

## Seventh Session

# 7 Zoning Articles Pass Monday's Town Meeting

Seven zoning amendments passed at Monday's Town Meeting despite efforts of John Worden and Harold Seward and their Arlington Residents for Reasonable Redevelopment to amend four of them.

The articles which passed were numbers 80 to 87, with 85 withdrawn since it duplicated an article passed at the Special Town Meeting.

Article 80 extends special permit control for vehicular oriented businesses and eating establishments when changes in use occur.

Article 81, as proposed by the Redevelopment Board, clarifies the definition of three-family dwelling, adds to the districts in which single and two-family homes may be built and ensures that enclosing entrances that project into minimum yards will not require a variance.

Worden proposed an amendment to delete all of the changes except the entrance enclosure. He said that as the need for more commercial tax base was discussed at the first Town Meeting there was general agreement that new development should be oriented toward tax production. He said a change in three-family definition would allow them to be built side by side as mini-condominiums on a 5,000 square foot lot.

Planning director Alan McClennen said one, two and three-family houses are now located in the districts proposed. He said it was difficult to understand how someone would buy a lot on Mass. avenue, which would cost \$30,000 - \$36,000, to build a house. A mini-condo could not be built on 5,000 square feet of land because it would probably not be marketable and it could not meet required parking and or open space, he said.

When asked why the Redevelopment Board felt it was necessary to make three-families conform, McClennen said it would provide relief for the owners who now face three to four month delays, appeals and legal costs to make changes in their buildings which now cannot be done because they are not conforming uses.

The Worden amendment failed and the article passed 110-25 in the first standing vote of the night.

Article 82 to modify the dimensions of a parking space and clarify the interpretation of screening and space buffers passed on voice vote without discussion.

Seward offered the substitute motion for Article 83 to amend the definition for B4 vehicular oriented district to include the wording that "when one of these businesses closes, the conversion of the property to other retail, service, office or residential use is encouraged."

Seward proposed to note that Arlington has a scarcity of non-residential tax base and to delete the reference to residential reuse. With the

highest density of any town in the state, Arlington should put more emphasis on tax production which Seward said his amendment did.

McClennen noted that the deletion of residential reuse did not take that use of out of the table of use regulations, therefore there would be a situation where zoning allowed use for residential while town objectives as written in the article would not. He said this could lead to legal suit by 6 an opponent of a project. As he had noted with an earlier article, he said no one had opposed the amendment at the legally advertised public hearing which the Redevelopment Board held.

McClennen said the other uses would require special permits and would have to meet seven criteria. The amendment was defeated 59-87. The main article passed 119-23.

Article 84 to amend the by-law to permit reconstruction on present sites of existing nursing, rest and convalescent homes was proposed by the Redevelopment Board.

Worden proposed an amendment that would assure that the external features of the home would not be substantially altered so that their homey atmosphere would be destroyed or damaged. If the article passed as written an owner could tear down a house and replace it with a cement block square building, Worden said.

Meeting member Phillip Hagar, noting that Worden had represented his family in a nursing home matter called the amendment impractical, saying that some times when a home is told to renovate it cannot retain the exterior. Most of the homes are under 50 beds and it would be impractical for them to tear down, he said.

The meeting voted to end debate and voted against the substitute, but when the Moderator mistakenly read the substitute motion instead of the article, there was confusion about the standing vote.

Moderator Harry McCabe did not declare the vote and the question was opened to debate again, leading Ron Nigro to question why debate was continuing. McCabe said it was in order and that his misreading was inconsequential under the law.

He gave the meeting to order and continued to explain that the meeting town by-law requires the Moderator to read the proposed vote, but the General Law says that what really counts is the warrant article and the legal notice. uPD To that someone called out, "What the hell are you reading for?"

When Town Counsel John Maher was asked for his opinion he said that the Moderator's opinion on matters of procedure and order are not reviewable. Maher added that he wished the Moderator would give the same respect

to his opinion on strictly legal matters.

By this point member James Carter said he was confused and not sure if he should move the question or get down on his knees and plead with the Moderator to get on with the meeting. The vote was finally taken to move the question, 125-5, and for the article, 126-10.

After a 22-minute break the quorum was doubted, but the meeting had more than the 123 members needed still present.

