

Draft
Commonwealth Of Massachusetts
County Of Dukes County, S.S.
MARTHA'S VINEYARD AIRPORT COMMISSION MEETING

January 26, 2012 3:00PM
Martha's Vineyard Airport

Notice of Such Meeting Having Been Posted as Required by Law.

Present: Airport Commissioners: Chair Connie Teixeira, Vice Chair John Alley,
James Coyne, James Craig, Ben Hall Jr.*,
Airport Staff: Sean Flynn - Manager,
Deborah Potter – Landside/Airport Business Park Administrator,
John Coskie – Airside/Fixed Base Operator Administrator
Others: Steve Flecchia – Jacobs Engineering
Airport Counsel – Marilyn Vukota
Nick Catt – Lot 34
Brion McGroarty – True North
Laurence Clancy, Ceaser Pitta – Clancy Construct.
Marni Lipke – Recorder
Press: Jim Osmundson - MVTV

* Late arrival or early departure (see * in text)

The meeting was called to order at 3:08PM.

I. MINUTES

- **MR. JOHN ALLEY MOVED TO APPROVE THE NOVEMBER 8, 2011 AND NOVEMBER 17, 2011 MINUTES; MR. JAMES COYNE SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, WITH ABSTENTIONS AS ABSENT.**
- **MR. COYNE MOVED TO APPROVE THE NOVEMBER 17, 2011 EXECUTIVE SESSION MINUTES; MR. ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: 3 AYES, 0 NAYS, 1 ABSTENTION – MR. JAMES CRAIG** due to absence.

II. OLD BUSINESS:

- **Taxiway and Apron Project** (Tab 1)

Airport Manager Mr. Sean Flynn commended Mr. Steve Flecchia and Jacobs Engineering for their great work, professionalism and organization. The project was now largely completed and in winter shut down with a short punch list of seeding and sealing remaining. The high quality of the work was likely to pay off in lower maintenance costs and longer life. The Martha's Vineyard Airport Commission (MVAC) also praised Mr. Flynn for his management, particularly in finessing the Federal Aviation Administration (FAA) moneys and overseeing the complex scheduling.

*Mr. Ben Hall entered the meeting at 3:12PM.

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• PCE in Wells at Coffins Field (Tab 2)

Results continued to be well above drinking water standards with only one anomaly that returned swiftly to normal. Although plume migration from the Airport was not clear it was felt the Airport did the right thing in taking strong remediation measures. Management would work with LSP to solicit Dept. of Environmental Protection (DEP) closeout permissions.

• True North/Brion McGroarty – Edgartown & Other Permits (Vote) (Tab 3)

(See documents on file.)

True North submitted letters of notification for the proposed McWinery market, as well as letters of “no impact” from Island police chiefs, and was moving forward steadily on Edgartown permitting process. The MVAC considered Airport revenue issues.

- Compensation for the additional commerce was barred by the existing sublease which still had six years to run.

- However the financial benefit to the Airport could be noted in that the project should stabilize the property financially (including eligibility for bank loans) since two previous attempts had been subjects of bankruptcy.

- All new master leases included standard clauses for a 10% share to the Airport of all subleases and the MVAC recommended further that any additional commercial assignment of the property would result in a percentage revenue to the Airport.

In keeping with the Land-Use Subcommittee recommendation

• **MR. CRAIG MOVED TO APPROVE THE REQUEST BY TRUE NORTH REGARDING THE PROPOSED BUILDING ADDITION PLANS FOR THEIR PREMISES ON AIRPORT ROAD WITH CONDITIONS AS FOLLOWS:**

- **AIRPORT MANAGEMENT IS AUTHORIZED TO MAKE OR REQUEST MODIFICATIONS DURING THE PROCESS AS NEEDED;**

- **TRUE NORTH MUST OBTAIN ANY NECESSARY APPROVALS OR BUILDING PERMITS FROM THE TOWN OF EDGARTOWN, IF APPLICABLE, PRIOR TO COMMENCING THE PROJECT (COPIES TO BE PROVIDED TO THE AIRPORT), ANY CHANGES MADE BY THE TOWN OR OTHER AGENCIES REQUIRE THE RE-APPROVAL OF THE MARTHA’S VINEYARD AIRPORT COMMISSION;**

- **THE BUILDING PROJECT MUST COMMENCE WITHIN 120 DAYS OF RECEIPT OF FINAL APPROVAL OR THE APPROVAL IS WITHDRAWN;**

- **UPON RECEIPT OF THE CERTIFICATE OF OCCUPANCY, A COPY SHALL BE FORWARDED TO THE AIRPORT;**

- **PRIOR TO OCCUPANCY BY MCWINERY, A SUBLEASE IN A FORMAT APPROVED BY AIRPORT COUNSEL AND AIRPORT MANAGEMENT WILL BE EXECUTED;**

