


**From:** Ross Seavey ross@mvlaw.com   
**Subject:** Re: Ocean View  
**Date:** January 4, 2024 at 10:08 AM  
**To:** Rich Saltzberg saltzberg@mvcommission.org  
**Cc:** Lucy Morrison morrison@mvcommission.org

RS

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Rich,

See attached narrative that addresses many topics including your questions regarding architectural design and congruency.

As far as the restaurant itself is concerned, if you could please explain how it may depart, if at all, from the prior restaurant, it would be most helpful. Will there be any change in seating? Will there be any change in staffing? Are there any additional features such as a takeout window or outdoor dining?

See narrative for additional information on the restaurant, but it will be essentially the same with some minor changes:

- Reduced seat count from 180 to 142.
- There was no takeout window, and no takeout window is proposed.
- Reduced staff on a regular busy night from 14 to 12 due to the seat count reduction.

I think that's it! It's important to note that the restaurant use is existing and can be rebuilt as-of-right without MVC or local approval, so I'm hoping we can focus our discussions on the workforce housing component since that is the real change in the property.

Please let me know if when a good time for the staff/applicant meeting so I can coordinate our team.

Thanks,  
Ross

Ross P. Seavey, Esq.  
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From: Ross Seavey, Esq. <ross@mvlaw.com>

**From:** Ross Seavey <ross@mvlaw.com>  
**Date:** Wednesday, January 3, 2024 at 8:48 AM  
**To:** Rich Saltzberg <saltzberg@mvcommission.org>  
**Cc:** Lucy Morrison <morrison@mvcommission.org>  
**Subject:** Re: Ocean View

Hi Rich,

See below in red. Still waiting on answers on two of these points but I am meeting with the team this morning and will send you an update as soon as I have one.

I noticed you called yesterday but didn't leave a voicemail. If you ever need a call back, please leave me a voicemail or even better, shoot me a text. I never want to leave you hanging but if you don't leave a voicemail I'll assume you don't need a call back.

Thanks,  
Ross

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**From:** Rich Saltzberg <saltzberg@mvcommission.org>  
**Date:** Thursday, November 9, 2023 at 3:19 PM  
**To:** Ross Seavey <ross@mvlaw.com>  
**Cc:** Lucy Morrison <morrison@mvcommission.org>  
**Subject:** Ocean View

Good afternoon:

We've received a referral from the Oak Bluffs Building Department for the Ocean View Restaurant and apartment complex. Once we have this set of questions answered, we'll be able to schedule a staff applicant meeting in order to help prepare your application for the land use planning committee (LUPC). Tentatively, we've assigned this DRI number 750. This should be finalized by the staff/applicant meeting.

Concerning wastewater, have you folks received a letter from the Oak Bluffs Wastewater Department indicating specific flow that will be allotted to this project? As we move forward, we'll need to see evidence of this nature—evidence that shows the wastewater

needs for this project can be addressed.

Yes, the Oak Bluffs Wastewater Department approved our flow request in March of 2023. Attached is the only document the Oak Bluffs Wastewater Department would provide us as evidence of their approval.

It appears based on the plans that we have received that a division of the property appears to be in the works. Could you please describe what is being attempted and why?

The East Chop Association and OBMV Realty trust are engaging in a land swap. The East Chop Association is exchanging a piece of their land for a piece of land OBMV Realty Trust owns nearby. The Ocean View parking area has been encroaching onto the East Chop Association land for decades so this land swap will now put this parking area on property owned by OBMV Realty Trust as well as providing extra space for additional parking. We are finalizing this agreement with East Chop Association attorneys and will provide a copy of the agreement to the MVC once it is executed.

Concerning energy use, among other things we'd be interested to know whether or not you intend to mount solar panels on the roof of this building or make the roof solar ready and whether or not infrastructure conduits and mounts will be installed to help furnish vehicle electrical electric charging stations or if electric charging stations will be installed completely.

We intend to mount solar to the roof. Since we are adding parking spots, at least one EV ready parking spot will be added.

Concerning parking, it would be helpful to know precisely how many parking spaces will be designed for this project and if there's going to be any division between the parking spaces allotted for the restaurant patrons and the restaurant staff and for whoever occupies the rooms above the restaurant.

A total of 39 parking spaces is proposed. Some number of these will be reserved for the residential units above, but the Oak Bluffs zoning regulations do not make it clear how many parking spots MUST be reserved for the residential use. Regardless, we are proposing more parking than the site originally had while also reducing the number of seats in the restaurant and feel 39 spots is adequate for the restaurant and apartment uses.

Concerning character and identity and massing which are subjects the Commission considers along with historical neighborhood context, it would be helpful if you would describe the architectural style you're attempting. Please explain whether or not you feel stylistically the architectural choices you've opted for are congruous with the neighborhood. Furthermore, it would be helpful to explain, though it may seem obvious based on the rooms that you've mapped out in the upper floors, why the volume of the building has changed so substantially. It may be helpful to explain some of the site's history in that it does seem as though there had once been a much larger building in the past even though the most recent iteration had been a lower profile restaurant.

Answer coming soon.

As far as the restaurant itself is concerned, if you could please explain how it may depart,

if at all, from the prior restaurant, it would be most helpful. Will there be any change in seating? Will there be any change in staffing? Are there any additional features such as a takeout window or outdoor dining?

Answer coming soon.

Concerning the rooms upstairs, if you could make clear what they'll be used for how they'll be classified, who will occupy them and at what intervals, that will be very helpful.

All 10 apartments will be restricted to year-round employees of the applicant or of another employer operating on Island and may include seasonal employees, but we understand that seasonal employee housing may require additional approval from the MVC.

Lastly, as the property has been subject two structure fires requiring regional responses, if you could offer a description of the planned fire protection systems including sprinklers, kitchen extinguisher systems, smoke alarms, and fire department connections, it would be very helpful.

The building will have a sprinkler system, kitchen extinguishing system, fire alarms, and fire department connections as required by, and in compliance, with the Massachusetts Building Code.

Thank you.

**Rich Saltzberg**

Martha's Vineyard Commission

DRI Coordinator

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