

MINUTES  
Nantucket Land Bank Commission  
Regular Meeting of April 25, 2017  
Land Bank Meeting Room, 22 Broad Street  
Nantucket, Massachusetts

CALL TO ORDER: 4:00 P.M.

PRESENT: Richard Glidden, Kristina Jelleme, Neil Paterson, Allen Reinhard, John Stackpole.

STAFF PRESENT: Eric Savetsky, Executive Director; Jesse Bell, Assistant Director; Susan Campese, Administrator/Finance Manager; Marian Wilson, Assistant Administrator.

*Nantucket Island Homes President, Curtis Barnes; Inquirer and Mirror Reporter, Peter Sutters were also present at call to order.*

I. CONVENE IN OPEN SESSION:

A. CITIZEN BUSINESS/ANNOUNCEMENTS: None.

*Mr. Barnes and Mr. Sutters departed the meeting at 4:02 p.m.*

II. EXECUTIVE SESSION: Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Paterson, it was unanimously VOTED to go into executive session in order to discuss the purchase, exchange, lease or value of real property and review and approve executive session minutes. A roll call vote was taken: Reinhard – Aye, Paterson – Aye, Glidden – Aye, Stackpole – Aye, Jelleme – Aye. The Chairman under Purpose 6 [G.L. c. 30A, 21(a)(6)] declared that discussion of these matters in open session may be detrimental to the Land Bank’s negotiating position and that the Commission would reconvene in regular session following executive session.

III. RECONVENE IN OPEN SESSION:

*Mr. Barnes; Mr. Sutters; NGM, Inc. President, Alan Costa.; Miacomet Golf Course (“MGC”) Superintendent, Sean Oberly; MGC Director of Golf, Phillip Truono and MGC Golf Shop Manager, Joan Casey entered the meeting at 4:35 p.m.*

A. GOLF BUSINESS:

1. Sconset Golf Course – Manager’s Monthly Review: The Commission received the balance sheet and profit and loss comparison through March 2017. Mr. Costa stated the water was scheduled to be turned on at the clubhouse next week, and then staff would clean, stock and get ready to open the course in May. Mr. Oberly reported the grounds were in good shape going into the season. Ms. Casey reviewed the timeline for the application for a seasonal malt license for Sconset Golf Course scheduled for a public hearing with the Board of Selectman

on May 17, 2017.

2. Miacomet Golf Course – Manager’s Monthly Review: The Commission reviewed the balance sheet and profit and loss comparison through March 2017, as well as the check register and the profit and loss departmental summary for March 2017. Mr. Costa explained some of the variances from the budget and from the previous year. Mr. Costa said that 21 members had resigned and 15 still had dues outstanding, however he expected a big increase in income in April due to new membership sales and initiation fees. He estimated the current waiting list had 135 to 140 names. Further, he explained weather was a factor in slower sales during March and that the overall decreases in expenses were mainly from the grounds department taking advantage of extended remittance options from their chemical vendors, thereby deferring the expense over the summer months.

3. MGC Hole 17 Bunker: Mr. Oberly presented pictures of the bunker at hole 17 that his staff had converted from a natural fescue bunker to a layered sod bunker. He pointed out that while this was normally an expensive rebuild, they received the materials at no cost from Nantucket Golf, so the only expense was labor. He stated the new bunker was more aesthetically pleasing and would improve speed of play.

4. MGC – Audubon Certification: Mr. Oberly announced that Miacomet Golf Course received certification from Audubon International based on the following criteria: Environmental Planning, Wildlife and Habitat Management, Chemical Use Reduction and Safety, Water Conservation, Water Quality Management and Outreach and Education. This distinction is shared by fourteen other courses in Massachusetts and only 900 worldwide.

5. Miacomet Golf Course – Dormitory Contract Award: Ms. Bell presented the summary of price and non-price proposals as ranked by the Evaluation Committee. Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Glidden, it was unanimously VOTED to award the contract to Triumph Modular who was ranked as the most highly advantageous bidder as well as submitting the lowest bid of \$1,645,767.

*Mr. Costa, Mr. Oberly, Mr. Truono, Ms. Casey and Mr. Barnes departed the meeting at 5:07 p.m.*

*Fernando Colon-Osorio of 199 Eel Point Road and Surveyor, Paul Santos entered the meeting at 5:07 p.m.*

## B. PROPERTY BUSINESS:

1. Madaket Harbor/Eel Point Road Property – Abutter Request Regarding Access Right of Way: Mr. Savetsky reminded the Commission of the request presented at the April 11<sup>th</sup> meeting and the alternative easement route that was suggested. However, after consulting with Mr. Colon-Osorio, it was clear the alternate would impinge on Mr. Colon-Osorio’s privacy. Mr. Colon-Osario said he would prefer to go forward with the original request and in exchange he would grant the easement and install a path that would connect to the existing trail to the beach.

