

## Salem bingo hall to relocate before opening

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Wednesday, December 31, 2014  
12:45 am

SALEM, N.H. — Only months after receiving approval for one site, a local bingo hall is looking for a new location.

Lucky 13, which has operated charitable bingo games at Rockingham Park for years, has abandoned plans to open a 250-seat bingo hall on Garabedian Drive.

Now, Lucky 13 proposes opening in a business park on Industrial Way after a deal with its previous landlord fell through, according to project representative Kurt Meisner of Meisner Brem Corp.

Plans for the 11,000-square-foot bingo hall at 5 Industrial Way go before the town's Zoning Board of Adjustment on Tuesday.

The project requires a variance because bingo halls are not permitted in an industrial district, ZBA Chairman Gary Azarian said.

The hall also would need Planning Board approval and permission to operate from the New Hampshire Racing and Charitable Gaming Commission.

It's proposed for a vacant space in an industrial plaza occupied by about a dozen businesses and organizations. The tenants include Rockingham Christian Church and Ryder Truck Rental.

If licensed by the state, it would become only the 16th licensed commercial bingo hall in New Hampshire, said Sudhir Naik, the gaming commission's deputy director.

Dozens of organizations are licensed to hold bingo and Lucky 7 games, but do not have their own halls, Naik said.

There are few commercial bingo halls in Southern New Hampshire. They include Rockingham Park and Crossing Life Church in Windham, according to the commission.

Charitable bingo has declined in popularity in recent years, Naik said.

Lucky 13 is not expected to continue charitable bingo at The Rock if it opens on Industrial Way, Meisner said.

Naik said his office received an application from Lucky 13 in July, a month after the Salem Planning Board granted approval for the bingo hall at 13 Garabedian Drive.

The gaming commission did not act on the request when it became apparent Lucky 7 would not be relocating to Garabedian Drive, Naik said.

"There were some hiccups there," he said.

Lucky 7 principal Christina Lebel could not be reached for comment.

The 5,500-square-foot bingo hall at 13 Garabedian Drive was approved by the Planning Board on June 10, just weeks after rejecting the proposal because of public safety concerns.

The board denied approval in a 5-2 vote May 13 after board members expressed concern about elderly bingo players being robbed outside the facility.

Board members requested more exterior lighting, handicapped accessibility and repaving of the entire 121-space parking lot before granting approval.

Meisner assured the board a security officer would always be on patrol. The facility would have been open daily from 4 to 10 p.m.

Meisner said he doesn't anticipate the board having the same concerns at the new location.

Edward Callahan, president and general manager of Rockingham Park, has said Lucky 13 expressed interest in moving across town because it wanted a location where smoking would be allowed.

Charitable bingo games have been played at The Rock since 1987, he said Tuesday.

Callahan said Lucky 7 wants to be prepared in case the century-old former racetrack closes.

He said he's still finalizing a deal with local restaurateur Joseph Faro to sell 50 acres — or approximately one-third — of the site.

Millennium Gaming of Las Vegas has proposed establishing a casino at the site, but New Hampshire lawmakers have rejected proposals to adopt expanded gambling in the state.

Faro, who owns the Tuscan Village complex, has said he's not decided how he would develop the site, which abuts his restaurant and market property.

## Car dealership owner in dispute with utility company

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Sunday, December 28, 2014 1:30 am

SALEM, N.H. — When Emmett Horgan decided to expand his car dealership on Route 28, he didn't anticipate having to pay for the right to pave his own property.

But that's what happened after Liberty Utilities informed him it owned the easement rights to portions of his six-acre property at 412 S. Broadway.

The site is the new home of Rockingham Honda and Rockingham Toyota.

Rockingham Toyota, scheduled to open at the new location in a month, has been at 354 Main St. Rockingham Honda, located at 360 N. Broadway, is to open on South Broadway in March, Horgan said.

He purchased the former Circuit City and Ultimate Electronics property three years ago along with an adjacent lot that was the former site of Rockingham Woodcraft. Horgan later received Planning Board approval to combine the lots and build his businesses.

Now, Horgan wants to know why he must pay the utility for the right to do work on his own property.

"They don't pay taxes on it, they don't own it," he said.

Horgan said Liberty requested \$20,000 to pave beneath electric lines at the rear of the property. The Planning Board had granted approval for 285 parking spaces to display vehicles.

Horgan said he spoke to Salem planning director Ross Moldoff but was told there was nothing the town could do in a dispute between a property owner and a utility.

Liberty Utilities, which serves 10 states, had a base office in Salem before recently moving to Londonderry. The company also has customers in Massachusetts.



Car dealership owner in dispute with utility company

MARY SCHWALM/Staff

photoConstruction continues at Emmett Horgan's car dealership on South Broadway in Salem. Horgan is unhappy he had to pay Liberty Utilities for the right to pave his own parking lot.

"The town has no jurisdiction over that matter," Moldoff said. "We would like to help if we could."

Anne Ross, general counsel for the New Hampshire Public Utilities, said there's also nothing the state can do to resolve such a dispute.

Easement debates between property owners and utilities are common, and must often be resolved at the superior court level if that's what the proprietor chooses, she said.

Utilities with easements have the authority to regulate use of property through rights often granted decades ago, Ross said.

"Most of them were in place by the early to mid-1900s," she said.

Property owners are often not aware of these rights unless they closely review the deeds, Ross said.

As in Horgan's case, such issues usually don't arise until the property owner decides to make changes to the site, she said.

Liberty Utilities spokesman John Shore said the company noticed in August that site work for the dealership was taking place and contacted Horgan.

"We have the right to restrict any activity in that easement," he said. "We don't have to allow any activity in these areas. We have to protect the lines for safety and security reasons."

Shore said Horgan was asked to sign a consent agreement last year.

"That agreement was never signed or returned to us," Shore said. "He was obligated to sign it if he was to perform any work in the easement. There was no agreement for him to do work there."

Although Liberty sought \$20,000, the two parties finally agreed to \$7,500 earlier this month, Shore said.

Horgan said despite his opposition, failure to reach an agreement meant he could not pave his lot before the cold and snow hit, delaying a project that requires nearly 300 parking spaces.

Taking the issue to court could be costly and lengthy as well, further delaying the work, he said.

"At this time of year, we were up against the wall because we had to get the paving done," Horgan said Wednesday. "With Mother Nature, you can never tell."

The paving was completed last week.

But Horgan still isn't satisfied and feels property owners are being held hostage by utilities.

"It's just ridiculous," he said.

## Salem votes down senior housing proposals

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Thursday, December 25, 2014 6:00 pm

SALEM, N.H. — The Planning Board rejected zoning amendments aimed at providing more affordable housing for the elderly.

The board also voted against a citizens petition warrant article that would benefit nonprofit organizations seeking to post temporary signs to advertise fundraisers and other community events.

But unlike the zoning amendments defeated Tuesday, the proposed revisions to the town's temporary sign ordinance will still go before voters in March.

The two zoning amendments were among six considered by the board, along with the citizens petition presented by representatives of the Salem Farmers Market.

The board had the option of deciding whether each of the amendments should be placed on the town ballot.

One of the two senior housing amendments would have required developers to dedicate at least 20 percent of the units for low-income elderly residents, according to town Planning Director Ross Moldoff. The current requirement is 10 percent.

The other amendment revised the open space requirements for senior housing, promoting the establishment of private yards for units. Senior housing complexes in town tend not to have yards, Moldoff said.

"We don't have any private yards," he said. "I think that's a mistake."

The board decided the two proposals would not be placed on the ballot after there was disagreement over whether they would encourage or discourage development in Salem.

Some amendments were not included on the ballot because James Keller, the selectmen's representative to the board, said some residents may disregard them while voting on bigger issues that include town employee contracts and construction of a public safety complex.

"The list is pretty endless," he said of the ballot questions, recommending avoidance of "voter fatigue."

Kurt Meisner of Meisner Brem Corp., a local engineering firm, said approval of the two amendments would discourage builders from constructing senior housing.

Each would increase costs for the developer, prompting them to build fewer and more expensive homes, Meisner said. Builders would only construct single-family homes because it would be more feasible, he said.

"If you think about it, it's counterintuitive," Meisner said. "You, in effect, push all the prices of the units up. I think it is an overreaction."

Board member Ronald Belanger agreed. Moldoff disagreed.

"I would be in opposition to this," Belanger said. "They are not going to build it. I just think the 20 percent is too much."

Meisner said senior citizens want to live in homes where they don't have to worry about maintaining a yard.

"This isn't the right way to do it," Meisner said. "The only thing you are doing is reducing density."

Keller recommended not putting the senior housing amendments on the ballot until next year. Votes on the two were unanimous.

"I do support changing it," he said of the open space proposal. "I suggest this may be going to far."

The board voted to place some housekeeping amendments on the ballot, but held off on including a proposal that would have restricted building height in the Town Center District to three stories and a maximum of 45 feet. There is currently no restriction.

The board also voted 5-2 to recommend against voters' approval of the temporary sign ordinance proposed by Salem Farmers Market president Jane Lang, who also sits on the Planning Board.

Lang did not participate in the discussion or vote to avoid a potential conflict of interest. She was replaced by alternate Laurel Redden, the only board member to support the proposal along with Linda Harvey.

The proposal would allow the farmers market and other nonprofit organizations to post temporary signs for community events more than the town's limit of three times a year.

Temporary signs have been a hot topic in Salem for years as town officials struggle to regulate their use. Selectmen banned them from public rights of way, such as roadsides and intersections, calling them an eyesore and distraction to motorists — posing a safety issue.

Keller and other board members expressed concern about being able to enforce the ordinance if it were amended.

"Sign proliferation in town is pervasive," Keller said. "Enforcement in general is an issue."



## Planning board decision will clear path for sale of Rockingham Park parcel



The Planning Board recently OK'd a subdivision of the Rockingham Park property. Adam Swift

A parcel on the north side of the 170-acre property is under agreement for a sale to local developer and restaurant owner Joseph Faro.

By ADAM SWIFT

Union Leader Correspondent

SALEM — A Planning Board decision will help clear the way for the sale of a nearly 50-acre chunk of Rockingham Park.

A parcel on the north side of the 170-acre property is under agreement for a sale to local developer and

restaurant owner Joseph Faro.

The Planning Board approved the subdivision of the 50-acre parcel that runs from Pleasant Street to Route 28 from the remaining 120 acres of the Rockingham Park property.

Town Planning Director Ross Moldoff said the subdivision of the parcel does not mean there is a plan for the use of the property ready to go.

“All they are doing is subdividing the land to get it ready to sell, but there is no use of it being made and no use will be allowed until the Planning Board grants a site plan approval,” Moldoff said. “There have been no plans put together and no plans submitted for what they are going to do on that property. It is still very much in the early stages of discussion.”

Rockingham Park president and general manager Ed Callahan said the sale agreement with Faro could become official by the beginning of next year. He said the 50-acre parcel has basically been unused for the past four years.

The sale would not affect the potential for a resort-style casino at Rockingham Park.

Millennium Gaming of Las Vegas holds the option to purchase the racetrack if the New Hampshire Legislature approves expanded gambling legislation and it is able to secure a casino license from the state.

Millennium’s plans for a \$600-million-plus casino development at Rockingham Park would include a hotel and entertainment venues. The company has estimated that the development could create as many as 3,000 construction and gaming jobs.

Part of Millennium and Rockingham Park’s plan has involved bringing live horse racing back to the park, something it has not offered since 2009. Rockingham Park currently offers simulcasting on horse and dog racing, as well as charitable gaming.

Faro is the owner of the Tuscan Village development on Main Street, which includes the popular Tuscan Kitchen restaurant and the Tuscan Marketplace. A third building, which will include a fitness center and salon, has been approved for the site.

*aswift@newstote.com*



## Planners OK Rockingham Park subdivision

By James Niedzinski [jniedzinski@eagletribune.com](mailto:jniedzinski@eagletribune.com) | Posted: Thursday, November 27, 2014 12:15 am

SALEM, N.H. — New plans for a subdivided Rockingham Park — whatever they may be — are moving forward.

The Planning Board voted unanimously Tuesday to separate about 50 acres of the 170-acre property, according to Planning Director Ross Moldoff.

Rockingham Park opened as a racetrack in 1906, and once housed thousands of racehorses and spectators.

But times are changing for the historic racetrack.

The request to carve out a 50-acre portion of the property came from Edward Callahan, Rockingham Park's president and general manager.

Callahan is still in talks with local businessman and restaurant owner Joe Faro to buy 50 acres at Rockingham Park, he said Wednesday.

The general manager previously said he has already begun to tear down stables at the property in hopes of a sale.

If everything goes to plan, Callahan said, a sale should be finalized in 2015.

"We're preparing for the sale of that land," he said.

Faro is the owner of Tuscan Kitchen restaurant and Tuscan Market, with locations in Salem and Burlington, Mass.

He opened the Massachusetts branch of Tuscan Kitchen earlier this fall.

Faro's 10 acre property on Main Street abuts Rockingham Park.

Last month, he received approval from the Planning Board to build a 13,000-square-foot fitness club and salon, next to Tuscan Kitchen on Main Street and in front of Tuscan Market.



### Planners OK Rockingham Park subdivision

The Planning Board OK'd the subdivision of Rockingham Park into 50- and 120-acre lots. Restaurateur Joseph Faro is negotiating to buy 50 acres.

The fourth phase of Faro's Tuscan Village project would add 100,000 square feet of retail, office and residential space.

But it's unclear what Faro is planning for the subdivision.

"We're still very much in the planning phases," he said Wednesday.

Faro said he is grateful the Planning Board approved the project and said he is looking forward to putting plans together.

"As we begin to expand, we'd like to expand in Salem," he said.

The consultant representing Rockingham Park, Mark Gross of MHF Design Consultants, asked for two waivers, Moldoff told the Planning Board.

The waivers allowed the subdivision to move forward with a final plan, instead of a preliminary plan, and no utilities are set to be on the new lot, Moldoff said Tuesday.

No abutters spoke at the meeting.

Callahan said he was confident the subdivision would pass muster with the Planning Board.

"There was no reason not approve it," Callahan said.

Niether Faro or Callahan would say how much the 50 acres is expected to sell for.

The 170-acre parcel is assessed at \$54.4 million, according to town records.

Plans for subdivision and potential sale have been in the works for about six months, Callahan said.

Any site plan for the lot, Moldoff told officials Tuesday, would need to be approved by the Planning Board. But nobody has presented any plans yet.

"All they're doing at this point is subdividing off the land to get it ready to sell," Moldoff said.

The remaining 120 acres of Rockingham Park, Callahan said, will continue to be used for charitable gambling, simulcast racing and other events.

Live racing at the track ceased in 2010.

Callahan is said he is "looking forward to the hopeful passage of casino legislation" next year.

He said having a casino at Rockingham Park would bring much needed revenue and jobs to the area.

If the Legislature does approve expanded gambling, Callahan said, The Rock would apply for a license and could host live racing.

A casino would mean "spectacular economic development" for the region, he said.

## Former Coca-Cola plant's future in limbo

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Thursday, November 13, 2014 6:20 pm

SALEM — Only months after permission was given for a car dealership at the former Coca-Cola plant, that plan is being put on hold.

Owner Joseph Scott said Wednesday he has been unable to lease the 92-year-old building as a dealership.

That has forced him to seek other potential uses for the 6.7-acre property at 23 S.Broadway.

It was one of the nation's first Coca-Cola plants.

Scott had been working on the property, but when town officials learned he was looking at different uses, they told him to stop.

Potential uses include retail, warehouse and manufacturing space, Scott said. A bakery is among those interested in the property, he said.

"I've got about 10 different ones interested in it," Scott said, "but I've got no deal yet."

Other dealerships have expanded or sought approval to locate along the busy Route 28 strip.

They include FWM Investment Trust, which received approval from the Zoning Board of Adjustment last week to sell used cars at 93 S.Broadway.

The Planning Board was to review the plan Thursday night, town planning director Ross Moldoff said.

The dealership proposed by FWM Investment Trust would be just down the street from the former Coca-Cola plant and near Toy Store Auto Sales & Service.

Both FWM and Scott needed a variance to sell used cars within 2,000 feet of another dealership, although the primary plan was to sell new vehicles.

Scott said he hasn't ruled out leasing the former plant to a dealership, but it's very unlikely. He said it cost him about \$25,000 in expenses to acquire the variance.



Former Coca-Cola plant's future in limbo

AMY SWEENEY/Staff photoPlans to put a car dealership at the newly renovated former Coca-Cola site on South Broadway in Salem have fallen through. The owner is proposing other uses for the site.

"It looks like it isn't going to happen," he said.

The property has been marketed for sale at \$5.6 million.

Moldoff told zoning board members last week that plans for the property had changed.

After remaining vacant for nearly a decade and having various proposals rejected by town boards, Scott said he's getting desperate.

"It's been empty for nine years," he said. "I just need a tenant."

Shopping plazas and a waste-to-energy plant have been proposed at the site.

But Scott said potential suitors for the property believe town regulations and land-use board members are too restrictive.

Board members have said they want to preserve the historical integrity of the building, which still sports a Coca-Cola sign.

Scott said he plans to spend nearly \$1 million to renovate the building, but the town planning office has asked him to stop until he can outline new plans for the property.

The interior has been gutted and upgraded, along with the exterior, Scott said. He's been paving the parking lot and is afraid he can't complete the work before winter.

Moldoff confirmed Wednesday that Scott must stop renovating the property. He did say Scott has improved the property significantly.

"It does look so much better than it did for years," Moldoff said.

Planning Board approval would be required for future uses of the site.

## Senior housing approved in Salem

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Friday, November 7, 2014 1:00 am

SALEM — Work will begin soon on a senior citizen housing development proposed for Pleasant Street.

Developer John Swiniarski received conditional approval from the Planning Board last week for the construction of a 16-home complex at 30 Pleasant St.

