

12/9/21

5-story building underway at Tuscan Village

By Breanna E

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SALEM, N.H. — An eventual focal point of Tuscan Village is taking shape after a beam-raising ceremony Friday.

New Hampshire Sen. Chuck Morse (R-Salem) and supportive locals joined Tuscan developer Joe Faro and his team for the milestone celebration. According to plans, the spot where they gathered will be a 5-story building come Spring 2023.

It will include a 165-room Marriott hotel, 91 luxury apartments with private underground parking, 30,000 square feet of ground level retail space, a 12,000 square foot event and function facility, a 10,000 square foot Tuscan brands restaurant with extensive outdoor dining, a rooftop bar, and a pool and sundeck.

Prior to raising the beam, Morse stated, “We are moving into the downtown right now. This is the first building going up in the downtown. This is sending a symbol to the town of Salem that really does make a difference, the sense of community, thanks to Joe’s efforts.”

See **BUILDING**, Page B2

BUILDING

Continued from Page B1 Faro praised Gov. Chris Sununu, legislators and locals for their support. He is thrilled, he said, “to reach this milestone on such a transformative and impactful mixed-use building in the heart of Tuscan Village.”

Since 2017, the Tuscan team has been developing the 170-acre property formerly occupied by Rockingham Park. Faro’s vision has been to transform it into a 4 million square foot mixed-used, regional destination.

Now, nearly five years after acquiring the land, two phases of the Tuscan Village project have taken shape, including well-known establishments — Massachusetts General Brigham, L.L. Bean, Nike, Williams Sonoma, Pottery Barn and more.

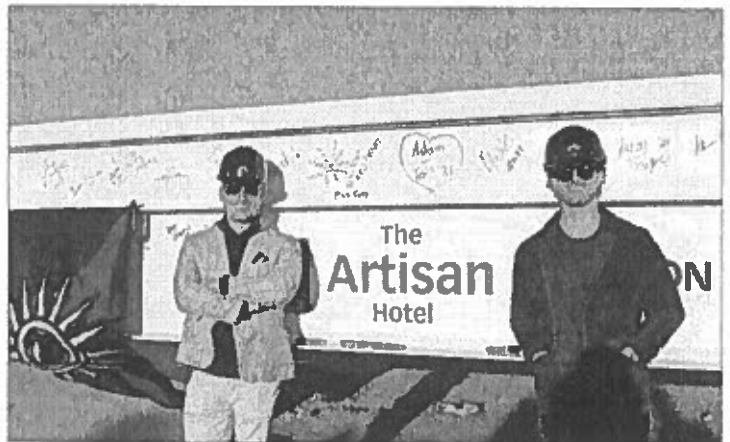
About 1.2 million square feet of the project is slated for a life science campus. Occupancy specifics of that space and some others remain unknown.

More information, including a full directory of stores, is available online at tuscanvillagesalem.com.



Developer Joe Faro, center, stands with supporters of his Tuscan Village development during a beam-raising ceremony.

COURTESY PHOTOS



Joe Faro, left, with his son Max at a Tuscan Village beam-raising ceremony. Behind them is a beam

signed by supporters of the project.



**New Hampshire Sen. Chuck Morse (R-Salem)
speaks at a Tuscan Village beam-raising ceremony.**

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Salem life sciences campus taking shape

■ Tuscan Village developers begin filing permits for 1.2 million-square-foot complex.

By Ryan Lessard

Union Leader Correspondent

Developers have taken the first steps to bring a roughly 1.2-million-square-foot proposed science office and laboratory campus at Tuscan Village to life after filing conceptual site plan applications for six buildings in the northerly section of the 170-acre mixed-use development.

Tuscan Brands CEO Joe Faro said it's too early to announce who the prospective tenants will likely be but said the campus would be able to accommodate up to four or five tenants, depending on the program.

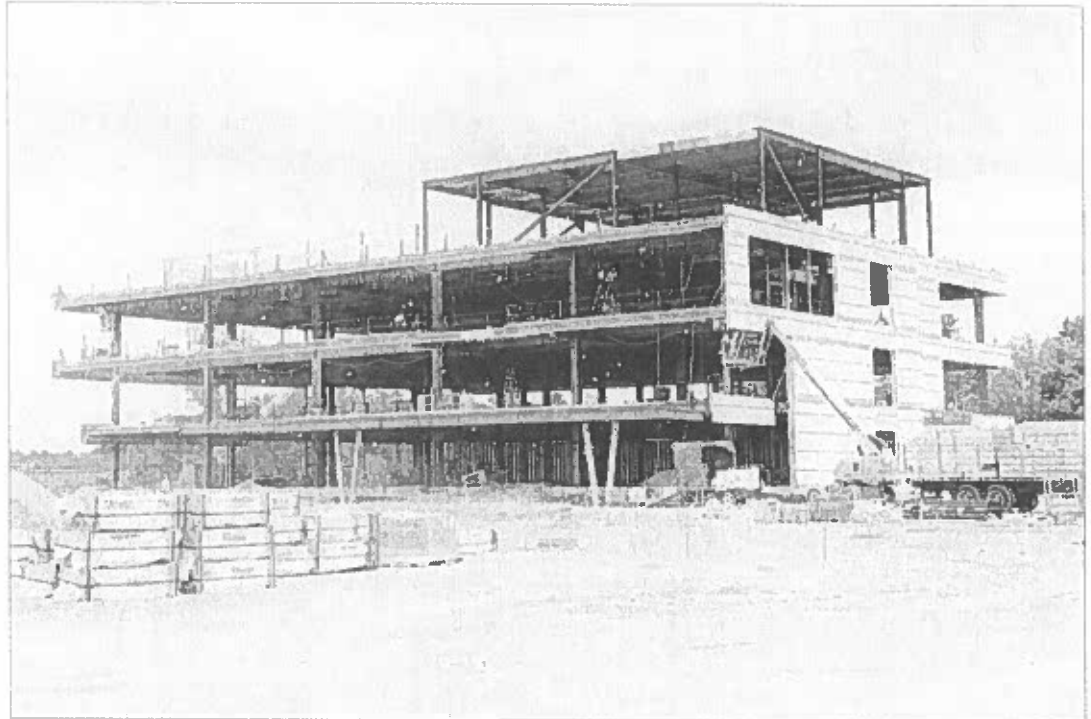
"We are very excited to bring the Tuscan Village Life Science Campus in front of the board," Faro said in a written statement. "We see the Tuscan Village as a great opportunity for all types of life science uses. Our best-in-class retail/restaurant mix as well as our walkable urban amenities and residential developments provide an opportunity for these companies to recruit talent north of Boston and beyond."

The plans will be heard by the Salem Planning Board during its Sept. 14 meeting, according to Town Planner Ross Moldoff.

"This exciting project will be the largest and highest value commercial project in Salem's history and will have far-reaching positive impacts on the local and regional economy," Moldoff said.

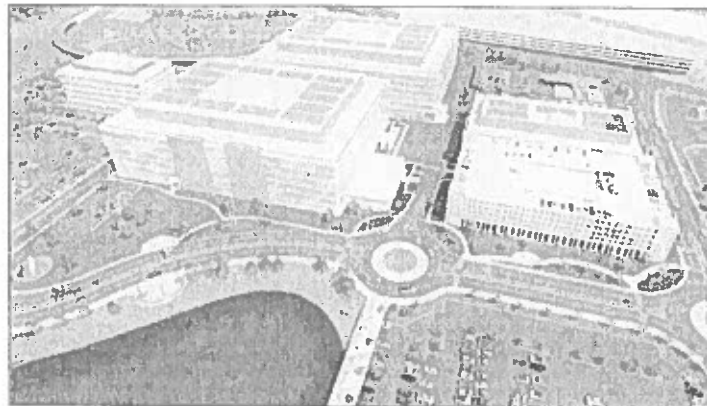
The first building to be built in this section, formerly billed as an office park, is a four-story Mass General Brigham medical center, which is under construction.

