

Table of Contents

Part I – Categorical Exclusion

1.1	Introduction	1
1.1.1	Site Description and Existing Conditions.....	1
1.1.2	Purpose and Need	3
1.2	Project Alternatives	4
1.3	Proposed Action.....	7
1.4	Evaluation of Environmental Effects.....	8
1.4.1	Safety/ Transportation.....	8
1.4.2	Air Quality	9
1.4.3	Noise	10
1.4.4	Hazardous Materials/Contaminated Properties.....	12
1.4.5	Cultural Resources.....	18
1.4.6	Right-of-Way	21
1.4.7	Farmland	24
1.4.8	Environmental Justice	24
1.4.9	Land Use/ Public Lands/ Conservation Lands.....	24
1.4.10	Wildlife/Threatened and Endangered Species.....	26
1.4.11	Floodplains/Floodways	27
1.4.12	Wetlands.....	27
1.4.13	Surface Waters/Water Quality.....	30
1.5	Coordination and Public Participation.....	31
1.6	Summary of Environmental Commitments.....	33

Part II – Final Section 4(f) Evaluation

2.1	Introduction	35
2.2	Purpose and Need.....	36
2.3	Proposed Action.....	37
2.4	Description of 4(f) Resources	38
2.4.1	Archaeological Resources	39
2.4.2	Historical Structures	39
2.5	Impacts to 4(f) Resources.....	41
2.6	Alternatives Analysis.....	42
2.6.1	Alternatives Requiring Use of the Section 4(f) Resource.....	43
2.6.2	Avoidance Alternatives.....	44
2.7	Least Harm Analysis	47
2.8	Measures to Minimize Harm / Mitigation	48
2.9	Coordination & Public Participation	48
2.10	Summary Statement.....	49

Tables

Table 1-1	Sound Levels – Expressed in dB(A)
Table 1-2	Project Parcel List

Figures

Figure 1-1.....	USGS Locus Map
Figure 1-2.....	Oil & Hazardous Materials Map
Figure 1-3.....	NRCS Mapped Soils
Figure 1-4.....	USFWS Wildlife Action Plan Map
Figure 1-5.....	FEMA Floodplain Map
Figure 1-6.....	Aquifer Areas Map
Figure 2-1.....	Plan Detail – Proposed Action
Figure 2-2.....	Plan Detail – Daisy Cleaners Historic Property Acquisition
Figure 2-3.....	Widen West
Figure 2-4.....	Widen East
Figure 2-5.....	Three-Way Intersection
Figure 2-6.....	Overpass Over NH 28

Appendices

Appendix A	Design Plan
Appendix B	Representative Site Photographs
Appendix C.....	Contaminated Sites Data
Appendix D	Historical and Cultural Resources
Appendix E	Environmental Justice Population Analysis
Appendix F	Agency Correspondence
Appendix G.....	Threatened and Endangered Species Correspondence
Appendix H	Highway Layout Commission Meeting Notes

