

# BUREAU OF ENVIRONMENT

## CONFERENCE REPORT

**DATE OF CONFERENCES:** August 4, 2005

**LOCATION OF CONFERENCES:** JO Morton Building

**ATTENDED BY:** Kevin Nyhan, Russ St. Pierre, Don Lyford, Mark Hemmerlein, Dennis Danna, Bill Hauser, Bob Aubrey, Mark Richardson, Ralph Sanders NHDOT; Jim Garvin, Linda Wilson, Jim McConaha, and Edna Feighner, NHDHR; Harry Kinter and Ed Woolford, FHWA; Jamie Paine, CLD; Carolyn and Mr. Russell, Town of Washington; Lorraine Merrill, resident, Town of Stratham; Kathy Hersh, City of Nashua; Pete Walker, VHB; Deb Loiselle, DES; Tom Peters and Jim Bowditch, CLA, Town of Tamworth

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

### **NOTES ON CONFERENCE**

*Thursday, August 4, 2005*

**Bartlett 14372. Participants: Mark Hemmerlein, Dennis Danna, Bill Hauser, Mark Richardson, and Jim McConaha.**

H. Kinter had requested a legal opinion from Robert Black, attorney at FHWA, determining whether the NH Division of FHWA and NHDOT needs to reopen 4(f) and Section 106 issues for this set aside bridge. Since 4(f) was never addressed for the original bridge project along US Route 302, FHWA may have residual 4(f) issues on this resource. It had been assumed that there was no adverse effect because the bridge was bypassed seventeen years ago. In summary, R. Black responded that the project could not be segmented. Within the project area, the bypassing of the original bridge and construction of a new bridge could not be separated from the demolition of the original bridge. Because the agency did not take into account the ultimate demise of the bridge, 4(f) would need to be revisited. Alternatives to the disposition of the bridge would need to be examined.

At minimum, FHWA and the NHDOT would need to complete the alternative study for 4(f), looking at the disposition of the bridge, prepare a HAER document, proactively market the bridge, and consider reopening the Section 106 review at the request of NHDHR. Proactively marketing the bridge might include offering it to DRED or taking the Vermont approach by stockpiling the bridge for later use.

H. Kinter stated that decisions made for this bridge would be pertinent to disposition of other historic bridges. J. Garvin stated that the NHDOT had in fact been participating in demolition by neglect by leaving it in the landscape. This would need to be part of the 4(f) discussion.

In 1987, the NHDOT had agreed to maintain or retain the bridge for ten years. It was believed that within that time frame, the NHDOT would have developed a plan for its disposition as well as the disposition of a majority of its historic bridges. The plan was to recognize its potential public benefit.

The issue of leaving the set aside bridge in the landscape was recently noted by Chandler, Selectmen in Bartlett as well as a member of the State House. Chandler suggested that the state had agreed to remove the bridge after the ten-year period. H. Kinter stated that besides this request from the Bartlett Selectmen as stated in Chandler's letter, there was no other known reason to demolish the bridge. He stated that the issue of these set-aside bridges needed to be resolved. M. Richardson noted that there was also the unresolved issue that NHDOT does not have sufficient funds to maintain bridges that are in service.

H. Kinter noted that FHWA and NHDOT had assumed that within the ten-year hiatus set aside for retaining the bridge a bridge preservation plan would be prepared. J. Garvin noted that NHDHR would like to install interpretive signs adjacent to the bridge to explain its historical significance, the reason for leaving it in the landscape.

The question of painting the bridge was asked. Note that after the meeting the maintenance records were checked, and it was found that it had not been painted.

Jim McConaha stated that part of the problem is that the Bartlett Bridge appears to be one of many that the NHDOT plans to demolish at least until there is a historic bridge plan in place. While such plans are not cast in stone, the commitment needs to be made. Linda Wilson commented that an inexpensive interpretive sign may go a long way to educating people about the significance of historic bridges and the reason why they are left in the landscape.