The proposal calls for the homes to be built on approximately 11 acres once minor drainage issues are resolved, according to town planner Ross Moldoff.

Project engineer Kurt Meisner of Meisner Brem Corp. said site work will begin this fall with the installation of utilities.

With winter closing in, most of the construction will not occur until spring, he said.

"It's hard to know what the weather will be like," Meisner said.

The drainage issues are not expected to cause any additional delays, he said.

Concerns about drainage have plagued the project since it was proposed nearly a year ago. The Planning Board first heard the proposal last winter, including comments from neighbors opposed to the project.

Residents of nearby Trailer Park Drive have been worried about potential flooding if the homes were built.

"It is going to put too much pressure on our property," resident Michael Frigon told the board.

Neighbors on another street, Cornwell Court, were worried about the development's size and the traffic it would create, according to resident Richard Dunn

"This is a shock to me seeing this come to us," he said. "You add more traffic down there and you are going to have a serious situation."

The board tabled action on the project in June until the issues could be addressed.



### Senior housing approved in Salem

MARY SCHWALM/Staff photoThe Salem Planning Board has approved a 16-unit elderly housing development on Pleasant Street.

"Most of the time since June has been spent resolving the engineering issues," Meisner said this week.

The neighbors' concerns have been addressed, he said.

They include putting in a gated entrance off Pleasant Street that would limit the number of vehicles driving through the neighborhood, he said.

After neighbors said they were concerned about the development's size, the number of homes was reduced from 18 to 16. Fencing and a barrier of trees will also be put in to reduce the impact on the surrounding neighborhood.

No one spoke in opposition to the project before its approval, Planning Board Chairman Edward DeClercq said.

Dunn said Thursday he's still concerned about the project but noted the developer is meeting the town's requirements.

Once a development has been approved, there is not much neighbors can do to stop it, he said.

"It bothers me, but what are you going to do?" Dunn said. "They did conform to what they were supposed to do."

The development is one of only a handful of projects recently proposed under the town's senior housing ordinance, Moldoff said.

The 15-year-old ordinance's density requirements allow more homes to be built if they are designated for people 55 and older, he said.

This plan and a proposal to build 46 homes at 67-73 and 77 Pond St. were the first senior housing projects to come before the board in years, Moldoff said. The Pond Street project was also recently approved.

Nine senior housing projects have been approved since the ordinance was adopted in 1998.

Another senior housing project was recently proposed on Pond Street at the site of Eternal Light Memorial mausoleum but the Zoning Board rejected the request for a variance.

## Part of Rockingham Park may be sold



A 50-acre portion of Rockingham Park that has gone unused for years could soon be sold to local developer Joseph Faro. ADAM SWIFT/Union Leader Correspondent

**A sizable portion of Rockingham Park could be under new ownership by the beginning of next year.**

**By ADAM SWIFT**

**Union Leader Correspondent**

**SALEM —** A sizable portion of Rockingham Park could be under new ownership by the beginning of next year.

A 50-acre parcel on the north side of the 170-acre property is under agreement to local developer and restaurant owner Joseph Faro.

“Whether it comes to fruition, we will see,” said

Edward Callahan, Rockingham Park president and general manager. “That is two-thirds of the current stable area. That leaves us just over 120 acres, which is plenty of room if casino legislation ever passes and we acquire a license.”

Callahan said the 50 acres under the sale agreement have not been in use for the last four years.

Millennium Gaming of Las Vegas holds the option to purchase the racetrack if the Legislature approves expanded gambling legislation and Millennium is able to secure a casino license from the state.

It’s plans for a \$600-million-plus casino development at Rockingham Park would include a hotel and entertainment venues. The company has estimated that the development could create as many as 3,000 construction and gaming jobs.

Part of Millennium and Rockingham Park’s plan has involved bringing live horse racing back to the park, something it has not offered since 2009. Rockingham Park currently offers simulcasting on horse and dog racing as well as charitable gaming.

“The (Faro) deal would leave plenty of room for live racing to come back, which is our ultimate hope,” Callahan said. “We’ll see what happens with the Legislature.”

Faro is the owner of the Tuscan Village development on Main Street, which includes the popular Tuscan Kitchen restaurant and the Tuscan Marketplace. A third building, which will include a fitness center and salon, has been approved for the site.

No details are available on what Faro plans for the Rockingham Park property if the deal goes through, but Callahan said he believes the development of the parcel will be beneficial to the town. Callahan said he hopes to see the deal finalized in January.

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## Part of Rockingham Park could be sold

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Wednesday, October 22, 2014 12:11 am

SALEM — Nearly one-third of the 170-acre Rockingham Park property may be sold to prominent restaurateur Joseph Faro.

But what's planned for the 50 acres is still being decided, Faro said Tuesday.

Faro and Edward Callahan, president and general manager of Rockingham Park, confirmed they are negotiating a possible sale of the northern portion of the property.

The 50-acre parcel includes most of the former racetrack's stables, Callahan said. The property has frontage on South Broadway, Pleasant and Main streets, according to town planning director Ross Moldoff.

"There is an agreement in place, but no sale has taken place at this point," Callahan said.

Callahan declined to disclose the sale price, but said he hopes to finalize a deal by year's end.

Faro, owner of Tuscan Kitchen restaurant and Tuscan Market on Main Street, said it's too early to reveal his plans since he remains in negotiations.

"I haven't even decided at this point," he said. "I'm looking at a bunch of different things."

If the sale goes through, Callahan said, it still wouldn't change plans to bring a multi-million-dollar casino complex to the 108-year-old facility — if the New Hampshire Legislature approves expanded gaming.

Numerous attempts to pass gambling legislation over the years have failed.

A decline in the popularity of horse racing in recent years and lawmakers' refusal to adopt casino legislation prompted Callahan to seek other options for the property.



Part of Rockingham Park could be sold

MARY SCHWALM/Staff photo Barbed wire tops the fence at Rockingham Park near the horse barns along Broadway in Salem. Restaurateur Joseph Faro is negotiating to buy 50 acres of the 170-acre site.

The Rock continues to host charitable gaming, simulcast racing and various events. Live racing at the track ended in 2010.

Callahan said he continues to have an agreement with Las Vegas-based Millennium Gaming, which would establish a casino on the property if granted legislative approval.

Millennium has said allowing a casino at The Rock would create hundreds of full- and part-time jobs and provide millions of dollars in annual revenue to the state and community.

"We're still going with Millennium and hope to see a casino here," Callahan said.

Millennium spokesman Scott Spradling said Callahan informed them of the proposed sale about two weeks ago.

He said Millennium originally planned to purchase the entire 170 acres, but has no problem with plans to sell 50 acres of it to Faro.

Millennium is still looking to build a casino in Salem, a project Spradling said is backed by most residents. Millennium is focused on persuading lawmakers that the state needs expanded gaming, he said.

"We're still pushing and doing what we can," Spradling said.

Losing nearly one-third of the property at the site is not a deterrent, he said.

"This is still one really huge piece of property, situated in a perfect location on the state line and off an off-ramp," Spradling said. "All of these things are in flux anyway. Whatever the footprint, we can make it work."

Callahan said Rockingham Park must first receive subdivision approval from the Planning Board before part of the property could be sold. He said a request would be filed with the town.

"I anticipate that happening soon," he said.

Callahan praised Faro for his success in redeveloping the Salem Depot area.

"Joe has done a terrific job with his development in town and I anticipate he will do a terrific job in the future," he said.

Two weeks ago, Faro received approval from the town's Planning Board for construction of a 13,000-square-foot fitness club and salon on his 10-acre site, which abuts Rockingham Park.

The fourth phase of his Tuscan Village project calls for a 100,000-square-foot retail, office and residential complex. That phase is at least a few years away, Faro has said.

Moldoff said he's had preliminary talks with Callahan and Faro, but could not disclose what was discussed.

He said numerous uses are allowed at the site, which has flexible zoning under the town's large-scale redevelopment ordinance. The property is in a commercial industrial district.

The ordinance was passed by voters in 2009 with the idea that the Rockingham Park property could someday be used for something other than a racetrack, he said.

"It's a very flexible ordinance that allows for nearly anything," he said.

Moldoff said Faro and Callahan have excellent reputations.

"We're hoping to be working with the racetrack and Joe Faro, and working through the permitting process," he said.

Town property records say the 170-acre site is assessed at \$54.4 million.

## Salem board to vote on Tuscan Village expansion

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Monday, October 13, 2014 1:20 am

SALEM — The popular Tuscan Village restaurant and market complex is only a single vote away from becoming much bigger.

The town Planning Board is expected to vote Tuesday night on a proposal that would bring a fitness club and salon to the site at 55 Main St.

If approved, construction would begin soon on the third phase of owner Joseph Faro's four-phase project that he said would fulfill his vision for the property.

The 13,000-square-foot fitness club and salon would be constructed next to Tuscan Kitchen restaurant and in front of Tuscan Market.

The new building, proposed by J&S Investments, would be leased by Drive Health & Fitness, based in Methuen, and Salon Grazie, now located in North Salem.

The Planning Board first heard conceptual plans for the project this summer and will consider granting site approval Tuesday night, Chairman Edward DeClercq said. The meeting begins at 7 p.m. at Town Hall.

Board members have been generally pleased with the proposal, as they have with Faro's other projects, according to DeClercq and town planning director Ross Moldoff.

"It's beautiful," DeClercq said of the proposed project. "It would be a great addition to the Depot."

Moldoff agreed, saying Faro's expansion would benefit the community.

"It's exciting to work with him on these projects," he said.

There had been questions about parking and potential traffic impact, but those have been resolved, Moldoff said.

DeClercq said the board will review a final engineering report for the project before taking a vote. No problems are anticipated, according to DeClercq and Moldoff.



### Tuscan Village plans

The Salem Planning Board is considering plans for a fitness club and salon to be built at Tuscan Village. The proposed building would be the third phase of a four-phase project.

Faro, a Windham resident who formerly operated Joseph's Gourmet Pasta and Sauces in Haverhill, acquired the restaurant property following the death of previous owner Stephen DeVito in a motorcycle accident in 2008.

He started Tuscan Kitchen in November 2010, then the 18,000-square-foot Tuscan Market two years ago.

The restaurant offers hundreds of specialties made with ingredients imported from Italy, Faro said. Tuscan Market includes a bakery, cafe and an 8,000-square-foot, cobblestone cafe for outdoor events.

Faro recently established a second restaurant and market in Burlington, Mass., and has said he plans to undertake the fourth phase of the Depot project in a few years.

The fourth phase calls for construction of a 100,000-square-foot retail, office and residential building, he said.

Drive Health & Fitness co-owner Tony Hajjar said he's excited to open a second club in Salem following the success of his business in Methuen. He plans to open the club next year.

The owner of Salon Grazie could not be reached for comment.

October 9, 2014

Observer

# Traffic, parking concerns hold up approval

BY ADAM SWIFT

[adamrobertswift@gmail.com](mailto:adamrobertswift@gmail.com)

SALEM – A gas station that has stood empty in the center of Salem for several years could soon be open for business under new ownership.

But first, the Planning Board wants to make sure the owner, town engineering department and traffic consultant come to an agreement on the traffic and parking situation at the 2 N. Broadway site.

This week, the Planning Board continued the public hearing on

the proposal for the gas station and convenience store to its Tuesday, Oct. 7, meeting.

Although many board members said they were eager to see Tricket Realty Trust open for business at the location and were pleased with the majority of the plan, there were some questions about traffic and parking on the site that members said they would like to see resolved before granting a final approval.

The major stumbling block revolves around the applicant looking to improve traffic flow in and out of the location with

a combination of planters and whiskey barrels, rather than with curbing and sidewalks.

Both the town's engineering department and its independent traffic consultant recommended that the site driveways near the busy Main Street and North Broadway intersection be delineated with curbing and sidewalks.

Richard Griffin, the project owner's engineer, said he did not believe there would be much gained by adding curbing between the sidewalk and the concrete apron of the site,

since the pavement is level with the sidewalk.

"It could be a tripping or a tire hazard," said Griffin. "I'm unconvinced of the value of a curb in that location."

Selectman James Keller said he would like to see the project engineer sit down with the town consultant and come up with a solution that works for both sides.

"My concern is that we are not following the recommendation of (the traffic consultant) and town staff when it comes to the plantings and whiskey barrels," said Keller.

# Proposed car lot raises flooding concerns

BY ADAM SWIFT

adamrobertswift@gmail.com

SALEM - A proposed used car dealership on South Broadway has some neighbors concerned that it will only add to the flooding situation in the nearby Belmont Street area.

Developers are acknowledging the flooding and wetlands issues associated with the project and promising to take steps that will help alleviate the situation.

S & B Realty Salem came before the Planning Board earlier this week for a conceptual discussion for a construction of an automobile dealership on the nearly 15-acre site.

The plans call for a 19,000-square-foot build-

ing with an additional 74,000 square feet of paving around the building for parking and the display and storage of used vehicles.

The property was previously home to a gas station that dated back to at least the 1940s, according to project engineer George Fredette.

Town Planning Director Ross Moldoff noted that this week's presentation was only a conceptual discussion of the plans, and that there are a number of local and state approvals needed before the Planning Board officially takes up any potential approvals of the plan.

The Conservation Commission and state wetlands bureau will need to approve plans for

the wetlands impact of the project, and the Conservation Commission and Planning Board will need to approve conditional use permits for wetland buffer impacts.

"This is not in the flood plain, but they are taking steps to address the flooding issue by providing, basically, compensatory flood storage," said Moldoff. "That's all going to be reviewed by an outside review consultant."

Fredette said he understood the concerns of those in the neighborhood about flooding and the impact that major events, such as the Mother's Day storm of 2006, can have on the area.

"This site is not in the jurisdiction of the flood plain and

it is not in a hazardous (zone) as defined by FEMA," said Fredette. "But in our planning, we are making sure adjacent properties are not affected by this development."

Despite Fredette's assurances, several Belmont Street residents said they are worried the project will have a negative impact on the wetlands and worsen an already troubling flooding problem.

Belmont Street resident Deanna Nemethy said the wetlands on the South Broadway property act as a water retention area.

"I appreciate that they seem to be taking into account the flooding issue, but I don't know how all these things can help the flooding," Nemethy said.

10/9/14 Observer

## Board rejects housing proposal on mausoleum site

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Thursday, October 9, 2014 12:35 am

SALEM — The Zoning Board of Adjustment rejected plans to build a senior housing development on the same site as a problem-plagued mausoleum.

The board voted unanimously Tuesday night to deny a variance request for the Eternal Light Memorial property at 23 Pond St. Board members said allowing two uses on the same site would be detrimental to the community.

"In my opinion, it would be contrary to the public interest," ZBA Chairman Gary Azarian said. "We allow one use per parcel."

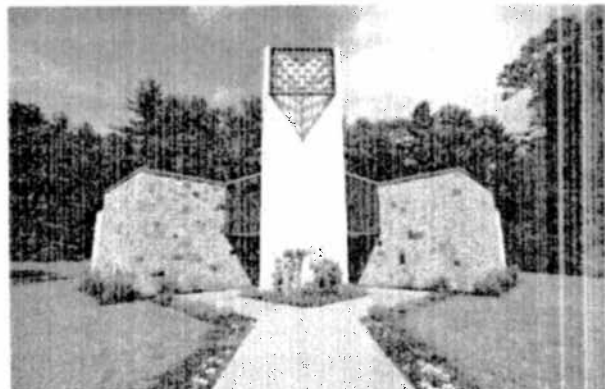
Owner Salvatore Diprima proposed construction of a 20-home development adjacent to the 40-year-old mausoleum, where more than 530 people have been interred.

The 18-acre site has been the subject of controversy over the years after there were numerous problems under the mausoleum's previous ownership.

Those problems led to an investigation by the New Hampshire Attorney General's Office and changes in state law in 2008 after the families of the deceased were horrified to find the mausoleum was not properly maintained by owner Andrew Grasso.

The mausoleum smelled musty, leaked water and had cracked windows. The town health officer ordered the property cleaned up after dozens of trash bags, paint cans and dead floral arrangements were found in the woods behind the mausoleum.

At the time, representatives for the Attorney General's Office said they didn't know the business existed until they received numerous complaints. Grasso never registered the mausoleum with the state and failed to file financial documents for 30 years.



### Board rejects housing proposal on mausoleum site

The Salem Zoning Board of Adjustment has denied a request to build a senior housing development on the same site as Eternal Light Memorial mausoleum.



Diprima, who purchased the site in 2009, sought an alternative use to make the property more profitable, according to project representative David Jordan of MHF Design Consultants. It's about 60 percent occupied, he said.

But Azarian said Diprima should not have bought the 18-acre site if its single use as a mausoleum would be inadequate. Another housing proposal was denied in 2003.

"If the place is not financially viable, maybe the due diligence should have been done before the parcel was purchased," he said.

Even if the variance was granted, Diprima would still need Planning Board approval for the project to move forward. Town officials said there have not been any problems at the site since it was purchased by Diprima.

Azarian told Jordan and Diprima in September that he didn't think it would be appropriate for the board to consider the project until the families of the deceased were notified and had a chance to comment.

Last week, town planning director Ross Moldoff said he was told by Eternal Light that there was no possible way to contact all the families.

"The mausoleum owner indicated he couldn't get that information," Moldoff said.

Other board members told Jordan on Tuesday they didn't think the project met the requirements for a variance. They also said the property wasn't suited for dual uses.

"That makes it very difficult to justify," member Bernard Campbell said.

"I just don't think the applicant has met the spirit and intent of the ordinance," member Steven Diantgikis said.

No one from the public spoke in favor of or opposition to the proposal.

One person who was glad the request was denied was former state Rep. Anthony DiFruscia of Windham.

He was among those who co-sponsored legislation that prohibited mausoleums in New Hampshire from being run as for-profit entities. Eternal Light was the only for-profit mausoleum in the state.

