

A Conversation with

John Snow

By Beverlee Hughes

John Snow is a practicing attorney in Provincetown, as well as the head of a real estate company. His family has lived here for generations. Snow has a lot of love for his home town, and he has served it actively in a variety of capacities, among them as a member of the Board of Selectmen, of which he was Chairman. He is currently Town Moderator; he himself did not seek reelection again two years ago, but his fellow townspeople, through a write-in vote, invited him to continue. I talked with John Snow this week about Provincetown—its past, its present, and its future.

It has been said that Provincetown is the most litigious town in Massachusetts. Do you agree with that?

No, I don't agree with that because I don't think it's true. Sometimes there is litigation and sometimes there isn't. Often things can be worked out in an amicable way, and that's the course I prefer to follow. I think there is a growing trend toward litigation across America today, and I also think that Provincetown may reflect some of it.



How has practicing law in Provincetown changed during the years that you have been an attorney?

Well, I was admitted to the Massachusetts bar in 1949. After practicing for a year in Provincetown, I left to spend four years working with the Department of Justice in Washington, D.C. After those four years I returned home, and I've since maintained an office here as well as in Boston and Hyannis. As far as changes that have occurred in the practice of law, I might say *plus ca change, plus ca la meme chose*. Actually, one of the major changes is that the courthouse for the Second District Court used to be directly across the street from my office. In those days court was even held on Saturdays. Over the years they began to hold court one, then two, then three days in Harwich. Ultimately, they built a new courthouse in Orleans, primarily because our then Board of Selectmen refused to make concessions on the amount of space needed for court. Perhaps there would have been a central court eventually, but the Provincetown selectmen certainly hurried up the process. Now it's expensive for both litigants and the police department; they bear the brunt of having to travel the distance to Orleans.

Do you feel that our current form of government, a part-time Board of Selectmen and a full-time Town Manager, is adequate to meet the needs of our town, which many people feel is really facing big-city problems with its water, sewage disposal, the Harbor, and parking?

Yes, I think it is. This system, like any other, depends upon the people within it—their background, their ability, and above all, their dedication to the Town. I don't think you can improve the Town with carpetbaggers and people who are only interested in feathering their own nests. If you *could* interest dedicated people of background and ability to do a good job, then and only then would the Town's problems be impartially solved, and we would have real progress.

Do you have any hope of seeing that happen?

Hope springs eternal in the human heart! Really, I think Provincetown is like the rest of the country in

that, to a great extent, we're not getting the right politicians anywhere in America. You see, good government is predicated on having good people with proper background holding office. I can remember when the position of Town Manager position was voted in here. It was done on the assumption that the person would be schooled in town management and trained in municipal law, municipal finance, and personnel management. It was not voted in so that the Town could merely take some person and make him Town Manager. We've had several excellent ones: our first, Tom Levy; our second, Jim Coyne; another was Bob Hancock, who had had extensive training before he came here. I think Bill McNulty's done a good job, but the job was created for a person with the background that I've described, not for one who needs on-the-job training and whose real training is in other, unrelated fields. As far as the selectmen are concerned, when you find that only two, a minority of the Board, are voting on a subject that may have repercussions for the entire town for generations to come—because practically every question that arises finds one or two of them with a conflict of interest—you know that something's wrong. Each of them should have anticipated that wrong before they chose to run.

Will you talk about both the responsibilities and the limitations of the Finance Committee, which, as Town Moderator, is a committee appointed by you?

Well, their principal responsibility is to review all articles on the warrant for Town Meeting or proposals which reflect on the integrity of the Town—in other words, the expenditures of the Town. They also must authorize any transfer of funds when the available funds for a department are insufficient to finance the department or its expenditures. Whenever certain funding falls short, Fin Com must be consulted. I have tried to appoint a cross-section of people to the Committee so that it is a true reflection of the Town. As for the limitations on the Committee, although it can choose to disapprove funds for certain projects, it can be overridden at Town Meeting. Voters can go beyond the Committee's decision and approve what it has disapproved.

Now that the Board of Zoning Appeals must deal, through its lengthy moratorium, with licensing, do you feel it should be an elected board?

In the first place I don't think that licensing is a proper function of the Board of Zoning Appeals, and I further feel that to have them do so is of questionable constitutionality. I think it was an unwanted burden that was thrust upon that board, and I am surprised that no one has challenged it in the proper forum.

