

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

October 5, 2023 - 2:00PM – ARFF Conference Room and via Zoom

Notice of Such Meeting Has Been Posted as Required by Law

PRESENT:

Subcommittee in person: Don Ogilvie, Norm Werthwein

Subcommittee via Zoom: Chair – Geoff Wheeler, Jack Ensor

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

Public in person: NONE

Public Signed in via Zoom: Connie McHugh (Vineyard Tennis Center, Inc.);

I. CALL TO ORDER by Chairperson Geoff Wheeler – 15:00hrs.

II. APPROVED MINUTES: August 10, 2023

MOTION: Mr. Ogilvie to approve minutes as printed.

SECOND: Mr. Ensor

DISCUSSION: none.

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

III. PUBLIC COMMENTS: Connie McHugh noted that she was in attendance because she submitted a draft sublease for a new subtenant for Airport Fitness. Mr. Brennan noted that this request required the MVAC to approve a change of use amendment for the lease.

IV. STAFF REPORTS

a. Property Manager's Report:

- i.** Mr. Brennan reported that with tight coordination with legal RFPs are being prepared: 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). Some land leases could include improvements made by the current or former tenants – buildings, for instance.

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, likely within the next two weeks or so.

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VI. NEW BUSINESS

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 change of use from “for construction and operation of an indoor tennis facility” to “include subleases that comply with the light industrial zoning set by the Town of West Tisbury and FAA Regulations”. Mr. Werthwein asked Ms. McHugh why the request to change the permitted use was so broad. Ms. McHugh replied that she wanted permission to sublease to another person. Mr. Wheeler clarified that it appeared that Ms. McHugh actual intent was to obtain approval for a prospective subtenant that needed a small office space and small room to store cleaning supplies. Ms. McHugh agreed and advised that she had thought light industrial was a proper description and the process was unclear to her. Ms. McHugh clarified that her request was to have a specific cleaning company as the tenant.

Mr. Ensor suggested that Ms. McHugh request a permitted use that was more specific for “this space” of her building. Mr. Wheeler asked Ms. McHugh if she was willing to make a change to her change of use request. Ms. McHugh replied in the affirmative.

Mr. Freeman asked Ms. McHugh to describe the cleaning service. Ms. McHugh stated the business would rent a 1-room office and 1-room storage room for linens and cleaning supplies.

Mr. Werthwein asked if any physical alterations would be required by the perspective tenants to the space/structure. Ms. McHugh responded that an exterior door to the office/storage room had been requested and that the new office will be secure from the remainder of the fitness center if requested.

Mr. Wheeler asked if any environmentally harmful supplies would be stored on the process. Ms. McHugh replied that there would not be any.

When asked about the status of other fitness-related subtenants, Ms. McHugh stated that Action Karate left on August 30, 2023 and The Nordic Mermaid (Spa) left the building in June 2023 (website says September 26, 2023).

Mr. Ogilvie then asked Ms. McHugh if the financials submitted recently for the Assumption of Lease process included these businesses, which were no longer located on the premises. Ms. McHugh stated that the financials submitted did include income from both former tenants, as they were tenants for the period for which the financials were submitted.

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Mr. Werthwein asked how large the space would need to be to require a change of use for the lease. Several responded that amount of space used was not relevant to the requirement for a change of use.

MOTION: Mr. Ensor that the Land Use Subcommittee recommends that the Martha's Vineyard Airport Commission approve the sublease of 330SF of space comprising one office and one storage room to Alien Cleaning, Inc. with the respective Change of Use amendment to the lease amended to read "**for construction and operation of an indoor tennis facility and use as an office and storage room for a cleaning company**".

SECOND: Mr. Wirthwein

DISCUSSION: Mr. Ogilvie asked how the MVAC would address future business uses. Mr. Wheeler responded that "a broader discussion will be needed". Mr. Oglivie asked "Does each subtenant return to the LUS for approval if not a cleaning company?" Mr. Wheeler responded "Yes, future requests must all come to the LUS" and clarified that Town of West Tisbury approval may be different from MVAC approval. Mr. Wheeler asked Ms. McHugh if the property had been signed off on the Fire Inspection. Ms. McHugh responded: "Yes and Kevin has the report"

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

VII. ITEMS NOT REASONABLY ANTICIPATED BY CHAIR - None

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

IX. ADJOURNMENT

MOTION: Mr. Ogilvie at 15:44hrs

SECOND: Mr. Ensor

DISCUSSION: None.

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