

■ *Continued from Page 1*

traffic than Vintage Vending. Planning officials also said they're frustrated that Planet Fitness based its traffic calculations on industry standards, rather than studying the area, and have ordered a full traffic study to determine how the health club would affect the surrounding area.

"Knowing what Vintage Vending was like — it would be stunning to me if they generated more traffic than this health club," Moldoff said. Based on its septic system, Planet Fitness officials said the

gym could not accommodate more than 257 members per day. Memberships to Planet Fitness typically cost less than other gyms, running about \$10 to \$15 a month. Tringale, of the Workout Club, said he does not see how the club could afford to stay open with just 35 customers at peak time.

"Frankly, at \$10 a month you need a lot of members," he said. "You don't have day care, no aerobics, and hence you don't have families. You have a lot of cars, a lot of parking issues, and a lot of tightness."

The lawsuit between the town

and Salem Athletic Club is scheduled for a March 3 hearing in Rockingham County Superior Court in Brentwood. Meanwhile, town officials also are considering whether to continue allowing Salem Athletic Club to use a town-owned cul-de-sac at the end of Manor Parkway for customer parking.

1/3/06
Tribute Planning officials also said they're frustrated that Planet Fitness based its traffic calculations on industry standards, rather than studying the area, and have ordered a full traffic study.

Third competitor enters fitness fight in Salem

BY JASON B. GROSKEY
STAFF WRITER

SALEM — A third health club is looking to muscle its way into the Salem fitness scene.

"We are going to be a pretty fit town when this is done," Planning Director Ross A. Moldoff said.

Planet Fitness has filed plans to open a facility later this year at 288 N. Broadway, in the 10,300-square-foot space that formerly housed Vintage Vending.

But its bid is facing opposition from the embattled Workout Club and Wellness Center, which is involved in a spat of its own with the 25-year-old Salem Athletic Club.

The Salem Athletic Club is suing the town's Planning Board over its October vote to let the Workout Club build a \$7 million facility at 6 Manor Parkway, about 800 feet from the older club's facility. The Salem Athletic Club claims the Workout Club will cause too many traffic problems in the area. Town officials claim the lawsuit is a ploy to stop or delay the Workout Club project.

Now Workout Club officials are going after Planet Fitness, saying they want planning offi-

cials to put Planet Fitness' proposal through the same scrutiny they endured over 18 months.

"I'm not trying to fool anyone," said Ronald A. Tringale, the Workout Club's president. "I have a vested interest."

Tringale said he thinks the club will have more customers, and hence traffic, than proposed.

Planet Fitness wants to build an "express gym" with a smaller membership and less equipment compared with other gyms, according to Slade Williams, who modeled the Salem proposal after his Planet Fitness gym in Amesbury, Mass.

Williams said the club will draw about 30 to 35 members during its peak hours, between 5 and 8 a.m. and 6 to 7 p.m.

"We do not have people come to our gym every day," Williams said. "Those are not our type of members. We (draw) people who are intimidated by the big places, who come in once or twice a week, and it is cheap, affordable."

Some town officials, however, are concerned about Planet Fitness' potential impact on traffic, saying they're skeptical of Williams' assertions that the gym would not generate more

Please see SALEM, Page 7

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five years ago. He explained
that the town was developing
rapidly from a commercial and
industrial standpoint.

"Population-wise Salem is a
small community, but they have
the public works needs of a
much larger town," he said.

Now, after 28 years in South-
ern New Hampshire, he looks
forward to moving to an area of
the state where he can demon-
strate his love for the outdoors.

"In the last 25 years there has
been a huge amount of growth
in the greater I-93 corridor," he
said. "What Peterborough offers
is that classic New England
community environment, and it
clearly represents what a lot of
New Hampshire stands for."

"I look forward to going back
to that type of environment," he
said.

He won't be easily replaced,
said LaBranche, who last week
said that the town is not even
close to finding a replacement.

"His knowledge and exper-
tise have been invaluable to me
since I have been town man-
ager," he said. "I will certainly
miss him."

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ONE BASIC

1/5/06 Observer

Planning board member seeks end to board appointments

BY JIM DEVINE
Staff Writer

One member of the town
planning board doesn't want
to be appointed anymore.

Ron "Tony" Giordano is
seeking signatures on two
citizen petitions that would
change the planning board
and zoning board of adjust-
ment to elected bodies.

Giordano said he believes
there are too many problems
in the board of selectmen's in-
terview process for nominees,
and the board of selectmen
should no longer be the sole
factor in choosing members of
the two boards.

"If (candidates are) not going
to get a fair shake at the in-
terview process, what chance
do they have?" Giordano
asked.

Many towns throughout
New Hampshire have aban-
doned the appointment pro-
cess, according to Giordano,
to elect planning board offi-
cials and give all citizens an
opportunity to become mem-
bers, rather than a select few
through appointment.

Giordano has said he isn't
making claims or accusations
against the integrity of the
planning board or the ZBA.
He said there are no problems
with the current boards and
that he is only concerned with
the appointment process.

"There was a problem with
the interview process a few
weeks ago, and it needs to be
changed," he said. "I just think
this is the best way to go."

The November appoint-
ment of Chris Goodnow to the
planning board ignited a de-
bate between selectmen over
whether or not he was more
qualified than Phyllis O'Grady,
who had been on the planning
board for several terms. Select-
man Stephanie Micklon said
in previous reports that she
believed a friendship between
Goodnow and Chairman Rich-
ard Gregory played a large part
in his appointment.

Micklon said the measure

wouldn't necessarily fix any
problems in the appointment
process. Requiring an elec-
tion would force individuals
interested in board positions
to spend money on campaigns,
making the positions even
more difficult to attain for the
average citizen fit for the po-
sition and only helping those
"same people that could get
appointed by cronyism."

"I think it's really dan-
gerous to require elections," Mick-
lon said. "... It's a real danger
by only allowing the high and
mighty to be able to run."

Giordano said that when
the petitions are filed, voters
will be able to decide whether
the boards will have elected or
appointed bodies.

"I think you will see both
of those ballot questions pass,"
he said.

If the possible warrant arti-
cle passes, the process of mak-
ing the boards elected would
be staggered, slowly requiring
each current member to be re-
elected when his or her term
expires between 2007 and
2009 until the entire board be-
comes an elected one in 2010.

Giordano, who is pres-
ently on the board as an alter-
nate, would be one of the first
members required to run for
re-election instead of facing
reappointment when his term
ends, should the petition be
filed and then voted for by the
people of Salem.

"I'd have to run ... You
know what? I don't mind that
process because of the process
that's going on now and the
stuff that's going on," he said.

Giordano said his goal is to
change the process so the best
people with the best ideas find
their way into town positions.

"I am not ... and never was
part of the good-ol'-boy net-
work or the Joe-six-pack net-
work," he said.

Chairman Richard Gregory
wouldn't offer any opinion
on the possible petitions until
they were filed.

"Call me when it's filed," he
said.

New fire chief at home in Salem

BY RYAN O'CONNOR
Staff Writer

Kevin Breen, who has
been with the Salem Fire De-
partment for 20 years, was
elevated from assistant chief
to chief as of Jan. 1.

Beginning as a firefighter
in 1986, Breen worked his
way up through the depart-
ment. In 1991 he was pro-
moted to lieutenant, then
deputy fire chief in 1997.
Five years ago this month,
he was elevated to assistant
fire chief, where he served
under Arthur Barnes.

"I feel very good about
it (the promotion), and I'm
happy and enthusiastic
about my new job," he said.
"I'm very familiar with the
community and I've always
paid attention to everything
going on around town, not
just the fire department."

A couple of years ago,
Breen had the opportunity
to leave town for the chief
position in Windham, but
after much soul searching
and internal debate, he de-
cided to stay in Salem.

"At the time I was very
happy to have competed for
the position and have the

opportunity to take the job,"
he said. "Where I live made
it tough, though. Frankly, I
was going to have to drive
by Salem Fire every day on
my way to Windham, and
that would have been very
hard for me to do."

He added. "I was willing
to wait out the Salem position."

His patience paid off,
but now, with his new title
official, it's down to busi-
ness for Breen who says
that he is going to be kept
quite busy for the next couple
of months.

Along with finding a
replacement for himself
at assistant chief, he also
has to oversee acquiring a
new fire truck, as well as
prepare for town meeting
and the proposed budget in
2006, among other things.

Breen said he has the
experience to handle the re-
sponsibility of being chief,
so he's not concerned about
the job.

"Everything we've done
in the last eight years I've
been involved in," he said.
"(Barnes and I have) done
it here as a team, so this is a
natural transition for me."

Salem man indicted on identity fraud for posing as professor

BY JIM DEVINE
Staff Writer

A Salem man has been in-
dicted in Hillsborough County
Superior Court on charges of
identity fraud and misuse of a
computer after allegedly posing
as his professor at New Hamp-
shire Technical Community
College to receive copies of im-
portant exams.

Jean Claude Pierre, 42, of
26 Hunter's Run, Salem, was
arrested in late October after

have said Pierre allegedly created
a Yahoo e-mail account under the
name of the professor to contact
the school to request senior-level
final examinations.

When the staffer who sent
the exams contacted Luther to
confirm that they were received,
the professor had no knowledge
of the e-mail interaction.

The two indictments are both
Class A felonies, each carrying
7.5 to 15 years in New Hamp-
shire State Prison and fines up to

Complete solid waste

Editorial

Time for a change

It happens every year about this time. Someone decides the system needs to be changed. Signatures are gathered for a warrant article so town positions that are now appointed, like seats on the planning board and zoning board of adjustment, will become elected positions instead.

Opponents will argue that this is a way to close off the positions to anyone except those who can pay to run a campaign. They say that if every seat has to be campaigned for, they'll be harder to fill because the interest just won't be there.

There is that risk, of course, as well as the risk that people in the voting booth won't do their homework and will check off just anyone.

But you take chances either way. Those who back the idea of elected positions for these boards say it will prevent selectmen from choosing those who promote only their agendas and people who are known to them.

That practice may or may not exist. And it may be that those who cry foul the loudest have been rejected for appointment themselves.

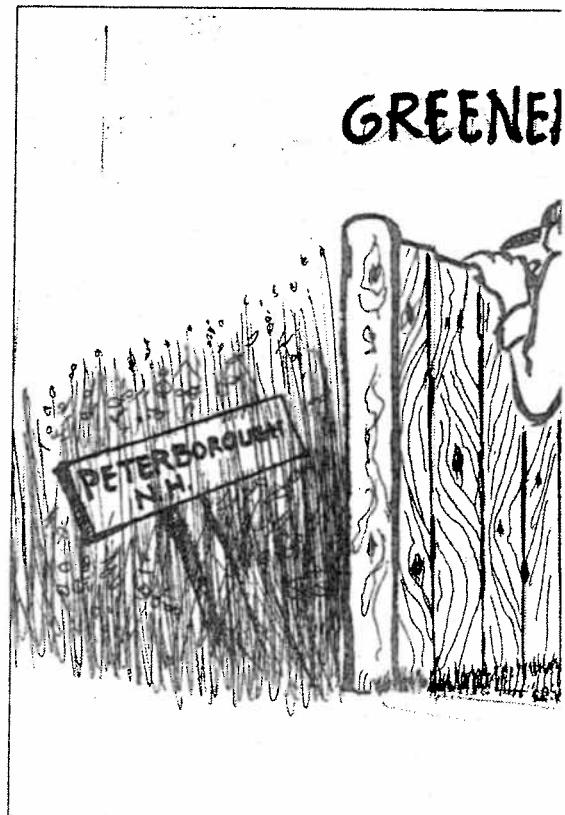
But that doesn't change the fact that opening these seats up to the general public for campaigning and voting is the best way to do it.

Allowing only five or seven people to choose planning and zoning representatives for towns like Salem or Pelham is an invitation to cronyism and opens the board up to criticism for the appearance of same.

Keeping as much of the process of government in the open and before the people is always a better way.

And limiting the amount that can be spent on campaigning with a cap of say, \$1,000, will ensure that everyone, not just those with money and influence, get a chance to serve.

Given the opportunity, people will run, voters will turn out, and the job will get done.



LETTERS TO

E-mail to Letters@salemobserver.com. Limit 350 words. Deadlines will not be published) so we may reach you with any ques

Put on pounds; be a foster parent

To the Editor:

Jane met her friend, Alice, for lunch and was full of excitement. "I gained 60 pounds over the holidays!" she said.

Alice, of course, was astonished.

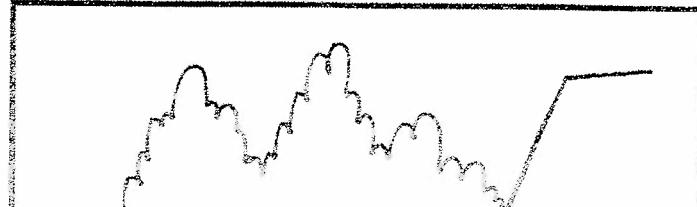
"Sixty pounds? Are you sure?" she asked while staring intently at her friend.

"Yes," Jane replied. "We met

shire's adoptive event took place State House in Office during National Awareness Month.

One of my son's friends attended the celebration. It was truly a beautiful event. I had the opportunity to meet Honorable Judge [redacted] who was graciously speaking with DJ and I. An open invitation was given to speak with DJ and I in the court room for a few minutes. The highlight of the day was

ALL ABOUT TOWN



Salem

Micklton wants AG to probe complaint

By JASON B. GROSKY
STAFF WRITER

SALEM — Selectman Stephanie K. Micklton says she will ask the state attorney general's office to investigate a claim that one or two of her colleagues "misused" their power in choosing Planning Board members.

Micklton said she does not believe the claim leveled by Ronald A. "Ron Tony" Giordano, an alternate Planning Board member who was passed over in November for a permanent seat. Nevertheless, an outside investigation would determine what happened and ensure that selectmen's actions were appropriate, she said.

Selectmen "need to prove to the people of Salem that (we) didn't do anything wrong," she said. "They have a right to know that, (whether) one or two selectmen abused and misrepresented their power."

Giordano made the allegation in an e-mail sent Jan. 3 to all Planning Board members and Planning Director Ross A. Moldoff. He confirmed he sent the e-mail.

In it, Giordano informed officials that he is putting together a

switch the Planning Board and Zoning Board of Adjustment from selectmen-appointed to elected boards. There is no pay for serving.

He also wrote: "I know that some members of the board may not be happy with this petition going forward, but there has been some serious misrepresentation and misuse of power on behalf of one selectman, possibly two, which has brought me to the decision mentioned above in order to assure that the future process is fair and equitable."

The writing did not further detail his complaint. Last week, Giordano said he launched the effort because he believes Selectmen Chairman Richard R. Gregory "forced out" a resident who sought a Planning Board seat.

Giordano refused to name that person or give more specifics. Gregory said he never forced out anyone and said the anonymous person Giordano referenced is Giordano himself.

Giordano said his complaints have nothing to do with him. As an alternate, Giordano occasionally votes on issues before the Planning Board. He applied for a permanent seat in November.

Gregory said Giordano would have received no more than one vote from the five selectmen. As a courtesy, Gregory said he told Selectmen Ronald J. Belanger to tell his friend, Giordano, to consider withdrawing his candidacy. The seat ultimately went to Christopher B. Goodnow, a commercial real estate consultant.

The four other selectmen said they had no interest in asking the attorney general to investigate the matter.

"If I tried to clear my name by everyone who ever said I'm a bad person, we'd never get anything done," Gregory said.

Gregory said he does not want to do anything to lend credibility to Giordano's claims. If Giordano believes a selectman did something wrong, he should publicly accuse that person and seek criminal charges against him, Gregory said.

Giordano refused to discuss the matter yesterday.

"I have no comment," he said. "I just don't."

Belanger said he never got a copy of Giordano's e-mail. He said he does not want to "blow up" his friend's allegation into "a big thing."

Selectman Everett P. McBride Jr. said Giordano's complaints do not concern him.

Selectman Michael J. Lyons, the selectmen's representative on the Planning Board, said, "I do not advocate selectmen responding to e-mails that just blurt something out without specifically saying 'this is what I'm concerned about.'"

An attempt to contact the attorney general's public integrity unit yesterday was unsuccessful.

Micklton said her plans to get the attorney general involved has nothing to do with past political differences between her and Giordano, or his wife.

Last year, Mary Sampieri Giordano led a petition drive seeking the resignations of Micklton and then-Selectman Philip A. Smith. Former Selectman James E. Giordano admitted he legally changed his name from Ron Gordon. He has Massachusetts convictions for check forgery in the 1980s.

In 2004, he was ordered to pay \$84,600 toward a \$188,000 settlement to a former House secretary on civil charges that he committed civil assault and battery and intentional infliction of emotional distress against her.

1/15/06

Signs of confusion over proposed ordinance

By Jason B. Grosky
Staff writer

SALEM — Planning officials struggling to limit how long politicians can display campaign signs mistakenly created a riddle they cannot clearly solve.

The riddle concerns a newly proposed ordinance for "temporary signs" like campaign and real estate signs.

Temporary signs would be limited to "45 days or seven days after the event the sign is promoting, whichever is longer."

OK, but what does that even mean?

The answer depends on whom you ask.

"Forty-five days is longer, isn't it?" said Michael J. Lyons, the selectmen's representative to the Planning Board. "Isn't that what it means? No wait. Something's got to be missing here, like a phrase. This is stupid as is. It doesn't make any sense."

"It's as clear as mud," Planning Board member Christopher B. Goodnow said, before offering his own interpretation: Campaign signs can stay up for 52 days total, yet the only limit on real estate signs is to remove them seven days after the property is sold.

"What did everybody else say?" Planning Board member Jodie A. LaChance said when asked for her interpretation of the proposed ordinance. She's unsure whether campaign signs are limited to 45 days or 52 days.

Planning Director Ross A. Moldoff, reviewing the ordinance's wording last week, said he's not quite sure what the rule is supposed to mean. He said he would contact the town's lawyer to try to clarify the confusion.

Salem currently has an ordinance for "political signs." The signs can't be out for more than 30 days before and 10 days after an election.

Town lawyer Jill A. Desrochers recommended eliminating the "political signs" ordinance altogether, as it singles out campaign signs and could be viewed as limiting free speech.

Rather than having no rules for campaign signs, some planning officials want instead to adopt a rule for "temporary signs." That would eliminate the free speech concerns while still limiting campaign signs.

Goodnow said Salem needs some ordinance to keep campaign signs in check.

"Signs are visual pollution if they're up for too long," he said.

Residents may weigh in on the signs issue at a Planning Board public hearing scheduled for Jan. 24. Any decision reached by planning officials must be approved by voters at the ballot March 14.

Moldoff said he started studying Salem's political signs ordinance after the 11th Circuit Court of Appeals invalidated all sign ordinances in Neptune Beach, Fla., finding the city adopted rules that too heavily restricted free speech.

Salem officials decided to re-examine their sign ordinances to limit the chance something similar could happen here.

The town anticipates being sued over an ordinance adopted by voters in March 2005 to ban new electronic signs, like those found outside Route 28 businesses.

Before that, a Salem ordinance allowed only electronic signs that displayed time and temperature. But a Superior Court judge threw out that ordinance in August 2004, finding the ordinance unconstitutional for too heavily regulating free speech.

With confusion and disagreement about the latest proposed sign change, Lyons said the whole subject should be left as is.

"I say we drop this whole thing," he said.

SENIOR MANAGING
EDITOR ALAN WHITE
SUNDAY EDITOR
Jo-Anne MacKenzie
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SECTION **Inside**
C Obituaries, C4, C5

Local

Sign ordinance won't change for a year

By JASON B. GROSKY

STAFF WRITER

SALEM — Planning officials are putting the kibosh on plans to erase a town rule that restricts how long people may display political campaign signs. A town lawyer initially recommended dropping the ordinance, saying a specific rule that limits campaign signs to 30 days before and 10 days after an election may

too drastically limit political free speech.

Rather than eliminate the rule, some Planning Board members wanted to ask voters to generalize its wording, doing away with specific mentions of "political signs" and instead setting time limits for "temporary signs." But then no one could seem to figure out exactly what the reworded generic ordinance actually meant.

"Trying to work out a compromise created more problems than it solved," Ross A. Moldoff, planning director, said. So rather than put a new sign ordinance before voters, planning officials decided to keep the current rule in effect for at least another year.

Planning Board Chairman

Adam C. Webster recommended going along with the lawyer's recommendation, while other mem-

bers — Christopher B. Goodnow and selectmen's representative Michael J. Lyons — wanted to keep the existing sign rule in effect. Pushing the matter off was the right decision, Lyons said. "We were trying to take on a complex issue in a short amount of time," he said. "We need to take a pause and think about this and see what is defensible yet still maintains some restrictions on political signs and temporary signs."

Moldoff raised questions about Salem's campaign sign ordinance viewed as restricting political free speech by dictating when campaign signs are legal and illegal to display.

In theory, Moldoff said, there

should be no difference between a campaign sign for a selectman candidate or a "Go Red Sox." Yet

Salem decided to re-examine its sign rules, which led lawyer Jill A.

the Red Sox sign.

Developer would save 20 acres of open space

BY JASON B. GROSKEY
STAFF WRITER

SALEM — Trees would give way to 18 homes, but town officials are cheering plans to protect more than half of the rural 37 acres across from the picturesque Duston Farm in North Salem.

Under plans filed by developer James Whiteneck, the homes would sit on almost 1-acre lots while the remaining 20 acres — complete with stone walls with a trail and large wetland — would remain as is forever.

“That portion of Duston Road is still very much a remnant to the rural past of Salem. There’s not much of that left around town, and what does exist is getting developed pretty quickly.”

Ross A. Moldoff,
planning director

Under regular town zoning, the 37.4-acre property is eligible for 15 homes.

Yet Whiteneck filed plans under the town’s open-space preservation rule, which encourages so-called cluster developments — putting the homes together on smaller lots while leaving a large tract of land alone.

To protect some wilderness, the town offers the developer an incentive — in this case three “bonus lots,” giving Whiteneck 18 housing lots rather than the 15 allowed under standard zoning.

Moldoff said he hopes this open-space project is

Please see DEVELOP, Page A10

Developer to leave 20 acres alone

The Planning Board is considering a proposal to build 18 homes on the 37-acre Duston Farm property in North Salem. The project would involve protecting 20 acres as open space. The property faces another 71 acres of farmland that sits on the north side of Duston Road.



FRAN LANDRY/Staff graphic

■ Continued from Page A1

successful and serves as a model for when property owner Thomas E. “Elliott” Duston, 92, parts with his real land jewel — the 71 acres of rolling fields that sit across the street alongside his 1768 farmhouse.

A housing lot in that area could probably sell for \$200,000, according to local real estate officials.

Planning Board members may discuss the project at their Feb. 15 meeting.

Whiteneck approached planning officials in 2004 about developing the site.

At the time, Duston said he needed to develop the land to keep up with bills for himself and his sister.

“I don’t have a pension and I need money to live off to get along,” he said in a May 2004 interview as he rocked back and forth in his wheelchair.

Whiteneck, who owns a local landscaping business, is the son of Robert Whiteneck, a lifelong friend of Duston and his caretaker. James Whiteneck did not re-



File photo

Robert Whiteneck looks across the Duston Farm land in North Salem. His son filed plans to build 18 homes on farmland across the street.

turn a call seeking his comment.

The parcel sits between Duston Road, North Main Street and Atkinson Road. Plans include new homes on Duston Road, Atkinson Road, North Main Street and along a new street with a cul-de-sac to run off Dus-

ton Road. The new street, according to plans, would be named Whiteneck Way.

The development of the Duston property leaves Salem with about two dozen undeveloped properties that are in excess of 25 acres, Moldoff said.

Proposed ZBA change won't go to voters

BY JASON B. GROSKY
STAFF WRITER

SALEM — A bid to elect town zoning officials is dead while a parallel plan to let voters choose their own Planning Board members lives on.

