



Martha's Vineyard Land Bank Commission

MINUTES
REGULAR SESSION
MEETING OF FEBRUARY 24, 2020

167 Main Street. Edgartown, Massachusetts

CALL TO ORDER: 2:00 pm

LAND BANK COMMISSIONERS PRESENT AT CALL TO ORDER

Pamela Goff, Richard Knight, Jr., Wesley Mott, Mary Robin Ravitch, Sarah Thulin,
Nancy Weaver

LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

Kristen Reimann

STAFF PRESENT AT CALL TO ORDER

James Lengyel, Ian Peach, Julie Russell

OTHERS PRESENT AT CALL TO ORDER *(and not cited elsewhere herein)*

Philip Cordella, Danielle Mulcahy, Walker Roman, William Roman, Peter Wells,
Andrew Woodruff

PRESENTATION OF THE WARRANT

Warrant no. 2020-23 was made available for the Commission's inspection.

PUBLIC INPUT

1. Trade Wind Fields Preserve (Town of Oak Bluffs)

Philip Cordella stated that he had seen the property upgrade inventory prepared by land superintendent Ian Peach for the budget subcommittee and noted that this property was not on it; he supplied one that he had prepared.

APPROVAL OF THE AGENDA

By a motion made and seconded, the Commission voted unanimously to approve the agenda as printed.

APPROVAL OF THE MINUTES OF FEBRUARY 3, 2020

By a motion made and seconded, the Commission voted five in favor, none opposed and Ms. Ravitch abstaining to approve the minutes as written.

COUNTY AND LAND BANK COMMISSION TREASURERS' REPORTS

None

TRANSFER FEE REVENUES

Revenues for the week ending February 7, 2020: \$101,310.00

Revenues for the week ending February 14, 2020: \$548,490.00

Revenues for the week ending February 21, 2020: \$170,090.00

TRANSFER FEE HEARINGS

1. Emma Young (Town of Tisbury)

The Commission conducted a hearing on Ms. Young's request for a second one-year extension of the timetable by which she must domicile on her "m" property (transfer no. 56897). Mrs. Thulin opened the hearing at 2:12 pm.

Commissioners reviewed a February 14, 2020 email from Ms. Young in which she reports that "it is most probable that I can provide proof of occupancy by the summer or fall of 2021." The fourth anniversary of her purchase is January 31, 2021. Mrs. Thulin closed the hearing at 2:18 pm.

Commissioners reviewed their precedents, most notably their November 18, 2019 vote to permit a final one-year extension but with directions to the staff (1.) to inform the "m" owner that the exemption will self-extinguish at the end of that period, giving rise to interest and penalty if she has not sooner domiciled; and (2.) to tabulate these figures and supply them to her immediately, so that she can understand what will be at stake if she ultimately cannot meet the exemption's terms.

After discussion and by a motion made and seconded, the Commission voted unanimously to grant a final one-year extension, such extension to expire on January 31, 2021 and subject to the same terms as limned above.

NEW BUSINESS

Commissioner Nancy Weaver departed the meeting at this time in order to avoid any possible appearance of conflict-of-interest.

1. Beech Tree Preserve (Town of Tisbury)

Staff reported that the Tisbury Town Advisory Board, at its February 18, 2020 meeting, conducted a public hearing on this property's draft management

plan. Commissioners discussed the planned location of the trailhead, viz., on the west side of the Edgartown Road owing to limited suitable grade on the east side.

After discussion and by a motion made and seconded, the Commission voted unanimously to approve the plan, amended so as to site the trailhead on the west side of the road but with the understanding that it will be put on the east side if such an opportunity arises.

Ms. Weaver returned to the meeting at this time.

2. Chappy Point Beach (Town of Edgartown)

Staff reported that lessee Martha's Vineyard Shellfish Group is seeking a commonwealth grant for building repairs and has asked the land bank, as lessor, to send a letter of support.

After discussion and by a motion made and seconded, the Commission voted unanimously to direct staff to do so.

3. Ramble Trail Preserve (Town of Tisbury)

Staff reported that the Tisbury Town Advisory Board, at its February 18, 2020 meeting, discussed this property's trail system and voted to recommend to the Commission that it charge staff to study and design a trail link to and across the abutting town land, currently used as a shellfish hatchery.

After discussion and by a motion made and seconded, the Commission voted unanimously to refer this matter to staff for study.

Commissioner Sarah Thulin departed the meeting at this time in order to avoid any possible appearance of conflict-of-interest.

4. Little Field Preserve (Town of West Tisbury)

Neighbor Walker Roman was present to explain his February 20, 2020 letter regarding his planned house construction on his family's land on Littlefield Lane. He wishes to install a modular dwelling and seeks Commission permission to allow three trailers and a crane to cross the land bank's hayfield. Various infrastructure at the intersection of the State Road and Littlefield Lane, according to Mr. Roman, prevents these vehicles from negotiating the turn.

Discussion occurred, variously, as to (1.) the land bank's long-standing precedent of not allowing private non-conservation use of public land; (2.) the staff's efforts during the previous few weeks to work with Mr. Roman to find an practical alternative; (3.) the risk of soil compaction, thus compromising

the agricultural resource; (4.) options for coping with the turn (e.g., front-end loaders to support the trailers' back ends); (5.) options to avoid harming the soil and/or to restore it afterward (e.g., planking); (6.) various Commissioners' observations of the preserve and the intersection's environs, based on their own site-visits; (7.) Mr. Roman's colloquies with his construction team to seek solutions; (8.) the importance of preserving the cedars planted by the land bank on the hayfield's east side in order to screen off-premises development; (9.) the extent to which the intersection is susceptible to tinkering so as to allow passage, especially in light of the width — 40 feet — of the Littlefield Lane layout; (10.) whether off-site "unpacking" of the modules will shrink them to a maneuverable scale; and the like.

