

12/17/07 Tribune

Neighbors: No kennel on our road

Residents want to open business on Galway Lane

By GORDON FRASER
STAFF WRITER

SALEM — The plan for a 70-animal kennel on a residential street is drawing fire from neighbors and raising questions about what kinds of businesses might be allowed on quiet suburban roads.

"The zoning ordinance says that kennels are permitted uses," Planning Director Ross Moldoff said. "(But) we don't have a definition of 'kennel.'"

Since most people know what a kennel is, the legal definition might not seem relevant. But

defining the word "kennel" is central to the question of whether Thomas Richard will be able to build one at a home at 3 Galway Lane.

Richard, who could not be reached for comment Thursday or Friday, wants to open Furry Friends Boarding on the short, dead-end Galway Lane.

The kennel would house up to 70 dogs or cats, and serve as a place for pet owners to board their animals. Richard and his wife plan to live in the house.

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KENNEL: Residents say area isn't the place for business

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But neighbors on Galway Lane aren't crazy about the idea. Five of them showed up at the planning meeting to voice their concerns.

Michael Smith, who has lived on Galway Lane for about 27 years, worries about traffic on his street.

"If they're late for work or late for their plane, they might be rushed," Smith said of potential kennel clients.

Smith said he also worries about the possibility of a dog getting loose when its owner comes to drop it off.

"A fast dog can make it to my

Michael Smith said he worries about the possibility of a dog getting loose when its owner comes to drop it off.

yard in about three — no, let's be realistic — about five seconds," Smith said. "That's not enough time for me to grab my granddaughter and get out of the way."

Keith Belair, who also lives on Galway Lane, said the neighborhood is completely unsuited to a business.

"I don't think it's the right place," said Belair, who lived in the house Richard wants to convert to

a kennel before moving to his current 4 Galway Lane home 14 years ago. "It's a house."

At a Planning Board meeting Tuesday, Moldoff said Richard assured neighbors and board members he and his wife would keep control of the animals. They would do that by keeping them in enclosed spaces, cleaning up waste daily and playing soothing music whenever animals become anx-

ious or overexcited.

But the crux of planners' decision could depend on a legal question: Does a landowner have the right to open a kennel in a rural area?

Boarding animals is legal, but boarding them for money might not be.

"The Planning Board asked me to get clarification from our town attorney," Moldoff said.

While kennels for personal use are allowed, businesses typically aren't in residential areas without a waiver from the Zoning Board of Adjustment. Moldoff said he expects an answer from the town's attorney in the coming weeks.

But while he disagreed with Azarian's vote, he doesn't think there was anything unethical about it.

Zoning Board Chairman Ed Huminick agreed.

In a recent telephone call, Huminick said recent treatment of Azarian simply "isn't fair."

And, in an earlier interview, he said he had full faith that Azarian would recuse himself if there were ever a real conflict of interest.

Azarian owns property on Kelly Road, where he is planning to build a house. Town maps placed that property in the flood plain, which meant Azarian would have needed a variance in order to build there. In fact, his project was on the agenda for Tuesday's meeting, just like the Salem Corporate Park project.

But Azarian was able to get federal officials to acknowledge his land isn't actually in the flood plain. A letter revising the land's status arrived only a few days before the zoning meeting.

Azarian said because he wouldn't have to ask for a variance himself, he had no vested interest in seeing Salem Corporate Park Association get a variance.

"That does not create, for me, a conflict," he said at Tuesday's meeting.

But members of the town's special flooding committee — who

opposed the Salem Corporate Park development — aren't convinced.

"He set a precedent by giving a variance for this," said Norbert Pestana, the flooding committee's vice chairman. "When his plans come before the town again, the precedent will already be established."

While Azarian will not ask for a flood variance for the Kelly Road project, Pestana and others suspect Azarian might have development projects in the future.

Rules regarding conflicts of interest are murky in cases like this, according to several town officials.

According to a recent New Hampshire Local Government Center presentation on conflicts of interest, a board member should recuse himself if he has "any direct interest in the outcome of a proceeding" or if he "would be disqualified for any cause to act as a juror upon the trial of the same matter."

Lynn Sperl, spokeswoman for the Local Government Center, said the agency could not comment on the Salem case.

Meanwhile, Pestana said flood committee members are "looking at all our options."

The committee still hopes to stop the Salem Corporate Park development, which still needs approval from the Planning Board before construction can begin.

Salem Board defends acting chairman's vote

BY GORDON FRASER
STAFF WRITER

SALEM — After several town residents charged Zoning Board member Gary Azarian with voting despite a conflict of interest, several other board members have come forward to defend him.

At issue is the hotly contested variance for a development in Salem's flood plain — a low-lying area in town susceptible to flooding.

The Zoning Board voted 3-2 last week to grant a variance for the project. The move allows Salem Corporate Park Association to move forward with plans for a 120,000-square-foot office building despite a 9-month-old town ordinance that forbids building in the flood plain.

Azarian, who was acting as board chairman at the meeting, cast the deciding vote in favor of development.

Several residents — nearly all of whom opposed the development project — said Azarian should have recused himself from voting because of a pending development he is involved in.

But the case isn't clear cut, and several of Azarian's fellow board members have panned the accusations as bogus.

"Absolutely not," Zoning Board member Jeff Hatch said when asked if Azarian had an ethical conflict when he voted. "They're just reaching at straws."

Hatch voted against the development.

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► Flood plain fight

Building OK irks public

BY GORDON FRASER
STAFF WRITER

SALEM — Eight months after voters said they didn't want new buildings in the town's flood plain, the Zoning Board of Adjustment has approved one such project.

A variance for a two-story office building planned for Keewaydin Drive was approved after a contentious battle between residents, officials and the board itself at a meeting that began Tuesday night but stretched well past midnight. The building is to be constructed in the town's flood plain — the low-lying areas along Porcupine Brook most prone to flooding.

The developer said the building won't hurt the area — it will help it.

"In fact, this project will alleviate flooding in Salem, not aggravate it," said Bernard Campbell, a lawyer representing development company, Salem Corporate Park Association.

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CAL

SALEM: Zoning board approves building plan in flood plain; residents unhappy

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The variance represents the first time a developer has tested the new ordinance, which voters approved in March by a 78 percent margin. Many residents whose homes were flooded in the Mother's Day flood of 2006 are outraged that Salem officials would allow the building project to go forward.

Some charged ZBA board member Gary Azarian had a conflict of interest because he originally had been on the Tuesday night agenda as a developer of a ne also planned for the flood

plain area. Acting as chairman with Edward Huminick out of town, Azarian cast the deciding vote in favor of the office building.

Azarian said he no longer needed a variance from the Zoning Board because the Federal Emergency Management Agency certified the land he is to build on sits outside the flood plain.

"That does not create, for me, a conflict," Azarian said.

However, Planning Board member Linda Harvey wrote "Conflict of interest?" on a reporter's notebook while Azarian

argued in favor of the office building.

Norbert Pestana and Al Cormier, members of the town's special flood committee, which recommended against the project, said Azarian should have recused himself from the vote.

"You did not recuse yourself," shouted Pestana when the deliberations ended at 12:30 a.m. yesterday.

Cormier also said he feared continued development in the flood plain could put the town at risk of losing federal reimbursement money if there is another flood.

Historic Tribune

Salem zoning board OKs office building in flood plain

By GORDON FRASER
STAFF WRITER

SALEM — After meeting for more than five hours, a divided Zoning Board of Adjustment voted early this morning to approve a 120,000-square-foot office building in a flood plain despite a recent anti-flooding ordinance and outraged cries that the panel's chairman had a conflict of interest.

At issue was a planned two-story building on Keewaydin Drive Extension that would sit in the town's flood plain, one of several topics addressed at the lengthy meeting. Members of the town's special flood committee said the building would displace water and increase damage to homes and businesses in Salem.

But representatives for the de-

veloper, Salem Corporate Park Association, argued they would dig out an area to contain floodwaters that would be twice as large as necessary, benefiting other properties at risk of flooding. The board voted 3-2, with members Jeff Hatch and Mike Smith opposing the proposal.

Flood committee member Norbert Pestana shouted at board Chairman Gary Azarian, saying Azarian had a conflict of interest because he plans to build a house on another parcel that is also in the flood plain. Azarian, who cast the deciding vote, said a federal ruling now says his property is not

in the flood plain and that there is no conflict of interest.

For the full story, see tomorrow's Eagle-Tribune.

Video slots seen as crucial to track survival

By JOHN DISTASO

Senior Political Reporter

9 hours, 12 minutes ago

SALEM – Without a new influx of revenue from gambling on 3,000 video slot machines, Rockingham Park racetrack has "maybe three or four years left" before it's sold for commercial development, according to the track's president.

Ed Callahan made the grim forecast yesterday after showing 10 state lawmakers charged with reviewing expanded gambling bills around what was once New England's horse-racing Mecca. He asked that the members of a House Ways and Means subcommittee act next year to preserve and revitalize the 180 acres of green space in the midst of what has become Salem's retail jungle.

Nevada-based Millennium Gaming, which has owned a option to buy the track since 2005, is making a major push to make the Rock a full-scale "racino," on the scale of its newly-acquired facility, the Meadows, near Pittsburgh, Pa.

Millennium, which also owns two Las Vegas casinos, hired top State House lobbyists James Demers of the Demers Group and Richard Killion of Elevare Communications, who is Millennium's local spokesman. It commissioned a study by the Innovation Group of New Orleans showing that 3,000 machines at the Rock would generate \$403 million in revenue. Millennium proposes the state's take at 40 percent, or about \$160 million.

The track, meanwhile, would use about \$13 million to boost the amount it offers in purses for horse owners. Callahan said the cash infusion would allow the track to attract top-flight horses and lead to the restoration of high-quality thoroughbred racing, which was once the Rock's hallmark.

In recent years, Rockingham has become a harness racing track, but, according to Callahan, it receives more 95 percent of its grossing gaming revenue from races televised, or "simulcast," into the grandstand from more than 30 racetracks around the world.

Millennium's proposal would also allow 1,000 machines at each of the state's three greyhound racing tracks in Seabrook, Belmont and Hinsdale, although the company has no relationship with those tracks.

If the state legalizes video gaming, Millennium will exercise its option and purchase Rockingham from Rockingham Venture Inc., which purchased the track in 1983 from the New Hampshire Jockey Club -- three years after a fire destroyed the grandstand -- and reopened it in 1984.

For the past 13 years, since revenue began dropping as other gambling venues appeared throughout New England, Rockingham repeatedly supported unsuccessful bills to legalize video slot machines. Callahan noted majorities of more than 60 and 70 percent of Salem voters have supported expanded gaming at the track in two town referenda in recent years.

But lacking support from Concord, Rockingham has cut its workforce, dropped thoroughbred racing and brought in charity Bingo and Lucky 7, and last year, poker. It also hosts events such as RV and motorcycle shows in an attempt to put the 200,000-square-foot grandstand to as much use as possible to support 180 acres of property.

Killion said that Millennium Gaming chief executive William Wortman showed his commitment to Rockingham this summer by personally purchasing a 20 percent share of Rockingham Venture from the estate of the late company president, Max Hugel. The state Pari-Mutuel Commission approved the buy three weeks ago.

Callahan took the lawmakers on a nearly two-hour tour, beginning with a drive through once-thriving stable area that in its heyday housed as many as 1,600 thoroughbreds but yesterday was abandoned and in disrepair.

"It was a sad going back through there today," said Rep. Roger Wells, R-Hampstead, a former track veterinarian. He recalled that the track used to employ 16 vets and 20 blacksmiths and was the source of jobs for employees of several feed companies.

Callahan said the track once employed 850 people. Now, the workforce is 260 during the summer racing season

and 160 in the off-season.

Standing in the downstairs grandstand room that has been converted to a poker room for charity Texas Hold 'Em, members of the legislature told the lawmakers that the Rockingham's owners "can make plenty of money" by selling the land, razing the grandstand and digging up the track.

He said commercial developers call often with lucrative offers on the prime real estate on the Massachusetts border. Cabela's, Bass Pro and a big screen film company are among those that have inquired. One company wanted to build an indoor skiing facility on the site.

But Callahan said he and the track's owners believe in horse racing.

Callahan told reporters he hoped that if the Mount Washington Hotel were faltering, the state would provide assistance to keep the landmark afloat.

Likewise, "We hope the state would also consider this place a landmark and would want to keep it around," he said.

Proposals for video slot machines at Rockingham Park and the state's three dog tracks have risen and fallen since the early 1990s. But House proponents such as Rep. Mary Griffin, R-Windham, who is a member of the subcommittee, and Ron Belanger and Russell Ingram, both R-Salem, who are not, says next year may be different because of an expensive new obligation related to education funding.

"What else is there?" Ingram asked.

"I don't see how it's a bad thing if it's done right," Griffin said. Subcommittee chair Christine Hamm, D-Hopkinton, said the committee will decide, probably in November, whether to submit a expanded gambling bill to the full House next year.

Callahan said perennial expanded gambling proponent Sen. Lou D'Allesandro, D-Manchester, is also working on a bill.

There were no major votes on gaming this year, the first year of the new Democratic majority. Gov. John Lynch remains non-committal, insisting that he'd have to be assured that expanded gambling would not adversely effect the state's quality of life before he would support such a major policy change for the state.

Callahan said Millennium is committed to continuing to make Rockingham available for charity fundraisers and would be a good neighbor to the town. "It's a good fit," he said.

Killion said if Millennium exercises its option to buy Rockingham, it would quickly build a temporary grandstand/gaming building while it razes the existing grandstand and invests \$450 million in rebuilding the grandstand and related facilities.

Callahan, who said 80 percent of Rockingham's patrons are from Massachusetts, said the current handle is about \$60,000 a day, but, "If we could offer \$250,000 a day, we would attract real horses and then you'd see the crowds back here."

YOUR COMMENTS

The voices of UnionLeader.com readers: To join UnionLeader.com's discussion of the news, use the form below.

There is only so much to be spent by those that chose to gamble. So wouldn't this just shift money from some other format? Or do the proponents believe that gamblers will see a remarkable increase in their non-gambling incomes? NH will never be Vegas, and could never aspire to Monte Carlo.

- John Edward Mercier, Belmont

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Wider I-93: For better or worse?

By SHAWNE K. WICKHAM
New Hampshire Sunday News Staff
Sunday, Sep. 9, 2007

Will widening Interstate 93 attract so many new residents to surrounding communities that it snarls traffic on local roads and worsens air quality?

That question lies at the heart of a recent court decision that found federal and state highway agencies ignored their own experts and used outdated population projections in their planning for the project. The ruling may postpone work on the highway and its bridges for as much as a year, state officials have said.

Six years ago, the state Department of Transportation convened a panel of local and regional planners, business leaders and other experts to study how widening I-93 from Salem to Manchester would affect the state's population and traffic.

The group, known as a "Delphi panel," predicted more than 35,000 people would move into 23 New Hampshire communities in the I-93 corridor by 2020 — 40,000 if you counted six border towns in Massachusetts — if the state expanded the highway.

It's called "induced growth," the concept that improving infrastructure will bring more people to an area who would not have moved there without the improvement.

The Conservation Law Foundation sued the Federal Highway Administration and the New Hampshire DOT early last year, charging the agencies failed to properly assess the impact of the \$750 million project to expand that section of I-93 to four lanes in each direction.

In his Aug. 30 order, U.S. District Judge Paul Barbadoro rejected many of the CLF's arguments but faulted the agencies for using outdated population growth data when they prepared the Final Environmental Impact Statement (FEIS) for the widening project. And he particularly cited their failure to use the population projections from the DOT's own 2001 Delphi panel.

Barbadoro did not order officials to restart the entire Environmental Impact Statement process. But he did instruct them to prepare a Supplemental EIS that specifically uses the Delphi panel's forecasts to assess how the wider highway would affect traffic congestion on both the interstate and secondary roads, and air quality.

Attorneys for the two sides last week told the Sunday News they are still reviewing the judge's order and have not decided whether they will appeal. The parties have to report back to the court within 30 days of the date of the order.

Bill Boynton, a spokesman for the DOT, said his agency understands the potential for induced growth in the I-93 corridor. But he called the highway "an economic lifeline" for the entire state.

"We recognize that there is a build-out aspect to all of what we're doing, and yet there is a serious safety and congestion issue on the highway now," he said.

However, a Dartmouth-educated traffic engineer hired by the Conservation Law Foundation projected that the induced population growth from the lane expansion would actually add enough traffic congestion to secondary roads to more than offset any reductions in congestion on the highway. And that could increase the air pollution impacts locally as well, he found.

In his order, Barbadoro wrote that the agencies' "unexcused failure to disclose these effects in the FEIS was arbitrary and capricious." And that's what he ordered them to reassess, based on the Delphi panel's forecasts.

Thomas Irwin, a senior attorney for the CLF, said it's the local communities that will have to absorb the congestion and the extra cost to maintain those secondary roads. "And the people who live within those communities have never really been put on notice and informed of those impacts," he said.

► Salem: Project vital to town's future

► Judge's order to further delay I-93 widening

The CLF has long advocated a combination of rail and highway improvements to address the Interstate 93 congestion. Irwin said the organization's traffic consultant found that even with the widening project, the highway would exceed capacity again before 2020.

"We continue to believe, and we think the numbers confirm, that just adding lanes is not a long-term solution, that it's going to take highway improvements and rail to truly serve this corridor," he said.

But in his order, Judge Barbadoro said he was "unpersuaded" that the Delphi panel's forecasts would change the agencies' assessment that rail is not a viable alternative to the highway expansion.

Economist Dennis Delay served on the 2001 Delphi panel on the I-93 project. Each member of the group prepared his own forecast, then met to discuss the various predictions, which were kept anonymous, he said.

They then "had an opportunity to redefine or rework our own estimates based on the discussion," Delay said, and the final forecast was based on an average of the predictions.

Delay said his own projections were considerably lower than what came out of the study

"A lot of the other panelists, in my opinion, were overestimating," he said. "They were taking the growth rates from the 60s to the present day and extrapolating."

But he continues to believe many of the towns along the I-93 corridor have grown pretty nearly to capacity.

"You just can't keep growing exponentially. Higher housing costs, zoning ordinances, lack of available land, all of these things will tend to limit growth," said Delay, who is now the deputy director at the New Hampshire Center for Public Policy Studies.

In fact, the latest projections from the state Office of Energy and Planning, published in late 2006, do forecast a slowdown in the state's rate of growth.

According to Thomas Duffy, senior planner at OEP, the state is now projected to gain between 8,000 and 11,000 new residents a year, not the 13,000 to 15,000 the OEP previously projected.

If the state needs to prepare an updated Environmental Impact Statement, Duffy said, it would make sense to use those projections, which are based on 2000 Census data. The population forecasts in the FEIS that troubled the judge were based on the 1990 Census.

Duffy said he's no fan of the Delphi method. "There's something desperate in that process," he said.

He contends people move to an area for many reasons, such as the quality of life, the environment and available services. So while there is a logic to the argument that better roads will bring more people into the state, Duffy said, "I think it is next to impossible to quantify."

"There comes a time in statistics where I think -- and Americans hate to do this -- you have to admit that you don't know."

YOUR COMMENTS

The voices of UnionLeader.com readers: To join UnionLeader.com's discussion of the news, use the form below.

I commute to Boston on 93 or Rt 3 everyday. I seldom have a problem with the roads in NH. All the traffic is in MA--treble Cove road, and the main exits on 93 (495, 95, Malden, etc.) The only problem with NH is the Rt 1 exit heading north on a Friday. I moved to NH knowing the commuting problems. I do not want to see NH becoming over populated.

- **chris, bedford**

I do not see why the proposed impediments can not be circumvented. Why does the widening of 93 equate

Cluff Road stop elimination still raising concerns

By GORDON FRASER
STAFF WRITER

SALEM — Town workers did away with stop signs and a blinking red light on Cluff Road on Monday following a contentious decision that some say could put drivers at risk.

Selectmen last week voted, 3-2, to do away with a three-way stop outside Kensington Place on Cluff Road.

But while the decision to remove the stop signs has drawn criticism from some experts, it's being praised by the people the signs were originally meant to protect.

"From my point of view, I think

they did the right thing," Kensington Place resident Michael Pappas said of the selectmen's decision.

Three years ago, when the Planning Board approved Kensington Place, a senior housing development, two traffic consultants and town experts all thought traffic needed to stop outside the development.

A three-way stop was installed to allow senior citizens leaving their condominium complex to get onto Cluff Road without a problem.

"The (Planning) Board at the time had — and I still do — some pretty grave concerns, you know, about an 80-year-old couple sitting at that intersection to get out of that complex on a Saturday," said

James Keller, now chairman of the Planning Board.

But many Salem drivers complained about having to stop suddenly outside Kensington Place, only to drive on again.

"It's like putting a stop sign in the middle of (Route) 28," Selectman Patrick Hargreaves said of the decision to place a stop sign on Cluff Road.

And even Kensington Place residents found the stop signs annoying, Pappas said.

"The unit that I live in, well, I'm going to say it's probably 50 or 60 feet from what was the three-way stop," he said. "I would hear the traffic roar as cars came to the stop and then accelerated to

leave."

But the decision to do away with the stop signs was ill-advised, according to some selectmen, the Planning Board chairman, the town's planning director and others.

"The area was very dangerous," Planning Director Ross Moldoff said. "It's actually a lot less dangerous than it was (because of the three-way stop)."

Moldoff's opinion is supported by a 2002 traffic study the town commissioned from a Concord-area consultant. The study recommended the stop signs, as well as signs warning drivers that they are approaching a stop.

That's why Keller, of the Plan-

ning Board, thinks the selectmen's decision was ill-advised.

"I think it gets precarious when you start trying to re-evaluate situations without necessarily going through all of the factual evidence," Keller said. "I think it sets a dangerous precedent."

Selectman Michael Lyons, who voted against removing the signs, agreed.

"We have a traffic study from the town that says (the signs need) to be there," Lyons said.

But critics of the three-way stop point out that although Cluff Road has frequent accidents, the collisions don't take place outside Kensington Place.

There have been 129 accidents

on Cluff Road in the past four years, according to statistics compiled by Salem police. None of those accidents have been at the intersection in question. Sixty-seven of the accidents took place where Cluff Road meets South Broadway.

"We're OK with the decision to remove the stop signs, but we certainly would reserve the right to revisit it ... if it becomes more dangerous," said Deputy Police Chief William Ganley.

The blinking red light is being replaced by a blinking yellow light, and drivers coming out of Kensington Place will still have to stop before turning onto Cluff Road.

Old train station may be razed

By GORDON FRASER
STAFF WRITER

SALEM — Town officials will be called upon tonight to approve an \$80,000 plan to demolish part of the Depot train station, making way for a restoration plan.

Last fall, selectmen approved using \$15,000 from a transportation trust fund to study the building in advance of demolishing a 1950s-era addition and clearing the structure of asbestos, a cancer-causing substance.

The Depot building, at the corner of Routes 97 and 28, could be the future site of a bus stop on a transit system slated to start in 2012, which is why the transportation fund could be used, officials have said in the past.

The roughly \$500,000 fund gets \$69,946 every year from the Mall at Rockingham Park, which agreed to pay when the shopping center was first permitted by the Salem Planning Board.

Community Development Director William Scott will ask selectmen tonight to dip into the transportation fund again in an effort to complete the demolition and cleanup.

While demolition bids from 14 companies aren't expected to come in until Thursday, Scott is calling on selectmen to approve spending \$80,000. He expects the lowest bid to come in well below the \$80,000 price tag, but wants an authorization that would allow workers to get started as soon as possible, he said.

Repairing the train station has been the goal of a community group led by resident Dianne Paquette, who said she remembers riding past the station on her bicycle as a young girl. Since last fall, Paquette has organized community members



Staff photo

Members of the Salem-based Ghostlight Theater Co. of New England are talking to Salem officials about converting the old Salem Depot train station into a 40-seat theater.

interested in renovating the station — making a museum or other community center from the decaying building.

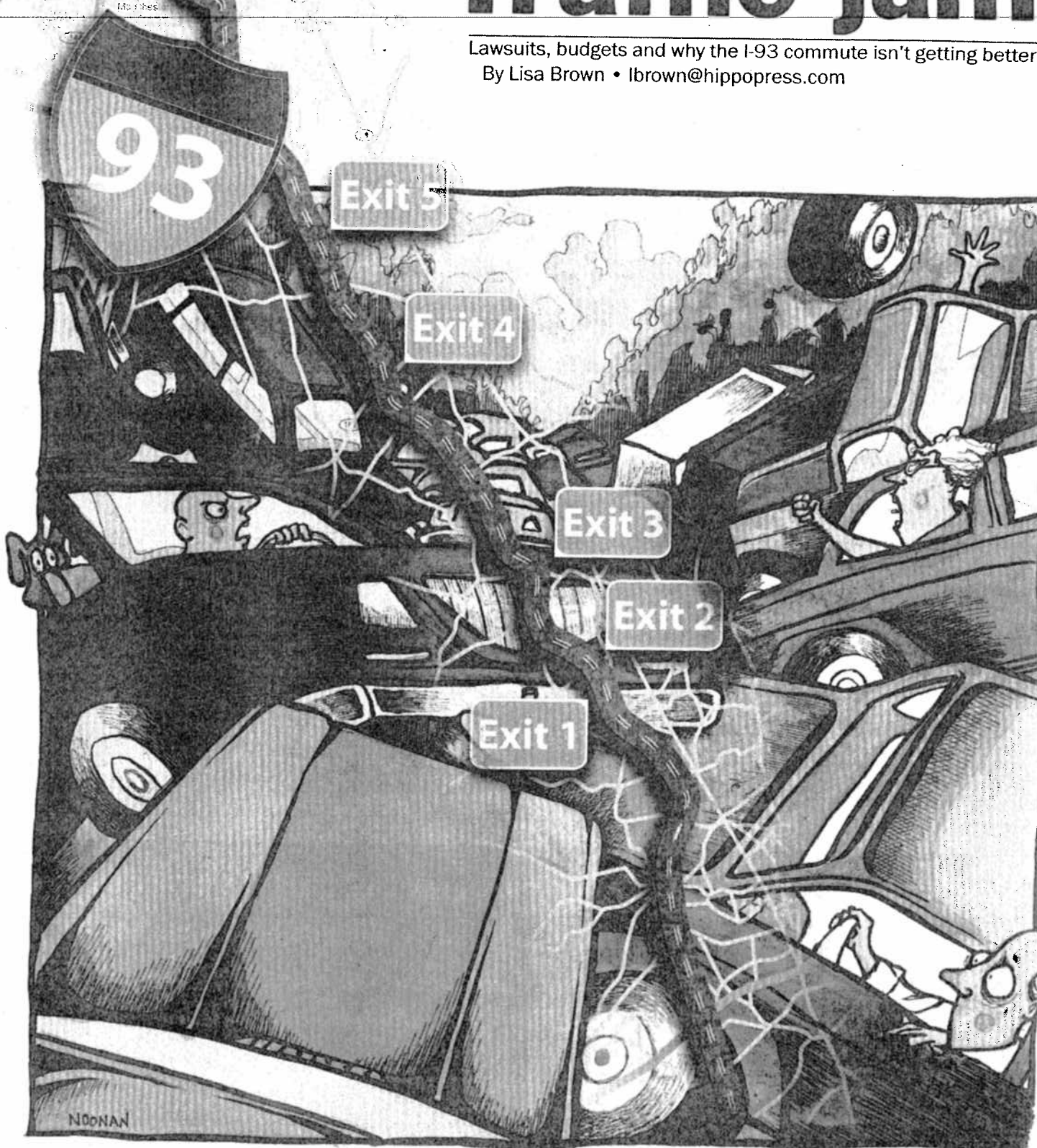
While Paquette said she didn't want to discuss the demolition plan until selectmen get a look at it tonight, she said she is hopeful repairs will move forward soon. Volunteers can't begin their renovation until the asbestos is removed, Scott said.