J. Garvin stated that the Bartlett Historical Society is ready to take on the large project of rehabilitating the roundhouse and might be favorably disposed toward keeping the bridge. Again, the DHR would like permission to explain why the bridge is being kept by erecting a simple interpretive sign. H. Kinter indicated that Route 302 is a Scenic Byway, and the bridge might be part of that visual and interpretive experience. J. Garvin noted that this route is one of the first international highways known as the Theodore Roosevelt Highway. It was once viewed as a major route. It could also be linked to the Connecticut Heritage Corridor. [At a meeting on 8/15, it was thought that the Town of Bartlett might not appreciate the sign's erection while it is trying to remove the bridge.]

L. Wilson asked if the bridge could be used as a test site to examine alternative types of coatings. M. Richardson stated that such testing would be done on an in-service bridge.

Jim McConaha asked about the degree of flexibility in the maintenance of ruins. He asked whether it is necessary to incorporate set-aside bridges into a maintenance program. It was noted, however, that the NHDOT would logically want to conduct limited maintenance on those historic bridges that are identified for preservation in a bridge preservation plan.

It was agreed that the first step toward making a decision about the bridge's disposition would be a public information meeting to gauge the town's sentiment. J. Garvin anticipated that the sentiment would be negative. There would need to be broad public support for keeping the bridge.

J. McConaha suggested that there should be a moratorium on the demolition of historic bridges until the NHDOT had a plan in place and an attempt had been made to educate the public about their significance. This would be done primarily by erected signs and publication of the bridge book. H. Kinter agreed and stated that the demolition of the Bartlett Bridge would not proceed in the short term.

**Stratham 14399 (no federal #). Participants: Ralph Sanders, NHDOT, and Lorraine Merrill, resident, Town of Stratham.**

R. Sanders introduced the changes his district had made in the design since the last Cultural Resources meeting in July. The centerline is shifted to the east to gain about three feet on the west side, and the road will be re-stripped. Although the new shoulder would still be located in the clear zone of the wall, there have been no reported accidents, making this design acceptable. This widening should not impact the trees. The road is still five to six feet from the wall. The presence of the wall, which has a narrowing effect, should calm the traffic.

The Merrills reminded R. Sanders that the concern of the Police Chief is primarily one of speed. He would like the limit reduced to 40 MPH. It was noted that this is the only section of the NH Route 108 as high as 50 MPH.

The Merrills noted that the roots of the maple trees go beyond the trees' canopies. It was asked what effect the one-foot deep, crushed gravel along the pavement would have on them. If treated properly, it was thought that the roots would heal. There was also concern about the effect of salt application on the roots. R. Sanders will contact Road Side Development to verify the proper treatment.

**Derry-Londonderry, IM-0931(201), 13065. Participant: Jamie Paine, CLD.**

Jamie Paine, of CLD Consulting Engineers, and Jeff Simmons, of Woodlot Alternatives, presented an EIS project that had been on hold for approximately two years. The purpose of the meeting was to determine whether the cultural resource review that has been completed to date is adequate to move forward in the EIS process.

CLD has been working with the Towns of Derry and Londonderry to complete an EIS to evaluate options for alleviating traffic congestion on NH Route 102 through downtown Derry and to promote economic development within both communities. The remaining alternatives include two new interchange options between Exits 4 and 5 (Exit 4A) on I-93, with two build alternatives originating from each potential interchange and heading east (4 build options total), and a minor upgrade option of NH Route 102. The project has been on hold, but the Towns would like to now recommence the EIS effort.

CLD is reviewing the existing baseline data that was completed for this project for all resource categories to be evaluated in the Draft Environmental Impact Statement (DEIS) and is assessing what information needs to be updated to meet the requirements of the NEPA process. The two towns are currently funding the project. FHWA is the lead federal agency for the NEPA process. Preservation Company and Victoria Bunker, Inc. originally completed their respective reviews and reports for the project, taking the project through the DOE process for any potentially eligible

resources. Their findings had been documented in impact matrices for the remaining alternatives.

