

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

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Malls

Continued from Page 1

appear before the planning board this year, with the scheduled opening of the Mall at Rockingham Park in August 1991.

"Salem is not dead, the economy is not dead," said Moldoff.

He cited the town's diversity, with more than 300 businesses, 2 million s.f. of office and industrial space and more than 5,000 people employed in retail. He added that Rockingham Park and Canobie Lake Park draw people into the community to spend their money as well as employing Salem people.

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

From a 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 least two people had filed for the vacant



sa Lynn Fruchman, twin
nd Steven Fruchman, 112
ndham.

are

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

To allow Community Resi-
tial Facilities for disabled
ple in the Business Office Dis-

ee ZONING, Page 4

n stolen presents

ts for the crime.

O'Brien said Patrolman Mark
mbaturo developed the infor-
ation that led to the investiga-

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

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Water issues dominate BOS meeting

1/16/91 Salem Observer

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

lots, with the condition that the lots be serviced by water. The original plan called for the water line to be extended 1,400 feet from the Methuen town line to the property. At the time of approval, the Board of Selectmen had agreed to contribute approximately \$15,000 to the water line extension to provide another hookup to Methuen, and because they wanted the pipe to be a larger size than the developer needed.

Planning Director Ross Moldoff told selectmen the municipal water requirement was noted on the plan.

Since that time, another developer has extended a water line along Pond Street, reducing the necessary length for this parcel from 1,400 feet of pipe installation to about 850 feet. This line connects directly to the Salem municipal water system.

Faro is seeking to construct a single family home on the parcel,

and has received state approval to do so and to install a well.

The planning board condition of approval, however, still remains. That condition calls for the water line extension.

Faro has asked the planning board to waive the municipal water condition.

Also since the time of the approval, the town has signed off on certificates of occupancy for the condominiums. Five of them are now occupied and are being serviced by a private well.

"Tonight is to see if the Board of selectmen is still interested in the plan to extend the water line from Methuen down Pond Street," said Moldoff.

Planning Board chairman Bernard Campbell said this issue also raises questions about planning board rulings. When a planning board makes a decision,

■ See WATER, Page 3

how far does it go? he asked. "We thought we as a planning board did everything we could to make known that the lots require municipal water," said Campbell. "If we now start waiving conditions, what kind of precedent does that set?" Board of Selectman chairman Richard Gregory said that since the water line would not be coming from Methuen, the larger size pipes are no longer required. The town became involved in the first place, he said. Moldoff said the town could attempt to revoke the certificates of occupancy for the condominiums and require the owners to pay for the water line extension. Faro must now return to the planning board. The next water issue dealt with a water main break which occurred on the street.

Gagnon made a motion that the town not participate in the water main extension and was seconded by David Tilton. The vote on the issue was 3-1, with Gregory opposed because he said he did not think he had all the information. Faro must now return to the planning board. The next water issue dealt with a water main break which occurred on the street.

Water

1/9/91
 Ross
 Pls Autograph
 this for me
 & I'll keep it
 It will be
 valuable.
 [Signature]

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 a 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.

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

Crime is up 8 percent

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 155-store mail 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 mail opens. Local police handled 35,000 calls in 1990.

Four of the vacancies were held by veteran officers — with more than 20 years experience each. They retired in December.

Recently, the department established formal guidelines for supervisors to rank calls in order of importance — meaning some delays in response to calls.

"Crime is not going to run rampant in Salem — it's not going to," Deputy Foster said. "But there will be an impact on the community."

Chief James Ross blamed crime rate increases on the poor economy and fact Salem borders Massachusetts. Many criminals caught hail from the commonwealth.

"In a community like Salem, what they are, police officers are spending more time investigating and dealing with reported crimes," Chief Ross said in a written statement.

"This means they have less time available to devote to preventive patrol. The impact on the citizen is the lessened visibility of the patrol cruisers in the community."

Salem crime

Here are the number of major crime cases investigated by local police in Salem, N.H., in 1990 compared with 1989

Crime	1989	1990	% change
Murders	2	1	-50.0%
Assaults	150	195	+30.0%
Burglaries	187	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



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

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

The Orford 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 of winning were.

ement plan

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.

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

Carney named

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

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

Tribune 2/8/91

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?

2/13/91

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?



L.W. Swank
SALEM OBSERVER

Letters to the Editor

2/20/91

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

2/20/91

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 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 pass into the hands of the most vengeful, unscrupulous, power-hungry person I believe I have ever met.

Salem's own analagous 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

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.

...ner
are House majori-
leader, has pleaded guilty to
federal fraud and income tax
charges.

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

...earings
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

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

Vincent
Palumbo

stan-
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Instead
Committee
deal with the
Association

Planner gets message: Go slow around mall

By Jim Van Anglen
Eagle-Tribune Writer

SALEM, N.H. — Town Plan-
ning Director Ross Moldoff said
voters have waved the yellow
flag on zoning changes that
would have allowed more devel-
opment 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 neighbor-
hoods next to the 155-store Mall
at Rockingham Park and the
Depot area at Route 28 and
Main Street.

Here are the three key arti-
cles 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 Plan-
ning Board will probably talk
about its options in the next cou-
ple of weeks and pick up the
zoning issues again this fall. He

said voters sent a clear mes-
sage 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 arti-
cles would have permitted con-
trolled growth in the affected
areas. Some of the restrictions
included dimensions, architec-
tural 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 Bucu, Frank Murray, Police Chief James Ross, Derry Police Chief Edward Garonne, 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

Continued from Page 1

theastern 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 quarterboards 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 unswerving 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.

"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."

Word from the MOB

3/27/91

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 Commisison 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.

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 350 businesses, with many of the members joining within the past 12 months.

In 1991, 21 businesses have joined as new members. Membership covers all areas of business in Salem, from retail to industry and 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 35,000 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 a renovation of the former Alexanders' 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.

—*Times*

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 "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 infrastructure improvements to the town."

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 and police officials have said that the layoffs are sure to adversely effect the quality of service to both the mall and the rest of the town.

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

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?"

We can't answer that question until the mall is open and we go through a Christmas season. All the engineers say it will work, but people want to see it. There is some skepticism about what is going to happen to the Route 28 merchants. Will people leave the Rockingham Park area and go shopping on the strip?" McCabe also refuted these concerns.

"The mall will bring a broader trade area to Salem," said McCabe. "Most of the mall traffic will be coming in right by the downtown stores. There's going to be a boom to the area's foremost retailers."

Other concerns, said Moldoff, include whether or not wetlands mitigation measures have been effective. Some residents, he said, have complained that the water table has changed since construction began.

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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

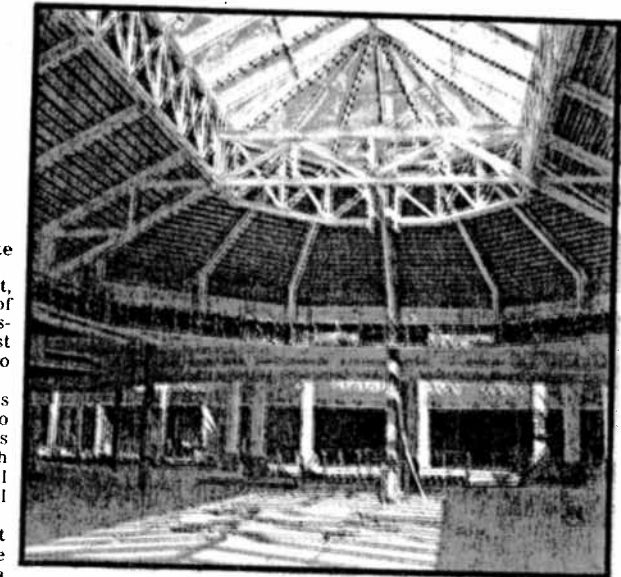
supply \$22 million in off-site improvements to Salem.

