



# Martha's Vineyard Land Bank Commission

MINUTES  
REGULAR SESSION  
MEETING OF APRIL 29, 2019

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Public Library. West Tisbury, 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, Kristen Reimann, Sarah Thulin, Nancy Weaver

LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

None

STAFF PRESENT AT CALL TO ORDER

Cynthia Krauss, James Lengyel, Ian Peach, Julie Russell

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

Lynne Fraker

PRESENTATION OF THE WARRANT

Warrant no. 2019-21 was made available for the Commission's inspection.

PUBLIC INPUT

1. Priester's Pond Preserve (Town of West Tisbury)

Nelson Sigelman was present to discuss his March 5, 2019 letter to the land bank regarding the dam located on this property. He stated that herring, eels, white perch and brook trout could flourish in the Mill Brook if not impeded by its chain of dams. Data collection in the valley over the past few years has noted temperatures ranging as high as 86°; these species cannot survive in such warm waters. He asked the Commission to charge its staff with examining options here, e.g., (1.) dam removal; (2.) fish ladder construction; (3.) race installation, accompanying a concomitantly reduced pond; (4.) engaging a consultant; (5.) conferring with the commonwealth; (6.) doing nothing. He stated that his core question is, What will the pond be like in 50

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years if no action is taken?

After discussion and by a motion made and seconded, the Commission voted unanimously to direct staff to study options and return with a report. Owners of the upstream Crocker and Fisher ponds will be informed of the Commission meeting date that the report will be reviewed, so that they may attend. Mr. Sigelman departed the meeting at this time.

2. Agency Administration: General Matters

Lynne Fraker asked about the role of the Town Advisory Boards (TABs) in land bank affairs; Mr. Lengyel replied that TABs have statutorily prescribed duties. She also asked, apropos of overnight storage of boats and their equipment on land bank beaches, whether the land bank was experiencing a problem with outhaul anchors. Mr. Lengyel reported that the policy amendments regarding this matter that are to be considered later in the meeting are of a preventative nature.

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES OF APRIL 22, 2019

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

COUNTY AND LAND BANK COMMISSION TREASURERS' REPORTS

None

TRANSFER FEE REVENUES

Revenues for the week ending April 26, 2019: \$74,820.00

TRANSFER FEE HEARINGS

1. Robert Roche (Town of Oak Bluffs)

The Commission conducted a hearing on Mr. Roche's request for an extension of the timetable by which he must domicile on his "m" property (transfer no. 57240). Mrs. Thulin opened the hearing at 2:31 pm.

Commissioners reviewed an April 29, 2019 email from Mr. Roche in which he reports that various matters — including zoning complications and financing applications — have precluded his earlier domiciling but that he expects to so in early 2020. Mrs. Thulin closed the hearing at 2:35 pm.

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

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voted unanimously to grant a one-year extension, to expire April 27, 2020. Staff will caution him as to the ongoing accrual of interest, should he ultimately fail to meet the exemption's domicility terms.

### NEW BUSINESS

1. Agency Administration: Policy Review

The Commission reviewed, primarily for the benefit of new Commissioners, its policies and procedures relating to (1.) allocation of receipts and expenses across the central and the six town funds; (2.) transfer fee exemptions; (3.) affordable housing; (4.) use of executive session; (5.) conflict-of-interest; (6.) farming and other uses of land bank land; and (7.) conceptual land priorities. Extensive discussion took place and Commissioners and staff responded to a variety of questions on this topic. As no action was necessary, the Commission took none.

2. Agency Land Management: Overnight Storage of Boats and Equipment

The Commission reviewed an April 25, 2019 staff memorandum containing draft amendments to the following management plans: Chappy Point Beach; Chilmark Pond Preserve; Cove Meadow Preserve; Doug's Cove Preserve; Edgartown Great Pond Beach; Farm Pond Preserve; Great Rock Bight Preserve; Hillmans Point Preserve; Katama Point Preserve; Pecoy Point Preserve; Quammox Preserve; Quansoo Preserve; Ramble Trail Preserve; Sepiessa Point Reservation; Short Cove Preserve; Tashmoo Preserve; Three Ponds Reservation; Tisbury Great Pond Beach; and Wilfrid's Pond Preserve. The central purpose of the draft amendments is define the (rare) circumstances that private boats and outhaul anchors may be left on a land bank beach after sundown — and otherwise to prohibit them. Various plans already address this; the amendments would generally standardize agency policy. This matter was most recently discussed at the Commission's September 17, 2018 meeting.

After discussion and by a motion made and seconded, the Commission voted unanimously to refer this matter to the pertinent Town Advisory Boards for review.

### ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2019-21.

### 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

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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 3:33 pm.