

From: [Denice Kronau](#)
To: [Paul Flanigan](#)
Cc: [Caryn Flanigan](#); [Stephen Maury](#); [Brian Turbitt](#); [Mariya Basheva](#)
Subject: Re: FinCom - Article 43 Question
Date: Monday, February 14, 2022 11:04:02 AM

Dear Mr. Flanigan,

Thank you for your email and we will take your question into consideration when we discuss the Planning Board's recommendation to Article 43.

Kind regards,
Denice

From: Paul Flanigan <kpflanigan@mac.com>
Sent: Friday, February 11, 2022 8:22 PM
To: Denice Kronau
Cc: Caryn Flanigan
Subject: FinCom - Article 43 Question

Dear Ms. Kronau,

I understand that FinCom will be discussing Article 43 on Tuesday, February 15th. I have a question for both FinCom and the submitter of the article, Mr. Glidden.

The ZBA takes weeks to consider around 20-25 applications per year. By some estimates, Article 43 would cause more than 1,500 properties to need ZBA approval. How is that doable without an extraordinary burden of cost and time on the town and homeowners?

Thank you,
Paul & Caryn Flanigan
64 Cliff Road

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From: [Denice Kronau](#)
To: [Robin Nydes](#)
Cc: [Stephen Maury](#); [Mariya Basheva](#); [Brian Turbitt](#)
Subject: Re: Comment on Articles 42 & 43
Date: Monday, February 14, 2022 11:05:56 AM

Dear Robin,

Thank you for your email; I have forwarded to the rest of the committee members and we will take your comments into consideration when we discuss these articles tomorrow.

Kind regards,
Denice

From: Robin Nydes <robin@nydes.com>
Sent: Friday, February 11, 2022 11:27:55 PM
To: Denice Kronau
Subject: Comment on Articles 42 & 43

Dear Denice,

I understand these articles will be discussed Tuesday, February 15th.

FinCom should consider the financial implications when looking at the merits of Article 42 and danger of Article 43.

Article 42 closes the legal ambiguity surrounding the traditional and habitual use of homes as STRs. The legal argument by those filing lawsuits against their neighbors is that owners are running a commercial businesses in residential districts. Article 42 puts an end to this by codifying STRs (again, an established use for more than a century, providing a majority of tourist housing on island), while establishing a framework to facilitate future regulation and supervision as needed.

Article 43 proposes that the currently used vehicle for objection & legal attack, the ZBA, should become the gatekeeper for all STRs. This opens the floodgates to incessant obstruction and legal challenge, with all the related costs. From a pure financial consideration perspective, FinCom should support Article 42 and vote against the inherent, material financial risks in Article 43.

Best,

Robin Nydes

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From: [Denice Kronau](#)
To: [Ralph Keith](#)
Cc: [Stephen Maury](#); [Brian Turbitt](#); [Mariya Basheva](#)
Subject: Re: Recent discussion on Nantucket Short Term Rentals - (SRT) -Article 43
Date: Monday, February 14, 2022 11:08:30 AM

Dear Mr. and Ms. Keith,

Thank you for your email which I have forwarded to the rest of the committee.

While I don't have an answer to your question at this time, we will take its implications into consideration when we discuss article 43 tomorrow.

Kind regards,
Denice

From: Ralph Keith <ralphkeith@icloud.com>
Sent: Saturday, February 12, 2022 8:02 PM
To: Denice Kronau
Cc: Ralph Keith
Subject: Recent discussion on Nantucket Short Term Rentals - (SRT) -Article 43

Dear Ms Kronau,

In a recent presentation to the Planning Board on Feb. 8, 2022 Tobias Glidde repeatedly stated that the ZBA permit approval process would be a simple "...fair handshake" for homeowners. However, the day after this presentation, on Feb. 9, Cathy Ward filed an appeal in the Land Court against the Town, the ZBA and the Grapes. It has been reported in the press that Cathy Ward has been supported in some way by ACK-Now, which Mr. Glidden chairs.

We must question the potential financial impact for both the Town and Nantucket homeowners when perhaps 2,000 STR applications require "approval". If all ZBA decisions can be contested, as well as supported by unrelated and perhaps antagonistic 3rd parties, the ZBA, Nantucket legal defense teams and the homeowners will become overwhelmed with never ending court proceedings.

Are you or the Town able to quantify or limit the magnitude of financial risk associated with Article 43?

Thank you for your consideration,

Ralph & Bonnie Keith
15 Delaney

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From: [Denice Kronau](#)
To: [Tilly Bagshawe](#); [Stephen Maury](#)
Cc: [Mariya Basheva](#); [Brian Turbitt](#)
Subject: Re: Feb 15 meeting, Article 43
Date: Monday, February 14, 2022 11:10:19 AM

Dear Ms. Bagshawe:

Thank you for your email which I have forwarded to the rest of the committee.

