

**McCARRON, MURPHY & VUKOTA, LLP**

ATTORNEYS AT LAW  
282 UPPER MAIN STREET  
POST OFFICE BOX 1270

EDGARTOWN, MASSACHUSETTS 02539

ROBERT M. MCCARRON  
SEAN E. MURPHY  
MARILYN H. VUKOTA  
ALSO ADMITTED IN NEW YORK

TEL: (508) 627-3322

FAX: (508) 627-7848

E-MAIL: SEM@EDGARTOWNLAW.COM

ROBERT D. MORIARTY  
OF COUNSEL

RICHARD J. MCCARRON (1930-2009)

August 4, 2014

**VIA ELECTRONIC MAIL (foley@mvcommission.org)**

Paul H. Foley  
DRI Analyst/Planner  
Martha's Vineyard Commission  
PO Box 1447  
33 New York Avenue  
Oak Bluffs, MA 02557

**RE: *Harbor View Hotel***  
***Edgartown, MA***

Dear Paul:

The Harbor View Hotel in Edgartown, MA is seeking a modification of the 2008 Decision of the Martha's Vineyard Commission (DRI #614) to allow for the installation of electric cooktops and convection/microwave ovens in eighteen (18) existing suite units (5 in the Collins Cottage, 6 in the Huxford Cottage, 3 in the Luce Cottage, 2 in the Osborne Cottage and 2 in the Rowley Cottage).

Attached are photographs of the areas as they presently exist and examples of the proposed cooktops and convection/microwave ovens. There will not be any change to the layout of the suites or any construction other than the installation of the appliances and possible venting of the appliances.

The request for this modification is due to the fact that the Harbor View Hotel suite sales have been slower than expected as many of the prospective purchasers plan to use the suites for 2-3 weeks at a time and the lack of a cooktop and oven to prepare meals has been cited as one of the main reasons that people have not purchased the suites. The sale of the suites is crucial to the renovation of the hotel as it is the suite sales that will provide the funding to renovate the remainder of the hotel property per the 2008 plans.


McCarron, Murphy & Vukota, LLP  
August 4, 2014

I have also attached a summary of the applicant's compliance with the 2008 Decision as modified by the August 14, 2009 Modification and the April 27, 2012 Modification.

Please let me know when you will be able to schedule the foregoing for a Land Use Planning Committee meeting.

Thank you for your assistance with this matter.