Part I – Categorical Exclusion

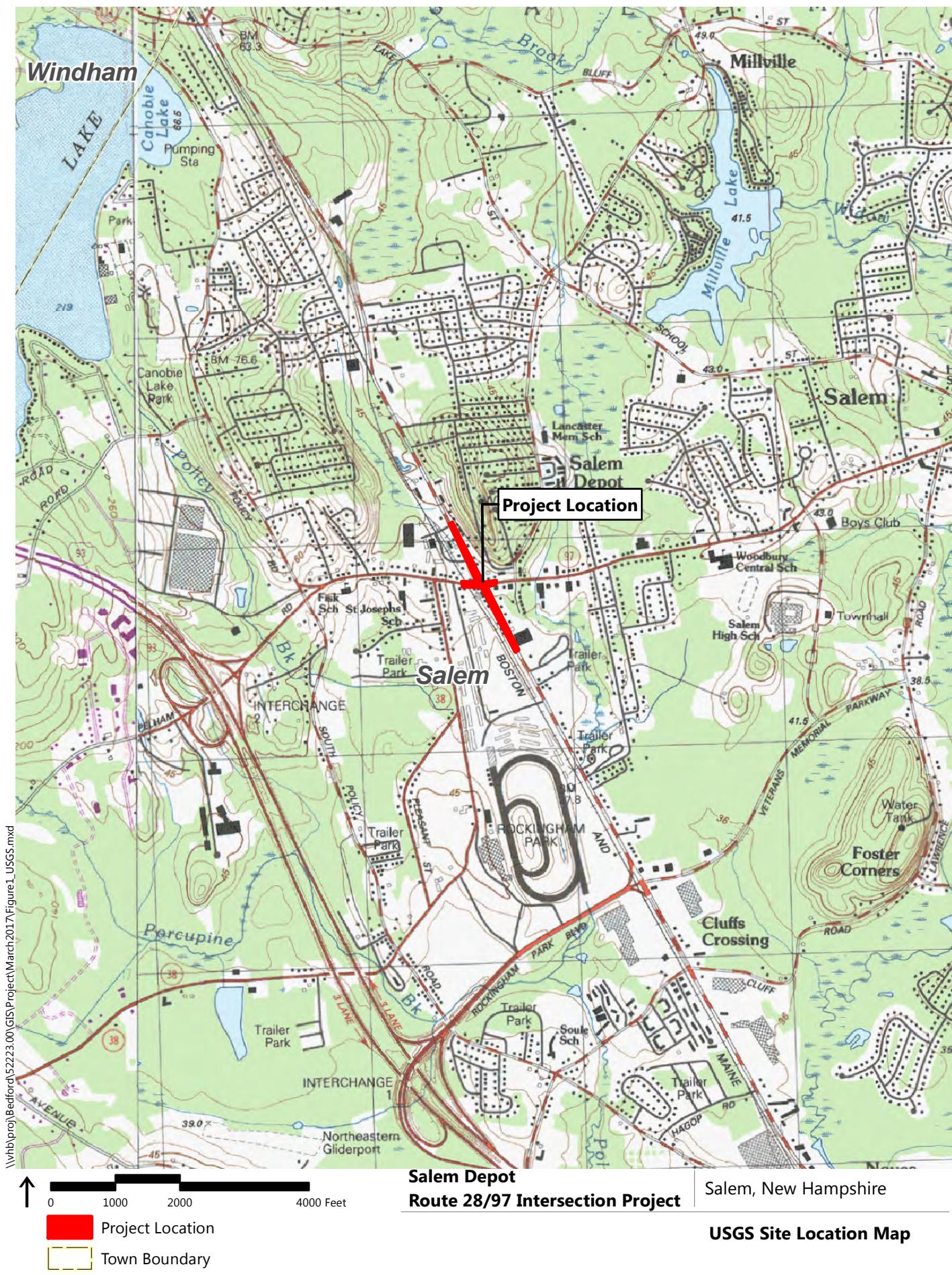
1.1 Introduction

In accordance with the National Environmental Policy Act (NEPA) of 1969 [42 USC 4332(2)(c)] as implemented in 23 CFR 771.117(d), this Categorical Exclusion (CE) has been prepared to assess the environmental effects of the proposed improvements to the intersection of NH 28 and NH 97 in Salem, NH. This document includes a description of the project area existing conditions, as well as the project purpose and need, a description of the proposed action, and a discussion of alternative actions considered during project planning. The environmental effects of the project are discussed, demonstrating that the conditions and criteria for a CE are satisfied.

1.1.1 Site Description and Existing Conditions

The intersection of NH 28 (North and South Broadway) and NH 97 (Main Street) in Salem, New Hampshire, (also referred to as “Salem Depot” or “the Depot”) is located approximately one mile from Exit 2 of Interstate 93. The Town of Salem borders the Towns of Atkinson, Derry, Pelham, and Windham, New Hampshire and Methuen, Massachusetts. The majority of Salem comprises areas of highly developed and commercialized areas, with other portions being mostly medium to high density residential. Salem features several attractions such as the Mall at Rockingham Park (approximately 1.2 miles away from the intersection), Canobie Lake Park (approximately 1.6 miles away from the intersection), and the Salem Rail Trail (running parallel to NH 28).

The Depot intersection is currently a four-way signalized intersection with NH 28 north (North Broadway) forming the 1,000-foot long north leg of the intersection, NH 28 south (South Broadway) forming the 1,000-foot long south leg of the intersection, and NH 97 (Main Street) forming the 200-foot long east and 200-foot long west legs of the intersection (refer to **Figure 1-1**). Two lanes currently exist on the southbound NH 28 approach to the intersection consisting of a left-turn/through lane and a through/right-turn lane. The existing northbound NH 28 approach contains three lanes; a shared left/through lane, a through lane, and an exclusive right-turn lane. The eastbound signalized NH 97 approach consists of three lanes; a single through lane plus exclusive left and right turn lanes. The westbound signalized NH 97 approach consists of an exclusive left-turn lane and a combined through-right turn lane.



The roadways have no shoulders or bike lanes, and are bounded by curbing and bituminous sidewalks throughout. There are approximately 35 drive entrances within the project limits. Stormwater is collected in closed drainage systems and discharged outside of the study area. Utility poles carrying overhead power and communication lines are found primarily on one side of the roadway or another.

The traffic signal at the intersection currently operates with six phases; all eastbound movements, eastbound and westbound through and right-turn movements, all westbound movements with overlapping northbound right-turns, all northbound movements, all northbound and southbound movements (with permitted left turns), and all southbound movements. Additionally, there is an exclusive pedestrian phase which allows a pedestrian to cross at any of the intersection's approaches. The signal appears to be running free with a 120 second cycle. Emergency preemption is present and working at the intersection.

1.1.2 Purpose and Need

Project Purpose

The purpose of the proposed Salem Depot NH 28 / NH 97 Intersection Improvement Project is to address the operational deficiencies and safety concerns within the Salem Depot intersection.

Project Need

The proposed improvement of the Depot intersection is necessary to improve traffic flow and safety of vehicles moving through the intersection. Field observations revealed that left turning vehicles from NH 28 southbound are often trapped in the middle of the intersection due to the protected permissive operations. Additionally, long vehicle queues occur regularly at the intersection, particularly along NH 97. On the westbound leg of NH 97, queues were observed to extend past Millville Street, which is approximately 450 feet east of the intersection. The eastbound leg was also observed with long queues reaching past Central Street approximately 360 feet west of the intersection and sometimes extending through the Pleasant Street signal approximately 800 feet west of the intersection.

The existing intersection operates at a Level of Service "F," with long delays during the peak hours of the day. The primary reason for this condition is the absence of exclusive left-turn lanes and an exclusive left-turn signal phase on the NH 28 approaches to the intersection. Left turning motorists waiting to cross the opposing traffic stream often block through traffic, which exacerbates the congestion.

Safety was another consideration for the need for intersection improvements within the Depot area. A study of vehicle accidents along NH 28 and NH 97 was conducted over a three-year period, during which a total of 220 crashes were recorded along NH 28 and

NH 97 within approximately 1,000 feet of the Depot intersection, and 50 of which were recorded at the intersection. Approximately the same amount occurred along NH 28 just north and south of the intersection. This intersection has the highest crash rate in Salem.

An additional safety concern related to the absence of an exclusive turning lane along NH 28 northbound and southbound is the number of curb cuts along NH 28 within the vicinity of the intersection. Currently there are approximately 35 existing curb cuts to abutting properties along NH 28. This high number of curb cuts leads to numerous conflict points and resulting safety concerns for motorists and pedestrians. Vehicles turning left into the drives can also be a source of localized delay.

1.2 Project Alternatives

Through an extensive public and abutter outreach effort, a series of alternatives were developed and evaluated. The study evaluated three long-range transportation network improvements surrounding and including the central NH 28 / NH 97 intersection. The following is a brief description of the three main alternatives considered in the 2012 Economic Revitalization Plan to address the operational deficiencies of the Depot intersection.