Town Manager Henry E. LaBranche, after consulting with a town lawyer, said the citizen's petition to convert the Zoning Board of Appeals to an elected board should have been filed in mid-December, not last week.

Because former state Rep. Ronald A. "Ron Tony" Giordano did not file the paperwork in time, the matter will not be decided by voters at the polls March 14, he said.

"Unfortunately, Ron Tony and supporters of this will be disappointed. The zoning issue can't go forward," LaBranche said.

Selectmen will discuss the matter tonight when they meet at 7 in Town Hall.

Giordano is an alternate Planning Board member to whom selectmen declined to give a permanent seat in November.

The problem with the zoning board initiative, LaBranche said, stems from open-ended wording in Salem's charter when contrasted with state law.

According to the charter, the Zoning Board of Adjustment exists through a zoning ordinance. Any proposed changes to zoning ordinances were due Dec. 14, followed by a public hearing before the Planning Board.

In contrast, the Planning Board exists under state law. Any petition to change how that board is

selected — established under a different set of rules — was due last week for the March 14 ballot.

Giordano said he filed both petitions last week because LaBranche said that's when they were due. LaBranche said he just learned of problems with the zoning petition last week.

Had he known sooner, LaBranche said, Giordano still couldn't have filed the zoning petition in time. He said they discussed the matter for the first time by e-mail on Dec. 13 and 14.

Giordano said he may try to revive the zoning board change for the March 2007 election.

"We'll see how things go with the Planning Board," Giordano said. "If it does pass, I'll be on top of revising the zoning board next year and move forward with electing them as well."

Giordano said he launched his effort because he believes selectmen forced out a candidate who applied for the Planning Board. He would not name the person.

Selectmen Chairman Richard R. Gregory has said no one was forced out. He said Giordano is upset he didn't get a regular Planning Board seat when he applied for it in November. The seat went to Christopher B. Goodnow, a commercial real estate consultant.

Planning Board Chairman Adam C. Webster and Zoning Chairman Edward Huminick have spoken against electing people to their boards.

If the boards are elected, members may make votes for political reasons, rather than deciding a project based on its merits, the opponents said.

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Banquet celebrates past

Proposal to elect Planning Board draws criticism

By JASON B. GROSKY
STAFF WRITER

ham Park. You can run a decent (political) campaign for a few thousand dollars."

SALEM — At first blush, switching to an election process to pick the people who will decide town building issues is a more democratic approach, Selectman Michael J. Lyons said.

But that doesn't mean letting voters pick Planning Board members is the best decision for Salem's future, he said. "What worries me is the influence of money into the process," said Lyons, the former Planning Board chairman.

"Someday some investor is go-

The Planning Board question will appear.

Members roundly criticized the plan, saying that elected planning members would be more likely to consider projects based on election considerations rather than the merits.

Selectman Ronald J. Belanger said he is disappointed that his friends, Giordano, began the effort to elect planning officials. While Belanger did not say how he will vote on the issue, he said things work fine with the selectmen picking the Planning Board.

Giordano, who did not attend

last night's selectmen's meeting,

got signatures from more than the 25 registered voters needed to put

the issue before voters. Belanger said he would not have signed the petition if asked.

"I'm not going to support it, and that's the bottom line," Selectman Everett P. McBride Jr. said. "If voters want it and vote for it, then that will become the law."

Despite Giordano's denials, Selectman Richard R. Gregory argued, Giordano only launched the effort because the selectmen refused to appoint him to a full-time Planning Board seat. Giordano applied for the seat in November. Gregory said he advised Belanger to tell Giordano to withdraw his name from consideration, knowing that the latter did not choose to reserve the power for themselves.

"Sometimes the most obviously democratic thing, when you step back and think about it, is not the best idea," he said. "We do not live in an absolute democracy. Other-

wise, we'd be voting for every-

thing on the Internet."

LaBranche said the Zoning Board effort won't go forward because that citizens petition was due in December, not last week as originally thought.

Lyons said he is afraid that voters, given the choice between picking their own planning officials or unnamed planning candidate to withdraw from consideration. Giordano has refused to name that person but said it's not him. "There are no communities our size in the state of New Hampshire that have an elected Planning Board or Zoning Board of Adjustment," Gregory said. "There's a reason for that. It could lead to problems, especially with

2/9/06
Observer

Although planning director Ross Moldoff said the town doesn't typically enforce the few existing restrictions on real estate signs, Gregory said there needs to be a better reason for revising the statute.

"You're going to limit real estate signs to 45 days?" Gregory asked the board. "I think that's absurd. And then your planning director says we may not enforce it?"

Planning board chairman Adam Webster said that enforcement of political signs now isn't easier and the town can't just remove a sign from a property without going to a court for a decision.

Alternate board members Ron Giordano and Elizabeth Roth agreed that the restrictions in question could create a selective enforcement issue that would put the town in a liability. Robert Ellis and selectmen representative Michael Lyons also agreed.

"I agree we should not be going forth on this because we could be fixing something to our detriment," Roth said.

Roth ended the discussion by suggesting the board to look at revising the statute in the near future.

"I think we need to revisit this as soon as we can," she said. "I don't think we'd have a challenge on a local election. I think we would have a challenge on a national election."

Planning board postpones amendment to sign statute

BY JIM DEVINE

jdevine@salemobserver.com

All signs point to more debate after the planning board struck down one section of an amendment to the town's sign code.

The board voted 5-2 against the section that would have grouped real estate, construction and political signs together as temporary signs, which are restricted to being posted 45 days before an event and 10 days after.

Had it been approved, it would have gone to voters on March 14. It now will not affect this year's election season.

The board rejected the amendment after selectmen brought up questions of the statute's enforcement.

The standing statute restricts political signs to being posted at earliest 30 days before an election and for each one to be taken down 10 days after the event. The town decided to review its policy after a recent court case raised questions of protecting first amendment rights.

"The whole issue that we're trying to deal with is the issue of free speech and we did lose a court case dealing with the free speech issue," said planning director Ross Moldoff. "We felt it was prudent to update and revise the ordinance."

Select board Chairman Richard Gregory was the first to attack the provision which would restrict temporary signs to 45 days before an event and 10 days after. Gregory said the fact that one cannot determine when a house is going to be sold makes the statute difficult to be sold.

2/10/06
Tribune

A solid plan for Duston Farm

Developer James Whiteneck is pitching an idea for the picturesque Duston Farm property in North Salem that looks to us like a win for everyone involved.

Current zoning would let him build 15 homes on the 37.4-acre parcel, one of the few remaining vestiges of Salem's rural past. But instead of a standard subdivision on 2-acre lots, Whiteneck is seeking Planning Board approval to cluster the homes on lots of about an acre each, and permanently preserve about 20 acres of the site — stone walls, trails, wetlands and all.

Everyone benefits from the approach. As an incentive for preservation, zoning regulations allow Whiteneck three "bonus lots" in the plan, letting him build 18 homes instead of 15. But even with the added houses, it preserves 20 acres of Salem's vanishing rural landscape at no direct cost to the town.

Salem has not been as aggressive in its open-space preservation efforts as some of the southern tier's other towns. Londonderry, for instance, has approved several bond issues to finance purchase of land and development rights to ensure preservation of the town's apple orchards and scenic byways. But with voters loath to approve funding, most of Salem's open-space efforts have come through similar deals with developers. Only a couple of dozen large properties in town — 25 acres or over — remain undeveloped.

Whiteneck's proposal makes sense, both for the short-term benefit of preserving the parcel, which sits in the triangle formed by Duston Road, North Main Street and Atkinson Road, and as a vision for the future of the area.

Successful open-space development of the Duston Farm property would provide a good model for the probably inevitable development of landowner Thomas E. Duston's other large parcel in the area, 71 acres of rolling fields and a circa-1768 farmhouse on the north side of Duston Road, right across from the farm site.

The Planning Board should approve Whiteneck's proposal.

■ *Continued from Page 1*

Each arch only has two "impact points" — the ends of the bridge that are anchored to a foundation of roller-compacted concrete that sits 13 feet into the earth.

Builders say the three-arch bridge will ultimately carry a "castle theme." The concrete walls, now flat, will be covered with a facade of small, rounded stones and old-fashioned lamp-posts.

Salem conservationists initially expressed concern about putting a road over the wetland. Rather than build a costly bridge, Lewis could have used some cheaper, 2-foot culverts to allay some of the concern. Planning Director Ross A. Moldoff said.

"But this was an attempt to be a lot more sensitive to the environment, given that it was a prime wetland," he said. "If a road does have to cross a wetland, this sets the example of how to do it in an environmentally sensitive way."

There is water, but little water flow, under the bridge.

Cranes and heavy equipment operators started piecing together the bridge last week. Lewis said workers built a special base for the heavy equipment to sit upon, to avoid damage to the landscape. When the work is done, that base — which includes thick construction fabric — will be rolled up "like a jellyroll" and hauled away, Lewis said.

Lewis said the Braemoor Woods project will be completed by the end of next year. The 193-

unit project has a mix of housing options including condominium units for people age 55 and up, 22 two-bedroom duplex units, 36 town houses and 27 single-family homes.

Twenty percent of the units will be set aside as affordable housing for seniors.

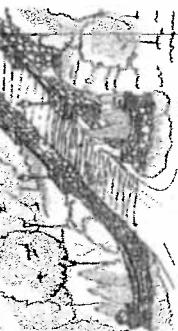
Lewis said he's used the arch bridge before on two projects in Atkinson — the Settlers Ridge development off Route 121 and the Bryant Woods complex. In each case, the bridge involved just one arch, rather than the three used on the Salem project.

The property sits on 77 acres that backs up to another Lewis project off Cluff Street. The property was owned by the Lord and Cluff families since 1727 before it was sold in 2004 for \$228,600.

Lewis said the housing units will not be visible to passers-by on the parkway.

Unusual bridge touted good for wildlife

BY JASON B. GROSKY
STAFF WRITER



Courtesy illustration
This drawing shows what the new bridge will look like once it's completed.

When completed, it will be the largest concrete span bridge in New Hampshire, Lewis said.

The bridge is different from others because it does not involve dredging or digging in the prime wetland below, he said.

Please see BRIDGE, Page 6

SALEM — The 90 pieces of arch-shaped concrete weigh 570 tons and create a 160-by-40-foot surface over the wetlands that sit alongside Veterans Memorial Parkway.

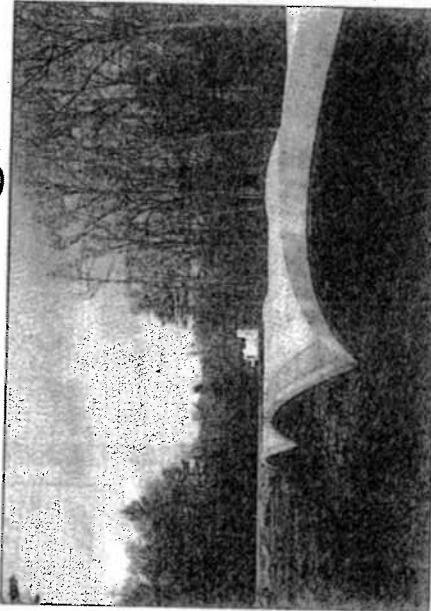
But this isn't a typical bridge, builder Steven W. Lewis of Atkinson said.

He said he spent \$500,000 — far more than a typical bridge costs — to install this three-arch bridge at the entrance of his 193-unit Braemoor Woods project. The bridge is specially designed to minimize the impact on both wildlife and the water below.

"The arch is high enough that a deer could walk right under it undisturbed," Lewis said of the arches, which are 6 feet 8 inches tall at the highest point. "The deer would otherwise have to go up onto the road."

JARROD THOMPSON/Staff photo

A new bridge under construction off Veterans Memorial Parkway will allow animals to pass underneath it in the wetlands below.



Petitioner withdraws objection to discussion

By JASON B. GROSKY
STAFF WRITER

SALEM — A backup Planning Board member is backing down from threats to take court action to block his colleagues from publicly discussing his bid to change their seats to elected positions.

Ronald A. "Ron Tony" Giordano had said he would seek a court injunction if Planning Board members went ahead with plans to discuss his petition drive at their meeting tomorrow night. He's now withdrawn the threat, and

Planning Board Chairman Adam C. Webster said the discussion will go on as scheduled starting at 7 p.m. in Town Hall.

Giordano, a Planning Board alternate, said he will make a presentation — as requested by Webster — even though he is upset his colleagues will debate the subject at their meeting.

"I just think it's going to bias the voters," he said. "This is a hot-button issue and I just feel this is not really a land-use issue. We should be using our time to look at plans, not talk about a political issue."

■ Continued from Page 1

nothing to do with the Planning Board's business, he said.

Giordano initially threatened to get the injunction after he discussed the matter with lawyer Charles Douglass of Concord, whom Giordano described as being "a friend I am not paying." Douglas represented former Town Manager Marcia L. Leighninger, who got a \$32,000 settlement in June 2004, after selectmen fired her.

In deciding against seeking an injunction, Giordano questioned whether he could have secured one in time for the meeting tomorrow night.

He started talking about the injunction Thursday.

To put the appointed-versus-elected question before voters, Giordano got the needed 25 signatures to get his petition on the ballot.

He said he launched the effort because he believes Selectmen Chairman Richard R. Gregory forced out an unnamed candidate who applied for a Planning Board seat in November.

He launched the petition drive to elect Planning Board members, rather than letting selectmen continue to appoint people. Voters will decide the issue on the March 14 ballot.

Letting voters pick their own Planning Board members is a more democratic process than letting selectmen decide, Giordano said. But, in contrast, Webster said it is not very democratic to try to stifle debate.

"Here you have someone say, 'Let the people decide,' but then he doesn't want any debate on it," said Webster, who refused Giordano's request to

withdraw the discussion tomorrow night. "I would've thought he wholeheartedly would want this discussed based on the merits, because the more information people have, the more people can make the right decision for the town."

The subject is appropriate for Planning Board members to discuss because it directly deals with that board, Webster said. It's not as though members are discussing whether it's a wise idea to buy a new firetruck, which has

Please see DISCUSSION, Page 7

merits of a project. He also is concerned about developers making campaign contributions to planning members.

Neither the state nor Salem has

Giordano applied for a seat in November, but withdrew his candidacy after Gregory suggested that he pull out because he didn't have enough support to get on the board. Gregory said he was trying to save Giordano the embarrassment of being passed over, and that he didn't force out anyone.

Giordano has refused to name the anonymous person he is speaking of, but did say it's not him. Gregory said Giordano really is the anonymous person.

In New Hampshire, 98 of 238 communities have elected planning boards. None of them approaches Salem in terms of population and economic development.

The biggest town with an elected Planning Board is Goffstown (population 16,929), followed by Hampton (14,397) and Windham (10,709).

Salem has 26,000 residents. Proponents like Giordano point out that an elected Planning Board is more democratic and holds members accountable to voters. Critics like Webster say elected planning members are more likely to make decisions based on votes, rather than on the

Lator recounts hardest vote in career

number of phone calls from people wanting him to vote yes. Those calls, he said, were not from constituents. His constituents called telling him to vote no.

Gov. John H. Lynch chatted with Letourneau later in the day. The senator said Lynch was not lobbying him, just checking to see if he "was doing OK."

In the end, Letourneau said he voted no because it was best for the people of his district.

The constitutional amendment says the "Legislature shall have the authority to make reasonable

determination of the context, extent, funding and delivery of public education."

Robert Letourneau then tabled the amendment by voice vote. One more vote was needed to reach the 60 percent majority required when dealing with a proposed constitutional amendment.



"It was probably one of the hardest votes in my 10 years," Letourneau said of his time in the Senate and House. "A lot of people wanted to change my mind. There were no bribes, ... but there were a lot of calls."

The Senate voted 14-10 to adopt the latest version of the amendment and the one seen as more likely to swing in its favor. Beyond the interests of people of his district, Letourneau said being asked consider a constitutional amendment on such short notice was not his intent.

Please see **VOTE**, Page 2

► **Salem:** Rockingham Park

Warped Tour won't rock the racetrack

3/23/06

"It's more on our part than theirs," park general manager Edward M. Callahan said. "As we got deeper into it, we decided that we just couldn't pull it off this year."

The Warped Tour, in its 12th year, travels the country with a host of acts. In years past, the tour has included such well-known bands as Green Day, Blink 182, Good Charlotte and Mighty

BossTones.

Please see **CONCERT**, Page 2

By JASON B. GROSKY
STAFF WRITER

SALEM — Plans to bring some 20,000 punk rockers to Rockingham Park are off.

The national Vans Warped Tour was scheduled to hold an all-day, outdoor concert at the park Aug. 3, but park officials said they called off the concert because it would cause too much disruption to the regular horse-racing schedule.

"It (the concert cancellation)

WEATHER
Today: Mostly cloudy, breezy, temps seasonably cool, 45°
Eagle-Tribune
WMUR weather forecast, **Page 32**



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FRUM PAGE ONE

8 Thursday, March 23, 2006 THE EAGLE-TRIBUNE

state didn't pay for the middle school surveys this year. Lena applied for grants to complete the

so choose not to participate may turn the survey in blank.

Lena said having concrete data helps the school receive more

quette may be contacted at (603) 437-7000 or cpaquette@eagletribune.com.

THE LOTTERY

NEW HAMPSHIRE

Tri-State Numbers

March 22 7 p.m. 355 and 3298
1 p.m. 591 and 5014

March 21 7 p.m. 280 and 4198
1 p.m. 310 and 2243

Tri-State Triple Play

March 21 17-13-39-42
March 17 8-13-19-26-30

Tri-State Megabucks

March 22 1-16-17-18-26-33
Bonus number: 4

March 18 2-14-15-21-37-42
Bonus number: 26

Hot Lotto

March 22 4-7-21-27-32
Hot Ball: 5

March 18 1-8-10-23-33
Hot Ball: 11

Powerball

March 22 18-22-23-38-45
Powerball: 31; Power Play: 2

March 18 1-25-34-36-42
Powerball: 19; Power Play: 2

MASSACHUSETTS

Daily Lottery

March 22 0324

Payoffs/exact order

All 4 digits \$4,586

First or last 3 digits \$642

Any 2 digits \$55

Any 1 digit \$6

Payoffs/any order

All 4 digits \$191

First 3 digits \$107

Last 3 digits \$107

Previous numbers

March 21 ... 6193 March 18 ... 9126

March 20 ... 5931 March 17 ... 9221

March 19 ... 8335 March 16 ... 4426

Cash Winfall

March 20 5-26-29-33-39-46

March 16 3-8-18-28-35-39

Mega Cash

March 21 4-16-22-33-35

March 17 1-12-14-24-27

Megabucks

March 22 1-6-9-14-36-40

March 18 3-4-17-19-28-35

Mega Millions

March 21 4-16-17-28-31

Mega Ball: 8

March 17 8-11-23-48-52

Mega Ball: 5

CONCERT: Warped Tour not coming to Salem

■ Continued from Page 1

When the Warped Tour plans were announced in December, Callahan said Rockingham Park had long hoped to expand its "entertainment package" and said the show could lead to more concerts.

He didn't close the door on trying to bring another concert to the park, though maybe not this year.

"There are some difficulties involved, particularly during race meets and getting things done in the (track) infield," Callahan said. "There's an awful lot involved."

Word of the concert fizzling out disappointed some town officials.

"The town manager and I had planned on actively participating in the mosh pit-type activity, so it's a bitter disappointment," joked Ross A. Moldoff, the town's planning director.

Town Manager Henry E. LaBranche is a country-western fan.

Moldoff said the concert cancellation will upset at least one person he knows — his college roommate's 15-year-old son, who planned to attend the show.

The Warped Tour will instead have a show Aug. 2 at Darien Lake Performing Arts Center in Brockton, Mass., followed by a show Aug. 3 in Camden, N.J., according to the tour's Web site. Attempts to contact tour officials yesterday were unsuccessful.

Local officials had said Rockingham Park's plans to host the concert was a way to draw more money to town, as concert-goers would likely eat at Salem restaurants and stay at local hotels.

Traffic was a major concern. Police Chief Paul T. Donovan said the show could have required 20 to 30 Salem officers and state troopers from both sides of the border to deal with added concert traffic on Interstate 93.

Rockingham Park has committed to continue horse racing through 2007, while staying silent on its plans beyond that.

Park owners are making another push to get New Hampshire to permit slot machines at Rockingham but have talked in years past about developing the 160-acre site, which sits just off Exit 1 and is considered one of the most valuable parcels in New Hampshire.

The park's latest efforts at the Statehouse come with the backing of Nevada-based company Millennium Gaming Inc., which last summer purchased an option to buy Rockingham at a future date under an agreement to help the park with its efforts to legalize video gambling.

Salem reporter Jason B. Grosky may be contacted at (603) 437-7000 or jgrosky@eagletribune.com.

proving the constitutional amendment is in keeping with the intention of a bill passed by the Senate to limit the use of eminent domain.

That bill, he said, assured that "if the government is going to take your property, it has to benefit the public and only the public."

The Senate bill focused on tightening state laws to differentiate between public uses, such as

VOTE: Senator S

■ Continued from Page 1

tice, about two days, made him uncomfortable.

Gatsas introduced the amendment soon after a state Superior Court judge ruled the state's education funding formula unconstitutional. The lawsuit was filed by New Hampshire Communities for Adequate Funding of Education, a group of about 22 Southern New Hampshire towns led by the Londonderry and Merrimack school districts.

Gatsas said the amendment was not meant to keep the courts out of education funding but was simply "a separation of powers" to lay out the role the Legislature plays in education funding.

"It's truly about a broad-based tax, because the only way you can define adequacy, the only way you can do that, is with an awfully big pot of money," Gatsas said during the debate, raising his voice as he spoke.

His amendment purposely left

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A haircut in 'Paradise'

4/9/06
Tribune

Barbershop plans on workers
wearing 'conservative lingerie'

BY JASON B. GROSKY
STAFF WRITER

SALEM, N.H. — The idea lingered for a good eight years in the mind of Peter Carlino as he pondered sexing-up the concept of a barbershop.

"Everyone I know is not keen on getting a haircut," said Carlino, 36, owner of a Merrimack Valley construction company. "It's a chore, it's not fun to do and it's not catered to them. I want a place where guys want to go; where it's fun to go, where the women cater to the men."

Carlino, the husband of a hairdresser, toyed with the idea of opening a barbershop where men sat back and got their hair clipped by topless female hairstylists.

Please see HAIRCUT, Page A7

HAIRCUT: Construction company owner, lawyer, trying new business

■ *Continued from Page A1*

But he canned the idea, realizing the concept would create too much controversy and that zoning regulations would force his barbershop into a designated adult-business district.

So Carlino's ideas for a sexier barbershop morphed into the plan he's trying to bring to Salem: a salon for men where lady barbers cut hair while dressed in "conservative lingerie." Women barbers would wear revealing clothing that is more like sexy "club wear," such as a corset with leather short-shorts as opposed to a see-through lace teddy, Carlino said. "This is not about nudity at all," said Carlino, who wants to open the shop behind Brooks Pharmacy in a commercial district by the Central Fire Station on Main Street. "You can go to the beach anywhere around here and find girls who are wearing considerably less than these girls will be wearing. We do not want to be sleazy. We want to be classy and give a good haircut."

The barbershop, to be dubbed "Paradise Cuts," would comply with all town codes and zoning regulations and state laws that regulate the barber industry, said lawyer Richard Palermo, 29, of Haverhill's Bradford section. He is Carlino's business partner on the barbershop project.

Town Planning Director Ross Moldoff, who's met with Carlino and Palermo, said the barbershop concept doesn't rise to the level of businesses subjected to the town's definition of "sexually oriented." The project is not yet scheduled to go before the Planning Board for common site plan approval.

"It would be a different situation if the women were topless, dancing or there were other activities," Moldoff said. "But from a Planning Board point of view, they have to treat this as if it was just another barbershop. They will have to go through the process just like any other business would go through. If they wanted to open a regular book-store or clothing shop it would be the same process."



