

**Belleruth Naparstek
6 Saco Avenue
Oak Bluffs MA 02557-2388**

Richard Toole, LUPC Chair
Martha's Vineyard Commission
Box 1447
Oak Bluffs, MA 02557

February 17, 2008

Dear Mr. Toole,

As President of the North Bluff Neighborhood Homeowners' Association, I would like to officially register our community's objections to the massive, 3-story, illegally built structure at 10 Sea View, as well as its owners' new plans to redress its offensive nature by repackaging it as an addition to the existing, single-family cottage on the property.

Our neighborhood concerns dovetail with regional issues, but sometimes may exceed them. Just to be thorough, I will list all our objections here, requesting that the LUPC sort them out properly before making its recommendations to the Commission:

- This building or "addition" is an out-of-scale eyesore from every angle. It impacts and degrades views from the ferry (one of the island's main portals), the docks, Sea View Avenue foot traffic and Ocean Park. It is one of the first things Island visitors, guests and residents see as they come off the ferry and they consistently express their shock and dismay at what the island is becoming. In fact, for the past two summers, some tour buses have taken to stopping in front of 10 Sea View to tell the story of the infamous "Garage Mahal".
- While initially (and illegally) constructed as an "accessory" building, the current structure is far larger than the house it was built to "accessorize". The massive building, which has marred the viewscape for nearly four years, replaces a small, in-scale garage that was in keeping with the neighborhood pattern of cottages accompanied by small, detached garages. Subsequent plans repackaging the structure as an "addition" onto the modest existing house either have exceeded or equaled the massing and scale of the house, especially in relation to the limited lot size.
- The basic structural elements of the building are, in a word, ugly. The "new" plans may seek to mask certain architectural elements, but from the perspective of sheer height and mass, it remains aesthetically disturbing and inappropriate.
- The current building and its proposed reinvention is out of keeping with the size, shape and feel of the Craftsman style cottages in the North Bluff neighborhood, destroying its unique architectural character as seen from the ferry. As you may

be aware, four of these North Bluff gems were designed by Sam Kidder, a highly regarded designer of Craftsman-style architecture in the early part of the 1900's. Of these four exemplary samples of his work, two directly abut the Moujabber property. The huge building replaces a small, in-scale garage that was in keeping with the neighborhood pattern of cottages accompanied by small, detached garages.

- **Craftsman cottages do not have towers, decks or sliding glass doors. Indeed, on page 2 of the MVC's "Design Criteria for Evaluating Possible Addition", it specifically states "there should not be any projecting decks or balconies".**
- This building, as it exists today, is illegal and deserves no special presumptive favor from the MVC. In fact, the initial building permit issued to Mr. Moujabber for the structure was revoked years ago and his appeal of this revocation was dismissed with an acknowledgement by Mr. Moujabber that it existed without a valid permit. (Likewise, it is still subject to a demolition order, which, although vacated by Judge Moses in Superior Court, is on appeal by the town in Appeals Court.)
- This massive, 3-story structure was built in dead of winter, in hopes that absent neighbors would not notice it until it was too late. This has been, until recently, the old way of doing things in Oak Bluffs. Positive changes in the politics and the general zeitgeist began calling for adherence to the law and proper stewardship of the town's historic uniqueness and beauty – catalyzed largely by outrage at this very structure. These reforms have come barely in the nick of time. The Cottage City was well on its way to being irrevocably degraded.
- Because of the cynicism engendered by this history, the North Bluff is now in the process of carefully reviewing the newly submitted plans. We are struck by the ambiguous nature of the renderings, which we hope will be evaluated thoroughly by the MVC for both accuracy and impacts. Certainly, the artist's sketch appears to make the addition look far smaller in depth and height than it would actually be. On the site plan, is the square footage of the "rebuilt connector" included in the square footage calculation of the existing house or the proposed addition?
- We have other questions: is the plan, then, to demolish the structure and start over again on a new foundation, as one drawing implies? Or will this be a recycled version of the same building we already have? Why is there no architect's stamp on these drawings?
- If this re-conjured building gets a go-ahead, we believe this will be the tipping point for the destruction of our unique North Bluff residential neighborhood. By crossing over Pasque Avenue with something of this mass, not to mention its true purpose, (addressed in the following point), we fear the rest of the North Bluff will fall like a house of cards to an encroaching commercial zone. Our residential neighborhood will become unlivable.

- We have it on good authority from various island workmen that the current building has plumbing and wiring for 3 kitchens and several bathrooms. This

speaks to use, a zoning issue, but also a regional impact issue. We believe this building has always been designed as a commercial property – currently a stack of three apartments to be used as a rental revenue stream for the owner, out of compliance with its R-1 zoning status. The original, free-standing, illegal structure nakedly and arrogantly reveals this purpose – indeed it looks exactly like a cheap motel; the newest plans disguise this. We would welcome your investigation of the plumbing and wiring infrastructure of this “addition”, to properly assess these usage concerns, because, although the new floor plans depict a single residence, the scale of each of the rooms is suspect, as are the five bathrooms.

(Sadly, these concerns are not unwarranted. Our town is all too familiar with the modus operandi: apply for a little more storage space, get approval, and then switch the plan into something far different and far bigger. You will recall that the massive addition to Nancy’s Snack Bar, built by these same owners, also began as a plea for a bit more storage space, and then morphed into two more stories and a full service restaurant. Islanders are still upset over how this could have happened to their beautiful harbor.)

- From a sheer noise standpoint, the apparent mass of the building with its multiple decks and sliding doors will create an intolerable racket for the neighborhood. Because of the acoustics involved with being so close to the ocean, noise already carries vibrantly from the front porch of the current house, all the way down Saco, Pasque and Sea View itself. Even modest gatherings of young people on the porch at night create enough noise to generate occasional calls to the police.
- Notwithstanding the lower court’s decision, which is now on appeal before the Appeals Court, I can attest that area resident views of the ocean have been blocked by this structure, and any interested member of the Commission is welcome to visit my home and see for themselves. Other North Bluff residents have the added insult of water runoff flooding their property from the illegal structure, or, as it is now packaged, the proposed “addition”.
- Island-wide morale has been affected by the continued existence of this affront. We have been buttonholed by people from every town on the island, asking what is wrong with our governance, that this thing is still standing.
- An MVC refusal to bless the continuation of this illegal project sends a strong and much needed signal to a very concerned town and an outraged Island, that our portal town of Oak Bluffs – the hub of so much island-wide activity - is not giving in to thoughtless development; that protections are in place; laws are being

enforced; that the aesthetic and historic value of a unique heritage is deemed precious; and that civility and community life are worthy of nurture and respect.

We have spent four years, countless work hours and tens of thousands of dollars trying to remediate this wrong, and protect our neighborhood, our town and our island. This has not been enough, in spite of our combined best efforts. Thankfully, the MVC has the power, the professionalism, the know-how, the integrity and the institutional responsibility to require thoughtful development and to reject veiled efforts to recast this monstrous structure as a simple “addition”.

Please help us.

Sincerely yours,

Belleruth Naparstek,
President, North Bluff Neighborhood Homeowners Association

Copies to: Oak Bluffs Board of Selectmen, Cottage City Historic District, NBNHA Membership