Alternative 1: Widen West (Proposed Action)

This alternative would maintain the 4-way traffic signal controlled operations at the Depot intersection. It would include providing exclusive left-turn lanes on all four approaches with two through lanes in each direction on NH 28 and a single through lane in each direction on NH 97. From an operational perspective, this alternative would result in a modest reduction in the level of delay and congestion, primarily due to providing the much-needed NH 28 northbound exclusive left-turn lane. Widening the roadway to the west would impact 11 properties, 6 of which would require full acquisition.

Under Alternative 1, two design options were evaluated. One option included a 6-foot wide painted median on NH 28; a second option did not include a median. The purpose of adding a painted median would be to reserve space for a future raised median. A raised median would further reduce the number of intersection delays caused by vehicles making left turns into businesses within the vicinity of the intersection. The Salem Selectmen endorsed the option with the painted median, as is reflected in the current design under Alternative 1.

This alternative was determined to fully meet the project's purpose and need of providing relief for the existing traffic congestion problem at the intersection while improving the safety of vehicles traveling through the intersection by providing exclusive left-turn lanes on all four approaches and widening the

roadway within the vicinity of the intersection. While this alternative results in full acquisition and removal of a historic property, mitigation will be provided for this Section 106 impact, as is discussed further in **Section 1.4.5** below.

Alternative 2: Widen East

This alternative would require all necessary roadway widening to occur to the east side of NH 28, away from the Section 4(f) property on the west side of NH 28. The scope of the transportation improvements would be the same, including the addition of exclusive left turn lanes on NH 28. This alternative would impact approximately 15 properties, 5 of which would require full takings including the bank in the southeast corner of the intersection. This alternative was not selected in part because widening to the east would result in greater ROW impacts than widening to the west. The bank has the highest appraised value of any of the buildings impacted by any alternative and it is an important business within the community, providing valuable services to the surrounding public.

The eastward NH 28 shift would also shorten the westbound Main Street approach to NH 28, which is a concern because the reduced vehicle storage would impact the nearby Millville Street / Church Ave/ Main Street Intersection. There would also be impacts to three buildings that are older than 50 years old, although inventories have not been done on those buildings to determine their potential eligibility. Therefore, since this alternative would result in greater ROW impacts, a higher cost resulting from the property easements and full acquisitions required, impacts to valuable and potential historical properties, as well as negative impacts to nearby roadway intersections, this alternative was eliminated in favor of the Widen West alternative.

Alternative 3: Three-Way Intersection

This alternative would convert the Depot intersection to a 3-way traffic signal controlled operation by discontinuing NH 97 west of the intersection. The 3-way configuration would result in a substantial reduction in the level of delay and congestion at the Depot intersection because the conversion to a 3-way operation eliminates a number of conflicting movements. Alternative 3 would also have the benefit of allowing NH 97 to maintain the “look and feel” of a more local town street. From a land use perspective, discontinuing NH 97 at Central Street introduces interesting redevelopment opportunities for a well-connected town center along the west side of NH 28 from the Rockingham Park northward to Willow Street. However, this alternative would result in major disruptions to current traffic flows, with certain traffic patterns being re-routed through other neighborhoods, causing further disruption. For these reasons, this alternative does not fully address the purpose and need of the proposed project and therefore was eliminated.

Alternative 4: Overpass Over NH 28

This alternative would consist of the construction of a local bridge where NH 97 would pass over NH 28, resulting in the elimination of the current Depot signalized intersection. From an operational perspective, grade separating the intersection would effectively eliminate any delay and congestion at the intersection resulting in the free flow of traffic along NH 28. Like the 3-way intersection alternative, Alternative 4 would also have the benefit of allowing NH 97 to maintain the “look and feel” of a local town street. However, public comments indicated that the bridge structure would have an unacceptable adverse aesthetic impact, and this alternative would re-route traffic through other neighborhoods. For these reasons, this alternative does not meet the project purpose and need and therefore was eliminated.

No Action

The No-Action Alternative does not address the deficiencies and safety concerns described in the Purpose and Need of the proposed project. Under the No-Build Alternative, the existing Salem Depot intersection would continue to operate at unacceptable levels of service due to vehicles causing traffic delays and safety concerns when turning left on NH 28 southbound. The intersection would continue to operate at a Level of Service “F” and vehicles would continue to experience long traffic queues during peak travel times. The No-Build Alternative does not address the identified needs and deficiencies and therefore has been determined not feasible or prudent.

Originally, each of the three long-range alternatives included connector roadways and/or internal parcel-to-parcel connections where possible on each of the four quadrants of the intersection. Access to properties and connector roadways would be enhanced with traffic signal controlled intersections located on NH 28 at Willow Street (north of the Depot) and within the vicinity of the old Coke facility (south of the Depot). Along NH 97, access to the properties and connector roadways would be provided at Pleasant Street (west of the Depot) and at Church Street (east of the Depot). Upon further consideration, the proposed connector roadways and additional traffic signal controlled intersections will not be included in the Depot intersection improvement project, but rather will be considered in separate revitalization and transportation improvement projects planned for this area as part of the 2012 Economic Revitalization Plan. The northwestern connector already exists in part due to recent redevelopment of the private property in that area. The southwestern connection is being planned as part of a new private development, and the Town is planning to construct the southeastern quadrant connection in the near future. These improvements are expected to supplement but not replace the benefits that the proposed action will provide.

1.3 Proposed Action

The Proposed Action involves improving the existing Salem Depot intersection by widening the intersection and reconfiguring the turning lanes and traffic control signals. Proposed improvements also include improved sidewalks and pedestrian crossings, drainage system and utility improvements, and general pavement resurfacing.

The widening of NH 28 will allow for exclusive left-turn lanes on both the northbound and southbound approaches to the Depot intersection. This widening will also allow space for a painted median on both the NH 28 northbound and southbound sides of the intersection. The widening along NH 28 is to extend 950 feet north and 950 feet south of the Depot intersection. The permanent right-of-way (ROW) impacts will extend approximately 20 feet to the west of the existing NH 28 ROW for the length of the project.