The train station could eventually serve as a museum highlighting the town's transit history, or serve some other purpose, Paquette has said.

The train station was likely built in 1867, according to Paquette. The addition, which was probably built by James Sayer when he bought the station in the mid-1950s and converted it to a law office, extends nearly to the road and doesn't match the original architecture, Paquette and others have said.

Traffic jam

Lawsuits, budgets and why the I-93 commute isn't getting better
By Lisa Brown • lbrown@hippopress.com



Traffic along Interstate 93 is like a bad cold — terribly congested and feverishly frustrating.

More bad news: there might be no real antidote, at least not one with long-term effects. I-93 is old and tired and more. Its bones are deteriorating, its ramps and bridges dangerously in need of repair. Motorists who travel between Manchester and the Massachusetts border on a regular basis are not going to see any significant change for a while. With the state's Department of Transportation fighting for every dollar in its budget, Commissioner Charles O'Leary can only hope to stop some of the bleeding. Red-listed bridges and ramps and projects that have been in the pipeline are getting priority. The long-heralded I-93 Widening Project, which has been in the works for more than 23 years, is getting a second look, in part because of a recent court order, and secondly because O'Leary now says the project is too costly and unrealistic as planned years ago.

Rush hour

The original widening project that was conceived in the 1980s called for the doubling of the lane capacity of I-93 from two lanes in each direction to four lanes in each direction between Manchester and the border of Massachusetts. When the project was first designed, it was projected to cost \$400 million, but because of a string of delays ranging from environmental studies to a recent lawsuit, the proposal to widen the southern corridor is now expected to cost \$700 million.

When I-93 was built in the early 1960s, the lifespan of newly built highways was estimated to be between 35 and 50 years, depending on many variables, among them population growth and vehicle traffic. When I-93 was built, it was designed to handle between 50,000 and 60,000 vehicles a day. Now, almost 50 years later, in some areas such as Salem that number has doubled. Recent studies show that at peak traffic hours more than 110,000 vehicles pound the pavement through Salem's exit each day.

With only two lanes in each direction to handle that amount, the going is slow and dangerous.

"Traffic along this stretch of I-93 far exceeds on a daily basis what the road was designed to carry. Motorists have very little margin for error," Boynton said. "There's an ongoing high risk of a major incident that could shut down the highway and cause significant disruption."

New Hampshire DOT officials spent years holding public hearings, conducting environmental studies and impact studies and meeting with local communities between Manchester and Salem before coming up with a widening project that could be agreed on. Finally, in June 2005, The Federal Highway Administration issued a Record of Decision (a green light) authorizing the funding and construction of the four additional lanes. The DOT operates on what is called a 10-year plan, which is approved every two years. This October would have been the start date for the widening project. But in February 2006 the Conservation Law Foundation filed a lawsuit against the Federal Highway Agency and the Department of Transportation charging the agencies with violating the Environmental Policy Act by refusing to consider commuter rail as part of a solution to traffic congestion.

Heavy congestion

"We were charging that their [DOT] analysis of transportation alternatives was flawed," said Tom Irwin, senior attorney for the New Hampshire office of the Conservation Law Foundation. "The most pivotal [flaws], for assessing the benefits of this highway and for assessing net traffic impact, [were] using flawed data and inaccurate low population data."

The suit alleged "induced growth," which means that with more lanes of traffic more people would move to New Hampshire and thus use the highway. Irwin says the bottom line is that the state would be right back in a bottleneck by the year 2020.

"That, in our view, makes the case that we can't just add lanes and expect to solve this problem, we need a more balanced transportation system to address congestion issues in the southern part of the state," Irwin said.

The CLF was hoping for a court mandate that the DOT consider rail in its traffic congestion mitigation equation. It didn't get that, but it did get a judge's order, issued last month, stating that the Department of Transportation did use flawed data.

"If you want to boil it down, we believe the DOT engaged in planning with blinders on. They only looked at the highway, not secondary roads, and they didn't truly look at rail as a solution, which we continue to believe is a solution to congestion," Irwin said.

The Department of Transportation does not agree with the CLF.

"We did consider rail and we are preserving the corridor for a future rail option," said Bill Boynton, a spokesman for the NH Department of Transportation. "We did not see the value of building the train now versus the amount of cost and what additional traffic may or may not be off the road."

In his ruling, U.S. District Judge Paul Barbadoro did find fault with the DOT data, and ordered the state to prepare a Supplemental Environmental Impact Statement. With better numbers, they might obtain a clearer picture of how the widening could affect secondary roads and air quality in communities along the 20-mile stretch of highway. He did not mandate considering a rail option.

The court delay has left many elected officials in Salem frustrated.

"Officials in Salem have supported the widening of I-93 for many years ... I remember going to meetings back in the 1990s and [I] felt the project was imminent; it has been

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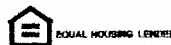
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East Side

P · L · A · Z · A

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much anticipated," said Ross Moldoff, planning director for the town of Salem. "The tremendous backups at Exit 1 where the road narrows from four to two lanes [north from Massachusetts border to Salem] — the selectman and planning board and groups involved in planning would all say this [widening] is what we need."

Moldoff doesn't buy the argument from the CLF that the widening will burden the community because of induced growth.

"I'm one who is skeptical," Moldoff said. "I don't know how you can project the population will increase." Moldoff said residents in Salem live there because they like the community, not because of a highway.

"It doesn't make any difference if they widen it or not," Moldoff said. "There is growth and there is only so much land left to build on; I don't think its population is going to increase just because you add a lane or two."

Stop and go

The Department of Transportation has been given until October to comply with the judge's order for the supplemental EIS. In the meantime, work along I-93 that was already underway continues.

"There are projects along the corridor underway now that are not related to whether or not the highway is widened," Boynton said. "Including park-and-rides at Exits 5 and 2 and work on Exit 1... projects not necessarily related to the widening of the highways."

Ironically, most of the work that is being done is the replacement of red-list bridges along the I-93 Exit 1 area.

"Whether or not the road is an additional two lanes should not impact the type of work we are doing there," Boynton said. The bridge work was already scheduled before the Minnesota bridge collapse earlier this summer. "They were already on the schedule, and now certainly we want to get to these sooner rather than later, but nothing has changed," Boynton said.

Construction ahead

The original I-93 widening project that was approved in 2005 called for most of the widening to happen at once. But times have changed. Earlier this year, Carol Murray, who was the transportation commissioner back when the project was approved, was forced to resign. In her place, Governor Lynch brought back former Transportation Commissioner Charles O'Leary, who served from 1990 to 1996. O'Leary says the I-93 widening project which comes under the umbrella of the current ten-year plan is too big.

"If we add no new projects, it would take us 35 years to complete the plan that is currently in law because the cost of these projects [which include the I-93 widening project] have now far exceeded the costs of available funding," Boynton said.

The cost of funding the current ten-year plan is only one spoke in the financial wheel that is about to fall off at the Department of Transportation. Last week Commissioner O'Leary painted a grim financial picture for his department, and he says unless there are increases in tolls or the gas tax there will be people out of work.

"We are facing a funding crisis in just about every aspect of the DOT," Boynton said. "The I-93 project remains the number-one priority, but the funding limitations we have will not allow us to build it at the same

pace as we had projected."

Once the courts are satisfied, the I-93 widening project will begin. Commissioner O'Leary has called for a phasing in of the project.

"It's been redefined already, the Commissioner is looking to phase it in because he doesn't want a 20-mile work zone and he doesn't have the funding," Boynton said.

Men at work

• Exit 1-Rockingham Park Blvd., Salem

"There will be construction starting this week [Sept. 10] at exit one," said Pete Stannas, Project Director for I-93. "It is to replace seven red list bridges, four over the mainline [I-93] that carry the ramps over I-93." This project replaces seven structurally deficient bridges on the red list and reconstructs the ramp approaches to all of the bridges. This construction is expected to take two years.

• Cross Street Bridge, Salem Work began

earlier this summer to replace the Cross Street Bridge, which has also been on the red list of bridges that need repair. The bridge is just south of the Rockingham Park Boulevard exchange. The Cross Street Bridge, which was built in 1961, goes over I-93 and has been red listed as a structurally deficient bridge. Structural steel is expected to be in place before the start of winter, with a completion date in summer 2008.

• Exit 2-Park and Ride Exit 2 onto Pelham

Road, between the Windham exit and the last Salem exit, is also under construction. This summer site work began on a new park and ride (PNR) facility and bus terminal. More than 10,000 tons of rock have been excavated to make room for the new \$6.4 million facility. The parking lot will have room for more than 470 vehicles and the facility will be a full-service bus terminal. The steel structure for the terminal has been erected and work is expected to be completed by the fall of 2008.

• Exit 4 Bus Terminal-Londonderry/Route

102 While this has been a park and ride for years, it did not have a bus terminal. This summer a terminal was built. However, no new buses have been added to the schedule.

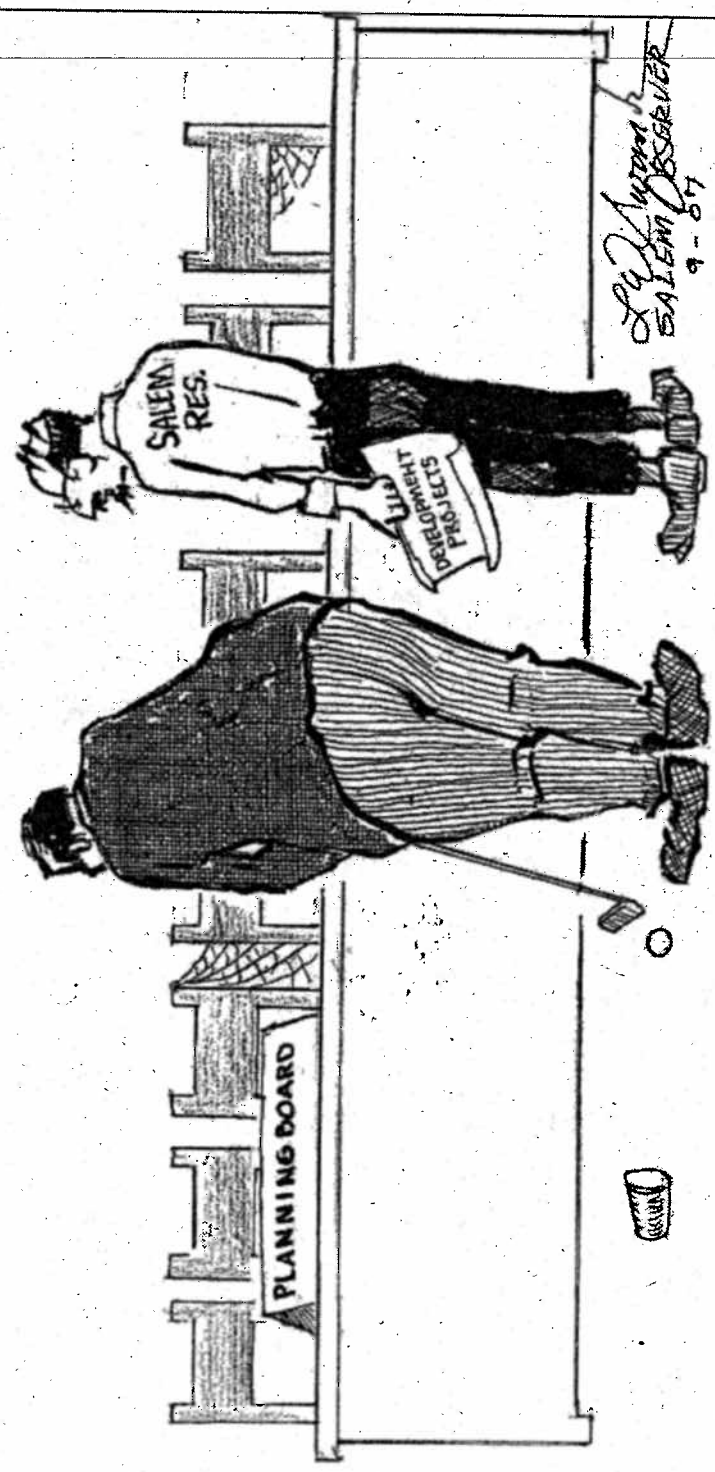
"There is a competitive RFP out there, and where it goes and how it lands, I don't know. We bid on it and if we get it there will be further expanded service, said Ken Hunter, vice president of Concord Trailways. If the bid does go to the carrier, Hunter says added bus service most likely would not begin until next year when the Exit 2 bus terminal is completed. If Concord Trailways is awarded the bid, the service would still go to Boston South Station. There are no plans to stop in Woburn or in other work destination towns between New Hampshire and Boston.

• Exit 5 Park and Ride-N. Londonderry

The work at this exit represents two separate projects. One is the construction of a 443-space park-and-ride lot and the completion of approximately 2,500 feet of Route 28. In addition, a new \$6.6 million bus terminal and maintenance facility is being built. The new 5,000-square-foot terminal will have administrative offices, mechanical and maintenance areas and public areas. The bus maintenance facility will consist of two 12,000-square-foot buildings. One building will include three service bays, a wash bay and general support offices for bus crews. The second building will consist of 12 drive-in/back-out bus parking bays. Both projects are expected to be completed by fall 2008.

9/6/87
Salem Observer

VOTING OUT DO NOTHINGS WON'T
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Planning Board becomes more disciplined, efficient

By GORDON FRASER
STAFF WRITER

SALEM — A town board many criticized as moving too slowly is picking up the pace, according to panel members and town employees.

Many have slammed the five-month-old Planning Board for taking too much time to deliberate over development proposals, allowing projects to pile up meeting after meeting.

Complaints, some of which came from board members themselves, grew more clamorous after the panel's meeting on Aug. 14, when it took more than four hours to re-

view three of the nine projects on the board's agenda. Of those three, the board didn't make a final decision on a single one. The other six were postponed.

But Tuesday, planning officials held a much different meeting. Of the six projects before the panel, four were approved and two were sent back for more information, a much higher percentage than has been typical this year.

The Planning Board is the final authority on whether development projects — from apartment complexes to garages to shopping malls — can be built in Salem. While the board was traditionally appointed by the selectmen, last March marked the first time it was

elected by voters.

The change was brought about by a citizens petition aimed at giving residents more control over development in town.

Since then, the Planning Board has moved at a pace engineer George Fredette described as "glacial."

But, some said, that's starting to change.

At Tuesday's meeting, the board finished reviewing projects by 11 p.m., "which is probably the earliest we've (finished) in months," Planning Director Ross Moldoff said.

The change is part of a serious effort by officials to make meetings more efficient, and represents

the beginning of a trend, Moldoff said.

"The chairman instituted some changes in the way we do business," Moldoff said.

He said applicants are only allowed one informational meeting before their plans are completed and board members are given less opportunity to repeat points that have already been made during deliberation.

Board Chairman James Keller, a 13-year veteran of the panel, said he was lax on discipline in early meetings because he wanted to give new members a chance to voice their opinions.

"I had allowed much more latitude with the new board ... than I

have in the past, out of respect for the new members," he said.

But, he added, after a string of slow and unproductive meetings, he "made the decision to get much more disciplined in how we do what we do — that goes for the board and the applicants and the staff."

Keller took over as chairman in November, replacing Adam Webster, and was re-elected to the post in March.

New Planning Board member Linda Harvey approves of the changes and thinks they will ultimately lead to better developments in town.

"It (was) a combination of the chairman and Mr. Moldoff work-

ing to make sure that the people coming in, the applicants ... had something to come in for," she said.

But the board will have to keep up with the new pace if it wants to avoid having more long, unproductive meetings.

In the seven meetings between March 28, 2006, and June 27, 2006, the Planning Board took final votes on 48 percent of the agenda items that had come before it, according to town records. In seven meetings over the same period this year, the board made final decisions on only 28 percent of its agenda items.

Records for July and August 2007 are not yet available.

8/30/07 Boston Globe



Thomas O. Morrow III served as operations manager for 30 years at Canobie Lake Park, and played a key role in making the amusement park a favorite summer destination.

Thomas Morrow, 66; helped in rise of Canobie Lake Park

By Gloria Negri
GLOBE STAFF

Thomas O. Morrow III always loved amusement parks, the sights, sounds, smells, and the smiles on the faces of children and grown-ups who also find pleasure in them.

That passion eventually took him to Canobie Lake Park, where he served as operations manager for 30 years and helped to guide the development of the Salem, N.H., park into a popular regional destination.

Mr. Morrow died from cancer at Lahey Clinic in Burlington on Sunday. He was 66 and lived in Salem, N.H.

Carl Berni, a member of one of the three families who own the 105-year-old park, said Mr. Morrow's death leaves a void at Canobie Lake.

"Tom loved the park," Berni said. "Tom was a key player in the success of the park at a time when parks were going out of existence in New England in the late '70s and '80s."

"Not only did Tom know everyone in town but he knew all the ride manufacturers and suppliers," Berni said. "He knew the owner on the other end of the phone. He knew what worked at other parks and what we should stay away from."

Mr. Morrow began working at amusement parks at an early age. At 16, growing up in Pittsburgh, he got a job at West View Park, where he worked summers while attending California University of Pennsylvania.

He had sought to become a biology teacher after graduating in 1966, his family said. But the pull of the rides, the games, the food stands, and the people lured him back to West View, where he was made manager's assistant and later assistant general manager.

"Dad just fell in love with it," said his son, Greg, of Rossville, Ga.

In 1977, Mr. Morrow heard Canobie Lake Park had an opening for an operations manager.

"Dad happily made the drive north for the chance to spread his wings," his son said in an e-mail. "In doing so, he has been a driving

force behind all aspects of the park's development, expansion, and operations."

William H. Robinson of Hamilton, Ohio, who was in the amusement park business, knew Mr. Morrow for 30 years. "He was well respected in our industry," Robinson said. "He put a lot of time in."

In 1971, Mr. Morrow married Katherine Lyne, who worked at West View Park with him, their son said. The couple divorced 10 years later, he said.

Mr. Morrow was a big man in stature, 6-feet-6 with a heart just as big, said Kathleen Horner-Wall of Southington, Conn., who had been in the amusement park industry before becoming a teacher.

"Though Tom did not become a teacher, he was foremost a teacher," she said.

"He taught young people — including those who came to work at the park — to be good citizens and to treat people with respect and kindness."

For 20 years, he worked to provide scholarships for high school students through Dollars for Scholars, the Salem chapter of the national Citizens Scholarship Foundation.

In March 2006, Mr. Morrow was inducted into the New England Association of Amusement Parks and Attractions' Hall of Fame.

Berni said that "once the amusement park business gets into your blood, it's hard to get out." Mr. Morrow confirmed that with a comment he made on being inducted into the Hall of Fame.

"I wouldn't trade my years in the business for anything," he said.

In addition to his son, Mr. Morrow leaves a daughter, Shannon Santandrea of San Francisco, and a sister, Linda Mitchell of Philadelphia.

A private funeral service will be held at 9 a.m. today at the Douglas & Johnson Funeral Home in Salem, N.H. A memorial celebration will be held at 10:30 a.m. today at the Canobie Lake Park Catering Center, and burial will be Wednesday at Sunset Memorial Park in Feasterville, Pa.

8/28/07 Tribune

Canobie Lake Park official loses fight against cancer

By CYRA MASTER
STAFF WRITER

SALEM — Thomas Morrow, the longtime operations manager of Canobie Lake Park, died Sunday after a six-month battle with cancer.

Morrow, 64, oversaw operations at Canobie Lake Park for 30 years and was an active member of the community. He was chairman of the board for the Greater Salem Chamber of Commerce, president of the Salem Exchange Club, and served on the board of trustees for both Dollars for Scholars and Field of Dreams.

■ Obituary. Page 6.

The longtime Salem resident started his career in the amusement park industry when he was

16, working at a park in West View, Pa. He caught the eye of the park's manager and was promoted to manager's assistant and then assistant general manager.

In 1977, he heard that the owners of Canobie Lake Park were looking for someone to oversee operations. He came to interview for the job and stayed for 30 years. "He liked the people more than anything else," son Greg Morrow said. "He loves job fairs, watching the new faces, that was part of what he really enjoyed."

Thomas Morrow was recently handpicked by Gov. John Lynch

to sit on the New Hampshire Amusement Advisory Board, an opportunity his son said he was very excited to receive.

Greg Morrow worked with his dad at Canobie Lake Park and said his father's best quality, both at work and at home, was pushing people to do their best.

"He coaxed the best out of everyone who worked for him," Greg Morrow said. "He did that with me. He always pushed me to do better than I was doing because he knew I could."

Thomas Morrow was instrumental in expanding Canobie Lake Park and making it the well-known facility it is today, Greg Morrow said. A memorial celebration will be held at the park Thursday after the funeral. It will be an opportunity for those who knew him to celebrate his



Thomas Morrow

life, Greg Morrow said.

"That's what he would want. He doesn't want us to be sad," his son said.

Thomas Morrow died at Lahey Clinic in Burlington, Mass., surrounded by friends and family. A wake will be at Douglas and Johnson Funeral Home, 214 Main St., Salem, on Wednesday between 3 and 8 p.m. A private funeral for family and close friends will be at 9 a.m. on Thursday at the funeral home. The memorial celebration will be at 10:30 a.m. on Thursday at the catering pavilion at Canobie Lake Park. Guests are asked to check in at the main gate.

In lieu of flowers, the family welcomes contributions to the Thomas O. Morrow Scholarship Fund - Dollars for Scholars, P.O. Box 297, Salem, NH 03079.

Stars
of the weekDouglas S.
McKenna

recently received the 2006 JV Boy's Soccer Coach Award and the 2007 Alpine Ski Most Improved Award. An honor student at Keene High School, Douglas will enter his senior year this fall.

Daniel P. McKenna recently received the 2007 Belmont Cop Baseball Award. A student at Westmoreland Elementary School, he will enter the eighth grade this fall.

Douglas and Daniel are the sons of Stephen and Nancy (Girard) McKenna of Westmoreland, formerly of Salem, and the grandsons of Leo McKenna of Keene and Eunice E. Girard of Salem.

Asna Jadeja

of Salem recently graduated from Cornell University in New York with a bachelor of science degree in industrial and labor relations.

Andrew Ramsey

of Salem recently graduated from Cornell University in New York with a bachelor of science degree in mechanical engineering.

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Beautiful Salem



Observer Bruce Preston

The town of Salem, along with the Salem Garden Club, will recognize six area organizations Tuesday, Aug. 14, with a Commercial Landscaping Award for their efforts to beautify the town with landscaping. Twelve sites were nominated for recognition, and from that six finalists were selected. Anne Peppin, above, the acquisition/circulation librarian at the Kelly Library, and co-worker Chris Colella, have been working on the grounds for about four years now. The project started as a small memorial to a fellow employee, and grew to include most areas of the library grounds. Peppin said she gets almost constant comments from the public on how much they like the gardens. Library director Eleanor Strang said, "The library has never looked better than it does this year." See more beautiful gardens on page A-10.

Funny
money

Man caught with counterfeit

BY MATT HERSH

mhersh@yourneighborhoodnews.com

Salem police have arrested a New York man who they said is responsible for printing more than \$1,000 in counterfeit money.

Jeremy Hurd, 36, of Utica, was arrested on Friday, Aug. 3 when members of the Salem Police Department's investigative services unit stopped his car on Gulliver Avenue.

A search was conducted at 32 Gulliver Ave., where police found about \$1,500 in counterfeit bills in \$20 and \$50 denominations. Police also confiscated a photo copier and printing paper.

Deputy Police Chief William Ganley said the arrest came after several weeks of investigation.

"We've been getting reports around town of phony money being passed," he said. "We knew something was going on and we received some information that detectives were able to use to make the arrest."

Ganley said there have been several instances recently where merchants and banks have come across the fake bills. He described the bills as being of decent quality.

"It was good enough quality that a busy store employee might not notice it right away," he said. "Unfortunately, the last person who gets stuck with it loses out," he said.

Police said some of those bills have also been passed at local businesses around the Seacoast and Merrimack Valley.

Ganley said police are seeing more forged money as the years go by because technology is making it easier for criminals to produce it.



