BUREAU OF ENVIRONMENT
CONFERENCE REPORT

SUBJECT: Monthly SHPO-FHWA-ACOE-NHDOT Cultural Resources Meeting
DATE OF CONFERENCES: March 7 & 14, 2013
LOCATION OF CONFERENCE: John O. Morton Building
ATTENDED BY:

NHDOT
Sheila Charles
Jill Edelmann
Robert Hudson
Bill Cass
Bob Landry
Alex Vogt
Marc Laurin

Federal Highway Administration
Jamie Sikora
Mary Ann Nabor (on phone)

NPS (on phone)
Sabra Smith

Bonnie Hall

ACHP (on phone)
Najah Gabriel

NHDHR
Laura Black
Nadine Peterson

City of Concord
Gloria McPherson

City of Portsmouth
Juliet Walker

Ciborowski Associates
Mark Ciborowski

Hoyle Tanner
Sean James
W. Davidson

McFarland Johnson
Vicki Chase
Gene McCarthy

IAC
Ellen Marlatt

Preservation Consultant
Elizabeth Hengen

Stantec Consulting
Gerald Fortin
Michael Leach

Town of Salem
James Danis

Albacore Park
Ken Herrick
Paul McEachern

(When viewing these minutes online, click on an attendee to send an e-mail)

PROJECTS/PRESENTATIONS REVIEWED THIS MONTH: *(minutes on subsequent pages)*

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March 7, 2013

Salem (RPR #4249; no NHDOT or federal number)
Participants: Gerald Fortin, Michael Leach, Stantec Consulting Services; James Danis, Town of Salem

Initial consultation on the Pond Street and Sand Hill Road Reconstruction project in Salem. A large-scale plan of the overall project area was displayed along with photographs of the existing stone culvert and a historic photograph of the culvert area with the tower. Michael Leach opened the meeting stating the project is a Town project with no state or federal funding, and identified the

roadway project area and noted that the work involved the reconstruction of the roadways and upgrades to the utilities and drainage system. The project consists of drainage improvements with culvert replacements including reconstructing the existing stone box culvert on Pond Street.

As part of the culvert reconstruction, a wetland permit was submitted for the project and the RPR for the project was submitted in October 2012. The RPR was assigned #4249 and more information was requested about the stone culvert in the response received on November 9th. Preservation Co. conducted an individual survey of the culvert and adjacent features that was submitted on December 5, 2012 and later revised in January 2013. A determination that it contributes to a larger undefined district was received from NHDHR dated January 31, 2013.

Mr. Leach noted that Stantec had conducted a culvert investigation in November 2012 that was provided in the January submission to DHR. The following concerns were identified:

- Stone masonry was not intended to serve modern vehicular traffic
- Upstream half of culvert was previously disturbed and is now a 36" RCP
- Scour hole inside culvert could potentially impact existing water main
- Masonry walls do not meet current roadside design standards – safety concern for the traveling public.

In addition, the concrete cap on the parapet wall appears to have been added in association with culvert repairs completed at a date some time after the original culvert construction.

A large scale plan of the roadway project and a large scale detail plan for the proposed culvert reconstruction was presented, and Mr. Fortin noted the following:

- Intent is to reconstruct the culvert similar to previous projects by the Town – utilizing a precast concrete core with a stone facing using original stones similar to the Lawrence Road project
- Reconstruct / protect utilities (water and sewer) with sleeves under the culvert with textured bottom
- Meet current roadside design standards – use bridge approach rail
- Town spending approx. 3 times the cost of construction of a conventional culvert with the design proposed. There is no state or federal funding associated with this project.
- Proposed construction minimizes impacts to area to the extent practical. No impacts to Tower. Temporary impacts to adjacent areas for removal and reconstruction of existing retaining walls to within 5' of tower and 8' elsewhere associated with reconstruction of the culvert.
- Proposed culvert reconstruction intended to result in a similar look and presence as the original with parapet walls including restoring the upstream parapet wall and preserving neighborhood character. Culvert size similar to existing.
- Stone masonry wall cap provided to be representative of original.
- Roadway project including culvert reconstruction has been presented at several public meeting/hearings including the Board of Selectman, Conservation Commission (including a separate field walk), and Budget Committee.

Mr. Fortin summarized noting he believes that the proposed culvert reconstruction will retain the historic context of the area and associated water features and is similar in character and

configuration to the original culvert, and thus would not be an adverse effect to the undefined district. The reconstructed culvert will be reconnected to the existing tower and retaining wall features that will remain. The façade will be constructed utilizing the stones removed from the existing structure in an effort to mitigate any potential effects with reconstruction.

Mr. Fortin next discussed some potential modifications to the design that were mentioned previously by DHR.

