

Minimum lot size debated

◆ Increased minimum lot sizes and regulations on home businesses are among the proposed changes the Planning Board will consider Thursday night.

By Rich Demerle
Eagle-Tribune Writer

SALEM, N.H. — If you are concerned about growth in Salem, a Planning Board hearing tomorrow night will let you have a say in how and where Salem grows in the years to come.

At 7:30 p.m. in the Salem High media center, the Planning Board will host a public hearing on 14 proposed amendments to town ordinances — 12 suggested by the Planning Board and two by Salem residents.

Asked why residents should come out for the hearing, Planning Director Ross Moldoff said, "If they feel they want to support any of those things or they want to comment on them, they should show up or they should send in their written comments because we read everything into the record."

Among the highlights, the board has proposed:

Increasing minimum lot size: Minimum lot size for homes to be built on land zoned "rural" would increase from 30,000 square feet to an acre or 43,560 square feet.

Zoning map changes: A parcel on Garabedian Drive and Hampshire Road would be changed from "highway commercial" to "industrial." A parcel west of Exit 1 off Interstate 93 near the triangle of Brady Avenue, Salem Street and Cortland Drive would be changed from "commercial" to "rural."

A home occupation ordinance: The ordinance would let people run businesses out of their homes with a number of restrictions. Similar proposals in Methuen and Pelham have been controversial because it pitted businesspeople against homeowners.

A wetlands change: The amendment would change the definition of wetlands to reflect the state and federal definitions which goes beyond soil type to include vegetation and hydrology.

Of the proposal to change minimum lot sizes, Mr. Moldoff said one-third of the available land in Salem is zoned rural.

"I think the feeling is the rural district is where there is the most amount of remaining undeveloped land and that area is where the most impact could be had," he said.

Mr. Moldoff said the zoning map changes also reflect an effort on the part of the Planning Board to limit retail development to the Route 28 corridor, an effort which goes back five years.

One of the two citizens' proposals aims for the same target. On Aug. 29, 1995, the Planning Board voted 5-1 against a proposed 170,000-square-foot mini-mall at the intersection of Kelly Road and South Broadway.

A group of residents from the Kelly Road area wants to rezone the estimated 18-acre parcel from "highway commercial" to "industrial" which would block any retail

Moldoff: 1996 looks to be as busy as 1995

by Monique Duhamel

SALEM — Although a busy year, Planning Director Ross Moldoff says 1995 was a very good year.

The Planning Board approved several major projects in 1995, including more industrial buildings that they have in the past two years combined.

The board approved four industrial buildings and two additions to industrial buildings. Moldoff says this bodes well for the local economy. Added to the new construction, he says, is the reuse of industrial buildings which have long stood vacant, such as the former Zurbach Steel building and the former Digital building on the corner of Garabedian Drive. This will also have a positive impact, providing family sustaining jobs, he said.

The Planning Board dealt with a lot of residential issues this year. The largest subdivision the board approved was the phased 44-lot subdivision off Town Farm Road.

Planners approved several smaller eight to nine lot subdivisions in various areas of town.

On the commercial front, the board approved four restaurant plans — for Wendy's on North Broadway and Chili's on South Broadway, both of which have been constructed. The board also approved a restaurant on Cluff Road at the NTW site, which has not been built. the Salem NH Associates plan for a 200 seat restaurant and auto repair building on South Broadway was also approved but has not yet been built.

Dodge Grain and Sal's Pizza both gained approval to expand.

Looking ahead

Moldoff says the Planning Board will review a number of large residential subdivisions. This includes 56 lots off Zion Hill Road, 76 lots off Wheeler Avenue and 76 lots off Route 111.

This year, he hopes the board will look for future industrial land. He says most of the industrial land in Salem is now being used. Salem does not have a long-term supply of industrially-zoned land, which has the least impact on the town servi-

ces and provides strong tax revenue.

Unfortunately, Moldoff says Salem may have missed the boat on Route 111. Several residential subdivisions are now in the works for that land, which many thought would have been suitable for light industrial use.

"You'll see the whole landscape of the Route 111 corridor change," he said.

One way in which the Planning Board hopes to control curb cuts onto Route 111 is via parallel access roads and connecting the subdivisions planned for that area.

The Planning Board will be proposing up to 12 amendments for voter consideration in March. Moldoff said these should help address some of the loopholes in the ordinance and some concerns about growth.

In late February, planners will also consider increasing lot sizes at a special February 27 hearing.

While the growth of North Broadway has not taken off as quickly as Moldoff thought it would, he thinks the potential for expansion along that corridor remains. Examples of this, he said, are the recently approved Sullivan Tire plan and new McDonald's proposal. Other people have talked to him about possi-

ble development in that area, but nothing has come of those conversations, he said.

Planning issues

Moldoff said the Planning Board made progress in 1995, with revisions to the open Space Preservation Ordinance and the development of a Home Occupations Ordinance.

The board also completed a Capital Improvements Plan and addressed changes in the Wetlands Ordinance.

Moldoff said his department obtained a grant to reconstruct part of St. Mary's Lane and has sought a grant to provide interconnected signals on South Broadway.

Additionally, a consultant drafted a plan for two ballfields of school property on Lowell Road and the Conway School of Landscape Design created a plan for the Depot.

Moldoff said he saw greater public participation in the review and approval process in 1995 and hopes this continues in 1996.

"The Planning Board doesn't know what the people think and feel unless residents come to the meetings and tell them. The board is often very responsive to their concerns," he said.

NEW HAMPSHIRE

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Compromise settles growth debate

◆ The two sides in the great growth debate have worked together to solve some problems.

By Sally Gilman
Eagle-Tribune Writer

SALEM, N.H. — Residents who want to slow the growth of their hometown have withdrawn their petition for two-acre house lots and a building moratorium.

Developers have also compromised by agreeing to bigger house lots in rural areas and tighter controls on wetlands.

Concessions on both sides of the great growth debate were reached with the help of Town Planning Director Ross A. Moldoff.

"The Planning Board has accepted a compromise proposal that has the support of some of the development community and some of the no-growth people," Mr. Moldoff said. "That in itself is newsworthy."

Several of the concessions will go to voters in March. Negotiating for petitioners were Edging Peterson and Richard Ruais, neighbors on Zion Hill Road. Lawrence Belair, a developer and former town official, and Mark Gross of MHF Design Consultants represented the building industry.



Salem Planning Director Ross A. Moldoff

“There will be an increase in lot sizes averaging about one-third more. It’s significant because Salem has had lot sizes based on tables in place for 20 years. It takes a lot of work to change something that’s been in place for 20 years.”

The compromises were hammered out by the two sides in a growing controversy over the rate of growth in Salem and what could or should be done about it. Calls for growth controls were prompted by increased traffic, a water shortage and proposals for 350 house lots before the Planning Board.

The four men also recommended selectmen name a permanent Growth Management Task Force to head the town on the right path. Petitioners had wanted a building moratorium until the town has a plan for future growth and development.

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Growth: Two sides reach compromise

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opment. Mr. Moldoff said a task force is a good idea.

"For a long time I said there ought to be a standing committee, maybe even a long-range planning committee, to look at growth," Mr. Moldoff said. The Planning Board has so little time. It spends up to 90 percent of its time reviewing development proposals. That's what I spend most of my time on too."

Planning Board Chairman John Lukens said, however, it is the board's responsibility to plan growth.

Mr. Lukens said citizen input is always welcome but townspeople work best on Planning Board subcommittees.

Mr. Lukens said the board will hold work sessions on phasing and the Salem Depot in terms of some impact fees.

Members have been on the board for 10 to 20 years and they have a lot of insight and knowledge," he said.

Planners are currently reviewing a 57-lot subdivision off Zion Hill Road and two subdivisions with 86 house lots off Route 111.

The simmering growth debate broke open in December when Mr. Peterson and Mr. Ruais collected 200 signatures on a petition to ask voters in March to require that all new homes be built on two-acre lots and that all new home construction be stopped until the town has a future plan for growth and development.

Opposition was swift from developers, engineers, builders and land owners who said the proposed changes went too far.

"We had the support for our petition but it was a question of whether we could get people to go to the

polls," Mr. Peterson said.

Rather than fight, the two sides compromised.

"Some of these concessions were made in the context of global agreement that will lead us away from divisiveness and into a period of sincere evaluation of where Salem is going as we enter the 21st century," Mr. Belair said.

One of the major issues is an increase in the size of the minimum house lots based on soil types for septic systems and recommendations from the Rockingham County Conservation District to protect ground water quality.

The revisions would increase lot sizes an average of 32 percent and reduce the number of new homes by between 25 to 30 percent based on soil types. Originally, the lot increases ranged from 40 percent to 56 percent.

"There will be an increase in lot sizes, averaging about one-third more," said Mr. Moldoff. "It's significant because Salem has had lot sizes based on tables in place for 20 years. It takes a lot of work to change something that's been in place for 20 years." The Salem Planning Board will hold a public meeting on the soil type regulations on Feb. 27.

The men also agreed to have minimum lots of one acre in rural zones, including north and west Salem. If endorsed by voters in March, lots would go from 30,000 square feet to 43,560 square feet or one acre.

According to Mr. Belair, the development community has also indicated its willingness to participate in a phasing scheme for large developments. He said most developers only build 10 to 20 homes a year.

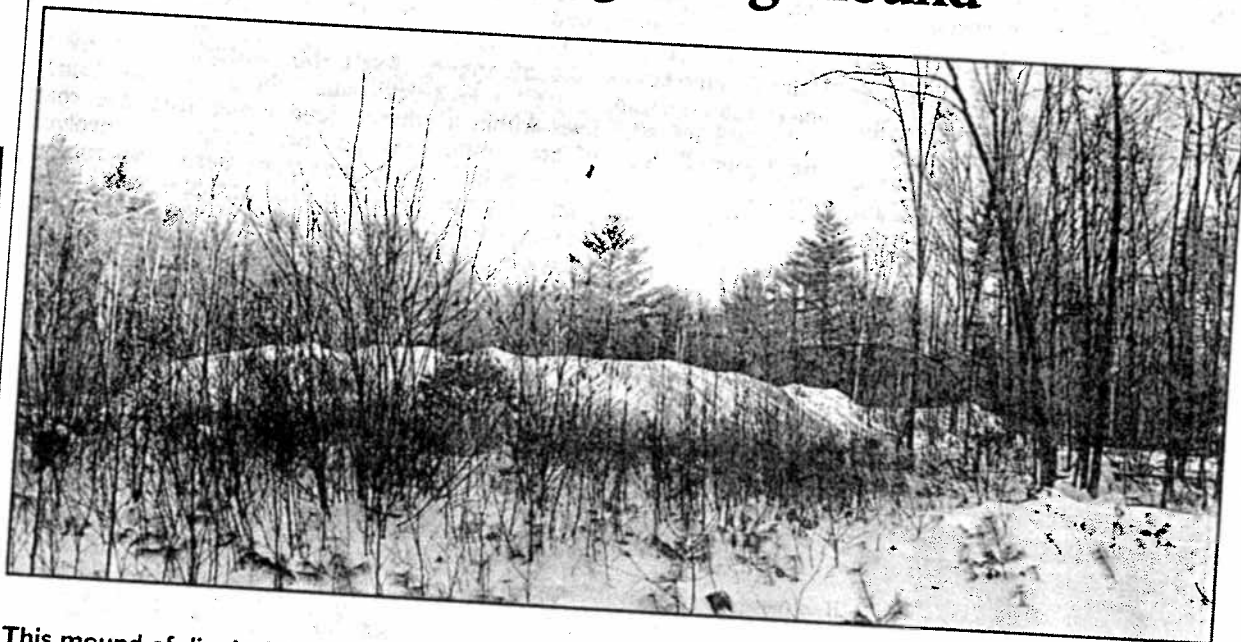
The group said phasing would be a good topic for the Growth Management Task Force.

children were reading "Sadie

proceeds from the \$40 plates to be spent on historic sites, conservation

plates, which would cost \$25 per year, would go to the state's highway fund.

Attention-getting mound



This mound of dirt in Salem, N.H., has drawn the attention of federal investigators.

John Macone/Eagle-Tribune

Was dirt illegally dumped?

◆ Huge mounds piled on a former Salem official's and former town employee's land have drawn the attention of federal investigators, and the ire of some neighbors.

By John Macone
Eagle-Tribune Writer

SALEM, N.H. — Environmental officials are investigating whether two Salem residents, one a former official and the other a former employee, had dirt from public road projects illegally dumped on their

land.

David Keddell of the Army Corps of Engineers said soil from work on town roads, which was supposed to go to specialized treatment areas, was instead illegally dumped as fill off Easy Street, on land owned by former town highway employee Raymond Lundberg.

"They were supposed to dispose of it properly," Mr. Keddell said. "It couldn't be legally there."

He also plans to investigate if illegal dumping was done on a nearby parcel owned by former Planning Board Chairman Glenn Gidley, at 155 Millville St. One of the corps' jobs is to oversee work done in waterways and wetlands.

Mr. Gidley said all the soil dumped on his 6.3 acre parcel was placed there legally, with permits

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Dirt: Federal government investigating

Continued from Page 13

from the town. Mr. Lundberg had no comment on the piles on his property, said his wife, Claire.

Mr. Keddell said if the soil was illegally put in wetlands, it will have to be removed.

"It's pretty obvious why a contractor would do it," Mr. Keddell said, arguing it would save the contractor money and give the landowners valuable fill at no cost. "The shorter the contractor has to haul it (the fill), the faster he can get back to the site, and the more quickly he can get the work done."

Mr. Gidley's pile may soon become the base of a five-home development, and that has neighbor Gary Miles angry. Mr. Miles said he cannot get his house valued because appraisers are wary of what is in the piles. Though state investigators say they appear to be safe, Mr. Miles said he has seen blue oil spots in the swamp, which drains into Millville Lake.

"It's either illegal, or they gave them a nice big present from the taxpayers," said Mr. Miles, who wondered what happened to the money that the contractors charged taxpayers for properly disposing of the soil. "I've talk to haulers who have told me we're talking about saving a lot of money, \$100,000 or \$200,000," he said.

"There's a possibility of wetlands filling. We're looking at the Lundberg property in particular, but we still plan to eventually look at the Gidley property."

David Keddell of the Army Corps of Engineers

Mr. Gidley said all the dumping on his land was done with the town's permission, and contains mostly fill from The Mall Rockingham Park project. The small quantity of fill from a town road project contains only fill, no asphalt, he said.

"I know (Town Planner) Ross Moldoff would have all the information on that," he said.

Mr. Moldoff, who lives within a few hundred yards of both piles, said Mr. Gidley's pile is in a high water area that does not meet the state and town's definition of a wetland. He did not think anything had been done illegally there, and verified it had been done with the town's permission.

He said he was unsure when the soil was dumped on Mr. Lundberg's

land or precisely where it came from, and said no permit had been issued for the dumping. If it was soil from a town road project, the town had "nothing to do with it," he said, adding it was a matter between the contractor and the landowner.

The contracts for roadwork called for disposing of the soil in compliance with state and federal laws, though they did not say exactly where the soil would be put.

Mr. Keddell said he is not yet sure exactly what is in the piles, because they are frozen and covered with snow. When the thaw comes, the Army plans to do a more thorough investigation.

"There's a possibility of wetlands filling," he said. "We're looking at the Lundberg property in particular, but we still plan to eventually look at the Gidley property."

While Mr. Keddell said there is "no doubt" the soil on Mr. Lundberg's land comes from the road project, two companies involved with the project, Busby Construction and Brox Construction, would not confirm that. Busby said it only used the land to store asphalt temporarily, and Brox had no knowledge of any soil being left there.

Mr. Gidley's plan to build five homes on his land will be unveiled at a Planning Board meeting Jan. 9.

SALEM

Buildings for ballfields: More swaps proposed

◆ Although town leagues need places to play, selectmen are in no hurry to swap developable land for ballfields.

By Rich Demerle

Eagle-Tribune Writer

SALEM, N.H. — There is a new trend in town — ballfields for buildings.

In an effort to get the town to look more favorably upon development, land owners who want to build homes or businesses are offering to trade one for the other.

Last night, selectmen heard discussions on two such proposals.

Millville Lake: East of Millville Lake is a 16-acre parcel of town-owned land.

Kapeed Realty Trust wants 10½ acres to lay out seven house lots. In exchange, Kapeed would develop the other 5½ acres into a full-sized baseball diamond, a soccer field and

a playground for children 6 years and younger.

Town Assessor Normand Pelletier estimated the parcel is worth \$150,000 to \$160,000.

