

May 20, 2021

Via E-mail

Martha's Vineyard Commission
c/o Adam Turner, Executive Director
P.O. Box 1447
Oak Bluffs, MA 02557

Re: DRI # 614 Modification 7 ("2020 Proposed Modifications")
Harbor View Hotel

Dear Members of the Martha's Vineyard Commission:

On behalf of the neighbors signed below, I am submitting the attached supplemental memorandum, which accompanies the previously-submitted memorandum of January 20, 2021. I appreciate the prompt distribution of this supplemental memorandum to the Commissioners.

Sincerely,



C. Dylan Sanders

Neighbors

Jim Swartz, 1 Starbuck Neck Road
Lynn Allegaert, 14 Thayer Street
Geoffrey Caraboolad, 63 Fuller Street
Robert and Linda Forrester, 128 North Water Street
Joseph E. Smith, Jr., 1 and 3 Ox Pond Meadow
Richard Zaninno, 18 Starbuck Neck Road and 27 Thayer Street

cc: Marilyn Vukota, Esq.
Kevin O'Flaherty, Esq.

**COMMONWEALTH OF MASSACHUSETTS
MARTHA’S VINEYARD COMMISSION**

Public hearing concerning the
Development of Regional Impact (DRI #614-M7)
Harbor View Hotel Modifications 2020

**SUPPLEMENTAL MEMORANDUM OF LAW OF THE NEIGHBORS OF THE
HARBOR VIEW HOTEL, IN OPPOSITION TO THE PROPOSED HARBOR VIEW
MODIFICATIONS**

INTRODUCTION AND SUMMARY

When considering approval of a Development of Regional Impact (“DRI”), The Martha’s Vineyard Commission (“Commission”) is tasked with weighing probable benefits against probable detriments, “even if they are **indirect, intangible or not readily quantifiable.**” G.L. c. 831, § 15. This is not an easy thing to do, as this case demonstrates.

A change in a neighborhood’s character cannot be quantified, or measured in dollars, nor can it be mitigated by such. Once it’s gone, it’s often gone for good; the change in and loss of character is permanent. Over sixty concerned Island residents, many of whom have supported the Hotel’s past plans, have testified before and written to the Commission to sound the alarm that the neighborhood of North Water Street and Starbuck Neck Road is at a “tipping point” and that the creeping commercialization of the Harbor View Hotel (“Hotel”) threatens to irretrievably alter its charm and character. Speaking to this point at the public hearing on May 6, Amanda Phillips, of Chappaquiddick, told the Commission:

I struggle with how to describe the changes that I’ve observed, particularly beginning in the summer of 2019. My fourteen-year-old summed it up when he declared that he no longer rode his bike by the Harbor View because it had gotten “just too crazy.” Many changes are not quite quantifiable and that’s what’s so difficult about this – it’s a creeping expansion.

The Commission must consider these indirect, intangible, and not readily quantifiable detriments when considering the Hotel's *seventh* application for modification of a DRI, which includes plans for a commercial spa triple the size of what had been previously approved, retroactive approval of guest rooms, and a phasing extension request ("2020 Proposed Modifications"). The Hotel has recently stated that it will limit access to the spa to guests and two friends, but the design and scale remains that of a much larger spa for public guests. And, notwithstanding the request of several Commissioners, the Hotel has not submitted a meaningful Master Plan, one that outlines its future plans with specificity.

The neighbors to the Harbor View Hotel ("Neighbors") urge the Commission to deny the Hotel's request for an expanded spa because the already-approved designs for the 2018 spa (M6) are appropriately scaled, and the expanded spa is not "especially appropriate" in view of alternatives. The Neighbors also request that the Commission find, in the course of reviewing the request for a phasing extension, that with or without the expanded spa the detriments of DRI 614, when viewed in their totality, now outweigh the benefits. Finally, the Neighbors request that the Commission deny any further modifications to DRI 614 unless and until the Hotel submits a true, current Master Plan for review by the Commission and the public, and until the Hotel confers with the neighborhood and restores the atmosphere of trust.

The neighbors want the Hotel to succeed as a robust business. And it is succeeding. There is no claim to the contrary. This, however, is a spa too large and a spa too far.

THE 2020 PROPOSED MODIFICATIONS (M7)

The Hotel seeks approval for a 4,625 square foot, two-story spa in a new Bradley Cottage, that includes seven treatment rooms, a nail and hair parlor, and women and men's separate quarters, each with relaxation rooms, steam showers, showers, and locker rooms. As the

Hotel concedes, the spa currently before the Commission was scaled and designed to serve the general public (with the Hotel estimating 20 guests per day during peak season).

The Hotel is also seeking retroactive approval for several rooms: in the Main Building, 36 rooms were approved; 40 were built (+4). In the Mayhew Cottage 48 rooms were approved; 51 were built (+3). In the Pease Cottage 10 rooms were approved; the Hotel is seeking approval for 11 (+1). According to the Hotel, the space for these rooms was taken from common areas, like the ballroom and conference rooms. The Hotel argues that there will be “no net changes in rooms,” because the yet-to-be-approved spa will remove eight rooms. If the spa is not approved, however, the Hotel’s already-built rooms will have increased by seven.