- The first was that the existing structure indicates large stones at the end of the walls. Can these be placed back? *Yes, although there is only one original stone - we can place large stones to match the historic context.*
- Could a wider lintel above the culvert opening be provided similar to the existing? *A wider lintel can be provided to resemble the current culvert.*
- The existing culvert appears to have a concrete cap. *We believe that the concrete cap was applied at latter date likely as a result of repairs to the structure. We did notice concrete capping of other features in the area that also appear to have been done at later date likely as repairs. Therefore, we proposed to use all masonry to be more similar to the original construction depicted in the old photograph.*
- How does the project minimize impact and what are the mitigation measures? *The proposed reconstruction will restore the upstream parapet wall similar to original, retain representative configuration similar to original, utilize stones removed during reconstruction, and retain the historical context of area as requested by the Town.*

- A Cultural Resources Effect Memorandum would need to be provided for the project. *An effects memo noting no adverse effects was requested, but Ms. Black noted that the project as proposed would be an adverse effect since it involved the removal of the existing culvert. Ms. Black noted that the Town and DHR would need to sign this memorandum but the Army Corps of Engineers usually does not sign the memo. The effects memo is only one page and this would first need to be addressed. This form is on the DOT website.*
- A Memorandum of Agreement (MOA) would also need to be provided for the project that addresses the minimization and mitigation. *The Memorandum of Agreement is a binding agreement that would require the Town to complete the measures listed in the agreement, with the Corps ensuring that the terms and conditions are implemented. The MOA identifies the impacts and how the impacts are mitigated and this would need to be signed by ACOE, DHR and the Town as part of section 106.*
- DOE comments with request to provide a National Register boundary map. *The Preservation Company provided an updated submission to NHDHR on March 5, 2013 which included a boundary map. The boundary map issue was discussed and an acceptable boundary map was provided in the most recent submission provided to DHR on March 5th by Preservation Co. A copy was retained by the Committee.*

Ms. Black noted that the project needed an ACOE permit and the section 106 process is part of the ACOE permit process. Mr. Leach noted the ACOE permit had been received. The project was a minimum impact wetland project.

Ms. Black noted that the culvert is part of a larger drainage system constructed as part of the Searles Estate that is unmapped and the mitigation for the project could include mapping the larger drainage system and other features for the Town. Mr. Fortin noted that this work would be outside

the roadway reconstruction project area (and roadway right of way) and the larger drainage system and other features are located upon private properties not under the Town's jurisdiction. The Searles Estate is no longer an estate and today consists of multiple residential landowners with properties under private ownership. Mr. Danis noted that the Town's likely position was that additional monies were not going to be spent to conduct mapping on private properties, and the Town has already spent additional funds to provide historical documentation related to the culvert, and is voluntarily providing a design that maintains the historical context of the area and the greater neighborhood.

Mitigation was discussed further and Mr. Fortin restated the proposed project mitigation would be specific to the culvert reconstruction including reconstruction of the upstream parapet headwall, providing large stones at the parapet corners (as requested by DHR), providing a wider lintel (as requested by DHR) and a masonry cap consistent with the original culvert. Mr. Fortin asked if this would be acceptable mitigation for the project. Ms. Black noted that that it would be, if acceptable with ACOE.

Ms. Black stated that the project as proposed would be a "baseline" type mitigation. Mr. Danis asked how this could be a "baseline" mitigation when the Town is spending considerable additional monies to provide a reconstructed culvert similar to the original. Discussion then followed that a CMP type culvert could have been proposed for this project. Mr. Danis noted in his view that a CMP culvert would be "baseline" type mitigation but the Town is voluntarily doing a lot more with the design as proposed. Mr. Danis asked why this design was still considered a "baseline" type mitigation considering the proposed amount of reconstruction is a lot more than just a CMP culvert. A response from Ms. Black was not provided.

Mr. Danis asked for clarification for the proposed project and mitigation requirements so as to explain the issues to other Town officials. An explanation of the effect memo was discussed. The MOA was also discussed. Mr. Danis asked if there were other means of mitigation measures which could be used for the project other than asking the Town to expand the inventory study onto private properties. Ms. Black only cited the expanded inventory study. Mr. Danis summarized that he believes asking the Town to conduct work on private properties was not a reasonable request especially since the Town has already invested significant monies for consultants to conduct the inventory and to prepare the current design plans for the culvert.

Ms. Edelmann noted that NHDOT has a few sample MOA's and would forward them with an e-mail request.

Mr. Leach noted that an Effect Memorandum would be prepared.