The proposal is one of five requests for the town to sell town-owned land, requests which must go on the Town Meeting warrant to be approved.

Lauren Mell, representing Kapeed Realty Trust, asked selectmen to put the request on the warrant. However, Selectman George P. Jones III said he was in no rush to do anything with the land.

"We have always heard from the leagues, 'Just get us the land, we'll get the fields,'" he said.

As a result, selectmen have invited representatives of the town's recreational leagues, the Millville Lake area and the public to next Monday's meeting to discuss the issue.

Cluff Crossing fields: Janco Inc. and Renaissance Development, the developer and owner respectively of land south of Rockingham Park Boulevard, want to put in a road off the boulevard and build two restaurants.

In exchange, Janco representatives have said the town could get a 19-acre parcel north of Cluff Crossing Road, behind Dr. Lewis F. Soule School, almost half of which could be used for recreational fields.

Mr. Jones said last night Janco has floated a purchase price of approximately \$2 million. While he

does not think the town should spend that kind of money, Mr. Jones thinks the town should consider buying the land outright.

Two Salem residents, Christopher B. Goodenow and Richard Gregory, spoke against the buy. They said the restaurant proposal is not a bad deal and the money could be better spent on land takings in Salem Depot or adding to the Town Forest.

Selectmen must approve the curb cut which would face the entrance to Rockingham Park racetrack as well as a paper road, even though the road would not be built.

Mr. Jones is concerned a future developer could decide to build the road, anyway. Also, selectmen are worried about the impact the restaurants would have on traffic on the boulevard.

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2/7/96

SALEM

Rich Demerle

Building moratorium won't go to voters

A citizens' petition which, if legal, would frozen Planning Board approval of new developments for one year came up six signatures short. To put a citizens' petition on the Town Meeting warrant, the petitioners need the signatures of 25 registered Salem voters.

"They had 25 signatures but, when I looked at them, six of them were not valid so they only had 19," said Barbara Lessard, Town Clerk.

Mrs. Lessard said she called Brenda Sack, who presented the petition to selectmen Monday, — before yesterday's 5 p.m. deadline but got no answer.

Yesterday afternoon, before the petition was rejected, Mrs. Sack explained why the petition had been presented.

"A lot of people, they'd like to see a time-out so that the Planning Board and the town have an opportunity to get their acts together," she said. "There is a perception that as Derry and Londonderry stopped building, they've (the developers) come here because we seem not to have things in place."

The legality of the petition was also in doubt. Planning Board Chairman John Lukens cited a state law which said a planning board had to determine a need for a moratorium on approving housing developments.

John J. Manning Jr., a supporter of the petition, said yesterday the petitioners did not know what their next step would be.

Mr. Manning selectmen

alendar

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(**Take Off Pounds Sensibly**) —
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y, Room B; **Free Lecture: Encou-**
Behavioral Health Systems, 44
itions for An Evening of One Act
torium; **Budget Committee** — 7
ng Room, telecast live on Cable
ng — 7:30 p.m., The Road Back,
reet United Methodist Church;
8 p.m., Mary Queen of Peace
Shadow Lake Road

Kelley Library, Room B; **Senior**
Families COPE — 10:30 a.m.,
noon, The Road Back Club, 97
ary, Room B; **Voter Registration**
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ool library; **Alanon and Alateen**
lectmen Neighborhood Water
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ant Cross Lutheran Church;
x, 97 Plaza; **Salem/Methuen**
— 12:30 p.m., Kelley Library,
Room B; **Overeaters' Anony-**
ics Anonymous — 8 p.m., The
h; **Narcotics Anonymous** — 8

noon, Kelley Library, Room B;
Church; **Ziti Supper** — 4:30-
Carnation Ball — 6:30 p.m.,
neast Rehabilitation Hospital;
— 7:30 p.m., The Road Back,
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oad Back, 97 Plaza; **Narcotics**
coholics Anonymous — 7:30

9 a.m., Community Building;
er, **Free Business Counseling**
ment, 893-3177; **Alcohol-**
Widow & Widowers Group —
p.m., Kelley Library, Room B;
oad Back, 97 Plaza; **Salem**
Head Injury Support Group
ater Salem Alliance for the
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Also telecast live on Cable
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ymous — 8 p.m., St. David's

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Regulations - 7 p.m., Munic-
st live on Cable Channel 38;
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n., SHS Library; **Alcoholics**
Back, 97 Plaza

Alcoholics Anonymous —
change Club — 12:15 p.m.,
TOPS (Take Off Pounds
d Methodist Church; **Free**
alem Athletic Club; **School**
Salem Townhouse Owners
ights of Columbus Ladies
et: Men in Recovery Group
— 8 p.m., Pleasant Street
ce of Mind group — 8 p.m.,

Wake Up Salem 2/21/96

To the Editor,

Are you tired of your taxes going up without any new or additional services? Did you know that by current forecasts prepared by town officials, the Salem town General Fund Budget is forecast to increase by over 29 percent by the year 2000? How do you think the town is going to pay for these increases? Would you like to see your property taxes increase by 29 percent? Did you know that residential development produces a net tax loss? In Portsmouth, NH, population 25,000+, that cost has been estimated at \$2,719 per acre for residential development! Are you fed up with all the traffic in town? Are you satisfied with the quality of your children's education? Are you tired of the water shortage, new malls, increased crime, and talks of spending \$3 million of a water line, \$4 million on a new police station, \$7 million on Salem Depot, etc. etc.? You can do something about it.

Next Tuesday, Feb. 27, the Salem Planning Board will hold a public hearing on whether to increase the minimum lot requirements for subdivision developments. Salem uses a soil type and slope based table to determine minimum lot sizes. Currently these requirements are the smallest of any town in the region and even below the NH state recommended minimums. The NH state minimum lot size recommendations are outlined in a report by the Rockingham County Conservation District (RCCD). The RCCD study was funded by the state of NH. The soul purpose of these recommended lot sizes is to "control the density of development to maintain the drinking water quality of surface and ground waters."

The proposed zoning changes are intended mostly to protect Salem's water resources, however they also will have the effect of slowing the growth in town by requiring larger lots for new developments. While the proposed changes do not bring Salem up to the zoning standards of Atkinson, Derry, Pelham, Windham or even Methuen, they are significant and will help. If you care about your community then stand up and be heard at the Municipal Building 7 p.m. on Feb. 27.

Erling Peterson

Observations By:
Carol Moore
893-4356

Planners increase minimum lot sizes

3/4/96

SALEM

Rich Demerle

The minimum amount of land you need to build a home in Salem just got bigger.

Responding to the concerns of residents, the Planning Board last week voted to increase the minimum size of new housing lots.

"On average, lot sizes go up about 32 percent over where they are now," Planning Director Ross Moldoff said. "I'm not sure that will translate into a third fewer lots, though."

"It will mean in some subdivisions, there will be fewer lots than would be proposed but I don't have a handle on how many fewer lots we would see because it depends on the site."

The range of minimum lot sizes was increased from 30,000-72,000 square feet to 35,500-100,000 square feet, an average increase of about 32.8 percent. Mr. Moldoff said the agreement also gives developers greater incentive to provide town water hookups.

The minimum size is determined by two principle factors — soil type and slope of the land — which both impact the home's septic system.

"Soil is important because it filters out septic systems and protects groundwater," he said. "In sloped areas, a septic system drains differently."

The steeper the grade of the land, the more drainage is expected and, therefore, more land is required for the minimum lot size.

Mr. Moldoff said land in north Salem, which is considerably hilly, would be affected more than flatter land in south Salem.

The new lot size table was the

result of a collaboration between the Planning Board and several residents including developer Laurence H. Belair, 139 Hooker Farm Road, and Richard Ruais, 28 Zion Hill Road, who has been working to slow the pace of development in town.

Schools prep for housing surge

3/4/96

◆ Salem's housing boom has the school system bursting at the seams and it could bust unless changes are made, a committee report said.

By Rich Demerle
Eagle-Tribune Writer

SALEM, N.H. — The words no parent wants to hear — "school redistricting" — is back.

William T. Barron and North Salem schools are at capacity. Meanwhile, the number of approved and proposed housing lots suggests more students are on the way.

In a report from the Redistricting Committee, its seven members have come up with a two-level plan to deal with overcrowding. School Board is expected to vote on it sometime in April. Here are the details:

Option 1: Reallocate how school rooms are used before the 1996-1997 school year starts. Each school would have two special education classes. Barron School would lose its computer lab while three other schools — Mary A. Fisk, William E. Lancaster and Dr. Lewis F. Soule — would lose their dedicated art rooms.

The result — North Salem would remain at capacity, Barron would drop to 92.5 percent, Haigh School would go up over 95 percent and Fisk, Lancaster and Soule schools would be below 80 percent capacity, "underutilized" according to the committee.

HOW REDISTRICTING WILL AFFECT YOU

If you are a student in one of the Salem elementary schools, this is how the redistricting plan would affect you. Listed below are the schools affected, the streets in the neighborhood to be redistricted, the number of students affected and what school they would be sent to.

Stage 1: Proposed for the 1996-1997 school year.

Barron School: Cliff, Lawrence, Riversedge Drive, Dominic; 14 students to Soule School.

Haigh School: Brown, Dexter, Ewing, Keefe, Lawrence; 10 students to Soule School.

Soule School: Lowell Road, Muse Terrace, Trolley Lane, South Policy Street; 13 students to Fisk School.

North Salem School: North Main Street up to Gillis Terrace; 52 students to Lancaster School.

Stage 2: Proposed for whenever needed.

Barron School: Ann, Ansel, Baldwin, Seed, Senter, etc.; 20 students to Soule School.

Haigh School: Kim, Kurt, Meisner Parkway, Meisner Road; 44 students to Lancaster School.

Lancaster School: Granite Avenue neighborhood, Park Avenue; 22 students to Fisk School.

Stage 3: Proposed for whenever needed.

North Salem School: MPG Realty Subdivision, 387-395 Route 111, Route 111 East (proposed); 23 students to Fisk School.

Option 2: Staged redistricting would start before the 1996-1997 school year began. An initial group of 89 students would change schools.

Subsequent redistricting would take place on an as-needed basis. Stage 2 would move another 86 students, while Stage 3 would move 23 students.

Stage 4 calls for the construction of a new, 400-seat school off North Salem Street on school-owned land near Wheeler Dam Road.

Laurence Disenhof, chairman of the committee, said his colleagues believe all the recommendations should be approved in order to keep some schools from drowning in stu-

dents.

"Basically, Option 1 has to be done, period," he said. "But, if we don't do Option 2, we're going to have an imbalance in the facilities and, in fact, the three schools that are in trouble now are going to be in trouble as the new houses are built."

The reallocating/redistricting suggestions are being driven by two factors — elementary schools reaching capacity and housing lots continuing to be approved.

Schools at capacity: As of December 1995, these were the percentages of seats occupied at Salem's six middle schools (assuming the expansion projects were already

done) — Barron (100 percent), North Salem (99 percent), Haigh (96 percent), Lancaster (88 percent), Soule (78 percent) and Fisk (67 percent).

Housing starts: The Planning Board approved 110 housing lots in 1995. Mr. Disenhof said there are another 491 lots being proposed, a potential tidal wave of students existing schools cannot withstand.

"This first redistricting will get us through the houses that have been approved," said Mr. Disenhof, who has twins in 29-student classrooms at Barron School. "It will not get us

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Continued from Page 11

through the 491 housing units currently being proposed.

"It's a no-win situation. No one likes to be moved but the reality is the town is growing... if people are going to get upset, people have to look at how the town is being built."

People did. A citizens petition was filed to prohibit Planning Board approval of housing developments for one year.

However, the petition — which might have encountered legal problems if approved — fell six sig-

tures short of the necessary 25 registered voters' signatures.

Mr. Disenhof said the expansion projects that are under way now were five years in the works. As a result, the new classrooms will stave off overcrowding rather than give the school system extra space to grow.

Committee members will be making public presentations of the report this week — Wednesday, 7 p.m., at Lancaster School, 54 Millville St., and Thursday, 7 p.m., at Soule School, 173 S. Policy St.

impacts on traffic, schools, other town services, likely property tax increases and a major public safety issue.

Attorney Campbell is obviously correct that the right to develop exist. But it is not an unlimited right. It ends or is duly restricted when the public interest is threatened or unjustly impacted. This determination is appropriately within the domain of the Planning Board and ultimately the courts.

A strong case is being made that the Town's infrastructure cannot currently cope with the developments proposed in the Nalbandian Zion Hill and MPG subdivisions. Property taxes will have to be raised for all Salem citizens to subsidize the developers profitable proposals and excessive site development.

We are not arguing that the developments should not take place. We believe the Planning Board has the authority and responsibility to scale down the developments to protect the character of North Salem and not allow further worsening of our traffic and other development woes. The Planning Board also needs to first coordinate with other Salem Boards (Selectmen/School Board/etc.) and have a plan for dealing with the recognized impacts of scaled down proposals before allowing either to proceed.

The development of North Salem is going to cost all the taxpayers of Salem. Fear of a legal challenge should not preempt the Planning Board from exercising its responsibilities. Town money spent protecting against excessive development will likely save us all taxes in the long run.

Town officials should be sensitive to the fact that it is difficult for many of us to accept higher taxes to subsidize development that erodes property values and quality of life in Town. Frankly, I would rather see my increased tax dollars spent on purchasing land for the Town or providing more competitive salaries and benefits for Town and especially school employees.

Rich Ruais

Town future at stake

To the Editor,

On Tuesday, March 12, 1996, Salem voters have a chance to shape the Town's future growth. That is the day residents can vote on zoning changes which are being proposed by the Planning Board to better control new development.

Ballot Articles 2 through 12 were prepared by the Planning Board. They deal with a variety of subjects, including open space, home occupations, wetlands, minimum lot sizes, building and fire codes, and the Zoning Map.

The Planning Board's intent with these articles is to implement recommendations in the Salem Master Plan and respond to recent public concerns about growth. Zoning changes are one of the most important ways voters can play a direct role in shaping the Town's growth.

Ballot Articles 13 and 14 were proposed by citizen petition and are also supported by the Planning Board.

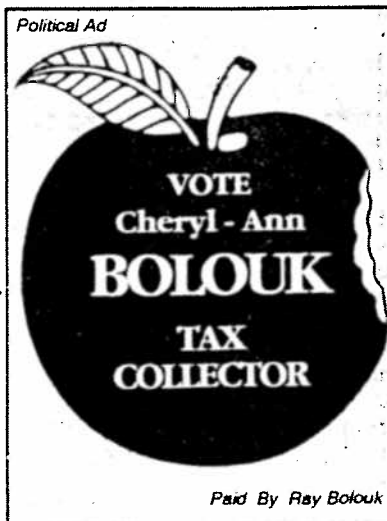
I urge Salem residents to vote on March 12 and support the Planning Board's proposals.

John P. Lukens, Chairman
Salem Planning Board

Development issues

To the Editor,

At the February 27 meeting Planning Board member Bernard Campbell reminded us that developers have the right to buy and develop land. The backdrop was a recitation of the serious concerns expressed by many citizens regarding the mega-Nalbandian proposal for approximately 55 lots off of Zion Hill. The concerns include negative



Political Ad

Nick Moschelli

In Going Online?

...her, and give her a
to become familiar with
some of the issues she'll be facing.
Mr. Conway said he expects Ms.

...ably
employ ... be able
to translate those skills and experi-
ences to Londonderry High School."

SALEM

3/7/86

Parents: Let newcomers shift schools

♦ As new homes are built near the elementary schools, the students who move into them will probably force already established students to be relocated to other schools.

Parents are not happy.

By Rich Demerle
Eagle-Tribune Writer

SALEM, N.H. — Last night, James Thomas stood up in front of 80 parents in the Lancaster School cafeteria and gave his opinion of the proposed redistricting plan.

"It stinks," said the father of Kimberly Thomas, 9, a North Salem third-grader with attention deficit

disorder. "We should tell these people if they want to buy a house in this town or live in this town, go to another school."

"These people" — the faceless, prospective buyers of new homes — have forced the school district to consider redistricting for the second time in four years as well as recommend the construction of a new

Please see **BUS**, Page 10

DUS. FAMILIES FROM newcomers to shift

Continued from Page 9

school.

Last night, members of the Redistricting Committee — Superintendent Henry E. LaBranche, School Board member Pamela R. Berry, parent Jim Pacheco, principals Susan "Micki" Rhodes and Pauline Richards — hosted their second public information session on the redistricting proposal. Two others, Lawrence Disenhof and Terry Riviezzo, were not present.