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- ALL EXTERIOR SIGNAGE (TO INCLUDE SIGNAGE ON AIRPORT ROAD AND ON THE BUILDING OR WINDOWS) REQUIRES A SEPARATE REVIEW AND THE PRIOR WRITTEN APPROVAL OF THE MARTHA'S VINEYARD AIRPORT COMMISSION;

- WITHIN THIRTY (30) DAYS OF THE COMPLETION OF THE APPROVED PROJECT, TRUE NORTH SHALL SUBMIT A SET OF FINAL PLANS THAT ARE DETAILED AND REPRODUCIBLE AND INCLUDE THE SEALS OF THE REGISTERED ARCHITECT, REGISTERED SURVEYOR, AND REGISTERED ENGINEER;

MR. ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.

III. NEW BUSINESS: (See documents on file.)

- **Land Use Guideline Proposal (Vote)** (Tab 7) (See documents on file.)

In view of various issues raised by the Motorcross, McWinery, and solar power proposals Management drafted a set of Airport land use guidelines distinguishing between commercial (RFP) and non-profit (Non-RFP) properties. The proposal (in keeping with FAA regulations) covered such issues as: re-assignment, length of term, non-permanent or permanent structures, community service use, discontinuance notifications, and revenue. In keeping with the Land-Use Subcommittee recommendation

• MR. ALLEY MOVED TO APPROVE THE PROPOSED SET OF MARTHA'S VINEYARD AIRPORT LAND USE GUIDELINES (SEE DOCUMENTS ON FILE) WITH AMENDMENTS AS FOLLOWS:

- REQUEST FOR PROPOSAL (RFP) DESIGNATION BE EXPLAINED,

- NON-RFP PROPERTIES BUT BOUND BY LICENSE NOT USE AGREEMENTS,

- NON-RFP PROPERTIES BE DESIGNATED AS "NOT IDENTIFIED FOR CURRENT USE UNDER THE AIRPORT MASTER PLAN";

MR. COYNE SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.

II. OLD BUSINESS: (See documents on file.)

- **Motorcross Proposal (Vote) Address Tab 7 Prior to This Item** (Tab 4)

(See documents on file.)

The owner had provided a letter of no impact from police, permission from the West Tisbury Conservation Commission. A public comment period would close February 10, 2012. The MVAC expressed concern on a number of issues.

- It was importance to enforce the "no equipment maintenance" condition to prevent spills.

- The condition of the site should be maintained including prevention of littering.

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- Although an area where aviation noise was expected, additional noise could be an issue especially in winter. Management would bring complaints to the MVAC. If necessary the MVAC could reconsider the agreement.

- The owner had shown excellent regulation of use at the previous site including: liability, membership, transport, safety and supervision. In keeping with the Land-Use Subcommittee recommendation

• **MR. ALLEY MOVED TO APPROVE THE REQUEST BY MR. MENDEZ TO USE A PORTION OF THE AIRPORT WITH CONDITIONS AS FOLLOWS:**

- **A LICENSE AGREEMENT, FOR A PERIOD NOT TO EXCEED ONE YEAR, IN A FORMAT APPROVED BY AIRPORT COUNSEL AND AIRPORT MANAGEMENT IS EXECUTED,**

- **SUBJECT TO AIRPORT MANAGEMENT'S DISCRETION, THE REQUEST MAY BE RESUBMITTED TO THE MARTHA'S VINEYARD AIRPORT COMMISSION FOR DISCUSSION IF ANY NEGATIVE WRITTEN COMMENTS ARE RECEIVED IN RESPONSE TO THE ADVERTISEMENT FOR WRITTEN PUBLIC COMMENT,**

- **THE MOTOR CROSS RULES AND REGULATION, TO INCLUDE BUT NOT LIMITED TO INSURANCE LIMITS, HOURS OF USE, SAFETY REQUIREMENTS, ETC., MUST BE IN A FORMAT APPROVED BY AIRPORT MANAGEMENT PRIOR TO OCCUPATION AND USE OF THE PREMISES;**

- **THE LIABILITY WAIVER MUST INCLUDE AN INDEMNIFICATION/HOLD HARMLESS CLAUSE FOR THE AIRPORT AND THE COUNTY OF DUKES COUNTY,**

