



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"> Allows separate ownership of primary and secondary dwellings on one lot 	<ul style="list-style-type: none"> Allows one lot to be split resulting in separate ownership of two lots
<ul style="list-style-type: none"> Affordability covenant is put in place, restricting sale of secondary unit to income qualified applicants* 	<ul style="list-style-type: none"> Affordability covenant is put in place, restricting sale of secondary lot to income qualified applicants*
<ul style="list-style-type: none"> Sale and Resale must follow the Covenant Program Max Sales Price* 	<ul style="list-style-type: none"> Sale and Resale must follow the Covenant Program Max Sales Price*
<ul style="list-style-type: none"> Land cannot be subject to restrictions prohibiting second dwellings, but can be subject to subdivision restrictions 	<ul style="list-style-type: none"> Land cannot be subject to restrictions prohibiting second dwellings or prohibiting subdivisions
<ul style="list-style-type: none"> Can be done on land with one or two dwellings constructed* 	<ul style="list-style-type: none"> Can be done on land with one or two dwellings constructed*
<ul style="list-style-type: none"> Cannot be done on vacant land (need some sort of structure to create condominium) 	<ul style="list-style-type: none"> Can be done on vacant land.
<ul style="list-style-type: none"> Available in all zones, and on preexisting non-conforming lots 	<ul style="list-style-type: none"> Allowable in LUG-1, LUG-2, LUG-3, R-40, R-10/SR-10, R-20/SR-20, VR, ROH/SOH, and R-5 zones
<ul style="list-style-type: none"> No minimums regarding size of land allotted to affordable unit 	<ul style="list-style-type: none"> The minimum lot size for the smaller of the two lots shall be at least 40% of the minimum lot size for the district in which the lot is located. <ul style="list-style-type: none"> Except in the LUG-2 and LUG-3 Districts, where the secondary lot may be reduced to 20,000 sqft. Request waiver in Special Permit application. For pre-existing nonconforming lots, the Planning Board may issue a special permit defining the lot areas.
<ul style="list-style-type: none"> Remains one lot for zoning purposes (ie. setbacks, density, ground cover) 	<ul style="list-style-type: none"> Creates two separate lots for zoning purposes <ul style="list-style-type: none"> Requires secondary lot to have minimum 20' frontage or for the two lots to have a common driveway. The Planning Board may waive the requirement for shared driveway access if requested in the Special Permit application. Setbacks from original lot must be maintained, but the Planning Board may waive setback requirements between the newly created lots if requested in the Special Permit application.

<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> Dwellings need not adhere to 20% ground cover ratio requirements between secondary and primary dwellings <ul style="list-style-type: none"> The Planning Board may waive the ground cover ratio requirements, provided that the total ground cover ratio does not exceed the amount that would have been allowed for the original lot. Request waiver in Special Permit application.
<ul style="list-style-type: none"> Requires Secondary Dwelling approval from Planning Board, if not already in place 	<ul style="list-style-type: none"> Not subject to Secondary Dwelling approval from Planning Board
<ul style="list-style-type: none"> No Town approval required of Condo Docs and Plans 	<ul style="list-style-type: none"> Subdivision approval (ANR) and Special Permit required from Planning Board. Planning Board may require the creation of a Homeowner's Association.
<ul style="list-style-type: none"> Survey, site plan and interior floor plans are required 	<ul style="list-style-type: none"> Survey & approval-not-required plan are required
<ul style="list-style-type: none"> Primary and secondary units can share well and septic 	<ul style="list-style-type: none"> 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.
<ul style="list-style-type: none"> Requires Condominium Liability Insurance 	<ul style="list-style-type: none"> No liability insurance required

Zoning Table (in sqft):

One acre = 43,560 sqft

Zoning District	Minimum Original Lot Size (§ 139-16A)	Minimum Secondary Lot Size	Minimum Primary Lot Size
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/ 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:

https://www.nantucket-ma.gov/DocumentCenter/View/24254/Zoning_2019_04