Last, the Hotel is seeking to extend the phasing of the project until 2023.

ARGUMENT

A. The Commission should not approve the current plans for the proposed spa, because it is designed and scaled to serve the general public.

The Commission should not approve the 4,625 square foot, two story proposed spa of seven treatment rooms, a hair and nail salon, and separate men and women’s quarter each with a relaxation room, steam room, and changing room. This proposed spa, as designed, is too large for a spa that is intended to service the Hotel’s guests and friends of guests. The size of the proposed spa is inappropriate, particularly in light of the fact that the Hotel already has approvals for a guests-only spa, and many competing spas exist in downtown Edgartown, and are located in appropriate commercial districts.

The proposed spa plans remain much larger than was previously approved:

	2008 Application	2018 Modifications	2020 Proposed Modifications
Square Footage	850	1,620	4,625
Treatment Room	3	5	7
Relaxation Room		1	2
Locker Room		2	2
Changing Room			2
Steam Room			2
Hair Salon			1
Nail Salon			1
Guests Only?	Yes	Yes	Guests + 2 Friends

The difference between the 2018 approved spa and the 2020 proposed spa is not *de minimis* – the proposed spa is a wholly different type and scale of spa. The two prior-approved spas included only treatment rooms, and in the 2018 version, locker rooms and one relaxation room. The proposed spa before the Commission now includes additional treatment rooms, a hair and nail station, and extensive male and female quarters, including steam rooms and changing rooms. At peak season, the Hotel had planned to accommodate twenty people per day with the current designs, including members of the public.

The Hotel acknowledges that it designed this spa to serve the public. The Commission should not approve the plans for the spa currently before the Commission – especially when the Commission has already approved the 2018 spa, one that was appropriately scaled for guests only.¹ A spa of this size is ill-suited to be limited to guests only, and is unsustainable. Section

¹ In addition to a substantial increase in size, the 2018 spa was located in the Main Building. Those seeking spa treatments would have to venture into the hotel lobby, past the front desk, to enter the spa. The 2020 proposed spa is

15(a) of the MVC Act requires the Commission to consider an application “in view of the available alternatives.” Here, a convenient, available alternative is the already-approved – and much more appropriately scaled – spa plan of 2018. And there are several area commercial spas in the area – and in commercial districts, not residential districts – that are alternatives as well. If the plans currently before the Commission are approved, the Hotel may come back in a few years requesting a modification to allow the public. It is also possible that approval of the plans before the Commission – designed for and scaled to serve the general public – would invite abuse. Simply put, the triple-sized spa is not “especially appropriate” in view of available alternatives.

The addition of a spa scaled and designed for public use – even assuming it can somehow be effectively limited to Hotel guests and friends of guests in the short term – will have an outsized, negative impact on the Neighbors and the residents of Edgartown because it will contribute to the increased commercialization of the residential neighborhood. The Commission should find that the likely detriments of the spa, as scaled and designed, outweigh any likely benefits as it will adversely affect other persons and property, because of the Hotel is surrounded by a residential neighborhood and increased commercialization is likely to be greater than is ordinarily associated with the development of a day spa.

housed in a separate cottage, which, were the Hotel ever to request the spa open to the public, would be much easier to cater to non-Hotel guests.

B. The detriments of the 2020 Proposed Modifications (M7) already outweigh the benefits.

1. The 2020 Proposed Modifications must be reviewed holistically and in the context of its recent activities – particularly because a phasing extension is requested.

The detriments of DRI 614, and in particular the detriments of the already-built but unreviewed 2019 Bar and Restaurant complex, now outweigh the benefits. During the public hearings of January 21, February 6, April 29, and May 6, 2021 and included within over sixty letters submitted in opposition to the 2020 Proposed Modifications, residents of Edgartown and neighbors to the Hotel expressed frustration with the Hotel’s operations since 2018, including increased noise, pedestrian and vehicular traffic resulting from the 2019 Bar and Restaurant, large events, horse and carriage rides, golf carts. Concerns were also raised about commercial activity at 119 North Water Street. Residents from all over Edgartown and beyond wrote to express their concern with the Hotel’s activities and its negative impact on an important neighborhood. (See Attachment.)

Although the 2020 Proposed Modifications do not expressly include a request for approval of the 2019 Bar and Restaurant, the Hotel is asking for a phasing extension as part of the modification application currently before the Commission. Embedded within request for a phasing extension is a review of the underlying DRI decision – what’s been built, what has not yet been built, and whether the project is in compliance with the original DRI decision.

The Commission, therefore, may revisit the underlying DRI 614 decision and 2018 modification. This review includes the 2019 Bar and Restaurant, built without DRI Review, because changes to the pool bar were part of the 2008 approvals.² (See January 20, 2021

² In a separate letter dated May 20, 2021, the Neighbors ask the Commission to compel the Hotel to submit an application for the 2019 Bar and Restaurant for DRI Review.