Judging from the reaction to the two-hour session, people did not like what they heard.

"We're on Gillis Terrace," said a red-haired woman who asked not to be identified. "We're right on the (redistricting) line. It is not fair that our neighbors are going to North Salem (School). Our kids can play with the neighbors but they can't go to school with them."

Mr. LaBranche said the redistricting plan tries to balance residents' wishes to keep their schools to 400 students with the state's requirement that elementary classrooms have an average of 25 students per room.

"What you have before you is a proposal," he said. "It's not cast in concrete."

"Two forces make redistricting a virtual necessity, he said:

Housing growth in Salem is happening unevenly, putting large numbers of new homes in certain areas. For example, 71 housing lots are proposed for Route 111 southwest of Lady Lane and another 57 are proposed for Zion Hill Road. With North Salem School already over 99 percent capacity, the Redistricting Committee is recommending moving 75 North Salem students in two stages.

Location Many new homes are being built closer to the elementary schools than the homes of the students who already attend them. For example, if the 71 housing lots near Lady Lane get built, under the redistricting plan students along North Main Street from Wheeler Dam Road north to Gillis Terrace and up Duston Road to Providence Hill Road would be sent to the Lancaster School.

"This is all on paper," said Mr. LaBranche. "If the developers go belly up, this doesn't happen."

School Board will make the final decision on the redistricting plan. A final information session is scheduled for tonight at 7 in the Dr. Lewis F. Soule School.

However, Mr. LaBranche said the expected snowstorm may force him to cancel the meeting. He recommended people watch local cable access television for a cancellation notice.

Voters should write schoolmen about new school

One recommendation of the Redistricting Committee is the construction of a new, 400-seat school off of North Main Street near Wheeler Dam Road.

The proposal was met with enthusiastic applause from parents at Lancaster School last night.

School Board member Fred A. Kruse estimates the price tag for such a building would be \$4.25 million to \$4.5 million (\$85 per square foot in a 50,000 square foot building).

He said, if you want to make a new school happen, encourage School Board members to put an article on the School District Meeting warrant for March 1997.

Mr. Kruse said writing letters is better than making phone calls because School Board members can always refer to letters. Petition or signature drives are also good.

Here are the mailing addresses of the current School Board members — Fred A. Kruse, 2 Douglas Drive; Pamela R. Berry, 7 Leaside Drive; Bernard W.M. Campbell, 79 Brady Ave.; Annette M. Cooke, 22 Bradford Circle; Philip A. Smith, 53 Duston Road.

Parents applauded loudly when another proposal was made: Put all the students new to the school district on a bus and ship them to the schools that have space, essentially redistricting them.

Mr. LaBranche said the parents will have to support the money for such a plan.

"I want to see your faces casting ballots at the School District Meeting," he said.

LAWREI

LETTERS TO THE EDITOR

Don't allow Salem to be destroyed

3/20/96

To the Editor:

Now that the Board of Selectman has decided to address the water problem in Salem, after years of procrastination, we the residents are being led to believe that if we do not act quickly, we will have a severe problem this summer, possibly worse than last summer.

Nonsense! We had the problem last summer, because as the level in Canobie Lake started to drop, we did nothing but watch. Now the level is rising and we are buying additional water from Methuen, which will stabilize the level in Canobie Lake.

The full consequence of using

Arlington Pond needs to be evaluated and made known before we decide to go ahead and construct a pipeline between the two lakes. We do not

want the pipeline to turn out like the Turner Well situation, nor do we want to find that if we start using Arlington Pond as a water source that we have to limit its use as a recreational pond.

Even now in the midst of this water shortage, the Salem Chamber of Commerce is supporting the Arlington Pond pipeline, because it enables more business to come to Salem and more houses to be built.

Can we afford all this growth?

The school system can't. They are already facing overcrowding problems. Our roads are in bad shape and water supply is dubious. I say we slow down and do some long-term planning that offers a compromise between growth and stability similar to what many neighboring communities are doing. We are destroying Salem a little more each year. Let's start now to protect the Salem we have and make it a town our children will want to stay in.

PHILIP CAMMARATA
Salem, N.H.

Parents protest moving students to other schools

3/25/96

If you want to oppose a plan to ship Salem students out of their neighborhood schools, Kathleen Caredeo has a petition for you.

Like many other parents, the 33-year-old mother of two William T. Barron Elementary School students was angry when she heard her children would get relocated under the proposed redistricting plan.

"I went to the Barron School myself and I specifically bought my house in the Barron School area for that purpose," Mrs. Caredeo said. "It's gotten so bad that the neighborhood children are getting taunted at school, saying 'Nyah, nyah, you have to be redistricted.'"

The problem is that new housing developments are being built closer to the elementary schools than the homes of children currently attending the schools. So Mrs. Caredeo, her husband Robert, and other Senter Street parents started going door-to-door with a petition for the School Board which says the following:

"We the undersigned taxpayers and residents of Salem want the Salem School Board to disregard the current school redistricting proposal in order to prevent the redistricting of established neighborhoods from their neighborhood schools. We want the School Board to adopt the following redistricting policy — that new housing developments that are proposed to be built be redistricted to the available space at the elementary schools if space is not available at their neighborhood schools."

Mrs. Caredeo said they have already collected over 150 signatures. The School Board is expected to vote on the proposal sometime in April.

"People are really mad," she said. "It's not an attack on the schools but it's just that the town has gotten so big we have to look at other options."

If you would like to sign the peti-

SALEM

Rich Demerle

tion, you can call Mrs. Caredeo and she will come to your house. The Caredeos live at 14 Senter St. and you can call anytime.

Sold-out auction soliciting donations

The annual Boys & Girls Club auction has sold out.

Patricia Allen of the Auction Committee said the April 13 event has sold 500 tickets for the dinner as well as the chance to bid on more than 400 items in a silent auction and a regular auction.

Donations of goods and services are still welcome, however.

Gary P. Morelli, executive director of the Salem Boys & Girls Club, at 3 Geremonty Drive, may be contacted for more information.

Transfer station permits for sale

Transfer station permits for 1996 are now on sale on the lower level of the Municipal Office Building from 8:30 a.m. to 5 p.m., Monday through Friday.

The 1995 permits expire March 31, 1996. Cost is \$10 per new permit.

The permits include use of the Solid Waste Transfer Station, Recycling Center, Brush and Demolition Landfill, Metal Recycling area and Waste Oil Recycling Area.

Salem residents and businesses can get permits. The Transfer Station is located on Shannon Road.

2nd May 1941

Letter to the Editor

1941

Dear Sir,

I am

Yours

Yours

Yours

Yours

Yours

Yours

Yours

Yours

Yours

Yours

Yours

Yours
Zion H. S.

Money: Bypass could be fixed

Continued from Page 9

Mr. Jones sees two uses for the money — the Route 111 bypass and public transportation.

Route 111 bypass. Salem could use the money to buy land for the Route 111 bypass right-of-way which would go north of Shadow Lake. Buying land would let residents of the area know if their homes were in the path of the bypass and would head off attempts by developers to build on the land.

"We've got a bunch of families up there that are on, in or close to the right-of-way of that road," he said. "Do we want to leave people in that state of affairs and, further, do we want to allow those people who have come in and gotten subdivision plans approved to go ahead with those subdivisions?"

Public transportation: During the Christmas holiday shopping season, Salem's major roads turn into parking lots of frustrated commuters.

Organized public transportation

in Salem evaporated 60 years ago with the disappearance of the trolley system. Mr. Jones said he has asked the Greater Salem Chamber of Commerce to run a free bus shuttle to alleviate the problem.

"It's ridiculous we are the fourth-largest community in the state and we have no public transportation," he said.

The federal matching funds might be used as start-up money for local public transportation, serving not only shoppers but also residents who need to get to work or to medical services.

Mr. Jones said he has heard a suggestion of inviting the Merrimack Valley Regional Transit Authority into Salem was not warmly received by Massachusetts businesses already smarting over the loss of retail business to southern New Hampshire.

He said Seattle already offers free bus service and Louisville free trolley service within their downtowns.

SALEM

Federal money could improve 111 bypass

♦ If federal money becomes available, Selectman George P. Jones III sees two uses for it — the Route 111 bypass and public transportation.

By Rich Demerle
Eagle-Tribune Writer

SALEM, N.H. — Salem may have as much as \$1.6 million in federal money available, money the town could spend on roads and other traffic improvements.

Last night, Selectman George P. Jones III told the board he attended a meeting of the Rockingham County Planning Commission's Technical Advisory Committee last Friday.

Mr. Jones learned Salem — as part of a federally designated region of several surrounding towns including Haverhill — gets \$332,000 each year from the Federal Highway Program.

"When we rebuilt Route 28 several years ago, we actually ran a deficit in that account," Mr. Jones said. "Now, there may be as much as five years worth of money in that account."

Because the money is federal matching funds, Salem has to come up with 20 percent of the money. On \$1.6 million, Salem would have to come up with \$320,000.

Please see **MONEY**, Page 10

McDonald's No. Broadway plan moves forward

by Carol Moore

SALEM - The Planning Board, in spite of numerous protests from the public and letters from both Police Chief Stephen Mac Kinnon and Director of Public Works George Sealey, voted to allow a plan for a new McDonald's fast-food restaurant to move forward towards approval. The plan calls for construction of a 66 seat restaurant at the corner of Willow St. and North Broadway.

The Public Hearing was the first appearance by McDonald's before the Board since the original unveiling of the plan in December 1995.

Since that time, few things have changed. One major change is size reduction due to the elimination of a playland originally proposed for the site.

Another change was elimination of a speaker post for the drive through window in deference to abutters who objected to having a loud speaker blaring out from the property. Instead, new plans call for a three-window drive-through which is designed to move customers swiftly and silently through the drive-through process.

The overriding factor for approval, however, is the projected traffic impact on an already over-crowded North Broadway.

McDonald's representatives stated the same statistics as they did at their December appearance. 105 vehicle trips during weekday evening peak periods and 163 vehicle trips at peak Saturday mid-day periods.

Giles Hamm, traffic engineer for Vanesse & Assoc. said, "This doesn't really represent a lot of new traffic, nothing more than cars that would be passing by anyway."

He added that they calculated the anticipated traffic impact fee to be \$16,600 and that McDonald's would be upgrading Willow St., adding lanes to accommodate exiting traffic. He explained that a one-way entrance would be established on North Broadway's southbound lane with a funneling lane which would shift southbound traffic into a queuing line to the entrance.

In addition, plans called for a left hand turn lane to be added in the northbound lanes allowing for traffic to pause while waiting for a gap to open before entering the parking lot.

A conduit will be installed beneath the road bed for a tie in to a traffic signal if needed in the future.

Planning Director Ross Moldoff took exception to the plan, saying, "It appears that this project will worsen an already unacceptable level of congestion and delay at the depot intersection and we feel it will create congestion and delay, also some significant safety problems at the Willow St. and North Broadway intersection."

Moldoff read comments from a letter he received from Police Chief Stephen Mac Kinnon in which he expressed his reservations about the project.

Mac Kinnon wrote that he had

"serious reservations on the proposal and that the impact would have detrimental effects on the movement of traffic in and around this site. Until the larger depot questions are addressed, any proposal cannot add any additional traffic to an already severely congested situation. I would oppose such a proposal unless that one issue is satisfied."

Further, Moldoff read comments written by Director of Public Works George Sealey.

"The proximity of Willow St. to Main St. will not allow for any kind of development in this area without a major change of the movement of traffic through the depot corridor. The northbound vehicles that attempt a left turn into Willow St., must try to cross two lanes of stacked vehicles which in turn backs up the outside northbound lane on North Broadway, sometimes into the Main St. area. The vehicles that attempt a left turn onto North Broadway from Willow St. have to cross two lanes of southbound traffic and most often have to sneak out into the southbound lanes to try to slip into the traffic flows heading north. This

creates a very dangerous situation. I am against any future development in this area until an alternative route can be developed for the depot area."

Laurie Rozio, traffic engineer hired by the Town of Salem to study the traffic impact noted that "vehicles making left turns (into and out of Willow St.) are not going to be able to get out. The formula goes berserk. You would have to wait 30 minutes to get out and people won't wait 30 minutes to get out; they'll take chances."

Rozio also indicated that a light is not warranted at the Willow St. and North Broadway intersection, adding that a light there would back traffic up onto Main St. at peak periods.

Selectmen Representative to the Planning Board, Robert Ellis, suggested that a McDonald's restaurant at this site might clear up the depot since people who live north of Main St. wouldn't have to cross Main St. to go to the McDonald's on South Broadway.

Hamm said McDonald's had taken that fact into consideration.

Board Member Bernard Campbell asked about a statement in

McDonald's traffic study which indicated that the highest number of vehicles that back up in the southbound lanes from the traffic light at Main St. is 15. Campbell challenged the accuracy of this count. Hamm said that the backup could be alleviated by changing the timing of the lights at the depot.

Board member Clifford Sullivan said, "If the applicant has proven

they have mitigated the impact, we should at least take a look. They should have a right to continue towards approval."

The Board voted 5-1-1 to continue the plan. Emil Corrente abstained and Michael Lyons voted against continuance.

Moldoff's assessment of the plan was that it is "The wrong project for the wrong site."

Woodbury alumni plan memorial

Former Woodbury High School principal Eugene Rourke died in March. Because of his leadership with the students at Woodbury High, we thought it would be appropriate to have a memorial for him. It was suggested to plant a tree in his memory on the front lawn of Woodbury Middle School. A red maple tree has been purchased and will be planted in the month of July.

Anyone wanting to donate to this special occasion can make a check out to Dorothy Beal, 17 Lawrence Rd., Salem, NH 03079-3239. This

money will go into the Alumni account. A special bronze plaque will be placed at the base of the tree, reading:

IN MEMORY OF
EUGENE ROURKE
PRINCIPAL-TEACHER
1936-1949

A dedication will be held in July at the planting. Woodbury alumni, teachers, and friends who wish to attend call 898-9676 or 898-2172 for more information.

We would appreciate that donations be sent no later than June 29.

GRAVE

From Page 1

are able to get their memorials. It may be better for them than if the department pursues criminal charges.

supposed to," he said. "They don't even return phone calls."

Salem police are continuing



Timothy J. Butterfield, D.V.M.
D. Rich Hollist, D.V.M.
James A. Rand, D.V.M.
Jody E.C. Rice, D.V.M.

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Editorials

Cloaks and daggers

This past week, a copy of the management study of the town's inspections and planning departments was delivered to the *Salem Observer* office.

The final report, about half an inch thick, was unremarkable. It included an analysis of the present operations and recommendations for improvements. The evaluation of the town services was not particularly harsh. It did not point fingers. It was unsurprising. The recommendations for improvements were not unexpected. Some of the recommendations, such as an improved telephone system, have already been implemented. We anticipate that some of the recommendations will never be implemented based on cost alone.

There was not one earth shattering revelation in the entire report.

That is what makes the behavior of the Board of Selectmen both puzzling and unreasonable.

Since this report was commissioned in the fall of 1994, various attempts have been made to view it in draft. This newspaper had made several requests to obtain access to the report, which we ultimately referred to in print as the hush-hush management study when our requests were denied. A member of the Budget Committee requested a copy of the report. That request was denied. A right to know request was filed seeking access to this report. It was tied up in bureaucratic red tape in the court system for several months. Ultimately the court deemed it would be public as a final document, not while still in draft. The entire matter was kept deeply under wraps.

A review of the report shows there is not one thing in it that truly qualifies as confidential information. It provides few new insights into the town planning and inspection operations. In short, there was no need for this to be treated as top secret government intelligence. Yet throughout the life of the study, the selectmen insisted it remain secret.

It makes one wonder. If the board considers such innocuous information to be privileged, what do they do with the really important information regarding this town's operation? Does the public ever get to learn about those issues?

Whether the board felt the public did not need to know, or they were protecting employee reputations, or some other reason entirely, the selectmen's closed door and mind policy on this matter hurts them, the town employees and the public.

The public right to know cannot and should not be circumvented. Repeated violations of this public trust by the board should be remembered and addressed with our local officials held accountable.

Word from the Legislative Office Building

By Rep. Richard Noyes

It is all-too-easy to see partisanship — the differences between political parties — in every issue.

Not so.

There were four roll call votes in the House last Thursday, the final floor session in this term (except for one more gathering next Wednesday to act on Governor Merrill's vetoes.)