MARK LORENZ/Staff photo

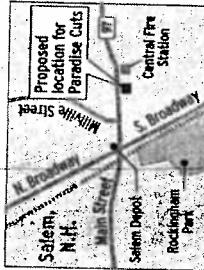
Paradise Cuts co-owners of Paradise Cuts pose with Yaira Ramos, back, hair stylist and shop manager Kimberly Demers-

must have a town-issued occupancy certificate, pass a state examination and "be of good professional character."

There are no laws governing specifics of the barbers' clothing. "The law only requires clean clothing and shoes, but it does not specify what type of clothing," Elliott said.

Carlino said his idea isn't completely original. He has discovered that similar themed barbershops exist in different parts of the country, including a three-store chain of bikini barbershops in Utah. "If someone can get away with something like that in Utah, then we should be OK" in New Hampshire, he said.

Business decision Carlino said he and Palermo decided to try to bring their business to Salem after seeking out a community that met three criteria: lots of traffic, lots of retail and a relatively "commercial town."



Staff member

The whole sexy barbershop concept hasn't won over Charles Kirkpatrick, 57, executive director of the Arkansas-based National Association of Barber Boards of America. His group has 800,000 members and develops standards and procedures for the barber industry.

Kirkpatrick said he has seen others venture into the type of shop Carlino and Palermo want to open in Salem, but without much success. "It's a gimmick-type thing," he said, explaining that he has seen a lingerie barbershop fall in Las Vegas and a topless barbershop flop in Arkansas. "I don't know if you can hire an upscale hair person to do that type of work. The upscale people have more business than they know what to do with, with their clothes on, if they're good."

Planned opening

If things work smoothly, Carlino hopes to open the Salem shop by late June or early July. He plans to set up a Web site where customers can book appointments and choose not only their barber, but what outfit shell wear.

Kimberly Demers-Vigeant of Hudson, who grew up in Salem, will be shop manager. Carlino hopes the business venture is successful enough to open a chain of sexy barbershops. And he hasn't ruled out the idea of someday opening a similar shop for women, where the hairstylists are provocatively dressed men.

"I'm not thinking of this on a small scale," Carlino said. "Salem's the first place. This is either sink or swim, but I'm not about sinking. I can't fathom that this won't do well."

Barbershop rules

New Hampshire has 600 registered barbers in an industry overseen and regulated by rules established by the state Board of Barbering, Cosmetology and Esthetics. Lynda Elliott, the agency's administrator, said she believes the barbershop Carlino and Palermo want to open in Salem would be the first of its kind in New Hampshire.

To operate a barbershop, the owner must be a licensed barber with a year of work experience, or hire someone with that qualification to manage the place, Elliott said. Before a shop can open it

community that met three criteria: lots of traffic, lots of retail and a relatively "commercial town."

4/11/06
Tribune

It's not about the haircuts

We suspect it won't be too long after the novelty value wears off that the staff of a sexed-up barbershop proposed for Main Street in Salem will be wearing a little bit more than "conservative lingerie" while performing their tonsorial duties.

Tewksbury construction company owner Peter Carlino toyed with the idea of opening a place where the female barbers would work topless — but that would have landed the shop in an adult-entertainment zone, not exactly the area where a businessman might want to drop in for a trim. So the idea morphed into a salon catering to men where the staff dresses in revealing "club wear" or "conservative lingerie."

But we think Carlino's statements that "This is not about nudity at all" are rather disingenuous. The "Paradise Cuts" plan is about haircuts about as much as a Hooters Restaurant — there's one just a couple of miles down the road — is about the chicken wings.

However, Salem planners should treat the proposal by Carlino and his business partner, Haverhill attorney Richard Palermo, as just another barbershop when it comes up for site plan approval, since it doesn't involve anything — toplessness or dancing, for instance — that would bring it under the "sexually oriented business" definition. As long as someone meets the requirements for a barber license, state law offers no specifics on attire beyond clean clothing and shoes.

The free market will sort out just how many men in a blue-collar town like Salem are willing to pay mall prices — \$25 or so — to be sheared by a barber in a bustier and leather short-shorts.

Carlino admits modeling his idea on similarly themed barbershops in other parts of the country — including a three-shop chain in Utah where the barbers wear bikinis. If they can get away with that in ultraconservative, Mormon-dominated Utah, it should be OK in New Hampshire, his thinking goes.

"You can go to the beach anywhere around here and find girls who are wearing considerably less than these girls will be wearing," Carlino says. "We do not want to be sleazy. We want to be classy and give a good haircut."

Given the sorry state of current standards of decency, he's probably right about the beachwear part.

As for classy, time will tell.

Carlino says he "can't fathom that this won't do well." We think just the opposite. Even with the lure of scantily clad women, it's hard to imagine a shop surviving on a clientele of mostly one-time gawkers. Attracting experienced and talented stylists who'll work under the "dress" code will be challenging.

Because, as one national barbering industry expert pointed out, if they're good, upscale hair stylists have more business than they know what to do with — with their clothes on.

DEPOT: Troupe hopes to open theater in old train station

■Continued from Page 1

what it would cost to do a major building fix-up.

"Right now, we do not have the cash on hand to do it, but we feel we have the ability to raise money to pull the project off," Morgan said, explaining the group has many handy members able to do some of the work. "We'd like to be able to do the project with minimal cost to the town."

At the outset, it's clear that the building needs a sprinkler system, new electrical system, new roof, work on the outside trim and a full "gutting" of the building's inside, Morgan said. The main beam that runs the width of the building needs to be replaced, as water from the leaky roof rotted a hole through the wood.

"I'm amazed at the level of interest on behalf of this group, considering all of the code improvements that are going to be needed for the facility, let along the historic characteristics," LaBranche said.

Morgan said his group has been in contact with officials from the Salem Historical Society.

The 3-year-old theater group puts on what Morgan described as low-frills shows geared toward "reaching a crowd who doesn't like theater because they have not found their type of show."

Sets are not complicated. When the group performed an adapted version of William Shakespeare's "Richard III" at Adams Memorial Opera House in Derry last year, a casket, table, giant chessboard and basic props made up the set.

The group could spend \$200 on a set, but typically tries to borrow equipment or get someone to donate it. Members have put on small shows at the Masonic Lodge in Salem and the Actors Studio in Newburyport, Mass.

"The problem for groups like ours is where you're attracting a small crowd, you need a small theater," said Morgan, 51, of 258 Main St. "Most of the theaters around here are large 1,000- or 900-seat performing arts centers. What's the sense of renting a 1,000-seat auditorium if you're on-



JASON B. GROSKEY/Staff photo
Members of the Salem-based Ghostlight Theater Co. of New England are talking to town officials about converting the old Salem Depot train station into a 40-seat theater. Standing by the town-owned building is Thomas D. Morgan of Salem, the group's technical director.

ly going to fill 200 seats, and when you look out from the stage, the house looks empty?"

People who attend the shows are "generous," Morgan said, and the play group makes enough money to cover its expenses, he said.

Ghostlight Theater is producing three shows this year, with plans for four shows next year. Should it succeed in its plans to lease and renovate the old train station, Morgan said the group would look to rent out its theater to other small performance groups.

Morgan said his group's members live throughout the region, from Plymouth south to Boston and from Nashua to the Seacoast.

Salem bought the train station from lawyer James A. Sayer Jr. for \$90,000 in September 1999. Sayer has his practice there under an indefinite lease. He pays the town \$1 in monthly rent, but either side can cancel the deal with 30 days' notice.

The theater group's efforts come as the town starts to study ways to revitalize the Depot,

which is scheduled for a state road-widening project in 2012.

Next door, at 67-71 Main St., businessman Stephen D. DeVito is building a two-story, brick-faced building that will house an "upscale" restaurant. He set his project's price tag at \$2.3 million.

The train station building includes an addition on its north end, facing Main Street. Some town officials have talked about tearing down that addition, but Morgan said his group would want to keep it for a foyer.

Beyond reviving the old station, Morgan said his group hopes to bring back some of the old train motif. Members are looking for old pictures that show the building's interior, in hopes of replicating some of its old look.

And there are already plans for the ticket window.

"The ticket booth would be designed to look like an old fashioned railroad station, with the Dutch door and the metal grate for tickets," Morgan said.

Salem reporter Jason B. Groskey may be contacted at (603) 437-7000 or jgroskey@eagletribune.com.

lectman Ronald J. Belanger suggested moving the station to Morse Fields off South Policy Street and using the site widen Main Street. Morgan said he understands his all-volunteer group could face competition for the site. The nonprofit theater group plans to have the site inspected to determine

Please see DEPOT, Page 8

4/5/06 Tribune Troupe hopes town will embark on Depot renovation

By JASON B. GROSKEY
STAFF WRITER

SALEM — A local performance troupe is talking to town officials with hopes of converting the rundown former Salem Depot train station into a 40-seat theater. "We know this is going to take a lot of work," said Thomas D. Morgan of Salem, technical director of the 70-member

during the summer looking right at it and said, "This is an embarrassment to the community." It's in a central part of town, a main entrance, and it's in dilapidated shape."

Among other ideas, LaBranche said he could envision converting the station to a visitors center and asking the Greater Salem Chamber of Commerce to move in and serve as the building custodians. Se-

of its efforts to buy up Depot property with an eye toward the future widening of the Depot, where Routes 28 and 97 cross. But through the years, the town hasn't taken good care of the building, Moldoff said. "The train station was a focal point of the community for a long time, back in the days when trolleys and trains were running," Moldoff said. "I was sitting in traffic

"But we've all gone past the building and just love the architecture of it, and it's just about the size we need," said Town Manager Henry E. LaBranche and Planning Director Ross A. Moldoff, who've met with Morgan, said the idea is worth pursuing while the town considers options for the 81 Main St. property. The town bought the site in 1999 as part

4/20/06 Tribune

Judge denies club's try to muscle out gym

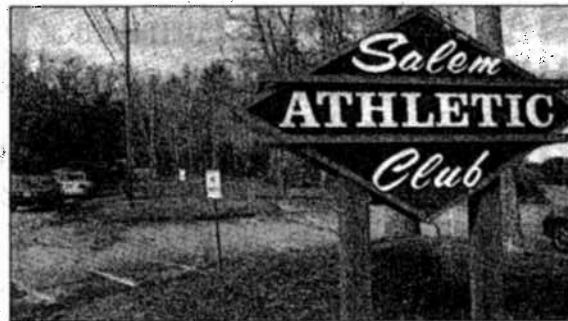
By JASON B. GROSKY
STAFF WRITER

SALEM — A legal fight involving the town and two competing fitness clubs may be over.

If the ruling is not appealed, it clears the way for a new athletic facility in an industrial park.

Should Salem Athletic Club appeal the case to the state Supreme Court, the Workout Club is prepared to take "any legal action" necessary to defend itself and recoup money lost because of the lawsuit, said Workout Club President Ronald A. Tringale.

A judge sitting in Rockingham County Superior Court found Planning Board members took enough steps to deal with traffic concerns when they approved the Workout Club & Fitness Center's plans to construct a 61,000-square-



ALLEGRA BOVERMAN/Staff photo

If Salem Athletic Club does not appeal, The Workout Club will begin building its facility down the street on Manor Parkway in Salem.

foot building at 6 Manor Parkway.

Planning officials OK'd the \$7 million project in October. But a month later, neighboring Salem

Athletic Club, 16 Manor Parkway, filed suit against the town in hopes of overturning the Planning Board vote.

Contrary to what Salem Athletic Club claimed in its court filings,

Planning Board Chairman Adam C. Webster said he never believed the lawsuit was about traffic concerns.

"This was something about competition," he said. "I don't blame the Athletic Club from exhausting whatever option they have. This just shows that the Planning Board takes a lot of care in its decisions and we try to follow what is right legally, as we did in this case."

The lawsuit halted the Workout Club's plans to go ahead with its construction schedule. Otherwise, the club faced the risk of tearing down any work it did if the Planning Board's decision was overruled.

That delay caused the project's price tag to jump by \$1 million, as

Please see PARKWAY, Page 2

WEATHERED

PARKWAY: Judge stops club from muscling out gym

■ *Continued from Page 1*

construction costs have climbed, Tringale said. Beyond dollars, the club also lost tenants that planned to move into the new building, he said.

"This was a block of a real estate transaction for competitive reasons," Tringale said. "It's been a long, hard battle, but justice has prevailed."

Albert J. Parchuck, general

manager of Salem Athletic Club, did not return calls seeking his comment yesterday.

Tringale said he was not sure when workers will break ground. He was meeting the project's head contractor yesterday.

The Workout Club case stirred controversy at the outset because of traffic concerns. It ultimately scored Planning Board approval in a 4-3 vote.

Planning Director Ross A. Moldoff said he expected that at different points through the planning study, members would reject the project.

"The Planning Board spent a lot of time, many hours, reviewing a very complicated issue: traffic congestion and what, if anything, they could do about it ... on this particular site," he said. "They didn't approve the plan very lightly. They looked at it very, very carefully and I think the judge's decision reflects that."

When the Workout Club project is done, the two rival gyms will sit about 800 feet apart on Manor Parkway, separated by three other properties.

Manor Parkway is part of the industrial parks that sit just off Interstate 93. The parkway sits

Pelham Road, just west of the highway ramps.

The new club is expected to cause a 10 percent hike in traffic, pushing the daily count of 16,000 vehicles to 17,600. Prior to the project obtaining the Planning Board's OK, separate traffic consultants for the town and the two clubs studied the new club's potential impact on the area.

After Salem Athletic Club sued, town lawyer Diane M. Gorrow tried to get the suit tossed. She argued that the club had no standing to appeal the Planning Board decisions. Judge Robert E.K. Morrill found otherwise.

But in the end, Morrill determined that planning officials did take steps to mitigate the further traffic problems that will result from the Workout Club project.

Planning Board members required that the Workout Club pay to connect and coordinate the four traffic lights that run along Pelham Road between Interstate 93 and the intersection with Manor Parkway and Stiles Road.

The Workout Club also had to pay \$12,000 toward future sidewalks on Manor Parkway.

Morrill wrote in his decision that those steps are adequate, especially

officials plan to widen Pelham Road in 2009 as part of the I-93 expansion project.

The case marks only the second time in 20 years that a judge considered overturning a Planning Board decision.

In the 1990s, the Demoulas family sued after the Planning Board approved the Shaw's Supermarket at the corner of South Broadway and Cluff Crossing Road. The judge found in the town's favor and the Shaw's project went forward.

Two earlier lawsuits designed to overturn Planning Board approvals for the Mall at Rockingham Park and Wal-Mart projects were settled out of court.

Salem reporter Jason B. Grosky may be contacted at (603) 437-7000 or jgrosky@eagletribune.com.

AL

Public to weigh in on unusual barbershop

By BRIAN JOHNSON
STAFF WRITER

SALEM — Paradise Cuts, a barbershop where female hair stylists will wear lingerie while cutting hair, will go before the Planning Board tomorrow, seeking site approval for the proposed shop. This will be the public's first chance to react to the business proposal.

Maureen Sullivan, the administrative secretary at the Planning Board, said the change of use hearing is commonplace anytime a new business wants to change the type of business operating in a commercial building. She said there have been a few phone calls and e-mails from citizens concerned about the barber shop, but overall the reaction has been more muted than she expected.

Paradise Cuts is slated to open in the shopping plaza at 142-148 Main St., near the intersection of Main Street and Route 28. The shop will be located directly behind Brooks Pharmacy, and next to the Boston Equipment and Supply Company. Glenn's Kreme and

is located on the other side of the plaza. If the shop gains Planning Board approval, it will open in June or July, according to Peter Carlino, the owner of Carlino Building Associates in Tewksbury, Mass.

Carlino said he expected there would be both a negative and positive reaction tomorrow night. "I'm sure it will be the topic of discussion," he said. "I won't be surprised to hear negativity. Everybody's got their point of view."

However, he stressed, there should not be any misconceptions about the shop.

"The people here will wear conservative lingerie," he said. "You could walk down the street and find people dressed more provocatively.... I don't think there is anything inappropriate about it."

And apparently from a Planning Board perspective, there isn't anything inappropriate about it either. Town Planning Director Ross Moldoff, who's met with Carlino and his partner, Haverhill attorney Richard Palermo, recently

of "sexually oriented."

"It would be a different situation if the women were topless, dancing or there were other activities," Moldoff said. "But from a Planning Board point of view, they have to treat this as if it was just another barbershop. They will have to go through the process just like any other business would go through. If they wanted to open a regular bookstore or clothing shop, it would be the same process."

Unlike some communities, Moldoff said, Salem's Planning Board typically makes decisions based on town regulations and requirements without being "politically motivated" by people upset with the shock factor of certain businesses.

After all, Moldoff pointed out, Salem is home to a dozen tattoo and body piercing shops, an adult video store, a store in Salem Depot that draws complaints for the lingerie display in its storefront window, and a Hooters restaurant.

"It'll be very interesting to see the response of the community," Moldoff said. "I expect a mixed



Spring Home
Improvement
pgs. A10-11

THE Salem Observer

APRIL 27, 2006

••• SERVING SALEM, PELHAM AND WINDHAM SINCE 1966

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Lingerie barbershop takes a little off the top

Proposed business
not sexually oriented
say planners

BY JIM DEVINE

jervine@salemobserver.com

Paradise Cuts, a proposed
hair salon that was introduced

at a recent planning board meet-
ing, won't be your father's typi-
cal barber - no matter how you
dress it.

The business will feature
lingerie-clad hairstylists at 142
Main St., behind Brooks Phar-
macy. The men's salon, accord-
ing to businessman Peter Car-
lino, will be marketed as a place

where men can get their hair cut
by a hairstylist without becoming
a secondary customer in a
mostly-female atmosphere.

"It's marketing," he said.
The planning board did not
deem the business proposal
which emphasizes the use of
hairstylists with character-
themed costumes, sexually ori-

ented. But whether the business
would be an appropriate part of
Salem's downtown near school
and daycare facilities was the
subject of debate during the

April 25 meeting. Planning
director Ross
Moldoff said Carlino brought
up the future barbershop's mar-
keting concept from the very be-

gining board to

Please see BARBERSHOP page A-2

Something fishy



Snatched purses

Lottery-funded track
prizes to move
to education

BY JIM DEVINE
jervine@salemobserver.com

Rockingham Park may lose
lottery-funded purse money in

is available. Rockingham Park will mark its 100th anniversary with thoroughbred races commemorating the benchmark.

The bill is in committee for resolution because House legislators approved the bill to end track purses by July 1, 2007, but the Senate amended the bill to extend the shift to three years later.

t card purchase leads to arrest

led with card. Although the store could not identify the card holder, the manager provided the full account number to police.

After contacting the local Bank of America on North Broadway in Salem, a bank representative told Kelly that the cardholder was Leonard.

With help from the school resource officer, Kelly interviewed several students at Salem High School to investigate how the alcohol made it to the underaged drinking party. After two interviews, a relationship was established between Leonard and guests at the party.

In March, Kelly went to Leonard's residence to speak with him. When asked if he knew why the officer came to his house, Leonard began to cry and said yes, according to the police affidavit. Leonard then told police he bought the alcohol for a 16-year-old friend and did not know the alcohol ended up at an underaged drinking party.

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CRABS &
CHERRIES
PLUMS &
PEARS

DOGWOODS

MAGNOLIAS

Continued from page A-1

ginning and that the shop would need to be treated like any other moving into the town from a planning board perspective.

The provocative clothing that women would be wearing in the shop does not, he said, make it a sexually oriented business.

"The applicant mentioned (the marketing concept) from the very beginning to see whether it would comply," Moldoff said.

Richard Palermo, a co-owner of the proposed barbershop, told planning board members that the costumes employees would be wearing were simply a part of marketing the shop toward men and provide "an enhanced experience for gentlemen."

Although Carlino, the owner of Carlino Building Associates in Tewksbury, Mass., hasn't received any complaints personally, he expects to hear criticism of his most recent business venture. But he assured the board that it will be a respectable establishment. Paradise Cuts will be the first business of its type for Carlino.

Criticism is to be expected no matter what business moves into a lot because, he said, "You can't satisfy everybody."

"The attempt is to run a respectable business," Carlino said. "I'm sure there's going to be a lot of immature and ignorant comments, but they're entitled to them."

Abutter Mary-Francis LaBreque, who has lived at her Church Avenue residence for 35 years, spoke of site plan concerns and showed planners a Web site for a bikini barbershop based in Utah. She believed this shop was the inspiration of the Palermo-Carlino venture.

On a computer projection, LaBreque displayed a screen with women dressed in provocative clothing in poses from which men could choose who they wanted to cut their hair and what they would wear for them.

"Would you like to click on Sandy?" LaBreque asked Moldoff, who was controlling the PowerPoint presentation that allowed the Web user to select a girl. When Moldoff paused for direction from planning board secretary Robert Ellis, LaBreque

asked, "Do you like Brittany better?" prompting laughter from the audience of 20 residents.

Palermo assured planners that the business model of the barbershop would not use a Web site and would not feature women in bikinis or bathing areas, two of LaBreque's concerns.

"We're not exploiting the women in bikinis," Palermo said. "We're not doing anything to put the woman or men in harm's way."

LaBreque said the applicants

"clouded the issues," and was concerned that costumes offered as part of the business proposal might change - a view shared by resident Jeff Hatch.

Hatch asked that any glass in front of the shop be frosted or tinted.

Alternate planning board member Ron Tony Giordano asked about age requirements, which, to him, was a gray area making the business potentially inappropriate.

Planning board member

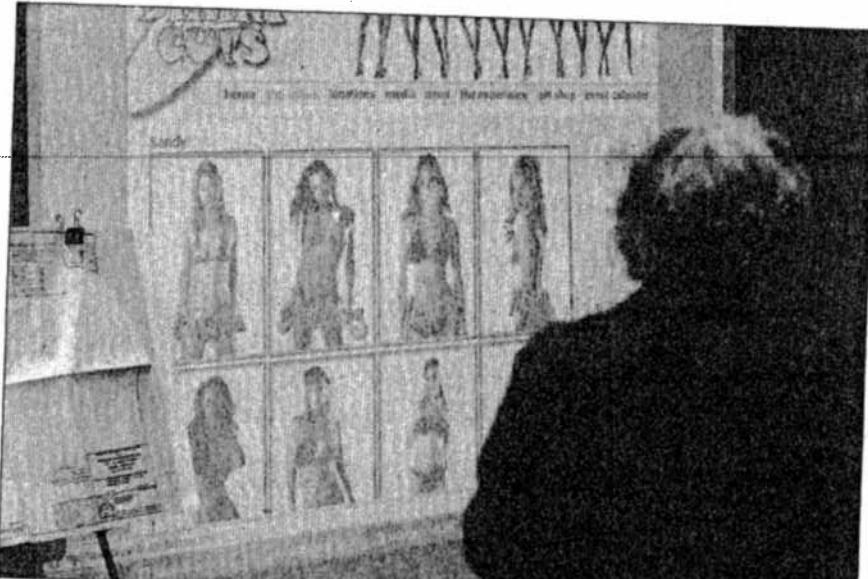
SEWER: Water rates to rise to finance improvements

Continued from page A-1

Sewer rates are being adjusted because the town isn't expecting the large refund it normally gets at the end of each year from the Greater Lawrence Sanitary District.

McBride, who is also on the

board of directors for the sanitary district, said there has been a significant increase in costs due to upgrading equipment and energy costs, which will cut into the \$1.3 million year-end refund that Salem often receives.



Mary-Francis LaBreque shows the planning board the Web site of a barbershop that she believes is an inspiration for the Paradise Cuts salon proposed for the plaza at 142 Main St. Observer/Bruce Preston



Paradise Cuts co-owners Peter Carlino, left, and Richard Palermo hope their business will offer a male-friendly salon atmosphere. Observer/Bruce Preston

Chris Goodnow said residents may have to accept the business - no matter how odd its proposal - because it adheres to the town's detailed ordinance which defines sexually oriented businesses.

"I think our ordinance covers this," Goodnow said. "I think they may have found a loophole."

