

➔ **LOOK FOR IT: ECONOMIC OUTLOOK OFFERS FORECASTS, PREDICTIONS AND REFLECTIONS FROM AREA BUSINESS OWNERS AND LEADERS. FIND IT IN BUSINESS MONADNOCK, A PULL-OUT MAGAZINE IN FRIDAY'S SENTINEL.**



THE KEENE SENTINEL

TUESDAY, JANUARY 28, 2014

FOLLOW US ON [twitter](#) | [facebook](#) | www.sentinelsource.com | 75 cents

Cracks in the process

Winchester case shows holes in license reinstatement

By **KYLE JARVIS**
Sentinel Staff

The recent case of a Winchester man who killed his brother in a car crash shows some of the challenges state officials face when dealing with certified habitual offenders of motor vehicle laws.

Lynn "P.J." Pickard, 30, has pleaded guilty to negligent homicide and aggravated driving while intoxicated in an April crash on Fullam Pond Road in Winchester that killed Terry Pickard, 34. His sentencing is scheduled for Feb. 7.

Lynn Pickard had been certified as a habitual offender of motor vehicle laws,

Lynn Pickard had been certified as a habitual offender of motor vehicle laws, but lied to investigators six years ago to get his license back, according to state officials.

but lied to investigators six years ago to get his license back, according to state officials.

The case shows some of the difficulties

in enforcing habitual-offender rules, says Christopher B. Casco, administrator for the bureau of hearings for the N.H. Department of Safety.

Holes in the system

The N.H. Department of Motor Vehicles certified Pickard as a habitual offender in 2005, and his license was revoked. He successfully applied for de-certification and got his license back after a hearing in 2007.

New Hampshire, like many other states, uses a demerit point system for

See **WINCHESTER** on Page A5

MORE INSIDE

➔ **FOOD:** Homemade bagels are simply delicious. **Page C1**

➔ **SPORTS:** Keene High girls trip up at home. **Page B1**



FIRM SET TO PURCHASE COLONY MILL



Photos by **MICHAEL MOORE** / Sentinel Staff

Sharon Mangan, assistant manager at Clay's in the Colony Mill Marketplace in Keene, changes the clothing on a storefront mannequin Monday. A Manchester-based firm has plans to buy the mill. Below, the Colony Mill is seen from the outside.



SALE NEAR?

Company has ideas for mill, Center at Keene

By **KYLE JARVIS**
Sentinel Staff

Business partners from a Manchester-based property development company say they hope to return two troubled Keene shopping centers to their glory days.

Principal partners from Brady Sullivan Properties said they have a purchase-and-sales agreement in place to buy the Colony Mill Marketplace and The Center at Keene, both of which have struggled in recent years.

Brady Sullivan specializes in the redevelopment of old mill buildings, although most of its past projects consist

of apartment and office space, according to the company's website.

But in the Colony Mill, the group saw an opportunity to revitalize what was once a top retail destination in southwestern New Hampshire.

"We are pleased to be bringing new life to the historic Colony Mill & Center of Keene properties," Principal partner Arthur Sullivan said in a news release. "The Colony Mill is a treasured property, not just throughout New Hampshire, but all of New England."

When two of the business partners recently visited Keene, they spoke about their plans for the properties.

See **MANCHESTER** on Page A8

ER to expand

Keene hospital plans to add 2,400 square feet

By **ELLA NILSEN**
Sentinel Staff

Hospital staff and patients at Cheshire Medical Center/Dartmouth-Hitchcock Keene have long dealt with a cramped emergency room. But after several violent incidents in recent years, hospital officials have put the focus on increasing safety with a proposed expansion.

By spring of 2015, Cheshire Medical Center officials will have completely redesigned its emergency department, expanding space and constructing private patient rooms.

The hospital's site plans were approved by the city's planning board at its Monday night meeting.

The renovation will include adding 2,400 square feet of space to the building. The

See **KEENE** on Page A5

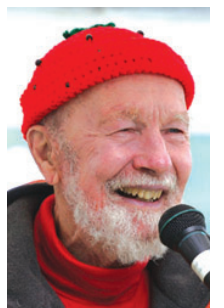
World mourns Seeger, music icon, activist

By **CLAUDIA LUTHER**
Los Angeles Times

Pete Seeger, the iconoclastic American singer, songwriter and social activist who did battle with injustice in America armed with a banjo, a guitar and the transformative power of song, has died. He was 94.

Seeger died Monday at New York Presbyterian Hospital, his grandson Kitama Cahill-Jackson told the Associated Press.

A veteran of the labor, peace and civil rights movements, Seeger remained relevant as an activist into his 90s. He was equally musician and



Seeger

See **WORLD** on Page A4

The Sentinel and sentinelsource.com will be read today by more than 32,000 people.