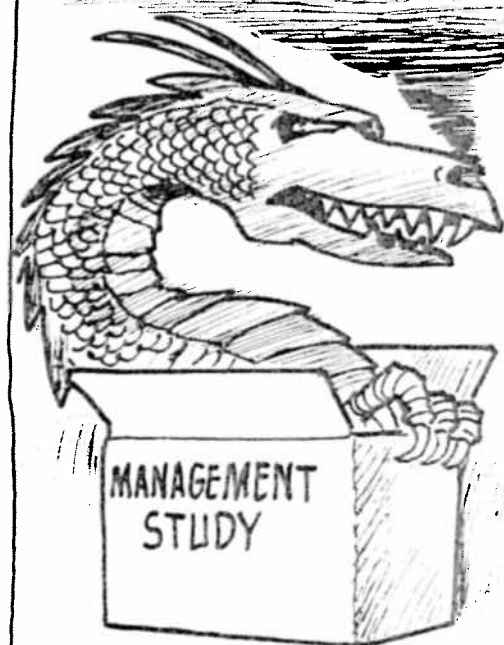
None of them were partisan.

some private firm and pay it with the money, but it would not allow us to reimburse parents for the money they chose to spend on kindergartens of their own choice.

The results in the *Observer* area:

Salem: Belanger and Gage, yes; Klemm, Kruse, Noyes, Raynowska, Ross, Smith and D. Sytek, no; J. Sytek not voting.

PORTRAYED AS:



VOICE LINE

Call Voice Line :

Weekdays from 5 p.m. to 8 a.m. All day Sat

Note to readers

VoiceLine is just that: it is a call-in line for people to express their thoughts about local issues. It is not a place to send birthday or anniversary greetings or leave messages for staff. Callers with such information are encouraged to call the business line at 893-4356 from 8 a.m. to 5 p.m.

A disgrace

The Salem landfill is a disgrace. The fencing surrounding it is rusted, twisted, bent, falling down and in total disrepair. From the road, the site looks overgrown and neglected. It certainly shows no sense of community pride and no commitment to quality.

Who's in charge?

Regarding home businesses, those that aren't checked up on will

Wasted water

I thought there was a water ban but my neighbors seem to be using any time. Who is going to enforce this or are people on the water ban?

Note: The water effect from 6 a.m. to 8 a.m. neighbor could also be subject to the town investigation of water ban violation. For the first offense, receive a written warning. For the second offense, the water will be turned off. Suspect violation may be reported to the Works Department.

Both sides a

Regarding the two children pertaining to children's road on Shore Drive, drive by these children very young. I usually

5/5/96
Boston Globe

ANN HALL

Can a developer maul Acton's wishes?

Like a single-minded salesman, a developer who wants to put a giant mall on Route 2 won't get his foot out of Acton's door.

The developer, Rosen Associates, wants to put up a 350,000-square-foot retail development off the intersection of Route 2 and tiny Hosmer Street. It would sit on a piece of land that nestles up against a quiet neighborhood of single-family houses along peaceful, winding streets.

Town Meeting opposes the mall, the town planner has some negative things to say about it and town residents have organized to fight it. Rosen, however, presses on.

With a few minor differences, the Acton situation conjures up images of Westford's David versus Goliath fight not long ago to keep a Wal-Mart from being built on a site off Route 110. David won that fight, but it was a long, hard struggle.

"We were looking at a multi-billion-dollar international corporation that was going to push us around and turn us into a regional shopping destination, which we didn't want to become," said Westford's Elizabeth Michael, the woman who led the charge against Wal-Mart. "I really feel deeply for the people in Acton because it's going to be a tough fight."

What happened in Westford and what's going on in Acton make important points not only about the right of a town to control development versus the rights of developers, but the problems that arise when those two forces collide.

Like Westford, Acton doesn't want to become a regional shopping destination. Instead, the town's 1990 master plan calls for stimulating the rebirth of several historic village centers in the south, east and west corners of town, along with a potential center in North Acton. Kelleys Corner, a shopping area that has evolved in recent years, was added to the plan in March.

The goal is to make these centers places where people can park their cars and walk around, where they can do their shopping and chat with neighbors, the way they did years ago when America's heart was downtown on Main Street.

Besides the fact that it's easier and more efficient to provide town services to village centers than it is to sprawling strip malls, Acton's villages give residents an identity. In fact, a lot of people move to the town because of its village atmosphere. The proposed mall, Acton town planner Roland Bartl says flatly, "is not consistent with the town's planning effort."

"A mall is a mall is a mall, whether it's in Michigan or

For the record

■ Clarification: Because of a transmission error, a March 21 story in the Metropolitan District Commission in Medford was missing the full title of Cort Boulanger, who was quoted. Boulanger is a spokesman for Sen. Charles Shannon (R-Winchester).

California or Massachusetts. The mix of stores is all the same," Bartl added.

Although a number of Acton merchants would disagree, Bartl questions whether the addition of a mall would hurt town businesses, since it would attract additional shoppers. There's no doubt in his mind, however, that the jobs a mall's stores would provide would be on the low end of the pay scale, particularly compared with the jobs an office park would provide. The area is currently zoned for office space and would require a zoning change to retail for the mall to be built.

Town Meeting recently rejected that change by a convincing 870-630 vote.

Aside from the job situation, the mall's potential effect on local businesses and the fact that it doesn't fit the master plan, the mall would create a horrendous traffic situation.

Little Hosmer Street and the rest of the streets that run off it couldn't handle the thousands of additional cars the mall would attract, and Route 2 is already jammed during rush hour.

Neighbors don't want the noise, the air pollution or anything else that comes with bringing a mall to a town. "It would destroy the neighborhood," says William Romane, an abutter to the property and a member of the townwide Coalition to Preserve Acton's Character. "I will move. I just don't want to live near a place like that."

To keep the project alive, Rosen recently sidetracked two moves by Town Meeting to shut out the mall. The next step includes hearings by the Planning Board and the Zoning Board of Appeals. Why Rosen is persisting is anybody's guess. A woman who answered the phone recently in the company's Wakefield office said the company's policy is not to comment on the Acton project.

In Salem, N.H., where the company is pursuing another mall project, it's taking the town to court after the Planning Board rejected a project for Route 28 last August. The company isn't just appealing the board's decision, it's seeking damages for bad-faith dealings in the matter.

Acton officials realize that the threat of a long, expensive court battle is hanging over their heads, too. Legally, action is a developer's ultimate bargaining chip. After all, developers are the people who stand to profit from the exercise. They're well paid for their trouble, as are the people who work for them on the issue. A town, on the other hand, may win a court battle to stop a project, but the process can be long and expensive, and most towns aren't exactly rolling in dough. Acton could be facing a game of legal chicken.

It is a battle worth fighting, however. Aside from traffic concerns and legal machinations, Acton's image is at stake here. Town Meeting voters have said that this mall is inconsistent with what they want the town to be. That should be the ultimate right of any community to determine.

Ann Hall is a regular contributor to NorthWest Weekly.



Management study offers no surprises

by Monique Duhamel

SALEM: A report on the town's planning, building, health and engineering departments offers some suggestions on how to improve their services.

MMA Consulting Group, Inc. was hired by the Town Manager in 1994 to conduct a study of these departments.

can be handled via the computer terminal, reads the report. In this type of system, the support staff enter the data into the computer based on a preliminary application form from a requester, and the computer will automatically generate the appropriate forms and permits. Not only would this be easier for the applicant, but it would also centralize the records for each property.

These departments also used to use the full potential of the town-wide computer network, based on MMA's recommendations. The town should create a common information management system with records accessible from all computer terminals in these departments. The files should include property histories, engineering plans, with street addresses, cross indexed to map and lot numbers.

Another report recommends that the town consider hand-held computers which inspectors can use in the field to access town records and to the updates from a site.

In conjunction with the two previous recommendations, the report also suggests centralizing records which are now kept in several different departments.

A central reception area would also help provide better customer services, where they can access all four services in one place. This will allow for the pooling of administrative staff, which should also receive additional cross-training. If possible, this could be done in a location similar to the layout of the

The report notes that these departments are now decentralized, with each department reporting directly to the town manager. It states there is a need to develop a more coordinated delivery of services.

It also notes that heavy work loads place these departments in a position of responding and reacting

to activity with little time for long range planning and coordination.

The most significant recommendations, according to the report's summary, deal with the management and organization of the inspection functions.

The report details the various struggles and weaknesses of the departments. Most of the weak points can be traced to lack of staffing, funding and time.

The report recommends creating a consolidated Department of Inspections and Planning to include planning, engineering, building, health, and support.

A proposed department structure would include one Director of Inspections and Planning to whom the Planning Director, Engineering Director, Chief Building Official and Health Officer would report.

This director should establish goals and objectives for the new department and should translate these into specific tasks for departmental staff. The director should also begin the development of a centralized record keeping system.

If the town does not create this new position, it should then create a management team for these departments, says the report. This team should include the Town Manager and the four existing department heads. This team should meet in order to encourage regular communication and service coordination. It should also address such things as annual budgets, hiring, job descriptions and salary time for overall compensation.

Another alternative proposed in the report is to establish a position of Code Compliance Specialist instead of filling the vacant assistant planner's position. This person would work in areas where there is departmental overlapping and enforce the town ordinances. This person could also coordinate site plan reviews, coordinate training programs for staff, investigate zoning complaints, coordinate technical assistance, and serve as a back-up inspection officer for the town planner.

This would allow other town staff to spend less time on enforcement and violation investigations and more time on their other duties and long range planning.

The departmental budgets should be reviewed and updated on a regular basis, says the report. An annual review of the departments' mission, statements, goals and objectives should be done.

A one-stop permitting process should be initiated, based on the report's recommendations. With the proper system of hardware and programming, any request for ser-

6/5/96

6/10/96

The land behind the Willow Street sign (top left) is the proposed home for a second McDonald's off Route 28. Town officials are concerned cars taking a left from Willow Street onto North Broadway (right) will have a difficult time crossing without a street light.

Make way for McDonald's?

◆ A new McDonald's on North Broadway could seriously hamper the flow of traffic, but not in a way you might think.

By Rich Demerle
Eagle-Tribune Writer

SALEM, N.H. — Plans for a new McDonald's on North Broadway are before the Planning Board, and they are plans the chairman says are far from a done deal.

Last week, the board continued a hearing on the plan which would put a 66-seat building on land just north of Willow Street. The weed-covered lot is vacant and surrounded by a metal fence.

This is what the plan calls for:

Adding a left-turn lane on the northbound side of North Broadway which would hold three cars, turning into Willow Street.

Dividing Willow Street into three lanes, one for traffic off North Broadway onto Willow Street, and two for traffic onto North Broadway — a left-turn lane for traffic northbound and a right-turn lane for traffic southbound.

An entrance on North Broadway for southbound traffic only.

Twelve employees and a 48-car parking lot. McDonald's withdrew plans for a 1,464-square-foot play center next to the 2,878-square-foot building.

A conduit will be installed at the North Broadway/Willow Street intersection for a traffic light if one is needed.

"The reality is the board reviewed the plan for the first time in quite a long time and continued the plan," chairman John Lukens said Thursday. "Now, some people will read a continuance... as somehow continuing towards approval and that's not really what it is."

With the site 1,000 feet north of Salem Depot, the intersection of the Broadways and Main

Golden Arches gets two thumbs-down

SALEM, N.H. — The police chief and the Public Works director said they cannot support the proposed North Broadway McDonald's because of traffic concerns.

In letters to Planning Director Ross Moldoff, Police Chief Stephen B. Mac Kinnon and Public Works Director George W. Sealy Jr. made their thoughts known. Here are some excerpts.



Chief Stephen B. Mac Kinnon

Street interchange and approaching lanes, we will continue to have major traffic problems. I agree with our traffic consultant's conclusions and feel the impact of this proposal can have detrimental effects on traffic movement in and around this site... Until the larger Depot questions are addressed... I would oppose such a proposal until that one issue is satisfied."

Mr. Sealy: "The northbound vehicles that attempt a left turn into Willow Street must try to cross two lanes of stacked vehicles, which in turn backs up the outside northbound lane on North Broadway (sometimes into the Main Street area)."

"The vehicles that attempt a left turn onto North Broadway from Willow Street have to cross two lanes of southbound traffic and most often have to sneak out into the southbound lanes and try to slip into the traffic flows heading north. This creates a very dangerous situation. I am against any future development in this area until alternate routes can be developed for the Depot area."

Street, traffic is the biggest concern — but perhaps not what you would expect.

Laure M. Raused, who studied the plans and projected traffic impact for the town, said the Depot would see about a 2 percent increase in volume of cars. Her biggest concern was the traffic trying to get out of Willow Street, turning left onto North Broadway.

Mr. Lukens said the board shares that concern, leaving them with an important question: Does the town approve a traffic light for the intersection?

Traffic in southern Salem already suffers from four traffic lights within seven-tenths of a mile, from Cluff Road down to Kelly Road.

Another concern is traffic backing up out of the

Depot. Because the left lane southbound frequently gets blocked by people trying to turn onto Main Street, traffic backs up to Willow Street.

Traffic analysts for McDonald's estimate the average daily traffic on North Broadway per weekday is 27,200 vehicles, 25,900 on a Saturday.

Mr. Lukens said board members have to weigh the town's interests (not adding more cars to an already-crowded intersection) against another question — should McDonald's suffer because of the problems of Salem Depot?

The board is not scheduled to discuss the plans at its June 11 meeting. Mr. Lukens said he has a long-standing policy of asking the public to attend meetings and voice their opinions.

1 term under her belt, Morris eyes re-election

Incumbent State Rep. Debbie L. Morris has decided she wants to run in the Statehouse. She lives in Nashua Road, New Hampshire.

WINDHAM

John Rasilson

Worn-out flags to get an honorable end

This Friday, the American Legion Ernest W. Young Post 63 Salem will have a service to dispose of worn flags.

Spicket: Cleanup campaign ending with a celebration

Continued from Page 13

The first cleanup of 1996 was June 1. Log jams were removed from at least two locations along the river to clear the way.

In addition to six cleanups scheduled for September and October, the New Hampshire Army Reserves will pitch in July 26 to July 28 to remove four fallen trees that are too large for volunteers to handle.

Mr. Lyons said once the river is clear, groups or companies will join Adopt-a-River and Adopt-a-Bridge programs to keep the Spicket clear and clean. They will be responsible for keeping their section of the river or the area around a bridge over the river clear of debris for two years.

Participating groups will be recognized by a sign at a bridge or along the river and will be credited in future Spicket River Committee newsletters.

The committee's final cleanup push will be Sept. 7 and 8, Sept. 21 and 22 and Oct. 5 and 6. Everyone is welcome.

The committee will use up to

seven boats to bring the collected debris ashore where it will be hauled away by the Salem Department of Public Works.

Mr. Lyons said at least 200 volunteers are needed to remove between 50 and 60 trees, or 10 per cleanup.

Here is what it takes to join the effort:

Needed are conservation groups, Boy and Girls Scouts, volunteers and civic groups, sportsmen, boaters and hikers and ecology and environmental groups.

T-shirts will be given all volunteers while supplies last. Everyone will be treated to lunch.

Meet at the Municipal Office Building on Geremonty Drive at 9 a.m.

Wear rubber boots or old sneakers, long sleeved shirts, long pants and gloves. Life jackets are required and waders will be supplied.

Further cleanup information is available from the Salem Planning Office or Mr. Lyons after 5 p.m. at his home at 30 Sullivan Ave.

SALEM

2-year Spicket cleanup ending with celebration

◆ The Spicket River will soon be spick and span again.

By Sally Gilman
Eagle-Tribune Writer

SALEM, N.H. — Volunteers are nearing the end of their campaign to clean the Spicket River so it can once again be enjoyed by townspeople and visitors.

A celebration to officially open the rejuvenated river is planned for Oct. 8 at noon. Townspeople are invited to lunch and a ribbon-cutting ceremony at the old fire house on Bridge Street, adjacent to the river.

The cleanup gets a major boost this week when seven Americorp members camp in Salem for five days working full-time on the river banks and water.

"They will be with us Thursday

(today) and Friday and again on Monday, Tuesday and Wednesday," said Michael Lyons, Conservation Commission chairman and leader of the Spicket River Committee.

He said they will cut and remove fallen trees downstream of Lawrence Road.

Volunteers organized the river cleanup in December 1994 to make Spicket River the beautiful recreational resource it once was. Nine cleanups in 1995 netted such junk as a kitchen sink, barrels, eight car tires, lawn chairs, mailbox, shoes and lots of cans and bottles.

