

**Commonwealth Of Massachusetts
MARTHA'S VINEYARD AIRPORT COMMISSION
LAND USE SUBCOMMITTEE MINUTES**

June 6, 2019, 5:00PM

MVAC Chambers

Notice of Such Meeting Having Been Posted as Required by Law

Present:

Subcommittee: Chair – Peter Wharton, Don Ogilvie, Geoffrey Wheeler

Airport Staff: Kevin Brennan, Airport Properties Manager (recorder); Edward Christofono, Financial Controller; Geoff Freeman, Interim Airport Manager

Public Signed in: Jack McGroarty (True North Holdings, LLC), Richard Knabel (MVAC), Jim Eddy (Bunbun, LLC), Connie McHugh (Vineyard Tennis Center, Inc.)

Via Phone/Videoconferencing: Matthew O'Brien (McFarland Johnson), Jonathan McCredie, AIA, (Fennick McCredie Architecture)

I CALL TO ORDER by Chair Peter Wharton – 17:03hrs.

II MINUTES:

APPROVE THE MINUTES FROM THE APRIL 4, 2019 LAND USE SUBCOMMITTEE MEETING – Motion by Mr. Ogilvie, 2nd by Mr. Wheeler to approve minutes after correcting a couple of last name typos. Unanimously approved 3-0-0.

APPROVE THE MINUTES FROM THE May 2, 2019 LAND USE SUBCOMMITTEE MEETING – Request by Mr. Wheeler to clarify his arrival time to clarify he had not approved a motion prior to his arrival. Motion by Mr. Ogilvie, 2nd by Mr. Wheeler to approve minutes, Unanimously approved 3-0-0.

In the interest of customer service and to accommodate tenant's personal schedules, Chairperson Wharton suggested modifications to the agenda. Recorded minutes reflect the original agenda.

III OLD BUSINESS

- a. **Well House Hazardous Material Project Update** – Matt O'Brien reported that all required paperwork related to the well decommissioning has been filed on schedule. As a result, BP39 and BP 40 are coded "yellow", indicating "Restricted Building". Mr. Ogilvi asked if "these properties are OK to lease". Mr. O'Brien answered "yes". Mr. O'Brien has not received confirmation from MassDEP clarifying if they will need to review/approve associated paperwork.
- b. **Massachusetts Environment Policy Act (MEPA)/National (NEPA) Project Update** – Surface Transportation Study needed for 2 intersections and Parking Lot. Grant application submitted to FAA 5/1/2019 was NOT approved. Study to be done in June, cannot reflect peak periods of July and August. Budget: 12K to date, 12K when done. Mr. O'Brien stated that MJ would still like the contract to conduct the traffic study in June. Jonathan McCredie, AIA, Fennick McCredie Architecture (FMA) then reviewed "Develop Plan Alternatives" (slide deck attached). LUS members asked many questions, most direct were around timing and budget. Mr. McCredi stated that plan was about Terminal

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Buildings ONLY. Mr. Wheeler stated that because there was a grant for this work we should continue with project schedule. Alternative #1 and Alternative #2 were reviewed and questions from LUS were answered by FMA. Mr. Wharton stated that he preferred Alternative #1. Mr. Ogilvie stated that he preferred #1 (b), including straight North/South TSA belt.

- c. **Business Park RFP Update** – Mr. Wharton asked that this item be placed on the agenda for the July Meeting to accommodate review and input of incoming Airport Director Cindi Martin.
- d. **Tenant Aging Report** – Mr. Christofono presented the monthly report indicating that the outstanding balance of the TOP 5+ which totals 70K. Mr. Brennan reported that invoice error backtracked 1 year was invoiced for ~20K to NRG.
- e. **Recommend Approval of MVAC of Restaurant RFP** – Mr. Wheeler asked that this item be placed on the agenda for the July Meeting to accommodate review and input of incoming Airport Director Cindi Martin.
- f. **Review Lease Renewal Process** – Mr. Brennan stated he had not received any feedback from Tenant's Association over past 60 days. LUS agreed that Ms. Martin will put this on her agenda for Tenant's Association Meeting. In the meantime, Mr. Brennan has implemented the draft process with the verbal approval of the LUS.