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

Winmill site plan: Attorney stymied on solution

May 3, 1989 THE RECORD Page 5

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, Winmill Equipment, was having trying to construct a new 41,000-square foot retail-commercial structure on their 240 No. Broad-

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

He went on to explain his client went before the board of adjustment with a plan which would have had the rear 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 began.

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 planted with 5-foot eastern spruce 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 on

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 than a sound buffer. But people could then see on the site. With a buffer, the '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 "tunnel" 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 it be ventilated so 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 because they need more square footage? Based on their track record, there will continue to be abuses especially after this bitter four month battle."

McCue said the Winmill's have



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 Pappalardo, Emil Corrente, Joe Gaspon, Sullivan, Vice Chairman Robert Campbell, and Secretary Atty. Bernard Campbell.

never had any consideration for the abutters and, in fact, had "total disregard" for them.

"I truly believe if they left that tree barrier in place something could have been worked out," McCue said, "but now I doubt it." Leo Calafino, 7 Dyer Ave., said electrical welding at the site causes television interference and wondered if paint fumes from the site would waft through the neighborhood.

Discussion then centered around possibly moving the building to reduce noise from the rear section of the building. Again, it was McCue who said,

"You are going to impact someone. You can solve the Beverly Avenue problem but the people on Dyer Avenue will have the problem."

North Main Street resident Phyllis Reynowaska was upset when the whole town of Salem

over the treatment the Winmill family was receiving at the meeting, and at past meetings. "I've been following this since December and I'm distressed," she said, "it seems they want the Winmill's off their property. They've been there more than 40 years and operating these businesses there BEFORE those people moved in. The abutters should have looked around before they bought their homes. You're encroaching the Winmill's now that they want a new building."

Raynowaska added, "I remember when the whole town of Salem

Continued on page 18

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• 2 tickets to a choice Patriots game this fall (Door Prizes)

Sale HOUSEPLANTS

Sale AZALEAS

Red \$695 Reg. \$1995
Pink
Purple

2 Gal. Pot
15" Plants

Sale BARK MULCH

Mimi nuggets & nuggets

Artist at work

SEAMLESS GUTTERS & DOWNSPUTS
Additions

Winmill

Continued from page 5

was a quiet place. It isn't anymore. Dyer Avenue is now a cut-through speedway. I don't know what else these people want the Winmill's to do besides move from town."

Karen Mooshian took exception to Raynowska's statements. "I'm not asking them to leave, just have consideration for their neighbors. The noise and vibrations from the equipment was bad, but once they 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 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 came 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 already intolerable situation will

frankly, if he were here, I wouldn't believe him."

It was then Hekimian's turn to reply to abutters' allegations of excessive noise.

"My client went through considerable expense," Hekimian 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," Hekimian said, "has a very narrow view with no solutions. Out of the eight abutters to the Winmill property, only 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," Hekimian 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 term was a perfect solution."

The planners made out a shopping list of concerns the board had with the site plan including traffic

to and from the site, acceptable noise levels, and architectural design details which might mitigate the noise problem.

It will be some time before this

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

Pound Puppies

Jutton bounces Micklon, Gregory from committee

By PAUL MCCARTHY
RECORD STAFF WRITER

SALEM - Saying that they expected someone else to be appointed, School Board Chairman Don Jutton asked selectmen to reconsider their appointment of board members Doug Micklon and Dick Gregory to the School Housing Committee.

In a letter to the board from Jutton sent May 11, the school chairman said out going superintendent of schools, Dr. Paul

Johnson, specifically requested Town Planner Ross Moldoff and a current member of the planning board be appointed to the committee.

"The intent of this request," Jutton wrote, "was to make the planning knowledge and ability of Mr. Moldoff available to the committee and to expose one of the planning board members to the housing needs of the school system prior to the development of the town and capital improvement plan by the planning board as

directed by the 1989 town meeting."

"While we appreciate the willingness of the two selectmen to serve on this committee," the letter continued, "we have attempted to strike a very deliberate balance on the committee and would really rather not change from our original concept."

Selectman Dick Gregory, who was a longtime member of the planning board and formerly its chairman, had no qualms about stepping aside while Doug Mick-

lon balked at being replaced.

"I have a couple problems with this," Micklon said, "number one, there may be a conflict with Ross Moldoff serving on the committee because his wife is a teacher. Another is that Mr. Gregory is well qualified to serve on the committee. I think it would be a good balance with selectmen sitting on the committee. We always get lost on for raising taxes on this side of the street and I think we should sit on it. The bottom line is they don't want us."

The vote was 3-1 (Micklon opposed) to have Ross Moldoff and planning board member Thomas Pappalardo sit on the committee.

Chairman Howie Glynn added that any input Moldoff had to the committee would be done during regular business hours and would be no added expense to the town.

The housing committee is expected to give its recommendations in early Fall.

Continental is happy to give something back to its subscribers

By PAUL MCCARTHY
RECORD STAFF WRITER

SALEM - Continental Cablevision, in continuation with the

PARENTS can do to prevent drug abuse in their families.

Tom Cagney, Sales & Marketing Manager at Continental Cablevision, said the documentary

ing last Monday night was very encouraging. "We didn't know what to expect, but we're extremely pleased with the positive response we've had from our subscribers. We're happy to give

May 20, 21, 22, 27, 28 & 29th. The showing will be at 3:00 p.m. as well as 7:30 and 10:00 p.m.

It will be aired in Salem and Derry on cable channel 25.

tor from the Center For Addiction Studies at Harvard Medical School who addressed PTA, school and town leaders last week.

... with a concerted

Some retailers worry

5/24/91

Salem prepares for 155-store neighbor

By Joan McMillan
Staff Writer

SALEM, N.H. — As construction at the Mall at Hickman Park continued, local retailers met across the parking lot to find out how to survive in its shadow.

"You can survive this sort of thing, but it's not going to be easy," said one strategist of the Fletcher Co., who was a consultant to the Riverside Plaza Mall in Nassau.

He was one of the speakers at the Greater Salem Chamber of Commerce breakfast forum yesterday. More than 120 members turned out.

Mr. Strassler took the retailers **MADE UP** your mind who you want to be and he said he will not let the 155-store mall's completion to go in shape.

GREET CUSTOMERS with a hello and a smile, not with "Can I help you?"

MAKE YOUR STORE comfortable and attractive, changing displays 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. Strassler was a small-business owner and spent 20 years with Sears-Roebuck & Co.

Mr. Hicks of Hicks Associates, a business of the mall owner, New England Mall Co., said some

Salem is likely to be booming

SALEM, N.H. — Town Planner Ross Mallett said retailing is picking up. Among the new stores and projects before the planning staff are:

HOME DEPOT — Hardware and home-supply store, on Route 26 on the site of the former site for Moe's and Eastern Restaurant. Negotiations for the site are under way.

TOYS R US — Toy store, located on Memorial Parkway, across from the police station.

VICTORIA PARK — A new park, set across a point on North Main Street.

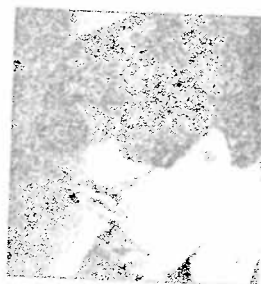
HARKINS GLEN — A new multiplex and theater, on the corner.

Mr. Mallett also said a

retailers will not survive the competition but retailing in Salem is likely to pick up.

"We estimate it is 4 percent of the state's customers would be in direct competition with stores in the mall," said Mr. Hicks. "Those individuals, as noted before, need to do some rethinking."

John L. Heston, of Heston & Heston, a business of the mall owner, said the mall will be a success.



Ross Mallett
Town Planner

expected that chain is looking to expand in Salem and several new restaurants, including the new Weatherline restaurant, may be expanding.

Strassler were a "hark back" approach. She said she thought the mall will help her business.