It was noted that at least one and possibly a second of the structures identified as eligible for the National Register of Historic Places (NRHP) has been removed to accommodate new private sector development in Derry. This is evident at the northeasterly corner of Tsienneto Road and the NH Route 28 Bypass, where a large residential structure and garage/barn were removed to make way for an Irving gas station.

#### Determination

Those present determined that the level of historic and archaeological documentation already prepared was adequate and appropriate to continue with development of the DEIS. They asked that Preservation Company complete simple continuation sheets with accompanying photographs for each NRHP-eligible structure along the alternatives under consideration that has been removed or significantly altered since the most recent DOE process was completed.

It was also determined that Preservation Company shall complete a matrix and mapping that specifically identifies the historic properties and structures along each remaining alternative.

Harry Kinter questioned if potential secondary impacts on historical and archaeological resources to the west of I-93 were going to be evaluated. It was noted that the only consideration of impacts to historic/archaeological resources to the west of I-93 to date had been for those associated with the various westerly access options evaluated at different times during earlier phases of the project, as part of the alternative screening process. However, this process culminated in a determination that a westerly extension is not part of this project and would require a separate NEPA process/document. J. Paine noted that the overall approach to analyzing secondary impacts is currently being evaluated by RKG Associates (Jim Hicks), and a method will be discussed with the applicable resource agencies in the near future. H. Kinter also noted that if the upgrade alternative (i.e., the minor upgrade of Route 102) were to remove the majority of parking spaces along NH Route 102, it would impact the financial viability of the numerous businesses located in the historic buildings in this area, and would therefore likely be considered an adverse effect. This scenario is similar to that observed/discussed for the Conway project.

#### **Nashua 11057 (no federal #). Participants: Russ St. Pierre and Don Lyford; Jamie Paine, CLD; and Kathy Hersh, City of Nashua.**

Jamie Paine, from CLD Consulting Engineers, Kaki Martin, of Crosby/Schlessinger/Smallridge and Kathy Hersh, of the City of Nashua, discussed what the results documented in the Phase IA investigations by John Milner Associates mean for the City's plan to rehabilitate this former industrial site and convert it to a public park located adjacent to Salmon Brook in Nashua.

The City, with assistance from CSS and CLD, would like to create a park in the subject area. The initial thoughts for the area were that pathways, sections of lawn, and shade trees would be introduced; however, the NHDOT's archaeological consultant has identified a number of potentially historic building foundations or footprints on site. The concern for the City and designers is what type of park design would be acceptable on the site to create a public park. The designers need to know where they can and cannot place trees, pathways and other features that would require excavations or cuts into the ground before they proceed too far with the site design.

Depending on where they will be allowed to excavate, the design team will also need to consider hazardous materials. The NHDOT has conducted preliminary soil sampling at eight-inch depths, but is expected to conduct deeper soil/ground testing once a design plan has been established.

The design team also wanted to know what types of alterations could be made to the Salmon Brook dam and retaining walls in order to rehabilitate and enhance the area.

#### Determination

It was determined by E. Feighner that the Phase IA study was not conclusive enough to state where subsurface features exist and where excavations or cuts into the ground may occur. A Phase IB archaeological review with test pits is required to have a better understanding of what is present on the site in the areas of planned impact. The NHDOT will coordinate with their archaeological consultant to receive a price quote for the Phase IB work.

Alterations to some of the retaining walls and features near the Salmon Brook dam will be considered, but would need to be reviewed and approved by the NHDHR before considered final. It was noted that some level of HAER document would be needed, depending on the impact to the foundation of the 1923 building and associated structures.