DiFruscia said he has five family members interred at the mausoleum, including a cousin who died only four months ago. He said the proposal raised ethical concerns.

"It's a relief," DiFruscia said of the denial. "It is certainly inappropriate to have a housing development next to a mausoleum."

Neither Diprima nor Jordan could be reached for comment Wednesday on whether they plan to challenge the board's denial.

## **Salem's town clown: Nothing is the public's business**

Asked if he could confirm the suspension of Chief Paul Donovan, Hickey initially replied that he could, but that, "I choose not to." We wonder if Mr. Hickey can confirm for us that he is a clown or just in training to be one?

When she heard that Salem's police chief had been suspended, our news correspondent thought this would be something the public should know. Silly woman. She was set straight by Salem's town manager, Keith Hickey.

Asked if he could confirm the suspension of Chief Paul Donovan, Hickey initially replied that he could, but that, "I choose not to." We wonder if Mr. Hickey can confirm for us that he is a clown or just in training to be one?

Hickey finally acknowledged that the chief was away from his job for awhile, but he would give no other information. The people of Salem should not be amused.

Salem is one of the largest towns in New Hampshire and it has its share of crime problems, some of which come over the Massachusetts border on which it sits. Its chief of police is an important post and if the chief has been suspended, the people who pay his salary, as well as that of the town administrator, need to know, deserve to know, and have the right to know. They should not have to wait for the press to pry this out of the town.

"Internal personnel practices," as cited by Hickey, do not and should not include the suspension of the top cop. The selectmen of the town need to understand that. If the townspeople let this one go by, then they might as well forget ever knowing anything about the workings of their own community. Will Attorney General Joseph Foster, presumably the state's top law enforcement officer, tolerate this kind of tortured abuse of the Right to Know law?

## Families of deceased left in dark about housing development plans

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Thursday, October 2, 2014 12:11 am

SALEM — The Zoning Board of Adjustment must decide whether to allow a housing development to be built on the site of a mausoleum even though the families of the deceased won't be notified of the project.

Planning director Ross Moldoff said Wednesday the town has been told by a representative for Eternal Light Memorial that there is no possible way to track down the loved ones of the several hundred people laid to rest at 23 Pond St.

After reviewing the 20-home proposal last month, board Chairman Gary Azarian said the project should not move forward until all the families were notified and had a chance to comment.

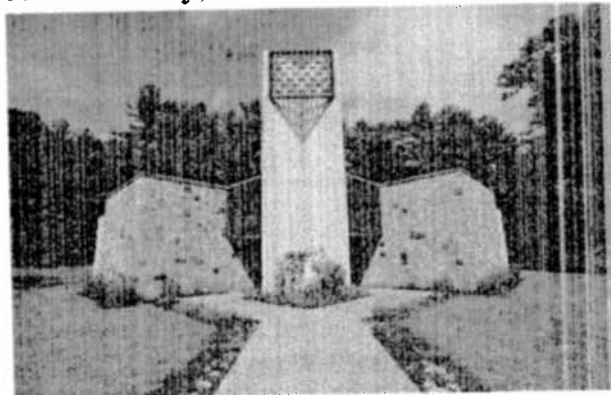
"The owners of the crypt were not contacted," Moldoff said. "The mausoleum owner indicated he couldn't get that information."

Salvatore Diprima has requested a variance from the zoning board to allow a senior housing development to be built next to the 40-year-old mausoleum, plagued by problems under a previous owner.

Problems at the 18-acre site led to changes in state law in 2008 after the families of the deceased were horrified to find the mausoleum was not properly maintained by former owner Andrew Grasso.

The zoning board will consider the proposal again at its meeting Tuesday. Azarian said Wednesday the town's attorney will present a recommendation to the board on whether the families must be notified of the project before approval could be granted.

"Based on that information, we will decide whether to move forward," Azarian said.



### Families of deceased left in dark

The owner of Eternal Light Memorial has told Salem officials it won't be able to notify families of plans to build 20 homes on the site.

If Diprima receives the zoning board's backing, he must then seek approval from the Planning Board before construction could begin. When contacted Wednesday, Diprima said he couldn't comment.

Shortly after the board reviewed the plan Sept. 2, project representative David Jordan of MHF Design Consultants said he was beginning to compile a list of the families.

Jordan told the board Diprima planned to notify the families after the zoning board heard the request and the project was ready to advance further.

Diprima was required to post legal notices asking the families to contact him or Moldoff if they wanted more information on the project. Moldoff said he's heard from only person who became concerned about the project after reading about it in the newspaper.

Town officials are cautious after the previous problems at the mausoleum spurred a major investigation by the New Hampshire Attorney General's Office.

The mausoleum smelled musty, leaked water and had cracked windows. The town health officer ordered the property cleaned up after dozens of trash bags, paint cans and dead floral arrangements were found in the woods behind the mausoleum.

Representatives for the Attorney General's Office said until they received numerous complaints, they didn't know the business existed. Grasso never registered the mausoleum with the state and failed to file financial documents for 30 years.

About 60 percent of the mausoleum is occupied, Jordan said. It holds 536 bodies. A proposal to build homes at the site was rejected by the Planning Board in 2003.

There have been no problems at the mausoleum since Diprima bought the property in 2009, town officials said. Jordan said Diprima needed to find an additional use for the property to make it financially viable.

One family member who is concerned about the project is attorney and former state Rep. Anthony DiFruscia, R-Windham.

DiFruscia said he had not heard about the proposal until he was contacted by a reporter. He said at least three family members are interred there, including a cousin who died only four months ago.

The former lawmaker was among those who co-sponsored legislation that prohibited mausoleums in New Hampshire from being run as for-profit entities. Eternal Light was the only for-profit mausoleum in the state.

He said Wednesday he still wants to check the deed for the site and questioned how close the homes would be to the mausoleum.

DiFruscia also said he supports landowners' rights to develop their property, but the proposal raises ethical concerns.

"The distance between the mausoleum and the homes is critical," he said. "What's in good taste and what's not is the issue."

Jordan has said the mausoleum and homes would be separated by trees and other vegetation.

## Salem residents oppose car dealership

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Thursday, September 25, 2014 12:15 am

SALEM — Residents are opposed to a car dealership proposed on Route 28, saying the project would lead to more flooding in their neighborhood.

The proposal by F&B Salem Realty calls for a 19,000-square-foot dealership to be built at 93 S. Broadway, an area prone to flooding for years.

That's why residents such as Linda Mills of 16 Belmont St. say the project should never be built.

"I've lived there for 47 years and I've seen it all," she said. "I don't want to see any more flooding additional to what we already have."

Mills was one of seven residents of Belmont and Westchester streets to voice their opposition to the town's Planning Board on Tuesday night.

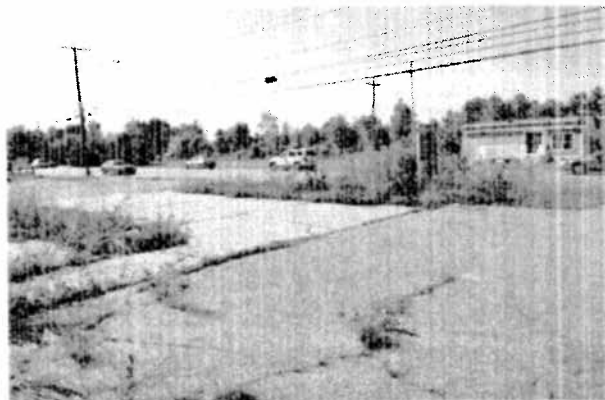
Nearly 20 people turned out for a conceptual discussion of the project at Town Hall. Earlier in the meeting, the board also voted unanimously to notify state officials they were against a proposal to build a Department of Transportation highway garage off Route 111.

The residents opposed to the dealership told the board they are tired of worrying about flooding whenever there is heavy rain. Allowing the dealership to be built would only increase the water running onto to their properties, they said.

They spoke of their experiences during typical spring flooding, as recent as April, and especially the infamous Mother's Day Flood of 2006. The flood left parts of Salem under several feet of water.

"I've seen this over and over," said Deanna Condry of 7 Belmont St.

She and other residents told the board the decision they make could have a significant impact on the neighborhood.



### Salem residents oppose car dealership

TIM JEAN/Staff photo Salem residents are opposed to a proposal to build a car dealership at 93 S. Broadway, saying the facility would cause even more problems in their flood-prone neighborhood. It's the site of a former gas station.

"It's hard to live in a place that floods for any period of time," she said. "I just want you to take this into consideration when you allow something like this."

Project representative George Fredette said they would work to minimize any runoff-related problems at the 15-acre site, which includes more than 70,000 square feet of pavement.

It was the former site of a gas station that dated back to at least 1949, he said. It's not in the 100-year floodplain, Fredette said.

"In our planning, we are taking appropriate measures to make sure abutting properties are not affected by this," he said. "We are keenly aware of the flooding issue out there."

Since it was only a conceptual discussion of the project, the board did not have to take any action. Fredette said many details need to be worked out before he returns to the board.

But that didn't sway residents concerned about the dealership's impact on their neighborhood, which would also see increased traffic. Potential flooding remained the primary concern.

"When it gets real bad, it's like a river flowing there," said Derek Lavallo of 10 Westchester St. "God forbid all those cars end up underwater — it seems risky."

Several residents, including Conservation Commission members, also spoke in opposition to DOT plans for a 8,000-square-foot highway garage, fueling station and 12,000-square-foot salt shed. They included state Senate President Chuck Morse, R-Salem, Selectman Everett McBride and Conservation Commission member Thomas Campbell.

The five residents said building the DOT facility on the former site of Route 111 would have a detrimental impact on the environment and the neighborhood, including Gordon Avenue, Elizabeth Lane and East Broadway. It should be built somewhere else, they said.

Morse said he would fight the project, criticizing the DOT from not seeking input from Salem residents before moving forward with the project.

Board members agreed, voting to notify top state officials that the facility should not be built.



# Communing with Nature on a Walk through the Town Forest

by Bob Gibbs

As a part of the SalemFest activities, the Salem Conservation Commission held guided nature walks through the Salem Town Forest. Commission Chairman Bill Dumont along with commission members Darlene Eden, Stephanie Tetreault, and Ruth Tanner Isaks, accompanied a group of Salem residents through the trails of the forest. About 20 people enjoyed the Sunday morning walk in the woods, a walk that almost did not happen due to early morning downpours.

The Salem Town Forest is a beautiful and well cared for part of Salem. Located on Route 111 just east of Route 28 has 3.7 miles of trails, allowing for quiet walks, biking, horseback riding and offering many places to just sit and take in all that nature has to offer. The paths are relatively flat with great views.

Fred Borman, the field specialist for natural resources at the University of New Hampshire Cooperative Extension, led the group through the forest, pointing out many items of interest to the group. Borman informed the group of the six-spotted lady beetle. An invasive insect that attacks ash trees. He also discussed the many species of trees that occupy the town forest, from various species of ash, pine, hemlock and oak trees to low-bush blueberries.

Borman showed the group how with just a slight variation in elevation the look of a forest could change dramatically. At the high elevation there may be slightly more sunlight, but with less water due to run off, this part of the forest has shorter species of plants that are more shrub like such as low-bush blueberry and huckleberry.

At the lower elevation, the plant life gets more water and nutrients



Fred Borman provides an explanation about the various foliage in the forest.



Bill Dumont points out the informational signs placed in the forest by the Boy Scouts.



The group is about to begin a guided nature walk through the Salem Town Forest.

that result in a more varied species of plant life.

It was pointed out by Borman that if you count the rows of branches of some pine trees you could determine that age of the tree. Each parallel row of branches represents one year of tree growth. From this formula, it could be seen that many trees were close to 100 years old. In addition, trees that appear to be just a few years old were actually 25 years old.

As the group walked along they came across an area of sandy soil with a south-facing exposure. This was pointed out as a perfect area for turtles to lay their eggs. The group could see the turtle eggshells above the soil. Unfortunately, the turtles had been discovered by animals and had been eaten before they could hatch.

Toward the end of the walk, the group was warned of a large bald face hornets' nest that had been built in the low grass along the trail. As many in the group had only seen hornets up high this was a surprise.

Borman and Dumont told the group that every five years or so the town has a company come in to the forest to take down trees to be used for lumber. They both talked about the importance of the occasional thinning of the forest to allow for the healthy growth of all



Bob Gibbs

## **DOT project upsets some Salem residents**

**By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Tuesday, September 23, 2014 1:20 am**

**SALEM** — A plan to erect a state highway garage and salt shed off Route 111 is upsetting neighbors, who fear the project would destroy their neighborhood.

A representative for the New Hampshire Department of Transportation will appear before the town's Planning Board on Tuesday night to present plans for the \$3.3 million proposal.

The 8,000-square-foot building, a 12,000-square-foot salt shed and a fueling station would be built on a former section of Route 111 to replace the state's facility on Shadow Lake Road, DOT project manager Gary Clifford said.

The 1,500-square-foot building on Shadow Lake Road — about a mile and half from the 11-acre site — is 64 years old and needs to be replaced, Clifford said.

"It is a very old, obsolete and undersized facility," he said. "That will be closed once we move down the road."

But residents of the neighborhood abutting the DOT property aren't sympathetic to the state's needs.

They don't want more traffic in the neighborhood, nor large vehicles fueling up and passing through at all hours of the day and night.

"It's very concerning," said Susan Friedrich. "To have that near my neighborhood is just too much."

Friedrich, a resident of East Broadway for 31 years, said she's worried about the project's impact and the traffic it would create.

George Maihos, a Gordon Avenue resident for 22 years, also is upset.

Maihos said he didn't know about the project until he happened to question a couple of workers he saw in his neighborhood. He said his property is only about 100 feet from the site.

"Maybe there's a better place to put it than someone's residential neighborhood," he said.

Maihos was one of several residents from the Gordon Avenue and Elizabeth Lane neighborhood who called Town Hall to express their concerns, town planning director Ross Moldoff said.

A large turnout of residents is expected at the Planning Board meeting.

"The concern is trucks coming and backing up," Moldoff said. "It's going to be noisy."

Friedrich and Maihos said grass is finally growing and wildlife coming to the area, where Route 111 passed through for decades.

"A lot of people use it now to walk," Maihos said. "It's just a nice area."

When Route 111 was reconfigured several years ago, traffic was rerouted from behind their homes to in front of them, Friedrich said.

"Now, I will be sandwiched by two traffic projects," Friedrich said. "This is just too big of a pill to swallow."

The two residents said they were told years ago that Route 111 would be reconfigured, eliminating traffic from behind their homes. They were just never told the state was planning to put a highway garage on the site, the neighbors said.

"It took them 18 years to do it," Maihos said of the reconfiguration. "Now, they want to change the landscape again."

Another concern about the proposal is that because it's a state project, the DOT doesn't need to meet local zoning regulations or receive Salem officials' approval.

The DOT is only meeting with the Planning Board to inform the town of its plans and receive any input, according to Moldoff and Clifford. The meeting begins at 7 p.m. at Town Hall.

The project would go out to bid in October and construction is expected to start next spring, Clifford said. The Executive Council must approve the granting of bids before work can begin, he said.

The reconfiguration of Route 111 increased the need for a new, larger facility, Clifford said.

DOT has approximately 90 such facilities across the state, department spokesman William Boynton said.

## Salem considers medical marijuana regulations

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Thursday, September 18, 2014 12:08 am

SALEM — Although state officials are still finalizing regulations for medical marijuana dispensaries, Salem has already received inquiries from people looking to establish facilities in town.

Town planning officials are considering regulations to address what would be allowed in Salem, according to town planning director Ross Moldoff.

The Planning Board is reviewing a series of proposed zoning amendments to be considered by voters in March.

They include a proposal for what the New Hampshire Department of Health and Human Services and town refer to as "alternative treatment centers."

"It's a big issue in towns in Massachusetts," Moldoff said Wednesday. "They're coming to New Hampshire ... . My thought is we should get out in front of it and not be surprised."

DHHS recently drafted regulations for the centers and will soon present them to the public for their input, according to senior division director Mary Castelli.

The regulations were created in response to the state's new law that allows up to four centers in the state.

The law was passed by the Legislature and then signed by Gov. Maggie Hassan in July 2013. But it was expected to take at least two years to get the centers up and running.

The law allows patients suffering from cancer or other serious medical conditions to purchase up to 2 ounces of marijuana from nonprofit dispensaries.

To be eligible for medical marijuana, residents must have been a patient of the prescribing doctor for at least 90 days, attempted other remedies and shown certain symptoms.

Castelli said the state's goal is to establish at least two centers by next September to serve the needs of seriously ill patients.

"The Legislature views this as a very important program," Castelli said. "They would like to have the centers available to patients as soon as possible."

Planning Board member Edward DeClercq agreed with Moldoff that the town needs its own regulations in place in case a dispensary is proposed in Salem.

"I think we should be pro-active on the issue and look at what other towns do," he said. "We should look at what's allowed and what's not allowed and see how it can work for Salem."

The proposed zoning amendment would only allow the centers to be located within a commercial-industrial area, called Subdistrict B, west of Interstate 93. The amendment also states they cannot be within 1,000 feet of any home, school, place of worship, daycare center or recreation area.

DeClercq said board members are divided. After discussing the matter at a recent meeting, the board decided to hold off on the issue, he said.

A final decision on whether the amendment should appear on the ballot does not need to be made until this winter, DeClercq said.

Among those strongly opposed to allow a center in town is board member Ronald Belanger, who is also a state legislator.

A dispensary would attract people looking to buy marijuana for nonmedical use, he said.

"I'm not in favor of it," Belanger said. "I feel if you put medical marijuana here, it would make more people gravitate to Salem."

Castelli said Salem is among only a handful of New Hampshire communities that have approached DHHS and expressed interest in drafting regulations for medical marijuana distribution centers.

Material from The Associated Press was used in this report.

