

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

**August 10, 2023 - 1:00PM – 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, Norm Werthwein

**Airport Staff:** Kevin Brennan, Airport Properties Manager (recorder); Geoff Freeman,  
Airport Director (via zoom)

**Public in person:** Connie McHugh (Vineyard Tennis Center, Inc.); Jeffrey DuBard  
(Island Collaborative LLC)

**Public Signed in via Zoom:** NONE

**I. CALL TO ORDER by Chairperson Geoff Wheeler – 13:01hrs.**

**II. APPROVED MINUTES:** May 4, 2023

**MOTION:** Mr. Ogilvie to approve minutes as printed.

**SECOND:** Mr. Werthwein

**DISCUSSION:** none.

**VOTE:** Mr. Werthwein-AYE, Mr. Ogilvie – AYE, Mr. Ensor - AYE, Mr. Wheeler - AYE  
4-0-0 unanimously approved.

**III. PUBLIC COMMENTS:** No members of the public asked to speak.

**IV. STAFF REPORTS**

**a. Property Manager's Report:**

- a.** Mr. Brennan reported that several RFPs are being prepared by MVAC  
Procurement: former Sheriff's Ropes Course, VPI Continuing Corp (expires  
12/31/2023), Animal Health Care Associates (expires 3/31/24), and SAV  
Associates (expires 3/31/2024).

**b. LUS Chairman's Report:** No report.

**V. OLD BUSINESS**

- a. Status of Lot 43- County of Dukes County – Sublease to Sheriff's Department Ropes Course.** Mr. Freeman reported that Lot 43, County of Dukes County subleased to the Dukes County Sherriff for the use of their Ropes Challenge Course will be available to the public via a RFP in the near future.

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**VI. NEW BUSINESS**

- a. **Request For Change of Use – Lot AR24 – Vineyard Tennis Center Inc.** Mr. Wheeler stated that the MVAC had received a written request to approve a request for change the Permitted Use and that our attorney had spoken with the potential assumer who stated that there would be no change of use. Mr. Wheeler asked Mr. DuBard (representing Airport Road Collaborative LLC) which statement/request was correct. Mr. DuBard stated that “there is no change of use being requested at this time”. Mr. Wheeler also stated that a request for the assignment of lease to Airport Road Collaborative LLC had been received but that the LLC did not exist. After a short discussion with Mr. DuBard it was agreed that should the assumption be approved the LLC would be created prior to such approval. Additionally, Mr. Wheeler stated that according MVAC records, the VTC had not corrected previous violations issued by the West Tisbury Fire Inspector. Ms. McHugh stated that all violations except for one have been corrected and that the remaining violation would be cured upon installation of a door that is on order. DuBard’s financials had been submitted per MVAC Policy, but as part of a PowerPoint presentation and not as a certified document. Mr. Werthwein stated that since the LLC would be assuming the Vineyard Tennis Center, Inc. the VTC financials should be required because the non-existent LLC would not have any financial history. Ms. McHugh and Mr. DuBard acknowledged that said financials would be provided to the Land Use Subcommittee prior to the assignment approval. Mr. DuBard and Ms. McHugh concurred that current staff would remain in place. Mr. DuBard stated that the business will remain unchanged as the VTC will be purchased and operated by Mr. DuBard.

**MOTION:** Mr. Werthwein that the Land Use Subcommittee recommends that the Martha’s Vineyard Airport Commission consent to the assignment of the Vineyard Tennis Center, Inc. lease to a “to be created LLC” subject to 1) the LLC being created, 2) MVAC review the Vineyard Tennis Center Financials, and the 3) submittal of evidence of correction of all open Fire Inspection Violations.

**SECOND:** Mr. Ensor

**DISCUSSION:** none.

**VOTE:** Mr. Ogilvie – AYE; Mr. Werthwein-AYE, Mr. Ensor - AYE, Mr. Wheeler - AYE, 4-0-0 unanimously approved.

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**VII. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR - None**

**VIII. Next meeting – 3:00PM, Thursday, September 7, 2023.**

**IX. ADJOURNMENT**

**MOTION:** Mr. Ogilvie at 13:38hrs

**SECOND:** Mr. Ensor

**DISCUSSION:** None.

**VOTE:** Mr. Werthwein - AYE, Mr. Ensor - AYE, Mr. Ogilvie - AYE, Mr. Wheeler – AYE,  
4-0-0 unanimously approved.