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MANCHESTER AREA REAL ESTATE

Hooksett's Kmart plaza gets new owner — and new future

■ Brady Sullivan buys RK Center and adjacent properties for \$10.7 million.

By Michael Cousineau
Union Leader Staff

HOOKSETT — Developer Brady Sullivan has added the former Kmart plaza on Route 3 to its empire for a cool \$10 million and change.

"It's a great location," partner Arthur Sullivan said Tuesday.

Sullivan said he didn't have plans yet for the shopping plaza, which includes Dollar Tree and a barbershop, as well as the Applebee's restaurant and auto care center on adjoining lots on the busy Hooksett Road, known also as Route 3.

"If we buy something at the right price, we assess what is the best possible use, and that's how we move forward with it," Sullivan said. "It's good real estate."

Sullivan said the company paid just over \$10.7 million for the properties.

The zoning gives Brady Sullivan and town officials "a lot of flexibility in terms of what can go in there," said Town Planner Nicholas Williams.

"Given the current market for commercial (space), we're going to be forced to be more flexible with the uses that we allow," Williams said.

That's notable because Brady Sullivan Properties already is battling the town over a proposed conversion of the former Cigna office building further north on Route 3 into 81 apartments.

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A shopper heads back to her vehicle with balloons at the RK Center on Route 3 in Hooksett on Tuesday.

MAR-A-LAGO SEARCH

Trump asks Supreme Court to intervene on seized records

■ Former president challenges appeals court ruling blocking special master from reviewing documents marked as classified.

By Andrew Chung and Nate Raymond
Reuters

WASHINGTON — Former President Donald Trump on Tuesday asked the Supreme Court to intervene in his fight with the Justice Department over classified documents seized from his Florida home as part of a criminal investigation into his handling of government records.

Trump filed an emergency request asking the justices to block part of a lower court's ruling that prevented an independent arbiter requested by Trump, known as a special master, from vetting more than 100 documents marked as classified that were among 11,000 records seized by FBI agents at the Mar-a-Lago estate in Palm Beach on Aug. 8.

The Atlanta-based 11th U.S. Circuit Court of Appeals on Sept. 21 repudiated a decision by U.S. District Judge Aileen Cannon, who had temporarily barred the department from examining the seized classified documents until the special master had weeded out any that could be deemed privileged and withheld from investigators.

The 11th Circuit also prevented the special master, Judge Raymond Dearie, from having access to the documents with classified markings, noting the importance of limiting access to classified information.

Trump's lawyers in Tuesday's filing said Dearie should have access to "determine

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Making room in Manchester



A worker sprays water where an excavator operator is working on the demolition of the building between West Auburn and Depot streets in Manchester on Tuesday.

Demolition downtown paves way for 250 apartments

By Jonathan Phelps
Union Leader Staff

Construction crews continue to tear down old brick industrial buildings just off Manchester's Elm Street to make way for nearly 250 new apartments.

The apartments are being developed by Boston-based Jones Street Investment Partners. The four-story building is expected to include a fitness center, club room, co-working space, pet spa, bike racks, two outdoor courtyards featuring fire pits, a bocce court and a roof deck with views of the Merrimack River.

The apartments are located diagonally across from the SNHU Arena and behind Murphy's Taproom. Market Basket is across West Auburn Street.

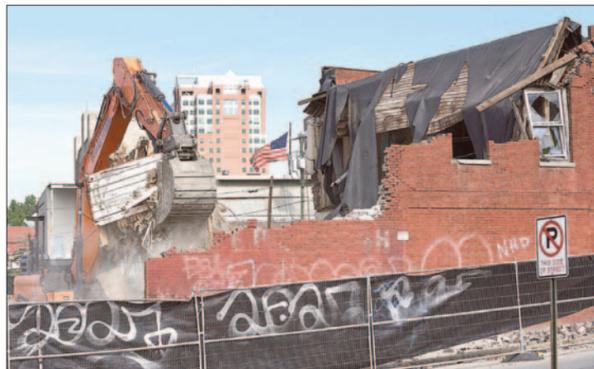
The company is planning an official groundbreaking in November.

