

MINUTES
Nantucket Land Bank Commission
Regular Meeting of May 8, 2018
Land Bank Meeting Room, 22 Broad Street
Nantucket, Massachusetts

CALL TO ORDER: 3:05 p.m.

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

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

The Boston Globe Reporter, David Abel; The Boston Globe Photographer, Steven Haines; The Nantucket Inquirer and Mirror Reporter, Peter Sutters; Town of Nantucket Housing Specialist, Tucker Holland; Town of Nantucket Select Board Member, Jim Kelly; Community Preservation Committee Chair, Ken Beaugrand; Director of Nantucket Land Council, Cormac Collier; Nantucket Civic League, Charles Stott and Lee Saperstein; Miacomet Golf Course employee, Jack Gallagher; Nantucket Engineering and Surveyor, Art Gasbarro. In addition, Concerned Citizens and Abutters of the Miacomet Golf Course, Jeanne Miller, Brenda and Steve McDonough, Don Van Dyke, Bette A. Huyser, Peter Holmes, Alan Rusch, Arnie Seaquist, Caroline S. Thornewill, Al Coffin, George Panariello, Jim Annese, Priscilla Saperstein and Peter Holmes, were also present at the call to order.

I. CONVENE IN OPEN SESSION:

A. PUBLIC COMMENTS/STAFF ANNOUNCEMENTS: *Mr. Abel notified the Chairman that he would be recording the meeting.* Mr. Savetsky thanked members of the Nantucket community in attendance for their support of the Land Bank and summarized the Miacomet Golf Course (“MGC”) employee dormitory project progress to date. He noted that the design had been unanimously approved by the Historic District Commission, gone through a public procurement process with contract awarded, and that all other applicable permitting had been obtained prior to the Land Bank’s request for the Secretary of the Executive Office of Energy and Environmental Affairs (“EEA”) to review the project under Section 6 of the Land Bank Act. The letter to EEA was submitted June 26, 2017 and was not answered until April 27, 2018, whereby the Secretary stated that the proposal constituted a conversion of conservation land so prior to his review under Section 6 of the Land Bank Act, it required a two-thirds majority vote from the legislature under Article 97 of the Massachusetts Constitution. Furthermore, Mr. Savetsky explained that he and Ms. Bell have tried for months to schedule a meeting with the Massachusetts Executive Office of Energy and Environmental Affairs (“EEA”) to discuss the Section 6 request and despite multiple attempts, these efforts to schedule a meeting have been unsuccessful.

Select Board Member, Kelly announced that housing for municipal employees was a top priority for the Town in their strategic plan. He applauded the Land Bank for taking the initiative to create housing for its employees. Mr. Savetsky pointed out that aside from the general authority of the

Land Bank's enabling act which allows it to do recreation, the legislature had also passed a separate Golf Act in 1994 which specifically authorized the Land Bank to "construct, operate and maintain" an 18-hole public golf course. Further, the Land Bank has done an alternatives analysis to consider other locations for the dormitory, however due to a number of factors this was an ideal location for the building from a management as well as an environmental perspective. Mr. Van Dyke, a Miacomet Member and year-round resident, stated that he was appalled how one individual could apparently obstruct a public project which has the support of an entire community. He emphasized how important Miacomet Golf Course was to the island and expressed frustration regarding the silent treatment the Land Bank had experienced with EEA. Mr. Gallagher, a MGC employee, reminded everyone that the golf course had recently been ranked as the number one in New England due to the hard work and dedication of the maintenance crew and that housing them should be considered an integral part of the operation. Chairman Paterson thanked everyone for their comments and support.

Mr. Abel, Mr. Haines, Mr. Holland, Mr. Kelly, Mr. Beaugrand, Mr. Collier, Mr. Stott, Mr. Gallagher, Mr. Gasbarro, Ms. Miller, Mr. and Mrs. McDonough, Mr. Von Dyke, Ms. Huyser, Mr. Holmes, Mr. Rusch, Mr. Seaquist, Ms. Thornewille, Mr. Coffin, Mr. Panariello, Mr. Annese, Mr. and Mrs. Saperstein and Mr. Holmes departed the meeting at 3:35 p.m.