Winchester 16034, X-A0001(100)
Participants: Sean James and Bill Davidson, Hoyle Tanner

Sean James and William Davidson from Hoyle, Tanner presented an update on the project which was last discussed at the May 10, 2012 CR meeting. Since the last CR meeting, the northern third of the project (downtown portion) has been eliminated due to budgetary concerns. The Town has also elected to pursue the Mirey Brook alternative where the sidewalk will be added to the existing NH Route 10 & 119 bridge instead of a stand-alone pedestrian bridge. The project includes adding approximately 2,500 feet of new, 5 foot wide sidewalk between Warwick Road (NH Route 78) and Main Street (NH Route 10 & 119). The sidewalk is to be constructed within the existing right-of-way and will consist of at-grade bituminous concrete. New sidewalks will be located along or adjacent to existing dirt or grassy roadway shoulders and will not impact property features.

W. Davidson discussed the February 25th meeting of the Winchester Historic District Commission where he presented the project. The limits of the current project are outside the local district, however the project was presented as the potential National Register level district boundaries have not yet been determined. The Commission members were in favor of the project and did not wish to be a consulting party to the project.

After clarifying that the project would cross on the existing NH Route 10 & 119 bridge and would not disturb the banks of Mirey Brook, photos of the proposed sidewalk location were discussed.

The proposed sidewalk will require excavation of approximately 8” below existing ground. No NHDHR archaeology representative was present at the meeting, therefore S. Charles will discuss the project with NHDHR and inform Hoyle, Tanner of any concerns.

Follow-up:
E. Feighner noted that the project area is beyond (outside) the limits of a locally designated Historic District and there are no archaeological concerns since excavation for the sidewalk will only be 8” deep in previously disturbed areas.

The project also includes installation of a reinforced concrete sidewalk on the upstream side of the NH Route 10 & 119 bridge over Mirey Brook (NHDOT Bridge No 120/077). The integrity of the 1941 bridge has already been compromised due to alterations in the 1980’s; therefore an Individual Inventory Form was not completed for the bridge.

Based on a review of the project, it has been determined that No Historic or Archaeological Properties will be Affected.

March 14, 2013

Concord 23717, X-A002(742)
Participants: Ed Roberge, Gloria McPherson, City of Concord; Vicki Chase, Gene McCarthy, McFarland-Johnson; Elizabeth Durfee Hengan, Preservation Consultant; Ellen Marlatt, Independent Archaeological Consulting; Nadine Peterson, NHDHR

Continued consultation and update on project, previously reviewed on February 14, 2013, September 13, 2012 and November 3, 2011. The purpose of the meeting was to present the overall proposed project. Gene McCarthy presented slides that depicted the proposed improvements. The slides were of a project model that included the proposed roadway and sidewalk for Main Street. The specific elements presented included:

- Proposed typical section with two shared use lanes, a center median and wider sidewalks.
- State House Plaza with a water feature.
- Revised Eagle Square without the clock tower.
- Revised Phenix Avenue with the relocated clock tower.
- Revised Capital Center for the Arts frontage.

Ellen Marlatt presented the key findings from the archaeological investigations. Most of the project site has been disturbed over the decades by roadway improvements and the placement of underground drainage and utilities. There are only two areas in the project area that have potential for sensitivity. The discussion resulted in a commitment that pre-testing and monitoring would be conducted in these two areas.

Liz Hengen gave an overview of the historic properties and districts (two listed districts, four individually listed buildings and close to a dozen determined-eligible buildings) that are present within the project limits. She also discussed historic materials found within the project limits (granite, brick, iron, concrete and wood) and identified extant character-defining streetscape elements, which include:

- Glass-block covers on the sidewalk over cellar space that extends beneath the sidewalk.
- Granite Steps into many buildings.
- Both historic and modern granite slabs at the edge of buildings
- Retaining walls along the west side of South Main Street.

She noted that while there were once a number of coal bins under the street, their access covers were removed during earlier sidewalk reconstructions. It was asked whether these underground areas could be restored in the future. Team will look into this in final design. Because the design will retain the linear flow of Main Street; introduce street lights that replicate those erected in the early 20th century; use traditional materials for sidewalks, center median (which also references the trolley track), and crosswalks; and limit contemporary features to benches, bicycle racks, trash receptacles, and public art, the consensus was that there would be a finding of No Adverse Effect to the historic districts and individual properties. Jamie Sikora agreed.

It was agreed that a separate meeting was necessary to review, in depth, effect findings for each of the districts and individual properties using Determination of Effect forms (yellow sheets) so as to finalize a determination of effect for the project as a whole.

Follow-up: Subsequent to this meeting a special meeting was held on March 19 to review the forms. At the March 19 meeting a determination of No Adverse Effect was made. It was also agreed that as specific materials and features were selected, they would be presented to DHR for review and comment.