To accommodate the additional lane, a total of 12 properties will be affected by the proposed ROW impacts to widen NH 28 on the western side of the road (refer to **Table 1-2**). Of the 12 properties, 7 properties located within the southwestern portion of the project area will be fully acquired (Tax Map 89 Lots 1066, 1089, 1090, 1092, 1093, 1094, and 1049). The proposed widening will impact parking lots within the affected properties as well as the 7 buildings on the parcels that are proposed to be acquired. The project will include building demolition and site grading and restoration of these 7 parcels to produce cleared parcels suitable for contractor staging during road construction.

NH 28 will be widened to the west, holding the eastern curb line. The existing pavement cross section will be widened and the pavement will be reclaimed and resurfaced. Curbing, sidewalks and drive aprons will be reconstructed on the east side with the intent of keeping the improvements generally within the existing ROW on that side. New curbing and sidewalks will be constructed on the west side of NH 28. Project work along NH 97 will primarily include constructing new sidewalks and pavement resurfacing east of NH 28, and roadway reconstruction and widening with sidewalks west of NH 28. The existing traffic control signals will be replaced to include controls for the new lane arrangement and improved pedestrian crossings.

Drainage system improvements will include the replacement of the portions of the system where the existing pipes are not reinforced concrete or where the Town has determined that there are concerns through TV inspection of the pipes. All catch basins and manholes are proposed to be replaced. It is anticipated that the existing drainage system will not need to be upsized since the project will have negligible impact on the total amount of impervious area, however the adequacy of the existing drainage system will be reviewed. The Town will replace existing aged water mains within the project prior to final paving.

Design plans for the Proposed Action are provided in **Appendix A**. Additionally, photos of the project area are provided in **Appendix B**.

1.4 Evaluation of Environmental Effects

The following is a description of environmental effects within the project area relative to social, economic, natural, and cultural resource issues.

1.4.1 Safety/ Transportation

Safety

The proposed improvements are expected to improve safety in the following ways:

- The proposed exclusive northbound and southbound NH 28 left-turn lanes will eliminate the current opposing left-turn conflicts, which are known to be the biggest cause of concern today. This will also eliminate the existing condition where the through vehicles that become trapped behind delayed left-turning vehicles often change lanes into the free moving through lane, which can lead to crashes.
- The drive openings that exist within the intersection on the northeast corner will be closed since those drives are uncontrolled within a signal controlled intersection.
- The total number of drive openings along NH 28 will be reduced, which reduces vehicle conflicts.
- The Salem Rail Trail crossing at Main Street will be signalized.
- Sidewalks will be reconstructed throughout the project and ADA deficiencies will be addressed.
- With improved operations and less conflict comes less risk taking, therefore, lower crash rates are expected.

Operations

The proposed project will improve operations when compared with the no-build alternative. The primary improvement will result from the creation of exclusive northbound and southbound left-turn lanes. Currently, the left turns are combined with the through movements and their phasing overlaps so there are periods when vehicles turning left are obstructed by oncoming traffic. In addition, the corner radii at the southeast and northeast corners of the intersection will be improved to allow smoother

flow of traffic, especially for larger vehicles. Travel on the Salem Rail Trail will also be enhanced by the addition of a signalized crossing of Main Street.

Traffic control plans that specify minimum lane use, hours of operation, and maintenance of driveways to abutting properties will be developed during final design. The contractor will be required to install temporary traffic signs to inform and direct motorists within work zones. Due to the high traffic volumes the contractor will be required to maintain variable message signs that alert motorists in advance of the construction activities and/or detours.

1.4.2 Air Quality

The air quality statutes and regulations that are applicable to the proposed project include the 1990 Clean Air Act Amendments (CAA) and the National Ambient Air Quality Standards (NAAQS). Under the CAA and the New Hampshire State Implementation Plan (SIP), proposed projects are required to not cause any new violation of NAAQS for pollutants of concern, increase frequency or severity of any existing violations, or delay attainment of any NAAQS. The NAAQS were implemented as a result of the CAA, amended in 1990. The CAA requires the Environmental Protection Agency (EPA) to set standards on the pollutants that are considered harmful to public health and the environment. The NAAQS apply to six principal (“criteria”) pollutants: CO, nitrogen dioxide (NO₂), particulate matter 10 (PM₁₀), particulate matter 2.5 (PM_{2.5}), sulfur dioxide (SO₂), lead and ozone.¹

FHWA and the EPA have established procedures for Transportation Conformity requirements of the CAA. Guidance from both the EPA and the New Hampshire Department of Environmental Services (NHDES) define the air quality modeling and review criteria for analyses prepared pursuant to the 1990 Clean Air Act Amendments (CAA).

The CAA resulted in states being divided into attainment and non-attainment areas with classifications based upon the severity of their air quality problem. A non-attainment area is an area that has had measured pollutant levels that exceed the NAAQS and that has not been designated to attainment. The CAA established emission reduction requirements that vary by an area’s classification.

The Salem Depot Intersection is located in Rockingham County, New Hampshire. NAAQS violations are delineated on a county basis and are document in the EPA’s Greenbook². Rockingham County is currently in attainment for all pollutants except Sulfur Dioxide. Sulfur dioxide is released primarily from burning fuels that contain

¹ Environmental Protection Agency (EPA). (2010, 16 April). *National Ambient Air Quality Standards*. Retrieved from <http://www.epa.gov/air/criteria.html>

² National Environmental Protection Agency (NEPA) Green Book, <http://www.epa.gov/oaqps001/greenbk/ancl.html>

sulfur (such as coal, oil, and diesel fuel). Stationary sources such as coal- and oil-fired power plants, steel mills, refineries, pulp and paper mills, and nonferrous smelters are the largest releasers. The proposed intersection improvement project is not expected to increase/contribute to the emissions of sulfur dioxide with negligible changes in traffic including truck traffic projected with the implementation of the proposed intersection improvements. Rockingham County was also previously in a Maintenance area for the 1997 8-hour ozone (which was revoked in April 2015).

