



# Nantucket Housing Needs Covenant Program

Which Covenant Program suits your lot?

\* Indicates same criteria for both programs

Condo Program	Secondary Lot Program
<ul style="list-style-type: none"> <li>Allows separate ownership of primary and secondary dwellings <b>on one lot</b></li> </ul>	<ul style="list-style-type: none"> <li>Allows one lot to be split resulting in <b>separate ownership of two lots</b></li> </ul>
<ul style="list-style-type: none"> <li>Affordability covenant is put in place, restricting sale of secondary unit to income qualified applicants*</li> </ul>	<ul style="list-style-type: none"> <li>Affordability covenant is put in place, restricting sale of secondary lot to income qualified applicants*</li> </ul>
<ul style="list-style-type: none"> <li>Sale and Resale must follow the Covenant Program Max Sales Price*</li> </ul>	<ul style="list-style-type: none"> <li>Sale and Resale must follow the Covenant Program Max Sales Price*</li> </ul>
<ul style="list-style-type: none"> <li>Land cannot be subject to restrictions prohibiting second dwellings, but can be subject to subdivision restrictions</li> </ul>	<ul style="list-style-type: none"> <li>Land cannot be subject to restrictions prohibiting second dwellings or prohibiting subdivisions</li> </ul>
<ul style="list-style-type: none"> <li>Can be done on land with one or two dwellings constructed*</li> </ul>	<ul style="list-style-type: none"> <li>Can be done on land with one or two dwellings constructed*</li> </ul>
<ul style="list-style-type: none"> <li>Cannot be done on vacant land (need some sort of structure to create condominium)</li> </ul>	<ul style="list-style-type: none"> <li>Can be done on vacant land.</li> </ul>
<ul style="list-style-type: none"> <li>Available in all zones, and on preexisting non-conforming lots</li> </ul>	<ul style="list-style-type: none"> <li>allowable in LUG-1, LUG-2, LUG-3, R-40, R-10, R-20/SR-20, VR, ROH/SOH, and R-5 zones; not available for preexisting non-conforming lots</li> </ul>

<ul style="list-style-type: none"> <li>• No minimums regarding size of land allotted to affordable unit</li> </ul>	<ul style="list-style-type: none"> <li>• Requires secondary lot to have minimum 20' frontage or for the two lots to have a common driveway</li> </ul>
<ul style="list-style-type: none"> <li>• Remains one lot for zoning purposes (ie. setbacks, density, ground cover)</li> </ul>	<ul style="list-style-type: none"> <li>• Creates two separate lots for zoning purposes <ul style="list-style-type: none"> <li>◦ setbacks from original lot must be maintained, but setbacks between newly created lots can be waived. See attached table for more details on minimum lot sizes.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• The traditional relationship between the primary and secondary dwellings set down in Section 139-2 (secondary dwelling) must be maintained. They must be: single family dwellings; sited with a scalar separation; and 20% difference in groundcover between the dwellings</li> </ul>	<ul style="list-style-type: none"> <li>• The relationship between the primary and secondary dwellings is only restricted by setback and ground-cover requirements per zoning.</li> </ul>
<ul style="list-style-type: none"> <li>• Requires Secondary Dwelling approval from Planning Board, if not already in place</li> </ul>	<ul style="list-style-type: none"> <li>• Not subject to Secondary Dwelling approval from Planning Board</li> </ul>
<ul style="list-style-type: none"> <li>• No Town approval required of Condo Docs and Plans</li> </ul>	<ul style="list-style-type: none"> <li>• Subdivision approval and special permit required from Planning Board. Planning Board may require the creation of a Homeowner's Association.</li> </ul>
<ul style="list-style-type: none"> <li>• Survey, site plan and interior floor plans are required</li> </ul>	<ul style="list-style-type: none"> <li>• Survey &amp; approval-not-required plan are required</li> </ul>
<ul style="list-style-type: none"> <li>• Primary and secondary units can share well and septic</li> </ul>	<ul style="list-style-type: none"> <li>• Primary and secondary lots can share well and septic but Department of Environmental Protection approval is required and shared-septic agreement must be put in place.</li> </ul>
<ul style="list-style-type: none"> <li>• Requires Condominium Liability Insurance</li> </ul>	<ul style="list-style-type: none"> <li>• No liability insurance required</li> </ul>

Zoning Table ( in sqft):

One acre = 43,560 sqft

<b>Zoning District</b>	<b>Minimum Original Lot Size (§ <a href="#">139-16A</a>)</b>	<b>Minimum Secondary Lot Size</b>	<b>Minimum Primary Lot Size</b>
LUG-1	40,000	15,000	25,000
LUG-2	80,000	25,000	55,000
LUG-3	120,000	35,000	85,000
R-40	40,000	15,000	25,000
R-10	10,000	4,000	6,000
R-20/ SR-20	20,000	8,000	12,000
VR	20,000	8,000	12,000
ROH/SOH	5,000	2,000	3,000
R-5	5,000	2,000	3,000

A map of Nantucket Zones may be found here: [http://www.nantucket-ma.gov/pages/nantucketma\\_it/gismapsfolder/islandzoning.pdf](http://www.nantucket-ma.gov/pages/nantucketma_it/gismapsfolder/islandzoning.pdf)