

Town of Nahant
Short Term Rental Committee
Meeting Minutes
Tuesday October 11, 2022 at 7:00 p.m.
Nahant Town Hall, Room 2
This was a hybrid meeting

Present:

Wayne Wilson: Building Inspector, Committee Chair

Marie Hladikova, Committee Vice-Chair (Arrived at 7:08 p.m.)

Robert Tibbo, Committee Secretary

John Coulon, Health Officer (Arrived at 7:08 p.m.)

Steve Viviano, Planning Board

- The meeting was called to order at 7:00 P.M. by W. Wilson
- Minutes for the September 13th meeting were reviewed and approved (Viviano/Tibbo - Unanimous roll call vote in favor).
- Minutes for the September 27th meeting were reviewed and approved (Viviano/Tibbo - Unanimous roll call vote in favor).
- W. Wilson recommends adding STR as use to current Nahant bylaws. He suggested that specifics as to the type of use can be determined later. He suggested that the Lexington bylaw may be a good example of a template to be considered by the STR committee. He pointed out that Lexington created a separate section focused entirely on Short Term Rentals rather than adding sections throughout existing bylaws. **There was consensus that creating a specific section is the correct approach for Nahant.**
- There was a discussion of a draft bylaw submitted by the “Nahant Short Term and Long Term Rental Owners” group.
- S. Viviano distributed a copy of Lexington’s “Article 10” to STRC members via email.
- M. Hladikova asked J. Coulon about apartment inspection in other communities. J. Coulon mentioned Nahant’s certificate of fitness bylaw was adopted prior to the known existence of Short-Term Rentals in town. There was discussion of compliance issues with respect to the inspection of regular rentals. W. Wilson said a yearly license renewal may help to ensure compliance.
- J. Coulon said that he and W. Wilson deal mostly with issues that come to their knowledge directly.
- S. Viviano and M. Hladikova asked whether other communities inspect STR units.
- W. Wilson stressed the need to make sure rental units are safe.
- M. Hladikova discussed checklists and self-certification.
- J. Coulon suggested that a third-party vendor could conduct inspections.
- There was a general discussion of what inspections are required and who would complete them.
- J. Coulon said a designated third-party inspector should be considered by the STRC.
- W. Wilson reviewed the Lexington bylaw. The committee agreed on the following changes:
 - 6.10.2 Definitions – Short term rental was eliminated. The state definition will be used as previously agreed.
 - 6.10.3 Requirements
 - 5. There was discussion of whether to require specific number of spaces based on bedrooms or to allow a sufficient number of legal off street parking spaces for guests.
 - 6. The committee agreed that the age of guests is not considered a necessary requirement for a guest log.
 - 9. The seven or more day allowance was considered unenforceable
 - 12. The maximum 120 day aggregate per year rental operator occupancy requirement was considered unenforceable.

- There was discussion of a recent complaint about a vehicle idling for an extended period. It was determined that idling vehicles can be fined. There was general discussion of a need to exclude commercial vehicles.
- There was discussion of adding what is not allowed as a short-term rental.
- There was a brief discussion of swimming pool regulations
- The committee reviewed what is required to enforce event restrictions. (enforcement agent must be present during the event).
- M. Hladikova asked about factoring in existing regulations when a new bylaw is adopted. W. Wilson agreed that something can be done.
- S. Viviano said the state D.O.R. issued registration number must be available to get a town license.
- W. Wilson opened the meeting to public input.
 - R. Flacke asked if inspection s can be required to occur within a certain period of time to avoid inconveniencing the STR operator. W. Wilson said nobody would be penalized due to inaction by a town inspector. R. Tibbo cautioned that this would apply to operators that are lawfully allowed. D. Skrip suggested there was no need to consider the “lawful” issue at this time. W. Wilson clarified that any failure of the town to expeditiously complete the registration process would not have a negative impact on a STR registration .
 - V. Patek asked for the definition of a parking space. A definition was not immediately available but it was agreed that parking on a front lawn was not allowed.
 - M. Raworth warned the STRC not to cover things that already in the town bylaw.
 - V. Patek pointed out that people have been parking on the front lawn of a STR on Furbush road.
- M. Hladikova said there needs to be a decision on non-owner occupied STRs. W. Wilson said that nothing reviewed during the meeting prohibits them. M. Hladikova said they should have a local operator.
- R. Tibbo asked if the committee is constructing rules for both owner and non-owner occupied STRs. W. Wilson said he believes there is no choice but to present rules for both. He said the STRC has no authority to ban non-owner occupied STRs. He said he believes the committee is “fighting a losing battle”. R. Tibbo said the committee should state what it is in favor of. J. Coulon said that a majority, and a minority view can both be presented.
- S. Viviano provided an update on what the Planning Board was discussing with respect to STR rules.
- W. Wilson asked if anyone wanted to make a motion. No action was taken.
- The next meeting was scheduled for October 25th.
- R. Tibbo passed out a list of potential bylaw changes for discussion during the October 25th meeting.
- Motion to adjourn (Coulon/Viviano – unanimous roll call vote in favor) 8:52 P.M.

Respectfully submitted by Rob Tibbo *as approved during the STRC Meeting on October 25, 2022*