Mr. Strassler said competing malls, including the Vermont Mall, the Burlington Mall, Fox Run and Newington Mall, also will be affected. "You don't need \$10 million to start from the mall," he said.

The Mall at Hickman Park
is located on Route 26.

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

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

Ross Moldoff
... planning director

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 in drafting zoning and other changes to revitalize the area.

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 revitalization effort.

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

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 dell on Route 28 here.

"There's nothing we can do to prohibit it the bookstore from coming into Salem," Town Planning Director Ross McDoiff 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

Adult bookstore: Proposed site

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 businesspeople, 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

6/5/9

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.

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 angered 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 Pleasant Lane Mall on 83 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 the laws that protect them, with the Corps issuing permits and the EPA providing oversight.

Citizens for Responsible Development, a group formed by town residents, are worried the developers are 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

'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.'

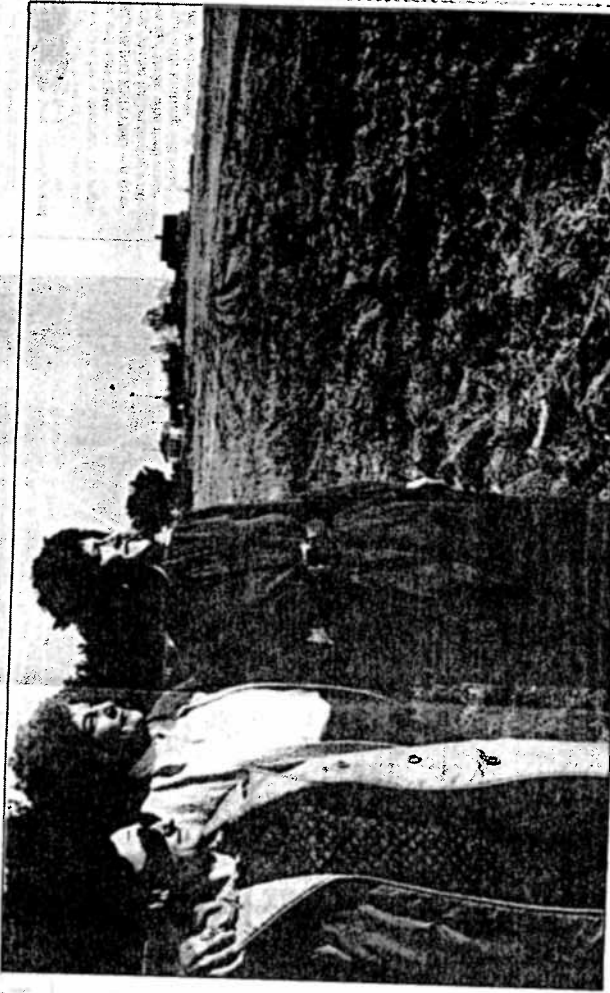
— MARK KERN,
EPA wetlands biologist

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

Gartside 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.

Gartside and other members of Citizens for Responsible Development, a group formed by town residents, are worried the developers are 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



Doris Petty, Virginia Gartside and Laurel Kellet look over the site of the proposed mall.

town officials to be vigilant in protecting Salem's resources, said Laurel Kellet.

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

Metropolitan Life Insurance Co., which owns the Methuen Mall, is funding legal and environmental consultants' fees for Kellet'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 policy holders," said Anne Messen Lowrey, a spokeswoman for Methuen.

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 Newington, 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 lien on the property from the Governor's Council, a lien imposed when the state backed construction bonds for improvements at the racetrack in 1982, Cronin said.

Market studies show Salem needs another shopping center, Cronin said, even though hun-

tion 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 said.

"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 ponds, Kern said. The Army Corps

Globe staff photo/Bill Ryanson

SALEM ALSO VOTED RECENTLY TO REQUIRE 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 homes 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

RESOURCES ARE WORKING FOR SALEM. ers are 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

LAUREL KELLET.

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

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

Salem town planner Ross Mol-

process is entirely appropriate.

terests 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 of the mall's impact on traffic and the existing Route 28 corridor 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 "drastically improve" water drainage near the mall site.

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

THE AREA.

New England Development already owns several malls in the state: The Fox Run Mall in Hampton, 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 lien on the property from the Governor's Council, a lien imposed when the state backed construction bonds for improvements at the racetrack in 1982. Cronin said.

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 F. Kres and J.C. Penney with 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 applica-

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 said.

"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 ponds, Kern said. The Army Corps of Engineers, Kern said, has issued the more lenient permit, despite the EPA's opposition, only five times in the past two years.

"It sounded like a miscommunication between people at the corps," he said. "They could on our urging, revoke the permit if they don't see what I'm aware of." Officials at the Army Corps of Engineers could not be reached for comment.

George Jones said the conservation commission may reconsider its vote at its meeting in April. He would not say what led him or other board members to consider changing their minds.

"Until we've gotten a couple of other issues resolved, I don't think I should say anything at this point," Jones said.

Developers vie for area market

SALEM — Residents opposed to New England Development's 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 Pleasant 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.

Aspell said.

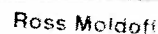
"The demographics can only support one mall," Aspell said. "Whoever gets the approval first is the one who gets the mall."

Other competition may exist in the area, too. Town officials in Windham said Pyramid Companies, a mall developer located in Syracuse, N.Y., may be the company that has been buying land on Range Road, not far from Route 93. Pyramid lost a US Supreme Court decision last month in its 10-year battle to fill 32 acres of wetlands in Attleboro, Mass., for a mall project.

During the legal battle, Pyramid aggressively fought an Environmental Protection Agency decision to revoke a wetlands permit issued the company by the Army Corps of Engineers and appealed to the Supreme Court a lower court's ruling to uphold the EPA's decision.

Pyramid officials could not be reached for comment on the Windham land purchases.

— JOHN STEVENS



2nd adult bookstore eyes Salem

Dr. John A. Hughes
1000 17th Street, N.W.
Washington, D.C. 20036

SALEM, N.J. — A school board meeting may be closed to the public, and some residents are getting mad.

John Martin, of Marion
Ark. and Lawrence and wife
this must be done in order to pre-
vent such transactions from
multiplying in Salem.

Let's not make Room 20
strut for the attention of the
discussing on. She said, "Let
us be the bedroom lover of
this one. You sometimes are the
walk along of the room." She
said, "I'm not."

Town of Phoenix, Arizona
 City of Phoenix, Arizona
 County of Maricopa, Arizona
 State of Arizona

Mr. Meigel declined to name the person, only saying he was from the Hamilton area. No building permit application has been filed.

[illegible]

1. The first of the two main parts of the book is devoted to the study of the history of the English language. It begins with a chapter on the prehistoric period, and then goes on to deal with the Old English, Middle English, and Modern English periods. The second part of the book is devoted to the study of the English language in the present day. It begins with a chapter on the English language in the United States, and then goes on to deal with the English language in the British Isles, the Commonwealth, and the world.

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.



Response

To the Editor:

Who is John Vogt? That question. Lt. Vogt was the main attraction at Memorial Day. He was twenty years in the Corps. During his Vietnam, his family lived on Millville Street for five years. His children attended school in N.H. His wife, Connie, was a nurse in the then Vietnam. After his Vietnam, the Vogts resided in Hampton, N.H. where he thought Salem to be a member of the Memorial Post V.F.W. He thought enough to accept an invitation from the Salem Veterans Association to be the Speaker on Memorial Day. He thought the task he fulfilled in Hampton, N.H. was a simple one.

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 in Hampton, N.H. post office are

New Hampshire

86 THE NEW HAMPSHIRE FREE PRESS

11
Hampshire
Free Press
June 13, 1981

Selectmen say citizens must rise up against pornography

By Linda B. B. and
Katie Leland

SALISBURY, N.H. — The town of Salisbury is planning to set up a committee to study the pornography problem and to set up a task force.