- **NO EQUIPMENT MAINTENANCE IS APPROVED UNLESS PRIOR WRITTEN PERMISSION FROM THE MARTHA'S VINEYARD AIRPORT COMMISSION IS RECEIVED PENDING THE RECEIPT OF AN AIRPORT MANAGEMENT APPROVED BEST MANAGEMENT PLAN DETAILING THE PROCEDURES FOR THE RECLAMATION, STORAGE, AND DISPOSAL OF EQUIPMENT MAINTENANCE WASTE PRODUCTS (TO INCLUDE BY NOT BE LIMITED TO OIL, TRANSMISSION FLUIDS, ANTIFREEZE, ETC.),**

- **MR. MENDEZ MUST OBTAIN ANY NECESSARY APPROVAL OR PERMITS FROM THE TOWN OF EDGARTOWN OR ANY OTHER AGENCY HAVING JURISDICTION AS APPLICABLE, PRIOR TO COMMENCING THE PROJECT (WITH COPIES TO THE AIRPORT),**

- **THE SITE IS MAINTAINED IN THE SAME CONDITION (INCLUDING BUT NOT LIMITED TO PREVENTION OF LITTER) THAT IS DOCUMENTED BY THE LICENSE AGREEMENT;**

MR. COYNE SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.

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- RFQ for ARFF SRE Building / OPM (Tab 5) (See documents on file.)

Having been awarded a grant for the design phase, the Airport was required to re-solicit engineering bids. The State had refused to designate a procurement path (see 11/8/11 Minutes p. 5 #3) and had recommended consultation with Counsel despite Mr. Flynn's protest citing infrequent utilization of this aspect of the procurement law. As usual the engineering firm would be selected by qualification, a price negotiated and then submitted in relation to the FAA mandated independent fee estimate. In keeping with the Airport Manager's recommendation

• MR. CRAIG MOVED THAT THE MARTHA'S VINEYARD AIRPORT COMMISSION - APPROVE THE ATTACHED POLICY AND AUTHORIZE THE AIRPORT MANAGEMENT TO CONDUCT THE SOLICITATION IN ACCORDANCE WITH THE POLICY,

- IN ADDITION TO AUTHORIZE THE AIRPORT COMMISSION CHAIR TO APPOINT A COMMITTEE IN ACCORDANCE WITH THE POLICY AND STATUTES TO PARTICIPATE IN THE SELECTIONS,

MR. ALLEY AND MR. BEN HALL SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.

III. NEW BUSINESS: (See documents on file.)

- VALE Grant Authorization (Vote) (Tab 8) (See documents on file.)

The Airport had received a number of alternative energy proposals (see 4/28/11 Minutes p. 4 #4, and 8/5/11 Minutes p. 3 #3 and 11/8/11 Minutes p. 1 #2), however the complexities of tax exemptions and utility revenue regulations resulted in proposals that were ambiguous in terms of total revenue and profitability to the Airport. The Airport was located in a "polluted" designated area and was eligible for grants to offset consumptive use, such as clean electric generation to eliminate Auxiliary Power Units (APU) energy. Three Voluntary Airport Low Emissions Programs (VALE) projects were deemed of interest.

- Eastern Wind proposed developing a wind project (currently in pilot phase) to add four turbines to help offset Airfield lighting.

- Cronigs Market proposed photovoltaic parking covers for electric vehicle charging.

- Dukes County proposed taking over the current Steamship Authority lot and installing ground based photovoltaic units.

• The MVAC discussed:

- this latitude being on the edge of profitable photovoltaic energy productivity,

- APU/GPU fixed plug-ins eliminating diesel generation but utilizing grid power (with related weather issues),

- the Island as an environmentally conscious "green" community.

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- The procedure required a Request for Qualification (RFQ) to identify a firm and the grant (if awarded) would follow the usual split of 95% FAA 2.5% Mass. Dept of Transportation Division of Aeronautics (MassDOT-Aeronautics) and 2.5% local with the risk of up-front engineering costs. In keeping with the Land-Use Subcommittee recommendation
- **MR. ALLEY MOVED TO AUTHORIZE THE AIRPORT MANAGEMENT TO INITIATE AND PURSUE THE PROCESS OF SOLICITING REQUESTS FOR ENGINEERING PROPOSALS FOR THE DEVELOPMENT OF THE THREE AFOREMENTIONED VALE PROJECTS; MR. CRAIG SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**

- Authorization to Execute Contract AIP 3-25-0031-38-2010 (Vote) (Tab 15)
(See documents on file.)

This Change Order covered the addition of gates, fencing, a new style pedestrian gate, and paving around the Tower to accommodate the JetBlue service (see 12/16/10 Minutes p. 3-4). There was no need for a grant amendment as the cost would be covered by other savings. In keeping with the Airport Manager's recommendation

- **MR. ALLEY MOVED TO ACCEPT CHANGE ORDER 1 (ONE) FOR THE REALIGN AND RECONSTRUCTION OF TAXIWAY A IN AN AMOUNT NOT TO EXCEED \$197,326.17 AND TO AUTHORIZE THE MARTHA'S VINEYARD AIRPORT COMMISSION CHAIR TO EXECUTE THE ASSOCIATED DOCUMENTS; MR. HALL SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**

- Tiedown Agreements Approval (Vote) (Tab 16) (See documents on file.)

