

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

**November 7, 2019, 5:00PM**

**MVAC Chambers**

Notice of Such Meeting Having Been Posted as Required by Law

**Present:**

**Subcommittee:** Chair – Peter Wharton, Don Ogilvie, Geoff Wheeler

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

**Public Signed in:** Whitney Brush (Vineyard Decorators), Angela Grant (MVTA).

**Via Phone/Videoconferencing:** Cindi Martin, Airport Director

**I CALL TO ORDER by Chair Peter Wharton – 17:00hrs.**

**II MINUTES:**

**APPROVE THE MINUTES FROM THE OCTOBER 3, 2019 LAND USE SUBCOMMITTEE MEETING** – Motion by Mr. Ogilvie, 2<sup>nd</sup> by Mr. Wharton to approve minutes. Unanimously approved - 2-0-1. Mr. Wheeler abstained as he was unable to attend October Meeting.

**III OLD BUSINESS**

- a. **Award of MVY-RFP 2019-01 – Car Rental Concession** – Mr. Wharton reviewed the highlights of the submissions presented. Hertz (Dollar, Hertz, Thrifty) MAG presented Best MAG at \$80,514.75. Vineyard Enterprises Inc. presented 2<sup>nd</sup> Best MAG at \$75,010.00. Anticipated minimum income from both vendors is \$225,763. Mr. Ogilvie motioned that the LUS support approval by MVAC at next meeting. Motioned seconded by Mr. Wharton. Unanimously approved – 3-0-0. **Forward to MVAC.**

**IV ONGOING BUSINESS**

- a. **Tenant Aging Report** – Mr. Christofono presented report which indicated 5 most overdue accounts. ~\$21,000 over 90 days. Mr. Christofono is still stabilizing the accounts and will issue 30-60-90 letters in the near future.
- b. **Airport Properties Manager Report**
1. **Airfield Hangar** – Met with prospective tenant in October.
  2. **BP14 – MV Lot 14, LLC** – Some refuse remains on loading dock and must be removed before Assumption of Lease is approved.
  3. **BP28 – T Ford** – MVAC copied on letter from tenant to customers asking them to removed property from unapproved PODS which tenant had committed to remove in 2010, with deadline of November 30, 2019.
  4. **Terminal Restaurant RFP** – 3 vendors attended the required pre-proposal Conference.
  5. **AR 27 - MV Investment Properties** – 60 days have passed since initial communication with tenant regarding removal of 4 abandoned vehicles and 1 abandoned boat. Verbal agreement to remove has not been kept. Formal letter was sent October 21. Outstanding water and wastewater invoices will be resent to leaseholder for payment.
  6. **Annual Inspections will resume in November.** Last documented inspections were in 2013.

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**V. NEW BUSINESS**

- a. **Hangar B11 – Hangars Unlimited – Request for Alterations – Door and Windows Replacement** – Mr. Wheeler motioned to propose that MVAC approve request to replace swinging doors with overhead door (verbal change made 11/6/2019 by contractor via phone) and replace 7 windows as requested, pending these contingencies: 1) Ensure that no construction equipment used for these improvements will exceed the current height of the existing building, 2) Airport Manager will have the right to stop construction if there are any negative impacts to air navigation or to the smooth running of the airport, 3) All approvals and permits required must be obtained by tenant including Town of West Tisbury, Martha’s Vineyard Commission, and others, 4) This approval is invalid if construction does not begin within 180 days of approval. 2<sup>nd</sup> by Mr. Ogilvie, Unanimously approved 3-0-0. **Forward to MVAC.**
- b. **BP03 – MVTA - Sublease Approval Retroactively – Term 9/1/2014 – 8/31/2019** – The Committee was updated on the situation outlined in the Staff Summary – The MVTA had never submitted for approval as is required by their lease, subtenant agreements with the RMV since 2004. On November 4, 2019, the lease which had expired 8/31/2019 was submitted. No subtenant fee was ever collected as was required by the lease. Mr. Wharton stated that that the subtenant fee would be collected starting immediately based on the terms of the lease in effect. Retroactive collection of this fee would not be initiated.
- c. **BP03 – MVTA - Approval of RMV First Amendment to Lease and Lease extension** – Ms. Grant presented a fully executed First Amendment to Lease and Lease Extension with the RMV for review and approval of MVAC as required in our lease. The lease is a short term amendment to bridge the time from lease end to MVTA lease revision effective date at which time MVTA will negotiate new lease with RMV. **Mr. Ogilvie motioned to recommend that the MVAC approve the First Amendment as presented (fully executed) Mr. Wheeler 2<sup>nd</sup> the motion. Unanimously approved 3-0-0.** Mr. Wharton yielded the floor to MVTA Administrator Grant who advised the Commission that should the MVTA rent increase, she would be forced to increase the rent of the subtenant – Massachusetts Registry of Motor Vehicles, which was “not doable”. Ms. Grant noted that the Nantucket RMV pays a higher lease rate than the MVTA is currently charging and that there are some RMV’s which pay 50% more than is paid to the MVTA. **Forward to MVAC**
- d. **BP30 – Heathland Trust 30 – Requesting Sublease Approval resulting from Space Changes** – As a result of GD Reynolds Woodworking vacating the premises, Mr. Whiting will allow tenants to expand into the vacated space. No new Tenants will be added to the overall space. All subtenants as of February 24, 2016 are exempt from the lease’s subtenant fee. Mr. Wheeler motioned to approve the proposal and move to MVAC. Mr. Ogilvie 2<sup>nd</sup>. Motion unanimously approved 3-0-0. **Forward to MVAC.**
- e. **AR35 – Island Investment properties, LLC – Emergency Request to Replace Roof Over Loading Dock** – Mr. Wheeler motioned to retroactively approve request to replace roof based on emergency nature and forward to MVAC. 2<sup>nd</sup> by Mr. Ogilvie. Unanimously approved 3-0-0. **Forward to MVAC**

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**IV. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR**

- a. NONE.**

**VI. ADJOURNMENT**

**MR. OGILVIE MOVED TO ADJOURN AT 18:08hrs; MR. WHARTON SECONDED;  
MOTION UNANIMOUSLY APPROVED 2-0-0.**

**Next meeting – Scheduled for 5:00PM, Thursday, December 5, 2019**