

BUREAU OF ENVIRONMENT CONFERENCE REPORT

SUBJECT: Monthly SHPO-FHWA-ACOE-NHDOT Cultural Resources Meeting

DATE OF CONFERENCES: July 11, 2019

LOCATION OF CONFERENCE: John O. Morton Building

ATTENDED BY:

NHDOT

Bill Cass
Sheila Charles
Keith Cota
Ron Crickard
Loretta Doughty
Jill Edelmann
Marc Laurin
Trent Zanes

FHWA

Jamie Sikora

NHDHR

Laura Black
Tanya Krajcik

VHB

Hanna Beato
Nicole Benjamin-Ma
Marty Kennedy
Quinn Stuart

Peter Walker

City of Dover

Christopher Parker

Consulting Parties

Lulu Pickering
Robert Stephenson
Senator David Watters
(phone)

PROJECTS/PRESENTATIONS REVIEWED THIS MONTH:

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Manchester, 16099 (no federal number)

Participants: Trent Zanes, Marc Laurin - NHDOT

Continued consultation and update of project impacts and schedule, discussion of effects memo.

Jill Edelmann updated DOT’s coordination efforts with the Manchester Historic Association (MHA) and Manchester Historic Commission (MHC). The MHA has expressed concerns and asked for more information on where the valve house would be relocated within the Millyard Historic District. DOT has presently not received any input from the MHC. Marc Laurin presented a brief power point that showed the Proposed Action impacts to the Millyard and the valve house, the historic location of the valve house in relation to the Cotton Duck building, where the valve house is presently located, and Google Street views of the valve house’s current and historic locations.

Jamie Sikora thought that moving the valve house could be a net benefit, especially if it would be stabilized and made weather-tight. Jill stated that it has not yet been decided where it could be moved to, but would think that since the valve house has been relocated at least once before, that the relocation required for the project would be a No Adverse Effect. Laura Black concurred that if it retained association/setting with the Cotton Duck building it would be No Adverse, however will need to know with some assurance where it would end up. Laura clarified that moving the valve house would not be considered mitigation for the same act of moving the building, if moving the building resulted in an Adverse Effect, however its stabilization and repairs, such as a new roof if appropriate, would be mitigation. Jamie stated that DOT will need to coordinate with the owner. Trent Zanes stated that initial coordination has occurred with the owner, however details on the appropriate

place for relocation of the valve house has not been discussed. Trent feel that there are opportunities to keep the valve house within the property in an area that is near the buildings and adjacent to one of the proposed storm water treatment BMPs. He noted that a Public Hearing is to be scheduled for September. Laura stated that for a No Adverse Effect determination, the Effects Memo should specify that the valve house would retain its association/setting with the Cotton Dock Building, if this does not occur would need to re-evaluate the effects. Jill stated that DOT will touch base with the owner and revise the Memo as a No Adverse Effect. [See below.]

However, the effects and how to move forward on archaeology as it pertains to the Eddy Site and the nearby sites (McGregor Street and Exit 6) that were investigated for the projects was discussed. Sheila Charles feels that these sites are likely a continuation of the Eddy Site. Laura asked if it would be an Adverse Effect to archeology due to their connection with the documented Eddy Site. Sheila asked what would be fitting to do instead of or in conjunction with of a full recovery effort, which would recover similar artifacts and features. A public outreach effort and appropriate context will need to be developed for the Phase III investigation. Jill asked how the effects should be handled in the Memo. Jamie stated that the valve house should be No Adverse Effect and the impacts for the all the project impacts would be a *de minimis* 4(f), and the effects on archeology would be adverse. The project finding would be an Adverse Effect.

Laura asked what the BMP's would consist of. Trent replied that they would be gravel wetlands, which would be a depressed, grassed fenced-in area. Laura stated that an explanation of what the BMPs would look like and the already altered areas should be discussed in the Memo. Jill will revised the Memo and send out for review.

Jaffrey 16307, X-A001(234)

Participants: Quinn Stuart-Knight, Jason Hilton, Peter Walker, Marty Kennedy - VHB; Loretta Doughty, Marc Laurin, Trent Zanes - NHDOT; Robert Stephenson, *Consulting Party*

The purpose of the meeting was to update the agencies on progress made on the project design, cultural resource evaluations, and to present additional information to aid in evaluating potential impacts. P. Walker recapped information from the last meeting and what was produced for this meeting.

