

1/2/91 Observer

More malls expected by town planner

by Monique Duhamel

SALEM — Planning Director Ross Moldoff says to talk about 1991, you first have to look at 1990.

In 1990, Moldoff says the planning board experienced a decrease in applications of about 30 percent.

While a total of 64 single family homes were built in Salem 1990, many of those were built under the town's Affordable Housing Ordinance. This figure, however, is higher than the 50 single family homes built in 1989.

In 1990, 30 accessory apartments were constructed, the same as in 1989. Four duplexes were built in 1990, versus six in 1989. In 1989, 1194 building permits were issued. As of the end of November 1990, 1134 building permits were issued, with more anticipated.

The big difference comes in the value of the permits, but Moldoff warns that that number is influenced by the construction of the Mall at Rockingham Park. Building permit values totalled \$26.9 million in 1989 and \$55.3 million in 1990. The mall construction accounted for approximately \$31 million, which would leave the remaining town construction somewhere around \$24 million.

Moldoff said many of the projects approved by the planning board in 1990 will have an affect on the town in 1991 in terms of retail space, residential space, traffic patterns and tax revenues for the town.

Some of the major projects approved by the board in 1990 include a 42-lot subdivision on Ivan

Gile Road; 18 lots on Zion Hill Road; 76 lots on Salem Street; the Granite State Electric substation; and the conversion of the Cuomo's building to a multi-tenant facility.

Moldoff also said that many of the plans he is reviewing now will appear before the planning board in 1991. These include the Salem Willows plan for a 35,000 s.f. retail plaza on South Broadway; a mini-golf facility on North Broadway; a 29-lot subdivision off Lamplighter Lane; the 9-hole golf

course and 87-home Hawkins Glen development; 12 lots off Ermer Road; 16 lots off Route 111; affordable housing plans on Pleasant Street (20 units), Millville Street (15 units) and Route 111 (50 units); and the Bushway Village proposal for handicapped housing at 213 Main Street.

"We expect a variety of different retail projects to come in," said Moldoff.

He expects more retail plans to

■ See MALLS, Page 4

Malls

Continued from Page 1

"This diversity will help us weather the storm," he said.

From town planning standpoint, the long-awaited improvements to Pelham Road will begin in April of 1991. Moldoff says developers and property owners can look out for updates to the subdivision regulations in late spring or early summer.

Salem Reporter
Monique Duhamel
893-4356

This is an increase of 43.9 percent over November of 1989.

Initial unemployment compensation claims filed in Salem for November 1990 increased by 11.6 percent when compared to the same month in 1989. In November 1989, there were 224 initial claims filed in the Salem office. In November 1990, there were 250 initial claims filed in the Salem office. Continued claims have also increased for the same period by 39.7 percent over November 1989.

In November 1989, the Salem office assisted 215 in their job searches and 283 in November 1990.

"The work load has gone up," said O'Dea. "You have to remember we see not only people looking for work and filing for unemployment compensation, but also people referred to us from other agencies. ... Some of these agencies cannot determine eligibility for assistance unless it has been determined that the applicant has exhausted all other avenues, like eligibility for unemployment compensation. People applying for food stamps and city welfare assistance have to be registered with our local offices for work and employment services in order to receive these kinds of assistance."

Two file for rep. seat

At the time of publication, only two people had filed for the vacant

ca Lynn Fruchtman, twin
nd Steven Fruchtman, 112
ndham.

ire

conditions regarding visual
ers and lack of access from
okdale Road as noted (Kenda
tems).

To allow Community Residential Facilities for disabled people in the Business Office Director ZONING, Page 4

In stolen presents

ts for the crime.
O'Brien said Patrolman Mark
umbatano developed the information that led to the investigation.

tion and arrests. After obtaining search warrants, O'Brien, along

■ See PRESENTS, Page 3



Water issues dominate BOS meeting

by Monique Duhamel

SALEM — Two completely different water issues took up the bulk of conversation at Monday evening's Board of Selectmen meeting.

One issue involved the extension of a water line; the other, a water main break and subsequent damage.

The first water issue the board addressed was raised by Michael Faro, with property on Pond Street.

Faro purchased a lot which had been approved by the Salem planning board. That lot had been part of a subdivision which had, as a condition of approval, a municipal water requirement. Faro claims he was not aware of the condition.

The lot in question is located on Pond Street and was originally approved as a duplex lot in 1988. The planning board approved two duplex lots and six condor

water

1/7/91

1/7/91
Nashua
Telegraph
R.033
pls Autograph
this for me
& I'll keep it
It will be work
Valuable.

Salem used as wetlands example

Town's officials say
protection a benefit

By MICHELLE FARRELL
Telegraph Staff

NASHUA — At the invitation of Mayor James Donchess, Salem officials came to City Hall on Monday to proclaim the benefits of that town's wetlands protection ordinance.

The town planning director, joined by the Salem Chamber of Commerce president, told reporters that despite initial skepticism about the ordinance, its passage has worked to enhance development, not prohibit it.

Donchess explained that he asked Salem officials to come to Nashua to offset "scare tactics" being used to defeat proposed wetlands ordinance up for a vote next Tuesday in a special election.

A group called the Nashua Home Owners Association, established to lobby against the referendum, charges that such an ordinance would dramatically decrease values in certain neighborhoods and strip landowners of their property rights.

Like Nashua, Salem has experienced a lot of growth in recent years in residential, commercial and industrial real estate, Donchess said.

Salem's course has proved by example that development can occur with a wetlands ordinance on the books and that property values are not hurt, he said.

Ross Moldoff, Salem planning director, said the town first passed an ordinance to increase wetlands



Ross Moldoff, planning director for Salem, talks about the success of his town's wetlands protection laws during a press conference Monday in Nashua City Hall. Salem officials came to Nashua at the invitation of Mayor James Donchess.

Staff photo by Dean Sigafoos

protection in 1976, but that law exempted all commercial and industrial properties. This exemption allowed a lot of filling of wetlands during the town's substantial growth period in the mid-80s, highlighting the need for a revised ordinance.

A task force that included many varied interests studied the issue and brought a revised ordinance to voters at Town Meeting in 1986. Voters approved the ordinance by a 70 percent margin, Moldoff said.

Officials point to the amount of growth in Salem after 1986 as proof that the ordinance did not place prohibitive barriers between protecting the environment and development.

Between 1984 and 1990, an average of 130 new homes and be-

tween 10 to 20 new commercial projects were built in Salem each year, Moldoff said.

Ed Dalton, a commercial real estate developer and president of the Salem Chamber of Commerce, said he could think of no commercial project denied approval because of the wetlands ordinance.

Moldoff said the development that has taken place has been "better quality development."

"There's been few, if any, people who have been prohibited from developing their property because of the wetlands ordinance," he said.

Salem's ordinance differs in some respects to the referendum that will be considered by voters next week. For example, that town's ordinance places a 40-foot buffer around all

wetlands, while the referendum distinguishes between a wetlands value in establishing buffers between 20 and 75 feet.

The town uses a wetlands map developed by the county Soil Conservation Service, although applicants for special exceptions often hire their own soil scientist.

For residential properties, these studies have cost a maximum of \$200, Moldoff said.

Although the ordinance has prohibited some projects, these probably should never have been built, he said.

"We feel very strongly people who have been adversely affected shouldn't have expected to develop on that property anyway," Moldoff said.

Landowners try to block wetlands ordinance

By STEVE ERICSON
Telegraph Staff

NASHUA — A group of landowners who oppose a wetlands referendum has submitted a petition to the city that it says will prevent the ordinance from passing unless it receives a two-thirds majority of the votes cast in a Jan. 15 special election.

Attorney David Campbell, who represents the Nashua Home Owners Association, said Monday that the group gathered about 450 signatures. Roughly 90 percent came from home owners, he said, and the other 10 percent from business, real estate and other commercial owners of land in the city.

The association says the referendum is a poorly written piece of legislation that would unfairly impact home owners and lower property values if passed.

"We have estimated that the impacted property owners of 1,800 to 2,000 acres are represented in these petitions," said Campbell in a prepared statement read at a City Hall press conference. "Figuring conservatively that there are 6,000 total impacted acres in Nashua, we believe these petitions reflect in excess of 30 percent of the area of the lots affected."

Campbell said state statute requires that a two-thirds majority approve any zoning change if a protest petition is signed by the owners of at least 20 percent of the property affected by the change, so long as the affected area constitutes no more than one-third of the total area of the city. The total land area in the city is about 20,000 acres, he said.

In addition, Campbell said the city violated another statute because no public hearing was held before the vote on the zoning change.



K.C. Hinds, 4, holds a sign urging a vote against the wetland ordinance in next Tuesday's special election. Hinds was with his family at a press conference Monday at City Hall held by city residents opposed to the wetlands referendum.

But Mayor James Donchess and city attorney Mark Bennett disagree with Campbell's interpretation of the state law. They believe the wetlands ordinance would apply to the entire city, not just landowners who fall under its jurisdiction.

"The city attorney has said this

is obviously a citywide ordinance," Donchess said.

Members of a residents group supporting the wetlands referendum accused Campbell's group of pretending to represent home owners while actually serving developers and other special interests.

Claire McGrath, one of the founders of a residents group that launched the original petition drive, again accused the home owners association of misrepresenting itself and the referendum ordinance, as well as using scare tactics to influence the outcome of next Tuesday's special election.

While the association says it represents home owners, signers of its petition also include representatives of The Tamposi Co., Ingersoll-Rand and other large businesses, Donchess said.

"The developers know they won't get anywhere if they say, 'Well I can't build as many units if the wetlands ordinance is in effect,'" Donchess said. "I think there are some special interests in the community trying to scare the average home owner."

Donchess said the tactics are apparently not working because the home owners association has collected only a small fraction of signatures compared to the 7,400 who have signed petitions in favor of the referendum ordinance.

But Campbell said signatures are still arriving at his office at the rate of about 30 or 40 per day. He said part of the reason more residents aren't signing is because backers of the referendum have not explained how the ordinance would affect all city property owners, not just real estate developers.

"I'm getting absolutely irate that they're still trying to attack who we are instead of what we're saying," he said.

ampshire



1/29/91

Rape, assault, burglary are on the rise in Salem

By Jim Van Anglen
Eagle-Tribune Writer

SALEM, N.H. — Rape, assault and burglary are on the rise in Salem, N.H.

Crime figures released by police show the total crime rate jumped 8 percent in 1990 over 1989. Major crime showed larger increases (see chart).

Budget cuts and a new 15-store mall opening this summer are expected to strain police services in this border community even more.

Deputy Chief William Foster

said the department currently

has seven empty positions,

some of which may not be

filled. He expects 75 to 100 more

service calls a month when the

mall opens. Local police han-

dled 55,000 calls in 1990.

Four of the vacancies were

held by veteran officers — with

more than 20 years experience

each. They retired in Decem-

ber.

Chief James Ross blamed

the crime rate increases on the

poor economy and fact Salem

neighbors Massachusetts. Many

criminals caught hall from the

commonwealth.

"In a community like Salem,

and the economic factors being

what they are, police officers

are spending more time investi-

gating and dealing with report-

ed crimes," Chief Ross said in a

written statement.

"This means they have less

time available to devote to less

preventive patrol. The impact on

the citizen is the lessened visi-

bility of the patrol cruisers in

the community."

Please see CRIME, next page

Crime is up 8 percent



Eagle-Tribune photo by Cheryl Benter
came. Bad road conditions canceled
the story, page 1.

lement plan

can go to college ... and Daddy can pay the bills,' said state Rep. D. Arnie Arnesen, the bill's sponsor.

The Oxford Democrat said her daughter decided to use her allowance to buy the lottery tickets after seeing them advertised on television.

Mrs. Arnesen said the commercial so persuaded her daughter that it was hard for her to explain how low her odds

Crime	Salem crime		
	1989	1990	% change
Murders	2	1	-50.0%
Assaults	150	195	+30.0%
Burglaries	87	240	+28.0%
Rapes	2	13	+550.0%
Disorderly conduct	132	163	+23.5%
Auto thefts	262	280	+6.9%
Sexual assaults	27	52	+92.6%
Receiving stolen property	30	37	+23.3%
Drugs	150	138	-8.0%
Major crime cases	3,428	3,714	+11.9%

Eagle-Tribune graphic

2/6/91

You blame me

Letter to the Editor:

I read your editorial last week and saw that you blame me for all that has gone wrong in the Town or the world. You blame me for the Chairman's inability to run an effective meeting. For example, it was Mr. Gregory, Glynn and Lawlor who tabled the minutes way back when. I tried to approve them.

You blame me for Salem losing its leadership in the State. Hardly, it is the accumulation of many things that happened prior to me, like zoning laws, like municipal unions, like weekly newspapers who deny reality and pursue hate.

You say I talk in circles. No, it has been only I who has come forward with any plan of action for many of the issues that we face. I have always provided my material early and given everyone an opportunity to see my position. It has been the cronies that your newspaper has supported that say nothing. They would rather meet in secret and exclude the public.

Do not be so nearsighted to see what is the real problem. The figures you quote are the same one's I quoted when they were only trends on the horizon. The real problem, I foresaw, is now coming to your attention. It has been happening. People are losing jobs and losing equity in their homes. Think of that last sentence again. People losing jobs are also having their incomes drained by a municipal body that is overpriced and too large and at the same time property values are shrinking.

Carney named

Nanci B. Carney has been named Realtor of the Month for December by ERA Pat Demarais & Associates. Carney holds the Grad-

The people who thought that home ownership was the way to build equity for their retirement are finding that they are only building nest eggs for a bloated municipal government. It is the cost of government, taxes, water, sewer, impact fees, sewer connections and overstaffing that destroy Salem's leadership position.

The world runs on competitive choices. I have presented many of those choices to my fellow Board members. What destroys the effect of competitive choices is the fact that no choice is made. Or, choices are made for the benefit of the "inner circle" alone.

It is that "inner circle" that has recently ruled in Salem. It is they who benefited. It is not Salem who benefited. They only flew the Salem banner to provide "cover". And your newspaper could only see the banner. You could not see the "motivation".

I can show you a quote made on the record of my words back two years ago. While I spoke of preparing for the future, your newspaper spoke of the glitter of the times. You praised new Town buildings, you marveled at the "new" equipment the Town needed. You supported the overstaffing; three fire chiefs, two police chiefs, assistants for everyone, two employees for one job, and you denied that these things cost money. It is the money of the citizens that is spent. It is the taxpayer who is stressed. It is the taxpayer who deserves the relief.

Very truly yours,
Joseph W. Gagnon
Salem

sistent multi-million dollar producer. She lives in Salem with her husband Michael Groch and their three children.

Glynn did not get permits to build walls, state finds

By Jim Van Anglen
Eagle-Tribune Writer

SALEM, N.H. — A state board has determined Selectman Howard Glynn did not get permits to build some walls and move piers at his Arlington Pond marina.

The New Hampshire Wetlands Board reviewed some 32 charges filed against Mr. Glynn by fellow Selectman Joseph Gagnon.

Gino Infascelli, a state senior inspector, said he found two instances where he believes Mr. Glynn should have had permits: moving two boat slips, and replacing a rubble wall with a concrete one.

"That's good news," Frank Hekimian, Mr. Glynn's lawyer, said. "That's exactly the position we took."

He said Mr. Glynn received town permits for all walls built at the marina but he did not know a state permit was needed for one constructed after 1985.

Mr. Hekimian said there was some confusion regarding the number of piers and definition of slips. He said Mr. Glynn will rectify any problems.

Mr. Infascelli said the board has requested Mr. Glynn file an after the fact application that shows the newly constructed walls.

The board also asked him to send a letter by April 1 stating the docking part of the marina will be restored to meet the original permit.

Mr. Hekimian said Mr. Glynn would either put the piers back to the spot indicated on the original permit or submit a substitute plan.

Mr. Gagnon said he brought his case to the state, because town officials refused to issue violations.

Town Planner Ross Moldoff said, "With the scope of other wetlands issues in this community, we'd have to consider this a very minor issue."

The state investigation did not find that Mr. Glynn had filled parts of the pond — a major accusation of Mr. Gagnon's.

What do leaders stand for?

2/13/11

To the editor:

Why do you fear Selectman Joe Gagnon? You claim he has placed some kind of hypnotic trance on many townspeople. Do you really think his supporters are that gullible?

To his credit, Mr. Gagnon has publicly exposed the fiscal mismanagement in our Town government. He is the only Selectman who has taken the time to research and examine the facts. I have seldom seen his data convincingly challenged and contrary to your editorials there have been countless opportunities for the presentation of opposing views. The reason for the lack of rebuttal is the difficulty one encounters when disputing factual material.

I, personally, do not want anyone to lose their job but there is little question that this Town has been overspending on services for years. If Town employees do not want to make wage and benefit concessions to save jobs, then that is their right under collective bargaining and the Town should respect that decision. If the price

we have to pay for the mismanagement of the past results in a loss of jobs and decreased services, then so be it. I find it very difficult to believe this Town is so finely tuned that layoffs would result in chaos. Unfortunately, the taxpayer has control only on the dollar expenditures. The level of services we ultimately receive will be determined by the unions.

Your editorial stated, in reference to Mr. Gagnon, that he does not "stand for" anything. I must ask you, what does Mr. Gregory, Mr. Glynn, Mr. Lawlor, Mr. Bliss, Mr. Brenner, Mr. Ross, Mr. Labranche and Mr. Campbell stand for? These "leaders" have offered very limited recommendations to reduce and control spending. How can I, as a taxpayer, expect they will negotiate future union contracts in the best interest of the Town if they seldom present cost-saving ideas or show no more than a token commitment to fiscal restraint?

I've never met Joe Gagnon and I don't agree with some of his

tactics. I admit he does ramble and at times he can be disruptive. However, he is one voice against the "business as usual" majority. Further, Mr. Gregory must be held accountable for his sorry performance as chairman. If he had any leadership ability he would not allow these meetings to lose the focus on the evening's agenda.

I have been well educated and I possess my own mind. I assure you Mr. Gagnon has no hypnotic powers. His research is difficult to ignore. If nothing else, at least he has made an effort to identify some alternatives to reduce our taxes. That is more than I can say for most of the managers in this Town who have displayed virtually no leadership and creativity in dealing with the economic hardships that face our community.

What is the *Salem Observer* really afraid of? Mr. Gagnon? Well, maybe. Exposing the truth? Most definitely.

Sincerely,
Joseph P. Waters
Salem

Salem Observer 2/20/91

SHARPENING THE FANGS FOR NEW BLOOD JOE?



Letters to the Editor

2/20/81

Silent majority should speak

To the Editor:

Once again at our most recent Board of Selectmen's meeting, the people of Salem, NH were subjected to the inappropriate and unprofessional behavior of one of the members of the board.

Joe Gagnon continues to plague us with his disruptive and abusive tirades. His half truths and meaningless accusations not only detract from important town bus-

iness, but deprives the people of Salem of their right to a meeting conducted in a sane and responsible manner.

We have watched the systematic erosion of our town by this man who would have us believe he is acting on behalf of our best interest but who is in truth interested only in his own aggrandizement.

I have had enough, and I think Salem has had enough. His tac-

tics and outbursts insult me and demeans the conscientious and high-principled citizens of Salem. It is time to restore ethical and reasonable leadership to our town. I urge the silent majority of Salem to get involved and speak out against Mr. Gagnon and those who stand with him supporting his nonsense.

Sandra Breen
Salem

Responding to an upset reader

3/20/71

Editor's Note: This letter is a rebuttal to a letter written concerning the Salem Planning Board and Planning Staff written by Ms. Deborah Thorpe, Salem.

Dear Deborah:

It was a somewhat less than an edifying experience to read the comments, questions, and opinions about town government and personnel expressed in your letters to the editors of the local newspapers. Too often, we town officials decry the lack of interest that we ascribe to our citizenry. After reading your letter, I feel we didn't know when we were well off.

I won't comment on all the charges and character assassinations that you addressed in your letter. (I have enough enemies without listing our points of agreement.) However, my pride and vanity compel me to counter at least some of your attacks on the Planning Board, an institution with which I have been intimately associated with for the past 20 years.

As a device to protect individual rights from majority power, our Planning Board is appointed by those people who everyone loves to hate, the Board of Selectmen. You can also blame them for hiring Mr. Moldoff and Mr. Brenner along with anything else that you disagree with, dislike, or are disgusted with. That is why they are there. In fact, one of the requirements for election to the

Board of Selectmen is a predilection to masochism. Whether they deserve it or not, they revel in the criticism and ridicule heaped on them. In fact, especially since the advent of TV coverage, it has become a town-wide sport to belittle these gentlemen and I must say that for a relative newcomer to Salem, you certainly have gotten into the swing of things.

You have, in one letter, managed to malign with few exceptions the Board of Selectmen, the Town Manager, the Town Planner, the Planning Board, the Planning Department, commercial real estate developers in general, and New England Development in particular—that's some piece of work.

I suspect that you and I share the quirk that makes the Planning Department's lack of vision most noticeable, whenever they disagree with whatever visions are revealed to you and I at any given time.

I agree with your conclusion that Selectman Gagnon doesn't do everything right all the time. We appear to differ in that I don't believe that everyone else does everything wrong all the time, and say what you will about Joe Gagnon, it's to his credit that he has raised the audience ratings of the Selectmen's meetings so that they rival whatever other soap opera it competes with.

Your remarks about the Town Manager are unkind. Salem changes Managers more often than

the sheets in a Route 1 motel, and you haven't done anything to contribute to a climate of tolerance and appreciation that might encourage any manager to stay in town at least for the length of his contract. If you have difficulty in understanding Mr. Brenner, perhaps the fault lies not with him.

