



Some residents of the Town of Barnstable seem confused about how Town Meetings operate. Specifically, I refer to a recent Letter to the Editor of our daily paper, in which objection was voiced to the brevity of the discussion of Warrant Article 143 at this year's annual town meeting.

The letter's author was opposed to the article in question, and, even though it failed to pass, apparently feels purposely slighted because she didn't receive the opportunity to express her opposition.

Article 143, had it passed, would have rezoned some 17 to 20 acres lying to the westerly of West Barnstable Road, between the road and the Town Disposal Area, bounded on the south by Route 28 and on the north by Flint Street. Had it passed, the area would have been changed from residential to service and distribution zoning.

The arguments for retention of residential zoning are valid. One town resident has spent considerable money to construct roads in a small development across the road; there are several residences now on the property.

The arguments for change also seem valid. The area is not an especially desirable one for residences because of its proximity to the dump, the constant trucking along the road, and the property is split by high power lines.

Tentative plans for the future call for siting a sewer disposal plant on the east side of the road, opposite the area suggested for a service and distribution zone.

Furthermore, in several other residential areas of the villages of Osterville, Centerville and Marstons Mills, where the population density is much greater than in the area under consideration, there are a good many small businesses being conducted -- "back yard" affairs. These non-conforming-use enterprises have operated for many years.

Before the Town of Barnstable was zoned at all, if a plumber decided to set up his shop at home, there was nothing to stop him. There was plenty of room because his nearest neighbor may have been a quarter-mile down the street.

These small businessmen now find themselves carrying on commercial activities in their own backyards, and in the backyards of all their neighbors, as well.

The villages have grown; vacant areas have given way to houses; empty lots have sprouted residences; the small businessmen -- plumbers, electricians, carpenters, painters -- find themselves unable to expand for lack of space.

They cannot meet increased demands for services the growth of the villages has brought. It would be advantageous to them to move their operations to a location nearby, but out of the residential area. It would upgrade neighborhoods where they and their neighbors live.

What then of the half-dozen or so families now residing in the area of the proposed rezoning? Unquestionably that would become less attractive, residentially.

How do we best serve the greatest number of Town of Barnstable residents? That is the question Town Meeting Members must ask themselves.

No one wants to feel forced off his land. That's understandable. None of us would like it if someone proposed changing the zoning, where we live, to permit business to come in and effectively make it unsuitable for homesites.

If it happened to you, you'd feel pretty unhappy about it; if it happened to me, I would too. If, however, it did happen to me, I'd turn it to my own advantage. For one thing, commercial property is usually more valuable than residential.

If I lived in an area that was, in spite of all I could do to prevent it, rezoned for commercial use, I'd sell out and buy a nicer house in a nicer neighborhood with the higher price I could get for my land.

In this case, of course, the article was defeated, so the residents are not threatened with being forced out at this time.

There is still a rather sticky question of whether those residents who wished to speak on this article were deprived of their rights, discriminated against by the moderator and purposely not called upon to express their concerns.

Anyone who regularly attends Town Meeting realizes that very often when there's controversy about an article on the floor, some people never get an opportunity to be heard.

If someone moves the question and a majority of the members so

vote, all debate is shut off. The Moderator has no way of guessing what a speaker will say before he says it. Until such a call is made the question is open to debate.

If the members vote to continue, discussion resumes; if the members vote to end debate, the question comes up for vote immediately and without further discussion.

This is decided by Town Meeting Members; the Moderator has no control over the motions he receives or, in this case, the manner in which he may handle them. He MUST put the motion to call the question to vote, and unless that vote is negative, he MUST put the article to vote without further discussion.

In the six years I've served as Town Meeting Member I've never missed a meeting or a session. In no instance have I believed the Moderator unfairly chose persons to speak for or against a motion.

There may be those -- and there may be many -- who disagree, but that's my own opinion.

Neither have I seen evidence of the Moderator failing to recognize a person who wished to speak because of race, color or creed. Black members, white members - black voters, white voters - all are treated equally and without prejudice as far as I am able to judge.

If I felt otherwise, if I suspected any speaker was refused his right to speak or was not recognized by reason of religious or ethnic background, I would openly say so.

There have been times when both black and white people have been informed they were not speaking to "the question" and have been asked to relinquish the microphone. This has never been done without justification.

Perhaps more regular attendance at Town Meeting by registered voters who are not voting Town Meeting Members, would help concerned persons to understand the processes of the meetings. Perhaps it would help to avoid hurt feelings when no hurt was intended.

In no way am I implying discrimination against our black population is non-existent. It is existent; it is deplorable; it is wrong. In this particular instance, however, I feel there's some misunderstanding and oversensitivity, and a lack of knowledge of Town Meeting rules.