



Martha's Vineyard Land Bank Commission

MINUTES
REGULAR SESSION
MEETING OF NOVEMBER 8, 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

Harrison Kisiel, James Lengyel

OTHERS PRESENT DURING THE SESSION

None

PRESENTATION OF THE WARRANT

Warrant no. 2022-18 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 NOVEMBER 1, 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 November 5, 2021: \$541,250.78

TRANSFER FEE HEARINGS

1. Danielle de Ruyter (Town of Chilmark)

The Commission conducted a hearing on Ms. de Ruyter's request for a one-year extension of the timetable by which she must domicile on her "m" property (transfer no. 60912). Mr. Mott opened the hearing at 3:05 pm.

The Commission reviewed the contents of an October 14, 2021 email from Ms. de Ruyter in which she reported progress in domiciling but that construction is just beginning. Mr. Mott closed the hearing at 3:06 pm.

After discussion and by a motion made and seconded, the Commission voted in a roll call vote six in favor, none opposed and Mrs. Goff abstaining (as she lives nearby) to grant a one-year extension, such extension to terminate on November 14, 2022.

NEW BUSINESS

1. Agency Land Management: Summer Use Reports

The Commission reviewed a November 4, 2021 staff report summarizing 2021 visitor use at the Aquinnah Headlands Preserve, Chilmark Pond Preserve, Great Rock Bight Preserve, Manaquayak Preserve, Sepiessa Point Reservation, Tashmoo Preserve and Wilfrid's Pond Preserve.

Discussion occurred as to (1.) whether there had been adequate staffing during the season and whether a sufficient number of ranger positions has been budgeted for next summer; (2.) the probability that circumstances — management plan approval timetables; permitting timetables; competing tasks; etc. — will preclude the land bank from opening both the James Pond Preserve and Squibnocket Pond Reservation in the summer of 2022; (3.) the prudence of aiming to open James Pond first, owing to its more manageable scale; (4.) whether the Great Rock Bight Preserve trailhead should be expanded, which staff will study; and the like.

As no action was necessary, the Commission took none. Staff will distribute the report to the Town Advisory Boards and post it on the agency website.

2. Agency Land Management: Purchase of Supplies

The Commission reviewed bids received for the bulk purchase and delivery of pipe used in boardwalk assembly; they are, in descending order by price: (1.) F.W. Webb Company, \$9,669.91; (2.) Ferguson Plumbing Supply, \$9,193.66; and (3.) General Supply and Metals, Inc., \$6,748.84.

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

voted unanimously in a roll call vote to accept the low bid.

3. Ripley's Field Preserve (Town of Tisbury)

The Commission discussed a proposed memorandum-of-understanding (MOU) between the land bank and Kuehn's Way LLC (KWLLC) for the use of a ±0.5-acre portion of this 86.0-acre preserve.

Abutting this ±0.5-acre area is a 8.9-acre area owned by KWLLC over which the land bank owns an exclusive use easement; KWLLC's predecessor-in-title sold the easement to the land bank but retained the fee-simple so that the land could be used for non-intrusive purposes such as underground utilities. Part of the contemplation at the time was that the Zone 1 well-protection area serving KWLLC's planned affordable housing development could spill over the boundary onto the portion of the preserve that the land bank owns in fee-simple; Commissioners voted, at their February 6, 2017 meeting, to approve this concept subject to final review of the actual MOU and its contents.

Commissioners reviewed the pertinent sections of the MOU, viz., (1.) KWLLC's use of the ±0.5-acre area is non-exclusive and the land bank can continue to use it for passive recreation; (2.) KWLLC cannot build any structures in the ±0.5-acre area or make any alterations to it; (3.) the MOU expires in ten years but the land bank can annul it earlier; and (4.) KWLLC will indemnify the land bank. The Tisbury Town Advisory Board, at its November 2, 2021 meeting, voted to recommend to the Commission that it enter into the MOU.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to authorize Mrs. Goff to execute the MOU.

4. Southern Woodlands Reservation (Town of Oak Bluffs)

The Commission reviewed a November 3, 2021 staff memorandum making recommendations as to the erection of a maintenance facility here. The projected price is \$1,269,100.

Considerable discussion occurred as to (1.) the planned accompanying pole-barn here, for which funds have been allocated in this year's budget; (2.) the usefulness, previously discussed, of preparing a site-plan before undertaking any activity; (3.) the recent spike in the cost of building materials and whether the presumed future downtick argues for a delay; (4.) the imprudence of too much delay, as the existing workshop building is aged; (5.) the value of researching staff housing options and, given the site's location in the Lagoon Pond district of critical planning concern, septage management options; and

the like.

After discussion, the Commission agreed that Mr. Kisiel should (1.) price the cost of a survey, to serve as the base of a site-plan; (2.) seek a design for including two units of staff housing, in a fitting location; (3.) investigate the best time for installing the pole-barn; and (4.) investigate the pricing associated with enhanced septic systems.

PUBLIC INPUT

None

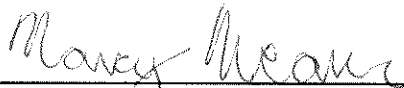
ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2022-18.

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. Goff 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:



Nancy Weaver, Secretary