Carlino said people tend to automatically think of teddies and other skimpy undergarments when the word "lingerie" is mentioned, but hairstylists' clothing in the shop will be more similar to "club wear."

Moldoff suggested that the application be continued to work out more site questions, particularly those concerning parking, which would need to accommodate 141 spaces.

Despite Moldoff's recommendation, planning board members suggested having legal counsel look at the statutes and codes which would allow such a business.

The planning board voted to continue the application 6-1. Ron Tony Giordano voted against the motion, but he admitted the proposed shop, if approved, would likely be popular.

"There's no doubt in my mind this will be a very busy place," he said.

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No decision made on costume barbershop

BY MARGO SULLIVAN
STAFF WRITER

SALEM — Paradise Cuts, a salon and spa for men proposed for a storefront at 142-148 Main St., will be a "warm" place where men can buy a haircut and facial without being intimidated by women, according to its owners. But some residents disagree and say it will be a sexually oriented business that is not right for Salem.

Last night, the owners of Paradise Cuts, Peter Carlino of Tewksbury, Mass., and Richard Palermo of Haverhill, Mass., came to the Planning Board with the hope of resolving traffic and parking issues raised by the change of use for the business, which used to be part of Boston Equipment. But they found the issue of running a sexually oriented business was not behind them but was yet to be determined.

Planning Director Russ Moldoff said he had suggested the business, which is to be staffed by females dressed in "theme costumes chosen by the clientele," did not fit the description of an adult entertainment or sexually oriented business in the local ordinance. But the Planning Board secretary, Robert Ellis, filling in as the chairman, and alternate Ron Tony Giordano said they want a lawyer to decide if the business is exempt from the local ordinance on sexually oriented adult entertainment establishments. They also questioned whether the salon will violate a state law against exposing minors to harmful materials.

Christopher Goodnow, one of the board members, offered the opposite opinion. He predicted the barbershop will fit into a loophole in the local zoning regulations, but agreed it would do no harm to consult an attorney. Ultimately, the panel voted unanimously to continue the hearing, while the lawyer reviews the issues and Moldoff gets specific numbers on parking

and considers whether a traffic study will be needed.

Ellis said he was dissatisfied with the parking calculations because it seemed most of the new parking would be too far from the barbershop to service its customers. Ellis said the parking on the site and the traffic impact were important issues to be settled.

No residents spoke in favor of the plan, but two did oppose it, including Mary Frances LaBrecque, who said she did not believe the barbershop was right for Main Street or for Salem.

"We understand sex sells," said LaBrecque as she urged the Planning Board to take a look at a Web site of a similar business, filled with photographs of bikini-clad hair stylists in what she described as provocative poses. LaBrecque paused and asked Moldoff to click on one of the photographs.

"Sandy?" she said, pointing a red laser beam on one of the models. Moldoff hesitated and said he thought the chairman might want to give permission to continue.

Ellis sat back in his chair.

"I don't know what's coming," he said but allowed the demonstration when LaBrecque assured him there would be no nudity in the pictures on the screen. LaBrecque said the Planning Board should consider this site because although the costumes suggested by the owners were not bikinis, they might be changed.

After the meeting, Palermo and Carlino objected to opinions the costumes qualified as lingerie.

Palermo said the outfits were theme-related, such as firefighters or police. He said they were short shirts with long sleeves or tank tops and pants.

Palermo and Carlino said they were not going to exploit women with pictures on a Web site.

"It's about business," Carlino said after the meeting. "It's not about sex." Palermo said the salon would not install massage tables.

ty idea homes in on new worker



Brett
ARENDS

contain a se-
urban profes-
he doesn't

te developer
ro is betting
on it.

ny, Millennium
esterday un-
to spend that
-story residen-
n Washington
is "work lofts"

signed for all
ated white-colo-
nals who quiet-
home.

ts. Designers.
Internet entre-
semi-retired.
go to an office.
may not collect
state.

So government bean
counters have no idea that
they're here.

Maybe that's why official
data show a decline in jobs
in Boston.

"There's a lot of jobs
growth in the city that's ba-
sically hidden," Pangaro ar-
gues. "Statistically, it
doesn't show up. These are
professional people — con-
sultants, small-business
owners — working at home.
And a lot (of them) are
working for companies that

are not in Massachusetts.
They're picking up a W-2,
but it may say 'Illinois' at
the top, and we just don't
see it here."

As nothing is a social
trend these days until we
give it an acronym, maybe
we should call them Cup-
pies — or Cafe Urban Pro-
fessionals.

Not only because they all
have Gaggia espresso ma-
chines.

But because when they
venture out, it is to take
their PowerBooks to the
buzz and amenities of a
nearby Wi-Fi-enabled cof-
fee shop.

"I see it every morning,"
Pangaro said. "I go to a cafe
on Newbury Street, and

These are
professional people —
consultants, small-
business owners —
working at home.'

TONY PANGARO,
real estate developer

next to me are the three
same guys with computers
running their business."

You'll see the same thing
in the North and South
ends.

Pangaro's proposed new
block would be built on the

parking lot opposite the
Opera House.

The lofts would be de-
signed for those who also
want to use their trendy
downtown apartments as a
serious downtown office.

High ceilings. Big win-
dows.

Wi-Fi throughout, natu-
rally.

Space that can easily be
reconfigured, or divided off,
for business.

And cupboards, kitchen
equipment and other facil-
ties built discreetly into the
walls — so your clients
don't look at your dirty
dishes instead of your pre-
sentation.

Likely price: about
\$750,000 for 1,000 square

"The idea grew out of the
realization that people don't
work the way they used to,"
Pangaro said. "It's all part of

■ DEAL FUELS DEBATE, PAGE 18.

this blurring of the line be-
tween work and non-work."

The building is likely to
open by early 2008.

And if it succeeds it's
likely to be a model for the
other Cuppie towns where
Millennium operates — San
Fran, New York, D.C. and
Miami.

It's a lucky thing the first
floor will be retail.

Because they'll need a
cafe.

Sexy salon hair-brained scheme, foe says of plan

By DAWN WITLIN

A Salem, N.H., woman is
calling a Swampscott busi-
nessman's barbering con-
cept too barbaric for her
own back yard.

Peter Carlino's recent
pitch to open "Paradise
Cuts," a barber shop featur-
ing female stylists clad in
lingerie, raised more than a
few objections from poten-
tial abutting resident Mary-
Francis Labrecque.

Besides the parking con-
cerns and additional Dump-
ster, Labrecque said, she is
uncomfortable with the sug-
gestive subject matter of the
slinky salon.

"If this kind of business is
next door, what kinds of
personalities would show
up?" Labrecque asked.
"Would it attract sex of-
fenders in the area and put
the children at risk?"

But Carlino doesn't think
his approach is controver-
sial.

"I really don't see what's
so juicy about it, the girls
will be wearing company-is-
sued attire, it's no different
than a Hooters," he said.

City Planning Director
Ross Moldoff, responsible
for presenting the business
proposal to the Planning
Board, agrees.

"We had told the Planning
Board we did not consider
(Paradise Cuts) to be sexually
orientated," Moldoff said.
"If the women were topless,
it probably might qualify,
but... it's really not unlike
anything you would see on
television," he said.

The board has referred
the case to the town attorney's office for review until
the matter comes up for
consideration sometime early
next month.



AP PHOTO

FRANKLY, I DON'T 'GIVE A DAMN': Iranian President Mahmoud Ahmadinejad, speaking yesterday in Abhar, Iran, called U.N. resolutions to stop his country's nuclear program 'useless' and vowed to continue the work.

He said the world "is
united and concerned
about (Iran's) desire to
have not only a nuclear
weapon but the capacity
to make a nuclear weapon
or the knowledge to make
a nuclear weapon."

Bush said he was not
discouraged by Iran's vow
to continue despite global
pressure.

"I think the diplomatic
options are just begin-
ning," Bush said during an
appearance in the Rose
Garden.

Earlier yesterday, Iran-

ian President Mahmoud

Ahmadi

nejad said there

was no Security Council
resolution that could
make Iran give up its nu-
clear program.

"The Iranian nation
won't give a damn about
such useless resolutions,"
Ahmadinejad told thou-
sands of people in Khor-
ramdareh in northwestern
Iran.

Asked if Ahmadinejad
was a man with whom he
could work, Bush said,
"It's going to be his choice
eventually."

Bush has refused to rule
out the possibility of mili-
tary action against Iran
but he emphasized the
pursuit of diplomatic ef-
forts.

He said there are clear
differences between Iran
and Iraq, where the United
States led an invasion
in 2003 to remove Saddam
Hussein.

statement came
after the Interna-
Atomic Energy
said Tehran had
urium and
ersists with re-
ivities in its nu-
trogram in de-
of the U.N.
Council.
said the IAEA
t was important
"It reminds the
of the world that
in ongoing diplo-
fort to convince
ians to give up
ear weapons am-

e of dead babies in flowerpots grips nation

year-old
y buried
babies in
refused to answer
manslaughter
a German court
worst case of in-
country since
IL

— whose full

name cannot be given for legal
reasons — shook her head
vigorously when she was
asked to give evidence at the
start of the trial that is gripping

Germany.

Judge Matthias Fuchs then
dispassionately read out the
extraordinary story of the
dental technician who is ac-
cused of letting nine of her 13
children die soon after birth.
The stunned court was told
how Sabine H drank herself
into a stupor to dull the pain
of the secret births.

"As a result, I can re-
member only two of them,"
Sabine H told police after her
arrest last year.

She gave birth on an almost
annual basis, and babies' bodies
started to fill up the plant
pots on her balcony. It is al-
leged that Sabine H took
them all to her mother's
house in a small village south
of Frankfurt on Oder. They
were discovered last year by
a relative who wanted to use

an aquarium tank that was
stored in the garage.

He tipped out sand and

found a skull.
Demonstrators outside the
courtroom held up placards
Thursday that read, "Tell the
truth!" and "We mourn nine
little children."

— THE TIMES OF LONDON

A loon bobs on the surface of Beaver Lake in Derry on Wednesday, utterly undisturbed by the close proximity of fishermen.

Fire budget targeted at public hearing

► **Derry** Some question training equipment costs.

By ELISE CASTELLI
Union Leader Correspondent

DERRY — The town councilors were told during a sparsely attended public hearing last night that they should have done more to tighten the town purse strings.

Only six members of the public rose to question the

council's decisions on the nearly \$37 million town budget proposal for 2007.

"As taxpayers, we need some help here," said Maureen Rose of Windham Road. "There is a lot of extra stuff that can be cut." Rose and others were critical of the fire department's \$9.4 million budget, which the council cut by \$158,000 earlier this week. She called requests for a \$16,500 wellness program and more than \$40,000 in training costs "crazy."

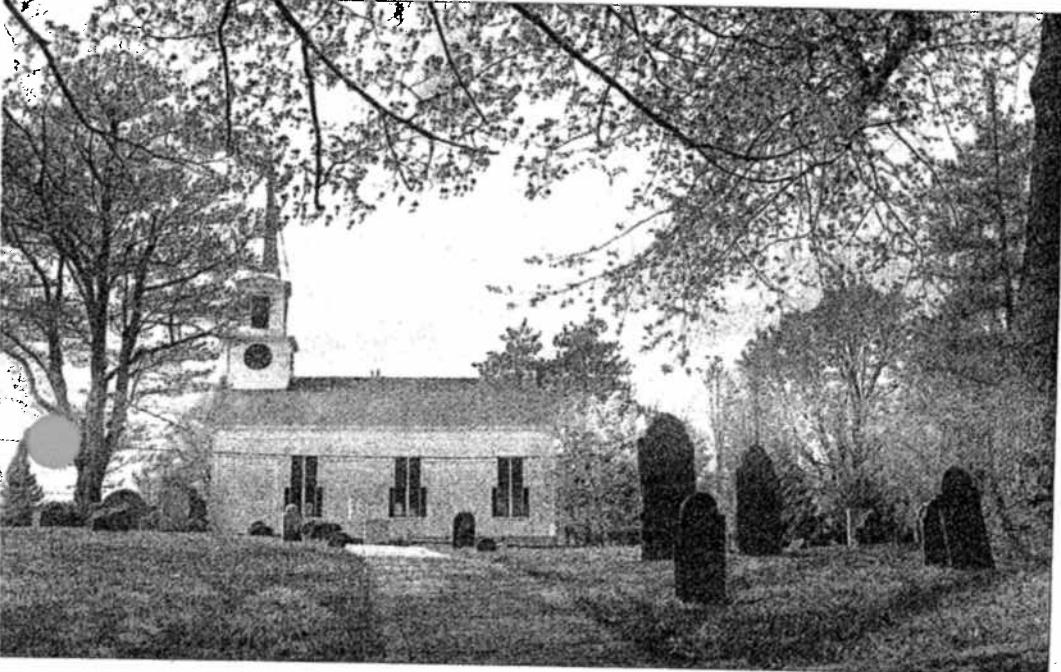
For more than an hour, Fire Chief George Klauber was questioned by residents about the costs of training firefighters, firefighting equipment purchases and collecting ambulance transport bills.

Bob Marquis of Route 28 By-pass simultaneously worried that the department wasn't doing enough to collect on its ambulance transport bills and that people who cannot afford ambulance transports might refuse treatment.

Klauber explained that the fire department has set up a hardship committee to address such cases. He said about 30 percent of all ambulance calls are non-transports and many of the patients refuse transport due to a lack of health insurance. The department collects on approximately 80 percent of its ambulance bills and actively pursues unsettled claims, he said.

► See Budget, Page B2

The Peaceful Path



KATE HARPER

Chester's Village Cemetery on Monday, sunlight dapples a cobblestone path leading to the Chester Congregational Baptist Church.

Heart Walk will be Sunday in Manchester

MANCHESTER — Sunday's annual Central NH Heart Walk, expected to take place in walking weather, a few days and temperatures head-toward the mid-60s, is dedicated to raising funds to combat cardiovascular diseases, which are the leading

killers of women and men and the second leading killers of children, will walk rain or shine.

More than 1,500 people are expected to take part in Sunday's walk, which begins and ends at the New Hampshire Union Leader at 100 William Loeb Dr. Registration begins at 8:30 a.m. and walkers leave the

corner of Holt Avenue and William Loeb Drive at 10 a.m.

Teams in the noncompetitive fundraising walk consist of employees of local companies, plus family members and friends of all ages.

In addition to the 5-mile walk to raise funds for heart disease and stroke research and for educational programs

in New Hampshire communities, there is a 1 1/2-mile route for heart disease and stroke survivors.

Survivors who walk will be presented with a special red baseball cap that says "Fighting Back." Hats are provided by the 2006 Central NH Heart Walk's

► See Walk, Page B2

5/5/06
Union
Leader

Lowe's has high hopes for Salem

By MIKE KALIL
Union Leader Correspondent

SALEM — Developers want to bring a Lowe's Home Improvement Warehouse to the town's main drag.

Preliminary plans call for a 150,000-square-foot store in a plaza on Route 28, on the Salem-Methuen, Mass., line, town Planning Director Ross Moldoff said yesterday. Developers would relocate some of the plaza's outlets to make way for the store, he said.

W/S Development Associates representatives are scheduled to appear before the zoning board of adjustment next month to go over details about the proposal, Moldoff said. They appeared before the zoning board this week to discuss variance requests about parking and the height of the building.

Once they are finished with the zoning board, the proposal will come before the planning board, Moldoff said. He characterized the proposal as being in the beginning stages.

Moldoff said town planners want to make sure the site has adequate parking and that traffic concerns are addressed before the proposal goes forward. The bulk of the parking, he said, would be in Methuen, making it trickier for the developers to get the go-ahead.

The plaza is behind Ted's Stateline Mobile in Methuen. The area has been known to cause headaches for drivers, especially during busy commute hours.

"It's a very, very congested area in town, so traffic is going to be a primary issue," Moldoff said.

The Lowe's would be one of the biggest retail outlets in town. At about 250,000 square feet, the largest store in town is the Wal-Mart on Route 28 near the Windham border.

Lowe's officials sought earlier this year to get permission to build a 170,000-square-foot store in Windham. On March 14, however, they were denied permission to change the area's zoning to commercial. Moldoff said developers first approached Salem last December.

5/4/06 observer

Men's salon may attract predators

To the Editor:

I am writing to express my dismay that the town of Salem is even considering allowing an establishment such as "Paradise Cuts" to open in our town. The way it degrades women is just one of the many reasons why this establishment is not appropriate for our town. The larger problem is what type of clientele it will bring into our town. The safety of our citizens, especially our innocent children, lies in the hands of the planning board.

In last week's editorial, you stated that "if you don't like a business, don't patronize it," but unfortunately the men that will probably frequent this salon will be from surrounding communities, some of whom will probably be sexual predators looking for a thrill. When they leave the "salon" they will be driving our streets where our children are playing. Do we really want to give predators a reason to come to Salem?

I am sure that some of the businesses around the proposed site will also be negatively affected. I cannot imagine many parents will want to take their children near an establishment that sexual predators may frequent.

I urge the citizens and town officials of Salem to let people like Mr. Carlino know that his type of establishment is not welcome here!

Noreen Fantasia
Salem

LaBranche: Salem Depot goals needed

BY JIM DEVINE

jdevine@salemobserver.com

Salem Town Manager Henry LaBranche told selectmen there was a serious need for workshop sessions to determine short-term goals for the Depot area.

At the May 1 selectmen meeting, LaBranche said the recent activity at the Depot has caused a stir of questions among residents who are curious as to when the area redevelopment is coming.

Last month, Salem selectmen approved spending \$45,000 of Depot trust fund money to widen the west side of Main Street at its intersection with Route 28. The project, which was meant to relieve traffic congestion for vehicles turning southbound on Route 28, was also supposed to clean up the corner with landscaping and wooded guardrails.

Although the work is nearly complete and LaBranche is happy to see some of the traffic congestion alleviated with the widened turning lane, he said people continue to ask if more work is scheduled for the Depot area.

"There's been a great deal of discussion at your level and my level with respect for the Depot," LaBranche said. "I think we need to have a workshop session."

While some residents have simply asked what's next, LaBranche said, most have been asking if this lane-widening project is the beginning of the intersection's revitalization — a project the state Department of Transportation has scheduled

six years out.

"The answer's, 'No,'" LaBranche said. "That redevelopment isn't going to be here until 2012 based upon the state's schedule."

Also, included with concerns to the area is the old train depot building which was formerly the law office of James Sayer. The Ghost-light Theatre Company has expressed interest in revitalizing the building, which has been in disrepair since long before the town purchased it close to seven years ago.

In response to the theatre group's offer to purchase the building, selectmen put a moratorium on offers from private groups to make sure that all options with the historic commission were explored before making a decision on how the building should or could be preserved.

Selectmen agreed to move forward with the discussion as soon as the next selectmen meeting on Monday, May 8. That same week there will be a joint meeting between the budget committee and the selectmen on Wednesday, May 10.

Selectmen Elizabeth Roth said she hopes the discussion with the public and the historic commission will involve as many people as possible in the community.

"I'm glad for this opportunity for allowing the public to know we're serious about what to do with the train station, and that we're not putting it aside," she said.



Town Manager
Henry LaBranche

Salem
The g
Tom !

A welcome idea for Salem Depot building

5/10/06
Tribune

Even if the idea of converting the old Salem Depot train station into a small performance space didn't fly, the proposal by the Ghostlight Theater Co. of New England has already achieved a positive result by prompting selectmen to finally do something after letting the building sit and slowly rot away for seven years.

On Monday, the board showed zero interest in Ghostlight's proposal but unanimously approved an engineering study to determine if the depot, in its heyday the town's main stop on the Boston & Maine Railroad, can withstand being lifted from its foundation and moved to the other side of Main Street to be refurbished into a town welcome center. If that's possible, the railroad motif would be completed with the purchase of an old caboose to sit alongside it.

Preserving and using the station is a great idea that would go a long way toward making up for the town's neglect since it bought the building for \$90,000 in 1999 in conjunction with plans for widening of the nearby intersection of Routes 28 and 97.

Unfortunately, the town hasn't spent another penny since to keep it up. Its dilapidation, smack on a heavily traveled artery that's a main entranceway to the community, prompted Planning Director Ross Moldoff to call it "an embarrassment to the community."

But big changes are happening at that corner that make it prime time to move on the depot building. The road-widening work is currently going on, and the adjoining rundown Player's Restaurant building has been torn down to make way for a new restaurant on the northwest corner of the intersection.

Selectman Ronald Belanger, who's leading the rehab charge, says he's already met with one businessman, whom he wouldn't identify, who might be interested in moving and rehabilitating the station at his own expense. The building should be preserved whether or not the private funds come through. Other financing alternatives should be explored, including the Depot trust fund, which is funded by payments from the Mall at Rockingham Park.

Over the years, too many pieces of Salem's history have been allowed to disappear into the swamp of faceless retail strips. Preserving and reusing the depot building would be a great credit to town officials. Ghostlight deserves thanks for starting the ball rolling, and the selectmen credit for starting to run with it.

5/11/06 Observer **Proposed salon not good for Salem**

Family Services.

There evidently is no law against this, but there certainly should be!

To the Editor:

It is deeply disappointing to me to hear that little or nothing can be done to stop Paradise Cuts from setting up shop in Salem. This "sexually oriented" salon will open its doors just down the street from my son's preschool, the Woodbury Middle School, the Salem Boys and Girls Club, the library, and just a stone's throw away from the Division of Children, Youth and

Not only do I object to the message this type of business sends to our youth, but there are many reasons this makes me angry and nervous.

First of all, the owners

do not care about Salem,

women, or "men" having their

hair cut in a relaxing environ-

ment." The only thing they care

about is themselves and the al-

mighty dollar. Isn't it funny how

they wouldn't put it in their own towns?

Secondly, we will be inviting the wrong crowd into our town, which will likely include sex offenders.

It is so easy to go about my daily routine while these men from out of town set up business in Salem at the expense of our citizens and our reputation. But I cannot do that anymore.

Finally, I love Salem! I care about what businesses come into my town. I want choices about the messages sent to our youth. I hope our elected officials are as proud as I am to be a part of such a growing, caring, family-oriented community.

In summary, these guys and their "salon" will bring in more crime, put the safety of our women and youth at risk and give Salem a very bad reputation. The planning board may want to

take a closer look at the details of the law, because to many of us, it isn't just about the zoning!

Show the pride we have in our town by objecting to the latest sexually oriented business. Who is going to protect our families if we do not stand up for what is right?

Melissa Bourgoin
Salem

5/11/06 observer

Depot building may be moved

BY JIM DEVINE

jdevine@salemobserver.com

During the public work session to review the future redevelopment of the Depot area, Salem selectmen came to a consensus to look into preserving the old train station building by any affordable means necessary.

Historic Commission Chairman Beverly Glynn received positive feedback on a proposal brought up to move the dilapidated building in the Depot area of town.

The plan was formulated after Glynn toured the building and saw Depot redevelopment plans included widening Main Street very close to the old station's foundation.

"We're afraid it will jeopardize the building," Glynn told selectmen during the public hearing. With a proposed plan to move and rehabilitate the old building, Glynn said the building would be an ideal place in the center of town to act as a rest stop.

"We'd like to see that building saved and just plea with the selectmen and the town people if they'd do something on that idea," Glynn said.

The interim plan to eventually widen Route 28 to include turning lanes in the Depot area would require taking a little more than a dozen properties, according to Salem Planning Director Ross Moldoff. Although this plan is not set in stone, build-

Please see DEPOT page A-2

"He doesn't always get jokes,"
Terkine said. "I
wasn't laughing at
anything too literally."

Digitized by Google

DEPOT: Selectmen consider options for preserving old station

Continued from page A-1

ings along Route 28 including the Tae Kwon Do studio and the China Star Restaurant on Main Street are included on the list of properties needed for the move.

Although the interim plans at this time do not include widening over the old train station property, there was some question as to whether widening the roadway further would jeopardize the building's foundation.