Mr. Lyons says if all goes as planned, you will be able to paddle a canoe or small boat from just below Wheeler Dam at Arlington Pond all the way to the Massachusetts line at the Hampshire Road bridge, a distance of about eight river miles.

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6/27/96

LOCAL NEWS

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SALEM, N.H.

500 homes on drawing board

◆ With townspeople in Salem, N.H., — and throughout the Merrimack Valley — thinking about limiting home building, developers in Salem are planning to make Salem a popular place to move.

By Sally Gilman

Eagle-Tribune Writer

SALEM, N.H. — Residential growth in the upswing in Salem since the 1970s. This is the greatest number of subdivisions since the 1970s. Town Planning Director Ross A. Moldoff said.

He said 33 subdivisions, with more than 500 homes, are either in the works, under con-

struction or before the Planning Board. "It is important to understand that the houses will not be built out in one year," Mr. Moldoff said. "It will be done in five to 10 years." He said one project approved in 1986 is still unbuilt.

One of the most attractive areas is Route 111, between Shadow Lake and Ermer Road. "We could have five subdivisions going in up there," Mr. Moldoff said. "When you drive

Route 111, instead of seeing woods on both sides of the road you will see homes." A plan for 67 homes on Route 111 is scheduled for the Planning Board at 7:30 p.m. Tuesday at the Municipal Office Building on Geremonty Drive. Mr. Moldoff said the homes would be built over three years.

The same agenda contains a request for 20 new homes to front Pelham Road, beyond Stiles Road and the medical park, and four homes on Brady Avenue off Route 38 near the Pelham town line.

Mr. Moldoff believes developers are rushing for subdivision approval before townspeople can slow residential growth. A Residential Growth Management Com-

mittee, studying new homes and their impact on the town, is expected to have proposals for the Planning Board this fall and for voters in March 1997, according to Mr. Moldoff.

The group grew from residents' concerns about residential growth in Salem. The Planning Board also increased the minimum size of new housing lots in response to concerns of citizens.

Mr. Moldoff said Salem is attractive because its regulations are more lenient than surrounding communities. He said Derry has banned new homes, Londonderry has significant impact fees and Methuen has adopted growth management. Andover and North Andover have both considered limits.

7/9/96

The Eagle-Tribune



BUSINESS

Cell phone antennas in unlikely places

BOSTON (AP) — The steeple of the United Methodist Church in the scenic coastal town of Ipswich reaches out and touches more than just the heavens — it's also a cellular phone transmitter.

Same goes for a plastic tree near George Washington's Mount Vernon estate in Virginia, a flag pole in Pittsburgh and even the lights over the left field wall at Fenway Park, home of the Boston Red Sox.

Phone companies anxious to expand service without angering communities defensive about their history and architecture are concealing their antenna towers anywhere they can and paying rent for the rights.

"The industry is being forced, frankly due to strict zoning and community concerns, to be more innovative in the way they camouflage these towers," said Duncan Milloy, a spokesman for BellAtlantic NYNEX Mobile.

When Ipswich rejected a proposal for a tall antenna tower in the town, BellAtlantic offered to build a replica of the lightning-damaged, 1859

church steeple in exchange for the right to hide a transmitter inside.

"It's a win-win," said Mike Moscaritolo, BellAtlantic's regional director of network engineering. "They get to replace a steeple that they otherwise may never have been able to replace. The town wins. And we win."

There are about 22,000 cellular transmitters in the United States, though more than one may share the same tower. Another 100,000 are expected to be needed by the end of this decade to satisfy the demand for

Depending on the elevation of the land, the transmitters generally stand from 60 to 400 feet high and as little as a mile apart in densely populated areas to six miles apart in rural sections.

"Given the requirement to reuse the same set of frequencies over and over again, you have to have multiple places to put up your antennas," said Mark Farris, vice president for network engineering operations at Cellular One.

Cellular One disguised a 100-foot relay tower as a plastic and rubber "pine tree" near Washington's estate. The company also has hidden panel antennas painted green around the upper deck of Camden Yards, home of the Baltimore Orioles, and behind the American flag at USAR Arena in Landover, Md., where the Washington Bullets and Capitals play.

And in Washington, D.C., which has a building height restriction, the company conceals its transmitters on billboards and in parking garages.

and church steeples. FVT, a company in Fort Worth, Texas, conceals cellular telephone antennas inside fiberglass palm trees 60 to 100 feet tall.

"It is absolutely a growing industry — no pun intended," said Roy Moore, the company's vice president.

Finding lofty places and hiding transmitters and their power sources "makes a boring engineering job a little bit more fun," Mr. Farris said.

Feud over Salem dirt pile returns to court

◆ A neighbor is still upset over a pile of dirt he said was dumped illegally near his home.

By Sally Gilman
Eagle-Tribune Writer

SALEM, N.H. — A long-running feud over house lots, fill and wetlands will return to court this month.

Gary Miles, of Shady Lane, is challenging the Salem Planning Board's approval of five house

lots at 155 Millville St. About 381-feet of the subdivision abuts Mr. Miles's 3.69 acres.

Mr. Miles said he has spent hundreds of dollars to fight the project being built by Glenn Gidley, former Planning Board chairman. He said he will represent himself at the appeal scheduled for July 25 in Rockingham County Superior Court in Brentwood.

"If things were being done honestly I would have an open mind," said Mr. Miles, an independent automobile appraiser. He said Mr. Gidley's project has also cost taxpayers money in legal fees.

Mr. Miles said the land is too wet for even five house lots and he worries about runoff from septic systems going into wetlands.

Mr. Gidley said the town will defend the Planning Board in court.

Please see **DIRT**, Page 14

Continued from Page 13

"I think I really did everything I could do to lessen the impact on neighbors," Mr. Gidley said. "I'm not filling in any wetlands."

The controversy centers around 2,000 cubic yards of dirt Mr. Miles said were dumped illegally on the Gidley land before he bought his home in 1992. Mr. Miles said the dirt was never tested before it was brought from the resurfacing project on Millville Street and construction of The Mall Rockingham Park. He said the pile could be leaching into the swamp that drains into nearby Millville Lake.

Under Mr. Gidley's approved plan, the dirt would be removed. Mr. Miles, however, wants the Planning Board to require a new review of the wetlands after the dirt is gone because its removal will alter the site.

Town Planning Director Ross A.

Moldoff said he signed permits that allowed Mr. Gidley and others to stockpile the dirt he believed came from the mall project.

"People have looked at it, the state has looked at it and the Army Corp of Engineers have looked at it and none of them have problems except Mr. Miles," Mr. Moldoff said. He said there is no indication that federal laws were violated.

The town had originally granted Mr. Gidley permission to build 15 homes on his land under the town's affordable housing ordinance.

An abutter challenged the legality of the ordinance and it was overturned by Superior Court. Mr. Gidley then withdrew his plans for the 15 houses.

The town is appealing the ruling to the New Hampshire Supreme Court to make sure its housing ordinance is valid, according to Mr. Moldoff.

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67 homes would give town a well

Construction of 67 houses on Route 111 would give the town its first community well in at least 15 years.

It would also mean about 714 car trips a day in and out of Autumn Woods, the development proposed for Route 111, between Shadow Lake and Ermer Road.

The subdivision, planned by MPG Realty, was before the Planning Board again this week, continued from May 14. The talk this time was of water and traffic.

Developer Richard Pelletier's plan is one of 33 subdivisions, with more than 500 homes, that are either in the works, under construction or before the Planning Board. The houses will be not be built in one year but will take up to five to 10 years to complete, according to Planning Director Ross A. Moldoff.

Mr. Moldoff said a commercial water system is unusual for Salem.

"They are doing it because they cannot get the same number of lots if they had individual wells," Mr. Moldoff told the board.

Pennichuck Water Works of Nashua would hold the franchise on the water system. It operates about 15 community wells in New Hampshire, mainly in Derry, Bedford and Milford. It said it has never turned a community system back to the town.

The Salem system is designed by Bruce Lewis of Lewis Cos.

He said the system exceeds state requirements and would supply 14,000 gallons a day. The water would go into a pump house, where it would be treated if necessary, before going into homes.

Mr. Pelletier's traffic consultant said the 67 units would mean 57 car trips in the morning and 75 trips in

SALEM

Sally Gilman

the peak evening hours and 714 trips in the course of a whole day.

Mr. Moldoff recommended the Planning Board require a left-turn lane into the site from Route 111.

Benefit golf tourney

The Salem Exchange Club and Dollars for Scholars are sponsoring a golf tournament on Aug. 12 at Campbell's Scottish Highlands on Brady Avenue.

Groups are urged to put together foursomes or sponsor a hole to raise money for the two civic groups, according to Michael Antosca, an Exchange Club past president. Cost is \$99 per person and covers greens fee, cart, balls and lunch. Play starts at 8 a.m. and those interested in participating may contact Andrew Nelson at 14 Stiles Road.

Fun after hours

The Greater Salem Chamber of Commerce will host its "Business After Hours" event on Thursday, July 18 at Susse Chalet, 6-8 Keewaydin Drive from 5:30 to 7:30 p.m.

Held in conjunction with Salem-Fest, the informal gathering provides members the chance to meet new members and potential clients.

Special complimentary refreshments will be served and several door prizes awarded. Cost is \$3 for members and \$5 for non-members.

Reservations must be made with the chamber on South Broadway.

Observer
7/11/96

Elementary school housing still a School Board issue

by Tina Coco

SALEM — School redistricting is an emotionally and politically-charged issue, as attested to at the July 2 school board meeting.

The board agreed that a committee must be formed to address the issues of elementary housing.

"The space that we built this year, at an extremely cheap rate, is going to all be gobbled up by the people on the west side of (Route) 93 within the next three years," board member Bernard Campbell explained.

"Approval has already been granted for 78 houses near my golf course, and 27 more are one step away from approval. That's just two developments. Six more houses are planned for Brady Avenue," Campbell added. School Supt. Henry LaBranche noted that 20 houses are also projected for Pelham Road.

The board agreed that it must also find out what's happening with

the projected construction in town. They are unable to propose an elementary housing plan until they have an estimate of future enrollments.

"Perhaps we made a mistake in the expansion program; maybe we shouldn't have put the extensions to certain schools, but that is over and done with. No matter who you move (in redistricting) there is going to be a problem. Looking at all three current plans, they could all survive. Which is the best one? I don't know, but our staff is most qualified to act as a committee, do the numbers and then bring civilian people in to look it over. They are the ones that could possibly be affected by it. When your child is affected, it carries more weight," board member Philip Smith said.

The school board voted 4-0 in favor of acting as a committee to review all reports on school redistricting and all means of housing.

BUSINESS

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Scudder seeks to triple Salem facility

By John Basile
Eagle-Tribune Writer

SALEM, N.H. — An international financial services company based in Boston wants to nearly triple the size of its Salem operation, which would mean adding 260 employees over the next five years.

Scudder, Stevens & Clark, Inc., is planning to:

Buy approximately 18 acres from Digital Equipment Corp. on Northeastern Boulevard off North Policy Street.

Build a three-story, 114,000 square foot

building on that land, complete with a 150-seat cafeteria and full-service kitchen, and a parking lot with 420 spaces. The building would be surrounded by evergreen trees.

Plans call for construction to begin at the end of the summer and the building to be ready at the end of next year. The building would be visible primarily from Digital and the northbound lanes on Interstate 93.

Relocate 160 employees of Scudder Trust Co., a division of Scudder, Stevens and Clark, from their present location on Industrial Way and add 260 more employees over the next five years.

Planning Board reviewed the proposal last

night and listened to members of the public.

Three people spoke in favor of Scudder's plans, including resident Chris Goodnow, of Cluff Crossing Road, who said the office building would generate approximately \$200,000 a year in tax revenue for Salem and add no children to the town's schools.

Four residents, including abutters on Brookdale Road, spoke against the office building, saying it would make congested roads in the area even worse.

"There's just no way that any of us want this traffic impact on our road," said John Peck, 122 Brookdale Road.

Michael Mullen, 46 Brookdale Road, said he is worried about the combination of traffic from Digital and the proposed Scudder office building.

Planning Board members said specific traffic improvements, including what Scudder would be responsible for, need to be worked out between the town and Scudder.

Planning Director Ross A. Moldoff said he will meet with Scudder representatives to prepare a traffic "mitigation package" expected to be presented to the board at its next regular meeting Aug. 13 at 7:30 p.m. in the Municipal Office Building on Geremonty Drive.

ANDOVER

Two Andover firms OK'd to expand

Northeast Utilities
cuts its d...

8/7/96

Town wants to save five acres

The town may spend \$180,000 to buy about five acres of land on Zion Hill Road to keep it out of the hands of developers.

SALEM

The Conservation Commission has negotiated an agreement to buy the land for \$180,000 from St. Joseph Church, the owner of the undeveloped property.

Residents are invited to comment on the proposal tonight at a Conservation Commission hearing at 7 at the Town Office Building on Geremonty Drive.

The Conservation Commission is expected to vote on the matter tonight. The land purchase also needs approval from selectmen.

Buying the land would represent the "beginning of an ambitious program to protect the remaining open land on Zion Hill Road," said Planning Director Ross Moldoff.

The five-acre piece of property, which could accom-

JOHN BASILESCO



modate four houses if it were developed, is surrounded by an open field and the Schultz Farm.

The land is diagonally across from North Salem Elementary School.

Performance tomorrow

Caravan, a group of theater and dance students at the University of New Hampshire, will perform tomorrow afternoon at 1:30 at Kelley Library.

The hour-long program will include puppets, stories, songs and audience participation. It is for children of all ages, and it is free.

Right after the performance, children will be treated to an end of the summer party, featuring pizza and soft drinks and prizes.

John BasileSCO covers Salem for The Eagle-Tribune. He can be reached at 434-9450 during business hours, by mail at 46 W. Broadway, Derry, NH 03038, or by e-mail at jbasileSCO@eagletribune.com.

Waters Pond

Land: Town buys five acres

Continued from Page 11

increase property taxes because the money comes from landowners who have paid a penalty fee for opting to develop their land after agreeing not to do so.

Town Meeting gave the Conservation Commission a green light to buy and preserve more land when voters increased the maximum of amount that goes into the conservation land fund from \$50,000 to \$100,000 each

year. The fund currently has more than \$300,000 before subtracting the \$180,000 that will be used to buy the Zion Hill Road land.

The five-acre piece of property, which could accommodate four houses if it were developed, is an open field surrounded by trees along its perimeter. It is near the Schultz Farm.

The land is diagonally across from North Salem Elementary School.

The Eagle-Tribune Thursday, August 8, 1996 11

NEW HAMPSHIRE

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Land saved from development

◆ With hundreds of more homes on the drawing boards for Salem, the Conservation Commission has taken a step to preserve some of the town's open land.

By John Basileco
Eagle-Tribune Writer

SALEM, N.H. — The town will spend \$180,000 to keep five acres of land on Zion Hill Road out of the hands of developers.

The Conservation Commission last night voted 4-0 to buy the land with money from a special fund aimed at protecting Salem's remaining open space.

Commission members voting to

buy the land were Earl Merrow, Theodore Hatem, William Valentine and Chairman Michael J. Lyons. Commission members Thomas Campbell and William Schultz abstained.

Commission members and others hope to buy and preserve more undeveloped land in this part of town, which is near the Town Forest, an area comprised of about 200 acres of conservation land.

Planning Director Ross Moldoff

said there is a goal of "eventually linking the parcel we are buying to the Town Forest, and perhaps expanding the Town Forest."

While a specific plan or program to preserve land in this area is not in place, town officials have talked to property owners in the area about the possibility of buying their land. Mr. Moldoff said.

Salem is purchasing the five-acre piece of land from the Roman Catholic Diocese of Manchester. Town officials have been negotiating with representatives of St. Joseph Church in Salem for the past year. Mr. Moldoff said.

The land purchase will not. Please see LAND, Page 12



John Basileco/Eagle-Tribune
Conservation Commissioners Michael J. Lyons looks at the land on Zion Hill Road that will be protected from developers. Mr. Lyons and others have spent a year to make the land purchase possible.

Circus in town

STATEHOUSE

Calvin

Neighbors resist plan for housing

Senior complex in wrong spot, they say

By GORDON FRASER
STAFF WRITER

SALEM — A senior housing project that has been described by one selectman as sitting on an island — or at least a peninsula — faces stiff resistance from a group of nearby residents.

A petition signed by 11 neighbors asks the Planning Board to reject a 37-unit apartment-style senior housing complex on Belmont Street.