Article 86 proposed changes in the principal use requirements in order to expand the number and types of nonresidential uses including a new district for technical offices including data processing, laboratories and testing facilities.

Worden proposed an amendment to limit such projects to five stories.

At the request of the Moderator McClennen said that nothing in the article would abrogate a high school radio station. In answer to a question about development, he noted that the town's zoning reduced apartment zones, and thus the town's potential population increase. All the article does is permit more uses that already exist in business zones, he said.

The substitute motion lost and the article was passed.

Article 87 was to amend the zoning in the Gardner Silk-Marriagn-Fremont streets area so that houses built after World War Two conform to zoning on attached single family homes and minimum lot size.

## Musical Program To Follow Dinner For Civil Rights

"Gourmet 80," the Arlington Civil Rights Committee's annual scholarship dinner, will be held May 31 in the Fellowship Hall of the First Baptist Church, 819 Massachusetts ave. Punch will be served at 6:30 and dinner will be served at 7 p.m.

A musical entertainment of spirituals, freedom songs, and related selections from the American musical theatre will follow the dinner. Audience singing will abound.

Mary Gilbert, accompanying on guitar, will lead spirituals like "Go Down Moses" and inspirational and rollicking freedom and protest songs including "One Man's Hands," "We Shall Not Be Moved," and Malvina Reynolds' "It Isn't Nice."

Interwoven among the many audience selections will be solo spirituals, such as "Deep River" sung by Mary McEwen, topical Broadway songs including the duet "Why Am I Me" from Geld and Udell's "Shenandoah," sung by Fran Mesher and Cheri Minton, and the Martin Luther King favorite, "Precious Lord," sung by Penny Johnson, a former Arlington resident now residing in Connecticut.

A mixed voice chorus will contribute choral selections including "Elijah Rock" and "Follow the Drinking Gourd" and a children's singing group will perform the popular "Freedom" from

"Shenandoah." Choral and solo performers are being drawn almost entirely from the membership of the Arlington Civil Rights Committee. Soloists also include Claudine Grady and Phillip Young. Fran Mesher and Elizabeth Fraser will accompany on piano.

For reservations or further information contact Mrs. Elizabeth Oppedisano, 102 Stowcroft rd.

## Sons Of Italy Name Galluzzo As Man Of Year

At their 56th annual banquet the past recipients of the Man Year Award and the officers of the Arlington Lodge Sons Of Italy awarded Ex-Venerable Peter Galluzzo the title of "man of the year," and a Paul Revere bowl.

Galluzzo, who had served as the lodge's venerable for the past two years, was cited for his hard work, dedication charitable works, and organizing of many social activities at the lodge, including the weekly beano games. He is married to the former Sandra Fulchino and resides in Arlington. He was given certificates of merit from the Mass. House and Senate and from the Grand Lodge of Massachusetts.

The banquet was held at the Lodge Hall with 250 guest in attendance. Dinner and dancing followed the presentation.

Among the head table guests were the Hon. Joseph A. Furnari, First Justice, Ipswich District Court and Mrs. Furnari; Domenic Musto, Grand Deputy Of The Arlington Lodge and Mrs. Musto; David Leone Grand Trustee and Ex-Venerable, and Mrs. Leone; Mrs. Ronald Nigro, Venerable Of The Regina Elena Ladies Lodge, and Nigro;

Charles Biondo, Ex-Venerable and master of ceremonies, and Mrs. Biondo; Leo Szymanski, Venerable Of The Arlington Men's Lodge and Mrs. Szymanski; Anthony Paratore, Ex-Venerable and chairman of the banquet, and Mrs. Paratore; and the Rev. Monsignor John J. Linnehan, Pastor of St. Agnes' Church.

## Peer Leaders Do Elderly Program

The Peer Awareness Leaders (PALs) presented a program of slides and commentary on medication and alcohol to the elderly at the Heights Baptist Church on May 6.

This program is designed to create concern about some of the problems arising from the use of medication and alcohol.

The presentation is the work of Mary Murphy, Cliff Burvill and Frank Fiekers. Artist Cliff Burvill produced the slides and Frank Fiekers, a registered pharmacist, is commentator.

For more information call town hall.

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