The bulk of the new build-



RYAN LESSARD

The Mass General Brigham medical center is currently under construction as the first building in the northerly life science campus of the Tuscan Village development.



PROVIDED BY THE SALEM PLANNING DEPARTMENT

A rendering of the six new buildings proposed for the Tuscan Village life science campus. The two larger buildings will be used for manufacturing.

ings (861,440 square feet) would be used for manufacturing between two three-story buildings. The proposal also includes a 166,500 square-foot warehouse

with six loading docks, a five-story, 125,000-square-foot office building, a 20,200-square-foot quality control building (attached to one of the manufacturing

buildings) and a 40,000-square-foot central utilities building that would provide the heating and cooling infrastructure for the other buildings.

A six-level parking garage would have over 1,000 parking spaces, and new surface lots would accommodate about 373 vehicles.

The proposed plans are an expansion of what developers previously discussed on that site. A couple years ago, they expected to build three buildings for a combined 867,000 square feet of gross floor area. That's what was reflected in the approved Tuscan Village Master Plan as of its February update, but developers say they're still in general conformance with the Master Plan.

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Nike green-lighted for Tuscan Village

By BREANNA EDELSTEIN
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SALEM, N.H. — Nike will open a storefront next to Old Navy in Tuscan Village, according to a recent permit issued by the town.

The popular athletic brand, based in Beaverton, Oregon, has locations nearest to Salem in Lynnfield, Massachusetts and Merrimack, New Hampshire. Town Planner Ross Moldoff said the company

does not need additional approval from the planning board because the spot is already slated for retail.

Permitting documents say Nike will spend \$1.3 million outfitting the already constructed building.

A member of the Tuscan Village leasing team directed The Eagle-Tribune to Nike when asked about the leasing agreement. The Nike press team did not respond to that inquiry, or when asked about an expected opening date.

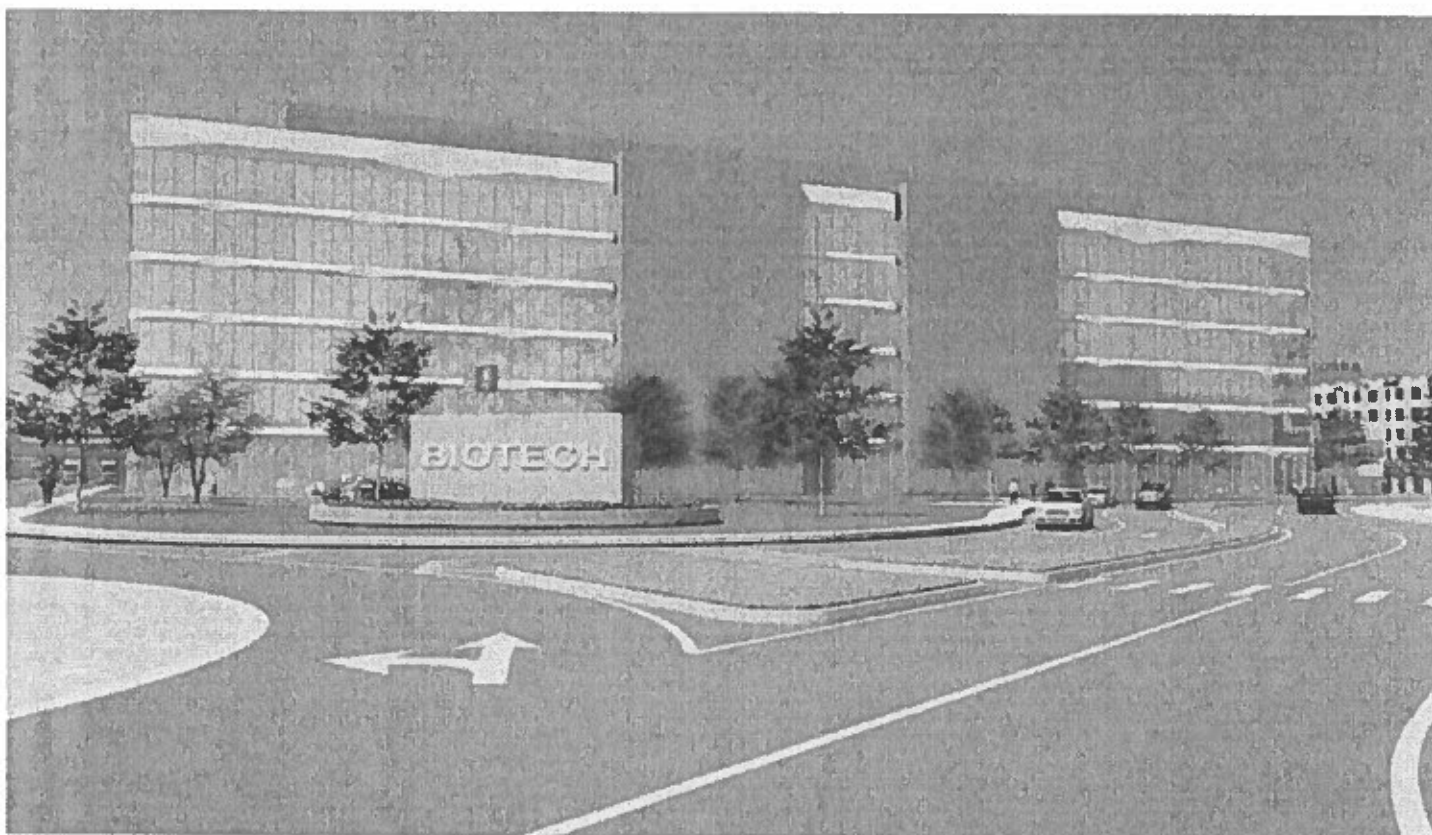
https://www.eagletribune.com/news/salem-officials-to-consider-tuscan-life-science-campus/article_b00a28ec-3afd-513f-a00f-b7feef9de94f.html

EDITOR'S PICK

Salem officials to consider Tuscan 'life science campus'

By Breanna Edelstein bedelstein@eagletribune.com

Aug 24, 2021



Courtesy photo/Salem Planning Department Renderings submitted to town officials show a portion of the proposed life science campus in Tuscan Village.



SALEM, N.H. — Tuscan Village officials hope to construct six buildings over 22 acres of the property to constitute a "life science campus," according to paperwork filed Tuesday with the Planning Department.

In a letter to Salem planning officials, Mark Gross of the Tuscan team mentions warehousing, manufacturing and office space spread out over 1.2 million square feet.

The conceptual site plan makes mention of six loading docks for "trucks, compactors, trash removal, etc.," in addition to a quality control building, four floors of heating and cooling infrastructure for the entire campus, and five floors of offices.

Manufacturing use is proposed in two buildings on three main floors with three mezzanine areas.

A 6-story parking structure is in the plan to accommodate "1,000+" cars, along with 373 more on-site parking spaces. According to Gross' letter to the town, the public will be able to access the garage for overflow parking needs.

"The proposed project is in general conformance with the Master Plan Update that was approved by the Planning Board on Feb. 23, 2021," Gross wrote.

The approved master plan shows the life science campus consisting of three separate buildings with a total of 867,700 square feet of floor area, with the same manufacturing, office and warehouse uses being proposed now.

Tuscan officials acknowledge in the application that conditional use permits may be required for building height, parking space size, building setback, number of parking spaces and parking lot setback.

The proposal does not mention who will lease the property and any exact use.

Construction of the campus and associated parking is projected to take two years, with a potential for phasing that has yet to be determined.

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From the Boston Business Journal.

<https://www.bizjournals.com/boston/news/2021/06/01/take-a-tour-of-the-sprawling-tuscan-village-campus.html>

Take a tour of the sprawling Tuscan Village campus in New Hampshire

Jun 1, 2021, 6:23am EDT

This past weekend, Joe Faro planned to jump in a lake and paddle away from it all.

On a paddleboard, that is.