At issue is a single four-story building with a bottom-level garage that would be built on a dry patch of land surrounded on at least three sides by wetlands. The building would be near the corner of Belmont Street and South Broadway.

A conceptual plan for the site was approved on a 4-2 vote at the Planning Board meeting July 25.

But conceptual approval only serves as a go-ahead for the developer to commission a fully engineered plan, and Stonehill Builders must submit that plan for final approval.

Deanna Nemethy of 7 Belmont St. forwarded a petition last week to town officials, informing them that "we disagree with your vote and want you to be aware that our absence (at the last meeting) is not a sign we are OK with the project."

The petitioners cited concerns raised by Selectman Elizabeth Roth and others that the area could be prone to flooding and that construction near dense wetlands could affect the water table.

In a separate letter, Nemethy said her home floods easily and

Please see **HOUSING**, Page 7

HOUSING: Neighbors use petition to send message

■ Continued from Page 1

could be affected by any construction in the area. She also raised concerns about the width of the road. At present, she wrote, it's too narrow. If widened, it could damage wetlands or cause still more flooding of nearby homes.

Beyond that, she said she had concerns with traffic.

Planning Board member Christopher Goodnow said he plans to hold developers to their early promises to build a safe facility that would protect the rights of nearby neighbors.

Goodnow voted for the early approval of the project, saying he would hold developers' "feet to the fire" when the project comes to another vote.

And Steve Keach, a civil engineer for the project, has said the proposal is the best use for a less-than-ideal piece of land. While he acknowledged that developers would have to get several exceptions — the proposed building is too tall, the driveway into the parking lot would cross a wetland and the plan does not in-

The senior housing project on Belmont Road is in its second manifestation.

clude enough open, dry land — Keach said the proposal overall would add to the community.

But Salem already has a number of senior housing units.

Planning Director Ross Moldoff said there are 254 senior housing units in Salem today and about 400 have been approved, built or are under construction.

When a 142-unit complex on Veterans' Memorial Parkway is complete, Moldoff said, demand could diminish. Although, he cautioned, town officials don't dictate the demand for units, the market does.

The senior housing project on Belmont Road is in its second manifestation. A five-story, 52-unit version of the project, forwarded by developer Berge Nalbandian, was rejected by the Planning Board in 2003.

Is 13-unit complex a little too far out?

By GORDON FRASER
STAFF WRITER

SALEM — Developers planning a 13-unit senior housing complex on Ermer Road, off Route 111 and far away from the preferred area for senior housing facilities, could face a difficult road to get approval.

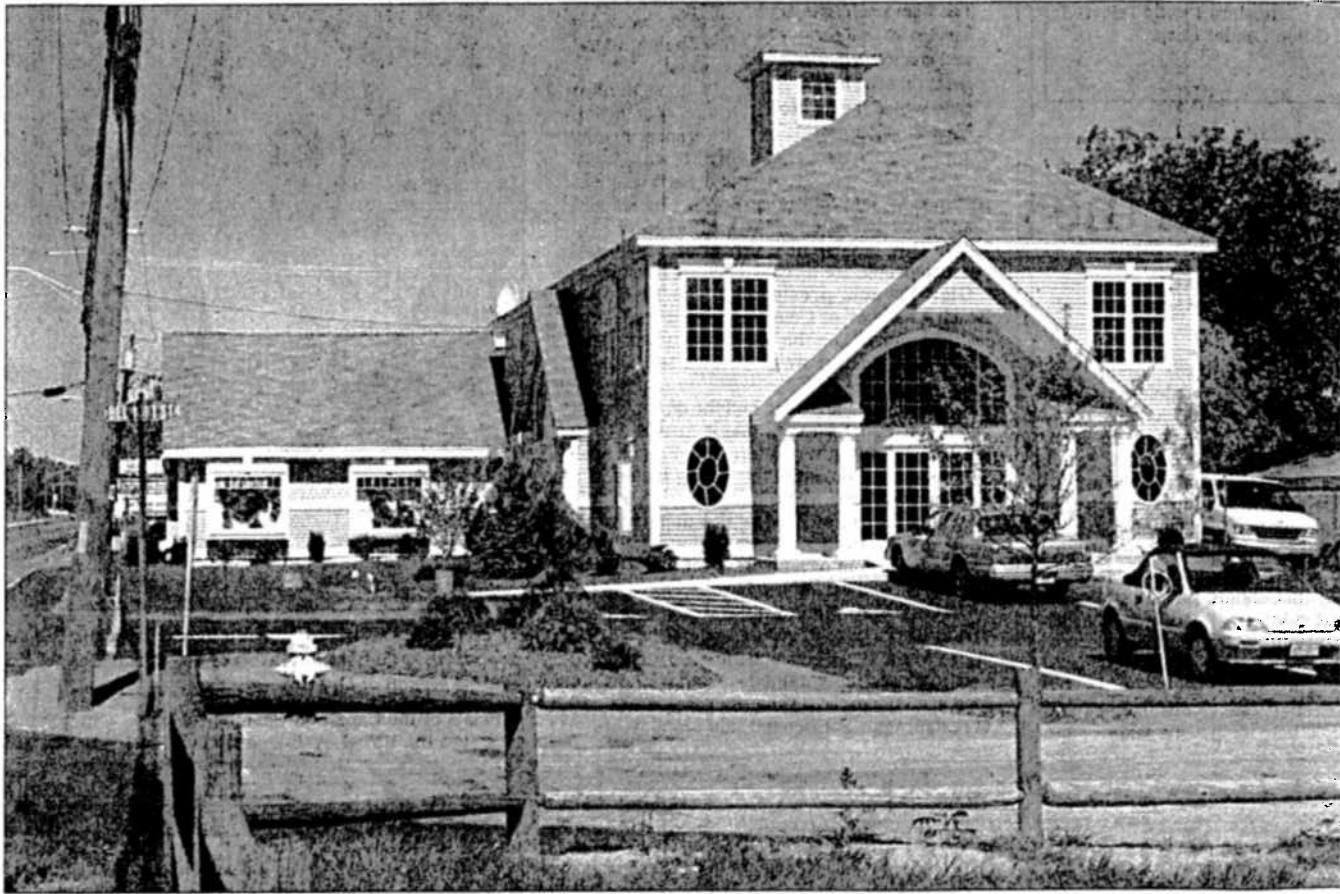
"The Planning Board, to date, has not approved any (senior housing) projects in outlying areas," Planning Director Ross Moldoff said. "They felt that it was more appropriate to have senior housing adjacent to sidewalks, adjacent to nearby shopping areas."

Shiron Inc., a development company from Carlisle, Mass., submitted a plan to build a senior housing proposal on the property last week. The plan will go before the Planning Board Aug. 22.

Shiron proposes building 13 single-family homes on its Ermer Road property, within sight of Route 111.

Salem's zoning forbids apart-

ment-style senior housing in residentially zoned areas, but it allows senior housing in any part of town with Planning Board approval.



Sally Gilman/Eagle-Tribune

The new home of Ford Flower Co., located at the former site of Blinn Realty, is one example of attractive commercial design in Salem.

Proposal could make Salem prettier

◆ Planners are considering standards to improve the future look of Route 28.

By Sally Gilman
Eagle-Tribune Writer

SALEM, N.H. — The Planning Board is considering standards to improve the architecture and landscaping of retail developments.

"We want to encourage high-quality building which improves the aesthetic character of our community," said Town Planning Director Ross A. Moldoff. He said this is especially true of Route 28, where commercial development is concentrated.

The Planning Board will host a public hearing on the proposal Sept. 12, at 7:30 p.m. at the Municipal Office Building on Geremonty Drive.

Mr. Moldoff said the town has had voluntary standards for the last few years. If passed by the Planning Board, these would be the first formal guidelines, covering even landscaping.

He said even though Route 28 is lined with retail businesses, there are always locations that are being renovated and changed. He said the standards would impact those projects, too.

Mr. Moldoff said the new home of Ford Flower

Co. on South Broadway is the perfect example of what he is looking for. He said Bert and Susan Ford renovated an existing building and added a new structure, complete with trees and shrubs.

Mr. Moldoff said the standards will offer flexibility.

"What we are saying is 'Don't give us a building that is sheet metal,'" Mr. Moldoff said.

He said he sent his standards to local builders and developers for their comments.

"The response was really good. People appreciate the chance to be involved in the regulations before they are approved or presented by the Planning Board," Mr. Moldoff said.

Businesses would be encouraged to:

Avoid long unbroken expanses of walls by adding dormers, skylights and chimneys.

Create interest by using porches, swings, columns and arches.

Expose no more than 3 feet of foundation.

Use brick, clapboards, shingle, glass, stone and stucco for wall surfaces

Create a special entry to the site with landscaping and tasteful signs.

Use accent trim — bright colors are acceptable, but neon tubing is off limits.

Landscaping using shade trees and evergreens of an acceptable size.

AESTHETICALLY PLEASING

Town Planning Director Ross A. Moldoff said the following commercial buildings are examples of what he is looking for:

Eastpoint Plaza, 142 Main St.

Wickson Corners, 15 Ermer Road

Nettles Mall, South Broadway

Salem Marketplace, North Broadway

Breckenridge Plaza, North Broadway

Lechmere (front facade), South Broadway

Fleet Bank, 127 Main St.

Mike's Red Barn, 303 Main St.

Rockingham Toyota, 354 Main St.

97 Shoppes, 401 Main St.

KNOCK HARDER...HARDER !!!



L.W. Swank
SALEM OBSERVER
7-4-86

Editorials

Burning the midnight oil

Sometimes, the Planning Board takes on more than it can chew—at least in one evening. The Board ordinarily meets twice per month. On each agenda, there are usually eight to ten hearings scheduled, but it is rare for the Board to be able to plunge through any more than four or five plans.

At break time, the Board Chairman John Lukens calls for a vote to continue some number of the hearings to the next meeting.

Until that occurs, developers and abutters alike sit patiently—or otherwise—waiting for the hearing in which they have interest. Sometimes, the wait is longer than two hours before they are told to go home.

Prior to the Board's most recent meeting, three applicants withdrew their petitions before the meeting, knowing their hearings would not take place.

At break time, roughly 9:30 p.m., the Board continued all old business items. Thus, the Board heard only 50 percent of the agenda items.

The prior meeting was worse. The Board strictly adheres to its rule "to not begin a new hearing after 11 p.m." They began to discuss a very complex plan at exactly 10:59 which means some abutters who had every right and were anxious to bring information to the Board's attention waited until well after midnight to speak to the issue.

There must be a way to streamline the planning process so that all business can be accomplished by a reasonable hour.

Some suggestions: Limit the agenda to the number of items the Board can reasonably address before 11 p.m.

Make certain the applicants are thoroughly prepared before they come to their first hearing so that fewer "return trips" are necessary.

Put a time limit on each abutter's input.

Schedule a special meeting each month for items which will be quickly decided and leave the other meetings for two or three major issues which will draw a heavy list of abutters or interested residents.

Finally, turn off the midnight oil; it's difficult to believe that people who have worked all day can be efficient at the witching hour.

~~8/18/46~~ ~~Boston~~
GLOBE

Park noise no fun for N.H. neighbors

SALEM, N.H. - To compete with larger amusement parks, Canobie Lake Park wants to add a new ride. But first, it must battle with neighbors who say the park's roller coaster is more than enough.

Gary Wright attended a public hearing to protest the new ride, and added an additional complaint against the park's Cork Screw Roller Coaster.

In a written complaint, Wright, who lives near Canobie Lake Park, said the screams coming from the roller coaster exceed the town's noise limit. Planning Director Ross Moldoff is looking into the complaint. (AP)

9/17/96

Landscaping standards approved

SALEM

The Planning Board has adopted standards to improve the architecture and landscaping of retail developments in town.

**SALLY
GILMAN**



"I think it's a great idea," said Charles Morse, owner of Freshwater Farms of Atkinson. Mr. Morse, a landscaper, endorsed the standards at a public hearing last week.

The standards were drawn by Planning Director Ross A. Moldoff to make retail development more attractive, especially Route 28, the town's major commercial strip.

Mr. Morse said the Planning Board is not asking for anything that most developers do not already do on their own.

"With no rules, however, it is all left open to interpretation," Mr. Morse said.

He said the new standards, however, give Mr. Moldoff the authority to see that new retail businesses are attractive and nicely landscaped. He said the Planning Board can also waive the standards.



McDonald's denied by planners

By Sally Gilman
Eagle-Tribune Writer

9/16/96
SALEM, N.H. — Planning Board has nixed a "Golden Arches" on North Broadway.

"The overriding concern was safety," said board member Michael Lyons. "We were worried about the safety of drivers making a left turn from Willow Street to go north on North Broadway (Route 28)."

He said the board wanted a traffic light at the intersection.

McDonald's planned the 66-seat restaurant for 1.2 acres on North Broadway at Willow Street. The short street leads to Craftmania. The one-story building would have had 3,084 square feet.

Richard McCoy of Colley & McCoy Co. of Windham was to operate the restaurant. Mr. McCoy said he has built more than 100 McDonald's and is disappointed by the board's rejection.

Please see **MCDONALD'S**, Page 10

McDonald's: Traffic woes get plans denied

Continued from Page 9

"We are not building a mall," Mr. McCoy said. "We agreed to spend \$200,000 on road improvements. There is a limit to how much you can do."

Mr. McCoy said the traffic lights added another \$75,000 and were unnecessary, according to his traffic study.

Police Chief Stephen B. Mac Kin-

non and Public Works Director George Sealy recommended the plan be denied due to traffic impacts.

Voting to deny the plan were Chairman John Lukens, members David Bridge, Bernard Campbell, Mr. Lyons, and Arnold Croft, a board alternate. Emile Corrente and Clifford Sullivan supported the plan.

Victims: Cellular phone will keep help handy

Continued from Page 9

Patrol (COPP).

Ms. Willis said she hopes the cellular phone program will be up and running by early November.

The phones will probably be dis-

she said.

Ms. Willis estimate about 350 cases of domestic violence a year in Derry. She should meet the ne-

We can rescue our rivers

10/12/96

THE ISSUE

It took three years and hundreds of volunteers to clean the Spicket River in Salem, N.H., of the trash dumped there over decades.

OUR VIEW

It's everyone's responsibility to keep the river sparkling.

The job done, we would like to praise the work of the Spicket River Cleanup Committee, Americorp members, the National Guard, the Army Reserve, local businesses and hundreds of community volunteers who helped return the Spicket River where it runs through Salem, N.H., to the beautiful recreational resource it once was.

Finally, after three years and some 16 cleanup efforts, you can paddle a canoe or small boat from Wheeler Dam at Arlington Pond all the way to the Massachusetts line at the Hampshire Road bridge, a distance of about eight miles.

Before the campaign to clean the river began, the trip by canoe took some eight hours to complete.

The river was choked with old bathtubs, refrigerators, washing machines, hot water tanks, kitchen sinks, barrels, lawn chairs, mailboxes, bicycles, bottles, paper and car tires that people dumped into it.

Today, the same voyage should take about a third of the time, says Michael Lyons, chairman of the Salem Conservation Commission and head of the cleanup mission.

The only reason the river is clean now is because people cared enough about their environment to do something about it. Complaining is important, but in most cases it will not clean a river.

Instead, volunteering and coordinating the efforts of many different groups provided the magic to transform the river into a recreational resource again rather than a garbage dump.

What we have done to the environment we can undo if we work at it.

On Saturday, Oct., 19, the Conservation Commission and the Appalachian Mountain Club will host a canoe trip on the river.

We encourage people to take part. It is our hope that people will come to see the river's potential and stop discarding trash in it.