Selectman Ronald Belanger supported the idea if the town would be able to find private money to help finance the measure of renovating the building as well as moving it.

Although selectmen agreed to pursue the preservation of the property, questions as to wheth-

er it could be done affordably or effectively were asked.

Tom Morgan, the technical director of Ghostlight Theatre, a group which has shown interest in renovating and leasing the old building, supported the measure with the idea of it becoming a "multifunction facility" for the town.

"We have a very valuable building there," Morgan said. "I have been inside it, and I know the condition of it."

"The timing of moving this building is going to be imperative in terms of preserving the building itself," selectmen Elizabeth Roth said. "I really feel the urge to put my arms around the building and save it and put it in a safe place."

be decided until approximately March of 2009, according to selectman Arthur E. Barnes III.

The first step of the proposal, selectman chairman Michael Lyons said, is to find a professional who can look at the property and determine whether the project can actually happen.

"We have to get the horse before the cart," he said. "I think we need to get an educated opinion ... a professional opinion on what our options are."

Town Manager Henry E. LaBranche said the question of rehabilitating the building is the only imperative need at this time if the building is to be saved and suggested that if the building were to move it should happen before 2008.

Properties bought up in the Depot area for redevelopment purposes have been purchased through money in the Depot trust fund at fair market value, according to selectman Everett McBride. No properties have been taken through eminent domain.

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REMOVAL**

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alem

Call out for volunteers to clean up Town Forest

BY BRIAN JOHNSON
STAFF WRITER

SALEM — One of the few spots in this town where you can still stop and hear the rustle of trees in the wind or simply escape from civilization will receive needed maintenance this weekend.

The Conservation Commission is soliciting volunteers for a cleanup of the Town Forest, a swath of woods encompassing 235 acres in the northwestern part of the town. The cleanup is scheduled for Saturday from 9 a.m. to 3 p.m. at the forest on Route 111 across from Shadow Lake.

The cleanup will consist of brush clearing along the trails, litter pickup and general repairs to trails that have been damaged by the recent flooding, according to William Carter, a Conservation Commission member. He said he hopes more than a "couple dozen" people show up to assist in the cleanup.

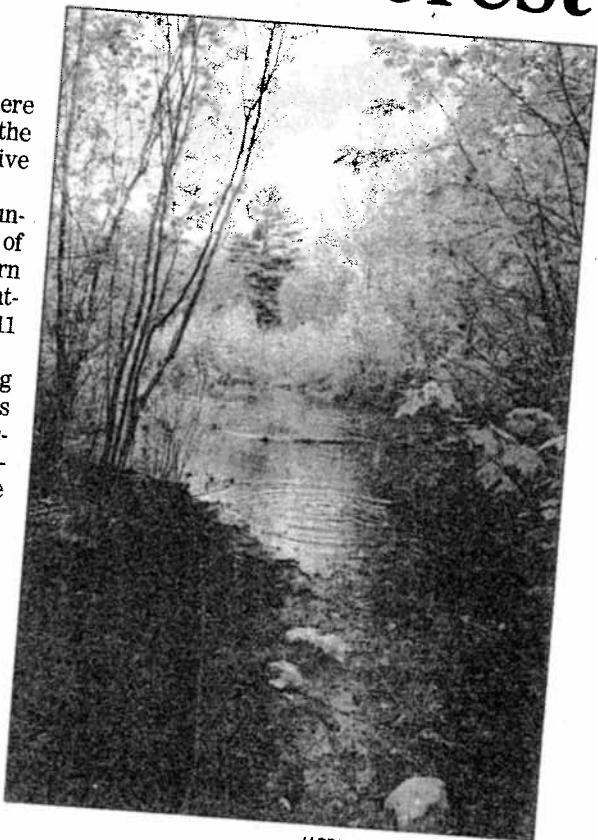
He added that Luke Morris, a Salem youth working to earn his Eagle Scout badge, would be on hand Saturday to help improve trail signs and marking.

The extent of the damage to forest trails from last week's flooding is unknown at this point, Carter said, because he has been out of town on business and unable to inspect damage from the overflowing Hity Tity Stream, which runs through the park. He said Saturday's event would be a good chance for an inspection.

Carter said most of the trails seem to hold up well against the elements, but there are portions of trails at lower elevations which sustain damage from flooding and storms. He said he was in the forest two weeks ago, and the trails seemed to be in relatively good shape.

Yesterday, a walk through the outer portion of the forest revealed that some trails were washed out from flooding, but that most seemed to be in good condition with just a bit of debris.

Carter said the Conservation Commission maintains the land as part of its responsibilities and likes to use volunteer days as a way to get some publicity about one of the town's better natural resources. "You'd be amazed at how many people don't



JARROD THOMPSON/Staff photo
The pond next to Trail F in the Salem Town Forest overflowed its banks and washed away the trail, which is now closed.

know it's there," Carter said.

He added that it's a shame the forest is not more popular because "you don't have a lot of places in town where you have over 200 acres and not see civilization."

Anyone planning to attend the cleanup is asked to e-mail Town Planner Ross Moldoff at rmoldoff@ci.salem.nh.us.

Salem reporter Brian Johnson may be contacted at (603) 437-7000 or bjohnson@eagletribune.com.

SALEM NEWS IN BRIEF

5/26/06 Tribune

Developer concerned about cell tower stability

By BRIAN JOHNSON

STAFF WRITER

SALEM — A proposed 100-foot cellular tower on town land atop Spicket Hill is nearing reality after selectmen voted earlier this week to green light a lease agreement with Nextel that would pay the town around \$1,500 a month in rental fees.

However, worries raised by an abutting landowner about the safety of the tower still stand in the way of the tower being approved

by Planning Board officials.

Henry Hyder, a trustee for Crest Realty Property, which owns 44 acres abutting the proposed cell tower, said yesterday he was worried that the cell tower could pose a safety problem for a 28-home development he is planning to build on his land. In particular, Hyder said, he was worried the tower could impact at least one of his lots if the tower happened to fall from high winds or in a freak accident.

"They claim the tower is de-

signed in such fashion that it will buckle before it falls over," Hyder said from his Portsmouth office.

"If they can't guarantee me it would buckle (before it falls), then I'm objecting to its location."

Hyder said if he could not get a guarantee and the tower still went up, he would consider reducing the number of lots planned for the site and might sue the town for any loss of revenue that would result.

"I can't stop them from putting a tower on town land, but I can object to whether or not tower is so

high it will affect Crest Realty land," he said.

Ross Moldoff, Salem's planning director, said the Planning Board took Hyder's concerns under advisement at this week's meeting.

Salem has about six contracts with other wireless providers, which pay anywhere from \$2,000 to \$2,200 a month to place their telecommunications equipment on town land. The town rents space to wireless companies at the water tanks on Howard and Lawrence streets and at the De-

partment of Public Works yard on Cross Street.

Moldoff said the town sees the cell towers as a good source of revenue, and the spot should improve local users' reception because of the height of Spicket Hill. The hill's peak is 354 feet above sea level. However, the planning director said they must take into account the concerns of all parties involved.

"It's our job to balance between competing interest," he said. Moldoff said the planning board will take the issue up again.

■ CALENDAR

FRIDAY, MAY 26 Free to Salem seniors. Call (603) 890-2191.

WEDNESDAY, MAY 31

Overeaters Anonymous meets at Kelley Library, 5:30 to 6:30 p.m. **Senior citizen barbecue luncheon** sponsored by Salem Police, 11:30 a.m. Featur-

THURSDAY, JUNE 1

Families Cope meets at Kelley Library, 10:30 a.m. to noon.

FRIDAY, JUNE 2

Overeaters Anonymous meets at Kelley Library, 5:30 to 6:30 p.m. **Senior Fitness Fair** held at Ingram Senior Center, Sally Sweet's Way, 9 to 11 a.m. Free. Call (603) 890-2190.

SATURDAY, JUNE 3

full barbecue meal, live band and disc jockey. Kids menu available. Donations \$15. Call (603) 893-7941.

Machine Knitting Club meets at Kelley Library, 9 a.m. to noon.

5/25/06

Joe Goulet stands outside his Salem house off Route 111 with his son, T.J., 2, as traffic goes by. Goulet talks about the traffic and accidents that happen at all hours of the day and night right outside of his house where his three kids play. He hopes a new bypass will ease the congestion.

Route 111 bypass spells relief to Salem and Windham residents

By JOHN BASILESCO
STAFF WRITER

The end of Glen Smith's bed is literally 30 feet from a highway. The noise from cars driving by is so loud he never opens his windows.

Route 111 travels right through the thickly settled neighborhood next to Shadow Lake in Salem where Smith and dozens of other families live.

They have been putting up with a heavy volume of traffic — more than 22,000 cars a day —

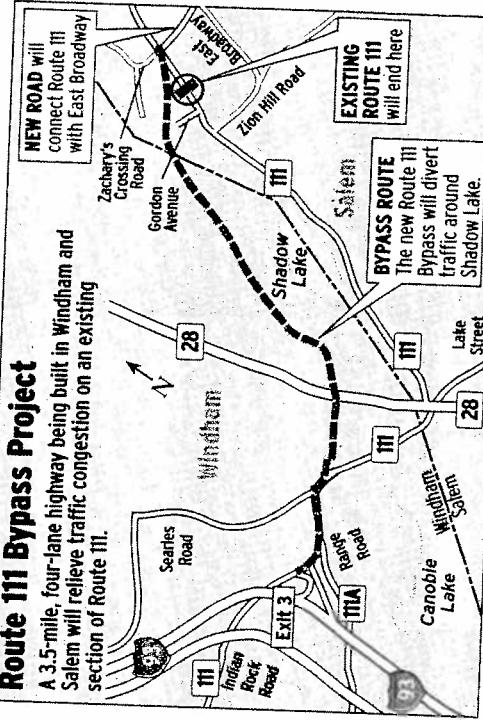
along the narrow section of Route 111, also called Shadow Lake Road, for a long time.

Residents say they can't wait for the day when the new Route 111 bypass — a modern four-lane highway — is finished. Once complete, the bypass should draw away a substantial number of cars, vans, SUVs and large trucks that now travel along the two-lane highway that runs through their neighborhood.

The old section of Route 111 can no longer handle the amount of traffic traveling on it, including Please see **BYPASS**, Page C2

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31



FRAN LANDRY/Staff graphic

Flood aftermath

Spring cleaning

BYPASS: Neighbors ready to see decrease in traffic on dangerous street

■ Continued from Page C1

Salem and the section on the western side that runs through another thickly settled neighborhood in Windham. Both of those neighborhoods are expected to see a dramatic decrease in traffic when the new 3.5-mile, four-lane highway opens at the end of next year.

"I'm tired of it," Smith said of the heavy volume of traffic. "It's been a long, long time. It's been forever coming."

Despite the 30 mph speed limit, most drivers travel at least 45 to 50 mph, said John Morton of 75 Shadow Lake Road.

"It's even dangerous for an adult crossing the street because of how fast everyone is going," Morton said. "I have to cross the street to get my mail."

Some neighbors have placed makeshift "SLOW DOWN" signs on the side of the road.

Other neighbors worry about getting hit by a car when they cross the street.

Donna Goulet won't even take

her three children to the neighborhood beach because it means crossing the road.

"They don't stop," she said of the passing motorists. "They don't care if you have kids and you're crossing the street. I remember a couple of years ago when one of my neighbors, who was nine months pregnant, had trouble crossing the street. The drivers wouldn't even stop for her. She was just standing there waiting to cross, but they wouldn't even stop for her."

Despite the 30 mph speed limit, most drivers travel at least 45 to 50 mph, said John Morton of 75 Shadow Lake Road.

"It's even dangerous for an adult crossing the street because of how fast everyone is going," Morton said. "I have to cross the street to get my mail."

Some neighbors have placed makeshift "SLOW DOWN" signs on the side of the road.

Other neighbors worry about getting hit by a car when they cross the street.

Donna Goulet won't even take

morning traffic. "For the local residents, the people who live along the existing 30 on Shadow Lake and on the western side of Route 28, they'll have substantially less traffic, which will make it a much more nice environment to live."

Conrad Skov, Route 11 bypass project engineer

coming through his bedroom window and saw the guy lying on the side of the road," Goulet said. "It turned out that the guy got hit by the Suburban's side view mirror and then got hit again by the trailer attached to the Suburban. He broke his neck and needed to be in traction."

A long line of bumper-to-bumper traffic, especially during the morning commute, makes it hard for the neighbors to get out onto Route 11.

The speed, volume of traffic and narrow width of road all combine to make it dangerous, he said.

Goulet recalled when one of his neighbors walking along the street was hit by a Chevrolet Suburban and broke his neck.

"All of the sudden, I looked out Zion Hill Road," she said of the

highway from the Seales Road intersection in Windham to Route 28, and then wrapping around the northern side of Shadow Lake before it reconnects with the existing portion of Route 11 in Salem. The project also will include widening a section of Route 11 from the Exit 3 northbound ramp in Windham to Seales Road from two to four lanes with an island between the lanes.

The bypass road will relieve the commuter traffic congestion in the area and will dramatically improve the congestion at the five-way Route 11-Route 28 intersection, Skov said.

"And, for the local residents, the people who live along the existing 30 on Shadow Lake and on the western side of Route 28, they'll have substantially less traffic, which will make it a much more nice environment to live," he said.

Construction of the Route 11 bypass project started in 2002 after more than 10 years of planning. The \$33.8 million bypass project involves building a new four-lane

Salem Exit 2 area booming

By BENJAMIN KEPPEL

Union Leader Staff

6 hours, 37 minutes ago

SALEM – When drivers leave the I-93 highway at Exit 2, one of the first sights they see upon exiting is the impressive structure of a four-story office building being built along Pelham Road.

It is perhaps the most visible sign of a building boom in the area, which has several structures now under construction or planned to be built, many of which are destined to become medical offices.

There's so much work being done that some town officials say the last time they saw this level of construction activity was during the heyday of the 1980s.



"It's very, very high compared to previous years; certainly, there's a lot of activity," said Ross Moldoff, Salem's planning director. "There's a lot going on and it's come up over the past year or two."

Projects presently being built or planned include a four-story, 65,400-square-foot office building at 25 Pelham Road; two 36,000-square-foot medical office buildings, at 11 and 23 Keewaydin Drive; MOLDOFF and a 30,000-square-foot office building at 29 Stiles Road. Elsewhere in Salem, a retail plaza with nearly 62,000 square feet of space is being built on North Broadway.

The Exit 2 area offers plenty of attractions for businesses.

"It's right on the Massachusetts border, virtually. It's right next to I-93. There are great tax benefits to doing business up here. It's just the right environment at the right time," said Nanci Carney, who chairs the board of directors of the Greater Salem Chamber of Commerce.

It's also a friendly location for air travelers, Carney said. Those heading to international locations can get on the freeway and head to Logan International Airport in Boston, and domestic travelers can reach Manchester-Boston Regional Airport in as little as 15 minutes, Carney said.

"We're seeing a lot of companies move into that area," she said.

Synchronized Manufacturing Technologies, which is located at 19 Keewaydin Drive and is right near Exit 2, is one such company which found the location perfect for its needs.

"It's really very convenient for us. We looked at Methuen and Salem (Mass.) and Lawrence, but we just thought we would do better in southern New Hampshire," said Alan Kule, Synchronized Manufacturing's president.

According to Kule, the Exit 2 location offers his 20-employee firm several advantages. Taxes are lower, health insurance and business insurance is cheaper, and it's easy to attract employees and customers from both the Route 128 belt in Massachusetts and Manchester and Concord to the north.

Developers see things the same way.

"Obviously, being across the border is a significant and a real advantage. New Hampshire does have a business advantage and there's just no ifs, ands or buts about it," said Chris Goodnow, owner of Goodnow Real Estate Services, a real estate marketing firm.

Goodnow is marketing the 30,000 square feet planned at 29 Stiles Road. Construction is scheduled to begin this



Construction is booming around I-93's Exit 2 in Salem, such as at this four-story, 65,400-square-foot office building at 25 Pelham Road. (BENJAMIN KEPPEL)

week on the building, the first of two. Salem-based Park Place Realty Trust is the owner behind the project.

According to Goodnow, the developers plan to market the 29 Stiles Road building as office condos to physicians and others in the medical field, available for sale or lease. Most of the interest in the building has come from prospective condo buyers, he said.

Selling the space, as opposed to leasing it, offers advantages for the developers as well as the buyers. Interest rates have made it attractive to buy office condo space, and Goodnow said that, generally speaking, the market for buying office space has been quite strong in southern New Hampshire. The leasing market has been somewhat weaker.

Big supply

Some, however, wonder about all the development taking place. Along Stiles Road, there are several signs advertising available office space, and that has prompted surprise among some that new work would take place nearby.

"You still see a lot of 'vacant' and 'space available' signs, so you kind of scratch your head," Kule said.

However, others point out that the spaces being advertised are generally for smaller blocks of office space, in buildings which are pretty full. Plus, they're different types of buildings than the new construction being built.

"What there are not a lot of are larger blocks of office space. They've been absorbed," Goodnow said. "I think there's clearly some opportunities."

Joe Friedman, president of Brooks Properties, said demand for medical office space in the area is strong. His company is building the two medical office buildings along Keewaydin Drive: one is already under construction. The offices will be available for sale or lease.

Friedman said the population of doctors in the area has increased, and that physicians are willing to update their facilities and move to a new facility in a new location. His company is in the process of talking with tenants, he said.

"There's a lot of demand for medical office space at Exit 2, and we're responding to that demand," said Friedman.

"We're very optimistic about the market."

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Salem

Changes to shopping center designed to dim lights

By GORDON FRASER
STAFF WRITER

SALEM — A proposal to change the lighting at a four-unit commercial complex being built on North Broadway has at least one resident up in arms, but the project's engineer said the new plan should actually reduce light pollution in the area.

"I could have lit ... an airport runway with this kind of light," said Carroll Mosychuk of 27 Beverly Ave., behind the Salem development.

Mosychuk, a retired railroad engineer and construction project manager, lives close to the construction site. It is visible through

a copse of trees in his backyard. The project developer, BSS Properties, received approval last year to build the complex, which is slated to include a 23,000-square-foot McKinnon's Market and Super Butcher Shop, a 10,000-square-foot health club, a 24-hour gas station and convenience store and a Penticott Bank, Salem Planning Director Ross Moldoff said.

Residents, including Mosychuk, objected to the project when it was first proposed, citing issues with noise, water runoff and light. The plan was approved with conditions, including a 12-foot high wall and a row of conifer trees, designed to dampen light and noise, Moldoff said.

Initially, BSS Properties asked to place 22 double-fluxure and 42 single-fluxure lights on the property, at 400 watts per fixture. The light poles were going to be 14 feet high, mounted on 2-foot high bases.

The new proposal asks to raise

the light poles to 20 feet, while re-

ducing the intensity of each fix-

ture to 250 watts. The new plan

would include 20 double fixtures and 34 single fixtures.

The Planning Board continued the request and will decide on it at a future meeting. "It really has no effect on the outer boundaries of the property, where the residents live," said Mark Gross, the project's engineer and the owner of MHF Design Consultants. He said the new design will likely reduce light pollution for nearby residents.

Mosychuk said he is thankful

from the reduced intensity of the lights, he said.

Gross said the project's buildings, which will be up to 35 feet tall, will stand between the park-

ing area and the residential neighbor hood. Residents should benefit

from the reduced intensity of the lights, he said.

Moldoff said it would not be un-

usual in a typical development for lights to be suspended 25 or even 30 feet above the ground.



Staff graphic

Gross said BSS Properties is proposing changes to the property's architectural design and signs as well.

The Salem plan still must go before the town's Planning Board for approval. The zoning decision was a required early step in the approval process.

The zoning panel has allowed W/S Stateline to reduce the length of its parking spaces to 19 feet. Salem ordinances typically require 20-foot long spaces. It also granted tentative approval to a reduction in the total number of parking spaces from one space per 330 square feet of store area to one space per 202 square feet.

"The Methuen, Mass., Zoning Board must also approve that variance allowing fewer spaces. Part of the proposed parking lot is in Massachusetts.

The zoning panel also granted approval for a height increase over the proposed store's main entrance, allowing the building's stipulations, would allow the developer to build a taller structure, to reach 30 feet. Normally, Salem limits building height to 35 feet in the commercial-industrial district.

The panel waived the lot occupancy requirement, as well. W/S Stateline will be able to use 86 percent of its land, more than the standard 70 percent.

A representative from W/S Stateline could not be reached for comment.

Lowe's store proposed near state line

By GORDON FRASER
STAFF WRITER

SALEM — In a move that could pave the way for a Lowe's Home Improvement store straddling the state line along South Broadway, the Zoning Board of Adjustment has granted four variances to a Massachusetts development company.

W/S Stateline LLC of Chestnut Hill, Mass., received parking, building height and lot occupancy variances June 8, which will allow the company to go before the Planning Board to seek approval of its project at 541

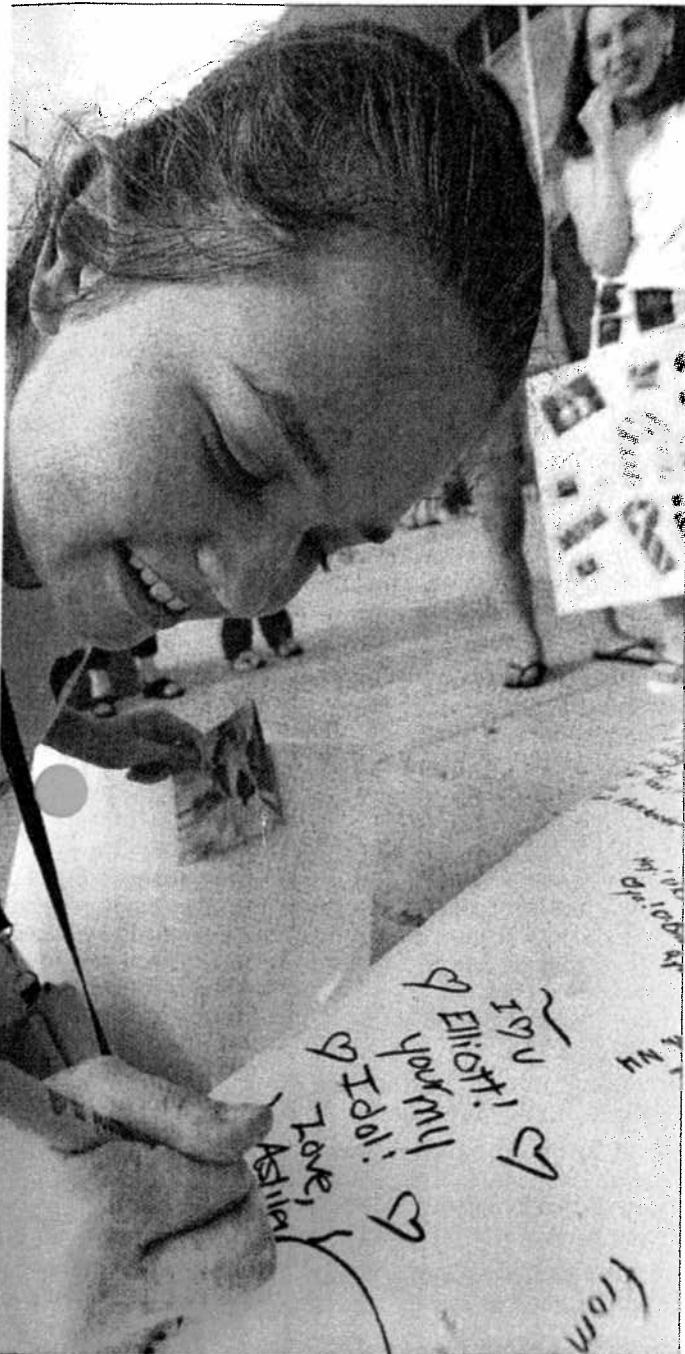
South Broadway.