At the town's regular meeting, the selectmen planning to set up the committee and a task force to study the pornography problem and to set up a task force.

"We may not be able to protect the community through zoning," said Mr. Molloy. "I think the community has to rise up and organize."

"We need to pick out the need to show

our faces," said Peter Martin, 20, a senior at Salisbury High School. "We need to pick out the need to show our faces."

"This kind of thing is a form of child pornography," said Mr. Martin. "It's a form of child pornography."

The second application was withdrawn by phone late yesterday afternoon.

Salisbury selectmen have a plan to set up a task force to study the pornography problem and to set up a task force.

The selectmen have a plan to set up a task force to study the pornography problem and to set up a task force.

A new tax store is planned for York and Salisbury Parkways, a new shopping center is moving into the Salisbury area and a new store on Route 26 is

generally filled by new retail outlets. It is worried if there were loss of community or growth. It is worried if the town were to be lost.

What Mr. Molloy thinks is a really serious problem is the problem of the town of Salisbury. It is a really serious problem.

There is nothing in our local ordinance that would prevent strip-tease shows or other kinds of entertainment places. I don't think so," he said.

But Peter, Rye Beach, submitted the

first application. It is a form of child pornography. It is a form of child pornography.

Mr. Molloy thinks is a really serious problem is the problem of the town of Salisbury. It is a really serious problem.

There is nothing in our local ordinance that would prevent strip-tease shows or other kinds of entertainment places. I don't think so," he said.

But Peter, Rye Beach, submitted the

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

Alan White, Metro news editor

PAGE

11 Inside
Deaths, 13
Sports, 15

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 Zanetti said.

On June 13, Selectman Joseph Gagnon said one owner of the store, Del 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.

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

Delia 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. Peli Deli formerly occupied the storefront.

A few days later, Seabrook, N.H., adult bookstore owner Ivan Eaton 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 book stores out of Salem.

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

A group — 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."

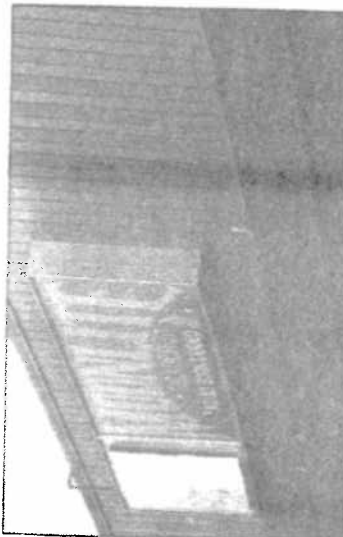
Mr. Gagnon said the store will probably not open soon. After the board of adjustment rules the losing side can ask it to reconsider.

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

Workers' comp reform put off

By John Gill
Eagle-Tribune Statehouse Bureau

BOSTON — State lawmakers next week will vote on a bill to reform the workers' compensation system.



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

ward's

orting
that

Salem rejects plan to build 10 affordable homes on Cluff Road

By Joe Van Tassel
Daily Tribune Staff

SALEM, N.H. — The Planning Board has settled a plan for 10 affordable, single-family homes on Cluff Road, but the town's voters have rejected the plan.



Doug McLean

McLean, 40, is the owner of the property. He said the plan was to build 10 homes on Cluff Road, which is a 1.5-acre lot.

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The Salem

Volume 26 No 22

18 Pages

July 3, 1991

30 Cents (Home Delivery 25c)

river

Residents picket adult bookstore

by Monique Duhamel
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 book-
store, 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
Della Martino of Barron 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 de-
cision 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 ena-
bling legislation which would al-
low the town to ban adult book-
stores.

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
picket line.

"We're definitely planning on

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

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

Residents also noted that the
store sign, which had been covered
by the property owner, was once
more visible. Town Building Of-
ficial Samuel Zannini said he has
sent a notice of violation to the
store proprietors.
Store owners have said they
anticipate opening this week.

"We're definitely planning on
doing this more than today," she
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 de-
cision, we may meet again," said
Martino.

Rev. Chip Sutton of the First
Baptist Church was one of the
residents picketing at the book-
store. "I'm here as a private citi-
zen who happens to be a pastor,"
he said. "It would be nice if there
were no porn in Salem at all. But
a store with it as its primary pur-

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.

But Joe Gagnon was right.

He said something along the lines of, "This is here before us again because Town Manager [Brenner] is the same old fella who has not changed."

It is. This is why this has been discussed several times. It is a sad state of affairs that the board of selectmen's agenda after they have rendered a decision on the very same matter.

The 1991 budget cut applications is one example of this. The budget proposals were returned to selectmen several times and finally, about halfway through the year, after repeated requests to them, the budget was set.

Sometimes the board is at fault in these things. But sometimes the fault lies with the administration. When the board asked for the budget to be worked, Brenner told them nearly the same proposal at their next budget discussion.

Deer Island beach is another example. The board discussed the funding of the beach several times. Each time the funding plan returned before them, and it has not been funded yet.

Water rates are another example. When the selectmen 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 \$40 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 letter from Salem Island Councilman Robert Martineau, who asked for a change in their minutes. Brenner, however, remained firm in his resolve to move the Recreation Department to the "large house" until a "board" vote precluded it. He admitted to the board that he did not have an alternative location for the Recreation Department.

We need a manager who is strong. We need a leader. We need direction. In the past year and a half, I haven't seen any. — Salem Island Water Board during Monday evening board of selectmen meeting.

Brenner may have put on something. In the 1990s, this community needs leadership, direction, innovation, strength, character, flexibility, and motivation in a town manager. This community needs a manager who can stand up to the abuse of the board of selectmen and fulfill the needs of the public with the highest regard to the bottom line.

At the end of the day, the town manager must accept the budget as it was approved by town meeting and work within that, instead of constantly trying to manipulate it to his own desire that no one else can see.

Charges fly in DEC scam

From Page 27

computer boards received by Currie throughout the country. Working for both Currie and Omm from 1984 through 1988, Desmond got 10 percent of the money from the resales and Currie got the remaining 90 percent. But the claims he ran into trouble with his boss when Currie asked him to pay for all the goods before shipping instead of waiting until getting payment from the client.

Desmond claims he had to set up larger lines of credit with various banks, including Bank Haughton, which Desmond is also accused of defrauding in the indictment handed up this week. In 1988, Currie and Desmond had a falling out when customers receiving damaged or used equipment that didn't work properly refused to pay. The shortfall was \$2 million, Desmond states in his counterclaim, which seeks \$2 million from Currie.

At about the time Currie and Desmond had their falling out, the FBI began the computer theft investigation at Digital that resulted in Desmond's indictment along with 15 others this week. But Desmond is charged in the criminal indictments with pulling the scam in late 1988 through 1990 without Currie's terpseness. Both he and Currie are named as defendants in a civil suit brought last month by Digital alleging computer boards were stolen and resold from 1984 through 1990.

Neither Desmond nor his attorney could be reached yesterday.

BUSINESS

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THE BOSTON HERALD, FRIDAY, JULY 19, 1991 27

Charges fly in DEC scandal

By TOM NUTILE

Edward F. Desmond Jr., arrested this week as part of a \$6.4 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 lawsuit filed in U.S. District Court Boston that his New Hampshire boss, Raymond B. Currie, asked him to sell the boards in 1984, when he was just 20 years old.

Desmond blames ex-boss in civil suit

Currie's firm, Currie Enterprises, had a contract with Digital to take used, obsolete or defective 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 Maynard company as new or used, reaping millions of dollars, Desmond claimed in the court papers, increased investigative efforts.

Desmond said he agreed with the request and formed Currie Omm Industries Inc. at Currie's offices in New Hampshire, later moving the firm to Massachusetts so it wouldn't appear the two firms had a close relationship.

Asked about Desmond's allegations yesterday, Currie said, "You'd have to talk to my attorney, but to believe the boss... with any kind of credence is insane."