Memorandum of Dylan Sanders, Exhibit 6, page 4.) Those changes to the pool bar were never built as planned. Instead, the 2019 Bar and Restaurant was built without the Commission's approval, and is a major source of the increased noise, traffic, and negative change in character in the neighborhood.

In addition to the construction of the 2019 Bar and Restaurant without Commission approval, there have been numerous other violations – such as the use of 119 North Water Street as an extension of the Hotel and use of its dock to offer Hotel yacht charters, horse and carriage rides throughout the neighborhood and golf cart rides up and down North Water Street – that the Commission should consider as context for reviewing the Hotel's current requests.

Quite simply, the construction and operation of the 2019 Bar and Restaurant without Commission approval is a violation of the 2008 DRI 614 Decision. Section 17 of the MVC Act, G.L. c. 831, confers broad enforcement authority upon the Commission to enforce any of its decisions, conditions or restrictions. In reviewing the Hotel's phasing extension request, the Commission should use its enforcement authority to require the Hotel relocate the 2019 Bar to its original location, eliminate the outdoor restaurant, and require the Hotel to submit an application for modification.

2. The 2020 Proposed Modifications are not essential or especially appropriate in view of the available alternatives on the island of Martha's Vineyard. G.L. c. 831, § 15(a).

G.L. c. 831, § 15(a) states “in evaluating the probable benefits and detriments of a proposed development of regional impact the commission shall consider, together with other relevant factors, whether: (a) development at the proposed location is or is not *essential* or *especially appropriate* in view of the *available alternatives* on the island of Martha's Vineyard.” (Emphasis added.)

Edgartown’s downtown Main Street and surrounding streets is home to a robust nightlife scene – The Atlantic, Port Hunter, the Covington, Seafood Shanty, Alchemy, the Wharf Pub, and more. These bars are appropriately located along or near Main Street, in Edgartown’s bustling commercial strip. The “Roxy,” which is the name of the 2019 Bar and Restaurant – located half a mile away in a quiet residential neighborhood – is not essential to the Hotel, to Edgartown, or to the Island, or particularly appropriate, besides having never been part of a DRI application.³

Like the spa, the 2019 Bar and Restaurant is not essential to the Hotel’s wellbeing. The idea that the Hotel will “wither away” from “residential creep” is ludicrous. This summer, the Hotel’s rates are well over \$1,000 per night with a three-night minimum on the weekends. The Hotel is thriving, and simply is not at risk of being purchased and transformed into someone’s residence.

The Hotel is located in one of Edgartown’s most historic and traditional neighborhoods – not Main Street. *This neighborhood is part of the Hotel’s success*, and the Hotel has benefited from its proximity to Lighthouse Beach and peaceful views of the harbor. For over a century, the Hotel co-existed with its neighbors because it was a residential hotel that fit in with its surroundings. The 2020 Proposed Modifications are neither appropriate nor essential to the Hotel.

3. The 2020 Proposed Modifications will have a negative impact on other persons and property, because the modifications contribute to the Hotel’s increasing commercialization and changing character of the neighborhood. G.L. c. 821 § 15(c).

G.L. c. 831, § 15(c) states “[i]n evaluating the probable benefits and detriments of a proposed development of regional impact the commission shall consider, together with other

³ Although the Hotel claims this is not a restaurant, the 2019 Bar and Restaurant has a menu and is advertised as a restaurant. For example, its website brags, “overseen by culinary director Hart Lowry, whose provenance includes James Beard award winning restaurants in Boston and Manhattan.”

relevant factors, whether: ... the proposed development will favorably or adversely affect *other persons and property*, and if so whether, *because of circumstances peculiar to the location, the effect is likely to be greater than is ordinarily associated* with the development of the types proposed..." (Emphasis added.)

The Commission is charged with protecting the Island's unique cultural and historical values. One of the Island's most significant historical assets is the neighborhood of North Water Street, Fuller and Cottage Streets, and Starbuck Neck Road. Dozens of members of the public wrote to the Commission expressing their opposition to the 2020 Proposed Modifications and their deep concerns that the Hotel is driving this change.

In doing so, they expressed a deep appreciation for this historic neighborhood's character:

- Jeffrey and Marla Wolk, 62 North Water Street, wrote "The historic residential neighborhood within with HVH operates is a unique asset on Martha's Vineyard. The quiet, pedestrian, and bike friendly streets; the many restored Captain's homes; the unobstructed views of the Harbor; the family vibe of the lighthouse and the surrounding beach and park area are all integral to the longstanding 'feel' of the North Water Street area and Edgartown Village more broadly. HVH historically has lived within and contributed to this feel."
- John Schaefer, 23 Tuthill Lane, wrote, "This part of the Historic district is one of the real jewels of Edgartown. That jewel is being tarnished and perhaps irreversibly harmed by the owner of the Harbor View Hotel."
- Holly Forrester Hawkes, 50 Kanomike Road, wrote, "I can think of no single area of Edgartown that better encapsulates the quiet, beauty, and history of Edgartown than the area surrounding the Harbor View Hotel. The immaculately maintained historic homes and beautiful gardens of the neighborhood and welcoming owners set the stage for arriving at a spectacular parcel of open, natural land with stunning views overlooking the pond, to the lighthouse, and beyond to the outer and inner harbors; an area open to all. On any given day there are children playing, people relaxing and reflecting while sitting on benches (including those with mobility challenges), strollers visiting the beaches, and artists with their easels and photographers with their cameras. For over a century, the Harbor View Hotel has co-existed peacefully with this neighborhood. A diversity of people sharing a common experience; there is no single feature which defines this special neighborhood and the overlook."