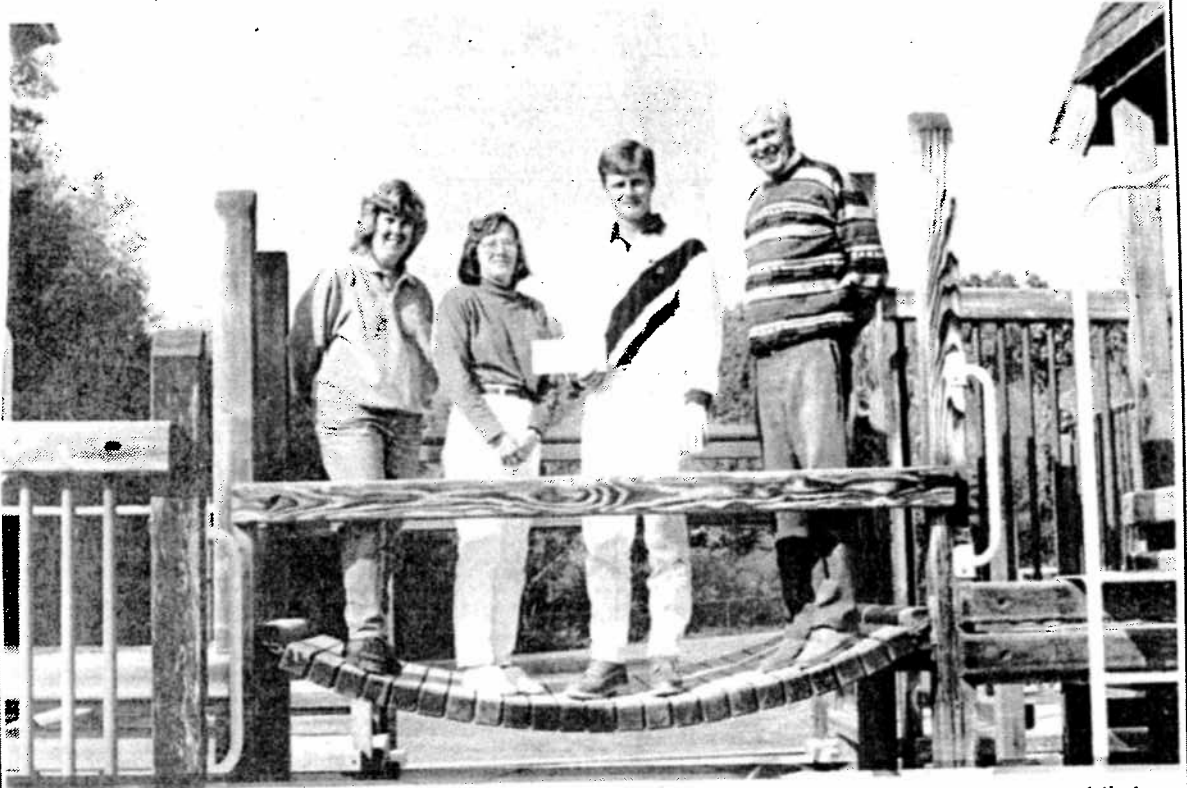
Keeping the river clean is the next step, after all.

The Spicket River Cleanup Committee has already gotten local businesses to commit to keeping the bridges over the river, and closest to them, clear of debris for two years.

The group also plans to hold yearly maintenance cleanups of the river.

We applaud their efforts and hope their future work is limited to removing fallen trees discarded by Mother Nature rather than household appliances.

Funds for fun



Sheila Hamilton and Gail Sjostrom were very pleased to receive a check from Bob Meissner of DHB development to go towards another phase of the playground at Barron School. Meissner presented the check in lieu of an impact fee to preserve open recreational space in his new neighborhood housing devel-

opment. Principal Richard O'Shaughnessy noted that the playground is used by many children in the neighborhood not just as a school resource. Hamilton said the money will probably be used to install a safety surface at the playground.

Observer/Carol Moore

Trailer parks evacuated by boat

10/22/96

By Dawn Souza

Eagle-Tribune Writer

SALEM, N.H. — Wheeler Dam at Arlington Pond was under constant watch yesterday as water flowed

both out its flood gate pipes and over a 100-foot



section of it.

Heavy rain and water released from Island Pond in Derry caused Arlington Pond's water level to rise high enough to require it be released through the dam into the Spicket River, which flows through Salem into Methuen, Mass.

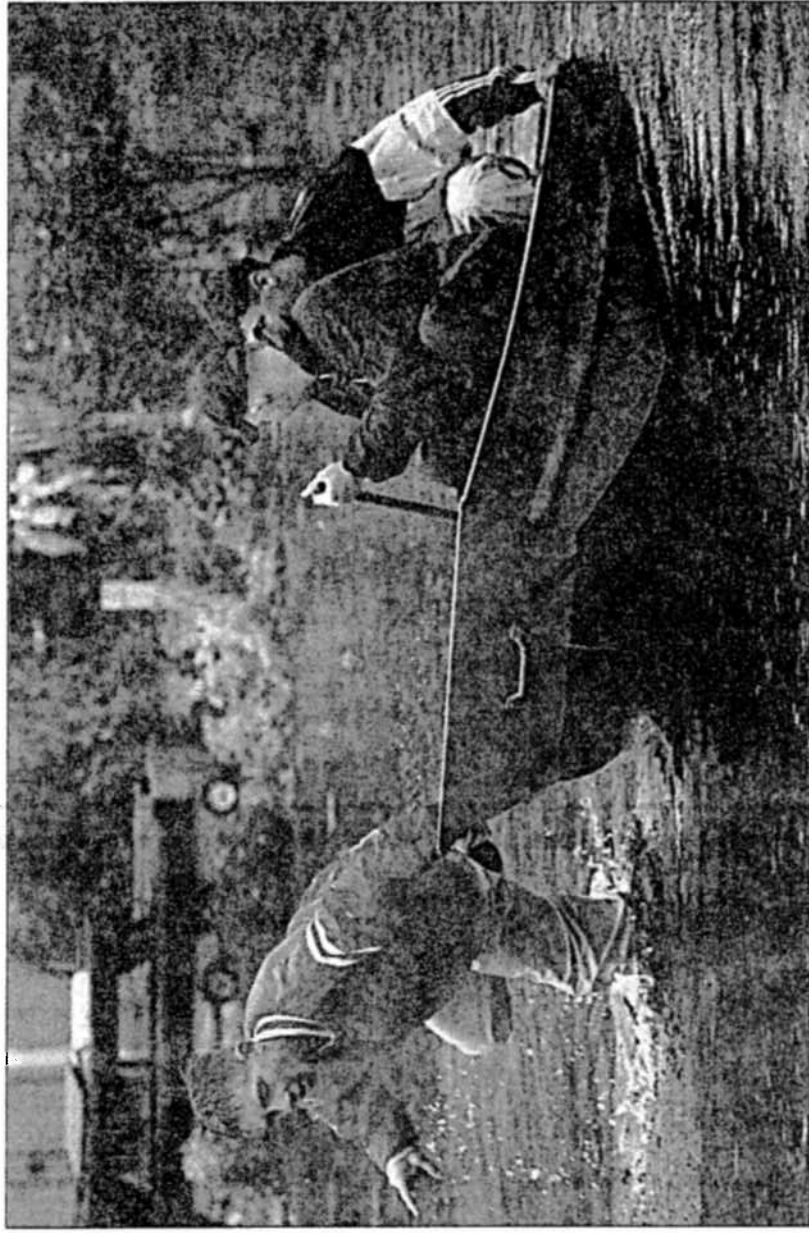
The increased flow into the Spicket caused the river to swell and flood roads and homes in Salem.

The flooding caused several problems in town:

Closed roads: Twenty-eight streets, including sections of Route 28, were closed because of flooding. Five were reopened this morning.

Evacuations: People were evacuated from eight areas of town including Al's Trailer Park, Good Luck Trailer Park, Kane's Trailer Park, Westchester Road, Hampshire Street, parts of North Main Street, parts of Haigh Avenue and the Cluff Crossing Apartments, Building F. Some residents of trailer parks were evacuated by boat.

Washed out: A culvert at Millville



Cheryl Senter/Eagle-Tribune

Timothy Johnson (left), 14, who lives on North Main Street in Salem, N.H., pulls his brother Thomas (center), 17, and friend Paul Beaulieu, 18, in a boat in his Spicket River flooded back yard.

Circle at the north end of Millville Lake was washed away in the flood. Baily of the Salem Highway Department said he had difficulty wading into it.

School cancellation Schools were closed yesterday and today because of the flooded roads. The current of the water flowing over it was so strong, Bill

Please see **SALEM**, Page 14

NEW HAMPSHIRE

night

them at one point yesterday. This morning the water level was below the flash boards.

Island Pond opened its dam yesterday, and on the request of Salem, closed it from the afternoon until about 9:30 p.m. last night. Mr. Sealy said Derry cooperated with Salem as best it could to keep water flowing into Arlington Pond to as little as possible.

"We asked them to close down," Mr. Sealy said, noting that by evening Derry had to reopen. "They were getting water so fast. They cooperated as much as they could."

For Mr. Sealy, releasing Wheeler Dam was the lesser of two evils, and what he and other safety officials saw as the best way to protect the town.

Had the water not been released by the flood gates, which controls the flow into the river, it could have forced the flash board to bend even more or fall altogether. This would have allowed water to flow into the river in a larger quantity and much faster than it did.

"It was either serious inconvenience downstream or devastation if the dam failed," he said.

Chief Nadeau said emergency services were being kept busy with things like flooded basements, oil burner problems and floating propane tanks. All three of Salem's fire stations were up and running, he said, with additional companies helping out. He said as of this morning the department had received 93 emergency calls since 8 a.m. yesterday.

"That's 10 times our normal volume," Chief Nadeau said.

Salem: Dams opened, closed, closed during

Continued from Page 13

Crawford's flooded: All vehicles at Crawford's Towing on North Main Street had to be moved to higher and drier land at the cemetery across the street.

Emergency shelter: An emergency operation center was set up yesterday morning at the fire station on Main Street so police, fire, public works and emergency management personnel could centralize their efforts. The American Red Cross set up a shelter at Salem High.

This morning several of the closed roads had been reopened, according to Fire Chief John R. Nadeau, including Route 28 from Veterans Memorial Parkway to the Depot, Main Street, Pleasant Street, Bluff Street and Shannon Road.

Public Works Director George W. Sealy Jr. said flooding conditions did not worsen last night. Water was already starting to recede in some areas this morning, he said.

The emergency operations center itself was nearly submerged yesterday, as Main Street from Millville Street to just east of the fire station was under water. Chief Nadeau said emergency workers and vehicles entered and exited the site without problems.

Town Manager Stephen J. Daly told selectmen last night that water was flowing "like a river" between the fire station and the restaurant next door.

"It had quite a current," he said.

Chief Nadeau said this morning that the flooding had put on the dam.

One floodgate pipe at the dam was fully opened to 48 inches and a second to 10 inches, according to Mr. Sealy.

The flashboards are designed to bend when pressure is far and allowing too much water to flow over the dam.

Sealy said. He explained that oak flashboards on top of a section of the dam had to be kept from bending over too far and allowing too much water to flow over the dam.

As rain continued to fall, the Wheeler Dam at Arlington Pond had to be opened to keep it from falling, Mr. Sealy said.

Salem Conservation Commission.

Metheuen, according to Michael Lyons, chairman of the the manmade Arlington Pond, through Salem and into the Spicket River flows from Island Pond in Derry to

"I just hope my bed didn't get too wet," he said.

emergency shelter set up at Salem High last night.

Before that happened, however, he heard a noise coming from his bedroom and found water coming in. At this point he flagged down some people in a boat and asked them to help him get out of the area. He spent Sunday night in a hotel and was at the American Red Cross

emergency shelter set up at Salem High last night.

He said he had been eating a Hungry Man dinner when the fire department told him they were taking residents out of the area. Wanting to finish eating first, he told firefighters to return for him later.

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emergency shelter set up at Salem High last night.

He said it was the widest he'd ever had to open the dam. Despite the dam opening, water did end up flowing over the top of the flashboards causing them to bend slightly, allowing about 10 inches of water to flow over

A van drives along a flood Main Street, Route 97, in Salem N.H., near the town's main fire station.

Drawn South/Eagle-Tribune



Salem running out of space--for everything

by Carol Moore

SALEM - Residential growth is a big concern in Salem, but according to Planning Director Ross Moldoff, Salem may run out of space for more housing in the next 10 years.

Currently, there are approximately 200 houses being built or scheduled to be built in town. Two of the last available residential areas—North Salem and the Pelham Road area—are filling up fast.

In addition, streets off Wheeler Ave. are becoming filled up, as are streets off Shannon Road.

In the foreseeable future, North Salem, including developments off Route 111, Zion's Hill Road and Shore Drive will add more than 100 houses; Wheeler Ave. area more than 50; and Pelham Road area more than 50.

Moldoff stressed the fact that not all residential development would take place immediately; some of it may take 10 years.

Moldoff cited three items that residential development will affect:

1. It will change the character of the parts of town that are seeing intense development.
2. It will impact schools, roads and services.

3. It will impact wetlands. Industrial/Commercial areas are nearly non-existent.

"There is still some space in the industrial parks near Route 93, Exit 2, but nothing of any size. We probably have five years left of industrial land inventory," Moldoff said.

For more commercial growth, the answer might be to rezone older residential areas, Moldoff suggested.

He added that the town erred in not zoning the Route 111 area either commercial or light industrial.

"Industrial development would have provided a possible tax revenue stream to the town," he explained.

"At the time, though, it was thought the area wouldn't be attractive to industry because there was no town water and no sewer. Also, we were waiting for a decision on the route of the 111 bypass," he added.

"Salem is a very popular place to work, shop, live and play, but what happens when the tax revenue growth slows down?" he asked.

Time will tell.

Find Out About Foster Parents

Team



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11/21/96

Two traffic problems to be corrected

SALEM - Planning Director Ross Moldoff reported that some headway is being made to get two problem traffic areas corrected.

Moldoff, along with Director of Public Works George Sealey and Police Chief Stephen B. Mac Kinnon went to Concord last week and discussed conceptual plans drawn up by the State.

One plan is for improvements to the Route 111/Route 28 intersection; the other is for improvements to Pelham Road from exit 2 to Keewaydin Drive.

Plans for Routes 111/28 include adding left turn lanes both north and south on Route 28 and implementing delayed signalization. Also, a center turn lane will be placed in front of Victorian Park and the Stove Shoppe.

Moldoff said these interim improvements should be implemented within two or three years. The proposed Route 111 bypass should begin within five or six years, which should also give some relief to this dangerous intersection.

The Pelham Road area plan includes restriping and signalization changes.

Most important is the opportunity to use previously collected impact fees to partially fund both projects.

Impact fees must be matched with either Town or State funds.

Moldoff will ask the Planning Board to request that Selectmen allow the use of impact fees for the projects.

Observations By:
Carol Moore

Timothy Pow
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1996 and C

SALEM - Two School students have been selected to serve as the 1996 Holiday King and Queen.

Lynne Sullivan, daughter of Francis Sullivan, was picked as the Holiday Queen; and Chris Powers, 18, son of Chris Powers, was chosen as the new Holiday King. They will appear at a number of holiday functions, such as the upcoming parade and the Thanksgiving dinner.

The two were selected on Thursday.

(l. to r.) Carol
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GETTING AROUND BYPASS 28 BRIDGE WORK

Motorists have several routes to get around Derry while a section of Bypass 28 (South Main Street) is closed for up to seven weeks for bridge construction.

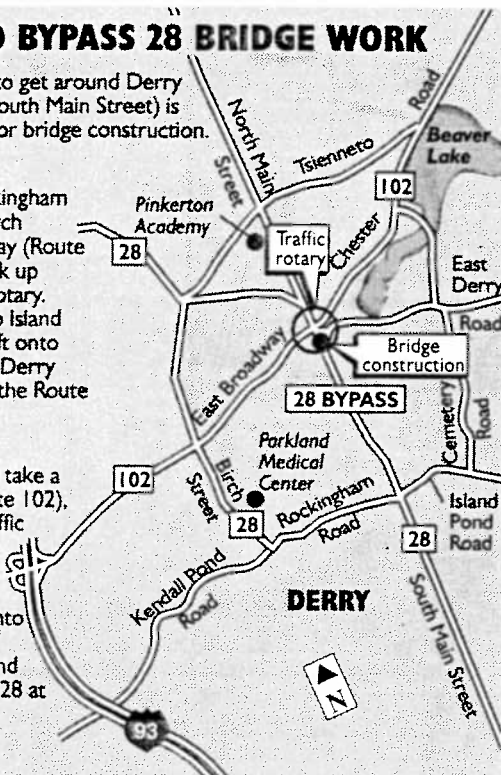
NORTHBOUND TRAFFIC

Drivers can turn left onto Rockingham Road (Route 28), right onto Birch Street, right onto East Broadway (Route 102) at the traffic lights and pick up Bypass 28 north at the traffic rotary. Drivers can also turn right onto Island Pond Road and take the first left onto Cemetery Road, left onto East Derry Road and pick up Bypass 28 at the Route 102 traffic rotary.

SOUTHBOUND TRAFFIC

Drivers at the traffic rotary can take a right onto East Broadway (Route 102), left onto Birch Street at the traffic lights, left onto Rockingham Road and right onto Route 28. Drivers may also take a right onto East Derry Road, right onto Cemetery Road, right onto Island Pond Road and left onto Route 28 at the traffic lights at Clam Haven.