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 Omm sold the

Lotus profits
down 61%

Turn to Page 29

Long road to roadwork



Everyone involved in the Pelham 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, Barry Herbert and Norma Coleman, Neuber and Edward Minassian, State and Ken

Gudek, Barr Guinnale, Town Engineer Edward Staine, Selectman Joseph Gagnon, Planning Board chairman Bernard Campbell, Planning Board member Glenn Gidley, Mark Gross of Kimball Chase, Contractor Tom Rugg and Planning Director Russ Moulton. See story below for more information.

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 superior 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 co-operation 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

■ See Road, Page 5

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.

Pros and cons of having a 155-store neighbor

8/6/91

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 have 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 headed, 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 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

8/21/91

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 Keewaydin 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 Keewaydin 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 Keewaydin station was already a town responsibility," said Blaine.

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

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

Rock could challenge its modern day handle Saturday

By Paul Leonard
Eagle Tribune Sports Writer

Fans should find it more comfortable placing their bets comfortably at the biggest horse race in New England history.

Rockingham Park is preparing for what could be a modern day record handle during Saturday's \$500,000 New England Classic.

A total of 250 betting terminal clerks will be taking bets at separate cashiers' and the huge crowd expected to be on hand for the nationally televised race clip on ABC-TV.

"Everybody on the staff is working," said Rockingham publicity director Bill Soder.

"We normally have 150 mounted track sellers, but we're adding an additional 50 for this race."

Rockingham officials are confident that bettors

will be able to place their bets comfortably during the afternoon of racing which begins with a noon post time.

The Rock is expecting one of the biggest crowds since the track reopened in 1984 following a fire which destroyed the Grandstands.

Since the track reopened the record attendance was 14,776 for the Maryland Foreman fight this past April 19.

The modern day record handle was \$1,049,903 set on Kentucky Derby Day on May 19 of 1991.

The all time record handle at the Rock was \$2,099,271 on Labor Day, 1963.

This is only the second time that a nationally televised race has been staged at Rockingham.

ABC televised the "New Hampshire Sweepstakes" race in 1964 at Rockingham.

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

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

1 1 1 1

Carey Jr. Managing's Silver Survivor worked five forlorns in 1 of 2 at Mountbath Park Tuesday in his final prep for Saturday's \$500,000 New England Classic at Rockingham Park.

Silver Survivor is scheduled to arrive at Rockingham Thursday afternoon. The five-year-old son of Silver Buck just retired by a loss to Runaway Stream in track record time in the Baltimore Breeders' Cup

Eagle Tribune invites readers to free night at Rockingham

The Eagle Tribune is inviting its readers to spend Friday night at Rockingham Park, and it's free.

A special coupon for six free Friday nights' grand admission is on page A1 today.

Grandstand admission is \$2.00. All you have to do is present the coupon and you get in free.

The promotion is part of the big week leading up to the \$500,000 New England Classic on Saturday, the biggest event in New England horse racing. The race will be nationally televised on ABC-TV channels 3 and 5 in our area.

She tracks down history of Salem homes

FRIDAY, AUGUST 23, 1991 A-4



History Buff: Patricia R. Walsh of Salem, N.H., is researching her hometown's history.

By By Deana Brown
Staff-Enterprise Writer

SALEM, N.H. — As eyes focus on the glitz of Salem's new mega-mall, Patricia R. Walsh is peering around street corners at 19th-century farmhouses.

The 21-year-old University of New Hampshire English major and Salem native is researching the town's oldest homes for a class 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 from its history," Miss Walsh said.

Her research has gone beyond the pages of Salem's old directories, but she will venture into the deeper areas later this week. South Salem will take her until December to complete.

Through her travels, she has found 75 homes, dating back to the 1700s, that are still standing. Seen working from Gilbert's book, "History of Salem, 1725-1907," as a guide, matching up old pictures and anecdotal accounts of each home.

It's authentic, even if it's studying it, but not the

ones with aluminum siding or skylights," she said.

One of her favorites is the old W. C. (Crawell) farmhouse at 17 School St.

It's probably the most authentic one left, some homes she said.

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

Another classic is the old John P. Atwood homestead at 44 N. Main Street, a brick home with a wooden breezeway connecting an old farmhouse.

According to Gilbert's book, the house was built in 1840 by Atwood's grandfather, John, and was sold to the current owners in 1960.

North Salem house, she believes, is at 17 Liberty St. built around 1840.

Patricia Walsh is assisting Miss Walsh with some of the research.

"I'm really excited about the project. It's been a goal of the project ever since the house was built. It's not just about the house, it's about the history of the town," she said.



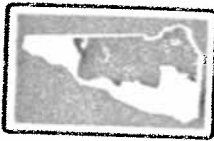
Before: The old William C. Crowell homestead at 135 School St. in Salem.



After: 1994 the Crowell homestead.

The Union Leader

"THERE IS NOTHING SO POWERFUL AS TRUTH" — DANIEL WEBSTER



128th YEAR

60 PAGES ★ ★



MANCHESTER, N.H. — WEDNESDAY, AUGUST 28, 1991

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Zoning Considered To Curb Sex Shops in Salem, Manchester

By GLENN WALLACE
Union Leader Correspondent
And JOHN TOOLE
Union Leader Staff

Salem residents will decide at a special town meeting this fall the issue of whether adult book and video shops will be limited to specific zones. The board of selectmen Monday night sent to the planning board a draft of a proposed zoning ordinance that would restrict the location of adult book

and video stores, adult-oriented theaters and arcades, and nightclubs and motels that offer adult programs.

The planning board will hold a series of public hearings, after which the selectmen will schedule the special town meeting, board member Joseph W. Gagnon said yesterday.

In Manchester last night, aldermen discussed setting up a special zone for sex shops — possibly by the police station; banning booths for watching

sex videos; and restricting sex shops through licensing.

They directed the city solicitor's office to continue looking into options for dealing with sex shops and to report back next Tuesday.

Officials are upset that one sex shop has opened and another is on the way. They fear the shops will increase prostitution, which the city is trying to eliminate.

The aldermen learned from legal counsel that ob-

scenity laws can be difficult to enforce because obscenity hasn't clearly been defined by courts.

They also were told the rights of the businessmen must be respected. "You can't completely say, 'None of this business in the city,'" deputy solicitor Thomas Clark said. "If it is a legal business, you've got to allow them to operate."

Other officials said city ordinances don't allow the city to restrict sex shops through licenses or

SEX SHOPS, Page 15

TODAY'S DIGEST

Gas Prices Going Up

NEW YORK (AP) — Retail gasoline prices rose as the Labor Day weekend approached, according to a survey released yesterday.

The American Automobile Association said the average pump price for a gallon of self-serve regular unleaded was \$1.162, up 0.7 cent, for the week ending Tuesday.

Prices were lower in the mid-Atlantic states and the Midwest but higher in other regions, according to the survey performed for AAA by Computer Petroleum Corp. of St. Paul, Minn. Since the July Fourth holiday, the price has gone up 1.7 cents, AAA said.

Still, motorists are getting better deals now than a year ago, when the Iraqi invasion of Kuwait sent oil prices soaring. A year ago, regular gasoline was 14.5 cents per gallon higher, AAA said.

Sprague Chief Eyes Bank Bid

A group of investors headed by Henry M. Powers Jr. of Portsmouth hopes to acquire the \$118 million Bank Meridian in Hampton this fall.

Powers said the investors, operating as the Great Circle Bank Group, are interested, "in that bank and that bank alone."

Bank Meridian is a subsidiary of Amoskeag Bank Shares Inc. of Manchester, targeted by the FDIC as one of five it wants to close and combine this fall.

Page 32

Gorbachev: I'll Resign Unless Unity Preserved

Says Military, Economic Union Needed To Prevent Catastrophe

By ANN IMSE
Associated Press Writer

MOSCOW (AP) — President Mikhail S. Gorbachev, warning of impending "catastrophe," yesterday threatened to quit unless the Soviet Union's splintering republics can at least preserve a military and economic union. As he spoke, a seventh republic spun off from the center.

