

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

August 1, 2019, 5:00PM

MVAC Chambers

Notice of Such Meeting Having Been Posted as Required by Law

Present:

Subcommittee: Chair – Peter Wharton, Don Ogilvie

Airport Staff: Kevin Brennan, Airport Properties Manager (recorder); Edward Christofono, Financial Controller; Cindi Martin, Airport Director

Public Signed in: Mark Baumhofer (Osprey Trades), Fred Fournier (Landscape), Richard Knabel (MVAC), Connie McHugh (Airport Fitness), Kristin Zern (MVAC).

Public NOT Signed in: Mr. Rosbeck (Island Pool & Spa (BP37) and Vine, Inc. (BP35))

Via Phone/Videoconferencing: NONE

I CALL TO ORDER by Chair Peter Wharton – 17:06hrs.

II MINUTES:

APPROVE THE MINUTES FROM THE JULY 2, 2019 LAND USE SUBCOMMITTEE MEETING – Motion by Mr. Ogilvie, 2nd by Mr. Wharton to approve minutes. Unanimously approved 2-0-0.

III ONGOING BUSINESS

a. **Tenant Aging Report –** Mr. Christofono presented the monthly report indicating that the outstanding balance of the TOP 5+ = 127K, is up dramatically from July. Mr. Brennan reported that invoice error ~41K to **NRG (AF02)**, as well as other unpaid now equals 61K. NRG contact apologized for not completing this payment process and promised to work on getting this paid on Friday, August 2nd. **Nick Catt (BP34)** outstanding invoices (11K) will now be forwarded to Bunbun, LLC. **M.V. Shipyard (BP02)** is catching up on missed invoices (17K) from October 2018, **Avis (16K)**, and **Planeview (14K)**. Mr. Ogilvie suggested future reports not include anything under 30 days.

IV. OLD BUSINESS

a. **Lease Renewals and Fair Market Value Adjustment –** Mr. Wharton presented an income modelling tool which permits us to forecast income including variables. 2 scenarios were discuss. 1st scenario indicates full increase, second scenario reflected phase in with balloon payment in 5th years. Mr. Wharton explained that we were putting plan together. Mr. Wharton recognized tenants in the audience requesting to speak. Mr. Rosbeck noted that the Tenant Association Counsel said that MVAC had no right to implement FMV change to the lease. Mr. Baumhofer asked what a balloon payment meant “If it means that the airport should receive full payment by the end of 5 years, this is “entirely unacceptable”. Mr. Baumhofer suggested that the Airport set all land rates at \$0.85/SF as had been done with a recent renewal (staff in validate). Mr. Fournier stated that he understood the FAA requirements (for FMV) but feels “entrapped” as there is no way for a tenant to extricate – no other place on island to locate. Mr. Rosbeck concurred. Mr. Baumhofer asked that the MVAC consider that the ABP was originally formed to support small businesses. He stated that the mission, when formed, was that land “should be affordable” and that he “needs to

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protect his investment". Ms. McHugh asked "Why are airport management costs increasing?" Mr. Ogilvie replied "unfortunately routine maintenance had not been kept up with". Mr. Wharton thanked everyone for their feedback and stated that this was an ongoing discussion which will continue. Ms. McHugh suggested that the County add a non-voting tenant to the MVAC.

b. Airport Properties Manager Report

- a. **Southeast Hangar A** – Mr. Brennan presented an update on the property. Staff working with MVC to clarify stages of development process. Option agreement is being finalized next week.
- b. **Lot 39/40** – Current tenant, Garden Beautifiers Landscaping, LLC has made some progress in clearing the property. This month-to-month Tenant requested another extension through August 4th to vacate property, which we approved. Will present additional extension letter and obtain former tenant's signature as acknowledgement.
- c. **BP14** – Mr. Brennan provided an update on the issues contained in a three-page letter sent to tenant regarding lease violations which continue to hold up Assumption of Lease.
- d. **Beach Road Weekend Parking Agreement** – Progress continues to be made. Use Agreement should be signed early next week.

V. NEW BUSINESS

- a. **AR24 – Vineyard Tennis Center - Request to discuss proposed Change of Use Request** – Email received 8/1/2019 from tenant requesting removal of this item from the agenda.

IV. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR

- a. **Public Relations and Outreach Subcommittee** Chair Kristin Zern noted that the airport will host The Collings Foundation Wings of Freedom Tour 2019 (Antique Planes, etc. September 16 – Noon to September 18th – noon 2019. Investigating use of Food Truck on site. Lease does NOT prohibit.

VI. ADJOURNMENT

**MR. OGILVIE MOVED TO ADJOURN AT 18:03hrs; MR. WHARTON SECONDED;
MOTION UNANIMOUSLY APPROVED 2-0-0.**

Next meeting – tentatively scheduled for 5:00PM, Thursday, September 1, 2019