Jeremy H

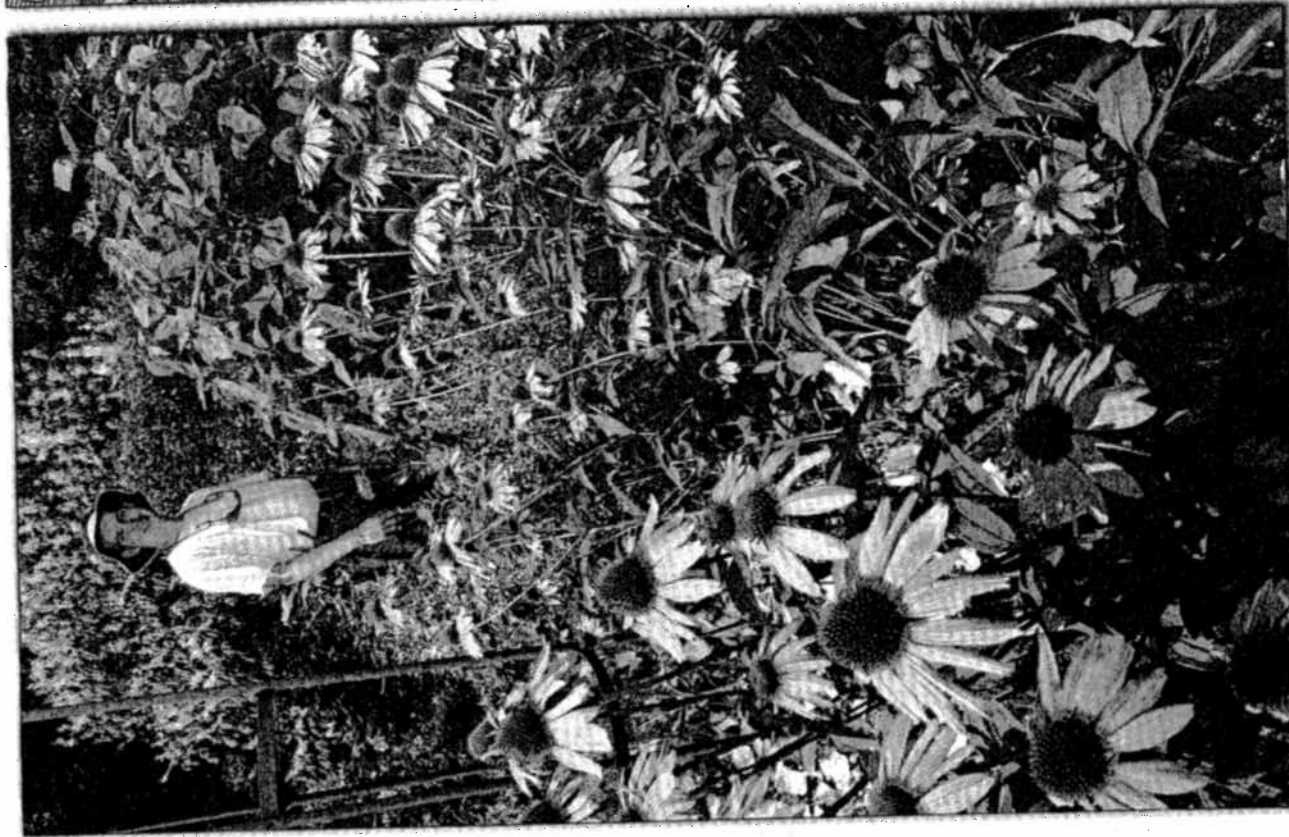
"It was good quality that store employees not notice away"

Salem Dispatch

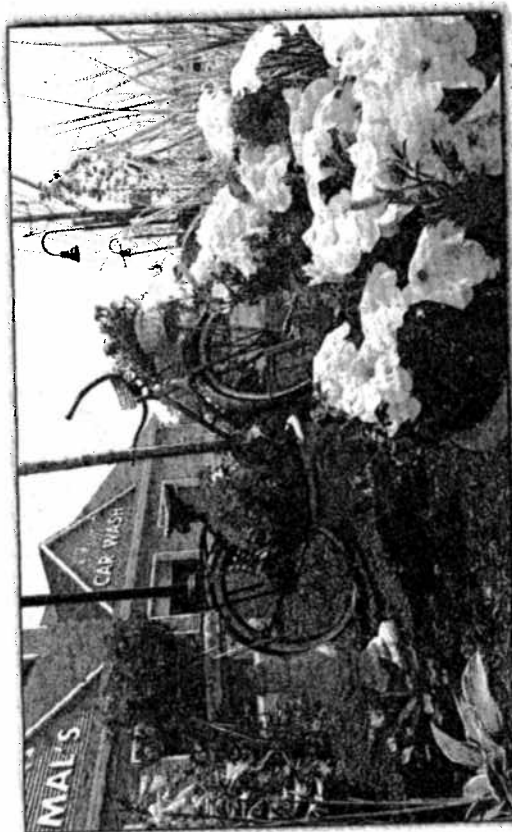
Hurd was charged with carrying a Class B felony, a \$10,000 cash held on \$10,000 cash days until his arrest Monday, Aug. 6, was continued at \$

Hurd is set to re District Court with days for a probationing. The U.S. which has jurisdiction over counterfeit money cases contacted and advised.

"I think what is the Secret Service involved, open up litigation and work prosecution," Gan



The Lake Street Garden Center has an elaborate display set up at their entrance along Lake Street. For the past 15 years, the display has been planned by the management of the center, and then created and maintained as a group effort by employees. But playing a major role, always, is Patricia Madsen. This year in conjunction with new employees, Erle Seed. The display includes multiple flower



Alvin Kamel, owner of Kamel's Car Wash, a relatively new business on South Broadway, said that it is going to take a couple of years before he gets everything just the way he wants it. But you would never know that when you look at the meticulously maintained areas around his business. Kamel makes maintaining the grounds part of his daily routine, and admits that he sometimes uses things that his wife buys for their Salem home at the car wash.



Hidden behind the 98 Salon on South Broadway is an oasis created by the salon's owner Mario Mollica - above, with the salon's mascot, Bella - of Salem. A groomed lawn, colorful flowers and shrubs are mixed in with tomato plants, herbs, apple trees and even a peach tree. Mollica has been at this location for 24 years, and has spent the last 10 years working hard on the garden.



St. Joseph's Church on Main Street was also recognized for its efforts. Father John Michalski said that the area was planted by three members of the arts and environment group within the church. Annette Smith, Pat Richardson and Jeanette Dubois have taken on the task of planting the flowers and have done so for many years. The ongoing maintenance of the area is done by Craig Derikstad. Michalski says that the recognition is a "wonderful tribute to the people who have worked so hard."

Observer photos by
Bruce Preston



On North Broadway, Pentacrest Bank's landscaping is overseen by Executive Vice President Scott Cole. The color scheme is an important aspect of the overall look, and Cole

8/23/07 observer

Tenants may have to move if apartments rebuilt

BY MATT HERSH

mhersh@yourneighborhoodnews.com

Salem zoning officials unanimously gave approval to a plan which may affect some 168 apartment tenants by replacing their apartments with newer, more expensive ones.

On Wednesday, Aug. 15, the Zoning Board of Adjustment granted three variances that will allow the owners of the Brook Village West apartment complex to tear down 168 apartments and replace them with more modern ones.

A nearly identical plan was approved last year, but the owners' permit expired after they did not receive Planning Board approval within one year.

Since state law does not require apartment owners to notify tenants about potential changes to their buildings, dozens of residents may be unaware of the proposal. The law only requires the owners to notify abutters.

Planning Director Ross Moldoff said it's uncommon for apartment owners to notify tenants about such planning and zoning changes because they're typically afraid of scaring them away.

Moldoff said Brook Village owners have taken a more active role in notifying tenants than is usual. Residents were given printed notices about the possible changes to the complex.

Still, the proposal could mean telling 168 tenants that they have to move out, Moldoff said.

"It's private property technically," he said. "If you're a nice manager, you can tell people with advanced notice that they

will have to make other living arrangements. If you're not nice, you can just tell them to get out."

Moldoff said the only legal claims the tenants might be able to make are surrounding their leases. Depending on the terms of the lease, the owners may be required to allow the tenants to stay until their leases expire.

An employee at Brook Village said the complex offers six-month and one-year leases.

Though the Zoning Board has given approval to the project, the owners of the complex still have to appear before the Planning Board and gain their vote as well.

"The owners haven't submitted a request to (the Planning Board) yet," Moldoff said. "But if the new site plans are within town regulations, they will have to approve them."

The plans for the new complex call for four buildings, each of which to be 15 feet longer and 25 feet higher than usually allowed by zoning regulations. The buildings are also to be closer together than usual.

GAMBLING: State looking for additional tax revenue

■ Continued from Page 1

Bay State lawmakers may soon have to decide whether to support a \$1 billion casino-resort in Middleborough, Mass., which won overwhelming support in a town referendum. In Bangor, Maine, a new gambling complex with restaurants and retail space is being built to house slot machines, about a year after lawmakers approved slot machines.

There are 37 states now with some kind of state-approved gambling, said Jim Demers, a lobbyist for Millennium Group, which has an option to buy Rockingham Park if a gambling bill passes.

Millennium recently commissioned a study of bringing 3,000 video gambling slots to the park. The study expects the machines would bring in \$400 million in revenue in its first year, or \$336 million if Massachusetts approved gambling.

Salem town officials would like to see a 5 percent cut of the action to pay for the wear and tear on town roads and other services.

Salem Selectman Arthur Barnes said voters have twice approved a nonbinding referendum to bring slots to the park. In 1994, 53 percent approved gaming in town. Approval jumped to 73 percent in a second vote four years ago. If a gambling bill is approved, Barnes said town fathers would still want final approval of any development plans.

Opponents testified yesterday that they are worried that legalized gambling would produce

higher crime rates and gambling addicts.

But Salem police Chief Paul Donovan said he would expect few problems from the park if gambling was legalized. A 30-year veteran of the Hartford, Conn., Police Department, he said the serious crimes such as homicide and robbery in Hartford have to do with gangs, not nearby casinos.

"You could expect to see an increase in traffic (in Salem), but I expect the calls for service at the park will be less than the mall or Wal-Mart," he said.

Wayne Lemons, Delaware's director of the state lottery, told House members he heard the same concerns 12 years ago when video gambling was established at the state's four racetracks.

He said his state has successfully kept strict oversight by running its gambling industry much like the state lottery system. Every machine is plugged into a mainframe system that controls the percentage of wins and tracks game play.

Gambling legislation was passed in Delaware to save the horse racing industry, Lemons said, not as a main revenue source. The four tracks brought in \$632 million in revenue in the last fiscal year, with \$224.5 million going to the state.

A branch of the Delaware State Police, called the video lottery enforcement unit, controls oversight of the gaming facilities, a move that was made to ease tensions about the potential for organized crime to infiltrate the industry, Lemons said. "We are very pleased with

how it has worked out," he said.

State Sen. Lou D'Allesandro, D-Manchester, a longtime advocate of bringing video gambling to Rockingham, said he believes Delaware's regulation and oversight of gambling is something New Hampshire-lawmakers should seriously consider. He reminded House members yesterday that New Hampshire was the first state in the nation to re-establish a state lottery in 1963.

D'Allesandro and former Sen. Arthur Klemm backed a gambling bill that passed the Senate 10 years ago, but failed the House. Had that bill passed, he

said, the state would have reaped \$300 billion in revenue by now.

"What we've seen is the deterioration of Rockingham Park because we can't compete," D'Allesandro said. "We once had some of the top horses in the country race at Rockingham. We had Seabiscuit."

He noted that the state's lottery and state-controlled sale of liquor are now top revenue sources for the state, and state officials have kept tight control over both. He said the same consideration should be given to gaming.

D'Allesandro is expected to file a new gaming bill this fall.

► Video gambling

8/24/07
Tribune

Racing to find revenue sources

Rockingham feeling pressure from Mass.

By JAMES A. KIMBLE
STAFF WRITER

CONCORD — Advocates for video gambling at Rockingham Park told state lawmakers yesterday that slot machines at the Salem racetrack could bring in \$400 million in revenue during its first year, and only slightly less if Massachusetts approves video gambling first.

The debate over bringing video gambling to the beleaguered horse track has been going on for a decade, but has a new twist this year as proposals in Massachusetts for a casino or video gambling gain momentum. It also comes at a time when lawmakers are at a loss for coming up with a new revenue stream without increasing taxes.

"From my perspective, I see a perfect storm developing," said state Rep. Roger Wells, R-Hampstead. "We're dealing with education funding. Property taxes are destroying homes. We need some new form of revenue."

Wells, a member of the House Ways and Means Committee, said Gov. John Lynch has already ruled out a sales or income tax, leaving few other options for a new, powerful source of revenue.

New Hampshire is already in its first year of a new charitable bingo law that lets the Rockingham and Seabrook greyhound tracks host poker tournaments and sit-and-go card games seven days a week. A portion of the proceeds goes to charities such as local civic organizations and nonprofit groups.

"We're dealing with education funding. Property taxes are destroying homes. We need some new form of revenue."

State Rep. Roger Wells, R-Hampstead

8/23/07 TMDUNG

Members slow to approve projects

Newly elected panel moves at 'glacial' pace

BY GORDON FRASER
STAFF WRITER

SALEM — The newly elected Planning Board is moving at a pace one local engineer described as "glacial," with its members approving fewer than 30 percent of the agenda items that went before them over their first three months in office.

Even Planning Board members acknowledge that the development process has slowed significantly since the new, seven-member panel took over in March.

Board Vice Chairman Gene Bryant laughed when asked if the Planning Board this year was slow, saying, "That would be the word."

But some said that more deliberate pace might benefit Salem in the long run — giving officials more time to consider the impacts of projects on the community.

The Planning Board is the final authority on whether development projects — including apartment complexes, garages and shopping malls — can be built in Salem.

While the board was traditionally appointed by the selectmen, last March marked the first time it was elected by voters. That change was brought about by a citizens petition article aimed at giving residents more control over development in town.

The election brought several new members, and a few former ones, onto the board. Officials, board members and engineers alike agree that the new board has slowed the pace of approvals and denials in town.

In the seven meetings between March 28 and June 27 of 2006, the Planning Board took final votes on 48 percent of the agenda items that had come before it, according to town records. In seven meetings over the same period this year, the board made final decisions on only 28 percent of its agenda items.

Records for July and August 2007 are not yet available.

Some developers are factoring the slow pace of the Salem board into their plans.

■ Continued from Page 1

Project engineer George Frette described the panel's pace as "glacial," saying he expects that it could be well over a year before the 192-unit apartment project he is designing on Cluff Crossing Road is approved by the board.

At the Planning Board's last meeting on Aug. 14, the panel took hours to receive input on only three of the nine projects it was slated to consider. Of those three, it didn't make a final decision on a single one.

But Linda Harvey, a longtime Conservation Commission member and new Planning Board member, said the slow pace of approvals could be good news.

"I don't think that's bad," she said. "I think it's just a case of the people who are coming in to make presentations have to be better prepared before they get to us."

She said the new board likely asks for more information about parking, flooding, and pedestrian access than previous panels did.

At the same time, Harvey acknowledged that the board probably needs to pick up the pace a bit.

"If we can hear three a night and never move any, or rarely move any, obviously we're going to get backed up," she said.

Bryant, the panel's vice chairman, said the problems associated with a new board have been compounded by some complicated projects — the plan for a Lowe's store on Route 28, the redevelopment of an old Coca-Cola plant, and several other large-scale projects.

"The last six months, it seems like everything that's on the agenda is very complicated," he said.

Bryant, who has been on the Planning Board before, thinks the board will eventually pick up the pace. As panel members get used to the process and as the glut of complicated proposals makes it through the system, the board will be able to handle more projects faster, he said.

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Editorial

Salem's looking fine thanks to volunteers

The town of Salem is looking a lot prettier these days, thanks to the efforts of the Salem Garden Club and six area organizations.

Take a look around and you just may be surprised at how beautiful Salem is.

Specifically, take a peek at the grounds surrounding the Kelly Library, the Lake Street Garden Center, Pentucket Bank on North Broadway, Kamal's Car Wash on South Broadway, St. Joseph's Church on Main Street, and even behind the 99 Salon on South Broadway. What you'll find is a gorgeous display of colorful and meticulously

maintained flower beds full of perennials and annuals, tomato plants, herbs, apple trees, shrubs, waterfalls and more.

Kudos to all of those involved in taking the time to improve the landscaping of area businesses and Salem landmarks. Gardening is hard work, as most of you know, and taking the time, energy and effort to do so for the benefit of others should be applauded.

Father John Michalowski, of St. Joseph's Church, put it nicely when he said the recognition is a "wonderful tribute to the people who have worked so hard."

Thanks to all!

Salem

Zoning officials OK apartment complex

By GORDON FRASER
STAFF WRITER

SALEM — Zoning officials unanimously gave the go-ahead for an apartment complex in an industrial area of town, brushing off a request that they meet with the Planning Board before making their decision.

Planning Director Ross Moldoff had called on the Zoning Board of Adjustment to meet with town planners before deciding whether to approve two 30-unit apartment buildings on Hampshire Road.

"Given the significant nature of this project, its potential impacts on the community and site plan review issues that may modify the project, I recommend a review by the Planning Board prior to ZBA action," Moldoff wrote in a memo.

The planning director is on vacation and couldn't be reached for comment yesterday.

But the zoning panel went ahead and approved the project, with several members saying the Planning Board's input was irrelevant to the question before them.

While the Planning Board will

have the final say on whether to approve the proposal by developer Ronald MacLaren to build two apartment buildings at 12-14 Hampshire Road, the Zoning Board has the authority to allow residential use of commercial and industrial land.

Because zoning officials had to answer that narrowly defined question, "I'm not sure what the Planning Board would address," said Bernard Campbell, the lawyer representing the development.

Zoning Board member Chris Sousa did express some reluctance

about acting without input from town planners, although he ultimately voted to allow the project.

"Should we be looking at it in a little bit broader perspective?" he asked, saying the placement of apartments in that part of town could have long-term impacts on the community and the people who eventually live there.

Sousa wanted town planners to weigh in on whether apartments on Hampshire Road would fit into the town's long-term plans, particularly its master plan, a guiding document for development.

But James Broadhurst, an alternate, disagreed.

"The master plan is a political document as far as I'm concerned," Broadhurst said.

The proposed apartment buildings, which would be placed near a Methuen, Mass., condominium complex, would fit in with the surrounding area, Broadhurst said. He also said the traffic would likely be less than if the area was developed with a factory, which would bring large trucks.

The project still has to be approved by the Planning Board.

Businesses gobble up extra space

Not quite a boom, but retailers quick to scoop up any room

By JAMES A. KIMBLE
STAFF WRITER

TOP 10 TAXPAYERS IN 2006

1. Mall at Rockingham Park \$2.6 million
2. Rockingham Park \$754,844
3. Old Rockingham Mall \$589,518
4. Cisco Systems Inc. \$421,934
5. Best Buy \$344,440
6. Wal-Mart \$286,423
7. Granite State Electric \$285,672
8. DeMoulas Supermarkets \$280,938
9. Canobie Lake Park \$268,455
10. Delta & Delta Realty Trust \$235,568

Source: Town of Salem Assessing Department

cold storage building at Kelly Road, developers want to split the 50,000-square-foot building into two stores.

Please see **BUSINESSES**, Page 5

SALEM — Two buildings in the old Purity Supreme Plaza may soon be razed for a new Lowe's Home Improvement store.

Up the road, a new butcher shop is among a row of 10 to 15 stores soon to be completed behind the Irving gas station.

On opposite ends of Route 28, the town's mecca for shopping and commerce, developers' interest in building new stores and businesses indicates commercial activity in town remains robust, local planners said.

Last night, the Planning Board was scheduled to review plans for a 29,000-square-foot medical laboratory on Keewaydin Drive, just off Exit 2, and two other large-scale projects.

At Kelly Plaza, once the site of a

BUSINESSES: Retailers scooping up space

■ Continued from Page 1

On Main Street, construction is underway on a three-story restaurant that may feature outdoor decks and a jazz club.

"There still seems to be a lot of strength in the commercial sector in Salem," said Planning Director Ross Moldoff. "The interesting thing is how the Planning Board deals with it and strikes a balance. It provides a tax base that many communities in the Merrimack Valley would like to have."

The new businesses are sure to add to the \$15.8 million in taxes Salem collected from commercial properties in 2006. So far, there's no exact estimate for commercial tax revenue for 2007. Last year, commercial property made up 27 percent of Salem's tax base.

Despite the development, tax revenue from commercial property has been relatively stable in recent years, according to assessor Normand Pelletier.

"We usually run between 25 and 29 percent," Pelletier said.

"When we do a revaluation like the one we did last year, it fluctuates a little. Residential went up a little, commercial dipped a little bit, but we don't see a lot of movement. It takes a lot to move it when you've got nearly a \$5 billion (assessed value) tax base."

The Mall at Rockingham Park remained Salem's highest taxpayer in 2006, paying \$2.6 million in property tax. It was followed by neighboring Rockingham Park, which had a tax bill of \$754,844, according to town records.

Chris Goodnow, a commercial real estate consultant in Salem, said the town isn't seeing a boom in commercial development, but simply benefiting from its longtime strengths: location and layout.

"Salem is just in a unique position in a lot of ways," Goodnow said. "It has retail space, a lot of medical and manufacturing space."

Goodnow said Salem's commercial tax base is exceptional in the state, with many towns lucky

to have a third or half as much. He said one encouraging aspect of the recent projects along Route 28 is that they are rehabilitating older businesses and retail strips.

"Generally what we're seeing is redevelopment," he said. "That allows for the town to upgrade its standards."

Lowe's wants to build a 127,000-square-foot store where Purity Supreme supermarket anchored neighboring stores in the 1980s. The Kelly Plaza project and new plaza with MacKinnon's Butcher Shop are both rehabilitating areas where industrial businesses once stood, Goodnow said.

12/28/07 Observer

Lawsuit seeks to overturn flood ordinance vote

LAWSUIT: Landowner sues town over flood ordinance

Continued from page A-1

to 1,049. This applies to owners who already have development within the flood plain. Under the new ordinance, they are still allowed to expand their businesses and residences.

The two ordinances were drafted by members of the Planning Board and Conservation Commission. They were heavily supported by members of the Haigh Avenue community where heavy flooding and subsequent property damage has occurred over the past decade.

A 100-year flood is one of such severity that it only occurs once every century. Salem experienced this type of flood in May 2006.

Despite the problems that flooding has caused in town,

Hannon said he believes the ordinances will do nothing to help the situation.

Last month, he told selectmen that the town had no scientific proof that their efforts would have any effect.

Hannon also said that voters were misled in March because insufficient information was provided on the ballots.

"We think the vote was based on inaccurate or misleading information," said David Rayment, Hannon's lawyer, at a selectmen's meeting in May. "The public was confused about what the effect of these amendments are."

Hannon has asked a judge to decide on the ordinances without holding a hearing. Town officials are expected to file a response by August.

BY MATT HERSH

mhersh@yourneighborhoodnews.com

A Salem doctor and landowner has filed a lawsuit against the town in an attempt to overturn two zoning ordinances approved at Town Meeting in March.

The ordinances, which were designed to protect Salem's 100-year flood plain, have been the subject of discussion since they were approved because they limit what landowners can do with construction.

The lawsuit was filed in Rockingham County Superior Court by Dr. Robert Hannon. In May, Hannon also petitioned selectmen to approve a special session of Town meeting so voters

could reconsider the ordinance. Selectmen unanimously denied the request.

Hannon is the owner of an office complex at 23 Stiles Road on a 4-acre lot. There, the ordinances prevent him from expanding his buildings. He also owns a nearby 26-acre site that is not affected by the ordinance.

One ordinance bans all new construction within the flood plain. It passed easily by a vote of 2,491 to 719.

The other article requires that landowners create twice as much space for flood mitigation as they took away by development. It passed by a vote of 2,000 to 719.

Please see **LAWSUIT** page A-1

Your Hometown Newspaper. Visit us at www.yourneighborhoodnews.com

Editorial

Lawsuit against town is self-serving

Selectmen turned down Robert Hannon's request to hold a special Town Meeting to attempt to overturn ordinances which affect property he owns on Stiles Road.

The ordinances have to do with building on or near flood plains, and would keep him from further developing his property.

Now he's filed a lawsuit against the town to try to get a judge to overturn them.

What a waste of the town's time and resources. Now we'll have to pay the town counsel to argue about something the voters have already decided.

Double the amount of people voted to pass the two flood plain ordinances as voted against them, yet Hannon is arguing the

voters didn't understand what they were voting for.

What a slap in the face to the more than 3,000 people who cast a ballot in March.

These ordinances were drawn up by the Planning Board and gained heavy support by those who were affected by the flooding in May 2006.

We don't see any good reason to believe people didn't get a clearly worded choice, nor do we think they were misinformed.

It's clear the lawsuit is an attempt to allow one landowner adversely affected by the new ordinances to wipe out the decision made by residents and be able to profit from it.

The will of the voters should be upheld in this case.

6/27/07

NEW
HAMPSHIRE
EDITION

The Eagle Tribune

Pulitzer Prize winner in 1988 and 2003

SIMPLE TRADITIONS

COOK OF THE MONTH ■ HOME NORTH, PAGE 9



DERRY: MAN ACCUSED OF ILLEGALLY TATTOOING TEENAGERS PAGE 3

PELHAM: TWO STUDENTS FACE TRIAL IN SCHOOL DRINKING CASE PAGE 10

Naked man booted from hair salon

By JAMES A. KIMBLE
STAFF WRITER

SALEM — Local stylists known for their scantily cut outfits got their own eyeful of a local man who stripped naked and was promptly kicked out of the business.

Police said Kevin Bean, 48, of 40 Main St. took off his pants and shirt inside a bathroom at Lather & Lace, a men's salon, about 6:30 p.m. Monday. He emerged in his underwear, scaring the female stylists working in the salon, Deputy Chief William Ganley said.

A female employee told Bean to get dressed

■ East Hampstead man arrested in nude jogging incident. Page 8.

and turned her back to him, Ganley said.

"When she turned back around, he was totally nude," the chief said.

After again telling the man to get dressed, she told Bean to leave and he did. Employees then locked Bean out of the salon and called police.

Bean was outside the salon when police arrived. He was charged with indecent exposure and lewdness, both misdemeanor charges. Bean later was freed on personal recognizance.