The Project, as a CE, is not required to analyze or present an MSAT analysis. In addition, the regional emissions are not projected to change as the Project is not introducing any additional emission sources, just possible minor relocating, and would not have an impact on regional emissions. At a local level, the project is introducing intersections improvements including the widening of NH 28 which will allow for exclusive left-turn lanes on both the northbound and southbound approaches to the Depot intersection, pedestrian accommodations and updated traffic signal equipment. With the implementation of new turn lanes and the updated traffic signal the project is projected to improve traffic delays at the intersection and therefore reduce overall transportation-related emissions, specifically particulate matter (PM) and carbon monoxide (CO). The proposed improvements and related reduction in emissions meet the requirements of the CAAA where the Project is not projected to cause any new violation of the NAAQS, increase the frequency or severity of any existing violations; or delay attainment of any NAAQS. As discussed earlier, the Project is located in attainment areas for both CO or PM.

1.4.3 Noise

A limited noise analysis was conducted to evaluate the potential noise impacts associated with the reconfiguration of the Salem Depot intersection. This noise analysis was conducted following the principles of the New Hampshire Department of Transportation's (NHDOT's) *Policy and Procedural Guidelines for the Assessment and Abatement of Highway Traffic Noise for Type I Highway Projects*³ and the FHWA's guidelines.⁴ The Project is considered a Type I project because it involves geometric changes at the Salem Depot intersection. NHDOT's procedures require that roadway noise levels associated with Type I projects be calculated, the results be compared to the noise abatement criteria, and, if noise impacts are identified, noise mitigation measures be evaluated to reduce sound level impacts in the study area.

Methodology

³ *Policy and Procedural Guidelines for the Assessment of and Abatement of Highway Traffic Noise for Type I Highway Projects*, April 2011.

⁴ *Procedures for Abatement of Highway Traffic Noise and Construction Noise*, Title 23, Code of Federal Regulations, Part 772.

The noise analysis evaluated the potential sound levels associated with vehicular traffic under both the existing and alternative design conditions. Sound levels associated with roadway traffic were calculated using FHWA's Traffic Noise Model (TNM) Version 2.5.⁵ An abbreviated approach was used in developing the layout for the project area noise model which involved utilizing available plans and Google Earth areal mapping to identify roadway layouts and receptor locations. Traffic data for NH 97 and NH 28, such as vehicular volume, truck percentage, and roadway speeds, were obtained from the Salem Depot Intersection Improvement Plan report dated August 2012 and subsequent traffic counts and analysis.

The noise model evaluated traffic volume and roadway alignment changes along NH 97 and NH 28. The noise model was used to calculate the sound levels at the closest residential receptor locations within the project study area. The sound levels calculated from the noise model were compared to NHDOT's noise impact criteria for compliance. If the receptor locations identified sound level impacts, then noise mitigation, such as a noise barrier, would be evaluated. The noise barrier evaluation must meet NHDOT's feasibility and reasonableness criteria to be recommended for construction.

Results

The results of the noise analysis demonstrate that three (3) of the closest residential receptor locations to the Salem Depot intersection experiences sound levels that exceed the NAC for Activity Category B (residential) under both the existing and alternative design conditions. However, all the receptor locations would experience a sound level increase of one (1) dB(A) or less. The existing condition sound levels at the closest residential locations ranged from 63 dB(A) to 68 dB(A). Under the alternative design conditions, the same residential receptors would experience sound levels ranging from 63 dB(A) to 69 dB(A), an increase no more than 1 dB(A), as compared to the existing conditions. Although some residences are impacted, with or without the proposed improvements, the analysis clearly demonstrates that the Depot intersection improvements will not substantially increase the existing sound levels. The existing condition and alternative design condition sound levels are presented in **Table 1-1**.

Table 1-1: Sound Levels, Expressed in dB(A)

Receptor Location (Closest Home - North St)	Land Use Category	NHDOT Noise Criteria	Existing Sound Level	Alternative Design Sound Level	NHDOT Increase Criteria	Sound Level Increase
R1 – NH 97 (China Star)	Residential	66	68	69	+15	+1
R2 – NH 28	Residential	66	66	67	+15	+1
R3 – NH 28	Residential	66	63	63	+15	0

⁵ Traffic Noise Model 2.5 (TNM), Federal Highway Administration, February 2004.

Receptor Location (Closest Home - North St)	Land Use Category	NHDOT Noise Criteria	Existing Sound Level	Alternative Design Sound Level	NHDOT Increase Criteria	Sound Level Increase
R4 – NH 28	Residential	66	67	66	+15	-1
R5 – NH 28	Residential	66	65	65	+15	0

Bold values exceed noise impact criteria of corresponding land use.

Feasibility and Reasonableness

Noise mitigation (noise barriers) were considered for the impacted receptor locations to determine if these locations met NHDOT's feasibility and reasonableness criteria for constructing a noise barrier. The results of this evaluation indicated that noise barriers would not be effective in reducing sound levels because a continuous noise barrier cannot be constructed. The evaluation demonstrated that a noise barrier along either NH 97 or NH 28 is not feasible to construct due to numerous curb-cuts, adjacent side streets, and limited space between the highway and the receptor locations.

Conclusion

This abbreviated noise analysis evaluated sound levels at the closest residential receptor locations associated with the Salem Depot intersection improvement project. The results of the analysis demonstrate that three (3) residential receptor locations will experience sound levels that exceed NHDOT's noise impact criteria with or without the proposed project. In addition, the sound level increases from the Existing Conditions to the Build Conditions are very small, no greater than 1 dB(A), which is not expected to be a noticeable change. The results of this evaluation demonstrated that a noise barrier along either NH 97 or NH 28 is not feasible to construct due to numerous curb-cuts, adjacent side streets, and limited space between the highway and the residences. Therefore, no noise barriers are recommended for this project.