The Soviet president, who only a week ago was a prisoner of the hard-line coup plotters who briefly toppled him, made a forceful and impassioned plea to the national legislature to maintain the country's cohesion or risk disaster.

Shouting at times to be heard over the clamor, Gorbachev said the Soviet Union stood "on the

- KGB unit refused to rush Russian Federation building during coup. Page 15
- Moldavia declares independence. Page 16
- Coup leaders to face high treason charge. Page 15

In the ninth day of an extraordinary upheaval that has seen Gorbachev's ouster and reinstatement, the ascendancy of Russian President Boris Yeltsin and the disintegration of the once-mighty Communist Party, there were these developments:

- Moldavia, which borders Romania, declared independence, the fifth republic to do so since



in a case that says in most situations, "lawyer-initiated post-verdict juror contact not authorized by a judge should not be allowed."

SEX SHOPS

(Continued From Page One)

permits.

Ward & Alderman Jacquelyn Domingue proposed adopting an ordinance to prohibit on-site viewing of sex videos.

Ward & Alderman Ann Bourque proposed establishing a business license for regulation.

Mayor Raymond Wiecezorek said his office learned that Stoughton, Mass., set up what amounts to a sex-shop zone. "They zoned it right across from the police station," the mayor said.

"We want to stop this," Ward 10 Alderman Bill Cashin said. "We don't want this in Manchester."

Warned Wiecezorek, "(The shops) are one sure way to kill any opportunity to revitalize downtown."

LOST HIKERS

(Continued From Page One)

300 rescue missions annually.

Rousselin left his parents at the Lost River Reservation off Route 112 in Woodstock when he went to walk the 15-minute ecology trail at 10:30 a.m. yesterday, Mock said.

He was located about three miles or so from the reservation, he said.

"He just got confused on the directions," Mock said.

Employees from the Lost River Reservation had set out with Fish and Game employees by mid-afternoon to find Rousselin, who wore only shorts, a shirt and loafers with no socks, Mock said.

Earlier in the day, officials had located two 16-year-old New Jersey boys who had become separated from their aunt Monday afternoon in the area of Orford's Mount Cube.

Gary J. Cramer, 16, and Steve Cameron, 16, of Moorestown, N.J., were on a several-day hike that began Saturday in the Etna area and was to follow the Appalachian Trail.

They were to meet up with Cramer's aunt, their hiking companion, but became separated on Monday and somehow passed their aunt.

Yesterday, the boys were located at Dartmouth College's Moos-

"We should not adopt a rule that is a large number of persons directly involved in the plot's preparation and staging."

The revised rule takes effect Sept. 15.

movies — including many of the same titles available at the Moon Lite Reader — the new store has produced a controversy.

Drabkowski said he doesn't understand why Gagnon and other residents have chosen to target his store, which has been periodically picketed since it opened early this summer.

"Our entire movie stock is dedicated to adult material, but everybody else in town offers a lot of the same titles. And as far as the paraphernalia and magazines and books, all we've done is consolidate in one place what's offered in novelty and joke shops or magazine racks at different stores all over," said Drabkowski.

He said that while the other stores offer adult material in sep-

lauke Ravine Lodge and were headed for Beaver Lake, as part of their original itinerary, Mock said.

"Their plans were to come out at Lost River," he said of the latter two boys, "and because they are on schedule, they are no longer considered missing." The boy's aunt has been notified and is heading to that area, he said.

"large number of persons directly involved in the plot's preparation and staging."

arate sections of the premises, his store is, in effect, entirely sectioned off.

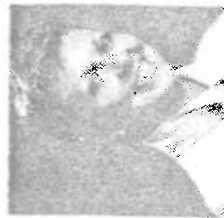
"With the disclaimers on the windows, the curtains and the age limit (those who enter must be 21), the whole store is an adult section," he said. Gagnon has taken the lead in the town's battle against Drabkowski and his partner, Del Paone.

Gagnon's involvement has brought charges by the two that he has engaged in "unethical" behavior. Gagnon has denied the charges.

Gagnon yesterday said the areas under consideration for zoning as adult entertainment areas are the south part of Route 28, the area of Route 28 near the new Mall at Rockingham Park, and a commercial-industrial area on Pelham Road in west Salem.

Gagnon also expressed doubt about the Moon Lite Reader owners' grandfathering claim. Gagnon said that with their occupancy permit now under appeal by a town resident, they will first have to get successfully through the appeal process before they can claim grandfathering.

Gagnon said the controversy could have been averted if the town had acted sooner to enact the type of ordinance now under study.



Debbie Reynolds
Owner/Director

Faculty: Debbie Reynolds
Ballet • Pop Tap

BOYS/TEENS JAZZ &
goal in SPORTS by enhancement and strength through the athletic male.

July 1991 — I have seen teachers program in day of New York. Participate enables me to offer my possible. Credentials up

Classes now available

OPEN HOUSE

THE DEGR



**AMERIDENT
DENTAL**

Quality Dental Care

We're in
NYNEX
Yellow Pages

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 fingerprinting 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 it in bold type.

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 his own explicit sexual descriptions and moral indignation. Residents must not let him succeed in his efforts to shine the light of inquiry away from himself.

In the past, when Gagnon has charged us with some truth with which it is difficult to deal,

the county attorney has been called in to investigate. The county attorney was consulted on charges Gagnon levelled against former selectmen Douglas Mickion 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. This board should vote to call in the county attorney without delay.

It is a point worth considering.

A few years ago, Gagnon publicly berated Budget Committee chairman Earl Morrow 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 he 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 is a question to be pondered.

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 stores selling in adult movies, videos or books are being drawn up by this town's selectmen. The proposed regulations were prompted by the opening of a Moon Line kiosk book and video store, according to selectmen.

The town's selectmen are intended to restrict the number of locations where adult books or videos can be sold, and to limit the number of adult entertainment establishments. "We don't want to have too many of them," said town selectman Joseph Houghton. The town is also planning with the state to have a zoning ordinance that would restrict the number of adult entertainment businesses that can operate in a town, in order to prevent the type of "saturation" that has taken place in other towns.

—AP

Couple turns trash to gold for handicapped children

By Diana Brown
Eagle-Tribune Writer

9/7/91

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

They have turned 100,000 empty beer and soda cans into a \$1,000 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 Geremonty 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 16 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 Haseltine 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 Diana Brown

...ue on September 5 at /
the Knightly Meeting
the Board of Selectmen on
ber 9 at 7 p.m. and the
ng Board on September 10
m., both in the Knightly
g Room and telecast live
le Channel 38; the Budget
tee will meet on Septem-
at 7:30 p.m. in the Knightly
g Room and on Cable
el 38.

oks like the Master Plan
ry Committee is gearing
a busy month. The commit-
three meetings scheduled
onth — for September 5, 12,
19. This group has frequent
gs and is doing a lot of
ork. However, because their
gs are not televised, they
ceive much credit. Cheers
ut to these members, who
a quiet dedication without
g or generating constant
on to their efforts.

...the Board of Selectmen
ve yet one more unproduc-
meeting this past Friday.

when was 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 land-
scaping 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 Indust-
trial Way for Franklin Pierce Col-
lege; and a convenience store and
sub shop at 33 Pelham Road.

The Way It Was

...years ago (1986) - The
Board of Adjustment re-
to allow Joseph Cuomo to
two additional signs on his
ore on South Broadway.
ated signs on the north and
ides of the building, but
rdinance allowed for only
ll sign.

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

...Salem Blue Devils varsity
l team led by tri-captains
Brothers, Bryan Campbell
like DiGaetano, was gear-
for their new season.

...hemical spill in Pelham
the evacuation of 43 homes
he closing of many area
Approximately five gallons
reddish-brown substance
out of a truck along four
of Route 38.