Another Massachusetts developer, Bridgewater Company, will soon tear down the old Athens Restaurant and Central Ale House on Central Street to build an eight-story, mixed-use building with 77 one- and two-bedroom apartments. The project — to be called Grand Central Suites — goes before the Planning Board Thursday night.

Amenities will include a coffee lounge, master control tablets for scheduling housekeeping, dry-cleaning pickup, room service from in-building restaurants and grocery ordering. Developer Nazar Vincent previously said he is considering valet parking.

"Improvements at the streetscape around the building will help improve public safety by improving

► See Manchester, Page A10



Jones Street Investment Partners of Boston will be building a complex of 250 apartments when the property between West Auburn and Depot streets is cleared.



"With the vacancy rates at 1% in the city as a whole, the demand seems to be there."

WILL STEWART

Ward 2 alderman and Stay Work Play executive director

ABUSE SETTLEMENTS

Broderick consensus pick to administer YDC victims fund

■ State Supreme Court will make the choice; plaintiffs' lawyers say the process is still flawed.

By Kevin Landrigan
Union Leader Staff

Former Supreme Court Chief Justice John Broderick is the recommended choice of Attorney General John Formella and plaintiff lawyers to be the independent administrator of the \$100 million fund to compensate victims of sexual and physical abuse at the Youth Development Center in Manchester.



JOHN BRODERICK
retired chief justice

The New Hampshire Supreme Court will make the appointment. Formella said Tuesday that Broderick has the right experience and temperament for the job.

"We are confident that, if appointed, Chief Justice Broderick will serve as a thoughtful, impartial, and empathetic administrator," Formella said in a statement.

The chief job of the administrator will be to arbitrate disputes when lawyers for victims reject damage awards that the Attorney General's Office has offered to them.

Broderick served on the state's highest court for 15 years, stepping down in 2010. He later served as dean of the UNH Law School and since 2016 has been senior director of external affairs at Dartmouth

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Trump

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whether documents bearing classification markings are in fact classified, and regardless of classification, whether those records are personal records or presidential records.”

The Justice Department has “attempted to criminalize a document management dispute and now vehemently objects to a transparent process that provides much-needed oversight,” Trump’s lawyers added.

The court-approved Mar-a-Lago search was conducted as part of a federal investigation into whether Trump illegally retained documents from the White House when he left office in January 2021 after his failed 2020 reelection bid and whether Trump tried to obstruct the probe.

The investigation seeks to determine who accessed classified materials, whether they were compromised and if any remain unaccounted for. At issue in the 11th Circuit ruling were documents bearing classified markings of confidential, secret or top secret.

Cannon, presiding over Trump’s lawsuit seeking to restrict Justice Department access to the seized documents, barred review of all of the materials and named Dearie to review the re-

ords, impeding the investigation.

On Sept. 15, Cannon, who was appointed to the bench by Trump, rejected the Justice Department’s request that she partially lift her order on the classified materials as it impeded the government’s effort to mitigate potential national security risks from their possible unauthorized disclosure.

The three-judge 11th Circuit panel included two judges appointed by Trump and one by former President Barack Obama.

Noting that classified records belong to the U.S. government, the 11th Circuit doubted Trump has any “individual interest” in them and that he “has not even attempted to show that he has a need to know the information contained in the classified documents.”

The 11th Circuit also rejected any suggestion that Trump had declassified the documents — as the former president has claimed — saying there was “no evidence” of such action and that the argument was a “red herring because declassifying an official document would not change its content or render it personal.”

In Tuesday’s filing, Trump’s attorneys said he

had “broad authority governing classification of, and access to, classified documents.” In an interview on Fox News last month, Trump again asserted without evidence that he declassified the documents and claimed he had the power to do it “even by thinking about it.”

The three statutes underpinning the search warrant used by the FBI at Mar-a-Lago make it a crime to mishandle government records, regardless of their classification status.

Cannon had tasked Dearie to review all of the seized materials, including classified ones, to identify anything subject to attorney-client confidentiality or executive privilege — a legal doctrine that shields some White House communications from disclosure.

