

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

**November 2, 2023 - 3:00PM – 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, Absent: Jack Ensor

**Subcommittee via Zoom:** Chair – Geoff Wheeler

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

**Public in person:** NONE

**Public Signed in via Zoom:** NONE

**I. CALL TO ORDER by Chair Geoff Wheeler – 15:01hrs.**

**II. APPROVED MINUTES:** October 5, 2023

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

**SECOND:** Mr. Werthwein

**DISCUSSION:** none.

**VOTE:** Mr. Ogilvie – AYE, Mr. Werthwein-AYE, Mr. Wheeler - AYE 3-0-0 unanimously approved.

**III. PUBLIC COMMENTS:** NONE

**IV. STAFF REPORTS**

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

- i. Mr. Brennan reported that 2 RFPs (former Sheriff's Ropes Course and VPI Continuing Corp (lease expires 12/31/2023, sublease to Star Propane) were distributed this week. Advertised in both local newspapers, print and online. 12 requests have been delivered/picked up in the first 24 hours: Intent is to release 2 more RFPs in December: Animal Health Care Associates (expires 3/31/24), and SAV Associates (expires 5/31/2024). Some land leases will include improvements made by the current or former tenants – buildings, for instance. Mr. Ogilvie asked how LUS members are involved in the award decision. Mr. Brennan explained the role of the Evaluation Committee (composed of airport staff) will review and score the submittals in accordance with the Proposal Evaluation Process outlined in Section V of the RFP. Overall criteria includes Experience, Proposed Use of Property, Business Plan/Pro-Forma Financial Analysis, Community Economic Benefits, FAA Requirements: Highest and Best Use, and Airspace, Development Permitting, and General Impression of each proposal. The Evaluation Committee scoring and recommendation will be provided to the LUS for discussion and award recommendation to the full Commission.

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

**V. OLD BUSINESS: NONE**

**VI. NEW BUSINESS**

a. **Proposal for Amendment to Non-Aeronautical Leases, Land Appraisal Cycles & Fair Market Value/Increases Cap** – “leases commencing on or after January 1, 2024 will increase to the appraised value on every 5<sup>th</sup> anniversary of the lease.”

After a brief discussion,

**MOTION:** Mr. Werthwein that the Land Use Subcommittee recommends that the Martha's Vineyard Airport Commission approve the following amendments to the existing policy:

**Purpose**

Due to significant land value increases in recent years on the island, a large disparity has occurred in rents being charged to non-aeronautical land lease tenants. This disparity in land value has resulted in lease/rent rates to nearly double. The proposed amendment to the policy helps the Airport ensure compliance with Airport Grant Assurances and maintain its revenue stream.

**Procedures**

All new and renewing non-aeronautical leases shall have a five-year Fair Market Value (FMV) adjustment clause. Every three years, the airport shall procure a land appraisal for the non-aeronautical lease areas. These appraisals shall be for the entire group of parcels in these areas. For renewing leases which commenced prior to January 1, 2024, should the appraised value exceed the then current lease/rental rate by 10% or more, a maximum increase for FMV of 10% will be applied during the cycle identified in the lease. Leases commencing on or after January 1, 2024 will increase to the appraised value on every 5<sup>th</sup> anniversary of the lease.

**SECOND:** Mr. Ogilvie

**DISCUSSION:** Mr. Ogilvie asked if this might apply to land leased for Aeronautical use. Mr. Brennan replied that this amendment would not apply to aeronautical use (hangars).

**VOTE:** Mr. Ogilvie – AYE; Mr. Werthwein-AYE, Mr. Wheeler - AYE, 3-0-0 unanimously approved.

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

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

**IX. ADJOURNMENT**

**MOTION:** Mr. Ogilvie at 15:40hrs

**SECOND:** Mr. Werthwein

**DISCUSSION:** None.

**VOTE:** Mr. Ogilvie – AYE, Mr. Werthwein - AYE, Mr. Wheeler – AYE, 3-0-0 unanimously approved.