1.4.4 Hazardous Materials/Contaminated Properties

1.4.4.1 Hazardous Materials

Since the proposed project involves excavation and construction within an existing road ROW, excess soil proposed to be removed from this area will be tested to determine the appropriate receiving facility and disposed of properly. Potential disposal options may include: use as daily cover or shaping material at a permitted landfill; recycling at an asphalt batching plant; or treatment and disposal.

Statewide analytical data collected by NHDOT, as well as nationwide information, indicates that roadside soils commonly contain metals and Polycyclic Aromatic Hydrocarbons (PAHs) at concentrations above background conditions. These "Limited

Reuse Soils" (LRS) excavated from within the operational ROW shall be addressed in accordance with applicable NHDES rules and/or waivers. Soils that are not anticipated to meet the definition of LRS may be subject to management through a Soils Management Plan (SMP).

A portion of the project is proposed to occur along former railroad corridor. Railroad ROWs are often impacted with residual oil and/or hazardous materials (OHM), including metals, pesticides, and petroleum constituents such as PAHs. Railroad related sources of OHM may include creosote- or arsenic- laced railroad ties, herbicides, lubricating oils, diesel fuel, and diesel exhaust. In addition, fill of unknown origin used to bring tracks to grade may contain debris, coal, coal ash, coal slag, or other potential contaminants. Therefore, any excess soil generated during construction within the railroad ROW will be managed appropriately and disposed of at an appropriate facility.

1.4.4.2 Contaminated Properties

The proposed project is anticipated to encounter sites with known contamination during project construction. VHB personnel completed a review of the NHDES One Stop Online Database and a database report provided by Environmental Data Resources (EDR). VHB personnel also conducted an exterior reconnaissance of the project area on February 5, 2013. After review of the EDR report and updated review of NHDES OneStop Database in 2015 and 2017, VHB determined that four active remediation sites within or adjacent to the project area have the potential to impact environmental media such as soil and/or groundwater, and two parcels required additional environmental investigation. Refer to **Figure 1-2** for the locations of these sites. Further information regarding the contaminated sites is in **Appendix C**.

The following locations were identified as active remediation sites by NHDES:

Former Coca-Cola Bottling Co. of 23 South Broadway (NHDES Master ID 5288)

This site has an active Groundwater Management Permit (GMP) for a leaking underground storage tank (LUST), which was issued in 2000 (renewed in 2005, 2010 and 2016). Based on the most recent annual summary report issued in July 2016, dissolved contaminant concentrations are slowly decreasing; however, petroleum-related volatile organic compounds (VOCs) exceed the NHDES Ambient Groundwater Quality Standards (AGQS) in MW-201 and MW-202, which are located approximately 150 feet east of South Broadway in a former underground storage tank (UST) area just south of the main building on the property. Depth to groundwater was recorded between approximately 1.5 and 5.5 feet below grade. Groundwater flows to the southeast, away from the project area.

Daisy Dry Cleaners of 14 South Broadway (NHDES Master ID 18489)

Prior to 2013, this site was a hazardous waste generator of spent halogenated solvents associated with dry cleaning. In 2001, a halogenated solvent (i.e. chlorinated VOCs) was detected in groundwater at the property and a GMP was issued in 2004 (renewed in 2009 and expired in 2014). Enhanced in-situ bioremediation remedial activities were reportedly conducted, but most recent reports indicate that groundwater monitoring has been conducted only sporadically. A Notice of Noncompliance was issued in February 2015 indicating that the site was not in compliance with the terms and conditions of the expired GMP. Depth to groundwater ranges from approximately less than 1 foot to 4 feet below grade and groundwater flows in an easterly direction towards the project area. The groundwater sampling results reported in 2015 indicated chlorinated VOC concentrations are above AGQS and are the highest in the source area at the rear of the former dry-cleaning building. However, similar contaminants have also been detected across South Broadway at the former Cumberland Farms, which indicates that there is likely chlorinated VOC groundwater contamination located in shallow groundwater underneath the project area roadway. A contaminant plume map was not included in groundwater reports, which was noted by NHDES as a deficiency, and the latest information available online regarding the site status is dated November 2015.

Cumberland Farms Inc. #2857(Camires Gulf) of 13 South Broadway (NHDES Master ID 5234)

A GMP was issued for the site in 2000 (renewed in 2006, 2011 and 2016) due to a LUST. The GMP requires the monitoring of four wells and periodic summary reports. According to the October 2016 data submittal, groundwater at the Site is located at depths ranging from approximately 4 to 6 feet below grade and flows east, away from the project area.

Groundwater quality appears to be improving due to natural attenuation. However, chlorinated VOCs have been observed in two wells, which has been attributed to an off-site source (above-noted Daisy Cleaners). In addition, one contaminant, tert-butyl alcohol, persists above AGQS in well ECS-4, which is located on the neighboring Dunkin' Donuts property, also included in the Groundwater Management Zone (GMZ) boundary for this site.

Former Sullivan Fuel Co. of 49 North Broadway (NHDES Master ID 14022)

A discharge of oil occurred from a LUST at this site resulting in naphthalene concentrations above the AGQS. A GMP was assigned for the site in 2005 (renewed in 2013), which requires the monitoring of five wells and periodic summary reports. Groundwater monitoring was conducted annually at the site from 2004 to 2008, however, the site fell out of compliance with the GMP for the absence of sampling between 2009 and 2011. Period reporting resumed and the

data report most recently submitted to NHDES in April 2016 indicates that naphthalene exceeds the AGQS in two of the five wells sampled. Groundwater at the Site is located at depths ranging from approximately 1 to 5 feet.

Due to the presence of the active remediation sites detailed above, construction monitoring and coordination with the NHDES has been recommended to facilitate construction that could potentially encounter contamination associated with documented sites.