DAILY DIGEST | **SENTINEL WEATHER** | TODAY: 17 | TONIGHT: 3 | WEDNESDAY: 20 | FORECAST, PAGE A4

INDEX: LOTTERIES: A4 | OPINION: A6 | READER OPINION: A7 | SPORTS: B1 | FOOD: C1 | ADVICE/COMICS: C2 | CLASSIFIEDS: C3

216th year, No. 27

• Four sections, 20 pages

New Hampshire's oldest newspaper: Guarding the past, tending tomorrow

Established 1799



Manchester firm set to buy mill

(Continued from Page A1)

"We're not doing anything different," said Charles N. Panasis, director of commercial real estate for Brady Sullivan. "We develop mills, and we kind of stick to what the mills are, their history, and try not to invent something that shouldn't be invented."

Asked whether the team might consider turning the Colony Mill into condominium or apartment space, as they've done with other mill rehabilitation projects, Panasis said it's not in their plans.

"To try and reinvent (the use of the buildings) is really going against the grain of what the highest and best use is," he said. "It's a beautiful model. You've got two restaurant sites that are a possibility, the food court, and such a number of vacancies that we've been getting calls from previous tenants and potential new ones."

The high rate of vacancy at both sites is part of what attracted the group to the project, said Benjamin S. Kelley, a commercial real estate partner with Brady Sullivan.

"It is kind of what we do," he said. "We're not going to go in and buy a fully occupied building. We want to fill it up with tenants, make improvements that are needed, and add value."

He also said the partners plan to work with existing tenants and hope to retain them.

Kelley and Panasis pointed to other Manchester-based projects that bear resemblance to this one, including the MillWorks at 195 McGregor St., which offers commercial condominium, office and industrial space for lease, and the 450,000-square-foot Wauumbec Commercial Center at 250 Commercial St., consisting of commercial space.

Wauumbec "is bigger, but the model is pretty similar to what the Colony Mill is, while not

quite as much geared towards the retail side," Kelley said. "We don't see it as too much of a departure (from previous Brady Sullivan projects), especially with the professional space; it's kind of in our wheelhouse."

Carrying on a long tradition

The Brady Sullivan team hopes to close on the deal next week, but wouldn't reveal the purchase price for either property until it's finalized.

The 112,237-square-foot Colony Mill was assessed at \$4,686,100 in 2013, including the main building and the parking lots surrounding it. The 106,741-square-foot Center at Keene was assessed at \$5,123,400, including the main building and the parking lots.

The mill first opened in 1775 as a sawmill and gristmill. Moses H. Hale and Zebediah Kise bought the mill in 1806, and hired Josiah Colony to manage it. Colony and Francis Faulkner bought it in 1815. When the mill was destroyed by fire in 1825, they rebuilt it with brick and added a woolen mill.

Area resident Emile Legere first turned the mill into retail space in the early 1980s.

Mayo Seven LLC of Massachusetts purchased the properties in 2003, but ran into trouble in 2010 when it defaulted on its mortgage payments to the bank, Wells Fargo, which filed suit against Mayo.

A judge appointed KeyPoint Partners, also of Massachusetts, to manage the properties temporarily until a permanent owner could be found.

KeyPoint has struggled to find new tenants, while losing several. Vice President Robert Hayes said recently that KeyPoint was handcuffed as it waited for a previous offer on the properties to close, but it never came to fruition.

Nicholas Heras Jr., president

of Hera Development Group of Brighton, signed a deal in summer 2012 to purchase the shopping centers for \$6.6 million.

But Wells Fargo said he defaulted on that agreement, which required him to pay the \$250,000 deposit the day after the deal was signed. Heras didn't pay the deposit until more than three weeks later, according to court documents.

After both sides were ordered by Cheshire County Superior Court Judge John C. Kissinger Jr. to enter mediation, Heras reached a deal with the bank in which he would pay an additional \$100,000 deposit in exchange for an extension to close on the deal.

But Heras defaulted again, putting both properties back on the block and opening the door for Brady Sullivan.

The Brady Sullivan team hopes to make sizable investments in both properties, including "improving signage, rebuilding sidewalks, updating landscaping and parking, and, most importantly, bringing in new businesses to occupy available spaces," Panasis said.

"To put a number to it, \$500,000-\$700,000 in capital improvement," Kelley said, adding that at least one member of the four-man team will be on-site once a week or more after the sale closes.

Tenants hopeful, but hesitant

While the group hasn't had a chance to introduce themselves to every tenant left in both buildings, rumors of a pending deal were swirling this week.

"I've heard that they're in negotiations, but we've heard that song and dance before," said Daniel Yelin, owner of Antiques at the Colony Mill.

Yelin said he believes local ownership and attention to detail is key in the shopping centers' futures.

"Anything would be better than what it is right now," he said. "I don't know how much further down it could go. I think it could turn around quite easily, if they can get a more hands-on approach and at least know what's going on."

Steven M. Bemis, owner of the Sports Source in The Center at Keene, said it would be nice to have an owner he could reach easily.

"As far as the local aspect, that would be wonderful, I think," he said. "Somebody you can call up and say, 'Hey, I need this fixed.'"

Bemis has been in The Center at Keene since 1996, he said.

