

**Commonwealth Of Massachusetts
County Of Dukes County, S.S.
MARTHA'S VINEYARD AIRPORT COMMISSION MEETING**

May 27, 2021, 9:00AM

**Martha's Vineyard Airport Commission Conference Room
and by Zoom Cloud Conference**

Notice of Such Meeting Having Been Posted as Required by Law

Present: Airport Commissioners: Chair - Robert Rosenbaum, Jack Ensor, Richard Knabel,
Donald Ogilvie, Geoffrey Wheeler, Robert Zeltzer,
Kristin Zern*,

Airport Staff: Geoffrey Freeman - Director, Kevin Brennan - Property Manager,
Denise Tawa - Assistant to Airport Management,

Others: Nick Deres – Jacobs Engineering,
Richard Andre, Sarah Schweitzer – Vineyard Wind/Power Cooperative,
Marni Lipke – Recorder

Press: Lucas Thors – MV Times, Shavannae Anderson – MVTV,
* Late arrival or early departure of Airport Commissioners (see * in text)

I. CALL TO ORDER

The Martha's Vineyard Airport Commission (MVAC) meeting was called to order at 9:02AM.

II. LAND USE SUBCOMMITTEE REPORT

**A. Approve Request for Proposal (RFP) MVA 2021-05 – 17 Hangar Road North Hangar
Award to Vineyard Wind 1 LLC Action**

(See documents on file & 5/13/21 Minutes p.3 #IV A.)

Vineyard Wind agreed to all RFP requirements, the sample lease, and a separate document on towing helicopters to and from the site to eliminate active turbines in the General Aviation (GA) area.

* During this conversation Ms. Kristin Zern entered the meeting at 9:13AM.

• Mr. Don Ogilvie wished to clarify several factors about the status of the lease.

- He highlighted the difference between aviation side leases and Business Park leases. It was explained that the Federal Aviation Administration (FAA) required the airfield itself (the largely commercial use operating area) to break-even financially, i.e. not turn a profit; however it required Fair Market Value (FMV) and looked for profit from all other uses including some aeronautical leases such as hangars—although aviation contract/lease format differed slightly from business park leases.

- Mr. Ogilvie pointed out that the new Business Park lease Policy was still in process. It was noted that the policy was not written into the Vineyard Wind lease because it was not a Business Park property. The policy and its applications would be discussed at the next MVAC meeting.

- Mr. Ogilvie also maintained this was a “hybrid” lease since it incorporated, besides the aviation hangar, what he considered Business Park land in the form of its automobile parking area outside the controlled airfield security perimeter. It was explained this was solely an aviation/aeronautical side lease by definition and standard practice. The parking area was not within the defined perimeters of the Business Park and was still FAA designated aviation-use property as shown on the Airport Layout Plan (ALP). Dedicated aviation (in this case hangar) parking for owners, employees and customers, sometimes outside the perimeter fence, was standard/common practice and did not constitute a Business Park delineation. Vineyard Wind was responsible for

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providing building security to Martha's Vineyard Airport standards, and was also responsible for parking security—some hangar leasees/owners fenced their parking.

- It was agreed this was a standard FAA policy lease which would become uniform practice at the Airport.

- The lease was for 20 years with a 20 year renewal, at the end of which it would revert to the Airport and, if the property was not designated for other aviation use (terminal, apron, tie-down, etc.), would be put out to bid, with Vineyard Wind as a potential bidder if they so chose.

• Turbines were touched daily and maintained regularly. The commercial operation license would begin in 2024 and was renewable well beyond the terms of the Airport lease. If not in use the turbine lease included technical requirements that they be removed.

• In keeping with the recommendation of the Land Use Subcommittee:

• **MOTION: TO ACCEPT AND APPROVE THE REVISED VINEYARD WIND 1, LLC PROPOSAL BY WITH THE FOLLOWING CONDITIONS:**

-1. PROPOSED \$30,000.00 FOR 22,420 SQARE FEET OF LAND AT \$1.34 PER SQ. FT. (ABOVE THE MINIMUM \$0.62/SQ. FT.)

-2. FIVE (5) YEAR APPRAISAL-BASED ADJUSTMENT AS WAS CONTAINED IN THE REQUEST FOR PROPOSAL (RFP);

-3. PROPOSED RENT INCREASES (ANNUAL BOSTON CONSUMER PRICE INDEX (CPI) AS INCLUDED IN THE SAMPLE LEASE CONTAINED IN THE RFP;

-4. OCCUPATION OR WORK ON THE LAND CANNOT COMMENCE UNTIL LAND LEASE IS FULLY EXECUTED;

-5. RENT PAYMENT TO COMMENCE UPON EXECUTION OF THE LEASE AND NO LATER THAN AUGUST 1, 2021;

-6. ENVIRONMENTAL INSURANCE REQUIREMENTS WILL BE ADDED TO THE AGREEMENT;

-7. CONSTRUCTION INSURANCE REQUIREMENT WILL BE ADDED TO THE AGREEMENT;

FIRST: MR. GEOFFREY WHEELER,

SECOND: MR. RICHARD KNABEL,

VOTE: UNANIMOUS: 6 AYES, 0 NAYS, 1 ABSTENTION: MR. ZELTZER—AYE, MR. WHEELER—AYE, MR. KNABEL—AYE, MR. JACK ENSOR—AYE, MR. OGILVIE—AYE, MS. ZERN—ABSTAIN due to appearance of conflict of interest, MR. BOB ROSENBAUM—AYE.

The MVAC congratulated Vineyard Wind, welcomed them to the Airport, commending their efficiency and experience, and looked forward to the start of construction.

III. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR - None

IV. PUBLIC COMMENT - None

V. ANNOUNCE NEXT MEETINGS

- Outreach Subcommittee – 2:00PM, Thursday, June 3, 2021
- Land Use Subcommittee - 3:00PM, Thursday, June 3, 2021
- Finance Subcommittee - 3:30PM, Friday, June 4, 2021
- **MVAC - 2:00PM, Thursday, June 10, 2021**

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XIII. ADJOURN

- **MOTION:** TO ADJOURN THE MEETING AT 9:24AM;
- **FIRST:** MR. ZELTER,
- **SECOND:** MR. KNABEL,
- **VOTE:** UNANIMOUS: 7 AYES, 0 NAYS 0 ABSTENTIONS; MR. ZELTZER—AYE, MR. WHEELER—AYE, MR. KNABEL—AYE, MR. ENSOR—AYE, MR. OGILVIE—AYE, MS. ZERN—AYE, MR. ROSENBAUM—AYE.

Appendix A: Tasks - None

Appendix B: Documents on file:

- Agenda 5/27/21
- Martha's Vineyard Airport Commission (MVAC) Staff Summary – MVY RFP 2021-05 – Disposition of Real Property via Aeronautical Use Lease – 17 Hangar Road North, (2 p.) 5/27/21

Minutes approved as amended 6/10/21