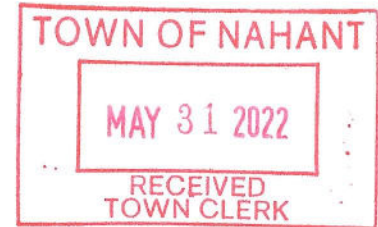


Town of Nahant
Short Term Rental Committee
Meeting Minutes
Tuesday May 10, 2022 at 6:00 p.m. via Zoom



Present:

Wayne Wilson: Building Inspector, Committee Chair

Marie Hladikova, Committee Vice-Chair

Robert Tibbo, Committee Secretary

John Coulon, Health Officer

Steve Viviano, Planning Board

- The meeting was called to order at 6:01 P.M. by W. Wilson
- Minutes for the April 26th meeting were reviewed and approved with amendments as submitted by M. Hladikova (Unanimous roll call vote in favor).
- W. Wilson invited members to submit thoughts on what should or should not be included in any rules or guidelines document
- J. Coulon commented on checklists submitted by M. Hladikova. He suggested a document of this type should be included as a self-evaluation to be completed along with an application to become a STR operator.
- W. Wilson asked if this needs to be included with any proposed STR licensing / management plan created by the committee. He further suggested that we need a fairly concise list of regulations. He does not want it detailed to the point of being cumbersome.
- J. Coulon offered further support to including the self-evaluation with an application as required rather than recommended
- R. Tibbo supported J. Coulon's recommendation to the committee
- W. Wilson invited input as to what exactly the committee is supposed to be doing. He suggested we should formulate a list of regulations.
- R. Tibbo outlined his thoughts on how to approach and complete the committee's assignment based on examples from other communities that currently have a program in force.
- W. Wilson stated that at some point something the committee puts together will go to town meeting though he is not sure that it must.
- J. Coulon mentioned previous discussions of the warrant article that formed this committee and agreed with W. Wilson's conclusion that we should be making a recommendation. He considers it a challenge to do this in an equitable manner and believes we have been doing so thus far.
- R. Tibbo displayed Article 28 from the 2021 Annual Town Meeting to confirm that the committee's assignment includes formulation of draft by-laws.
- W. Wilson offered that the by-law describing approved accessory use must be changed in order to allow STRs to operate in Nahant.
- S. Viviano commented that he has not found a single town that includes STRs as a "listed use". He further stated his opinion that STRs are included under residential use and applied per prerogative of the homeowner. He further shared the opinion that the committee's task is to decide what people are allowed to rent and cited sheds, tents, and tree houses as examples of what the committee needs to consider.
- R. Tibbo listed several cities / towns that have implemented STR zoning restrictions. He disagreed that neighboring towns are deliberately leaving STRs out of their zoning laws and mentioned this is likely an oversight. He mentioned that many municipalities have yet to adopt the room tax as an example of how some communities still need to catch up with the new state law (Mass Chapter 337) that became effective July 1st, 2019.
- S. Viviano said the state created a database to generate tax revenue. He doesn't believe this has any bearing on the use of a building. He suggested the committee should visit some STRs to learn how they operate. He believes

most are likely to be furnished apartments and described these as a rental regardless of the length of stay. He then commented on AirBnB's complaint system.

- W. Wilson emphasized that anything the committee suggests must be legally correct.
- M. Hladikova asked if the committee should speak with Town Counsel to learn more about the direction it should go. She thought the purpose was to look at what might be considered best practice in other communities and address safety concerns. We should focus on drafting rules and ask Town Counsel where they fit.
- S. Viviano said we could draft rules and regulations that do not stipulate certain areas or houses. He said we need a blanket set of rules to show selectmen. Drafting bylaws would be a "separate animal".
- W. Wilson said he doesn't want to formulate this list and have someone say it must be approved through a process that requires several steps as this may result in it being "kicked down the road".
- W. Wilson opened the meeting to community input.
- Town Counsel (D. Skrip) joined the meeting.
- W. Wilson asked if STR use must be specifically listed as approved Accessory use in the Nahant Zoning by-law or can it be ignored.
- J. Coulon mentioned the question is being asked because Article 28 specifically lists the committee's need to draft by-laws.
- W. Wilson asked if the town must change any by-law to allow STRs in Nahant.
- D. Skrip said they are not prohibited specifically and suggested they may be allowed without regulation as a result.
- W. Wilson asked if incorporate a list of regulations without a by-law change.
- D. Skrip explained there is little difference between by-laws and the "ordinances" often cited in other communities. He said the town may need a by-law change to clarify the difference between a lodging house and STR. D. Skrip also said your job is to come up with regulations "within the four corners of the statute".
- M. Hladikova asked D. Skrip to put additional thought into questions asked by the committee and specifically whether there is a need to include STR as an accessory use.
- S. Viviano asked D. Skrip to provide his opinion on differences between STRs and regular market rentals.
- W. Wilson stated that "for the sake of tonight's conversation" we are not looking to change any bylaws at this point. We are looking to develop some type of list of regulations that would culminate in registration and form of inspection.
- L. Logan described how she rents her home on VRBO approximately 25-30 nights per year and has very strict rules. She asked why STR committee meetings are taking place
- C. Reinsch asked if safety concerns also apply to regular market rentals.
- M. Hladikova encouraged people that have STRs or are neighbors to an STR to attend the meetings.
- S. Viviano said he expected hosts would be calling in to describe their operations. He also urged neighbors to call in to meetings. He said people need to understand who the renters are and why they are staying in Nahant. He wants people to share their concerns and any issues they may have.
- C. Croall said that she has researched beach STRs in FL, GA, etc. and to be successful the host must have strong rules. She hasn't seen any issues in Nahant.
- C. Reinsch said described problems she has experienced in finding out when STR meetings are held and finding notes from past meetings. She believes there is not enough public awareness and wants to invite other hosts to attend.
- C. Croall mentioned that STRs provide many benefits to the town.
- A. Tassell recognized the responsible hosts that are attending the meeting and reminded attendees of problems described by an STR abutter on Maolis Rd.
- Motion to adjourn (Viviano/Coulon – unanimous roll call vote in favor) 6:59 P.M.