Very truly yours,

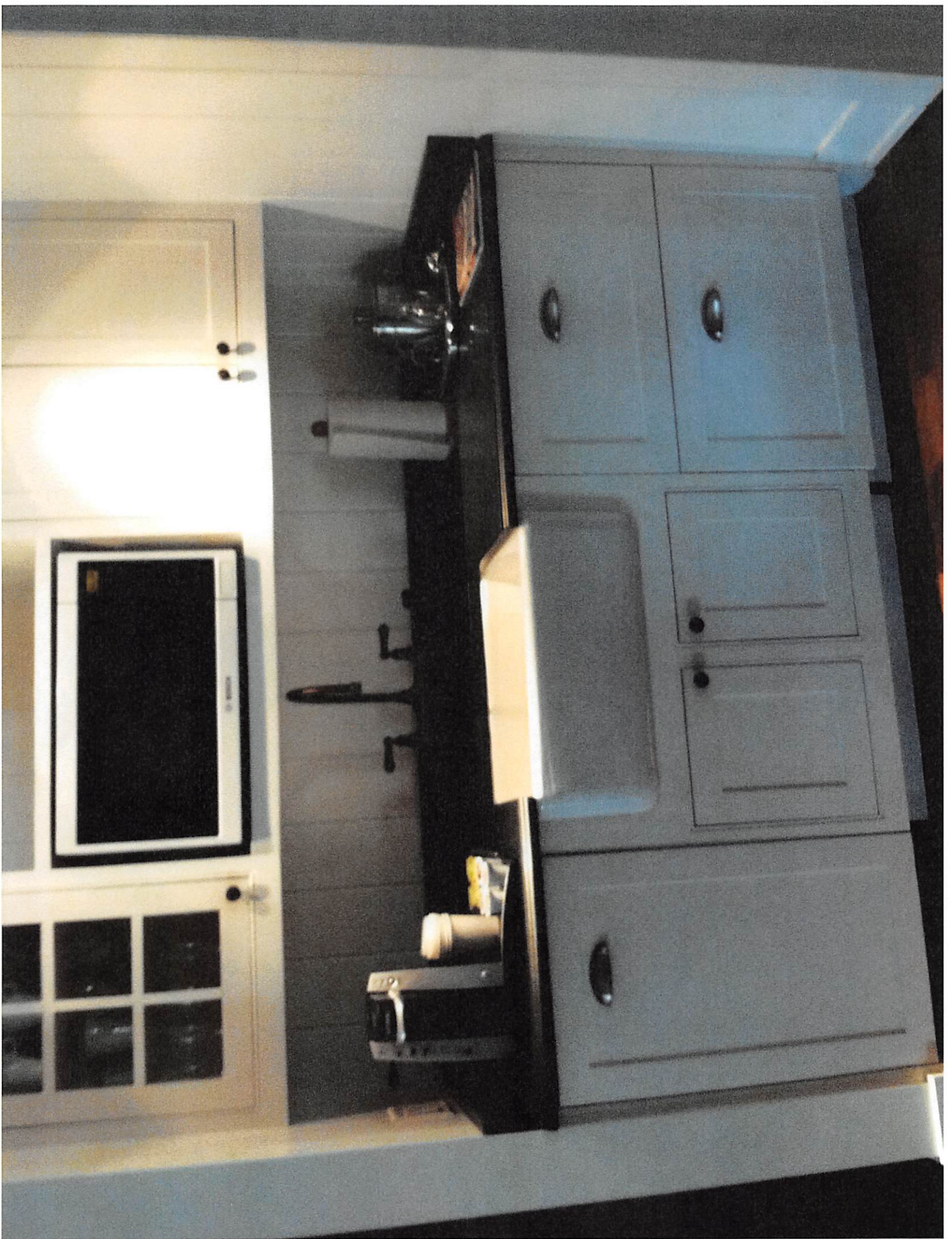


Sean E. Murphy

cc: client





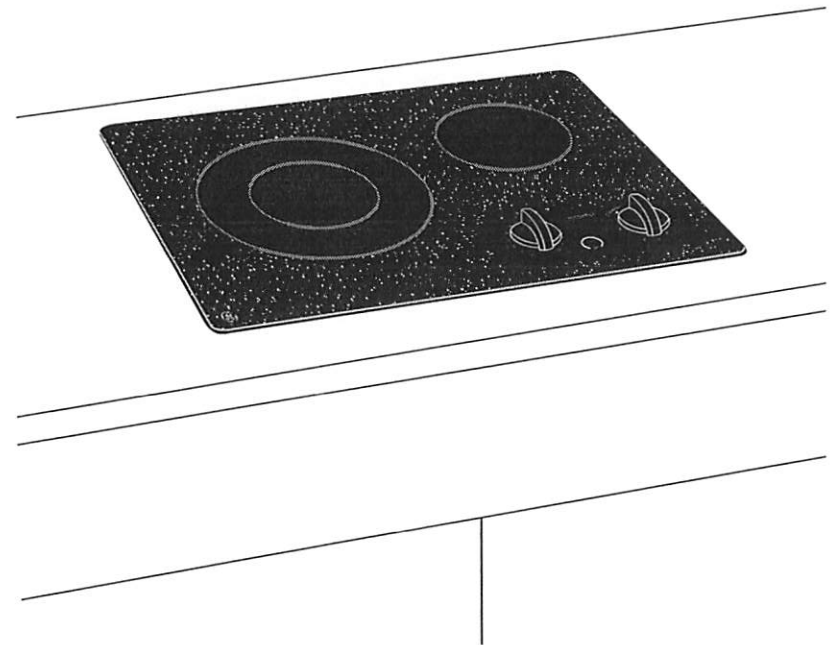


# JP256BM/WM

## GE® 21" Electric Radiant Cooktop

### Features and Benefits

- Compact Cooktop - Smaller cooktop is ideal for 21" cooktop installations
- Ceramic Glass Cooktop - A smooth cooktop surface makes cleaning quick and easy
- Ribbon Heating Elements - Provide powerful heat beneath a smooth glass surface to ensure even heat and fast warm-up times
- 6"/9" Dual Heating Element
- Simmer Option - Delivers the ideal 140 degree temperature for the gentle simmering of foods like soups or sauces
- Frameless Design - A smooth and seamless cooktop surface makes cleaning quick and easy
- Upfront Controls - Controls are placed within easy reach at the front center of the cooktop