- Tom and Terry Reynolds, of Edgartown wrote, “All of us have come to the Vineyard because of the unique character of the place which offers beauty, peace, privacy and a lifestyle that is fast disappearing elsewhere in the country.”

Many residents wrote in about their observation of a neighborhood already changed:

- T. Kimball Booker, of 85 North Water, wrote, “I have become concerned that Edgartown has been slowly but increasingly losing elements of its special character that we hold most dear.”
- Tara and Bob Levine, 91 North Water, wrote, “The Harbor View Hotel has been maintained over the years with the intent to blend in with this historic and beloved neighborhood and not interfere with the natural beauty therein. Unfortunately, the proposed uses by the new owners of the Harbor View Hotel are not consistent with the area and its historic and peaceful character.”
- Rich Zannino, 18 Starbuck Neck, wrote, “Unfortunately, for all of us that live here and bargained for such a peaceful co-existence, the hotel has violated these restrictions and public institutions have not stopped them: in 3 short years the Harborview is mutating into a boisterous, full blown, destination party resort.
- Josh McCall, 47 Morse Street, wrote, “However, the Harbor View (HVH) ownership is threatening the neighborhood. The outdoor bar and restaurant is all lit up, in the peak of the summer months it is loud, lit up at night and disturbing the surrounding neighbors; the restaurant is stepping beyond established permits to serve food and beverages on the porch and front lawn; the owner has purchased 119 North Water Street and is using it as an adjunct to the main hotel; and now a plan has been put forth to build a full service spa that is over 5X the size of what was last publicly approved in 2008...It would be my hope that some 50 years from now, a young boy visiting the Vineyard can say: ‘It’s still as I remember it’ and that ‘Commercial development and expansion were clearly controlled in the interest of the historic neighborhoods maintaining their charm, character, peace and quiet.’”
- Ann Dickinson, 15 Starbuck Neck, wrote, “The current plans and the incremental unpermitted encroachments by the Harborview are upsetting and will increasingly upset the sheer beauty of a summer’s night with noise pollution, light pollution and increased traffic. A full-service, separate, and huge spa will negatively impact not only the surrounding neighborhood but will hurt similar businesses in the center of town. The unpermitted expansion of the outdoor bar will present a serious nuisance in the neighborhood. The addition of jet skis is obnoxiously noisy and presents a real danger, both to those drive them, to boaters and also to bathers in the vicinity of the lighthouse and Fuller Street Beach. There is a limit to what we can all bear. To those who accuse the neighbors of being a NIMBY group I say, Yes, we knew about the Harborview Hotel when we acquired our properties. But the Harborview of yore was an entirely different

proposition; that Harborview respected its neighbors and the town permitting process....
The future of our neighborhood is very much in your hands.”

Members of the public spoke of an increase in noise, mostly from the new 2019 Bar and

Restaurant and service of food on the Hotel’s front porch:

- Kate and Chuck Brizius, 68 North Water Street, wrote of the impact on their young children, “over the past few years, we have experienced a much higher volume of boisterous and intoxicated pedestrians walking along North Water Street well past midnight coming from the HVH; waking up my young children and causing havoc up and down North Water Street.”
- Lynn Allegaert, 14 Thayer Street, wrote, “The new bar/restaurant/nightclub is well outside the pool area and its negative impact on the neighborhood is significant. It facilitates and encourages large and frequent events on the lawn increasing the noise level in the neighborhood by a tremendous order of magnitude.”
- Gene and Sara Barbato, 122 North Water Street, wrote, “we have recently witnessed an aggressive push by the hotel to maximize the commercial operation without consideration of its impact on the neighborhood and this special environment. We have seen a sprawling commercial enterprise emerge with new offerings such as bikes, water sports, golf cart shuttles, horse carriage rides, and expanded outdoor service of food and drink. These changes have already brought negative change to the unique historic neighborhood with increased congestion, noise, litter, and parking problems all without meaningful public input or review of the totality of changes.”
- John Shaefer, 23 Tuthill Lane, wrote, “One of the most obvious examples is the expansion (to 2600 sq ft) of a public restaurant and bar on the western side of the property. This open area operates until 12:30am and produces a tremendous amount of noise in a part of town where sound easily travels.”
- Isobel Case, 36 Morse Street, wrote, “last summer the hotel further violated its Permits by offering an extremely noisy food and drink service on the front porch of the hotel.”
- Peter and Adrienne Barris, 35 Dunham Road, wrote, “HVH is incrementally and methodically transforming itself from an elegant historic hotel in a quiet residential neighborhood to a full-service commercial destination resort. This transformation, by necessity, is an assault on the very character of the neighborhood surrounding the hotel. And frankly, it goes beyond the immediate surrounding area. Besides altering the character of the town generally it has a more direct impact than one might imagine on homes such as ours. Although our residence is a mile away by road it sits directly across the harbor. Sounds are very efficiently carried across the water, particularly when the winds are blowing out of the north. We are often surprised by the clarity of the sounds being generated from as far away as the HVH.”