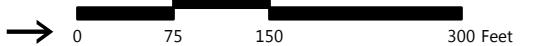
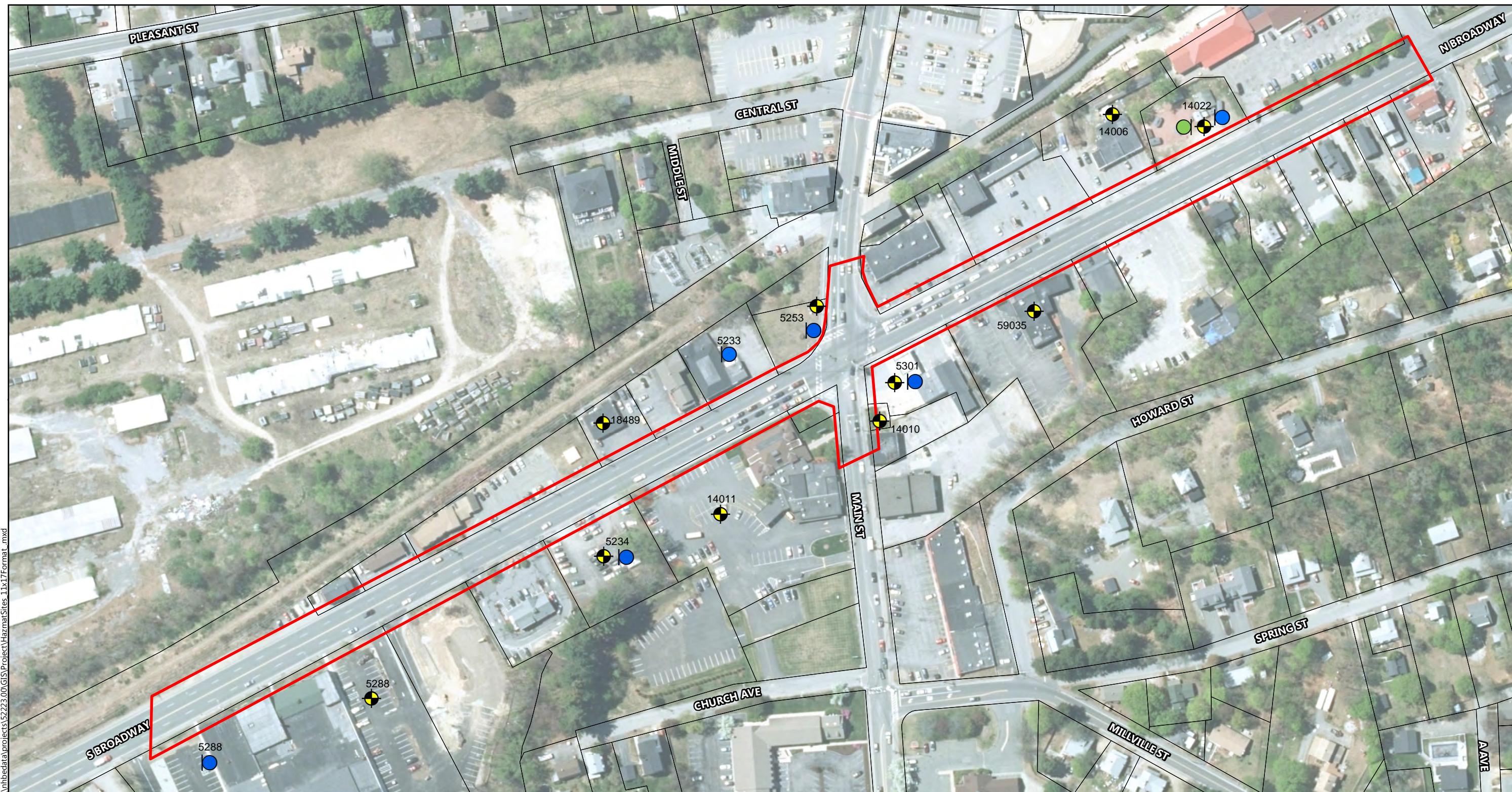
In addition to the sites mentioned above, the abandoned railroad spur that runs adjacent to the project area is also noted with potential to impact environmental media within the project area. Railroad ROWs are often impacted with residual OHM, including metals, pesticides, and petroleum constituents such as PAHs. Railroad-related sources of OHM may include creosote- or arsenic-laced railroad ties, herbicides, lubricating oils, diesel fuel, and diesel exhaust. In addition, fill of unknown origin used to bring tracks to grade may contain debris, coal, coal ash, coal slag, or other potential contaminants. A portion of the rail line was noted in the parking lot of Map 89, Lot 1154 (59 North Broadway, the Dodge Grain Company).

In addition to the sites mentioned above, the abandoned railroad spur that runs adjacent to the project area is also noted with potential to impact environmental media within the project area. Railroad ROWs are often impacted with residual OHM, including metals, pesticides, and petroleum constituents such as PAHs. Railroad-related sources of OHM may include creosote- or arsenic-laced railroad ties, herbicides, lubricating oils, diesel fuel, and diesel exhaust. In addition, fill of unknown origin used to bring tracks to grade may contain debris, coal, coal ash, coal slag, or other potential contaminants. A portion of the rail line was noted in the parking lot of Map 89, Lot 1154 (59 North Broadway, the Dodge Grain Company).

Furthermore, based on VHB's research, two properties were identified for additional environmental assessments as these properties are not known remediation sites but had the potential to contain sources of OHM in soil and/or groundwater due to their history of industrial use and proximity to known remediation sites. Preliminary Site Investigations (PSIs) (i.e. subsurface investigations) were recommended for the following two properties, which are proposed for full acquisition under the Proposed Action:

Commercial Property (Various Tenants) at 4 South Broadway

The property at 4 South Broadway was identified by NHDES as a former UST location and based on a review of Sanborn maps, was once the site of an automotive repair shop and garage. According to NHDES files, one UST may have been closed in place sometime prior to 1986; however, documentation of the tank closure such as soil and groundwater data was not provided. In addition, the Sanborn maps depict more than one tank located on the site.

**Legend**

- Site Location
- Remediation Site
- AST Site
- UST Site

Salem Depot Intersection Project

Salem, New Hampshire

NHDES Hazardous Site Locations

Source: NHGRANIT, NHDES, VHB

Therefore, additional assessment including a geophysical survey and collection of soil and groundwater samples was conducted to determine the condition of environmental media at this property.

