



Martha's Vineyard Land Bank Commission

MINUTES
REGULAR SESSION
MEETING OF APRIL 4, 2022

via remote technology

CALL TO ORDER: 3:01 pm

LAND BANK COMMISSIONERS PRESENT AT CALL TO ORDER

Pamela Goff, Wesley Mott, Sarah Thulin, Nancy Weaver, Peter Wells

LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

Steven Ewing, Kristen Reimann

STAFF PRESENT AT CALL TO ORDER

Harrison Kisiel, James Lengyel

OTHERS PRESENT DURING THE SESSION

Philip Cordella, Jeffrey DuBard

PRESENTATION OF THE WARRANT

Warrant no. 2022-37 was made available for the Commission's inspection.

APPROVAL OF THE AGENDA

Hearing no proposed additions, Mrs. Goff declared the agenda approved as presented.

APPROVAL OF THE MINUTES OF MARCH 14, 2022

By a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the minutes as written.

COUNTY AND LAND BANK COMMISSION TREASURERS' REPORTS

None

TRANSFER FEE REVENUES

Revenues for the week ending April 1, 2022: \$374,210.00

NEW BUSINESS

1. Agency Land Management: Wildlife Surveys

The Commission reviewed an April 1, 2022 email from Elizabeth Olson of Biodiversity Works, Inc. in which she requests permission to inventory land bank properties for spotted turtles and northern long-eared bats and woodcock. Turtles would be studied at the Cove Meadow, Gay Head Moraine and Pecoy Point Preserves; bats would be studied at the Pecoy Point Preserve and Tiasquam Valley Reservation; and woodcock would be studied at various unspecified locations. Ecologist Julie Russell recommends approval.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to approve this request, with the understanding (1.) that the *Public use of land bank properties* policy is adhered to in all pertinent aspects; (2.) that all work will be conducted subject to Ms. Russell's oversight; (3.) that all data will be promptly shared with the institution; and (4.) that Ms. Russell is authorized to extend approval to any other land bank properties she deems appropriate.

2. Aquinnah Headlands Preserve (Town of Aquinnah)

The Commission reviewed a brace of applications submitted to the Aquinnah Planning Board Plan Review Committee by abutters Bruce Levkoff et al. to install two sheds to "a pre-existing non-conforming dwelling where total footprint on the lot will exceed 2000 square feet" within the Gay Head Cliffs district of critical planning concern.

The existing buildings on the locus are located tight against the land bank boundary; their owners had a history of encroaching on the preserve, via mowing, but in 2021 discontinued doing so, at the land bank's insistence.

Mrs. Thulin sited-visited the property earlier in the day and observed that the decks are currently being replaced and that a string of small boulders lining the decks has now been strewn about. Commissioners agreed that, in order for them to be satisfied with the application, they need to be certain that the encroachment has been resolved.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to direct staff to post a letter to the Committee (1.) informing it of the history of encroachment here; (2.) questioning whether the current construction has in fact resulted in fresh encroachment; and (3.) requesting that the Committee require, as a condition of any possible special permit approval, that the applicants hire a surveyor to survey and identify the boundary line so as to assure that no encroach-

ments whatsoever may occur, now or in the future.

3. Eachpoquassit Hill Preserve (Town of West Tisbury)

The Commission discussed a request from the Island Autism Group (IAG) for approval for the installation, in the conservation area, of (1.) a farmstand (± 144 square feet, plus a ± 48 square foot porch), to replace two existing sheds; and (2.) a chicken coop (± 64 square feet) with associated raised garden beds. Commissioners reviewed an April 1, 2022 plan specifying the location of each. IAG is also requesting approval of the installation of a concrete pad under the farmstead.

The agricultural preservation restriction (APR) here allows the land bank to approve the installation, outside the building envelope, of (1.) agricultural structures, upon a finding that they "[a] do not materially diminish the scenic view from the Lambert's Cove Road and [b] are traditional in style and [c] are ... non-habitable" and (2.) concrete. The APR specifically permits "limited parking" associated with the farmstand; the plan calls for three slots.

Discussion occurred as to the details. The Commission had most recently discussed this property at its September 27, 2021 meeting, where it approved the installation of a barn just west of the field.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote (1.) to make the necessary findings, above; and (2.) to approve in the locations specified on the plan [a] the farmstand and its concrete pad, plus parking for three vehicles and [b] the chicken coop.

4. Wapatequa Woods Reservation (Towns of Oak Bluffs and Tisbury)

The Commission reviewed a \$37,785 bid submitted by Perry Electric, Inc. for the installation of an underground electric line serving the pasture here. Mr. Kisiel reported that such installation would act as a long-term improvement that would serve the land bank as long as it maintains a livestock herd in this location or, were it to discontinue the herd, would benefit a future agricultural lessee. There are sufficient funds in the property's line item for this expense.

Extensive discussion took place as to the worthiness of the project, as compared to (1.) the installation instead of a water line; and/or (2.) the upgrading of other pastures elsewhere. Mr. Kisiel outlined the benefits of having electricity serve this area. Miss Weaver noted that the Sailors Burying Ground Road, which is an ancient way, is the access to this property and that vehicular use of it is transforming its character.

After discussion and by a motion made and seconded, the Commission

voted unanimously in a roll call vote to approve this expenditure.

PUBLIC INPUT

1. Agency Administration: Public Input

Philip Cordella spoke to the Commission's discussion of the (1.) Biodiversity Works, Inc. request; (2.) Wapatequa Woods Reservation; and (3.) Eachpo-quassit Hill Preserve.

ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2022-37.

EXECUTIVE SESSION

By a motion made and seconded, the Commission voted unanimously in a roll call vote to enter executive session for the purpose of discussing the purchase, lease, exchange or value of real property. Mrs. Goff stated that the subjects to be discussed are the purchase or value of real property and declared that an open meeting may have a detrimental effect on the negotiating position of the Commission. She further announced that the Commission would not reconvene in regular session after the conclusion of the executive session. The Commission entered executive session at 3:36 pm.

certification:



Nancy Weaver, Secretary