

# BUREAU OF ENVIRONMENT CONFERENCE REPORT

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

**DATE OF CONFERENCES:** June 13, 2019

**LOCATION OF CONFERENCE:** John O. Morton Building

**ATTENDED BY:**

**NHDOT**

Sheila Charles  
Keith Cota  
Jill Edelmann  
Robert Juliano  
Marc Laurin

**NHDHR**

Laura Black  
David Trubey

**Consulting Parties**

Lulu Pickering  
Kitty Henderson (via  
phone)

**FHWA**

Jamie Sikora

**VHB**

Hannah Beato  
Nicole Benjamin-Ma  
Peter Walker

**PROJECTS/PRESENTATIONS REVIEWED THIS MONTH:**

*(minutes on subsequent pages)*

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

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

Participants: Hannah Beato, Nicole Benjamin-Ma, Peter Walker, VHB; Lulu Pickering, Kitty Henderson (via phone); Consulting Parties; Keith Cota, Bob Juliano, NHDOT

P. Walker and N. Benjamin-Ma provided updates on historic property evaluation:

- Hilton Park – IAC is scoped for a Phase IB archaeological investigation, expecting an end-of-field letter mid-July.
- 137 Beane Lane, Newington – The inventory form draft is complete and under review at NHDOT. We anticipate it will be submitted to NHDHR to be reviewed at the June 26<sup>th</sup> DOE meeting.

K. Cota noted that the conversion of the shoulder of the NB LBB for pike/pedestrian use is moving forward due to the closure of the General Sullivan Bridge (GSB).

L. Pickering requested that Martha Roy from the Town Office be added to the announcement/distribution list about meetings, so the Board of Selectmen (BOS) stay up to date. NHDOT will add Ms. Roy to the list of interested parties.

Alternatives Analysis:

- K. Cota reported that NHDOT responded to comments from NHDHR and the Town of Newington on the alternatives analysis, and asked if there are any further questions/comments

- L. Pickering noted this wasn't a discussion item on the agenda, but she can try to summarize the current position of the Newington BOS
  - Newington still has concerns about the process, and although the Town and NHDOT are still not in agreement regarding the preferred alternative, the BOS and Historical Commission have made their opinions known and would like to advance to next step; i.e. consideration of mitigation options.
  - The BOS want to understand the status of the commitments in the 2007 Record of Decision (ROD) before fleshing out potential commitments related to the SEIS and current Section 106 process.
  - She noted K. Cota has been very responsive in setting up a meeting for 6/18 with the BOS to discuss the 2007 ROD; the current Selectmen are all new since the original FEIS, so they don't have the benefit of previous experience with the project.
  - J. Sikora mentioned FHWA gets an annual report on commitments, but Jill noted this practice was instituted after the previous evaluation.

#### Effects to GSB:

- J. Edlmann proposed discussing the effects to the GSB, given a preferred alternative has been identified, using the effects table that has been used on other projects.
- L. Black said it would be more effective to have a small group of those familiar with the criteria of adverse effects and the technical adverse effects assessment pull that together.
  - It often requires additional information from the engineers working on the project, an analysis of the character-defining features, and photographs of impact areas.
  - It can be brought to the whole group of consulting parties afterwards, for any additional input.
- J. Edlmann further explained that the table of effects identifies the exact effects due to the removal of the GSB, which in turn helps determine how to mitigate those effects.
- N. Benjamin-Ma will work with J. Edlmann and L. Black to put together the table of effects.

#### Mitigation:

- Newington Depot/Bloody Point
  - NHDOT would be supportive of rehabilitating the property to turn over to the Town as a mitigation option. J. Edlmann mentioned the property would be a good spot for interpretive panels, perhaps including one that shows the GSB etched in glass, overlaid onto the current viewshed.
  - There was a discussion regarding the intent of the language in the original ROD, which included exploring the possibility of transferring the property to the Town. The BOS interprets that as a commitment to make necessary repairs and the transfer of ownership; NHDOT's intent was to commit to continuing discussions with the

Town regarding the feasibility of a transfer. Thus, efforts to rehabilitate the property and make it park-like as part of mitigation for the current project would be a separate, more comprehensive measure. It was noted that the transfer of the Depot property to the Town was not included in the Memorandum of Agreement (MOA).

- L. Pickering noted the Town hasn't yet identified what would be the best future use of the property and its intended audience. They also need to get a handle on what the ongoing costs and responsibilities would be with any future use and ownership going forward. K. Cota noted that if the Town is unable to take on stewardship of the property, NHDOT would expect to rehabilitate the property and put it on the market with preservation covenants. Both L. Pickering and K. Cota expressed disagreement over whether an outcome of "no property transfer" would meet the ROD commitment to discuss the transfer.
  - L. Pickering suggested the Town may just want stabilization of the property for now. K. Cota noted that NHDOT would likely require a use plan for the property before a transfer could take place. P. Walker suggested that if a use plan could not be developed in time for the MOA, we'll need to ensure the MOA has enough detail, and flexibility, to be enforceable even with unknowns.
  - J. Edelmann suggested that the establishment of a park at the property would be beneficial by drawing visitors to the town; L. Pickering reported that there are other Town goals that may be prioritized in this case.
- Old Stone School
    - L. Pickering talked about the rehabilitation of the Old Stone School as potential mitigation. It is located in the village and the historic district, and returning it to use as a historic center for the community would be meaningful.
    - The Town has been proactive in seeking ways to restore its historic buildings; restoration projects have already been completed at the library and Town Hall. A Historic Structure Report for the Old Stone School was prepared in 2008-2009.
  - Jill noted that mitigation should be visionary, referencing a number of ideas that have been brainstormed so far.
  - L. Black requested that ideas regarding mitigation be put on paper and submitted to NHDHR so they can discuss it internally as well.
    - She noted that the Advisory Council for Historic Preservation recently sent out an advisory to its staff regarding broadening of the definition of "direct effects" – they are not limited to physical impacts. Efforts to consider direct vs. indirect Areas of Potential Effect (APE) should be applied to a single APE.

#### Impacts:

- L. Pickering expressed that expansions of the Spaulding Turnpike have resulted in two perceived sections of Newington – the village community and the highway community.

The highway occupies approximately 3% of the land in the town. Noise barriers and residential land acquisitions have contributed to loss of community character as well. K. Cota and P. Walker reported that the current Spaulding Turnpike expansion did not include noise barriers or residential land takings in Newington. L. Pickering noted that tree removal around the highway affected the view sheds/community character.

- K. Cota noted that the highway has been beneficial to the community as well, bringing economic benefits to businesses that located along its length. The Town was also supportive of the highway expansions in the past.
- J. Sikora noted the SEIS will contain a cumulative impacts assessment. He also suggested that previous mitigation elsewhere has included assisting with the development of municipal land use and planning documents, which may be useful for Newington.

Discussion will continue at the July 11 coordination meeting. That will allow time to advance the 137 Beane Lane DOE, develop the effects table, and incorporate the outcomes of the June 18 meeting between NHDOT and the BOS.

Submitted by: Sheila Charles and Jill Edelmann, Cultural Resources

# New Hampshire Department of Transportation Cultural Resources Agency Coordination Meeting

Date June 13, 2019

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

Initial	Name	Agency	Email Address
<i>LB</i>	Laura Black	NH Division of Historical Resources	<u>Laura.Black@dncr.nh.gov</u>
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