

To: The Martha's Vineyard Commission  
From: James and Carol Wolff  
119 Upper Main Street, Edgartown  
Date: January 2, 2021  
Re: Harbor View Hotel DR 614-M7

We have been homeowners in Edgartown for 25 years and are writing to you today to urge that the Commission deny the Harbor View Hotel's request to modify and expand the previously approved plans to build a spa on its property. For us, the gating issue here is that the hotel is located in a residential Zone (R-5) neighborhood. It seems to us that the grandfathered-in hotel is trying to make a number of incremental changes to its permitted activities which, if such numerous small changes are allowed to accumulate, would have the effect of negatively impacting the neighborhood's quiet character, turning that neighborhood into something resembling a commercially-zoned area. This is the same issue we have objected to in connection with the Hob Knob Inn's proposed expansion. Some limited business activity can be conducted in a residential neighborhood, depending, of course, on the type and the scale of such activity. Grandfathered use, small professional offices and B&B establishments would seem appropriate, in that they would not be likely to interfere with the neighbors' quiet enjoyment of their own properties. The problems arise when the "limited" businesses attempt to grow beyond what can be reasonably tolerated in a residential-zoned area.

When a prospective home buyer is looking at potential neighborhoods, one of the critical factors is the zoning regulation applicable to that neighborhood. If someone buys a house in a commercial neighborhood, that person should reasonably expect there will be some level of noise and disruption resulting from that commercial activity. The market prices for a house in a commercially-zoned neighborhood will reflect that anticipated disruption, and will be correspondingly lower than a similar house located in a quieter, residential-use area. Conversely, the home buyer will pay a higher price to live in a charming, historic neighborhood.

If a limited business use is permitted by zoning regulation in a residential neighborhood - for example, the Harbor View Hotel or the Hob Knob Inn - but that business attempts to maximize its commercial value through multiple expansion requests and is approved, each neighboring property will be deprived of, in legal terms, the "benefit of the bargain". In other words, the business would unjustifiably enrich itself at the expense of their neighbors, both tangibly in terms of decreased property values, and intangibly in terms of decreased quality of living. This is fundamentally unfair. A person who buys a home in a residential-zoned neighborhood has the rightful expectation that any permitted commercial activity will be small scale and not adversely impact or impinge on the character of the neighborhood

To be clear, we are in no way objecting to business growth on the Island or in Edgartown, in particular; just the opposite. We only ask that businesses play by the rules and contain all significant enterprises to neighborhoods that have been zoned for such purposes. Otherwise, individual homeowners, and residential neighborhoods as a whole, will be seriously undermined. Please protect our peaceful neighborhoods from ever-increasing commercial creep ("death by a thousand cuts"). Thank you.