Forgive me for digressing from my stated goal to confine myself to your comments concerning the Planning Board, but I find that the pursuit of a productive dialogue with you concerning Planning Board effectiveness and comportment should await you becoming familiar with its duties, responsibilities, and loyalties.

In closing, the most encouraging note in your letter is the confession that you are a fairly new resident of Salem. I assume that you came here by free choice. I am proud that the voters of Salem following the leadership of a Salem Planning Board, zoned for multi-family use the site that you have chosen to reside on. This action was taken long ago with much opposition from residents who were almost as feisty and strident as you appear to be. They felt that this community would be better off retaining the use of the site for the cows who used to reside on it.

Please don't make me feel that they were right and I was wrong. You could start by ceasing to refer to me as a bum.

Your servant
Emil J. Corrente

Glynn's absence will be noticed

2/20/91

Letter to the Editor:

Another era in Salem politics has passed by with the decision

of Howie Glynn not to run for

■ See GLYNN, Page 5

another term as Selectman. It is unfortunate for the town that this had to happen, especially at this time.

I have been, I am and will continue to be a solid supporter of Mr. Glynn. It has been a privilege for me to associate with and serve a man of his integrity, character and dedication to the community he served. I consider it an honor to be able to call a man of his standards a friend.

Although I have not always totally agreed with every issue he has taken, there is no question that his motives were for the best interest of the town; not himself or any interest group.

The recent abuse Mr. Glynn and his family went through was unwarranted and was generated as a personal/political vendetta. Of all the alleged (over 30) violations and innuendos that were hurled at Mr. Glynn there were only two(2) minor items that had any substance. I challenge anyone in this town to show, that as a property owner or businessman, they have not violated any code of this town, no matter how minor it is.

The frightening thought about Mr. Glynn's absence from the board is that there is a possibility that the control of Salem could pass into the hands of the most vengeful, unscrupulous, power-hungry person I believe I have ever met.

Salem's own analogous version of Saddam Hussein has shown himself to be an immoral, vicious, self-serving, do as I say-not as I do individual who has nothing to lose with what he does because he is not a property owner in Salem.

He has ruthlessly attacked everyone who has dared to disagree with him or hindered his quest for

power with innuendos and false allegations. This list, at a minimum, includes every department head in town, all attorneys who

didn't side with him, respected citizens, state agencies and, of course, the courts when they ruled against him. His abuse of his

powers, that he accuses others of abusing is plain to see for anyone who would take the time to see it.

Hopefully, his flock of sheep that only listen to what they want to hear, will look past their nose and see what is really going on.

Beware! This Pied Piper, playing music you want to hear, is leading you to the edge of the pier.

To the citizens of Salem who have the ability to think, I plead with you to go to the polls in March and eliminate the chance of getting his cronies elected. If you don't, he will dismantle this town and create a havoc that would take several years to repair.

Mr. Glynn, thank you for your tireless devotion to our community. You will be remembered by those who know and care about your accomplishments for our town of Salem.

Alvin C. Berner
Salem

Joe, grow up

2/27/91

To the Editor:

It's frightening and embarrassing to think that these particular men on the Board of Selectmen have control of the town of Salem. I could put an eight year old in Joe Gagnon's place and probably get better results. Joe Gagnon insists on making the BoS look like the show *Bloopers, Blunders and Practical Jokes*. I've never witnessed elected officials acting so immature and childish.

Here's a new concept for you, Joe Gagnon, I think you should

try. Why not start working together as a team and concentrate on the Town of Salem? After all, this is not just Joe Gagnon's town, it's our town. You make Salem look like a bunch of hicks and like no one knows what he is doing. As far as the *Salem Observer* goes, they print the truth, they don't print what you want so you refer to it as a rag.

It's time to start acting like an elected official. Joe, get a life!

Bonnie Desrosiers
Salem

4/91

VOTE NO ON ARTICLE #4

Planning Board Amendment on Wetlands

If this article passes, the wetland ordinance will be weakened.

**Developers Win!!
Wetlands Lose**

*Citizens for Responsible
Development*

Wallace W. Doerr
Doris T. Petty
Ray Petty
Joanna Warren
Joyce Hatfield
Ronald E. Meuse
Claire M. Meuse
Florence Angelo
Carol Rivard
Ray Rivard, Jr.
Alan F. Hatfield
William E. D'Amico
John Arnault

Dinah Arnault
Daniel A. Angelo
Mrs. William Land
Mr. Russell Vaillancourt
Peter H. Lane, Sr.
Mrs. Geraldine Powell
Mr. Walter Powell
John Warren
Armando Troconis
Debra Troconis
Virginia Gartside
Kathy Deeb
Jerry Powell

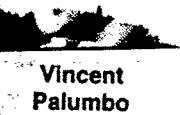
Signed Citizens for Responsible Development.

are House majority leader, has pleaded guilty to federal fraud and income tax charges.

His plea comes a year and a half after a controversy over

finances prompted him to resign from his House job.

Mr. Palumbo, 35, pleaded guilty in U.S. District Court to seven counts of bank fraud and three counts of failing to file income tax returns. He faces up



Vincent
Palumbo

to 38 years in prison and fines of more than \$2 million. Sentencing was set for June 3.

3/14/81

stand
days off
Instead
Committee
deal with the
Association

Planner gets message: Go slow around mall

By Jim Van Anglen
Eagle-Tribune Writer

SALEM, N.H. — Town Planning Director Ross Moldoff said voters have waved the yellow flag on zoning changes that would have allowed more development around the new mall.

"I think what we had was the voters saying go slow and let's see what the impact of the mall is going to be," Mr. Moldoff said.

Residents Tuesday overwhelmingly defeated ballot questions permitting development in some neighborhoods next to the 155-store Mall at Rockingham Park and the Depot area at Route 28 and Main Street.

Here are the three key articles which were turned down:

MIXED RESIDENTIAL, retail and office use in a town-center layout between South Policy Street, Pleasant Street and Lowell Road, and south of Muse Terrace.

BUSINESS AND PROFESSIONAL offices and mixed office-residential uses in the residential district on South Policy Street and a portion of Pleasant Street.

A REVITALIZATION plan for the Depot area and surrounding roads between Main Street, and North and South Broadway.

Mr. Moldoff said the Planning Board will probably talk about its options in the next couple of weeks and pick up the zoning issues again this fall. He

said voters sent a clear message to town officials to slow down when it comes to zoning changes in the area.

"As of now, it's on hold," he said.

Mr. Moldoff said all the articles would have permitted controlled growth in the affected areas. Some of the restrictions included dimensions, architectural design, signs, parking and landscaping.

Town officials worked on the proposed zoning for the past several months and held public hearings. Some residents said they encouraged zoning changes because property values would go up if their land was zoned commercial.

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Tomorrow: Derry School Meeting preview

A deserving recipient

3/20/91 Salem Observer



Emil Corrente, second from right, was named the recipient of the John P. Ganley Community Service Award on Friday at the Ganley Memorial Luncheon. He is

pictured above with, left to right: event co-chairman George Khoury, Marguerite Ganley, and event co-chairman Robert Marshall.

Corrente earns nod as Ganley honoree

by Monique Duhamel

SALEM — The second annual John P. Ganley Memorial luncheon drew a sellout crowd, reading like a Who's Who of local politics.

The event, held Friday at the Boys and Girls Club was highlighted by the presentation of the John P. Ganley Memorial Service Award to long-time resident Emil Corrente.

Event co-chairmen George Khoury and Judge Robert Marshall made sure that no one would want to miss this event by offering a traditional corned beef and cabbage dinner while Irish music played in the background.

The award selection committee consisted of Marshall, Khoury, Rep. Stephen Buco, Frank Murray, Police Chief James Ross, Derry Police Chief Edward Garrowne, Donald Jutton, Fire Chief Donald Bliss and Robert Eyssi Jr.

Their task was to select a recipient who exemplifies the community spirit displayed by the late John P. Ganley, who served as Salem's Police Chief for many years before becoming town manager.

In announcing their choice, Marshall said, "If one were to ask our 1991 Ganley Award recipient to describe his vocation, he would

answer modestly, 'I'm a house carpenter.' But those who know this unique, articulate individual describe him as a creative force who works with wood, nails, bricks and mortar to create homes that are the stuff dreams are made of. The fact of the matter is that this individual helps people fulfill their dreams in a variety of other ways as well."

"I'm moved, I appreciate this," said Corrente upon receipt of the award.

He told those gathered that the current economic slowdown is very difficult for him to witness, as he sees people who share his values being turned down for work. "I see the goals and aspirations of many people in this area of the country being denied. Let's get moving so we can get out of this hole we're in," he said.

Corrente is a graduate of Lawrence High School, attended Nor-

■ See AWARD, Page 3

Award

theasterne University and served in the Korean War.

He is an avid photographer, concentrating on barns, a theme which he manifests in his construction of residential dwellings. His craftsmanship is also displayed in the colonial quarter-boards he has made which adorn buildings throughout the community.

Corrente has provided direction to many Salem youths as a building trades advisor with the Salem Vocational Education Advisory Committee. He has provided much volunteer assistance to both the senior citizen community and to the Salem Association for Retarded Citizens and is a long-standing member of the Salem Contractors Association.

He has also served on the Salem Planning Board for nearly two decades, as both a member and a chairman. "His unwavering ethics and pride in community have sustained that body during even the most trying of times," said Marshall.

Additionally, Corrente has earned a strong reputation with the Conservation Commission and numerous Garden Club awards. The footbridge which he constructed traverses the gully at the foot of Geremonty Drive.

Continued from Page 1

"I've come to know him as a man whose kindness and generosity are surpassed only by his wit," said his daughter, Dana, in a letter nominating him for the award. "It is my opinion that Emil Corrente is an important part of what makes Salem a wonderful place to live. Some may say my opinion is biased, I say it's truthful."

Planning Director Ross Moldoff, who has worked with Corrente as a planning board member, says he was pleased by Corrente being recognized for his work.

He keeps a running list of "Emilisms," and offers them for public review. The list includes such quotes as:

"All prayers are answered, but sometimes the answer is no."

"I believe the chairmanship should be rotated to allow as many people as possible the chance to screw up the town."

"The greatest preservation of open space in this town is between people's ears."

"Marriage is like a dull meal with the dessert served first."

3/27/91 Word from the MOB

Meetings scheduled for this week at the MOB include the Board of Adjustment on April 2 at 7 p.m., in the Knightly Room and on Cable Channel 38; the Cable Committee on April 3 at 5:30 p.m. in the second level conference room; The Conservation Commission on April 4 at 7 p.m. in the Knightly Room; and the Recreation Commission on April 4 at 7 p.m. in the second level conference room.

The planning board is seeking volunteers to serve on an advisory committee to help update the 1986 Master Plan. The Master Plan guides the planning board, other town committees, and the public concerning future land development and growth in Salem. Applications are available in the planning department at the MOB and must be submitted no later than April 9, 1991.

Planning Director Ross Moldoff says that once the Master Plan update committee is off the ground, the planning board will look to establish a Depot area study committee, and hopes that both Depot area landowners and area residents will be interested in serving on this committee. Planning board members Robert Campbell and Clifford Sullivan will serve as board representatives on this committee.

The planning board must be in a committee mode. Last Tuesday evening, members also talked about reviving the board's Capital Improvement Plan subcommittee. Planners Bernard Campbell and Thomas Pappalardo will meet with the town manager and the budget committee on this one.

The board will firm up all their committee plans in April.

The planning board is presently in the process of reviewing another plan under the Affordable Housing Ordinance. The Mesiti plan calls for the construction of affordable apartments on Pleasant Street.

Additionally, the board is holding conceptual discussions on the Beaver Village plan for affordable housing off Route 111.

The town has received its quarterly report on the progress of construction for New England Development's Mall at Rockingham Park. According to the latest report, water and sewer line construction on site is completed and work on a sewer pump station began in February. The installation of sprinkler and fire alarm systems is partially completed and permanent fencing has been installed adjacent to residential areas. Off-site improvement road work is scheduled to begin in April.

At their meeting on Monday evening, selectmen called for volunteers to serve on the Armed Forces Appreciation Steering Committee. The committee will consist of nine people, and as many townspeople who want to be involved on a subcommittee level. Anyone interested in serving on this committee should contact the Town Manager's office.

Selectmen will meet in April on April 8 and April 29. They will not meet on April 22, the fourth

■ See MOB, Page 11

Editorials

New year starts now

Although the calendar says it's nearing the end of March, in Salem, a new year has just begun.

Elections are over. Town and School District Meetings are now behind us. The Board of Selectmen and School Board have new chairmen and the Budget Committee will elect a new one tonight.

The people have voted, in force, at both the elections and the annual meetings. Those votes are history. The events leading up to those votes are now history.

Now it is time to work with what we have left, to the greatest possible benefit to the entire town. It is time to implement the budgets, and move forward with the approved warrant articles.

On the school side, it is time to move forward with strategic planning, preparing for Windham students to come to Salem and the business of good, solid education.

On the town side, it is time to finally address the crucial issues of water and sewer, setting definitive policies and charge systems that are fair to all. It is time to face the issue of our future water needs and choose one option to see us through to the next century.

It is time to continue forward with our road

program, protect residents with police and fire services as well as possible, and to forget the petty squabbling that has been going on in the past year.

It is time for the Board of Selectmen to set goals, be decisive, address issues instead of avoiding them, and conduct the business of the town without involving the personalities of individual board members.

It would be easy for many residents and town employees to harbor resentment over the events which occurred at Town Meeting — either because they perceived not enough money was cut from the budget or too much money was cut. However, that would not be productive. We cannot afford to be mired in resentment when we have so much to do in the coming year. If there are adjustments which need to be made to the town budget, by either decreases or increases, they can be made next March.

Town Meeting has concluded. It is time to begin again, with the coming of spring. It is time for a fresh outlook and a new perspective. It is time for our town fathers to lead us in forming that new outlook. It is time for our town fathers to lead. We look forward to seeing if they are, indeed, up to the challenge.

4/3/91

Despite economy, builders forge ahead with Salem plans

SALEM, N.H. — A recession has not taken a bite out of upcoming planning board agendas, Town Planner Ross Moldoff said yesterday.

Several large businesses and residential housing developments are expected to come before the board during the next few months.

"Home sales were up last month, and we anticipate the economy will continue to grow in Salem," he said. "It's not like it's dead."

Here is a look at several projects on deck:

9-HOLE GOLF course and 87 condominiums off Town Farm Road.

50,000 SQUARE FOOT Toys R' Us store on Veteran's Memorial Parkway.

Home sales were up last month, and we anticipate the economy will continue to grow in Salem. It's not like it's dead. ■

Ross Moldoff
Town planner

AFFORDABLE HOUSING off Rte. 111, Millville and Pleasant streets.

A 30-UNIT DEVELOPMENT by Salem Association for Retarded Citizens.

SEVERAL SHOPPING centers, including Salem Willows on the Methuen town line and another one next to the U.S. Post Office off Route 28.

A 100,000 SQUARE FOOT lumber yard-home product store on Route 28.

A SUPERMARKET, also along the Route 28 strip.

"A lot of the (commercial development) is stimulated by the mall getting ready and getting going," Mr. Moldoff said. The 155-store Mall at Rockingham Park is expected to open later this summer.

He said a host of other smaller projects — such as sub shops, convenience stores and housing plans — are also expected to come in.

Face of Salem is changing again

by Monique Duhamel

SALEM — The face of Salem is ever changing.

Projects going on now or in the planning stages will have a lasting impact on the community.

Although the area economy is sluggish, development continues and some businesses continue to grow.

According to Patricia Dralick, Executive Director of the Greater Salem Chamber of Commerce, membership in that group has swelled to more than 380 businesses, with many of the members joining within the past 12 months.

In 1991, 21 businesses have joined new members. Membership covers all areas of business in Salem, from retail to industry professional to services.

The Chamber of Commerce is the only body seeing growth and change in the community. Planning Director Ross Moldoff says his department remains busy reviewing proposals for new projects.

He predicts there will be a flurry of retail activity this summer before New England Development (NED) Company receives an occupancy permit for the 155-store Mall at Rockingham Park.

Among that activity are proposals for several more shopping centers. Moldoff says he has viewed plans for a small mall next to the U.S. Post Office on Route 28; a 36,000 s.f. shopping center and 84-seat restaurant at the Salem Willows site on South Broadway; and a 49,000 s.f. Toys-R-Us store on Veterans Memorial Parkway behind K-Mart.

Other retail projects in the works include a 100,000 s.f. Home Depot store on South Broadway, on the former site of Broadway Farms; and a miniature golf course facility on North Broadway. He has also heard proposals for another supermarket in Salem, yet another home improvement center, and renovation of the former Alexander's Market site for some form of retail use.

"There's a lot of people out there talking. We get calls every day for new proposals," said Moldoff.

However, at this point, many of those proposals are not yet written down on paper, and are really

only in the early formative stages.

Still, they serve as an indicator that there is activity going on in the real estate and development fields.

In a recent speech to the Salem Contractors Association, Chamber of Commerce President Edward Dalton told the group that, with the opening of the Mall at Rockingham Park, he foresees Salem becoming the prime retail site in New England. He said that companies from all over the country call the Chamber of Commerce on a daily basis, seek-

■ See CHANGE, Page 4

ing information about the area.

Non-retail activity

Outside of the retail arena, change is slower, but plans are still in the works for a number of projects. Moldoff says there is not much happening in the office sector, and the industrial area is also slow. Some movement is beginning in the industrial area, as lease rates are lowered and property becomes more affordable.

Residential plans continue to be filed with the town, for subdivisions of various sizes. Pending residential developments include a 24-unit affordable housing project on Pleasant Street; a 15-unit affordable housing plan on Millville Street; a 16 lot subdivision on Gordon Avenue; and several other proposals, including the Bushway Village plan for housing for the developmentally disabled. Residential home sales are also picking up slightly.

For the first three months of 1991, the town has issued building permits totalling \$3.8 million. Moldoff says that this quarter is traditionally a slow period, and that construction is now picking up.

A look at the building permits issued during the past few weeks confirms his statement, with twice as many permits being issued as in the previous few months.

Moldoff predicts a six-month lag between the planning process and the actual construction of many of these projects, but says they will bring dollars and jobs into the area.

"With foreclosures and other sales of property, the area will also change," said Moldoff. "New businesses will purchase the property with plans we don't even have any idea about yet."

It is these plans, both known and unknown, which will change the face of Salem.

—Lorraine Timos

Traffic a Temporary Roadblock at Salem Mall

MALL

(Continued From Page 1A)

Mall of New Hampshire in Manchester, is paying for eight road construction and intersection projects, in addition to numerous improvements to water and sewer systems, and public safety systems.

"It will be 16 weeks of unhappy people during road construction," said Don Jutton, head of DRJ Associates of Salem, which represents NED in permitting matters. "But you can't make an omelette without breaking a few eggs. The pay-off is that in 16 weeks, we will have completed about 20 years worth of infrastructure improvements to the town."

The impacts from construction were expected, said town officials, and were spelled out and planned for in an impact study presented to the town when the mall was being proposed two years ago.

But an unexpected impact to Salem, according to Moldoff, is the "mall ripple effect" which is already bringing new businesses to the area, filling in many empty lots and buildings in the Route 28 area.

"We have been contacted by many parties that want to come to Salem with large shopping centers and stores," said Moldoff. "A lot of them are motivated by the mall being here and bringing its clientele."

Moldoff said there are half a dozen new construction projects in their preliminary phases throughout Salem. Although voters at town meeting in

"You can't make an omelette without breaking a few eggs. The payoff is that in 16 weeks, we will have completed about 20 years worth of improvements to the infrastructure."

Don Jutton
DRJ Associates of Salem

struction points at a cost to NED of \$7,000 per week, according to town records.

The building department has made over \$6,000 in permitting fees alone during the mall's planning stages.

As optimistic as Moldoff and others are about the positive impacts of the project, they cannot shake their concern over other significant issues that they say will arise only with time.

Perhaps the most vexing concern is the effect of the recent layoffs of eight firefighters and seven police officers on both departments' ability to handle the increased demands of the mall. NED's public safety impact report two years ago was based on higher staffing levels for both departments, and fire will be minimal on the infrastructure of the town," said Moldoff. "I don't see a problem."

March shot down several proposed zoning changes around the mall that would have allowed commercial development, new developers are rapidly snatching up available commercial lots along nearby sections of Route 28.

By all estimates, the completed mall will also provide upwards of 2,000 new jobs to the area and Salem stands to make an additional \$1 million in tax revenue per year once the mall is completed.

Even the construction itself appears to have a silver lining, especially for individual municipal departments. Paid police details are located at all construction sites along the town's major roads.

Deep budget cuts at town

meeting this year further reduced the force to the point where Ross said he is pulling officers out of administrative positions and putting them on the street to make up the slack.

"The mall is not a plus to us at this point in time because we are not able to deal with it in the way we had planned to," said Ross.

Fire Chief Donald Bliss was unavailable for comment. Bill McCabe, executive vice president of NED, said that the town's reduced public safety staffing will not be a problem because of an extensive private security staff and sprinkler system at the mall.

"The impact of the mall will be minimal on the infrastructure of the town," said McCabe. "I don't see a problem."

Two other significant concerns are traffic impact, and the actual effect the mall will have on businesses on Route 28. "A lot of people are still very concerned about the traffic," said Moldoff. "Are the road improvements going to work?"