In its continuing formalization process this was the first of three license agreements being developed by Airport Management.

- Liability limits were set by common practice for this size aircraft.
- Differentiations in tie-downs included those renting on an annual basis as opposed to those in the non- reserved area or transient pilots.

- **MR. ALLEY MOVED TO APPROVE THE LICENSE AGREEMENT AND ALLOW AIRPORT MANAGEMENT MODIFICATION WITH THE CONSENT OF AIRPORT COUNSEL, AND TO ALLOW AIRPORT MANAGEMENT TO IMPLEMENT SIMILAR TIE-DOWN RAMP AGREEMENTS SUCH AS A NON-RESERVED TIE-DOWN RAMP AGREEMENTS AND A "TRANSIENT TIE-DOWN CHECK-IN AGREEMENT" PROVIDED SUCH AGREEMENTS ARE APPROVED BY AIRPORT COUNSEL; MR. CRAIG SECONDED; MOTION PASSED: 4 AYES, 0 NAYS, 1 ABSTENTION—MR. COYNE.**

*Mr. Craig left the meeting at 4:19PM.

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V. AIRPORT MANAGEMENT UPDATE

- Email for Commissioners (Tab 17)

Airport email was being upgraded to a password protected system that would also track communications for Freedom of Information Act purposes. Commissioners should call if they had any problems.

- Ethics Update (Tab 18)

A new guide would be presented at the next meeting.

- Upcoming Travel (Tab 20)

Management was attending the funerals of the two pilots who perished in the crash off Cape Cod. An editorial in the Martha's Vineyard Times raised the issue of private/corporate ownership of the Fixed Base Operator (FBO) for fuel revenues and was noted as ill-timed.

VI. EXECUTIVE SESSION

- MGL Ch.30A §21 (a) (3) (Union Negotiation and Litigation Strategy)

• MR. COYNE MOVED TO GO INTO EXECUTIVE SESSION AT 4:26PM, TO RETURN TO OPEN SESSION, UNDER MASS. GENERAL LAW CHAPTER 39 SECTION 23 NO. (3), -- I.E. FOR THE PURPOSE OF DISCUSSING STRATEGY WITH RESPECT TO POTENTIAL LITIGATION AND COLLECTIVE BARGAINING NEGOTIATIONS IF SUCH DISCUSSION COULD HAVE ADVERSE EFFECTS ON THE LITIGATION OR NEGOTIATIONS; AND TO INVITE AIRPORT MANAGER SEAN FLYNN, AIRPORT ADMINISTRATOR DEBORAH POTTER, AIRPORT ADMINISTRATOR JOHN COSKIE, AIRPORT COUNSEL MARILYN VUKOTA AND RECORDER MARNI LIPKE TO BE PRESENT THROUGHOUT; MR. ALLEY SECONDED; MOTION PASSED UNANIMOUSLY: MR. COYNE—AYE, MR. HALL—AYE, MR. ALLEY—AYE, MS. TEIXEIRA AYE.

• MR. ALLEY MOVED TO RETURN TO REGULAR SESSION AT 4:57PM: MR. COYNE SECONDED; MR. COYNE—AYE, MR. ALLEY—AYE, MR. HALL—AYE, MS. TEIXEIRA AYE.

• The MVAC recessed briefly and reconvened at 5:03PM.

III. NEW BUSINESS: (See documents on file.)

- Lot 34 Building Plan (Vote) (Tab 11) (See documents on file.)

Off Shore Ale was hoping to partner with Mr. Catt in this 8,000 sq. ft. building that would include an on Island brewery location for the Pub. Although the Airport Wastewater Plant could handle the flow volume, increased Biochemical Oxygen Demand (BOD) from the potential brewery might cause problems, hence the requested installation of a biodigester to mitigate any possible issues.