Faro cut the ribbon on the second phase of the more than \$1 billion Tuscan Village development in Salem, New Hampshire, with Governor Chris Sununu. Tuscan Village's second phase includes retailers including L.L. Bean, which has access to Lake Park — thus Faro's plan for the paddleboard — as well as Williams Sonoma, Pottery Barn, Ulta Beauty and a beer garden from Smuttynose Brewing, among myriad other tenants.



GARY HIGGINS / BOSTON BUSINESS JOURNAL

Tuscan Village is located on the 170-acre former Rockingham Park, a 3.8 million-square-foot mixed-use "super regional destination" just off Exit 1. Beyond the retailers, including grocery store Market Basket, the development will also feature an outpost from Mass General Brigham and 867,000 square feet of future life-science lab space. Some 627 high-end residential units are already open.

But the second phase wasn't a sure thing. Faro was in the process of securing \$200 million in construction financing when the Covid-19 pandemic hit, grinding much of the business and development world to a complete halt.

"I have been in business for myself since 1991," Faro said. "I've experienced a lot of hardship, and I've experienced a lot of adversity. But I have never experienced anything like what took place in April of 2020."

Between the daily, and sometimes hourly, crises, Faro and his Tuscan Village team debated putting the second phase on hold. But leases kept being signed — many of them with national retailers — even after the pandemic hit, and lenders from Berkshire Bank to Salem Five Bank and Waterway Capital LLC stayed confident in the project. Tuscan Village didn't lose a single tenant amid the pandemic, Faro said.

"The confidence in the project had a lot to do with our relationship with these lenders. It had a lot to do with the tenants' commitment to the project," Faro said. "Many folks like Marriott, who cancelled 80% of their development pipeline, they doubled down and really committed to the Tuscan Village because they saw the mixed-use environment as really the growth of the future."

The site attributes of Tuscan Village include two miles of high visibility roadway frontage — not to mention New Hampshire's lack of sales and income tax, Faro said. It's also

convenient for commuters who want to live in New Hampshire but work in Massachusetts, he said.

The Tuscan Village team originally envisioned office space for the property, but last year revised its conceptual master plan with the town of Salem to add 500 residential units as well as life-science lab space via a flexible zoning overlay.

"If not for that, this project would probably be dead," Faro said. "It was such a difficult time that, if we didn't have the ability to pivot quickly, I'm not really sure what kind of conversation we would be having right now."

Construction work on the remaining two residential buildings, spanning about 600 units, will begin in the next 90 days, Faro said. The team is in conversation with several life-science tenants now, and aims to begin construction on the lab space within a year.

It's a joyful moment for a project that, like many others, faced tremendous uncertainty in the past year and a half.

"It would have been easy for us to just say, 'pause.' It would have been easy for Barkshire to just say, 'pause.' It would have been easy for Mass General to just say, 'pause.' But they didn't," Faro said. "They believed in the vision. They had faith in the end goal, and they had faith in our team and our ability to execute the vision, and we all kind of pressed forward in a very uncertain time. And I'll take that to the grave with me."

Catherine Carlock
Real Estate Editor
Boston Business Journal



Tuscan Village celebrates end of Phase 2 with cook-off, race



TIM JEAN/Staff photos

Mary Ann Esposito, left, and Joe Faro, founder of Tuscan Brands, prepare meatballs for their cooking competition during Tuscan Village's grand opening celebration in Salem, New Hampshire.

'Smells like Sunday morning'

By MIKE LABELLA
mlabella@eagletribune.com

SALEM, N.H. — Celebrity chef Mary Ann Esposito faced Tuscan Brands founder Joe Faro in a meatball-making competition Saturday during the grand opening of Tuscan Village's Phase 2.

Esposito's recipe, which triggered a few quizzical stares, included ground pork sausage and veal along with pine nuts, golden raisins, fresh garlic, sautéed onions and Parmesan cheese from Italy.

Faro's recipe included ground pork, beef and veal, caramelized onions, roasted garlic and "lots" of Parmesan cheese — so much so that he asked his assistant to bring him a second bowl.

As they sautéed their meatballs in olive oil, Faro remarked, "It smells like Sunday morning."

The cook-off was a highlight of a weekend packed with activities to celebrate new stores and activities in the 3.8 million-square-foot

See PHASE 2, Page 5



Despite the rain, a large crowd applauds during the Tuscan Village grand opening celebration.



Mark Gross of Windham and his dog Brutus enjoy a dog-friendly outside bar and dining during the Tuscan Village grand opening celebration.



TIM JEAN/Staff photo

Joe Faro, center, founder of Tuscan Brands, raises his arm to celebrate after cutting a ribbon to officially open Tuscan Village during a grand opening celebration Saturday. On stage was the entire Faro family and New Hampshire Gov. Chris Sununu.

PHASE 2

■ Continued from Page 1

mixed-use destination. Festivities began in the morning with a ribbon cutting, immediately followed by a 500-person race to raise money for the Boys & Girls Club of Greater Salem.

At the meatball cook-off, Esposito — the host of America's longest-running cooking show, "Ciao Italia" — surprised guests with some fun facts about the favorite Italian dish.

She told the crowd of onlookers and tasting judges that in Italy, pasta and meatballs are not a thing.

"Pasta is a first course and meatballs are a second course, unless it's a casserole," she said. "If you asked for that (pasta and meatballs), you'd probably get a lot of stares."

And as far as the shape of meatballs, Esposito said meatballs are not round in Sicily, but more of a moderately flattened disk shape.

The judges included interior designer Taniya Nayak of "Restaurant Impossible," former Phantom Gourmet CEO Dave Andelman, and members of Faro's family, including his parents.

The judges deadlocked in a tie and praised both chefs for their delicious

TUSCAN VILLAGE OPENING CONTINUES MONDAY

- Morning until early afternoon: Live music, lawn games, the L.L. Bean Bootmobile and more.
- 9 a.m.: Tuscan sweat series: Free outdoor class with Drive Custom Fit.
- 9:30 a.m.: Complimentary jazz and java with Tuscan Market at Lake Park.
- Noon: La Scuola Culinaria cooking class, and Aperol Spritz cart by Container Bar.

but different meatballs.

Hundreds of people from throughout the region came to see what Tuscan Village was all about, including R.J. Lawson and his wife, Esther Lawson, of Pelham.

"The fact that we have this in Southern New Hampshire and not have to go to Somerville or Arlington ... this area just got better because of this addition," R.J. said. "I enjoyed watching this grow from what it used to be, the grandeur of Rockingham (Park), and now to this rebirth."

Aaron Froud of Methuen and his wife, Jennifer Martin, enjoyed drinks and outdoor seating in front of one of several propane firepits.

"This reminds me of Assembly Row in Somerville, only this is more open and I like what I see so far," Martin

said.

The pride of the village is surely Tuscan Market, which carries a variety of Italian desserts and gelato, fresh and prepared foods, baked breads and pizza cooked in Italian-sourced ovens, wines, imported cheeses, condiments, fresh pasta, and products from Italy such as canned San Marzano tomatoes.

"The market is designed to look like it has been there for decades and brings a bit of Italy to Salem.

The activities Saturday included attractions such as the L.L. Bean Bootmobile, gondola rides, caricature sketches, a roaming magician, stilt walkers, wine sampling, a Smuttynose beer garden and food carts. The day was capped off with evening fireworks.

Faro said he was excited about the day's events and eager to see his dream become a reality.

The events Sunday included much of the same, plus cooking classes and a farmers market.

In 2016, Tuscan Brands acquired the 170-acre property formally known as Rockingham Park racetrack with the vision of transforming it into a place where people could live, work and play.

Visit tuscanvillagesalem.com for more information.

https://www.unionleader.com/news/tuscan-village-marks-phase-2-grand-opening/article_3deb297c-e332-5bec-8989-fd24c8eee1fd.html

Tuscan Village marks phase 2 grand opening

By Ryan Lessard Union Leader Correspondent
May 29, 2021



Gov. Chris Sununu, right, shakes hands with Tuscan Brands CEO Joe Faro during Saturday's ceremonies.

