



2023 Special Town Meeting
Tuesday, November 7th at 5pm
Nantucket High School Auditorium

**Nantucket's community depends on the
vitality of its sustainable natural resources.**

VOTE ENVIRONMENT FIRST

The Nantucket Land & Water Council has reviewed the Warrant for the November 7th 2023 Special Town Meeting and offers the following comments on articles which could affect the island's unique and valuable natural resources and quality of life.

ARTICLE 1: NO Bylaw Amendment: Regulating the Operation of Short-Term Rentals

The Short-Term Rental industry (in particular investor-owned commercial STRs) contributes to more intensive use and (re)development of properties on Nantucket. This puts increasing and measurable pressure on the island's natural resources and infrastructure, from the health of our aquifer, ponds, and harbors to solid waste management, water and sewer. We support the promulgation of comprehensive restrictions and regulations that address the Short-Term Rental industry in a balanced way that is consistent with Nantucket's local traditions while protecting against unfavorable depletion of our Island's natural resources that we all want to prevent.

While we support the purpose and intent of balanced regulation, the provisions proposed in Article 1 will not achieve that goal. For example, multiple workarounds exist, including for additional corporate ownership to avoid compliance with the regulations. Critical terms in the regulation, such as "owner", are not defined. Rather than restricting it, elements of this Article open the door to further uncontrolled growth of the industry without any assessment of the impact on our natural resources or infrastructure. The Board of Health is the monitoring and enforcement agency for the proposed regulations yet was not consulted in their drafting. The Health Director has stated that many provisions of these regulations, as proposed, cannot be enforced. We recognize the time and effort behind the development of this regulation, but due to these critical shortcomings we do not support the proposed provisions. **We recommend a NO vote on this article.**

ARTICLE 2: NO Zoning Bylaw Amendment: Regulating Short-Term Rental Use

This article, just like Article 42 at the 2022 ATM, would legalize unlimited STRs across the island as an allowable primary use by right under zoning. Without promulgating adequate restrictions or regulations, this would significantly increase the intensity of use and harmful consequences in all residential districts. Nantucket should not commercialize residential districts throughout the island without a firm, enforceable mechanism in place to ensure impacts to natural resources and infrastructure are fully mitigated. Lacking confidence that the regulations proposed in Article 1 will achieve their intended purpose, **We strongly urge a NO vote on this article.**

ARTICLE 6: YES Real Estate Conveyance: Transfer of Conservation Area to NLB

This article will bring the Town into compliance with the provisions of an existing Conservation Management Permit issued by the MA Natural Heritage Endangered Species Program by mitigating for a “Take” of state listed species habitat resulting from prior expansion of the Surfside Wastewater Treatment Plant.

ARTICLE 8: YES Home Rule Petition: Acquisition of Bike Path Easement by County

This article authorizes the Select Board to petition the state for permission to use a portion of land at 15 Somerset Lane which is permanently protected by a Conservation Restriction for bike path purposes. Somerset Lane has become exceedingly busy and use by pedestrians and cyclists has increased dramatically. A bike path in this location would provide significant public benefit to the community. The CR will still need to be amended through the local and state approval process.

ARTICLE 18: NO Bylaw Amendment: Sewer District Map Change - Codfish Park

The NLWC supports the Board of Sewer Commissioners and Sewer/Health/Planning Departments’ determination that due to significant logistical challenges and a failure to demonstrate need, Codfish Park is not a suitable location to extend Siasconset Sewer.

ARTICLE 20: YES Bylaw Amendment: Sewer District Map Change - Burnt Swamp Ln

The NLWC supports the Board of Sewer Commissioners and Sewer/Health/Planning Departments’ determination that these properties meet the requirements for addition into the Sewer District, including water quality concerns given their location within the Hummock Pond watershed.

The Nantucket Land & Water Council, Inc. is a 501(c)(3) charitable, member-supported environmental organization, founded in 1974 to protect Nantucket’s natural resources.