Q. Stuart led conversation, presenting the results of the evaluation of 21 River Street. NHDHR determined the structure was not individually eligible, but the property contributed to the Downtown Jaffrey National Register Historic District. Q. Stuart also presented photographs of 19 River Street, which is not visible from a public way. Both J. Edlmann and L. Black agreed that the property does not appear to have individual significance. L. Black asked why the commercial building at 4 Stratton Road was not individually evaluated. J. Edlmann, Q. Stuart, and L. Black concluded that the property was most-likely not individually significant, but L. Black requested additional information be provided on the evaluation of the property as part of the official record (see end notes).

P. Walker directed conversation to the effects on the district as a whole. M. Kennedy provided recap of the proposed action and need for the project, especially why a second roundabout was proposed at River Street to minimize impacts to properties like 21 River Street. VHB presented the "before and after" renderings/visualizations. The attendees were reminded that final design work had not begun and VHB will work on the specifics of the design with the town committee. The bridge and roundabouts included in the renderings were to show the massing and general space required for the project.

R. Stephenson brought up the visible utility lines along River Street and, although acknowledging burying them is outside the scope of the project, he hopes something could be done similar to actions undertaken on Main Street. R. Stephenson wanted to confirm all the traffic lights were being removed at the Main Street intersections as part of this project. M. Kennedy confirmed they were being removed and most-likely a stop sign would be installed. R. Stephenson also feels that a bridge downstream at 10 feet above the elevation of the current Main Street Bridge would be a major visual intrusion and is concerned about the treatment of the

design. He explained that the current conditions of the bridge's sidewalks are in poor condition, rebar exposed etc., and that it needs attention.

R. Stephenson asked what would be happening to Alderman Park at the corner of Peterborough and Turnpike with the construction of the new roundabout and if there were any restrictions. P. Walker reported it is owned by the NHDOT and originally acquired for transportation purposes. Objects in the park, like the trough, will be relocated. R. Stephenson is on the Veterans Memorial Park committee and wanted to know if there would be any discussion with the committee prior to the October 2, 2019 public hearing. M. Kennedy reported that there is a plan in place to discuss the project in detail and bridge final design with the committee after the hearing. R. Stephenson asked about early discussions of a bridge crossing further south in Rindge, NH. M. Kennedy responded that alternatives had been explored and a bridge crossing any further south was not what the town wanted due to a disconnect with the businesses along Main Street. R. Stephenson asked about the possibility of a beautification committee and maybe the integration of public art at the roundabouts.

P. Walker mentioned time constraints of the meeting and redirected the conversation to focus on the effects so an Effects Memo could be executed. L. Black asked the memo include the listed and eligible resources, specifically the National Register listed Jaffrey Mill and Downtown Jaffrey Historic District, and all effects. Q. Stuart mentioned the use of the effects table for the evaluation of these resources. J. Edelmann agreed tables may be useful in this instance. L. Black asked what the NHDOT was committing to including as part of the project, because the effects will hinge on what is going to happen in the design.

Conclusions:

VHB, will draft an Effects Memo, possibly including effects tables for the historic properties. Q. Stuart will include an overview of why an individual evaluation of 4 Stratton Street was not included.

Follow-up:

Bernard Hardware, 4 Stratton Road

The commercial building at 4 Stratton Road was built in 1946 by Ephrem Bernard to house his hardware business. It is a single-story, brick-faced commercial building with little architectural ornamentation. The building has a stepped brick parapet on the north (façade) elevation with a shallow gable roof behind. A one-story, gable-roof addition constructed after 1979, is attached to the south elevation. A central, recessed entrance is comprised of a late twentieth-century, fully-glazed, single-leaf door with transom. The entrance is flanked by three-part, aluminum-frame, and late-twentieth century replacement display windows. The contributing status of the building was re-evaluated during the production of the Downtown Jaffrey Historic District Boundary Increase documentation and it was confirmed that 4 Stratton Road was still a contributing property to the Downtown Jaffrey National Register Historic District. NHDHR concurred with that evaluation in their Determination of Eligibility on January 1, 2019. Modern changes to the building have compromised its integrity, therefore individual eligibility is unlikely.