Police Chief James Ross said that in initial planning phases, he had planned to set up a separate patrol area for the mall, Rockingham Park race-track, and the Rockingham Mall. To accomplish that goal, NED had offered to provide money for salaries for two police officers for the next 20 years, plus a new cruiser. Selectmen re-allocated the money to fund reconstruction of an intersection instead.

Deep budget cuts at town

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Deep budget cuts at town

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Monday's Business

MANCHESTER, N.H.

The Union Leader

MONDAY, APRIL 22, 1991

Rockingham Mall — Salem Windfall

By KRIS FRIESWICK
Union Leader Correspondent

SALEM — State Route 28, a difficult strip in the best of traffic conditions, has recently become a swirling bumper-car rally at rush hour, complete with bright orange cans for targets. Drivers glance over at one another at stop lights, shaking their heads in

mutual frustration.

The cause of the confusion is the white, sprawling, \$100 million Mall at Rockingham Park, a building that some have compared to a space ship plunked down in the middle of a wheat field.

Around the mall, road construction projects dot Route 28 from one end of Salem to the other as New England Development, developer of the mall, makes good on its promise to

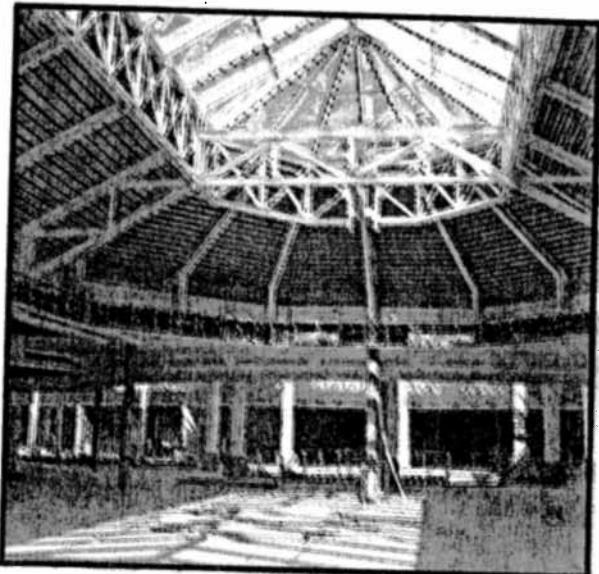
supply \$22 million in off-site improvements to Salem.

Due for completion in August, the mall is both the source of Salem drivers' temporary frustration and one of the most significant financial windfalls to ever hit the town.

Town officials and opponents of the mall are also quick to point out that many unknowns still await Salem, many of which will not be felt until the mall has been open for several months.

Overall, officials admit that they were unprepared for the wide variety of impacts that a project of the mall's magnitude brought to the area. By the developer's own admission, the off-site improvement package that accompanied the project is one of the largest ever offered to a community, but now that the town is beginning to feel the direct impact of the project, officials are pleasantly surprised to see that the mall's positive effects outdistance even the glowing projections offered during NED's sales pitches two years ago.

"Early on we knew there would be a lot of tax revenue from the project," said Salem Planning Director Ross Moldoff. "But we didn't know how much. We didn't know in the beginning they would propose so much road work. It wasn't until the end of the process that we



Dick Morin/The Union Leader

THE MALL AT ROCKINGHAM PARK In Salem, slated to open in August, features a glass-covered atrium in its center courtyard with glass roofing over part of the main corridors.



Dick Morin/The Union Leader

JEFF MUNSKA of the T.D. Zoella company lays tile on the second floor balcony at the Mall at Rockingham Park, which will feature four anchor stores when complete and retail space for more than 150 other stores.

THE MALL AT ROCKINGHAM PARK

Developer: New England Development, Newton, Mass.

Architect: Arrowstreet Inc., Cambridge, Mass.

Total Cost: \$100 million, including \$22 million off-site

Ground Breaking: October, 1989

Expected Completion: August, 1991

Stores: 155

Anchors: Filene's, JC Penney, Sears; Additional anchor — 1992

Parking Capacity: 4,500 with parking garage

knew how much work would be done. It doesn't hit you until you go out there and see the work itself."

NED, known for the Pheasant Lane Mall in Nashua, the Fox Run Mall in Newington and the

MALL, Page 9A



By PAUL McCARTHY
RECORD STAFF WRITER

SALEM — Attorney Frank Hekimian was before the planning board last week trying to find a solution to the problems his client, Windmill Equipment, was having trying to construct a new 41,000 square foot retail-commercial structure on their 240 No. Broadway location.

"The major problem with his project," Hekimian said, "is the complaints from neighbors over the sound of the construction equipment."

He went to explain his client went before the board of adjustment with a plan which would have had the repair portion of the facility out front, by Route 28 with the retail section in the rear by the residential property abutting their commercially zoned lot.

"We redesigned the building," Hekimian said, "but the board of adjustment said no. We did everything we could to satisfy abutters' concerns, but they just seem to want NO development on the Winmill property."

Hekimian said he was back in front of the planners with the original plan he previously submitted to them. He wanted the board's input on how the situation could be resolved and construction begun.

He came to the meeting with a "sound study" conducted by a sound engineer which showed present sound levels at the site were not excessive and that his client was willing to build a earth "berm" between the lot and the homes nearby.

Since "sound is the primary concern," Hekimian said, "we are willing to construct a 15-foot berm, 35 feet wide at the base, and trees four feet apart on the top." He said since the houses in the area are at a maximum of 20 feet high, the berm should cut down to

noise reaching them.

"When trees were taken down from the rear of the lot," Hekimian said, "people started to complain. They were a more visual or psychological buffer. But people could then see 'droning' noise of heavy equipment idling would be decreased."

Hekimian said in the building's present configuration, mechanics must work on the heavy equipment outside, thus the noise.

Once two bays are installed in the new building, equipment would be worked on inside, cutting down on the noise further.

When planner Emil Corrente said noise would "turn" out of the bays if mechanics left the doors open during the summer, Hekimian said, "We could parade out any number of horrors Mr. Corrente, but the fact is the noise will not be any worse than the current existing conditions."

Hekimian later added the plan could have the stipulation that the ventilation and no doors would have to be opened.

Jim McCue, 29 Beverly Ave., a adversary of the project from the outset, vocally disagreed with Hekimian's assessment of noise levels at the present site. "The proposed berm will have little effect on noise," McCue said, "and as far as that sound study goes, it was done by a hired gun of the applicant. I'm convinced they're trying to render the four houses on Beverly Avenue uninhabitable."

There comes a time, McCue, an 18-year resident, said, "when the planning board has to say this project is NOT in the best interest, why do we all need to be harmed record, there will continue to be abuses especially after this bitter four month battle."

Hekimian said the Winmill's have

May 3, 1989 THE RECORD Page 5

Winmill site plan: Attorney stymied on solution



NEW CHAIRMAN — Longtime Salem resident and businessman Cliff Sullivan, (seated, fourth from right) was recently elected chairman of the Salem Planning Board. Pictured with him are (left to right) Thomas Pappas, Vice Chairman, Joe Grapow, Sullivan, Robert Campbell, Glen Gidley and Secretary Atty. Bernard Campbell.

Photo by Paul McCarthy

over by the Winmill. "It seems they want the Winmill off their property. They've been there more than 40 years and operating there business there BEFORE those people moved in around before they bought their homes." You're crucifying the Winmill's now that they want a new building," Raynowski added. "I remember when the whole town of Salem

Contained on page 18

GRAND OPENING SALE

Saturday May 6th & Sunday May 7th

Free Refreshments

Free Balloons From Our Clown

FREE

• Complete Garden Center

• Green Houses

• 3 1/2 acres of flowers, trees & shrubs

• 1000's of Annuals & Perennials

FREE	Sale	AZALEAS
	Red	\$6.95 Reg. \$11.95
	Pink	2 Cal. Pot
	Purple	15" Plants

Mini mugs & mugs

Sale	HOUSEPLANTS
	• 1 quart evergreenous plant to first 500 customers • 2 pressure treated wood Benches (Door Prizes) • 2 pressure treated wood planters (Door Prizes) • 2 tickets to a choice Patrons game this fall (Door Prizes)

Artist at work

STAINLESS GUTTERS & JELLY

• Sandblasting • Painting • Additions

Winnill

Continued from page 5

was a quiet place. It isn't anymore. Dyer Avenue is now a cut-throat speedway. I don't know what else these people want the Winnill's to do besides move from town." Karen Mooshian took exception to Raynowski's statements. "I'm not asking them to leave, just to have consideration for their neighbors. The noise and vibrations from the equipment took down the trees; it has become ridiculous - and that's not psychological. They knocked down the trees and just didn't care." Planner Robert Campbell said the plan represented "an expansion of a site plan and noise levels had to be addressed.

"It's an issue of necessity of expansion," Campbell said, "and we want to make sure it doesn't cause a nuisance." Emil Corrente said, "The abutters have legitimate complaints. I can't believe they all come here and are lying at the same time. Something has to be done about those bay doors facing Beverly Ave. You said the sound engineer said noise won't be heard, but

"rankly, if he were here, I wouldn't believe him." It was then Hekiman's turn to reply to abutters' allegations of excessive noise. "My client went through considerable expense," Hekiman said, "redesigning the building, then trying to get land rezoned and appearing before the Board of Adjustment. Everything we tried was objected to every step of the way by the neighbors. They don't want to see anything built on the commercial property and my client has a right to develop on commercially zoned land."

"Mr. McCue," Hekiman said, "has a very narrow view with solutions. Out of the eight abutters to the Winnill property, about two are here - 25%. No matter what concessions we have made to them, there is no movement to middle ground."

"We tried to change the building and they didn't want that," Hekiman said. "We can change a building but we can't change a land. If my client doesn't get approval for a new site plan, an already intolerable situation will

continue to exist. I thought the bear was perfect solution." The planners made out a shopping list of concerns the board had with the site plan including traffic

noise levels, and acceptable design reliefs which might mitigate the noise problem.

It will be some time before this

plan gets planning approval. It was continued until the Hekiman and the Winnill's can work out the kinks in the plan. One possibility brought out was possibly making the building "U-shaped."

Pound Puppies

Some retailers worry

5/24/69

Salem prepares for 155-store neighbor

By Leon McMillan
Business Writer

SALEM, N.H. — As construction of the Mall at Newington Park continued, local retailers are across the path, but not far from, how to survive in its shadow.

"You can survive this sort of thing, but it's not going to be easy," said one spokesman of the Friends of, who was a consultant to the Kittery Point Mall in Maine.

He was one of the speakers at the Greater Salem Chamber of Commerce breakfast forum recently. More than 150 members turned out.

Mr. Hicks gave this advice:

MAKE UP your mind who you want to be and be it. On the way to the big-store mall's completion, it's too late.

GET CUSTOMERS with a blend of a store, not with "big," help you.

MAKE YOUR STORE comfortable and attractive, changing display often.

CATER to steady customers.

"If you're going to survive, you should be more tuned into your customers, right now, more than you've been in your history," he said. Mr. Hicks, 38, is a small business owner and spent 20 years with the Kittery Point Mall.

Mr. Hicks, of the Kittery Point, is one of 150 local retailers that have joined the Friends of the mall.

Salem is likely to be booming

SALEM, N.H. — Test Purchaser Rose Middot and resulting 15 percent of the new stores and projects before the planning staff are

HOME DEPOT — Building and home supply stores on Route 200 on the site of the former Joe Mart and Fletcher's Restaurant. Negotiations are the early stages of completion.

TOYS R US — The store, the firm's Memorial Day, arrives from Canada.

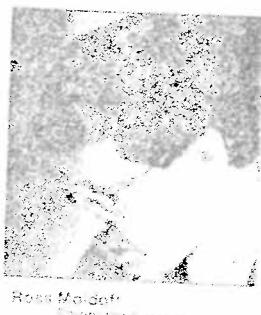
VICTORIA PARK — Mall under construction, 100 stores, to be open fall of next year.

PAWTHORPE GLEN — Clothing, furniture, and food for young people.

Mr. Hicks also said a retailer will not survive the coming winter but retaining a Salem address will prove beneficial.

"We expect that in 4 or 5 years the store business would be a direct competition with stores in the mall," said Mr. Hicks. "Those businesses, 85 located nearby, need to be some rethinking."

Local business leaders are not sure about the mall's impact on the community, but they are not worried about the future.



Rock McSoft
Local Chamber

Chamber of Commerce members, including local business leaders, including the Rock McSoft restaurant, are expanding.

Strandaker wore a "no-fear" attitude approach. She said she thinks the mall will help her town.

Mr. Strandaker's main competition is malls, including the Manchester Mall, the Burlington Mall, Fox Run and Newington Mall, also will be affected. You don't need \$10 million to open from the get-go.

The new mall, Newington Park, is

New approach sought for revitalizing Depot

6/3/91

Group considering options, gathering information

By Jim Van Anglen
Eagle-Tribune Writer

SALEM, N.H. — A committee is looking for ways to revitalize the Depot.

"They have started to look at different options and avenues and gather information," Salem, N.H., Town Planning Director Ross Moldoff said.

The Depot is located at Routes 28 and 97 — a major intersection in town containing several businesses and homes.

Planners use the term to describe the larger area along

Route 28 from Rockingham Park toward Route 111.

It suffers from too much traffic, poor traffic flow, too little parking and zoning problems.

Builders of the Mall at Rockingham Park would provide some money for traffic improvements as part of their impact fee agreement with the town.

This is not the first attempt to revitalize the Depot.

In March, zoning changes on

the ballot would have altered

the make-up of the Depot area.

Restrictions on permitted uses

included: dimensions, traffic impacts, parking, building designs, and driveways.

Voters overwhelmingly defeated the changes.

"There is no question there was not enough time to gather support from the people who were going to be affected by the changes," Mr. Moldoff said.

He said the new committee directly involves business owners and residents of the Depot

... planning director

... to help the

revitalization effort.

Mr. Moldoff said some preliminary options being considered include:

R O A D S Y S T E M
improvements in the area.

BUILDING repairs and improvements.

ZONING changes.

INCENTIVE programs for businesses.

STATE grants to help the

amphshire

Michael Foley, New Hampshire editor

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Adult bookstore, video shop to open on Route 28 in Salem

6/5/91

By Jim Van Anglen
Eagle-Tribune Writer

SALEM, N.H. — An adult bookstore may soon be selling its steamy movies and magazines at a former deli on Route 28 here.

"There's nothing we can do to prohibit the bookstore from coming into Salem," Town Planning Director Ross Modoff said. "We will work on some regulations for others that may want to come in the future."

Town lawyers have told local officials they cannot stop the store from opening. Salem has no laws prohibiting adult bookstores.

The owner of the store said, however, that he does not yet have a lease for the store he wants to occupy.

Officials yesterday issued the owners



Eagle-Tribune photo by Jim Van Anglen

of Moon Lite Reader, a change-of-use permit and a sign permit, which are all they need to open Monday through Saturday. The owners also filed a Sunday sales-permit application, which selectmen must approve.

The store would be located at 314C South Broadway in Childs Plaza, just south of Kelly Road and across from the Butcher Boy meat market. It would occupy the former Peli Deli in the small strip mall. The application calls for a 1,500-square-foot adult video shop and bookstore.

Moon Lite Reader is owned by T&D Inc., according to the building-permit application filed at the Municipal Office Building.

No address is given for the company. A signature at the bottom of the application listing owner/contractor is illegible.

The name "Del" and a Rye Beach telephone number are written on the application. When contacted, Del refused to give his last name. The Sunday sales-permit application lists a "Del Paone" and a North Hampton post office box number.

Del said he and his partner, whom he also refused to name, refused to say when the store will open. He said he does not yet have a lease.

Deputy Police Chief William Foster said he was concerned about an adult bookstore opening and drawing "unsavory" people to town. It would be the first such store to open in Salem, officials said.

"There are concerns without knowing the proprietors and what type of business they have run or intend to run or will run," he said.

Editorials

Study is time well spent

The planning board and its subcommittees are working on improving two of the town's most vital intersections. They are studying options for both the Salem Depot and the intersection of Routes 28 and 111.

These improvements may have been sparked by New England Development (NED), which is building the 155-store mall behind Rockingham Park. As part of the mall's plan approval, improvements to the Routes 28 and 111 intersection were required. Additionally, as a term of approval, NED is required to pay the town an annual sum which will be placed in an account for improvements in the Depot.

In both cases, since these were problematic intersections prior to the mall, the town will have to share in the cost of improvements, to some degree.

At Routes 28 and 111, the state will also be involved. In fact, the state is studying that intersection right now, along with the entire concept of a Route 111 bypass. State officials have asked town officials if they are interested in further studies to create a four-way intersection there, instead of the current five-way one. This may or may not include delaying the proposed improvements by NED.

The response from the planning board was mixed. Some members wanted to go ahead with the improvements by NED. Others felt

that the town would be better served by delaying those improvements for a year so that the state's proposal can be further studied and partially implemented with the roadwork funding from NED.

Now they are seeking input from area residents at a June 11 public hearing. This input will help them determine which course to take.

Resident and business input is also the key to Depot improvements. The Depot Task Force, created of Depot area residents and business-people, is studying several Depot improvements. These include both traffic improvements as well as changes to the zoning ordinance. The goal of the committee is to have something ready for voters to act on this coming March. Some committee members want to draft an ordinance right away, others want to study the issue in greater detail.

Both intersections need to be upgraded. While there are times when further study is unwarranted and bureaucratic, it is necessary in both these instances. Since both these areas will need millions of dollars worth of work, it is important that it is done right.

A little time spent examining possible alternatives can go a long way towards improving our transportation patterns.

Can we afford not to take that time?

Depot improvements subject of group's study

6/5/5

SALEM — The Depot Task Force, which met Monday evening, has decided to hear from a traffic consultant in their efforts to upgrade that area.

Planning Director Ross Moldoff said the group, which is composed of area property owners and other interested people, is very diverse but will turn that to their advantage.

The advisory group's main goal is to draw up a zoning ordinance and propose changes to the Depot area that the majority of residents can support when the issue is put to vote on the March ballot.

A Depot Revitalization Ordinance was defeated in March of this year.

The concept of this committee was formed shortly thereafter. Moldoff said it is important that area property owners are involved in the process, and that they did not feel involved in the last proposal which may be part of the reason why it was defeated.

The committee has begun to collect information and investigate the many options available.

The Salem Depot area includes the intersection of Routes 28 and 97 (Main Street) and businesses extending outward from that intersection. It is considered one of the major intersections in the community. It is also a scene of frequent traffic problems. Moldoff cites issues such as lack of parking, poor traffic flow, and too many vehicles during peak traffic periods.

A town-wide traffic study prepared by traffic consultants Vanasse Hangen Brustlin has given the intersection a level of service "F," which is the poorest level.

The Depot Task Force will attempt to address the traffic problems by proposing road system improvements, including the possibility of Depot bypass roads; changes to the zoning ordinance to allow for different types of businesses; incentive programs

for businesses to improve the appearances; additional parking; and state revitalization grants.

The construction of the Mall at Rockingham Park by New England Development (NED) will provide some funding for Depot improvements, in the amount of nearly \$70,000 per year. This money will be placed in an escrow account until a plan is implemented.

Moldoff says he has advised the group to come up with a vision of what they want to see in the Depot area and then draft zoning changes based upon that vision.

Additionally he has advised the group to study other communities which have had similar problems.

"We're not alone. Other communities have gone through the same thing," he said.

The committee's next meeting will be on June 17 at 7 p.m. at a location to be determined. Call the planning office at 893-5731 for the location.

6/5/91

Adult bookstore to open on Route 28

SALEM — Town officials are powerless to prevent the opening of an adult video and bookstore on Route 28.

T&D Inc. has filed an application for an occupancy permit for the Moon Lite Reader in Childs Plaza on Route 28.

"This town is absolutely unprotected against these types of businesses," said Planning Director Ross Moldoff. "There's nothing in the ordinance to prevent this."

Moldoff said the town has already consulted the town attorney. The attorney said that while a community cannot prohibit these types of establishments, they can be regulated.

"We need to do some work quickly to make sure we don't see a proliferation of these things," he said.

The Moon Lite Reader was scheduled to receive a permit on Tuesday afternoon to operate at 314C South Broadway.

The town had very little information on the principals involved in this endeavor, except for a first name and a phone number. When this newspaper called that number, the principal declined to release his last name or the name of his partner. He did say that he owns a video store and is a graphic artist.

"It's not going to be anything worse than what you see in your local video store," he said.

The signature on the permit application was unreadable.

A call to the N.H. Secretary of State's office on Tuesday afternoon revealed that neither T&D Inc. nor Moon Lite Reader have registered as a business with that office.

The plaza in which the store will be located is owned by Fred Childs, 53 East Road, Atkinson.

New Hampshire

Across The Valley

A news digest

Chamber's forum is on new mall

SALEM, N.H. — The Salem Chamber of Commerce will hold a forum on May 23 about the impact of the new mega-mall on surrounding retail businesses.

The breakfast meeting will begin at 7:45 a.m. in the Belmont Room at Rockingham Park racetrack. Tickets for the panel discussion will cost \$3.

Among those on the panel will be Ove Strandskov from the Royale Ridge Mall in Nashua and Sharon Hodgkins of Newington Mall in Newington, N.H.

"They are retailers who have been before, during, and after a major mall going up near them," Chamber Executive Director Patti Drelick said.

"And they can speak first hand on the impact — which is a positive impact I might add," Mrs. Drelick said.

Also on the panel will be Jim Hicks from RKG Associates. He will present a study done by the owners of the new, 155-store Mall at Rockingham Park in Salem on the probable impact of the mall. Town Planner Ross Moldoff will also be on hand to give an update on status of the mall and road improvements which are underway.