- Hot Surface Indicator Lights - Illuminate when the cooking surface is active and hot, adding convenience and safe caution
- Heating Element "On" Light - Illuminates when the cooking surface is activated
- Model JP256BMBB - Black
- Model JP256WMWW - White



imagination at work

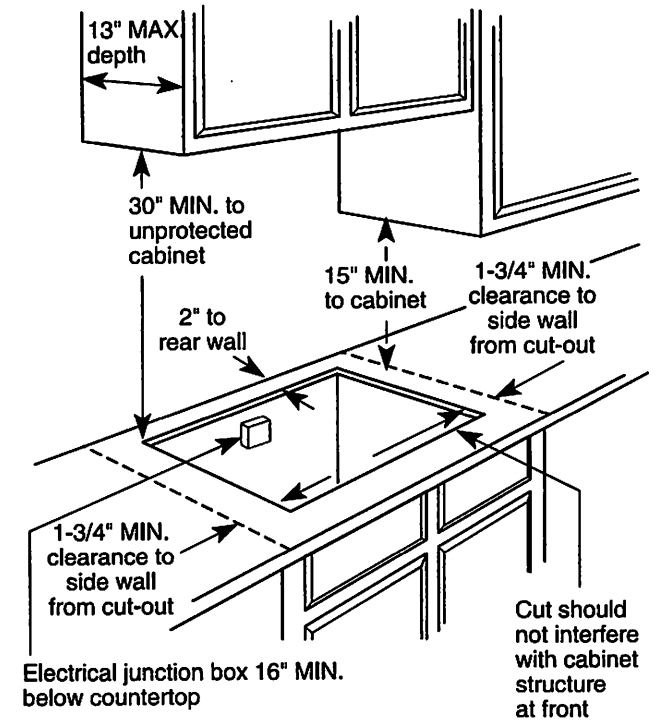
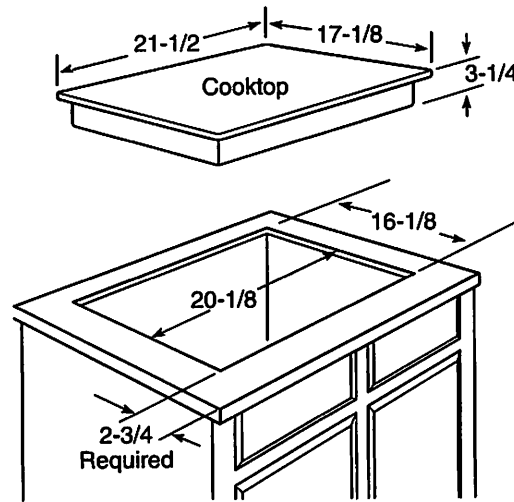
# JP256BM/WM GE® 21" Electric Radiant Cooktop

## Dimensions and Specifications (in inches)

KW Rating	
240V	7
208V	3.7

**Note:** Built-In Electric Cooktops require 1-1/2" free area between the bottom of the cooktop and any combustible material, i.e., shelving. Requires an 18" minimum from cooktop to adjacent overhead cabinets. Units are furnished with a 48" flexible armored cable.

**Installation Information:** Before installing, consult installation instructions [Pub. No. 31-0978] packed with product for current dimensional data.



