



## SHORT-TERM RENTAL COMMITTEE

856 Main Road  
Westport, MA 02790  
508-636-1037

*Roger Menard, Chair  
Mark Schmid, Vice Chair  
Jerry Coutinho, Clerk*

### MINUTES OF October 19, 2023

#### Present:

- Roger Menard, Zoning Board of Appeals
- Mark Schmid, Planning Board
- Jerry Coutinho<sup>1</sup>, Zoning Board of Appeals
- Robert Daylor, Planning Board
- Tanja Ryden, Board of Health
  
- Town of Westport Staff:
  - Michael Burris, Town Planner
  - Matthew Armendo, Director of Public Health

The meeting commenced at 3:05 p.m.

1. Review of minutes from 9/28/2023
  - At the 9/28 meeting, 3 of 5 meeting members were present. At the time of review of this agenda item, only 2 of these 3 members were present to vote on the minutes of 9/28/2023. Accordingly, this item was tabled.
2. Committee discussion of proposed general requirements (9.8.3) for bed and breakfasts and short-term rentals
  - Chair Menard began discussion by outlining a by-right zoning process by which to allow short-term rentals and have a permitting process through the Board of Health. Director of Public Health, Matthew Armendo, stated that the permit would be required annually like for bed and breakfasts and described the inspection process for bed and breakfasts.
  - Menard stated that the process previously considered, permitting through the Zoning Board of Appeals (ZBA) or Planning Board site plan and special permit, could be onerous. The alternate process now under consideration would assess whether the property's conditions are appropriate for this use. Vice-Chair Schmid concurred and stated that it may be preferable to have a streamlined permitting process.
  - Committee member Tanja Ryden stated that the fees would be somewhere from \$100-\$200.
  - Menard asked the committee if they supported changing the framework to instead require Board of Health permitting and permit by-right zoning for short-term rentals (proposed bylaw section 9.8.3.1). The committee concurred.
  - Ryden will revise the framework, and Menard will adjust the zoning table.
  - The committee reviewed proposed bylaw section 9.8.3.2, A-O. The committee removed sub-sections A, D, E, J, and N from the proposed section. The committee made no modifications to proposed sections B, F, H, I, K, and M. The committee agreed that proposed section C should be streamlined, section G needs to make a distinction between bed and breakfasts and short-term rentals, section L should indicate a Board of Health permit, and section M should be verified with Town Counsel.

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<sup>1</sup> Clerk Coutinho arrived to the meeting late at 3:21 p.m.

### 3. Public comment period

- Perry Long of 2042 Main Road
  - Long questioned the purpose of the regulation. Menard stated that the purpose is to permit short-term rentals, as they are not expressly permitted in the Town's zoning bylaws. In doing so, the committee needs to find balance between what is good for neighborhoods and what is good for the residents of those neighborhoods. Clerk Coutinho stated that the regulations are necessary to get nuisance short-term rentals under control. Long agreed that permitting could help but the regulation may be creating redundancies with other Town regulations.
  - Long stated that he was not in favor of the requirement that a short-term rental operator must be a Westport resident.
- Nicole Plante of Even Keel Realty
  - Plante expressed opposition to the proposed ownership requirements in the proposed bylaw.
  - Plante expressed concerns regarding the impact the bylaw may have on Westport's summer tourism market and local economy, stating that seasonal short-term rental users will spend more time in adjacent communities without similar regulations. Plante stated that the regulation will devalue Westport's real estate market.
  - Plante questioned the proposed Board of Health regulations, encouraging the Board of Health to apply regulations consistently across similar land uses so some property owners do not feel like their land use is singled out.
- Jim Hartnett, Town Administrator, of 7 Deacon Road
  - Hartnett expressed the following stating that this was his personal opinion: the neighborhood where he owns property is transitioning away from owner-occupied homes to short-term rentals. He stated that over time, the character of this short-term rentals have also changed where they have transitioned from weekly rentals to weekend rentals. Hartnett stated that the weekend rentals are more likely to cause more disruptions in the neighborhood. Hartnett also stated that the committee should reconsider the ownership requirements.
  - Speaking from the perspective as the Town Administrator, Hartnett expressed concerns about enforcement of the proposed bylaw, stating that the Town only has one enforcement officer with limited availability.
- Dorothy Paul of 2048 Main Road
  - Paul stated that she was pleased to see that the committee was moving away from site plan and special permit review to only a Board of Health permit.
  - Paul stated that the committee has a hard choice between protecting neighborhood and individual rights, and stated that the legal owner language goes too far.
- John Long of 2042 Main Road
  - Long questioned what would be required from a septic inspection. Ryden responded it would involve an analysis of the septic design and the number of bedrooms in the home.
- Alex Caracuzzo of 1847 Main Road
  - Caracuzzo stated that the committee should permit short-term rentals to be owned by non-residents and LLCs. He expressed concerns that this could result in empty houses over the summer.
  - Caracuzzo requested that if water potability testing is required that exceptions are permitted through the use of alternate water sources like a water filter or a water cooler.
  - Caracuzzo suggested that the minimum age to be considered a guest should be lowered to the age of 2.
  - Caracuzzo said that operators of short-term rentals should not have to provide the identities of renters to the town.

4. Next meeting date

- The committee agreed to hold the next meeting on Thursday, October 26, 2023 at 3:00 P.M. in the Town Hall Annex meeting room.

Ryden motioned to adjourn. The motion carried unanimously.

Adjournment: 4:45 p.m.

Minutes Accepted 10.26.23