Ganley said it's the first call police have ever received from the business, which opened in January. The decision to allow the business to open at 88 North Broadway was opposed by some residents because salon owners wanted their workers to dress in provocative, low-cut clothing.

Four stylists work at the salon, which lists a suggestive line of haircuts that include the "missionary cut" and "the quickie."

The business did not have to go before the Planning Board because it replaced another salon. It did prompt town planners to tweak the zoning ordinance to define sexually oriented businesses.

Sun soakers, heat haters



► Londonderry

Suspect bank h arraign

Police: Derry man
to other robberies, 1

By TERRY DATE
STAFF WRITER

LONDONDERRY — A man suspected of robbing three banks in New Hampshire and Massachusetts

Route 111 bypass expected to alleviate major traffic problem

By SHAWNE K. WICKHAM
New Hampshire Sunday News Staff
Sunday, Jun. 17, 2007

WINDHAM/SALEM – When the new Route 111 bypass opens late this year, one of the most aggravating traffic bottlenecks in southern New Hampshire should go away, state and local planners expect.

Bill Cass, assistant director of project development for the state Department of Transportation, said a bypass to alleviate congestion east of Exit 3 of I-93 has been under discussion for decades. Construction finally began four years ago and enough of the \$70 million project is expected to be finished to open the new road to traffic in late November.

Several alternatives were considered, including upgrading the current roadway, but that would have had "a very significant impact" on residential neighborhoods, Cass said. The chosen route "balanced the need to provide meaningful traffic improvements while minimizing environmental and right-of-way impacts," he said.

"There's still going to be a lot of traffic but there are going to be more lanes to handle the traffic, and signals will be set up to direct traffic through there much more efficiently than it does today."

Most notably, the new road bypasses a nasty five-way intersection at Route 28 that for years has backed up during commuting hours.

The new 3.5-mile road will become state Route 111, and the existing Route 111 will become a local town road, Shadow Lake Road, Cass said. That will allow local officials to place any restrictions they wish on that road, such as prohibiting trucks, that could further cut down on the traffic.

The traffic woes won't end completely when the new road opens, however. Cass said the DOT still needs to complete work on the project next year, adding new lanes in the section between I-93 and Route 28.

The state built into the project several structures to allow humans, recreational vehicles and animals to pass underneath the bypass, which cuts through some wetlands. There's a recreational tunnel for off-road vehicles and bikes, an overpass to let deer, moose and other animals pass unhindered and an amphibian/wildlife tunnel.

Dr. Henry LaBranche, town manager of Salem, said residents are eagerly looking forward to the new bypass. "The sooner the better from our perspective," he said.

That's especially true for those who live along existing Route 111. "It's near constant traffic," he said. "During the commute times ... you can't get in and out of your own property because of the traffic."



Once improvements are in place, LaBranche said Salem wants to look into public transportation that could ferry workers and shoppers between Derry and Salem. He expects that may become more tempting once traffic headaches dissipate.

David Sullivan, town administrator for Windham, said folks in his town also are looking forward to the final results of construction. He usually takes the back roads to and from work to avoid Route 111. "It's a little longer but from a time standpoint it's a lot faster," he said.

Sullivan said town officials initially were concerned about the economic impact of the bypass as the state took properties to create the new road. "We were losing upwards of \$8 million of assessed value in property," he said. "Obviously that comes off our tax rolls."

But he said state officials assured them "when it's all done we'll have more developable land available for people to relocate." And he said he's already seen some businesses expanding, apparently in anticipation of more local traffic as congestion eases.

That's exactly what happened in Hillsborough, according to Jim Coffey, business administrator for the town.

Traffic on Routes 202/9 would back up for miles, particularly if a logging truck or pre-fabricated home was on the narrow, two-lane road. "It completely glutted the place at times and the natives weren't happy with it," he said.

Since the new bypass opened in 2002, Coffey said, restaurants and businesses have come to downtown "because now you can navigate the old road."

There's a new Wal-Mart coming in, and a large home improvement chain is also looking at locations. And while the town lost 25 houses to the bypass, "we more than gained them back," he said.

"If you look at what's been added to the downtown of Hillsborough since the bypass has been open, it's been phenomenal for the town from the point of view of its tax base," Coffey said. "It's not an end-all that cured every ill, but it's been very positive, and it's continuing to today."

Sullivan noted once the Route 11 bypass project is finished, the expansion of I-93 is expected to begin. "I guess we're accepting that Windham will be in the middle of construction probably until 2016."

But he said, "People have been very understanding...When you sit down and really think about it for the future, they think it's really going to be an improvement."

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6/13/07 Tribune

Environment activist says farewell to Salem

George Jones retiring, moving to Maine

By GORDON FRASER
STAFF WRITER



George Jones

SALEM — The town is losing one of its staunchest advocates for environmental protection.

George Jones, who has served on the town's Conservation Commission since 1972, is retiring to his home in Sumner, Maine, this year.

That has left many in Salem wondering about his legacy, the town's future and what some have called the fast-disappearing volunteerism that keeps people serving on town panels for more than three decades.

"There are a lot of people who have been around a long time, but I don't know as they'll be remembered in the same way that George will for what he's done," said Ross Moldoff, the town's planning director and a Salem employee for nearly 30 years.

Jones, 66, is no stranger to hold-

ing a position that stands against the prevailing wisdom. He fought and won an uphill battle to beef up wetland protections in the late 1980s. He fought and won an up-

hill battle to preserve a town forest before that.

Today, Salem's wetland ordinances are some of the strictest in the state, and the town forest contains 205 acres, according to Moldoff and others.

But Jones has lost battles as well. This year, he fought to get the 80-acre Duston Farm preserved. Voters rejected the bid at Town Meeting.

In the late 1970s, he fought to preserve land on Zion Hill Road.

Please see JONES, Page 5

■ Continued from Page 1

"People were, 'Well, look around town. ... Why do we need to buy open space?'" Jones said of resistance to that plan. "When you look at the earliest of the master plans, and the blocks of land that were identified as land to be preserved, to be open space, every last one of them has been developed."

But Jones said he doesn't bear much ill will to those who resist preservation efforts, or ignore those efforts.

"Most people, for very legitimate reasons, have all they can handle. ... To ask them to think of the town 100 years from now, long after they're gone, is just more than they can or want to do," he said.

Linda Harvey, who has served on the Conservation Commission with Jones since 2000, credits the town's success in preservation to Jones' dogged ability to argue for the environment year after year.

Jones is a big, tall man, with a voice Moldoff likened to that of James Earl Jones.

"He is definitely an eloquent speaker," said Bill Carter, who is taking over as Conservation Commission chairman.

That commanding voice, and a large measure of tirelessness, has allowed him to stand firm against the interests of development in Salem, Carter said.

"There (are) tremendous development pressures here and there are a lot of people who are looking all the time to develop property," Moldoff said.

Often, Jones invokes images of Central Park in Manhattan or other natural areas in the centers of big cities when talking

about conservation in Salem.

"We don't have high-rises and endless asphalt around the town forest, but it's the next best thing," he said in a telephone interview Monday.

But it took a level of insight to make that connection — even now a bit of a stretch — three decades ago, according to Harvey.

"He had to persuade people to preserve the open space ... at a time when (that was not the) understood philosophy," she said.

When Jones, who has been a transportation consultant for the past decade, retires to Maine later this summer, he plans to advocate for the same kind of preservation in his new community.

He's already joined the town's emergency management committee.

But, as he leaves, he is calling on Salem residents to continue the fight against development pressures. Last Wednesday, Jones met with Salem's Conservation Commission. He delivered a warning for Salem and with developers.

"As the value of land goes up, the pressure to develop on it becomes even greater," he said.

But, he said, he's also leaving with a measure of gratitude for the support he and other members of the Conservation Commission received over the years.

"I don't think that in all of this we have given quite as much credit to staff people as (we) should have," he said. "For the last 25 years, Ross Moldoff ... has really done yeoman's work in getting stuff done, and enabling us to get some of the (conservation land protected)."

About-face may change Coca-Cola plant's fate

By JAMES A. KIMBLE
STAFF WRITER

SALEM — One of the town's oldest manufacturing plants recently faced the wrecking ball, but might now become a retail plaza honoring its history of bottling Coca-Cola.

Developers who want to convert the former bottling plant into new retail space now plan on rehabilitating the oldest part of the building, erected in 1921.

Joe Scott, owner of Scott Construction in Haver-

hill, Mass., said he sat down with engineers yesterday to begin work on a plan that would add green window frames and Victorian-era lighting to the original part of the building.

He's also seeking permission from Coca-Cola to call the place Coca-Cola Plaza. A sign that has long adorned the building may be used for the plaza sign. Scott said he is personally designing a 10- to 15-foot wrought-iron sculpture of a Coca-Cola bottle to go out front.

A 100-year-old oak tree on the property, which

neighbors fought to keep several years ago, is going to be kept as well.

"I was surprised the town wanted to keep the building there," Scott said. "So, instead of trying to send lawyers and engineers, we decided to work with the town."

The old bottling plant, which in recent years was used as a distribution center, was home to one of Coke's local fathers. Charles Seifert was one of the

Please see **BUILDING**, Page 7

BUILDING: Piece of history may be preserved

■ Continued from Page 1

seven original bottlers of Coke. He built the plant after moving from his first bottling facility in Haverhill.

Scott and business partner Dennis Metayer bought the building for \$3.4 million in January 2006. Scott's construction business is 35 years old and has done millions of dollars worth of construction projects locally. Metayer owns gyms in Methuen and Haverhill.

Their change of heart to maintain the original building comes more than a year after Scott and Metayer proposed razing it to make way for a CVS, a steakhouse restaurant and bread company. Those plans, along with a new traffic light, have now been scrapped.

Current plans call for demolishing only the additions to the plant, which are about 20 years old.

"We could have nine stores or just one or two," Scott said. "We're thinking of something like a factory outlet."

Sentiment has been divided among Planning Board members on the importance of keeping the old building, according to Planning Board Chairman James Keller.

"Some members of the board have been compelled to try to keep part of the building because of historical sentiment," Keller said. "They thought it might be nice to keep. Others feel it's not overly appealing visually."



Staff file photo

The Coca-Cola building on Route 28 in Salem may be spared the wrecking ball since developers changed their plans.

Keller credited Scott with appearing before the board to seek its input and find something that would work for both the town and neighbors who live along the bustling business district behind Route 28. The Planning Board has asked the developers for a new study to determine how much traffic the new complex could bring to the area.

It's a major concern, given the building's location, Keller said. The plant is just south of the old Salem Depot, known locally as ground zero for traffic tie-ups going east to

west along Route 97.

"To their credit, they're trying to find a use for it that won't have a negative impact on the area," Keller said. "It's beneficial to have positive use for everyone in that area."

Town Planner Ross Moldoff said the developers have made three appearances before the Planning Board. So far, discussions have only been "conceptual" in scope. He said Scott and Metayer will still have to develop a plan on how traffic will come and go from their building, and how to set up their parking areas.

New life for Coke plant

6/7/07
observed

BY MATT HERSH

mherish@yourneighborhoodnews.com

SALEM - Instead of being razed, one of Salem's oldest manufacturing plants may be incorporated into a new shopping plaza.

Developers who initially planned on knocking down the Coca-Cola plant on Route 28 to make room for a retail plaza are now working on plans to use most of the existing building.

Town Planner Ross Moldoff said that members of the Planning Board have been considering the project proposal for several months and the developers,

Please see COKE page A-2

COKE: Planning Board seeks to conserve one of Salem's oldest manufacturing plants

Continued from page A-1

Joe Scott and Dennis Metayer, have made three presentations to the board.

Initially, Scott and Metayer proposed razing the structure to clear space for a CVS, a restaurant and a bread company for the 40,000-square-foot plaza.

But members of the Planning Board expressed concern about maintaining the historic structure, Moldoff said.

"The Planning Board said it is a very important site in town and we want something different - not just a strip center," he said. "There was some feeling that there is a historic character to the building."

Since receiving this feedback from the board, Scott and Metayer have come back with plans

for a 60,000-square-foot plaza that would use nearly all of the existing building. The only parts that would be demolished are newer additions.

Scott said the plans call for a facelift of the 1921 building, including Victorian light fixtures, updated brick facades and green window panes.

If given permission from the Coca-Cola Company, Scott said he plans to name the new property Coca-Cola Plaza. He would also like to place a large bottle sculpture in front.

Though the project is still still in the early stages, Moldoff said the Planning Board seems positive about the new ideas. It's rare, he said, that the board says they don't want "just another strip center."

"It's a prominent site and keeping the existing building would be something different," Moldoff said.

The old plant was built in 1921 by Charles Seifert. It was used for bottling and later as a distribution center. Scott and Metayer purchased the property for \$3.4 million in January 2006.

The two men are both seasoned developers. Scott's company, Scott Construction, has completed many large projects in the Salem area and Metayer owns gyms in Methuen and Haverhill.

Though town officials and the developers have expressed positive feelings about the proposal, there are still some concerns.

"The board is excited about the possibility of redeveloping

that parcel but the overriding questions are those that usually exist," said Planning Board Chairman James Keller. "They center around traffic and use."

Since the plant is located close to the Salem Depot - where heavy traffic frequently develops - officials are debating what the new structure's impact will be.

There is a possibility of a new traffic light in the area but Keller said the board will consider the issue again when the developers have completed a traffic study.

Scott and Metayer will likely appear at an upcoming Planning Board meeting to continue the discussion.

"The next step is up to (the developers)," Keller said. "It's in their court as to how they want to proceed."

Improving traffic flow part of Lowe's plan

BY MATT HERSH

mhersh@salemobserver.com

Plans for a Lowe's home improvement store on the Salem and Methuen, Mass., border could be the first step in clearing up the area's traffic problems.

Members of the Salem Planning Board recently had their first look at the proposal, which would bring a 200,000-square-foot plaza to a location on Route 28, where a smaller Lowe's currently sits.

The existing plaza contains a Staples and a few other stores.

The area is also home to dozens of other businesses and is known for its heavy traffic.

Planning officials are hoping the Lowe's project may bring enhanced traffic conditions with

Please see **TRAFFIC** page A-2

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TRAFFIC: Lowe's plan may reduce traffic flow

Continued from page A-1

it, according to Salem Planning Board Chairman James Keller.

"It's a tremendously troublesome area," he said. "On a weekend, the corridor is like a parking lot. From a common-sense standpoint, it would make sense to use this project as an opportunity to dramatically improve that corridor."

Specifically, Keller and Town Planner Ross Moldoff said they would like to see the traffic lights on the road coordinated from the intersection of Route 213 in Methuen to Lawrence Road in Salem.

The project will also require Salem officials to work with their counterparts in Methuen since part of the new plaza will cross over the state border.

Doing so is fairly uncommon but may have a beneficial effect on both towns, Moldoff said.

But before any buildings are razed or traffic lights are installed, Keller said there are several other concerns that the board will have to consider.

"As you can imagine, a project of this nature brings tremendous impact," he said. "The board is very concerned not only with traffic, but also the impact on abutters. There could be a potential for negatively impacting the area in a big way."

Keller cited the non-commercial aspects of the area including a church, a school and several apartment buildings that may be affected by the large project.

Though the project has the potential of alleviating traffic problems, Keller said it will take time and research before the board will be taking any kind of vote on the proposal.

Before progressing any further, developers will have to conduct a traffic study of the area and continue to work with Salem officials.

"It will be a significant time before (the developers) are ready to proceed," Keller said. "It's a substantial project in a difficult area. Is it the right project in the right place? That's what it's going to come down to."

Salem/Windham

Town tries to spruce up forest

Clearing expected to improve habitat

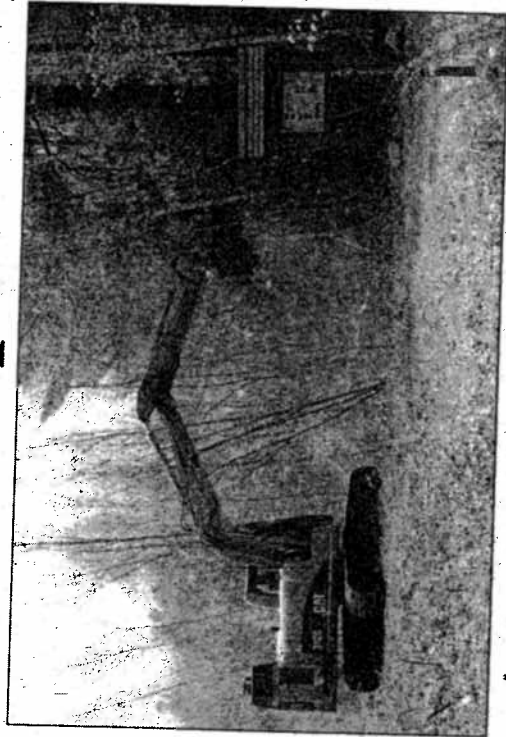
By JAMES A. KIMBLE
STAFF WRITER

SALEM — Parked beyond a dusty access road, the spinning maw of the Bronto grates rows of sprouting pines and birches into ruler-sized bits of wood.

Yet the machine, which resembles a backhoe with a mulcher at the end of its arm, was actually helping sustain both food and habitat for wildlife within Salem's 235-acre town forest.

"You get different kinds of vegetation growing, and it provides the habitat and food source for those smaller animals," Town Planner Ross Moldoff said during a walk of the property yesterday.

Low-lying brush provides forage for a variety of smaller animals, including woodcock, beavers, woodchucks and squirrels. Deer and other large animals will have an easier route to travel to Hittity Brook from the hilly, thicker woods, according to local



JIM KIMBLE/Staff photo

A Bronto, operated by Rich Snook, chops at small trees and brush in the Salem town forest.

conservationists.

"We're trying to build a transitional area for animals who go from the highlands, where they spend most of their time, to the stream and back," said Bill Carter, acting chairman of Salem's Conservation Commission.

The Conservation Commission is coordinating the two-day project as part of a long-term effort to aid

on the trails."

The work is being done by John Brown & Sons of Weare. Rich Snook, the Bronto operator, said such clearings especially benefit small birds, which seek out brush and grass.

The Salem town forest, which is overseen by the commission, is one of the largest tracts of undeveloped land in town. The property serves as both a home for wildlife and a recreational area. Bicycling, horseback riding, fishing, cross-country skiing and snowshoeing are allowed. Residents can also hunt deer with a musket or bow and arrow.

Carter said a two- to three-acre area is expected to be cleared. The work is expected to be concluded today. The commission is using a \$600 grant to help pay for the \$2,600 project. The remaining funds are being drawn from the Conservation Commission's current use funds.

The commission bought the first parcel of the forest, a 94-acre tract, in September 1979 from resident Bill Brown. Another 68 acres were purchased a year later. Commission members continued to buy abutting parcels throughout the 1980s and 1990s using state and federal grants.

its habitat and make the land more user-friendly for residents. Opening more fields in the area means users will have areas to walk outside of the designated trails, according to Carter.

"It will give it more of a state park kind of look," Carter said. "And it will allow smaller animals such as beavers to move around because they typically don't travel

5/28/07 Tribune

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Salem/Windham

Selectmen decide to uphold two flood-related decisions

BY GORDON FRASER
STAFF WRITER

SALEM — Selectmen last night rejected a bid to toss out two Town Meeting votes, risking the retirement nest egg of one couple but defending zoning changes that some say could protect the town from flooding.

Salem Corporate Park Associates asked town officials to void two warrant articles on development in the flood plain. Article 2 required double the space to contain floodwater at future developments while Article 3 banned building on undeveloped land in the flood plain.

Representatives of the firm, which owns two parcels of land in the flood plain, argued that voters did not have accurate information when they made their decisions. They also argued that the flood plain ordinances wouldn't protect the town from flooding.

Articles 2 and 3 were approved with 66 percent and 78 percent of the vote, respectively.

But last night, a unanimous Board of Selectmen threw out Salem Corporate Park Associates' request — a move that many said

could send the matter to court.

Meanwhile, landowners Robert and Jeanne Uttley, who have been married for 19 years, said they feel they have been shut out from their retirement nest egg. And they say they don't have the money to hire an attorney to sue the town as the Salem company does.

Calling the recent ban on building in the flood plain "reverse eminent domain," Robert Uttley said he stands to lose \$2 million. Since the mid-1970s, the Uttleys have owned about eight acres on the opposite side of the Spicket River from their home. About two years ago, they began trying to sell the land — which is entirely in the flood plain — to a developer.

They are close to making \$2 million by selling the land to a builder planning a \$30 million senior housing development.

The deal could fall through if the flood plain ordinances stand, the couple said.

But barring a lawsuit, the two ordinances will stand. And supporters of the new rules say that is just as it should be.

Al Cormier, a Haigh Avenue resident whose home has been flooded in the past, said the bid to

change the Town Meeting vote just "sour grapes."

"The storm of just a few weeks ago highlights the real and continuing threat the town faces (from flooding)," he said.

Planning Board member Robert Campbell, who said he was speaking only as a private citizen, said the legality of the two zoning changes could only be addressed by the courts.

Salem Corporate Park Associates hasn't decided whether to move forward with a lawsuit.

"That would be the next option," said company attorney David Raymond.

The firm is moving through the Planning Board process with a proposal to develop more than 20 acres in the flood plain, according to Planning Director Ross Moldoff. That development could still be approved because it was brought before the town before a change in the flood plain rules.

The company owns another tract in the flood plain as well.

Any development in the flood plain could still be approved if a builder were to receive special permission from the Zoning Board of Adjustment.

Salem

Town OKs Granite State's first biodiesel plant

By JAMES A. KIMBLE
STAFF WRITER

SALEM — The state's first biodiesel manufacturing plant was approved last night with unanimous support from the Planning Board.

The approval puts executives from Atlantic Biodiesel on course to have their plant up and running by late spring.

Tim Hickey and Dan Espinal, both of Salem, plan on setting up shop in an industrial building at 45-51 Northwestern Drive.

State Rep. Jim Garrity, R-Atkinson, spoke in favor of backing the new company, saying it will be the first step toward New Hampshire establishing energy independence.

"It does what we want to do," Garrity said. "It makes non-Middle Eastern, non-Venezuelan fuel so we can fuel vehicles, heating systems in schools, and home-heating systems."

Biodiesel is made from various types of vegetable oil that is heated to about 150 degrees so glycerin can be removed. Atlantic Biodiesel plans on shipping in virgin soybean oil as it explores whether local farms can provide mustard seed or rapeseed as a primary ingredient instead.

They plan on operating as a wholesaler to petroleum companies that could mix between 5 percent and 20 percent of their product with diesel fuel, which is used for both home heating and automobiles. Hickey, the company's chief operations officer, said last night they have letters of intent to do business with two New Hampshire companies.

Planning Board members were somewhat confused over whether biodiesel was a pure fuel or additive, and whether that would run counter to any town restrictions on fuel storage.

Board member Bob Campbell questioned whether a zoning ordinance from the 1980s that barred

hicle fuel may not be stored. It's clear from our applicant that this is motor vehicle fuel," he said.

A majority of the board disagreed, saying the ordinance, written more than 20 years ago, was not intended for the alternative fuels of today. It was crafted to ensure gasoline was distributed by gas stations, not other businesses,

they said.

"Unfortunately, technology has run out in front of our 1980s zoning," board member Gene Bryant said. "You would not take this and put it in your car. It's used as an additive. Unless you want to look for a meaning there and make it apply. The section in question doesn't apply to the manufacturing process."

About a half dozen trucks will be visiting the site daily for pickups and deliveries. The company plans on a slow start, producing about 3 million gallons a year and employ-

ing nine or 10 people. But if all goes well, the company hopes to manufacture up to 10 million gallons annually.

Board member Phyllis O'Grady said she was happy to see the company come to Salem, noting Atlantic Biodiesel had the support of state environmental officials.

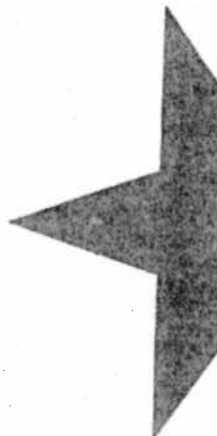
Garrity, who chairs the state's energy policy commission, said officials have been studying the production of biodiesel to New Hampshire for the past two years.

Late last week, the House passed a bill to establish a commission of lawmakers, state officials and business leaders to study how to encourage biodiesel manufacturing and use in the state.

NOW THROUGH SUNDAY

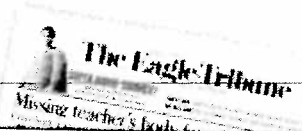
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WITH FIVE SALES ROLLED INTO ONE, THE CHOICE IS YOURS



The Eagle-Tribune

online



Fuel for growth: Execs propose N.H.'s first biodiesel plant in Salem

By James A. Kimble, Staff writer
Eagle-Tribune

New Hampshire's first commercial biodiesel plant is proposed by a pair of Salem executives who want to stake a claim in the alternative fuel market for automobiles and home heating.

Dan Espinal and Tim Hickey will go before the Salem Planning Board on Tuesday with plans for a manufacturing facility at 51 Northwestern Drive, located in one of Salem's industrial strips off Interstate 93. If approved, the pair hope their company, Atlantic Biodiesel, will spark a cottage industry for local farmers willing to grow oil-seed crops to create fuel.

Their efforts are part of a percolating movement to build a foundation of biodiesel resources in New Hampshire.

On Thursday, the House passed a bill to establish a commission of lawmakers, state officials, energy regulators and business leaders to encourage biodiesel production in New Hampshire. Meanwhile, researchers at the University of New Hampshire are exploring the possibility of using algae from wastewater to produce the oil now taken from crops.

Biodiesel is made by heating vegetable oil or fat to about 150 degrees, mixing it with alcohol and lye, and removing its glycerin.

Advocates say biodiesel could be one of several alternative fuels to wean consumers from their dependency on foreign oil.

Alternatives, please

The nationwide discussion about moving away from dependence on foreign oil may be just what helps create a demand for biodiesel from New Hampshire consumers, said Rep. Jim Garrity, R-Atkinson.

"Maybe the tipping point was the fuel price crisis of last summer," he said. "People said, 'Whoa, are there alternatives to buying oil from countries that don't like us?'"