RYAN LESSARD/Union Leader Correspondent

Developers and VIPs celebrated the grand opening of a significant portion of the North and South Village sections of the 170-acre mixed-use Tuscan Village on the former Rockingham Park land in Salem.

Before a ribbon-cutting ceremony and a 500-person 5K road race Saturday morning, Gov. Chris Sununu, state Sen. Chuck Morse (R-Salem) and Tuscan Brands CEO Joe Faro remarked on the progress that has been made so far on one of the state's largest mixed-use developments, located at the gateway to the state from Massachusetts.

"Everyone has a vision, but to see it all the way through and to see it through one of the biggest economic health crises this country and the state has ever faced, is absolutely phenomenal," Sununu said.

Faro said it all began in 2009 when he sat in the office of Salem Town Planner Ross Moldoff, who helped guide him through the planning process. He thanked Moldoff, Berkshire Bank for financing the project and countless others who "took a chance on a vision."

"It's 99.9% Joe, because he has the vision," Moldoff said Saturday.

Hundreds of people gathered, many to participate in the road race, with several members of the town Board of Selectmen and Planning Board present.

Work in progress

While Tuscan Village is years away from being complete, the progress so far has included dozens of retail buildings in the South Village, including Old Navy, Ulta Beauty, Pottery Barn, LL Bean, the new Tuscan Market location with a Williams Sonoma attached, and an artificial lake that serves as a backdrop to a newly completed beer garden and hundreds of apartment units.

Over the past two years, developers have added a Market Basket, HomeSense, Sierra Trading Post and Starbucks in the Demoulas-owned parcel of the North Village. As of earlier this spring, most of the 30 newly built condominium homes in "The Villas" section of the North Village have been sold.

Pressed Cafe opened in a standalone building on Wednesday.

What started as a pie-in-the-sky concept for Salem Director of Municipal Services Roy Sorenson has since become a challenging but rewarding daily demand on his time.

"Five years ago, when you looked at this, and just the size of it, and you throw a pandemic in the mix, it's just been amazing," said Sorenson.

Sorenson said he likes seeing the town improved through this development.

"It's quite a bustling site already, and we aren't even fully open," Faro said Wednesday.

Faro said they're building a Chick-Fil-A, outfitting the interiors of an Arhaus, and framing a Mass General Brigham facility.

"I actually signed the top beam not too long ago," Faro said. He hopes to make an announcement on office tenants for an 867,000-square-foot life science campus by next year.

Hotels, housing coming

In the Central Village section, crews recently broke ground on the Artisan Hotel, which will include 165 hotel units, 91 residential units, the Tuscan Kitchen restaurant on the ground floor, 50,000 square feet of retail, a sixth-floor rooftop bar and a 25,000-square-foot lawn wedding venue.

After that, the development will see two additional office-over-retail buildings across the street from the hotel, plus a 230-luxury-unit apartment building to be built by The Hanover Company to form the downtown heart of the development. That building requires town Planning Board approval. Construction is expected to start in the fall.

The Planning Board recently reviewed plans for another 260-unit apartment building at 4-5 Tuscan Blvd. to be developed by Dolben Co., which also developed the Corsa apartments in the first phase of the development. Faro hopes to have that project approved at the board's June 8 meeting, break ground in the fall and begin occupancy before the end of 2022.

So far, residential units in the project have been market or luxury units, but Faro said he has presented plans for 98 workforce housing units on Main Street.

While Faro has sold some parcels to sub-developers such as Hanover, Dolben and Demoulas, his real estate company maintains architectural oversight on all buildings in the development.

Change is bittersweet

Many residents and former racetrack enthusiasts have witnessed a rapid transformation of what was the historic Rockingham Park horse racetrack.

For Lynne Snierson, a former spokesperson for the park and previously a Boston Herald sports reporter who covered the races in the 1980s, the metamorphosis is bittersweet.

"Things change, situations change, times change," Snierston said. "So you take the best of what was here and you move forward."

She's heartened that developers plan to enshrine elements of the park's history. A photographic mural can already be found inside a Klemm's Mobil gas station convenience store that opened in the development last year. A plaque explaining the history of the park and a bronze statue of famed racehorse Seabiscuit are also planned.

When complete, the entire development is expected to have 3.8 million square feet of retail, residential and office building space, which will cost developers over \$1 billion to build.

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Ryan Lessard

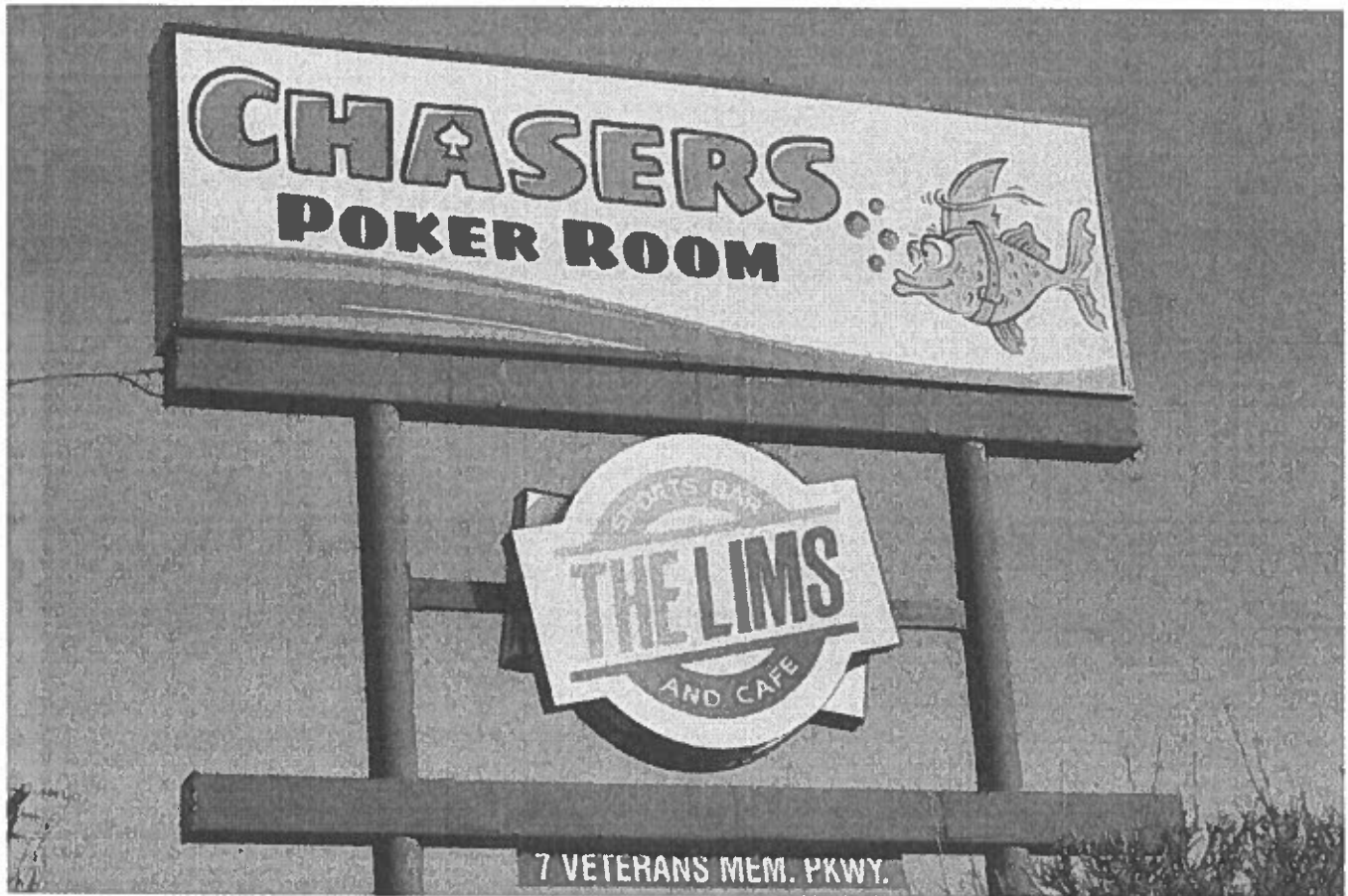
https://www.eagletribune.com/tensions-mount-over-chasers-expansion-in-salem/article_7fdb5015-8562-5d8c-ab5d-6e04d760a3a3.html

FEATURED

Tensions mount over Chaser's expansion in Salem

By Breanna Edelstein bedelstein@eagletribune.com

Apr 22, 2021



TIM JEAN/Staff photo Chasers' Poker Room in Salem, NH. 1/17/20

Timothy Jean



SALEM, N.H. — Several selectmen this week publicly berated five Planning Board members who approved of discussing a proposal to allow Chaser's Poker Room and Casino into the former K-Mart on South Broadway.