Traffic, too, remains a major concern:

- “North Water Street and the adjoining streets are already overwhelmed with vehicular and pedestrian traffic,” wrote Elizabeth Trahon, 31 Pierce Lane.
- Peter Dreyer, 94 Clevelandtown Road, wrote of how the increased traffic will impact visitor experience: “I as well as my family and potential summer guests may be affected by them in that any addition of rental spaces will cram more people onto the beaches of Martha’s Vineyard. Just getting to South Beach at the height of the season involves heavy stop-go traffic through Edgartown, where gridlock cannot be far off.”
- Loring Allen and Stuart Randall, 50 North Water Street, wrote, “[Traffic] is already at capacity, especially when you consider the daily bottleneck at the intersection of North Water St, Simpson Lane and Dock Street created by the increased development of Chappaquiddick.”

The 2019 Bar and Restaurant’s impact on the neighborhood is not just limited to loud noise at nighttime. People traverse late at night down North Water to get back into town, littering and disrespecting private property along the way. Noting an increase in litter on Lighthouse Beach area, Brien O’Brien, 93 North Water, wrote that “[m]ore than one of my early morning walks to the ecologically sensitive beach and tidal ponds was interrupted by garbage pick-up of [the Hotel’s] carry out containers.”

As Bob Forrester, abutter to the Hotel, said in his January 21 testimony, “In many ways, the abutters and neighbors of the Harbor View Hotel and other similar properties are like canaries in the mineshaft. We see and hear things earlier and send out warnings because they impact us right away.” As evidenced by the outpouring of opposition to the Hotel, the 2019 Bar and Restaurant has had a tremendous impact on the character of the surrounding neighborhood. Because the Hotel is situated in a quiet, residential neighborhood, the adverse impacts of the 2019 Bar and Restaurant are felt greater than is ordinarily associated with an outdoor bar and restaurant than if the Hotel located downtown or other commercial zone.

4. The 2020 Proposed Modifications will “interfere with the ability of the municipality to achieve the objectives set forth in the municipal general plan.” G.L. c. 831, § 15(g).

G.L. c. 831, § 15(g) states “In evaluating the probable benefits and detriments of a proposed development of regional impact the commission shall consider, together with other relevant factors, whether: ... (g) the proposed development will aid or interfere with the ability of the municipality to achieve the objectives set forth in the municipal general plan...”

The Edgartown Master Plan aims to “ensure compatibility with existing neighborhoods and the Town’s character.” One of the ways the Master Plan attempts to achieve this goal is to create separate commercial and residential zones. The commercial zones are concentrated in Edgartown’s downtown. Likewise, one of the goals in the Edgartown Community Development Plan is to “encourage more year ‘round business in the ‘downtown’” and to “revitalize the town center.”

The 2020 Proposed Modification interfere with the objectives set forth in the Edgartown Master Plan because they are substantial commercial activities that are inherently different in use and intensity of use than the pre-existing, nonconforming Hotel, located within a residential district. The Hotel may not use its status as a pre-existing, nonconforming use to usher in new commercial activities that are designed and scaled to serve the public.

5. The 2020 Proposed Modifications will “further contravene land development objectives and policies developed by regional or state agencies.” G.L. c. 831, § 15(h).

G.L. c. 831, § 15(h) states “In evaluating the probable benefits and detriments of a proposed development of regional impact the commission shall consider, together with other

relevant factors, whether: [...] (h) the proposed development will further contravene land development objectives and policies developed by regional or state agencies.”

Like the Edgartown Master Plan, the Island Plan seeks to concentrate commercial activity in the town center. Strategy D1-1 of the Island Plan states “Limit significant new development in outlying areas. We should avoid creating new areas of commercial development, new town centers, or large dense neighborhoods in other parts of the Island.”

Adding a spa and a new outdoor bar and restaurant to the Hotel would create a new area of commercial activity in the outlying neighborhood of North Water Street, Fuller Street, and Starbuck Neck Road. This increase in commercial activity, which goes against the policies set in the Island Plan, has already significantly changed this neighborhood and will continue to do so unless the Commission curtails it.

C. The Commission should not approve further modifications to DRI 614 unless and until the Hotel submits a true Master Plan and a business plan narrative, and the Hotel restores neighbor relations.