The company plans to build a Lowe's Home Improvement store at the site, according to Planning Director Ross A. Moldoff. The four variances, two with stipulations, would allow the developer to build a taller structure, to occupy more land and delineate fewer, shorter parking spaces on the property than normally required.

Last March, a plan to build a Lowe's Home Improvement store on Route 111 in Windham failed after voters rejected a warrant article to rezone a 26-acre parcel for commercial use.

7/6/06 *Union Leader*

Idol Tour in Manchester



Ashley Engler, 12, of Londonderry signs a poster as part of a nationwide gift to Elliott Yamin last night for the American Idols Live! Tour 2006 at Verizon Wireless Arena in Manchester.

THOMAS ROY
UNION LEADER

Worship

last night, as Verizon Wireless Arena hosted the premiere of this year's American Idol Live! 2006 Tour.

Teen girls shrieked when Ace

out covers of Stevie Wonder, TLC, Beyoncé and Led Zeppelin tunes.

Jennifer Gilbert of Manchester says she was just being up-front

Barbers hope to bare it

◆ **On Route 28:** Developer says Salem's approval won't be needed for a newly proposed location.

By MIKE KALIL
Union Leader Correspondent

SALEM — The location of a planned barbershop — with women in lingerie doing the hair cutting — has changed to a spot that the owners believe doesn't need planning board approval.

The two Massachusetts businessmen behind the proposal, Peter Carlino and Richard Palermo, originally planned to open the salon on Main Street this summer, but were met with resistance. They needed a change-of-use approval from the planning board.

At an April 25 meeting, board members held off on making a decision, saying they needed more information. They never took up the issue again during subsequent meetings.

The new location, on Route 28, does not require planning board approval because it is

➤ See **Lingerie**, Page A18



MARK BOLTON/UNION LEADER

Omega Entertainment Complex of Manchester posted this sign on its 494 Elm St. building last week.

City to club:



THOMAS ROY/UNION LEADER

Jen Sklar of Longmeadow, Mass., shows her support for American Idol Katharine McPhee, who was sidelined with severe bronchitis and laryngitis and missed last night's show at Verizon Wireless Arena in Manchester.

"I was crying. I was overjoyed. He did what he does so well."

KIM LaPLANTE
Josh Logan's sister

Tonight, the three artists with the lowest tallies perform before the panel, and one gets off the show by the panel. Early voting, Logan was not among the three.

s were somewhat relieved. up being about the same."

Roger J. Hill
125 Lone Pine Drive, Manchester

"we thought. Obviously, we want everyone who wants to come in to get in," he said.

Hurley said his employees saw about 60 people yesterday, but that they're capable of handling more than twice that number.

Roger J. Hill, of 125 Lone Pine Drive in the southeast corner of the city near Crystal Lake, said he's glad he got a face-to-face explanation for his assessment jump from \$176,000 to \$198,000.

"My apprehensions were somewhat relieved," said Hill. "My taxes will end up being

"Please make sure you vote for me," Logan said in an interview last month with the New Hampshire Union Leader.

Logan was selected from a national pool of 25,000 rock star wannabes.

He said this opportunity came at a time when his career was ready for a boost.

"It was time to take it to the next level," Logan said. "People said I should go for it, that opportunity wasn't going to fall into my lap — although, it kinda did."

Continued From Page A1

about the same."

Hill's complaints were focused more on City Hall in general and on what he sees as runaway spending in particular. Paying \$5,000 in property tax on a house that isn't even part of the municipal sewer system, he said, is outrageous.

Fagnant left Memorial yesterday happy with her meeting but nervous over tax bills outstripping her fixed income.

She said a neighbor tried to talk her out of coming in to state her case, but she was insistent on getting an explanation for her valuation. "I said I've got to. I can't sleep. I've got to find out why."

To set up an appointment to meet with a Vision Appraisal Technology representative, call 888-844-4300.

"Based on the merits ... my interpretation of the ordinance is they wouldn't get it ... I don't think they meet the law," he said.

While the mayor hopes the club operators will now abandon the adult entertainment plan, if they proceed without a variance, there are two possible courses of action. He said the city can revoke the club's entertainment license for violating ordinances and/or to seek an injunction in Hillsborough County Superior Court.

Guinta said telephone calls to his office have been supportive of his position opposing the

operator. had met a payment deadline, the building owners yesterday tried again.

On behalf of 494 Elm Street Associates, LLC, attorney Marc van Zanten filed an eviction notice in Manchester District Court, after having notified Omega June 23 of the demand to vacate the premises as of July 4.

The owners also have a suit pending in Hillsborough County Superior Court for damages in connection with the eviction efforts, van Zanten said.

Efforts to reach George Marroun Sr. yesterday were unsuccessful.

Lingerie

Continued From Page A1

already designated as a hair salon, Peter Carlino said yesterday. Carlino and Palermo do, however, need state approval to convert a Massachusetts cosmetology license to New Hampshire.

"It is a better location," Carlino said.

Carlino refused to release the new address, saying he hopes to have everything settled by next month, though it's unclear when the state license approval would come through.

The salon, Paradise Cuts, is being pitched as an alternative for men who otherwise dread having their hair cut. It will offer haircuts, facials, shaves, as well as men's skin and hair products.

Town Planning Director Ross Moldoff said he's still "waiting to hear more" about the new plans.

Although they may not need planning board approval, he said, the town still must find out whether there are any concerns. He said he wants to know whether the building will be altered and if there will be enough parking.

Carlino said there are a "relatively minimal amount of things" that need to be done to the location.

The proposal to have the business on Main Street upset some who said it was a family-oriented area. Mary-Francis LaBrecque, who lives near the former location on Church Avenue, said she opposed the business because she thought it was inappropriate for the area and she had issues with the site plan.

"It's certainly a go-to family type of an area," she said yesterday.

Moldoff said he does not believe the proposed business is sexually oriented, so town planners shouldn't be able to reject it on moral grounds, a subject discussed during the April 25 meeting. Moldoff said Carlino and Palermo asked him to find out early on whether the salon would be considered an adult establishment.

"It was the right thing to do on their part," he said. "They asked the question. That's what generated a lot of discussion."



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APARTMENTS: Board OKs apartment plan

■ *Continued from Page 1*

The four proposed buildings would be 15 feet longer and 25 feet higher than usually allowed, with larger apartments packed closer together.

The current four apartment buildings are two stories high, with a half-story section of basement apartments.

The new buildings would be four stories high without basement dwellings.

While three unanimous votes by the Zoning Board last night permitted the increased height, density and length, the Planning Board will have the final say over whether the project can move forward.

And there could be resistance, judging by the residents who raised concerns at last night's meeting.

"I'd like to warn this board about high-density housing ... and the crime that comes with (it)," said nearby resident William Russell.

"I did not leave Lawrence to come to Salem for overcrowd-

"I'd like to warn this board about high-density housing ... and the crime that comes with (it). I did not leave Lawrence to come to Salem for overcrowded (neighborhoods)."

William Russell, Salem resident

ed (neighborhoods)."

Russell and other residents raised several issues about the proposed apartment expansion, but zoning board Chairman Ed Huminick referred most of the complaints to the Planning Board.

While Russell complained that the apartments could bring more crime, others voiced concerns that the new construction could affect water runoff, as well as police and fire access to their own homes nearby.

One woman complained that the apartments could bring more children into the neighborhood.

But Zoning Board members supported the proposal, citing the improvements that would come

with new construction — namely the addition of sprinkler systems and handicapped access.

Gerry Levin, one of the Brook Village owners, described the buildings as "tired" and "old," saying it would be more cost-effective to tear the buildings down completely than to renovate them.

He said he would give adequate notice to the current tenants well before construction begins in his apartment complex.

Brook Village West has, on average, a 3 percent vacancy rate, according to George Fredette of SFC Engineering Partnership Inc., which represented the apartment owners before the Zoning Board.

► Salem

7/7/06
Tribune

Board backs plan to knock down, rebuild apartments

BY GORDON FRASER
STAFF WRITER

SALEM — A plan to raze 168 apartments in Brook Village West, displacing residents and replacing their apartments with 192 larger, more modern ones, passed muster with the Zoning Board of Adjustment last night.

"We've never seen anything like that," Planning Director Ross Moldoff said of the plan. Generally, he said, owners only want to renovate buildings rather than replace them completely.

The plan involves tearing down the Brook Village West apartment complex at 103 Cluff Crossing Road and replacing it with a nearly identical, but larger and more modern, set of buildings.

Please see APARTMENTS, Page 10

7/12/06 Tribune

Keep tenants in loop on renovation plans

As a plan to tear down and rebuild the complex goes forward, the owners of Brook Village West apartments in Salem must do a much better job of communicating with their tenants than they have so far.

Several residents contacted last week got their first news of the demolition plans from a reporter for this newspaper seeking their reactions — even though the proposal has already received three required variances from the Zoning Board of Adjustment and is headed to the Planning Board for its approval.

In various official hearings, the owners of the complex have described the buildings — built in the 1960s — as “old,” “tired,” and in such dire need of renovation that teardown-and-rebuild is the best approach. Many of the basement apartments have mold problems. The work would expand the complex from 168 to 192 apartments and allow the new units to be made handicap-accessible.

Understandably, residents of the four-building complex are dubious and distressed over the news. Some characterized it as just a landlord ploy to raise rents, but many others were more worried about where they’d find housing if they had to move on short notice.

Some daunting numbers fully justify their concerns. The vacancy rate for two-bedroom apartments in Rockingham County is just 1.9 percent, according to the latest figures from the New Hampshire Housing Finance Authority, and the rents are the highest in the state, nearly \$1,100 a month including utilities. The statewide vacancy rate for all types of rental units is only 3.7 percent, while the national average for rental housing is 9.5 percent.

Displacing 168 occupied units too quickly would certainly strain the capacity of the region’s rental market to absorb the tenants. And such a sudden sharp increase in demand could drive rents in the area even higher.

Gary Levin, one of the complex owners, says residents will be given “adequate” notice to move if the plan is approved. Defining adequate notice will be the biggest challenge, since finding replacement housing in one of the tightest housing markets in the entire Northeast could take a lot more time than in other areas. While 60 days notice might be legally adequate, in reality it’s not much time to find satisfactory new housing and complete a move.

We understand the desire of Brook Village’s owners to improve their property. But we strongly urge them to allow plenty of time for relocation in their planning so families aren’t placed in a housing crisis and the market has time to absorb the influx.

That’s why it’s so important for tenants to be kept “in the loop” as the project progresses.

7/13/06 Tribune

Developer seeks changes to plaza plan

By GORDON FRASER
STAFF WRITER

SALEM — A developer trying to make changes to a shopping plaza already under construction on North Broadway got mixed results when it went before the Planning Board Tuesday.

The town panel approved altered architecture and a new schedule for paying impact fees — fees a developer pays when a new building project affects a community. But the Planning Board got tougher with proposed changes to the project's signs, as well as the lights that will illuminate the parking lot.

BSS Properties received approval last year to build a complex that would include a 23,000-square-foot McKinnon's Market and Super Butcher Shop, a health

club, a 24-hour gas station and other buildings at 232-242 North Broadway.

But nearby residents were frustrated because they said the project's lighting could mean they may never see night again.

Last month, the developer went before the Planning Board to make changes to the lighting. While they wanted to decrease the intensity of the light, they wanted to increase the height of the light poles.

The initial proposal included 22 double-fixture and 42-single fixture lights, at 400 watts per fixture.

The lights would have been 16-feet high. Last month, the developer proposed 22-foot high lights, but with 250 watt fixtures.

There would also be fewer fix-

ture units.

At the suggestion of Planning Director Ross Moldoff, the development company reduced its request Tuesday to include 20-foot high lights.

The Planning Board approved that proposal. But planners rejected a request, which Moldoff criticized, to allow the developer to light signs internally. The original plans called for external lighting. Board member Christopher Godnow described external lighting as "high-end" and "quality."

Rolled into their decision to re-

ject internal lighting, planners ap-

proved a request by the company to change the size of signs on the main building's facade.

Town zoning ordinances allow

signs to cover up to 100 square feet, but project plans approved last year indicated that several of the signs would be much smaller.

The approval could increase the total area of signs from 390 to 494 square feet, although the Planning Board included provisions in its approval to maintain some control over the ultimate size of the signs.

The developer argued it didn't know how many or what size signs to request because many tenants have not yet signed leases.

Moldoff criticized the develop-

er for coming back with so many changes to its original plan, saying, "It's absolutely incredible."



7/13/06 Tribune

34

Editorial

Will barbershop be a cut above?

Even though the owners have decided to change locations, Paradise Cuts is still on track. The shop, which will cater to men by having hairdressers wearing lingerie, will now most likely go in on South Broadway.

The owners decided to listen to residents' concerns about the shop being too close to schools at its previous proposed location on Main Street.

That should assuage some fears, but won't please everyone who doesn't like to see what they consider to be an "adult-themed" business like this come into town.

Unfortunately, you can't please everyone in a free enterprise system.

Nobody wants the town to become a sleazy place full of

head shops and porn stops. But face it, Salem already has a Hooters and several tattoo parlors. And they're thriving businesses that pay taxes. Are they really hurting anyone? No. And neither will Paradise Cuts.

If the majority of people in town want to change the laws limiting these types of establishments, they're welcome to try.

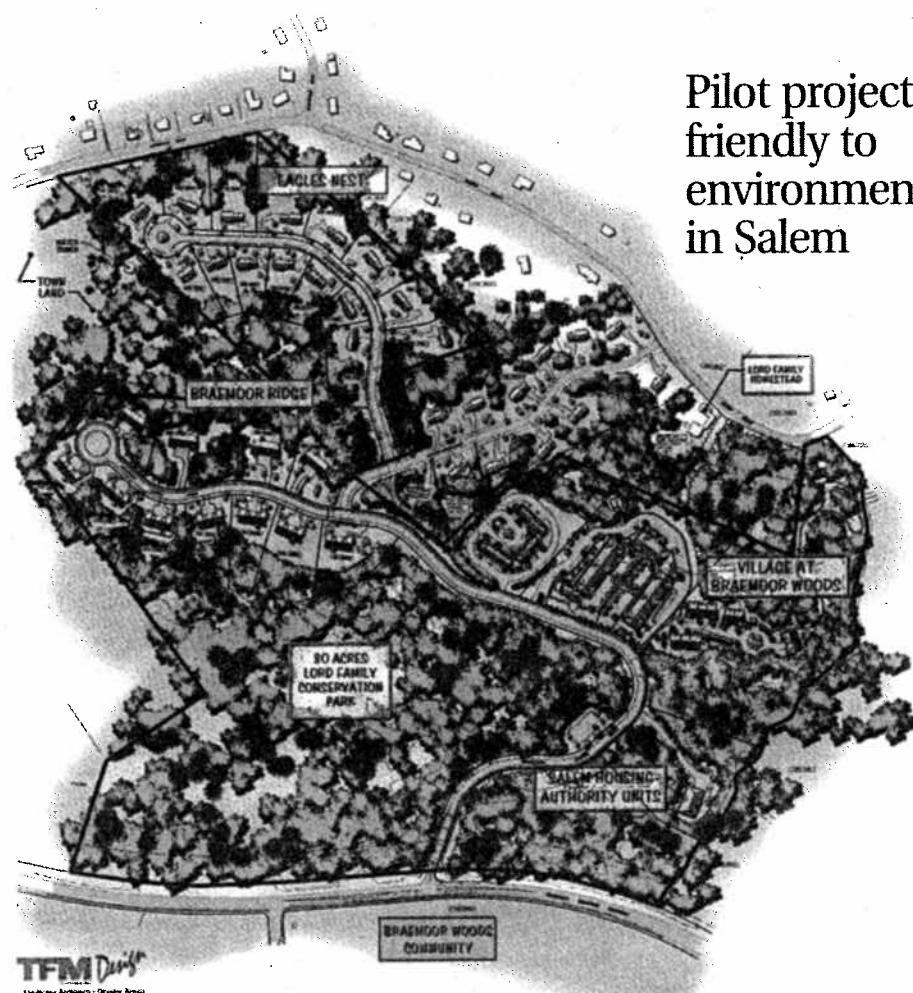
But it's going to be hard to keep a business of any type out of town if they jump through the correct hoops.

This country is all about fairness in business.

So now, the free enterprise system gets to kick in, and the shop will pass or fail on its own merits.

In the end, the question becomes: Will you be able to get a decent haircut there?

Create a neighborhood



Pilot project
friendly to
environment
in Salem

♦One-of-a-kind: Braemoor Woods' technology will be studied for effectiveness.

By GARRY RAYNO
Union Leader Staff

ARESIDENTIAL project in Salem is the only one in New England to use a new technology designed to reduce the impact on the environment by preserving natural resources while reducing infrastructure costs.

The Braemoor Woods project uses techniques called low-impact development developed through the Partnership for Advanced Technology in Housing, a service of the National Association of Home Builders Research Center, that are alternatives to standard designs.

A pilot project with the U.S. Department of Housing and Urban Develop-

ment and the National Association of Home Builders, the University of New Hampshire has a contract to monitor the development and the effectiveness of the alternative methods employed.

Bio-retention

The Salem project uses bio-retention rather than conventional storm water drainage system that gathers storm water and moves it off site. The retention system slows down water run off, which allows it to go back into the ground on the site.

Other techniques include grass swales and underdrains that capture water in high-flow storm events.

Salem town planner Ross Moldoff said the drainage is different but it does appear to be working, noting the area held up during the recent floods that hit Salem.

"Salem has been receptive to alternative land use design," said developer Steve Lewis. "Rather than making the

land fit the zoning, LID makes the zoning fit the land. There's more engineering up front, but not as much maintenance and not as much upkeep for the town."

Special bridge

There is also an unusual three-arch bridge made of concrete that goes over wetlands. The bridge is designed to have a minimal impact on wildlife and the water.

The Salem Planning Board approved the bulk of the project in 2004, but the final phase of the project is currently before the panel.

Construction began last summer on the project that includes condominiums, townhouses and single-family homes on about 125 acres of land off Veterans Memorial Parkway.

More than half of the parcel will be preserved and a 30-acre parcel will be

► See Salem, Page C2

Salem

given to the town conservation commission. Some of the current logging roads will be turned into walking trails.

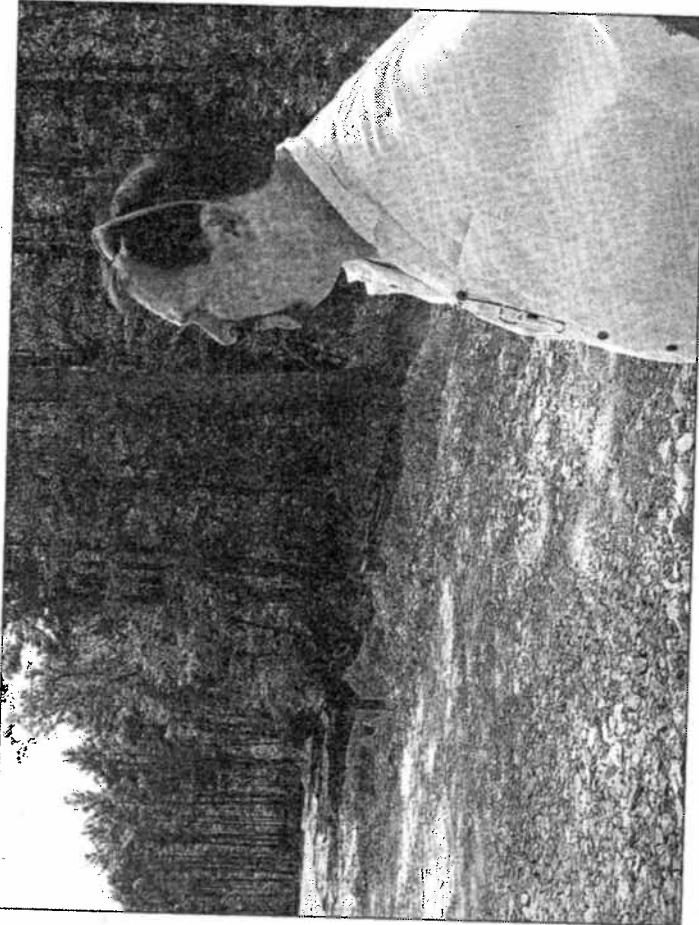
Reserved units

The project includes 142 units restricted to those 55 and older and 26 of those units reserved as affordable housing. Unlike some new villages that include retail and commercial space, Braemoor Woods is strictly residential.

Lewis said the parcel of land is unique and in a transition zone between commercial and residential areas of Salem. People living in the development could walk to the nearby supermarket and other retail stores, he noted.

He said no residences will be visible from the highway. "The approach is not to create a subdivision, but to a create a neighborhood," Lewis said.

Don Bealko, founder of the Public Policy Alliance for Housing, said the project is the only one in New Hampshire to use the low-impact development strategy. The alliance is a non-profit group that encourages mixed-use residential developments that contain affordable housing.



Continued From Page C1

Steve Lewis,
project
developer for a
low-impact
development
project in
Salem, tours
the site.

MIKE KAUL

person coming in the entrance
will drive through something
that will look like a park.

"If someone sees 50 percent
of the land covered with trees
and (curving) streets, they will
like it better. I have a competitive
product," Lewis said.

some time.
He said a lot of different
things will be going on with the
property and it remains to be
seen how it all turns out be-
cause building construction has
yet to begin on the site.
Lewis is confident the project
will be successful. He notes a

With the minimal use of
hard, paved surfaces and allow-
ing for higher density, you re-
duce the development's
footprint on the total property,
he said.
Moldoff said Braemoor
Woods is one of the largest pro-
posed projects in Salem in

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Board puts end to health club parking dispute

Ban would be delayed until July 2007

By GORDON FRASER
STAFF WRITER

SALEM — A compromise in the longtime Manor Parkway parking dispute received a tepid reception Monday, but it might have staved off lawsuits against the town by landowners with different visions for the dead-end street.

"I can't say I'm entirely happy with the outcome, but I think we were treated fairly," said landowner Donald Millard, who fought to stop Salem Athletic Club members from parking on the street.

Selectmen Monday ruled that Salem Athletic Club members can continue parking on Manor Parkway, as well as on the cul-de-sac at the end of the road, until July 1, 2007. After that, a parking ban will be in place along the length of the street.

If Millard gets Planning Board approval for a development on his property, which borders the Manor Parkway cul-de-sac, before the July 1, 2007, deadline, then a parking ban would be put in place immediately.

Salem Athletic Club has fought with neighbors to maintain on-street parking near its facility since last year, arguing that the business received permission for parking from the Salem police chief in 1995, codifying the right of club members to park on the street as they had since 1980.

Others have argued that the police chief didn't have the authority to reach that agreement. Recently, Millard said on-street

parking has affected his prospects for developing property he owns adjacent to the Manor Parkway cul-de-sac.

Attorney James Troisi, who represented the club, said the compromise wasn't the ideal solution to a parking dispute, but he pledged that Salem Athletic Club would not take legal action against the town.

He said the club has hired an engineer and intends to create more parking for its members.

"We'll work diligently in that regard," Troisi said.

Millard — who has owned his property since 1982, two years after Salem Athletic Club was built — said he hasn't tried to develop his land before because the time had not been right "for an office building that would have very prestigious tenants."

Catherine Radloff, chief financial officer for Millard Entities, Millard's real estate company, said on-street parking not only hurt the company's ability to attract tenants, but it might also be contributing to criminal activity in the area.

As an example, she said that just before the selectmen's meeting Monday "there was a male individual parked with a hat on in a convertible (outside the athletic club)."

She said he had been there for hours, typical of what she had seen around the club.

"That is our security guard," said the club's general manager, Albert Parchuck.

Radloff stood by her earlier claim that dense on-street parking masked illegal activity.

► Salem

Permit sought for racy salon

BY GORDON FRASER
STAFF WRITER

SALEM — Developers of a proposed salon that would feature lingerie-clad stylists and a suggestive name want to move into an existing salon at 88 North Broadway.

Developers of the proposed salon — originally called Paradise Cuts, now Lather and Lace, according to a letter from developers — applied for a building permit at 88 North Broadway on July 21.

