

Rebuttals to Ahearn/Murphy comments Hob Knob DRI 11/05/20 Hearing

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To:Alex Elvin <elvin@mvgcommission.org>;

Dear Commissioners:

The purpose of this email is to correct/rebut statements made by Architect Ahearn and Attorney Murphy at the 11/05/20 Hob Knob DRI Hearing.

1) I went to ZBA this afternoon and looked through the Governor Bradford Inn/Hob Knob Inn attempts to get restaurant and liquor licenses . Either they were denied or the Inn/s withdrew in each instance, because they realized it wouldn't pass or they were actually turned down. I confirmed the following dates: 1992, 1996, 2008, 2010 and, most recently, on June 12, 2020 (HDC). I maintained that based on this history and the most recent just six months ago, that the Inn would persist in its effort to obtain these licenses. Mr. Murphy had challenged this assertion.

2) Mr. Ahearn attempted to make an impossible comparison between the proposed Hob Knob and the Charlotte Inn (or even the Harbor View). The Charlotte Inn has a resident Innkeeper who is there to greet guests and show them to their room. As I stated at the hearing, the proposed Hob Knob is nothing more than an oversized MOTEL. There is NO Innkeeper there. In fact, guests are welcomed *remotely*: they receive electronic texts with a code to unlock the box where their room key is located, so that they can let themselves into their guest room. No one is there on site to welcome them and show them around and answer questions. Mr. Ahearn made an absurd comparison of the Hob Knob to our *Relais et Chateaux* member, the Charlotte Inn. First, there are only 500 *Relais et Chateaux* luxury properties in the entire world and the Hob Knob has no exquisite and unique characteristics that would even make them remotely a candidate. The Charlotte Inn has resident owners (Gerret and Paula Conover) and also an Inn Keeper. They have a restaurant and operate year-round. An employee of the Hob Knob told me they are only open 6 months of the year.

3) The Commonwealth of Massachusetts has NO laws allowing hotel/Inns to keep out children. Therefore, children WILL BE allowed to stay there - at any age, contrary to what Architect Ahearn insisted.

4) There is NO employee at the pool when it is open to guests, thereby allowing guests to make undue noise and to have alcoholic drinks at the pool despite their being asked not to drink or to make noise. In other words, the Inn will not have anyone in authority there, on-the-spot, to monitor the behavior of guests. It will be up to the neighbors to call Police, etc. Up to 80 people could congregate there when the Inn is full.

5) Parking spaces 1-6: If a guest's car is in space 1-2-3, and the guest wants to leave early in the morning or very late at night, and there is no Valet on duty, that could move cars 4, 5, 6. Therefore, the guest would be prohibited free access into or out of the lot at any time of the night or day. No Valet is readily available 24/7. Who's going to move the car blocking the guest's?

6) What is the season for the Inn: 6-months; 9-months; 12 -months? I was told by an employee it is 6 months.

7) My calculations are correct: the Inn can accommodate 80 guests: the 3 "Sitting rooms" and 1 "Den" each have sofa beds. The Inn cannot prohibit guest from using these additional

'beds'.

8) Will the 8 employees live in the basement and not be allowed upstairs when the Inn is closed? Who will be supervising these 8 employees and assuring neighbors that the two buildings will not be "party central" in the off-season? It will become **an unsupervised Dormitory** in the off-season. This again means the neighbors - not the Inn - will be forced to monitor noise, behavior, drunkenness and be the ones who have to call the Police.

9) Although Mr. Ahearn pointed out that some swimming pools already exist in the neighborhood, these are *not* **LARGE COMMERCIAL POOLS**. The Inn's commercial pool will be **open to all 80 guests** when the Inn is full. The other pools Mr. Ahearn mentioned are **small residential pools belonging to ONE FAMILY**. One cannot seriously compare the noise from a Large COMMERCIAL pool to that in a small private residence's backyard. The Inn's pool will be similar to the pool size at the Harbor View Hotel and have as many as 80 people there at any one time.

10) Have garbage trucks actually been used in an experiment - coming off Tilton Way into the 124 Main Driveway and getting garbage, and then **backing out to** Tilton Way? There is no room to turn or navigate with the 9 parking spaces there now. What will this do to traffic? What is the trucks' turn ratio?

I) Finally - and most disturbing - is the following. In my July 23, 2020 letter to MVC, I wrote: "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 of this for years.". Mr. Murphy confirmed 11/05/20 that I was correct in stating this violation. because Mr. Tomassian is Chairman of the ZBA, he had the duty to bring this violation before his Board whenever it was discovered this fact. The very latest date Mr. Tomassian and Mr. Murphy both would have learned of this violation would have been when my initial letter was posted July 23, 2020. Why didn't both men, attorneys, immediately bring this violation before the ZBA at that time. Instead, both attorneys (and, particularly Mr. Tomassian (who was not only the ZBA Chair, but the person who stood to gain the most from a positive MVC review) kept quiet. Both men failed to act on critically important information that had been previously communicated to them at a public hearing. It is also an ethics violation for the two attorneys.

Beyond these conflicts of interest and ethical violations, it is also a dereliction of duty for Mr Tomassian as the Chair of the ZBA. Last, Section 23(b)(3) of the Massachusetts laws "requires a municipal employee to consider whether his/her relationships and affiliations could prevent him/her from acting fairly and objectively when she performs him/her duties for a city or town. If she/he cannot be fair and objective because of a relationship or affiliation, she/he should not perform her duties".

Sincerely

Jane Chittick