#### **Lincoln, STP-X-000S(383), 13334. Participants: Kevin Nyhan and Kevin Prince.**

Kevin Nyhan described this project as a typical federal resurfacing project aimed at prolonging the service life of NH Route 112 (Kancamagus Highway) from the bridge over Hancock Brook east approximately 3.8 miles to the Livermore town line. Work consists of guardrail upgrades, drainage upgrades, pavement rehabilitation, and the addition of 4' shoulders with 11' lanes. In addition, the project will upgrade guardrail the entire length of NH Route 112. There are no buildings or structures that will be affected by the project. However, there are several areas potentially sensitive for archaeology, which are located at the crossings of major streams. Once the scope of work at these locations has been determined, a future meeting will be scheduled with the agencies to determine if archaeologically sensitive areas will be impacted.

#### **Tilton (no project numbers). Participant: Pete Walker, VHB.**

Peter Walker presented a project to upgrade a +/- 2,400 linear ft. section of Route 3/11 in Tilton. This project is associated with a new retail development. Reviewing a set of color photographs of the area and a 1" = 50' roll plan of the project, Peter explained that the majority of the project is in existing right-of-way and is the location of a DOT improvement completed last year. The roadway will be widened slightly from Bittern Lane to Grant Street, including improved sidewalks and signage. The drainage system would also be upgraded. Several residents had complained about inadequate drainage near the Grant Street intersection. The project proponent, Konover Development, had agreed to fix the existing poorly designed system. This would involve work on a drain line to the Winnepesaukee River. Because of encroachment on the existing drainage ROW, Konover had agreed to relocate +/- 450 ft. section of this drain on the property of Christopher and Jeanette Perez.

E. Feighner expressed concern that this work would disturb an area sensitive for Native American artifacts. P. Walker explained that the majority of the area had already been disturbed by a railroad and sewer line. After discussion, Edna requested that VHB conduct four shovel test pits

in the area closest to the river. E. Feighner suggested that Ellen Cowie of U Maine - Farmington had done recent work in this area and would know it best. P. Walker will relay the concern to his client, and DHR should assume the test pits would be completed.

University of Maine – Farmington subsequently completed test units last week and submitted an end of field letter to NHDHR. The letter indicated that no resources were found, and no further investigations were recommended. NHDHR concurred.

**West Swanzey: Homestead Woolen Mill Dam #232.01. Participant: Deb Loiselle, River Restoration Coordinator, Dam Bureau and Pete Walker, VHB.**

P. Walker acknowledged NHDHR's request for individual forms on the Homestead Woolen Mill and Homestead Woolen Mill Dam. He noted that unfortunately this additional work would not be completed for the release of the final feasibility study. The Town wishes to move forward with a decision making process beginning in September and continuing into October. Release of the final Feasibility Study before that time is imperative so that the town will have final information as it debates the pros and cons of taking ownership of the dam. Unfortunately, due in part to a lengthy G&C process, the work will almost certainly not be completed in time.

P. Walker explained that, based on his recollection of meetings with NHDHR personnel over the past several months, NHDHR may agree to wait to complete the individual form until after the town makes its decision. He recalled that Jim Garvin had suggested that the individual form could become unnecessary if the Town decides to take ownership and replace the dam. VHB and DES wanted to confirm this understanding to make sure we are proceeding in a manner that is acceptable to DHR.

J. Garvin agreed to delay the request as long as the Town is provided adequate information on the resources in order to make a well-informed decision. E. Feighner and J. Garvin both requested that adequate information would include information such as remaining timber crib dams in NH, dams of similar construction and design (length and height), date of construction, and types of dams within the Ashuelot River watershed. They were not concerned with dams that are in ruins, rather only "active" dams. P. Walker and D. Loiselle agreed to incorporate requested information into the final feasibility study which is anticipated to be released in August 2005. D. Loiselle noted that she would ask Nancy McGrath (NHDES-Dam Bureau) to query the Dam Bureau database for this information. L. Wilson again emphasized the importance of this information so that the Town of Swanzey would have this data as they are deciding the future of the dam. P. Walker stated that the final feasibility study is still on track for release in August 2005, most likely the end of August. *(Note: D. Loiselle sent the requested additional information to P. Walker, J. Garvin, and Jim Turek (NOAA) on 8/15/05 via email).*

