

Zoning Board of Appeals

From: Jesse Liotta <jesse.liotta@gmail.com>
Sent: Wednesday, September 7, 2022 8:26 PM
To: zba@westtisbury-ma.gov
Cc: innkeepers.lambertscoveinn@gmail.com; Jonah
Subject: Neighbors of the Lamberts Cove Inn/9/8 Hearing

Town of West Tisbury/Zoning Board of Appeals,

We are neighbors of the Lambert's Cove Inn. In response to the letter notifying us of the public hearing on September 8th, we wanted to write to the board to let them know we have only had positive exchanges with the Lambert's Cove Inn and its management. We find them to be great neighbors and find that they obey the sound ordinances in place currently. We are happy to see the Inn thriving once again after changing hands and hope they are able to continue. We don't object to the Inn hosting outdoor dining between 5pm and 9pm.

Best,
Neighbors at 31 Millstone Lane, Jesse Liotta and Jonah Kaplan-Woolner

Zoning Board of Appeals

From: Contact form at westtisburyma <cmsmailer@civicplus.com>
Sent: Tuesday, September 6, 2022 12:02 PM
To: KLeaird
Subject: [westtisburyma] Lambert's Cove Inn, Outdoor Dining License (Sent by Katherine Gagnon, khgagnon@gmail.com)

Hello KLeaird,

Katherine Gagnon (khgagnon@gmail.com) has sent you a message via your contact form (<https://www.westtisbury-ma.gov/user/1986/contact>) at westtisburyma.

If you don't want to receive such e-mails, you can change your settings at <https://www.westtisbury-ma.gov/user/1986/edit>.

Message:

Letter of Recommendation for Outdoor Dining License at the Lambert's Cove Inn:

TO WHOM IT MAY CONCERN:

As someone who is now friends and has a working professional relationship with the Lambert's Cove Inn, I fully support Bridget & Galen Sampson as Innkeepers and resort Managers to have outdoor dining options for their restaurant guests. This is an option I witnessed many dinner goers choose this summer. The place is in an enclosed garden area (same spot the hotel hosts outdoor weddings) and even when multiple parties were seated and outside I did not hear them from either the other side of the venue or the parking lot, which is adjacent to the garden. While showcasing my own art at the Inn, I brought friends and family over this summer to tour the show. Sound volume was never an issue. I witnessed the Sampsons and their staff treat guests with a high level of hospitality service and professionalism. Both new and veteran servers worked well as a team. This sense of professional integrity was carried over to the attitude in which guests were treated, creating a relaxed atmosphere. A wide range of travelers and guests included many international families and tourists new to the island. This is a team to keep around and encourage. An outdoor dining license for the Lambert's Cove Inn (contingent upon Bridget & Galen Sampson being the Innkeepers of the resort) is necessary to help small business in West Tisbury and the health of the island as a whole.

Katherine Gagnon & Brian Leistman
West Tisbury

Zoning Board of Appeals

From: Andrew Kaye <andrewrkaye@gmail.com>
Sent: Wednesday, September 7, 2022 10:59 AM
To: Pam Thors
Subject: ZBA Meeting on 9/8

Dear Chair Schubert and members of the ZBA,

I am an abutter to the Lambert's Cove Inn and have significant concerns about outdoor dining.

I would formally like to request that the meeting on Thursday September 8th be switched to a hybrid format. I know that myself along with other abutters are currently off island and yet another abutter would not be able to attend due to COVID. In addition, the Inn's request has been driven by the concern that people do not want to eat indoors as COVID continues. To have a meeting to discuss why people should not have to congregate indoors to eat but making them congregate indoors to discuss the topic is not logical.

I first contacted the town in early July about the Inn hosting unpermitted outdoor dining. After originally being told by the town that it was allowed, after repeated follow ups, the town confirmed outdoor dining was in fact not a permitted use and that the inn would be notified and this would stop. Outdoor dining continued and I needed to reach out again multiple times before the inn was finally notified in mid August. I have been dealing with this issue for 2 months and am frustrated that the notification took so much effort and time even though it was very straightforward and when the meeting was final set up, it was done so after the end of the summer season and is in person making it difficult for abutters to raise objections in person.

Best,
Andrew and Melissa Kaye
80 Manaquayak Road
781-856-5081 (cell)

Dear Zoning Board Members,

We have been direct abutters to the Lambert's Cove Inn for 42 years. Starting with the manager's apartment special permit in 1989 we have supported all the special permit requests with the exception of the 5 cabins in 2019. However we feel strongly that we can not support permanent outdoor dining, as proposed in this application.

We want to applaud the new management team of Bridget and Galen Sampson hired by the new owners. They are experienced innkeepers and Galen a top notch chef. They have together brought back a quality establishment to our neighborhood and to the island community. They have engaged the direct neighbors in conversations about this application and we sincerely appreciate those efforts.

We are very disappointed in the Selectmen's office for not completing the process that they started when they issued an outside dining permit to the Inn under the Covid-19 state of emergency. We as neighbors supported this temporary permit for the previous owner, at the zoom meeting in 2021, due to the shared crisis that we were all dealing with. As stated in the Selectmen minutes, that we have enclosed, the permit would end 60 days after the end of the state of emergency. That ended on June 15th and the 60 days were up on August 15, 2022. Their lack of action, of notifying the Inn of the end of the temporary permit, speaks to the lack of trust we have going forward that any permanent outdoor dining will be monitored. (The Inn was notified by the zoning inspector that they were not in compliance with zoning bylaws and would need to apply to ZBA.)