We will take your comments into consideration when we discuss this article at our meeting tomorrow.

Kind regards,
Denice

From: Tilly Bagshawe <mebagshawe@gmail.com>
Sent: Sunday, February 13, 2022 11:38:02 AM
To: Denice Kronau; Stephen Maury
Subject: Feb 15 meeting, Article 43

Dear Chair Kronau & Vice Chair Maury,

It was reported on Feb 11th in N-Magazine that ACK-Now is supporting Cathy Ward's lawsuit against the ZBA/Town in a land court appeal against the ZBA's decision that a homeowners use of their home as an STR is permissible. This could go on, continuing to the state Supreme Court, which I sense is ACK-Now's hope.

But with Article 43 Tobias Glidden, the Chairman of ACK-Now, proposes that almost all STRs have to go through the ZBA for approval. If ACK-Now doesn't respect the ZBA's decisions, how is Article 43 anything but an expensive, unending trap for STR homeowners, the ZBA and ultimately Nantucket taxpayers?

Best,

Matilda Bagshawe

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From: [Denice Kronau](#)
To: [Kathy Baird](#)
Cc: [Stephen Maury](#); [Brian Turbitt](#); [Mariya Basheva](#)
Subject: Re: Question related to Articles 42 and 43
Date: Monday, February 14, 2022 11:12:21 AM

Dear Kathy,

Thank you for your email and while we don't have a specific answer to your question at this time, we will take its implications into consideration when we discuss the 3 articles.

Kind regards,
Denice

From: Kathy Baird <kathy950@gmail.com>
Sent: Sunday, February 13, 2022 8:51:12 PM
To: Brian Turbitt; Christopher Glowacki; Denice Kronau; George Harrington; Jill Vieth; Joseph Grause; Peter McEachern; Peter Schaeffer; Stephen Maury; Joanna E. Roche
Subject: Question related to Articles 42 and 43

Members of the Finance Committee:

I understand the FINCOM will be discussing warrant articles 39, 32 and 43 at the 15 February meeting. I plan to join the meeting but wanted to submit the following question in advance of the meeting.

My question is in reference to the 14 Mill Street and now the 9 W. Dover Street Short Term Rental ZBA challenges and lawsuits recently cited in N-Magazine (11 February edition). My understanding of the town's intent for Article 42 is to codify all zoning on the island to explicitly permit short term rentals which would stop that type of neighbor vs. neighbor legal battle. Article 43 appears to only afford that protection to year round residents who short term rent their principal residence, leaving all others in the ZBA special permit line, In addition, this would leave them vulnerable to the same type of litigation and affording no protection to the town. Since the two very similar challenges have been made to the town, can the finance committee explain and estimate the financial impact to the taxpayers/town involved as the defendants for each of these land court appeals?

Thank you for your consideration,

Kathy Baird
7 Gloucester Street

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From: [Denice Kronau](#)
To: [Ronald Kokot](#)
Cc: [Stephen Maury](#); [Brian Turbitt](#); [Mariya Basheva](#)
Subject: Re: Short Term Rental Discussion at Next FINCOM Meeting - 2/15/2022
Date: Monday, February 14, 2022 5:31:07 PM

Dear Mr. Kokot,

Thank you for your thoughtful and comprehensive email, which we will take into consideration when we discuss the STR articles tomorrow.

Kind regards,
Denice

From: Ronald Kokot <rkokot@sbcglobal.net>
Sent: Monday, February 14, 2022 1:45:31 PM
To: Brian Turbitt; Denice Kronau; Stephen Maury; Christopher Glowacki; Joseph Grause; Peter McEachern; Joanna E. Roche; Peter Schaeffer; Jill Vieth
Subject: Short Term Rental Discussion at Next FINCOM Meeting - 2/15/2022

Dear FINCOM Members:

I am respectfully submitting these comments for your consideration in advance of your discussion of Short Term Rental Articles 42, 43 and 39 at the next FINCOM meeting, February 15, 2022. I am a non-voting taxpayer, seasonal resident of Tom Nevers. During the summer of 2021, I was on island for a total of 93 days and I rented my residence to three different families for a total of 45 days. I expect a similar pattern for the 2022 summer season.

For background, my late wife and I realized our dream of perennial summering on Nantucket in 1984. At that time, we were very early in our careers and by no means wealthy, but we took the huge risk of buying a second home because of our love of Nantucket. Our careers only allowed us to spend two or three weeks per year on island, and the proceeds from short term renting our house (typically nine or ten weeks from July 4th through Labor Day) were the only way we could afford the mortgage and other costs of second home ownership. Over time, as our careers wound down, we were able to spend more and more time in Tom Nevers each summer, while renting fewer and fewer weeks.