For answers to your Monogram,® GE Profile™ or GE® appliance questions, visit our website at [ge.com](http://ge.com) or call GE Answer Center® service, 800.626.2000.





# CVM1790SS

## GE Cafe™ Series 1.7 Cu. Ft. Convection Over-the-Range Microwave Oven

### Dimensions and Installation Information (in inches)

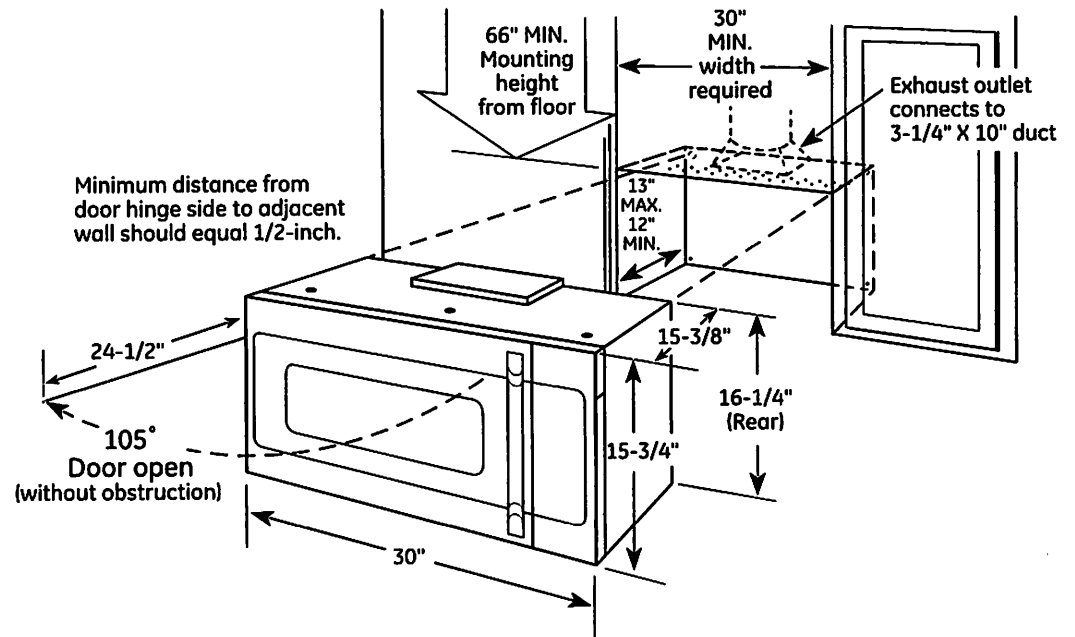
**Note:** Requires 120V grounded outlet. Electrical receptacle must be located in cabinet above Spacemaker microwave oven. No additional wiring, venting or cabinet rebuilding necessary in many cases. Complete detailed, easy-to-follow installation instructions and convenient full-size templates are packed with the Spacemaker microwave oven.

**Important Information:** When installing the Spacemaker microwave oven over a range, allow minimum of 2" from bottom of Spacemaker microwave oven to top of range backguard to allow for removal of light covers.

**Ventilation Options:** The Spacemaker microwave ovens and Spacemaker convection/microwave ovens are designed for adaptation to the following three types of ventilation:

- Outside exhaust (Vertical - as shown)
- Outside exhaust (horizontal)
- Recirculating (non-vented ductless - see Filter Kit drawing, order JX81D)

**Installation Information:** This information is not intended to be used for installing unit described. Before installing, consult installation instructions packed with product/kit for current dimensional data.



For answers to your Monogram,® GE Profile™ or GE® appliance questions, visit our website at [geappliances.com](http://geappliances.com) or call GE Answer Center® service, 800.626.2000.



# CVM1790SS

## GE Cafe™ Series 1.7 Cu. Ft. Convection Over-the-Range Microwave Oven

### Optional Accessories (Available at additional cost)

**Hood Exhaust Duct:** Outside ventilation requires a HOOD EXHAUST DUCT. Read the following carefully.

**Exhaust Connection:** The hood exhaust has been designed to mate with a standard 3-1/4" x 10" rectangular duct. If a round duct is required, a rectangular-to-round transition adaptor must be used. Do not use less than a 6" diameter duct.