Garrity, a member of the House Science, Technology and Energy Committee, said the state may not be able to establish the corner market on biodiesel manufacturing, but encouraging such businesses offers tantalizing possibilities.

"Our energy picture in New Hampshire is one-third electricity, one-third transportation and one-third home heating," Garrity said. "Biodiesel can cover two-thirds of our market."

Home-heating oil is mostly diesel fuel, he said. Espinal said newer cars could run on pure biodiesel

without mixing it with petroleum, but it's often mixed for better performance.

Garrity noted one hurdle the commission may address is the 18-cent a gallon tax now placed on biodiesel in the state. Such levies are usually not placed on fuel for off-road vehicles, except for biodiesel, he said.

Garrity said the state Department of Transportation already is testing biodiesel in a few of its diesel trucks. He expects those numbers to grow in the next year or two. Likewise the city of Keene has been using biodiesel in all of its municipal vehicles and the local bus service.

He said he'd like to see a similar thing happen with state vehicles.

Plans in Salem

Espinal said the company would start out slow in its first months. Atlantic Biodiesel would first produce about 3 million gallons a year with the goal of eventually increasing to 10 million, he said.

Aside from Planning Board approval, the facility will need only local permits. State officials said they'll need no permits for air or water emissions.

"It's a fully contained process," Hickey said. "There's no air or water emissions. It's a fully sealed process and requires very little heat."

The company will likely sell its product to a distributor that could mix it with diesel gas or home heating fuel, he said.

"The best policy is to mix it," he said. "The pollution is reduced significantly, and the engine runs better and goes a long way."

If the business is successful, it may expand to plants in other cities and towns, Hickey said.

"Right now, our goal is to keep it here because we live here," Hickey said. "From an incentive perspective, there's nothing for incentives to stay (in New Hampshire) but we hope that changes."

He noted other states provide tax credits or other breaks for every gallon they produce.

Espinal and Hickey have been getting support from state environmental officials who say biodiesel is a clean-burning alternative to petroleum.

"We want to see more of this type of fuel in New Hampshire and worldwide," Becky Ohler, a supervisor at the Department of Environmental Services, said. She said biodiesel can significantly cut greenhouse gases, carbon monoxide and hydrocarbon emissions burned by automobiles.

She said New Hampshire hasn't been marketing itself as a biodiesel hotbed but has been assisting Espinal and Hickey with vetting possible locations for a plant and securing local approvals.

"It's a relatively clean operation," she said. "There won't be any permits required by us."

The pair also recently met with state Agriculture Commissioner Steve Taylor to discuss whether farmers could make more money by growing crops for Biodiesel production over what they're now reaping.

Mustard seed and rapeseed, commonly used to produce vegetable oil, are now grown in the north and seen as viable ingredients for fuel production, according to Espinal.

"Our goal is to keep it here in the state," Hickey said. "The object here is to minimize our dependency on petroleum."

If approved, the plant could be up and running by this summer. Hickey would serve as the chief operations officer. Espinal would be the chief executive officer. Espinal and his wife have been running New England Radon in Salem for about 20 years.

Ohler recalled that people would almost laugh when she began talking five years ago about the possibility of biodiesel use in New Hampshire. Since, several companies have spoken to state officials about building a manufacturing plant. But no one has come as far as Espinal and Hickey, she said.

What is biodiesel?

- * Produced from domestic products such as soybean oil, mustard seed, rapeseed, or animal fat.
- * Contains no petroleum.
- * Can be blended with petroleum diesel to create a biodiesel blend.
- * Can be used in diesel engines with little-to-no modifications (depending on make and model).

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4/9/07 Eagle-Tribune

Route 28 traffic flow could improve by fall

By JAMES A. KIMBLE
STAFF WRITER

SALEM — The first phase of the town's Intelligent Transportation System, designed to give town officials the ability to ease traffic along Route 28, could be up and running by this fall.

The system, which controls traffic lights, video cameras and a broad range of other technology, will be operated from the police station.

Community development director William Scott will update selectmen tonight about the system, along with two parallel projects aimed at improving driving around town. Scott said the town will solicit proposals for planning bus service between Salem and Derry, and creating a bicycle and pedestrian path along abandoned rail lines.

He said the first phase could be in place by this fall if safety and rescue officials can be trained before the holiday shopping season.

"The issue is, we want to make sure the system is up and running and everyone is trained," Scott said.

Under the new transportation system, traffic lights would be sensitive to traffic levels, rather than simply operating on a timed cycle.

Six cameras will be installed around the Route 97 and Rockingham Boulevard intersections along Route 28. The system will be

The first phase could be in place by this fall if safety and rescue officials can be trained before the holiday shopping season.

tied into a similar one planned Interstate 93. The town will be able to share its video feed with traffic and emergency management personnel. The cameras will give police a view of traffic accidents before they respond, along with the ability to reroute traffic, Scott noted.

Deputy police Chief Robert Larsen said the department is looking forward to learning about the new technology.

"We'll be able to see where tie-ups are and reroute traffic during emergency responses," he said. "The other advantage for us is we'll be able to check on criminal behavior after it happens."

Salem began planning for the transportation system in 2002 after it won a \$900,000 federal grant to help pay for the project. The first phase of the project will cost \$500,000. Scott said the town is also tapping impact fees, noting the majority of the project will be funded from those two sources.

The Executive Council approved buying software for the transportation system last summer.

3/22/07 Observer

Planned Atkinson condos mean road fixes for Salem

BY MATT HERSH

mherish@salemobserver.com

Salem selectmen have unanimously approved a plan which will likely bring some free road improvements to town.

The proposal was brought to the board by town planning director Ross Moldoff who has been working with Peter Lewis, a developer who is building 288 condominiums at the Atkinson Country Club, which shares a border with Salem.

The major access to the new development will be from Hampstead, Shannon and Haverhill roads in Salem.

Since the development will

have an impact on traffic in Salem, Lewis struck a deal with Moldoff and members of the planning board. Lewis will make road improvements to the area in return for the planning board waiving a formal site-plan review.

A traffic study of the area indicates the development will increase traffic in the area by about 2 to 5 percent, Moldoff said. Lewis' improvements would address some of the potential safety issues and stress on the roads added by bringing more traffic.

"We thought it was a pretty good deal for the town," Moldoff said. "We are going to get public improvements and won't have to pay any money."

Moldoff said the traffic study revealed that the improvements are already necessary with the amount of traffic the area sees and would likely have to be addressed in the future anyway.

Some of the proposed improvements include installing a flashing light at the intersection of Shannon Road and Town Farm Road, replacing street signs, expanding a corner to increase the turning radius, and lowering the elevation of another corner.

Two of these projects are contingent upon property owners granting easements to the town permitting the construction to take place. Moldoff said he was confident one resident would agree but wasn't sure about the other.

Selectman Elizabeth Roth said she was somewhat concerned about making sure the

easements were granted because if the improvements don't get done, a traffic problem could be created.

Roth, who used to live in the area, said installing the blinking light is a key component of the improvements and she urged Moldoff to make sure it goes through.

"I think that would be a dramatic improvement that might make the whole project worthwhile," she said.

However, some concern was raised by newly elected planning board member Tom Campbell, who said he didn't like the way the agreement was written.

In agreeing to move forward with the project, Salem will be turning over most of its judicial control to Atkinson, which will be in charge of ensuring Lewis follows through with the improvements.

"You're giving the developer carte blanche, and it doesn't make sense to me," Campbell said. "We'll lose all control."

Still, Moldoff and selectmen said they were confident the improvements would be completed and that the language of the agreement ensured it.

Selectmen Chairman Everett McBride said he would like to receive periodic updates on the progress of the improvements, but overall, he was in favor of it.

"The traffic impact is minimal and they're going to be paying the full boat," he said.

A starting date for construction has not been set but Lewis is eager to begin, Moldoff said.

► Salem

3/20/07 Tribune

Flood plain changes will take effect

By JAMES A. KIMBLE
STAFF WRITER

SALEM — Landowners within the 100-year flood plain who want to backfill a portion of their land will now have to dedicate twice as much space for mitigation, in the form of a pond or other detention basin.

A warrant article to that effect was approved by a simple majority last week, 2,057 to 1,049, despite a protest petition that called for 67 percent approval.

A town attorney declared the protest petition invalid late last week.

That decision could extend the debate about revised building restrictions along the Spicket River and several other streams and ponds — if the petition's organizers challenge the vote in court.

The change affects 1,238 acres of private land, not including roads or rights of way, Salem Planning Director Ross Moldoff said.

After the May floods last year, Planning Board and Conservation Commission members looked at tightening the rules governing that area. The floods left dozens of homeowners near Haigh Avenue with flooded basements and homes.

Those homeowners, many of whom suffered thousands of dollars in damages, rallied for the zoning changes, saying too much construction in low-lying areas gives water no place to go — except into yards and basements — during major storms. Critics of the zoning changes say the amended rules are a feel-good measure and won't help residents suffering from flooding problems.

After a review of properties affected by the zoning change, town lawyer Diane Gorrow concluded

petitioners didn't collect enough signatures for a valid petition. The problem, she ruled, was that petitioners believed only 331 acres of land would be affected, when the total was actually 1,238 acres.

The petition filed just the week before voting had signatures from 11 landowners.

"They would need maybe 100 more property owners," Moldoff said.

He believes the lower number was used in the petition because Planning Board members had asked how many undeveloped acres are in the flood plain.

Another flaw in the petition, Gorrow ruled, was that organizers assumed they could count their total lot size in the petition, rather than only the portions of their land prone to flooding.

The author of the petition, Mark Gross, owner of MHF Design Inc., did not return phone calls for comment.

It's unclear whether the town's decision will be challenged in court. Gross was hired by Dr. Robert Hannon, who owns an office building along Stiles Road and has been a vocal opponent of the amendment.

Zoning Board Chairman Ed Huminick said his board hasn't seen many requests for variances over the years for permission to backfill property within the flood plain. Even with the new measure in place, he doesn't expect many more.

"The types of properties where somebody is doing some kind of mitigation would be for large projects," he said. "Looking at the number of undeveloped parcels in Salem, the only large commercial parcel left is the track. So, I wouldn't anticipate — no pun intended — a flood of applicants, but I've been wrong before."

■ SALEM CALENDAR

3/7/07 Tribune

► Salem

Flood plain rules spark a face-off

Protest petitions force two-thirds majority vote on warrant articles

By JAMES A. KIMBLE
STAFF WRITER

SALEM — Homeowners who want to ban new construction along the Spicket River and several other town waterways will have a tougher time, thanks to a group of landowners resisting those efforts.

There are two articles on the Town Meeting warrant that address flood plain construction.

Article 2 would require landowners who build in the flood plain to mitigate the loss by dedicating twice as much space elsewhere for flood plain storage. Article 3 would ban new construction in the flood plain but would allow

additions to buildings. But some landowners who own property in the flood plain don't like the proposed zoning amendments and filed protest petitions to make it more difficult for the warrant articles to pass. Those protest petitions will force both articles to be approved by 67 percent of voters, rather than a simple majority.

Under state law, a protest petition requires the signatures of 20 percent of affected landowners.

Residents supporting the proposals say they're tired of flooded basements and yards, which they claim are the result of too much construction in the flood plain.

Please see **WARRANT**, Page 7

WARRANT: Petitions force two-thirds flood-plain vote

■ Continued from Page 1

Gross was hired by Dr. Robert Hannon, who owns an office building along Stiles Road and has been a vocal opponent of the proposed zoning changes.

Gross said the town's consultant acknowledged the restrictions would do little to improve matters, but Town Planner Ross Moldoff said the consultant's comments were taken out of context. Moldoff said the consultant concluded banning new construction in the flood plain was a good idea.

Corbett and her neighbors are taking nothing for granted. They've formed a neighborhood committee, the Salem Flood Response Group. The group plans to distribute 1,000 fliers to residents, asking them to back the flood plain ordinances and a proposal to fund a \$3.8 million bridge repair program.

"We've overbuilt in the flood plain, and we saw the result of that during the May floods," said Marcia Corbett, a resident of Joyce Heard Avenue. She had 4 feet of water outside her garage door and used nine water pumps during the May floods last year.

But critics of the proposals say they wouldn't do much to alleviate Salem's flooding woes and could damage the town's tax base by reducing the value of commercial and private land.

"A lot of landowners affected felt the basis for this was a feel-good measure," said Mark Gross, owner of MHF Design in Salem. "I don't think the tax implications have been realized. It will affect commercial and industrial land."

Larger vote percentage sought to ban building in floodplain

By JIM DEVINE

8 hours, 37 minutes ago

SALEM – Zoning amendments to ban building within the town's floodplain may need more support from voters to pass because "petitions of protest" were submitted last week.

Despite community support for the amendments in areas such as the Haigh Avenue neighborhood, which experienced the most flooding last fall, landowners who would be affected by the ordinance have been vocal opponents of it.

The petitions, entered by Mark Gross of MHF Design, would make adoption of each amendment possible only if two-thirds of voters approved.

State law allows a petition of protest to raise the vote requirement on a zoning amendment if 20 percent of landowners who would be affected by the amendment sign the petition.

In the Salem matter, one proposed zoning amendment would ban all new construction within the flood plain, with exceptions for replacement or renovation of buildings that already exist.

The second protested zoning amendment would require developers to increase water storage areas at project sites to two feet for every foot of fill added to the area.

Gross, in talks with the planning board on two previous occasions, said the changes would mandate unnecessary requirements without any expected result.

Residents of Haigh Avenue, a neighborhood that was flooded with several feet of water last spring, have said the amendments are long overdue. A flood mitigation committee that includes many Haigh Avenue residents has since been formed with help from the town's Community Development Department.

The planning board voted to put the amendments on the ballot after the town assessor said they would only cause a net property value loss of about \$10,700 if passed. About 200 lots encompassing 137 acres would be affected.

Town Planning Director Ross Moldoff said the building ban would reduce the flooding problem and that a hydrologist had agreed.

However, outgoing planning board member Chris Goodnow said more evidence was needed to prove the construction ban would have its intended effect.

"I would rather look at something from an informed, intellectual perspective rather than something that feels good and does nothing," he said.

Moldoff said officials would need a few more days to determine whether the petitions have enough signatures to force the two-thirds vote.

Two other petitions of protest have been submitted against zoning amendments – one against prohibiting certain uses in the Town Center District and another proposing creating new prime wetland areas.

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Every Salem Planning Board seat up for the taking

By GORDON FRASER
STAFF WRITER

SALEM — The race for Planning Board this year pits the old guard against newcomers, experience against fresh ideas, but many of those running argue for a mix.

Several incumbent Planning Board members aren't running this year, citing a change in the way the board is assembled. Activist and former Planning Board alternate Ron "Tony" Giordano successfully led a push last year to change the board from an appointed to an elected body.

That means the current board will be dismissed and replaced by an elected body.

A petitioned warrant article to change the board back to an appointed panel is on the warrant this year. If it passes, the elected board will only serve one year.

Incumbents Phyllis O'Grady, Eugene Bryant and James Keller are running to renew their positions on the board. Others with extensive experience in local government — such as former Selectman Robert Campbell, 15-year Conservation Commission veteran Thomas Campbell, former Republican state Rep. John J. Manning and Conservation Commission secretary Linda Harvey — are also running.

Elect two for three years

In the race for two, three-year seats on the new Planning Board, newcomer Steven Goddu, the 47-year-old owner of Goddu Printing,



Steven Goddu

is facing off against incumbent James Keller, a 45-year-old high-tech executive, and Conservation Commission member Linda Harvey, 64, a retired auditor for the Department of Defense.

Perhaps not surprisingly, Goddu stresses his ability to bring fresh ideas to a board that has traditionally been closed off by an appointment system. Keller and Harvey have stressed their experience with and knowledge of planning issues.

"Being completely independent and unknown might be a good thing," said Goddu, who doesn't advocate too many new regulations.

He said he will value highly the rights of developers and neighbors in any proposal.

Goddu said the old system of appointing members effectively kept quality people off the boards, while



Linda Harvey

the new system should create more diversity of opinion.

But Keller has concerns about the elections.

"Once I saw how few current members were going to run, I decided that I felt I had a duty to help provide some continuity to the board," the 12-year board veteran said.

From Keller's perspective, the danger is real. Landowners have the right to sue if they feel Planning Board decisions violate complicated land-use laws.

"We can get into a lot of trouble real fast if we were making decisions that are not based on the applications and the law. ... You could quickly see a series of court cases and new comers that could cost the town a lot of money," he said.

Harvey, who is secretary of the Conservation Commission, presents another experienced option.

She has been behind a number of initiatives to preserve land from development. She is a supporter of a \$2.5 million initiative to preserve the Duston Farm property, an 80-acre tract of unspoiled land. She also signed a petition this year urging the federal government to pursue initiatives to halt climate change.

Harvey could not be reached for comment for this article.

Elect two for two years

The race for two, two-year spots on the new Planning Board is tighter, with four candidates squaring off for two positions.

Incumbents Eugene Bryant, a



Tim McMenimen

55-year-old limousine salesman, and Phyllis O'Grady, 58, who works part time in real estate, are running.

They are facing challenges from former Republican state Rep. John J. Manning, who owns an entertainment company and does Elvis impersonations, and newcomer Tim McMenimen, a 43-year-old Web-page designer.

McMenimen said the switch to an elected board is a har-binger of change. He said recent attempts by the Planning Board to prevent flooding with new regulations, while noble, might be misguided.

"It's unbelievable that people think they can pass laws and think that they can control Mother Nature," McMenimen said.

Even his home, which sits on high ground, was flooded last spring, he said, and no amount of legislation could have protected him.

From McMenimen's perspective,



Phyllis O'Grady



John J. Manning



Robert Campbell



Thomas Campbell

tive, town government has been closed to a number of residents who might otherwise have made important contributions.

"I think that there's, over the years, the town of Salem has had a series of, basically, prima domas that think because they're elected they're kings," he said.

But O'Grady, an incumbent, defended the Planning Board's record. She said town officials have worked hard to balance the rights of landowners with the rights of abutters.

He said planners should also be sensitive to the perception, real or imagined, that town boards have been a kind of exclusive club.

"I supported (a move to an elected board). I think it's better because there have been some intentions that some of the Planning Board appointments were done as favors," he said.

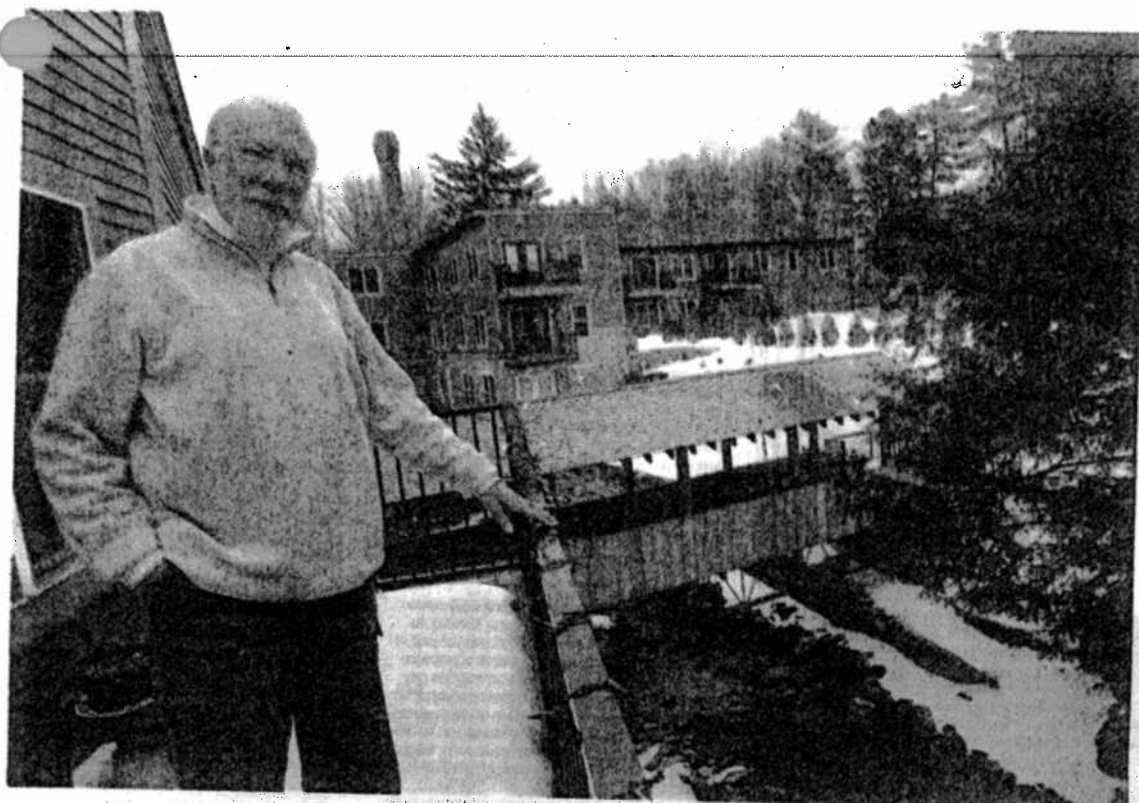
Robert Campbell, a former selectman, could not be reached for comment for this article. But he has made recent headlines for opposing a flooding study that would be part of a bridge-improvement program. The 68-year-old retired engineer said the town had conducted a study several years ago and should use information from that.

Town engineers say the study Robert Campbell referred to is outdated.

Robert Campbell opposed several measures at the town's deliberative session that he said were wasteful or redundant.

The Eagle-Tribune has not been able to contact Edward DeClercq,

CANDIDATE



Rick Hanafin, 62, bought a two-bedroom condominium in a 55-and-older complex in Derry, N.H. "You feel a sense of community," he said.

Too grown up?

Citing balance, some towns try to limit the over-55 housing boom

By Sarah Schweitzer
 GLOBE STAFF

It began as a way to build housing without burdening small-town school systems with more children.

But throughout southern New Hampshire, residents are growing wary of over-55 housing developments as the number of units has steadily increased and the prospect of mounting demands on municipal services from aging homeowners looms.

In Hudson, residents last summer voted to decrease the number of such units allowed on each acre. In Salem, officials approved a similar measure, to go along with an existing bylaw that caps the construction of age-restricted housing at 120 units each year. And in Derry last week, residents debated a measure that would halve the number of age-restricted units allowed per acre. Three years earlier, the town restricted the number of 55-and-older units to no more than 3 percent of the housing stock.

Officials of the towns say the measures are needed to ensure a balanced housing stock, enough for older people but also for young families who provide a community's workforce. Moreover, some say, 55-and-older housing can be pricey for municipalities. While the residences tend to be children-free and therefore not a burden on schools, some say they have higher numbers of calls to emergency services.

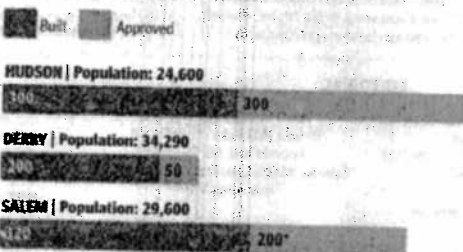
A study commissioned by the town of Salem — where there are 520 age-restricted units built or under construction — reported that while Fire Department response rates were highest for assisted living residences, at 1.06



Bunker Estates (rear), a 55-and-older community in Derry.

Gimme shelter

Housing for residents 55 and older is going up across the region. Three New Hampshire communities have enacted rules to limit the number of age-restricted units, to prevent their towns from being overwhelmed by older residents and to encourage younger families to move in.



* Includes units being considered in the Planning Board
 SOURCE: Town officials

Limits put on over-55 housing

► OVER 55

Continued from Page 1

per unit per year, there were also high rates in age-restricted units, with 0.59 per unit per year. By contrast, single- and two-family home response rates were 0.14 and 0.15 per dwelling unit.

"Many communities have embraced the concept," said Ross Moldoff, Salem's planning director. "But in fact, you do get some negative impacts. If you get too many of these projects, you can be overwhelmed and the demands for services can rise fast."

Building trade groups dispute the finding, saying that their reviews of fire marshal and police reports show that calls for residents between 55 and 70 are lower than those for families.

Town officials say they also worry that the market will peter out, forcing developers to try to get over-55 restrictions changed to allow them to sell units within dense housing clusters to anyone — putting a strain on town and school services.

"What happens if these units don't sell?" said Virginia Roach, chairman of the Derry Planning Board. "What will happen then? Will the developer try to get a variance to make them into residential?"

Trade groups say the market is robust. According to the National Association of Home Builders, there are an estimated 67 million Americans age 55 or older, a cohort that is projected to grow by

What do you think?

Do you favor housing developments in your community that are limited to residents who are 55 years old or older? Go to boston.com/northwesttalk to get in on the discussion.

more than 2 percent every year for the next decade and will reach 85 million by 2014.

About 15 percent of this population will want to live in an "age-qualified" community, said Jane M. O'Connor, former chairwoman of the 50 + New England Housing Council for the National Association of Home Builders and

'If you get too many of these projects, you can be overwhelmed.'

Ross Moldoff
Salem planning director

publisher of *Mature Living Choices* guides.

As such, she said the demands for such housing will grow in the next decade.

"The giant wave of baby boomers has not yet hit us," O'Connor said. "In another two to three years, they are going to be re-inventing what this market segment is going to be demanding."

And what baby boomers, those born between 1946 and 1964, demand is distinct from their parents and grandparents. While their forebears endured the Depression and World War II, baby boomers did not and have little

patience for privations, she said. In turn, they want larger empty-nester homes — averaging 1,900 square feet compared with 1,100 five years ago — with amenities such as granite countertops and stainless steel appliances. Many are couples who are still working, and demand two offices.

"This is housing for a lifestyle, not for the elderly," she said.

Rick Hanafin is among the wave of baby boomers drawn to the 55-and-older housing. Hanafin, 62, an architect who recently returned to his native New England after three decades in South Dakota, purchased a two-bedroom condominium in a Derry 55-and-older community where he says the atmosphere is "peaceful and private."

"It's a bit more selective," he said. "It seems to be a group looking for the same thing — so you feel a sense of community."

Hanafin's condo is in a restored mill complex set on 10 acres where 36 units, some overlooking a brook, range in price from \$234,900 to \$419,900. Under the town's new proposed rules, such a community probably would not be allowed because it has too many units per acre, according to town officials.

