

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

January 5, 2023 - 3:00PM – ARFF Conference Room and via Zoom

Notice of Such Meeting Has Been Posted as Required by Law

Present:

Subcommittee: Chair – Geoff Wheeler, Don Ogilvie, Jack Ensor

Airport Staff: Kevin Brennan, Airport Properties Manager (recorder); Geoffrey Freeman, Airport Director

Public in person: NONE

Public Signed in via Zoom: Douglas Sederholm, Esq.

I. CALL TO ORDER by Chairperson Geoff Wheeler – 15:02hrs.

II. APPROVED MINUTES: October 6, 2022

MOTION: Mr. Ensor to approve minutes as printed.

SECOND: Mr. Ogilvie

DISCUSSION: none.

VOTE: Mr. Ensor - AYE, Mr. Ogilvie - AYE, Mr. Wheeler - AYE, 3-0-0 unanimously approved.

III. PUBLIC COMMENTS: No comments were offered.

IV. STAFF REPORTS

a. Property Manager's Report: Mr. Brennan notes that the highlights of his report where covered by the meeting agenda.

b. LUS Chairman's Report: Mr. Wheeler noted that progress was being made in all Land Use areas and that he had called the meeting to ensure that all subcommittee members were aware of Default Notices that had been sent to tenants who had serious lease violations.

V. OLD BUSINESS

a. Update - Airport Business Park Expansion. Mr. Freeman reported that repair of the ABP entrance sign at the Northern entrance, which had been destroyed by a car, was delayed by insurance processing.

VI. NEW BUSINESS

a. Notice of Default – December 12, 2022 – Donaroma's Nursery & Landscape Services, Inc. – 18 North Line Road. – Lease Violations

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Mr. Brennan reported that Mr. Donaroma has received a second Notice of Default on December 12, 2022. The COI on file expired July 1, 2022. Despite repeated written and verbal requests, the business had not yet presented a Certificate of Insurance.

b. Notice of Default – January 3, 2023 – MV Investment Properties, LLC – 27 Airport Road – Lease Violation

MV Investment Properties, LLC's sublease to Island Investment Properties, LLC expired May 22, 2021. Despite multiple requests for the sublease approved by the MVAC on December 10, 2021 to be executed by these parties, a Letter of Default was sent January 3, 2023. Minutes prior to today's meeting, the signed sublease was received. It will be reviewed and fully executed after this Land Use meeting.

Mr. Ogilvie asked if legal invoices will result from these actions. Mr. Freeman reported that legal had provided boilerplate default letters but as a result of some particular circumstances, the Airport Properties Manager may need to confer with legal during the notice of default process.

VII. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR

a. Notice Of Default – January 4, 2023 - DMB Realty Trust – 24 West Line Road – Lease Violation

Mr. Brennan reported that Mr. Braga received a Notice of Default on January 4, 2023. The MVAC-Approved Sublease on file expired May 31, 2021. Despite repeated written and verbal requests, the business had not yet presented a sublease for MVAC Approval.

VIII. Next meeting – 3:00PM, Thursday, February 2, 2023.

IX. ADJOURNMENT

MOTION: Mr. Ogilvie to adjourn at 15:15hrs

SECOND: Mr. Ensor

DISCUSSION: none.

VOTE: Mr. Ensor - AYE, Mr. Ogilvie - AYE, Mr. Wheeler - AYE 3-0-0 unanimously approved.