After discussion and by a motion made and seconded, the Commission voted unanimously (1.) to decline to grant permission, on the grounds that it would contravene existing precedent and thus set a new precedent; and (2.) to direct staff to work with Mr. Roman — and specifically with his contractors — to scout up a solution that both serves Mr. Roman and honors land bank conservation goals.

Mrs. Thulin returned to the meeting at this time.

5. Agency Land Management: Goat Grazing Program

The Commission reviewed a February 19, 2020 staff report entitled *Woody succession management using goat grazing in a sandplain grassland on Martha's Vineyard*. Ecologist Julie Russell summarized its conclusion: that goats successfully converted the valley bottom at the Waskosim's Rock Reservation to grassland, without jeopardizing summer-ranging box turtles.

Discussion occurred, variously, as to (1.) the indispensability, if the program is to continue, of hiring dedicated staff, especially in light of Mr. Peach's reporting that, in the early stretch of his tenure, some 50% of the field crew's time was spent on goat tasks; (2.) the unique benefits of goats — e.g., stonewall clearing and maintenance; field boulder clearing and maintenance — that inure in addition to grassland conversion and maintenance; (3.) the reality that, in the absence of goats, the land bank would have to accept that succession would occur in certain areas where in-season mowing is infeasible — and that therefore land bank decisions here are not merely economic; (4.) the need to devise means for low-impact water-provision; (5.) whether these tasks could be outsourced; (6.) the improbability that outsourcing could be relied on to supply regular livestock to the land bank; and the like.

After discussion and by a motion made and seconded, the Commission voted unanimously to direct staff to return with a draft budget with concrete

numbers based on additional research — including whether outsourcing could be reliable at the scale and geography required by the institution — with the understanding that the Commission is overall in favor of the goat concept.

6. Agency Land Management: Budget Subcommittee

The Commission reviewed a February 18, 2020 memorandum from its budget subcommittee, which was charged at the Commission's October 28, 2019 meeting to examine the breadth and sufficiency of agency land management expenditures; the memorandum contains the subcommittee's recommendations.

Speaking as chairman of the subcommittee, Mr. Knight noted that the land bank's template for its first three decades was land acquisition, which led to "too much deferred maintenance" of the properties and buildings; he believes that the land bank needs a better workshop campus; better housing maintenance; better trailheads and kiosks (the institution's "public face"); better trails; and better speed in management plan production. Mrs. Thulin emphasized the wisdom of phasing in upgrades, in order to avoid exceptional increases in the agency budget. Ms. Weaver noted that, while anything can be improved, she believes that land bank trails are the best on the island.

After discussion and by a motion made and seconded, the Commission voted unanimously (1.) to accept the subcommittee's recommendations; and (2.) to charge the staff with returning with a budget for implementing them, with the understanding [a] that a thorough examination of costs will occur and [b] that the staff will necessarily be proposing priorities in timing and extent and [c] that the budgeting will not be limited to land and trails but will also focus on building maintenance. Mr. Peach and Ms. Russell departed the meeting at this time.

7. Agency Administration: Town Fund Accounting

Mrs. Goff recommended that the land bank discontinue its practice of charging or crediting interest to town funds for their balances against the central fund — she stated that the amounts may be modest but that they make it just that much harder for town funds with underbalances to repay the central fund.

Fiscal officer Cynthia Krauss was present and stated that she had consulted with the land bank auditors, who reported that there was no legal obligation to so allocate interest, such that it is instead an internal policy matter.

After discussion and by a motion made and seconded, the Commission

voted unanimously, on a first-reading basis, to adopt a policy abjuring the allocating of interest across the town funds. This matter will return to the Commission at a future meeting for a second-reading.

PUBLIC INPUT

1. Agency Land Management: Various

Andrew Woodruff stated that his concern about goat grazing is that it could create conditions for the flourishing of species of limited value, viz., velvetgrass. Commissioners reported that the land bank analysis determined that velvetgrass bourgeoned initially but crested. Apropos of the Little Field Preserve, he stated that it is possible to remediate soil compaction; Commissioners noted that the larger issue is the use of public land for private non-conservation benefit.

Philip Cordella asked whether the land bank has funds in island banks; Mrs. Krauss reported that upwards of 90% of the land bank's receipts are in banks located on the island. Apropos of the goat program, he stated that the deferred maintenance that Mr. Knight had earlier mentioned was related to the crew's spending 50% of its time on goats; Mrs. Thulin stated that the 50% that Mr. Peach referred to was during his initial months on the job, not his current situation. Mr. Cordella stated that waterbottle-refilling stations on land bank lands would be a good idea.

ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2020-23.

EXECUTIVE SESSION

By a motion made and seconded, the Commission voted unanimously in a roll call vote to enter executive session for the purpose of discussing the purchase, lease, exchange or value of real property. Mrs. Thulin stated that the subjects to be discussed are the purchase or value of real property and declared that an open meeting may have a detrimental effect on the negotiating position of the Commission. She further announced that the Commission would not reconvene in regular session after the conclusion of the executive session. The Commission entered executive session at 3:50 pm.

certification:


Mary Robin Ravitch, Secretary