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At MVAC request the Management briefly reviewed Wastewater capacity and planning (see 3/21/007 Minutes p. 3). The building might be visible from the street in the winter. Although Off-Shore Ale was not planning any retail on site, four smaller sections of the building would be available for sublease. In keeping with the Land-Use Subcommittee recommendation

• MR. ALLEY MOVED TO APPROVE THE REQUEST BY NICHOLAS CATT REGARDING THE PROPOSED BUILDING PLANS FOR LOT 34 IN THE MARTHA'S VINEYARD AIRPORT BUSINESS PARK WITH CONDITIONS AS FOLLOWS:

- AIRPORT MANAGEMENT IS AUTHORIZED TO MAKE OR REQUEST MODIFICATIONS DURING THE PROCESS AS NEEDED;**
 - WASTEWATER GALLONS PER DAY ALLOTMENT MAY NOT EXCEED 6,800 GALLONS;**
 - THE INSTALLATION OF A CLEARBLU ENVIRONMENTAL BIODIGESTER WASTEWATER TREATMENT SYSTEM WITH A BYPASS FEATURE IS REQUIRED AS PART OF THE INSTALLATION;**
 - CATT & CLANCY MUST OBTAIN ANY NECESSARY APPROVALS OR BUILDING PERMITS FROM THE TOWN OF EDGARTOWN, IF APPLICABLE, PRIOR TO COMMENCING THE PROJECT (COPIES TO BE PROVIDED TO THE AIRPORT), ANY CHANGES MADE BY THE TOWN OR OTHER AGENCIES REQUIRE THE RE-APPROVAL OF THE MARTHA'S VINEYARD AIRPORT COMMISSION;**
 - THE BUILDING PROJECT MUST COMMENCE WITHIN 120 DAYS OF RECEIPT OF FINAL APPROVAL OR THE APPROVAL IS WITHDRAWN;**
 - ALL EXTERIOR SIGNAGE (TO INCLUDE SIGNAGE ON EAST LINE ROAD AND ON THE BUILDING OR WINDOWS) REQUIRES A SEPARATE REVIEW AND THE PRIOR WRITTEN APPROVAL OF THE MARTHA'S VINEYARD AIRPORT COMMISSION;**
 - UPON RECEIPT OF THE CERTIFICATE OF OCCUPANCY, A COPY SHALL BE FORWARDED TO THE AIRPORT;**
 - WITHIN THIRTY (30) DAYS OF THE COMPLETION OF THE APPROVED PROJECT, TRUE NORTH SHALL SUBMIT A SET OF FINAL PLANS THAT ARE DETAILED AND REPRODUCIBLE AND INCLUDE THE SEALS OF THE REGISTERED ARCHITECT, REGISTERED SURVEYOR, AND REGISTERED ENGINEER;**
- MR. COYNE SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.**

- Lot 30 Heathland Sublease Renewal Request (Vote) _____ (Tab 9) (See documents on file.)**

This sublease request to Island Copper conformed with all current guidelines and would complete the capacity of the building. Defined use was in compliance with Martha's Vineyard Airport Business Park (MVBAP) zoning. In keeping with Land Use Subcommittee recommendation

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• **MR. ALLEY MOVED TO APPROVE THE REQUEST BY HEATHLAND REALTY TRUST TO EXECUTE THE NEW SUBLEASE WITH ISLAND COPPER WITH CONDITIONS AS NOTED:**

- **THE SUBLEASE IS IN A FORMAT APPROVED BY AIRPORT COUNSEL AND AIRPORT MANAGEMENT,**

- **THE SUBLEASE, WHEN APPROVED, WILL BE EXECUTED WITHIN 90 DAYS OF APPROVAL,**

- **NO EQUIPMENT MAINTENANCE IS APPROVED UNLESS PRIOR WRITTEN PERMISSION FROM THE MARTHA'S VINEYARD AIRPORT COMMISSION IS RECEIVED PENDING THE RECEIPT OF AN AIRPORT MANAGEMENT APPROVED BEST MANAGEMENT PLAN DETAILING THE PROCEDURES FOR THE RECLAMATION, STORAGE, AND DISPOSAL OF EQUIPMENT MAINTENANCE WASTE PRODUCTS (TO INCLUDE BUT NOT BE LIMITED TO OIL, TRANSMISSION FLUIDS, ANTIFREEZE, ETC.),**

- **THE ADDITION OF A LADDER SIGN SHALL BE CONSISTENT WITH THE EXISTING TENANTS (SIZE, COLOR, FONT, ETC) AND HEATHLAND REALTY TRUST MUST OBTAIN THE NECESSARY APPROVALS OR SPECIAL PERMITS FROM THE TOWN OF EDGARTOWN IF APPLICABLE (COPIES TO THE AIRPORT),**

MR. HALL SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.

• Lot 22 SAV Sublease Renewal Request (Vote) (Tab 10) (See documents on file.)