The charitable gaming business has been established a quarter mile away, at 7 Veterans Memorial Parkway, since 2017 under the ownership of Michael and Lisa Withrow. She was a selectwoman until earlier this year.

The husband and wife plan to equip the vacant, 84,000-square-foot former department store with 800 gaming stations and 155 dining and lounge seats for casino patrons. The space has sat vacant since January 2020, when K-Mart department stores were shuttered across the country.

But tensions have mounted regarding its revival – specifically with charitable gaming.

Arguments are based on whether Kymalimi LLC, the Withrows' business entity, has permission from the property owner and abutter, Market Basket.

Records show Kymalimi has leased the site from K-Mart's parent company, Transform Operation Stores, LLC. And a letter to the town from Transform's President of Real Estate Scott Carr states just that.

However, Selectman Michael Lyons, who serves as his board's representative to the Planning Board, believes permission is needed directly from Market Basket.

Attorney Carmine Tomas wrote to the town on behalf of Market Basket claiming the property owner "was not informed or consulted regarding any aspect of this application."

The letter describes "substantial concerns regarding the proposed use, including the unusual and detrimental parking, traffic and public safety impacts associated with an 84,000-square-foot gaming use."

Regarding that concern, Lisa Withrow has said, "the building may be 10 times bigger than the current Chasers, but we are only looking to use four times the size. This was intentional to match the current accepted amount of parking and traffic."

Records show that Chaser's annually contributes about \$2.5 million to local charities, in-line with state requirements for the charitable gaming industry. The owners see the new space as an opportunity to double that number, in addition to creating about 100 jobs.

The Withrows' attorney, Denis Robinson, points specifically to a paragraph in the lease agreement between Market Basket and K-Mart that allows the department store to make whatever "alterations, additions or changes, structural or otherwise in and to its buildings as it may deem necessary or

suitable.”

The application for Chaser's only mentions a change of use.

“(Market Basket) has already consented to the proposed physical changes,” Robinson said, “and need not do so again.”

According to the lease, the property is available to K-Mart through extension options for at least another 25 years, until January 2046.

Lyons and his fellow selectmen James Keller and Cathy Stacey say they are shocked the Planning Board even looked at the Chaser's proposal because of Market Basket's opposition.

“Normally I'm a big believer of 'let the boards and committees do as they need to do, everyone has their own purview,'" Keller said Monday during a public meeting of selectmen. “But in this case, this decision put this community in such legal harm's way it's incredible.”

He went on, “Every single one of those Planning Board members that voted 'yes' really needs to reflect on their position, and whether they should be on the Planning Board at all.”

Selectman Bob Bryant countered with his understanding of the ownership.

“The Demoulas family (Market Basket) owns the building, but I also understand that K-Mart has the full use and decision making power on that building except for anything that happens outside,” he said.

In the wake of the meeting, Lisa Withrow described Lyons and Keller as “wildly out of line.”

“As much as they would like it, they don't have authority over the Planning Board or the elected people who sit on that board,” she said. “It sure seems like their emotions and personal feelings have made them lose all perspective.”

Planning Board Chairman Keith Belair said his board is only responsible for land-use issues, and leasing questions need to be settled through attorneys for both parties involved.

The board is scheduled to continue discussion at its April 27 meeting.

Business

THURSDAY'S MARKETS

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		+9.35 (0.42%)

NEW HAMPSHIRE
UNION LEADER

Friday, April 16, 2021 • Page A6

CHESTER

**Waller
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By Paul Feely
Hampshire Union Leader

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SALEM

Tuscan Village gets green light for beer garden

■ Developer envisions mid-May opening with seating for more than 200.

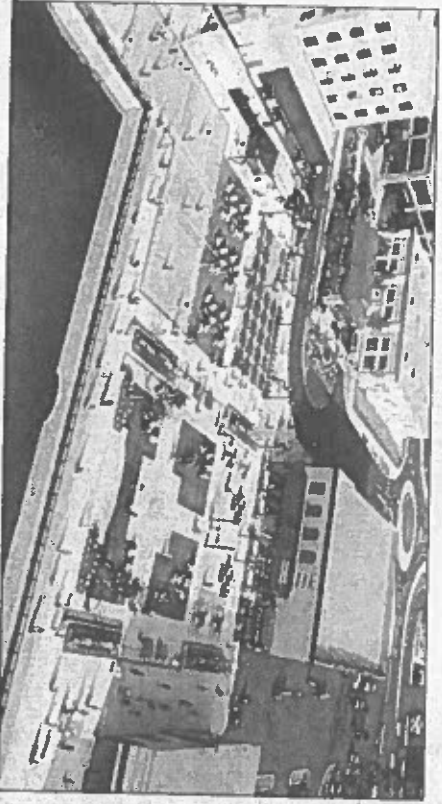
By Ryan Lessard
Union Leader Correspondent

The Salem Planning Board approved an 8,600-square-foot beer garden Tuesday within Tuscan Village, which will also host the Salem Farmers Market, concerts and other activities.

"I think this just the beginning of what will ultimately be, of what we hope to be downtown Salem, and I think the community will really enjoy this," developer Joe Fano said.

The beer garden space would become available around mid-May, according to engineer Mark Gross, who presented the plan to the board. It will include several picnic tables, firepit seating each totaling 222 seats and a stage area for live music.

The plan also includes two volleyball courts, which will be used regularly by NH Social Sports, according to Gross. Outdoor seating



RYAN LESSARD/UNION LEADER CORRESPONDENT

This screenshot of a virtual rendering of the proposed Tuscan Village beer garden area was taken during Salem Planning Board's meeting on April 13.

for Tuscan Market will be diagonally across from the beer garden, which will be operated out of an adjacent building by Hampton-based Smuttynose Brewing Company. A third building for L.L. Bean and an artificial lake will enclose the park space.

A Smuttynose Treat Truck will also be on site to serve ice cream novelties.

Board members asked about

creating signage for pedestrian and parking traffic, including temporary signs for the farmers market events.

Gross said the farmers market hopes to start setting up at the location for the summer season around mid-May when it's built, and it will operate there every Sunday from 10 a.m. to 2 p.m. Given the time constraints and the developer's willingness to meet all of the

conditions, he asked the board to approve the plan Tuesday.
"I thought it was an impressive presentation because they're trying to create a very active, lively public gathering spot at the Tuscan Village," said Town Planner Ross Moldoff.

The board also reviewed a proposed lot creation for a new large apartment building project. The project, to be built by The Dolben Company, would be the second major apartment development by the company in Tuscan Village. It would be considered a single 250-unit, five-story wrap-around-style building with an interior courtyard.

Gross said the apartment project would require developers to pay the town \$1.46 million in impact fees. It is estimated to add about \$38,840 in net annual tax revenue.

Moldoff said board members expressed a number of concerns about the design of the project. The board voted to continue the lot subdivision. The apartment project will return to the board on April 27 for a site plan review.