The document investigation is one of several legal woes Trump is facing as he considers whether to run again for president in 2024. New York state’s attorney general last month filed a lawsuit accusing Trump and three of his adult children of fraud and misrepresentation in preparing financial statements from the family real estate company. The Trump Organization also is set to go on trial on Oct. 24 on New York state criminal tax fraud charges.



The RK Center on Route 3 in Hooksett, which contains a former Kmart store, has been purchased by Brady Sullivan. DAVID LANE/UNION LEADER

Plaza

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The matter is before the state Housing Appeals Board.

Commercial real estate executive Tom Farrelly predicted a combination of commercial and residential development at what is known as the RK Center, wedged between Route 3 and Bypass 28.

“That’s a great mixed-use development site,” said Farrelly, who works at Cushman & Wakefield.

Rafael Robles, owner of the Lineup Barbershop, said he didn’t know the plaza had sold. The Kmart store closed in 2020.

He would like the parking lot repaved and the facade’s colors changed.

“Give the building a face-lift,” Robles said.

Robles said he hoped something, such as a Christmas Tree Shops store, would move there to bring “more foot traffic into the plaza” and more customers seeking haircuts.

In recent years, someone wanting to pursue an indoor go-kart course inside the Kmart space eventually dropped that idea. U-Haul



Mike Begley of Hooksett says a Christmas Tree Shops store would be a good choice for a renovated RK Center plaza. DAVID LANE/UNION LEADER

also considered self-storage inside and parking its moving vans outside, according to Williams.

“The Kmart space, I want to say that is the largest vacant commercial footprint in the town currently,” he said.

A state liquor store in the plaza that was temporarily closed last July over staffing will remain shuttered with the recent opening of a new liquor store on Gold Street in Manchester, according to State Liquor Commission spokesman E.J. Powers.

“We will continue to lease the space and use it for training purposes for our Next Gen technology proj-

ect,” he said in an email.

On Tuesday afternoon, Mike Begley walked out of the Dollar Tree carrying two bags of snacks. He said he hoped to see improvements to the plaza, which contains nearly 150,000 square feet of usable space. The main plaza parcel measures 13.26 acres.

“Make it more appealing,” the Hooksett resident said. “It looks kind of run-down.”

Unprompted, Begley had a specific store in mind.

“A Christmas Tree Shops. You’d get people from Hooksett and Raymond and Concord,” Begley said.

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BOSTON

Northeastern employee accused of staging ‘hoax’ explosion on campus

By Chris Van Buskirk
masslive.com

Federal authorities arrested a Northeastern University employee Tuesday morning in connection with allegedly staging a “hoax” explosion on the institution’s Boston campus, U.S. Attorney Rachael Rollins said.

Jason Duhaime, a 45-year-old from San Antonio, Texas, has been charged with intentionally conveying false and misleading information

related to an explosive device and making materially false statements to a law enforcement agent.

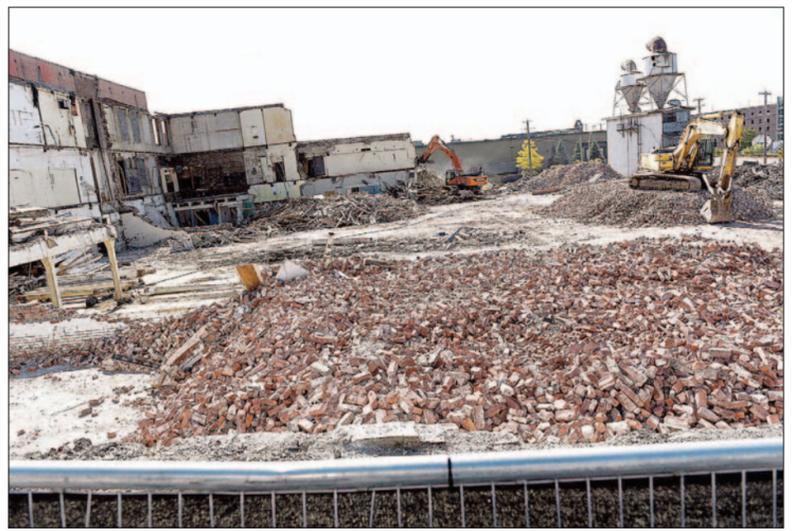
Duhaime allegedly faked injuries, lied about a package exploding inside a Northeastern University building, and wrote a “rambling” letter aimed at the use of virtual reality and Mark Zuckerberg, according to authorities.