From the very first hearing of January 21, 2021, there has been confusion about what is being applied for, what has previously been approved and not yet built, and what plans have been abandoned. Three days of hearings later, and despite additionally-submitted floor plans, the Hotel’s long-term plans remain unclear. The Commission should therefore require the Hotel submit a meaningful Master Plan and narrative.

The Hotel applies for a modification of the 2008 DRI every few years. Each modification application includes different or new aspects of previously approved plans. It is confusing and difficult to discern what the Hotel has approval to build and what the Hotel plans to build. Of course, as owners and times change, a change in plans is expected. It is clear from the confusion among Commissioners and neighbors alike, that a current Master Plan, together with a meaningful business plan narrative, is warranted. Notably, none of the plans submitted by

the Hotel show the 2019 Bar and Restaurant; rather, they show the green space and trees that used to be there.

At the May 6, 2021 hearing, the Hotel argued that this project has not been presented piecemeal, and that this modification (M7) is really only the first modification since the 2018 modification (M6), which was requested by the current owner. This statement not only ignores the DRI process, which does not get to start over with every new owner of a parcel, but also sweeps past the fact that a new, prominent pool bar was built without Commission approval (despite being “on a lot which has been, in part or in whole, the subject of a previously approved DRI application.” DRI Checklist 1.2). As has been repeated throughout the public hearings, the neighborhood is suffering from “death by 1,000 cuts.”

One of the larger “cuts” the Neighbors are concerned with is special events. Since 2018, the Neighbors have witnessed food service on the front porch, a new outside bar to host Friday evening “Meet & Greet” events (in addition to the non-event-related partying that occurs throughout the week), and possibly a spa to accommodate bridal parties. Nancy Caraboolad, of 63 Fuller Street, wrote “What happened to the Old Grand Hotel? A quiet retreat with rockers on the porch; an escape from the hustle and bustle of town. Now, it has morphed into a destination hotel with weddings practically every day of the week and traffic increasing exponentially!” When asked by the Commission to provide a narrative of the Hotel’s long-term vision including its plans for special events, the Hotel provided four brief bullet points that are too general to be helpful. The Neighbors are rightfully worried about what is going to come next.

Accordingly, the Commission should require a meaningful Master Plan, and a narrative of the Hotel’s long-term business plan. The process should allow for neighbor participation, with consideration of the impacts of these plans outside the Hotel’s campus footprint. William

Reinfeld, who owns a home on Turkeyland Cove and is a development economist, summed it up well when he suggested that “[t]he developer should be asked to review what has been done to date and to re-state his long-term vision, goals, targets and plans, in as much detail as possible. The Commission should re-consider whether or not these actions and plans are in the best long-term interest of the Community.”

It is also incumbent upon the Hotel to repair its relationship with the surrounding area. This requires proactive, meaningful outreach and willingness to incorporate neighbor concerns into the Hotel’s plans.

CONCLUSION

For all the reasons discussed above, and in the Neighbors’ January 21, 2021 memorandum, the Commission should deny the 2020 Proposed Modifications because the probable detriments of these changes outweigh any potential benefits. The Hotel’s proposed modifications, and the number of unapproved changes, threaten to irreversibly undermine the efforts of the town, and the very character of the neighborhood from which the Hotel benefits.

