee Hanon	23 Lily St.	0	1	Renee Hanon
8	Paul A. Pasternak	5 Atlantic	0	1	Paul A. Pasternak
9	Thomas Daly	72 Hummock Pond Rd	0	1	Thomas D.
10	Scott H. Anderson	6 M St.	0	1	
11	Elizabeth	15 Clifton St	0	1	Elizabeth
12	John A. Hurd	15 Clifton St	0	1	John A. Hurd
13	Leanne Wiggs	18 Meadowcroft Ln	0	1	LEANNE WIGGS
14	Carolyn Allen	8 QUAIL PASTURE	0	1	CAROLYN A.
15	Shelley Dan	24 Bluebird	0	1	Shelley Dan
16	Fredrick P. McClure	98 Hummock Pond Rd	0	1	FREDERICK McCLURE
17	Kathryn Sheehan	6 Pond Road	0	1	Kathryn Sheehan
18	Clement Dukes	2 Salsbury Rd.	0	1	Clement Dukes
19	Annex Wright	40 Center Street	0	1	Annex Wright
20	Julie Revere	26 Creech Ln.	0	1	Julie Revere

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T R already signed this petition

ORIGINAL
SIGNATURES

Citizen Warrant Article

D

190712

Primary Sponsor

Name: STEVEN COHEN
Address: 34 MAIN STREET, NANTUCKET, MA
Email: STEVEN@COHENLEGAL.NET 02554
Phone #: 508-221-3152

Warrant Article Title: STR-ZONING

To see if the Town will vote to (may attach body of article on separate page):

; or otherwise act thereon.

May 31, 2024
12:08 mes
3:27pm

ARTICLE _____

Zoning Bylaw Amendment - Regulating Short Term Rental

To see if the Town will vote to take the following actions in regard to the following Zoning Bylaw § 139-2 as follows

1. Amend § 139-2 (Definitions and Word Usage), by inserting the following new term and definition in alphabetical order.

SHORT-TERM RENTAL

A dwelling unit or portion(s) thereof that is not a transient residential facility, where: (i) at least one room or dwelling unit is rented to an occupant or sub-occupant; and (ii) all accommodations are reserved in advance. Rental periods with a change in occupancy in excess of 31 calendar days shall not be considered a short-term rental. The rental of property for a total of 14 days or less in any calendar year shall not be considered a short-term rental.

ACCESSORY SHORT-TERM RENTAL

A Short-Term Rental use that complies with this bylaw.

2. Amend § 139-7A (Use Chart) by inserting Accessory Short-Term Rental between Tertiary Dwelling and Apartment Building in the Use column and inserting the designation Y in all columns, except inserting N the Commercial Industrial (CI) District column, with a Note: Subject to the requirements of § 139-38.

3. Add a new section to Chapter 139 as follows:

§139-38 ACCESSORY SHORT-TERM RENTALS

1. To qualify as an Accessory Short-Term Rental, the dwelling unit or portion thereof shall only be rented as a Short-Term Rental in the aggregate for less than half of the calendar year.
2. Beginning on May 1, 2025, all Accessory Short-Term Rentals occur only concurrent to the operator obtaining and maintaining a valid Certificate of Registration for such from the Nantucket Health Department for and during the period of use, pursuant to the regulations set forth in Section 123 of the Code of the Town of Nantucket.

Or to take any other action related thereto.

(Steven Cohen)

NAME (PRINT)

SIGNATURE

RESIDENTIAL ADDRESS

- ✓ 1. Steven L. Chen *Steven Chen* 21 Flintlock Rd
- ✓ 2. Linda Williams *Linda Williams* 6 S. PASTURE LN
- ✓ 3. STEPHEN MAURY *Stephen Maury* 28 RUGGED RD
- ✓ 4. Catherine Ancero *Catherine Ancero* 7 Field Avenue
- ✓ 5. Richard Beaudette *Richard Beaudette* 3 Amc Drive
- ✓ 6. Evan Gerardi *Evan Gerardi* 6 S. PASTURE Lane
- ✓ 7. Bryan Swain *Bryan Swain* 19 Friendship Lane
- ✓ 8. Kevin F. Dale *Kevin F. Dale* 7 Sesayana Rd
- ✓ 9. Haren Motta *Haren Motta* 9 Swayze Dr.
- ✓ 10. Ana Maria Ribeiro *Ana M. Rip* 36 Flintlock Rd.
- ✓ 11. Yvette St Jean *Yvette St Jean* 33 First Way
- ✓ 12. Bernadette Meyer *B. Meyer* 307 Polpis Rd.
- ✓ 13. Maybelle Gibson *Maybelle Gibson* 4 Galsburn
- ✓ 14. Kay Gibson *Kay Gibson* 4 Galsburn
- ✓ 15. Gary Winn *Gary Winn* 42 Somerset Ln
- ✓ 16. Susan Blake-Laramy *Susan Blake-Laramy* 6 West Creek Rd
- ✓ 17. Schuyler Kuhl *Schuyler Kuhl* 2 Devon St.
- ✓ 18. Katherine Killian *Katherine Killian* 638 Lovers Lane
- ✓ 19. Mary Taaffe *Mary Taaffe* 20 Boulevard
- ✓ 20. Susan Chambers *Susan Chambers* 113 Somerset Rd
- ✓ 21. Joyce M Montalban *Joyce M Montalban* 140 Main St
- ✓ 22. Liam Bruno *Liam Bruno* 10 Monmouth Rd
- ✓ 23. Stephanie Watan *Stephanie Watan* 6 Hurlingham St.

NAME (PRINT)

SIGNATURE

RESIDENTIAL ADDRESS

24. Dalton Frazier Dalton 19 Centric St.
25. James Edward Britton Jr. James E. Britton Jr. 56 N Liberty St
26. Chris Kling Chris Kling 80 Goldfinch Tr.
27. Gillian Freter Gillian Freter 33 White Whale Ln
28. Anne Topham Anne Topham 18 Hummock Pond Rd
29. Peter Fowler Peter Fowler 12 Amelia dr
30. Barbara A. Reis Barbara A. Reis 27 Equator Dr.
31. Natalie Kaufman Natalie Kaufman 32 Milk St
32. Whitney Caldwell Whitney Caldwell 19 Kaer Ln
33. Kenneth Gillman Kenneth Gillman 18 B. 1 v. 2.
34. Jody Peterson Jody Peterson 30 Quaiser Rd
35. Robert Jackson Robert Jackson 29 MAY/S LN
36. Wendy Sannelle Wendy Sannelle 34 Gloucester St.
37. Magdalene Eddy Magdalene Eddy 12 Celtic Dr
38. Alison Hamrick Alison Hamrick 5 Kittiwake Ln
39. Carol Andersson Carol Andersson 1 Eucharlot Ln
40. Jon Hencke Jon Hencke 312 Friendship Ln
41. Jennifer Hudson Jennifer Hudson 54 Essex
42. Mary Coffin Marshman Mary Coffin Marshman 31 Ereter St.
43. Stuart & Borissonault Stuart & Borissonault 37 Orange St.
44. Damm Mayer Damm Mayer 8 Evergreen Way
45. Maria Waickowski Maria Waickowski 19 S Cambridge St.
46. Kristy Bonke Kristy Bonke 44 Essex

NAME (PRINT)

SIGNATURE

RESIDENTIAL ADDRESS

47. Ann B. Maury Ann B. Maury 22 Meadow View Dr.

48. EDWIN RUDD Ed 24 5A Pocktick Ave

49. Holly Viscio 22 Azarby Way

50. RICHARD J. GILSON 41 SOMERSET LN

51. Kimberly Greshin 15 Pine Tree Road

52. Alexandra LaFoglie 5 Atlantic Ave

53. Rebecca Miller Rebecca Miller 31 Hope Farm Rd

54. Johanna Richard 71 Tom Nevers

55. STACEY STUART 893 Baidhat Rd

56. Claire McCain 238 Madaket

57. Laura Barnes 12 Sweet Hill Lane

58. 5 Duvie Ct.

59. 66 Benarras

60. Paula McElmoy 2 Parker Lane

61. Scott Corey 32 Gloucester St.

62. Karolyi, Lexy 13 Dwindet Rd.

63. 5A 5th Ln

64. SUE JEMISON 22 NEW ST

65. Robin Suck 6 Sand Plane

66. DAVID Suck 6 Sand Plane

67. Katherine Davidson 4 Step

68. Sarah Punnett 49 Milk St

69. Liza Halton 8 Meeting house Ln

	NAME (PRINT)	SIGNATURE	RESIDENTIAL ADDRESS
70.	J. BROST Taramella	[Signature]	20 ATLANTIC AVE.
71.	[Signature]	[Signature]	2 ^{DOOLEY} DOWLING G
72.	Gaelan Truymen	[Signature]	10 POLLWOG
73.	Dorel Lynch	[Signature]	30 Somerst
74.	gina ocallaghan	[Signature]	16 Boulevard
75.	Lara Hanson	[Signature]	95 Orange Street
76.	Robert Lang	[Signature]	4 Plum Ln.
77.	KAREEM TATA	[Signature]	4c Folger Ave.
78.	Norm Frazee	[Signature]	12 Clark Dr
79.	Timothy White	[Signature]	42 E Wobadeer Farm
80.	PENROPS DEY	[Signature]	17 WARREN ST.
81.	EDUARDO SANFAS	[Signature]	12 DOLRYDEN DR
82.	NIHORE BONSQUET	Nim Bonsquet	4 Pinkham Circle
83.	CARY TURNER	[Signature]	3 TOPPING LIFT
84.	GREG McKECHNIE	[Signature]	50 DUKES ROAD
N 85.	Carlos Castrejo	[Signature]	2 BLUESTEM APT 10
86.	Savannah Haddon	[Signature]	17 Evergreen Way
87.	A Valdez	[Signature]	110 Pleasant St. Apt A
88.	John Bailing	[Signature]	11 Wobadeer Way
89.	DAN BAILING	[Signature]	106 Fairgrounds Rd
90.	Heather Kaiser	[Signature]	43 MILLSPOOK
91.	Susan Bailer	[Signature]	66 Fairgreen BLVD
92.	Christopher Oberg	[Signature]	35 GLOUCESTER ST

NAME (PRINT)

SIGNATURE

RESIDENTIAL ADDRESS

93. ~~Christopher Cheng~~ ~~Christopher Cheng~~ 35 GLOUCESTER ST
94. ~~Michael Wilson~~ ~~Michael Wilson~~ 7 CORNWALL ST.
95. ~~Emeralda Martinez~~ ~~Emeralda Martinez~~ 6 Larrabee Lane
96. Kelsey Tejada Kelsey Tejada 6 Larrabee Lane
97. Joseph Martinez Joseph Martinez 6 Larrabee Lane
98. HOLLY BACKUS Holly Backus 3208 PUPIS RD
99. DAWN E HILL HOLDGATE Dawn E Hill 2 VESPER LN
100. Amy Eldridge Amy Eldridge 516 Sankaty
101. Sha Cuello Martinez Sha Cuello 134 1st Way
102. Elizabeth Eldridge Elizabeth Eldridge 56 Sankaty
103. Stephen Theron Stephen Theron 26 DARTMOUTH ST
104. Vanessa Moore Vanessa Moore 7B Chicory Pl
105. ~~Donna Redella~~ ~~Donna Redella~~ 4 White St
106. ANNA SAMUELS Anna Samuels 32 EVERGREEN WAY
107. Varth Muthur Varth Muthur 16 Hesper Pennel
108. Arlene Hardsy Arlene Hardsy 193 Hummock Rd
109. Faviola Montoya Faviola Montoya 136 Old South Rd
110. Laura Reduzzi Laura Reduzzi 3 Goldfinch Dr.
111. TENESHTIA CHENNIS Teneshtia Chennis 133 ORANGE ST
112. ~~Chen Hoan~~ ~~Chen Hoan~~ 13 Cypress
113. Jean Marie Grasng Jean Marie Grasng 12 Clarkson St
114. Audrey Anderson Audrey Anderson 23 Nanning Dr.
115. Christopher L Roy Christopher L Roy 6 Sturgis Pines Lane

NAME (PRINT)	SIGNATURE	RESIDENTIAL ADDRESS
116. LEO C. ASADOORIAN	Leo C. Asadoorian	19 EDWARD DR.
117. Chris Andrews	Chris Andrews	6 1/2 Daffodil Lane
118. Gary Stahl	Gary Stahl	31 Duffin Dr
119. Charles Yates	Charles Yates	18 Field Ave
120. Susan K Spring	Susan K Spring	33 Fair
121. John Kann	John Kann	80 Korwan Ave.
122. Gloria Grimsdale	Gloria Grimsdale	22 Juniper Rd.
123.		
124.		
125.		
126.		

CERTIFICATION OF SIGNATURES

We certify that (112) One hundred twelve
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this
petition.

(at least three Registrars names must be signed or stamped below)

Henry D. Holmes
Carolyn A. Gould
Judith Wodynski

Registrars of Voters of the Town of Nantucket

5

Citizen Warrant Article

Primary Sponsor

Name: STEVEN COHEN
Address: 34 MAIN ST, NANTUCKET, MA 02554
Email: STEVEN@COHENLEGAL.NET
Phone #: 508-221-3152

Warrant Article Title: TOWN CODE-STR

To see if the Town will vote to (may attach body of article on separate page):

; or otherwise act thereon.

M2/Helmes
May 30 2024
3:27 p.m.

ARTICLE _____

General Bylaw Amendment of the Town Code: Short-Term Rentals

To see if the Town will vote to take the following actions in regard to the following Chapter 123 of the Code of the Town of Nantucket:

Move that Chapter 123 of the Town Code (Short-Term Rentals) be struck and restated as follows *(and that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Nantucket)*:

Chapter 123:

Short-Term Rentals

§ 123-1. Purpose and Intent.

This bylaw is enacted pursuant to the Town's Home Rule Authority and the authority set forth in General Laws c. 64G, § 14 and is intended to:

- (1) Provide for an orderly process for identifying, registering, and regulating Short-Term Rentals within the Town so as to ensure that such Short-Term Rentals do not create or cause any nuisance conditions within the Town;
- (2) Prevent the further growth of residential dwellings owned by Corporations and used for the purpose of Short-Term Rentals;
- (3) Continue to permit the operation of Short-Term Rentals by natural persons in order to protect the time-honored tradition of home rentals in Nantucket;
- (4) Allow the Town to implement the Short-Term Rental registration process and to collect sufficient data to accurately assess the practice of Short-Term Rentals including the impact (if any) this practice may have on affordable/attainable housing and to substantially develop additional regulations, if such data demonstrates additional regulation is necessary.

§ 123-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CORPORATION

All businesses and charitable entities required to file Articles of Incorporation and Annual Reports with the Massachusetts Secretary of State or an equivalent agency of another state, pursuant to G.L. c. 156D, § 2 or G.L. c. 180, § 4, respectively.

OPERATOR

A person or other legal entity operating a short-term rental including, but not limited to, the owner or proprietor of such premises, the lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such short-term rental. It is the intent of this bylaw that the operator shall have the same meaning as set forth in General Laws c. 64G, § 1.

OWNER

Any person who alone, or severally with others, has legal or equitable title or beneficial interest in any dwelling unit; a mortgagee in possession; or agent, trustee or person appointed by the courts. An Owner can be a single person, a marital unit, a group of people, LLC, or a Trust. The Owner may also be referred to as the operator, or the Host.

SHORT-TERM RENTAL

A dwelling unit or portion(s) thereof that is not a transient residential facility, where: (i) at least one room or dwelling unit is rented to an occupant or sub-occupant; and (ii) all accommodations are reserved in advance. Rental periods with a change in occupancy in excess of 31 calendar days shall not be considered a short-term rental. The rental of property for a total of 14 days or less in any calendar year shall not be considered a short-term rental.

TIME-SHARING OR TIME-INTERVAL-OWNERSHIP DWELLING UNIT OR DWELLING

A dwelling unit or dwelling in which the exclusive right of use, possession or ownership circulates among various owners or lessees thereof in accordance with a fixed or floating time schedule on a periodically recurring basis, whether such use, possession or occupancy is subject to either: a time-share estate, in which the ownership or leasehold estate in property is devoted to a time-share fee (tenants in common, time-share ownership, interval ownership) and a time-share lease; or time-share use, including any contractual right of exclusive occupancy which does not fall within the definition of "time-share estate," including, but not limited to, a vacation license, prepaid hotel reservation, club membership, limited partnership or vacation bond, the use being inherently transient.

§ 123-3. Registration, Permitting, Prohibitions, Inspection and Fees.

- A. As of May 1, 2025, No no person or other legal entity shall operate a short-term rental without having first obtained a certificate of registration from the Board of Health. An application for a certificate of registration shall be on a form provided by the Town and shall contain the Department of Revenue identification number or proof of exemption under G.L. c. 64G. The operator shall provide with the application a certificate of registration issued by the Department of Revenue in accordance with § 67 of Chapter 62C of the General Laws. Separate leases, sub-

leases or changes of occupancy for different dwellings on the same lot shall require separate certificates of registration for each such dwelling unit.

- B. The annual fee for such certificate of registration shall be set forth in the regulations issued pursuant to § 123-4.
- C. The application for the certificate of registration shall include an attestation that the owner and/or operator is in compliance with all applicable federal, state and local laws, including but not limited to G.L. c. 64G and the Fair Housing Act, G.L. c. 151B, and local equivalents and regulations related thereto, and all other regulations applicable to residential dwellings, and that the owner and/or operator of the property is current with all Town taxes, water, and sewage charges and other fees, subject to the requirements of Chapter 19, §§ 13 through 18, of the Town Code. Any property offered for a short-term rental shall not have any outstanding building, sanitary, zoning, or fire code violations, orders of abatement, or stop work orders. Nothing contained herein shall relieve the owner or operator from complying with all local permits, rules and regulations issued by the Board of Health and other Town boards generally applicable to resident dwelling units.
- D. The Board of Health shall not issue any certificate of registration unless the Operator has:
- (1) submitted a complete application and paid all associated fees;
 - (2) Provided contact information for the owner, the operator, the intermediary (if there is one) and at least two persons designated to address any issues at the short-term rental within two hours' notice; and
 - (3) Provided the Town with a certificate of insurance evidencing liability insurance coverage for the short-term rental in an amount to be determined by the regulations issued pursuant to § 123-4; and
 - (4) Certified that the property has no known outstanding building, sanitary, zoning, or fire code violations, orders of abatement, or stop work orders.
 - (5) Certified that the property is compliant with Chapter 102, outdoor lighting, for all dwelling constructed after January 1, 2025 and for all properties beginning January 1, 2027.
 - (6) Certified that any exterior pool or spa on a property holding or seeking a certificate of registration is compliant with standards for low lumens lighting, as determined by the Board of Health, beginning on January 1, 2027.

