



## Edgartown Yellow House Committee Meeting Minutes

SEPTEMBER 12, 2017

### I. CALL TO ORDER:

Chris Scott called to order the meeting of the Yellow House Committee at **3:30pm** on **Tuesday, September 12, 2017, at the Edgartown Town Hall Meeting Room.**

### II. ROLL CALL:

The following persons were present:

**MEMBERS:** CAROL FLIGOR  
CHRIS SCOTT  
GAIL CROTEAU  
JIM SHANE  
MJ LOOK

**ABSENT:** JAMES CARTER

**OTHER:** Juliet Mulinare (Procurement)  
Karen Burke (Legal)

### III. OPEN ISSUES:

1. Mr. Scott welcomed the representatives of the Committees and Departments present to join the discussion: Highway, Planning, Police, Beautification, Historic and Selectmen. He gave a synopsis of the work done by the Yellow House Committee thus far and noted that the goal with the RFP is to leave as much flexibility for the developer as possible, while working within the parameters of the taking by eminent domain.
2. Lt. Dolby from the Police Department made a short presentation about the intentions of the Dept to be able to utilize the small shack as a downtown sub-station for a police presence downtown. It could serve as a lost and found, a place for people to get directions, storage for the traffic officers, etc. Mr. Shane inquired as to whether they would want parking spaces for the cruisers; Lt. Dolby said that wouldn't be necessary as there are already downtown locations for the cruisers to park. Ms. Look asked about the sub-station operating after regular hours; Lt. Dolby recognized that extended hours would certainly serve a purpose as downtown remains quite busy from 6-9pm. Ms. Fligor commented that additional public restrooms would also be very beneficial; Lt. Dolby agreed.
3. The Committee welcomed Karen Burke, legal representative from RPKH. Ms. Burke told the Committee that she had reviewed the RFP and offered some revisions which she requested the Committee look over and give feedback on. In addition to her revisions to the RFP, Ms. Burke brought an outline of the Memorandum of Intent (MOI), the document the developer will sign upon selection that will serve as the interim lease (for 90 days) while the Developer seeks approvals from the relevant Town entities. The MOI will include the lease terms and will also set forth non-negotiable provisions that indemnify the Town until the actual lease has been

executed. Ms. Burke will be sending both the RFP and the MOI to the State for review in the next day or so.

4. Ms. Burke informed the Committee that information regarding what kind of bonding requirements the Town can ask for will be determined by the State; decisions regarding what those amounts should be are business decisions, not legal ones.
5. Ms. Burke offered her interpretation of what the lease terms could be: based on her research, a 30 year lease is the maximum length allowed. She was not able to determine a minimum lease length, but she will ask State officials to weigh in on this as they review the RFP.
6. Ms. Burke suggested that all deadlines in the RFP should be given options to extend and that 30 days might not be enough time to review the proposals. She also suggested the possibility of adding another site visit time and date to accommodate any developers who are unable to attend the first one offered.
7. Ms. Burke reminded the Committee that many aspects of the lease, including who pays utilities and taxes and what happens at the end of the lease, still need to be defined. Mr. Scott agreed and stated that this should all be figured out before the pre-bid conference.
8. Ms. Burke questioned whether a developer could attain all necessary permits and approvals within a 90 days period. Mr. Scott stated that there is an expectation of due diligence on the part of the Developer to determine which approvals are necessary, based on the proposal offered (ie. re-orienting the building or adding on to it will require more approvals). Ms. Look asked if there was a particular order the Developer would have to go in front of the necessary boards. Mr. Scott said there is no set order, but sometimes approvals need to be re-visited if one Committee contradicts another. Ms. Dolby (Town Administrator) stated that because the Town has its own Historic District Commission, this does not need to go in front of the MVC.
9. Mr. Shane asked Ms. Burke how long she expects the State to take to review the RFP. Ms. Burke said she couldn't be sure but that they have been very responsive in the past.
10. Mr. Scott asked for input from the representatives of the other departments and committees present at the meeting. Stuart Fuller (Highway) stated that he would definitely like to see more parking as a part of the plan for the remainder of the property; he really likes the idea of another public restroom; and he would also like to see more bike racks. Ms. Fligor asked Mr. Fuller if he thought that putting in a basement would disturb the root systems of the existing Locust tree; he said a basement could be constructed, but it would have to be carefully done.
11. The Committee discussed the lease terms and what a 30 year lease would mean for the Town. Ms. Croteau stated that some discussion about the end of the lease terms is necessary to avoid a situation like the one with the Airport Mobil.
12. Cammie Naylor (Beautification) offered the Committee a more detailed conceptual drawing of the Open Space/Park aspect of the project. Ms. Fligor stated that the Beautification Committee will meet to discuss the plan and work from there.
13. The Committee reviewed the RFP and the evaluation process and discussed the possibility of inviting the proposers to come and make presentations about their proposals to further inform the Committee.
14. Mr. Shane asked whether the improvements made to the Yellow House could ever be considered tax deductible.
15. Motion placed on the floor by Mr. Shane to accept the meeting minutes from 8/29/17. Ms. Look seconds, no discussion, vote taken and passed.

16. Motion placed on the floor by Mr. Shane to adjourn the meeting. Ms. Look seconds, no discussion, vote taken and passed unanimously. Mr. Scott adjourned the meeting at 4:50pm.

Minutes submitted by: Juliet Mulinare

MINUTES VOTED & APPROVED:

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Chris Scott, Chairman

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Date