Portsmouth 13455, STP-X-5379(025)
Participants: Bill Cass, Bob Landry, Alex Vogt, Marc Laurin, NHDOT; Jamie Sikora, Mary Ann Nabor, FHWA; Juliet Walker, City of Portsmouth; Gene McCarthy, Vicki Chase - McFarland Johnson; Ken Herrick, Paul McEachern, Albacore Park;
Via telephone: Sabra Smith, Bonnie Hall, National Park Service; Najah Gabriel, ACHP

Continued consultation on Albacore Connector Road impacts and effects to the adjacent cultural resources. Jamison Sikora summarized the activities since the last meeting in June 2012. The Albacore Park was determined Not Eligible and FHWA has consulted the NPS and ACHP on the potential effects to the Albacore National Historic Landmark. L. Black asked if the follow-up requests noted on the Albacore Park Determination of Eligibility sheet on October 10, 2012 were ever submitted to complete the form for the file. Undetermined. Marc Laurin reviewed the Consulting Parties list, and the Purpose and Need Statement. All agreed that these were accurate and still valid. The modified APE was discussed and it was agreed that the revisions were appropriate. It has been refined and narrowed to encompass the footprint of Albacore Park, the intersection of the Connector with Market Street, and a portion of the US 1 Bypass from the Maplewood Ave overpass east, encompassing its intersection with the Connector, to the Sarah Mildred Long (SML) bridge approach.

An Alternatives matrix summarizing and evaluating four options was presented by Vicki Chase. Option 1 retains the existing Connector; Option 2 routes the connector to the north through Albacore Park; Option 3 considered a new alignment west of the existing intersection with Market Street south to Cutts Ave, and; Option 4 is the No-Build (would entail the removal of existing Connector). All agreed that Option 1 is the preferred alternative and would be a benefit to the businesses along the Bypass. Ken Herrick stated that Option 2 was not viable as it further impact Albacore Park and is in direct conflict with the Park's mission. Option 3 does not meet the Purpose and Need, impacts residential neighborhoods and is impracticable. Option 4 does not meet the Purpose and Need as it would eliminate a direct connection from Market Street to the Bypass. Laura Black and Ken Herrick asked about the potential impacts from the SML Bridge replacement. Bob Landry stated that all the alignments being evaluated for the SML would tie in between the Bridge and the intersection of the Bypass with the existing Connector. None would impact Albacore Park.

The potential effects on the Bypass and the abutting Historic District were discussed. Sheila Charles' review of the archaeological reports confirmed that there are no archaeological concerns within these resources. L. Black and Jill Edelmann pointed out that the effects on the US 1 Bypass need to be further reviewed as the project would permanently add a signal to the Bypass. Alex

Vogt pointed out that historically there were tolls on the Bypass just south of the Connector road intersection and that there are three (3) existing signals along the Bypass. Jill Edelmann will review the Bypass District Form and the effects will need to be further evaluated and discussed.

The effects discussion on the Ex-Albacore ensued. Ken Herrick stated that although Albacore Park is not eligible the Albacore Park thought that the key question remains on the integrity of the vessel's setting and association resulting from the Connector, as detailed in Bulletin 20. He stated that he has submitted a letter to FHWA regarding this and agreed that the land can impart integrity of association/setting. L. Black supported their argument. Mary Ann Nabor replied that a structure does not confer its significance to a place where it has rested less than 50 years unless the place itself is historic. The issue would be access impacts to the Albacore. Sabra Smith concurred that the impacts to setting is irrelevant to the significance of the Albacore, setting is not issue here, it is the effect on the resource itself. The Albacore is next to a road, and will continue to be next to water. There is some visual impacts to the landmark, but she is grappling with the actual significance of the impact. K. Herrick requested a formal response from FHWA on the Albacore Park's position that the impacts to the landmark are Adverse. K. Herrick noted that there are two questions to be addressed by FHWA 1) Does Albacore have integrity of setting and association, per Bulletin 20? If yes, then 2) Does the Connector Road adversely impact setting and association, and therefore the NHL Albacore? L. Black reiterated DHR's position that the Connector is an Adverse effect. M. Nabor and S. Smith stated that they will further evaluate the effects to the landmark, and will confer with the ACHP as needed. Their determination will tie in the effects on the aspects of integrity versus former aspects (pre-Connector) through direct or proximate impacts. They stated that if there was an effect, an MOA outlining the appropriate mitigation measures would need to be developed. J. Sikora will coordinate with M. Nabor on K. Herrick's letter regarding the Albacore Park's evaluation of the effects, and will get input from NHDOT on the integrity, significance and evaluation criteria. FHWA will prepare a Findings of Effects as a response to K. Herrick's letter. This will be reviewed with DHR and discussed at a future meeting.

Submitted by: Sheila Charles and Jill Edelmann, Cultural Resources

http://www.nh.gov/dot/org/projectdevelopment/environment/units/program-management/crmeetings.htm