- E. Operators are subject to inspection of the short-term rental by the Board of Health upon reasonable notice via consent or administrative warrant, or without such notice in the event of an imminent threat to public health or safety.
- F. Certificates of registration are valid for one calendar year and may be renewed at the discretion of the Town, provided that the operator has complied with the provisions of this chapter and any associated regulations during the preceding year. An application for renewal of a certificate of registration shall be submitted along with the annual fee no later than November 1 of the next year by the deadline set by the Board of Health. A renewal application shall include an attestation that the Short-Term Rental was operated in accordance with all bylaws and regulations of the Town during the previous year.
- G. The certificate of registration is issued to the operator and does not run with the land. If the short-term rental is sold or transferred out of ownership, a new application for a certificate of registration shall be filed by the new operator before short-term rentals can continue or resume. However, subject to the provisions herein, Short-Term Rental leases or subleases entered into under and within the period of a valid certificate of registration may be honored by a new operator of the Short-Term Rental during the pendency of an application for a new certificate of registration applicable to that property.
- H. Short-Term Rentals are prohibited in dwelling units owned by a Corporation. Short-Term Rentals are permitted in dwelling units owned by an LLC, Trust, or S Corporation only when every underlying shareholder, partner, or member of the legal entity is a natural person, as established by documentation provided by the applicant at the time of registration.
- I. Short-Term rentals are prohibited in dwelling units designated as affordable or otherwise income-restricted, which are subject to an affordability restriction or are otherwise subject to housing or rental assistance under local, state, or federal programs or law.
- J. No Time-Sharing or Time-Interval -Ownership Dwelling Unit or Units may engage in Short-Term Rental activities or be eligible to receive a Certificate of Registration for such unit; except that this section shall not apply to the creation of mortgages, liens, easements or other similar interests encumbering the residential property as a whole to secure a loan or for any other legitimate purposes; and this section shall not apply to natural persons or non-commercial groups, such as families, partnerships, associations, or trusts with divided interests or agreements in which the real estate is held and transferred within the family, partnership, association or trust, as opposed to sold in fractional or divided interests on the open market. In addition, Time-Share or Time-Interval Ownership Dwelling Units shall be exempt from Sections H, I, J and K, provide that the owner obtains a Certificate of Registration and provides sufficient

evidence that the Unit was rented to one of more third parties for at least one period of less than 30 days prior to January 1, 2024.

- K. Any person or other legal entity, except Corporations, but including LLC's, Trusts, and S Corporations, which paid the rooms excise tax on a Short-Term Rental dwelling unit in any calendar quarter prior to January 1, 2024 and which owned the property prior to May 7, 2024, shall be exempt from the requirements of Sections H, I, and J of this Chapter until the dwelling unit is transferred or conveyed, or the Rental Certificate is not renewed or is revoked by the Board of Health. If a property is bequeathed to a person or other beneficiary through a will, trust, or other instrument, the new owner may continue to engage in Short-Term Rental activities in accordance with this section.
- L. Within the months of July and August, each Certificate of Registration shall have no more than 9 lease or sub-lease contracts or changes of occupancy with different renters. This provision shall not apply to any lot for which any dwelling on the lot is the primary residence of one or more Owners.
- M. No person may hold all or a portion of not more than two (2) certificates of registration.
- i. Persons who paid the rooms excise tax for more than two (2) Short-Term Rentals in any calendar quarter prior to January 1, 2024 may hold an equivalent number of certificates of registration, limited only to those properties for which the tax was paid and not transferable to other Owners or to other properties, and may not obtain additional certificates of registration under this provision.
- ii. Properties containing more than two dwelling units that have been in use as Short-Term Rentals since January 1, 2000 or prior are exempt from the numerical limitation on the number of certificates of registration allowed to be held by any person in this provision.
- L. Each certificate of registration shall provide for the maximum number of occupants in each dwelling.
- M. All advertising for a short term rental shall include the certificate of registration number and the allocated maximum number of occupants.
- N. Any dwelling used as a short term rental shall prominently post the rules promulgated by the Board of Health, the applicable certificate of registration number, the designated occupancy for each dwelling, the contact information for the operator and at least two persons designated to address any issues at the short-term rental within two hours' notice, a process for trash disposal and recycling, a summary of the applicable hours of the noise by-law, a parking policy, and contact information for the Nantucket Police and Fire Departments.
- O. No short term renter may occupy a short term rental until the operator or their designee has verified the identity of the occupant, and obtained a signed

affirmation of the number of guests and acknowledgement of the applicable rules and regulations from them.

(p) On any property with more than two (2) dwellings, no more than two (2) dwelling units per lot, or equivalent density, may be used a short-term rental, which shall be designated on the certificate of registration. Properties containing more than two (2) dwelling units that have been in use as Short-Term Rentals since January 1, 2000 or prior are exempt from this provision.

(q) Short-Term Rentals are prohibited in tertiary dwellings and inclusionary housing.

§ 123-4. Regulations.

The Board of Health, subject to the approval of the Select Board, shall promulgate regulations to carry out and enforce the provisions of this chapter. Such regulations may also include but are not limited to requirements to insure that the operation of the short-term rental does not create or cause a nuisance to the surrounding neighborhood due to unreasonable noise, overburdening of parking areas, and other nuisance conditions.

§ 123-5. Enforcement.

- A. Whoever violates any provision of this bylaw or a regulation promulgated hereunder may be penalized by indictment or on complaint brought in the district court. The Town may seek to enjoin violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.
- B. Whoever violates any provision of this bylaw or a regulation promulgated hereunder may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws, Chapter 40, § 21D and the Town's non-criminal disposition bylaw (Chapter 1 of the Town Code). If noncriminal disposition is elected, then any person who violates any provision of this bylaw or regulation shall be subject to a penalty in the amount of \$100 for the first offense; \$200 for the second offense; and \$300 for a third and subsequent offense. Each day or portion thereof shall constitute a separate offense. The Board of Health or its agent, or any police officer of the Town, shall be the enforcing authority.
- C. If a notice of violation of this bylaw or any regulation promulgated hereunder or other order is issued to the operator or the owner of the property by the Board of Health or its designee, after a certificate of registration is issued, the Board of Health, after a hearing, may suspend for a period of time determined by the Board of Health or revoke said certificate of registration until the violation has been cured or otherwise resolved. Multiple violations by any operator may, at the discretion of the Board of Health and after a hearing, disqualify that operator from obtaining a certificate of registration for a period of up to three years.

- D. In accordance with G.L. c. 64G, § 14(v), the Town may assess a civil penalty not to exceed \$5,000 for any violation of this bylaw or a regulation issued hereunder. Each day a violation continues shall be considered a separate offense.

§ 123-6. Severability.

If any provision in this chapter shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

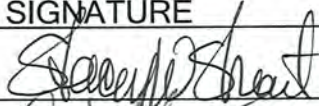
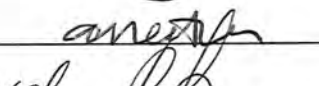
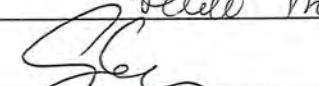
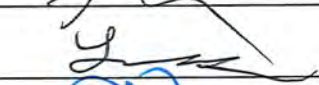
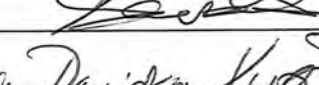
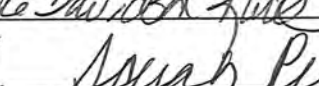
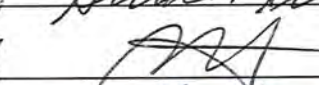
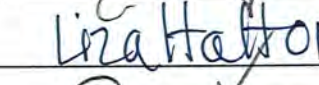
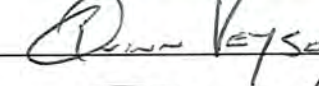
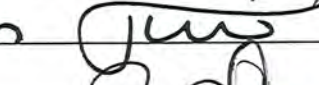
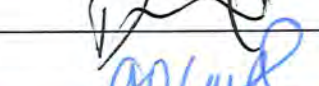
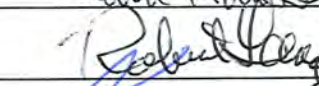
Or to take any other action related thereto.

(Steven Cohen)

NAME (PRINT)	SIGNATURE	RESIDENTIAL ADDRESS
1. STEVEN <u>STEVEN C. COHEN</u>	<u>Steven C. Cohen</u>	<u>21 Flintlock Rd</u>
2. <u>Linda Williams</u>	<u>[Signature]</u>	<u>6 S. PASTURE LN</u>
3. <u>STEPHEN MAURY</u>	<u>[Signature]</u>	<u>28 RUGGED RD</u>
4. <u>Catherine Ancora</u>	<u>Catherine Ancora</u>	<u>7 Field Avenue</u>
5. <u>Richard Beaudette</u>	<u>[Signature]</u>	<u>3 Anna Drive</u>
6. <u>Evan Gerardi</u>	<u>Evan Gerardi</u>	<u>6 S. PASTURE LN</u>
7. <u>Bryan Swan</u>	<u>[Signature]</u>	<u>19 Fairbury Ave</u>
8. <u>Kevin Dale</u>	<u>[Signature]</u>	<u>7 Sesquiana Rd</u>
9. <u>Laren Molta</u>	<u>Laren Molta</u>	<u>9 Swayze Dr.</u>
10. <u>Ana Maria Ribeiro</u>	<u>Ana M. Ribeiro</u>	<u>36 Flintlock Rd.</u>
11. <u>Vette St Jean</u>	<u>Vette St Jean</u>	<u>33 First Way</u>

NAME (PRINT)	SIGNATURE	RESIDENTIAL ADDRESS
12. Bernadette Mayer	B. Mayer	307 Polpis Rd.
13. Kay Ballah	K. Ballah	4 Pauls Rd.
14. M. Gibson	M. Gibson	4 Golfview
15. Schuyler Kuhl	X/K	2 Devon St.
16. [Signature]	Gary Winn	42 Somerston Ln
17. Susan Blake-Lazarus	[Signature]	6 West Creek Rd
18. Schuyler Kuhl	X/K	2 Devon St.
19. Katherine Killian	Katherine K	63 B Lovelock Lane
20. Mary Tauffe	Mary Tauffe	20 Boulevard
21. Susan Chambers	Susan Chambers	113 Somerset Rd.
22. Joyce M Montalbano	Joyce M Montalbano	140 MAIN ST
23. Liam Bruno	Liam Bruno	10 Monahansett Rd
24. Stephane Watkins	Stephane Watkins	6 Hutton St.
25. Dalton Frazer	Dalton Frazer	19 Centre St
26. James Edward Gillum	James E Gillum	56 N. Liberty St
27. Chris Kling	Chris Kling	80 Goldfinch Tr.
28. Gillian Freter	Gillian Freter	33 White Whale Ln
29. Anne Lapham	Anne Lapham	18 Hummock Pond Rd
30. Peter Fowler	Peter Fowler	12 Amelia dr
31. Barbara A. Reis	Barbara A Reis	27 Equator Dr.
32. Natalie Kaufman	N. Kaufman	32 Milk St.
33. M. K. G. G. G.	M. K. G. G. G.	19 Keel Ln
34. Kenneth L. L.	Kenneth L. L.	18 Pond View Dr.

NAME (PRINT)	SIGNATURE	RESIDENTIAL ADDRESS
35. Jody Petersen	J Petersen	30 Quarrel Rd
36. Robert Sarkisian	Robert Sarkisian	29 MACYS LN
37. Wendy Clinton-Jannelle	Wendy Clinton-Jannelle	34 Gloucester St.
38. Magdalen Eddy	Magdalen Eddy	12 Celtic Dr
39. Alison Wournach	Alison Wournach	5 Kithiwinke Ln
40. Carol Andersson	Carol Andersson	1 Cachalot Ln
41. Jon Hencke	Jon Hencke	3R Friendship Ln
42. Jennifer Hudson	JRHudson	54 Essex Rd
43. Mary Coffin Harshman	M Coffin Harshman	34 Exeter St.
44. Stuart Boissonnant	Stuart Boissonnant	37 Orange St.
45. Darrin Mayer	D Mayer	8 Evergreen Way
46. Maria Waickowski	M. Waickowski	195 Cambridge St.
47. Kristy Brown	Kristy Brown	Essex
48. Ann R. MAURY	Ann R. Maury	22 Meadow View Dr
49. Ed EDWARDS	Ed Edwards	5A Pottick Ave
50. Holly Visco	Holly Visco	2 Zachary Way
51. Richard J. Gibson	Richard J. Gibson	41 Somerset Ln
52. Kimberly Guehrin	Kimberly Guehrin	15 Pine Tree Rd.
53. John Breslin	John Breslin	31 Saint Lane
54. Alexandra LaFayette	Alexandra LaFayette	5 Atlantic Ave
55. Rebecca Miller	Rebecca Miller	31 Hope Farm Rd
56. Johanne Richard	Johanne Richard	71 Tom Nevers
57. STACEY STUART	Stacey Stuart	89B Bartlett Rd

	NAME (PRINT)	SIGNATURE	RESIDENTIAL ADDRESS
T	58. STACEY STUART		89B Bartlett Rd
✓	59. Claire McCann		238 Madaket Rd
✓	60. Laura Barnes		12 Sunset Hill Lane
✓	61. Alexandra Norton		5 Dorelie Ct.
✓	62. Renata Shapovalov		66 ARKANSAS AV
N	63. Paula Mearns	Paula Mearns	2 Anne Lane
✓	64. Scott Coern		32 GLOUCESTER ST.
✓	65. Karolyi, Lexy		13 Dufinet Rd
✓	66. Sean Demuth	Sean Demuth	5A Stag Ln
N	67. SUE JENISON		22 NEW ST.
✓	68. Robin Sude		6 Sand Plain
✓	69. DAVID Sude		6 Sand Plain
✓	70. Kurt Gier Katherine Davidson	Kurt Gier	4 Step
✓	71. Sarah Punnett		49 H. H. St
✓	72. Brent Taramella		20 AHOPE AVE.
✓	73. Liza Halton		8 Meetinghouse Ln
✓	74. Don Keyser	Don Keyser	2 ^{Pooley} Dookey Ct
✓	75. Caelan Thymann		10 POLLINO G
✓	76. Daniel Lynch		3A Smerck
✓	77. Gina O'Callaghan		16 Boulevard
✓	78. Laura Hayden		95 Orange Street
✓	79. Robert Lang		4 Plum Ln.
✓	80. KAREEM TATHA		4c Folger Ave

NAME (PRINT)	SIGNATURE	RESIDENTIAL ADDRESS
81. Norm Freese	[Signature]	10 Clare Dr
82. Timothy White	[Signature]	42 E Nobadear Farm
83. Penelope Day	[Signature]	17 Warren St.
84. Ed 98	EDWARD SANFORD	12 DOCKYER DR
85. NICOLE BOUTQUET	Nicole Boutquet	4 Pinkham Court
86. CARY TURNER	[Signature]	3 TOPPING LIFT
87. GREG McKEHNIIE	[Signature]	50 DUKES ROAD
N 88. Carlos Castrollo	[Signature]	23 WESTERN APT 1C
89. Savannah Haddon	[Signature]	17 Evergreen way
90. Anna Valdez	[Signature]	110 Pleasant St Apt A
91. John Balling	[Signature]	11 Nobadear way
92. DAN BALLING	[Signature]	66 Fairgrounds Rd.
93. Thae Kailer	[Signature]	49 Millbrook Rd
94. Adam Balling	[Signature]	66 Fairground Rd
95. Christopher Berg	[Signature]	35 GUILDFORD ST
96. Michael Wilson	[Signature]	7 CORNWALL ST
97. Esmeralda Martinez	[Signature]	6 Larrabee Lane
98. Kelsey Tejada	[Signature]	6 Larrabee lane
99. Joseph Martinez	[Signature]	6 Larrabee lane
100. HOLLY BACKUS	Holly Backus	320 F POWPIS RD
101. DAWN E HILL HOLDGATE	[Signature]	2 VESPER LN
102. Amy Eldridge	Amy Eldridge	506 Sankaty
103. Isha Cuello Martinez	Isha Cuello	13A 1ST way

	NAME (PRINT)	SIGNATURE	RESIDENTIAL ADDRESS
✓	Elizabeth Eldridge	Elizabeth Eldridge	56 Samkathy Rd
✓	Stephan Theroux	Stephan Theroux	20 Dartmouth St
✓	Venessa Moore	Venessa Moore	113 Chicory Pl
✓	Dawn Frenschke	Dawn Frenschke	4 white St
N	Ana Samuels	Ana Samuels	311 EVERGREEN WAY
✓	Kathryn Murrain	Kathryn Murrain	116 Harper Farm rd
✓	Arlene Hardy	Arlene Hardy	193 Hummer Rd.
N	Faviola Montoya	Faviola Montoya	136 Old South Rd
✓	Laura Peduzzi	Laura Peduzzi	23 Goldfinch Dr
✓	TENESHIA CHENNIS	Teneshia Chenis	133 ORANGE ST.
✓	Gum Godin	Gum Godin	13 Cypress
✓	Jean Marie Grasng	Jean Marie Grasng	12 Clarendon St
✓	Andrew Anderson	Andrew Anderson	23 Nanina Dr.
✓	Christopher L Ray	Christopher L Ray	6 Sturgis Lines Lane
✓	LEO C. ASADOORIAN	Leo C. Asadorian	19 EQUATOR DR.
✓	Chris Andrews	Chris Andrews	6 1/2 Daffodil Lane
✓	Gary Stahl	Gary Stahl	31 Dukes Rd 31 Dukes Rd
✓	Charles Yatec	Charles Yatec	18 Field Ave
✓	Susan Spreng	Susan Spreng	33 Fair St.
✓	John Kann	John Kann	8 O Korwan Ave.
✓	Gloria Grimsman	Gloria Grimsman	22 Judson Rd.
125.			
126.			

CERTIFICATION OF SIGNATURES

We certify that (115) One hundred fifteen
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this
petition.

(at least three Registrars names must be signed or stamped below)

Nancy Z. Holmes
Judith Wodynski
Carolyn A. Gould
Registrars of Voters of the Town of Nantucket

CERTIFICATION OF SIGNATURES

We certify that (115) One hundred fifteen
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this
petition.

(at least three Registrars names must be signed or stamped below)

Nancy L. Holmes
Carolyn A. Gould
Judith Wodynski

Registrars of Voters of the Town of Nantucket

F

Citizen Warrant Article

Primary Sponsor Name: **Matthew Peel**

Address: **87 Skyline Dr Nantucket, MA 02554**

Email: **mattpeelsea@gmail.com**

Phone #: **(253)590-8290**

Warrant Article Title: **Amendment to Chapter 123 Administration and Enforcement of Nantucket's Short-Term Rentals General Bylaws**

To see if the Town will vote to (may attach body of article on separate page):

Article attached.