Investigators say Duhaime reportedly told police that the case contained an anonymous “violent note.”

Duhaime was arrested near his residence in Texas Tuesday morning. He was scheduled to face a judge in San Antonio Tuesday afternoon and will appear in federal court in Boston later.

The two charges Duhaime face each carry up to five years in prison, three years of supervised release, and a fine of up to \$250,000.

At a press conference Tuesday morning, Rollins said Duhaime’s alleged conduct “is disturbing, to say the least.”



DAVID LANE/UNION LEADER

Old commercial buildings between West Auburn and Depot streets are being demolished to make way for apartments.

Manchester

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the hardscape, accessibility, and lighting at these locations,” the application reads.

Both projects include parking underneath the buildings.

The city has an apartment vacancy rate less than 1%, said Will Stewart, Ward 2 alderman and executive director of Stay Work Play, a group encouraging young people to move to the state.

“We need all the units we can get,” he said.

The amenities being offered at both complexes will be attractive, especially to those who like to live within walking distance of downtown, he said.

“I think the location is ideal because they can walk. You don’t have to own a car to be able to get to so many of the things you want and need in life, from a grocery store being right there to the restaurant and bars and shopping,”

Stewart said. “It is all at your doorstep.”

The two projects are among several proposed for downtown Manchester, including the conversion of office space at the Odd Fellows building on Hanover Street and Brady Sullivan Plaza.

The city also reached a deal with a Florida developer to redevelop the Pearl Street Lot and Hartnett Lot into more than 500 mixed-use, mixed-income housing developments.

A California developer, Lincoln Avenue Capital, plans 215 affordable units and a parking lot for Chestnut Street on the site of the city’s old police station, which will be torn down.

Red Oak is completing construction on 90 units on Elm Street across from Market Basket.

Even with all the new units, Stewart doesn’t think the city has reached satura-

tion. “With the vacancy rates at 1% in the city as a whole, the demand seems to be there,” he said.

Another benefit is the housing units likely will stir up the need for more shops and restaurants.

“It will make downtown more attractive to more people,” Stewart said. “They will have more options.”

Jones Street Investment Partners project also includes the demolition of the former John B. Varick Company agricultural store at 24 Depot St. The space most recently was used as a restaurant.

Mayor Joyce Craig touted the Jones Street project on Facebook.

“Improvements to the Gaslight District are part of the Manchester Master Plan and this development is a great first step,” she wrote.

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Broderick

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Health.

Since leaving the court, Broderick has championed efforts to improve services for those who face mental health problems.

“We recognize that traditional litigation can be difficult and even re-traumatizing for victims of crime, especially for victims of sexual abuse which is why we solicited feedback from claimants, their advocates, and victims’ rights groups in designing a victim-centered, trauma-informed alternative to litigation,” Formella said.

The lead lawyers for most YDC victims, David Vicinanza and Rus Rilee, said they won’t have their clients

“But nominating an outstanding administrator in no way corrects the deep flaws in the state-imposed settlement process...”

DAVID VICINANZO and RUS RILEE

attorneys for YDC plaintiffs, in a letter to Attorney General John Formella

use this settlement process, but they did recommend that the attorney general pick Broderick.

“But nominating an outstanding administrator in no way corrects the deep flaws in the state-imposed settlement process as it currently exists. The process remains unfriendly to our child victims from start to finish, and Justice Broderick’s work will be severely and unnecessarily limited without future changes,” Vicinanza and Rilee wrote in an Oct. 3 letter to Formella.

“The process as written will ultimately be unsuccessful.”

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