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Ms. Lucy Morrison, Executive Assistant./DRI Administrator
MVC
P.O. 1447
Oak Bluffs MA 02557
Via email: morrison@mvcommission.org

July 23, 2020

Re: Rebuttal to Sean Murphy/Patrick Ahearn/VIC Partners LLC

Dear Ms. Morrison:

Please enter this letter into the DRI 897 “Hob Knob” files and forward a copy to the commissioners.

Thank you,
Jane R. Chittick

1) **“73 Hotel rooms lost in Edgartown”** (i.e., expanded inn is needed), Sean Murphy 7/09/16: This is **erroneous and misleading**. In a review of Edgartown-only guest rooms available for short-term stays (1-30 days), and looking at only Airbnb and We Need a Vacation – *just* 2 of the online rental sources - and *excluding* local RE agents who rent homes, there were:

- 106 available properties that accommodated between 1-20 people **amounting to a total of 593 beds that are available to rent**. Again, there is **no dearth** in guest rooms in Edgartown.
- To further support we have a glut in hotel rooms (not the opposite), the trend with increasing number of online private rentals started a decade ago.
- Last year, due to the hotel lobby who have themselves have been losing guests to the online BnB rentals, MA and other states imposed a 9.7% ‘hotel’ tax (short-term owner tax on rentals) in an effort to get hotels on a level playing field with private owner landlords, who were not before paying these taxes.
- If a survey was done of all the other websites and RE agents dealing with Edgartown room rentals, Edgartown **most likely has not just 563 available guest rooms, but more likely 750-1000 available private ownership rooms, other than the inns and hotels**.

2) **This is not a year-round operation:** per my conversation with an employee this week, the Inn closes “end of October and will try to reopen by mid-April”: it is **not** a “year-round” (“closes for

about 3 months” as **Sean Murphy** stated on 7/09/20). To the contrary, **it is a 5.5- to 6-month operation with 6-month employees**, not ‘year-round employees’ or ‘9-month employees’ and guests.

3) **Violation of Existing Inn rooms:** The 1996-97 ZBA requirement states: **“The manager’s apartment must remain and cannot be rented.”** The Inn is now and has been **in violation and they don’t care.**

4) **“Neighborhood and Abutters”:** **The town’s official definition of abutters is 300’** (as Town Moderator **Sean Murphy** knows): however, here with the Commissioners to fool them, **he arbitrarily uses 500’** for abutters, to **make it appear** that we are mixed-use: **“numerous businesses and municipal uses”**. He cites the Dukes County Jail, Depot Corner Market, and (curiously) a tax-exempt and non-profit Preservation property (the Dr Daniel Fisher House) **none of which are abutters**. In fact, **none** of the letters from commercial supporters are abutters. This description of our neighborhood is **purposely false to mislead the Commissioners**. **We, the real 300’ abutters are R-5 zone year-round and summer residents which include resident-owners of the Ashley Inn and Atria Restaurant.... unlike Newport Beach, California-owners private equity VIC Partners.**

5) **Spa “Employees”:** Per another conversation I had with a second employee this week, the Inn does not have any dedicated **Spa staff:** they will attempt to reach local independent masseuses for such services. The employee told me “But you need to make reservations well in advance.” and “We can’t guarantee it, especially in the high season so it’s important to reserve early.” It is a bogus attempt to proclaim the Spa expansion will **“create more jobs”**. The Spa people **are self-employed independent contractors** and are not **“part-time seasonal employees”**. No new jobs for the community, here.

6) **Inn Owners: who are they?** VIC Partners LLC - a **Private Equity Real Estate Investor** company out of **Newport Beach, California**. Their goal to make a **35-room resort with Spa and Pool** makes it obvious that VIC Partners **will flip Hob Knob** as soon as expansion is finished. They are not Edgartown or island residents or individual business owners. They are a large group of **anonymous investors** from all over the country who make their money in the sale of ... improved properties. As proof they are **readying the property for resale are:**

- **increasing Spa rooms** from 4 to 7
- **increasing guest rooms** from 17 (1 room is illegal) to **35 rooms**
- trying once again for a **“weekend restaurant service and liquor license”** (as they tried in 1992, 1996, 2008, 2010 and, most recently, on **June 12, 2020**)
- naming General Manager Diane Carr **“Consultant/Partner” in VIC Partners LLC**, as a means to claim “local ownership stake” (typically 1-5%) for no investment of her own money.
- Increasing **parking** to **21 spaces**
- Adding **swimming pool**

Thank you,

Abutter Jane Chittick