B. GOLF BUSINESS:

1. Warrant – Golf Capital Funds Transfer Request: Ms. Campese explained that the computer equipment itemized in the capital funds request was previously approved at a prior meeting. Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Jelleme, it was unanimously VOTED to execute the May 8, 2018 warrant document in the amount of \$10,583.71 to be provided to Nantucket Golf Management, Inc. from the Golf Capital Reserve Account.

C. PROPERTY MANAGEMENT:

1. Cisco Beach Use Request – Nantucket Island Surf School: Upon a motion made by Commissioner Reinhard and duly seconded by Commissioner Glidden, it was unanimously VOTED to approve a request from Gary Kohner of Nantucket Island Surf School, to allow his use of a portion of the Land Bank's Cisco Beach property to rent surfboards and provide surfing lessons subject to Mr. Kohner continuing to provide stewardship of the property, carrying insurance protection with \$500,000 coverage per occurrence and \$1,000,000 in aggregate with the Land Bank named as additionally insured, and requiring students and board renters to sign hold-harmless agreements. The Commission agreed to a fee of \$5,000 to allow Mr. Kohner to provide these services for the 2018 summer season.

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 25, 2018 through Monday morning May 28, 2018 to be used for meetings, award ceremonies and sponsor receptions. Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Jelleme, 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. 40th Pole Property – Beach Access Request: Mr. Savetsky presented a request from Nantucket Engineer, Art Gasbarro, for two clients on Eel Point Road to drive heavy equipment across 40th Pole to gain access to the coastal bank in front of their properties for beach nourishment, with no staging or storage on the Land Bank beach or beach parking lot. Further, the clients will pay \$5,000 each to the Land Bank to be used for Eel Point road grading. Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Stackpole, it was unanimously VOTED to approve the request.

4. Various Encroachment – Update: Mr. Savetsky reported that staff was dealing with several encroachment issues including *Phragmites* dumping on Land Bank property along Miacomet Pond; the clearing of wetlands on Land Bank property along Hummock Pond; and chipped trees in the wetlands on the Craig (Holly Farm) property.

D. APPROVAL OF MINUTES: Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Glidden, it was unanimously VOTED to accept, approve and release the regular session minutes of April 24, 2018, as written.

G. TRANSFER BUSINESS:

1. April 2018 Transfers – Record Nos. 39570 through 39642: The Commission reviewed transfers for the period of April 1, 2018 through April 30, 2018.

2. Current “M” Exemptions and Liens: The Commission authorized the placing of lien against the following property as a result of the purchaser claiming the “M” exemption as first-time buyer of real property:

No. 39620 Wynnshield, LLC

H. FINANCIAL BUSINESS:

1. Monthly Transfer Statistics: Monthly transfer statistics reports comparing fiscal years 2017 and 2018 through April 2018 were presented to the Commission.

2. Warrant Authorization – Cash Disbursements: Upon a motion made by Commissioner Reinhard and duly seconded by Commissioner Stackpole, it was unanimously VOTED to execute the May 8, 2018 warrant document in the amount of \$164,424.63 to be provided to the county treasurer.

3. Warrant Authorization – Refunding 2016 Semi-Annual Bond Payment: Upon a motion made and duly seconded, it was unanimously VOTED to execute the May 8, 2018, 2016 Series A Semi-Annual Bond Interest Payment warrant to be provided to the county treasurer in the amount of \$134,925.00.

Mr. Sutters and Mr. Gasbarro departed the meeting at 3:50 pm.

II. EXECUTIVE SESSION: Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Reinhard, it was unanimously VOTED to go into executive session in order to discuss the purchase, exchange, lease or value of real property, and approve Executive Session minutes. A roll call vote was taken: Glidden – Aye, Reinhard-Aye; Stackpole-Aye; Jelleme-Aye; Paterson-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.

ADJOURNMENT: Upon a motion made and duly seconded, it was VOTED to adjourn at 4:00 p.m.

Attested to: _____
Richard J. Glidden, Secretary

Accepted, Approved, and Released by the VOTE
of the Commission this 22nd day of May, 2018.

Neil Paterson, Chairman