

PICK-N-PAY: AN UPDATE

Few topics have caused as much fuf in Coventry over the years as the status of Pick-N-Pay. This store has been at the center of several controversies, ranging from the plan to build Musicians' Tower to the yet-unfinished Battle of Rock Court. Soon it will be in the middle of a new controversy--over whether the present store (18,000 square feet) should be replaced with a new one (about 30,000 square feet).

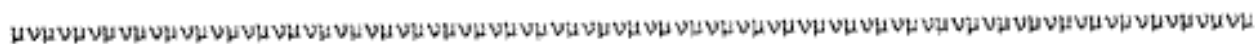
This is not actually a "new" controversy. PNP had drawings on the subject as early as 1973. What is new, however, is the commitment of the City to make big visible progress in redeveloping the Coventry commercial strip. This, combined with City applications for federal funds, gives rise among many observers that there will soon exist both a desire and a capacity to undertake such a project.

Example: the City has made a preliminary application for an Urban Development Action Grant (UDAG) for Coventry. Such money must be used to supplement private development efforts. Could this mean a million dollar federal carrot to spur PNP? Maybe, but until a more detailed application is on record, City motives shall remain unclear. Possible use of Community Development Block Grant money to ease the way of PNP is also a theoretical possibility.

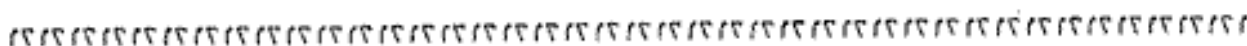
The plans--and the future of PNP in Coventry--have been a matter of great concern. On the one hand, there are fears of losing a grocery store in Coventry if PNP does not get its way. This would greatly affect the elderly and those persons who prefer walking to driving. On the other hand, the addition of such a hugh store might well destroy the "village" atmosphere of Coventry forever, push the retail stores to a more regional orientation, and increase traffic problems.

More on this story as it develops.

- Alan Rapoport



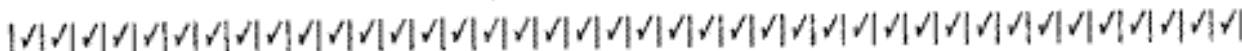
The next meeting of Coventry Neighbors, Inc. will take place on Tuesday, December 12, 1978, 7:30 p.m., at the Unitarian Society on Lancashire Road, across from the Musicians' Tower.



What's Going on With.....

...Coventryard? It has all the permits it needs. Lewis Zipkin plans to put a roof over the building soon. If he doesn't hurry, there will be some big construction problems over the winter.

...The Coventry Library? Not much. The Library Board nixed the location near Coventry School and has not done much to find a new one. Cynics suggest that they will come up with new ideas--at least in time for the next library levy election.



Radioactive Waste Group Will Request Neighbors' Support on Legislation

A proposed ordinance to regulate the transportation of radioactive waste through Cleveland Heights has been presented to Council by a coalition of concerned citizens. The City has not been overwhelmingly receptive, and the proponents are seeking broad-based community support from neighborhood groups, including Coventry Neighbors, Inc. CNI heard an informational item at its November meeting on this issue, and will be asked for direct support at the December meeting.

The draft regulation submitted to Council is an ordinance actually passed by Shaker Heights Council, one of whose members is actively concerned over radioactive waste. In Cleveland Heights, both City Hall and individual citizens have raised questions about the measure. These are summarized, together with proponents' responses and some additional, factual material, as follows.

Radioactive material passing through Cleveland Heights is more likely to relate to nuclear medicine than nuclear power, and we should not add regulatory expenses to already escalating health costs. The Shaker Heights ordinance specifically exempts "medical and educational" material from regulation beyond existing federal law.

This is a job for the State or the County, not municipalities. In a letter to the Cleveland Heights city manager, Cuyahoga County Commissioner Robert Sweeney states: "...The Board of County Commissioners and the Regional Planning agencies have no legislative authority to enact ordinances to deal with the problem. The Board of County Commissioners has no legislative authority whatsoever and cannot enact or enforce ordinances on a countywide basis. The only legally empowered body to enact such ordinances are the various and separate municipal councils." State response is uncertain and slow, while twelve Cuyahoga County cities have already acted positively.

The ordinance may conflict with Federal pre-emption of interstate commerce regulation. Shaker Heights Law Director Paul Donaldson doesn't think so: "... Such measure would not be in conflict with federal or state regulations, and may be legally enacted by City Council." (Opinion 78-39, 11 July 1978) The Shaker law incorporates rather than alters federal rules that apply, and adds requirements in a manner traditionally and constitutionally defensible for local government.

Is this action, together with the anti-radwaste-storage campaign, a covert attempt to outlaw nuclear power under the guise of regulating byproducts? Supporters of both efforts include people who favor nuclear power.

Why is regulation needed? By the testimony of their own safety authorities, the cities lack the means to cope with a major "spill" except by evacuation. Shaker Heights Councilmember Kathleen Barber, author of the ordinance, reports that no federal agency is responsible for local radioactive spills.

Isn't this a replay of the abortion debate, with people motivated principally by a single issue bringing into Cleveland Heights the product of another Ohio city council and stirring up a hornets' nest? The principal contrast is that the Akron abortion ordinance was passed over the objection of the Akron law director, while the lawyer for Shaker Council has endorsed the rad-waste regulation; it arrives with a superior legal pedigree. The total aggregate of speakers on the rad-waste issue before Council to date is much less than one day's turnout by either side in the abortion debate.

- Dave Burwasser
