

1/08/21 Harbor View article

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To: nasimow@mvgazette.com <nasimow@mvgazette.com>;

Cc: Lucy Morrison <morrison@mvcommission.org>; Alex Elvin <elvin@mvcommission.org>;

Hello Noah:

Thank you for bringing attention to the disturbing series of zoning expansion attempts by commercial owners, currently focused on the Hob Knob Inn and Harbor View Hotel, located in legally established residential zones. Both non-conforming-use properties are pushing to gain even more new Special Permits than have already been granted in the past.

I'd also like to correct a statement by Mr Little: "Mr. Little said the building is a home that belongs to Mr. Chiu, and that any one staying on the grounds or using his private jet skis was there at his invitation."

The 119 North Water Street property ownership is listed under Water Street Harbor House LL c/o Upland Property Management - it is not owned by Mr. Chiu as an individual. It is owned by a business investment corporation; he is only an officer and not its legal owner. This is similar to the Hob Knob Inn: it is owned by a large group of individual investors (VIC Partners, investors from all over the country and abroad), not one individual private owner. It is a business venture and not an Innkeeper's residence.

119 Water Street is leased as rooms by the Harbor View - the house is managed by "Upland Property Management, just as is the hotel. Guests book the rooms through the hotel. Perfect strangers lease the 119 property and these are not "personal friends", nor is this Mr. Chiu's private home. I don't know if the Harbor View has a room occupancy limit or limit on the number of legal rooms that could be leased, and I wonder if the rooms at 119 North Water are legally allowed to be leased by the Harbor View Hotel? I'm sure you could find out.

Zoning was enacted in 1974 and the Harbor View was allowed to stay in this R-5 zone by virtue of a Special Permit (grandfathering the hotel). As for the Hob Knob, it is also in a 1974 R-5 zone. Here, however, it wasn't grandfathered, as it was a residence in 1974. However, in 1981, a new owner (Ted Swanson) received a Special Permit to operate the Hob Knob as a small boarding house/inn. In other words, the hotel was grandfathered, but the Inn was created by Special Permit. However, both are non-conforming uses in a R-5 residential neighborhood.

Both R-5 lodging properties have, over the years, pushed for and received Special Permits that dramatically expanded the use and footprint from the 1974 zoning. Like anything, when you are given an inch, you then try for a mile. And now, both the purely residential R-5 neighborhood Inn/hotel want to push even more and expand to become marketable "destination resorts" and choice properties for new real estate investment conglomerations to invest in and buy.

1974 Zoning established exactly how the town legally defined its residential neighborhoods and its business zones, where commercial activity could take place and expand. The By-laws were voted 47 years ago and citizens were grateful then that there were building- and use-constraints placed in the town so that people knew exactly where they should or should

not live, work and invest. No one who invested in any of the Business districts expected their commercial area to later be changed to residential use, and no one in the residential district expected their family neighborhoods to become business districts.

It's why we have zoning. Everyone knows beforehand what's allowed and what's not... before they decide to own and invest property there. If you choose to live in a Business zone, you can't expect quiet at 10:00 pm. If you choose to live in a Residential zone, you don't expect to be surrounded by business activities and consumers and late hour noise. It's simple: follow the rules and be a good citizen of Edgartown and its laws and By-laws.

Jane Chittick

P.S. Lucy and Alex: please enter this it to the MVC January 21st hearings on the Harbor View Hotel and the Hob Knob Inn.

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