The Master Lease Holder was in compliance to the best of Airport Management knowledge. FedEx originally requested a five year sublease but the Land Use Subcommittee recommended the usual three year term for consistency. Previous restrictions included conditions on signage, parking, construction, utilities, etc. In keeping with Land Use Subcommittee recommendation

• **MR. ALLEY MOVED TO APPROVE THE REQUEST BY SAV ASSOCIATES TO EXECUTE A NEW SUBLEASE WITH FEDEX WITH CONDITIONS AS NOTED:**

- **THE SUBLEASE IS IN A FORMAT APPROVED BY AIRPORT COUNSEL AND AIRPORT MANAGEMENT,**

- **THE SUBLEASE WHEN APPROVED, WILL BE EXECUTED WITHIN 90 DAYS OF APPROVAL,**

- **THE PREVIOUS RESTRICTIONS WILL CONTINUE TO REMAIN IN EFFECT FOR THE DURATION OF THE SUBLEASE,**

MR. COYNE SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.

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- Lot 22 Sign Request (Vote) (Tab 12) (See documents on file.)

In keeping with Land Use Subcommittee recommendation

• **MR. ALLEY MOVED TO APPROVE THE REQUEST BY MR. PETER ROGERS OF R2 ENTERPRISES LLC TO ADD SIGNAGE AS SUBMITTED BY STEVEN JORDAN ON LOT 22 WITH CONDITIONS AS FOLLOWS:**

- EXTERIOR SIGNAGE MUST ALSO RECEIVE APPROVAL FROM THE TOWN OF EDGARTOWN (COPIES TO THE AIRPORT); ANY CHANGES BY THE TOWN WILL REQUIRE RE-APPROVAL OF THE MARTHA'S VINEYARD AIRPORT COMMISSION;

- THE SIGN WILL BE INSTALLED WITHIN 90 DAYS OF APPROVAL OR THE APPROVAL IS WITHDRAWN;

MR. COYNE SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.

- Osprey Trades Sublease Renewal Request (Vote) (Tab 13) (See documents on file.)

Osprey Trades, a group of three tenant/master leaseholders were in compliance, which they had worked diligently to achieve and maintain. In keeping with Land Use Subcommittee recommendation

• **MR. ALLEY MOVED TO APPROVE THE REQUEST BY OSPREY TRADES FOR MEDEIROS EXCAVATION TO EXERCISE THE ONE YEAR SUBLEASE OPTION WITH CONDITIONS AS NOTED BELOW:**

- THE SUBLEASE IS IN A FORMAT APPROVED BY AIRPORT COUNSEL AND AIRPORT MANAGEMENT,

- THE OPTION TO RENEW THE SUBLEASE FOR MEDEIROS EXCAVATION FOR THE ADDITIONAL ONE YEAR TERM IS APPROVED; NO EXTENSIONS OR HOLDING OVER IS PERMITTED AND ANY NEW SUBLEASE AGREEMENT FOR EITHER SUBTENANT BEYOND THIS DATE REQUIRES THE PRIOR WRITTEN PERMISSION OF THE MARTHA'S VINEYARD AIRPORT COMMISSION,

- OSPREY TRADES AGREES TO REMAIN IN COMPLIANCE WITH ALL OF THE PROVISIONS OF THE MASTER LEASE,

- NO MISCELLANEOUS LANDSCAPE MATERIALS IN OUTDOOR STORAGE IS APPROVED,

- NO EQUIPMENT MAINTENANCE IS APPROVED UNLESS PRIOR WRITTEN PERMISSION FROM THE MARTHA'S VINEYARD AIRPORT COMMISSION IS RECEIVED PENDING THE RECEIPT OF AN AIRPORT MANAGEMENT APPROVED BEST MANAGEMENT PLAN DETAILING THE PROCEDURES FOR THE RECLAMATION, STORAGE, AND DISPOSAL OF EQUIPMENT MAINTENANCE WASTE PRODUCTS (TO INCLUDE BUT NOT BE LIMITED TO OIL, TRANSMISSION FLUIDS, ANTIFREEZE, ETC.),

MR. COYNE SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.

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- Island Professional Realty Modification Request (Vote) (Tab 14) (See documents on file.)

Dr. Schaeffer, one of the Master Leaseholders of the old P&K Building, submitted interior building modification plans for two energy efficient and low water usage dental offices. The offices were likely to be fairly active. In keeping with Land Use Subcommittee recommendation

• MR. ALLEY MOVED TO APPROVE THE REQUEST BY DR. HELENE SCHAEFFER REGARDING THE PROPOSED INTERIOR MODIFICATIONS FOR THEIR PREMISES AS PRESENTED FOR 23 AIRPORT ROAD WITH CONDITIONS AS FOLLOWS:

- AIRPORT MANAGEMENT IS AUTHORIZED TO MAKE OR REQUEST MODIFICATIONS DURING THE PROCESS AS NEEDED;
 - THE CALCULATED TITLE 5 FLOW, IN A QUANTITY DEEMED ACCEPTABLE BY AIRPORT MANAGEMENT MUST BE OBTAINED PRIOR TO PERMITTING THE PROJECT OR APPROVAL IS WITHDRAWN;
 - ISLAND PROFESSIONAL REALTY MUST OBTAIN ANY NECESSARY APPROVALS OR BUILDING PERMITS FROM THE TOWN OF EDGARTOWN, IF APPLICABLE, PRIOR TO COMMENCING THE PROJECT (COPIES TO BE PROVIDED TO THE AIRPORT), ANY CHANGES MADE BY THE TOWN OR OTHER AGENCIES REQUIRE THE RE-APPROVAL OF THE MARTHA'S VINEYARD AIRPORT COMMISSION;
 - ALL EXTERIOR SIGNAGE (TO INCLUDE SIGNAGE ON AIRPORT ROAD AND ON THE BUILDING OR WINDOWS) REQUIRES A SEPARATE REVIEW AND THE PRIOR WRITTEN APPROVAL OF THE MARTHA'S VINEYARD AIRPORT COMMISSION;
 - THE MODIFICATION PROJECT MUST COMMENCE WITHIN 120 DAYS OF RECEIPT OF FINAL APPROVAL OR THE APPROVAL IS WITHDRAWN;
 - BACK FLOW PREVENTION AND CROSS CONNECTION DEVICES, IF DEEMED REQUIRED BY THE AIRPORT WASTE WATER TREATMENT FACILITY OPERATOR, SHALL BE INSTALLED;
 - UPON RECEIPT OF THE CERTIFICATE OF OCCUPANCY, A COPY SHALL BE FORWARDED TO THE AIRPORT;
 - WITHIN THIRTY (30) DAYS OF THE COMPLETION OF THE APPROVED PROJECT, ISLAND PROFESSIONAL REALTY SHALL SUBMIT A SET OF FINAL PLANS THAT ARE DETAILED AND REPRODUCIBLE AND INCLUDE THE SEALS OF THE REGISTERED ARCHITECT, REGISTERED SURVEYOR, AND REGISTERED ENGINEER;
- MR. COYNE SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.**

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VII. ADJOURNMENT

MR. ALLEY MOVED TO ADJOURN AT 5:25PM; MR. COYNE SECONDED; MOTION PASSED UNANIMOUSLY: 4 AYES, 0 NAYS, 0 ABSTENTIONS.

Appendix A: Tasks

- All - Re-up with County for Airport Commission.
- Sean Flynn - bring/report all Motorcross noise complaints to MVAC.

From previous meetings or ongoing

From previous meetings or ongoing

- Sean - Ask MVTV re: standing order and bill for CD/DVD of MVAC meetings.
- Inform Commissioners when background information is available at the Airport.
 - It is the responsibility of the Commissioners to view background information once it has been made available.
- Lease renewals 6 mos. to 1 year before lease ends.

Appendix B: Documents on file:

- Agenda 1/26/12
- Sign-in Sheet 1/26/12
- MV Airport Staff Summary re: Land Use Guideline Recommendations (2 p.) 1/26/12
- MV Airport Staff Summary re: Land Use Guideline Recommendations 1/26/12
 - Mendez Letter to Request Approval for Use of Airport Property (2 p.)
 - Edgartown Police Chief Bettencourt letter re: Proposed Bike Track 1/18/12
 - McCormack / MV Chiefs of Police Assoc. letter re: Support of Mendez Application 9/21/11
 - Maxner / Friends of Greenlands letter re: Recommend Creation of Motor Cross Track
 - MV Times.com: Dirt Bike Track at Nip'n'Tuck Farm Will Close (4 p.) 9/14/11
- MV Airport Staff Summary re: True North/McWinery Modification Request 1/26/12
 - Walsh / True North letter re: Lots H, I and J Martha's Vineyard Airport (2 p.)
 - West Tisbury Police Chief Rossi letter re: No Impact on the West Tisbury Police 1/19/12
 - Schofield Barbini & Hoehn Site Plan Prepared for McWinery, Inc. 5/5/10
 - Proposed First Floor Plan
 - Proposed South Elevation
 - Proposed East Elevation
 - First Floor Plan 3D
 - BenDavid / Mone Insurance letter re: Ability to Proved Liability Insurance 2/25/10
 - Schofield Barbini & Hoehn memo re: Estimated Sewage Flows - McWinery, Inc. 6/6/11
 - 3 building drawings
 - True North LLC Floor Plans and Elevations
 - Martha's Vineyard Times excerpt: MVAC Land Use Subcommittee posting 7/4/11

continued

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Appendix B: Documents on file (cont.):