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NH BUSINESS

WETLANDS CONTROVERSY

Neighbors and EPA irate over mall permit Concerns voiced about flooding, business competition at Salem site

By John Stevens
Special to the Globe

SALEM — Environmental Protection Agency officials and a citizens' group backed by owners of a nearby Massachusetts mall are charged that a proposed shopping mall here received a federal wetlands permit without proving the project will not worsen periodic flooding in the town.

Boston-based New England Development plans to build a mall (the size of Nashua's Pheasant Lane Mall on 85 acres next to Rockingham Park. The huge project has permission from the Army Corps of Engineers to fill in seven acres of wetlands, despite an agreement three months ago with the EPA and the developer that New England Development should go through a more rigorous review process for a permit.

The permit is invalid from our perspective, and we are urging the Army Corps to revoke it," said Mark Kern, a wetlands biologist with the regional EPA office in Boston. "You don't issue permits and hope in the future the developer does something nice; you get the plan up front, then make a decision."

Under the federal Clean Water Act, the EPA and the corps share responsibility for wetlands and share the fares that protect them, with the corps issuing permits and the EPA providing oversight.

Earlier this year, the conservation commission voted recently to recommend that the state issue "New England Development a dredge and fill permit, despite advice from two consultants that the developer should provide more information about the project's impact on water drainage from the site. People with houses in the area, and even those who live two miles downstream from the project, are worried the mall will increase flooding.

"I know the mall will go

through, but I'd like to see something done about the flooding so my house won't collapse," said Virginia Gartsube, who lives on Pleasant Street, which will serve as one access road to the mall.

Gartsube has photos showing flooding on the street and in the field where New England Development has proposed to build retention ponds. She also has sump pumps to remove the water that fills her basement after heavy rains, she said.

Gartsube and other members of Citizens for Responsible Development, a group formed by town residents, are worried the developers are planning the mall through state, federal, and town approvals without showing how its impact on flooding, traffic, and town services will be mitigated.

Members of the group were surprised when the conservation commission approved the project, particularly after the commission chairman, George Jones, who voted in favor of the project, made a seemingly impassioned plea at last month's town meeting for

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— MARK KERN
EPA wetlands biologist



Doris Petty, Virginia Gartsube and Laurel Kellot look over the site of the proposed mall.

Cronin said. "We can't be Solomon and solve every problem in the area."

New England Development already owns several malls in the state. The Fox Run Mall in New Hampshire, the Mall of New Hampshire in Manchester, and the Pleasant Lane Mall. The developer currently has an agreement to purchase the Salem property for \$20 million from Rockingham Ventures, the company that operates Rockingham Park. Rockingham Ventures, in turn, has a conditional release from a state environmental impact and said Salem's planning board will ask New England Development to submit a study on the mall's impact on traffic and the existing Route 28 Commerce as well as on water, sewer, police, and fire services. The study will probably take several months, he said.

From a competitive perspective, we have a fiduciary responsibility to our investors and policy holders," said Anne Kessen Low, managing director of New England Development. "We said has a drainage

and could offer no comments. The EPA, however, gave several reasons why the proposed mall should go through a rigorous federal permit process. Kern said the EPA had no opportunity to review data on flooding in Policy Brook and the Spicket River, which drain the site. Nor does the agency know how valuable the wetlands are for retaining water or what plans the developer has for preventing runoff and floods. Kern

"There are a lot of questions not answered to our satisfaction," Kern said. "Our requirements might have made the permit look quite different."

Conditions in the area, for instance, might require that New England Development build elsewhere, decrease the mall's size, or build additional flood storage tanks. Kessen said, "The Army Corps

reports Kessen, The Army Corps

SUD 200 also voted recently to regularize resources available to the

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"The conservation commission shirked their responsibility," said Keltel, who lives near the site. "I don't have reassurances the town is watching out for me as a taxpayer."

Metropolitan Life Insurance Co., which owns the Methuen Mall, is funding legal and environmental consultants' fees for Keltel's group. The Methuen Mall is across the state border in Massachusetts, only four miles from the proposed Salem mall, and its owners are concerned about competition from a state with no sales tax.

"From a competitive perspective, we have a fiduciary responsibility to our investors and policyholders," said Anne Kessen-Lawell, project manager for Metropolitan Life. "We're funding environmental studies to evaluate obstacles to this proposed development."

Salem town planner Rose Mol-

process is entirely appropriate. "My concern is that outside interests trying to prevent competition will use the town process to subvert plans by another company," he said. But Moldoff is equally concerned about the project's impact and said Salem's planning board will ask New England Development to submit a study on the mall's impact on traffic and the existing Route 28 conference as well as on water, sewer, police and fire services. The study will probably take several months, he said.

William Cronin, a New England Development official, said Metropolitan Life may succeed in delaying construction of the mall but probably will not be able to stop it. New England Development, he said, has a drainage mitigation plan that will "dramatically improve" water drainage near the mall site.

"But we can't solve the periodic flooding on Pleasant Street."

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Market studies show Salem needs another shopping center, Cronin said, even though hundreds of businesses line Route 28, the long, straight road running by Rockingham Park. The mall would have 800,000 square feet of space and will be anchored by Sears and Jordan Marsh, also possibly locating there.

The site next to the race track is not a swampy area with cattails, but contains poorly drained soils classified as wetlands, said Moldoff. New England Development faced a three-tiered permit process to dredge and fill the land. The first was to gain approval from the Army Corps of Engineers, and the next two will be through the state and the town's planning boards. The conservation commission's role is only advisory, Moldoff said.

State officials said they are just beginning to review the application for the permit.

Boston North proposes to New England Development a plan to build a mall here said the developer is anxious to gain approvals for the project because of a competing project in neighboring Londonderry.

Boston North proposes to build a huge shopping center the size of the Pheasant Lane Mall and Mall of New Hampshire, combined, said Tom Aspell, Londonderry town manager. The mall would be built on a federally designated hazardous waste site, which Boston North has promised to clean up, a mile from Exit 4 off Route 93.

Boston North has not started the approval process for the mall and has shown town officials only conceptual plans, Aspell said. The developer is currently busy widening Route 102, which the town required before a mall could be built, and is building another exit off Route 93 to provide access to 200 acres of land the firm plans for an industrial park,

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Developers vie for area market

SALEM — Residents op-

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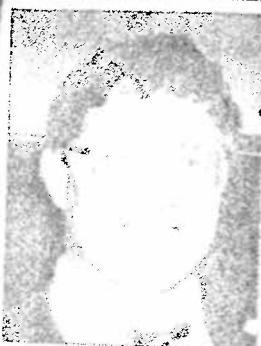
"But we can't solve the periodic flooding on Pleasant Street."

Laurel Keltel, who lives near the site, is pushing the mall through state, federal and town approvals without showing how its impact on flooding, traffic, and town services will be mitigated. Members of the group were surprised when the conservation commission approved the project, particularly after the commission chairman, George Jones, who voted in favor of the project, made a seemingly impassioned plea at last month's town meeting for

"The conservation commission shirked their responsibility," said Keltel, who lives near the site. "I don't have reassurances the town is watching out for me as a taxpayer."

William Cronin, a New England Development official, said Metropolitan Life may succeed in delaying construction of the mall but probably will not be able to stop it. New England Development, he said, has a drainage mitigation plan that will "dramatically improve" water drainage near the mall site.

— JOHN STEVENS



Ross Moldoff

2nd adult bookstore eyes Salem

By Jim Van Anglen
Editor, Tribune Writers

SALEM, N.H. — A second adult bookstore may be opening soon, and some residents are getting mad.

Debra Marquis, 28, Parrot Hill, said sometimes last night they must be more specific to prevent adult bookstores from multiplying in Salem.

Last night Salem Mayor Harry G. Stoy, 47, photographed, was discussing the issue. She said there is not be a bedroom area or anything. She suggested one of the watchdogs of the community is starting.

Town Planner Ross Moldoff said a Salem zoning committee has not yet set specific guidelines for the new store.

The new store, 1000 Elmwood Avenue, is to be run by Mr. and Mrs. Stoy.

Mr. Moldoff declined to name the person and saying he was from the business area. No building permit application has been filed.

Last week town officials issued a permit for Mr. and Mrs. Stoy to sell "adult" magazines and movies and books at a former gas station.

It was to include the usual adult book store, adult magazine store, and book store.

Editorials

Board gets bogged down

The Board of Selectmen meeting on Monday night was symptomatic of the problems that have been plaguing this community for some time now — lack of vision, communication, leadership and direction.

The board sluggishly went through but a portion of its agenda, becoming mired for hours in relatively simple issues. Despite both a worksession and a public hearing on sewer and water bond refinancing, residents had numerous questions. Even after the board had decided that further information was needed on a sewer abatement request and no decisions would be made that evening, discussion on the topic continued ad nauseum, while other important town business was delayed.

To chairman David Tilton's credit, he granted everyone time to speak. However, he allowed them to speak for so long that their speeches became rambling and repetitive, while the efficient and expeditious accomplishment of town business was placed on the back burner.

Meanwhile, some important town business did not get addressed.

That town business, numbered item 16 on the board's agenda, has now been delayed for another two weeks. At their last meeting, selectmen directed Town Manager Barry Brenner to report back to them with a plan for funding the lifeguard position at Hedgehog Park. Well, it was on the agenda but the board never got to it. So the townspeople still have no clear idea where the funding for Hedgehog Park will be derived.

Even more importantly, the meeting's audience never got to learn that even if Brenner finds a way to fund the lifeguard position and the board of selectmen approve that method of funding, there still may not be a lifeguard at Hedgehog Park.

At press time, the position had not been filled. It seems no lifeguard wants to take the job once they hear they would be patrolling the

beach area with no additional lifeguard for backup.

We said recently in this space that one lifeguard is not enough to provide adequate safety precautions. It appears that those who are trained as lifeguards agree with this viewpoint. At least one lifeguard feels that way, as evidenced in a letter to the editor found elsewhere on this page.

The lifeguard issue is not the only town business which was not addressed Monday evening.

Recently, a resident made several accusations concerning alleged violations at the landfill. A report on the investigation into these accusations was on the agenda, but there was no time to discuss it. The resident who raised the concerns was brusquely shut off, having been told that it was 11 p.m. and too late to conduct further business, after other residents had been allowed to ramble at length.

Another issue of concern was raised by one citizen, that of an adult bookstore opening in town. She was allowed to say her piece while board members stole peeks at the clock in the back of the room. Others who had input on that subject were not allowed to discuss it, and the board was clearly not in a responsive mode, although they did instruct the manager to write a letter to the bookstore owner.

Selectman Joseph Gagnon also had something to say on the issue of possibly terminating the town manager, but we won't know what that is for another two weeks.

The whole point of this is that there has to be some balance at the Board of Selectmen meetings. While people should be allowed to discuss issues, the topic should be changed when the conversation degenerates. Additionally, everyone should be given equal consideration and treatment, not allowing some to monopolize the microphone while others cannot even approach it.

Respo

To the Editor:
Who is John V. Vogt? That question. Lt. Vogt was the main Memorial Day. He twenty years in the Corps. During his Vietnam, his famil Millville Street for fi children attended set N.H. His wife, Conn a nurse in the then Hospital. After his Vietnam, the Vogt Hampton, N.H. wh resides. He thought Salem to be a memb Memorial Poet V.F.W. He thought enough accept an invitation Salem Veterans Assoc the Speaker on M task he fulfilled in Hampton, N.H.

person, and I will go to avoid them, but me talking, and that I am somewhat thin skinned about it. You may consider me a crank.

But let me tell you!

many people up here who office are

2nd adult

6/14/91

Salem weighs stricter zoning

By Jim Van Anglen
Eagle-Tribune Writer

SALEM, N.H. — Selectman Joseph Gagnon said a second adult bookstore has decided against opening in Salem.

"I guess they decided Salem is not the place to be with all the people protesting," Mr. Gagnon said after meeting with owners of Moon Lite Reader.

The store, owned by T & D Inc., had received a building permit two weeks ago. It had planned to put the store in Childs Plaza along Route 28 in town.

"I have no comment at all — no comment at all," said Del Paone of Rye Beach when told of Mr. Gagnon's statement. He is a co-owner of the store.

Asked if he still planned to open in Salem, he again refused comment.

Another store, owned by Seabrook, N.H., adult bookstore owner Ivan Eaton, Jr., pulled out of Salem Wednesday after a conversation with town officials.

Since the stores said they wanted to open in Salem, residents have said Salem could become a haven for adult bookstores, strippers and degenerates.

Selectmen have said there is nothing in the local zoning laws to prevent adult bookstores from opening in Salem. They are now exploring regulations.

bookstore backs out

Local news

Adult bookstore may be coming to Salem after all

By Jim Van Anglen

SALEM, N.H. — An adult bookstore could be opening in town after all.

The Board of Adjustment will hold a hearing July 2 on an appeal of permits given to T & D Inc. to open Moon Lite Reader in Childs Plaza.

Town officials said they have been contacted by lawyers from T & D, who said they plan to attend that July 2 hearing. It will start 7 p.m.

All permits received by Moon Lite Reader have been suspended pending the outcome of the hearing, Chief Building Inspector Sam Zanini said.

On June 13, Selectman Joseph Gagnon said one owner of the store, Feli Paone of Rye, N.H., told him it was pulling out of Salem. When contacted June 13, Mr. Paone refused any comment on his plans.

Large photo: Photo by Jim Van Anglen

Adult bookstore opening Video and Bookstore has put sign in Childs Plaza store Route 28 in Salem, N.H.

"I don't know. I guess they lied to me," Mr. Gagnon said yesterday.

Della Martino, who has been fighting any adult video and bookstores opening in Salem, N.H., appealed permits issued by building officials.

Earlier this month, T & D got a permit to open the adult bookstore in the Route 28 strip mall Peji Deli formerly occupied the storefront.

A few days later, Seabrook, N.H., adult bookstore owner Ivan Dalton said he wanted to open a separate store in Salem. He later withdrew his request for a permit.

Some angry residents have been pressuring local officials to keep adult bookstores out of Salem.

Selectmen have said they are powerless to stop the stores from opening. Salem has no zoning regulations governing adult bookstores.

Alan White, Metro news editor

PAGE: 11 Inside

Deaths, 13
Sports, 15

11

Sports

Deaths

Inside

Parents Against Adult Book and Video stores ... has been plotting strategy to halt these types of stores from coming to town.

Mrs. Martino, 20 Barron Ave. Said over 60 people attended the group's first meeting. She hopes even more people will speak out.

Residents claimed that Salem — especially Route 28 — could turn into a haven for adult video and bookstores.

The appeal says building officials should have required T & D to file a revised site plan with the Planning Board under zoning laws.

It said the Salem zoning law requires this if a change of use would have "a negative impact on the surrounding neighborhood."

Mr. Gagnon said the store will probably not open soon. After the board of adjustment rules, the losing side can ask it to reconsider.

If the board upholds its decision, then the losing side can sue.

By John Gill
Eagle-Tribune Statehouse Bureau

BOSTON — State law
summer regulations

Workers' comp reform put off

ward's

orting
that

Salem rejects plan to build 10 affordable homes on Cliff Road

By [Peter J. G. van der Heijden](#)

SALEM, N.H. — The Planning Board has defined a plan for a new state prison to be built in the town of Salem, N.H., at a cost of \$10 million.

Previous to this, the name of the street was "South Main Street." The name was changed in 1870, when the street was extended to the south, and the new section was named "South Main Street." The name was changed again in 1880, when the street was extended to the south, and the new section was named "South Main Street."

SALEM

PELHAM

WINDHAM

SPORTS



The Salem -- river

Volume 26 No. 22

18 Pages

July 3, 1991

Residents picket adult bookstore

by Monroe Dunham

SALEM — Residents and members of Parents Against Pornography have taken to the streets.

On Monday and Tuesday of this week they were out in force, picketing in front of the location

of a soon to be opened adult bookstore. The Moon Lite Reader.

On Monday morning, about two dozen residents carrying signs of

opposition walked back and forth on the sidewalk in front of the store, at 314C South Broadway.

The group, spearheaded by Delta Martino of Barton Avenue, has been vocal in its opposition to the opening of an adult book and video store since a permit for the store was issued last month.

Martino has filed an appeal to the Chief Building Official's decision in issuing a permit with the Board of Adjustment. That appeal was scheduled to be heard by the board last night.

The town has no ordinances which prevent the opening of such an enterprise.

State Representative Donald Roulston told selectmen at their last meeting that there is no enabling legislation which would allow the town to ban adult bookstores.

Residents, however, have not been daunted by the lack of legal recourse available to them and say they will continue to picket until the store is no longer in town. Many of the people in the picket line had not even met each other until this issue encouraged them to band together.

"I just heard about this and I felt like coming down," said Gary Reitano.

Donna Mason said more people were scheduled to relieve the picketers, to provide an ongoing

"We're definitely plannin

Resident's picket adult bookstore

pose goes too far. We have got to take a stand for decency and we should start here.

"If those guys get in, that just opens the door for more to follow," Sutton added that the Fellowship of Churches has taken an official stand against adult book stores.

Store owners have said they anticipate opening this week.

"We're definitely planning on doing this more than today," said.

The group also planned to show up in full force for last night's meeting, with signs in hand. Depending on the board's decision, we may meet again," said Rev. Chip Sutton of the First Baptist Church.

"I'm picketing at the book store. I'm here as the boozin who happens to be a private citizen. It would be a pastor were no born in Salem if there's a store with it as its primary pur-

pose," said Gary Reitano.

Donna Mason said more people were scheduled to relieve the picketers, to provide an ongoing

"We're definitely plannin

Editorials

Repetition doesn't equal success

The exact issue doesn't matter. It could have been any one of a number of things on the agenda.

What the chairman was right.

He said something along the lines of, "This is the fourth or fifth time this has come up. I have told you this has been discussed. This is the fourth or fifth time it has come up on the agenda of the council. I suggest after they have tenured a decision on the very same matter."

The issue budget cut appropriations is one example of this. The council proposals were referred to the board several times and finally passed after the board had been informed of repeated attempts to do so and the budget was set.

Sometimes the board is at fault in these things. For sometimes the chairman with the administration. When the board are asked for the budget review, when Brenner for the nearly the same proposal at their next budget discussion.

Another board is another example. The board discussed the funding of the beach service corps. Each time the funding plan returned to the board, the only modification was a slight increase in the amount of money to be spent. The chairman, Brenner, requested a water rate increase. He was unsuccessful in his attempt to raise the water rates. This past Monday night he finally met success and the water rates have now increased approxi-

mately \$1 per year for the average user.

The Recreation Department relocation is yet another issue. Brenner placed this issue in among the budget revisions and the board passed it. However after passing it, the board members received a call from Senator George Nethercutt telling them that he had changed the funding. The plan was to eliminate him in his resolution to the Parks and Recreation Department in the budget. In fact, a "no" vote precluded it. He admitted to the board that he did not have an alternative and left for the Recreation Department in a huff.

We need a manager who is strong, we need a leader. We need discipline in the board and a man I have in mind is Stan Resnick. Winter Branchard M. is the steering chairman of the selected meeting.

Please may I have your attention, in order that this community needs a leader, a director, innovation, strength, a leader for discipline and motivation. It is a leader manager. This community needs a manager who can stand up to the abuse of the board. Also, when and to whom the needs of the public will be directed and to the people.

Finally, the last of the four requirements. The board must accept the budget as it was approved by town meeting the week within that instead of constantly trying to manipulate it to his own design that no one else can see.

Charges fly in DEC scam

From Page 27
Currie's burns revealed by
computer through the country.
DEC charges for both Currie and
Desmond for their own wrongdoing.

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BUSINESS

Charges fly in DEC scandal

By TOM NUTILE

Edward F. Desmond Jr., arrested this week as part of a \$64 million ring that allegedly took Digital computer boards meant for the scrapheap and resold them from 1988 through 1990, by his own admission began participating in a similar scheme seven years ago.

The Lexington man states in a U.S. District Court brief that his New Hampshire based Raymond B. Currie, asked him to sell the boards in 1984, when he was just 20 years old.

Currie's firm, Currie Enterprises, had a contract with Digital to take used, obsolete or defunct computer boards for just pennies a pound and destroy them, smelting them for their valuable metals or selling them as scrap.

But the firm instead sold the equipment from the Maryland company as new or used, reaping millions of dollars. Desmond claimed in the court papers,

which are a counterclaim to a suit against him by Currie. Later, when Digital found out about several isolated incidents of resale and threatened to fire Currie Enterprises, Raymond Currie urged Desmond to set up his own firm, Desmond claims. In the counterclaim filed in October 1990, Currie explained that this was necessary because of increasing scrutiny by Digital and increased litigious efforts.

Currie's attorney, Regina Quinlan, said Currie's original complaint, charging Desmond with stealing from his company, speaks for itself.

The 1989 suit alleges that Desmond and another employee were fired in 1988 after Currie discovered they had forged checks and embezzled \$4 million from Currie Enterprises.

Desmond claims in his counterclaim that Currie sold the

Turn to Page 29

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THE BOSTON HERALD, FRIDAY, JULY 19, 1991 27

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Long road to roadwork



Everyone involved in the Peinam Road improvement project was on hand for a ribbon cutting at the site this past Thursday. Above are: Safety Officer Robert Stanley, Joseph Rivet, Lois Manor, Berry, Herbert and Norma Coleman, Neubar and Edward Minckley, Stier and Ken

Gudek, Bart Gunnale, Town Engineer Edward Staine, Selectman Joseph Gagnon, Planning Board chairman Bernard Campbell, Planning Board member Glenn Gidley, Mark Gross of Kumba Chase, Contractor Tom Rugg and Planning Director Robert Monfort. See story below for ribbon cutting.

of the hill which can limit vision. The road work will extend out toward the Route 93 interchange at exit 2, where additional turning lanes and signals will be added.