ATTACHMENT

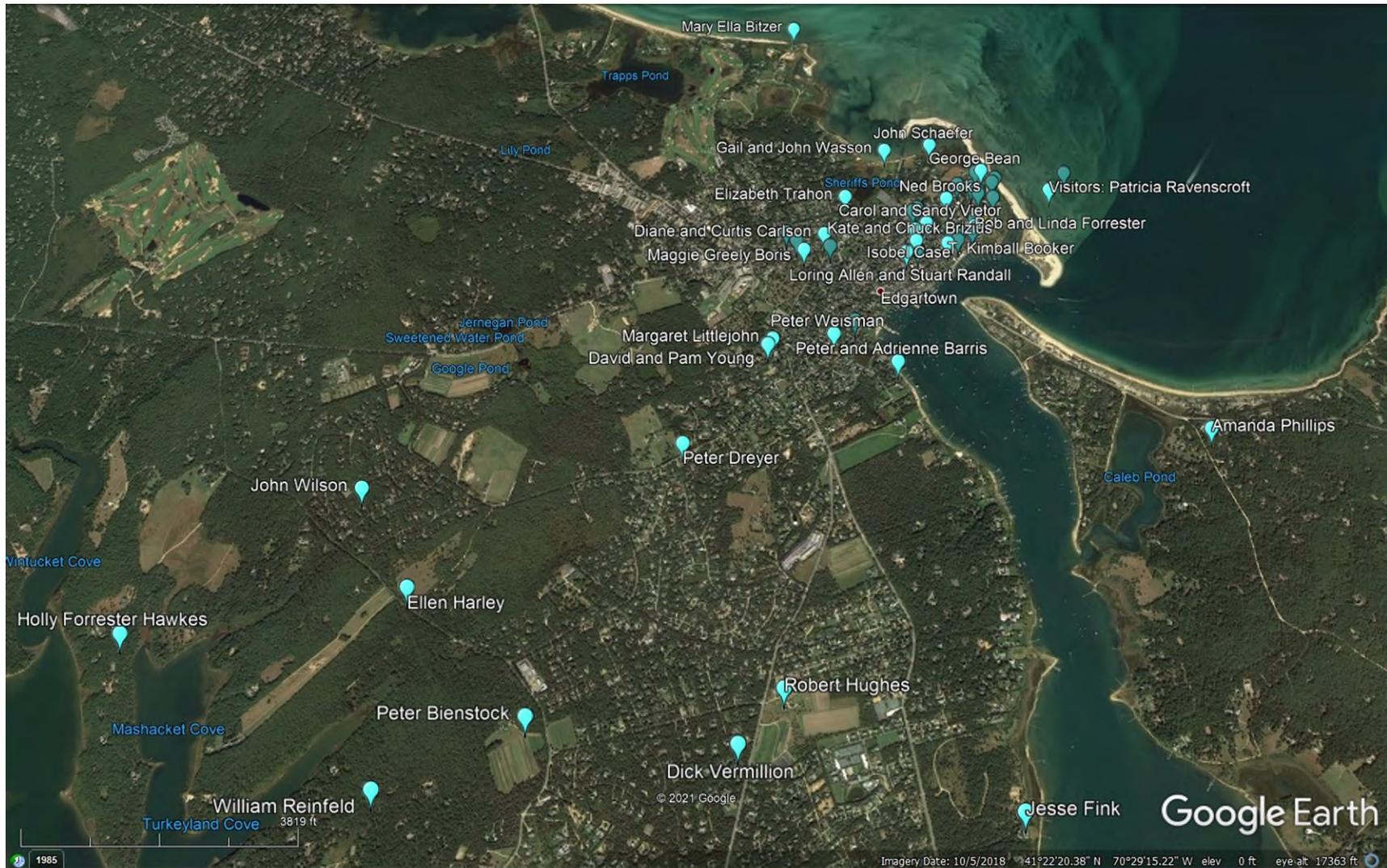


Figure 1: Map of opponents to the 2020 Proposed Modifications.