Willard Williams, co-owner of The Toadstool Bookshop, which opened in the Colony Mill in 1983, said he's not convinced the mill can ever be what it once was.

"The entire retail world is changing," he said, referring to the explosion of online shopping. "But it has a lot of charm and character to it that brings people in ... it's sort of a place that needs day-to-day care. What seems exciting is to have somebody, a real owner, who has some vested interest, to get us out of this holding pattern we've been in."

Williams hopes Brady Sullivan can come close to matching the energy of the properties' original owner.

"The owner who certainly held the mill closest to his heart was Emile Legere," he said. "He was there all the time, picking up trash outside. To contrast that with the Mayo Group, who had very little attachment to it, to find someone who is sort of in the middle, is certainly a better arrangement than in the past."

Kyle Jarvis can be reached at kjarvis@keenesentinel.com or 283-0755. Follow him on Twitter @KJarvisKS.

Medical pot bill heads to Fla. ballot

By MARC CAPUTO
The Miami Herald

MIAMI — A Florida constitutional amendment calling for medical marijuana will be decided by Florida voters in November now that the state Supreme Court ruled Monday that the proposed initiative and ballot summary aren't misleading.

"Voters are given fair notice as to the chief purpose and scope of the proposed amendment, which is to allow a restricted use of marijuana for certain ... debilitating medical conditions," the court said in a 4-3 ruling in which conservative justices and one moderate dissented.

"We conclude that the voters will not be affirmatively misled regarding the purpose of the proposed amendment because the ballot title and summary accurately convey the limited use of marijuana, as determined by a licensed Florida physician," the court ruled.

If the amendment passes — it takes 60 percent of the vote to do that in Florida — the state would become the 21st to decriminalize marijuana for medical use, though marijuana remains illegal at the federal level.

A host of polls show Florida's measure would pass, with one survey showing support as high as 82 percent.

In issuing its ruling, the court rejected a host of arguments advanced by Florida Attorney General Pam Bondi, Florida House Speaker Will Weatherford, Florida's Senate President Don Gaetz and conservative-leaning lobby groups based in the state capital.

The opponents claimed that voters would essentially be tricked into legalizing marijuana under the guise of helping sick people.

LARGEST ASSORTMENT OF MATTRESSES AT THE VERY BEST PRICES!

SLEEPY'S

The Mattress Professionals

Since 1957
Over 900 Stores!

EVERY *Beautyrest* ON SALE!

Beautyrest
RECHARGE

SAVE 70%

With AirCool® Foam • Firm
\$399⁹⁹
Twin Set
List \$1299

Full, Queen and King
available at similar savings

ONE DAY ONLY!

Wednesday 10am-9pm Today is Preview Day

LIMITED QUANTITY!

ORTHO-posture®

SAVE 50%

Queen Set • Firm
\$299⁹⁹
List \$599

Twin, Full and King available at similar savings

Beautyrest
RECHARGE

SAVE 55%

Queen Set • Plush
\$799⁹⁹
List \$1899

AVAILABLE
ONLY AT
SLEEPY'S

Beautyrest

SAVE
UP TO
\$1,000

on select
Beautyrest Legend sets.
See store for details.

ONLY
SLEEPY'S
BEATS ANYONE'S PRICE
BY 20% OR IT'S
FREE!^{††}

GUARANTEED

David Acker
President

^{††}We will meet the price on Stearns & Foster, Serta iSeries, and Harris Hub power bases. Applies to same or comparable mattresses prior to delivery. Excludes special purchases, Internet sales, telephone sales and warranties. Must present competitor's current ad or invoice.

NO
MONEY
DOWN

0% INTEREST For 24, 36, 48 or 60 Months*
On purchases made with your Sleepy's credit card between 1/28/14 & 1/29/14:
24 mos. on purchases of \$2400-\$3599⁹⁹, 36 mos. on purchases of \$3600-\$4799⁹⁹, 48 mos. on purchases of \$4800-\$5999⁹⁹, 60 mos. on purchases of \$6000 or more. Equal monthly payments required for 24, 36, 48 or 60 mos.

TEMPUR-PEDIC
ELITE RETAILER

*Offer applies only to single-receipt qualifying purchases. No interest will be charged on promo purchase and equal monthly payments are required equal to initial promo purchase amount divided equally by the number of months in promo period until promo is paid in full. The equal monthly payment will be rounded to the next highest whole dollar and may be higher than the minimum payment that would be required if the purchase was a non-promotional purchase. Regular account terms apply to non-promotional purchases. For new accounts: Purchase APR is 29.99%; Minimum Interest Charge is \$2. Existing cardholders should see their credit card agreement for their applicable terms. Subject to credit approval. Sleepy's does not require a down payment if the purchase is made with your Sleepy's Credit Card. All models available for purchase may not be on display. Photos are for illustration purposes only. Not responsible for typographical errors. Previous sales do not apply.

1-800-SLEEPY'S | sleepys.com/onedaysale | Nationwide Delivery!

SLEEPY'S MAKING THE WORLD A BETTER PLACE TO SLEEP™