

MINUTES
Nantucket Land Bank Commission
Regular Meeting of February 14, 2017
Land Bank Meeting Room, 22 Broad Street
Nantucket, Massachusetts

CALL TO ORDER: 4:00 p.m.

PRESENT: Robert Gardner, Richard Glidden, Neil Paterson, Allen Reinhard, John Stackpole.

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

Inquirer and Mirror Editor, Marianne Stanton was also present at call to order.

I. CONVENE IN OPEN SESSION:

A. CITIZENS BUSINESS/ANNOUNCEMENTS: None.

Marianne Stanton 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, Gardner-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

Marianne Stanton; 29 Quaise Road Resident, Carl Jelleme; Property Management Foreman, Jeffrey Pollock and Environmental Coordinator, Rachael Freeman, entered the meeting at 4:26 p.m.

Commissioner Glidden and Commissioner Paterson recused themselves from the following agenda item and departed the meeting at 4:27 p.m.

A. PROPERTY MANAGEMENT:

1. 27 Quaise Road/Carter Property – Abutter Request to Amend License Agreement to Add a Second Story to Garage on Land Bank Property: Carl Jelleme presented his request to amend the existing license agreement to allow him to move forward with his garage addition project located on Land Bank property adjacent to his residence at 29 Quaise Road. Mr. Jelleme indicated that he had already exceeded his 3% ground cover limitation in the LUG-3 district and therefore

was unlikely to receive additional special permit relief to move the garage onto his property. In order to allow for the expansion, the Land Bank would also need to sign the application for special permit relief which would be administratively approved by the Zoning Administrator or possibly need to go to the Planning Board. Commissioner Stackpole made a motion to authorize Ms. Bell to sign the ZBA application. Discussion on the motion ensued, with Chairman Reinhard voicing his strong opposition.

Ms. Bell stated that since the Commission approved of Mr. Jelleme's initial expansion request, the Land Bank received additional information from Land Bank legal counsel, Valerie Swett, regarding the legality of his proposal, which had been circulated via email. Ms. Bell reviewed the history of the license arrangement, how it was created in the context of the acquisition of 3 Pilgrim Road, and reminded the Commission that either the Land Bank or Mr. Jelleme have the option to terminate the license at any time. Further, with regard to Mr. Jelleme's retained Right of Reverter on 3 Pilgrim Road, Ms. Bell indicated that this did not come into play unless and until the Land Bank, in its sole discretion, decides to terminate the license at 27 Quaise Road.

Ms. Stanton inquired about past minutes to confirm whether the Commission had already approved the expansion request and/or amendments to the license. Ms Bell confirmed that the Commission had approved similar requests by Mr. Jelleme in the past, and that those votes should be reflected in the minutes from prior Land Bank meetings, although some discussions were held in Executive Session, as Mr. Jelleme has offered to release his Right of Reverter on 3 Pilgrim Road in exchange for the allowance of the expansion.

Commissioner Reinhard strongly opposed Mr. Jelleme's proposal, emphasizing that it was an expansion of a private use on public property, and therefore wholly inappropriate. Commissioner Gardner stated that the license agreement was complicated and probably should have been avoided in the first place, however, the Commission approved Mr. Jelleme's request to expand the garage last year and, as a matter of good faith, ought to uphold its end of the deal. Commissioner Stackpole concurred. Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Gardner, it was VOTED to approve the request. *Chairman Reinhard was opposed.*

Mr. Jelleme departed the meeting at 5:03 p.m.

Commissioner Glidden and Commissioner Paterson reentered the meeting at 5:03 p.m.

