

Joseph E. Smith, Jr.

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The Martha's Vineyard Commission (MVC)

RE: Harbor View Hotel: Abutter to Harbor View Hotel 's Fuller St Parking Lot

Dear Members of the Commission,

My family purchased 26 Morse St, Edgartown, MA, in 1972 then moved to 1 Ox Pond Meadow in 1977. We are one of three FULL time Residents North of Cottage street. We have lived here for 45 years. My children represent the third generation living in this house.

The Smith family has co-existed and communicated on issues concerning the parking lot, that were adequately corrected with the Hotel. The first issue the Smith family encountered with the Hotel, was the ZBA:'s 1990 and 1992 which clearly mapped the limits of the service area to a wooden deck closely surrounding the pool , (in 1992 ZBA agreement other issues serving food and alcohol, hours of operation, large gatherings, lighting restricting to 3 nightly functions per week).

In 2008, SCOUT properties purchased the Harbor View Hotel and submitted to MVC an ambitious New Master Plan . By luck , the Harbor View Hotel had to make a modification to the Master Plan in front of the ZBA. In those hearings, my wife and Granville White presented (with photos) a total disregard for the requirements that MVC placed on the parking at 1 Ox Pond Meadow. This hearing caused for the shutdown of the project, and a satisfactory agreement and an enforceable easement for the parking lot at 1 Ox Pond Meadow. The documented Agreement of 1990 & 1992 , which I assumed was a REQUIREMENT for the permits. The movement of the pool bar area, should have gone to the MVC , due to the fact it is major change to the 2008 Master plan. We can go on and on, about our historical residential neighborhood and our constant friction with all the owners of Harbor View Hotel constantly pushing the envelope of NOT following permitting procedures.

Around 2017 the Harbor View Hotel sold the parking lot and tennis courts to **Charles C. Hajjarr, individually, and Sunset Group , MV, LLC, who did not honor the easement between the Harbor View Hotel present Ox Pond Meadow Owners.** The outcome of this **was litigation in favor** of Ox Pond Meadow owners and a new RECORDED EASEMENT Bk. 1438 Pg. 911. The Harbor View failed to defend this easement that they were a party to.

In 2016-18 the proposed Spa location was moved twice. I am not sure if these Spa modifications were reviewed by MVC and required a public Hearing?

Thank for your consideration to protect my neighborhood, for enforcing these agreements to maintain our residential neighborhood. If you any questions, please do not hesitate to contact me.

Sincerely,

Joseph E. Smith, Jr.