IV. NEW BUSINESS

- a. **Request of Mr. Nicholas Catt and Mr. Laurence Clancy to have Bunbun, LLC (Mr. James Eddy) assume the lease for BP34** – Mr. Ogilvie motioned to support and forward this request to the MVAC for approval. Mr. Wheeler 2nd, Unanimously approved 3-0-0.
- b. **Review Preliminary Application for Tenancy BP34 by Bunbun, LLC (Mr. James Eddy) for use as Warehouse.** Current approval is for "mixed use office, storefront, and warehouse facility". Mr. Wheeler motioned to support and forward this request to the MVAC for their approval. Mr. Ogilvie 2nd, Unanimously approved 3-0-0.
- c. **Review Complete Application for Tenancy BP34 by Bunbun, LLC for Big Sky Inc.** Mr. Wharton motioned to support and forward this request to the MVAC for their approval, Mr. Wheeler 2nd, unanimously approved 3-0-0.
- d. **Request of Crown Castle (FP36/Cell Tower #1) for First Amendment Of Lease for 5 years through March 31, 2020.** Mr. Ogilvie motioned to support and forward this this First Amendment of Lease for MVAC approval. 2nd by Mr. Wheeler and unanimously approved 3-0-0.
- e. **Request of Crown Castle (FP36/Cell Tower #1) sublease Spring PCS to modify equipment /add equipment to tower.** Mr. Ogilvie motioned to support and forward this request for MVAC approval. 2nd by Mr. Wheeler and unanimously approved 3-0-0.
- f. **Request of Crown Castle (AW31/Cell Tower #2) for lease amendment through September 31, 2019.** Mr. Ogilvie motioned to support and forward this request for a First Amendment of Lease for MVAC approval. 2nd by Mr. Wheeler and unanimously approved 3-0-0. Mr. Brennan noted that an RFP for both Cell Towers will be produced and released as soon as possible and that is the desire of his office to put both towers on the same renewal schedule.
- g. **Review lease renewals for:**

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- a. **AR24 – Vineyard Tennis Center, Inc.**
- b. **BP13 – Indigo Farm, Inc.**
- c. **BP14 – MB Lot 14, LLC**
- d. **BP16 – Landscape, Inc.**

Mr. Wharton stated that matters related to lease renewals will be placed on the agenda for the July meeting to permit incoming Airport Director Martin to provide input. He stated that the MVAC is investigating phased-in FMV increase. Mr. Wharton asked public attendee Ms. McHugh (Vineyard Tennis Center, Inc) for input regarding lease renewal. Ms. McHugh thanked Mr. Brennan for referring possible subtenants to her and asked the MVAC to assist her with this in the future as proposal lease increase will be difficult for her to manage.

IV. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR

- a. **Request of True North Holding, Inc to construct an Ice Machine Shed.** After reviewing the hand-drawn plans submitted, Mr. Ogilvie questioned the need for LUC/MVAC review. Mr. Brennan stated that local Building Department permit was required and MVAC Regulations did not have a minimum structure size listed. **Motion by Mr. Wharton, 2nd by Mr. Wheeler to approve construction pending full payment of all outstanding invoices by True North Holding, Inc. and pending approval of Edgartown Building Department. Unanimously approved 3-0-0**
- b. **Beach Road Weekend Parking Lot Short-Term Lease Request** – Mr. Wharton informed the Subcommittee that Mr. Freeman has received a request from Adam Epstein / **Beach Road Weekend 2019** to use ancillary parking lot space (Lot C) to park cars on the evenings of Friday – Sunday, August 9-11, 2019, when Hertz notes the lots will be empty. LUS questioned if temporary lighting will be used. Request will be made at MVAC meeting.

VI. ADJOURNMENT

**MR. OLGILVIE MOVED TO ADJOURN AT 19:10hrs; MR. WHEELER SECONDED;
MOTION UNANIMOUSLY APPROVED 3-0-0.**

Next meeting – tentatively scheduled for 5:00PM, Tuesday, July 2, 2019

Approved July 2, 2019 LUS Meeting