In order to fund the road project, the planning board had to develop an impact fee system. That system was then used to determine each developer's contribution.

For each new project that entered the industrial park area, the impact fee was levied. It was only a matter of time before someone testing the constitutionality of the planning board collecting funds.

New England Brickmaster appealed the impact fee assessment to Rockingham County Superior Court. When the supreme court upheld the town's right to assess impact fees, the case was then appealed to the New Hampshire Supreme Court.

In November 1990, the supreme court ruled in favor of the town and the impact fee system.

"If the court ruling had come down the other way, I'm sure we would have had this project," said Moldoff.

The impact fee system used by the planning board shares the funding of road work between the town and private developers. The

system assumes the town (or state) is responsible for existing traffic deficiencies (30 percent) and the developers are responsible for future traffic deficiencies (70 percent).

The town did agree to pay its fair share when the Town Meeting appropriated \$100,000 towards the project. That money, along with impact fees, was placed in the Pelham Road Improvement Trust Fund.

The largest impact fees collected were from Keewaydin Realty, \$117,000; Hutter Construction, \$107,163; Hannon & Quirinale, \$57,600; and Hydroflow, \$22,849. The town is also calling a letter of credit from New England Brickmaster in the amount of \$39,397.

Moldoff says Kent Locke of Keewaydin Realty Trust and Bart Quirinale of Hannon & Quirinale were the two leaders of the road work effort, and agreed to have their impact fees used for additional engineering studies.

"They were the two largest land owners out there and they agreed conceptually with the impact fee

system," Moldoff said. "Their cooperation helped get this project off the ground."

Impact fees and the town funding alone did not result in the success of the road project. Land owners along Pelham Road all granted easements to the town for utilities and construction. They include: the Gudek Trust, Berge Nalbandian, Herbert and Norma Paulman, Joseph Rivet, Park Place Realty Trust, Noubar Minassian and Lois Manor et al.

The road improvements being done are not the only work Pelham Road will need, says Moldoff. "There's no question that the road network going out there is not sufficient to handle the full build out of the industrial park," Moldoff said.

However, the future road improvements will also be funded largely through the impact fee system, says Moldoff, limiting the town's contribution to 30 percent. "This work is an investment in our future tax base," he said.

Road improvements are change in system

by Monique Duhamel

SALEM — An official groundbreaking was held on Thursday for the Pelham Road improvements project.

"It's been a long time coming," said Planning Director Ross Moldoff.

The project is a direct result of a traffic study completed in January 1987. The study showed the existing road deficiencies and safety hazards as well as future ones.

The study was funded entirely through contributions from area developers, and cost between \$50,000 and \$60,000 to complete. The contributions were both in the form of outright donations

and as conditions of site plan approvals.

"It was innovative to fund the study that way," said Moldoff. That innovation led the planning board to collect approximately \$300,000 in impact fees and led to the present construction project.

When it is completed, Pelham Road will be widened to three lanes, allowing for left turning lanes into Stiles Road and Manor Parkway. That intersection will also be signalized and will allow for left turning lanes onto Pelham Road. Additionally, the road will be graded to remove a portion

Editorials

Cooperation is key to future

This country has grown used to government fulfilling all its needs.

However, it has become increasingly evident that government alone cannot come close to filling all the needs of all the people.

More and more, the private sector is beginning to see that if society is to improve, then businesses and individuals must step in to help the government. Sometimes that help takes the form of private agencies, and sometimes in the form of cooperation.

In taking a closer look at Salem, we can see that pattern emerging right here in our own community. Private groups now offer services to the elderly, handicapped and financially disadvantaged. Businesses support education through the Blue Devil Scholar Program and the Chamber of Commerce's Business-Education Collaborative.

Private groups also provide the impetus for specific projects. The Citizens for the Community Park and Playground will build a children's dream playground, as well as a facility where adults can walk, run and view performances. They plan to build this park with funds gained entirely through donations and fundraising events. In the future, that project will be viewed as a success story.

The Pelham Road improvements project can also be viewed as a success story. Approximately \$400,000 worth of road improvements

will be performed in that area and government, which means the taxpayers, will only pay for one-fourth of that work.

Through years of collecting impact fees, the planning board has managed to obtain 75 percent of the needed funds to perform this much needed road work.

The road improvements, in turn, will draw more businesses to the industrial park area. These businesses will pay impact fees, paving the way for future road expansions.

The industries these road improvements will draw will also contribute to the tax base, helping to stabilize taxes for the entire town.

This cycle has been made possible through a unique public-private partnership. The public sector is to be commended to for pursuing this avenue. The private sector should be commended for their participation. Although that participation was largely obtained as conditions of site plan approval, the developers could have fought these conditions, but instead, cooperated.

In order to keep taxes at a reasonable rate, partnerships like these will become more common not just in Salem, but on a larger scale. Planning Director Ross Moldoff says the Pelham Road project is the first public-private infrastructure improvement of this scale in the state.

We do not think it will be the last.

Word from the MOB

7/31/91

The planning board public hearing scheduled for August 27, for the allocation of units under the affordable housing ordinance, has been cancelled.

Meetings scheduled this week at the MOB include the Depot Task Force on August 5 and the Conservation Commission on August 7, both at 7 p.m., in the Knightly Meeting Room. The Board of Adjustment will meet on August 6 at 7 p.m. in the Knightly Meeting, in a session televised on Cable Channel 38. Although the board faces a full agenda, the item which will probably draw the crowds deals with a rehearing request regarding the adult bookstore at 314C South Broadway.

Last Tuesday evening, the Planning Board approved the site plan for a 51,500 s.f. Toys R Us building on Veterans Memorial Parkway, directly behind K-Mart. The plan was approved on the condition that Toys R Us add turning lanes on the Parkway to ensure for safe access to the site.

The planning board and housing authority will hold a work-session on the affordable housing ordinance on August 6 at 7 p.m. at the housing authority office on Millville Street.

Speaking of the planning board,

last Tuesday evening's meeting was a perfect example of how board members can waste time, not work together and be completely unproductive. The board dickered over a presentation by New England Development (NED), outlining how they had met the conditions of approval on their Mall at Rockingham Park. After batting the plan back and forth for a couple of hours, a motion was made to require NED to submit an as-built plan to the town. Even that motion failed on a 3-3 vote, as the board failed to reach any kind of accord. We hope this isn't a sign of future trends. It would be terrible if the planning board was to become as consistently unproductive as the board of selectmen.

Agendas for all Planning Board and Board of Adjustment meetings are printed in the legal notice section of this newspaper one to two weeks prior to the meeting. Keep your eye out for this information and then you'll know what's coming up at these meetings.

The Planning Board meets the second and fourth Tuesdays of the month. The Board of Adjustment meets the first Tuesday of the month and sometimes on the third Tuesday.

8/6/91

Pros and cons of having a 155-store neighbor

SALEM, N.H. — Salem planning officials cite the following lessons learned and goals yet unmet as the Mall at Rockingham Park begins to open its doors:

TRAFFIC: "I think everybody is worried about it," said Salem Planning Director Ross Moldoff, despite all the state and expert approvals. "Now the only question is: 'Were the experts right?'"

Planning Board member Clifford Sullivan said the \$28 million in road improvements were made possible by the mall.

"They have probably made up

for many, many years in the community's unwillingness to pay for improvements that are necessary and needed for survival of Salem, N.H."

WETLANDS: Mr. Moldoff said the wetland improvements has been "lauded by experts" as a model for building manmade wetlands.

IMPACTS: "We really don't know a lot. There are many, many unanswered questions. Like, are the road improvements sufficient? We won't know for a long time," said Mr. Moldoff.

Also unclear in the beginning will be how the 155-store mall will affect town police, fire and road maintenance services and surrounding businesses, he said.

According to studies, Mr. Moldoff said the mall should touch off an initial surge of development. Later, 30 percent of area businesses will fail; 70 percent will prosper.

CITIZEN INPUT: Mr. Moldoff said he wishes more residents would participate in the process to raise objections and concerns.

"For the most part, people seem to be apathetic to the issue of growth."

But Mr. Sullivan credits the Citizens for Responsible Development group for finding problems with the traffic bottlenecks off Interstate 93. That prompted New England Development to build a flyover ramp, he said.

plain development and the Mall Road, connecting Route 38 and Rockingham Park Boulevard were also heeded, he said.

Air Force awards stealth contracts

WASHINGTON (AP) — The Air Force has awarded two new contracts worth nearly \$1 billion for the next generation of stealth fighters.

The Pentagon announced yesterday that Lockheed Aeronautical Systems Co. was awarded a \$9.5 billion contract to develop the airframe for the fighter, while the Pratt & Whitney division of United Technologies Corp. was given an \$1.3 billion contract to develop the engine.

Planners 2/6/91
prefer smaller,
greener mall

By Diana Brown
Eagle-Tribune Writer

SALEM, N.H. — Shoppers streaming into the new mall have Salem officials re-evaluating how the town's largest development changed them — and the community.

Planning leaders Ross Moldoff and Clifford Sullivan said the two-year, roller-coaster ride through traffic, economic and wetland studies for the 155-store Mall at Rockingham Park has given them a new perspective on large projects.

"You can't have millions of dollars worth of consultants testify in front of you and not learn something," Mr. Sullivan said. "We've learned. We've certainly learned."

But as much time as they spent studying the plans themselves and with consultants — hired by New England Development for \$250,000 — they still could not imagine a building so large.

"Looking at it on paper, you did not realize how big it was going to be. Certainly something this big will have negative impacts," Mr. Sullivan said.

"It's almost too large a project, but if the town's zoning laws were tighter, you wouldn't see as big a project," Mr. Moldoff said.

Mr. Moldoff said he wishes the mall's architecture was more appealing. "That's something I regret now looking at the building," he said.

Mr. Sullivan agrees. "What we're looking for is architectural improvements. That's probably the one place that I think we could have done a lot better. I think we would have liked to see more green, probably that got lost a little when we were looking at the major issues."

But they do not have any qualms about having the mall here. It could signal a new era in Salem.

"Salem is no longer a bedroom community. ... I think Salem could become a destination location," Mr. Sullivan said.

Editorials

Hunting season is open

Hunting season has opened in Salem. Or at least it has seemed to open for Selectman Joseph Gagnon.

Gagnon is presently targeting Town Manager Barry Brenner, fellow Selectman Richard Gregory and the firefighters union.

While he is busy pointing out flaws in the performance of these other individuals, he has yet to stand up to the charges of unethical behavior levelled against him by the owners of the Moonlite Reader.

It is a technique as old as politics.

Gagnon attempts to divert attention from himself by directing it at others.

The residents, to whom he is accountable,

must make sure that he is not successful in doing this.

Voters must separate the issue of having an adult bookstore in Salem from the issue of Gagnon's alleged misconduct. Both issues have a significant impact on the community. But to address the issue of an adult bookstore or the issues Gagnon has attempted to raise regarding the fire union or Gregory, still does not address the allegations of misconduct.

Gagnon has often said that he is a strong proponent of accountability. It is up to the voters not to allow him to muddy the waters with a myriad of other issues but to hold him accountable for his alleged actions.

Gregory denies charges of improper conduct from Gagnon

8/24/91

by Monique Duhamel

SALEM — Selectman Richard Gregory denies charges of improper conduct levelled at him by fellow Selectman Joseph Gagnon.

Gagnon claims that Gregory was able to get an improvement to the sewer system which would allow one of the projects of Heritage Development to go forward. Gregory was a principal in Heritage Development.

In 1989, the Public Works and Engineering directors issued a memo that the sewer lift station on Kewaydin Drive could not accept additional flows until it was upgraded. The memo recommended that the planning board grant approval to projects in the industrial park area, with a condition of final approval being the upgrading of the lift station.

Engineering Director Edward Blaine says that at that time, the lift station was already owned by the town's sewer system.

The system was upgraded in 1990, at a cost of \$162,000.

One of the Heritage Development plans was approved by the planning board, with that condition.

Gagnon charges that Gregory used his influence to get that item placed in the budget.

"It was approved by the Budget Committee and Town Meeting," said Blaine.

Gagnon says he cannot find any signed contract for the work to be performed.

Planning Director Ross Moldoff said Gagnon's interpretation of the facts is inaccurate.

Gregory also denies Gagnon's charges.

He said that while the plan received conditional approval, he never went forward with the project at 9-11 Commercial Drive. The land, which was owned by Kewaydin Limited Realty, was subsequently sold and the present Hydroflow building was constructed.

"I never even owned the land."

said Gregory. "I had an option to purchase the property if the plan was approved, but I didn't pursue that option."

"He's starting over again, because there's an election coming up next year," said Gregory. "Last year it was Howie (Glynn), and it's me this year. He will get at me any way he can. He's out on a witch hunt. He's also out in left field."

"Mr. Gregory is vulnerable to these type of attacks because of his position," said Moldoff.

"Remember, the Kewaydin station was already a town responsibility," said Blaine.

Gagnon also charges that Gregory knew that construction within 400 feet of the Donigan Well would render it unrecommended for use.

"Dick Gregory had full knowledge of that when he voted to purchase the well," said Gagnon.

Rock council challenges its track record

By Paul Laramée
East Tribune sports editor

Fans should have a smile today, viewing their bets on comfortably at the largest bat since in New England history.

Rockingham Park's record of what could be a modern-day record of double digits, Saturday's \$100,000 New Englander, less.

A total of 23,000 visitors, some be taking bets at separate cashiers of the large crowd expected to be on hand for the matinee telecast of the \$100,000.

Everyone on the staff is smiling, said Rockingham officials' Director Bill Foster.

"We normally have 20 horses and 100 sellers, but we're adding an additional 10 for this race," said Rockingham officials at a cordial dual letters

sub to due on place duels considerably during the afternoon of racing, which begins with a noon post office.

The Rock is expecting one of the biggest crowds since the track's opening in 1969 following a fire which destroyed the grandstands.

Since the track reached the record attendance of 13,776 for the mid-night Foreman flight this past Sunday night,

The track's day record handle was \$435,903 set on Kentuck's Derby day on May 19 of 1981.

Carolyn Manning's Silver Survivor worked five坦卡斯在1981年5月19日的肯塔基州赛马日上创下了\$435,903的单日纪录。

The all-time record handle at the Rock was \$2,999,241 on Jan. 19, 1983.

This is only the second time that a matinée tele

vised race has been staged at Rockingham

ABC televised the New Hampshire Sweepstakes race in 1964 at Rockingham in track record time in the Baltimore Breeder's Cup

Rockingham handles Saturday

By Paul Laramée
East Tribune invites readers

to free night at Rockingham

"We're expecting a great crowd and we're ready to give the fans of our area the best there is in horse racing," said Rockingham President Joseph E. Carney Jr.

Betting on the afternoon New England Classic card won't conflict with the usual Meadowlands simulcast card which will be run at Rockingham on Saturday night.

A special option for the race Friday, Saturday and admission on race of horses.

Local gamblers will be given \$2 on a \$10 bet to have to do if they predict the exact correct order and exacta bet in three.

The promotion is part of the big race leading up to the \$1,000,000 Rockingham classic on Saturday, the big race in New England.

The Rock will be telecast by the ABC-TV

track record time in the Baltimore Breeder's Cup

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She tracks down history of Salem homes

By B. Diane Brown
Enterprise Writer

SALEM, N.H. — As director of the office of Salem's new mega mall, Patricia R. Welsh is preserving Salem's street corners as they reflect its pastimes.

The 27-year-old University of New Hampshire English major and Salem native is researching the town's oldest homes for a mass project and as a contribution to Salem's archives.

"Salem should work on preserving what's left of its history. It's not a big mall or a racetrack. It needs to preserve its identity through history," Miss Welsh said.

Her research has centered on North Salem, where she has been visiting the Gilbersts' home in West South Salem, with researcher until December to complete.

Through her research, she has found 98 homes dating back to the 1700s that are still standing. She is working from Gilbert's book, "History of Salem 1720-1970," a public masterpiece of an effort to document architectural details of each home.

It is authentic, an effort to stimulate it for the community.

Some 400 structures, including 100 cottages, are included.

One of her favorites is the 1710 "Wagon Inn," owned by the town.

She is also tracking down antique and vintage items.

The current owners have maintained the vintage New England farmhouse and added a perennial garden.

Another classic is the old 1700s P. Atwood home located at 33 N. Main Street, a brick home with a wooden breezeway connecting an old farmhouse.

According to Gilbert's book, the house was built in 1700. Mr. Atwood's grandfather John Atwood was one of the first settlers to move to the area.

Another older house she believes is at 109 Liberty Street around 1700.

Planning Commission Chairwoman is assisting Miss Welsh with some of the research.

Gilbert is excited about the project. It is her "goal of the master plan when the town is 200 years old to have old buildings and structures be a significant part of the town," he said.



History Buff: Patricia R. Welsh of Salem, N.H., is researching her town's pastimes.



Before: The old Salem City School, completed at 138 School St. in 1881.



After: The old Salem City School.

Not once while Gagnon was making claims which could be considered slanderous at best, did Tilton rule him out of order.

Not once did any other member of the board request Gagnon be ruled out of order.

They did not request this while he was discussing the fire department, nor while he was providing explicit details regarding sexual practices and sexual meetings at adult bookstores. It is disappointing that no member of the board stood up to say that such graphic embellishments were unnecessary and lacking in good taste.

Town counsel Barbara Loughman should be commended for her performance Monday evening. Despite attacks from Gagnon, and his total lack of respect in discussions with her, she maintained her calm, professional demeanor. Although Loughman has a law degree, passed the bar and has many years of municipal law practice under her belt, Gagnon continues to indicate that he knows more than she, and more than the rest of the ignorant, uninformed masses. Of course, years of meritorious performance in one's profession are nothing compared with a few weeks of research performed by Salem's own multi-talented selectman.

Resident Donna Mason should also be commended Monday night, for standing up for her rights and for respect. She told the board she did not think they were moving fast enough in addressing the issue of enforcement of state obscenity laws or the drafting of an adult zoning ordinance. Selectmen differed and said they had been working, although the work may not be done as quickly as residents want. Mason said she felt the group of parents opposed to the bookstore were being treated as an annoyance by board members. She said she resented the board's condescending attitude, which she, as a 33-year-old professional mother of three, did not deserve.

She is right. She does not deserve to be called one of the "girls" by any town father. This is 1991, and it is time for the town fathers to be renamed town parents; to eliminate sexism from their jargon, and for men and women of sense to assume the reins of government in this town.

The performance of the Board of Selectmen during Monday night's meeting was disappointing.

Board chairman David Tilton sat through Joseph Gagnon's extended dog and pony show wearing an expression of patient resignation. Gagnon was allowed to ramble at length and allowed to state things regarding an unfair labor practice which could result in an adverse effect on the town when the issue appears before the labor board.

Without interruption and without any visible proof, Gagnon was allowed to say that the firefighters damaged his car. Of course, he was careful not to name names, but his statements, without tangible proof, in the midst of a labor dispute, will most likely not bode well for either Gagnon or the town.

8/28/91

Editorials

Not so random ruminations

Joe Gagnon's attempt to muddy the political waters is becoming a less effective one.

People are beginning to realize the truth of what we said in this space last week that his fingerpointing is more a diversion of attention from himself than it is a calling of attention to a specific issue.

During Monday evening's Board of Selectmen meeting, Gagnon asked what charges of unethical behavior this newspaper was referring to in last week's editorial.

Let us spell it out for him. Just to make sure he sees the charges, we will print them below.

The owners of the Moonlite Reader said, during a public meeting of the Board of Adjustment, that Gagnon: 1. met with them; 2. during that meeting had numerous drinks; 3. during that meeting suggested that they withdraw their permit application for the adult bookstore; 4. during that meeting said he would tell the leader of the bookstore opposition that he had solved the problem and the bookstore would not be opening; and 5. during that meeting told them to reapply for a permit a few weeks later by sending in another representative of their company to seek a permit under the broad term of retail sales.

These are the charges.

The owners of the Moonlite Reader are willing to take a polygraph test to verify that this is indeed what occurred.

Gagnon, apparently, is not willing to take that polygraph test.

It makes you wonder.

The issue of the bookstore's presence in town is another matter entirely. For the record, we are not in favor of the material being sold in that store, nor do we want to see a proliferation of similar businesses within the community. However, as we have maintained before, the undesirability of this business in Salem is a separate issue from Gagnon's alleged conduct.

We must not confuse the two issues. Gagnon obviously hopes townspeople will thus his efforts to cloud the issue with hysterical explicit sexual descriptions and moral indignation. Residents must not let him succeed in his efforts to shade the light of morality away from his side.

In the past, when Gagnon has claimed to be a victim, we have given him the benefit of the

county attorney has been called in to investigate. The county attorney was consulted on charges Gagnon levelled against former selectmen Douglas Mickon and Howard Glynn.

Why, then, on a charge of alleged unethical behavior involving Gagnon, isn't the board calling in the county attorney? At this point, an impartial investigation by the county attorney's office seems like a good move. It takes personalities out of the issue and focuses on facts. It is a reasonable way to resolve the questions regarding Gagnon's conduct. The court should rule to have in the county attorney within no delay.

It is a point worth considering.

