



## Licensing Board

# Minutes

The Provincetown Licensing Board will hold a Public Meeting on **Tuesday, September 25, 2018** at 5:15 pm in the Judge Welsh Room, Town Hall, 260 Commercial Street.

**Members Present:** Shawn Byrne (SB); Zachary Luster (ZL); Robert F. Cameron (RC); Carol D. Santos (CS).

**Absent:** Frank Thompson, Chair.

**Staff Present:** Aaron Hobart (AH), Licensing Agent.

SB called the meeting to order at 5:20pm.

### Meeting Agenda

#### ***Public Hearings***

##### **Special Liquor License**

Petition from **Nadine Licostie**, for a **Special Entertainment License** for an event to be held on September 29, 2018 from 3:00pm to 11:00pm at 105 Bradford St. Ext. No rain dates requested.

Faith Licostie, co-owner of the **Sea Glass Inn and Spa** presented; said they weren't seeking a liquor license, but a DJ license and clarified that the hours of the event will be 5:00pm to 11:00pm, although she thought they would be shutting down around 10:00pm.

##### **Public Comments:**

Edward MacLean, neighbor at 119R and 129 Bradford St. Ext., said Nadine and Faith ran a great property and it was hard to express opposition, but as a Zone 1 Residential Area signifies no entertainment, loud noises and so forth, they were there to express their opposition to the license.

SB asked of the nature of the event to which Faith Licostie said was her brother-in-law's wedding; ceremony on the beach and clam bake back at the hotel.

Jim Epstein, of 5 Telegraph Hill, spoke, said his home looks out over the Licostie property and that while they don't hear commotion when people are out at the pool, agreed with Ed MacLean in that they had relied on moving to a quiet neighborhood and can, at times, hear parties from over at the Monument; added that the Licosties were great neighbors and they don't hear much at all, but felt the need to voice opposition to the event and license request.

SB read into the record one letter in favor, from Allan Eyden of 1 Oppen Lane.

RC read partially into the record the official letter from presenter, Edward G. MacLean.

ZL read into the record a letter in opposition from David M. Sanford, Trustee, Coastal Land Trust, direct abutter to 105 Bradford Street Extension stating that the notification and meeting concerning the license request were taking place only days prior to the event, leaving little or no time for neighbors to appeal a board decision.

AH responded that the notification is the same for all requests and constitutes a published notice in the newspaper – two Banner editions before the event; added that there is precedent in that they the applicant was attending at the last minute, however, based on the date of the event, there was no opportunity to schedule a later meeting; clarified that there is no appeal to the board following a decision other than to the Orleans District Court.

CS read a letter in opposition from Stacey and Marc Garvey of the Lighthouse Trust, 3 Oppen Lane, questioning the short time-line for notification.

AH replied there is nothing in the regulations prohibiting a licensee coming before the board right before its event, which could be something the board might want to address going forward.

SB asked the neighbors present in opposition if they were concerned that this one-time request would lead to other similar proposed events in the future, to which they replied in the affirmative.

Faith Licostie said this is their sixth season and that they have had two events prior, both weddings and that in the second case they were denied but appealed to Orleans Court and the decision was overturned. AH mentioned a fine had been issued.

Faith Licosite said she felt they had been good neighbors and that it would be a small family wedding with everyone remaining on the property; that the hotel has been in existence for 50 years before much of the buildings that came to surround them.

Jim Epstein took the mic to reiterate it is not in the proper zone for entertainment and that if he could be assured it would be the last one, he would feel differently.

#### License Board deliberations:

ZL said that as it is a Saturday and a family wedding and if the applicant was willing to alter the hours to shut down at 10:00pm, he would have no problem with it.

SB asked Faith Licostie if she would consider ZL's proposed amendment for a time change and she said she would.

RC asked Faith Licostie if they planned to have more events in the future. Faith Licostie said that they didn't want to limit themselves, as they are a hotel and good neighbors.

CS also requested the time-frame be adjusted to reflect a 5:00pm to 10:00pm request.

**ZL made a motion to approve the Special Entertainment License from 4:00pm to 10:00pm on Saturday, September 29, 2018. CS seconded the motion and it passed, 4-0-0; ZL, CS, SB, RC.**

***Public Statements***

***Other Business***

AH said no more business could be conducted at this meeting as official notification had not gone out to the public.

**ZL made a motion to adjourn the meeting at 5:37pm. RC seconded the motion and it passed, 4-0-0; ZL, RC, SB, CS.**

Respectfully Submitted,

Jody O'Neil