Newington-Dover 11238S, NHS-027-1(037)

Participants: Nicole Benjamin-Ma, Hannah Beato, Pete Walker - VHB; Bill Cass, Keith Cota, Marc Laurin - NHDOT; Christopher Parker, City of Dover; Lulu Pickering - Consulting Party; Senator David Watters - Interested Party

The intent of this meeting was to discuss the circulated drafts of the effects memo and General Sullivan Bridge (GSB) effects table (criteria of adverse effect write-up), and continue consultation discussions regarding effects, timeline, and mitigation.

Availability of documents:

- L. Pickering asked about how decisions were made regarding eligibility of properties, and P. Walker noted that inventory forms and eligibility determinations are available on NHDHR's newly-launched EMMIT interface (subscription)
 - VHB will also ensure the inventory forms, NR nomination, and determinations of eligibility (DOE) appear on the project's website as well.
- L. Pickering inquired whether minutes were prepared after the monthly cultural resources interagency coordination meetings? J. Edlmann and S. Charles replied that yes, notes are prepared and posted, though there is currently a backlog for posting them; P. Walker mentioned the notes are cross-referenced on the project website.
 - S. Charles will circulate the notes for feedback

Draft effects memo and table:

- K. Cota noted that since the June meeting, the property at 137 Beane Lane in Newington has been determined not eligible for the National Register (NR).
- L. Pickering expressed confusion about which resources were chosen for preparation of an effects table, and why effects to the Newington Depot (NR-listed) and Axel Johnson Conference Center (both in Newington) were not anticipated under the Preferred Alternative.
 - L. Black suggested that the organization of the effects memo is confusing, especially to a cold reader, and had just made edits to the effects memo for another NHDOT project that should help clear up this confusion.
 - L. Black further suggested that additional effects tables be prepared for the Newington Depot and Ira F. Pinkham/Wentworth Summer Residence property (Dover), even if the conclusion is there are no effects to these properties.
 - L. Pickering inquired why there will be no effect to the Newington Depot. N. Benjamin-Ma and J. Edlmann noted that the NR nomination does not indicate a historical association between the Newington Depot and GSB. They further noted that the vegetation of Bloody Point, and the construction of the Little Bay Bridges (LBB), has largely impeded views of the GSB from the Newington Depot property, even from the tip of Bloody Point. L. Pickering expressed that the removal of the GSB is a visual impact to the Newington Depot, because it impacts the transportation context. L. Black suggested that this can be further examined through an effects table for the Newington Depot, and the impacts to the larger surroundings and setting will also be considered through the SEIS.
- VHB will edit the draft effects memo and complete the balance of the effects tables, which will be circulated by J. Edlmann for review and comment within approximately one week.
- Sen. Watters opined that the draft effects memo and GSB effects memo were very well done, noting the challenges in assessing the impacts of an absence of a resource.

Use of the term "neglect":

- One of the criteria of adverse effect is "Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization"
- L. Pickering objected to "N/A" being applied to this criterion. She believes that NHDOT was duty-bound to rehabilitate it but has neglected that responsibility.

- J. Edelman responded the GSB was not neglected; structural analysis and studies have continued for years. There was limited, safety-driven maintenance because the bridge had limited use with limited loads. The bridge deteriorated faster than expected, and the rehabilitation work was always intended to happen at this stage in the timeline (“S” contract), not before.
- C. Parker noted this discussion occurred as early as the 1980s when the GSB was removed from vehicular service.
- K. Cota acknowledged that the Newington Board of Selectmen feels NHDOT neglected the GSB, but a full list of maintenance activities was previously provided.
- L. Pickering stated that the list of maintenance activities shows a drop-off starting in 2008; maintenance has to be ongoing. K. Cota replied that the new construction was required to get the infrastructure in place first, to support bike/pedestrian access across the bay during any planned rehabilitation of the GSB. Even routine maintenance items like repainting could not be done effectively given the rate and intensity of deterioration.