AMAZON

Bezos: Company needs to do 'better job' for rural areas

Dartmouth students required to get vaccinated by fall

By Damien Fisher
Union Leader Correspondent

Students will need to get vaccinated by fall, according to student term connected to student health.

Students will need to get vaccinated by fall, according to student term connected to student health.

Students will need to get vaccinated by fall, according to student term connected to student health.

In Brief

Teen flown to Boston hospital after crash

HUDSON — Two teenagers were badly hurt, and one is in critical condition after they tried to drive in front of a dump truck in Hudson Thursday morning, police said.

Just before 10 a.m. Thursday, a 16-year-old Hudson resident was driving on Pine Road in Hudson, with a 15-year-old in the passenger seat, police said.

As they approached the intersection of Pine Road and Dracut Road, police said the teenagers tried to cross the road in front of a dump truck driving north, driven by Robert Spadimsky, 57, of Troy, according to a news release from the Hudson Police Department.

The dump truck hit the passenger side of the teenager. The 15-year-old passenger was taken by helicopter to Tully Medical Center in Boston with life-threatening injuries.

The 16-year-old driver was seriously hurt, and was taken to Southern New Hampshire Medical Center in Nashua.

The dump truck driver was not hurt.

Hudson police did not identify either teenager.

Hudson police and state police are investigating the cause of the crash, and ask anyone who saw the crash to call Capt. David Blanchi of the Hudson Police Department at (603) 886-6011.

Man who drove car at police gets 12 years

CONCORD — A 32-year-old man who accelerated his car toward a Manchester police officer during a SWAT raid will spend 12 years in federal prison, federal prosecutors announced.

At least one Manchester police officer had to jump out of the way when Manchester resident Justin McInnes accelerated toward officers in 2018, prosecutors said in a statement.

Police filed a warrant authorizing search found three guns, cocaine, crack cocaine, counterfeit money, prosecutors said.

McInnes was sentenced in U.S. District Court for unlawful possession of a firearm and possession of cocaine with intent to distribute.

"His actions directly put the lives of Manchester officers and the community as a whole in grave danger and for that he is being held accountable," Police Chief Allen Aldenberg said in a statement.

But McInnes' lawyers fault Manchester police SWAT

Man accused of firing gun in apartment

PORTSMOUTH — A Portsmouth man was arrested after police said he threatened someone with a gun inside an apartment and fired twice while children were present.

Police said the man was arrested after police received a report of a gun in the apartment. The man was arrested after police received a report of a gun in the apartment.

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Raccoon tests positive for rabies

LONDONBERRY — A raccoon has tested positive for rabies after a confrontation with a dog on Holton Circle, police said.

The dog's vaccination status was not confirmed, but the dog's owner said the dog was vaccinated.

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Man accused of firing gun in apartment

PORTSMOUTH — A Portsmouth man was arrested after police said he threatened someone with a gun inside an apartment and fired twice while children were present.

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Salem planners hear casino plan despite lack of landowner permission

By Ryan Lescand
Union Leader Correspondent

The Salem Planning Board voted Tuesday to accept a plan for a casino in a former Kmart store in a former Kmart store.

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April 4, they noticed a man about to cross the bridge, which has walkways on both sides. Hepburn said they watched the man's progress on a video monitoring system.

worked run time for the department of Transportation for three years. Hepburn said the current pushed the man toward the Piscataqua Marina on the

pounced on his hand, Hepburn said Thursday. "He gripped my hand and then he felt like a bag of sand."

The man told Hepburn

► See Rescue, Page A4

SALEM

Property owner won't give permission for casino expansion

■ Demoulas Supermarkets realty division said it would not grant any such authorization.

chael and Lisa Withrow submitted a site plan application to turn 167 South Broadway into an 800-game casino, they said they would sublease the space through a company called Transform Operating Stores LLC, a Delaware company with headquarters in Hoffman Estates, Ill., which acquired former Kmart as-

sets. The application narrative claims Transform "maintains exclusive control of this property." Transform also sent a letter to the Salem Planning Board authorizing Chasers (Kymalimi LLC) to use the space for a casino. However, the building's

By Ryan Lessard
Union Leader Correspondent

Plans to expand Chasers' Poker Room and Casino in Salem into an 84,000-square-foot former Kmart space across the street hit a snag this week when the property owners said they would not give their permission for such a change of use.

When Chasers owners Mi-

owners, DSM Realty, which is a division of Demoulas Supermarkets, said they would not grant any such authorization.

In an April 7 letter to the town from attorney Carmine Tomas on behalf of DSM, the property owner says it "has not consented, and does not consent, to the filing of this application."

Tomas said DSM first heard about this project when notified by the town, and it was "not informed or consulted regarding any aspect of this application." DSM asked the town to reject and refrain from any consideration of the application.

► See Casino, Page A4

"Following its review of the application materials, please be advised that the property owner, on behalf of itself and other occupants and lessees within the center, has substantial concerns regarding the proposed use, including the unusual and detrimental parking, traffic, and public safety impacts associated with an 84,000 square foot gaming use," the letter states.

Lisa Withrow said Chasers communicated with the landlord representative from Demoulas on Feb. 16 and they spoke the next day.

"It is surprising to see that

► See Charter scho

with Keene location.

By Josie Albertson-Grove and Mark Hayw
New Hampshire Union Leader

A charter school is considering the sure of its Manchester campus at the of the school year, which would mark the second closing of a New Hampshire school in 2021.

The board of Making Community Connections charter school will decide next they will close the Manchester campus consolidate in their Keene location.

Making Community Connections students in Manchester had been learning since March 2020. The school renovated over the summer, and only began returning for part-time son instruction in March 2021.

Making Community Connections operated a school for almost 20 years in and opened a campus in Manchester 2012, for middle and high school students.

"As our school enrollment has we face a mounting challenge to school operations," a statement board this week read. In 2018, the school counted 80 students, but enrollment down to 47. The school had fe

4/9/21
UNION LEADER

Casino

From Page A3

they are saying we never reached out to them to discuss when we did discuss in detail via email on 2/16 and further via phone on 2/17," she wrote in an email on Thursday. "After these communications we were told we would hear back if there were issues and we never heard back until this email."

A preliminary traffic study by MDM Transportation Consultants Inc. was submitted with the application. A full traffic study filed Tuesday concludes a gaming facility will produce less traffic than the former retail store. The town is currently having the study reviewed by an independent peer reviewer.

"I just don't think we've ever dealt with this before, where we have an objection by the building owner," said Town Planner Ross Moldoff. "It's pretty unusual."

Under local site plan review regulations, the town of Salem requires written permission from the property owners for any proposed use. But both sides offer alternative interpretations of this clause, hinging on whether the original lease agreement trumps the regulation or not.

Apparently in anticipation of this dispute, the casino's engineer, George Fredette of SFC Engineer-

ing, wrote an April 5 letter to Moldoff and Planning Board Chair Keith Belair, asserting the "existing 50-year-old lease document provides Transform the unilateral right to sublease the space" and that Demoulas does not have any right to sublease.

Fredette said in his letter that the original subleasing rights documented in the original agreement with Kmart did not require landowner permission.

In response, Tomas said DSM Realty disagrees, saying the town regulations are clear in requiring landowner permission regardless of any lease provisions.

"Under no circumstances would a sublease right allow a tenant to file for and pursue permits related to DSM's property without DSM's knowledge or consent," the letter states.

The matter goes before the planning board on April 13. Moldoff said the board will have to decide whether they want to move forward with a hearing, considering the landowner's objections.

Chasers opened its current location at 7 Memorial Parkway in 2017. The former Kmart space would be roughly 10 times the casino's existing space.

ldnews@unionleader.com

Rescue

From Page A3

went down to take him out of the water," Richter said. "The man was able to make it to the marina and the bridge operator was able to pull him out of the water."