Initially, Peter Carlino had proposed the business for 142 Main St., which would have required approval of the Planning Board.

Some residents expressed concern about the business, Planning Director Ross Moldoff said.

The new plan will likely not require Planning Board approval, however, because Lather and Lace would use existing hair salon space.

The building permit would allow project developers to move an exit, paint, eliminate a manicuring station and conduct other renovations.

7/25/06 Three years after being rejected, over-55 housing proposal returns

By GORDON FRASER
STAFF WRITER

SALEM — A senior housing development rejected by the Planning Board in 2003 is back on the table, albeit in a smaller form.

Stonehill Builders will go before the board tonight for a conceptual review of 37 units of over-55 housing at 6 Belmont St.

The rejected plan was for 52 units, according to Planning

Director Ross Moldoff.

At four stories, including a bottom-level garage, the new proposal is one story shorter than in its previous incarnation. The new senior housing would measure 50 feet to its highest point, but because of the way building height is measured, its official height is 38 feet, Moldoff said.

That is still 3 feet higher than is usually permitted in Salem, so the Planning Board will have to

approve a waiver for the project to go forward. Stonehill sought a 70-foot-high proposal in 2003.

The developers must secure permission to cross wetlands with a short driveway to the single-building complex.

"The vast majority of the lot is wetlands," Moldoff said of the more than 14 acres, about 13 acres of which would remain

Please see PROJECT, Page 8

8 Tuesday, July 25, 2006 THE EAGLE-TRIBUNE

PROJECT: Over-55 plan resurfaces

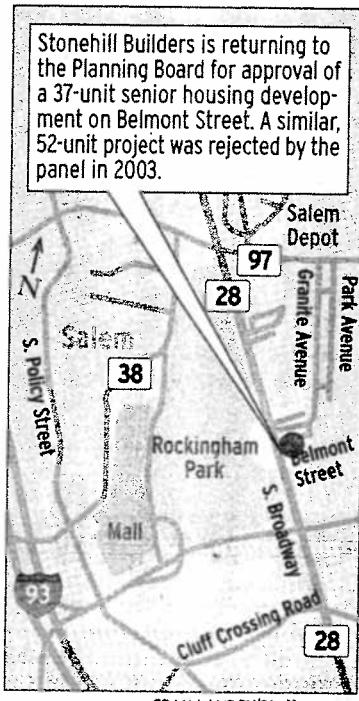
■ *Continued from Page 1*

undeveloped.

When the board rejected the former proposal, members cited the proposed building's height and its impact on traffic.

The new proposal calls for 64 on-site parking spaces. Cars from the development would turn onto South Broadway near the Barnes & Noble bookstore.

In the past, neighbors had expressed concern about the previous proposal and feared the development would impact the neighborhood's flood plain.



FRAN LANDRY/Staff graphic

■ **Students: Demolition of apartments planned for bad time, school official argues**

■ *Continued from Page 1*

residents, Brook Village West manager Pat Consoi said the project could start as early as spring 2007.

But DeJahanty said he doesn't want to harm the building project's chances of success. He just wants to lessen the project's effect on families, he said, by pushing its start date into the summer.

"I think it's to the benefit of the town, the benefit of the owner, to make those improvements," he said. But, he said, "it's probably tragic to the residents."

The town was already investigating ways it might support residents displaced by the Brook Village West plan, according to several town officials.

But Planning Director Ross Moldorf said he didn't realize how

far-reaching the project's effects could be until he received the one-page letter from DeJahanty, outlining the school's concerns.

DeJahanty said Lewis Soule School, an elementary school on South Polk Street, would be most affected if Salem students living in Brook Village West were forced to leave the community. About 40 of the district's 98 Brook Village West students attend Soule, and 13 of those students are in that school's second grade.

If the apartments are demolished, DeJahanty said, "I'm not sure that there will be places for (families) to go in Salem."

And if the school lost 13 second-grade students suddenly, he said, the district might have to cut a teaching position — not this year.

In recent interviews, many parents living in the Cliff Crossing Road apartment complex said they moved to Salem so their children could attend the schools.

Beyond that, many of the students in Brook Village West are eligible for free or reduced lunch, which the federal Title I program uses to determine need for government funding. DeJahanty said it is not clear if the Lewis Soule School would continue to receive Title I funding, or if the amount of that funding would change.

One of those parents, Rachel Mendoza, moved here from Lawrence a year ago with her husband and 4-year-old son. She

said the Salem School District was a big draw.

"I'm going to be looking (for a new apartment) now," she said when she first learned about the demolition plan more than a week ago.

"If they're going to do it, they're going to do it," she said. The management at Brook Village West was not available for comment.

Kenia Moreno, 27, said she moved to Salem from Lawrence with her husband and young son less than a year ago. Like the Mendoza family, the Morenos were looking to get their son into a better school system and away from crime in the Lawrence area.

— *one of the owners.*

► Salem

7/24/06 Tribune

Students could be displaced

Demolition of apartments puts school funding at risk

BY GORDON FRASER
STAFF WRITER

SALEM — A plan to demolish 168 apartments has the school superintendent worried it could displace 98 students, place one teacher's job in jeopardy and put one school's federal Title I money in question.

Most importantly, he said, the project's proposed spring start date could displace students midyear, affecting their education. "I don't want anyone to lose sight of the needs of those kids," said Salem Superintendent Michael Delahanty.

He sent a letter to the town's planning director Friday, outlining his concerns about the building proposal at the Brook Village West apartment complex on 103 Cluff Crossing Road.

The Zoning Board of Adjustment on July 6 approved several variances for the apartment complex proposal. The plan must still go before the Planning Board before any work could begin.

The plan calls for demolishing 168 apartments and replacing them with 192 larger, more modern units. In a recent letter to

Please see STUDENTS, Page 2

Salem

Board gives cautious endorsement to senior housing project

By GORDON FRASER
STAFF WRITER

SALEM — Planning Board members last night squared off over the role recent flooding should play in their review of a proposed 37-unit senior housing development surrounded on all sides by wetlands.

The panel voted 4-2 to offer a nonbinding endorsement of the project, opening the door for Stonehill Builders, the development company behind it, to commission a fully engineered design.

"I'm looking at a site that, at best, is a peninsula, and at worst is an island," said Elizabeth Roth, the selectmen's representative to the panel.

Citing recent floods, Roth expressed reservations about approving the plan, which she said could be infested with mosquitoes and is susceptible to flooding.

But Planning Board member Christopher Goodnow countered, "The recent flooding that occurred in this community and this proposal have nothing to do with each other." He said the proposal fit the spirit of the elderly housing ordinance.

At issue is a single, four-story building — bottom-level garage included — that would be built at 6 Belmont Road.

Roth and Planning Board member

James Keller both criticized the plan,

saying the building would be too tall and

drivers from the development would clog narrow Belmont Road. "That aside," Roth said, "the structure is beautiful."

But Goodnow, as well as Planning Board Chairman Adam Webster, said the project was an improvement over a similar project rejected by the panel in 2003. That project was one story taller and accommodated more units.

Goodnow said he will hold developers' "feet to the fire" when reviewing the application in later meetings, saying he would need assurances that the building would be left open. But the developer could likely subdivide the land, cutting off a section of wetlands, to achieve a right proportion of preserved wetlands and uplands.

Before construction could be ap-

proved, the Planning Board would need to grant an exception to developers to cross wetlands with the project's driveway.

"If for some reason 4.1 acres (of wetlands) were to disappear, so would the problem," said Steve Keach, a civil engineer for the project.

Neighbor Wes Suszek voiced outrage at the plan last night, calling the area "a bloody swamp." Although, Suszek said, he lives upstream of the development and would not be affected.

Planning Board members Keller and Roth voted against the nonbinding endorsement of the project. Webster and Goodnow, as well as members Jody LaChance and Donald Begg, voted in favor of the endorsement.

A subdivision separates a single parcel of land into two or more parcels for legal purposes.

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Reconsider building in wetland areas

To the Editor:

Having watched and listened to the planning board on Channel 23 in regard to proposed building on an area off of Belmont Street, I was totally dismayed. After hearing the details as explained by the applicant and questions from the board, a vote was taken to allow conditional acceptance of the proposal with four for and two against.

First of all, no one listens to those of us that would be against building in wetlands. The planning board, rather than spending time and allowing building in those wet areas should be spending time arranging for a complete engineering study of the whole town, which would then let them know where building could be accomplished.

The cost of this would obviously be very costly, but a search should be made to see if there are grants available that would help to alleviate the cost. I have no doubt about funds being available but if never applied for one will never know.

The area proposed for building a four-story building is virtually an island in the middle of, as we used to describe it, a swamp. Since the applicant intends to call the building a senior housing area, often used by builders in hopes of gaining support for a project, can one imagine how it would be to live in a total swamp area.

Citizens of Salem, now is the time to speak out by calling all of the members of the planning board and let them know what you think of putting senior citizen housing into a swamp that has many times been flooded. Perhaps I missed it; but I did not hear anything about doing tests on the island to see if it was saturated with water underneath which would make it unusable for building. A case in point is the Salem police station that was built some years ago without proper investigation of the saturation of water under where the building was built. That is the reason that it would be impossible to add another story to the existing building.

I wish that the citizens of this town would once and for all call members of the planning board, as I have mentioned before, and ask them to rethink their position on this very very important issue.

Paul T. Metcalf,
Salem

8/3/06
O. B. Sawyer

8/8/06 Tribune

Nextel may pull plug on meeting

BY GORDON FRASER
STAFF WRITER

SALEM — A plan to put a cellular tower on Spicket Hill is slated to go before the Planning Board tonight, but, without much of the information required for consideration, Nextel Communications might pull the matter off the agenda.

Salem Planning Director Ross Moldoff said yesterday that Nextel had not submitted a complete plan to place a 100-foot tower on town land in exchange for \$1,500 a month in rental fees. He said it's not clear whether the wireless communications company will present its proposal directly or ask to be removed from the agenda.

The plan has drawn criticism from one neighbor, who said it might not be safe for a proposed development nearby.

Henry Hyder, a trustee for Crest Realty Property, which owns 44 acres neighboring the proposed cell tower, had raised concerns that the tower could affect a 28-home development he is planning for his land.

In particular, Hyder said he was worried the tower could harm at least one of his lots if the tower happened to fall from high winds or in a freak accident.

Hyder has said that, without a guarantee, he would consider reducing the number of lots planned for the site and possibly sue the town for any resulting loss of revenue.

Salem has six contracts with other wireless providers, which pay anywhere from \$2,000 to \$2,200 a month to place telecommunications equipment on town land.

Moldoff said the town sees the cell towers as a good source of revenue, and the spot should improve local users' reception because of the height of Spicket Hill, which is 354 feet above sea level at its peak.

Even so, the planning director said the town must take into account the concerns of all parties involved. "It's our job to balance between competing interests."

'Paradise' no more

Proposed lingerie barbershop renamed Lather & Lace due to trademark

BY JIM DEVINE

jdevine@salemobserver.com

Business owners opening up a lingerie barbershop on North Broadway have to cut the prospective name of Paradise Cuts.

Co-owner Peter Carlino said he and his business partner Richard Palermo were informed last month that Paradise Cuts is a listed trademark that was filed early this year.

As a result, the owners have decided on a new name: Lather & Lace.

"I actually like that one better than Paradise Cuts," Carlino said. "It has a better sound to it. I'm kind of glad we got forced into the name change."

The barbershop, which is marketed toward men who are uncomfortable in a traditional hair salon, will feature women dressed in lingerie-like costumes giving salon and spa treatments to patrons, owners said.

The shop will open at 88 North Broadway — the second proposed location, after abutters of an original Main Street location came out against the business opening in their neighbor-

hood.

At an April planning board meeting, Mary-Francis La-Brecque led a discussion that the business was inappropriate for a Main Street location near an ice cream parlor and middle school.

The discussion led to a planning board debate of whether or not the business could be defined as sexually oriented. The planning board voted to continue the business' change of use proposal.

Carlino and Palermo changed plans and moved their proposed business to a new location that was already zoned for a hair salon, allowing them to bypass further hearings with the planning board.

Carlino said all licenses and building permits are in order for the business to open by the first week of October.

"We'll hopefully have it open somewhere around the first (of October)," Carlino said. "We're cutting it close."

Although the space is smaller than the original location on Main Street, he said they still plan to have the same number of women cutting hair.

New hope for better radio signa

BY JAMES A. KIMBLE
STAFF WRITER

SALEM — Last year, federal regulators dashed the hopes of fire officials who wanted to place a new communications tower atop Spicket Hill. It would have broadcast a powerful radio signal through the hills and dales of the town's landscape.

But part of that plan may come back to life. Town planners are considering whether to allow Nextel Communications to build a 100-foot tower that would improve cell phone reception just over the town line along Route 97 in Methuen, Mass. Fire officials wouldn't be able to broadcast a signal from the tower, but they hope they would be able to attach an antenna to boost reception for hand-held and car radios. "We do have spots in town that have a diminished signal," Deputy Fire Chief Paul Parisi said.

Nextel wants to build the tower on a 2.7-acre parcel of town-owned land where a 1.5-million-gallon water tank is located. The cell carrier presented designs for a tower



JAMES A. KIMBLE/Staff photo
Salem Deputy fire Chief Paul Parisi looks out on Spicket Hill, where Nextel Communications wants to build a 100-foot cell tower on town-owned land near one of Salem's water tanks. Construction of the tower may allow the Fire Department to piggyback an antenna that could close a gap in its communications system.

tions require cell phone towers be at least 200 feet from a house, he said.

Representatives are now re-working plans to see if they can relocate the tower on the hill, which is about 480 feet above sea level. When the Federal Communications Commission rejected fire officials' plans last year, the department installed two transmitters on top of the Lawrence Road water tower and a second at the old North Salem fire station. Voters approved \$180,000 for improved fire radio equipment in March 2003.

Federal officials worried Salem's signal would overpower channels used by fire and police departments in neighboring towns. Parisi said Everett, Mass., uses the same frequency as Salem. Had the tower been built, Salem's signal would have been picked up by Everett, possibly causing confusion, he said.

Only a small portion of the bandwidth is available to fire and police departments, Parisi said, leaving little room for agencies to expand or improve the communica-

tions systems they have.

"It's a national problem," Parisi said of the lack of frequencies. "They're all being eaten up by private companies making money."

A spot on the Nextel tower could at least close the small gap of remaining black spots in town, Parisi said. Black spots are caused not only by the geography in town, but also by radio signals being muffled under the heavy gear and equipment commonly worn by firefighters.

"It's better at transmitting and receiving when you hold them up in the air, but that's impossible to do because you need your hands to do your job," Parisi said.

Town Manager Henry Labranche said he negotiated a lease with Nextel, should the plan receive Planning Board approval. Nextel would pay \$1,500 per month to place its tower on the property. Salem already draws revenue from six other companies that totals \$11,843 monthly — \$142,111 a year, according to town records.

Nextel and Sprint lease space on the Howard Street tower, but Nextel doesn't own its own tower.

Moldoff said of the location.

Board members want to see the tower elsewhere on the lot in case the tower ever fell or broke apart, Moldoff said. Town regula-

FLOOD: Salem considers new limits on developers

■ *Continued from Page 1*

look like.

"I don't think the boards have an opinion yet. They've asked me to explore it," said Moldoff, who advises both boards.

At higher levels of government, rules that keep developers away from flood-prone land receive a lot of support.

"What we would say officially is that FEMA supports any effort of any community to take proactive steps to protect the flood plain," said Marty Bahamonde, a spokesman for the Federal Emergency Management Agency.

"One thing that we emphasize to communities — if you build in the flood plain, water is going to go somewhere," said Jennifer DeLong of the state energy and planning office. "That's why we really encourage people to go above and beyond the minimum (state and federal) requirements."

Stricter requirements are not universally popular, however, especially in a town that already has several regulations to make building on flood-prone land safer and, as a consequence, more expensive.

Developer Christian Silvestri, a Salem builder for about 16 years,

said preventing construction in the flood plain is too simplistic a solution.

"The bottom line is, for years and years and years, everyone's been developing in flood plains," Silvestri said.

He said the real way to protect property is to set buildings higher than the floodwater and to engineer places for displaced water to go. Salem ordinances require developers to find ways to do both.

"Salem already does things that are pretty innovative," said Moldoff, the planning director.

If developers fill in land, in order to perch a house or business above flood-prone areas, Moldoff said, they have to find another place for displaced water to go.

Silvestri even said development, which often comes with culverts and retention ponds, sometimes solves long-standing water problems.

FEMA's Bahamonde said it's better to be safe than sorry — or broke.

"It costs a lot less to remove something from the flood plain than to fix it and rebuild it after a disaster," he said. "I think they're being smart in looking at all sides of how to prevent (flood damage)."

10/6/06

Flood plain rules would limit building

Salem does enough, some say

BY GORDON FRASER
STAFF WRITER

SALEM — Two of Salem's boards have called on Planning Director Ross Moldoff to explore a new ordinance that would prevent new construction on the town's 100-year flood plain.

On its face, the plan makes sense, at least according to some, but critics say the plan could deprive landowners of their rights and might not even do all that much to protect property when floodwater rises.

And questions still loom about how much good the plan would really do — how much flood-prone land is still undeveloped, and how much of that land is dry enough to support new construction?

With the memory of last May's floods still fresh in the minds of town officials, though, they want to explore their options. The flood plain, outlined on town maps, is the area susceptible to water from a 100-year flood — a flood so severe it has only a 1 percent chance of happening.

Both Planning Board and Conservation Commission members have suggested a possible ordinance, although neither board has given any official support to it or outlined what exactly the ordinance would

Please see FLOOD, Page 12

its senses, it will surely find more.

10/10/06

TAURUS

Contractor gets another good deal

It looks as though Derry, N.H., contractor John Burke is finally going to start to pay for his part in a scheme to defraud the federal government out of hundreds of thousands of dollars in home-repair contracts. But he's still getting a good deal.

Burke, who first pleaded guilty to bribery charges in March 2005, has managed to delay his sentencing until the end of this month. Burke paid about \$100,000 in bribes over five years to former Department of Veterans Affairs loan specialist Robert Mayer of Salem, N.H., in exchange for home-renovation contracts worth \$3.1 million.

Mayer, a former Salem Planning Board member, faked invoices to make it appear several contractors had been awarded the jobs repairing homes the VA was renovating or selling. In fact, those contracts went only to those who paid him bribes. Mayer pleaded guilty to bribery and fraud. He began a 63-month federal prison sentence in September 2005.

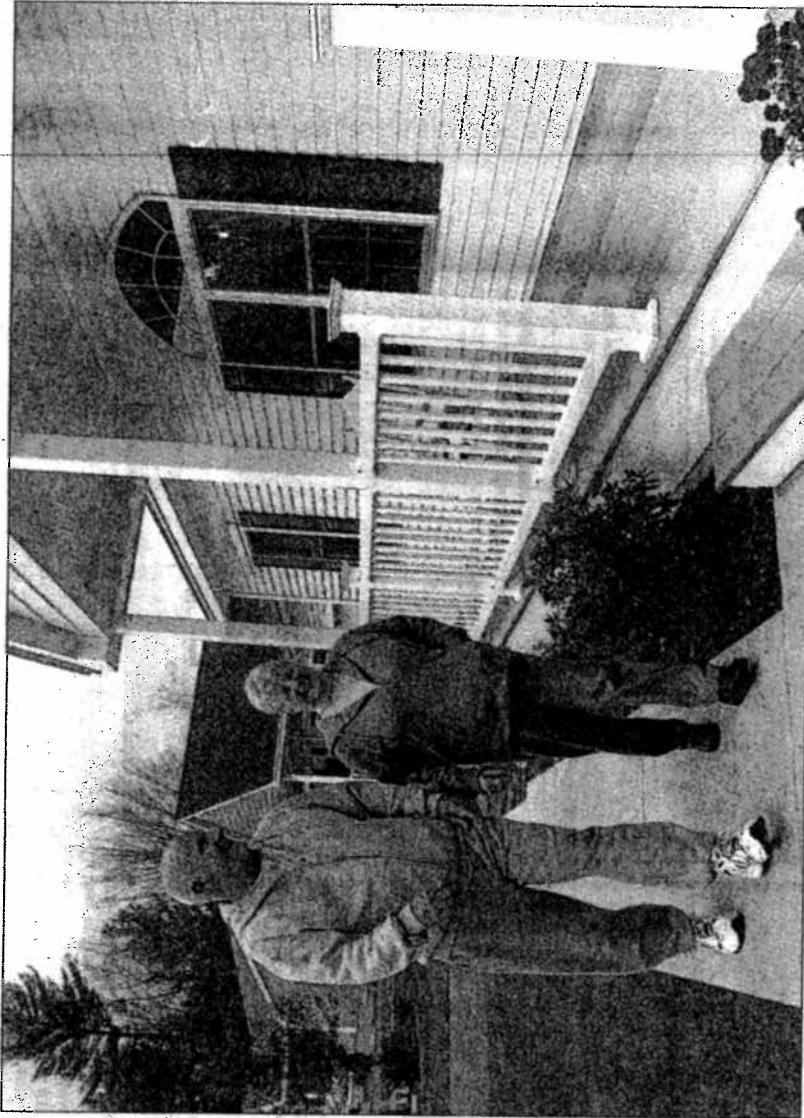
Burke faces up to 15 years in prison for bribing a public official and five years for conspiring to defraud the government. He is scheduled for sentencing Oct. 23.

In addition, federal authorities have levied civil fines for the \$124,180 in invoices Burke filed for work he never performed. Prosecutors say Burke built his custom home at 4 Cross Road at least in part with his ill-gotten gains. But rather than seize the \$564,000 home outright, prosecutors agreed to let Burke sell or refinance the home to make an initial payment of \$125,000 on the \$300,000 in fines he agreed to pay. Payment of the remaining \$175,000 will wait, without accruing interest, while Burke serves his prison term.

Burke should count himself fortunate the federal government is willing to wait to collect from an admitted criminal. That's \$175,000 interest-free for up to 15 years — terms a law-abiding borrower could only dream of.

GRAY AREAS

Communities contemplate the advantages and disadvantages of 55-and-older housing units



Tom and Terri Trongone like to walk around The Nevins community in Londonderry. They moved there in May after 20 years in Naples, Fla.

“I think the early thinking was, well, there won’t be any kids in the schools, it will be a win-win, but there are other service impacts that have to be considered.”

Salem Planning Director Ross Moldoff about 55-and-older housing

CENTERPIECE

A housing boom or bust?

N.H. towns debate whether a deluge of 55-and-older housing is beneficial to communities

By COURTNEY PAQUETTE
STAFF WRITER

For a couple of empty-nesters, Russ Marcoux said, the Derry home he and his wife owned became too much of a hassle. They wanted something smaller, but they didn't want to leave New Hampshire.

The Marcouxes found their solution at the restored Benjamin Chase Mill, which sits on 10 acres overlooking Beaver Brook in Derry and now serves as housing for people 55 and older. "(Our home) was just too big for us," said Marcoux, Derry's town administrator. "It took up too much of our time. We wanted to downsize."

That's the idea behind hundreds of 55-and-older housing units, called active adult communities, being constructed in Southern New Hampshire. The developments are meant to appeal to aging baby boomers looking to downsize once their children are out of the house.

Such housing appeals to towns, because it is viewed as residential development that won't put more children in the school systems and, therefore, increase taxes.

But with hundreds of units being built in Southern New Hampshire every year, and more proposals in planning board pipelines, housing experts and planning directors are worried their communities won't be able to absorb all the units.