Another acceptable alternative was to request the Town take 20 feet from the 60 foot roadway abutting the front of his property on East Eel Point Road and sell it to him through the yard sale program. This alternative would enable him to build the garage in the front of the property which is currently limited by the 35 foot set-back requirement. This scenario would require an article in Special Town Meeting and he asked the Land Bank to support his request. Commissioner Paterson said he was not in favor of the Land Bank giving up any of its public access rights to someone for private use. Chairman Reinhard and Glidden were in favor of the proposal as there was currently no access available to the public. Commissioner Jelleme asked if a variance for the front yard setback was an option. Mr. Santos said that could be requested. Mr. Colon-Osorio warned that he was not the only abutter and even if he did not purchase the roadway, it was possible the neighbor would, and would not allow such an easement. Mr. Savetsky said the Land Bank could either ask the Town to declare the road a public way or ask the Town to convey the road to the Land Bank. Mr. Colon-Osorio stated it looked like the Commission was split on his request and they would continue to work with Mr. Savetsky on a solution.

*Mr. Colon-Osorio and Mr. Santos departed the meeting at 5:52 p.m.*

2. Petrel Landing/17 Commercial Street – Figawi V.I. P. Tent Request: Mr. Savetsky presented a request from Figawi, Inc. to have their VIP tent set up at Petrel Landing from Friday, May 26, 2017 through Monday morning May 29, 2017 to be used for meetings, award ceremonies and sponsor receptions. Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Stackpole, it was unanimously VOTED to approve the request as in previous years, subject to the Land Bank named as additionally insured on their insurance policy.

3. Figawi Charities, Inc. – Donation: Commissioner Stackpole announced that Figawi Charities, Inc. had pledged a donation of \$1,500 to the Land Bank. The Commission asked Ms. Bell to send a letter of thanks to Figawi Charities, Inc.

4. All Beaches – Commercial Event Policy: Ms. Bell reviewed the commercial event policy that was voted by the Commission in 2013 and asked for feedback on whether they would like anything changed. She also reviewed the permitting for mobile vending and filming. Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Stackpole, it was unanimously VOTED to continue the commercial event policy, as written.

C. APPROVAL OF MINUTES: Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Paterson, it was VOTED to accept, approve and release the regular session minutes of April 11, 2017, as written. *Commissioner Glidden abstained.*

#### D. TRANSFER BUSINESS:

1. Five-Year Domicile and Ownership Compliance – Release of Lien: Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Jelleme, it was unanimously VOTED to execute and authorize the issuance of Release of Lien for the following transfer as a result of the purchasers fulfilling all of the requirements of Section 12, subsection (-

m-):

No. 32576 Christopher D. Holland and Johnna Holland

2. Two-Year Domicile Non-Compliance/Request for Waiver, Amended Lien – No. 35992 David Kinney and Yerzhan Jumabaev: Ms. Campese referred to a letter Mr. Kinney sent to the Commission explaining how Mr. Jumabaev is residing on the property and continues to be in compliance with the exemption, but due to extenuating circumstances, Mr. Kinney has not been able to build his dwelling. Ms. Campese recommended waiving the penalty and interest upon receipt of \$4,000 which represents Mr. Kinney’s half of the exempted fee. The Land Bank would then record an amended lien reflecting the reduction in the exempted fee. Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Stackpole, it was unanimously VOTED to waive the penalty and interest and amend the lien, as recommended.

3. Waiver of Fee – Request: Ms. Campese read an email from Kate Dellas, owner of 7 Gardner Street, requesting an exception to the fee which would be imposed on the upcoming sale of 50 percent of her property to her father. Ms. Campese explained that there was no exemption for the transfer as it was for consideration. The fact that the transfer would be between relatives would only be relevant if it were a gift, as then the “C” exemption would automatically apply. However, this transfer was for money, and the “C” exemption clearly states that it “shall not apply to transfers made for consideration.” Upon a motion made by Commissioner Paterson and duly seconded by Commissioner Stackpole, it was unanimously VOTED to deny the request.

#### E. FINANCIAL BUSINESS:

1. Monthly Financial Report: The Commission accepted the March 2017 financial report including the balance sheet and income statement previously provided by electronic correspondence.

2. Warrant Authorization – Cash Disbursements: Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Stackpole, it was unanimously VOTED to execute the April 25, 2017 warrant document in the amount of \$30,090.04 to be provided to the county treasurer.

3. Warrant Authorization – Golf Capital Expenditure Reimbursement: Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Stackpole, it was unanimously VOTED to execute the April 25, 2017 warrant document in the amount of \$71,520.41.

F. REGULAR BUSINESS:

1. Annual Election of Officers: Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Stackpole the following slate of officers were elected:

Neil Paterson	Chairman
Allen B. Reinhard	Vice Chairman
Richard J. Glidden	Secretary
Kristina Jelleme	Treasurer
John J. Stackpole	Vice Secretary/Vice Treasurer

Everyone thanked Chairman Reinhard for his four years of leadership as Land Bank Chairman.

ADJOURNMENT: Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Paterson, it was unanimously VOTED to adjourn the meeting at 6:17 p.m.

Attested to: \_\_\_\_\_  
Richard Glidden, Secretary

Accepted, Approved, and Released by VOTE  
of the Commission this 9<sup>th</sup> day of May, 2017.

\_\_\_\_\_  
Neil Paterson, Chairman