

Select Board, 6/21/21 - Presentation for Shipwrecked Entertainment License Application

My name is Paula Lichter and I live on Deacons Avenue. I'm a long term director of the Falmouth Heights-Maravista Neighborhood Association, but am here tonight speaking for myself.

I'm in agreement with the board's position stated by Dave Buzanoski. I especially support outdoor dining which I think is one of the good things that came out of COVID. I hope the temporary licenses you've issued eventually become permanent, including Shipwrecked, especially since they already own the outdoor area without infringing upon public space.

However, I have some comments about policy and precedent.

For some years, we have been asking for a policy regarding outside entertainment. We have such a policy for indoor entertainment which clearly sets volume limits. I understand this isn't going to happen any time soon, in which case creating precedent becomes more important than creating policy.

The conversation began a few years ago when the neighbors contested Bad Martha's outdoor entertainment application. This resulted in a license stating "Music is meant to be background music. It should be audible but easily spoken over with low amplification".

Next came the conversation here in March 2020 regarding the Black Dog's outside entertainment application. Each of you who were present at that meeting voiced concerns about either limiting volume or creating a relationship with the neighbors. Quoting from the minutes, Susan Moran said there should be a "Standard that the volume of music would be no greater than to allow folks in the establishment to speak over it." I had specifically asked that the sound not carry beyond the perimeter of the establishment since it is for the benefit of patrons, not for the general public. That application was continued so that the owners to return with a more acceptable request, but was unfortunately cancelled due to COVID.

Just recently, you approved a license for the Falmouth Yacht Club. There was some discussion about the rights of beach goers and the Tides Motel clients. The resulting license included the wording "Live acoustic music, with volume limited to not go past the parking lot in front of the club".

Shipwrecked is located in an area much like the Yacht Club, but it is busier. It is surrounded by the beach and a hotel, but has more residential properties within 300' than does the Yacht Club.

I had dinner at Shipwrecked last week. The food was excellent and the evening delightful. The background, recorded music was exactly right: loud enough for people in the dining area to hear, but soft enough to allow my friend and I to converse without having to shout at each other in order to be heard. When we walked away, we really couldn't hear the music beyond the contiguous sidewalk or the parking lot in the back. The piped music was already being played in line with the precedent that has been set for Bad Martha's and the Yacht Club and I hope the live music will follow suit.

I hope, and request, that tonight you will add to the Shipwrecked license similar language: limiting the volume to not exceed the perimeter of the property. The music is for the benefit of the patrons, not the neighbors nor those at the beach, park or ballfield.

Thank you.