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MAYOR

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LICENSING BOARD
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GARY M. BARRETT, CHAIRMAN
GARY F. SANTO, JR.
DEBORAH A. GREEL

SGT. MIKE BALL. SPEC. INV.

MELISSA PAGLIARO,
CLERK OF THE BOARD

MEETING MINUTES – DRAFT

A meeting of the Licensing Board was held on May 12, 2022 at 4:30 p.m. In attendance were Chairman Gary Barrett and members Deborah Greel and Gary Santo, Jr., Melissa Mojica, Clerk of the Board and City Solicitor Beth Rennard. Absent was: Special Investigator, Mike Ball.

1. Review and approval for extended outdoor dining at Regatta Bar and Waterfront Hotel on Congress Street and entertainment under tent from 6-10pm Monday through Thursday, Friday and Saturday from noon-11pm and Sundays from 5-10pm.

***Ms. Rennard said that if any one was present for the Regatta outdoor dining request that it has been continued until the May 23rd meeting.

She also said that Mr. Barrett would be joining soon but should start the meeting. (Mr. Barrett joined at 4:40pm.)

Attorney Egan and General Manager Ryan Miller were present. Ms. Rennard said she will summarize an email received from a neighbor, Victoria Ronga, who lives forty feet away. She said last year the music went beyond its allowed time and wants to know how it will be controlled and enforced this year. She suggested that the hours be cut off earlier rather than later and said no entertainment on Monday and Tuesdays. She said every night is too much. Ms. Rennard said she would like to open the meeting up for discussion. Mr. Barrett allowed.

Ian Teller from 74 Wharf St. said he echoes Ms. Ronga's comments. He said that many nights the Beer Garden went way over the allowed time. He said there was one Sunday night the music went until 1am. He said that is totally unacceptable when he has to work at 7am. He said that his apartment is insulated, and the noise level is still unacceptable. He said he appreciated them trying to resolve this, but he is still concerned there will be no difference. He said that is a very small place for live bands. He said that when complaints were called in to the Police they would turn it down a little bit but not enough to make a difference. He said there has to be room for compromise. Kevin Kisiel, 74B Wharf St said he is the most affected in the corner unit. He said he has lived there for 15 years. He said he lived there before there was live outdoor entertainment. He said he was warned about a hotel being built but not a tent being used as a bar and live entertainment venue. He said he doesn't know if the hotel idea is scrapped or not but wonders how the permits and allowed use for a tent happened. He said he has audio from last year and it was horrible. He said he called the Rocketts many times and never heard back. He said that any reasonable person can listen to the audio he has and would hear that it's unacceptable. He said he doesn't know how a small sound barrier stage will work. He said the noise should probably be directed at downtown not the water. He said notices for this meeting were taped to doors and someone removed them all. He raised concerns that the Rocketts are unresponsive to him.

Ms. Greel said this is an issue and the Board is hearing that. She said she think its disingenuous to think the music cannot be enjoyed at a lower level. She said other downtown businesses have live music and it's not blaring and still enjoyable. She said the 2-11 hours are bothersome because that's a long period and she is also uncomfortable with the special events that could happen. She said that could end up being every week. She said looking at the sound wall she is unclear if that

will be enough. She said pointing noise out to Congress St. only allows the neighbors on that side to hear the noise. She said the Licensing Board likes to always help with the success of businesses but also needs to think of residents. She said even if the music stops at 11pm, patrons are still lingering. She said the Board really needs to consider hours. Mr. Kisiel said there are bands blaring Tuesday, Wednesday and Thursday nights with barely any patrons there.

Mr. Santo asked how many pieces are usually playing. Mr. Miller said three to four pieces. He said that the band ends by 10pm and that they kept decibel levels below 71. He said they bought a meter. Atty. Egan said that when Police showed up on complaints most were dismissed because they were below noise levels. He said it was just a few complaints by the same people. He says he would like to state that they have always been compliant. He said he does not want an argument with Mr. Kisiel but that Mr. Rockett has always been a good citizen. Mr. Miller said the sound blocking system is placed under the tent which is much more effective in containing noise. He said they have done everything the City has required. Mr. Santo said he thinks he'd like to see some further audio test done. He said that all of the efforts are great, but he just doesn't know if they will actually work.

Ms. Greel said that there were issues last year. She said that Sgt. Ball worked with condo owners and it tamed things down a little bit. She said it seems that the entertainment hours requested seem much more than last year. Mr. Santo and Mr. Barrett said they both agreed that there needs to be another trial period. Ms. Greel agreed and said maybe a split of amplified and acoustic. Mr. Santo said he believes a trial period will give the time to see what everything looks like. Ms. Rennard asked if they were thinking one or two weekends. Mr. Santo suggested not too long. Ms. Greel suggested two weeks. Mr. Egan said he hopes for at least some form of entertainment for Friday, Saturday and Sundays. Mr. Teller, an abutting resident, said he is worried about Sundays because people work on Mondays. Mr. Santo motioned to approve live entertainment Friday and Saturday 3-7 pm acoustic only and 7-10 amplified music and Sundays 2-6pm amplified or acoustic on a trial basis for the next four weeks. Ms. Greel seconded. Mr. Barrett said motion carries. Roll call vote 3-0.

2. Review and approval of outdoor dining 7 days a week until 10 pm and entertainment only on Thursday 4-8pm: VFW on Derby St. Andrew Tilkens presented the application and said it would only be for one night a week and for a guitarist and vocalist. Ms. Greel said she thinks the request and hours are reasonable. Mr. Santo asked that they keep it as close to acoustic as they can. Ms. Greel motioned to approve the outdoor dining 7 days a week and outdoor entertainment on Thursdays from 4-8pm for 2 pieces amplified. Mr. Santo seconded. Mr. Barrett said motion carries. Roll call vote 3-0.
3. Review and approval of outdoor dining hours for Witch's Brew at Derby St. Co-Owner John Kounsaleih was present. He said the last time he appeared before the Board there was a discrepancy in his outdoor dining hours. He said he would like to open outdoor dining from 12-10pm 7 days a week. He said there will be nine tables, five out front and four on the side. Mr. Santo motioned to approve. Mrs. Greel seconded. Mr. Barrett said motion carries. Roll call vote 3-0.
4. Adjournment: 5:31 pm. Mr. Santo motioned to adjourn. Ms. Greel seconded. Mr. Barrett said motion carries. Roll call vote 3-0.