* * *

A few years ago, Gagnon publicly berated Budget Committee chairman Earl Merrow for using the term "toilet tissue" in front of a female employee at the Municipal Office Building. Sexual harassment was the terminology Gagnon used in that case. Yet years later, when no himself wants to make a point, he has absolutely no problem in voicing explicit and graphic sexual terminology during a meeting with both men and women present, which was also televised on Cable Channel 38. In fact, his discussion was so explicit that we will display the good taste of not repeating it in the pages of a family newspaper.

This appears to be yet another case of Gagnon creating one set of rules for himself and his political allies and another set for everyone else.

It is something to think about.

Towards the end of this week's Selectmen's meeting, Mr. Right-to-Know himself attempted, right before the viewers' eyes, to slip through a proposal limiting the public's access to legal information. He wants all legal opinions to be kept confidential out of the public domain. This is the same man who has, in the past, prided himself on opening the records of the town to the community. Now he wants to close town records.

His attitude on this matter appears inconsistent, to say the least.

It makes you wonder.

* * *

There is also the issue of legal fees. Has any other selectman done more to generate legal fees for the town?

It makes you wonder.

* * *

Judge orders Moonlite owners to pay \$120 fine

By Diana Brown
Eagle-Tribune Writer

SALEM, N.H. — A judge ordered the Moonlite Reader owners to pay \$120 in fines for violating town ordinances.

Salem District Court Judge Urville J. Beaumont found the owners guilty of two offenses:

OPENING their Route 28 store while an appeal of their permit was pending.

POSTING signs without obtaining proper permits and approvals.

But the town was hoping to collect about \$64,000 in fines — or \$100 a day since the store opened July 2.

Samuel Zannini, the town's chief building inspector who filed the complaint, said: "I

was happy that they were found guilty. Unfortunately, I was hoping that they would be found guilty for \$100 for every day that they were open."

Del Paone, one of Moon Lite's owners, said he plans to appeal the decision. "I didn't expect it to be that high."

Mr. Zannini issued the building permit on June 4, but it was not effective until June 19. On June 18, activist Delia Martino filed an appeal to try to overturn the permit.

When Moonlite opened on July 2, Mr. Paone and co-owner Thaddeus "Ted" Drabkowski were ticketed for being in violation.

Mr. Paone said they maintain that they opened legally.

court decision — Page 11

Town would limit adult businesses

SALEM, N.H.—New zoning laws designed to restrict stories dealing in adult movies, videos or books are being drawn up by this town's selectmen. The proposed regulations were prompted by the opening of the Moon Line Bookseller house and video store last spring, which some residents say has been a "disaster." The store, which occupies 10,000 square feet of space, is the largest in the state. It features 10,000 books, 100,000 records, 10,000 videos and 10,000 magazines. It also contains a theater, a restaurant, a gift shop and a cultural arts center. It is located across the intersection of two small entertainment establishments, "Additional Answer Bookseller" and "The Book of Knowledge," both with Moon Line Bookseller's name on them. The new zoning laws would ban the operation of such a store more than 100 feet from their displays or screens, and require that screens, films and books be "of a high moral and literary character."

Couple turns trash to gold for handicapped children

By Diana Brown
Eagle-Tribune Writer

9/7/91

SALEM, N.H. — Every nickel of trash counts for Ray and Irene "Butch" Bower.

They have turned 100,000 empty beer and soda cans into a \$1,300 treasure for the town's Field of Dreams playground.

Over five years of collecting, they have donated thousands of dollars to charitable groups that support terminally ill and handicapped children.

"Every penny we spend must go somewhere to help a handicapped child," said Mr. Bower, 74.

For the Salem playground, planned for Ceremonial Drive, they are giving the money to help pay for handicapped equipment.

The Bowers started driving around to various businesses and town departments to collect cans after they saw stories about Laconia State Hospital needing bedrails.

"It sort of boomeranged around to this," Mr. Bower said.

Now, the good-natured couple sends \$100 every year to children in High Hopes, a program that grants the last wish of a dying child. Usually children go to Disney World in Florida, the Bowers said, so the money goes toward buying souvenirs.

They donate money to Camp Fatima, a New Hampshire camp that reserves part of the summer for handicapped children to work with volunteers one-on-one.

The Bowers send \$25 to 15 local children for their birthdays. "We never meet these people ... We try to keep it low-key," Mr. Bower said.

They credit the people who call them up or drop off their cans to their home at 29 Scotland Ave. in Salem. "A lot of people want to help, but they don't have the time, so if they give a bag of cans, they think, 'I'm contributing,'" Mr. Bower said.

They would like to see even more people contribute. Oscar Hasseline volunteers to pick up cans and drive them to a Haverhill, Mass., redemption center.



Every bit counts: Ray and Irene "Butch" Bower's garage at 29 Scotland Ave. in Salem, N.H., is filled with cans.

Eagle-Tribune photo by Diane Brown

tee on September 9 at the Knightly Meeting the Board of Selectmen on September 9 at 7 p.m. and the Board on September 10 m., both in the Knightly Room and telecast live on Channel 38; the Budget Committee will meet on September 7:30 p.m. in the Knightly Room and on Cable Channel 38.

books like the Master Plan Committee is gearing a busy month. The committee's three meetings scheduled month — for September 5, 12, 19. This group has frequent meetings and is doing a lot of work. However, because their meetings are not televised, they receive much credit. Cheers go to these members, who with a quiet dedication without generating constant on to their efforts.

the Board of Selectmen we yet one more unproductive meeting this past Friday.

The Way It Was

15 years ago (1986) - The Board of Adjustment refused to allow Joseph Cuomo to put additional signs on his store on South Broadway, but signs on the north and sides of the building, but ordinance allowed for only one sign.

Wolfe of Salem appeared North Shore Light Opera's production of "H.M.S. re."

Salem Blue Devils varsity football team, tri-captains Brothers, Bryan Campbell and DiGaetano, was gear-

for their new season.

Chemical spill in Pelham the evacuation of 43 homes

the closing of many area

Approximately five gallons reddish-brown substance out of a truck along four of Route 38.

Windham Board of Selectmen decided to appeal a Superior decision which said the Board of Adjustment must hear a

nt's complaints of businesses

operated out of homes

n.

years ago (1981) - Canoe fell to its lowest level when it dipped below 214 above sea level after an ex-

period of rain. Salem Set-

212 feet as the level at emergency conditions be automatically invoked.

Woodbury High School

of 1931, the first class to

four full years at Salem's

secondary school, held its

Local winners were "Sculpture in Papier Mache" by Mary Long and "Canobie Lights" by David Armstrong.

15 years ago (1976) - The Salem Blue Devils soccer team defeated Merrimack 3-2 in their season opener. The victory was the first opening day win in the history of Salem High School soccer.

John H. Sununu of Salem was a candidate for State Senator in the upcoming Republican primary.

Armstrongs won the Salem Men's Recreation Softball title for the first time since 1970 by defeating Pizza Hut three games to one.

Pelham's original town charter, signed by Provincial Gov. Benning Wentworth in 1746, was restored and framed as part of the Historical Society's Bicentennial Project.

State Rep. Patricia Skinner of Windham was named chairman of a newly-formed Labor sub-committee established to deal with the Public Works Employment Act, a program which provided funds for construction projects in New Hampshire.

20 years ago (1971) - More than 100 gravestones at the Mt. Pleasant Cemetery in North Salem were destroyed by vandals. Board of Selectmen Chairman Laurence Belair called the vandalism "a heartbreaking shame."

Salem Superintendent of Schools Paul O. Johnson announced that Salem teachers

were the last time the board accomplished any town business of significance during a meeting? More time is spent grandstanding, accusing, and performing than conducting the business of the town. It is all grand fun for the viewers, for those who want to see a circus. But in the long run, it will hurt all the taxpayers of the town when decisions which were deferred or ignored don't get made. The town can only run on auto pilot for so long, without any discernible leadership before the town's operations fall apart.

During last week's Planning Board meeting, commercial landscaping awards were presented to area businesses by the Salem Garden Club. Additionally, the board approved a plan for a small engine sales and repair shop at 45 Pelham Road; the Community Park and Playground; a revised site plan at 484 South Broadway; a lot line adjustment at 12 Industrial Way for Franklin Pierce College; and a convenience store and sub shop at 33 Pelham Road.

Beyond belief

The record of Selectman Dick Gregory is beyond belief. He should save his family and the townspeople from the agony of scrutiny which he will not be able to endure. He has dishonored the Board of Selectmen with his secret meetings and his tipoffs to the news media. Please resign Mr. Gregory, so Salem can get on with business of running the town.

Wheeling, dealing

The Town of Salem is under a full scale siege. Barry Brenner, Town Manager, is wheeling and dealing with the department heads to keep the budget high. There never was a tax increase he didn't like. He's constantly making poor judgement calls and then having to scramble to readjust his decisions. It's very disappointing. People can't pay their real estate taxes and they're losing their homes. He disregards town meetings votes. Brenner should resign.

Traffic lights needed

I hope the Town takes the old lights that were at all the intersections before the mall upgrading and puts them at other intersections. A flashing or stable light should be put at the intersection of North Main and Main streets; Centerville Drive and Main Street; Millville, Bluff and Zion Hill roads; Lowell Road and Brady Ave.; North Policy Street and Brookdale Road. The town should also change the blinking light at Bridge and Wheeler streets to a full traffic signal.

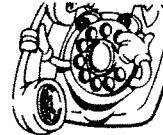
Open library Sundays

I feel it would be helpful to the citizens of Salem if the Kelley Library would stay open on Sunday or at times when the working public would be able to use it. Many people who work, particularly in retail stores, are just not able to use it any other time except on Sundays.

Money rules

At the August 27 planning board meeting, Planning Director Ross Moldoff introduced Mr. Garabedian with all but a drum roll and a twenty-one gun salute. Mr. Garabedian requested to put trailers for storage on his place of

Voice Line
Call Voice Line at 893-0721 5 pm to 8 am
weekdays All day Saturday and Sunday



9/4/4

Thanks

I'd like to thank the Micklons for bringing the beautiful tomatoes from their garden to share with us at the Senior Center. They were delicious.

Filth unnecessary

I was very upset after watching the Board of Selectmen. Joe Gagnon's explicit sexual descriptions should have been gavelled out of order. I was watching at home on TV and had to send my children out of the room. I found Joe's behavior to be rude, inconsiderate, ill-bred, and, to use his own word, titillating. I don't want an adult bookstore in town nor do I want a selectman who speaks such filth.

What God wants

Does Mr. Drabkowski, part owner of the adult bookstore, the Moonlite Reader, think because he implied what he said about Joe Gagnon was the God's truth that we believe him. If he really knows God's truth, he would know that what he is doing is completely against God's way. We are supposed to be pure of heart, mind, body and soul. The filth he is trying to sell is not what God wants for his people. Mr. Drabkowski, smarten up, get out of town.

Disgusted

I have heard more people disgusted with Joe Gagnon in particular and the Board of Selectmen in general, for allowing Mr. Gagnon to read such explicit and graphic sexual descriptions at a public meeting which was aired on TV. At least the adult bookstore allows only under-21 in. Unfortunately, some of our children had to be exposed to realize pornography because of Mr. Gagnon, the actor.

Enjoyable

I really enjoyed the Garden Club Awards last evening on the Planning Board meeting. It's nice to see the business community contributing to the beautification of Salem. Hats off to Doris Flaherty, the Garden Club, and Ross Moldoff for such a great idea.

Sick and tired

From the editor of the *Observer*

Mona Lisa

What a beautiful new picture of Elsie on the top of her column. It is so flattering. Mona Lisa has nothing over this new portrait.

One more thing

I would like to add one more thing to my phone call a couple of minutes ago. As far as I'm concerned, until Gagnon takes that polygraph test, he has a lot to hide. If he wants to clear his name, he'd better take it. Until then, he is guilty.

Bias

This call probably will not be printed, but I find it very demeaning to read the editorials of the *Observer*. Quite obviously the editor-reporter has a bias vendetta with Selectman Joe Gagnon. I always thought that news was reported as news and not as individual personal opinion. It is quite obvious that the same person writes the Word from the MOB. She also views her opinion along with the happenings from the Municipal Office Building. *Editor's Note: The MOB column, was, is, and always has been intended to include editorial comment, thus its placement on the Editorial Page.*

Disgraceful

The Selectmen's meeting was a disgrace: no leadership, selective enforcement of rules and procedures and the filth read into the record. Gagon is an obscenity.

Setting an example

I have been to a few games recently at the town's softball fields and I've noticed drinking on the field as well as in the parking lot. I think it would be a good idea if this was eliminated as well as maybe having the police more closely monitor this for next year. I don't think we are setting a good example for our young ones.

A shame

More than \$220,000 is owed in back sewer fees. It is a shame that we people who pay our water bills and sewer charges promptly have to suffer and support the deadbeats through increased fees.

Child safety

I'm concerned about the seat-belt law. Children 12 and under in New Hampshire have to be restrained in a car. Why don't they

Editorial

It's time for a reform

Once upon a time, Selectmen worked together, for the benefit of the entire town. These past few years, however, they have not worked together and the town has not benefitted.

There has been tremendous infighting on the Board of Selectmen, which has resulted in the accomplishment of very little constructive town government.

At the heart of the matter has been Selectman Joseph Gagnon, who has made it a practice to target fellow board members as well as own employees, raising suspicous but not providing confirming evidence. Thus the reputation of those maligned remains forever in beryance, neither cleared nor convicted. Once upon a time, Selectmen cooperated

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with the town and town boards. Gagnon takes them to court. This generates increasing legal fees, as evidenced in just a few months worth of bills detailed on Page 1 of this issue. These are fees which must be paid with tax dollars. A spirit of cooperation and a willingness to do what is best for the town could eliminate these legal fees, and perhaps lead to actual constructive work during regular Board of Selectmen meetings.

It is time for a reform to take place in Salem government. It is time to return to the business of municipal overseeing; of allowing the town staff to perform, unhindered, the job they were hired to do; of working together to create a future Salem in which we will all be happy to live.

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To the Editor: This letter is in regards to the performance of Joseph Gagnon, one of our elected town selectmen. After attending the selectmen's meeting on August 26, I hang my head in shame. The man is an embarrasment to Salem.

His rudeness and ignorance in dealing with town attorney Bar-bara Lougheed, reveal an inher-ent lack of professionalism. His

When was the last time the board accomplished any town business of significance during a meeting? More time is spent grandstanding, squabbling, and performing than conducting the business of the town. It is all but in the long run, it will hurt all those who want to see a circus, grand fun for the veterans, for the taxpayers of the town when decisions which were deferred or ignored don't get made. The town's leadership before the town's operations fall apart.

During last week's Planning Board meeting, commercial land-scaping awards were presented to area businesses by the Salem Garden Club. Additionally, the Peblam Road, the Community Park and Playround; a revised site plan at 484 South Broadway, a lot line adjustment at 121ndus-terial Way for Franklin Price Col-lege; and a convenience store and sub shop at 33 Peblam Road.

They held a workshop to discuss "Agenda Management". No decisions were made and it appears that the meetings will continue to run as rampantly out of control as they did have yet one more unproductive meeting this past Friday.

Joe Gagnon's ramblings offer neither options nor solutions. His attack on the local newspapers was pathetic. As a public official he obviously cannot handle and interpret words on the issue.

16/11/8

An embarrassment to Salem

I find it surprising that a man of so little class can win the votes of the townspeople. People are compounding that the Moonlite Reader deviates Salem but Joe Garrison has been making a joke out of our town for years.

Joe Gagnon's ramblings offer neither options nor solutions. His attack on the local newspapers was pathetic. As a public official he obviously cannot handle and interpret words on the issue.

This letter is in regards to the performance of Joseph Gagnon, one of our elected town selectmen. After attending the selectmen's meeting on August 26, I hang my head in shame. The man is an embarrasment to Salem.

Adult bookstore owners sue Salem

By Diana Brown
Eagle-Tribune Writer

SALEM, N.H. — Adult bookstore owners plan to file a lawsuit today against several Salem officials, Selectman Joseph Gagnon and an anti-pornography activist.

Lawyers for Moonlite Reader owners, Delano Paone and Thaddeous "Ted" Drabkowski, said they expect to file the lawsuit at Rockingham County Superior Court today. The Eagle-Tribune received a draft copy last night.

In the 13-page lawsuit, the owners allege the town, Mr. Gagnon, Board of Adjustment members and activist Delia Martino treated them unfairly and discriminated against their business in Child's Plaza on Route 28. They are asking for an unspecified amount of damages from the ongoing disputes.

The owners claim their constitutional free speech rights have been violated and they want an injunction to allow them to keep the store running under their town-issued permit.

They want "immediate relief from the unjustified campaign that the Town of Salem is waging through threats, intimidation, criminal prosecution and coercion to stop Moonlite Reader from operating," the lawsuit says.

They said they would like a jury trial.

Here are highlights from the lawsuit:

□ The owners began the application process on May 31 to set up their store, and a heated debate ensued.

□ Selectman Gagnon contacted the owners on June 6 to arrange a meeting at the Lotus Garden restaurant on Route 28.

The owners said that Mr. Gagnon told them that they "had made a political mistake" and that they should withdraw the outstanding applications and wait several weeks whence they should then make application for permits for a non-specified video store.

Officials call bookstore a bad neighbor

By Diana Brown
Eagle-Tribune Writer

SALEM, N.H. — Town officials do not believe a court battle is the way to resolve problems with owners of Moonlite Reader.

"There does not seem to be a cooperative spirit. It seems to be adversarial. They seem to think 'The world is out to get us,'" said David Rogers, a Board of Adjustment member and lawyer.

He said he is "disappointed" with the store. "They don't seem to be good neighbors. They seem to be out to make a buck. They're only looking out for themselves."

Lawyers for Moonlite Reader owners Thaddeous "Ted" Drabkowski and Delano Paone said they plan to file a lawsuit today against the town, Selectman Joseph W. Gagnon, the Board of Adjustment and anti-pornography activist Delia Martino.

A hearing to review the store's permits was delayed after a Board of Adjustment vote last night. Ms. Martino, 20 Baron Avenue, asked the board for more time to research her case against the store.

Mr. Gagnon said they cannot sue because they are not a

The owners said they refused the offer.

□ In June, Mr. Gagnon told citizens at a public meeting to call the owners to protest the store's opening and gave out their phone numbers.

□ Mr. Gagnon called Mr. Paone a "sleazeball" in an Aug. 8 Eagle-



Joseph W. Gagnon
... questions lawsuit

They're only looking out for themselves.

David Rogers
... on the store

legally incorporated company. In a letter, the secretary of state said he does not have a T & D Inc. registered in New Hampshire.

The owners have used that corporate name in the past. In the lawsuit, they have dropped that title and have used their business' name, Moonlite Reader.

Town Manager Barry Brenner refused comment on the lawsuit until he sees a copy.

Tribune article.

□ Town officials have faxed information on the Moonlite Reader case to Mr. Paone's wife's divorce lawyer in Portsmouth, N.H. He is in the midst of divorcing his wife, Sandy, and town documents appear to have been used in the case.

Selectman: Suit Meant To Quell Sex Shop Foes

By GLENN WALLACE
Union Leader Correspondent

SALEM — Selectman Joseph W. Gagnon said this week the lawsuit filed against him and the town by the owners of an adult book, video and novelty shop is an attempt to intimidate foes of the shop.

"This was filed to harass and intimidate opponents of the store, but I won't be intimidated. For me, as a public official, this (being sued) is one of the prices I pay," Gagnon said.

The owners of the Moon Lite Reader on Route 28 filed the suit last week in Rockingham County Superior Court. The suit seeks legal relief from harassment and discrimination, as well as unspecified damages.

Thaddeus Drabkowski and Delano Paone contend the town, and in particular, Gagnon, has waged a campaign against their store ever since it opened in June. A resident who ini-

SEX SHOPS, Page 14

SEX SHOPS

(Continued From Page One)

tiated a citizen campaign against the store was also named in the suit.

Drabkowski and Paone allege the town violated their constitutional rights to free speech and due process of law and that Gagnon engaged in "unethical" conduct in an effort to get the two to withdraw their business permits.

But Gagnon, citing a count in the lawsuit that alleges libel against him for calling Drabkowski and Paone "sleazeballs" in a published article, said the two men trot out constitutional rights when it is

to their benefit and attempt to hide behind the Constitution at other times.

"These people complain about First Amendment rights to free speech, but now that someone else is using his First Amendment rights, they don't like it and they react by filing a lawsuit," Gagnon said.

Gagnon said lawsuits against public officials and others taking part in public efforts to preserve towns from certain intrusions have had some success, but he predicted the lawsuit against him and the town will fail.

"Everything stands as fact, and that's what will come out," he said.



9/15/91

Foes aim to close adult video stores

Challenges mounted in 3 communities

By Clare Kittredge
SPECIAL TO THE GLOBE

SALEM - It was the plastic copies of human sex organs - some of them battery-operated - arrayed in flesh tones against a store wall that most shocked Pamela Berry when she first entered the Moonlite Reader several weeks ago on her antipornography crusade.

"I wanted to run and hide," said the Salem housewife and mother of four. "I thought they'd be boxed, but there they were hanging from the wall, dangling right there in front of your face."

Ever since Berry and several other Salem residents launched their antipornography campaign against Salem's new adult video store, they have overcome their embarrassment to confront a business that capital-

izes on what people do behind closed doors.

But in the process, Berry acknowledged, they have become mired in a conflict between their own sense of moral outrage, their need to educate themselves about the materials they oppose and the store owners' constitutional rights to free speech and equal protection under the law.