The past 2 years of covid outdoor dining has actually worked as a trial period for what might happen when the "bar is set low" by poor management. The previous owners presented a plan with 12 four seat tables for a total of 48 diners. This promoted the appearance of small intimate dining. As one who checked out the seating at times it was quite evident that there were tables put together for large parties. Numerous times these turned into loud affairs which is to be expected! We did not complain officially since we were trying to be tolerant due to the pandemic. In retrospect that was a mistake.

This summer Galen and Bridget have kept the outdoor dining to 20-24 people and not to large parties. But that is not the point. It is the permanence of the special permit process and the lack of oversight that concerns us. These two well meaning and good people could be gone tomorrow, that is the reality of this type of business. The previous owners flagrantly disregarded this board's 2006 decision concerning the pool. Despite specific language that the pool was for Inn guests only, they had Tuesday barbecue night at the pool for dining patrons with amped up music! We as neighbors should not have the burden of enforcement and the town does not have a good mechanism for monitoring outdoor activities.

Noise travels. This is a tight residential neighborhood. It is important for you as board members to keep in mind that the grandfathering of this pre-existing non-conforming property was an 18 acre, 15 room, 35 seat restaurant when zoning was enacted in 1973. That was the grandfathered use. The Inn is now a 7.6 acre, 15 room 70 seat restaurant. Twice the seating and less than half the acreage. The permit that the Inn seeks to amend already allows for 10 outdoor weddings or events which impact the peace and quiet of this residential area. Permanent outdoor dining would be substantially more detrimental to this neighborhood and we respectfully ask that you deny this application.

Tucker and Martha Hubbell

Approved 4/7/21
TOWN OF WEST TISBURY
SELECTMEN'S MEETING
March 24, 2021 4:30 pm
Virtual meeting

Present: Selectmen Cynthia Mitchel, Kent Healy, Skipper Manter, and Town Administrator Jen Rand

Also present for part or all of the meeting: Andy Kaye, Nick Puner, Maggie Downey, Peter Woodin, James Klingensmith, Sue Hruby, John Rau, John & Keya Cain, Susan Wasserman, Tucker Hubbell, John Scherliss, Matt Gebo, Rich Saltzberg, Louisa Hufstader

Cindy called the meeting to order at 4:30 pm

Minutes: Vote to approve: March 17, 2021:

Skipper made a motion to approve the minutes of 3/17/21. Kent seconded. Roll call vote: all in favor


Cape Light Compact (CLC): Maggie Downey, Director of CLC gave an update of CLC activities. *Presentation attached as part of these minutes.*

Lambert's Cove Inn – Seasonal Beer & Wine Renewal, Entertainment License, Outdoor Dining: *Skipper made a motion to approve the seasonal beer & wine license. Kent seconded. Roll call vote: all in favor*

The Board reviewed the list of requests for the entertainment license. Skipper asked if the list of requested events reflected what was approved by the Zoning Board (ZBA). Jen said the request actually was taken directly from the ZBA decision. In condition 7 of the ZBA decision there is a review required after a year. That review hasn't yet happened. Nick asked about oversight. A suggestion was made that events be reported to the Town Administrator and Zoning Enforcement Officer in advance. Jen said that was a reasonable solution. Skipper suggested adding a 30-day notice period to the license. John Rau asked if the inspectors should be asked to do extra inspections because of the problems with the wedding last year. Skipper said he didn't think it was appropriate to single them out for a different level of inspection. John Cain said there were no violations at the wedding in question. Andy said he lived closest to the garden, while the noise was somewhat burdensome he didn't want them not to be able to continue this year. It was noted that the garden is not a great place for the wedding receptions due to noise. John Cain said the receptions would move this year back to their normal spot on the other side of the property. The neighbors asked who they could contact if noise was an issue

during an event. John said to contact his property manager Sheldon, or he said he would give them his cell phone to call him directly if Sheldon wasn't available. Skipper said he was concerned about noise. He said he was willing to grant the license but if there was a problem again this year he might reconsider.

Skipper made a motion to approve the entertainment license with the requirement that all COVID rules be followed and 30 day notice be given to the Town Administrator and Zoning Enforcement Officer of all events. Kent seconded. Roll call vote: all in favor

 *Skipper made a motion to authorize outdoor dining with the approval of the Health Agent for 60 days beyond the end of the State of Emergency. Kent seconded. Roll call vote: all in favor*

Election Warrants: *Skipper made a motion to approve the election warrants of April 11 and May 20, 2021. Kent seconded. Roll call vote: all in favor*

Reduced Quorum: Jen asked the Board if they wanted to reduce the quorum for town meeting again to 30. They do, so Jen will post a meeting for such a vote.

CPC Appointment: *S. Manter motioned to appoint Mary Sage Napolitin to a three year term to the CPC. K. Healy seconded the motion. The vote on the motion was unanimous in favor. (*note – this was re-voted as it was meant to be a 3-year term and the original vote was for 1 year)*

D. Finn Resignation from Housing Bank Committee: *Skipper made a motion to accept Doug Finn's resignation from the Housing Bank Committee. Kent seconded. Roll call vote: all in favor*

Adjourned 5:52 pm

Respectfully Submitted by Jennifer Rand, Town Administrator