## **Salem senior housing ordinance change proposed**

**A proposed warrant article for the March town election could increase the ways developers can meet the affordable housing requirements for senior housing developments.**

By ADAM SWIFT

Union Leader Correspondent

SALEM — Town planners may consider a warrant article for the March town election that could increase the ways developers can meet affordable-housing requirements for senior-housing developments.

Town Planning Director Ross Moldoff recently presented ideas for changes to the town's affordable senior housing ordinance to the Planning Board. It will be up to the board to decide if it wants to put an article on the ballot.

"Right now the ordinance says that 10 percent of all units in a senior housing development have to be affordable, and if you don't want to do that, you have to pay a fee," said Moldoff.

Moldoff said he has been working with some board members and Diane Kierstead, executive director of the Salem Housing Authority, to look at other ways developers might be able to meet the senior housing requirements.

The goal of the ordinance is to increase the town's senior housing stock. However, several developers recently opted for the payment rather than building the units.

By tweaking the ordinance, town officials hope to see the affordable housing stock for seniors increase while giving additional options to developers.

"Rather than just paying a fee of making the units affordable that (the developers) are building, maybe there should be some other options," said Moldoff. "Maybe they can donate land of equivalent value to what the fee would be. That could be better because it would give us a spot to build some units."

Moldoff also raised the possibility of the developer building an affordable house or apartment unit on a site separate from their development.

"As far as donating land, that has happened in the past and the land never got used because the Housing Authority doesn't have the money to build the housing, and they sold it back to the developer," said Planning Board Chairman Ed DeClercq.

DeClercq said that if the town does go forward with an option for a land donation, there should be a mechanism so the land goes back to the developer if it is not built upon within a certain number of years and so the town does not lose property tax income.

Board member Ron Belanger said he also had concerns about land going undeveloped and the town not collecting taxes.

Moldoff said he would continue working with Kierstead on more ideas for a possible warrant article.

"What we are trying to do is give more flexibility to the developer," said Moldoff. "We're not trying to restrict them more, we're trying to give more options."

*aswift@newstote.com*

# Green future for parkway

## Conservation land purchase OK'd

BY ADAM SWIFT

adamrobertswift@gmail.com

SALEM - The entrance to the town on Veterans Memorial Parkway looks to remain green for the foreseeable future.

Selectmen recently approved the purchase of 8.75 acres of land along the road by the Conservation Commission.

The \$15,300 for the purchase comes from Conservation Commission funds raised through a land use change tax and has no impact on taxpayers, according to Conservation Commission Chairman William Dumont. Overall, there is about \$330,000 in the conservation fund, according to Town Manager Keith Hickey.

The purchase of the land from Dr. Karen Crowley ensures that it will remain conservation land

and meets many of the commission's criteria for land purchase.

"It is protecting wetlands, protecting a scenic area, and I just think that it is good for the town," said Dumont.

The land is primarily wetland, is across from the Ingram Senior Center, and abuts other conservation land in the area.

"We are trying to keep Veterans Parkway with trees on both sides, and this meets that goal of keeping (the area) undeveloped," said Selectman Everett McBride.

Selectman Stephen Campbell asked about a report that shows two areas of debris on the property and whether that debris will be cleaned up by the town or current property owners.

Dumont said the debris is primarily cut trees, branches, and some bricks and concrete and that there is no hazardous material in the debris. He said the town will be responsible for the cleanup.

## Development proposed on Salem mausoleum site

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Tuesday, September 9, 2014 1:20 am

SALEM — Only seven years after the state found problems at Eternal Light Memorial, the mausoleum's new owner wants to build 20 homes on the Pond Street property.

Salvatore Diprima has asked the Zoning Board of Adjustment for a variance to allow a senior housing development to be built next to the 40-year-old mausoleum.

Problems at the 18-acre site at 23 Pond St. led to changes in state law in 2008 after the families of loved ones were horrified to find the mausoleum was not properly maintained by former owner Andrew Grasso. They complained to the New Hampshire Attorney General's Office, which launched an investigation.

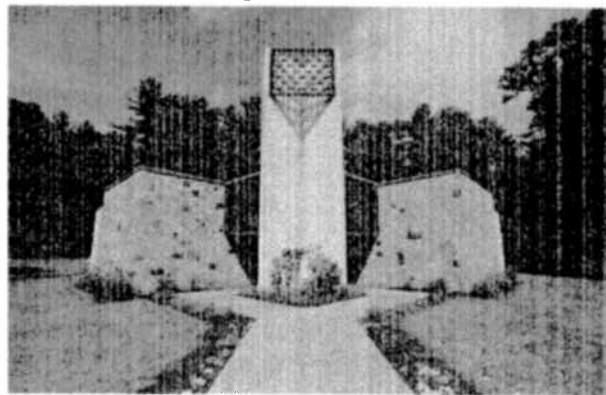
The facility, built in 1974, smelled musty, leaked water and had cracked windows. The town health officer ordered the property cleaned up after dozens of trash bags, paint cans and dead floral arrangements were found in the woods behind the mausoleum.

Representatives from the Attorney General's Office said they didn't know the business existed because Grasso never registered it with the state and failed to file financial documents for 30 years.

There have been no problems at the mausoleum since Diprima bought the property in 2009, according to town officials and project representative David Jordan.

But Diprima needed to consider additional options for the site to make it financially viable, Jordan told the board last week.

"There has been a continuing struggle with the sustainable use of this property with only the mausoleum," he said. "The owner has looked to other development options on this land to keep the mausoleum in place."



### Polls are open Tuesday

RYAN HUTTON/ Staff photo The owners of the Eternal Light Mausoleum are seeking a variance to build 20 homes for the elderly on the 18-acre site.



The only problem is that families of the deceased have not been notified of the proposed project, ZBA Chairman Gary Azarian said. The board voted unanimously to table the request until its next meeting in October.

“It’s my feeling that the relatives of those who rest there should be notified before we move forward with this,” Azarian said. “We should at least contact the relatives of those there.”

Jordan said Diprima planned to notify the families after the zoning board heard the request and the project was ready to advance further.

The Planning Board could not consider the housing project until a variance is granted, Jordan said. The mausoleum and homes would be separated by trees and other vegetation, he said.

Approximately 60 percent of the mausoleum is occupied, he said. It holds 536 bodies. A proposal to build homes at the site was rejected by the Planning Board in 2003.

Jordan, an engineer and surveyor for MHF Design Consultants, said Monday afternoon he was busy compiling a list of the families.

One of those with family members there is attorney and former state Rep. Anthony DiFruscia, R-Windham.

DiFruscia said Monday he was surprised the families had not been informed of the proposal. He said an aunt, uncle and two cousins are interred at the mausoleum. One cousin died only three months ago.

“I had not heard of that,” DiFruscia said. “It’s certainly presumptuous on the owner’s part not to contact the families.”

The former lawmaker was among those who co-sponsored legislation that prohibited mausoleums in New Hampshire from being run as for-profit entities. Eternal Light was the only for-profit mausoleum in the state.

“I’m going to look into the covenants of this,” DiFruscia said.

Diprima could not be reached Monday for comment.

9/4/14 Observer

## smooth start

re up by 21 stu-  
new freshman  
ll team added  
meet growing

he local high  
ams have been  
a recent state  
of Education  
ncipal noted.

the New Eng-  
ion of Schools  
accreditation  
e coming to the  
early November  
part of the pro-

cess in extending the school's  
accreditation.

Meanwhile, the district's  
facilities committee continues  
to work towards a solution  
addressing the space limita-  
tions at Golden Brook School.

During its Aug. 25 meeting,  
the facilities committee agreed  
to tour the district's elemen-  
tary and middle schools to get  
a better grasp on the current  
space situation prior to its next  
meeting.

The facilities committee  
meets again Sept. 8.

## umously for service to Windham



sonalities.

Zimmer's widow, Jean  
"Soot" Zimmer, will be the  
night's guest of honor.

Dinner, auctions, live music  
and a special screening of a  
Zimmer tribute video will cap  
off the evening's festivities.

All proceeds of the event  
will benefit the local recreation  
fund.

"This is a fund that helps  
the community's growing  
recreation needs," Carpenter  
said. A portion of ticket sales  
will be used to help economi-  
cally disadvantaged children  
participate in after-school and  
summer recreation programs.

"For the Love of the Game!"  
will take place Friday, Nov. 14,  
at 7 p.m. Tickets start at \$75. For  
more information visit [www.windhamendowment.org](http://www.windhamendowment.org).

Stanley, as well  
and media per-

## ister gym floor separation

on is, who is going  
ble for replacing  
said Delahanty.  
intendent said  
e responsibility  
esolve the prob-  
subcontractor

"I have been hopeful to this  
point that we would avoid that,  
which may have been naivete  
on my part," said Delahanty. "I  
do remain hopeful that the indi-  
viduals involved will step up and  
make this right. I was hope-

## Botanical garden planned for old mini-golf course

BY ADAM SWIFT

[adamrobertswift@gmail.com](mailto:adamrobertswift@gmail.com)

SALEM - Salem gets more  
than its share of retail stores  
and restaurants approved by  
the Planning Board along Route  
28, but the latest plan approved  
for 350 North Broadway should  
bring more of a touch of nature  
to the busy roadway.

Earlier this week, the board  
approved a change of use  
allowing for a 1-acre botanical  
garden at the former Victorian  
Park entertainment center.

A little over a year ago, the  
Planning Board approved a  
plan for a spa and salon at the  
main building of the Victorian  
Park. The botanical garden will  
occupy the site of the former  
mini-golf course.

Property owner Kay Sharon  
said the botanical garden will  
provide both an educational  
and therapeutic setting for  
Salem residents.

People will be able to tour  
gardens highlighting different  
native species and there will  
also be educational opportu-  
nities for groups ranging from  
professional gardeners to local

Boy and Girl Scout troops.

The garden will be a non-  
profit business with admis-  
sion taken to help support its  
upkeep, according to Sharon.

The 640-square-foot building  
on the property that was used  
as a concession stand at the  
mini-golf course will be used  
for the admissions, office space,  
and possibly a small gift shop.

"This is what Salem needs,"  
said Planning Board member  
Paul Pelletier.

Pelletier said he has been a  
proponent of keeping Salem  
beautiful and that it needs  
more gardens and landscaping.

He added that the former  
mini-golf course, with its trails  
and water features intact, is the  
perfect location for a botanical  
garden in Salem.

In addition to the garden trails,  
Sharon said there will be benches  
and art installations throughout  
the garden to encourage people  
to stay and enjoy the area.

Town Planning Director Ross  
Moldoff noted that the site has  
enough parking for the salon  
and the botanical garden and  
that no town staff members  
had an issue with the plan.

## CHARTER: School Board votes down school

Continued from Page A-1

With the Sept. 15 state appli-  
cation deadline fast approach-  
ing, school officials and com-  
munity members have been  
divided in their support for  
the proposed Windham Acad-  
emy.

"This has been weighing  
heavily on all of this," board  
member Dennis Senibaldi  
said this week. "We still can't  
seem to agree on the curricu-

in the future," Graham said.  
"In my experiences, some of  
the more successful charter  
schools have developed this  
way."

Rekart said the board has  
never questioned whether or  
not local parents and teach-  
ers should have additional  
options.

"(The proposal) before  
us is about more than just  
choice," Rekart said. "The state  
approval model also provides

8/28/14 Salem Observer

# Lower senior housing density sought

BY ADAM SWIFT

adamrobertswift@gmail.com

SALEM - Town Planning Director Ross Moldoff is proposing an amendment to the town's zoning bylaws that would lower the density for senior housing developments.

"I've been very concerned about the senior housing overlay district," Moldoff recently told the Planning Board. "I think you are giving way too big of a density bonus for these senior housing projects you are letting people build."

Developers who bring in projects under the senior overlay district are allowed to build four times the number of units that they would be able to build in the underlying zoning district, according to Moldoff.

Moldoff suggested the Planning Board consider amending the bylaw so only twice as many units would be allowed than in the conventional zoning. In the residential district, this would lower what's allowed from four units per acre to two, while in rural zones, it would fall to one unit per acre instead of two.

"I don't want to get rid of senior housing, but I think we are really giving a windfall to the developers of these projects," said Moldoff. "I don't know that we are getting something back of such a significant value to the town that it warrants this type of density."

Planning Board member Ron Belanger noted that many older people who live in the senior developments have left larger houses and are looking for a smaller unit that is easier to take care of.

Selectman Michael Lyons requested Moldoff gather

demographic information on the number of senior housing units in Salem compared to other communities before the Planning Board takes any further action on the amendment.

"Do we have a fair amount of senior housing stock right now?" he asked.

Part of the discussion should revolve around whether the town has already met its share of senior housing.

"The concept behind the density bonus was that we wanted a fair age distribution in the community," said Lyons.

# Planner questions building closer to road at depot

BY ADAM SWIFT

adamrobertswift@gmail.com

SALEM - One Planning Board member is having second thoughts about allowing construction closer to the road in the town's depot overlay district.

The depot district in the area of Main Street and Route 28 has seen buildings with smaller setbacks from the road to encourage a more downtown feel in the area.

The discussion about the smaller setbacks came up at this week's Planning Board meeting, when Town Planning Director Ross Moldoff brought up a request by the new Salem Medical Plaza

building at 159 N. Broadway to place a sign closer to the road.

"They have approval for the sign to be 20 feet back from the road and to be 100 square feet in size," said Moldoff. "They are allowed under zoning to reduce the size of the sign by half and they can move it forward so it would be a 10-foot setback instead of a 20-foot setback."

Because the medical plaza was approved with an 8-foot setback from the road, Moldoff said the sign would still be behind the front line of the building.

The Planning Board agreed that it would be fine to allow the sign closer to the road as long as

it is smaller, but board member Ron Belanger said that overall, he is not a fan of the move to put buildings closer to the road in the depot district.

"There have been a lot of calls about this plan saying it is so close to the road," said Belanger. "That's what the depot look is supposed to be, it's supposed to be closer to the road. But now that I see it, I don't care for it, and I don't think I'd like to see that sign much closer to the road."

Belanger said he voted for the Salem Medical Plaza site plan, but now believes that the building looks like it is too close

to the road.

"I know that the depot overlay district, when that passed, a lot of buildings would be up closer to the street rather than set back, and I'm not really comfortable with that," said Belanger. "I know I am just venting, and I'm not going to change anything here now."

Planning Board member Phyllis O'Grady said she likes the look of the building being closer to the street.

"I personally like the way it looks," she said. "I like it closer to the street because the cars are going to be in the back of the building."

8/26/14 abaeuer

# Height limits proposed for town center buildings

BY ADAM SWIFT

adamrobertswift@gmail.com

SALEM - A proposed zoning amendment would set a height limit for new buildings in the town center district.

Currently, there is no height restriction in the district, according to Town Planning Director Ross Moldoff.

"The idea is to put in a maximum height of three stories or 45 feet," said Moldoff. As in other zoning districts, developers would be able to request a variance from the height limit.

The maximum height in the zoning bylaws for rural and residential districts is 35 feet, while in commercial and industrial districts, it is 45 feet.

"Builders were saying that it was hard to build three stories at 35 feet, which is why

we allow office buildings of three stories and 45 feet," said Moldoff.

The tallest building in town is a six-story Holiday Inn that was allowed by variance, according to Moldoff.

Planning Board Chairman Ed Declercq noted that without the height restriction, developers could go up to eight stories in the district.

"It is a very limited district around Geremonty Drive, Veterans Parkway, and Lawrence Road, but there is nothing that restricts that," said Moldoff. "It seems to me we ought to put something in there."

Board member Ron Belanger said he would be hesitant about limiting the building height limits in the district if it would restrict development and redevelopment.

Board member Phyllis O'Grady also noted that the board has the ability to limit what a new building can look like if it is not consistent with other development, such as the high school, town hall and library, in the district.

"I think we should have something to protect the town," said Moldoff. "With no height limit, someone could come in and say they want to build 15 stories, and we say it's not consistent with the district, but then they would ask why it's not in the ordinance."

Board member Linda Harvey suggested the Planning Board take a look at the zoning map to see what parcels in the town center district are still open space and what lots are available for potential development and redevelopment.

8/25/14 Observer

## Garden club awards commercial honors

**Posted: Wednesday, September 3, 2014 1:00 am**

SALEM — The Salem Garden Club recently announced the 2014 Annual Commercial Landscaping Awards.

This award, started by longstanding club member Doris Flaherty 27 years ago, recognizes the contributions of the business community in making Salem a more beautiful place to live, work and visit. The awards will be presented at the Salem Planning Board meeting on Sept. 11 at 7 p.m. at Town Hall.

The Commercial Awards Committee, consisting of Linda Dobson, Fran Kramer, Nancy Bernier and Salem Planning Director Ross Moldoff, toured commercial sites throughout Salem before selecting the winners.

Five businesses were selected for plantings, including flowers, shrubs and trees, that beautify their properties.

Club rules require that previous award winners wait three years before being eligible to win another Salem Garden Club award.

Winners for 2014 (in alphabetical order) are: Buono Panini on South Broadway; Canobie Lake Park on N. Policy Street; Market Basket on South Broadway; St. David's Church on Main Street; and Salem Cooperative Bank on South Broadway.



### Garden club awards commercial honors

Courtesy photoCanobie Lake Park won a landscaping award from the Salem Garden Club. Other winners were Buono Panini, Market Basket, St. David's Church and Salem Cooperative Bank.

## Botanical garden proposed in Salem

By Doug Ireland [direland@eagletribune.com](mailto:direland@eagletribune.com) | Posted: Wednesday, September 3, 2014 2:00 am

SALEM — The noise and laughter of miniature golf players can no longer be heard at the former Victorian Park.

They are being replaced by tranquility and quiet thoughts at the old North Broadway family fun center.

Soon, the familiar putting greens that graced the park for 21 years will be replaced by a 1-acre botanical garden featuring rare plants and trees.

"That will be our first botanical garden in Salem," town planner Ross Moldoff said.