"This is a truly disgusting topic," said an exasperated Berry during an antipornography powwow in her kitchen. "Suddenly, we've got housewives in the car talking about dildos. It's getting so it's just as common for us to talk about that as it is to talk about our kids."

Battles over sex and business are not new in traditionally conservative New Hampshire. Past wars have been fought here over the sale of

STORES, Page NH 4

Planning Board ponders adult bookstore zoning

EMIL CORRENTE:

"It's sort of breaking new ground to zone some of this," he said. He is not sure how they can go about it. "I just don't know what's in place."

"I'm very leery. I'm a great believer in freedom," he said.

"I don't think that's the kind of land use that we would want totally unregulated in town," he said. He also said they need a lot of research before the plan is posted. "The problem is a knee-jerk reaction that is not effective."

CLIFF SULLIVAN:

"The real problem here is that we need some method of control," he said.

"But he said restricting development that some believe is inappropriate may be difficult. "Maybe that's the thing — character — but I don't know if I want to be the one to legislate morality," he said.

Some people are saying things like, 'Wow, there are bad people who go there. There are undesirables.' But you could say that about the racetrack," he said.

He said he is cautious and unsure about how they will be able to restrict the stores. "My gut is still out."

"I certainly believe we could have done better without that business."

By Diana Brown

Eagle-Tribune Writer

SALEM, N.H. — Planning board officials are wary of controversy steering their way

Tuesday night when the proposed adult bookstore zoning ordinance comes before them.

Several members said they are unsure about the proposal and doubtful that they will be able to restrict these stores in town even though they do not personally approve of them.

The proposal — which seeks to restrict businesses that sell lewd reading material, videos, sexual paraphernalia or entertainment items — follows controversy over the opening of Moonlite Reader Adult Book and Video Store on Route 28 in Salem.

The stores would not be permitted within 500 feet of other homes, apartments, places of worship or schools or within 1,000 feet of another existing adult store.

Windham bookstore law, Page 10

Board members are looking to Tuesday's meeting at 7:30 p.m. in the Municipal Building for answers.

Here are what board mem-

Editorials

Take politics out of the picture

Monday evening the Board of Selectmen proved that when politics is taken out of the picture, they can actually get some work done.

Okay, so none of it was earth shattering. And it was not particularly entertaining. In fact, much of it was quite dry, rather technical material.

But even these issues must be addressed. It was the first selectmen's meeting in a long time in which there were no temper tantrums, grandstanding, childish behavior, accusations, or any number of other personality conflicts. And because the board behaved in an adult manner, some issues which will have a significant, long-term impact on the town were able to be discussed.

For those watching at home, it probably seemed like a relatively tame meeting. It was a tame meeting. There is nothing wrong with that. If the board had more such

tame meetings, they might be well on their way to accomplishing something, anything.

For too long now, this town has stagnated because its leading officials have been floundering in a quagmire of political deals, show and tells, accusations and insinuations.

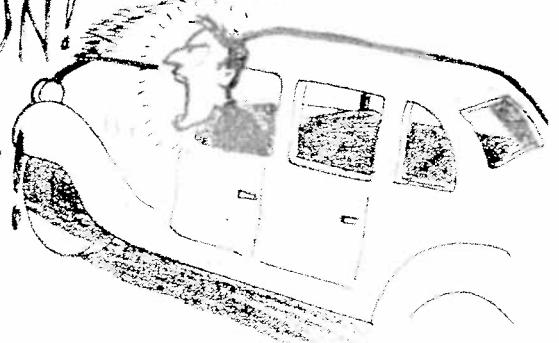
It's time to take the politics out of the Board of Selectmen meetings and get back to the business of the town.

It is time for the selectmen to make some decisions about the future of this town, to have regular goal-setting sessions and to follow through with their goals. It is time to decide how townspeople will receive treated water and in what way we will pay for our ~~sewers~~. It's time to address such issues as escalating legal costs, labor unrest, and inconsistent tax rates.

We hope that Monday night is an indication that the time has finally come.



AW COME ON!
ENOUGH
ALREADY!



Michele Park: \$50 to \$100K mitigation

9/15/91

by Monique Duhamel

SALEM — It will cost the town between \$50,000 and \$100,000 to create a mitigation plan for approximately four acres of wetlands filled during the construction of Michele Memorial Park.

Voters approved funding for the park on Lawrence Road in 1986 and 1987 and it opened in 1987.

The town did not seek a permit from the N.H. Wetlands Board after a board staff person said the permit was not necessary.

In July of 1990, the Army Corps of Engineers (ACE) charged that approximately six acres of fill was placed in wetlands adjacent to the Spicket River without a permit from the ACE.

At that time, Denise Leonard of the ACE Compliance Branch informed the town that the fill would either have to be removed or an after-the-fact permit sought and received.

The town decided to apply for an after-the-fact permit and hired

Gove Soil Sciences, Inc. of Epping to serve as a consultant on the project. Gove was charged with compiling a chronology of events, determining the extent of wetlands filled and devising a mitigation plan.

In a report to the Conservation Commission last week, James Gove and Mark West of Gove Soil Sciences told the board a total of four acres of wetlands had been filled on the site. More than three acres was filled directly within the ballfields, and an addition three quarters of an acre was filled outside the ballfield in related construction.

In a letter to Planning Director Ross Moldoff, Gove said, "There are several locations on the site, outside the fenced ballfields, which have the potential to serve as wetland mitigation areas."

The Conservation Commission quizzed both Gove and West about their study and what the town should do now.

Gove told the commission there are a couple of areas on the site which could be used to create man-made wetlands and provide mitigation.

In terms of cost, to regrade the filled in area and move the fill somewhere else on the site would cost around \$60,000, said Gove. To remove the fill to an off-site location would cost even more.

"This was just an informational meeting. The Conservation Commission and selectmen have not made any formal decisions," said Moldoff.

"A mitigation plan will be proposed and prepared next year. We will probably be seeking to keep the fill in place and create mitigation," he said.

If that is the case, the town will have to go through the federal permitting process with the ACE. If the permit is approved, mitigation would begin in the fall of 1992 or the spring of 1993, said Moldoff.

Salem tackles adult bookstore zoning

9/18/91

By Diana Brown
Eagle-Tribune Writer

SALEM, N.H. — Planning board members found themselves caught between the First Amendment and zoning laws during a discussion on the fate of adult bookstores.

During a three-hour meeting last night, the board questioned town lawyer, Barbara Loughman, about a proposed zoning ordinance aimed at regulating stores that sell prurient videos and reading materials in Salem.

The debacle over the Moonlite Reader store in Child's Plaza on Route 28 prompted town officials to draft new laws to limit more businesses from moving to Salem.

But several questions centered on the problem of "legislating morality" and trying to restrict land use in town.

"It's extremely difficult to draw the line between pornography and obscenity," she said.

Legally proving whether material is obscene is "pretty subjective," she said. For example, a whole magazine must be found to have no redeeming social, political or literary value, she said.

Proof that the stores have harmed the community must be established, she said.

Ms. Loughman said the town cannot enact a total ban on the stores. If a ban is passed it will only affect future stores — not Moonlite Reader.

A check with the state municipal association showed that there are not many towns that have similar ordinances to restrict adult businesses, she said.

Planning board member Emil Corrente said he is afraid that the zoning ordinance could be perceived as an attempt to legislate morality in town.

Anti-pornography activist Harold Barry gave members a thick

packet of information about how other U.S. cities have restricted these businesses and argued against obscenity.

Another activist, Donna Mason, said after the meeting: "I think there's a real enforcement problem on the state, local and national level. Saying obscenity can't be defined is just a smokescreen."

□ Regulation Ideas, Page 10

Ideas offered on future bookstore zoning plan

9/18/91

SALEM, N.H. — Here are some of the ideas bantered around last night about how to regulate future adult bookstores in Salem:

DIMENSIONS: The current proposal calls for restricting stores within 500 feet of residences and 1,000 feet from other businesses along Route 28 and Pelham Road areas.

Some members suggested increasing the rule to 1,000 feet from homes or to 2,000 feet like used car dealerships are required to follow in town.

ONE AREA: The original proposal calls for limiting stores to

Route 28 and Pelham Road — major commercial areas in town.

Some board members said the town should consider confining the stores to one area in town like an industrial park that does not have as much visibility.

LICENSES: Board member Cliff Sullivan asked town lawyer Barbara Loughman to investigate whether selectmen can license these adult bookstores.

MEMBERSHIP: Mr. Sullivan also suggested having stores require memberships like private clubs or keep membership lists to restrict their clientele.

Adult book and video store opens its doors

by Monique Duhamel

SALEM — By a 3-2 vote, the Board of Adjustment voted last Tuesday to deny an appeal for a permit issued to an adult bookstore.

For nearly two hours, the board heard testimony from the standing-room-only crowd detailing reasons why the Moon Lite Reader or any other adult bookstore should not be in Salem. Many of the people in the audience carried anti-pornography signs.

Board chairman Francis Chambour told the crowd that the board's sole purpose was to determine if the permit issued by the Building Department was issued in error.

"The town does not have any zoning laws for this type of activity and that is the crux of the issue," he said.

The bookstore opened for business last Tuesday, despite being in an appeal status. The Building Department did issue a violation of the zoning ordinance for that action.

Property owner Fred Childs told the audience that when he signed the lease, it was for a video store. He said he did not know it was going to be an adult book and

video store and thinks the town officials have dumped the problem in his lap.

"I don't favor what's going into that store," he said. "But I resent you picketing my stores. I have done nothing wrong. I resent the way I've been treated."

Store co-owner Ted Dravkowsky told the audience that after they applied for the permit Selectman Joseph Gagnon had contacted him and his partner and arranged a meeting. Dravkowsky said they met at the Lotus Garden in Salem, and Gagnon suggested that they withdraw their application and he would tell the leader of the newly-formed Parents Against Pornography that the situation was settled and then to reapply for retail permits in a few weeks, after the furor had died down.

"Mr. Gagnon's intention, in my opinion, was strictly politically motivated and we thought it was highly unethical," said Dravkowsky.

Gagnon, who was on vacation last week, said he would not comment until he had reviewed a tape of that meeting.

Dravkowsky further charged that Selectman James Lawlor said there was going to be trouble and

violence if the store opened, which he construed as a threat.

"We do not want this business in any shape or form," said John Clinton, 33 Main Street.

After hearing residents, the board voted 3-2 to deny the appeal.

A request has already been filed for a rehearing of the appeal.

Gagnon said Monday evening that the store owners have proven to him that they are certainly less than truthful.

Childs said that if they sell anything besides videos, they will be in violation of his lease. He said his attorney is sending a letter to the Moon Lite Reader to inform them of this. If they do not comply, and continue to sell books and sexual paraphrenelia, they will be in violation of the lease and he will pursue the issue in court.

"I'll do whatever I have to do," said Childs.

Residents hope to enact appropriate legislation at the March Town Meeting.

Gagnon says he will call for a special town meeting.

Sporadic picketing continues. Meanwhile, the store remains open.

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Adult bookstore gets OK to open

By Jim Van Anglen
Eagle-Tribune Writer

SALEM, N.H. — An adult bookstore has been given the green light from town officials despite pleas from 200 angry residents.

The Board of Adjustment voted 3-2 early this morning to deny an appeal by residents who had asked that building permits be revoked for Moon Lite Reader.

The ruling ended an active day which saw the store open, get shut down by town officials, and then win its case at the Board of Adjustment after a long meeting that ended at 2 this morning.

Here is what happened:

PICKETS set up for a second day near the store yesterday morning.

IT OPENED at noon.

POLICE and the building inspector shut it down a few hours later. The owners were told they were in violation because their permits had been suspended pending the outcome of last night's hearing. A July 10 court date was set.

200 OPPONENTS of the store, including several children, showed up at the hearing. They marched outside the meeting room before the hearing started.

BOOKSTORE OWNERS Del Paone and Ted Drabcowski were jeered by the crowd when they got to the podium. When they left they asked for a police escort.

THE BUILDING'S LANDLORD, Fred Childs of Atkinson, said the owners told him Moon Lite Reader would simply be a video store that sold some adult films. He said that under the lease, only videos can be sold at the store — not magazines or other items.

The owners said there is nothing in the zoning laws to prevent them from opening. They also cited their First Amendment rights.

Town lawyer Barbara Loughman agreed.

Board member Edith Des Rosiers, who along with William Pry voted to uphold the angry residents' appeal, said the law may be interpreted to prevent the store from opening.

"If there's a glimmer of hope



Young protester: Dana Leigh Rodrigues, 3, of Salem, N.H., marches in front of the Salem Municipal Office Building

"I'll go with the glimmer," she said.

Board Chairman Frank Champsoux, Phil De Rosa and John Doyle voted to deny the appeal and let the store open.

Bookstore opponents said the store is immoral and town officials should help fight it.

"We're just average Joes," said Delia Martino, 20 Barron Ave., to cheers. "You guys are the elected officials, you are the smart guys."

Mr. Champsoux said that while

board members opposed the store on moral grounds, they had to separate emotion from determining whether the permits were issued properly by building officials according to Salem's zoning laws.

Bookstore opponents can ask the board to reconsider. If it denies that request or upholds its decision, the next step is court.

For now, owners of Moon Lite Reader can open the store in Childs Plaza along Route 28. They said they intended to open at 10

Construction still booming in recession-proof Salem

By Diana Brown
Eagle-Tribune Writer

SALEM, N.H. — The recession has not stung Salem's rapid-fire construction.

A 24-unit apartment complex is going up on Pleasant Street. Toys 'R' Us is taking shape on Veterans Memorial Parkway. A miniature golf course is digging into a Route 28 site. And Home Depot is still in the works for South Broadway.

Here is an update on the projects around town:

TOYS 'R' US: "Construction is going really, really well," said site manager Harvey Finkel.

He said the store on Veterans Memorial Parkway across from the police station will open Nov. 1, and the grand opening is Nov. 16.

The road has been widened to add a right turn lane from Route 28.

An opticlon light for emergencies will be installed but no traffic lights, said Glenn Gidley, a planning board member.

POLICY BROOK ESTATES: Twenty-four apartments are going into six buildings on Pleasant Street across from Rockingham Park racetrack.

They fall under the town's affordable housing program, but the rents could be as high as \$700 for a two-bedroom when they open in late winter.

There are four one-bedrooms and 20 two-bedrooms which have microwave ovens, washers, dryers, refrigerators and central stereo systems in each room, said Housing Authority Vice-Chairman Michael Carney.

Foundations are down. Frames have started, and extensive drainage work has been completed, said project manager Steve Delisle.

MINI-GOLF: Trees have been cleared to make way for two, 18-hole miniature golf courses and a Victorian-style ice cream parlor and game arcade.

Developer Laurence N. Belair expects to open the first golf course on North Broadway by early next year and the second could follow depending on the market.

Construction on the 5,500 square foot Victorian Park Family Entertainment Center is scheduled to begin this fall. The three-story building will



Coming soon: Toys 'R' Us on Veterans Memorial Parkway is scheduled to open in less than a month. Eagle-Tribune photo by Diane Brown



Fore the future: Two 18-hole miniature golf courses, an ice cream parlor and a video arcade are planned for a tree-lined site on North Broadway in Salem, N.H.

Foundations are down. Frames have started, and extensive drainage work has been completed. ■

Steve Delisle
Policy Brook Estates

house video games, pool tables, golf driving nets, indoor batting

cages, basketball hoops and other games year-round.

DIGGING IN: Michael Straw, an equipment operator, clears an area for the 24-unit Policy Brook Estates affordable housing apartment complex on Pleasant Street.

HOME DEPOT: Construction has yet to begin at the site on South Broadway next to and including the Fireside Motel.

A spokeswoman for the architectural firm, Greenberg Farrow in Atlanta, Ga., said no date has been set. "It's still up in the air, but we're trying to make it as early as possible," she said.

The planning board has already approved the 123,000-square-foot building. Initial

plans called for opening the store in 1992 as one of 25 starting up in New England over the next two years. The store could bring 250 jobs to Salem.

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ANALYSIS

In Salem — musings on the mall and megalopolis

Anything is indeed possible if all present shopping malls can thrive in the face of the economy

By John Angelo

The yeast which caused Salem to rise so suddenly in this century, like bread in the pan, was the abrupt increase in social mobility, the result of a whole range of technological advances that began to tumble out of the cornucopia in an age convinced 'anything is possible.' — from *At the Edge of Megalopolis, A History of Salem, New Hampshire 1900-1974*. 'The Route 28 (North and South Broadway) and Main Street boasts a megalopolis of TAX-FREE SHOPPING as well as restaurants, lodging and entertainment.' — Greater Salem Chamber of Commerce statement in a July, 1991 Visitor's Guide to Rockingham Park.

We have met the shopping mall developer and he is us.

Approved by a 6-1 vote of the Salem Planning Board in December, 1989, embraced by the Greater Salem Chamber of Commerce, and built by New England Development (NED) at a cost of approximately \$60 million (plus \$28 million in area road improvements.) The Mall-Rockingham Park that opened in August seemingly fit like a hand in a glove in this town of 30,000 that has seen its population triple in the last 30 years.

"No sales tax" is the operative game plan for

since the beginning of the year. Americans may have less disposable income but some retailers are confident they'll know where to spend it. It was Will Rogers who said that America is the only country where you can drive an automobile to the poorhouse.

Conversely, there is a segment of the population that feels shopping malls are designed by the same kitschy enthusiast who gives us "Freddy the 13th" cinema fare.

This writer failed to view efforts one through 12 of Freddy but he'd get to see the life-sized mechanical Stegasaurus that was on display at The Mall - Rockingham Park. Dinosaurs are endlessly fascinating because they're big, they're powerful and they're dead (same as Freddie!) but this one could easily be identified with because he emitted the same type of wounded grunt many of us make after eating too many tacos at the mall food court or when our daily double selection loses by a nose at adjacent Rockingham Park.

The price tag for creating a shopping experience did not come cheaply for NED. The 83.5 acres of land The Mall - Rockingham Park is built on was purchased from Rockingham Venture, the partnership that owns Rockingham Park, for \$20 million and there were 37 conditions NED had to comply with before the town of Salem approved the 1,500,000-square-foot mall. Among these were the aforementioned road improvements, which included the construction of an overpass for mall traffic exiting northbound from Route 93, the widening of Rockingham Boulevard, additional traffic signals and a connector from Route 93. NED also paid \$800,



retailers in Southern New Hampshire, who rely heavily on their neighbors to the south. NED has now built a total of three full-scale enclosed malls in Southern New Hampshire, that include Pheasant Lane and The Mall of New Hampshire.

Anything is indeed possible if all the present shopping malls can thrive in the face of the state's economy and the less than sterling predictions for the immediate future of the retail environment.

But to many, the retail glass is perpetually half-full. The four groups of retail stocks that Dow Jones and Company tracks are all up strongly

000 to the New Hampshire Department of Transportation for the future construction of a collector/distributor lane on Route 93 and an annual fee of \$69,000 to the town of Salem for road improvements in the vicinity of the Salem Depot.

The Mall-Rockingham Park is responsible for its own trash and snow removal and additional police needed for traffic control are paid by the mall, not the town.

The ancillary price tag of community involvement is not measured as easily but NED approached community relations willingly and positively. The Mall - Rockingham Park general

manager Tony Kalinowski is co-chair of a committee trying to raise funds for "A Field of Dreams," a Salem park and playground complex first proposed by a group of area women and since approved by the Planning Board. NED will be making a direct contribution toward the \$115,000 cost of the project. Kalinowski also serves on the Board of Directors of a chapter of the American Cancer Society and the mall will be doing major fund-raising for Children's Hospital of Boston.

The mall's Teen Board Program, which exposes a select group of area teens to hands-on experience in working with mall promotions and learning management and merchandising techniques, will be awarding two scholarships annually to participants.

The price tag for mall tenants is also steep and while Kalinowski would not divulge rental price per-square-foot, an estimate of \$80,000 annually for rent and common area charges (security, maintenance, etc.) for \$1,500-square-feet is probably in the ballpark.

Ultimately, the success of a mall depends on its ability to draw customers and The Mall - Rockingham Park retailers are obviously optimistic.

Will Frederick's of Hollywood cut it in New Hampshire? Victoria's Secret is already open with tables of lacy underthings displayed.

Will food court diners realize that "Au Bon Pain" translates to "The Good Bread?" The food servers at Maison Du Popcorn and Cafe L'Eclair are similarly banking on the appeal of foreign flavor to New Englanders.

Look closer and the theme is obvious. A mall can be everybody or at least try to be. You can rent a "Batman" video at Sam Goody's or buy a bat pin at Ecology House. Problem with calories? Sugar-free Gummi Bears are available at Candi-Licious. One can also shop for the tacky at Spencer Gifts or wax philosophical over the irony of a button for sale at Ecology House with the warning of Chief Seattle: "Whatever befalls the earth befalls the people of the earth."

Does this prophecy mean that a century from now we'll be living in shopping malls? The answer to this question is, of course, not readily available so in an attempt to explain the impact of the Mall-Rockingham Park on the Salem community we consulted others:

Ross Moldoff, Salem planning director —

"Some questions will have to wait to be answered as far as the mall's impact. We want people to be more active in planning the growth and development of the community.

We had four concerns with the development of a mall this size. First, and the most important, was traffic and not only in front of the mall. We reviewed NED's traffic study and NED reimbursed the town for another independent study so that bias wouldn't be a factor.

