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Rugg gets 2nd go ahead

By MICHAEL TERAULT
Recorder Staff

GREENFIELD — Rugg Manufacturing Co. cleared its second hurdle toward opening a garden and landscaping supply business Thursday when a town council committee endorsed the company's request to amend the zoning code.

Rugg has asked the town to allow garden and landscaping supply businesses in "general industrial" zones by special permit from the Greenfield Zoning Board of Appeals. If the full town council approves the amendment to the zoning code, Rugg will be able to proceed with its plan to develop such a business on industrially zoned land on Gill Road, between French King Highway and the Route 2 bypass.

No date has been set for a town council vote.

Currently, retail uses, with a few exceptions, are prohibited in general industrial zones.

The council's economic development and planning committee voted 3-1 to recommend that the council back Rugg's proposed amendment to the zoning bylaws.

Committee member Alfred C. "Bud" Havens Jr., a councilor from Precinct 4, said the proposed new business could be a boost to the local tax base. Rugg Vice President Michael Fritz estimated the project would cost between \$1.2 million and \$1.5 million including inventory. The vacant property now earns about \$600 a year in taxes, Havens estimated.

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Mural hubbub

As it stands, ZBA doesn't consider mural a sign

By MICHAEL TERAULT
Recorder Staff

GREENFIELD — Selectmen may be wasting their time if they send a muralist to the Zoning Board of Appeals.

Zoning board Chairman Roy Cowdrey said he will tell that to town officials today because, as it stands now, the ZBA doesn't feel its approval for a planned mural downtown is necessary.

Members Thursday night said they are not inclined to view a proposed mural as a sign. Therefore, no special permit from their board would be needed.

"Selectmen want to find a way to stop (the mural). But they can't. So they want us to stop it," Cowdrey told members. But if the zoning board doesn't feel the town's zoning bylaws apply to the mural, selectmen should be informed now, so they can avoid what might turn out to be a waste of time, Cowdrey said.

Cowdrey, Selectmen's Chairman John F. Merrigan and other town officials plan to meet today in the town hall to discuss the mural issue.

The technical issue of whether a mural qualifies as a sign under the town's zoning bylaws has stalled the plan for the mural on the eastern wall overlooking Veterans Memorial Mall. Town Attorney Edward P. Smith has said that, in his view, a

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mural is technically a sign, which would make it subject to sign regulations. Smith is expected to rule formally on the sign issue sometime today or early next week.

The mural as planned would exceed size restrictions for signs as spelled out in zoning bylaws. If the mural is deemed to be a sign, it would require a special permit from the ZBA, Smith has reasoned.

Building Inspector Bruce Austin, the town's zoning administrator, has already given the mural his blessing, however. He told project proponent Rebekka Tippens of Colrain that he does not interpret the mural as a sign.

Selectmen, some of whom oppose

the mural, have directed Smith to render a written opinion. If he stands by his earlier judgment, that could leave the door open for the selectmen to direct mural supporters to appear before the ZBA. Or selectmen could appeal the building inspector's decision to the zoning board. Selectmen also could seek a court injunction to stop the mural.

Selectmen have not said what course they would take if Smith rules the mural to be a sign.

Austin on Thursday night stood behind his earlier judgment that the mural is not a sign because it is not advertising anything. In fact, the mural does not contain any written words, he said. The mural is a depiction of the history of Greenfield and contains pictures of historic buildings and scenes in town.

To support his view, Smith has cited a phrase from the definition of a sign in the bylaws that says a sign can be something that "attracts attention." But Austin said it was not the bylaw's intent for that definition to be applied so broadly. He mused that Smith may be reading his own personal opinion into what is written in the bylaws.

"He's trying to make 'attract attention' wide open," Austin told the zoning board.

Austin also contradicted Merrigan's earlier statement this week that the attorney's ruling generally takes precedence over a determination by a town department head. Austin said that he as zoning administrator — not Smith — has jurisdiction over zoning issues.

The only way a building inspector's decision can be overturned is by appealing it to the ZBA or by a judge's ruling, Austin said.

Zoning board members stressed Thursday night they were not making a binding determination but were communicating their feelings about the sign issue.

"I could change my mind," Cowdrey said.

He said his intent in getting the members' feedback was so he could give the selectmen advance warning. If selectmen think the zoning board is in a position to stop the mural, they should be made aware that may not be the case, Cowdrey said.

The project is being funded through donations and a \$400 contribution from the Business Fund for the Arts. The total cost is estimated to be around \$3,500.

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stateroom with two beds, a lavatory and a shower. There is a dining and conference room, and separate cabins for Secret Service agents, presidential guests, staff members and a small press contingent.

Emergency surgery can be performed in the plane's operating room. That was high on the list of the White House medical unit when various White House offices made suggestions for the interior design.

The reported cost for the plane and a similarly equipped spare to be delivered in 1991 is \$660 million.

However, the government will pay only \$140 million each — about \$15 million more than a civilian 747 might cost — because Boeing agreed to absorb nearly all unforeseen expenses under its fixed-price contract.

The primary *Air Force One* has been in service since 1973. The backup plane dates back to 1962. Lyndon B. Johnson was sworn in as president on that plane, which also carried the body of the slain John F. Kennedy from Dallas to Washington Nov. 22, 1963.

Indeed, the difficulty that military pallbearers encountered in removing Kennedy's coffin from the airplane influenced the design of the new *Air Force One*, which will have a doorway large enough to allow a similar ceremony to be performed with dignity.