9 Pages of signatures

To see if the Town will vote to amend Chapter 123 of the Town Code (Short-Term Term Rentals) as follows:

1. Amend § 123-3 (Registration, permitting, inspection and fees) by deleting subsection B in its entirety and replacing it with the following:

B. The annual fee for such a certificate of registration shall be \$250 for Town residents and \$350 for non-residents for the first STR on each Lot. Each additional STR on a Lot shall be an additional \$150 annual fee.

2. Amend § 123-3 (Registration, permitting, inspection and fees) by inserting the following new provisions:

H. The Board of Health may grant an exemption from the requirements of this Bylaw in the event that the Operator satisfies the Board that short-term rental use of the property existed prior to the enactment of the Zoning Bylaw on Nantucket in 1972.

3. Amend § 123-3 (Registration, permitting, inspection and fees) by revising subsection E as follows (deletions shown as strikethroughs and new language in red):

E. Operators are subject to inspection of the short-term rental by the Board of Health upon reasonable notice via consent or administrative warrant, or without such notice in the event of an imminent threat to public health or safety. The Board of Health shall dedicate one employee whose primary responsibility is inspecting STRs and ensuring compliance with the Bylaw and applicable Regulations. In order to facilitate such inspections, at the time of Registration, each operator shall provide a floor plan showing the STR layout and exits.

4. Amend § 123-5 (Enforcement) by revising subsection B as follows (deletions shown as strikethroughs and new language in red):

B. Whoever violates any provision of this bylaw or a regulation promulgated hereunder may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws, Chapter 40, § 21D and the Town's noncriminal disposition bylaw (Chapter 1 of the Town Code). If noncriminal disposition is elected, then any person who violates any provision of this bylaw or regulation shall be subject to a penalty in the amount of \$5000, and for each subsequent offence, the STR registration is subject to suspension for the period of 1 calendar year following a review hearing of the STR Committee. Each day or portion thereof shall constitute a separate offense. The Board of Health or its agent, or any police officer of the Town, shall be the enforcing authority.

5. Amend 123-4 (Regulations) as follows (deletions shown as strikethroughs and new language in red):

The Board of Health, subject to the approval of the Select Board, shall promulgate regulations to carry out and enforce the provisions of this chapter. Such regulations may also include but are not limited to requirements to ensure that the operation of the short-

term rental does not create or cause a nuisance to the surrounding neighborhood due to unreasonable noise, overburdening of parking areas, and other nuisance conditions. At a minimum, the Regulations shall prohibit any on-street parking for Short-Term Rentals and limit vehicles to the number of spaces available within the bounds of the Short-Term Rental Lot. The Board of Health shall also develop an online complaint form that allows submissions of photographs, video and any other supporting documentation.

6. Amend Chapter 123 (Short-Term Rentals) by adding the following new subsection:

§123-8. (STR Committee)

The Select Board shall create an STR Committee comprised of 5 Town residents to be appointed by the Board of Health. The STR Committee shall be responsible for proposing regulations for adoption by the Board of Health, reviewing complaints and imposing fines based upon the recommendation of staff, and hearing any appeals of approvals, suspensions, revocations, or denials of Certificates of Registration under this Bylaw.

Or to take any action relative thereto.

DATE and TIME this paper received by Registrars
5/30/2024 1:10 pm

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE
To see if the Town will vote to:

Consider the attached amendment to Chapter 123 pertaining to the administration and strengthened enforcement of Nantucket's Short-Term Rentals General Bylaws

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III		
C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r d	P r e c	PRINTED NAME
1		87 Skyline Pl	0	1	Matthew Reel
2		4 Topping Riff	0	1	Heather McAuley
3		14a Equator Drive	0	1	Heather McAuley
4		20 Tatham Ln	0	1	Jane Oberer
5		87 Skyline Drive	0	1	Meredith Lepore
6		1 Sea Fox Cir.	0	1	Corinne Muffly
7		3 Arrowhead Dr.	0	1	Enn Collins
8		43R South Shore Rd	0	1	Margaret J. Malan
9		48 Prospect St.	0	1	Cathleen Lepore
10		60 Macomet Ave	0	1	Richard Rogers
11		10 Daffodil Ln.	0	1	Hayley LaPine
12		4 Lornest Rd.	0	1	Jane Hardy
13		199 Hommock Pond Rd	0	1	Susan Rogers
14		55 BARTLETT RD	0	1	JAMIE STRANG
15		11 S. Valley Rd	0	1	Ayesha Khan
16		45 Meadowview Dr	0	1	Todd Stout
17		3 Keel Ln	0	1	James Renner
18		15 Seabrook Pl	0	1	Sean Lyer
19		11 S. Valley Rd	0	1	NATE BARLOW
20		149 Polpis Rd	0	1	AMY GREENWOOD

Instructions to Registrars
You must time-stamp or write in date and time these papers are received.
Check this ☒ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES
We certify that (19)
signatures checked thus ☒ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Registrars of Voters of the Town of Nantucket

CIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

May 30, 2024 1:10pm

Consider the attached amendment to Chapter 123 pertaining to the administration and strengthened enforcement of Nantucket's Short-Term Rentals General Bylaws

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III			
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e c d e d	P r e c e d e d	PRINTED NAME
1	✓	Paola Velez	24 Woodland DR	0	1	Paola Velez
2	✓	Jules Embry-Pelrine	26 Rugged Rd.	0	1	Jules Embry-Pelrine
3	✓	Elizabeth Torovich	2 Doe Ryder Dr	0	1	Elizabeth Torovich
4	✓	Timothy Lepore	48 PROSPECT	0	1	TIMOTHY LEPORE
5	✓	Ayesha Khan	115 Valley Rd	0	1	Ayesha Khan
6	✓	Jane D Ziesing	16 B Newtown rd	0	1	Jane D Ziesing
7	✓	Alina Wommack	5 Kittiwake Ln.	0	1	Alina Wommack
8	✓	Mark W. Foss	B DEER RUN	0	1	MARK W FOSS
9	✓	Sharna Apple	78 Surfside	0	1	Sharna Apple
10	✓	Jonathan Brooks	78 Surfside	0	1	Jonathan Brooks
11	✓	Gree Faircloth	23B Park Circle	0	1	Gree Faircloth
12	✓	Amber Holmso Graves	29 Teshoma	0	1	Amber Holmso Graves
13				0	1	
14				0	1	
15				0	1	
16				0	1	
17				0	1	
18				0	1	
19				0	1	
20				0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified. For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (9) *None* signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Judith Wodynski
Carolyn A. Gould
Registrars or Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

5/30/2024 6:10 pm

Consider the attached amendment to Chapter 123 pertaining to the administration and strengthened enforcement of Nantucket's Short-Term Rentals General Bylaws

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III	
	C h e c k S ignatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e n t e d P r e s e n t e d	PRINTED NAME
1	☒	22 B Youngs Way	0 1	Samie Corum
2	☒	52 Cato Ln	0 1	Maria Fales
3	☒	52 Cato Lane	0 1	Megan Fales
4	☒	5 Skiff Lane	0 1	Tamara Kasperzyk
5	☒	69 Vestal Street	0 1	Tina Steadman
6	☒	16 1/2 Bartlett Rd	0 1	Dylan Perry
7	☒	178 Old South Rd	0 1	Piney Aik
8	☒	28 Kelley Rd	0 1	Lillian
9	☒	6 Tripp Dr	0 1	Ann
10	☒	16 Polpis	0 1	Ellie Howard
11	☒	16 Polpis	0 1	Joy Howard
12	☒	6 Bailey Road	0 1	Megan Abbott
13	☒	58 Green Meadows Dr	0 1	Kara Evans
14	☒	1 Pollinway Pond Rd	0 1	Jane Melville
15	☒	54 Hesper Farm Rd	0 1	Elizabeth Leet
16	☒	8 Bayberry Ct #4	0 1	Sarah Kirk
17	☒	33 Buttrick Circle	0 1	Ken Albertson
18	☒	4 Thorstons Way	0 1	Alexis Wurzburg-Smith
19	☒	43 Millbrook Rd	0 1	THOMAS KAIZER
20	☒	3 Dennis Beach Rd	0 1	Marta Zadda

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ☒ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (19) Monetoon
signatures checked thus ☒ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Carolyn A. Gould
Judith Wodynski
Marta Zadda

Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

5/30/24

1:10 pm

Consider the attached amendment to Chapter 123 pertaining to the administration and strengthened enforcement of Nantucket's Short-Term Rentals General Bylaws

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

	I	II	III		IV	
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e d	P r e c e d e n t	PRINTED NAME
1	✓	<i>Patsy Weight</i>	10 Cherry St	0	1	Patsy Weight
2	✓	<i>Elin Carey</i>	71 Milestone Rd.	0	1	Elin CAREY
3	✓	<i>Frank Dato</i>	71 Milestone	0	1	Frank Dato
4	✓	<i>Catherine Bouiter</i>	71 Milestone Rd	0	1	Catherine Bouiter
5	✓	<i>Eleanor Goldstein</i>	71 Milestone Rd	0	1	Eleanor Goldstein
6	✓	<i>Joyce Perriest</i>	105 Milestone Rd	0	1	Joyce Perriest
7	✓	<i>David B. Williams</i>	44 Tennessee Ave	0	1	DAVID B. WILLIAMS
8	✓	<i>Beverly Hall</i>	44 Tennessee Ave	0	1	BEVERLY HALL
9	✓	<i>Whitney Burr</i>	10 N. Cambridge	0	1	WHITNEY BURR
10	✓	<i>Yvonne King</i>	5 B Norquanda Drive	0	1	Yvonne King
11	✓	<i>Reginald Levine</i>	1 Prospect St	0	1	Reginald Levine
12	✓	<i>Mark Anderson</i>	71 Milestone Rd	0	1	MARK ANDERSON
13	✓	<i>Nate Leibowitz</i>	4A Evergreen	0	1	Nate Leibowitz
14	✓	<i>Noah Davidson</i>	11 Nobadcer Way	0	1	Noah Davidson
15	✓	<i>Max Wolf</i>	14 Fair Street	0	1	Max Wolf
16	✓	<i>Audrey A. "Oly" Wolf</i>	14 Fair Street	0	1	Audrey A "Oly" Wolf
17	✓	<i>Christine Borneman</i>	36 Surrogate	0	1	Christine Borneman
18	✓	<i>Becky Mack</i>	2 Newtown Rd.	0	1	Becky Mack
19	✓	<i>Diana M. Huet</i>	16 Green Meadows	0	1	Diana M. Huet
20	✓	<i>Peter Barnes</i>	8 Derby Lane	0	1	PETER BARNES

Instructions to Registrars

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified. For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (20) *Twenty* signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars—names must be signed or stamped below)

Carolyn A. Gould
Judith Wodyski
Jessy A. Holmes
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

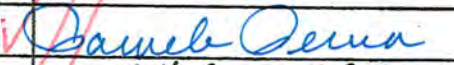
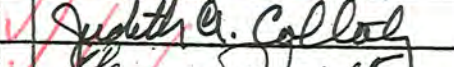
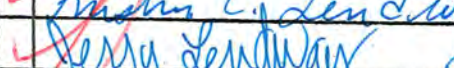
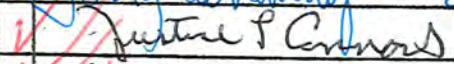
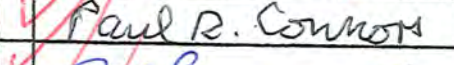
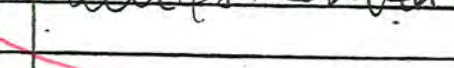
May 30, 2024 1:10 pm

Consider the attached amendment to Chapter 123 pertaining to the administration and strengthened enforcement of Nantucket's Short-Term Rentals General Bylaws

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III		
C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W	P	PRINTED NAME
			a r r e s t e d	r e c o r d e d	
1		19 Cato lane	0	1	Casey Lendway
2		4 Roberts Lane	0	1	Pamela Peren
3		12 Harbor View Way	0	1	Judith A. Collatz
4		67 Center Street	0	1	Frances Karttunen
5		19 Cato lane	0	1	Kristin Lendway
6		19 Cato Ln.	0	1	Jerry Lendway
7		23 Atlantic Av	0	1	Justine L. Connors
8		23 ATLANTIC AVE	0	1	PAUL R. CONNORS
9		15 Nanine Dr	0	1	Mary Bergman
10		73 Bartlett Rd	0	1	Margaret Carr
11		4 Caglar Way	0	1	ALLEN B. REINHARD
12			0	1	
13			0	1	
14			0	1	
15			0	1	
16			0	1	
17			0	1	
18			0	1	
19			0	1	
20			0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (11) Eleven
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least) three Registrars' names must be signed or stamped below)

Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars

May 30, 2024 1:10pm

Consider the attached amendment to Chapter 123 pertaining to the administration and strengthened enforcement of Nantucket's Short-Term Rentals General Bylaws

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III		
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W P a r e r e c d c o l 1	PRINTED NAME
1	✓	<i>Cathy Ward</i>	4A Silver St.	0 1	CATHY WARD
2	✓	<i>Enid Nichols Miller</i>	9 Old Quindnet Neck	0 1	ENID NICHOLS MILLER
3	✓	<i>Polly Thayer Miller</i>	9 Old Quindnet Neck	0 1	Polly Thayer Miller
4	✓	<i>Nancy A. Newhouse</i>	15 Liberty St.	0 1	Nancy Newhouse
5	✓	<i>Sunny Dally</i>	6 Nanna Dr.	0 1	Sunny Dally
6	✓	<i>Jeannette W. Riggs</i>	18 Meadowside Dr.	0 1	JEANNETTE W. RIGGS
7	✓	<i>Betty MacDonald</i>	10 Priscilla Lane	0 1	Betty MacDonald
8	✓	<i>Richard Vargas</i>	1 Orchid Pl	0 1	Richard Vargas
9	✓	<i>Joel Gonzalez</i>	6 Maclean L	0 1	JOEL GONZALEZ
10	✓	<i>Robert Harker</i>	118 Somerset Rd	0 1	Robert Harker
11	✓	<i>Greg Harker</i>	2 Surfer Drive	0 1	Greg Harker
12	✓	<i>Liz Meth Harkness</i>	18 New Lane	0 1	LIZ METH HARKNESS
13				0 1	
14				0 1	
15				0 1	
16				0 1	
17				0 1	
18				0 1	
19				0 1	
20				0 1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ✓ against the name of qualified voter to be certified. For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (9) *Nine* signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Carolyn A. Gould
Gregory J. Holmes
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To be if the Town will vote to:

DATE and TIME this paper received by Registrars

May 30, 2024 1:10 pm

Consider the attached amendment to Chapter 123 pertaining to the administration and strengthened enforcement of Nantucket's Short-Term Rentals General Bylaws

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III			
	C h e c k k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r d c	P r e c	PRINTED NAME
1	☒	<i>Elinor Sutton Smith</i>	15 Appleton	0	1	<i>Elinor Sutton Smith</i>
2	☒	<i>Charles Campbell</i>	15 Appleton	0	1	<i>Charles Campbell</i>
3	☒	<i>Rick Atherton</i>	418 Squam Road	0	1	<i>Rick Atherton</i>
4	☒	<i>Cheri Gault</i>	10 Gloucester St.	0	1	<i>Cheri Gault</i>
5	☐			0	1	
6	☐			0	1	
7	☐			0	1	
8	☐			0	1	
9	☐			0	1	
10	☐			0	1	
11	☐			0	1	
12	☐			0	1	
13	☐			0	1	
14	☐			0	1	
15	☐			0	1	
16	☐			0	1	
17	☐			0	1	
18	☐			0	1	
19	☐			0	1	
20	☐			0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ☒ against the name of qualified voter to be certified. For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (4) *[Signature]* signatures checked thus ☒ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars—names must be signed or stamped below)

[Signature]
[Signature]
[Signature]
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by
Registrars

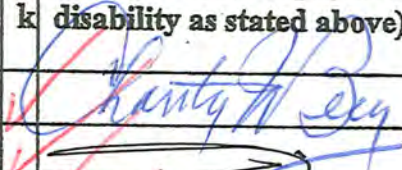
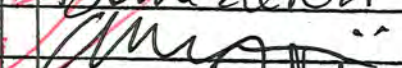
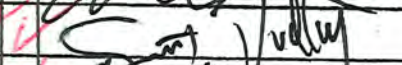
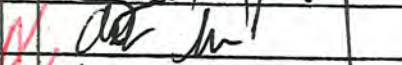
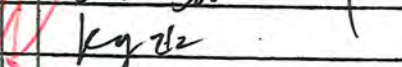
May 30, 2024
1:10 pm

Consider the attached amendment to Chapter 123 pertaining to the administration and strengthened enforcement of Nantucket's Short-Term Rentals General Bylaws

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III			
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e d c	P r e c	PRINTED NAME
1			5 Milestone Crossing	0	1	CHARITY I. BENZ
2			27 LILY ST	0	1	ELIZABETH CAMP
3			12 New Mill St	0	1	John T. Damman
4			2 Lily St	0	1	Dane Elliott
5			27 LILY ST	0	1	ABIGAIL CAMP
6			121 Polaris	0	1	Scott Judley
7			35 Beach Grass Rd	0	1	ASHLEY PARSONS
8			35 Beach Grass Rd	0	1	Kyle Partridge
9				0	1	
10				0	1	
11				0	1	
12				0	1	
13				0	1	
14				0	1	
15				0	1	
16				0	1	
17				0	1	
18				0	1	
19				0	1	
20				0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.

Check thus ☒ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.

S B unable to identify signature or address as that of

W B wrong district or community.

T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (6) Signatures
signatures checked thus ☒ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Registrars of Voters of the Town of Nantucket

May 30, 2024
1:10 pm

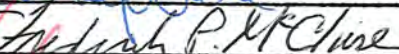
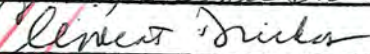
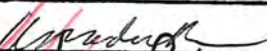
Consider the attached amendment to Chapter 123 pertaining to the administration and strengthened enforcement of Nantucket's Short-Term Rentals General Bylaws

We certify that:
Nine (9) signatures
signatures checked this are
names of voters of the Town
of Nantucket and are qualified
to sign this petition

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

I		II	III		
	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e d 0 1	P r e c 0 1	PRINTED NAME
1		4A Silver St.	0	1	CATHY WARD
2		97 Hummock Pond Rd.	0	1	FREDERICK MCCLURE
3		6 Pond Road	0	1	Kathryn Sheehan
4		2 Sarlaty Rd.	0	1	Clement Durles
5		40 Center Street, Nantuck	0	1	Berenda Whyte
6		26 Creech Ln.	0	1	Julie Keener
7		15 NANINA DR	0	1	Mary Bergr
8		73 Bartlett Rd.	0	1	Margaret Carr
9		139.5 Hummock Pond Rd	0	1	EMILY MOLDEN
10		77B Skyline Drive	0	1	Anna Day
11			0	1	
12			0	1	
13			0	1	
14			0	1	
15			0	1	Judith Wodynski
16			0	1	
17			0	1	Carol A. Gould
18			0	1	
19			0	1	Robert Holmes
20			0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received

N B no such registered voter at that address.