Today, retired and on a fixed income, I spend as much time as I can in Tom Nevers, and I rent the number of weeks I need to cover the costs of ownership...taxes, maintenance, cleaning, caretaking, landscaping, utilities, septic maintenance, repairs and improvements. I only rent to single families, with occupancy of no more than six persons total. In 37 years of renting, I've never had a neighbor complaint, and without exception, the families I've rented to are the types of folks the tourism industry of our island wants and needs. They too, love the island and contribute freely to the island economy (restaurants, retailers and entertainment providers such as charter fishing, bike rentals, Film festival, Comedy festival, museums, Steamship, Arts & Crafts, theatres, etc.) while doing no harm.

My story is similar to many, many families I know in Tom Nevers and other parts of the island. Citizen's Article 43 would seek to impose draconian limitations on this kind of renting activity that has gone on for four or five decades or more, under the guise of regulating "off island investors." I agree that purely off island investors, who have zero interest in Nantucket other than creating lucrative properties for the sole purpose of short term rentals, are not consistent with the goals of the island's tourism industry. However, the proponents of Article 43 have absolutely no data to support their claims, and in painting all short term rentals with such a broad brush, would do significant harm to both Nantucket's economy and its social

fabric, by pitting year round resident against seasonal residents.

In an attempt to help the FINCOM estimate the impact of Article 43 on the island's economy, I've reviewed my 2020 Federal Tax Return, which demonstrated the following expenditures on island:

- Direct Island Vendor expenses: Cleaning, realtor commissions, Caretaker, plumber, propane gas, trash removal, septic system maintenance, landscapers, repairs/improvements using island vendors...\$23,929.79
- National Grid and Comcast cable...\$3,343.77.
- Credit card expenditures: Groceries, restaurants, gas, supplies, Marine HC, pharmacies, specialty shops, miscellaneous retailers...\$4,450.79
- Rental cars, almost half of which cost is local fees...\$2,443.91
- Property Taxes...\$7,255.80
- I didn't bother to add in cash expenditures, donations, Cape Air costs.
- **Total input to the local and state economy... \$41,424.06**
- These 2020 numbers are not an anomaly. I've done a cursory look at my 2021 expenditures, and the equivalent number is \$39,979.92. So I can say that I contribute roughly \$40,000.00 per year to the local economy.

In addition, these numbers do not include: Short term rental taxes paid by my tenants of \$6,435.00 or my tenant expenditures for Ferry boats, entertainment, shopping and living while on island, which I will **very conservatively** estimate at \$2,000.00 per week (and it's quite possibly much higher) for six weeks, or \$12,000.00.

Adding my expenditures of \$40,000.00 plus STR taxes and my tenant expenditures, my property contributes approximately **\$55,000.00 to \$60,000.00 per year**. I realize this is a gross estimate, but if it's even relatively close to typical, the 2,000 STR dwellings like mine could be responsible for **\$110,000,000.00 to \$120,000,000.00** of Nantucket's commerce annually.

In summary, I hope this single data point helps as you deliberate Articles 42, 43 and companion Article 39. While almost no one likes new, additional rules and regulations, the substantial local and national 'noise' around the issue of Short Term Rentals suggests something needs to be done. I think the Planning Board has done a reasonable job in developing Article 42, with its companion Article 39, to codify and address the issue. I am concerned that the registration/permitting process could pose a nightmarish, bureaucratic problem for the Board of Health, with no benefit to Nantucket. I do believe noise and trash problems are overblown and can be solved in other ways. I believe preventing corporate acquisition and development of STR properties can also be accomplished in other ways. On the other hand, I think citizen's Article 43 would be very damaging to both Nantucket's economy and character, where families want to go to peacefully enjoy one of the most beautiful places on earth. It should be summarily rejected.

Thank you.

Sincerely,

Ronald J. Kokot
18 Nichols Rd.
Nantucket

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From: [Denice Kronau](#)
To: [Cheryl Emery](#)
Cc: [chris emery](#); [Stephen Maury](#); [Brian Turbitt](#); [Mariya Basheva](#)
Subject: Re: Article 39
Date: Monday, February 14, 2022 5:33:05 PM

Dear Cheryl:

Thank you for your email, which I have forwarded to the other committee members. We'll take your comments into consideration when we discuss the STR articles tomorrow.

Kind regards,
Denice

From: Cheryl Emery <cherylemery@hotmail.com>
Sent: Monday, February 14, 2022 1:02:56 PM
To: Denice Kronau
Cc: chris emery
Subject: Article 39

Hi Denise,

I cannot support Article 39 unless you can give me a good reason. We already register at the state level and the Town gets their percentage. Now we have to register with the BOH and pay a FEE to them to tell give us an Occupancy certificate. Have our home inspected by them.. What is the purpose of this and how will it control noise, create affordable housing and all the other complaints? I say no on 39 and yes to Article 42.

Cheryl

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