

**Town of Nahant
Short Term Rental Committee
Meeting Minutes
Tuesday January 24, 2023 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

Robert Tibbo, Committee Secretary

John Coulon, Health Officer

Steve Viviano, Planning Board

- The meeting was called to order at 7:03 P.M. by W. Wilson
- Minutes for the January 10th meeting were reviewed and approved (Coulon/Viviano - Unanimous roll call vote in favor).
- R. Tibbo read a potential motion to define non-owner-occupied STRs as follows:
“A dwelling unit made available for short term rental that is neither the primary residence of the owner nor is located within the same residential building as the owners primary residence”. Motion to accept J. Coulon. Motion second S. Viviano. Unanimous vote in favor.
- S. Viviano reviewed recommendations from a recent Planning Board meeting which include-
 - Special permit should not attach to the property – it should end when the owner/operator changes (note: poor audio quality)
 - The number of STR licenses should be limited by a cap
 - Certain limits that are core to short term such as the number of bedrooms – suggested limit of four (4) plus one additional bedroom for the owner.
 - No more than 2 (two) adults in each bedroom.
 - Update Table of Use to include Short Term Rental and restrict them to residential and business districts.
- There was a discussion of the need for a license cap and if so, then how many should be allowed.
- R. Tibbo made the following motion to limit the number of STR licenses: “The total number of Short-Term - Rental licenses in the Town of Nahant is limited to 4% of the total number of dwelling units”
Motion seconded by J. Coulon. Unanimous vote in favor.
- S. Viviano made the following motion to update the Table of Use: “To restrict short term rental only to exist in Residential and Business districts and that they be added to the Table of use” Motion second by W. Wilson
W. Wilson clarified that STRs would be limited to districts R1, R2, B1, and B2.
There was a discussion of the need for a Special Permit for STRs in a business district
S. Viviano revised his motion to include “update the Table of Use: to include owner-occupied and non-owner-occupied Short Term Rentals in R1, R2, B1 and B2 districts “as we understand it” subject to review and recommendation from Town Counsel for a vote at a future STRC meeting.
Motion carried with R. Tibbo voting no and S. Viviano, J. Coulon, M. Hladikova, and W. Wilson voting yes.
- M. Hladikova asked D. Skrip about Special Permit standards. Per D. Skrip said the SJC has determined that standards do not need to be specific. They can be vague.
- W. Wilson asked D. Skrip if STR location and concentration of STRs can be considered by the Zoning Board of Appeals. D. Skrip confirmed they can as it would go to the “impact to the neighborhood”. It was suggested “the location shall not concentrate STRs in a particular neighborhood. D. Skrip suggested the Board of Appeals “shall take into consideration the amount of other STRs within “

- W. Wilson also suggested that “traffic shall not create an adverse impact on the nearby residential uses”.
- R. Tibo asked if 500’ minimum distance between STRs would be acceptable. D. Skrip said that it would but may be difficult to enforce.
 - There was a general discussion of the need for specific STR spacing and separation.
 - D. Skrip reviewed “totality of circumstances” as an assessment tool for the Board of Appeals
 - There was a discussion of STR spacing and separation.
 - W. Wilson suggested the committee develop a list of criteria to be voted at the next meeting.
 - M. Hladikova read a list of possible Special Permit criteria recently submitted by D. Skrip. The committee will consider these recommendations at the next meeting.
 - D. Skrip suggested that the term “primary residence” should be defined.
 - W. Wilson asked if the current use of legal residence would be sufficient.
 - There was a discussion of whether “primary” or “legal” residence would be best. D. Skrip will review and make his recommend at the next meeting.
 - R. Tibbo reviewed the current status of the STRC “first draft” document. The committee agreed to:
 - Remove “Good Neighbor” guidelines and move them to a Rules and Regulations document at a later date.
 - Refer to existing Nahant Zoning Bylaw Section 9 - Administration And Enforcement rather than creating a separate list for Short Term Rentals.
 - Remove the Severability clause as it is not necessary per Town Counsel
 - Not list owner-occupied STRs as Accessory use.
 - S. Viviano suggested that current draft document language limiting STRs to owner-occupied identified as item 1 in the “Requirements” section be removed. The committee agreed by consensus to remove the owner-occupied restriction.
 - J. Coulon made the following statement: “It is our unanimous intent that current Short Term Rental operators will be considered and will not be penalized in the promulgation of whatever Short Term Rental bylaw is voted by Town Meeting and then approved by the Massachusetts Attorney Generals office”.
 - There was a discussion of scheduling future meetings and the completion of STR recommendations
 - W. Wilson opened the meeting to public input.
 - R. Flacke: mentioned the need for existing operators to have priority in the licensing process.
 - Motion to adjourn at 8:30 P.M. (R. Tibbo/J. Coulon. Unanimous vote in favor.

Respectfully submitted by Rob Tibbo *as approved during the STRC Meeting on* February 1, 2023