Grant Sanders
STR Accessory Use Zoning Bylaw

(Zoning Bylaw Amendment Regulating Short-Term Rental Use)

To see if the Town will vote to amend Chapter 139 of the Town Code (Zoning) as follows:

1. Amend § 139-2 (Definitions and Word Usage), by inserting the following new term and definition and inserting it in alphabetical order.

SHORT-TERM RENTAL

A dwelling unit or portion(s) thereof that is not a transient residential facility, where: (i) at least one room or dwelling unit is rented to an occupant or sub-occupant; and (ii) all accommodations are reserved in advance. Rental periods with a change in occupancy in excess of 31 calendar days shall not be considered a short-term rental. The rental of property for a total of 14 days or less in any calendar year shall not be considered a short-term rental.

ACCESSORY SHORT-TERM RENTAL

A Short-Term Rental use that complies with this bylaw.

2. Amend § 139-7A (Use Chart) by inserting Accessory Short-Term Rental between Tertiary Dwelling and Apartment Building in the Use column and inserting the designation Y in all columns except CI with a Note: Subject to the requirements of §139-38.

3. Add a new section to Chapter 139 as follows:

§139-38 ACCESSORY SHORT-TERM RENTALS

1. No person or other legal entity shall engage in an Accessory Short-Term Rental use for more than one Dwelling Unit at any one time.
2. If a Lot has two Dwelling Units, both may be rented as an Accessory Short-Term Rental as long as both Dwelling Units are rented to the same person.
3. To qualify as an Accessory Short-Term Rental use, the owner must reside on the same Lot or on another lot that they own on Nantucket, for at least 30 days (which can be non-consecutive) in each calendar year.
4. No owner or operator may enter into more than six (6) rental contracts which commence in July and August.

5. If an owner purchases a Lot or constructs a Dwelling Unit after the effective date of this bylaw, the owner or operator may enter into no more than four (4) rental contracts which commence in July and August.
6. There are no limits on the length or number of rental contracts that commence outside of July and August.
7. If a person who previously operated more than one Accessory Short-Term Rental at any time prior to the effective date of this bylaw, they may continue to do so for a period of five years after the effective date of this bylaw.
8. In order to qualify as an Accessory Short-Term Rental, the Dwelling Unit must be operated in compliance with Chapter 123 of the Town Code and all regulations promulgated thereunder.
9. All other Short-Term Rentals in all zoning districts except CI are prohibited.

Or to take any action relative thereto.

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

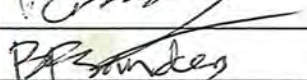
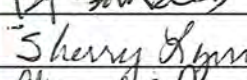
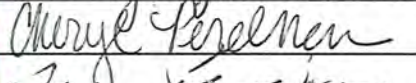
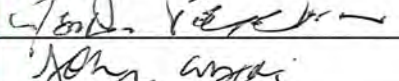
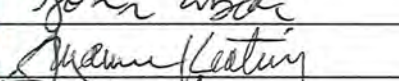
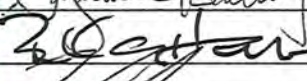
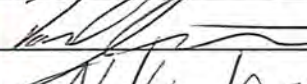
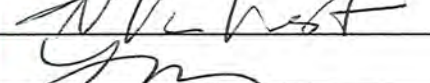
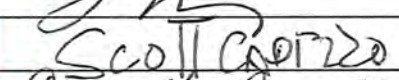
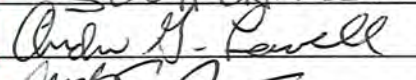
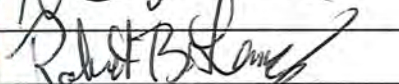
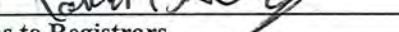
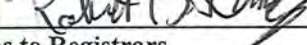
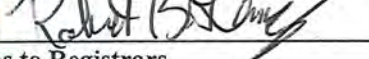
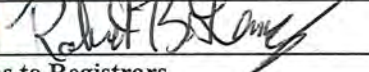
DATE and TIME this paper received by Registrars
May 30, 2024
12:30 pm

See attached.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III			
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e d c o l	P r e s e n t c o l	PRINTED NAME (And Previous Residence if different than column II)
1	✓		14 DENNIS DRIVE	0	1	GRANT SANDERS
2	✓		6 TAMMISTONE RD	0	1	Peter Brace
3	✓		57 Meadow View Dr	0	1	Kaiton Goddard
4	✓		119 Hummock pond rd.	0	1	Oona Cullen
5	✓		11 Brinda Lane	0	1	Robert G. Bates Jr.
6	✓		14 Dennis Drive	0	1	Barrie Sanders
7	✓		11 Brinda Ln.	0	1	SHERRY LYNN BATES
8	✓		65A MILESTONE RD	0	1	CHERYL PERELMAN
9	✓		65A MILESTONE RD	0	1	JAMES PERELMAN
10	✓		39 millbrook rd	0	1	John W. Bolger
11	✓		9B Cachalot Ln.	0	1	Suzanne Keating
12	✓		17 Gdf Jw Dr	0	1	Bill Hunk
13	✓		20A old sooth rd	0	1	DANIEL SUTHERLAND
14	✓		15 Folgar Ave	0	1	Nell Van Vorst
15	✓		81 Hummock Pond Rd	0	1	Lindsey Maurer
16	✓		26 1/2 MIRCUMET RD	0	1	SCOTT CROFT
17	✓		5 Ackermuck way	0	1	Andrew G. Lowell
18	✓		5 N. WATER ST.	0	1	MICHAEL KOPKO
19	✓		14 DENNIS DRIVE	0	1	SUNNY SANDERS
20	✓		4 Plumb Ln	0	1	Bob Lang

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition

CERTIFICATION OF SIGNATURES

We certify that (20) Twenty signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Registrars of Voters of the Town of Nantucket

Judith Wodynski

Carolyn A. Gould

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

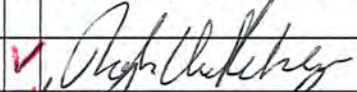
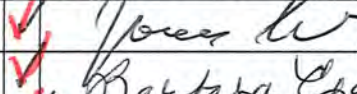
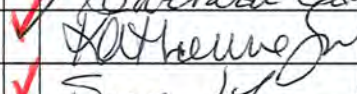
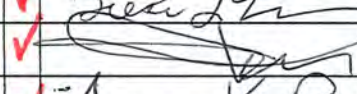
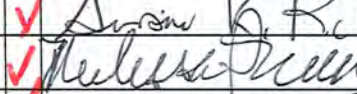
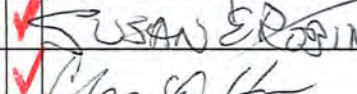
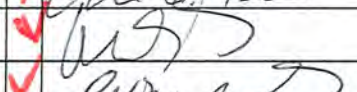
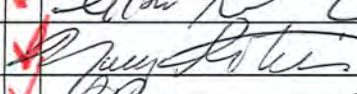
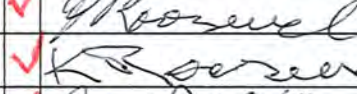
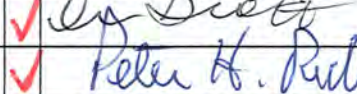
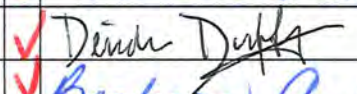
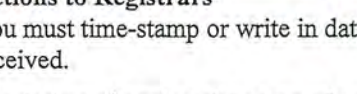
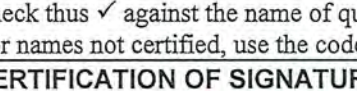
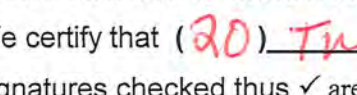
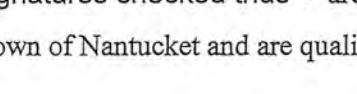
DATE and TIME this paper received by Registrars
May 30, 2024
12:30

See attached.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III		
C	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W	P	PRINTED NAME (And Previous Residence if different than column II)
			a	r	
			r	e	
			d	c	
			0	1	
1	✓ 	27 Monomoy Rd	0	1	John K. Schener
2	✓ 	12 Back St	0	1	James Sulzer
3	✓ 	12 Back St	0	1	Barbara Elder
4	✓ 	14 Back St	0	1	Katherine Sulzer
5	✓ 	32 Madaket Rd	0	1	Susan Kirk
6	✓ 	13 ABBOT RD	0	1	LOUIS GUARISEOLA
7	✓ 	47 Ridge Lane	0	1	Susan Richards
8	✓ 	10 Fair St	0	1	Melissa Nussbagen
9	✓ 	1244 ORANGE ST	0	1	SUSAN E. ROBINSON
10	✓ 	1 Field Ave	0	1	christopher A. Hansen
11	✓ 	17 York St	0	1	Nigel Cross
12	✓ 	10 Fair St	0	1	Althea R. Smith
13	✓ 	1 Longwood Drive	0	1	NANCY Tolids
14	✓ 	101 Sankaty Rd	0	1	Risaka Roosevelt
15	✓ 	104 Sankaty Rd	0	1	Kerri Roosevelt
16	✓ 	23 West Chester	0	1	Ann Scott
17	✓ 	47 Ridge La. Nantucket	0	1	PETER H. RICHARDS
18	✓ 	26 Old Tom Nevers Rd	0	1	Deirdre Duffy
19	✓ 	75 Pochick Ave	0	1	Barbara A. White
20	✓	75 Pochick Ave	0	1	Mark White

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (20) Twenty signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

Registrars of Voters of the Town of Nantucket

[Signatures of Registrars]
Judith Wodynski
Nancy Z. Holmes
Carolyn A. Gould

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

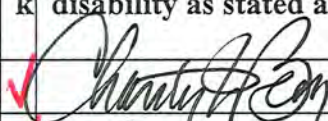
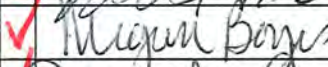
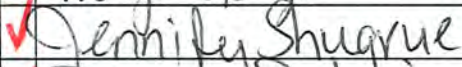
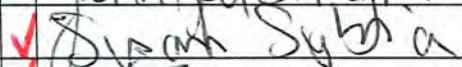
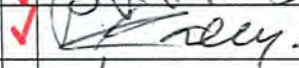
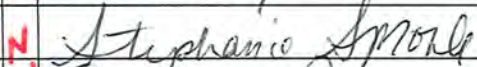
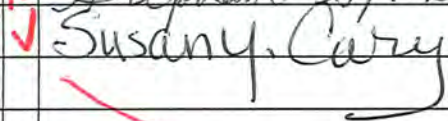
DATE and TIME this paper received by Registrars
May 30, 2024
12:30

See attached.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III			
	C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r d	P r e c	PRINTED NAME (And Previous Residence if different than column II)
1	✓		5 MILBURN CROSSING	0	1	CHARITY BENZ
2	✓		39 Somerset Ln	0	1	Michaela Mofsen
3	✓		15 MADARAT	0	1	Dan Driscoll
4	✓		2 Swayze DR.	0	1	Michelle Derr
5	✓		14 Equator Dr.	0	1	Megan Boyes
6	✓		11 Dennis Dr.	0	1	Jenny Shugrue
7	✓		12 Dennis Dr.	0	1	Susan Sylvia
8	✓		298 POLPIS ROAD	0	1	CALEB KARSEN
9	✓		14 Dennis Dr.	0	1	Stephanie Sprowl
10	✓		67 Somerset Rd.	0	1	SUSAN CARY
11				0	1	
12				0	1	
13				0	1	
14				0	1	
15				0	1	
16				0	1	
17				0	1	
18				0	1	
19				0	1	
20				0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (9) Nine
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

Judith Wodyske
Patty D. Jones
Carol A. Gould
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

DATE and TIME this paper received by Registrars
May 30, 2024
12:30

See attached.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III		
C	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W	P	PRINTED NAME (And Previous Residence if different than column II)
			a	r	
			r	e	
			d	c	
			0	1	
1	✓	10 Bartlett Rd.	0	1	Christopher Sleeper
2	✓	8 NANTUCKET DR	0	1	Jessica Dunning
3	✓	80 B Somerset Lane	0	1	Mayumi Hattori
4	✓	30 B Somerset Ln.	0	1	Clifford Munknes
5	✓	30 B Somerset Ln	0	1	MIRABAI PERFAS
6	✓	4 Jennifer Lane	0	1	Virginia Bollington
7	✓	72 SKYLARK	0	1	SUSAN M WARNER
8	✓	1 1st way	0	1	Claire Martin
9	✓	10 Blue Heron Way	0	1	Matt Hattenreffer
10	✓	21 HELENS DR.	0	1	FREDERICK W. LINDQUIST
11	✓	2 Helen Dr.	0	1	Lori Smith-Lindquist
12	✓	19 Cato Lane	0	1	Casey Lendway
13	✓	32 Hummock Pond Rd	0	1	Kelly Steffen
14	✓	30 B Somerset Lane	0	1	Jeva Aldins
15		65A MILESIDE RD	0	1	JAMES PERELMAN
16			0	1	
17			0	1	
18			0	1	
19			0	1	
20			0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (14) Fourteen
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

Registrars of Voters of the Town of Nantucket

12 Brou
S
SPECIAL TOWN MEETING - CITIZEN'S ARTICLE
To see if the Town will vote to:

DATE and TIME this paper received by
Registrars
May 30, 2024
12:30

See attached.

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:
Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III		
C h e c k	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r d	P r e c	PRINTED NAME (And Previous Residence if different than column II)
			0	1	
1	✓ Eleanor Olsen	117 Main Street	0	1	
2	✓ Wee	50-52 Cliff	0	1	Matthew Fee
3	✓ Fee	792 Orange Street	0	1	Ruby Fee
4	✓ Fee	5 Gloucester Street	0	1	Benjamin. Campese
5	✓ Henry Fee	6 Rugged Road	0	1	Henry c Fee
6	✓ Sheila Fee	52 Cliff Road	0	1	SHEILA FEE
7	✓ Thomas H. Montgomery	33 W. Liberty St.	0	1	THOMAS H. MONTGOMERY
8	✓ Richard Turcotte	6 Ash Lane	0	1	Richard Turcotte
9	✓ Emily Molden	139.5 HUMMOCK POND RD	0	1	EMILY MOLDEN
10	✓ Michelle Whelan	13 B MARY ANN DR	0	1	MICHELLE WHELAN
11	✓ A Bromwell	1 Otokomic Rd	0	1	Annie Bromwell
12	✓ Sydney Fee Barsanti	31 Crooked Ln	0	1	Sydney Fee Barsanti
13			0	1	
14			0	1	
15			0	1	
16			0	1	
17			0	1	
18			0	1	
19			0	1	
20			0	1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (12) Twelve
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars= names must be signed or stamped below)

Judith Wodyske
Nancy A. Holmes
Carolyn A. Gould
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

See attached.

DATE and TIME this paper received by Registrars

May 30, 2024 12:30

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III	
C	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W a r r e n d e r e d c o l u m n I	PRINTED NAME (And Previous Residence if different than column II)
1	✓ [Signature]	5 Felcon dr	0 1	Andre Iverson
2	✓ [Signature]	3 Spinnaker Cir	0 1	Shantaw Blaise
3	✓ [Signature]	3 Spinnaker Cir	0 1	Ky Murphy
4	✓ [Signature]	21 High Brush Path	0 1	Harvey S. Young
5	✓ [Signature]	3 Alexandria Dr.	0 1	Melissa F. Murphy
6	✓ [Signature]	3 Alexandria Dr	0 1	Ameria Murphy
7	✓ [Signature]	60 Pochick Hue	0 1	Bianca M. Brown
8	✓ [Signature]	10 Broad St	0 1	Joseph Conerney
9	✓ [Signature]	5 Skyline Dr.	0 1	Baird Pernt
10	✓ [Signature]	46 Tennessee Ave	0 1	Kelly EMERY
11	✓ [Signature]	13A Anna Drive	0 1	Ty Fleischer
12	✓ [Signature]	4 Sturgis Pines Ln	0 1	Brooks Hall
13	✓ [Signature]	13 Parker Ln	0 1	Pam J Blaise
14	✓ [Signature]	13 Parker Ln	0 1	Keith Blaise
15	✓ [Signature]	42 Monmouth Rd	0 1	Gillian Blaise
16	✓ [Signature]	4 PLEASANT	0 1	John To Land
17	✓ [Signature]	1 Felcon Dr.	0 1	Tara Iverson
18	✓ [Signature]	3 waitt drive	0 1	Gita Nalan Mali
19	N [Signature]	3 waitt drive	0 1	sunil merli
20	N [Signature]	5 Felcon	0 1	David Ivers

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (18) Eighteen signatures checked thus ✓ are names of voters of the Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)

[Signatures of Registrars]
Registrars of Voters of the Town of Nantucket

SPECIAL TOWN MEETING - CITIZEN'S ARTICLE

To see if the Town will vote to:

See attached.

DATE and TIME this paper received by
Registrars
May 30, 2024
12:30

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

INSTRUCTIONS TO SIGNERS:

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

I		II	III	
	C Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Now Living At (Street and Number)	W P a r r e d c o 1	PRINTED NAME (And Previous Residence if different than column II)
1	✓ William Saad	5 GROVE LANE	0 1	WILLIAM SAAD
2	✓ Joann Bennett	27 MONOMOY ROAD	0 1	Joann Bennett
3			0 1	
4			0 1	
5			0 1	
6			0 1	
7			0 1	
8			0 1	
9			0 1	
10			0 1	
11			0 1	
12			0 1	
13			0 1	
14			0 1	
15			0 1	
16			0 1	
17			0 1	
18			0 1	
19			0 1	
20			0 1	

Instructions to Registrars

You must time-stamp or write in date and time these papers are received.
Check thus ✓ against the name of qualified voter to be certified.
For names not certified, use the codes opposite.

N B no such registered voter at that address.
S B unable to identify signature or address as that of
W B wrong district or community.
T B already signed this petition.

CERTIFICATION OF SIGNATURES

We certify that (2) TWO
signatures checked thus ✓ are names of voters of the
Town of Nantucket and are qualified to sign this petition.

(at least three Registrars' names must be signed or stamped below)
Judith Wodynski
Nancy Z. Holmes
Carolyn A. Gould
Registrars of Voters of the Town of Nantucket

To see if the Town will vote to:

May 30, 2024
12:30

SIGNERS' STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Nantucket.

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence. If you HAVE moved since June 1, please complete column III.

Instructions to Registrars

T B already signed this petition.