...Windham Board of Select-
decided to appeal a Superior
decision which said the
of Adjustment must hear a
nt's complaints of busines-
ing operated out of homes
n.

...years ago (1981) - Can-
ke fell to its lowest level on
when it dipped below 214
bove sea level after an ex-
l period of rain. Salem Se-
on set 212 feet as the level at
a 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 soc-
cer.

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

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 char-
ter, 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-com-
mittee 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 van-
dalism "a heartbreaking shame."

Salem Superintendent of
Schools Paul O. Johnson an-
nounced that Salem teachers

Voice Line

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



9/4/86

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 mak-
ing poor judgement calls and then
having to scramble to readjust
his decisions. It's very disappoint-
ing. 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 inter-
sections before the mall upgrad-
ing and puts them at other inter-
sections. A flashing or stable
light should be put at the inter-
section 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 Sun-
day or at times when the working
public would be able to use it.
Many people who work, particu-
larly 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 Direc-
tor 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

Thanks

I'd like to thank the Micklons
for bringing the beautiful toma-
toes 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 Gag-
non'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, inconsider-
ate, 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 sup-
posed to be pure of heart, mind,
body and soul. The filth he is try-
ing to sell is not what God wants
for his people. Mr. Drabkowski,
smarten up, get out of town.

Disgusted

I have heard more people dis-
gusted with Joe Gagnon in par-
ticular and the Board of Select-
men 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 book-
store allows only under-21 in. Un-
fortunately, some of our children
had to be exposed to realize por-
nography because of Mr. Gagnon,
the actor.

Enjoyable

I really enjoyed the Garden Club
Awards last evening on the Plan-
ning Board meeting. It's nice to
see the business community con-
tributing to the beautification of
Salem. Hats off to Doris Flaherty,
the Garden Club, and Ross Mol-
doff for such a great idea.

Sick and tired

I'm so sick of Joe Gagnon's

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 con-
cerned, 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 de-
meaning 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 indi-
vidual 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 pro-
cedures 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 park-
ing 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 dead-
beats through increased fees.

Child safety

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

Editorials

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 town employees, raising suspicious but not providing confirming evidence. Thus the reputation of those maligned remains forever in abeyance, neither cleared nor convicted.

Once upon a time, Selectmen cooperated

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.

9/4/91
...
Yup, the Board of Selectmen did have yet one more unproductive meeting this past Friday.

They held a work session to discuss "agenda management" well. Nothing's changed. No decisions were made and it appears that the meetings will continue to run as rampantly out of control as ever.

When was 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 land-escaping 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.

An embarrassment to Salem

9/4/91

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 embarrassment to Salem. His rudeness and ignorance in dealing with town attorney Barbara Loughman, reveal an inherent lack of professionalism. His

discourse on the "repulsiveness" of the Moonlite Reader is nothing but political hype. I am neither for nor against an adult bookstore in this town; but George Jones spoke the only intelligent words on the issue. 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

I find it surprising that a man of so little class can win the votes of the townspeople. People are complaining that the Moonlite Reader devalues Salem but Joe Gagnon has been making a joke out of our town for years. Deborah O'Neill 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

Foes aim to close adult video stores

■ STORES

Continued from Page NH 1

sexually provocative T-shirts at Hampton Beach, seminude male dancing, and last summer's canceled concert by 2 Live Crew, a rap group known for its sexually graphic lyrics.

The recent controversy has swirled around so-called adult video stores selling sexually explicit magazines, videotapes and sexual paraphernalia in several New Hampshire communities. The state's embattled adult video store-owners — backed by male and female clients — staunchly defend their right to peddle their sex-related wares. But outraged opponents, worried about the spread of big-city sex-related crimes to traditionally rural New Hampshire, warn about the advance of "smut" across the state and want to restrict the stores' spread.

In Salem, war over the Moonlite Reader has raged since early summer, when the new store became tangled in a convoluted battle with the town over permits. Salem town officials, who contend that the store is operating illegally, are scrambling to enact zoning laws that would prohibit such stores from certain areas.

Two Salem housewives, who want to ban outright stores selling X-rated material, have filed an obscenity complaint against the Moonlite Reader with the Salem police. Other opponents met at a Salem church last week to explore their legal options.

"Free speech is protected under the Constitution but obscenity is

not," said Chip Sutton, pastor of Salem's First Baptist Church. "I believe hard-core pornography is obscene in the city."

It's been deemed illegal in a number of major US cities, so why can't it be done in Salem, New Hampshire?

Meanwhile, the Moonlite Reader's embattled owners, Thaddeus Drabkowski and Delano Paone, have

filed suit in Rockingham County Superior Court against the town of Salem, its Board of Adjustment, and several vocal opponents including Selectman Joseph Gagnon. The lawsuit charges that opponents have used threats, intimidation and coercion in an effort to shut the store, in violation of the owners' constitutional rights to free speech and equal protection under the law.

"This is a business like any other business," said Drabkowski, standing behind jars of glow-in-the-dark condoms and "one-night-stand mini-paks" of jellies and creams. "I believe it's a First Amendment issue. To each his own: What people do in the privacy of their own bedrooms is up to them. But it's a morals issue with some people, and the problem is, whose morals do you go by?"

In Manchester, where city fathers have been waging war against prostitution, the opening of a second adult video store downtown by the son of a Seabrook selectman caused official dismay.

"Having them here is not my idea of revitalization," said Manchester Mayor Raymond J. Wiscorski,

who was awaiting legal advice from the county attorney's office and the

Peter McDonough, after a meeting with US Attorney Jeffrey Howard and William Lyons, chief of the Attorney General's Criminal Division.

"It's a very challenging question, because it may be in a state of flux," said McDonough, adding: "Is a dildo what the statute includes? I don't know."

More confusing still, community standards vary throughout the state, McDonough added. "Just because you and I don't want it on the coffee table may not mean the whole community thinks it's obscene."

New Hampshire's adult video store owners insist on their right to do business.

A Manchester "working mother," who did not want to be identified, defended Currier's store. "I don't see what's wrong with it. It's not going to make a pervert out of me," she said.

But opponents, including the National Coalition Against Pornography, an eight-year-old group founded during the Reagan administration, see the stores as harbingers of sex crimes and moral decay.

"We're concerned about the crime rate, prostitution coming in, drug use, real estate values and we want to stop this kind of growth in our town," said Donna Felpel, a Salem resident and mother of two.

Claire Ebel, executive director of the New Hampshire Civil Liberties Union, said the issue revolves around the definition of "obscene." "The question is what is obscene? Unless they can be proven to be obscene, they cannot be prohibited."

ampshire

MONDAY, SEPTEMBER 16, 1991 ★★

PAGE

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Inside

Deaths, 12
Crime, 13

Planning Board ponders adult bookstore zoning

EMAIL CORRECTION:

"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.

GLENN GIDLEY: "I think we need something and it's a step in the right direction," he said.

"I don't think that's the kind of land use that we would want totally unregulated in town."

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 jury 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.

Wincham 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 members think of the plan:

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

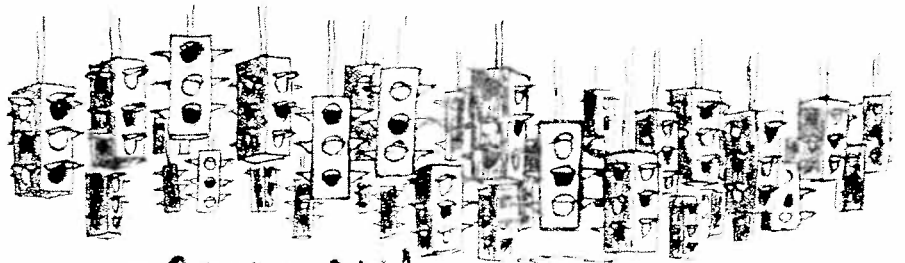
tame meetings, they might be well on their way to accomplishing something, anything.