Public process/funding:

- L. Pickering stated there is an erosion of public trust because accountability for historic resource needs are not being addressed. It appears to the public that the GSB was deliberately neglected. She reported that the Newington Board of Selectmen are extremely dissatisfied. When NHDOT accepts federal money to accomplish a project, it has an obligation to respect historic resources, even if there is state legislation that conflicts with this responsibility.
- Sen. Watters clarified that there is also state funding for this project. He has long been supportive of preservation, including at this bridge, but realized rehabilitation of the GSB just wouldn’t be feasible. The legislature could not support it in the 10-Year Highway Plan.
- Sen. Watters further expressed he feels this has been an open and transparent process, including meetings attended by hundreds of people.
- B. Cass noted that NHDOT also has to consider the public comments stating that spending the amount of money needed to maintain or rehabilitate the GSB on a pedestrian bridge would be excessive.

Preservation as a NHDOT priority:

- K. Cota stated preservation is a concern for NHDOT, which is why they are developing a bridge inventory and management plan specifically to extend the service life of these historic structures. But it is just not possible to rehabilitate the GSB.
- J. Edelman added that the right place and right use are needed to make an effective preservation investment. She listed several structures that NHDOT has preserved.
- L. Pickering said all effort is going into building new bridges, and with NHDOT’s limited funding, there’s no money for historic preservation. The public perspective is that this is deliberate, even if that isn’t the case.
- L. Black acknowledged that NHDOT has accomplished some wonderful preservation projects. However, NHDOT’s first inclination is to replace a resource, and backpedal to rehabilitation possibilities when required to by NEPA or Section 106. Engineers aren’t trained in history, and their industry focuses on what is new.
- B. Cass responded that he doesn’t believe NHDOT looks at replacement first. Often, new bridges cost more money than rehabilitation, so they start with ways to keep the structure. They program projects to

maintain the transportation infrastructure. Even when preservation is not a driving element in programming a project, that doesn't mean they start their planning process at replacement.

Effects Table:

- P. Walker stated that the term “neglect” has a negative connotation and implies an intentional lack of action which does not seem to apply in this case. L. Black replied that the term is used in the Section 106 regulations and is just a statement of fact, not judgement. For example, bypass bridges will lead to the neglect of the bypassed infrastructure.
- Sen. Watters expressed disagreement with the use of the term “neglect.” Ongoing work at the GSB could not be justified without a rehabilitation plan in place, which in turn could not be completed until after the evaluation. It became clear after the evaluation the bridge could not be rehabilitated. He noted he is sponsoring a bill wherein NHDOT is statutorily authorized to mitigate when historic structures are impacted by transportation projects. (ed. – Senate Bill 214, signed by governor 7/19/2019 and effective on 9/17/2019)
- J. Sikora suggested keeping the “neglect” criterion as “N/A” in the GSB effects table, as the concerns have been addressed and there will be another chance to comment within the process. However, if the effects table discussion elaborates in a way that reflects the meeting viewpoints, it will be okay.
- L. Black noted the benefits of being honest in the effects table – “neglect” doesn't mean there is malicious intent, but documents like this are proof of lost opportunities. When the legislature doesn't want to institute a toll tax, for instance, this is solid proof of what is lost when the additional money isn't available.

Newington district:

- L. Pickering reported that the Newington Depot property is in a historic district, and impacts to the district need to be evaluated as well. She stated there is a district that includes a portion of property that may have historically been associated with the depot.
- L. Black inquired whether this means a historic resource was missing from the Section 106 identification stage? N. Benjamin-Ma noted that Section 106 research and survey didn't identify a district, and no comments on the Project Area Form suggested a district was missing from the list of historic properties.
- L. Pickering will confirm whether the district is NR-listed or a local historic district.
- Regarding the presence of a district, Sen. Watters cautioned against looking too far afield of the areas that will be actually impacted and supported the need to be rigorous in evaluation of the defined affected properties.

L. Black asked whether there is an annual monitoring report on the stipulations in the original Record of Decision. J. Edlmann stated that such a report had been developed following the ROD.

Discussion will continue at the August 8 coordination meeting.

Submitted by: Sheila Charles and Jill Edlmann, Cultural Resources

New Hampshire Department of Transportation Cultural Resources Agency Coordination Meeting

Date July 11, 2019

Please initial next to your name. Guests: Please use reverse side to sign in.

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