Police were coming down the dock by this point and started attend-

ing, wrote an April 5 letter to Moldoff and Planning Board Chair Keith Belair, asserting the "existing 50-year-old lease document provides Transform the unilateral right to sublease the space" and that Demoulas does not have any right to sublease.

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Abuse

Located in the North End of Manchester, YDC housed and rehabilitated juveniles accused of crimes and other children with behavioral problems. In the 2000s, it was rebuilt and rechristened the Sununu Youth Services Center.

The person with the largest number of charges, Auburn resident Lucien Poulette, 65, will be released if he can come up with \$100,000 in cash or a bond. He faces 23 felony and 10 misdemeanor charges involving seven different YDC residents. He is the only one of the six to face allegations that stretch into the 2000s.

According to the Department of Health and Human Services, Poulette worked for the state for 32 years, leaving employment in 2015. That's the year he was charged with abusing a YDC resident.

Allegations in the case

Self-defense

Alan was his only son, George said over and over, he was just trying to stop the beating.

Police found Alan's body face-down on the floor at the Beliveau home, glasses still on his face. He had been shot in the chest and

Charter school

seven full-time equivalent teachers in 2019, according to data shared with legislators.

"After extensive analysis, the Board must consider consolidating MC2 into a single campus," trustees wrote in a statement on the school website

Smuttynose applies to open beer garden at Tuscan Village

By Breanna Edelstein bedelstein@eagletribune.com

Mar 26, 2021

SALEM, N.H. — A popular seacoast brewery could open a beer garden at Tuscan Village and welcome customers as early as May, a new application to the Planning Department explains.

Smuttynose Brewing has locations in Hampton and Dover, but a presence in Salem would be the company's first in Southern New Hampshire.

OMJ Realty LLC wrote to planning officials this week proposing a two-year lease near the village's lake. The proposal says Smuttynose would be open year-round, with daily hours from noon to 9 p.m.

The application describes outdoor dining for 222 people — 8,550 square feet designated for seating — with overhead catenary lights, a permanent stage for local and regional acts, two volleyball courts and an ice rink.

Solo, duo or trio musical acts would be most common on the Smuttynose stage, the application reads, and larger bands would be brought in for special occasions.

Twice weekly volleyball tournaments would be scheduled for the spring, summer, and fall, followed by ice skating in the winter, plans explain. A seasonal running series and yoga led by Drive Custom Fit are also mentioned, along with a farmer's market.

Nearby L.L. Bean also has plans for community activities — kayaking, paddleboard and fishing — on the lake.

The latest Tuscan Village master plan includes 170 acres for mixed uses, including retail, restaurants, grocery stores, offices, banks, health and fitness establishments, a hotel, residences, medical offices and more.

Chaser's chases K-Mart site



TIM JEAN/Staff photos

Dealer Kylie Withrow, also a manager at Chaser's Poker Room and Casino, deals cards at one of the poker tables. The owners of Chaser's have applied to renovate the nearby K-Mart.

Casino would grow in size from 5,500 to 84,000 square feet

BY BREANNA EDELSTEIN
bedelstein@eagletribune.com

SALEM, N.H. — The owners of Chaser's Poker Room and Casino, at 7 Veterans Memorial Parkway, have applied to renovate the former K-Mart a quarter mile away.

The 84,000-square-foot department store was shuttered early in 2020 along with 96 other K-Mart locations nationwide. The Salem site has been vacant since.

Records show the current lessee, Transform Operating Stores, LLC, still maintains exclusive control of the property. However, the sublease holder is Kymalimi LLC — the business name of Lisa and Michael Withrow, who own Chaser's.

The co-owners say they are



Chaser's Poker Room in Salem, N.H.

“looking forward to creating more local jobs and increasing donations to Salem charities.”

Town zoning ordinance allows for charitable gaming at the proposed new site.

According to a recent proposal submitted to the Planning Department, the facility there would feature 800 gaming stations and 155 dining/lounge seats for casino patrons. It would require up to 420 parking

spaces, the applicant states, all of which are available.

Chaser's existing location opened in 2017 and spans about 5,500 square feet with 23 tables. Games include roulette, black jack, and various poker games.

New Hampshire law requires facilities who operate “games of chance” to donate 35% of gross revenues to charitable organizations. The state's Racing and Charitable Gaming Division oversees the industry.

Chaser's has 36 charitable affiliations, according to the owners, including the Boys and Girls Club of Greater Salem, Salem Animal Rescue League, Salem Family Resources and Greater Salem Caregivers.

Records show these groups and others have received more than \$9 million from Chaser's since the business opened.

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Former Cheers casino owner sues town of Salem, competitors

By Ryan Lessard Union Leader Correspondent

Feb 4, 2021



Donato "Dan" Dandreo III, the evicted operator of Cheers Poker Room and Casino in Salem, above, has filed new lawsuits against the town of Salem and the owners of another casino in town.

Courtesy/file

Donato "Dan" Dandreo III, the former owner of Cheers Poker Room in Salem, has filed new lawsuits against the town of Salem and the owners of another casino in town, the latest salvo in an ongoing battle.

In the two new complaints, which Dandreo filed himself without lawyer representation, he claimed fraud, conspiracy, racketeering, discrimination, unequal and unfair competitive economic advantage manipulation, unfair and deceptive business practices and public corruption.

The suit names seven town departments and committees, the town manager, and town officials including former deputy police chief Robert Morin and former selectman Lisa Withrow. It alleges that town officials conspired to give Withrow's business a competitive advantage during the permitting process so she could open her business sooner.

Dandreo is claiming \$15 million in damages and is demanding a jury trial.

The suit alleges that Withrow leaned on Morin to extort Dandreo, allegedly telling Dandreo in November 2018 that he would need to hire police details or else the business would be shut down.

But town planner Ross Moldoff said the Salem Planning Board, with input from the former police chief, made police details a condition for approval for both Cheers and Chasers Poker Room and Casino, which Withrow owns.

Morin, who retired last year, has been under criminal investigation by the Attorney General's Office since January 2019. The nature of the investigation is unknown.

Dandreo also named the town's police department, fire department, planning department, engineering department, inspectional services, planning board, conservation commission, town engineer Jim Brown and Assistant Fire Chief Jeff Emanuelson.

"We intend to pursue every avenue allowed by law including methodical and detailed depositions of all public records and every defendant under oath in the named cases, and the evidence and witnesses will be presented to a judge and jury," Dandreo said Wednesday.

The lawsuit was served in January. The town has yet to file a response.

Town Manager Chris Dillon declined to comment on the lawsuit, but said Primex, the town's insurer, recently assigned Donald "Lee" Smith from Devine Millimet to represent the town.

At the time of the allegations, Withrow was a selectman and a selectman liaison on the planning board. Withrow resigned in January amid concerns by fellow board members of potential ethics violations, which she denies.

"We have retained counsel, Rory Parnell of Parnell, Michels and McKay. We are currently following his advice," Withrow said in an email Wednesday.

In a separate complaint, Dandreo is suing Withrow, her husband, Michael Withrow, Chasers Poker Room and Casino, Lim Yuen Sing Ng and Wilson Ks, the owners of The Lim's Sports Bar and Cafe, located inside the casino building, and former Chasers general manager George Agganis.

He's demanding \$13.5 million in damages and a jury trial. The owners of The Lim's have filed a motion to dismiss.

Dandreo alleges his competition committed fraud for gain by obtaining a Payroll Protection Program loan, by allowing overcrowding at the Chasers casino and The Lim's bar, and allegedly coercing tip sharing among floor workers. The latter refers to a complaint that was heard by the state Department of Labor, which the Withrows are appealing in superior court after a hearing officer ruled partly in favor of the workers in October.

Dandreo alleges these things put his own company at a disadvantage. Cheers closed in January 2019.