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.

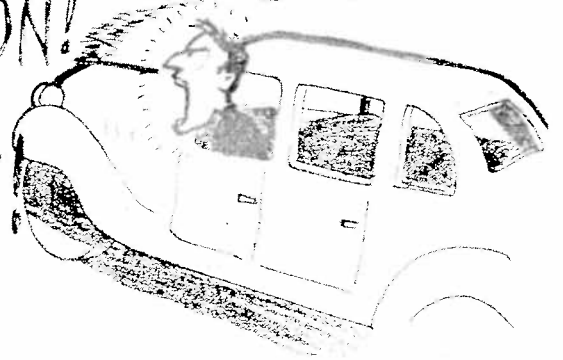
It's time to take the politics out of the Board of Selectmen meetings and get back to the business of the town.

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!



Cartoon by [illegible signature]

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 Champoux 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 Dravkowski told the audience that after they applied for the permit Selectman Joseph Gagnon had contacted him and his partner and arranged a meeting. Dravkowski 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 Dravkowski.

Gagnon, who was on vacation last week, said he would not comment until he had reviewed a tape of that meeting.

Dravkowski 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.

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 Drabowski 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.



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 Champoux, 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."

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

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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 opticon 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 parlour 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 8,500 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.



For 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.



Digging in: Michael Straw, an equipment operator, clears an area for the 24-unit Policy Brook Estates affordable housing apartment complex on Pleasant Street.

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.

HOME DEPOT: Construction has yet to begin at the site on South Broadway next to and including the Fireside Motel.

make it as early as possible," she said.

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

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.

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 did get to see the life-sized mechanical Stegosaurus 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,

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-



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

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 Weatherman 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 Kellert, 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

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 flyover 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."

Patty Drelich, executive director, Greater 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 that 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 180 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

MAIL continued on page 9

MAIL *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

10/16/91

S. O'Brien

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 and beyond.

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 proposal of the Master Plan. This is meant to complement

what was done in 1986. Planning Director Ross A. McAdams discusses problems and recommends solutions.

Housing: Recommendations

to develop additional public incentives for private sector housing to develop more public

elderly housing to utilize town-owned property for affordable housing to maintain the need for

development of the town's infrastructure to meet the needs of the future

Transportation: Recommendations to develop a comprehensive transportation plan to meet the needs of the future

to develop a comprehensive transportation plan to meet the needs of the future

made after war time ramp up. Next, it will be a matter of

Municipal facilities: Recommendations to develop a comprehensive plan to meet the needs of the future

Recreation: Recommendations to develop a comprehensive plan to meet the needs of the future



Eagle-Tribune photo by Diana Brown

Dedication: Dedicating Salem's new public canoe launch into the Spicket River was (from left) Recreation Director Julie Kamei, 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 Ross 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



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Lawyer pleads guilty in ComFed case

Kellett faces 5 years in prison

BOSTON — Just as he was to face a second federal court trial on charges in connection with a hidden second mortgage scheme, Raymond Kellett pleaded guilty.

Mr. Kellett, 43, 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 closing attorney for ComFed Savings Bank.

Mr. Kellett, whose first trial in

July ended with a hung jury, had no comment this morning on why he decided to plead guilty.

Judge Edward P. Harrington set Mr. Kellett's sentencing for Dec. 30. He faces a maximum of five years in jail on the obstruction of justice counts, two years in jail on the false statements count and a \$500,000 fine.

Mr. Kellett is the 10th person convicted in connection with an alleged hidden second mortgage 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.



Mr. Kellett
faces jail

How scheme worked

The ComFed conspiracy, which could cost taxpayers \$12 million, started at the height of the real estate boom with promises 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.

...SALEM SELECTMEN'S MOST RECENT ACCOMPLISHMENTS!

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L. A. Swank
Salem, Oregon

Letters to the Editor

10/30/90

New Hampshire

Kathy Scola, New Hampshire editor

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Moonlite Reader owners pass lie test on Gagnon

 by Diana Brown
Agile-Tribune Writer

SALEM, N.H. — Owners of Moonlite reader adult bookstore book and passed a detector test in an attempt to prove selectman Joseph W. Gagnon wrong.

The owners, Ted Drabkowski and Del alone, paid \$300 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 re-apply 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. Paone'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. Paone for the Nov. 1 test. Here are the questions they were asked:

1. Did Joseph Gagnon meet with you and Del at the Lotus Garden restaurant 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.

SA/le/Chavez
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. ♦

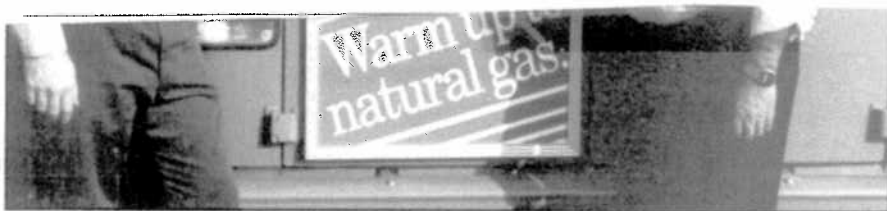


John Snow, vice president, Northern, joins Salem, NH officials at the formal opening of a public canoe launch made possible by a cooperative effort between Northern Utilities and the town. Pictured with John Snow are Salem town manager Barry Brenner, left, and Salem planning director Ross Moldoff.

A publication of Bay State Gas for employees and retirees

The Bay Stater

NOVEMBER 1991



Adult bookstore permit granted

12/12/91
Cohen

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 Champoux 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.

Forecast

Continued from Page 1

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 Weatherlane 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 Weatherlane 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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1991 reflections and 1992 predictions

12/24/91 Observer

Boston Sunday Globe

WET BETWEEN
THE YEARS
Sunday: Rainy, 40s
Monday: Cloudy, 40s
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SUNDAY, DECEMBER 29, 1991

Health care leaps to top of political agenda

If we do not reform the way we pay for health care... the long-term security of all American families is at risk.

By Richard A. Kohn
columnist

Paul Corvino of Salem, N.H., is a registered Republican who voted for President Bush and counts himself a friend of John Sununu, the former White House chief of staff. But Corvino is ready to desert Bush in 1992 for any challenger who credibly promises health care reform.

"Blue Cross has done more to hurt me than Saddam Hussein ever did," said the 60-year-old contractor, whose health insurance premiums for his employees doubled this year. Corvino can't buy other coverage, he

said, because a 30-year employee has skin cancer.

"I can't imagine voting for a presidential candidate who doesn't convince me he's seriously addressing the problem," he said.

Voters like Corvino are the reason Bush and his top aides, after three years of saying as little as possible about spiraling medical costs and eroding health coverage, are scrambling to pull together a policy on reforming the nation's \$500 billion-a-year health care system.

Analysis of every political stripe affirm that health care reform has finally made it into the top tier of vote-making issues, after

20 years of rhetoric about a US health care crisis.

Beginning next month, political debate on the issue will accelerate sharply.

Bush has promised to outline his approach in the Jan. 25 State of the Union Message. Senate Democrats are pressing a key committee vote Jan. 22 on their own proposal for a workplace-based approach to universal health insurance and medical cost control. A majority of the Senate's 52 Republicans are lined up behind neither approach. And House members on both sides of the aisle are working on health reform plans.

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Ready for medical reform

A poll taken for an industry feature carried by President Bush shows the index of readiness for health reform among the major subgroups.

Group	Ready	Not Ready	Total
Formerly firm and physician program	65%	35%	65%
Managed care/privately insured	58%	42%	58%
Employer-paid/extended care	50%	50%	50%
Calculated PAC/individual	31%	69%	31%
Individuals not covered	40%	60%	40%

SOURCE: Survey conducted by Health Industry Foundation of 1,275 individuals, 50% male, 50% female.