(at least three Registrars= names/must be signed or stamped below)

Registrars of Voters of the Town of Nantucket

Carolyn A. Gould

Town of Nantucket – September 18, 2024 Special Town Meeting
Short-Term Rental Citizen Warrant Articles – Zoning Amendments
Comparison Chart
Dated: June 3, 2024

	Grant Sanders	Charity Benz	Steven Cohen	Town Counsel Comments
Adds definitions for Short-Term Rental (STR) and Accessory Short-Term Rental (ASTR)	Yes	Yes	Yes	
Amends Use Chart	Y	A - Must be accessory to a Principal Use	Y	Benz – The Benz article is different than the other two proposals. Town Counsel (and the Planning Director) recommends that the Use Chart insert a “Y” in all districts except the CI. Because the “Y” requires compliance with the substantive regulations in the new Section 139-38, this approach ads any interpretation problems associated with the accessory use definition (incidental and subordinate to a Principal Use) in the current bylaw. Any changes to the substantive regulations in zoning in the future will still require a two-thirds vote. This is a much cleaner approach and should protect against future legal challenges. Town Counsel’s understanding is that Sanders wants to explore using a different term than ASTR (perhaps Vacation rentals) to avoid potential inconsistencies with the use of the term “accessory.”
Adds footnote: Subject to the Requirements of § 139-38	Yes	Yes	Yes	Any future changes to the substantive zoning regulations will require a two-thirds vote at town meeting.
Adds a new section to Zoning Bylaw: § 139-38 ASTR	Yes	Yes	Yes	Each of the three zoning proposals have different substantive regulations as explained below.
Applicability of ASTR Regulations	Allowed in all districts except the Commercial Industrial (CI) District	Only permitted in Residential Districts	Allowed in all districts except the Commercial Industrial (CI) District	Benz – The Benz article should be clarified to state in Section 2: “except CI” – to be consistent with other two proposals.

Town of Nantucket – September 18, 2024 Special Town Meeting
Short-Term Rental Citizen Warrant Articles – Zoning Amendments
Comparison Chart
Dated: June 3, 2024

Total number of rental days per year to qualify as an ASTR	Owner must reside on the lot, or another lot in Nantucket, at least 30 days (can be non-consecutive) per calendar year	Lot must be Residential Use (occupied by owner or tenant at least 32 days per calendar year. Limit on ASTR is 28 days a year. More days allowed as Residential Use increases, ie for 28 days of residential use = 1 extra week ASTR	Less than half of the calendar year	Sanders – requiring the “owner” to reside on lot at same time, or on another lot they own on the island, for 30 days will likely be subject to a dormant commerce clause challenge, where similar requirements were found to violate the constitution in other circuits. Town Counsel recommends instead that Section 139-38.3 state: “The owner or a long-term tenant or operator must occupy the Dwelling Unit or another Dwelling Unit on Nantucket.” Benz – allows residential use to be owner- OR tenant- occupied, which is more likely to pass muster under a dormant commerce clause challenge
Limit on number of ASTRs per person	One. But if a person operates more than one on the effective date of this bylaw, they may continue to do so for a period of 5 years.	No limit	No limit/not addressed	Benz – in theory, could have multiple ASTRs per person given that long-term tenants could constitute “residential uses” of several STRs
Requires valid certificate of registration from BOH under c. 123	Yes	Adds new registration requirements under c. 123. Not eligible to register unless certain info is provided at time of registration.	Yes, commencing May 1, 2025	Benz – These provisions are more appropriate for c. 123. Cohen – the reference to “section 123 of the code of Nantucket” should be amended to “chapter 123” for consistency.
Must comply with c. 123 as a condition of ASTR	Yes	Yes	Not addressed	This is an important safeguard which Town Counsel recommends be adopted in any zoning bylaw regulating STRs. In addition to requiring compliance with the substantive zoning regulations (see above), this provision requires

Town of Nantucket – September 18, 2024 Special Town Meeting
Short-Term Rental Citizen Warrant Articles – Zoning Amendments
Comparison Chart
Dated: June 3, 2024

				compliance with the general bylaw requirements as well.
Limit on number of Dwelling Units that can be ASTR on lot	Two Dwelling Units per lot if rented to the same person	One Dwelling Unit per lot	Not addressed (but is addressed in Cohen’s c. 123 amendment – Two Dwelling Units may be used as STR if lot has more than 2 units)	Sanders – Does this mean that the same person must sign both rental contracts?
Limit on the number of rental contracts	Maximum of 6 during July and August. For Dwelling Units bought or constructed after effective date of bylaw – maximum of 4 during July and August. No limit on number outside of July and August	No more than 8 changes in occupancy per year (same as rental contract)	Not addressed (but is addressed in Cohen’s c. 123 amendment – limit of 9 contracts in July and August)	
Limitations on Length of Stay	No limit on length or number of contracts outside of July and August but a limit in July and August not to exceed 4-6 contracts	Minimum stay of 4 days in calendar year, except in July and August when min. stay is 7 days	Not addressed	
Prohibition on all other STRs	Yes, all other STRs in all zoning districts are prohibited, except in CI	Yes, in residential district	Not addressed	Sanders – Confirm that the intent here is to allow STRs (not ASTRs) in the CI District without any limits. Benz – Same question. Recommend that article address the

Town of Nantucket – September 18, 2024 Special Town Meeting
Short-Term Rental Citizen Warrant Articles – Zoning Amendments
Comparison Chart
Dated: June 3, 2024

				STR and ASTR use in the CI District. See above.
Other		Exemption: when lot is owner-occupied, there is no limit on ASTR except for minimum stay provision		Benz – exceptions for “owners” who reside on lot at same time may be subject to a dormant commerce clause challenge by favoring in-state interests over out-of-state interests, where out-of-state owners may be precluded from entering the STR market on equal terms, given that similar requirements have been found to violate the constitution in other circuits. Town Counsel recommends that the exemption apply to “”owners, long-term renters, or operator.”

Town of Nantucket – September 18, 2024, Special Town Meeting
Short-Term Rental Citizen Warrant Articles – General Bylaw Amendments
Comparison Chart
Dated: June 3, 2024

	Pamela Perun	Matthew Peel	Steven Cohen	Town Counsel Comments
Impact on corporations	Amends definition of corporation to include taxable corporations under IRC, with exceptions for LLCs and S Corps that have natural persons as shareholders. Adds prohibition on ownership by partnership, real estate investment trusts, or similar entities			Chapter 123 already prohibits corporate ownership of STR's (pending approval by the Attorney General). This proposed amendment would change the definition of Corporations and expand the prohibition to include ownership by partnerships and investment trusts. G.L. c. 64G, § 14 allows municipalities to regulate STR's by form of ownership. Approved as to form by Town Counsel.
Preference for primary residences			Limits on rental contracts do not apply if lot is owner's primary residence	The last sentence in the new Section L gives exemptions or preferential treatment for an STR which are the primary residence of one or more Owners. This provision may be subject to a dormant commerce clause challenge by favoring in-state interests over out-of-state interests, where out-of-state owners may be precluded from entering the STR market on equal terms, given that similar requirements have been found to violate the constitution in other circuits.
STR Fee		Registration fee for dwelling units that are a not the primary residence		Under the so-called <i>Emerson College</i> Test, the Supreme Judicial Court requires that when setting a fee, a municipality must be

Town of Nantucket – September 18, 2024, Special Town Meeting
Short-Term Rental Citizen Warrant Articles – General Bylaw Amendments
Comparison Chart
Dated: June 3, 2024

		of the owner is increases to \$350.		able to justify it as reasonable based on the actual costs incurred to administer and enforce the licensing scheme, and the fee may not be used to raise revenue. How would the Town justify the larger fee for nonresidents for obtaining the exact same Town service? It does not appear that more documentation, review, and thus time is required for non-residents than residents, so how would the Town's costs differ? Additionally, by creating a barrier to enter the market by charging a higher fee to non-residents, this bylaw could be susceptible to a legal challenge under the dormant Commerce Clause.
Changes to Registration Process	Corporate ownership status to be established by documentation at time of registration and thereafter	Requires operators to provide floor plan showing STR layout at time of registration.	Requires process to begin on May 1, 2025, and requires separate certifications for different dwellings on same lot Requires contact information for owner and intermediary and operator and 2 other persons (as opposed to just the operator) Requires applicant to certify that there	Note: Benz zoning bylaw proposal includes registration requirements in § 139-38.3. These requirements are more properly suited for c. 123. Peel – The STR regulations already require the submission of a description of premises, incl. bedrooms and bathrooms and parking. Cohen – Certification of compliance with all local laws and regulations applicable to residential dwellings is already addressed in the STR regulations.

Town of Nantucket – September 18, 2024, Special Town Meeting
Short-Term Rental Citizen Warrant Articles – General Bylaw Amendments
Comparison Chart
Dated: June 3, 2024

			are no outstanding code violations, that STR is compliant with outdoor lighting bylaw for all dwellings constructed after Jan 1, 2025, certifies that any pool or spa is compliance with light standards beginning in 2027.	Otherwise, all of these new registration requirements are approved as to form.
Changes to substantive STR requirements	Not addressed	Not addressed	In July and August, limits to 9 contracts or changes in renters. Each certificate shall provide for the maximum number of occupants in each dwelling. No renter may occupy unit until their identify has been verified and they have acknowledged regulations Prohibits STRs in tertiary dwellings and inclusionary housing	Approved as to form. Note: Benz and Sanders address changes in their occupancy in the zoning bylaw proposals. Either way is fine. Cohen – Number of occupants per bedroom (plus two additional people in unit) is already addressed in the STR regulations promulgated by BOH.
Changes to Enforcement	None	Amends § 123-5 to create a \$5000 fine by noncriminal disposition and	None	Peel – This new provision is not approved as to form. The non-criminal disposition statute, G.L. c.

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Comparison Chart
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		authorizes suspension of STR registration for one year, following a review hearing by the STR Committee		41, § 21D, expressly prohibits a fine that exceeds \$300. Also, § 123-5D already contains a civil penalty remedy of \$5,000 per violation, which has been approved by the Attorney General. Peel – Change to Subsection B includes an enforcement option of suspension of a Certificate of Registration. This is already provided for (including the need for a public hearing) in §123-5C of the existing bylaw.
Further amendments to STR regulations required	Yes – corporate status may be determined from time to time “as required under regulations” established under this chapter	Yes – directs regulations to prohibit on-street parking, limit vehicles, and have BOH develop an online complaint form to allow submission of photos and videos	Yes – BOH to set deadline for annual application requirements	
Inspections		Directs BOH to dedicate one employee to inspect STRs and ensure compliance		Town Counsel is unaware of any bylaw provision that expressly requires the executive branch of government to hire specific employees or otherwise use its funds in any particular manner. The decision how to staff an STR compliance program is under the exclusive purview of the Select Board.
Other			Authorizes leases and subleases that are entered into with a valid certificate of registration to be honored by a	Approved as to form.

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Short-Term Rental Citizen Warrant Articles – General Bylaw Amendments
Comparison Chart
Dated: June 3, 2024

			new operator of an STR during pendency of new operator's application for that property. No person may hold more than 2 certificates of registration, with exemption for STRs in effect since Jan 1, 2000 All advertisements for STRs shall include the certificate of registration.	This is addressed in the other zoning bylaw proposals. Current BOH regulations require all advertisements (online and in person) to include the Certificate of Registration number and all tenants to be provided with a copy of the Certificate.
Parking		Requires regulations to prohibit any on-street parking for STRs and requires BOH to develop online complaint form.		

Objectives of Benz/ Put Nantucket Neighborhoods First STR Zoning Article

1. Permit all property owners to short term rent in the customary Nantucket tradition in compliance with the recent Land Court Decision and to reflect the mandates of Nantucket voters to prevent gutting 50 years of zoning protection in residential neighborhoods;
2. Protect Nantucket residential neighborhoods and the island community against investor-owned STR exploitation;
3. Preserve and promote the enjoyment of neighborhoods currently protected by the zoning bylaw to secure resident quality of life priorities;
4. Prevent the hollowing out of residential neighborhoods through purchase of year-round homes by STR investors, leaving them empty in the off season;
5. Incentivize long term rentals for residents misplaced due to conversion of long term to short term rentals;
6. Manage residential neighborhood churn and gridlock caused by revolving door short-term stays by requiring minimum night contracts and limited changes in occupancy, particularly during July and August;
7. Reduce infrastructure impacts and damage that result in increased real estate taxes; and
8. Reinforce the obligation we all have to protect Nantucket's fragile environment and natural resources that continue to attract visitors to the island who are the underpinning of our economy.

Grant Sanders
STR Accessory Use Zoning Bylaw

Our goals:

- A. protect the peace, unity, and integrity of neighborhoods and reduce neighborhood churn
- B. protect the time-honored tradition of home rentals on Nantucket
- C. discourage investment-only ownership of residential properties for use as STRs

Our bylaws, and which of those goals they are crafted to achieve:

1. No person or other legal entity shall engage in an Accessory Short-Term Rental use for more than one Dwelling Unit at any one time.

Goal: C *discourage investor-only, and*

B *protect the time-honored tradition of home rentals*

2. If a Lot has two Dwelling Units, both may be rented as an Accessory Short-Term Rental as long as both Dwelling Units are rented to the same person.

Goal: A *reduce neighborhood churn*

3. To qualify as an Accessory Short-Term Rental use, the owner must reside on the same Lot or on another lot that they own on Nantucket, for at least 30 days (which can be non-consecutive) in each calendar year.

Goal: C *discourage investor-only, and*

B *protect the time-honored tradition of home rentals*

4. No owner or operator may enter into more than six (6) rental contracts which commence in July and August.

Goal: A *reduce neighborhood churn, and*

C *discourage investor-only*

5. If an owner purchases a Lot or constructs a Dwelling Unit after the effective date of this bylaw, the owner or operator may enter into no more than four (4) rental contracts which commence in July and August.

Goal: C *discourage investor-only*

6. There are no limits on the length or number of rental contracts that commence outside of July and August.

Goal: B *protect the time-honored tradition of home rental*

7. If a person who previously operated more than one Accessory Short-Term Rental at any time prior to the effective date of this bylaw, they may continue to do so for a period of five years after the effective date of this bylaw.

Goal: B *protect the time-honored tradition of home rental (and allow a reasonable amount of time to adjust to the new regulations of one-only STR per person)*

8. In order to qualify as an Accessory Short-Term Rental, the Dwelling Unit must be operated in compliance with Chapter 123 of the Town Code and all regulations promulgated thereunder.

9. All other Short-Term Rentals in all zoning districts except CI are prohibited.

STR Regulatory Goals:

- 1) Preserve the tradition and culture of private home rental as the primary way for visitor accommodations, as opposed to hotels and resorts.
- 2) Provide reasonable protection of property rights and financial decisions of existing owners.
- 3) Preserve neighborhood integrity.
- 4) Limit the impact of STRs on neighborhoods by addressing nuisances.
- 5) Limit the impact of STRs on neighborhoods and the real estate market by limiting expansion.
- 6) Limit the impact of STRs on neighborhoods by limiting investor-focused STRs.
- 7) Create community benefits in exchange for STR licenses.

STR Process Goals:

- 1) End divisiveness, ongoing debate, and uncertainty.
- 2) End neighbor-on-neighbor lawsuits and complaints.
- 3) Make decisions based on facts.
- 4) Use incentives instead of burdens when possible.
- 5) Enact a system that focuses on consensus terms.
- 6) Enact a system that is easy to understand and to comply with.
- 7) Enact a system that is robust and also easy to enforce.
- 8) Enact a system that is not invasive and that respects personal privacy and safety.
- 9) Enact a system that incentivizes its goals instead of work-arounds.
- 10) Enact a system that respects the year-round community and does not incentivize housing insecurity.

STR Zoning Topics:

- 1) Add STRs to the Zoning Code.
 - a. Prohibit STRs as an unlimited use.
 - b. Add STRs as a limited use.
 - c. Allow STRs in all zoning districts, except x.
- 2) Allow legacy rights for existing STRs.
 - a. For all or just some.
 - b. Any sunset.
- 3) Limit the number of STRs per person, by COR or by property.
- 4) Limit number of STRs per lot.
- 5) Limit the number of STR leases on one property at one time.
- 6) Limit the number of STR leases per year.
 - a. Limit in July and August.
 - b. Limit outside July and August.
 - c. Different number of leases or waiver for x.
- 7) Limit total number of days leased.
 - a. Limit in July and August.
 - b. Limit outside July and August.
 - c. Different number of days or waiver for x.
- 8) Require minimum length of STR leases.
 - a. Minimum in July and August.
 - b. Minimum outside July and August.
 - c. Different minimum or waiver for x.
- 9) Require non-STR occupancy.
 - a. Number of days.
 - b. By whom.
 - c. For how long.
- 10) Prohibit STRs in some structures.
 - a. Tertiary Dwellings.
 - b. Inclusionary Housing.
- 11) Require compliance with Chapter 123.
- 12) Require STR properties to make upgrades.
 - a. Comply with Chapter 102 – lighting bylaw.
 - b. Install low lumens lighting for pools.
 - c. Install vegetative or structural screening at lot lines and parking.
 - d. Install sound dampening for mechanical equipment within 10' of a property line.
 - e. Parking requirements.
 - f. Other?
- 13) Effective date.

STR Regulation Topics:

- 1) Add requirement for providing contact information for the rental intermediary.
- 2) Increase requirement for persons designated to respond within 2 hours of a complaint.
- 3) Increase certification of governmental compliance.
 - a. Exempt regulatory failures under Title V - IA upgrades.
- 4) CORs are valid for a calendar year, not a year from issuance.
- 5) Add grace period for new buyers while a COR application is pending with the Town.
- 6) List the max number of occupants and COR number in all advertisements.
- 7) Post rules, contact information, and policies at the STR.
- 8) Confirm renter identity before access.
- 9) Obtain renter acknowledgement of rules before access.
- 10) Change corporate ownership prohibition.
- 11) Discounts on fees for x.
- 12) Adjust enforcement tools or terms.
- 13) Effective date.

ZONING

139 Attachment 2

Town of Nantucket
Use Chart
(See § 139-7A.)