The Planning Board granted unanimous approval last week for the botanical garden to be established at 350 N. Broadway.

It's the new site of Bien Soigne, a 17-year-old salon and spa that includes a Himalayan salt cave.

The business, owned and operated by Kay Charron, opened last winter after Victorian Park closed in September 2013.

Charron was able to move from her 927-square-foot facility in Windham to a new 4-acre site with 6,000 square feet of space.

Park owners Larry and Verna Belair sold the property and retired, citing a decline in the popularity of miniature golf.

Larry Belair said the game was no longer drawing the large crowds it once attracted.

"The kids don't put the iPhones down long enough to pick up a putter," he said.

Charron said when the garden opens next spring, it would be an ideal location for people to relax after a hectic day.



### Botanical garden proposed in Salem

MARY SCHWALM/Staff photo Regina Andler stands on a bridge over a stream at the former Victorian Park miniature golf course at 350 N. Broadway in Salem. Andler plans to open a botanical garden on the site.

Visiting the garden also would be an educational experience for anyone wanting to learn about the various species, she said. Scouts and other groups can enjoy what the garden has to offer.

"We are very excited about it," Charron said. "We are working with an architect to come up with a design plan."

The project cost is estimated at between \$1 million and \$3 million, Charron said.

Upkeep of the garden, which would be run as a nonprofit entity, would be funded through donations and admission fees, she said. There would also be a small gift shop.

Although the 18-hole course will be gone, some of its aesthetic qualities will remain.

They include many of the perennials, including rhododendrons, and the course's water features, she said.

The garden will also include endangered species such as American elm and chestnut trees, Charron said. Both trees were once commonly found in the United States.

There will more than just plants and trees in the botanical garden.

Charron said they will host classes on a variety of horticultural topics in the garden, as well as private events, including weddings.

Bien Soigne's salt cave, she said, is a room lined with ancient, imported blocks of salt. Spending time in a salt cave is therapeutic, especially for those suffering from respiratory illnesses, she said.

"It is highly relaxing," Charron said. "It's very good for stress and high blood pressure."

Moldoff said the garden would complement the salt cave and other changes at the former course.

"It will fit right in," he said.

Planning Board Chairman Edward DeClercq said the board was pleased to back the project.

The garden will be an asset to Salem, he said.

"It's going to be a nice garden," he said. "You can go there and read a book or paint."



# Gym approved for Industrial Drive

BY ADAM SWIFT

[adamrobertswift@gmail.com](mailto:adamrobertswift@gmail.com)

SALEM – A new physical therapy business at 8B Industrial Drive will help clients with spinal cord injuries.

On Tuesday night, the Zoning Board of Adjustment granted a variance allowing Project Walk Boston to operate a training gym in the industrial zone.

Victoria Arlen of Project Walk Boston said the impetus for bringing the physical therapy business to New England came after visiting Project Walk's headquarters in San Diego.

"There were clients who were complete quadriplegics and now they were able to walk," said Victoria Arlen of Project Walk Boston. "These clients had been told to accept life in a wheelchair. We were so overcome by the energy and miracles at Project Walk that we came home with our calling to bring Project Walk to New England."

Salem was chosen as the New England site because of its proximity to both the Boston and Manchester airports and because Arlen's family has owned property in the town for the past 30 years.

"The convenience of being

so close to the Boston and Manchester airports was very important for our clients who come from all over the world to receive training," said Arlen.

When looking for a location for the business, Arlen said it needed a location that could house a studio and gym setting and provide easier parking and ADA access.

Because the current zoning ordinance requires a variance to operate a gym in an industrial zone, Arlen had to bring the request for a variance before the ZBA.

Town Planning Director Ross Moldoff noted that the need for a variance for a gym in an industrial zone is a quirk in the town's zoning bylaws and that the issue will likely be addressed in the near future.

The business will be open Mondays through Fridays from 9 a.m. to 6 p.m. Arlen said there will typically be four full-time employees on duty along with two to three clients per hour.

"This is activity-based therapy for people with spinal cord injuries," said Arlen. "The gym is for people with disabilities. The clients work with the trainers, who get them out of their wheelchairs and get them moving."

8/14/14 Salem Observer

# Conditional-use permit OK'd for Ralphie's Cafe Italiano

BY ADAM SWIFT

adamrobertswift@gmail.com

SALEM - Despite some concerns about parking at the proposed new location for Ralphie's Cafe Italiano on South Broadway, the Conservation Commission is recommending the Planning Board approve a conditional use permit for the plan.

The conditional-use permit would allow some encroachment from the parking lot into a buffer zone for a bordering wetlands area, provided the restaurant meet several conditions.

Those conditions include that a rain garden be built near the buffer zone, that four parallel parking spots near the back of the restaurant consist of pervious pavers, and that a wetlands scientist make a report after the project is completed to make sure there is proper protection for the

wetlands.

Parking for the project has been an issue at the Planning Board level, and Conservation Commission member Linda Harvey initially stated that she would have liked to see the four parallel spots behind the building removed in order to increase the nonpaved area on the property.

The owners of the restaurant are seeking a variance from the Planning Board that would allow for 35 parking spaces on site, where 42 would be required under the town's zoning laws. To allow for additional parking during peak hours, the owners have reached an agreement to use the parking lot at Ford's Flowers on Belmont Street after 5 p.m., if needed.

Selectman Everett McBride noted that the parking issue falls under the purview of the Planning Board and not the Conservation Commission.

However, Harvey stated that by reducing the amount of pavement on the property by requesting the four parking spaces be removed, it could increase the buffer zone for the wetlands.

"It is a conservation issue, because if we can account for parking at another location, we can have the buffer increased," said Harvey.

McBride noted that while Harvey was seeking to have the number of parking spaces reduced, the Planning Board was looking for the owners to increase parking.

"It's a chicken-and-egg situation," said McBride. "I don't think we should be talking about parking."

Project engineer Kurt Meisner suggested using pervious pavers for the four parallel

spaces, thereby keeping the same amount of parking spots onsite and reducing the amount of pavement.

The commission approved the revised plan and forwarded their ruling to the Planning Board as part of that board's deliberations.

The planned 4,300-square-foot, 80-seat restaurant at 91 South Broadway would replace the current, smaller restaurant location at 386 S. Broadway. The current building at 91 South Broadway, a former jewelry store, would be knocked down and replaced by the new building.

8/14/14 Observer

# Variance denied for landscaping business

BY ADAM SWIFT

adamrobertswift@gmail.com

SALEM - The Zoning Board of Adjustment has denied a variance that would allow Raymond Matthes to operate a landscaping and lawncare business at his 15 Brookdale Road property.

Matthes was seeking the variance that would allow the business to operate as well as the construction of a storage garage in a residential district.

Matthes and his attorney, Bernard Campbell, noted the

improvements that have been made to the property and that there would be landscape screening that would buffer the business from neighboring properties.

Matthes also told the ZBA that there would be no customers on the property, and that traffic would be limited to employees coming to Brookdale Road to get the equipment during the morning and returning the equipment in the afternoon or evening.

Campbell also pointed out that a similar business, a

sandblasting company, operates next door at 19-21 Brookdale Road.

However, a deadlocked vote by the ZBA meant the variance was denied.

ZBA members Steven Diantgikis and Arthur Nobrega voted against granting the variance, agreeing with several abutters who said the proposed business would lead to increased noise and traffic and possibly diminish property values.

Linda Murphy, who lives next door at 17 Brookdale

Road, said she was afraid that Brookdale Road would not be able to safely handle the truck traffic coming in and out of the Matthes property. She said she was also upset that her small backyard would basically be surrounded by a commercial district if the variance was granted.

"We've seen that there are some legitimate concerns for the abutters," said Diantgikis. "They are very concerned about the noise and what it will mean to live next to the business."

ZBA member Robert Uttley voted to grant the variance, although he said he did have some concerns about the noise of the trucks that would be used in the business.

ZBA member George Perry also voted in favor of granting the variance.

8/17/14 Salem Observer

# Purchase of conservation land approved

## Land on parkway will sport greener entrance to town

BY ADAM SWIFT

adamrobertswift@gmail.com

SALEM - The Conservation Commission has given its OK

to the purchase of 8.75 acres of land on Veterans Memorial Parkway for a conservation easement.

The \$15,300 proposed purchase will now have to go before selectmen for final approval, although the land will be paid for with conservation funds.

The land, primarily wetland, is across from the Ingram

Senior Center and abuts other conservation land in the area.

Planning Director Ross Moldoff said the land acquisition will ensure that people coming into Salem in that area will have a green entrance into the town.

"We have signed a purchase and sale agreement with Dr. Karen Crowley, who owns the

8.75-acre parcel on Veterans Memorial Parkway with 1,800 feet of frontage," said Moldoff.

A site assessment of the property shows no recognized environmental hazards, although there is some debris on the property that needs to be cleaned up, according to

See **CONSERVATION**, Page A-8

Continued from Page A-1

Moldoff.

"We started talking about this last year, and we did attempt to get the abutting property owner and landowner to clean up the property," said Moldoff. He said the debris is not an environmental hazard but is mostly brush and some residential debris.

Conservation Commission member Thomas Campbell noted that the purchase will

continue to provide an attractive, natural-looking entrance into the town.

"I've been on the commission for 25 years, and this has always been on our radar," Campbell said. "I'm glad the opportunity has come up and I'm going to support that we buy this."

The Conservation Commission unanimously approved the purchase. It will now be forwarded to the Board of Selectmen for final approval.

# EagleTribune.com, North Andover, MA

*August 12, 2014*

## Salem zoning panel says no to business

### Neighbors oppose plan

*By Doug Ireland*

**direland@eagletribune.com**

--- — SALEM — Neighbors' opposition to a proposal for a Brookdale Road landscaping business prompted the Zoning Board of Adjustment to reject the request.

A 2-2 vote last week led to denial of the variance request for Matthes Investment Properties and owner Raymond Matthes.

Matthes sought the variance to operate his lawn care business and construct a storage garage at 15 Brookdale Road, located in a residential district.

Although the lot is near other commercial properties, the board needed to approve the variance Aug. 5 to allow the business to operate. Site plan approval is also required from the town's Planning Board, according to planning director Ross Moldoff.

But strong opposition from several residents, including abutter Lynda Murphy, led some board members to conclude that permitting the project would not be in the best interests of the public.

For almost an hour, Murphy and three other residents told the board that allowing Matthes to operate would ruin their quiet neighborhood.

They said that after Matthes bought the property in December, he immediately began operating his business even though it was in violation of the town zoning ordinance. Moldoff confirmed that Matthes has been cited for illegally running a business at the site.

The neighbors also complained of excessive noise and traffic day and night, seven days a week. Only one resident spoke in favor of the request.

"Big trucks, little trucks, you name it," Murphy said. "I've been woken up at all hours."

Murphy said she has only lived at 17 Brookdale Road for a year, but has fallen in love with her neighborhood and 97-year-old home.

She said she suffers from seizures when under stress or not receiving enough sleep.

"This is really a live-or-die issue for me personally," Murphy said.

Allowing the business to operate would also cause property values to plummet, she said.

Plans described by Matthes and his attorney, Bernard Campbell, to screen the property with vegetation such as arborvitaes would do little good, she said.

“My house value would be nothing,” Murphy said.

James Stone of 11 Brookdale Road also spoke of issues with noise and truck traffic.

“Until we called and complained, there were trucks in and out of there every day,” he said. “I don’t see how any justice is done to the neighborhood by making it a commercial operation.”

Ed Frazier, a resident of 7 Brookdale Road for 16 years, said trucks drive through the neighborhood at least 20 to 30 times a day.

“It’s been nothing but trucks, trucks, trucks coming down the street,” he said. “I strongly oppose this. It’s not going to do any good for the neighborhood — it’s going to destroy the neighborhood.

But another resident, David Rose of 19 Brookdale Road, said the business would be an asset to the neighborhood. He operates a sandblasting business on his property.

“Ray came in and dramatically improved the house and landscaping,” Rose said. “I have no problem with him moving in there. It’s nice to have him as a neighbor.”

When it came time for the board to vote nearly two hours after it began hearing the request, it was without Chairman Gary Azarian.

Azarian stepped down from the board earlier because of a conflict of interest. He said Monday he could not vote on the variance because Matthes cuts the grass at his home and rental properties.

Azarian said he could not say how he would have voted on the request.

Vice Chairman Steven Diantgikis, leading the board in Azarian’s absence, and Arthur Nobrega said granting the variance would not be in the public’s best interest. Board members Robert Uttley and George Perry thought the request should be approved.

Campbell said Monday that Matthes has not decided whether to request a rehearing.

[Salem zoning panel rejects proposed business](#)

# EagleTribune.com, North Andover, MA

*July 24, 2014*

## Assisted-living facility OK'd in Salem

### Project to be built next to senior center

*By Doug Ireland*

**direland@eagletribune.com**

---- — SALEM — Ground will be broken this fall on a 90-bed assisted-living facility and Alzheimer's care unit next to the Ingram Senior Center.

The Planning Board gave unanimous approval Tuesday to the 72,600-square-foot project proposed by LCB Senior Living LLC of Norwood, Mass.

Board members expressed concerns about parking at the site before granting a conditional use permit and final approval.

The two-story building would be built across the street from the senior center on a 7-acre wooded site at 6 Sally Sweet Way. The plan includes a 26-bed Alzheimer's care unit.

LCB spokesman Ted Doyle spokesman said yesterday his company was pleased to receive approval; work is expected to start this fall. He said LCB is still in negotiations with the property owner.

"We're really excited," Doyle said. "It's such a fantastic town and such a great location. It's right in the middle of everything."

The location is close to plenty of stores and services, including the senior center next door, he said.

The facility would be staffed by approximately 75 full- and part-time employees, he said.

LCB operates six assisted-living facilities in Massachusetts, Connecticut, Rhode Island and New Hampshire. The closest is in Bedford — LCB's only other Granite State location.

The others are in Lincoln, R.I., and Dedham, Wayland, Dartmouth and Reading, Mass. Several other facilities will open soon in Massachusetts and Connecticut, he said.

Town planning director Ross Moldoff said yesterday that LCB has a sound reputation and the assisted-living facility would be a welcome addition.

"I think this is a big, significant project for the town," he said.

"We are looking forward to it coming to Salem."

Senior center director Patti Drelick has said there is a need for more assisted-living units in Salem. The only other assisted-living facility in town is Greystone Farm on Main Street.

But Drelick said she doesn't expect the project to have a big impact on the senior center because it's often difficult for assisted-living patients to leave home.

Board members praised the proposal, but said they wanted to make sure there was enough parking.

"It's going to be a beautiful building," Ronald Belanger said.

"I'm just concerned about the parking."

LCB originally proposed 68 parking spaces when the project was first discussed with board members last fall.

The number was later increased to 89, but town regulations required 99 spaces be provided.

Project engineer David Jordan of MHF Design of Salem said LCB believed 89 spaces should be more than enough.

"They are extremely confident there is a lot more parking than they need for their use," he said.

The parking would mostly be used by employees, with no more than 25 workers at the facility at once, Jordan said.

The board then granted a conditional use permit to allow fewer spaces than required, along with three waivers.

One waiver allows for parking in front of the building as long as there is sufficient landscaping as proposed.

Several parking spaces would be made available for use by the senior center.

The proposal also calls for an old home and two outbuildings on the site to be demolished, according to Moldoff. A medical building was approved for the site many years ago, but never built.

The property is currently owned by Veterans Parkway Professional Building LLC and Dr. Karen Crowley of Londonderry, according to town records.

LCB Senior Living LLC



# Rockingham Motors Finally Breaks Ground on New Buildings

by Sonny Tylus

After almost two years of legal battling, owner Emmett Horgan of Rockingham Motors, which includes brands Toyota, Scion and Honda, was finally able to break ground on a new site. They are located on Route 28 across from the State Liquor Store. The old Circuit City store building will house the Toyota and Scion dealerships and be completely gutted and remodeled to accommodate the business. The old lumber yard building and some surrounding trees were completely removed. This lot will house the Honda dealership. One of the features will be that customers will be able to drive their cars directly into the building

for service. At the groundbreaking, Horgan thanked many local and state officials for their help in the process. He especially thanked Salem Planning Director Ross Moldoff for all his help. The Horgan family hopes to open the Rockingham and Scion building in the fall and the Honda facility around the first of the year.

*The Horgan family, owners of Rockingham Toyota, Scion, Honda, break ground on South Broadway where they will construct new dealerships. From the left, Emmett, Ryan, Carolyn, and Brady Horgan will build new facilities on the former site of Rockingham Lumber.*



Staff photo by S. Aaron Shamschyan

# New fitness center to locate next to Tuscan Village

BY ADAM SWIFT

adamrobertswift@gmail.com

SALEM - People looking to stay fit and beautiful after eating and shopping at the popular Tuscan Village marketplace may soon have that chance.

The developer of the 5.8-acre Main Street site, which currently includes a restaurant and a market, is looking to build a two-story, 13,000-square-foot fitness center and salon on the parcel.

David Jordan of MHF Design presented the conceptual plan for the building to the Planning Board earlier this week on behalf of developer J & S Investments.

More concrete plans will come before the Planning Board soon, and Jordan said the developer is looking to start construction on the building as early as this fall.

The building will be near Main Street on what is currently a gravel lot mainly used for valet parking for the restaurant.

As part of the development, the developer is adding 95 paved parking spaces to the

**"I think we are very fortunate in this town to have this applicant."**

Planning Director,  
Ross Moldoff

west of the buildings to replace the valet spots that will be lost and to provide additional parking for what would be four businesses in three buildings on the parcel.

"The owner does have occupants lined up," said Jordan. "Half of the first floor space will for a personal care salon, and the other half of the first floor and all of the second floor will be for a fitness club."

During the initial presentation, town Planning Director Ross Moldoff and the board members were mostly pleased with the proposal.