Fran Sangermano/Eagle-Tribune



connection permits by the close of business Sept. 11.

Mr. Meissner, who lives in Bedford, said he has a \$300,000 mortgage on the \$420,000 property and has spent more than \$200,000 on road work. He told selectmen that the town's engineering and public works departments told him on Aug. 1 to begin laying down water and sewer mains.

"I was told six or seven weeks ago, 'Go ahead and build,' " he said. "What else would a normal, rational businessman do? . . . You're going to put me out of business."

Mr. Meissner's plight inspired developer Paul Pandelena, a stranger to him, to speak to selectmen on his behalf.

"I don't know this man from Adam," said Mr. Pandelena, who had seen a six-home water connection request denied earlier. "Seven or 15 homes isn't going to push the town over the edge but denying this man could push him over the edge. . . . This isn't a game of Monopoly."

Please see **WATER**, Page 14

Couple suing town for \$500,000

A Salem fire lieutenant, found not guilty of making a 1993 prank call to a fellow firefighter, is suing Salem and six town employees for \$500,000 over the incident.

In September 1993, Lt. Kevin J. Breen, 31, 270 Main St., Salem, and Dennis Covey, 36, 6 Moulton St., Raymond, were arrested on a charge of placing a harassing phone call or phone calls to Capt. Kevin Kimball.



Lt. Breen

Both men were accused of making the phone call on Sept. 13, 1993, while they and two others drove from a Boston Red Sox game to the Golden Banana strip joint in Peabody, Mass.

In February 1994, Lt. Breen and Mr. Covey were each found innocent.

Lt. Breen and his wife, Martha, have brought a nine-count civil suit against the town of Salem and six people employed by the town at the time. Here are the details:

Defendants: In addition to the town

SALEM

Rich Demerle

of Salem, the six defendants are former Town Manager Barry M. Brenner, former Police Chief James E. Ross, Police Capt. Alan S. Gould, Police Lt. Richard Dunn, and Police Detectives Mark F. Cavanaugh and Fred A. Rheault Jr.

Charges: The suit charges the defendants with malicious prosecution, negligent and intentional infliction of emotional distress and violating Lt. Breen's Fourth, Fifth and Fourteenth Amendment rights "by willfully ignoring, omitting and misrepresenting various material facts in their investigation and report."

The suit states the defendants went forward with the case against Lt. Breen even though they had statements from witnesses which contradicted the charges and even though there had been a favorable administrative hearing by Fire Chief John R. Nadeau.

The suit also states Chief Ross and Mr. Brenner allowed police officers

to investigate and present information in such a way "that a prosecution would probably result regardless of the true facts."

Mrs. Breen, also named as a plaintiff in the suit, is suing for \$100,000. The suit charges the defendants' actions have damaged the Breens' marriage "including loss of services, sex, companionship and society."

Coming up

Haigh School is hosting a parent night Thursday at 7 p.m. All parents are invited to meet the staff and tour the school. Parents will also be able to schedule a time for an individual conference to take place on Nov. 9.

Meetings this week

Today, the Planning Board will meet at 7 p.m. in Town Hall. The School Board will meet at 7:30 p.m. in the Salem High media center.

Wednesday, the Budget Committee will meet at 7 p.m. in Town Hall.

All meetings are subject to change.

Court reverses Rosen decision

12/12/96

by Carol Moore

SALEM - In a decision handed down by Presiding Justice Patricia C. Coffey, the Rockingham County Superior Court has reversed a decision of the Salem Planning Board.

In August 1995, the Board denied a plan submitted by Rosen Associates Development, Inc. to build a shopping mall on a 19-acre parcel of land on Route 28 across from Funhouse Pizza.

The denial was supported by a large contingent of Salem residents who protested the plan on the basis of traffic and wetland concerns.

The Board voted 5-1 to deny the plan with member Clifford Sullivan in opposition.

Rosen Associates subsequently filed an appeal on the decision in Rockingham County Superior Court.

Many Town officials were called in to testify at the hearing held in November.

In her decision, Coffey found that accusations by Rosen's attorney that the Planning Board acted in bad faith were unfounded, so the Town is not liable for fines or court costs.

Nevertheless, Coffey found that the Board erred in not granting approval.

In March 1995, the voters passed a zoning amendment to rezone the parcel from highway/commercial to residential.

After the vote, the Board finally accepted the Rosen proposal, but then relied on traffic impact as a justification for its ultimate denial.

Coffey also found that the pro-

posal had no adverse impact to public health, safety and welfare, a decision with which the hundreds of residents who came out in protest might disagree.

In her decision, Coffey noted that, "Though a planning board cannot use public outcry as a reason to act unreasonably or illegally in denying a project, it is a function of a planning board to consider the impact of a proposal on the community as a whole, especially where it will affect a large or concerned segment of the population. However, in this case, the planning board went too far in denying the Rosen project for the reasons that were evidenced in the trial."

Robert Roy, 32 Haigh Ave., was one of those who protested the plan.

"At this point, we're very discouraged. We can't ride down Route 28 on the weekends, now we won't be able to ride down Route 28 during the week," Roy said.

"The Planning Board seemed to think there was a safety issue, and they're right," he added.

Roy also noted that the plans call for drainage from the shopping center to run under Chili's parking lot and drain into the Spicket River.

"We cannot stand one more drop of water in the Spicket," he added.

At this juncture, the Planning Board has no jurisdiction, but there is a 30-day window for an appeal of the Court's decision through the Board of Selectmen.

Watch



News Briefs

Tree Lighting canceled

SALEM - The Tree Lighting Ceremony that was scheduled for the Field of Dreams on Sunday, December 8 was canceled and will not be rescheduled this year. Sponsors felt it wouldn't be a good idea to hold it too close to Christmas.

Dealer indicted

orial

Salem eyes reining in developers

12/12/96

◆ Voters must approve a growth management ordinance before it can be implemented.

By Dawn Souza
Eagle-Tribune Writer

SALEM, N.H. — A proposal before the Planning Board would cap the number of new homes that can be built in town at 130 per year.

Drafted by Salem's Growth Management Subcommittee, which consists of developers, pro- and anti-growth residents and town officials, the ordinance was given to the Planning Board this week. The subcommittee was formed nine months ago to look at ways to keep residential development in check.

Currently, there are more than 400 homes in various stages of development.

"We looked at everything from a moratorium to opening the flood gate," John P. Lukens, the subcommittee's chairman, said. "What we've come up with doesn't stop growth . . . It prevents spikes in (development)."

Those "spikes," when a substantial number of new homes are built at once, put a strain on Salem's schools, roads and public safety services.

Over the past 18 years the number of building permits issued for

"What we've come up with doesn't stop growth . . . It prevents spikes in (development)."

John P. Lukens, chairman of Salem's Growth Management Subcommittee

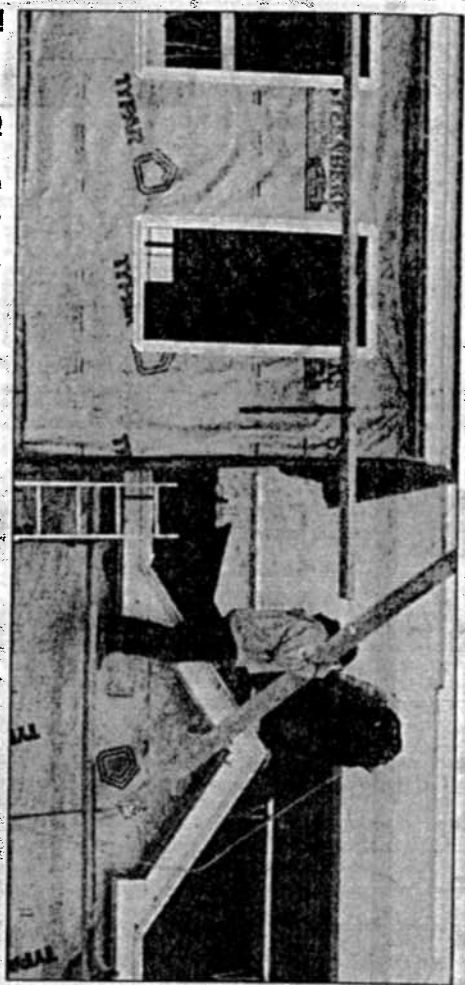
single-family homes ranged from a low of 37 in 1981 to a high of 169 in 1993. In 1994 and 1995 there were slightly more than 100 permits issued.

The selection of 130 as the cap is based on those figures and is considered fair to both developers and those who want to keep Salem's growth at a minimum.

If approved, large subdivisions would be required to phase in their developments so all 130 homes are not taken up by one or two subdivisions. In addition, 10 of the 130 permits would be reserved for one- and two-home developments to give the average person a chance to build a

Please see **GROWTH**, Page 16

Thomas Gioseffi, developer of Ganley Estates off Town Farm Road, is a member of the Growth Management Subcommittee which proposed the 130-house cap. This house on Ganley Drive, being worked on (from left) by Spencer Jubbert and Jeff Staples is one of the 400 currently development in town.



Continued from Page 15

house.

If any of those 10 permits are not applied for by Oct. 1, they would be put up for grabs to the larger subdivisions.

Existing homes that are rebuilt or enlarged would be exempt from the ordinance, as would elderly housing created by the Salem Housing Authority. The ordinance, as currently written, would allow the Planning Board to reassess the cap number and details each year. Planning Board will discuss the ordinance at its

HOW CAN WE HELP YOU?

Dec. 17 meeting and can make changes to the plans, according to Salem Planning Director Ross A. Moldoff. Mr. Moldoff said a public hearing will most likely be held in January, and if the board forwards it, the ordinance will go before voters in March.

With voter approval the ordinance would take effect April 1, 1997. Mr. Moldoff said the issue of grandfathering homes in various phases of development at that time, without permits, was something that still needed to be looked at from a legal standpoint.

YOUR TOWN COLUMN

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Derry	15	Salem	15
Londonberry	15		

NEW HAMPSHIRE

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Court clears way for shopping plaza

♦ The town was wrong in denying project, but did not act in "bad faith," court rules.

Dawn Souza
Eagle-Tribune Writer

it. Justice Coffey approved the site plan without sending it back to the Planning Board.

The Planning Board had cited traffic as the main concern in its rejection, saying the intersection would reach 114 percent capacity by the year 2005.

The court sided with the developers, Rosen Associates, which had agreed to make more than \$1 million in traffic improvements to ensure there are no problems.

"The evidence shows... that both the town's traffic consultant and the developer's assessed the impact at that intersection and... the Rosen proposal did not degrade the level of service at the intersection," Justice Coffey said in her decision.

"Whenever the town changed or added to the information that it wanted, the Rosen team met its requests, despite the fact that they were beyond the detail required by the town's site review regulations."

Justice Patricia C. Coffey

Rosen Associates initially visited the location, owned by R&D Realty Trust and E&V Realty Trust, in 1992. In early 1993, Rosen Associates, which has a purchase and sale agreement with the owners, began the initial planning stages.

The justice said the developer submitted plans to be reviewed by the board three times — August

1993, February 1994 and January 1995 — and each time the town refused to accept the plan for formal acceptance. Rosen Associates, according to the court, met all of the town's requests.

"Whenever the town changed or added to the information that it wanted, the Rosen team met its requests, despite the fact that they

were beyond the detail required by the town's site review regulations," Justice Coffey said.

It was not until February 1995 that the board agreed to accept the plan for review, the justice said. The hearing came shortly after six acres of the site on Kelly Road was rezoned to residential in March. The rezoning of that parcel, the justice said, had been discussed by the town each year since 1991. She said it was not an attempt to "spot zone" the property specifically to prevent the project from moving forward, as the developer charged.

In approving the developer's plans, Justice Coffey said the board did not act in bad faith, as the plaintiff alleged. She did, however, say

the actions of the board and its planning director "do exhibit troubling signs of potential abuse of power."

She said the goal of curbing commercial development is legitimate, but "does not enable the planning board to exceed its authority to accomplish that goal."

The decision made no mention of a financial settlement.

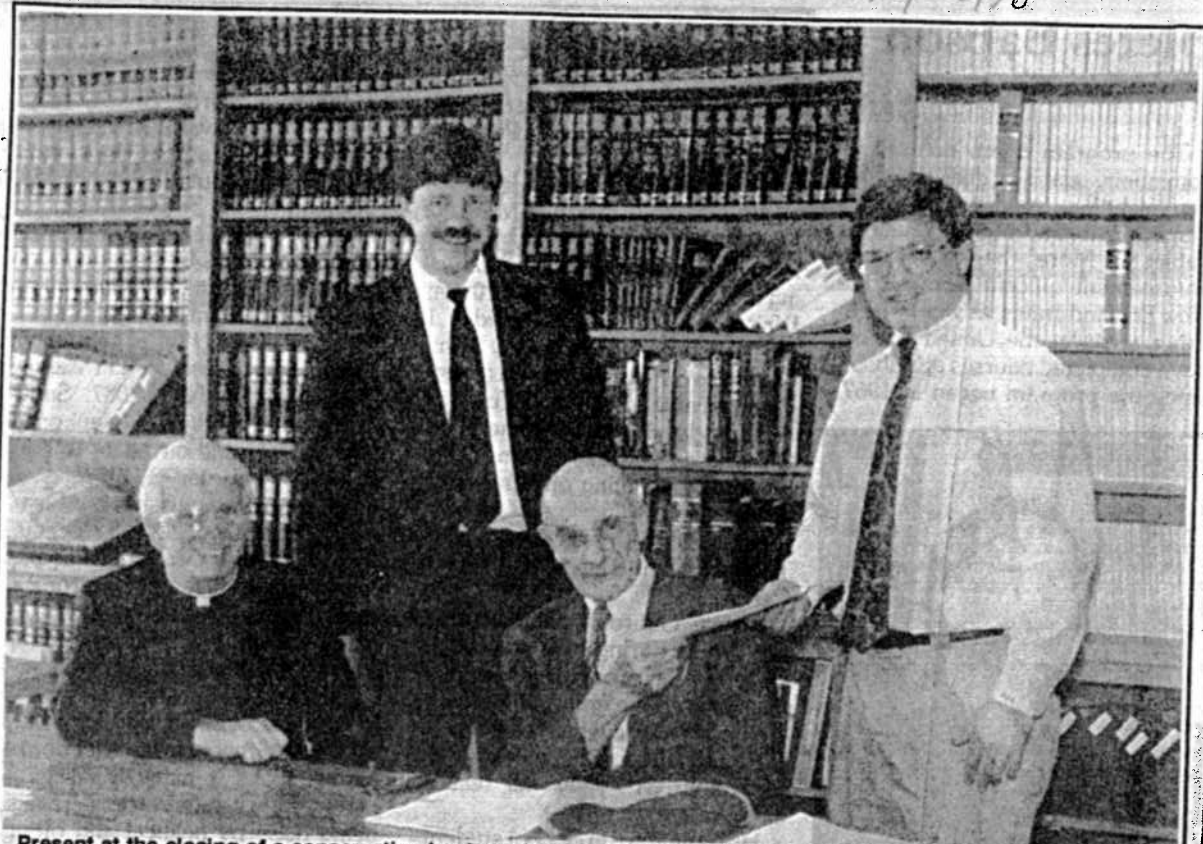
If Rosen Associates intends to pursue the project it may have other state and local permits to acquire before moving forward. The two-building project would be slightly larger than the Wal-Mart site in Salem on Route 28.

The town can appeal the court's decision.



Dad found guilty of

12/26/96



Present at the closing of a conservation land purchase were (seated) Rev. Richard Connors, Pastor at St. Joseph's Church and Joseph Fobes, Diocese of Manchester and (standing) Gordon Graham, Attorney for

the Town of Salem and Planning Director Ross Moldoff. The Conservation Commission purchased this land to be kept as open conservation space.

Observer/Carol Moore

Conservation land purchase completed

SALEM - The closing on a piece of land on Zions Hill Road was completed on Wednesday, December 18.

The land was purchased from the Diocese of Manchester which originally planned to build a church on the property.

When plans changed and the

land went up for sale, the Conservation Commission made an offer on the six-acre parcel and purchased it with funds from the Conservation Fund.

Much of the Conservation Fund balance is made up of revenue from the Current Use Change Tax which is levied when a piece of

land is removed from current use.

The purchase will not affect the tax rate.

The land is not contiguous but proximate to land already designated as part of the Salem Town Forest.

The purchase price was approximately \$180,000.