P. Walker also wanted to follow-up on the issue of Consulting Party letters announcing the June 8, 2005 Public Information Meeting. Unfortunately, the letters never went out. It was emphasized that this was not done intentionally. Initially a letter on file at VHB indicated that the letters did go out, but upon further investigation (including phone calls to recipients), it was determined they did not. P. Walker expressed his desire to continue moving forward and proposed sending a copy of the final feasibility study to all consulting Parties once it is released. D. Loiselle stated that she would need to talk with Jim Turek, NOAA (Federal Lead Agency for this project) to confirm that he is agreeable with this approach as well. *(J. Turek noted his concurrence in a follow-up conversation with D. Loiselle)* He noted that a cover letter would

accompany the study and a draft of this letter would be shared with D. Loiselle and J. Turek for review and comment prior to release. D. Loiselle and P. Walker both expressed their belief that although this was an unfortunate event, they believed that a concerted effort has been made over the years, and that Consulting Parties have received previous letters regarding this project. In addition, meeting notices have included wording to alert individuals that the agenda would include Section 106 Consultation. J. Garvin and L. Wilson agreed to move forward as discussed. D. Loiselle and P. Walker noted they would continue to keep NHDHR updated as the project progresses.

**Tamworth, 13452 (no federal #): Participants: Alex Moot (alex@seaflower.com), Tom Peters, and Jim Bowditch, CLA, Town of Tamworth.**

The NHDOT bridge inspectors contacted the Town of Tamworth about the safety of the railings along the Chocorua Lake Bridge. The current bridge was erected across the narrows in 1954. It is part of the listed National Register District. The first bridge was erected there in 1802. No accidents have been reported at that site.

In response to the report, the town selectmen hired Ed Bergeron to design an adequate bridge rail. He designed a steel railing according to AASHTO safety standards. The residents desired to retain the historic wood fabric of the rail and repair it or replace it in-kind. They retained Arnold Graton to design a wood rail with wire rope reinforcing. However, he did not calculate the load capacity of this design.

It was noted that the project has no state funding. Thus, if the town is willing to accept the liability, it is free to construct whatever design it chooses. The problem is the issue of liability. L. Wilson noted that protection from liability could never be guaranteed. As long as the town selectmen are prudent in their design, i.e., the bridge rail is designed and constructed in good faith, then they will have protected themselves against such a liability.

J. Bowditch and T. Peters asked if DHR would draft a letter indicating that the Graton's design maintained the integrity of the bridge's design. J. Garvin agreed to draft such a letter.

**Chesterfield, BHR-X-0121(054), 11999A: Participant: Mark Hemmerlein and Bob Aubrey.**

B. Aubrey noted that the NHDOT would need to modify the bridge rail along the NH Route 9 Bridge between Chesterfield and Brattleboro, Vermont. The current proposal for the rail is to replace the existing lower rail element, which consists of two angles and a channel section riveted together. Corrosion of the channel and the build-up of pack rust necessitate the replacement of this element. We propose to use a single piece of structural tubing for the replacement. It was noted that the HAER documentation recorded the appearance of the original rail. The NHDHR agreed to the rail proposal. It was agreed that this notation in the meeting minutes would be adequate documentation of this agreement. Additional work to be done on the bridge includes sandblasting and painting and repairing the abutments.

**\*\*Memos:** Windham 13113; Nashua, STP-TE-X-5315(035), 12650

Other projects may also be reviewed.

Submitted by Joyce McKay, Cultural Resources Manager

c.c.	J. Brillhart	K. Cota	N. Mayville	Bill Cass
	C. Barleon, OSP	C. Waszczuk	D. Lyford	Bob Barry
	V. Chase	R. Roach, ACOE	H. Kinter, FHWA	Bob Landry

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