"I think we are very fortunate in this town to have this applicant," said Moldoff. "They have done a beautiful job with the two buildings they have devel-

oped so far."

While the reaction was generally positive, there were some questions about parking and traffic circulation on the site.

Jordan said he and the developers would be working with the town's traffic consultant to address some of those issues.

The plan falls in the town's Depot Overlay District, which requires buildings to be close to the sidewalk in order to maintain a downtown feel.

However, the fitness club as presented would have several rows of parking in front of the building.

Jordan said the owner of the parcel wants the fitness club set back slightly from the road so as not to block the view of the restaurant from the road.

Planning Board member Phyllis O'Grady said she'd rather see the building hew closer to the spirit of the overlay district. However, board Chairman Ed DeClerq said he did not have an issue with a possible conditional use permit that would allow the building to be set back from the road.

# EagleTribune.com, North Andover, MA

*July 7, 2014*

## Tuscan Village keeps growing

### Latest phase calls for salon, fitness center in Salem

*By Doug Ireland*

**direland@eagletribune.com**

--- — SALEM, N.H.— Joseph Faro's dream of revitalizing the Salem Depot area continues to be fulfilled with the development of Tuscan Village.

Less than four years after Faro opened his popular restaurant, Tuscan Kitchen, and then Tuscan Market on Main Street, he's embarking on the third phase of a four-pronged plan to redevelop the historic Depot area.

Faro and J&S Investments are proposing construction of a 13,000-square-foot fitness center and salon on a 5-acre parcel at 55 Main St.

Conceptual plans were presented to the town's Planning Board recently by David Jordan of MHF Design. Board members were generally pleased with the proposal, but had questions about parking and traffic impact, town planner Ross Moldoff said.

"The Planning Board was very satisfied," Moldoff said. "Everybody likes the work they have done on the project."

Jordan said formal plans would be presented to the board later this summer. If the latest phase is approved, construction would begin this fall, Faro said.

The two-story building would be home to Drive Health & Fitness, based in Methuen, and Salon Grazie, now located in North Salem.

Drive Health & Fitness co-owner Tony Hajjar said he's looking forward to opening a second fitness center and Faro's Tuscan Village would be an excellent location.

"I hope to be up and running by this time next year," Hajjar said. "Everything he does is a high-end product."

Faro said this third phase of the project is just one more step as he continues to fulfill his vision for the property.

It began with the opening of Tuscan Kitchen in November 2010, a restaurant whose food and atmosphere have received national attention through the popularity of culinary television programs.

Tuscan Kitchen recently announced Italian chef Luca Manfe, winner of the Fox series “MasterChef,” will appear at the restaurant for a book signing and dinner July 26.

The opening of Tuscan Kitchen was followed by Tuscan Market nearly two years ago.

The 18,800-square-foot market — also bright yellow and stucco — stands behind Tuscan Kitchen.

It offers hundreds of different specialties, including those made with ingredients imported from Italy. Tuscan Market also features a bakery and cafe with an 8,000-square-foot cobblestone courtyard for outdoor events.

The two-story fitness center and salon, which would be leased, are to be followed by the fourth phase of the project in a couple of years, Faro said. That phase calls for construction of a 100,000-square-foot retail, office and residential building, he said.

“The idea is to create a lot of different uses and bring people together at Tuscan Village,” Faro said.

Faro, who grew up in Lawrence and lives in Windham, formerly operated Joseph’s Gourmet Pasta and Sauces in Haverhill. A second Tuscan Kitchen restaurant, cafe and market are planned in Burlington, Mass.

The restaurant will open just before Labor Day, Faro said.

Moldoff praised the latest phase of the Tuscan Village project, which requires site plan approval from the town.

“It’s a beautiful building and it looks like it will fit right in with what is there,” he said.

Tuscan Village

# EagleTribune.com, North Andover, MA

July 4, 2014

## Windham hires new code enforcement officer

By Corinne Holroyd

[cholroyd@eagletribune.com](mailto:cholroyd@eagletribune.com)

---- — WINDHAM — The Community Development Department has a new staff member.

Dick Gregory, a Salem resident, is the town's new code enforcement administrator as of June 23.

"I know a lot of the people in Windham and a lot of the businesses in Windham," he said. "Windham isn't that far from Salem."

Gregory's experience includes his current job as a commercial contractor and his former position as a Salem selectman.

"We felt that he had good experience and background for the job," Town Administrator David Sullivan said.

Gregory's new job includes providing staff support to the Zoning Board of Adjustment and its applicants, enforcing zoning codes, and processing all fence, minor watershed, and temporary and permanent sign applications.

He will also be in charge of floodplains and 55-and-older development compliance.

"This is a job that I'm interested in and I like Windham," he said. "Salem just doesn't happen to have a code enforcement officer. It looked like a nice opportunity."

While there are no big projects coming up that he knows of, Gregory said he has been busy settling into his new role.

"I like to be busy, it makes the day go by," he said. "A lot of activity in any community is good for the community."

The search for a new code enforcement administrator for just over a month after former administrator Nancy Prendergast resigned.

She gave Sullivan notice and the position was vacant for less than a month while Community Development Department director Laura Scott and other staff helped out.

"She resigned for her own, personal reasons," Sullivan said. "She was a good employee, but I understand. I'm sorry to see her leave."

The Community Development Department and the town offices, however, have welcomed Gregory and have treated him well, he said.

“He’s been doing well, fitting into the role very nicely and enjoying it, which is great,” Sullivan said.

The position is a part-time job — 30 hours per week, Monday through Friday, 10 a.m. to 4 p.m. — and Gregory makes \$25.07 per hour, according to Sullivan.

The money, however, was not the reason he said he applied for the position.

“It wasn’t important,” he said. “It’s a part-time job and it’s something I was interested in.”

# Construction begins for new Rockingham Toyota Scion and Rockingham Honda

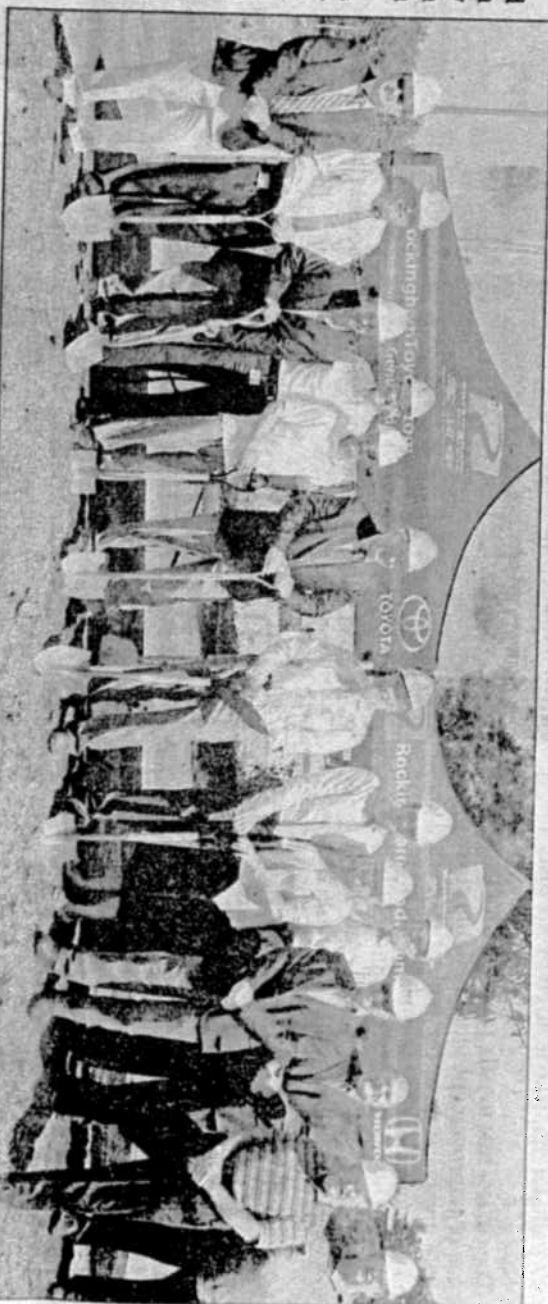
6/17/14

SALEM, N.H. — Ground was officially broken yesterday for the new Rockingham Toyota Scion and Rockingham Honda on Route 28 (South Broadway).

Town officials and others lined up with shovels for a ceremonial photo, along with owner Emmet Horgan, his wife Carolyn and Ryan Horgan, director of operations. Also in the lineup was Brody, Ryan Horgan's golden retriever, who is a regular at the dealership.

The Toyota Scion and Honda dealerships are moving to the new site from Route 97 and North Broadway respectively.

The move will redevelop the long vacant Rockingham Lumber site on South Broadway. The lumber outlet has been a longtime eyesore in the center of Salem's busy commercial district. The three buildings on the site were demolished last week to make way for the dealerships.



CHERYL BEGIN/Staff photo

Local officials and others line up for Rockingham Motors' ground-breaking ceremony at 408 South Broadway, Salem, N.H. From left: architect James Mullarkey, Town Manager Keith Hickey, Zoning Board Chairman Gary Azarian, Assistant Town Manager Leon Goodwin, Board of Selectmen Vice Chairman Everett McBride, state Sen. Chuck Morse, Emmett Horgan, Ryan Horgan, Carolyn Horgan, Jewett Construction's Sam Armano, Salem Planning Director Ross Moldoff, Zoning Board member Art Nobrega, state Rep. Bob Elliot and Planning Board Chairman Ed DeClercq.

# EagleTribune.com, North Andover, MA

*June 12, 2014*

## Bingo hall approved in Salem

### Charity bingo will end at The Rock

*By Doug Ireland*

**direland@eagletribune.com**

---- — SALEM — The Planning Board approved plans for a 250-seat bingo hall just weeks after rejecting the project because of public safety concerns.

The board unanimously adopted the proposal for the 5,500-square-foot hall Tuesday night. It was rejected in a 5-2 vote May 13.

The hall, proposed by Lucky 13 Bingo, would be established in a 42,000-square-foot industrial building at 13 Garabedian Drive, town planner Ross Moldoff said.

Board members said they were satisfied with various changes to be made at the site, where some expressed concern for the safety of elderly bingo players.

Board members told project representative Kurt Meisner in May that they were worried about the elderly getting safely to and from the facility. The board also requested more exterior lighting, handicapped accessibility and repaving of the entire 121-space parking lot.

Board member Linda Harvey said she was asked on behalf of members of the Ingram Senior Center to make sure any public safety concerns were addressed.

Moldoff said the applicant agreed to make the necessary changes. Meisner also assured the board Tuesday a security officer would always be on patrol. The facility would be open daily from 4 to 10 p.m.

The project is proposed in conjunction with CPJ Trust and Garabedian Properties.

The hall's approval means charity bingo will end at Rockingham Park after nearly 20 years, according to president and general manager Edward Callahan.

Lucky Bingo told Callahan it was looking for a new location where smoking would be allowed, he said. The group will relocate sometime this summer.



# EagleTribune.com, North Andover, MA

May 15, 2014

## Salem planners reject bingo hall proposal

### Planners want safety upgrades

By Doug Ireland

[direland@eagletribune.com](mailto:direland@eagletribune.com)

---- — SALEM — Charitable bingo may continue at Rockingham Park for a little longer.

The Planning Board rejected a plan for a 250-seat bingo hall Tuesday, saying public safety upgrades are needed before senior citizens can use the facility.

The board voted, 5-2, against the proposal by Lucky 13 Bingo to establish the hall at 13 Garabedian Drive. But board members then voted, 5-2, to table the plan until their concerns are addressed.

If the hall is approved, it would mean the end of bingo at Rockingham Park after nearly 20 years, according to president and general manager Edward Callahan. Charitable bingo has helped raise thousands of dollars for numerous local charities, he said.

The group that now runs the games at The Rock notified Callahan a few months ago that they were looking for a new location, he said.

Up to 800 players used to gather to play on a single night and the game was played six nights a week, Callahan said. That figure has dropped to as low as 150 players a night, with bingo only played three nights a week, he said.

Planning Board members told project representative Kurt Meisner they were worried about elderly bingo players safely getting to and from the facility. The hall would be in a 42,000-square-foot building along a heavily traveled road with minimal exterior lighting and limited security, they said.

"I won't vote for anything unless it was a safe area," member Jane Lang said. "There are a lot of elderly who play bingo."

Board members also requested more handicapped accessibility and repaving of the entire 121-space parking lot, which Meisner said would be cost prohibitive.

"Paving that entire parking lot would be onerous," he said. "The expense would be gigantic."

The 5,500-square-foot hall, requested by CPJ Trust and Garabedian Properties, would operate seven nights a week in a building also occupied by Rexel and AmberWave.

The board was ready to vote on member Ronald Belanger's motion to approve the project when town planning director Ross Moldoff advised them to carefully consider potential concerns.

"I thought there should be more talk and thought out there," Moldoff said. "It's a different kind of use."

Moldoff said he had many questions about the proposal that had yet to be answered, including security, the amount of traffic generated and whether state charitable gaming regulations would be followed.

"Is there going to be police protection? Are they going to need it?" Moldoff said. "They haven't told us if there is going to be anything else — all they told us was bingo."

Michael Lyons, the selectmen's representative to the Planning Board, said there were too many concerns about the proposal for the board to approve it Tuesday night. He recommended tabling the request despite Belanger's contention they should immediately vote to approve the project.

"I support continuance, not approval," Lyons said.

Only Belanger and Paul Pelletier voted to approve the project and both later opposed a Lyon's motion to table the request. Lyons, Lang, Chairman Edward DeClercq, Linda Harvey and Laurel Redden voted against granting approval and for tabling the proposal.

Meisner said the board's safety concerns would be addressed.

"We are looking out for our patrons," he said.

Belanger said it was important the board quickly grant approval because of Rockingham Park's uncertain future following the Legislature's defeat of expanded gambling legislation last week.

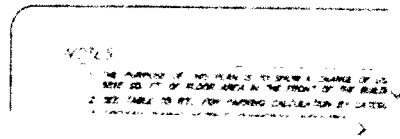
"They are probably going to have to vacate that area sooner or later," he said.

Callahan said last week Lucky 13 was preparing to relocate this summer.

Charitable bingo's popularity has declined in recent years, he said.

"The potential exists that Rockingham Park won't be there anymore," he said. "I think they are looking toward the future."

[Lucky 13 Bingo Site Plan](#)



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# EagleTribune.com, North Andover, MA

*May 16, 2014*

## Senior housing project approved in Salem

### Homes to be built on former Searles site

*By Doug Ireland*

**direland@eagletribune.com**

---- — SALEM — Ground will soon be broken for a 46-unit senior housing development on the former Edward Searles property on Pond Street.

After three public hearings over the last year, the Planning Board granted unanimous approval this week for Stone Bridge Estates, proposed by developer Tim Oriole of Pelham.

The development at 67-73 and 77 Pond St. was approved in the wake of residents' concerns the 25-acre project would overwhelm their quiet neighborhood.

Only one neighbor addressed the board at its meeting Tuesday night, Cooper Beech Drive resident Gene Hulshult. Although Hulshult has opposed the project's size, he said it would be a beautiful development.

The project was proposed under the town's senior housing ordinance. It was the first senior housing proposed in Salem in years, town planning director Ross Moldoff said.

The 15-year-old ordinance's density requirements allow more homes to be built if they are designated for people 55 and older, he said.

The development will be built on a 25-acre site that was once the sprawling Searles estate and includes a turn-of-the-century caretaker's cottage, stone walls and bridges that will remain, according to project engineer Karl Dubay.

Searles was a renowned interior decorator, born in 1841, best known for his English-style stone castle in Windham that bears his name. The Methuen native owned several hundred acres in Salem, Windham and Methuen, and also built Stillwater Manor in Salem before dying in 1920.

Moldoff told board members that if Oriole agreed to the final conditions for the project, it was ready to move forward. A conditional use permit was needed because of the project's potential impact on wetlands.

"From my point of view, we are ready to go with the plan," Moldoff said.

Dubay said Oriole is prepared to begin construction as soon as possible. The project will be completed in three phases, with the first calling for the construction of 11 of the 46 homes, Dubay said.

"We feel that we are ready," he said. "We would like to start right away."

The second phase includes 19 homes, with the remainder to be built later.

Board members, including Ronald Belanger, said they were impressed with the proposal.

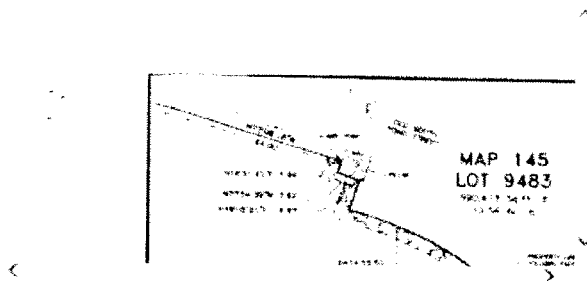
"It's a beautiful project," he said.

Dubay has said the property will include numerous walking trails and a large English-style garden.

Although Hulshult is hesitant to see the site developed, he admitted it would be an attractive project.

"Someone is going to develop it, and it's going to be a nice development," he said.

#### Oriole Site Plan



# EagleTribune.com, North Andover, MA

May 13, 2014

## Bingo hall proposed in Salem

### Game would end at The Rock

By Doug Ireland

[direland@eagletribune.com](mailto:direland@eagletribune.com)

----- SALEM — A casino may not be coming to town any time soon, but a bingo hall could be on its way.

Plans for a 250-seat bingo hall at 13 Garabedian Drive have been filed with the town and will be reviewed by the Planning Board tonight.

The change-of-use request by Lucky 13 Bingo is one of eight applications to be considered during the meeting at 7 p.m. at Town Hall.

The new bingo hall could mean the end of charitable bingo at Rockingham Park after nearly 20 years, according to president and general manager Edward Callahan. Up to 800 players used to gather to play on a single night, he said.

