

Via Electronic Mail

November 12, 2020

Douglas Sederholm, Chair
Martha's Vineyard Commission
33 New York Avenue
Oak Bluffs, MA 02557

RE: DRI #697 Hob Knob Inn Expansion, 124/128 Upper Main Street, Edgartown

Dear Chair Sederholm:

I am writing on behalf of my clients the Greelys, who are the beneficial owners of 9 Tilton Way in Edgartown.

At the hearing last week, several Commission members asked important questions about what measures can be taken to mitigate the impacts of the Hob Knob Inn expansion on abutting residential neighbors, including my clients. For example, there was discussion about requiring the Inn to install an acoustical sound wall. There were also questions and discussions about how the valet parking will work. There were questions about how trash pick-up would work at 124 Main Street. There were plainly concerns expressed about the proximity of a hotel pool in very close proximity to residential neighbors. We very much appreciate the Commissioners who are pressing these issues and looking for ways to mitigate the impact of this project on neighbors.

That said – and as was borne out by these questions, many of which went unanswered – the fact is that there is NO set of conditions or mitigation that can come anywhere close to adequately reducing the impact of a 35 room hotel and spa with an outdoor pool in a residentially zoned neighborhood. The proposed expansion of the Hob Knob to 124 Main Street is simply too much, and too many unanswered questions remain. These include:

- The project proposes 18 new rooms, a substantial increase in staff, and only 8 new parking spaces. The Hob Knob representatives assure the Commission that the parking is sufficient because guests do not bring their cars on the ferry. That probably is to some degree true – but the Hob Knob must have data on the number of guests that bring cars. Why hasn't the Commission asked for that data? At the last hearing I asked where will the 16-20 staff members park? They are not coming on the ferry. There was no answer to that question.
- Why does there have to be a trash receptacle approximately 30 feet from my client's property line? Isn't there a location further away from a residential neighbor that will work just as well?
- Why does there have to be a pool at all? There is no question that a pool at an approximately 75-80 guest hotel is going to be loud – and in this case that loud

pool patio is going to be about ten feet from my clients' property line. Proposing a pool in such close proximity to an existing residential property shows that the owners of the Hob Knob do not care one bit about their neighbors.

- As noted above, the applicant was asked to look into an acoustical sound wall. It was suggested that a six foot sound wall would be necessary to mitigate sound. I am not a sound engineer, but I have worked with sound engineers many times on commercial real estate projects, and I do not recall any six foot high sound walls – because sound will go over a six foot high wall. If the Commission decides to approve this project, the Commission should require the applicant to engage a sound engineer to design a sound wall that will effectively mitigate noise from the pool.

As has been noted, the Hob Knob is in violation of its current special permit, which requires an on site manager. While this might seem like a foot fault, it is a good illustration of how businesses routinely ignore conditions in land use permits, which are difficult if not impossible for affected members of the public to enforce.¹ Nonetheless, if the Commission decides to approve this project, it can and should impose many conditions to mitigate the impact to the neighborhood, including the following:

- 24 hour on site management, and all neighbors should be provided the manager's cell phone number. This way, their first call with complaints will be to the manager, rather than to the police.
- A lighting plan that eliminates all "spill-over" lighting.
- A far more robust buffer planting plan
- Prohibition on alcohol at the pool
- Prohibition of all outdoor events
- Prohibition of bands, DJs, and outdoor amplified music
- All truck deliveries and pickups (including trash) shall occur after 8 am.
- Exterior HVAC equipment shall be in sound proof enclosures
- Prior to issuance of a certificate of occupancy, the Hob Knob shall have a traffic engineer prepare a parking management plan for review by an independent traffic engineer engaged by the Commission at the Hob Knob's expense. The traffic plan shall determine, in light of staff parking requirements, how many cars can be accommodated for hotel guests, and the Hob Knob shall cap the number of guests' vehicles as determined by parking management plan.
- The Hob Knob shall be required to comply with the Commission's housing policy.
- A sound wall as discussed above.

¹ Because of the difficult in enforcing zoning and other land use permits, some communities have required that the permit conditions be memorialized in a contract between the developer and the municipality, thus giving the municipality direct enforcement authority by contract.

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Finally, I want to be clear that while my clients' strong preference is that 124 Main Street remain a residential property, they probably could accept a smaller expansion of the Hob Knob with an appropriate design, adequate parking, no pool, and a larger buffer area. In other words, a smaller version of the existing operation at 128 Main Street. But the project as proposed is, to be blunt, insulting and greedy. It crams 16 new hotel rooms (including 3 suites), 4 employee housing units, two breakfast rooms, 9 parking spaces and a pool and large patio on top of my clients' small single family home. It shows absolutely no regard for their ability to peaceably enjoy their property, and for that reason the Commission cannot find the project beneficial or appropriate.

Sincerely yours,

Daniel J. Bailey

Daniel J. Bailey

DJB/smg

cc: John Greely
Grant Greely
Maggie Boris
Jennifer Rako