

Builders Association
February 13, 2019

Summary of Certain 2019 Annual Town Meeting Articles

ATTORNEYS

Jennifer Cohen
Steven L. Cohen

ARTICLE 18

Acquisition of *Nantucket Inn* for housing and otherwise.

ARTICLE 37

Appropriation of \$30M for acquiring existing properties for affordable housing to help obtain "40B Safe Harbor."

ARTICLE 47

Reduce the Ground Cover Ratio in the ROH District from 50% to 40%, effective July 1, 2019.

ARTICLE 48

Amends the Nantucket Housing Needs Covenant program and allows for Qualified Family Member and Qualified Renter options.

ARTICLE 49

- Excludes insulation applied to the foundation when calculating Ground Cover or setbacks.
- Requires a Special Permit if a Tertiary Dwelling is third unit in a structure.
- Prohibits second dwellings in the MMD District.
- Allows Contractor Shops as a use in the CMI District.

ARTICLE 53 - As Proposed

- Adds 20' side and rear setbacks for pools and pool equipment.
- Sets a 5' perimeter around the pool for determining its shape, size and location.
- Makes pools count as ground cover.
- Allows for community pools by Special Permit.
- Requires a Special Permit for Pools in R-20 (now required in VR).
- Prohibits pools in all other Town Districts and the MMD.

ARTICLE 53 - As *potentially* Amended.

- Prohibits pools in the MMD District.
- Requires Special Permit for pools in the R-1 District.

ARTICLE 56

- Excludes generators, generator covers, and mechanical/utility equipment from Ground Cover.
- Provides that height is measured from the top of the foundation for non-ground cover sheds that can be 16' high.

ARTICLE 57

Clarifies that some stairs can be in the setback for lots of 40,000 SF or less.

ARTICLE 58

Limits tents to 3 times per year, but also 4 times over 3 years.

ARTICLE 59

Allows for a side or rear yard setback to be applied to a portion of a lot that has a front yard on two or more sides because it is a wrap around street.

ARTICLE 60

Allows for multiple subdivisions on large lots under the Covenant Program.

ARTICLE 61

Allows for a Rear Lot Subdivisions (no stub roads) on subdivisions that do not need Planning Board waivers and also on subdivisions that already have such waivers.

ARTICLE 62

Creates a solar energy overlay district, with rules for installations.

ARTICLE 63

Eliminates the requirement for a Special Permit to use the alternative height measurement formula in FEMA flood zone areas.

ARTICLE 66

- Prohibits using power tools for construction under a building permit between 8pm and 7am (7:30 if 6/15 - 9/15), if noise can be heard 50' from the lot line.
- Domestic (personal) use of power tools is allowed until 10pm.
- Prohibits motor vehicle and repair noise that can be heard 50' from the lot line.

ARTICLE 67

Requires upgrade of above ground oil tanks upon sale and in new construction.

ARTICLE 72

Adopts the Stretch Energy Code effective September 1, 2019.

ARTICLE 75

Creates a residential registration, inspection, and certification system for rentals.

ARTICLE 79

Community Housing Bank with a 0.5% fee on property transfers over \$2 million.