2. Property Foreman's Monthly Review: Mr. Pollock told the Commission they had wrapped up mitigation requirements for the year regarding the Industrial Park and the Nobadeer ball fields. Additionally, under Ms. Freeman's guidance, the Smooth Hummocks mitigation work has continued, along with opening up frost pockets on the FAA property and clearing up the scrub oak at Trotts Hills and Head of Plains. The crew planned to replace a bridge at the Sanguinetti property as the pressure treated lumber had rotted out. Additionally, the annual mowing projects pursuant to grassland management were approaching completion. The house at 159 Hummock Pond Road had been repaired and painted for Walt Lankau, Land Bank Golf Controller to reside in and the improvements at the Munson House had been completed. Further, properties are currently being patrolled twice a week and staff had made good progress on the conceptual development for the

trailhead markers.

3. 2017 Work Plan: Mr. Pollock presented the 2017 Property Management Task List, indicating that staff was receptive to any comments, changes or suggestions by the Commission as they may arise throughout the year. Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Gardner, it was unanimously VOTED to approve the 2017 Property Management Task List, as presented.

Mr. Pollock and Ms. Freeman departed the meeting at 5:19 p.m.

B. APPROVAL OF MINUTES: Upon a motion by made by Commissioner Glidden and duly seconded by Commissioner Paterson, it was unanimously VOTED to accept, approve and release the regular session minutes of January 24, 2017 and special meeting minutes of January 31, 2017, as written.

C. TRANSFER BUSINESS:

1. January 2017 Transfers – Record Nos. 38135 through 38226

a. Current “M” Exemptions and Liens:

No. 38146 Alana D. Cullen
No. 38147 Riley Fredericks and Peter T. Kaizer
No. 38166 Jason Perkins and Kelsey Perkins
No. 38177 Edward Sullivan and Rachael Sullivan

Commissioner Glidden recused himself from the following agenda item and departed the meeting at 5:20 p.m.

2. “M” Exemption Update:

a. Five-Year Domicile Non-Compliance – Request for Waiver: No. 35955 Maria T Hughes and Douglas J. Hughes: Ms. Campese explained that the purchasers had purchased their home located at 6 Boynton Lane on January 7, 2015. Subsequently, due to improved income, they plan to purchase a second home with the expectation of domiciling in it, as the location of their current home made them feel uncomfortable and unsafe, and therefore they were requesting a waiver of penalty and interest. Under the circumstances, Ms. Campese recommended that the Commission waive the penalty and accrued interest, requiring only payment of the Land Bank fee. Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Paterson, it was unanimously VOTED to waive the penalty and accrued interest and to enter into a payment agreement with the purchasers for the Land Bank fee of \$8,000.

Commissioner Glidden reentered the meeting at 5:25 p.m.

D. FINANCIAL BUSINESS:

1. Monthly Financial Report: The Commission accepted the December 2016 and January 2017 financial reports including the balance sheets and income statements previously provided by electronic correspondence.

2. Monthly Transfer Statistics: Monthly transfer statistics reports comparing fiscal years 2016 and 2017 through January 2017 were presented.

3. Warrant Authorization – Cash Disbursements: Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Glidden, it was unanimously VOTED to execute the February 14, 2017 warrant document in the amount of \$206,784.67 to be provided to the county treasurer.

E. REGULAR BUSINESS: Policy Regarding Agenda Procedures and Public Information-Discussion: Ms. Bell reported that recent changes to the Public Records Law and Open Meeting Law reflect a push for greater transparency in government, and therefore it was necessary to make Land Bank information more easily accessible to the public. Therefore, staff had drafted a policy regarding agenda submission procedures and deadlines to allow sufficient time for staff, the Commission and the public to be adequately informed about agenda items. In accordance with this policy, Ms. Campese stated that she would make best efforts to post all materials to be considered by the Commission on the Land Bank website in advance of meetings. Upon a motion made by Commissioner Paterson and duly seconded by Commissioner Stackpole, it was unanimously VOTED to execute the Policy Regarding Agenda Procedures and Public Information, as written.

ADJOURNMENT: Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Paterson, it was VOTED to adjourn at 5:34 p.m.

Attested to: _____
Richard J. Glidden, Secretary

Accepted, Approved, and Released by the VOTE
of the Commission this 14th day of March, 2017.

Allen B. Reinhard, Chairman