The boom in 55-and-older housing began, industry watchers

say, in metropolitan areas more than a decade ago and quickly spread to suburbs. Now, it is reaching into rural and outlying areas, including Western Massachusetts and New Hampshire, where state figures show a graying population, with the number of people 55 and older growing at a faster rate than those younger.

Trade groups say there are no figures totaling the number of 55-and-older housing units in New England. In Massachusetts, a survey by the Citizens' Housing and Planning Association found in 2005 that at least 10,000 units for residents 55 and older were under construction or had been built since 2000 and that 14,000 units were in the planning stages. The association estimated that 55-and-older housing represented 10 to 15 percent of the new housing built in the state between 2000 and 2004.

Aaron Gornstein, executive director of the association, said his association acknowledges the need for 55-and-older housing. He said a concern is that it is crowding out other needed residences.

"There is a significant demand for family housing," Gornstein said. "It is the greatest need for keeping our workforce here."

But trade groups say the market has not yet answered the clamor for 55 and older housing.

"Builders are rising to the demands and meeting a need," O'Connor said.

3/1/07 Tribune

Planners urge designers to think outside the box

By JAMES A. KIMBLE
STAFF WRITER

SALEM — A new Service Credit Union building will replace the former Dexter shoe store on North Broadway.

The Planning Board approved plans for the building Tuesday night.

The project is the latest in a recent series of projects that have replaced retail relics from the 1960s and 1970s, Planning Director Ross Moldoff said.

"This project represents a lot of what we've been seeing lately — the tearing down of older commercial buildings for new ones," Moldoff said.

The Dexter shoe building, built in 1979, has a brown log-cabin facade and sits on a 1.25-acre lot that sold for \$880,000 in August 2006, according to town records.

It will be replaced by a two-story, 11,000-square-foot building with a peaked roof and stone trim. Board members approved the plans on the condition builders don't use a gray stucco surface for the building, Moldoff said.

Over the years, Planning Board members have suggested to developers of new businesses that they prefer buildings that break the mold of the big box, industrial-style buildings approved in the past, Planning Board Chairman James Keller said.

That has also been the case for older businesses seeking to add on or remodel, such as Ski Haus in 2004.

When the owners decided to replace the boxy, flat-roofed ski shop built in 1965 and double its size, they added copper-colored roof peaks and stone beams at one corner.

"That's a good example of what was clearly an upgrade," Keller said.

In other cases, Moldoff said, planners have asked big retail chains such as Dunkin' Donuts and Town Fair Tire not to submit plans unless they made an effort to fit in with neighboring buildings.

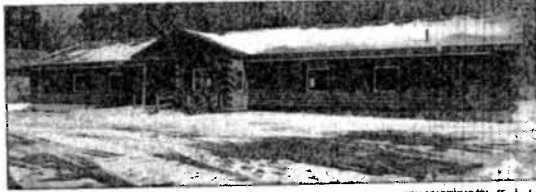
"It's been a passion and hot-button issue for me," Keller said. "In the last half-dozen years, it's something the board has been trying to establish."

In the credit union's case, board members told developers they weren't in favor of the initial plan, which called for a square cement building, Keller said.

"It looked way too much like a typical office building," said Beth Roth, the selectmen's representative to the Planning Board. "Part of what the Planning Board has been trying to do is make the building fit in aesthetically with more of a New England style."

Keller said the initial proposal "was something you were more apt to see in an office park."

The developers of the credit union project are paying a \$47,000 road impact fee and a \$8,000 public safety impact fee.



KEN YUSZKUS/Staff photo

The former Dexter shoe store at 158 North Broadway will be torn down to make way for a branch of Service Credit Union.

2/28/07 Tribune

Conservationists push for money to buy farm

By JAMES A. KIMBLE
STAFF WRITER

SALEM — Conservationists who want to preserve the 85-acre Duston Farm are making one last drive to muster voter support. Voters will decide March 13 whether the town can borrow \$2 million toward the purchase of the property.

Members of the Conservation and Historic District commissions will host four meetings to answer questions residents might have about securing the money.

Conservation Commission Chairman George Jones said talks are still underway between the town and the owners of Duston Farm. No final price tag has been set.

"The one thing we need to point out to people is, number one, this is not a straight appropriation,"

he said. "If no purchase agreement is concluded, then no money will be raised."

Duston Farm is one of Salem's oldest farms. The land is known for its unique landscape of hills, wetlands, crop lands and woods. Owner Thomas Elliot Duston died in October at the age of 93. The land is now owned by the White-neck family.

The Dustons were descendants of Hannah Duston, made famous for scalping 10 of her Native American captors before escaping from them in 1697.

Jones said while a final price tag may be uncertain, he's emphasizing the commission could tap federal grants designated for saving farmland. He said another possible funding source could be the Southeast Land Trust, which would hold the easement to the

property. The trust is a nonprofit group dedicated to land preservation. Since 1980, the trust has helped protect 4,250 acres. Conservation Commission members are hoping to tap into another \$500,000 in town money earmarked for land preservation.

"The issue for us now is getting people's attention," Jones said. "If my past experience tells me anything, there's a lot of people walking into the voting booth totally uninformed about what's been on the ballot."

State law requires that two-thirds of the voters — or about 67 percent — approve the bond for it to pass.

Passage of the \$2 million bond could help seal one of the town's largest conservation efforts in recent years, according to Town Planner Ross Moldoff.

The last major conservation purchase was in 1997, when the town bought 23 acres along Budson Avenue for \$45,000. The lot was purchased from the Granite State Baptist Church, according to town records.

Moldoff said the town has been fortunate to acquire other large parcels since then through donations. In 2000, the town was given 50 acres off Pelham Road, known as the Spadafora property.

The Duston Farm proposal — Article 20 on the town ballot — has the unanimous support of selectmen and the Budget Committee.

The first informational meeting is tomorrow at 7 p.m. at Town Hall. Three other presentations are March 5 at Soule School gym, March 6 at the Barron School gym, and March 8 at the North Salem School Library.

■ PELHAM NEWS IN BRIEF

From Preservation Online, the online magazine of the National Trust for Historic Preservation

www.preservationonline.org

N.H. Town To Restore 1867 Depot

Story by Margaret Foster / Feb. 12, 2007

When bikers zoom past Salem, N.H., on a rails-to-trails path next year, they'll see a newly restored train station, the last of four depots left on the former train line.

Right now the Salem Depot, built in 1867, is a fixer-upper that the town has decided to restore. The town owns the 1,572-square-foot downtown building, which it leased as offices until last year.

"It's a piece of property that's very important to Salem's history," says Beverly Glynn, chair of the town's historic district commission. "It's what that whole area is named after: Salem Depot."

At a Jan. 30 meeting, the town's board of selectmen and the Salem Depot Restoration Group agreed to demolish a 1915 addition to the original building. The depot needs a new roof, siding, windows, and doors, Glynn says.

The volunteer group that pushed for the work is trying to raise money for the project.

"I would love to see it as an information area or some kind of town building," says Dianne Paquette, president of the Salem Depot Restoration Group. "Public bathrooms, an ice cream shop—there's a lot of things you can do for the rail trail. It's a building that needs to support itself. It hasn't supported itself for 150 years."

Construction of Windham Rail Trail, which stretches from Salem, N.H., to Derry—and possibly to Concord—is under way. The trail's first 4.1-mile paved section, in Windham, N.H., opened in September 2006.

Before the Salem Depot restoration can begin, the town has more research to do.

"We're looking for pictures of how the depots used to look on the inside," Glynn says. "We're having a lot of trouble."

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CVS may be built on Coke property

BY MATT HERSH

mherish@salemobserver.com

The defunct Coca-Cola plant property on Route 28 could soon be home to a CVS and two other businesses.

Developers are looking at turning the property into prime retail space, constructing three buildings on the lot, according to Salem Planning Director Ross Moldoff.

Though Moldoff said he didn't object to the project, he said there are concerns that need to be addressed before it can move forward.

"I think we'll be focusing on traffic," he said.

Since the new stores could possibly increase traffic in the already busy area, Moldoff said planners will have to take a close

look at the plans.

The proposed stores would be close to the Salem Depot, another troublesome traffic location, Moldoff said.

"Anyone from Salem will tell you there are traffic issues near the Depot," he said. "I think everyone's going to be concerned when you put retail stores nearby."

The new development would designate 13,000 square feet for CVS, 20,000 square feet for another business and about 8,000 square feet for a restaurant, Moldoff said.

Plans for the new location include a traffic light and about 300 parking spaces.

Currently, Salem resident Dennis Metayer owns the property through his company, MetScott Development.

Moldoff said Metayer has submitted a traffic study that says the stores will have no effect on the area.

The planning board will meet with Metayer soon to look over and discuss the plans but Moldoff said officials will likely have another traffic expert assess the potential impacts.

"We'll listen to what their traffic consultant has to say," Moldoff said. "When we get together we'll hash it out."

Some members of the planning board said they could not comment on the project until after the meeting.

The Coca-Cola plant has been in Salem since 1921 and was used in the past as a distribution center until it was sold to Metayer in 2006.

2/7/07 Tribune

► Salem

New station, flood mitigation may be linked

By JAMES A. KIMBLE
STAFF WRITER

SALEM — A committee drafting plans for a new police station has recommended drainage along Veterans Memorial Parkway be repaired as a new station is built.

"We realize it has a flooding history," said Selectman Arthur Barnes, who is leading the police study committee. "It needs to be addressed, so we're looking to kill two birds with one stone."

During the May floods, water rose to the center line of the road, which serves as a major connector between Lawrence Road and Route 28, Barnes noted.

There's a 17-acre, town-owned parcel between the current station

and Freedom Drive. The land is part wetlands but bears characteristics of dry land, Barnes said.

Planners are suggesting two of those 17 acres be used, along with the property the station sits on. Plans would allow for police to move into the new part of the building while it's still being built. The old station would then be razed to complete construction.

Selectmen Chairman Michael Lyons said the board has unanimously approved the committee's recommendations to date.

Assuming plans are approved by voters, Lyons said, the drainage improvements would not set back the anticipated timeline for building a new station.

Voters could decide on the

drainage plan and a new station in 2008.

"We wouldn't get approval for the building until March 2008, so construction would be scheduled in late 2008," he said.

Community Development Director William Scott said yesterday no estimate has been made yet on the drainage plan. Planners first need to determine the scope of the work that needs to be done, he said. Scott said engineering costs should be available in the next two weeks.

Lyons, who commended Barnes for his work thus far, said an important step in the planning process came when the Conservation Commission signed on with a proposed mitigation plan for the

site. Those plans call for a 2.1 replacement of any wetlands taken in the area. Conservationists believe they will be able to create a higher quality of wetlands than what's on the 17 acres now, and take measures to keep out invasive species of plants.

The new improvements may also include a skate park near the Field of Dreams park.

Barnes said the committee is also recommending the town use a "design-build" plan for the station.

"The real advantage to that is the design is not incumbent on having an architect or architect fees," Barnes said.

Instead, a consultant could be hired with experience designing police or fire stations.

LOCAL

Farm purchase stuck at \$2.5 million offer

BY GORDON FRASER
STAFF WRITER

SALEM — One selectman said he wants to move forward despite a breakdown in negotiations between the Conservation Commission and a family looking to sell 85 acres of farmland.

However, another said he might want to cancel the project if talks can't get back on track.

"I don't see a downside to moving forward with it," Selectman Arthur Barnes said in a telephone interview.

Barnes was referring to a war-

rant article asking voters to approve a \$2 million loan. The loan could be used to buy the 85-acre Duston Farm property — a tract of wetlands, farmland and woodland in Salem.

Conservation Commission members had originally proposed buying the land for \$2.5 million, with \$2 million coming from voter approval and \$500,000 coming from a trust fund the commission controls.

But negotiations between the Whiteneck family, which owns the farm, and Conservation Commission Chairman George Jones broke down late last week. Robert

Whiteneck Jr., negotiating on behalf of his family, called the \$2.5 million offer "insulting."

But Barnes said it might still be worthwhile to go ahead with the warrant article. If negotiations really are at an impasse, he said, the town wouldn't be able to take out a \$2 million loan, even if the article were approved.

"It's not a situation where we can raise that money through borrowing and then spend it on something else," he said.

Selectman's Chairman Michael Lyons saw it a little differently. "I would hope that we would

have a deal in place by the first Town Meeting," he said.

But, barring that, "We ought to consider zeroing it out. ... I hate asking voters for money that we don't have a plan for."

Jones said last week that the Conservation Commission will meet to discuss how they plan to move forward in negotiations.

But yesterday, Barnes said the commission could face problems if it tries raise its offer.

"I would think the Conservation Commission would have a hard sell if they have a document that says the land is worth X and they

come to the town and ask for X-plus," he said.

Conservation officials had the land appraised before starting negotiations, and the \$2.5 million figure came from that analysis, according to several officials.

Chairman Jones had said he would be open to raising more money from other sources, like federal grants. He said last week he wouldn't discuss the particulars of how he plans to move forward without first presenting his ideas to the commission.

Whiteneck, meanwhile, has said he would be open to overtures to strike or alter the article.

from local developers, who might subdivide the land into housing lots. But Whiteneck did say he would rather sell the land to the town, which would conserve it.

Selectmen meet tonight; the Conservation Commission meets two days later. The town's first Town Meeting is Feb. 10.

Selectmen could vote not to recommend the \$2 million warrant article or the Conservation Commission could move to withdraw its petition. If neither board acts, someone could still stand up during the meeting Feb. 10 and move to strike or alter the article.

last year.

"I've seen in the last two or three years, (the district) hasn't spent what it budgeted," Car-

budget. The vote is separate from proposed warrant articles and union contracts.

payments just over \$400,000 more for the 08 school year.

1/4/07 Tribune

Alternative barbershop Lather and Lace opens

Grand opening planned for Saturday

By GORDON FRASER
STAFF WRITER

SALEM — For hairstylist Aisha McColough, men are a pretty good clientele.

"Guys are pretty consistent," McColough said.

So when she heard about a chance to work at a salon designed almost exclusively for men — where she'd be wearing a skimpy costume every day to work — she decided to give it a shot.

"It's fun to be cute," she said. "It's like Halloween every day."

Lather and Lace — a salon for men and women, but mostly for men — will hold a grand opening Saturday from 11 a.m. to 1 p.m., said Peter Carlino, the salon's owner.

The salon, which opened for appointments Monday, features three costumed, female cosmetologists who will cut hair, give paraffin wax hand treatments and even wax beards.

But while the salon is designed to be a sexier alternative to regular salons — the women wear skimpy outfits, fashioned after Playboy bunnies or naughty police officers or, around Super Bowl time, cheerleaders — Carlino likens it more to a classic barber shop than a dance club.

"This isn't about some cheesy thing toward the public to try to make a quick buck," he said.

The stylists are all licensed and experienced.

"The three that I have, none are younger than 30, actually," he said.

And the haircuts are reasonably priced, he said. A basic men's wash and haircut costs \$24, which

includes a free paraffin wax treatment. Carlino said some men might take a little convincing before they'll get a moisturizing treatment, so he's hoping a free offering will help introduce people to it.

While some residents had expressed concern to town officials about the new hair salon, the facility never went before the Planning Board. The 88 North Broadway location was originally a hair salon, and the new salon is technically not changing the old facility's use. Even if the outfits are a little different, it didn't require any special permit to open.

The salon has already gotten some business. Even women are getting into the act. Four women so far have come in to buy gift certificates for brothers or even husbands, according to several who work at the salon.

And instead of flipping through an outdated issue of "Celebrity Hairstyles" while they wait for their turn in the barber chair, customers can order provocative costumes or lingerie from catalogs.

On opening day, couples that come together get a 20 percent discount, Carlino said.

The track record for sexy barbershops hasn't been great, according to Charles Kirkpatrick, executive director of the Arkansas-based National Association of Barber Boards of America.

"It's a gimmick-type thing," he said in an earlier interview, explaining that he has seen a lingerie barbershop fail in Las Vegas and a topless barbershop flop in Arkansas.



KEN YUSZKUS/Staff photo

Jessica "Jes" Warford, left, cosmetologist, Pamela "Kate" Hoff, center, manager, and Aisha "Tia" McColough, cosmetologist, are three of the employees at Lather and Lace, a hair salon.

But Carlino said he thinks his business will be a success because it's first and foremost a salon with experienced hairdressers. The sexy twist is only part of it, he said.

It's the combination that Carlino thinks will win customers over.

As McColough put it, "Hooters, it's not just for their chicken. It's for their costumes, too."

WS IN BRIEF

First Congregational Church of Kingston seeks volunteers to help make quilts for the needy. Volunteer quilters meet at the church on the first and third Wednesdays of each month. Call Linda Heminway at 603-382-2329.

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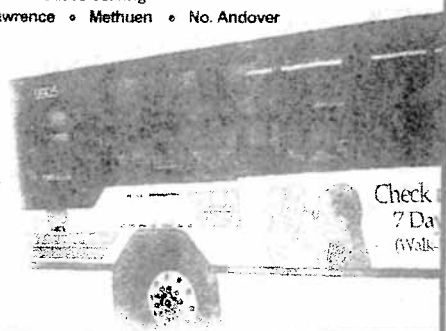
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Exit 2 vacancies: 60,000 square feet remains speculative

By BENJAMIN KEPPLER

Union Leader Staff

8 hours, 27 minutes ago

Last summer, the Exit 2 area around Salem was in the midst of a building boom, as several new structures were under construction or planned.

Now some of those projects remain on the drawing board, and there's plenty of space available in the neighborhood.

Perhaps the most visible vacancy is the Ananda Professional Building at 25 Pelham Road. Four stories tall, the landmark building towers over Interstate 93's Exit 2 interchange -- and it's entirely empty.

"It seems like the availability of tenants was not as strong as some people thought. Maybe things have changed," said Ross Moldoff, the town of Salem's planning director.

"You could also argue there was kind of a glut of office space coming in all at once," Moldoff said, adding, "It definitely was a unique situation to have (plans for) five or six buildings come in during a short period of time."

Some big projects remain only on paper. For instance, Moldoff said, a health club and office building proposed for the corner of Manor Parkway and Pelham Road has been discussed, but no construction has started.

The Ananda building's more than 65,000 square feet of empty space has definitely been noticed. A recent report from the New Hampshire offices of CB Richard Ellis, the commercial real-estate brokerage, cited it in particular as one of the few examples of speculative office space construction along the I-93/Route 3 corridor.

"Construction was completed in the fall of 2006, with no pre-leasing in place," the report said.

Deepak Sharma, who owns the building through Arun Real Estate Leasing LLC, was not available for comment yesterday. But there were indications things were looking up for the property.

Hugo Overdeput, an adviser with the Bedford office of Grubb & Ellis/Coldstream Real Estate Advisors Inc., which is marketing the Ananda building, said four parties have expressed strong interest in the property.

"If these all go forward, we're talking about close to 20,000 square feet which will be taken," Overdeput said. The property is being offered for lease for between \$16 and \$18 per square foot, as work also continues on other properties in the area.

A 36,000-square-foot medical building is under construction at 11 Keywadin Drive, and should be complete in summer or fall of this year, according to Joe Friedman, president of Brooks Properties, which is building the structure. Space is being leased for between \$18 and \$21 per square foot, on a triple-net basis, and space is also available for purchase.

A sister building just down the street, at 23 Keywadin Drive, is also planned.

"We're likely to start in spring or summer, and we're talking to a number of tenants right now that would kick that off," Friedman said of 23 Keywadin Drive.

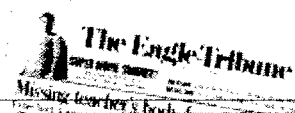
A 30,000-square-foot building at 29 Stiles Road is also under construction. Space in the building, according to the firm marketing it, is being offered for lease at \$23 per square foot, or for sale at \$235 per square foot. The sale price includes a \$50 per square foot tenant improvement allowance.

"We're approximately 50 percent sold or committed to be sold," said Chris Goodnow, the owner of Salem-based Goodnow Real Estate Services, which is marketing the property.

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The Eagle-Tribune

online



Town effort to buy Duston Farm breaks down

By Gordon Fraser , Staff writer
Eagle-Tribune

SALEM - Negotiations between officials trying to buy 85 acres of conservation land and the landowner broke down Thursday - casting doubt on the land's future and a town effort to raise \$2 million.

"We're just miles apart, to the point where my family was just about insulted by the offer," said Robert Whiteneck, whose family owns the 85-acre Duston Farm property.

Whiteneck had said town efforts to raise a \$2 million bond to buy the land were premature, and had hinted that the town's proposal to pay a total of \$2.5 million likely wouldn't convince his family to sell.

Conservation Commission Chairman George Jones was spearheading a plan to raise \$2.5 million to buy the farm from Whiteneck's family. The goal was to preserve one of the last large tracts of unspoiled land in the town of 30,000 people.

Because Jones and the commission hadn't been able to negotiate a price, the chairman proposed asking voters to raise what he said is the land's appraised value - a \$2 million loan would come through a warrant article; another \$500,000 would come from a trust fund the commission controls.

Jones has never said he would be limited by the \$2.5 million figure. He said he's kept the option open of raising more money through grants or fundraisers.

It isn't clear how much Jones offered Whiteneck in their meeting Thursday, but Whiteneck said price was a major stumbling block in the negotiations.

Jones wouldn't say whether price was the major issue, saying instead, "I think there's a number of issues that are on the table." He wouldn't elaborate.

From the beginning, the Conservation Commission plan to raise money before negotiating a price had been a matter of concern, at least for a few town officials.

"I'm going to vote for this tonight, but I'm still concerned about it," said Selectmen Vice Chairman Everett McBride Jr. last Monday, before selectmen unanimously voted to recommend the \$2 million appropriation.

The Budget Committee also cast a unanimous vote to support raising \$2 million.

Whiteneck has said the land is worth more than the town's appraisal.

"Just to be clear, that number (\$2.5 million) wouldn't work if the town's looking to get the farm," Whiteneck said in a telephone interview Wednesday. "I'm not going to comment on (price), but you can

do the math and find what close to 85 acres is worth in Salem."

Typically, communities approve a purchase at the annual meeting only after a purchase-and-sale agreement is approved - an agreement that outlines the land's settled price.

Jones - hoping to push the sale through faster and perhaps compete with private buyers, who can raise money for a purchase year-round - called on the town's boards to recommend the \$2 million warrant article to voters.

It isn't clear if Jones will change his position in the wake of Thursday's meeting with Whiteneck.

"I'm not going to discuss it with you before I discuss it with the commission," he said in a telephone interview Friday.

Meanwhile, Whiteneck said his family would certainly be open to the advances of private investors and developers.

"To a contractor or somebody else, it'd be worth a lot more than that and we'll weigh all our options," Whiteneck said. "We might even end up keeping it. Who knows?"

Whiteneck's father, also Robert Whiteneck, worked the Duston Farm for years, the junior Whiteneck said. About four years ago, the Whiteneck family purchased the farm, surrounding woodlands and wetlands from the Duston family, he said.

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1/24/07 Tribune
► Salem's Depot Train Station

Unusual source may pay for asbestos cleanup

By GORDON FRASER
STAFF WRITER

SALEM — An environmental study of the town's antique Depot Train Station revealed the building is riddled with asbestos tiling and insulation, which could cost as much as \$30,000 to remove.

But the money to pay for it could come from an unlikely source — a trust fund designed to improve transportation in town.

"That doesn't necessarily mean that the entire area abuts the road," said Community Development Director William Scott. "It's more of a function of providing more sidewalk, also."

The train station is at the center of an old railroad network that officials hope to convert to a pedestrian and bicycle trail system. The trails could also connect with a fixed-route bus system planned for the future.

Because the area features so prominently in the town's transportation plan, Scott said, a transportation trust fund could be the solution to the \$30,000 asbestos problem. The train station could eventually be incorporated into the transit plan — as a bus stop, a rest area for bicyclists and pedestrians, or a museum highlighting

Salem's Depot Train Station is full of asbestos tiling and insulation, which may cost as much as \$30,000 to remove. The money to do that removal may come from a trust fund designed to improve transportation in town.

town employees and consultants, can be allowed inside to do work. "It's our intention to remove all that, so when the volunteers work on the building (it's safe)," Scott said.

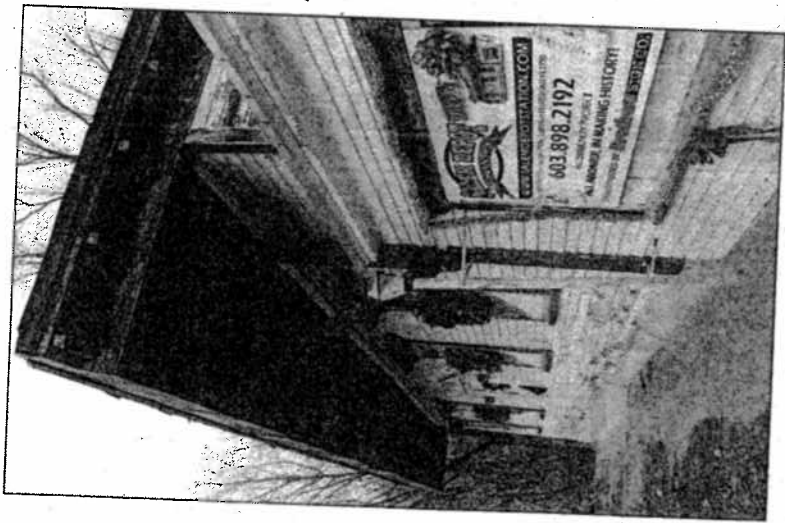
GZA Geoenvironmental Inc., an environmental consulting firm working with the town, is preparing a report outlining what needs to be done to make Depot Station safe. The town will use that information to get a bid, but GZA has said the bids shouldn't come in any higher than \$30,000.

The town's transportation trust fund — which should pay for cleaning the asbestos, but might or might not go toward building renovations — has \$490,395.

The fund receives \$69,946 every year from the Mall at Rockingham Park, which agreed to pay into the fund when it was first permitted by the Planning Board.

Salem paid GZA roughly \$5,000 to compile its asbestos report. The money came from Salem's transportation trust fund.