**Rear Exhaust:** If a rear or horizontal exhaust is to be used, care should be taken to align exhaust with space between studs, or wall should be prepared at the time it is constructed by leaving enough space between the wall studs to accommodate exhaust.

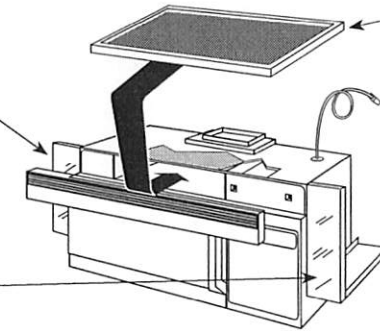
**Maximum Duct Length:** For satisfactory air movement, the total duct length of 3-1/4" x 10" rectangular or 6" diameter round duct should not exceed 140 equivalent feet.

**ELBOWS, TRANSITIONS, WALL AND ROOF CAPS:** etc., present additional resistance to airflow and are equivalent to a section of straight duct which is longer than their actual physical size. When calculating the total duct length, add the equivalent length of all transitions and adaptors plus the lengths of all straight duct sections. The chart below shows the approximate feet of equivalent length of some typical ducts.

Duct	Equivalent Feet
A. Rectangular-To-round Transition Adaptor	5 ft.
B. Wall Cap	40 ft.
C. 90° Elbow	10 ft.
D. 45° Elbow	5 ft.
E. 90° Elbow	25 ft.
F. 45° Elbow	5 ft.
G. Roof Cap	24 ft.

**Filler Panel Kits**  
JX48BL-Black  
JX48WH-White

When replacing a 36" or 42" range hood, this kit fills in the additional width to provide a custom built-in appearance. For installation between cabinets only; not for end-of-cabinet installation. Each kit contains two 3"-wide filler panels.



**Filter Kits**  
JX81D-Recirculating  
Charcoal Filter Kit

To be used when the Spacemaker microwave oven cannot be vented to the outside.



imagination at work



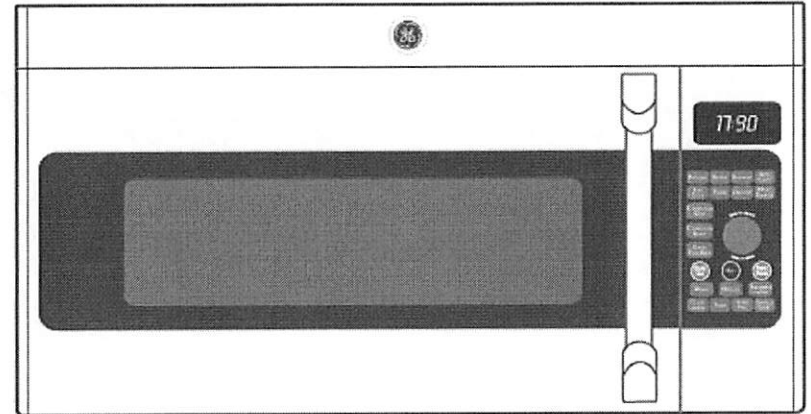


# CVM1790SS

## GE Cafe™ Series 1.7 Cu. Ft. Convection Over-the-Range Microwave Oven

### Features and Benefits

- 1.7 cu. ft. capacity, 1000 microwave watts (IEC test procedure) and 1550 convection watts
- Convection cooking - Choose this setting when baking or browning is desired
- Fast Bake - Enjoy oven-quality results up to 25% faster than conventional cooking
- Sensor cooking controls - Automatically adjusts time and power for delicious cooking results
- Warming oven - Warming oven mode keeps foods warm until served
- Auto Recipe™ Conversion - Just set the controls according to the recipe and the oven automatically converts standard recipe temperatures to proper convection settings
- Stainless steel interior - Stainless steel interior is both stylish and easy to clean
- Easy-set control dial - Enjoy how simple the control dial makes setting the oven or selecting recipes
- Three-speed, 300-CFM Vortex venting system - One touch quickly removes smoke, steam and odors from the cooktop area
- Bilingual Scrolling Display - Provides helpful cooking tips and oven use instructions in easy-to-read English or Spanish
- CVM1790SSSS - Stainless steel



