



# Martha's Vineyard Land Bank Commission

MINUTES  
REGULAR SESSION  
MEETING OF SEPTEMBER 27, 2021

via remote technology

CALL TO ORDER: 3:00 pm

LAND BANK COMMISSIONERS PRESENT AT CALL TO ORDER

Steven Ewing, Pamela Goff, Wesley Mott, Kristen Reimann, Sarah Thulin, Nancy Weaver, Peter Wells

LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

None

STAFF PRESENT AT CALL TO ORDER

James Lengyel

OTHERS PRESENT DURING THE SESSION

None

PRESENTATION OF THE WARRANT

Warrant no. 2022-12 was made available for the Commission's inspection.

APPROVAL OF THE AGENDA

By a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the agenda as presented.

APPROVAL OF THE MINUTES OF SEPTEMBER 20, 2021

By a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the minutes as written.

COUNTY AND LAND BANK COMMISSION TREASURERS' REPORTS

None

TRANSFER FEE REVENUES

Revenues for the week ending September 24, 2021: \$508,989.70

## TRANSFER FEE QUERIES

### 1. Ethan Buchanan (Town of West Tisbury)

Staff reported that this "m" transfer (transfer no. 57951) has now exhausted its domicility extensions. The property was purchased on October 13, 2017 and, when the owners were unable to domicile at the two-year mark, the land bank granted two separate extensions, the latter of which will expire on October 13, 2021.

The Commission reviewed a September 2, 2021 email from the family outlining the challenges it has faced in constructing its house.

Discussion occurred as to (1.) the uniqueness of the pandemic in frustrating construction timetables; (2.) the goal of the "m" exemption, which was to ease first-time buyers' entry into the real estate market while not supplying a ready vehicle for property-flippers; (3.) the family's evident progress in construction; and the like.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote (1.) to acknowledge and accept that the owners cannot meet the literal terms of the "m" exemption due at least in part to exogenous circumstances; and (2.) to request from the family a letter affirming its commitment to reside on the premises beyond the term of the quinquennium.

## NEW BUSINESS

### 1. Eachpoquassit Hill Preserve (Town of West Tisbury)

The Commission reviewed the contents of a September 6, 2021 letter from Island Autism Group (IAG) in which it seeks land bank approval of (1.) the erecting of a barn in the conservation area, as opposed to the building envelope; and (2.) the siting of the trail through the development area, as opposed to along the southerly boundary. Rationale for the former is to preserve specimen trees; rationale for the latter is to use a more "aesthetically pleasing" route and to avoid proximity to neighbors.

The agricultural preservation restriction here allows the land bank to approve the installation of agricultural structures outside the building envelope upon a finding that they "[a] do not materially diminish the scenic view from the Lambert's Cove Road and [b] are traditional in style and [c] are ... non-habitable." As for the trail, the land bank cannot amend a recorded easement but can enter into a revocable management agreement under which it agrees to decline to exercise the easement in exchange for the right to install and use a trail in a different location.

Discussion occurred as to the details; Commissioners had been pre-advised of the matter and conducted site-visits on their own.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote (1.) to approve the barn, upon the necessary findings, above, and [a] to acknowledge and accept that the barn will be located against the lot's boundary line and [b] to inform IAG that if it determines, in the future, that it wishes instead to install a different barn only a larger structure or new style will require land bank review (n.b., a plainer style will always jibe best with land bank goals); and (2.) to enter into a management agreement for the trail, in a location deemed suitable by the land superintendent.

PUBLIC INPUT

None

ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2022-12.

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 3:29 pm.

certification:

  
Wesley Mott, Secretary