Asbestos is a naturally occurring fiber, widely used in the past for insulation and fireproofing. Small asbestos fibers are easily inhaled and have been linked to serious diseases, like asbestosis and mesothelioma, a kind of cancer.



ALLEGRA BOVERMAN/Staff photo

the town's transit history.

Repairing the Depot Train Station has been the goal of a community group led by resident Diane Paquette, who said she remembers riding past the station on her bicycle as a young girl. Since last fall, Paquette has orga-

nized community members interested in renovating the station — making a museum or other community center from the decaying building.

But Scott said the building's asbestos problem has to be taken care of before anyone, outside of

LETTERS

1/24/07
~~065612067~~

Don't go away mad, just go away

To the Editor:

"... a slap in the face to Salem voters"... I am referring to recent comments made by one Mr. Giordano. Well, as the saying goes, if that isn't the stove calling the kettle black!

In a Jan. 7 article, Mr. Stove, (aka Mr. Ron and/or Tony Giordano), is quoted telling a reporter that his opinion is "none of your business....and don't bother calling me again."

Well, Mr. Stove, and I'm sure much to your chagrin, you cannot have it your way all of the time. You cannot crawl out from under a rock whenever it politically suits you and then run for cover when the questions get hard, or, in keeping with the theme, if you can't stand the heat stay out of the kitchen!

I would consider an elected official found guilty of sexual harassment and costing the taxpayers over \$100,000 more egregious and more of a slap in the face to voters than a citizen exercising their right, (one could argue duty), to lawfully have a petition presented to voters.

I read that you are also pursuing the elimination of the residency tax. You state that your

reasons are purely altruistic ... just thinking of the taxpayer. Here's a novel idea to save the taxpayer some money ... stop having elected officials being successfully sued for illegal conduct!

Andy Warhol once prophesized that everyone would be allotted his or her 15 minutes of fame. You had yours, Mr. Stove, and you squandered it. You squandered it with your boorish, sophomoric, and, lest we forget, illegal actions!

I will add that I do not know any member of the planning board, conservation committee or ZBA. However, after watching their meetings for several years, it is clear that one must possess much more than a genuine civic commitment to effectively serve on these boards, such as knowledge of the many and complex statutes that exist.

Although I may not like every decision these boards make, I do believe that they are fair, thoughtful and, most importantly, within the law.

To paraphrase the lyrics of a song several decades old, "don't go away mad, Mr. Ron and/or Tony Giordano, just go away." Your 15 minutes have long been up!

Michael S. Burke
Salem

1/24/07
Observer

Saving the farm

Conservationists want to preserve Duston land, but owners not ready to sell

BY MATT HERSH

mhersh@salemobserver.com

Members of the conservation commission are on a quest to preserve a 237-year-old farm in Salem.

"It is beautiful," said George Jones, the commission's chairman. "It's one of the prettiest things you see in Salem."

Jones has been leading the efforts to purchase an 84.6 acre piece of land in North Salem known as the Duston Farm.

After the budget committee recently approved a citizen's petition that will ask voters in March to raise up to \$2 million for the purchase, Jones and other conservationists are one step closer to their goal.

Jones said he's been eyeing



Observer/Bruce Preston

Conservation commission members have submitted a petition warrant requesting voters raise \$2 million for the purchase of an 84-acre farm in North Salem known as the Duston Farm.

the property for several years, but after developers have expressed interest in the land as well, he decided it was time to

take action.

Part of the property has already been sold to developers, and a 15-lot subdivision has

been approved by the planning board.

"We want to preserve the rest because we're trying to maintain locations where wildlife can continue to exist," he said. "Losing this kind of land is devastating."

The farm property encompasses forest, woodlands and wetlands, all home to dozens of animal and plant species.

Aside from the environmental concerns, Jones said the property represents a chance to save a piece of an almost forgotten era in Salem.

"We can preserve a piece of community history," he said.

If the commission fails in saving this land, Jones said he fears that it will be sold off and further

Please see **FARM** page A-2

Continued from page A-1

developed, placing more pressure on the school system and taxpayers.

But even if voters approve raising \$2 million for the land, the purchase might not be straightforward.

Currently, the land is owned by the Whiteneck family, who were close friends of the Dustons and were involved with the farm for many years.

They purchased the land several years ago after the Dustons grew old and had difficulty maintaining the farm.

The Whitenecks lease the land to farmers who use it for their crops. Most recently, corn was grown on the property.

Bob Whiteneck, who helps manage the property, said he's upset with Jones' actions which have led to inaccuracies leaked to the media. Also, there isn't a formal offer to buy the property yet. Jones only approached the



Observer/Bruce Preston

The 84-year-old farm sits along Duston road in north Salem.

Whitenecks, who gave him the nod to look further into the purchase.

"Basically there's no agreement," he said. "Jones jumped the gun."

Whiteneck said he's interested in preserving the land, but his family is in no rush to make

a decision.

Though he would not cite a specific price he would want for the land, Whiteneck said \$2 million would not be enough.

"We'll consider (a price) if it's fair market value," he said. "We're not going to take 50 cents on the dollar for it - we can do

better."

At the Wednesday, Jan. 17, meeting of the budget committee, Jones said his committee had about \$500,000 to put towards the purchase and several grant opportunities are available through the state.

The two original buildings on the land, a house and a barn, would likely be preserved even in the event of the land being sold.

"We would like to see that stay the same," Whiteneck said. "It's part of town history and the place is like a museum."

If the land becomes town property, Jones said there is a plan to turn the buildings into museums with help from the historical society.

Jones said the commission is working towards firming up an offer.

"I would be nice to preserve it," Whiteneck said. "We're willing to hear it."

Salem/Derry

Budget Committee backs Duston Farm purchase

By JAMES A. KIMBLE
STAFF WRITER

SALEM — Budget Committee members are supporting a plan to buy one of the last farms left untouched by residential development, saying preservation of Duston Farm makes fiscal sense.

The Conservation Commission is asking voters to support a \$2 million bond to buy the 86-acre parcel. The land is considered by conservationists as the last of its kind in Salem for its variety of wood lots, crop lands, wetlands and small hills. If preserved, the house and icehouse on the property may become a historical museum dedicated to the working farm that existed there for generations. Local historians are interested in developing recreational trails there for residents. Voters will decide whether to support a citizen petition for the plan in March.

"It's a real smart move," Budget Committee member Kathleen Cote said. "There's value you make sometimes with your heart, sometimes with your head. This is one I can vote yes with both."

Budget-makers said even without a firm purchase-and-sales agreement in hand, they felt good about backing the commission's effort to buy the property. Commissioners want to use \$500,000 in land-use funds for the deal. The property is assessed at \$2.5 million.

Conservation Commission members started talking about buying Duston Farm when one of its last owners, Thomas Elliot Duston, died in October at the age of 88. The family descends from Colonial-era Hannah Duston, who fled from Native American captors, escaping 10 of them before escaping from an island on the Merrimack River. The Duston estate is now overseen by the Whitteneck family.

Cote said maintaining the historic piece of property will be less expensive than a multi-lot subdivision.

"If you put in 34 houses with an average of 2.8 kids, the (annual) cost of educating them is between \$3,000 to \$3,000 each kid," she said. "So, for \$2 million, I'm coming out way ahead of the game."

If commissioners have to pay a higher price for the land, then it would be incumbent upon them to raise the remaining funds through grants or other outside sources, Cote said.

"I know exactly what this costs. It's 5 cents per thousand for 10 years (on the tax bills)," she said.

Budget Committee Chairman Peter Rayno said the plan has unanimous support from the committee. Budget Committee member Pat Hargreaves signed the citizen's petition for the plan and thus decided to abstain from voting, according to

Rayno. "I think we all realized that's an important piece of property we'd like to preserve," Rayno said.

Cote said she was also encouraged that the land would be controlled by a local land trust, rather than the town, so a future board of selectmen couldn't decide to build on the property. She believes keeping the property as open space will have environmental benefits, too.

"The land sits right on top of the Spicket River, so you have 86 acres of land to suck up rain and snow," Cote said.

Committee member Michael Carney Jr. said he felt it was important for voters to know the commission's efforts are being backed by the board.

"I believe in the concept and like to save open land if I can," he said. "If the Conservation Commission and owners can come to an agreement, I'd like the public to

know the Budget Committee is in favor of the concept."

Conservation Commission Chairman George Jones said he was thrilled with the support of the committee, believing it may encourage voters to support the measure as well. He said selectmen voiced concerns over not having a fixed sale price, but unanimously voted to support the plan Monday.

Jones said he's been stressing to people not to worry about a final price tag as commission members work to finalize the deal.

"The question is: Are townspeople willing to borrow \$2 million to buy the property? We're asking up to \$2 million, assuming we can conclude a purchase and sale," he said. "There's been several people to raise that concern (about the price) publicly, but the bottom line is that it's irrelevant."

1/17/07 Abbever

Zoners may be elected

Petition would make zoning board an elected body

BY MATT HERSH

mhersh@yourneighborhoodnews.com

After the filing of a petition warrant to change the Salem Zoning Board of Adjustment to an elected body rather than appointed, several members are saying they would not run for a position.

Dan Norris, the vice-chairman of the board, said if voters change the member process, his name will not likely appear on the ballot.

"I haven't thought enough about it yet," he said. "But I'm strongly inclined not to run."

Including Norris, three of the board's five members said they might not run for election.

The planning board, which became an elected body last year with its first elections to take place this March, voted on Tuesday, Jan. 9, not to support the citizen's petition to change the zoning board's status.

Despite the contention of officials, the petition started by former planning board alternate Ron Giordano will still appear

Please see **ZONING** page A-2

ZONING: Citizen petition may change zoning board from an appointed position to an elected one
Continued from page A-1

before voters in March.

Since the zoning board has the unpopular task of sometimes denying projects, Norris said voter influence could negatively affect the process.

"We need to focus on a narrow set of legal criteria," he said. "There's no room at all for public

opinion or popularity with respect to projects."

Norris said he fears that elected members would be too worried about making unpopular choices that might affect re-election.

"Popularity is inherent in the process of campaigning and running for election," he said. "Those factors will definitely come in to play."

Similarly, James Randazzo, who has sat on the board for about a year, said he doesn't anticipate running for a position.

"When folks back you in a campaign, there could be too much pressure (to make project decisions) from a voting standpoint," he said.

Planning board members are facing a similar situation as the March elections approach.

Several current members said they don't plan on running for the same reasons Norris and Randazzo cited.

Adam Webster, who was the planning board's chairman until last November, expressed concern that boards that go from appointed to elected could soon have an entirely freshman roster.

Inexperienced boards could be a liability to the town, he said.

Still, Giordano said the petition is the best thing for the town, citing what he sees as corruption in the appointing process of the boards.

"We're giving people the opportunity to change the process," he said. "We need the diversity of regular people on these boards."

Giordano's petitions have been criticized by officials, who said he's trying to get back at the town for not granting him a seat on the planning board.

In response to these claims, Giordano said he won't run for election in March, but he's baffled at planning and zoning board members who are refusing to as well.

"If these people who are on the boards now are crying foul, run and help new people learn the process," he said.

1/17/07 S.Baer

Banning building on flood plain may affect revenue

BY MATT HERSH

mhersh@yourneighborhoodnews.com

A plan which could ban new construction in Salem's flood plain has been delayed by the planning board until tax impacts can be assessed.

At a Tuesday, Jan 9, meeting, the board held a public hearing on the issue, which brought out several Haigh Avenue residents who were hit hard by last year's floods.

Board member Christopher Goodnow said many of the residents expressed frustration that the plan had been delayed because they hoped it would help their situation.

Goodnow said some residents were concerned because they see

the town's growth as contributing to the flooding problem.

The proposed zoning ordinance has been in development since the spring floods drove residents out of their homes near the Spickett River and sections of Route 28.

If passed, the ordinance would prevent all new construction on the flood plain, which might alleviate the concerns of Haigh Avenue residents.

Still, Goodnow said he spoke with the town's hydrologist, who told him banning construction would have no impact on the town's flooding issues.

"There's no net effect at all," he said. "From a flood storage capacity standpoint, this doesn't provide any benefit at all, and it negatively

impacts peoples' property."

Goodnow and other opponents of the ordinance fear that if passed, the ordinance would essentially seize land from owners, who would then file for abatements.

For this reason, planning board member Adam Webster said he didn't want to take action on the proposal until the tax impact could be determined.

Webster also said if the proposal passed, property assessments would likely go down in the affected areas.

"There could be a large revenue loss in the town," he said. "It would be irresponsible of us to put something on the ballot that could affect us that greatly."

Whether or not the board de-

cides to pass the ordinance in its entirety, Webster said most members were in favor of increasing the amount of flood mitigation land that developers would have to provide.

Currently, when construction on the flood plain occurs, a developer must create an equal amount of new flood mitigation space that they took away by building, Goodnow said.

Webster said that by increasing this amount by one, the town would be able to increase the size of the flood plain.

Though determining the total tax impact might be difficult, Webster said he wants to hear the tax assessor's best guess.

The board will take up the issue again at a meeting on Jan. 23.

Town land eyed for protection

Commission moves to save one of Salem's last farms

By JAMES A. KIMBLE
STAFF WRITER

SALEM — The Conservation Commission wants to save one of the town's last untouched stretches of small hills, open fields and woodlands.

In a town that has become known for strip-mall-laden Route 28, the Duston Farm stands as an anomaly.

"It's unique in that it's got a wood lot, it's got a farm, it's got working crop lands, it's got great wetlands," Conservation Commission Chairman George Jones said. "It's, in fact, the only property like it in Salem."

Now the 85-acre property is the second largest parcel in town that has been untouched

by development.

The Conservation Commission has filed a citizen petition seeking a \$2 million bond to preserve one of Salem's last farms. If approved by voters, another half-million dollars in town conservation money would be tapped to purchase the property.

Conservationists and historians would like to make a working museum out of the white clapboard, 1800s-era home and icehouse that once kept milk cold. The house is a historic icon of a lost era in Salem, which once had 10 dairy farms and an uncounted number of other farms along Route 28.

Please see **FARM**, Page 3



JARROD THOMPSON/Staff photo

Duston Farm off of Duston Road in Salem.

FARM: Commission pushes to protect land

■ Continued from Page 1

"You open that door and you go back 200 years," said Beverly Glynn, chairwoman of Salem's Historic District Commission.

When one of the last descendants of the farm, Thomas Elliot Duston, died in October at the age of 93, conservationists began talks with members of his estate to save the property from development. The Dustons were descendants of Hannah Duston, known for scalping 10 of her American Indian captors in 1697 and fleeing from an island on the Merrimack River.

Thomas Duston, a Haverhill native, had lived in Salem for 70 years and worked as a farmer. In his later years, Duston lived there with his sister, Natalie, who died about a month before he did.

Glynn said Thomas Duston remembered much of what agricultural life was like in Salem decades ago, just by looking at a section of road or another part of the property.

"At one time, Mr. Duston was

telling us he remembers seeing oxen carrying trees down that road that would be hauled all the way over to Haverhill; then the wood would be floated down the Merrimack to Newburyport, where it would be used to build ships," Glynn said.

If the Duston Farm is preserved, she said, she'd like to see recreational paths or walking areas for residents to use. With a healthy tax base stemming from commercial and residential development, the one place Salem has foundered is maintaining public recreational property.

"If you want to go for a walk, you have to go to Windham and use their rail trail," she said. "That's a shame, considering the tax base we have here."

The only exception is Salem's town forest, she said.

Jones is planning a tour for town residents and local media in an effort to muster support. A date hasn't been set for the tour.

Glynn said buying the property for \$2.5 million would be a steal farmhouse," he said. "It's what a lot of Salem used to be."

millions more by keeping it from developers. A large enough subdivision there, populated by young families, could force the town to build another school, she said.

Already, a 15-lot subdivision has been approved for a neighboring 39-acre parcel next door.

Town Planner Ross Moldoff said at least 90 house lots could be built on the Duston Farm. Like the commission, he's hoping it never happens.

Years ago, Moldoff said, the town commissioned a study of undeveloped properties with 25 or more acres.

"I had 17 properties on the list," he said. "Since then, many have been developed."

The only land to rival the Duston Farm in size is 160 acres owned by the Putnam family. But like Jones, Moldoff said the Duston Farm is unique in its makeup.

"It's not just one particular type of property. There's woodlands and very large open fields, an old farmhouse," he said. "It's what a lot of Salem used to be."

But others in town question Giordano's motives.

Resident Michael Flathers, who started a petition this year to return the Planning Board to an appointed body, said he believes Giordano would eventually like to win a full-time seat on the board. Giordano has said he won't run for the board in March.

"I refuse to get into a spitting contest with him," said Flathers, a retired Lawrence, Mass., public works employee. "But, he thinks it's OK when he files a petition, yet it's a slap in the face when someone else does. So I think his comments are a joke."

"It bothers him that I'm a nobody," Flathers added, "and it's proven now that my point is right. People don't want to spend thousands of dollars to get elected to the Planning Board."

At least two Planning Board members have said they won't seek election to the board this spring because they disagree with having an elected board. Six of the seven Planning Board seats will appear on the March ballot — as a result of last year's Town Meeting vote — with one position still being appointed by selectmen.

Former Selectmen Chairman Richard Gregory said Giordano set off to change the Planning Board to an elected body because he was passed over for a full-time appointment in late 2005. Giordano wrote he was seeking "regular member status" on his application, noting he had a "98 percent attendance record" after serving eight months as an alternate.

"My goal is to continue strong convictions of the board, to continue to improve the town of Salem by supporting solid plans that meet (the needs of) citizens of our town," Giordano wrote in his October 2005 application. "I am committed to representing all citizens of our town in a fair and equitable manner."

Gregory said he backed Giordano for an alternate seat on the board as a favor to Selectman Ronald Belanger, a one-time Giordano supporter.

"I told everybody it was a political favor," Gregory said. "Sometimes you hold your nose when you do something. That's politics."

But when Giordano sought a full-time slot, Gregory said, he couldn't back him again, mainly because of Giordano's history when he was a state representative.

A Merrimack County Superior Court jury found in 2004 that Giordano sexually harassed Statehouse secretary Dorothy Pike, who was awarded \$175,000 in damages and \$12,666 in back pay. Pike claimed Giordano, then a state representative from Salem, groped her on several occasions, demanded sex and threatened her during a drunken telephone call in 2001. Giordano denied physically assaulting Pike, but acknowledged he made the phone call.

Pike's lawyer, Tom Closson, acknowledged Giordano still owes his client, but refused to say how much he's paid of the \$84,449 judgment against him.

"I'm glad he's making the pay-

"Sometimes you hold your nose when you do something. That's politics."

Former Selectmen Chairman
Richard Gregory

ments, and I hope he continues," Closson said.

The House of Representatives paid 55 percent of the damages, \$103,216, because that body also was named in the lawsuit.

Belanger said he believed at the time that Giordano deserved a second chance at politics, despite his trouble.

"I voted for him, and no one else did," Belanger said. "That's just how I felt at the time."

Today, Belanger agrees with Gregory that Giordano's petitions were prompted by his failure to win a full-time seat on the Planning Board.

"If I had to vote again, I wouldn't support him," Belanger said, acknowledging he's had a falling out with Giordano in recent months. "I don't like what he's doing with electing the Planning Board. I don't think anybody on the Planning Board has done anything wrong. Does that mean because he's not on it, everyone else shouldn't be on it?"

Political rivalries aside, Belanger said, he also disagrees with Giordano's proposal to eliminate the residency tax. It could cost the town some \$200,000 in annual revenue, an amount town officials would likely have to raise through other taxes.

It's uncertain if all three of Giordano's proposals will make it on the March ballot.

Town Clerk Barbara Lessard said she has only verified 195 of 300 signatures on a petition Giordano passed in for the charter commission study. About 100 more signatures that have been turned in have not been verified. To make it on the ballot, 717 signatures will need to be collected by Jan. 16.

The petition for eliminating the residency tax has not yet been turned in. It's due next week. He successfully petitioned to get a proposal to make the Zoning Board of Adjustment an elected body on the ballot in March.

Giordano has suggested he would sue the town if the signatures collected for the charter commission petition are not accepted by the town.

Lessard said she uses voting rolls to verify the signatures are from Salem residents.

"There are many that are just not registered," she said. "He hasn't brought in any more that I have personally reviewed."

Giordano refused to comment on his debt from the lawsuit or recent comments that he would sue the town if it didn't accept signatures on the petition seeking a charter commission.

"My opinion is it's none of your business," said Giordano before hanging up on a reporter. "Don't call me again. I'm not an elected official. Stay out of my business and don't bother calling me again."

Some question motives of Ron Giordano, man behind four petitions

By JAMES A. KIMBLE
STAFF WRITER

SALEM — He has three petitions underway to change town government.

A fourth one, approved last year, means voters will elect Planning Board members for the first time in March, rather than having selectmen appoint them.

Ron Giordano has said voters are the best ones to decide who sits on the town Planning and Zoning boards, not the five-member Board of Selectmen. But critics say Giordano, a former state representative, is pushing town reforms because he's upset about not being appointed to a full-time seat on the Planning Board in late 2005.

If Giordano gets his way this year, voters will decide whether they want to eliminate a residency tax, make the Zoning Board an elected body, and begin the process of turning Salem into a city.

"Ronny is a good guy and he devotes himself to politics," said resident Sandra Dawalby, who signed Giordano's petition to change the Planning Board last year.

Dawalby said she has since changed her opinion about electing board members, but said of Giordano, "I think he did it because he thought that's what was best for the town."

Please see **GIORDANO**, Page C5

1/17/07 Tribune

First planning board election raises questions

BY MATT HERSH

mherish@yourneighborhoodnews.com

As the March elections rapidly approach, an argument over the election of planning board members has several of the board's current members declining to run.

The issue began last March at Town Meeting where more than 60 percent of voters approved changing the planning board member process.

In the past, the board's members were appointed by the board of selectmen. This year, they will be elected by the general public for the first time, which has some officials concerned.

"I feel strongly that planning board members can be insulated from the political process," said current board member Christopher Goodnow, who will opt out of running for election in March. "This change makes it more political and increases the town's liability."

Since the planning board has

the role of evaluating the legality of proposed building projects, Goodnow said he thinks that role could be damaged by politicians who worry about re-election.

"Anything which interferes with (that role) puts the community at risk," he said.

Similarly, Adam Webster, who was the board's chairman until last November, said he's discouraged about running for a position on a board he's already held for six years.

Running for such a position could be a costly venture, he said. Campaign signs and mass mailings could cost about \$1,000, he said.

Another potential setback of the new process is the potential for a planning board made up of entirely new, inexperienced officials, Webster said.

"We could have a completely new board, which could be devastating to the town," he said.

Also, an elected planning

Please see **ELECTION** page A-2

ELECTION: Questions raised about planning board campaigns; warrant article proposes returning positions to appointments

Continued from page A-1

board is something that will be difficult to generate candidates for,

Goodnow said.

"This has been portrayed as something for the people to decide,"

he said. "But if only six people run, there's nothing to decide."

Webster said some current members of the board may run for election, but the potential for an entirely freshman board still has him concerned.

Still, not all members of the board are discouraged.

Rosemarie Hartnett, who has been sitting on the board for only a few months, said she prefers the appointment process but she'll con-

sider running for position anyway.

"I've seen how well this board runs," she said. "I worry about the plan for the town of Salem."

Despite concerns, there are those who are supportive of the election process.

Ron Giordano, a former planning board alternate who left after a fight over his appointment to full membership, pioneered the effort to change the planning board from an appointed to an elected body.

"I have confidence in the voters," he said. "These should be non-biased boards."

Giordano said he believes the reason that several current board members aren't running is because they are angered at a potential loss of control.

"If you really care about the town, why not put your name on the ballot to be elected," he said.

Giordano said he thinks the previous system of appointing board members was a flawed and biased one where officials only appointed members with similar thoughts on issues to advance their agenda.

Webster responded to this assertion by saying the voters control who sits on the board of selectmen who, until recently, appointed planning board members.

"The people voted for selectmen and they should have confidence

in their choices," he said. "They're supposed to appoint those to further their agenda and there's nothing wrong with that."

Webster said he'd like to see the town move back to an appointed planning board in the future and there's a potential it might happen.

Currently, Salem resident Michael Flathers has gathered enough signatures on a citizen's petition to place a warrant article on the March ballot requesting such a change.

Webster said the town might not be ready for the change this year because it would only further complicate things for voters.

Giordano said Flathers' petition was drafted to keep him off of the planning board, even though he promised not to run.

Flathers could not be reached for comment.

11/10/07 Salem Observer

BARBER: Costume barbershop, which met with initial community resistance, opens on North Broadway

Continued from page A-1

While the project met no opposition from town officials after Carino assured them that his stylists would not be walking around dressed like strippers, some controversy surrounded the planning stages of the business.

Carino said he received complaints from only a few concerned members of the community who thought the idea was inappropriate.

Carino said media sources inaccurately presented Lather & Lace as a "lingerie salon," which contributed to a misconception among the public of what the business really was. In reality, the stylists' outfits are tame, resembling Halloween costumes which are only mildly provocative, he said.

At the grand opening, Warford and her coworkers walked around in moderately short black dresses and

pairs of bunny ears on their heads. "People have the wrong perception," said Melissa Lemieux, a manager at the salon. "Hookers is right down the street and they have sexier outfits."

There are plans to have a variety of outfits in the future but they will not be overly revealing, according to the stylists who have been picking them out.

Carino and his employees all en-

phasized the quality of their service as well.

All of the stylists are trained and certified professionals who offer a wide variety of services.

A standard men's haircut is \$24, which includes a washing and a facial moisturizing treatment.

If there's a wait, a selection of lingerie catalogs are available for clients to browse through and order items out of as well.

Despite its obviously male appeal, Carino said the salon will also cater to women who want to try out their services.

"(The outfits) will bring most people in here," said day manager Pam Hoff. "The service will keep them coming."

By noon, more than 15 people had come in to get their hair cut or make appointments for later in the week, including David Maddox,

who came from Manchester to get his hair cut by a pretty woman.

"My first experience was great," he said.

Others took a more comical look at the salon.