[Amended 4-6-2009 ATM by Art. 27, AG approval 8-10-2009; 4-4-2011 ATM by Arts. 58 and 61, AG approval 9-15-2011; 3-31-2012 ATM by Art. 47, AG approval 7-12-2012; 4-2-2013 ATM by Art. 30, AG approval 7-26-2013; 4-5-2014 ATM by Art. 67, AG approval 5-7-2014; 4-6-2015 ATM by Arts. 44, 47, 61, 62, 64, AG approval 8-5-2015; 11-9-2015 STM by Art. 2, AG approval 12-29-2015; 4-2-2016 ATM by Art. 36, 52, AG approval 7-12-2016; 4-1-2017 ATM by Art. 69, AG approval 5-31-2017; 11-6-2017 STM by Arts. 2, 19, 21, AG approval 2-26-2018; 10-10-2018 STM by Art. 2, AG approval 5-8-2019; 4-1-2019 ATM by Art. 49, AG approval 8-6-2019; 6-5-2021 ATM by Art. 48, AG approval 10-7-2021; 5-2-2022 ATM by Art. 54, AG approval 10-31-2022; 5-6-2023 ATM by Art. 37, AG approval date 9-7-2023; 5-6-2023 ATM by Art. 39, AG approval 9-8-2023; 5-6-2023 ATM by Art. 41, AG approval 9-8-2023]

- A = Accessory Use as defined in § 139-15
- FBED = Formula Business Exclusion District
- N = No
- SP = Special Permit issued by Zoning Board of Appeals, unless the Planning Board is designated as the special permit granting authority pursuant to another section of this chapter.
- Y = Yes

	Use	Town Residential Districts						Town Commercial Districts							Country Residential Districts					Country Commercial Districts	
		R-1 SR-1	ROH SOH	R-5 R-5L	R-10 R-10L SR-10	R-20 SR-20	R-40	CDT	CMI	CN	CTEC	CI	RC	RC-2	V-R	LUG-1	LUG-2	LUG-3	MMD	VN	VTEC
Residential	Primary dwelling	Y	Y	Y	Y	Y	Y	A	A	A	Y	N	Y	Y	Y	Y	Y	Y	Y	A	A
	Secondary dwelling	Y	Y	Y SP R-5L	Y SP R-10L	Y	Y	Y	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N
	Accessory dwelling	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Tertiary dwelling	N	N	Y R-5 N R-5L	Y R-10 N R-10L N SR-10	Y R-20 N SR-20	Y	N	N	N	N	N	N	N	N	Y	Y	Y	N	N	N
	Apartment	N	N	N	N	N	N	Y	Y	Y	Y	SP	N	N	N	N	N	N	N	N	N
	Apartment building	N	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N	N	N	N	SP	N
	Tiny house unit	N	N	Y R-5 N R-5L	Y R-10 N R-10L N SR-10	Y R-20 N SR-20	Y	N	N	N	N	N	N	N	N	Y	Y	Y	N	N	N
	Garage apartment	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Duplex	Y R-1 N SR-1	SP	Y N R-5L	Y R-10 N R-10L N SR-10	Y	Y	Y	Y	A	Y	A	Y	Y	N	N	N	N	N	N	N
	Workforce rental community	N	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N	N	N	N	N	N
	Elder housing facilities	SP	SP	SP	SP	SP	SP	N	SP	SP	N	N	SP	SP	SP	SP	SP	SP	N	N	N
	Studio	A	A	A	A	A	A	Y	Y	Y	Y	Y	Y	Y	A	A	A	A	A	Y	Y
	Garage – residential	A/SP	A/SP	A/ SP	A/SP	A/SP	A/SP	N	N	A	A	N	A	A	A/ SP	A	A	A/SP	A	A	A
	Shed	A	A	A	A	A	A	N	N	A	A	A	A	A	A	A	A	A/SP	A	A	A
	Outbuildings – other	A	A	Y	Y	A	A	N	N	A	A	A	A	A	A	A	A	A/SP	A	A	A

NANTUCKET CODE

	Use	Town Residential Districts						Town Commercial Districts						Country Residential Districts					Country Commercial Districts		
		R-1 SR-1	ROH SOH	R-5 R-5L	R-10 R-10L SR-10	R-20 SR-20	R-40	CDT	CMI	CN	CTEC	CI	RC	RC-2	V-R	LUG-1	LUG-2	LUG-3	MMD	VN	VTEC
	Residential recreational outdoor water feature																				
	Hot tub/spa	A	N	A	A	A	A	A	A	A	A	N	A	A	SP	A	A	A	SP	A	A
	Small swimming pool	A	N	A	A	A	A	A	A	A	A	N	A	A	SP	A	A	A	SP	A	A
	Large swimming pool	A	N	A	A	A	A	A	A	A	A	N	A	A	SP	A	A	A	SP	A	A
	Home occupations	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Keeping of pets for personal use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Business Commercial	Retail sales	N	N	N	N	N	N	Y	Y	Y	A	A	Y	Y	N	N	N	N	N	Y	A
	Convenience store	N	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	N	N	N	SP	A
	Alcohol sales	N	N	N	N	N	N	Y	Y	SP/A	N	N	Y	Y	N	N	N	N	N	A	A
	Bakery	N	N	N	N	N	N	Y	Y	Y	Y	SP	SP/A	SP/A	N	N	N	N	N	Y	A/SP
	Open-air market	N	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	N	N	N	Y	Y
	Pharmacy	N	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	N	N	N	N	N
	Supermarket	N	N	N	N	N	N	Y	Y	SP	N	N	Y	Y	N	N	N	N	N	N	N
	Restaurants																				
	Small (up to 70 seats)	N	N	N	N	N	N	Y	Y	SP	N	N	Y	Y	N	N	N	N	N	SP	N
	Large (71-200 seats)	N	N	N	N	N	N	SP	SP	N	N	N	Y	Y	N	N	N	N	N	N	N
	Take-out food establishment	N	N	N	N	N	N	Y	Y	SP/A	N	N	SP	SP	N	N	N	N	N	A	N
	Drive-through take-out food	N	N	N	N	N	N	N	N	SP	N	N	SP	SP	N	N	N	N	N	N	N
	Tavern/Bar	N	N	N	N	N	N	Y	Y	SP/A	N	N	SP	SP	N	N	N	N	N	A	A
	Formula businesses																				
	Retail (includes: bakery, convenience store and pharmacy)	N	N	N	N	N	N	N	Y	Y	N	SP	SP/N in FBED	SP	N	N	N	N	N	N	N
	Supermarket	N	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	N	N	N	N	N
	Restaurant																				
	Small (up to 70 seats)	N	N	N	N	N	N	N	SP	SP	N	N	SP/N in FBED	N	N	N	N	N	N	N	N
	Large (71-200 seats)	N	N	N	N	N	N	N	SP	N	N	N	SP/N in FBED	N	N	N	N	N	N	N	N
	Take-out food establishment	N	N	N	N	N	N	N	SP	SP	N	N	Y/N in FBED	N	N	N	N	N	N	N	N
	Tavern/Bar	N	N	N	N	N	N	N	SP	SP	N	N	Y/N in FBED	N	N	N	N	N	N	N	N
	Offices	N	N	N	N	N	N	Y	Y	Y	A	Y	Y	Y	N	N	N	N	N	Y	A
	Theatres, auditoriums, or other places of public assembly	N	N	N	N	N	N	Y	SP	SP	N	N	Y	Y	N	N	N	N	N	A	A/SP
	Personal services	SP	SP	SP N R-5L	SP N R-10L	SP	SP	Y	Y	Y	A	N	Y	Y	N	N	N	N	N	Y	SP
	Print shop	N	N	N	N	N	N	Y	Y	Y	Y	Y	SP	SP	N	N	N	N	N	N	N
	Laundromat or dry-cleaning establishment	N	N	N	N	N	N	SP	SP	SP	SP	SP	SP	SP	N	N	N	N	N	SP	N
	Bank	N	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	N	N	N	N	N
	Automated teller machine	N	N	N	N	N	N	Y/A	Y/A	Y/A	N	N	Y	Y	N	N	N	N	N	A	A
	Arcade	N	N	N	N	N	N	N	SP/A	SP/A	N	N	A	A	N	N	N	N	N	N	N
	Art gallery	N	N	N	N	N	N	Y	Y	Y	N	N	SP	SP	N	N	N	N	N	Y	Y
	Museum	N	N	N	N	N	N	Y	N	SP	N	N	Y	Y	N	N	N	SP	N	SP	N
	Catering	N	N	N	N	N	N	N	Y	Y	Y	SP	SP/A	SP/A	N	N	N	N	N	A	A
	Crematorium	N	N	N	N	N	N	N	N	N	N	Y	A	A	N	N	N	SP	N	N	N
	Funeral home	SP	SP	SP N R-5L	SP N R-10L	N	N	Y	Y	Y	N	Y	Y	Y	N	N	N	N	N	N	N

ZONING

	Use	Town Residential Districts						Town Commercial Districts						Country Residential Districts					Country Commercial Districts		
		R-1 SR-1	ROH SOH	R-5 R-5L	R-10 R-10L SR-10	R-20 SR-20	R-40	CDT	CMI	CN	CTEC	CI	RC	RC-2	V-R	LUG-1	LUG-2	LUG-3	MMD	VN	VTEC
	Health spa	N	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	N	N	N	N	N	N	N
	Medical clinic	N	N	N	N	N	N	N	SP	SP	N	N	Y	Y	N	N	N	N	N	N	N
	Adult on-site marijuana social consumption operator	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Marijuana membership club	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Marijuana establishment, recreational and marijuana treatment center, medical	N	N	N	N	N	N	N	N	SP	N	SP	N	N	N	N	N	N	N	N	N
	Hospital	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	N
	Transient residential facilities																				
	Hotel or inn	N	N	N	N	N	N	SP	SP	SP	N	N	Y	N	N	N	N	N	N	N	N
	Rooming, lodging, or guest house	N	SP¹	N	N	N	N	Y	Y	Y	N	N	Y	N	N	N	N	N	N	SP	N
Time-sharing/Interval dwelling units	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N	N	N	N	N	N	Y	N	
Commercial Industrial	Contractor shop	N	N	N	N	N	N	N	SP	SP	Y	Y	SP	SP	N	N	N	N	N	N	A
	Lumberyard	N	N	N	N	N	N	N	N	SP	SP	Y	N	N	N	N	N	N	N	N	SP
	Bulk merchandise retail	N	N	N	N	N	N	Y	Y	Y	SP	Y	N	N	N	N	N	N	N	SP	SP
	Landscape contractor	N	N	N	N	N	N	N	N	SP	Y	Y	SP	SP	N	N	N	N	N	N	SP
	Light manufacturing	N	N	N	N	N	N	N	N	A	SP/A	Y	SP	SP	N	N	N	N	N	SP/A	SP/A
	Food processing	N	N	N	N	N	N	N	N	SP	SP	Y	SP	SP	N	N	N	N	N	N	SP
	Shed - commercial	N	N	N	N	N	N	A	A	A	A	A	N	N	N	N	N	N	N	A	A
	Storage container	N	N	N	N	N	N	N	N	SP	SP	SP	N	N	N	N	N	N	N	N	N
	Interior or exterior storage or warehousing	N	N	N	N	N	N	N	N	A	SP/A	Y	SP	SP	N	N	N	N	N	A	SP/A
	Motor vehicle sales	N	N	N	N	N	N	N	SP	SP	N	SP	SP	SP	N	N	N	N	N	N	N
	Motor vehicle rental	N	N	N	N	N	N	Y	N	SP	N	SP	SP	SP	N	N	N	N	N	N	N
	Motor vehicle repair or painting	N	N	N	N	N	N	N	SP	SP	SP	Y	SP	SP	N	N	N	N	N	N	N
	Motor vehicle service station	N	N	N	N	N	N	N	SP	SP	SP	SP	SP	SP	N	N	N	N	N	N	N
	Motor vehicle parking lots or structures	N	N	N	N	N	N	Y	Y	Y	SP	SP	Y	Y	N	N	N	N	N	N	N
	Car wash	N	N	N	N	N	N	N	SP	N	N	SP	SP	SP	N	N	N	N	N	N	N
	Taxicab business	N	N	N	N	N	N	N	Y	Y	Y	N	SP	SP	N	N	N	N	N	N	N
	Bicycle rental or sale	N	N	N	N	N	N	Y	N	SP	SP	N	SP	SP	N	N	N	N	N	SP	A
	Maritime service station	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	SP
	Yacht/Sailing clubs and marinas	N	N	N	N	N	N	Y	N	N	N	SP	Y	Y	N	N	N	N	N	N	SP
Industrial	Adult uses	N	N	N	N	N	N	N	N	N	N	SP	N	SP	N	N	N	N	N	N	N
	Asphalt/Batching plant	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N
	Licensed junkyard	N	N	N	N	N	N	N	N	N	N	SP	N	N	N	N	N	N	N	N	N
	Transfer station	N	N	N	N	N	N	N	N	N	N	SP	N	N	N	N	N	N	N	N	N
	Petroleum product storage or distribution facility (i.e. tank farm)	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N
	Utility production/distribution (does not include WECS)	N	N	N	N	N	N	SP	SP	SP	SP	Y	N	N	N	N	N	N	N	N	N
	Mining	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N
	Truck/Bus terminal	N	N	N	N	N	N	N	N	N	SP	Y	N	N	N	N	N	N	N	N	N
Boat-related storage	N	N	N	N	N	N	N	N	SP	Y	Y	Y	Y	N	N	N	N	N	N	SP	

NANTUCKET CODE

	Use	Town Residential Districts						Town Commercial Districts							Country Residential Districts					Country Commercial Districts	
		R-1 SR-1	ROH SOH	R-5 SR-5L	R-10 SR-10L	R-20 SR-20	R-40	CDT	CMI	CN	CTEC	CI	RC	RC-2	V-R	LUG-1	LUG-2	LUG-3	MMD	VN	VTEC
Other	Preservation of a lot in its natural condition	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Care and propagation of fish and shellfish	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	All agricultural uses allowed by Ch. 590 of the Acts of 1989, effective 3-8-1990 (including keeping of farm animals, greenhouses, truck gardens, farms, orchards and nurseries)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Cemeteries	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Municipal uses (any)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Tents	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Day-care center	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Kennel	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
	Animal hospital	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
	Animal shelter	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
	Public stable	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
	Employer dormitory	N	N	N	N	N	N	N	N	N	N	N	N	N	SP	SP	SP	SP	N	SP	SP
	Neighborhood employee housing	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	N	N	N	N	N	N
	Swimming pool - commercial	N	N	N	N	N	N	N	SP/A	SP/A	A	N	SP/A	SP/A	A	A	A	A	N	A	A
	Recreational facilities	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
Club	N	N	N	SP	SP	SP	Y	Y	Y	Y	N	Y	Y	N	SP	SP	SP	N	SP	SP	

NOTES:
¹See the definition of "transient residential facility" in § 139-2A.
²With lots greater than or equal to 7,500 square feet.

From: [Thomas Dixon](#)
To: [Erika Mooney](#)
Subject: Fw: Drafting a Select Board STR Warrant for the Fall Special Town Meeting.
Date: Thursday, June 6, 2024 12:46:01 AM

For Peter Halle/Kahn's request

From: Devan C. Braun <DBraun@k-plaw.com>
Sent: Tuesday, June 4, 2024 4:38 PM
To: Thomas Dixon <tdixon@nantucket-ma.gov>; Malcolm MacNab <mmacnab@nantucket-ma.gov>
Cc: Libby Gibson <LGibson@nantucket-ma.gov>; John W. Giorgio <JGiorgio@k-plaw.com>
Subject: RE: Drafting a Select Board STR Warrant for the Fall Special Town Meeting.

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Tom and Malcom:

John forwarded the below.

Note that challenges to short-term rental regulations under the dormant commerce clause to the United States constitution is constantly evolving and is an issue that Town Counsel is closely analyzing. While we agree that several courts have deemed the imposition of a "primary residence" requirement on those wishing to engage in STRs to be unconstitutional, the implication of more limited residency requirements (such as requiring a 30-day residency requirement, or a host, or a long-term tenant, or someone with connections to the community to be present in order to engage in STR) are less clear.

The following cases provide guidance upon which the Town should rely in proposing any STR ordinance that contains a residency component:

1. Hignell-Stark v. City of New Orleans, 46 F.4th 317 (5th Cir. 2022): ordinance that prohibited any person from obtaining a STR license in a residential neighborhood unless the STR property was "also the owner's primary residence" (shown by homestead exemption) deemed unconstitutional under dormant commerce clause.
2. Rosenblatt v. City of Santa Monica, 940 F.3d 439 (9th Cir. 2019): ordinance upheld under dormant commerce clause where it required "primary resident" to remain in dwelling because resident was not required to be the homeowner, just to live there, like a host/tenant/operator of the STR and because the ordinance "applies equally to owners who reside ... elsewhere in California, but at a property separate from their rental property."
3. Short Term Rental All. of San Diego v. City of San Diego, 2023 WL 3964059, at *7 (S.D. Cal. June 12, 2023): ordinance upheld because it did not target "owners" of STRs and allowed the residency requirement to be fulfilled by a host/long-term renter.
4. S. Lake Tahoe Prop. Owners Grp. v. City of S. Lake Tahoe, 2023 WL 4068397, at *18 (Cal. Ct. App. June 20, 2023): ordinance invalid (but remanded for further findings of whether non-discriminatory alternatives existed) where it allowed only permanent residents who were there more than 50% of the year and claimed a property tax exemption from engaging in STR.

5. MDKC, LLC v. City of Kansas City, 2023 WL 6406403, at *1 (W.D. Mo. Oct. 2, 2023): dismissing challenge to ordinance that distinguished between “resident” (who lives there 270 days/year) and “non-resident” because the long-term resident or registrant of the STR does not need to be the owner of the dwelling.
6. Anding v. City of Austin, 2023 WL 4921530, at *6 (W.D. Tex. Aug. 1, 2023): ordinance with homestead requirement to engage in STR stricken under dormant commerce clause.
7. Selvaggi v. Borough of Point Pleasant Beach, No. CV2200708RKJBD, 2024 WL 303677, at *16 (D.N.J. Jan. 26, 2024): ordinance with exemptions from STR regulation if units are (1) “owned by residents” or (2) “owner-occupied” will proceed through litigation. The court found that the “residency” exception discriminates against out-of-state owners by preventing them from entering the market “on the same terms as residents,” but did not yet address whether the “owner-occupied” exception similarly discriminates. Further determinations will be made as litigation proceeds.

Any questions, let me know. Happy to summarize if the issue arises this evening as well.

Best,
Devan

Devan C. Braun , Esq.



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From: Thomas Dixon <tdixon@nantucket-ma.gov>

Sent: Monday, June 3, 2024 11:02 AM

To: John W. Giorgio <JGiorgio@k-plaw.com>

Subject: Fw: Drafting a Select Board STR Warrant for the Fall Special Town Meeting.

From: Peter Halle <peter@halle-lamm.com>

Sent: Sunday, June 2, 2024 6:32 PM

To: Matt Fee <mfee@nantucket-ma.gov>; Thomas Dixon <tdixon@nantucket-ma.gov>
Cc: Kahn, Peter <PKahn@wc.com>; Erika Mooney <EMooney@nantucket-ma.gov>
Subject: Drafting a Select Board STR Warrant for the Fall Special Town Meeting.

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Dear Select Board Members Fee and Dixon:

We applaud your efforts. Having reviewed the 5 Proposed STR warrants submitted, we wanted to remind you that dormant Commerce Clause issues under the US Constitution can sink an otherwise perfectly good warrant. You should be attentive to this as you seek to draft the perfect warrant. We think that a number of the proposed STR articles discriminate against nonresident tax payers and favor resident tax payers in the Nantucket STR market, a national market operating under the Commerce Clause of the US Constitution. Thus, we hope that your Working Group will not adopt the discriminatory elements of those proposals in drafting yours.