Environmental concerns: effects on wetlands, drainage, the visual impact on the neighbor-

MALL

continued from previous page

hood, were important. NED recreated wetlands that were lost with man-made wetlands and there's general agreement that they're actually an improvement. NED bought 10-20 properties adjacent to the development to lessen the neighborhood impact.

We'll have to wait and see what the impact on town services is going to be. Police and fire department manpower has recently been reduced in town.

The last concern, economic and fiscal impact on wages, employment and other area businesses will be positive. NED paid for an impact study and it found that 70 percent of Route 28 businesses won't be competing with the mall.

What we've seen because of the mall is a surge in retail development. Toys R Us has come before the town with plans for a 50,000-square-foot store. Home Depot, a home improvement warehouse business, wants to construct a 120,000-square-foot building. The Weathervane Restaurant is considering a location across from the mall. There are some unknowns that I believe the vast majority of the mall's impact will be positive.

Laurel K. Elliott, spokesperson for Citizens for Responsible Development (which disbanded when the site plan was approved)

"Traffic is still a problem in Salem but not just because of the mall. We're more satisfied with the traffic improvements that

people are making. The improvements are adequate. Because of the mall there are improvements we wouldn't have seen for 20 years. The mall

Americans may have less disposable income but some retailers are confident they'll know where to spend it

posed. We feel that because of our group's pressure the fwy over to the mall from Route 93 was built.

Remember too, that the State Department of Transportation got NED's dollars, not the town of Salem.

Rather than increasing retail development, we'd like to see an industrial park developed. That would provide the town with jobs that are more secure."

Patry Dreher, executive director, Great-

er Salem Chamber of Commerce

—

"I think the mall's impact will be positive on both the town's economy and on its people. We're already seeing a ripple effect on business. I've had comments from a locksmith and a gas station whose business has improved dramatically.

People in this economy are comparison shopping. The complexities of the town's malls are different. They'll wind up enhancing each other.

I feel the road improvements are adequate.

Because of the mall there are improvements

we wouldn't have seen for 20 years. The mall

has put people back to work and brought dollars into our economy and charitable concerns.

"Tony Kalinowski will be working on a transportation task force. Right now the town has next to nothing, only one commuter bus."

Tim Steffan, general manager, Methuen Mall —

"Another guest at the table for the same pie concerns us but we haven't seen a noticeable decrease in customer traffic or sales. We didn't lose Filene's — that's a strong word. They chose to exercise an option in their lease.

We're 95 percent occupied with 10 stores and our goal is to increase our market share. We're a family-oriented center. Response to our recent Saturday promotion, where shoppers can meet a soap opera star, has been tremendous. I want to stress that our business is very, very healthy."

Bill Nader, publicity director, Rockingham Park Racetrack —

"We're not sure yet how the mall is going to affect our business here. Our track attendance has been down slightly recently but then we have inter-track wagering now too.

"We're situated to a natural attraction for people going to the mall and our general manager, Ed Callahan, has had informal talks regarding co-op advertising with the mall.

I personally am not a mall person but it's

MALL continued on page 9

MALL

continued from page 3

nice not to have to drive out of town to go shopping. I've seen Salem grow from a little town to a small city."

Rob Luber, assistant mall manager, Rockingham Mall on Route 28 —

"We're a 36 store mall with Bradlees, T-J Maxx and Childworld as our anchors. As a value-oriented mall we don't feel we're competing with The Mall - Rockingham Park but feel we can draw from them. A number of customers have told us they feel the stores at the new mall are too expensive.

"We've been pleased by our customer traffic since our renovation in 1988 which added 200,000-square-feet to our mall."

Dawn Lemany, assistant reference librarian, Kelly Library, Salem —

"I'm not a mall person. To me all malls are basically the same. We haven't had the response, 'Isn't it wonderful!' or 'Isn't it awful!' from anyone.

"I was glad to see the amount of regulations the developers had to comply with. I think we learned something from Seabrook."

Tony Kalinowski, general manager, The Mall - Rockingham Park —

"Customer traffic has exceeded our expectations in early weeks. We base that on our track record of other mall openings. This has been the most successful of any mall opening NED's been involved with. In the first two weeks we averaged close to 100,000 people.

"Community tie-ins have always been an integral part of 'NED' shopping centers. We're here because of our customers."

"We feel we have many strengths some other malls don't have. Some people give lip service to customer service. We give customer service. We ran a four hour seminar on customer service and had 119 company representatives.

"Customer response to our gift registry has been outstanding and we know it's going to skyrocket once we get to the Holiday season.

"As a result of our 'We Care' customer response cards we've added benches to the second level and wheelchairs and strollers to the lower level. We've learned from our customer response in our other malls to provide a baby changing area between the restrooms. We listen to what our customers want and we stress that to our tenants."

"In the final analysis, The Mall - Rockingham Park is best left to the eye of the beholder. Like another Salem site, Mystery Hill, it can be viewed as a significant cultural contribution or just an interesting pile of rocks."

News Briefs

10/16/77

Salem

Canoe launch area completed

SALEM — The town now has a canoe launch onto the Spicket River, courtesy of Northern Utilities natural gas company.

The canoe launch site, at the corner of Garabedian Drive and Hampshire Road, has been used informally by canoeists and fishermen for many years.

Northern Utilities constructed a natural gas tapping station near the site and agreed to provide an easement to the site for the town's use. Additionally, Northern Utilities agreed to upgrade the launch area by providing off-street parking and adding gravel to the launch site.

The improvements are now complete and the easement is ready to be signed. A dedication of the site has been scheduled for October 25 at 11 a.m.

Master Plan progresses

SALEM — The Master Plan Advisory Committee is hard at work developing a blueprint to take Salem into the 21st century.

The committee is updating the 1986 Master Plan and is expected to have a final draft ready by the end of November.

The committee will meet tomorrow night, October 24, at 7 p.m. at the town hall to discuss a draft plan updating the Master Plan.

This is meant to implement

what was done in 1986. Planning Director Ross A. Allen will discuss problems the committee sought in

Housing, Economic

and achieved additional suggestions for private side

housing to develop more pub

lic elderly housing to utilize town owned property for affordable housing to retain the town's character and to maintain the town's

small town atmosphere.

Allen will also discuss the town's growth and development problems and discuss the town's long range transportation needs.

Transportation is a major concern for the town. The town has a limited number of roads and the town's growth has put a strain on the town's roads.

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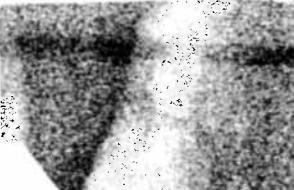
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Plans were well underway at last night's meeting to

Municipalities across the

country are

the town's



Eagle-Tribune photo by Diana Brown

Dedication: Dedicating Salem's new public canoe launch into the Spicket River was (from left) Recreation Director Julie Kamel, Northern Utilities representatives William H. Caffrey and Vic Platania, Conservation Commission Chairwoman Nancy Bilodeau, Town Manager Barry Brenner, Northern Utilities Vice President John Snow, Planning Board member Cliff Sullivan and Planning Director Rose Moldoff.

Canoe launch set up in Salem

SALEM, N.H. — Residents can launch canoes into the Spicket River from a new ramp given to the town from the Northern Utilities gas company.

The ramp on Garabedian Drive was dedicated Friday and opened to the public.

Garabedian Drive is located off Hampshire Road, which is off Route 28, near the Methuen-Salem town line.

The natural gas company gave the town an easement across a portion of their property to set up the canoe launch. A small parking area has also been reserved.

Northern Utilities built a regulator and instrument station near the site last year to supply Salem with natural gas.

New Hampshire

Lawyer pleads guilty in ComFed case

Kellett faces 5 years in prison

BOSTON — Just as he was to face a second federal court trial or charges in connection with a hidden second mortgage scheme, U.S. Judge Edward F. Harrington set Mr. Kellett's sentencing for Dec. 30. He faces a maximum of five years in jail on the obstruction of justice and to making false statements to the bank, according to U.S. Attorney Wayne A. Budd.

Mr. Kellett, 45, of Salem, N.H., admitted to charges of obstruction of justice and to making false statements to the bank, according to U.S. Attorney Wayne A. Budd. Mr. Kellett was a former closings attorney for ComFed Savings Bank.

Mr. Kellett, whose first trial in scheme at two New Hampshire

developments, Old English in Derry, N.H., and Ode May in Manchester, N.H., Mr. Budd said.

At a plea hearing, federal prosecutors said Mr. Kellett prepared and signed a variety of loan documents that misled the ComFed bank.

Mr. Kellett is also accused of attempting to mislead Federal Bureau of Investigation agents after he learned of a grand jury investigation.

How scheme worked

The ComFed conspiracy, which could cost taxpayers \$12 million, started at the height of the real estate boom with purchases of suburban homes for no downpayment.

In fact, downpayments were made by the builder, borrowed in violation of federal banking rules, and concealed from Lowell-based ComFed Savings and Loan. Lawyers and ComFed employees prepared loan documents hiding the second mortgages.

The builder, George Abdallah of Chester, N.H., profited by selling his projects, the lawyers and brokers generated fees, and the bankers received bonuses for originating large numbers of loans.

Mr. Kellett

faces jail



...SALEM SELECTMEN'S MOST
RECENT ACCOMPLISHMENTS!

*La Guardia
Linen Service*

16/30/79

Letters to the Editor

New Hampshire

Moonlite Reader owners pass lie test on Gagnon

By Diana Brown
agle-Tribune Writer

SALEM, N.H. — Owners of Moonlite Reader, a adult bookstore took and passed a detector test in an attempt to prove Selectman Joseph W. Gagnon wrong. The owners, Ted Drabkowski and Del Paine, paid \$800 for the test. The test results will be included in their lawsuit against the town and Mr. Gagnon. "We want to set the record straight," Drabkowski said. The dispute started when the Moonlite owners met with Mr. Gagnon at Lotus Garden restaurant in Salem last June. The store owners contend Mr. Gagnon advised them "after numerous drinks" that they should withdraw their permit application, "wait until the dust settled" and then send their girlfriends to reapply for a "retail use" permit without using the words adult bookstore.

Mr. Gagnon has denied the charge. He has since joined forces with anti-pornography activists to fight the store.

But the shopkeepers said they hope the test will show residents their side. "Our

only answer to all of this is the truth that's why we submitted to this," Mr. Drabkowski said.

Mr. Gagnon responded, "This is a continuing effort to sidestep the issue. The issue is the location of the store near a res-

idential area and the proven detrimental effects to neighborhood values which would accompany this kind of store."

"The test will be in court, and they should be able to prove their defamatory remarks," Mr. Gagnon said.

Polygraphist George Tetreault told the owners' lawyers in a letter that "their answers are truthful." Mr. Tetreault of Portsmouth, N.H., has 17 years of experience, including 2,000 exams for 37 police departments and lawyers' offices. He is registered with the New Hampshire Bar Association as an expert witness.

"... The primary purpose of these polygraph examinations is to determine the truthfulness of Mr. Drabkowski and Mr. Paine's statements regarding whether they ever met with Salem Selectman Joseph Gagnon at the Lotus Garden Restaurant, and discussed how they should go about getting their permit approved to open an adult book and video store in Salem, N.H." Mr. Tetreault said in the letter.

The background of the discussions was provided by Mr. Paine for the Nov. 1 test.

Here are the questions they were asked:

1. Did Joseph Gagnon meet with you last June and discuss the withdrawing of

your permit for the adult bookstore?

Answer: Yes
2. When Joseph Gagnon met with you, and Del at the Lotus Garden restaurant last June, did he also say "you made a simple political mistake?"

Answer: Yes
3. Did Joseph Gagnon also suggest to you and Del to withdraw your original permit and re-apply as a retail store and no one would be the wiser?

Answer: Yes
Mr. Gagnon said the owners challenged him to answer 11 questions in a polygraph last August. Mr. Drabkowski said they were told that they can only take three questions for the test to be accurate.

Kathy Sciocca, New Hampshire editor

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St. Leo Observer
11/20/91

Letters to the Editor

One resident's viewpoint

To the Editor:

I would like to respond to L. Liguori's letter in the October 9 edition of the *Observer*. Any disrespect Hitler/Hussein deserves he brings on himself and as far as glass houses go, I don't live in one, but after reading L. Liguori's letter, I wonder in what cave and under what rock L. Liguori spends most of his time. It doesn't take a genius to figure out what is really wrong and who the loose cannon is; what may take longer is to try and figure out why he can do what he does and get away with it.

For his information I watched enough of the Sept. 10 meeting to

see the megalomaniacal petty tyrant show his true colors once more and any hostility I have comes from what Hitler/Hussein is doing to the town and even more because of all the people who don't care what he does so long as nobody takes away their good times and their taxes don't increase.

As acting chairman I got a frightening glimpse of what it would be like if this power hungry despot was ever made permanent chairman; no one could ever control him and he would continually pound the gavel demanding everyone go by the book 100%, something he never did and still

doesn't.

When the chairman bangs the gavel all you hear is "Why am I out of order?" His idea of free speech is that once he starts talking he should not be interrupted until he is finished, even when he starts talking about something that has absolutely nothing to do with the discussion at hand.

The taxpayers who are paying to maintain this TV station have more right to use it than Hitler/Hussein who contributes nothing to help the town but is constantly trying to run it into the ground. If you believe the Sept. 16 meeting was run in a professional manner, we weren't watching the same meeting.

I can't speak for the paper but as to the fact that he was chairman he made quite clear himself as he mentioned it several times during the meeting and the only thing suspect is your intelligence and your real motives when you can't or won't see something as plain as the nose on your face.

As far as making Hitler/Hussein look bad he is doing an excellent job of this all alone and doesn't need help from anyone. As far as truth goes, Hitler/Hussein has no conception of what truth is, and I don't know what you think he showed anybody of a positive nature but he didn't show me anything that will change my impression of him.

The letter was written out of hate, as you said. I hate what he is doing to the town and I hate those who are just letting him turn the town into a cesspool, as long as they have their fun and games and can swim in Hedgehog, without their taxes going up, they don't care about anything else.

I recall an incident when they were looking for a new town manager, after Mr. Ganley passed away. The board went upstairs to meet in secret but because Hitler/Hussein, who wasn't supposed to be there, kept following them around the chairman cancelled the meeting. Someday I am going to try this. I am a taxpayer, but I know I will be taken out in handcuffs to a waiting cruiser and will spend the night as a guest of the town. Why wasn't this done to him? As a town official he is supposed to set an example, not break the law, and get away with it. When they finally removed him, he spent the rest of the night whining about how the chief of police tore his coat and hurt his arm and he was going to sue the town for police brutality.

If you still believe he is doing a good job and will make a good leader and chairman, then you missed his performance at the Oct. 15 BOA meeting. While trying to convince the board they should close the bookstore the garbage and filth coming out of his mouth was much worse than anything you will find in this adult bookstore and this filth was going out over the TV.

Let him take a polygraph test and stop the dog and pony show

and throwing sand in everyone's face so they will forget the real issue at hand—which is—he is

and always will be a low-life skunk with the moral fiber of a goat in heat and with absolutely no concept of honesty or integrity.

Yours truly,
W. Tetreault
Salem

Northern grants recreation easement to Salem

SALEM - When Northern Utilities built a regulator station which enabled us to introduce natural gas service to Salem, NH, near the Spicket River, it never dreamed the site would also become a canoe launch.

But recently Northern granted Salem a recreation easement, which will allow the public to launch canoes from that site as well as park a few cars nearby.

At a recent dedication ceremony Salem town officials joined Northern Utilities in formally opening the canoe launch.

Representing Northern at the dedication were John Snow, vice president, Northern; Vic Platania, manager, corporate construction; and Bill Caffrey, manager, public affairs.

Salem planning director Ross Moldoff commended Northern for its cooperative and public-spirited attitude in working with town officials, noting that the company had been very cooperative throughout the regulatory process involved in introducing natural gas to Salem. ♦



John Snow, vice president, Northern, joins Salem, NH officials at the formal opening of a public canoe launch made possible by a cooperative effort between Northern Utilities and the town. Pictured with John Snow are Salem town manager Barry Brenner, left, and Salem planning director Ross Moldoff.

A publication of Bay State Gas for employees and retirees

The Bay Stater

NOVEMBER 1991



Adult bookstore permit granted

12/12/91
Dare

by Monique Duhamel

SALEM — By unanimous vote, the Board of Adjustment has upheld a decision to issue a permit to the Moonlite Reader, an adult bookstore in Salem.

At its December 17 meeting, the board held a rehearing on the matter, which finally resulted in their upholding the Chief Building Official's decision to issue the permit.

The store first opened in June of this year. The owners sought an occupancy permit from the town, which Chief Building Official Samuel Zannini issued. Resident Delia Martino appealed the issuance of that permit to the Board of Adjustment.

That board first upheld the permit. Then, Martino requested a rehearing and was granted one. At the rehearing, the board voted to rescind the permit. The two store owners sought a rehearing of their own, which the board granted. It is this rehearing which was held last Tuesday evening.

Selectman Joseph Gagnon appealed that ruling to Rockingham County Superior Court.

At the board's meeting to grant the rehearing, three members voted on the rehearing. One voted to grant the rehearing, two voted not to grant it. Three days later,

two board members voted by telephone to grant the hearing, making the vote 3-2 in favor of granting the rehearing.

That rehearing was set for December 3.

Gagnon then sought a court decision on the matter. He argued that the original vote should stand, not the one which included the late votes from two members.

Judge Joseph Nadeau ruled that the telephone votes were invalid and a December 3 hearing could not be held.

The board then voted in open session to grant the rehearing, which was scheduled for December 17.

At the December 17 hearing, Atty. Frank Quinn, representing Moonlite Reader co-owners Delano Paone and Thaddeus Drabkowski, urged the board to consider the zoning issues only and not such issues as morality, welfare or obscenity.

He said his clients have made every effort to comply with local officials.

Paone then rose to speak. He asked why the board had accepted the original rehearing request from Martino, and alleged that it had not been filed correctly, with no date on the paperwork and no grounds for appeal listed.

Gagnon, then rose to speak. He focused on a September 3 conviction in Salem District Court

against the bookstore, for violation of the BOCA code, in operating without permits. "You're going to make a basic policy decision. Don't sway from what is legally right," he told the board.

Board chairman Francis Chamberlain informed Gagnon that the BOCA code deals largely with building construction and safety issues, not morality or legality.

Gagnon said the BOCA violation was at the core of the matter. Board member John Doyle asked what BOCA violation was on record at the time the appeal was filed in June.

Gagnon argued that the building official never read the full change of use code, including the section regarding hazards to public safety and welfare.

Atty. Quinn said Gagnon was misrepresenting what he believes Zannini did or did not read.

Champoux said he understood the matter, to which Gagnon replied that he did not.

Quinn advised the board not to be confused by Gagnon's presentation.

"The issue is whether or not the building official acted properly in issuing the permit," he said. "BOCA was complied with in this case."

After hearing arguments for both sides, the board then entered into deliberative session to take its vote.

"I still feel BOCA applies to construction standards and welfare and safety for building security," Champoux said.

Doyle then moved to uphold the permit issuance, seconded by Keith DeSantis.

The board voted 5-0 in favor of that motion.

1991 reflections and 1992 predictions

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Forecast

affordable housing project on Pleasant Street; a 16-lot subdivision on Gordon Avenue; a 9-hole golf course and 87-unit condo project off Town Farm Road; 5,000 and 6,500 s.f. additions on Industrial Way; a community park and playground; a 54-seat addition to the Weathervane Restaurant; a mini-golf course on North Broadway; and a gas station and convenience store on North Broadway.

Additionally, the planners had time to work on the Depot Task Force and Master Plan Advisory Committee, to perform some long-range planning for the community.

In 1992, Moldoff predicts a large subdivision off Golden Oaks Drive; the Salem Willows plaza site plan on Route 28; at least two more shopping center proposals — one for North Broadway and one for South Broadway; an affordable housing project on Millville Street and one on Lawrence Road.

Additionally, he sees the third anchor store at the Mall, Rockingham Park, open in the early spring and the fourth anchor store plan appearing before the planning board.

The Field of Dreams playground will see final construction, and

the Weathervane restaurant expansion will be completed, along with the previously mentioned Shaw's, Home Depot, and MVP Sports projects.

"I predict a continuation of the trend we've seen in the last couple

of years. There could be an upturn by the middle or end of the year," Moldoff said.

"The important thing to note is that people are still talking about development," he added.

by Monique Duhamel

SALEM — Until the national economy begins to recover, Planning Director Ross Moldoff predicts that 1992 will continue to see slower construction than in the "boom years" of 1985 to 1988.

Several major projects approved by the planning board this year will help keep the local economy afloat, he says. Among them are Home Depot, Shaw's Supermarket, and MVP Sports.

"We will see more people looking for retail space in 1992," he said.

The Mall, Rockingham Park's resultant effects will begin to be noticed, he said. One of them, Toys R Us, is already operational, but he predicts that other retailers want to locate in Salem now that a regional mall is in the town.

"Retail activity kept us less depressed in 1991 than many other area towns," he said.

Despite what Moldoff terms the local economic downturn, the planning board still had full agendas throughout the year, he said, as did the building department.

The year-to-date construction is estimated at \$25,664,000 for 1991, according to town figures.

"\$25 million in new construction is no small figure," said Moldoff.

That figure is equal to the new construction levels in 1983 and 1984 in Salem, prior to the "construction boom" in Salem, according to Moldoff.

It is also only slightly less than the 1989 figure of \$26.9 million. The 1990 figure was \$62.6 million, but much of that total includes construction of the Mall, Rockingham Park.

In 1991, Moldoff says the planning board approved several major projects, including a 24-unit

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