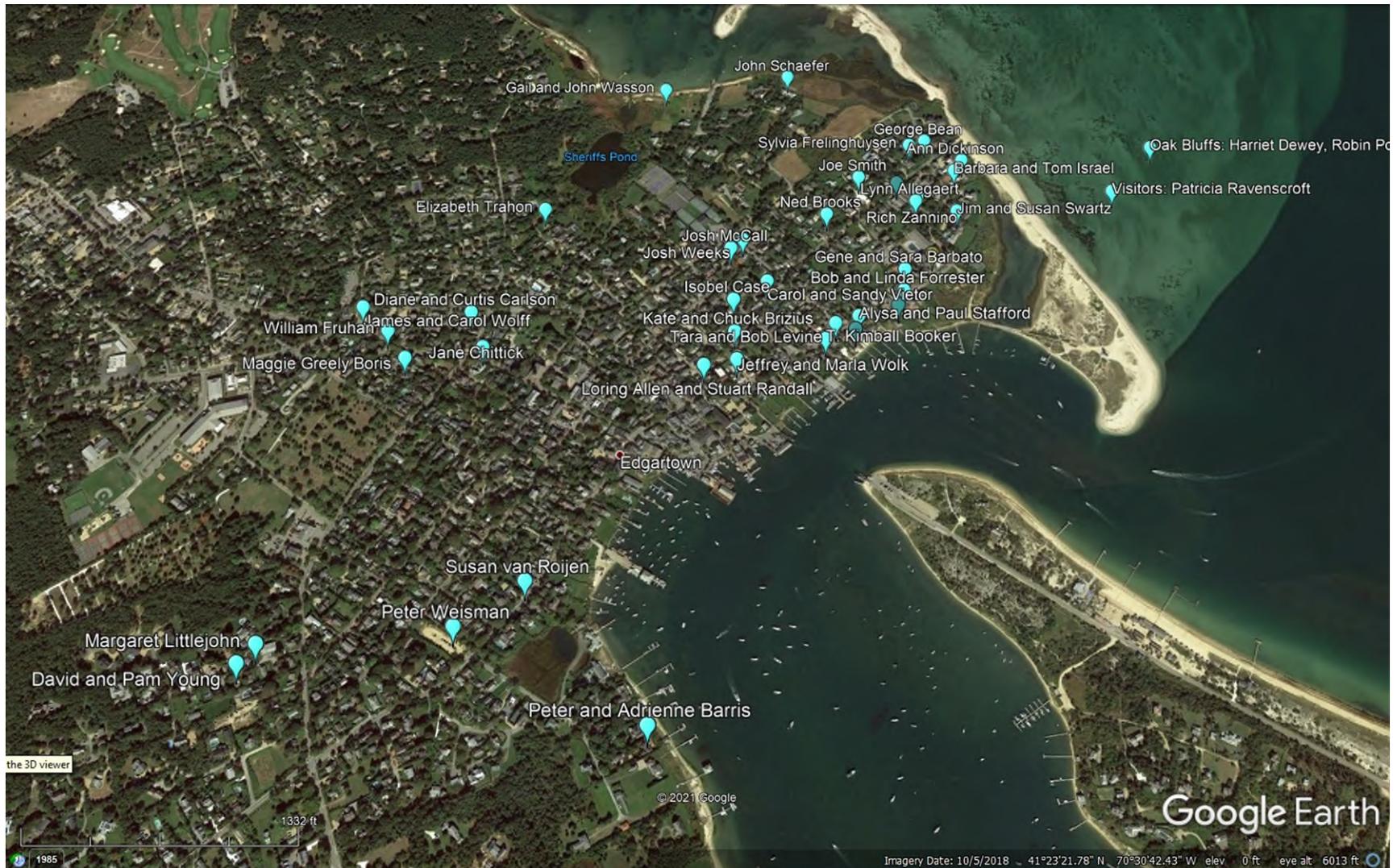


Figure 2: Map of opponents to the 2020 Proposed Modifications, Edgartown village.

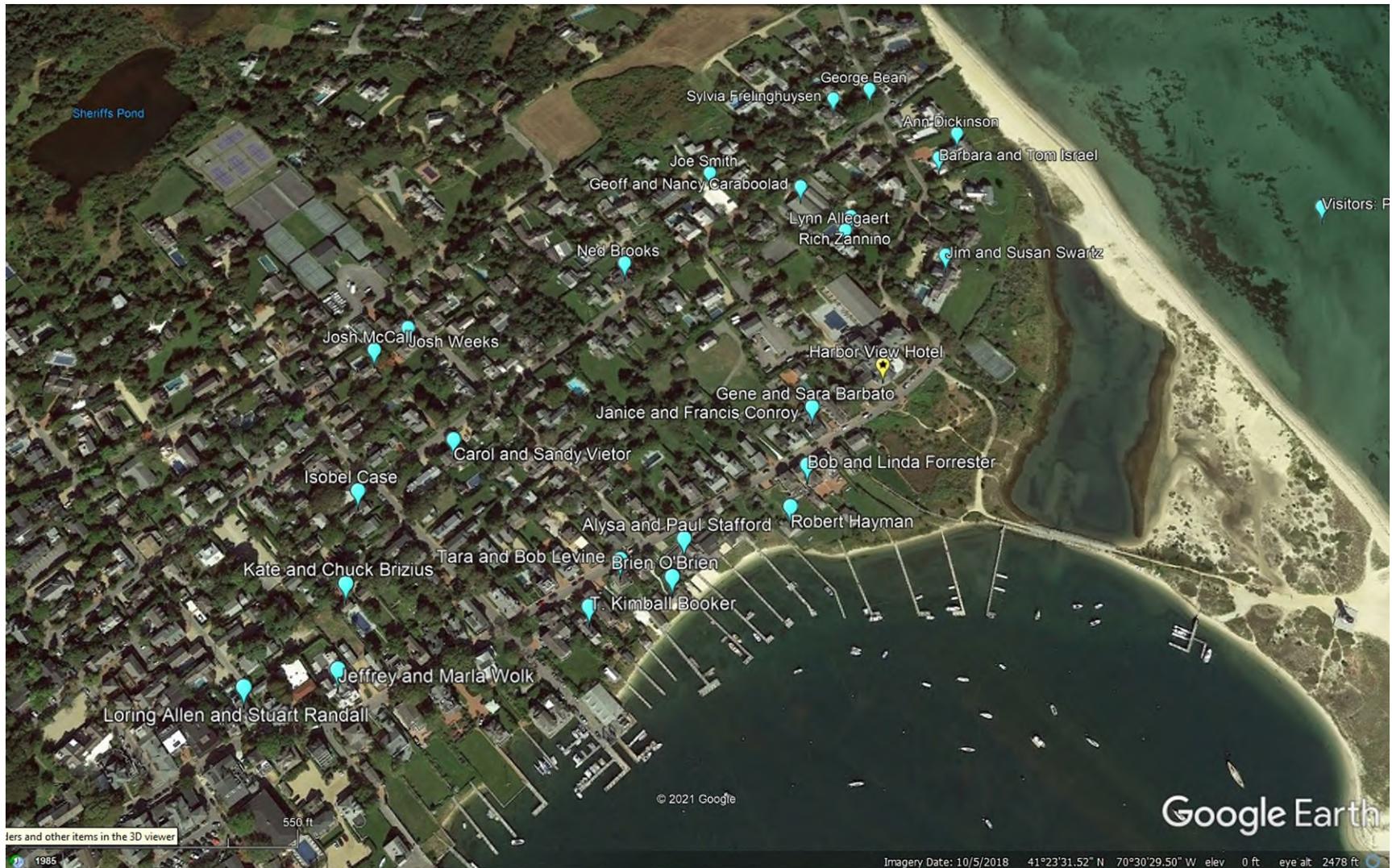


Figure 3: Map of opponents to the 2020 Proposed Modifications, immediate neighborhood.