



Martha's Vineyard Land Bank Commission

MINUTES
REGULAR SESSION
MEETING OF DECEMBER 7, 2020

via remote technology

CALL TO ORDER: 3:00 pm

LAND BANK COMMISSIONERS PRESENT AT CALL TO ORDER

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

LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

Wesley Mott

STAFF PRESENT AT CALL TO ORDER

James Lengyel, Ian Peach

OTHERS PRESENT DURING THE SESSION

Alexandra ben David, Philip Cordella, Terre Young

PRESENTATION OF THE WARRANT

Warrant no. 2021-29 was made available for the Commission's inspection.

PUBLIC INPUT

Commissioner Wesley Mott joined the meeting during the following discussion.

1. Agency Administration: Public Input

Philip Cordella spoke to the documents relating to the meeting.

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 30, 2020

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 December 4, 2020: \$675,048.02

TRANSFER FEE HEARINGS

1. Emma Young (Town of Tisbury)

The Commission conducted a hearing on the extinguishment of this "m" exemption (transfer no. 56897). Mrs. Thulin opened the hearing at 3:10 pm.

Commissioners reviewed the contents of (1.) a November 30, 2020 letter from Emma Young; (2.) a December 1, 2020 email from Terre Young, her mother; and (3.) a December 4, 2020 letter from Terre Young. They address the consequences of the pandemic. The Commission had previously issued two one-year domicile extensions, the latter of which is due to expire on January 31, 2021. Terre Young reports in her email that she will pay the outstanding fee to extinguish the exemption and requests a full waiver of interest and penalty.

Outstanding charges are (1.) \$5,800, fee; (2.) \$3,141.96, interest; and (3.) \$1,450, penalty. The total is \$10,391.96. Mrs. Thulin closed the hearing at 3:13 pm.

Discussion occurred. Commissioners reviewed Section 8.02 of their transfer fee regulations, which allows such waivers in the event, *inter alia*, of extraordinary circumstances. Mr. Ewing stated that he believes there to be no more extraordinary circumstance than a pandemic. Mrs. Goff stated that four years is generally ample time to build a house — in, that is, the absence of such circumstances. After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to waive all interest and penalty, upon a finding of extraordinary circumstances, viz., the difficulties in the island construction sector occasioned by the pandemic.

2. Alexandra ben David (Town of Tisbury)

The Commission conducted a hearing on the extinguishment of this "m" exemption (transfer no. 58097). Mrs. Thulin opened the hearing at 3:22 pm.

Commissioners reviewed the contents of a November 30, 2020 letter from Mrs. ben David in which she reports having sold her "m" property in order to purchase a property more suitable to her family's business; she and her

husband paid the outstanding fee, interest and penalty and request a full waiver of the latter two, as they moved from one island home to another island home. They paid a fee on their new purchase.

Outstanding charges are (1.) \$3,628.68, interest; and (2.) \$2,215, penalty. The total is \$5,753.68. Mrs. ben David stated that she and her husband would not have purchased the first house had they known that they would need more space in a rather short period of time. Mrs. Thulin closed the hearing at 3:35 pm.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to waive the interest and penalty, upon a finding of extraordinary circumstances, viz., (1.) that the family relocated for unanticipated reasons; (2.) that they moved from one island home to another island home; and (3.) that their relocation was related to their livelihood, as they needed a space that could accommodate both their family and business needs.

NEW BUSINESS

Commissioner Pamela Goff recused herself and joined the general public as an observer, in order to avoid any possible appearance of conflict-of-interest.

1. Tea Lane Farm (Town of Chilmark)

The Commission continued, from its October 19, 2020 meeting, its discussion of a possible agricultural lease on the 1.0-acre field here that fronts on Tea Lane. Two bids were submitted: (1.) Abigail Yuskaitis dba Celestial Nectar, dated November 30, 2020; and (2.) Zachary Miller, dated November 30, 2020. Having lost electronic contact with the meeting, Mr. Peach was unable to participate; in his absence Mr. Lengyel reported that the staff recommendation was for Mr. Miller's proposal.

After discussion and by a motion made and seconded, the Commission voted in roll call vote five in favor, none opposed and Mrs. Reimann abstaining to enter into a lease with Mr. Miller.

Mrs. Goff returned to the meeting at this time.

PUBLIC INPUT

1. Agency Administration: Public Input

Philip Cordella spoke to (1.) the week's warrant; (2.) the Trade Wind Fields Preserve; (3.) his public record request; and (4.) the "m" exemption.

ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2021-29.

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 3:52 pm.

certification: Wesley Mott
Wesley Mott, Secretary