Since April 2020, Dandreo has been suing his former landlords, Carl and Anthony Berni, who evicted him from his North Broadway business for not paying rent. The eviction followed a six-month closure of the business in 2018 due to operator and facility license suspensions by the New Hampshire Lottery Commission.

ldnews@unionleader.com

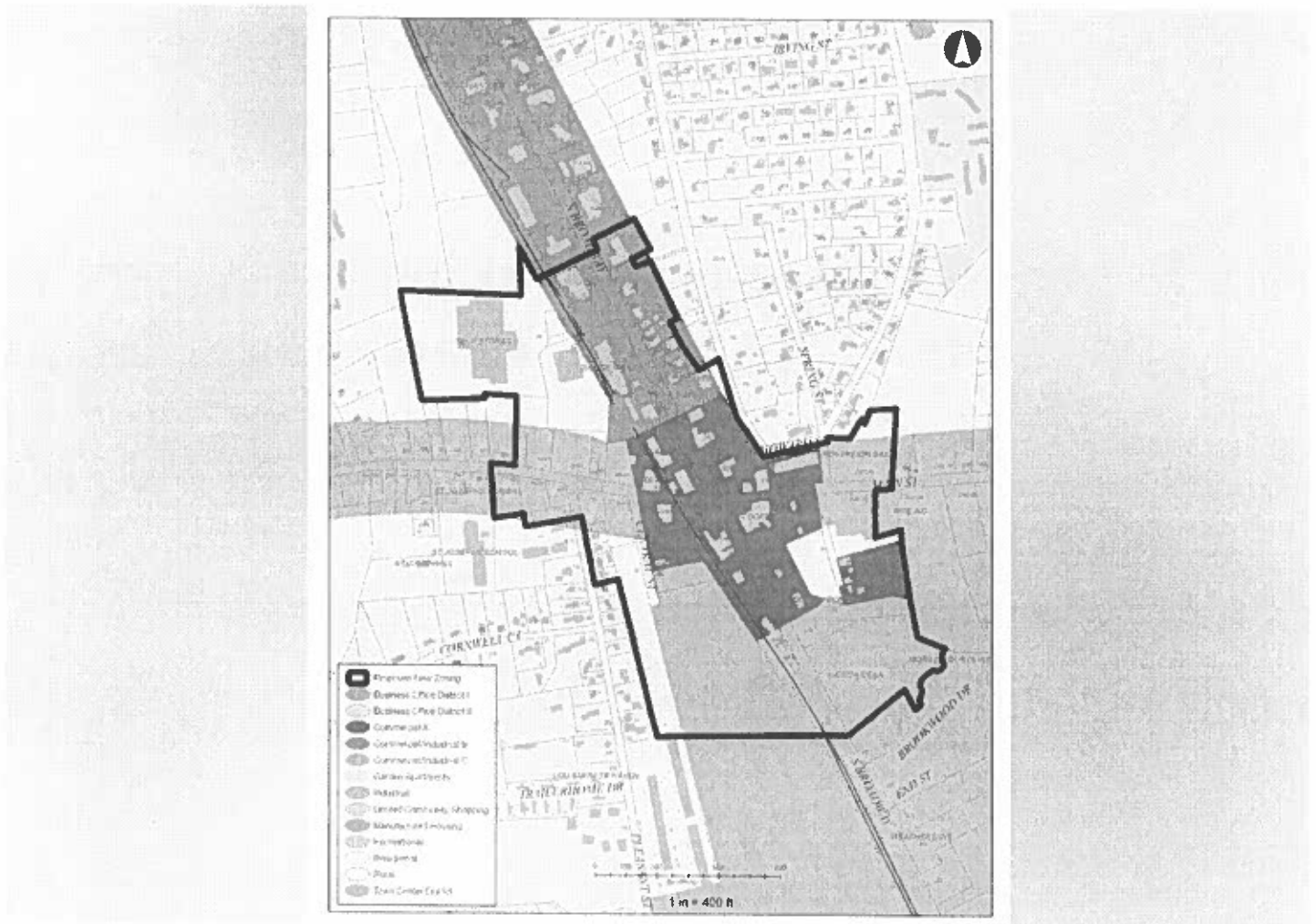
Ryan Lessard

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https://www.unionleader.com/news/local/salem-village-district-zoning-proposal-creates-waves-with-developers-selectmen/article_946026cd-8ffc-58a0-8f50-b9a85f5ca599.html

Salem Village District zoning proposal creates waves with developers, selectmen

By Ryan Lessard Union Leader Correspondent
Jan 27, 2021



Map: The current zoning overlay is an option for developers to use instead of the handful of other underlying zones in the Village District. The new plan would eliminate the choice and make it all one unifying zone.

Provided by Salem Town Planner Ross Moldoff

A proposed zoning change for Salem's Village District area has local developers and town officials at odds.

The proposal, which was discussed at a contentious selectmen's meeting Monday night, is aimed at creating a downtown-type feel in the Salem Depot area.

The area is made up of five zones, including commercial industrial, residential and a business office district. A Village District option is available to new developers who wish to take advantage of some lessened restrictions on building height, setbacks and parking requirements.

The proposal, a warrant article that will be voted on at the March 9 town election, would replace all of that with a single Village District, Planning Director Ross Moldoff said.

In some cases, the new zoning would be less restrictive, raising maximum building heights from three stories to four, and increasing residential density from 12 units per acre to 20 (30 for workforce housing), Moldoff said.

In other areas, the zone lays out detailed restrictions on things such as pedestrian design, parking, screening, lighting, signage and building design.

One of the more controversial restrictions would be a prohibition against charitable gaming establishments and sex shops. Moldoff said the Lupoli family, owners of the Sal's Pizza chain and property owners within the proposed zone on North Broadway, are particularly upset because they had previously proposed building a new casino on the property.

"Salem doesn't have a downtown," said Gene Bryant, chairman of the town's Economic Development Action Committee, on Wednesday. "The idea is to start something in the depot that would lead to downtown development."

The EDAC drafted the article.

Bryant said one of the goals of the zoning change was to incentivize a developer to buy up the parcels within a triangular section of the proposed zone dubbed the Northeast Quadrant to make a downtown-style mixed-use development at the center of town.

But would-be developers are not happy with the plan to make a single, mandatory zone.

"It takes property rights away," local businessman Mark Gross, a civil engineer, said of the proposal.

Gross said he talked with several business and property owners in the affected zone and said they all described the process as “disappointing” because he said there was insufficient outreach to and input from them.

Selectman Chairman Mike Lyons and Selectmen Jim Keller and Cathy Stacey expressed concerns about the proposal at Monday’s meeting.

Selectman Bob Bryant, Gene Bryant’s brother, said he had traffic concerns but did not see a reason why the article can’t move forward.

Questions were raised about the process that led to the change from the overlay zone to one unified zone.

Gross said he thought the change happened around Christmas, when not many members of the public were paying attention.

Moldoff said during the meeting he believed it happened sometime in late December or early January.

Gene Bryant said Wednesday the change happened late in the process, between October and December, but it was the result of two years of consultations from development experts who said creating a mandatory zone would be the only way to encourage the kind of development EDAC wants to see.

Gene Bryant defended his committee’s work and accused the selectmen of politicizing the proposal after the planning board already approved it.

“Now that it’s become public, it’s become political,” he said.

Stacey, who sits on the EDAC committee as a selectman representative, said she did not recall the EDAC ever voting to approve the final plan before sending it to the planning board.

She said she remembered asking staff for feedback, but said she did not receive it.

Moldoff said during the meeting that he had listed a number of concerns in his feedback to Gene Bryant, including the likely unpopular change from an optional overlay to a mandatory zone, an increase in residential density, which could negatively impact traffic in the area, and the restrictions

prohibiting casinos and sex shops.

Moldoff said those issues would likely invite a protest petition against the article.

Lyons and Keller believed it would more likely invite litigation against the town.

"A lot of people's property rights are being taken away, or are at risk of being taken away," Lyons said.

Lyons said he was concerned because a potential legal challenge against this proposed warrant would be defended not just by EDAC but by the Board of Selectmen as well.

Ryan Lessard