Keep in mind when you are drafting that the Massachusetts AG will review whatever STR Bylaw Town Meeting passes. A main point of AG review will be whether the Bylaw discriminates between Nantucket Resident home owners and nonresident home owners. If it does, it may be found to violate the dormant Commerce Clause found in the US Constitution. See, AG Opinion Re Great Barrington Town Meeting, December 19, 2022, page 7, FN 6 (“We considered whether any of the restrictions in the by-law implicate Commerce Clause Concerns” In this context, ‘discrimination’ simply means differential treatment of in-state and out-of-state economic interests that benefits the former and burdens the latter. . . .Discriminatory laws motivated by simple economic protectionism are subject to a virtually per se rule of invalidity[.]”).

As recently as February of this year, the US District Court in Boston, in a suit brought against the Attorney General and the Commissioner of Agriculture struck down a discriminatory provision in a Massachusetts law on Dormant Commerce Clause grounds, saying: [A law that is discriminatory] “*is virtually per se invalid . . . and will survive only if it advances a legitimate local purpose that cannot be adequately served by reasonable nondiscriminatory alternatives.*” Triumph Foods, LLC, et al., v. Andrea Joy Campbell, AG, et al. Civil Action No. 23-11671-WGY, Slip Opinion, pages 15 -19. (USDC MA, decided 2/5/2024). There are a host of Federal Cases that hold likewise that we have cited before in earlier rounds of the STR Bylaw debates, but we will not repeat them here as your time is limited and valuable.

Specifically, here are the troublesome discriminatory provisions we found in three of the STR proposals submitted for the Special Town Meeting Warrant that you should be aware implicate the Dormant Commerce Clause, and you should avoid such provisions in what you draft for Select Board consideration.

1. Both the Benz/PNNF and Grant Sanders Zoning Bylaw proposals contain *eligibility requirements* to STR that blatantly discriminate against nonresident owners. If an owner cannot meet the eligibility requirements, the owner cannot STR. These requirements discriminatorily favor year-round residents. There should be no such discrimination in Nantucket's STR Bylaw. Rather, the way to make clear that STR's are accessory uses is to limit the amount of time that a property may be rented as an STR. The Benz/PNNF eligibility requirement blocks an owner's eligibility to rent by requiring that the owner engage in a residential use of his/her property by occupying it "at least 32 *consecutive* days per calendar year". That is no barrier for a Resident taxpayer, but a substantial impediment for a nonresident requiring him or her to modify personal use of the property in order to STR. See, Benz/PNNF proposal at Paragraphs 139-38 ACCESSORY USE SHORT TERM RENTALS, sub paragraphs 1.a. and 5.

2. The Grant Sanders eligibility requirement is less stringent, but still discriminatory. See, Section 139-38 ACCESSORY SHORT-TERM RENTALS, subparagraph 3. "... the owner must reside on the same Lot or on another lot that they own on Nantucket, for at least 30 days (which can be non-consecutive) in each calendar year." If they do not do that, they cannot STR.

3. These eligibility requirements are not needed as both proposals limit the amount of time a property may STR. One of them (Benz/PNNF) limits STRs to "28 days (4 weeks) per calendar year **as a permitted Accessory Use to a Principal Use.**" (130-38. Paragraph 1) and contains other limitations on STR usage. Stating the permitted Accessory Use this way clearly sets out the definition of Accessory Use in plain words. That is all that is necessary. The Grant Sanders proposal has a similar definition of Accessory use. "No owner or operator may enter into more than six (6) rental contracts which commence in July and August. (Subparagraph 4), or 4 rental contracts if the property is purchased after the effective date of the Bylaw. Moreover, under the Sanders approach, an owner who wishes to STR at any time of the year other than July and August is by Sanders' definition engaging in a permitted accessory use.

4. All of the other proposals similarly define Accessory Use by the amount of time the property can be an STR. That is all that is required. That time varies from just less than half a year in the most generous proposal to 4 weeks in the least generous. Our point is simple, setting the amount of time a property can be rented and when during the year, saying that renting for that time or less is an "Accessory Use", and applying the same limit **equally** to all owners is the safest, least discriminatory approach to defining and implementing the Accessory Use

concept.

5. A different facial discrimination can be found in Matthew Peel's proposal. He would amend 123-3. B. by providing a registration fee that is higher for nonresidents, \$350, than for residents, \$250. There is no practical or legal justification for such a discrimination offered.

We hope this is helpful. It is provided by the Advisory Committee of Nonvoting Taxpayers, whose statutory duty is to advise the Select Board on matters of concern to nonvoting taxpayers. This is a matter of concern.

Respectfully submitted,

/s/

Peter E. Halle
Chair, ACNVT

/s/

Peter J. Kahn
Vice-Chair, ACNVT

Peter E. Halle

From: [Grant Sanders](#)
To: [Charity Benz](#); [Thomas Dixon](#); [Malcolm MacNab](#); [Erika Mooney](#)
Subject: Re: Your Chart
Date: Thursday, June 6, 2024 4:04:08 PM
Attachments: [SB Process Night Two Revised 1.2.pdf](#)

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Hello, all, here is the chart with the changes Charity requested. Let me know if everything looks good. It's a work in progress, obviously. See you tonight! G.

On Jun 6, 2024, at 3:43 PM, Charity Benz <cibenz@comcast.net> wrote:

Hi, Grant.

I think you have misinterpreted our position on Cohen's list.

First: The characterization of STR is incorrect. It should read Accessory STR.
Second: I did not agree to 1.c. Please change that on your chart. I have repeated many times that we will not agree to anything but an A in columns for Accessory Short Term Rental.

Please change this in the packet and with Erika so that our position is represented correctly.

Grant



www.digsand.com
508-826-1334

	Benz Group	Cohen Group	Sanders Group	Potential Compromise?
1) Add STRs to the Zoning Code. a. Prohibit STRs as an unlimited use. b. Add STRs as a limited use. c. Allow STRs in all zoning districts, except x.	1a yes, 1b yes Accessory STR, 1c no agreement	1a yes, 1b yes, 1c yes	1a yes, 1b yes, 1c yes	Yes to all three pending conditions?
2) Allow legacy rights for existing STRs. a. For all or just some. b. Any sunset.	unclear/No position? Legacy use as an accessory is fine. Might go for 5 years, but not ten	Not in favor of restricting legacies but willing to compromise	yes with 5-year sunset. Potential yes with cap? (Not on the table)	Yes with 5-10-year sunset
3) Limit the number of STRs per person, by COR or by	unclear — liked one better than two	2	1, 2 for primary and secondary	1, 2 for primary + secondary w/ clarity
4) Limit number of STRs per lot. All agree cottage colonies are exempt Note use one one lot versus another.	one	1 per dwelling unit	1, 2 for primary/secondary	1, 2 for primary and secondary
5) Limit the number of STR leases on one property at one time. Cottage colonies exempt	one	1 per dwelling unit	1 or per dwelling unit	1 or per dwelling unit
6) Limit the number of STR leases per year. <i>Unanimous: refer to Changes In Occupancy (CIO)</i> a. Limit in July and August. b. Limit outside July and August. c. Different number of leases or waiver for x.	8 per year	a. July August 6-7 b. No limit in shoulder c. unclear	a. July August 6 b. No limit in shoulder c. unclear	a. July August 6 (S. Maury has affirmed this) b. No limit in shoulder c. keep it simple Alternately: Ask group to agree upon a max number of CIO for the year? 12? 14?
7) Limit total number of days leased. a. Limit in July and August. b. Limit outside July and August. c. Different number of days or waiver for x.	No position	<182 days	No position	Discard for the sake of simplicity
8) Require minimum length of STR leases. a. Minimum in July and August. b. Minimum outside July and August. c. Different minimum or waiver for x.	7 in July, August 4 in shoulder	none	none	None — stick to changes in occupancy in July and August None in shoulder?
9) Require non-STR occupancy. a. Number of days. b. By whom. c. For how long.	Primary (32 + 28 +) greater than Accessory STR (Formula)	(Strongly?) opposed	30 days* *Subject to challenge, Dormant Commerce Clause?	30 days for first 5 years of ownership. (Explore Benz numbers of 32/28 days without getting too complicated?)
10) Prohibit STRs in some structures. a. Tertiary Dwellings. b. Inclusionary Housing.	yes, (Matt Peel had a question about apartments.)	yes	yes	no issue
11) Require compliance with Chapter 123.				yes
12) Require STR properties to make upgrades. a. Comply with Chapter 102 – lighting bylaw. b. Install low lumens lighting for pools. c. Install vegetative or structural screening at lot lines and parking. d. Install sound dampening for mechanical equipment within 10’ of a property line. e. Parking requirements. f. Other?	Opinion pending	In favor	In favor but complex. Keep it simple	Table to next ATM? Amend Cohen c 123 general bylaw article to reflect above changes and put before the voters?
13) Effective date.				Ask town counsel

SELECT BOARD SHORT-TERM RENTAL SUBCOMMITTEE

Minutes of the Meeting of June 3, 2024. The hybrid meeting took place in person in Room A of the Meeting Trailer at 131 Pleasant; and, via remote participation using Zoom. Both members of the Subcommittee were present: Thomas Dixon and Dr. Malcolm MacNab. Town staff present were Operations Administrator Erika Mooney and Town Manager C. Elizabeth Gibson. Also present were Finance Committee Chair Denise Kronau, Planning Board Chair David Iverson, Planning Director Leslie Snell, Interim Health Director John Hedden, and attorneys John Giorgio and Devan Braun of Town Counsel's office.

I. CALL TO ORDER

The meeting was called to order at 6:00 PM. Mr. Dixon gave an introduction of the subcommittee and reviewed specific invitees to the meeting: Grant Sanders, Jim Sulzer, Steven Maury, Steven Cohen, Pamela Perrin, Charity Benz and Matthew Peal. He said these invitees are representatives of specific short-term rental related citizen-sponsored warrant articles for the September 17, 2024 special town meeting. He said public comment will not be taken tonight; this session is intended to familiarize everyone with the specifics of each warrant article. Dr. MacNab concurred and asked that the specifics be adhered to.

II. SELECT BOARD SHORT-TERM RENTAL SUBCOMMITTEE-LED DISCUSSION FOR POTENTIAL CONSOLIDATION OF CITIZEN AND/OR TOWN-SPONSORED SHORT-TERM RENTAL WARRANT ARTICLES

Town Counsel John Giorgio reviewed a chart he prepared that compares each citizen-sponsored zoning warrant article. Mr. Giorgio urged that a consensus be reached with the citizen petitioners, the Select Board and the Planning Board, for zoning articles, in the form of a Select Board and/or Planning Board sponsored article(s). He said alternatively, a motion could be developed to one or more of the articles that would contain a consensus. Mr. Giorgio proceeded to review the citizen articles that are general bylaw amendments, rather than zoning. Mr. Giorgio stated that the more important categories to reach consensus on with the zoning articles are: definitions, use chart and substantive regulations. Mr. Giorgio reviewed pending litigation with respect to short-term rentals. Mr. Dixon invited the citizen petitioners to provide a summary of their zoning articles. Ms. Benz said the primary purpose of her article is to protect residential neighborhoods from unlimited short-term rentals and to encourage long-term rentals. She said that short-term rentals are causing a negative impact on the island. She reviewed the specifics of the article. Mr. Peal, another signatory of Ms. Benz's article, said their article is for the "future" of Nantucket. David Iverson asked if Ms. Benz and Mr. Peal would consider an increase in the number of allowable rentals, from the current proposal of 8 per year. Mr. Peal and Ms. Benz generally indicated they prefer their article as is. Steven Cohen said he believes there are serious consequences and negative impacts that their article would cause. Mr. Cohen explained his article saying the main components are to provide accommodations for visitors other than hotels, which are limited; limiting impact on neighborhoods by increasing restrictions; limiting expansion of properties used exclusively as short-term rentals (STRs). Mr. Cohen added that the STR articles at the 2024 annual town meeting were accompanied by political campaigns that included personal attacks and that was very disappointing. He said the Benz/Peal article does not adequately support year-round housing. He said he agrees that the primary use of Nantucket properties should not be short-term rentals; that certain areas could be limited or restricted from STRs; that a limit on turnovers during the summer could be appropriate, but not during the off-season; "robust" nuisance rules are appropriate. Grant Sanders and Jim Sulzer said their article is to protect the integrity of neighborhoods, reduce neighborhood "churn", protect the "time-honored" tradition of STRs and discourage the use of investor-owned properties as STRs. They reviewed the specifics of the article. Mr. Dixon encouraged people to provide him and Dr. MacNab any suggestions for how to reach consensus on these articles.

Discussion followed on the terms “vacation rental”, and “short-term rental”. Planning Director Leslie Snell said that discussion might be premature without further review as to the chart prepared by Mr. Giorgio. Mr. Cohen said he thinks a first step is to determine the definition and what zones they should be allowed in; or, not allowed in. Some discussion followed. Dr. MacNab concurred with Mr. Cohen with respect to the basic agreement of the definition and the locations where these would be allowed (or not allowed). Ms. Benz spoke on the need for enforcement. Mr. Iverson agreed that a discussion about use and where and how it is allowed is needed prior to any discussion about operation and associated regulations. Mr. Peal said the definition’s title should be determined before anything else. Mr. Cohen said that a base definition is the rental of a house of less than 31 days, and that the name of it can be determined later; meanwhile, what should be determined next is, in what zones these are allowed; or, not allowed. Ms. Benz said she does not want to see STRs in “residential zones”. Mr. Cohen suggested perhaps not in commercial-industrial. The Zoning Use Chart was displayed on the screen, and discussion followed as to each district and whether or not STRs should be allowed in each.

III. ADJOURNMENT

Mr. Dixon moved adjournment at 7:58 PM; seconded by Dr. MacNab. So voted.

Approved the day of 2024.

**SELECT BOARD SHORT-TERM RENTAL SUBCOMMITTEE
JUNE 3, 2024 – 6:00 PM
ROOM A AT MEETING TRAILER, 131 PLEASANT STREET
AND REMOTE PARTICIPATION VIA ZOOM
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- Agenda Posting
- Charity Benz STR Zoning article
- Pamela Perun STR General Bylaw article
- Steven Cohen STR Zoning article
- Steven Cohen STR General Bylaw article
- Matthew Peel STR General Bylaw article
- Grant Sanders STR Zoning article
- Town Counsel STR Zoning Articles comparison chart
- Town Counsel STR General Bylaw Articles comparison chart

SELECT BOARD SHORT-TERM RENTAL SUBCOMMITTEE

Minutes of the Meeting of June 4, 2024. The meeting took place via remote participation using Zoom Webinar. Both members of the Subcommittee were present: Thomas Dixon and Dr. Malcolm MacNab. Town staff present were Operations Administrator Erika Mooney and Town Manager C. Elizabeth Gibson. Also present were Finance Committee Chair Denice Kronau, Nantucket Planning and Economic Development Committee Chair Barry Rector, Planning Director Leslie Snell, Interim Health Director John Hedden, and attorney Devan Braun of Town Counsel's office.

I. CALL TO ORDER

The meeting was called to order at 6:01 PM.

II. SELECT BOARD SHORT-TERM RENTAL SUBCOMMITTEE-LED DISCUSSION FOR POTENTIAL CONSOLIDATION OF CITIZEN AND/OR TOWN-SPONSORED SHORT-TERM RENTAL WARRANT ARTICLES FOR SEPTEMBER 17, 2024 SPECIAL TOWN MEETING

Mr. Dixon suggested starting with goals that have been submitted by the citizen article sponsor groups, as have been submitted and contained in the Committee's agenda packet. Charity Benz reviewed the objectives of her group as submitted. Steven Cohen said the goal of his group is to achieve consensus agreement as he reviewed at the June 3rd meeting, as contained in the document in the Board's packet. Grant Sanders said the overarching goal is to come up with an article that will pass at Town Meeting. James Sulzer, associate of Mr. Sanders, re-reviewed the goals of their group as put forward at the June 3rd meeting. Mr. Dixon thanked the groups for these goals. He said that at the June 3rd meeting, discussion left off on zoning and where the types of short-term rental uses: primary (commercial), limited (vacation-type) and accessory, should or should not be allowed. Mr. Cohen said he hopes the group can discuss what they do agree on, rather than what they do not. He referred to a list of concepts he prepared based on the articles submitted. Mr. Sanders agreed that going through the concept list could be helpful. He added that the focus should be not on the "people" who are involved with short-term rentals (STRs), but rather the type of use. Mr. Sulzer spoke on three types of traditional, "time-honored" uses, that he is not sure would be considered "accessory use": 1) year-round resident who lives in their property and short-term rents it up to 6 times in July and August; 2) year-round resident who owns a separate property and rents it up to 6 times in July and August, but does not live in it longer than it is rented; 3) seasonal owner who STRs but does not live in it longer than it is rented. Mr. Cohen said he has no issues with these uses. Ms. Benz said she could generally agree to these uses and suggested using Mr. Cohen's "STR Zoning Topics" list and go through each item. That discussion proceeded as follows:

Item 1 ("a – c") Add STRs to Zoning Code.

- Ms. Benz said she supports guidelines for limited "accessory" use only and does not want to see any "Y" in any zoning district.
- Mr. Cohen said his list is a topic list only, not detailed. He said his understanding from the June 3rd meeting is that "CI" was the only district where STRs would not be permitted.
- Mr. Sanders concurred with Mr. Cohen and said he does not see a pure "accessory" use as realistic.
- Ms. Benz spoke on the 2024 annual town meeting discussion about STRs.
- Mr. Sanders said the concept is to create something that can be regulated, which is very difficult with an accessory use. He said that while each group can always "fall back" on their submitted articles, he believes a compromise article will be most successful at the Special Town Meeting (STM). With respect to the lettered items of topic "1", each of the three groups indicated agreement with 1a and b. Ms. Benz stated that she would need a lot more discussion on 1c and cannot immediately support it. She agreed that STRs should not be in the CI district. Mr. Sanders and Mr. Sulzer agreed with item 1c.

Item 2 (“a – b”) Allow legacy rights for existing STRs.

- Ms. Benz said it is possible that her group could agree to both lettered items 2a and b.
- Mr. Cohen said he agrees with 2a and is not entirely sure about 2b.
- Mr. Sulzer said the number of contracts for the summer should apply across the board with a sunset provision of 5 years. Some discussion followed.
- Ms. Benz expressed concern about “legacy” properties and how many are owned by a family. Discussion continued on this and on “cottage colonies”.
- Mr. Cohen said having legacy restrictions for some and not others makes him uncomfortable.
- Mr. Dixon suggested coming back to this later and said it sounds like there is some consensus as to a sunset provision.

Item 3 Limit the number of STRs by person, by COR or by property.

- Ms. Benz said her group could consider this.
- Discussion followed as to different scenarios of ownership circumstances, and hardships, as well as lots vs dwellings; and unintended consequences. It was agreed to “park” this matter for now, for further discussion.

Item 4 Limit number of STRs per lot.

- It was generally agreed by all parties that this is an appropriate concept with details to be finalized later.

Item 5 Limit the number of STR leases on one property at one time.