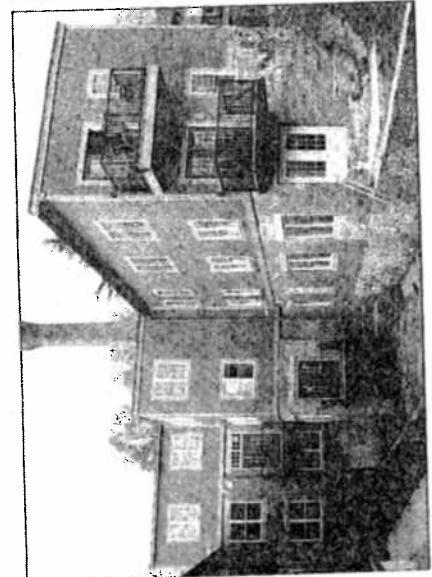
While several think the housing is good for communities, they are concerned about the impact it could have on communities down the road in terms of costs of services other than schools. These services could include senior centers and emergency ser-

OTHER AREA 55-AND-OLDER HOUSING COMPLEXES



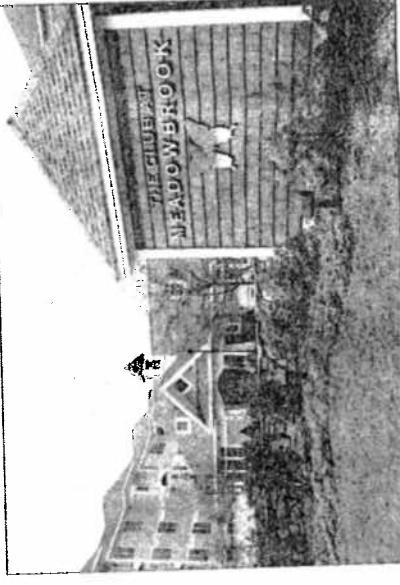
Bunker Estates in Derry

Starting price for units is \$159,000.



Benjamin Chase Mill in Derry

Prices for units start at \$234,900 and go up to \$419,900.



The Club at Meadowbrook in Salem

Starting price for units is in the upper \$200,000 range.

stayed static, the population of people 65 and older living in Southern New Hampshire increased 10 percent.

Which, Francess worries, will drive young workers from New Hampshire because they can't find any affordable places to live, contributing to the graying of the state. New Hampshire's population is already the seventh oldest in the country.

"We're doing a great job of building affordable housing for people 55 and older," Francess said, but not affordable housing for young families. David Preece, Southern New Hampshire Planning Commission executive director, agreed.

"We're increasing the graying of New Hampshire," he said. Concerns like this have spurred a first-of-its-kind study by the Southern New Hampshire Planning Commission and the New Hampshire Housing Finance Authority. For the past month, both organizations have been collecting data on how many of the units are in 13 communities in Southern New Hampshire.

They're also looking at what their impact has been on the cost of services in town, traffic and demographic makeup of the community. It's called the "Impact of Age Restricted Housing," and is due out next month.

Preece said the impact of these housing developments won't really be felt by communities for another 10 years, when the people living in them start getting older and using more town services.

It's questions like this that have caused several communities to limit the amount of 55-plus housing in their communities, in an effort to maintain a balanced residential mix.

"I think the early thinking was, well, there won't be any kids in schools. It will be a *white* town,"

Kensington Place in Salem

Prices start at \$189,000 and go up to \$299,900.



55-AND-OLDER UNITS TOWN-BY-TOWN

Percentage if all built

Town Current units Current percentage Proposed units

Town

"I know for an absolute fact that the amount of 55-plus housing that exists today exceeds 55-and-older units are proposed. If they all are approved, housing units in town. And 538 more 55-and-older units are proposed. If they all are approved, services other than schools. These services could include senior centers and emergency ser-

home he and his wife owned became too big, they wanted something smaller, but they didn't want to leave New Hampshire.

The Marcouxes found their solution at the restored Benjamin Chase Mill, which sits on 10 acres overlooking Beaver Brook in Derry and now serves as housing for people 55 and older.

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Such housing appeals to towns, because it is viewed as residential development that won't put more children in the school systems and, therefore, increase taxes.

But with hundreds of units being built in Southern New Hampshire every year, and more proposals in planning board pipelines, housing experts and planning directors are worried their communities won't be able to absorb all the units.

While several think the housing is good for communities, they are concerned about the impact it could have on communities down the road in terms of costs of services other than schools. These services could include senior centers and emergency services.

"It all boils down to the fact that how many of these units do we want to have and what do we want the town to look like?" said Neal Ochs, a member of Derry's Planning Board. "You have to be sure what you're doing today will be able to stand the test of time."

Housing for those 55 and older is relatively new in Southern New Hampshire. Planning directors said they saw the boom in proposals in 2006, right after information from the last Census revealed that every year for the next 30 years, 1 million people in the country will turn 65.

Since then, 475 units have been built in Londonderry. That's nearly 6 percent of all

which, Francese worries, will drive young workers from New Hampshire because they can't find any affordable places to live, contributing to the graying of the state. New Hampshire's population is already the seventh oldest in the country.

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"I think the early thinking was, well, there won't be any kids in the schools, it will be a win-win," Salem Planning Director Ross Moldoff said, "but there are other service impacts that have to be considered."

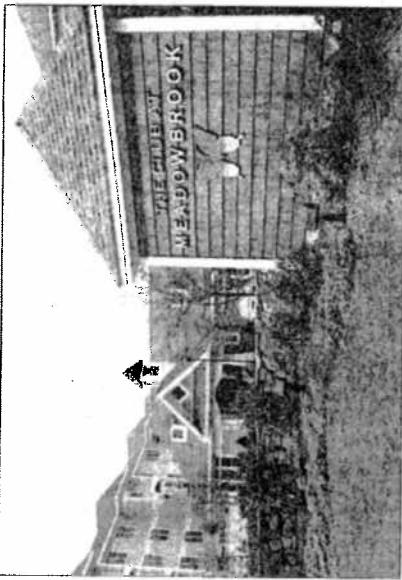
Salem has limited its development to no more than 120 units a year. Derry limited its to 3 percent of the total number of homes in town, or 370 units currently. Londonderry has no cap when the town isn't in a period of limiting residential growth, which currently it's not. Planning Director Andre Garrison said.

"The bottom line is the land will be developed," said George Shiro, Derry's planning director. "The question is, how?"



Bunker Estates in Derry

Starting price for units is \$159,000.



Benjamin Chase Mill in Derry

Prices for units start at \$234,900 and go up to \$479,900.

The Club at Meadowbrook in Salem

Starting price for units is in the upper \$200,000 range.

Kensington Place in Salem

Prices start at \$189,000 and go up to \$299,900.

55-AND-OLDER UNITS TOWN-BY-TOWN

Town	Current units	Current percentage of all homes	Proposed units	Percentage of all built
Chester	none	0	80	5 percent
Derry	106	1 percent	181	2 percent
Hanover	212	7 percent	32	8 percent
Londonderry	475	6 percent	538	12 percent
Pelham	36	1 percent	206	8 percent
Salem	396	4 percent	142	5 percent

Kensington Place Association of Realtors, Terri Trongone, 66, and her husband Tom, 67, are one couple with Massachusetts roots who were attracted to the Nevins active adult community in Londonderry. Both were born and raised in Western Massachusetts and moved to Naples, Fla., where they spent the past 20 years.

In the past five years, Francese said, while the rest of New Hampshire's 65-and-older population

"I know for an absolute fact that the amount of 55-plus housing (that exists today exceeds the demographics for people living in Rockingham County)" said Peter Francese, an expert in consumer demographics from Exeter. "The supply of 55-plus housing substantially exceeds the demand."

Because there's not enough demand for it in Rockingham County, Francese said, people from other parts of New England, particularly Massachusetts, are moving to Southern New Hampshire because it's cheaper here. The average cost of a condo through July in New Hampshire was \$23,000, according to the New Hampshire Housing Authority. In Massachusetts, the median sales price in August was \$272,000, according to the

Massachusetts Association of Realtors. Terri Trongone, 66, and her husband Tom, 67, are one couple with Massachusetts roots who were attracted to the Nevins active adult community in Londonderry. Both were born and raised in Western Massachusetts and moved to Naples, Fla., where they spent the past 20 years.

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LOCAL

12/8/06 Tribune

Salem

Board OKs cell tower for Spicket Hill

BY JAMES A. KIMBLE
STAFF WRITER

SALEM — A new cell phone tower being built on Spicket Hill will bring with it enhanced communication for the town's fire department. Last month, the Planning Board approved plans submitted by Nextel Communications to build a 135-foot tower to improve cell phone reception along Route 97 in Methuen. Part of the plan calls for reserving space for the fire department to attach an antenna to the tower as a way to enhance reception for hand-held and car radios, which sometimes encounter dead spots.

Assistant fire Chief Paul Parisi said the department has no immediate plans for expanding its communication system but described getting space on the tower as an important step for improving radio transmissions among rescue workers.

"It's not going to have an effect on us imme-

dately, but it's something to talk about in the future with our plans for communications," he said.

The fire department tried to place its own tower in Spicket Hill in recent years and won the support of residents in 2003 with a vote to spend \$180,000 to improve radio equipment for the department. Federal regulators dashed the town's plans last year when they concluded the improved signal could overpower radio transmissions from safety officials in Everett, Mass., who use the same frequency.

Parisi said as a Nextel customer, he is enthused about the new tower because it will fill a "terrible dead spot" for receiving and making calls along a stretch of Main Street heading toward Methuen.

Planning Director Ross Moldoff said planning board members approved Nextel's plans with several conditions, one of which was allowing space for the fire department to set up communications equipment.

The tower will be placed on an 2.7-acre lot owned by the town. Nextel representatives proposed building a 100-foot tower near Hitching Post Lane and above a house. But planners wanted to see the tower elsewhere on the lot, fearing parts of it could damage a 1.5 million-gallon water tank on the property or the nearby house. The final plan calls for a slightly taller tower on the opposite end of the lot, according to Moldoff. Salem has an ordinance that requires cell towers be at least 200 feet away from a house.

Moldoff said the town was not told when construction would begin. A consultant for Nextel did not return a phone call seeking comment. Nextel will pay \$1,500 a month to place its tower on the property, adding to the \$142,111 in annual revenue Salem receives from leasing space to phone companies, according to town finance records. Nextel leases space on a Howard Street tower, but the new plan will mark its first freestanding structure.

12/15/06 TRIBUNE

Resident wants zoners elected

BY GORDON FRASER
STAFF WRITER

SALEM — A local man is pushing to get Zoning Board of Adjustment members elected instead of appointed.

Salem resident Ron Giordano submitted a petition Wednesday to get the town to elect its zoning panel. A question will appear on the town warrant in March, asking residents if they want to switch from an appointed to an elected zoning board.

If the article passes, new panel members would be elected as their terms — which are staggered — expire.

Last year, Giordano successfully petitioned to get the Planning Board elected instead of appointed. Voters approved a warrant article at Town Meeting last March, ending appointments by selectmen to that board. And, next March, the entire Planning Board will be elected by the public at large.

Giordano said residents encouraged him to do the same thing with the zoning panel.

"People ... felt that I was picking on one land use board and not another," Giordano said.

He tried to change the zoning board last year, as well, but didn't have his 25-signature petition submitted in time for it to appear on the town warrant.

The issue dates to a dispute several years ago, while Giordano was an alternate on the Planning Board.

"During the Planning Board process, there was some, shall we say, political funny business going on behind closed doors," he said.

Giordano was passed over for a spot as a regular board member when selectmen voted to appoint someone else. He later resigned from the Planning Board.

Giordano said he thinks elected panels can better represent the people of Salem.

He added that he doesn't intend to run for Planning Board this year.

"I told the voters that I will not run, and I'm sure there will be plenty of candidates," he said.

Giordano is also part of a petition drive to establish a commission that would study Salem's form of government, possibly advising the community to become a city.

12/20/06
Observer

New cell tower could help fire department communications

BY MATT HERSH

mhersh@yourneighborhoodnews.com

A new Nextel cell phone tower being built on Spicket Hill will allow possible expansion of Salem's fire department communication system.

In November, the planning board approved the 135-foot tower to be built to improve cell phone reception along Route 97 in Methuen, according to Ross Moldoff, the board's director.

The approval came with a stipulation requiring the company to leave space for the fire department to attach an antenna to the tower to improve reception for their hand-held and car radios which can hit dead spots in the area.

While the fire department has no immediate plans to use the site, Assistant Chief Paul Parisi said allocating the space could benefit the department in the future.

"We wanted a placeholder there just in case, in the future, the fire department or public works needs to use it," he said.

Parisi, who has overseen the fire department's communications devision for several years, said developing something on the site will be discussed in the future.

Fire officials tried to place their own tower on Spicket Hill in 2003, winning support from residents to spend \$180,000 in order to improve the department's radio equipment, Parisi said.

However, the plan ultimately

fell through when federal officials concluded last year that improving Salem's signal could overpower radio transmissions in Everett, Mass.

If nothing else, Parisi said, the tower will improve Nextel signals along Main Street where there are dead spots.

Moldoff said the planning board approved the project with little apprehension, wanting to make sure the fire department received their space.

Moldoff described the project as a "stealth tower," which will resemble a large flagpole rather than a traditional cell phone tower. This will make it less of an eyesore, he said.

A construction date has yet to be set.

Business owner's plan spurs rail trail discussion

BY MATT HERSH

mhersh@journaltimes.com

Linda Harvey has visions of thousands of Salem residents biking to work and shopping centers in the future.

That's why she's been a long-time advocate of developing several miles of abandoned rail beds throughout the town into a rail trail to be used by pedestrians.

Developing such a trail has been on the minds of local officials and residents for nearly a year, but no formal action has been taken.

Harvey and other residents have been making strides behind the scenes to make the project happen.

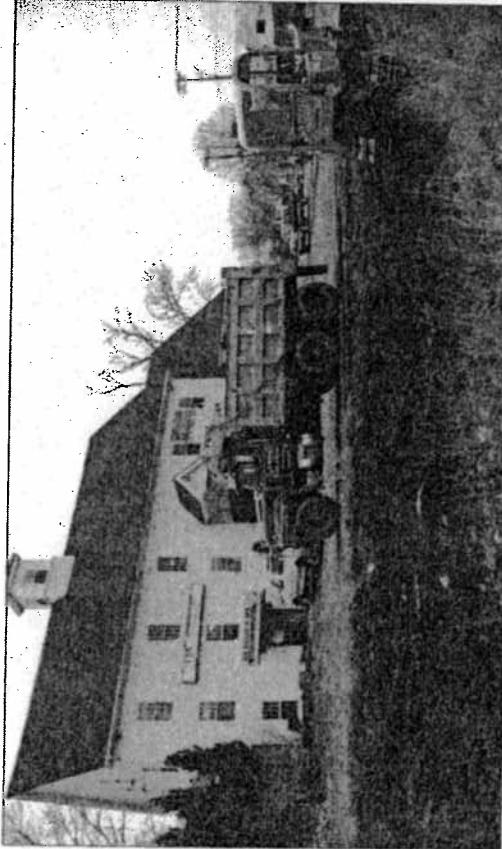
"It could be a good recreation thing and also very important as a commuter passageway," she said.

Still, it had remained on the back burner for selectmen and developers until a recent planning board meeting.

Since planning board members did not know what the town's future plans were regarding the trail, they decided to ask selectmen to make a policy decision about the trail first.

Selectmen will meet on Jan. 8 to set a policy about developing the trail.

Solloway's request has brought the rail trail issue to the attention of people in town.



Workers are already beginning construction of an expanded parking lot owned by James Solloway. Solloway wants to expand the lot further onto a proposed rail trail but will need selectmen and planning board approval.

But Harvey said there could be ways to alleviate the dangers to bicyclists and pedestrians using the trail to cross Salem's busy roads.

One possibility would be to construct pedestrian bridges over Rockingham Park Blvd. and Route 28, Harvey said. Though such a project would be costly, Harvey said it would enhance safety along Salem's busy roads, which have few safe crosswalks.

"I've seen mothers with a child in each hand trying to cross Route 28," she said. "It's not uncommon."

Currently Harvey and other residents have been working with Community Development Director William Scott to plan a study of the trail area in order to determine what can be done.

Scott, said the town was awarded a \$131,000 grant from the New Hampshire Department of Transportation to fund the study.

After a study of Route 28 is completed, the next step would be applying for more grants from the state, Harvey said.

A formal committee will soon be formed to work on the project, Scott said.

As for Solloway's request, Harvey said that's not against it if he helps develop the trail but she wants any such development to wait until after the Route 28 study is done.

Harvey said she's urging everyone she knows to make a presence at the selectmen's meeting to let it be known they want a rail trail developed through the entire town.

If you are **feeling any of the following symptoms:**
*Loss of Appetite *Feeling Down *Difficulty Sleeping
*Lost interest in normal activities

Then you may qualify to participate in a research trial for depression. You must be age 18-65.

ARE YOU FEELING A LITTLE DEPRESSED?
East Coast Clinical Research of Haverhill is seeking individuals who experience signs of depression.

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*Loss of Appetite *Feeling Down *Difficulty Sleeping
*Lost interest in normal activities

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BUILDING:

Flood zone ban possible

■ *Continued from Page 1*

member Linda Harvey said the most striking thing about the May floods was the extent of flooding in places "that shouldn't have been, especially the fire station on Main Street."

Town Planning Director Ross Moldoff said earlier this year the Planning Board and Conservation Commission began talking about what regulatory steps they could take to scale back the damage of future flooding. They came up with the proposed ordinance.

Conservationists say blocking such development is crucial to keeping already-troubled areas of town from getting worse.

"In a nutshell, the Earth soaks up water, and if you cover up the Earth, it can't soak up as much if it's covered," Harvey said. "Secondly, trees, brush and natural shrubbery soak up and use water. Removing natural vegetation for artificial covering allows more water to run off."

That runoff will travel to other areas that could flood in heavy storms.

Harvey said residents who moved into housing built in low-lying areas have suffered as a result of Salem not having a construction ban in the flood plain.

In the early stages of drafting the ordinance, Moldoff said, town officials believed the new rules would help Salem qualify for national flood insurance. They later learned that wasn't the case.

► Salem

12/27/06 Tribune Proposal would ban building in flood plain

BY JAMES A. KIMBLE
STAFF WRITER

SALEM — When the spring flood reached its peak, Peter Morgan and his family spent 36 hours removing valuables from the basement of his home.

"I ended up with 32 inches of water in the basement," said Morgan, whose residence on Haigh Avenue is about 100 feet from Policy Brook. "We fought until it was apparent we were going to lose, then we shut off the electricity and locked up the house."

In all, Morgan's family lost \$10,000 worth of assets and had to replace the furnace, washer and dryer, and freezer. Flood insurance covered about \$4,700. Morgan didn't qualify for grants from the Federal Emergency Management Agency.

At this point, he said, supporting a ban for new construction in the town's flood plain is a no-brainer.

"It's a pretty easy one to sup-

port," Morgan said. "A long time ago, we should have restricted building in the flood plain."

In March, voters will be asked to consider banning new construction along the Spicket River and the majority of brooks and ponds in town. A public hearing on proposed zoning amendments will be held at 7 p.m. Jan. 9.

If passed, the measure could strike a major blow to developers eyeing some of Salem's farmland and open space that has yet to be developed. Those already living in flood plain areas would still be able to add or improve homes after obtaining permits.

The Planning Board and Conservation Commission are backing the measure in the wake of the spring floods that wreaked havoc on businesses and homes, causing evacuations and a massive, weeks-long cleanup effort.

Conservation Commission

Please see BUILDING, Page 2

Salem/Londonderry

Petition would let selectmen pick Planning Board

By JAMES A. KIMBLE
STAFF WRITER

SALEM — This year, voters will elect a

new Planning Board, but that may be short-lived if resident Michael Flathers has anything to say about it.

Flathers has gathered nearly half the 25 signatures he needs for a citizens petition that would return the Planning Board to a panel of members appointed by selectmen.

The effort comes a year after another citizens petition started by Planning Board alternate Ron "Tony" Giordano changed the group from an appointed to an elected board. Giordano is leading another effort this year to make the town's Zoning Board of Adjustment an

elected panel as well.

But Flathers said he thinks residents are better served with an appointed board than an elected one. Without naming Giordano, he said, "I think there's one person who wants to get elected."

Town Manager Henry LaBranche said voters will pick six of the seven Planning Board members in March. The seventh member would still be appointed by selectmen.

Asked if town officials preferred an elected or appointed Planning Board, LaBranche said the board officially took no position. "As a citizens petition, the board

simply moved it to the ballot," he said.

Planning Board member Adam Webster, who recently finished a term as chairman, questions whether elected Planning Board members would be beholden to those who contribute to their campaigns.

"An election can cost nothing or \$1,500 just to put out signs," Webster said. "Are the signatures he needs to ensure his proposal makes it before voters.

"I know that some signatures can't be read or it may be signed by people who haven't registered (to vote) yet," he said. "Flathers' effort is successful in March, the board would return to having appointed members in 2008.

of Public Works, where he was employed for 36 years. He retired three years ago and lives in Salem. He started an e-mail address — betterway2006@aol.com — for people to get in touch with him about his petition.

He has until Feb. 6 to collect at least 25 signatures and submit the petition to Town Hall so it will be placed on the March ballot.

The newly elected terms for the Planning Board will be staggered: two people will serve one year on the board, two others will serve two years, and a third pair will serve three years. LaBranche said if Flathers' effort is successful in March, the board would return to the Lawrence Division members in 2008.

Effort comes a year after another petition changed the group to an elected board.

"It's a quasi-judicial board," he said. "By having it as an appointed board, it adds a certain amount of insulation from public opinion. If we voted every time the way the public wanted us to, it would prevent us from following our rules and guidelines, and it would open us to a lot of lawsuits."

Flathers said he needs to gather twice the signatures he needs to ensure his proposal makes it before voters.

"I know that some signatures can't be read or it may be signed by people who haven't registered (to vote) yet," he said. "Flathers' effort is important to protect the town.

He's Salem's man with the plans

LOCAL

When developers want to construct

a new building in Salem, or to fix up an old one, the first step usually is a sit-down with Ross Moldoff.

As Salem's planning director, he's the guy who determines early on whether a project has a chance before town Planning and Zoning boards. He also does nearly all the ground work for Salem's land use boards, which ultimately decide on everything from new businesses to an addition on a home.

Moldoff, 49, marked his 23rd year as Salem's Town Planner on Dec. 12.

Q&A

WITH YOUR NEIGHBORS ROSS MOLDOFF

Q: How did you become a town planner?

"I grew up in the Midwest. My father was in retailing and we moved around a lot. When I was a junior in high school, we moved from suburban Detroit to Portsmouth, N.H. The difference in landscape was stunning. In Detroit, there was nothing but malls and shopping centers. Portsmouth had neighborhoods, a walkable downtown. I got interested in land use, believe it or not, with that one move."

Q: What's the most important part of your job?
A: "Probably working with the town boards. With the Conservation Commission and the Planning Board, I'm advising them and setting up their meetings. You have to meet with applicants beforehand and advise them: What the boards want to see in a plan, and what the rules and regulations are."

Q: What do you like about your job the most?

"I really like the ability to have an impact on how a town grows and develops. I look at the trees in the parking lots now and there wasn't a lot of that sort of thing when I came to town. I like how that softens the landscape a bit. Sometimes it's a

Q: How did you become a town planner?

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Q: What's the most controversial project that's come to Salem?

"The biggest project was the mall (at Rockingham Park), but there wasn't much controversy. The adult bookstore was a controversial project in the early '90s. There was a lot of opposition to it and it was very upsetting to a lot of people in the community. At one point, the proponents asked for police protection — it was actually at a zoning board meeting, because they thought they weren't safe. It was a very tense environment."

Q: What piece of advice would you give to someone starting your job today?

"What they told me was to keep your head down a lot. I don't think I'd say that. I'd say it's important to understand the people you're working with. It's difficult sometimes. Trying to put yourself in their shoes makes a big difference. And to treat people the way you'd want to be treated — even if people have a terrible project, you don't want to say it that way. I'm not always great at following that advice, but I've tried to get better at it as the years have gone by."

—James A. Kimble



Staff file photo
Salem Planning Director Ross Moldoff looks at
garbage illegally dumped on town land.