Then should there be a separate licensing authority, given that the Board of Selectmen, through its lengthy and static moratorium, refuses to deal with licensing?

I think that the licensing authority is right where it belongs, with the Board of Selectmen. But let the voters beware to elect people to that licensing board who will exercise that power to the best of the public interest. This is probably one of the most overlicensed towns in the Commonwealth. Everyone who comes down the pike with a table, a couple of chairs, and a place setting wants to set up shop. First they apply for a common victualer's license, then they go for an alcoholic beverage license. Nevertheless, I don't believe in a moratorium, either. If you have a Board of Selectmen which administers licensing properly, you don't need one. If you have a Board of Selectmen which is fair and reasonable, impartial and unbiased, I think that Board could be depended upon to grant licenses when they are needed and deny them when they are not. A moratorium can deny Provincetown some great opportunities!

But the Chairman of the Board of Selectmen, Mary-Jo Avellar, has been quoted on the subject of granting licenses: "It's hard to say no." Any thoughts on that statement?

She sounds a little like that girl in the musical comedy *Oklahoma*. Who was it, Lula Belle, who sang "I'm just a girl who can't say no?" But of course one *has* to say no from time to time. I was on the Board of Selectmen for many years, some of them as Chair-

man, and there were times when I reluctantly had to say no—but I said it nevertheless. That is simply a part of the job.

Will you talk about your job as Town Moderator. Are people influenced by you?

Well, I should hope that they are influenced by me when I make a ruling of order, because I have found that people have been cooperative. I think that people do feel that, regardless of my personal feelings on any issue, I try to be fair and impartial during any discussion—sometimes with tears in my eyes and gritting my teeth! Nothing says, of course, that I can't have an opinion on matters, but I haven't chosen to offer any. I like to think that whether or not I've been doing a good job is reflected in the annual election, and I've been greatly pleased by the voters' approbation there. I do, however, save on election time bumper stickers. I went to Vermont and got one from a ski resort that says, "Think Snow!"

What are your feelings about the development trends that are hitting Provincetown?

I think the Town should have started to control development a long while ago with zoning and planning board regulations. This condominium and time-sharing boom was unforeseen until a few years ago, and I think it's just all part of commercializing the Town, which will result in making it a town of transients. I can remember, as a boy, walking along the streets which were lined with single-family homes. Those first became two- and three-family homes, then guest houses, then commercial shops; then even the shops became condominiumized. The hotels and motels are going to time sharing, which is certainly not good for the Town. Good for the developer, though, of course.

Is it too late to do anything to reverse this pattern?

There's always something that can be done to prevent proliferation, providing there is something left to save. Usually you'll find that those who've gotten the most recent approval for a development or a conversion are the most vociferous against the next applicant for the same privilege. And it's true, too, that, when I was growing up, this was a close-knit town of families and others whom we used to call the "summer people." You knew just about everyone, especially in the winter. Now that's changed with the diversity that's come into Provincetown. It's difficult to feel the closeness of community life that one once did.

What's your reaction to Bobby Cabral's offer to sell his wharf to the Town?

I think that's probably the best offer the Town will ever get for improving the waterfront, but it should be remembered that there is a lot of jealousy in this town. Recall the absolutely Herculean effort that Cabral had to go through to get approval for what he has there now. Certain jealousies and personality conflicts came to the forefront then; several people seemed to try to stop him from accomplishing anything. If he proposed something one way, they would oppose it and say it should be done another way. He'd do it that way, and they'd still oppose it. No matter what he seemed to want to do, they would marshal opposition against him, so there will probably be a lot of opposition to this latest proposal for no good reason. But it weighs well, at least so far, against alternative proposals, and it certainly would cause less disruption to the Harbor than any of the proposals for new construction.

Is there something you'd like to talk about that hasn't come up today?

I was born here, my folks were born here, their folks were born here, my children grew up here, and I've spent a good part of my life here. I hate to see the direction the town seems to be taking. I dislike the honky-tonkism, the overlicensing, the failure to discipline promptly and effectively licensees who may have violated laws and regulations and to make such disciplinary action stick. I don't like to see the entire town become overcommercialized. I'd like to see the Town develop, in an orderly manner, as a place in which we and the children growing up in the Town may all take pride. I will try to do my part, as I have in the past, to accomplish this, and I hope that many others will join in this effort as well. And that's about it.