- MV Airport Staff Summary re: Authorization to Execute Contract AIP 3-25-0031-38-2010 Change Order 1 Re-Align and reconstruct TWY A 1/26/12
- MV Airport Staff Summary re: Vale Grant Authorization Request 1/26/12
 - List of U.S. Commercial Service Airports and their Nonattainment and Maintenance Status 4/1/11
 - Vale Clean Technology flyer (2 p.)
 - 2 *photographs of solar arrays*
- MV Airport Staff Summary re: Annual Ramp License Agreements 1/26/12
 - MVY Airport Tie Down License and Agreement (12 p.)
- MV Airport Staff Summary re: RFQ for ARFF SRE Building & OPM 1/26/12
 - MVAC (“Awarding Authority”) Designer Selection Procedures (5 p.) 1/26/12
- MV Airport Staff Summary re: Lot 34 Building Request 1/26/12
 - Catt / MVYABP LOT 34, LLC letter re: Lot 34 – November 17, 2011 Request Response 1/16/12
 - Schofield Barbini & Hoehn memo re: Estimated Sewage Flows – Nicholas Catt, Lot 34 12/23/11
 - Lot 34 First Floor/Site Plan 1/20/12
 - Lot 34 Exterior Elevations 1/20/12
 - Lot 34 Lights and Security Plan 1/20/12
 - Lot 34 Landscape, Planting, and Drainage 1/20/12
 - Lot 34 Buffers, Setbacks and Utilities 1/20/12
 - Lot 34 Parking & Circulation Plan 1/20/12
 - Lot 34 - Proposed Exterior Color Scheme & Architectural Detail
 - *Photograph(s)*
 - Kirby SP – Cool
 - Lot 34 Exterior View - Front
 - Lot 34 Exterior View - Back
 - Product Specifications Solar Reflectance, Thermal Emittance and Solar Reflective Index (SRI)
 - Kirby Building Systems – Galvalume photo
 - Casement Operating Units
 - Casement Transoms and Multiple Assemblies
 - Swinging Picture and Transom Units
 - RAB Lighting BLED 13, GNLED13B, WPLED52, spec sheets (3 p.)
 - CleatBlu Environmental Biodigester Wastewater Treatment Reduces Discharge Costs and Helps Meet Discharge Limits (9 p.)
- MV Airport Staff Summary re: Lot 30 Heathland Realty New Sublease Request 1/26/12
 - Whiting / Heathland Realty letter re: Request Written Approval for Island Copper Subtenant (2 p.) 11/17/11

continued

MARTHA'S VINEYARD AIRPORT COMMISSION MEETING
January 26, 2012

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Appendix B: Documents on file (cont.):

- MV Airport Staff Summary re: SAV Associates FedEx Sublease Renewal Request 1/26/12
 - Scott email re: FedEx Ground – Lease Renewal 12/14/11
 - Henry / FedEx Ground letter re: FedEx Ground – Proposed Lease Renewal 12/13/11
- MV Airport Staff Summary re: MPR for R2 Enterprises LLC Request for Jordan Sign 1/26/12
 - Rogers email re: Sign 12/15/11
 - Jordan and Potter emails re: Layout (2 p.) 1/16/12
 - Vineyard Oil photograph
- MV Airport Staff Summary re: Osprey Trades Sublease Renewal Request 1/26/12
 - Baumhofer / Osprey Trades letter re: Agreement to Extend the Sublease 10/28/11
 - Medeiros / Medeiros Excavation letter re: Wish to Extend the Sub Lease 10/28/11
- MV Airport Staff Summary re: Island Professional Realty LLC Modification Request 1/26/12
 - Schaeffer email re: 23 Airport Road 1/24/12
 - Schaeffer / Island Professional Realty letter re: Intention to Design Two Dental Offices 12/20/11
 - Patterson Dental Dr. Schaeffer Proposed Layout 6/7/11
 - Patterson Dental Dr. Schaeffer Dimensional Sheet 6/7/11
 - Patterson Dental Dr. Schaeffer Contractor Sheet 6/7/11
 - Patterson Dental Dr. Schaeffer Plumbing Sheet 6/7/11
 - Patterson Dental Dr. Schaeffer Electrical Sheet 6/7/11
 - Patterson Dental Dr. Schaeffer Suggested Lighting 6/7/11
 - Patterson Dental Dr. George Proposed Layout 6/7/11
 - Patterson Dental Dr. George Dimensional Sheet 6/7/11
 - Patterson Dental Dr. George Contractor Sheet 6/7/11
 - Patterson Dental Dr. George Plumbing Sheet 6/7/11
 - Patterson Dental Dr. George Electrical Sheet 6/7/11
 - Patterson Dental Dr. George Suggested Lighting 6/7/11