The 5,500-square-foot hall — seeking to operate seven days a week — is proposed by CPJ Trust and Garabedian Properties.

It would be located in a 42,000-square-foot industrial building occupied by two businesses on the 5-acre site, town planning director Ross Moldoff said. They are Rexel and AmberWave.

The location became available when AmberWave decided to reduce its space, Moldoff said.

There are only 12 licensed commercial bingo halls in New Hampshire, according to the New Hampshire Racing and Charitable and Gaming Commission. They are at Rockingham Park and Crossing Life Church in Windham.

The Planning Board will hear the proposal only days after the House of Representatives killed a bill calling for the legalization of expanded gambling in New Hampshire and the establishment of two casinos.

Callahan and many Salem officials and residents hoped if the legislation passed, a casino would be built at Rockingham Park.

Millennium Gaming of Las Vegas has proposed locating a multimillion-dollar casino and entertainment complex at Rockingham Park if expanding gambling were approved. The plan for the bingo hall was presented to the town in April.

Callahan said last week charitable gaming will continue at Rockingham Park, but the defeat of gambling legislation was a devastating blow. Charities want to be prepared in case it closes, he said.

“The potential exists that Rockingham Park won’t be there anymore,” he said. “I think they are looking toward the future.”

Corey Garabedian of Garabedian Properties said his business was seeking to establish a bingo hall on the property, but declined to comment further.

“We’re looking at trying to get a spot down there,” he said.

Few details of the proposal have been released, but Callahan confirmed the hall would be used by charitable organizations that now run bingo games at Rockingham Park.

Callahan said he was told a few months ago they were seeking a new location, especially one where smoking is allowed. Smoking is banned at the park, he said.

The proposal calls for the bingo hall to be open daily from 4 to 10 p.m.

Bingo is only played at The Rock three days a week, down from six days years ago, Callahan said. Games are sponsored by several groups, including the Knights of Columbus and the Derry-Salem Elks Club.

The game has declined in popularity in the last decade, he said. Poker is much more popular and profitable, he said.

“Ten to 12 years ago, bingo would bring some pretty good-sized crowds, but not anymore,” he said.

That’s when at least 700 to 800 people would turn out to play on nights when there would be jackpots of \$60,000 to \$70,000, he said.

But even if there weren’t huge jackpots, no fewer than 300 to 400 people would come out for bingo, Callahan said. That’s now down to 125 to 150 people, he said.

“The rent that is being charged for bingo doesn’t even cover the cost,” he said.

State gaming regulations prohibit charging more than \$5 per player, Callahan said.

The decline of bingo’s popularity recently led to games being discontinued in Lawrence and Haverhill.

# EagleTribune.com, North Andover, MA

*April 24, 2014*

## Plans unveiled for major mall makeover in Salem

### Renovations begin May 1 at The Mall of Rockingham Park

*By Doug Ireland*

**direland@eagletribune.com**



SALEM — It's going to take 115,000 square feet of tile and carpet, 36,111 square feet of ceiling and 700 gallons of paint.

When the work is finally done in the fall, The Mall at Rockingham Park will have an entirely new look. It will be the first time the 152-store mall has received a major renovation since opening in 1991.

"Everything you see here is original," mall general manager Cindy Hall told a crowd gathered at the mall. "It's well maintained, but it's outdated."

Hall was among a group of mall representatives, project leaders and public officials to speak about the \$5 million to \$6 million project during a reception yesterday.

They included Simon Property Group executive Brian Nelson, Salem Town Manager Keith Hickey, New Hampshire Retail Association president and CEO Nancy Kyle, and representatives for U.S. Sen. Kelly Ayotte, R-N.H., and Congresswoman Ann Kuster, D-N.H.

Donning construction hats and wielding sledgehammers, the group celebrated the project with a tile-breaking ceremony. The mall's announcement of the project came only hours after the Salem Planning Board unanimously approved the renovations Tuesday night.

Construction will start May 1 and continue through Nov. 15, with the major work completed just in time for the holiday shopping season, Hall said.

Businesses and customers will not be affected, with most construction taking place after the mall closes each day, she said.



“It will start slow, but will ramp up quickly,” Hall said. “We will be running 24/7 here.”

During that six-month period, crews of 40 to 60 contractors at a time will be busy overhauling the mall, according to Bob Eckel, senior vice president of Pepper Construction of Indiana.

That’s approximately 60,000 manhours — the equivalent of a single handyman taking 29 years to do the work himself, according to mall representatives. Local subcontractors are being sought for the project, Eckel said.

The contractors could be working on as many as five aspects of the project at once, Hall said. The work includes redesigning the mall’s entrances, with automatic doors and a new facade.

There will also be new flooring, ceilings, lighting, seating, glass railings and an entirely different dining atmosphere in the Food Court, Hall said.

“We’re looking for something nice, elegant and sleek,” she said.

Restrooms will be upgraded, new stairs installed at Center Court, electronic charging stations put in, and areas added for nursing mothers, she said. New lighting at the mall is expected to cut energy costs by 32 percent.

Mall representatives said the renovations will help attract new businesses and customers to the mall.

“We truly want to create a place where people want to be and where people want to shop,” Nelson said. “We’re excited to see this go and to see the finished product.”

The project received praise from public officials, including Salem’s town manager. Hickey said the mall has been a good corporate citizen.

“We’re excited to see them move forward with the renovation,” he said.

Letters of support for the project were read on behalf of Ayotte, Kuster and Gov. Maggie Hassan.

Kyle praised mall officials for helping to create jobs and boost the economy.

“You’re such a leader in the retailing community,” she said.

No new space will be created at the 1-million-square-foot mall. Several businesses are being remodeled or expanding. Two new businesses to open at the mall this summer are Vera Bradley and Red Robin restaurant.

# EagleTribune.com, North Andover, MA

*April 24, 2014*

## Hookah lounge approved in Salem

*By Doug Ireland*

**direland@eagletribune.com**

----- SALEM ----- A hookah lounge will open soon on Main Street.

The Planning Board voted, 6-1, Tuesday to approve The Attic, a 20-seat electronic hookah lounge at 101 Main St., home to Salem Ink and Havoc novelty shop. There are also two apartments in the building.

A hookah lounge is a place where people can unwind and have a smoke — except there's no smoke emitted, just flavored water vapor, according to property owner Mark Iannazzo.

"It's just a place to sit down and relax and watch a sports game," Iannazzo told the Planning Board. "They have a little smoke and they are on their way."

A hookah is a pipe-like device that filters and cools smoke, usually through water.

They originated in India, spread to the Middle East, then Europe and North America, where Iannazzo told board members hookah lounges are quickly growing in popularity.

"It's the up and coming thing," he said Tuesday. "It's a nice place to hang."

There are few hookah lounges in the area. One of the closest is the Singin' Bowl in Pelham.

There are also two in Manchester, according to Deborah Scurini-Gibbons, owner of the Singin' Bowl.

She said her hookah lounge and cigar bar attract as many as 150 people on a Friday or Saturday night.

"It's a growing fad," she said. "It's very relaxing."

Across the state border, approval was granted in March for a hookah lounge in Methuen. A proposal to establish a lounge in Andover, Mass., was recently defeated.

The Salem proposal was approved without any opposition voiced by local residents or business owners. Food and beverages cannot be served, according to the Planning Board.

Planning Board members were concerned about parking and traffic at the site, near the corner of heavily traveled Main Street and North and South Broadway.

But those concerns weren't enough to stop the project, board Chairman Edward DeClercq said.

The 865-square-foot lounge would be in a commercial/industrial district where there isn't a minimum parking space requirement, town planning director Ross Moldoff said.

At least 26 spaces would typically be required for the 4,000-square-foot building, he said. There are currently 15 to 20 spaces, but the board asked that lines be painted and a handicapped space be made available.

They also wanted to make sure there were at least four spaces available for the apartment tenants.

The only board member to oppose the proposal was Jane Lang.

Lang said yesterday she was concerned there wasn't enough parking. She said she also didn't think a 20-seat lounge was appropriate for a building with residential tenants.

The location is the former site of Can You Dig It, where federal Drug Enforcement Agency and local police raided the business in 2012. The sweep targeted manufacturers, distributors and retailers of synthetic drugs.

Authorities seized more than 75 boxes of evidence from the business, but no arrests were made. The shop later changed its name to Havoc.

# EagleTribune.com, North Andover, MA

*April 9, 2014*

## Salem mall seeks major makeover

### Would be first renovation since 1991

*By Doug Ireland*

**direland@eagletribune.com**

---- — SALEM — The Mall at Rockingham Park is preparing for a major makeover.

If everything goes as planned, the mall's interior and facade will receive a fresh, new look, according to mall manager Cindy Hall.

Simon Malls, owner and operator of the 152-store mall, has filed plans with the town for an extensive renovation of the property.

The project includes upgrading the entrances and the mall's common areas, and providing new furnishings, Hall said in a letter to the town.

"We feel that it is time to refresh our image and update our finishes," Hall said. "Additionally, we are seeking to address our exterior image and greet the customers with a look that is reflective of the updated mall interior."

There are no plans to add space or stores, Hall told the town. This would be the first major renovation of the mall since it opened in 1991, she said.

The work could begin as soon as May and be done in time for the busy holiday shopping season, according to Hall.

But site plan approval must first be granted by the Planning Board, town planner Ross Moldoff said.

The proposal is scheduled to be before the Planning Board on April 22, he said. That's the day before the mall plans to make an announcement about the renovations.

Hall said she was not able to comment on the proposed renovations yesterday afternoon. But she outlined the project in her letter to the town.

The work would include updating the facade and adding LED lighting to recessed panels to "dress up" the exterior, she said.

Major work to the interior includes replacing the tile floor, painting the walls, and removing outdated brass and dark finishes, she said.

The mall would also receive new exterior signs, Hall said.

The project would be the latest major work at the mall since renovations two years ago to accommodate the mall's newest anchor tenant, Lord & Taylor.

The mall had been without a fourth anchor tenant for some six years.

The space now occupied by Lord & Taylor originally was home to Jordan Marsh. Then Macy's moved in, but changed locations after Filene's moved out in 2006.

The space was completely renovated before Lord & Taylor moved into it in 2012.

Since, the mall has maintained its four anchor stores — Lord & Taylor, Macy's, JCPenney and Sears.

[Mall at Rockingham Park renovations](#)

# EagleTribune.com, North Andover, MA

*April 8, 2014*

## Assisted-living facility proposed in Salem

### Project proposed next to senior center

*By Doug Ireland*

**direland@eagletribune.com**

---- — SALEM — A 72,600-square-foot, assisted-living facility and Alzheimer's care unit is proposed next to the Ingram Senior Center on Sally Sweets Way.

If approved, the 90-unit facility would be built across the street from the senior center on a 7-acre, wooded site at 6 Sally Sweets Way, according to town planning director Ross Moldoff.

The Planning Board will take its first look at formal plans for the project tonight at 7, Moldoff said.

The three-story project, proposed by LCB Senior Living LLC of Norwood, Mass., calls for 64 assisted-living units and a 26-bed Alzheimer's care unit.

LCB operates assisted-living facilities in Massachusetts, Connecticut and New Hampshire, and is planning construction of several more, company spokesman Ted Doyle said. The closest is in Bedford, he said.

The company also has assisted-living facilities in Lincoln, R.I., and Dedham and Wayland, Mass., Doyle said.

Four additional facilities are under construction in Ipswich and Watertown, Mass., and Avon and South Windsor, Conn., he said. Permits were recently received for two more in Ashland and Easton, Mass., Doyle said.

LCB chose Salem because of its prime location and proximity to stores and services, Doyle said.

"Salem really has it all," he said. "It was an easy decision for us to look at Salem."

The proposed facility's location to the senior center is also a bonus, Doyle said. The timetable for construction depends on the granting of approval, he said.

"We think, being right next door, people will be able to walk over to the center," he said. "We look forward to working with them."

Senior center director Patti Drelick said there is a need for more assisted-living units in Salem. The only other assisted-living facility in town is Greystone Farm on Main Street, she said.

But she doesn't expect the project to have a big impact on the senior center because it's often difficult for assisted-living patients to leave home. Only one person from Greystone has visited Ingram in recent years, she said.

Moldoff said LCB has a good reputation throughout New England.

"It's an experienced company, which is good," he said.

But when LCB first met with planning officials last fall to discuss the project, the company was told more parking would be needed, Moldoff said.

LCB, which proposed 69 parking spaces, has increased that number to 89, Moldoff said. But 99 spaces are required, so a conditional use permit would be required, he said.

The site is located in Salem's town center district, which allows facilities for the elderly, he said.

A medical building was approved for the site many years ago, but it was never built, Moldoff said. He did not know why.

The plans call for an old home and two outbuildings to be demolished, Moldoff said.

Doyle said negotiations to purchase the site are contingent on the project's approval. The property is owned by Veterans Parkway Professional Building LLC and Dr. Karen Crowley of Londonderry, according to town assessment records.

[LCB Site Plan](#)

## Affordable housing fund gives developers options

**Salem selectmen have approved a trust fund to help establish additional affordable senior housing units in town.**

By Adam Swift

Union Leader Correspondent

SALEM — Selectmen have approved a trust fund to help establish additional affordable senior housing units in town.

Under the town's Planning Board ordinance and zoning regulations, developers in the senior housing overlay district are required to either build 10 percent of a development's units as affordable, or make a donation to a local housing trust which can then be used to fund the development of affordable units in the future.

"There have been a couple of these payments in the past, and they have always gone into the Salem Housing Authority, which does develop affordable senior housing," said Assistant Town Manager Leon Goodwin. "We learned recently that they don't actually have a separate trust for that purpose." The money deposited into the trust fund will be used at some point in the future when projects come forward and expenditures can be made out of the trust fund.

Selectmen unanimously approved establishing the trust fund, but did request that Goodwin provide further information in the near future about how much money has already been donated to the town for affordable units and whether that money corresponds with the number of affordable units that could have been created by developers in the senior overlay district.

Selectman James Keller said the planning and zoning regulations allowing for the donations are fairly recent, and so far there have been two developments that have chosen to donate money to a housing trust rather than build the units themselves.

"Originally, the Planning Board wanted to set aside 10 percent of the units and the housing authority would administer and occupy those units," said Keller. "The problem is that the economics didn't work for the builders or the housing authority, so we had a situation where we had a project where the housing authority could not fill the units, so they were sitting dormant."

Because the project owner was also restricted in how it could use those units, it asked the Planning Board whether there was a way the town could get essentially the same value for the affordable units by making the donation to the housing authority.

"That was presuming that the amount of money the housing authority had would reach a point where they could take advantage of it to build additional units to get occupied," Keller said. Selectman Stephen Campbell said he would like to see the amount of money that has been brought in through the ordinance and what's been done with that money. "If we're going to create this trust fund, and I'm not opposed to that, I want to understand what the rules are," Campbell said.



# EagleTribune.com, North Andover, MA

March 27, 2014

## Salem planners approve office building, plaza redevelopment

### S. Broadway plaza to be redeveloped

By Doug Ireland

[direland@eagletribune.com](mailto:direland@eagletribune.com)

---- — SALEM — The Planning Board this week granted approval to two major projects, including the demolition and redevelopment of the Cumberland Farms Plaza.

Work is expected to begin later this spring to tear down the South Broadway plaza, formerly the home of many businesses over the years, according to project manager Chris Tymula of MHF Design Consultants of Salem.

The board voted unanimously in favor of both projects Monday night. The second proposal calls for the construction of a three-story office building at 21 Keewaydin Drive.

The only business that will remain at the well-known plaza is Cumberland Farms, but the 9,000-square-foot building at 382 S. Broadway will be replaced with a 4,500-square-foot structure.

The number of fueling stations at the convenience store will increase from 12 to 16. There will also be a 12-seat patio.

The project was first proposed in 2012, but has been delayed because of disagreements with abutters, town planning director Ross Moldoff said.

Tymula has said Cumberland Farms wanted a newer building and was no longer interested in being a landlord. The plaza housed five other businesses that were asked to relocate, he said.

Tenants have included Ralphie's Italian restaurant, Sprint, Beverly Nails and Marvel Homemade Ice Cream, formerly Carvel.

Moldoff said project is a "win-win" for both the town and Cumberland Farms. The town's master plan encourages redevelopment of old commercial properties, he said.

"It is going to be an improvement over what is there now," he said.

The proposed 34,000-square-foot office building at 21 Keewaydin Drive would be built and leased by Brooks Properties.

Brooks president Joseph Friedman said yesterday construction would begin later this year after tenants are found for at least two of the three floors. One to 12 tenants would occupy the building, he said.

It's adjacent to a four-story, 49,000-square-foot office building under construction at 23 Keewaydin Drive. The foundation was recently put in and the building will be completed by year's end, Friedman said.

The company has another office building at 11 Keewaydin Drive, which has several tenants, including Dannon Yogurt, Cornell University and Standex, he said.

The Cumberland Farms and Brooks Properties projects were among five proposals presented to the Planning Board in a two-month period earlier this year.

It was unusual for the board to consider five major plans in such a short time span, an indication the local economy is improving, Moldoff said.

The projects included a pending proposal to build 46 single-family homes at 67-73 and 77 Pond St., the former Edward Searles property.

Friedman said a more stable economy and the project's location off Interstate 93 are reasons why he doesn't anticipate difficulty finding tenants for his two new office buildings.

"We're optimistic about this economy and this location," he said.

# EagleTribune.com, North Andover, MA

*February 11, 2014*

## Salem board considers three big projects today

### Office building, two stores planned

*By Doug Ireland*

**direland@eagletribune.com**

---- — SALEM — As the economy continues to grow, the number of expanding local businesses is growing as well.

The Planning Board will consider three major projects at its meeting at 7 p.m. today at Town Hall. They include plans for a three-story office building on Keewaydin Drive and redevelopment of the Cumberland Farms Plaza on South Broadway.