"I usually get my hair cut by a 70-year-old man with Coke-bottle glasses," said Braden Moriarty, an on-air radio personality from WZZX who was broadcasting live from the salon. "This is definitely a step up."

Hare-cut

Costume barbershop opens in Salem

BY MATT HERSH

mshersh@journalherald.com

Most hair stylists don't practice their profession while wearing a sexy bunny outfit.

But that didn't stop 31-year-old Jessica "Jes" Warford from working at Salem's newly opened Lather & Lace hair salon at 88 North Broadway, where females give haircuts while wearing costumes.

"It seems like it's going to be a fun experience," she said at the salon's grand opening event on Saturday, Jan. 6.

Dozens of people throughout the day stopped by to see what

the new business was all about or to get a few locks snipped off as Warford and two other stylists worked in their bunny costumes.

The business opened after more than a year of planning, discussion with town officials, and some controversy.

Peter Carino, a Tewksbury Mass., businessman, decided to open the salon because he thought men would enjoy a fun way to get their hair cut.

"I thought this would work," he said. "People are either going to like it or not like it."

Please see BARBER page A-2



Observer/Bruce Preston
Alisa McCullough, left, and Jess Warford get ready to meet customers at the grand opening of Lather & Lace Salon in Salem on Saturday, Jan. 6. The men's salon will feature hairstylists clad in themed attire.

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1/10/07 Salem Observer

1/10/07 Salem Observer

No building on rail trail land

Selectmen want chance to discuss trail plans first

BY MATT HERSH

mhersh@yourneighborhoodnews.com

Salem selectmen have unanimously decided to do their part in protecting land which could be used in the future to develop a rail trail.

After local business owner James Solloway came in front of the planning board in December with the desire to expand a parking lot onto part of the trail, board members asked selectmen to set a policy.

Selectmen set such a policy at their Monday, Jan 8 meeting which will prevent future applicants from developing on the land until officials have thoroughly discussed plans to develop a rail trail.

Community Development Director Bill Scott said officials will meet this summer and fall to discuss the possibility of moving forward with the rail trail project.

The policy prevents developers from using the land until Dec. 1.

Since Solloway's request came before selectmen set a policy, whether planning board members decide to accept his plan is still up in the air until the board meets later this week.

The policy decision came after almost two hours of discus-

sion and input from members of the community who want to see the rail trail developed.

Resident Linda Harvey, who has been a proponent of the project for several years, said she believes a paved trail, which would run through Salem, could be an important resource for both recreation and commuting.

Harvey said she envisions a rail trail which could connect Salem to its neighboring towns.

Conservation commission Chairman George Jones also advocated for the trail, citing it as another way to bring workers and money into the town.

"It's another mode of transportation for people," he said. "Unless we prevent the rail bed from being encroached upon, we're cutting off potential."

Windham currently has about 3 miles of rail trail developed, and John Normington, who owns a business bordering the trail, said he's seen more customers.

Windham resident Wayne Morris, said the trail always sees heavy traffic.

"The adage 'build it and they will come' is true," he said.

Though selectmen voted to protect the land, some concerns were raised about the feasibility of such a trail.

Selectmen Chairman Michael Lyons said he supports developing the trail north of the Salem Depot, but there might be problems if developers try to move south.

"I can see the recreation value from the depot north," he said. "South, I get nervous."

Other selectmen said they shared this concern because the trail would have to cross busy roads like Route 28 and Rockingham Boulevard if developed south of the depot.

Jones responded to these concerns by citing the current necessity of a crosswalk on Rockingham Boulevard.

"I'm amazed that we haven't killed someone already," he said.

Despite the opposing views and visions for the project, the policy decision will allow it to move forward.

Scott said the town was awarded a \$131,000 grant from the New Hampshire Department of Transportation to fund a study of the trail area to determine what can be done.

Whether or not the trail will become a commuter passageway or only a recreation resource will not be seen for several years, Harvey said.

"This is a long-term project that is broken down into sections," she said.

Editorial

Elected planning board is will of the voters

Last year, Salem voters decided to change the planning board from an appointed body to an elected one.

Now it seems the decision is having some consequences. Some current planning board members don't want to run for the office so they can continue to serve. Some cite the cost of running - buying signs and such.

Also, Salem resident Michael Flathers has gathered signatures to put a citizen petition warrant article on the ballot to reverse last year's decision.

First, if planning board members truly want to do the job, they should campaign and run. Yes, signs give some visibility to a candidate, but it isn't necessary to spend a fortune to be elected to office in a New Hampshire town.

If planners are doing a good

job, and voters are aware at all, through reading the papers or watching community TV, then they most likely will be re-elected.

Members also are afraid that the seats will be filled with inexperienced people. One more reason those with experience should step up to the plate. And all board members are new at some time, so that argument is specious at best.

And the citizen petition, well, what purpose is that serving? Flathers is well within his rights to put something on the ballot. But Salem residents spoke last year. They want the right to vote planning board members on and off the board.

Give an elected planning board a chance to work. The will of the voters should not be circumvented.

LETTERS

LOCAL

Salem/Pelham

Plan to restrict flood-plain construction stalls

BY JAMES A. KIMBLE
STAFF WRITER

SALEM — The Planning Board delayed approving a plan that could ban all new construction in the town's flood plain until it gets answers on what kind of tax impact it could have on town tax rolls.

Several residents from Haigh Avenue — an area devastated by the spring floods — were angered over the delay following a public hearing on Tuesday night.

Pat Marone of 53 Haigh Ave. said since moving into his home in 1974, he has suffered through five storms that flooded his property.

"Each flood was worse than the previous one," he said. "I look at the growth of the town and know there's a relationship."

Marone said he has spent in excess of \$100,000 between flood insurance and

repairs to his home. He suggested to Planning Board members that maybe only a class-action lawsuit would generate the attention needed to address those homeowners suffering on Haigh Avenue, which is in a low-lying area of town.

The zoning ordinance, one of 13 being proposed to be put before voters in March, was developed in the wake of the spring floods that drove several residents out of their homes and flooded businesses along the Spicket River and parts of Route 28.

Opponents of the proposed zoning ordinance say the measure would amount to a land seizure by the town and residents would apply for tax abatements if voters approve the measure in March. Others call it a feel-good measure that would have no effect on the town's flooding woes.

"We have a flood plain plan that works,"

said Gary Azarian of 34 Tickfancy Lane. "What this will do is diminish millions of dollars of property in town."

Azarian, who is a member of the Zoning Board of Adjustment, said a ban would especially hurt hundreds of acres owned by four families in town who still control large blocks of Salem's real estate.

"Who is going to protect their rights?" Azarian asked planners.

Planning Board member Christopher Goodnow was unsuccessful in convincing a majority of the board to eliminate a section of the ordinance that would ban all new construction in the flood plain.

He said a town-hired hydrologist concluded banning new construction would have no impact on Salem's current susceptibility to flooding during severe storms, and planners should listen to their expert.

"Everyone on this board lives in this com-

munity and lived through the flooding," Goodnow said. "And everyone on this board wants to do better."

Planning Board member Adam Webster said before he decided whether to back the flood plain plan, he first wanted to know how much residents could receive in abatements.

But board member Gene Bryant said that could be difficult, if not impossible, to calculate. He said there are a number of ways a landowner might want to develop his property, which would determine its potential value.

Webster said he would still like to hear the town's best guess.

Town Planner Ross Moldoff said the board will schedule a second public hearing before Planning Board members to decide whether to recommend the proposal for the March ballot.

All that's left is the popcorn



School may hold off on funding request for cleanup

BY REBECCA CORREA
STAFF WRITER

SALEM — A \$45,000 warrant article to pay a balance owed to the state Department of Environ-

combined the school's total waste contribution with the municipal government's total contribution. If the two bodies of government were billed separately, they would be responsible for dunning

cle at a meeting Tuesday night. An additional 14 items will be up for discussion, including:

- Supporting either the default budget of \$50 million or the bud-

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sented Saturday at NASAA's Winter Enforcement Conference in Orlando, cited Connolly and the New Hampshire Securities Regulation Bureau for two major actions in 2006: The \$7.4 million settlement with American Express Financial Advisors, which was the largest securities enforcement action in the state's history, and a \$2.8 million settlement with Dutch company ING Financial Advisors over its handling of private retirement ac-

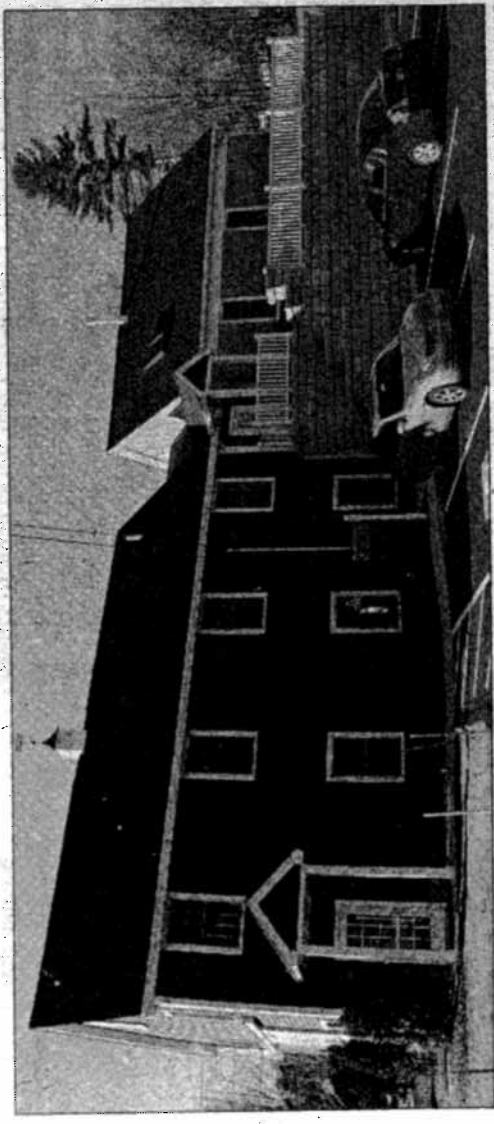
it on behalf of his 11-person staff and singled out Deputy Directors Jeff Spill and Barry Glennon for their diligence.

"Both have played key roles in our enforcement actions in 2006 and in previous years as well," said Connolly.

"Full and meaningful disclosure for investors is necessary and investor education is critical because we have an aging population, and one that is becoming increasingly dependent upon securities regulators.

1/10/07
Lillian

History Moving Forward



JIM DEVINE

Black Dog Investment Holdings LLC has sold the 2 Main St. building, in Salem, to Bickford/Thomas Properties LLC for \$1,119,640, according to Shea Commercial Properties Inc. Black Dog renovated the original stone building and put up a 3,000-square-foot addition on the site where Robert Frost's mother once taught school. Frost, whom the Library of Congress called "the best known and most beloved American poet of the 20th century," served as the nation's Poet Laureate in 1958-59. The building will house Air Planning, a company that handles private jet travel both in the United States and abroad.

Nashua office building sold

NASHUA — Stonewater Partners, a White Plains, N.Y.-based real-estate investment firm, has bought the Executive Critical Care Systems; chip

cent of which was leased to that," said Jeffrey Toporek, a seven tenants. Tenants in the Stonewater principal.

The acquisition is the third New England property which

Russia won't move on pipeline dispute with Belarus, EU

MOSCOW (AP) — Russia dug in its heels yesterday over a two-day-old pipeline transit dispute with Belarus that has interrupted Russian oil shipments to Germany and much of Eastern Europe as well as the former Soviet republic, amid mounting European Union criticism of the disruption.

The second Russian-related energy stoppage to affect the EU in 12 months has intensified European concerns about reliance on Russian oil and gas.

But President Vladimir Putin's calculation appears to be that Belarus' authoritarian leader Alexander Lukashenko will have to climb down in a matter of days when his country runs out of oil reserves, analysts said.

Putin yesterday ordered his Cabinet to consider a possible reduction in oil output — an indication the standoff could drag on. Russia has a limited capacity for refining oil and would have to cut crude output if its exports decrease suddenly.

Once close allies, the two former Soviet nations' relations have grown increasingly tense amid impatience in Moscow at subsidizing the economy of Belarus' isolated regime through cheap energy.

The ongoing spat was sparked by a Russian decision late last year to impose duties on oil exports to Belarus. Last week, Minsk said it would slap duties on Russian oil pumped across Belarus to Europe as Lukashenko lashed out at what he called the Kremlin's "shameless" conduct.

On Monday, Russia stopped pumping oil to Europe via the Druzhba, or Friendship, pipeline that crosses Belarus, accus-

Several Maine sites biomass fuel refineries

MILLINOCKET, Maine (AP) — A profit firm, which promotes Maine biomass technologies, says the plant would be the first of several to eventually be built

Around the Towns

DERRY

Police accuse man of resisting arrest

Police arrested a local man Monday night on charges of simple assault and resisting arrest after he was allegedly found intoxicated outside a Cumberland Farms.

Police said Richard Eaton, 24, was holding a 12-pack of Bud Light when police approached him in the parking lot. Police said they determined it was dangerous for him to be walking around the streets in his condition.

Eaton allegedly assaulted a police officer and resisted arrest, police said. He was to be held at the police station until sober, police said, and was still there early yesterday afternoon. He is scheduled to appear in Derry District Court Jan. 23 for arraignment on the misdemeanor charges.

DERRY

Shell clerk reports robbery attempt

Police are investigating a reported attempted robbery at a Shell station Sunday afternoon.

A clerk at the Birch Street station told police a white man wearing large-rimmed sunglasses and black gloves handed a note over the counter asking for the money in the register and claiming to have a gun, police said.

The clerk refused, police said, and the man left the store. The clerk told police the man left in a white car, possibly an older-style Chevrolet Cavalier.

The man was described as being between 5 feet 7 inches and 5 feet 9 inches tall, about 230 pounds, police said.

SALEM

Selectman Belanger to seek reelection

Selectman Ronald Belanger says he will run for a fourth term.

The position is the only one on the board up for election in March.

A retired Chelsea police detective, Belanger has worked to ensure public safety. He also favors updating the town's infrastructure needs in roads, water service and sewerage.

Belanger has been a selectman for nine years and was recently reelected to his eighth term as state representative for Salem and Windham.

Having lived in Salem for more than 30 years, Belanger said, he'll be a voice for all seniors, residents and taxpayers in the community while doing whatever he can to minimize taxes.

Salem officials recall Robert Ellis, 60

◆ **Public servant dies:** For decades, the former selectman and planning board member was a role model.

By JIM DEVINE
Union Leader Correspondent

SALEM — Officials are remembering Robert Ellis, a dedicated public servant, who died Monday at a Massachusetts hospital.

Ellis, 60, had become a fixture in the Salem community as a volunteer of many local boards and committees, and he became a role model for other officials.

In an announcement last night, selectmen Chairman Michael Lyons said Ellis was a mentor to him when Lyons became involved on the planning board.

Town Planning Director Ross Moldoff remembered Ellis as a valued member of the board who had a talent for bringing people on opposite sides of an issue to a compromise.

Moldoff said he remembered when Ellis joined the municipal budget committee in the 1980s and his interests in the community.

"He had an easygoing personality. He was concerned about the community, and he was involved," Moldoff said. "He was a guy who tried to find solutions and worked to find compromises."

Ellis was a selectman for two terms in the mid-1990s and later served two terms on the planning board.

Selectman Everett McBride said one of Ellis' greatest achievements was his work to create the water treatment plant at Canobie Lake to improve the water system for residents.

"His goal was to do what was in the best interest of the town. End of story. That was

► See **ELLIS**, Page B2

Pinkerton student sentenced in assault

◆ **Officer injured:** The incident left a police officer with a broken ankle.

By MIKE KALIL
Union Leader Correspondent

DERRY — A Hampstead teenager pleaded no contest yesterday to simple assault charges

in an incident that ended after a police officer broke his ankle while stopping a fight at Pinkerton Academy.

Allyssa Hooper, 17, of 125 Hunt Road, East Hampstead, was sentenced in Derry District Court to two consecutive 30-day jail sentences, which were suspended, according to court documents. Simple assault is a

► See **Sentence**, Page B2

1/10/07 Union Leader Peekaboo

At right, 15-month-old Cayla Joyce of Derry peeks around the corner of a series of tunnels at Winnie the Pooh in the next cubby over during the Tiny Tots program at the lodge at Alexander Carr Park. Below, 1-year-old Cody Santomassimo of Derry explores the brightly colored caterpillar tunnel during open play.



KATE HANFORD PHOTO

The first Tiny Tots class of the winter session met yesterday morning. Tiny Tots is a program put on by the Derry Parks and Recreation Department intended to give new mothers and their youngsters time to socialize and learn about the world around them. "I've had a wonderful time with this class," said teacher and class designer Nicole Ferrante. "I'm glad people keep coming back. I love this class. It makes me so happy at the end of the day." Space is still available in Tiny Tots; call 432-6136.

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ALERT looks to improv

◆ **Rescue crew:** The Londonderry group of emergency responders stands ready to help town.

By JON CAMPISI
Union Leader Correspondent

LONDONDERRY — The accidental drowning of 3-year-old Dylan Drinan in a marsh near his home opened many eyes to the dangers faced by people who become lost in this town's

sprawling wetlands and forests.

The tragedy three years ago was the catalyst for the formation of a local rescue group called ALERT, short for a Londonderry Emergency Response Team. Today, there are 35 members, all from different walks of life.

"We've got a great group of dedicated folks who are ready to jump at any chance to help the community," said George Herrmann, ALERT member and chairman of the Emergency Response Council, its parent

group.
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The Derry School Board unanimously agreed to place a newly proposed teacher contract on the March ballot.

The proposed contract includes adding a day to the school year for teachers; adding 20 minutes of paid time for teachers before and after school; improved health insurance; and a 3 percent increase in elementary school coaching salaries.

Members of the contract team said they spent 1,735 hours updating and revamping the existing contract.

The proposal is comparable to contracts in other districts in the area, Superintendent Mary Ellen Hannon said.

"For years, Derry struggled; (the contract) will keep us competitive, which is extremely important."

Ellis

it," McBride said.

Most recently, Ellis managed a compromise last year to maintain funding for Salem's membership on the Rockingham Planning Commission. Ellis represented Salem on the commission in matters of regional planning.

Early last year, Ellis left the

Sentence

misdeemeanor charge.

The incident occurred Dec. 19. Police said Frank Cunningham, Pinkerton's school resource officer, noticed administrators trying to break up a fight between two girls about 9 a.m. and tried to intervene. Police said Hooper kicked an administrator at one point.

Cunningham broke up the fight, police said, but Hooper allegedly started to punch a male student after the boy said something to her. Cunningham then tried to restrain Hooper and they both fell, police said.

Hooper was accused of putting one girl in a headlock and assaulting two boys, kicking one in the groin, according to court papers. She was not charged in connection with Cunningham's injury.

Cunningham suffered a fractured and dislocated ankle. He had surgery and remains

A Sandown man who is the Pelham police animal control officer pleaded guilty to simple assault and paid a \$300 fine.

According to documents in Auburn District Court, Timothy Vincent, 45, was cited for assault Sept. 24 against a female at his former Raymond home, 25 Evelyn Ave. In court documents, he listed his current address as 642 Main St.

Vincent was fined \$500, half of which was suspended, and paid an additional \$50 in court fees.

The Pelham Police Department Web page lists Vincent as the animal control officer and OHRV instructor for the department.

Department Capt. Joe Roark said Tuesday that Vincent is on paid leave from the department.

planning board for health reasons, Town Manager Henry LaBranche said.

Moldoff said Ellis' interest in the community remained, however. Ellis called often with questions about decisions.

"He was just a great public servant really," Moldoff said.

on leave while he recovers. It's unclear when he will return to work, Derry police Capt. Vernon Thomas said yesterday.

Hooper, who fell on Cunningham, suffered a bump on the head, police said.

Cunningham has been with the Derry Police Department since 1988 and has spent several years as the resource officer. Officer Andrew Faucher is filling in for Cunningham at Pinkerton, Thomas said.

It's unclear what kind of punishment Hooper has received from her school. According to the school's student handbook, Pinkerton students who are caught fighting can be suspended for at least five days. Students who are caught fighting more than once can get minimum 10-day suspensions or possibly expulsion.

Thomas said no other students have been charged in connection with the fight.

Interns

because I am expecting my first child in July. I was offered a full-time position after three months of the internship."

Other students interned at companies such as North Londonderry Elementary School, the Londonderry Fire Department, a dental office, the Highlander Inn and a service credit union.

"Spending my summer shad-

owing different dentists was good for me because I got to go through everything and reflect on it," said Mark McAdams, an aspiring dental student.

Simboli was a teller at the credit union. The other seniors at last night's meeting were Dan Fitzgerald, Corey Hetzer and Kaitlyn Walley.

At the end of their intern-

M Hampshire-based band make quite a road trip this week, meeting up with their lead singer in Baghdad and performing there for troops and charities.

The nine-member Groove Alliance will create a documentary of the trip that can be followed on their Web site, www.groovealliance.com.

Launching what they are calling "Deadly Force Tour 2007," the band will perform several shows in the Green Zone, as well as a special show to raise money for the Starfish Children's Network, a program for children needing life-saving surgeries.

"It's a clash of my two lives," said band frontman Maj. Michael Pacheco of Henniker, an Army Reserve officer better known at wedding receptions and other gatherings around New England as Mike Greene.

Currently, there are about 500 surgical cases, said Pacheco, who is the economic team

Pacheco said everyone is excited to have the band play in Iraq. Much consideration went into making it possible. He describes the effort of pulling the event together as being like "spokes on a wheel," a process that began with a conversation Pacheco had in Baghdad with a contractor working in the city.

"I mentioned I had a band at home," he said, and the contractor took it from there, lining up financing for a concert tour.

Logistically, it involves flying a dozen people, including the band's sound technician and a videographer, and their equipment, to Iraq for four shows.

One performance will raise money for the Starfish Network. Others will be for U.S. soldiers and State Department workers in the fortified Green Zone; for Iraqis who work for the U.S. and its allies in the zone; and for wounded soldiers in the zone's hospital, said Pacheco.

The Green Zone is the heavily guarded diplomatic govern-

friends.

Lead guitarist Jesse Silva of Plaistow said he was more than a little excited as he prepared for the trip.

"It's going to be an adventure," he said. "The chance of lifetime."

Silva said when Pacheco floated the idea, there were mixed feelings, but not from him.

"I didn't give it a second thought," he said.

"With everything happening, I think sometimes children get forgotten. It's a great thing," he said.

The group will be in Iraq for a week to 10 days this month. Silva didn't want to give specific dates for security reasons.

From Baghdad, Walid Issa Taha, chief executive of the Taha-Kubba Group, said he sees it not only as an investment, but hopefully a first step toward getting more help for needy children.

"Iraq from the previous regime was not so familiar

ALERT

how to track a missing person to what to do if the person is found.

At that time, the sole purpose was to find lost children who might have wandered away from home, but the mission has since expanded to include searching for missing elderly residents who suffer from senility and Alzheimer's disease.

In an effort to become certified in handling various emergency situations, ALERT members next month will begin taking courses offered by the state.

ALERT also helps local police and fire crews in ways such as blocking access to a crime scene or working to clear debris-scattered roadways after a heavy storm.

ALERT has been involved in one search effort since its founding. This past September, ALERT volunteers and state employees searched for a young teenager missing for more than four days in some local woods, according to media reports. While the group spent close to 50 hours looking for her, the girl was found by a police officer after she wandered out of the woods and onto Pillsbury Road.

The incident showed group members that they lacked some

equipment.

"Winter gear concerns me," Hermann said, expressing a particular need for insulated clothing. ALERT also wants walkie talkies and GPS tracking devices.

Enter the Londonderry Rotary Club. On Jan. 27, the Rotary will host "Pause for a Cause," a fundraiser for ALERT at Whippersnappers restaurant in Londonderry. (See related story.)

"What we have is 35 dedicated people out in the field," Rotarian Dave Palmisano said of ALERT. "It's a great resource that we have."

Palmisano, who helped found the group, is well aware of ALERT's mission and its financial situation.

Even if all the money raised isn't needed for ALERT equipment and supplies, Palmisano said, it won't go to waste; the plan is to reinvest it in the community, through scholarships and other educational initiatives.

"We've got some good plans for the money," Palmisano said.

ALERT holds monthly meetings for participants and twice-yearly mock rescues. For more information, go to www.londonderryalert.org.

Rescue group help from F

By JON CAMPISI

Union Leader Correspondent

LONDONDERRY — The Londonderry Rotary Club will hold a fundraiser to benefit ALERT on Saturday, Jan. 27, from 6 p.m. to midnight at Whippersnappers restaurant in Londonderry.

ALERT, A Londonderry Emergency Response Team, will use proceeds to purchase equipment.

The Rotary has titled the event "Pause for a Cause." It will include music by the dance band Connexion Fitts, a dance contest and a live auction. Donations for the Rotary Club will be accepted at the door, and there will be a \$5 cover charge for restaurant admittance.

Rotarian Dave Palmisano said the fundraiser is a mu-

Rye woman could be charged over her ho

More trouble: Sheila Kinville had previously been on probation for animal neglect.

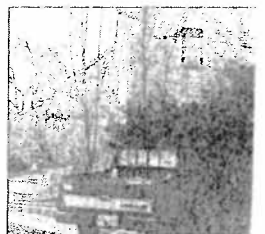
By RICK DUMONT

Union Leader Correspondent

RYE — Sheila Kinville was convicted in 1999 of neglecting her horses and was put on two years probation.

While she was on probation, officials were supposed to be allowed to check on her animals, but for reasons that are unclear, no one chose to fight Kinville when her lawyer successfully argued to end the probation in February 2000.

Fast forward to the present: At least one of Kinville's five horses included in the original abuse incident may be euthanized because Kinville, 64, allegedly still had not cared for the horses properly.



2000, her attorney, Justin Caramago, argued that the probation period was never formalized by either the defense or the SPCA. And when there was no objection, a Portsmouth District Court judge ended the probation period more than 18 months early.

Now the Rockingham County Attorney's office is investigating whether to bring felony animal cruelty charges against Kinville. Her original conviction was for a misdemeanor. County Attorney Jim Reams said his office

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