- Dr. MacNab said he has to leave (6:57 PM) but emphasized that this is an extremely complicated issue and ultimately if too complicated it will too hard to enforce. He urged the groups to keep this simple.
- Ms. Benz said she supports this item, generally, with details to be finalized at a later time.
- Mr. Cohen agreed.
- Mr. Sanders agreed.

Item 6 (“a – c”) Limit the number of STR leases per year.

- Ms. Benz agreed with 6 and 6a.
- Mr. Cohen agreed with 6 and 6a.
- Mr. Sanders agreed with 6 and 6a. He said his group prefers 6 turnovers for existing STRs and 4 for “newcomers”.
- Mr. Cohen spoke on different implications of limiting the number of contracts. Discussion continued on this, as well as the word “contract” vs “turnover”.
- Ms. Benz expressed concern about 6c. Discussion followed.
- It was agreed by all three groups that the “shoulder season” turnovers do not need to be limited.
- Discussion followed as to each group’s proposed turnover limitations in July and August. Some discussion followed.

Item 7 (“a – c”) Limit total number of days leased.

- Discussion followed on this. Each group reviewed their proposals.
- Mr. Cohen expressed his opinion that Ms. Benz’s proposals are very complicated.
- Mr. Sanders and Mr. Sulzer agreed.
- Mr. Sanders spoke on the disruption the number of turnovers cause in neighborhoods. It was decided to finalize these items at a later time.

Item 8 (“a – c”) Require minimum length of STR leases.

- Each group reviewed their proposals and asked various questions of each other's proposals. It was agreed to finalize these items at a later time.

Item 9 (“a – c”) Require non-STR occupancy.

- Attorney Devan Braun from Town Counsel's office explained the legality of this issue. Discussion ensued as to enforceability of these types of provisions.
- Mr. Sanders stated that his group wants to ensure that people coming here to live, understand the island.
- Ms. Benz spoke in favor of this concept.
- Mr. Cohen said his group has concerns about the requirements, although the concepts are of value.
- Discussion followed as to the difficulties of enforcement.

Item 10 (“a – b”) Prohibit STRs in some structures.

- Ms. Benz agreed with both 10a, b.
- Mr. Cohen and Mr. Sanders concurred. Some discussion followed.
- Matthew Peal, associate of Ms. Benz spoke on the attainability of property on Nantucket.

Item 11 Require compliance with Chapter 123.

- All groups agreed.

Item 12 (“a – f”) Require STR properties to make upgrades.

- Mr. Sanders said he supports much of the content within Item 12 but does have some concern about adding too much complexity.
- Mr. Cohen agreed.
- It was agreed to hold this for the General Bylaw discussion.

Item 13. Effective date.

- Agreed to hold to next meeting.

III. ADJOURNMENT

The meeting was adjourned at 8:03 PM.

Approved the day of 2024.

**SELECT BOARD SHORT-TERM RENTAL SUBCOMMITTEE
JUNE 4, 2024 – 6:00 PM
ROOM A AT MEETING TRAILER, 131 PLEASANT STREET
AND REMOTE PARTICIPATION VIA ZOOM
NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- Agenda Posting
- Charity Benz STR Zoning article
- Pamela Perun STR General Bylaw article
- Steven Cohen STR Zoning article
- Steven Cohen STR General Bylaw article
- Matthew Peel STR General Bylaw article
- Grant Sanders STR Zoning article
- Town Counsel STR Zoning Articles comparison chart
- Town Counsel STR General Bylaw Articles comparison chart
- Charity Benz article objectives
- Grant Sanders article goals
- Steven Cohen concept list
- Chapter 139 - Zoning Use Chart

From: [Grant Sanders](#)
To: [John W. Giorgio](#)
Cc: [Steven Cohen \(Steven@cohenlegal.net\)](#); [Charity Benz](#); [JAMES SULZER](#); [Matthew Peel \(mattpeelsea@gmail.com\)](#); [Stephen Maury](#); [Thomas Dixon](#); [Malcolm MacNab](#); [Erika Mooney](#)
Subject: Proposed wording for section three of the compromise chart
Date: Monday, June 10, 2024 9:54:08 AM
Attachments: [Proposed STR owneroperator wording.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, John:

You asked me to take a stab at wording for the proposed compromise bylaw around the "one person one lot" concept.

Attached is my best try. During the conversation we talked about allowing unlimited STRs on a single taxable lot to cover cottage colonies, but Jim Sultzer had reservations. "Unlimited" seems a bit scary.

I also include a few ideas for names to replace "Accessory Short-Term Rental" in the proposed zoning definitions and use chart.

See you tomorrow.

Grant



www.digsand.com
508-826-1334

Proposed wording for item 3 in our compromise chart.

1. No person or other legal entity shall engage in an Short-Term Vacation Rental use as an owner/operator for more than one Dwelling Unit, two dwelling untits in the case of a primary and secondary dwellings, on one taxable lot at any one time.

*Note: The term to replace “Accessory Short Term Rental” to be defined has not been agreed upon.

Other protential terms to replace Accessory Short Term Rental:

Short-Term Vacation Rental
Limited Short-Temr Rental
Vacation Rental
Limited Vacation Rental
Vacation Short-Term Rental
Traditional Short-Term Rental
Traditional Vacation Rental (TVR)

From: [Gregory Olchowski](#)
To: [Brooke Mohr](#); [David M Iverson](#); [Dawn Hill Holdgate](#); [Erika Mooney](#); [Malcolm MacNab](#); [Matt Fee](#); [Stephen Maury](#); [Steven Cohen](#); cibenz@comcast.net; [Denise Kronau](#); grant@caffeinated.com; justjp@gmail.com; mattpeelse@gmail.com; [Thomas Dixon](#)
Subject: Comments from a long term STR owner
Date: Monday, June 10, 2024 1:01:52 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the members of the Nantucket Board of Selectmen and members of the STR Sub-Committee:

I felt compelled to submit comments to you while you are still discussing matters before public comment can be made at a meeting. My comments evolve from years and years of renting out to folks visiting the island.

I have visited Nantucket since 1972 as a renter, since 1991 as an owner. I rent my home when I do not occupy it and have had scores of wonderful guests who have appreciated the availability of my house over the years. I have never had any “problem” renters. I have closely watched the efforts to deal with STR’s the last four years. Please read my stated concerns to you as a participating member of the sub-committee.

As an owner, I have STR’d for now my 33rd year on Nantucket. I take pride in my rental. I work very very hard at it to produce a superior quality rental. I feel there are hundreds of us in similar circumstances who have been unfairly singled out as villains in the STR “industry” as it is now known on ACK. STR is a new term, but an old tradition on ACK.

For the last four years there has also been a biased focus against STR owners as being the principal source of whatever problem one wished to advocate about Nantucket.

Nantucket is a mosaic of competing interests, continuously evolving. I dare say it is an impossible task for any municipal body or for any person or group to unwind Nantucket to result in an “acceptable” solution for all the concerns of the people it affects. The island could soon be faced with trying to survive a proposed governmental solution with unintended consequences to a way of life deeply rooted in Nantucket. The present way of life and island economy have evolved over a considerable period of time, in fact decades. Change for the sake of change to the deeply rooted character of Nantucket has no known clearly defined or positive results.

We have worked so hard to create language to solve issues which, to date, have not been defined with any degree of particularity. New subjective concepts like “churn” and loss of neighborhood character are being used as grounding points of current discussion with no specific data to support any interpretation of those points. It seems like a great debate seeking a solution to an amorphous “problem”, with no end in sight.

I suggest that it be best to simplify your present effort to seek a resulting recommendation and clearly support STR’s in our zoning bylaws and thereby removing any ambiguity as to its lawfulness; actively enforce the existing comprehensive Rules and Regulations; and work diligently to find the alleged link between the frequency changes of occupancy as the principal source of

Nantucket's "problems".

At this point it is mere conjecture that anything is so compelling as to be absolutely necessary to limit the change of occupancies in July and August. Permanent limits may prove to be economically inappropriate to established STR owners. Over the years we have all adjusted rental terms to adjust to a changed economy or circumstances. It would be an unfair imposition on the engine of the Nantucket economy to make the number of occupancies a static figure. Let the marketplace determine the details.

Move forward to diligently gather registration data for at least a couple of years to determine if there really is a problem which needs to be solved. I have no recollection of having seen data which begs for change. Develop data which provides information to objectively assess the effects of limits. Let that derived data be acted upon by the community with better clarity and certainty at that time. Please don't act on a random guess with no factual back up.

Changes of occupancy limits have been most recently bandied about with new numbers successively being proposed with no factual basis other than "less is better". Each and every proposal has generated a smaller number and has increased the probability of a more than significant adverse and probably unintended result if the limits are adopted.

One has to conclude that Nantucket is far too complicated to be simplified in one fell swoop. I urge you to tether the present effort and seek the data that limiting changes of occupancy requires.

Greg Olchowski

From: [Peter Halle](#)
To: [Thomas Dixon](#); [Malcolm MacNab](#); [Erika Mooney](#)
Cc: ["jgiorgio@k-plaw.com"](#); [Dbraun@k-plaw.com](#); [steven@cohenlegal.net](#); [Kahn, Peter](#)
Subject: The Select Board Compromise Warrant Should Avoid Residency Requirements.
Date: Monday, June 10, 2024 2:48:26 PM

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Dear Tom:

Thanks for circulating the case list produced by KP Law. As that document states: “. . .the implication of . . . limited residency requirements (such as requiring a 30-day residency requirement . . . in order to engage in STR) are less clear [under the cases in the list].

One of the outstanding questions under consideration by the SB STR Drafting Group is “Parked Item” #9) Whether to require a set period of non-STR occupancy in order to STR? See, June 6 Spreadsheet laying out the positions taken by proponents of the three prospective Warrant Articles.

According to the Spread Sheet, The Cohen Group is strongly opposed to an occupancy requirement.

The two other Groups have occupancy requirements in their proposed Articles.

The legal issue is *whether either or both of the proposed occupancy requirements discriminate in favor of local owners over nonresident owners so as to facially violate the dormant commerce clause?*

PNNF requires that in order to STR, a property owner must show that he/she resides in the dwelling unit for 32 consecutive days each year to qualify to STR.

The Sanders Group requires that in order to STR, a property owner must reside in the dwelling unit for 30 nonconsecutive days each year in order to STR.

At the last meeting, Town Counsel was asked its view on the matter.

The “bottom line”, as I understood it, is that this is an area of developing law, and there is no guarantee that a residency/occupancy requirement will pass Constitutional muster? Words aside, **there is risk – if in substance the requirement places a greater burden on out of State residents than local residents.**

Clearly, both the PNNF and Sanders requirements appear on their face (no matter the words chosen) to pose a greater burden on nonresidents than residents. Is it a sufficient burden to animate dormant commerce clause *per se* analysis?

Instead of answering that question, let me suggest that such requirements are not workable because they are too much of an administrative nightmare for Nantucket, which is already leery about putting too much enforcement burden on a thinly staffed Health Department.

According to James Sulzer, Palm Springs abandoned an almost identical requirement because it found it to be administratively impractical.

Why run the litigative risk these requirements pose if they are impractical in the first place? What is the goal of these requirements? Can't those goals be fulfilled in some less risky way?

As I understand it, the goals are many faceted. To give local residents a leg up (illegal) is one. Another is to forestall the conversion of year round housing to STR use. But, that can be accomplished in a far simpler way. For example, there could be a simple rule that no property that has been owned less than X-years by the current owner can be in the STR pool. The Sanders Article has an additional proposal akin to that limiting the number of permitted turnovers for recently acquired properties. The concept being to make it unattractive to purchase a property with the intention to STR right away.

If Nantucket enacts a risky STR eligibility requirement, the result may be expensive and divisive Federal Court litigation. The United States Court of Appeals for the First Circuit, recently made clear that it follows the

Dormant Commerce Clause. See, [Northeast Patients Group, et al v. United Cannabis Patients and Caregivers of Maine](#), 45 F.4th 542 (1st Cir. 2022). (requirement that Maine dispensaries be owned and controlled by Maine residents struck down under Dormant Commerce Clause).

Devan Braun's June 4 Memo listing 7 dormant commerce clause cases dealing with STRs is helpful in that it shows how various Courts in the US have looked at various STR laws. But, the list is incomplete because it does not include the First Circuit case that is binding law in our area. The underlying dispute in Maine did not involve STR. It involved the ownership and management of marijuana dispensaries. But the Court's reasoning is fully applicable to STR ownership and management.

What is clear from the K-P Law list is that a residency requirement in an STR law has been found to be a per se discrimination under the Commerce Clause on its face. *Hignell-Stark v. City of New Orleans*, 46 F. 4th 317 (5th Cir. 2022). I suppose the question posed by Town Counsel is how much "residency" is too much under the Dormant Commerce Clause? Simply changing the word "residency" to "occupancy" is not enough to avoid the problem.

Two other cases on the list, the Ninth Circuit Santa Monica case, *Rosenblatt v. Santa Monica*, and the *San Diego* case do not shed any light on this question because they deal with local laws very different from Nantucket's. Both concern "hosted stay" laws, not the sort of law Nantucket is considering. A deep dive into the facts of *Rosenblatt v. City of Santa Monica* shows why reference to these cases is unavailing:

Arlene Rosenblatt owned a residential home in Santa Monica. She was a year round resident. It was Rosenblatt's customary habit to STR her home when she and her husband went away annually for vacation. In 2015 Santa Monica explicitly banned STRs, but allowed hosted stays. That change did not do the Rosenblatt family any good as they only short-term rented when they were away and could not themselves be present to host. Thus, in order to keep renting while away on vacation,

the Rosenblatts would have had to engage someone else to be in the home during their absence to host in order to rent. Arlene Rosenblatt objected to that burden and brought suit, including a claim under the dormant commerce clause.

What an unusual situation, a full time resident suing under the dormant commerce clause alleging that Santa Monica was discriminating against nonresident owners with a hosted stay requirement. But, as the Court pointed out, full time residents, like Arlene, were subject to the same hosted stay rules as nonresident owners. Thus, there was no discrimination. The San Diego case is based on similar facts. These cases do not give much guidance for the Nantucket STR situation.

Both the PNNF and Sanders Group residency proposals are materially different from hosted stay requirements. Neither requires a hosted stay. Instead they require that the owners show that they have occupied the premises for 30 to 32 days in order to qualify to STR. Whether the requirement is 32 consecutive days or 30 nonconsecutive, both seem quite arbitrary. What is the basis? Clearly, such a requirement is significantly more burdensome for nonresidents than for residents. Maybe that is the point? There is a clear facial discrimination. What are the less discriminatory options?

The SB Drafting group should also take note that tracking the required occupancy will be an administrative hassle for the Nantucket Board of Health. Not a simple task.

I hope that the Drafting Group will reject these residency/occupancy requirements because they appear on their face to be unfair, and risk legal challenge. They could undo otherwise sound regulations. Just as important, the residency/occupancy requirements are complicated rules that are difficult and impractical to enforce. Keep it simple and administratively easy.

Respectfully submitted.

PEH

Peter E. Halle
Chair, ACNVT

From: [Matt Fee](#)
To: [Erika Mooney](#)
Subject: Fwd: Request for STR Subcommittee Consideration
Date: Monday, June 10, 2024 2:50:34 PM
Attachments: [Nantucket STR Subcommittee Letter June 10, 2024.docx](#)

For STR packet

Begin forwarded message:

From: Mike Fargo <mikefargo99@gmail.com>
Subject: Request for STR Subcommittee Consideration
Date: June 10, 2024 at 2:25:43 PM EDT
To: bmohr@nantucket-ma.gov, mfee@nantucket-ma.gov, mmacnab@nantucket-ma.gov, dhillholdgate@nantucket-ma.gov, tdixon@nantucket-ma.gov, "sulzer@comcast.net" <sulzer@comcast.net>, "CharityBenz@gmail.com" <CharityBenz@gmail.com>, "grant@caffeinated.com" <grant@caffeinated.com>, steven@cohenlegal.com, steven@congdonandcoleman.com

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Members of the STR Subcommittee and Select Board Members:

Please consider my letter which is attached. Thank you, Alvin W. Fargo

Alvin W. Fargo

June 10, 2024

Members of the STR Subcommittee and Select Board Members:

As your Subcommittee meets in an attempt to reach consensus on regulating short-term rentals on Nantucket, I want to bring to your consideration the situation of families like ours who own legacy seasonal cottages and who rely on short-term rental income to maintain them and to afford to keep them in their families. It is my understanding that the Subcommittee values legacy families with a long history and love for the island and desires to protect traditional vacation rentals.

My family has owned our Wauwinet beach cottage for 59 years. My mother and father purchased the cottage in 1965 as a 25th anniversary gift to each other. It is a seasonal beach cottage, not suitable for year-round use. Our cottage is mostly constructed of posts and beams, with only outer boards and shingles, and it can only be occupied from May to October.

My father set up a Fargo Family S corporation with only family members to own our cottage, with my father, my mother, my two sisters and I owning all the shares. As my father had planned, he and my mother passed on their shares annually to my sisters and me, and I have since passed on my shares to my 3 sons. Four generations of our family have loved our summer beach cottage!

From the very beginning, my father used short-term rentals to cover expenses in owning the cottage. Over the years our family has rented to very responsible and mostly repeat tenants to allow us to afford to keep our family home. All of the proceeds we receive from our tenants are reinvested in the maintenance of our cottage and go to our caretaker, local tradesmen and businesses and the payment of insurance and taxes.

The Benz group proposal that you are considering is concerned with investor-owned STRs. I understand that concern, but that is certainly not our situation. Our cottage has only 5 owners - all Fargos. No person or entity has ever had an interest in our family S Corp. except members of our Fargo family.

Concern with residential neighborhood churn has also been emphasized. We have no churn. Our tenants stay longer, and we have relatively few changes in occupancy between tenants. This summer, for instance, all of our tenants are staying two weeks or longer, and we have only two changes in occupancy between tenants in July and August. Our short-term rentals and our tenants do not cause anyone harm or disruption, and I believe that any kind of a limitation on the number of days we can short-term rent is unwarranted and unjust and will be injurious to us.

Likewise, any requirement that we owners must spend some minimum number of days in our seasonal cottage is also unnecessary and unfair. While my parents lived within driving distance of Woods Hole and Hyannis to come to the island, almost all of my family now live in California. Of course, we come to Nantucket each summer, but the amount of time our family can spend in our home each summer varies for many reasons. Please don't require a minimum number of owner days, and, especially, please don't require that all our days must be consecutive.

My family loves Nantucket! My parents, who lived in New Jersey, chose to be buried on Nantucket in a plot on Prospect Hill. Our family's love of Nantucket goes all the way through four generations down to our youngest family member, a sixth grader who lives in California. She has declared that she wants to go to college in Boston so she can be close to Nantucket - "my favorite place in the world!"

Please do not add any limitation on the number of days our family can rent to our responsible tenants. It would break our hearts if we were forced to sell our family home. Thank you.

Sincerely, Alvin W. Fargo
(415) 847-0347