The third project calls for a 24,218-square-foot store at 14 Kelly Road, adjacent to Ashley Furniture.

It's been rare in recent years that the Planning Board hears three major development proposals in the same night, according to town planner Ross Moldoff.

But it's a sure sign the economy is improving, he said.

"All at once, we've got five big projects," Moldoff said yesterday. "It's a little unusual, but not unheard off."

The other two proposals, reviewed by the board last month, call for nearly 70 new homes to be built as part of senior housing projects on Pond and Pleasant streets.

Developer Timothy Oriole of Pelham has proposed 46 single-family homes at 67-73 and 77 Pond St., the former Edward Searles property. Local developer John Swiniarski plans to build 18 homes at 30 Pleasant St.

Before the recession, it was not uncommon for the board to face several development requests at a single meeting, Moldoff said.

"For these times, it's interesting to have three projects on the same agenda," he said.

Last week, the Zoning Board of Adjustment granted a variance to allow a car dealership at 23 S. Broadway, the site of a former Coca-Cola Bottling plant. That project now goes before the Planning Board as well.

The largest proposal the board will consider tonight is construction of a 34,000-square-foot office building at 21 Keewaydin Drive. The applicant, Brooks Properties, is constructing a similar office building at 23 Keewaydin Drive, Moldoff said.

Brooks Properties first received Planning Board approval for an office building in 2008, but never moved forward with the project, Moldoff said.

He did not know why the project was stalled. Eric Brooks of Brooks Properties could not be reached yesterday for comment.

Another proposal calls for the expansion of Cumberland Farms at 382 S. Broadway, but would mean the demolition of the current 9,000-square-foot building, Moldoff said.

The building would be replaced by a 4,500-square-foot Cumberland Farms, according to project manager Chris Tymula of MHF Design Consultants of Salem.

Until recently, that building housed five other businesses but most have moved and the remainder will relocate soon, he said.

“It will just be a Cumberland Farms,” Tymula said. “Everything you see there today will be removed.”

Tenants have included Ralphie’s Italian restaurant, Sprint, Beverly Nails and Marvel Homemade Ice Cream, formerly Carvel.

Cumberland Farms was more interested in building a new store instead of being a landlord, Tymula said. The number of fueling stations would increase from 12 to 16, he said.

If approved, construction would begin this spring, Tymula said.

The third proposal calls for construction of the 24,218-square-foot Ashbrook Furniture HomeStore.

It would be built on the same lot as Ashley Furniture, part of a 68-year-old chain with stores in 10 countries. It is proposed by Ashoke Rampuria and AAA Realty.

Approval for a 13,000-square-foot general retail store was granted by the board in 2007, but Rampuria said in December he decided to hold off on construction until now.

A second store was planned because the owner could only sell certain merchandise at the current store, according to project manager Nicole Duquette of TFMoran engineering company of Bedford.

# EagleTribune.com, North Andover, MA

*February 6, 2014*

## Car dealership OK'd at former Coke plant

### Plans now go before Planning Board

*By Doug Ireland*

**direland@eagletribune.com**

--- — SALEM — The Zoning Board of Adjustment reversed course, granting approval for a car dealership at the former Coca-Cola plant on South Broadway.

Metscott 21 LLC must now go before the town's Planning Board after receiving a variance in a 4-1 decision Tuesday. The ZBA rejected Metscott's original request in November, but agreed to a rehearing last month.

The 92-year-old brick building, one of the nation's first Coca-Cola plants, will be converted into a "high-end" dealership that would sell mostly new vehicles, according to project representative Mark Gross of MHF Design Consultants.

The original request was denied, 4-1, because board members were concerned plans to sell used vehicles there would violate zoning regulations.

The property at 23 S. Broadway is in a zone where used car dealerships cannot be within 2,000 feet of each other. There is no restriction on new car dealers.

The site is only 1,500 feet away from Toy Store Auto Sales & Service, which has opposed the project.

Metscott 21 and owner Joseph Scott were granted a rehearing after it was argued that car dealerships need to sell both new and used vehicles to remain in business. Only 10 percent of the cars sold would be used vehicles, Gross said.

Scott said yesterday he was pleased the board reconsidered. He's been critical of the town's land-use boards, which have denied approval for several proposals in the last eight years.

Shopping plazas and a waste-to-energy plant also were proposed at the site.

Past board members have been concerned about the vacant building's historical value. The few proposals that were approved were abandoned because they were no longer economically feasible, according to Scott.

He plans to sell or lease the property to a prospective dealership.

"Now, I can market it," he said. "It was too expensive to tear down."

He's been upgrading the building, replacing the roof, tearing down the original sign and part of the 70,000-

square-foot structure. He expects the renovation project to take the rest of the year.

Gross told the board it's hoped a "high-end" dealer would move in, companies that sell Audis or Lexus.

Board members, including Chairman Gary Azarian, said they were impressed with renderings of the project, but still had concerns.

"My concern is, if we build it and they don't come, are we selling high-end used cars?" Azarian said.

But after hearing the project presentation again, Azarian and other board members were swayed.

"I agree the property owner has done a better job of explaining and clarifying what they want to do over there," Azarian said.

Bernard Campbell, the only board member to back the proposal in November, reiterated his support.

"I will continue to say this is a project worthy of consideration in this town because it is not a used car dealership, but a new car dealership," he said.

The only ZBA member to remain opposed was Robert Uttley. He said he thinks the project would make Salem look like "Route 1 in Massachusetts — with one used car dealer after another."

# EagleTribune.com, North Andover, MA

*January 17, 2014*

## Salem residents concerned about more senior housing

### Proposals include two projects on table and 64 new homes

*By Doug Ireland*

**direland@eagletribune.com**

--- — SALEM — Residents are concerned two senior housing projects, which would mean nearly 70 new homes, would overwhelm their neighborhoods.

The Planning Board heard requests Tuesday for two developments that call for 46 single-family homes to be built on Pond Street and an 18 additional homes on Pleasant Street.

The 46 homes at 67-73 and 77 Pond St. are planned by developer Timothy Oriole of Pelham on the former Edward Searles property. The second project at 30 Pleasant St. is proposed by local developer John Swiniarski, town planner Ross Moldoff said.

Both are proposed under the town's senior housing ordinance. The 15-year-old ordinance's density requirements allow more homes to be built if they are designated for people 55 and older, Moldoff said.

He estimated four times as many homes could be built on a typical site under the ordinance.

Many communities across the state adopted similar elderly housing ordinances 10 to 15 years ago to serve their senior citizens, according to New Hampshire Housing Finance Authority spokesman Ben Frost. Several projects were built in Windham under the town's ordinance, community development director Laura Scott said.

Moldoff said the scope of both Salem proposals worries neighbors and he told the Planning Board it should perhaps revisit the measure. Chairman Robert Campbell agreed Wednesday the board may have to take a look at the ordinance.

"I'm not sure the community needs this much senior housing," he said. "It perhaps provides more density than we want."

Approximately 20 residents turned out Tuesday to hear the project presentations. The board will continue to review the projects after making a series of recommendations to the applicants.

These are the first senior housing projects to come before the board in several years, Moldoff said. Eight senior housing projects have been approved since voters adopted the ordinance in 1998. There are about a dozen in town.

"It is unusual to have two large projects on the same agenda," he said. "The room was full of abutters concerned about the project."

They included William Quinlan of 79 Pond St. He said the Stone Bridge Estates project would disrupt his quiet neighborhood.

"Fifty homes in back of my house, c'mon," Quinlan said. "Just don't go through with this. We don't want it. I just wish this project was somewhere else."

Gene Hulshult, who lives at 4 Cooper Beech Drive, is also is concerned.

"I still think 46 units is a lot for this lot," he told the board. "I would wish you would look at where you are putting it and the reasons you are putting it there."

The development would be built on 25 acres of what was once the sprawling Searles estate, according to project engineer Karl Dubay.

"We are proud of this project," Dubay said.

Searles, a wealthy interior decorator best known for the English-style stone castle in Windham that bears his name, owned several hundred acres in Salem, Windham and Methuen, Dubay said. The Methuen native died in 1920.

Although the property will be occupied by several dozen homes, its turn-of-the-century caretaker's cottage, stone walls, bridges and turrets will be incorporated into the project, Dubay said.

The caretaker's cottage would serve as an office and also a meeting place for residents, Dubay said. The proposal, first presented last spring, also calls for numerous walking trails and a large English-style garden.

Dubay said Wednesday developers hope to receive final approval in time for construction to start this spring. They will continue to work with the town and neighbors, he said.

The Pleasant Street project was criticized by Trailer Home Drive resident Michael Frigon and Richard Dunn of Cornwell Court. The 18 homes would be built on 11 acres. Frigon and Dunn are concerned about the number of homes, increased traffic and stormwater issues in the flood-prone neighborhood.

"I would like to see it thrown out totally," Frigon said of the proposal. "It is going to put too much pressure on our property."

Dunn agreed.

"This is a shock to me seeing this come to us," he said. "You add more traffic down there and you are going to have a serious situation. I hope you give this a lot of consideration."

Project representative Kurt Meisner said the issues raised by the town and neighbors would be addressed.



# EagleTribune.com, North Andover, MA

*January 16, 2014*

## Salem board to reconsider plan for Coke site

### Car dealership proposed at former South Broadway facility

*By Doug Ireland*

**direland@eagletribune.com**

----- SALEM ----- Plans to establish a car dealership at the former Coca-Cola bottling plant on South Broadway have received new life.

The Zoning Board of Adjustment has granted a rehearing to Metscott 21 LLC of Haverhill, Mass., after rejecting the proposed project in November, according to town planning director Ross Moldoff.

The board voted, 4-1, to deny the variance needed to establish a dealership in a zone where sellers of used cars cannot be within 2,000 feet of each other. There is no restriction on new car dealers.

Property owner Joseph Scott of Metscott 21 proposed renovating the approximately 70,000-square-foot building — one of the nation's first Coca-Cola plants — so he could sell it to a dealership. The building has been vacant for years.

Scott said yesterday he was pleased his project is being given another chance. It should never have been defeated, he said.

“They had no right to reject it,” Scott said.

It's one of many projects proposed at 23. S. Broadway over the years that was either rejected or abandoned because it was no longer economically feasible. They include plans for shopping plazas and a waste-to-energy plant.

Planning officials have been concerned that most commercial uses of the property would increase traffic on heavily traveled South Broadway.

The zoning restriction was adopted years ago because there was a concern too many used car dealers were locating along the busy commercial strip, according to Moldoff.

When they rejected the latest proposal two months ago, zoning board members said they didn't want to grant a variance to allow another business that sells used cars.

The board, especially Robert Uttley, wasn't convinced that allowing a dealership only 1,500 feet away from Toy Store Auto Sales & Service would be in the town's best interest.

“Route 28 is beginning to look like Route 1 in Massachusetts, with one used car dealer after another,” Uttley said. “I don’t think this is what we want in Salem.”

Vice chairman Steven Diantgikis, serving as chairman in Gary Azarian’s absence, agreed.

He said Metscott didn’t prove a variance for a dealership was necessary because the property could be used for other commercial purposes.

In Metscott’s request for a rehearing, attorney David Rayment said there was no basis to deny the project just because there are other dealerships nearby. Rayment also said the project should be allowed because the dealership would mostly sell new vehicles.

Diantgikis said yesterday the board granted the rehearing last week because it wanted to put to rest any doubts the project should have been approved. Bernard Campbell Jr. was the only board member to back the request.

“I don’t think we erred in judgment,” Diantgikis said. “First and foremost, we want to get it right and we want to make sure we get it right.”

A rehearing date has not been set.

Scott said he has marketed the property to several prospective dealers and is renovating the building so it can be sold.

Today, a crane will remove the original sign from the building, he said.

Scott and partner Dennis Metayer purchased the property in January 2006 for \$3.6 million. The property is now assessed at \$2.4 million, most of that for the 5 acres of land.

# EagleTribune.com, North Andover, MA

*January 10, 2014*

## Temporary signs cause trouble in Salem

### Regulations tightened

*By Doug Ireland*

**direland@eagletribune.com**

---- — SALEM — Temporary signs have become a hot topic as the town struggles to regulate them and they continue to appear illegally along roadsides.

As town officials fine tune a proposed sign amendment they will present to voters in March, the signs keep popping up.

Meanwhile, some residents are speaking out against the proposal and one is even circulating a citizens petition that's contrary to local law.

Temporary signs have been a controversial issue in town for the last few years, prompting selectmen to voice their concern about them being placed in public rights of way distracting motorists on heavily traveled roads such as Route 28. Officials have been especially concerned about signs placed at busy intersections.

The signs are most often a problem in the summer and fall, when local organizations post many throughout town to advertise festivals and fairs.

But more than a half dozen signs and stakes were recently planted illegally in snowbanks on Route 28, according to Selectman Patrick Hargreaves. He said the signs advertising the Rockingham Hunting and Fishing Expo this weekend were placed all along the roadway.

"They're in the right of way," Hargreaves said.

The town has contacted Rockingham Park officials, and president and general manager Edward Callahan said yesterday expo organizers would remove them by day's end.

"They should be out there this evening and hopefully they will be done taking them down," Callahan said.

Hargreaves said he's frustrated that people continue to put signs where they are forbidden.

"They flood the area before the event," Hargreaves said yesterday. "By the time we send a letter saying they better move it, the event is over."

Hargreaves said the town needs be more aggressive in its enforcement of the sign ordinance. He said the proposed zoning amendment would help do that if it's approved by voters in March.

"We need to start somewhere and get moving on it," he said.

One concern is that some organizations will continue to place signs illegally if other groups are seen doing it.

That frustrates SalemFest organizer Betty Gay. She said the town prohibits her group from posting signs for the annual festival, but does nothing to control those put out by other organizations.

Gay was frustrated in September when selectmen voted not to allow SalemFest organizers to post several dozen signs in rights of way just as they had for years without any opposition. A new ordinance adopted by selectmen only allows signs to be placed on private property at a cost of \$10 per sign.

In October, selectmen denied Salem Farmers Market organizer Jane Lang permission to post signs at six locations around town. The board ignored pleas from 11 market supporters. The rejection was prompted in part by market organizers' failure to remove temporary signs for the market in 2012.

Both Lang and Gay have questioned the proposed regulations. They were among five residents to voice their concerns at a public hearing Dec. 30, according to town planner Ross Moldoff. A final hearing on the issue and several other proposed zoning amendments is scheduled for Jan. 21.

The proposed ordinance, modified slightly last week, gives organizations up to 48 hours to remove temporary signs after an event and allows signs for up to three special events per year.

The ordinance also establishes particular size requirements, eliminates the need for a permit, and prohibits temporary signs from being illuminated. No more than two signs can be placed on a single property, and permission is required from the owner.

But Town Manager Keith Hickey said this week he's concerned about a proposed citizens petition being circulated by Gay that would allow signs to be placed on town property in defiance of local law. The town's legal counsel has concluded the citizens petition would be nonbinding if passed by voters.

"It's a concern because it will be confusing for people," he said. "The petition is going against the town ordinance."

# EagleTribune.com, North Andover, MA

*January 5, 2014*

## Salem family to return to oil-contaminated home

### Demers family returns to home after 2007 oil spill

*By Doug Ireland*

**direland@eagletribune.com**

----- SALEM ----- For nearly seven years, the Demers family has anxiously awaited the chance to return to their oil-contaminated home on Martin Avenue.

That opportunity will come this week, according to Michael Demers. But he and his mother, Suzanne Demers, are not so anxious to move back into their home.

“You can still smell the fuel oil,” Michael Demers said Thursday.

The town had ordered the family to move out of the 70-foot mobile home set up on their front lawn next to the house. They were given until Dec. 31, but were allowed to stay in the mobile home a bit longer since they were making a good-faith effort to resolve their problems, Zoning Board of Adjustment Chairman Gary Azarian said Friday.

Michael Demers said a lot of work has been done to rid the house of fuel oil odors after the basement was flooded with more than 230 gallons in February 2007, making the residence unlivable. The home also had to be treated for mold, according to town health officer Brian Lockard.

But despite thousands of dollars in renovations, including a rebuilt basement and installation of a venting system, some of the smell remains, Michael Demers said. The family expects to remove the mobile home later this week to avoid hefty fines, and will move into the house’s top floor, he said.

“I’m just trying to get the trailer out of here,” he said. “We’re sealing off the basement. We’ve been trying to get this home livable.”

Michael Demers said it would be difficult to ignore the lingering odor and hopes it will not make him and his 69-year-old mother ill. The goal is to eventually have the home razed and rebuilt, but donations are needed, he said.

The family lived in a hotel for 28 months before moving into the mobile home four years ago.

The Demerses claimed an employee from Haffner’s fuel company overfilled their tank. Haffner’s claimed the home had a faulty tank and piping. A jury cleared the Lawrence company of negligence following a week-long civil trial in 2011.

After several years, town officials became impatient with the family's failure to correct the problems and remove the mobile home, saying neighbors complained. Michael Demers said neighbors supported them.

They faced up to \$275 a day in fines after the family's fifth extension expired in March. Town regulations only allowed the mobile home to remain for up to 90 days.

They were granted a half-dozen extensions before the town's Zoning Board of Adjustment decided in July the Demerses would have to remove the mobile home by year's end. The board also ruled that the family must report its progress on a monthly basis.

Michael Demers pledged to complete the work and has complied with the town's orders, Azarian said.

"The Demerses are working hard," Azarian said. "They have done everything we have asked them to do on the town side."

Azarian said he was confident the mobile home would be moved soon. Otherwise, the town would take action, he said.

"If not, then the town will take the appropriate steps to have it removed," he said. "Now, it's just up to them. The town can move forward, the Demerses can move forward, and all the neighbors on that street can move forward."

In 2008, the property was assessed at more than \$330,000, but dropped to \$191,300, according to Vision Appraisal Services. The house was assessed at just \$55,600.