



Martha's Vineyard Land Bank Commission

MINUTES
REGULAR SESSION
MEETING OF NOVEMBER 18, 2019

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, Kristen Reimann, Sarah Thulin, Nancy Weaver

LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

None

STAFF PRESENT AT CALL TO ORDER

James Lengyel, Ian Peach, Julie Russell

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

None

PRESENTATION OF THE WARRANT

Warrant no. 2020-14 was made available for the Commission's inspection.

PUBLIC INPUT

None

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 NOVEMBER 4, 2019

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

COUNTY AND LAND BANK COMMISSION TREASURERS' REPORTS

None

TRANSFER FEE REVENUES

Revenues for the week ending November 8, 2019: \$489,182.33

Revenues for the week ending November 15, 2019: \$389,990.00

TRANSFER FEE HEARINGS

1. Samantha Greene (Town of Oak Bluffs)

The Commission conducted a hearing on the domicile timetable associated with this "m" exemption (transfer no. 56629). Mrs. Thulin opened the hearing at 2:04 pm.

Staff read aloud a November 14, 2019 letter from Mrs. Greene in which she reports that her building permit was obtained in May and that installation of the foundation began last week; she concluded that "[w]e hope to be completed in about a year." This is a request for a second one-year extension; the first extension was issued in November of 2018. Mrs. Thulin closed the hearing at 2:08 pm.

After discussion and by a motion made and seconded, the Commission voted unanimously to grant a second one-year extension, to expire on November 23, 2020. Staff is to inform Mrs. Greene that the exemption will self-extinguish on that date, giving rise to interest and penalty, if she has not sooner domiciled. Staff will 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.

NEW BUSINESS

1. Farm Pond Preserve (Town of Oak Bluffs)

The Commission reviewed notice received from the Oak Bluffs Board of Appeals regarding an application filed by neighbor Sanford Low "to allow the construction of an accessory structure-studio on a non-conforming lot" in the coastal district and floodplain zone.

After discussion and by a motion made and seconded, the Commission voted unanimously to make no comment.

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

2. Little Field Preserve (Town of West Tisbury)

The Commission reviewed notice received from the West Tisbury Board of Appeals regarding an application filed by abutter Thomas Walker Roman for an accessory apartment with an attached art studio.

After discussion and by a motion made and seconded, the Commission voted unanimously to make no comment.

Mrs. Thulin returned to the meeting at this time.

3. Pecoy Point Preserve (Town of Oak Bluffs)

Ecologist Julie Russell was present to ask the Commission to authorize, for staff research purposes, the use of a drone on this property. She wishes to apply to the Oak Bluffs Conservation Commission for permission to treat a *phragmites* patch here, so as to facilitate the expansion of the preserve's gamagrass and bristly foxtail habitat, and believes that a drone will help make an effective case. The Martha's Vineyard Commission will supply the drone service, at no expense to the land bank.

After discussion and by a motion made and seconded, the Commission voted unanimously to approve the request.

4. Sepiessa Point Reservation (Town of West Tisbury)

The Commission discussed a proffered gift of \$1000 from the West Tisbury Shellfish Advisory Committee as appreciation for the land bank's allowing the town to store cultch here and then spread it in the great-pond via the land bank's boat slide. The gift would be for road maintenance.

The Committee is a town department and its funds are tax dollars; the Commission discussed whether a public institution (the land bank) should be accepting tax money from another public institution (the town). Mrs. Thulin noted that the Commission routinely asks towns to waive fees involving the land bank, on the above theory, and thus it should apply this logic here in reverse. Mrs. Goff asked if any facilities on the property are showing wear that is attributable to this use; staff responded that the land bank maintains the reservation for use by all and that none is particularly ascribable to the shellfish operation.

After discussion and by a motion made and seconded, the Commission voted unanimously to decline, respectfully, the gift. Staff will write an appropriate note.

5. Toad Rock Preserve (Town of Aquinnah)

Staff reported that planner William Veno has identified a probable encroachment here (tax parcel no. 12-63); the original surveyor has offered a price of \$1,625 to stake the 236' line. Staff will then follow up and memorialize the stakes by driving pipes at the termini and plotting the line via GPS.

After discussion and by a motion made and seconded, the Commission voted unanimously to authorize the expenditure.

6. Agency Administration: Agricultural Leases

The Commission discussed three agricultural leases — (1.) Jefferson Munroe, dated January 1, 2015 at the Tisbury Meadow Preserve; (2.) Gary Stead, dated January 13, 2015 at Featherstone Farm; and (3.) Lillian Walter, dated April 27, 2015 at the Poucha Pond Reservation — that are each due to expire at the end of the year.

Kristen Geagan of the Sheriff's Meadow Foundation reviewed Ms. Walter's activities under her lease — in lieu of land superintendent Ian Peach (in order to avoid any possible appearance of conflict-of-interest as he is married to Ms. Walter) — and reports that the leasehold is extensively utilized. Mr. Peach reports that the other two lessees are using their leaseholds to his satisfaction.

After discussion and by a motion made and seconded, the Commission voted unanimously to extend these leases, should the lessees so desire; the extension will include, as all recent extensions have, clauses requiring the fencelines to be regularly cleared.

7. Agency Land Management: Fire Mitigation Planning

Ms. Russell reported that the Edgartown fire chief is seeking a commonwealth grant for the creation of a county fire mitigation plan, which would examine the entire island for wildfire vulnerability based on factors such as vegetation; access; wind effect; and the like. This will permit the drafting of grant applications targeting the most vulnerable places for mitigation. The one-time expense to the land bank would be \$1,340; Commissioners noted that other island conservation groups have agreed to participate.

Messrs. Mott and Peach stated that they would participate in an upcoming citizen's forum on this topic. Commissioners noted (1.) that some level of dead-wood is valuable in a woodland, as habitat; and (2.) that, contrary to a misapprehension that recently appeared in an island newspaper, the land bank is free to allocate funds for such woodland management such that doing so would not require any special adjustments to its charter.

ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2020-14.

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 2:35 pm.

certification: 
Mary Robin Ravitch, Secretary