Compliance of Harbor View Hotel with Decision of the Martha's Vineyard Commission on DRI #614 as amended by the August 14, 2009 Modification and the April 27, 2012 Modification:

**2008 Decision:**

**Condition 1:**

The Morse, Bradley and Snow Cottages have not yet been removed (see above) so this Condition is not yet applicable.

**Condition 2:**

- 2.1: The Certificate of Occupancy for the finished project has not yet been issued so this Condition is not yet applicable.
- 2.2 The applicant is in compliance with this condition.
- 2.3 The applicant is in compliance with this condition.

**Condition 3:**

The project is not yet completed so the new units have not been constructed. There are presently 3 accessible units and 3 accessible spaces, plus one on North Water Street.

**Condition 4:**

- 4.1 a, b, c, d: The property has not yet been renovated with the increased capacity so these requirements are not in place, however, the applicant does provide van transportation, use the Park and Ride lot and provide bicycles to its guests.
- 4.2 The applicant is in compliance with this condition.

**Condition 5:**

The applicant is in compliance with this condition.

**Condition 6:**

The cottages have not been constructed so the landscaping has not been initiated.

**Condition 7:**

While the cottages have not been constructed, any new lighting that has been installed is down lighting. As the cottages are constructed the applicant will continue to comply with this condition.

**Condition 8:**

The water runoff has been directed to drywells where applicable. As the cottages are constructed the applicant will continue to comply with this condition. The parking lots have not been constructed. The Fuller Street water runoff issue was resolved.

**Condition 9:**

The applicant is in compliance with this condition for all new cottages and any toilets that have been replaced.

Condition 10:

- 10.1 The outdoor pool has not yet been reconstructed as it is part of the Mayhew Cottage reconstruction, but is presently heated by propane, rather than oil. Upon reconstruction of the pool, it shall be solar heated.
- 10.2 The project has not been completed so all of the conditions have not been met, however, the applicant is in compliance with 10.2e and 10.2h.
- 10.3 The LEED certification cannot be issued until the construction is completed.
- 10.4 The cottages have not been constructed so the lighting plan and energy analysis have not been submitted to the MVC staff.
- 10.5 The purchase of the hydroelectric and wind energy is no longer economically feasible so the applicant has ceased purchasing the energy. Should the energy become economically feasible, the applicant will reinstate the program.

Condition 11:

As the project is not yet complete the applicant is not in complete compliance with this condition, however the applicant does make significant community contributions and continues to offer discounted function space to island non-profit groups.

Condition 12:

See response to April 27, 2012 modification below.

Condition 13:

The applicant is in compliance with this condition.

Condition 14:

As the cottages have not been constructed this Condition is not yet applicable.

**August 14, 2009 Modification:**

The work on the Snow Cottage has not yet commenced as it was part of Phase 2 of the Project (see above).

**April 27, 2012 Modification:**

The offices have been constructed in the basement of the Huxford Cottage.

Phase 1 was completed, excepting that a building permit for Morse Cottage was not applied for.

Phases 2 -4 have not yet begun, however, under the Massachusetts Permit Extension Act (Section 173 of Chapter 240 of the Acts of 2010 as extended by Sections 74 and 75 of Chapter 238 of the Acts of 2012) provides that any permit or approval that was "in effect or existence" between August 15, 2008 and August 15, 2012 shall be automatically extended for a period of four (4) years. Therefore, Phase 2 would be extended to the dates of September, 2017 - May, 2018; Phase 3 would be extended to the dates of September, 2018 - May, 2019; and Phase 4 would be extended to September, 2019 - May, 2020.