

Martha's Vineyard Land Bank Commission

MINUTES
REGULAR SESSION
MEETING OF MAY 9, 2022

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, Julie Russell

OTHERS PRESENT DURING THE SESSION

Philip Cordella, Eunki Seonwoo (*Martha's Vineyard Times*)

PRESENTATION OF THE WARRANT

Warrant no. 2022-42 was made available for the Commission's inspection.

APPROVAL OF THE AGENDA

Hearing no proposed changes, Mrs. Goff declared the agenda approved as presented.

APPROVAL OF THE MINUTES OF MAY 2, 2022

By a motion made and seconded, the Commission voted in a roll call vote five in favor, none opposed and Mr. Wells 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 May 6, 2022: \$343,040.00

NEW BUSINESS

1. Agency Land Management: Purchase of Equipment

Mr. Lengyel reported that goatherd Zachary Jessee has priced a second brush-cutter — to serve on the occasions when the first is down and/or to be available if the herd is split between the Vineyard and Chappaquiddick — which was planned for in the current budget. Cottage City Outdoor Power Equipment has one available at \$4,899.99.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the expenditure.

2. Squibnocket Pond Reservation (Town of Aquinnah)

The Commission reviewed notice received of applications filed by abutter CCS Sanctuary, LCC with (1.) the Aquinnah Board of Health for a variance from the town code as regards the separation between a leaching facility and wetlands; (2.) the Aquinnah Conservation Commission “to replace a single-family dwelling with associated site-work including utilities, septic system upgrade, new well, swimming pool [and] garage;” and (3.) the Aquinnah Planning Board Plan Review Committee for “the replacement and expansion of an existing dwelling, siting of a pool and garage, upgrade to existing utilities and associated site work where total footprint on the lot will exceed 2000 square feet located within the Aquinnah DCPC, Moshup Trail DCPC and Coastal DCPC.”

Discussion occurred as to (1.) the effect of an expansion here on the reservation, since the lot notches into it; (2.) nutrient loading in the abutting wetlands; and (3.) the likelihood that the lot could not be developed under contemporary standards such that, logically, an application to expand a nonconforming use should aim to reduce the development’s impact, not increase it. Mrs. Reimann asked to view the plan, which Mr. Lengyel tried to summon out of his computer files but was unable to do.

After discussion and by a motion made and seconded, the Commission voted in a roll call vote six in favor, Mrs. Reimann opposed and none abstaining to direct staff to post an appropriate letter to the town expressing the land bank’s concerns.

3. Sweetened Water Preserve (Town of Edgartown)

The Commission discussed the right-of-way that crosses this property. It was created to serve the three lots at the end of Llewellyn Way that pre-

existed at the time of the land bank’s purchase of the preserve. Since then, one of the owners purchased abutting acreage and resubdivided so that one of the three lots now includes the new acreage; the new acreage contains a building site and is currently being marketed.

The new acreage does not benefit from the right-of-way, which a prospective buyer may or may not know; counsel reports that posting a notice-to-prevent-acquisition-of-prescriptive easement will so alert buyers, via their conveyancing attorneys. After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to direct counsel to proceed. Staff will notify the landowner.

4. Agency Administration: Performance Evaluation

The Commission continued, from its May 2, 2022 meeting, its discussion of Mr. Lengyel's annual performance review. Mrs. Goff reported that she will prepare a composite review and share it with him.

PUBLIC INPUT

1. Agency Administration: Public Input

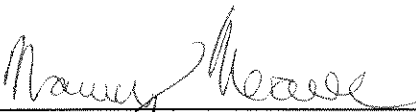
Philip Cordella spoke to the staff's reporting to the Commission of the agency's finances. Eunki Seonwoo (*Martha's Vineyard Times*) spoke to Mrs. Reimann's vote on the Squibnocket Pond Reservation matter.

ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2022-42.

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 3:26 pm.

certification: 
Nancy Weaver, Secretary