A geophysical survey using electromagnetic induction metal detection (EM61) and ground penetrating radar (GPR) was conducted on the site on July 5, 2017. The results of the survey indicated that there are at least two possible USTs and one smaller UST located on the northeastern portion of the site.

Subsurface investigation activities were conducted on July 11 and 12, 2017 during the advancement of six soil borings, four of which were completed as groundwater monitoring wells.

A total of 14 soil samples were submitted for laboratory analysis of one or more of the following: Gasoline Range Organics (GRO), polychlorinated biphenyls (PCBs), total petroleum hydrocarbons (TPH), Semivolatile organic compounds (sVOCs), Resource Conservation and Recovery Act (RCRA) 8 metals, and/or VOCs. All results were below the applicable NHDES SRS with the exception of naphthalene and arsenic. However, concentrations of arsenic are below the S-3 standard, and the concentrations of naphthalene are above the S-3 standard.

Four groundwater samples were submitted for laboratory analysis of one or more of the following: GRO, PCBs, TPH, sVOCs, RCRA 8 metals, and/or VOCs. All groundwater analytical results were compared to the AGQS and GW-2 standards and were below those thresholds.

Refer to **Appendix C** for the results of the environmental sampling for 4 South Broadway, the results of which were reported to NHDES on October 12, 2017.

Commercial Property (Various Tenants) at 22 South Broadway

The property at 22 South Broadway is located adjacent to the former Daisy Cleaners property (NHDES Master ID 18489). Based on available information online, the Daisy Cleaners remediation site appears to be out of compliance with the NHDES regulations as no submittals have been posted documenting recent remediation or monitoring at the property. Contaminants from the Daisy Cleaners property have historically been detected in two monitoring wells on 22 South Broadway where it borders the Daisy Cleaners source area. However, a figure showing the extents of the groundwater plume is not available, therefore, additional soil and groundwater sampling was conducted at 22 South Broadway to determine the extent to which environmental media at the site has been impacted by the abutting Daisy Cleaners remediation site.

Subsurface investigation activities were conducted on July 10, 2017 during the advancement of five soil borings, three of which were completed as groundwater monitoring wells.

A total of 10 soil samples were submitted for laboratory analysis of one or more of the following: GRO, PCBs, TPH, sVOCs, RCRA 8 metals, and/or VOCs. All results were below the applicable NHDES SRS and Method 1 Standards.

Three groundwater samples were submitted for laboratory analysis of one or more of the following: GRO, PCBs, TPH, sVOCs, RCRA 8 metals, and/or VOCs. All groundwater analytical results were compared to the AGQS and GW-2 standards and were below those thresholds.

Although the standards were not exceeded at this property, historical data in the NHDES file suggests that this property has been impacted by Daisy Cleaners, therefore it is recommended that potential impacts should be anticipated in this area when planning for construction in case conditions vary from what was found in the investigation. Additionally, continued coordination will occur between the owners of the Daisy Cleaners remediation site and NHDES to determine how to proceed in the regulatory process to regain compliance with NHDES regulations.

1.4.5 Cultural Resources

A Request for Project Review (RPR) for the Proposed Action was submitted on April 8, 2015. The New Hampshire Division of Historical Resources (NHDHR) responded on April 29, 2015 by requesting an Individual Inventory Form for the property at 14 South Broadway (Daisy Cleaners, described below) and noting that there were no archaeological concerns and no need for other inventory forms. An Individual Inventory Form for Daisy Cleaners (SAL1004) was completed by VHB and submitted to the NHDHR in February 2017. On May 8, 2017, NHDHR recommended that Daisy Cleaners be determined eligible for the National Register of Historic Places (SAL1004). Further discussion regarding this eligible property is provided below. Documents related to these findings including the RPR, the Individual Inventory Form for Daisy Cleaners and its corresponding Determination of Eligibility, and the Memorandum of Agreement (MOA) are provided in **Appendix D**.

Previously Documented Properties

Several previously recorded properties/districts were found to be located within the project area. The Salem Depot intersection is part of the Manchester & Lawrence Railroad (MLT-MLRR) historic district, which was determined eligible for listing on the National Register in 2009 for its importance as a trade connection between smaller southern NH towns and larger cities such as Manchester and Boston, and as a concentration of 19th and early 20th century railroad-related resources. The railroad

ROW runs west of NH 28 along the project area, and the entire ROW in Salem is in various stages of rehabilitation as a rail trail.

The MLT-MLRR historic district will not be adversely impacted by the proposed project. The western end of the project area will use approximately 550 square feet of the railroad ROW for intersection approach improvements. At the south end of the project approximately 200 square feet of the ROW will be used to accommodate the NH 28 roadway widening. Minor temporary easements are also anticipated for grading. Currently the sites are developed as paved parking lots encroaching on the former railroad ROW and no adverse effects to the eligible district are anticipated.

There are two railroad-related structures in the Salem Depot area that are contributing resources to the railroad district. Salem Depot (SAL0039, 81 Main Street) was constructed in 1867 and remained in use until 1953 when service through Salem was discontinued. The building was converted to offices in 1953 but was subject to a sympathetic restoration project in 2010 and was listed in the State Register in 2011. The depot building is located adjacent to the western terminus of the project area, but will not be directly affected. The second contributing resource to the Salem Depot area is the Lido Filling Station (SAL0038), which was recorded in 1984 at the southwest corner of South Broadway and Main Street. This property has since been demolished.

Finally, at the north end of the project area is the former Salem Freight House (59 North Broadway), which has been used by Dodge Grain since the end of railroad service in the mid-20th century. Project work within the vicinity of the Freight House is limited to a strip take of a permanently altered grass area in front of this building.

A 1984 Determination of Eligibility (DOE) form for the Salem Depot Area notes that this area does not retain enough integrity for eligibility as a National Register historic district. Although the village was once one of the most important commercial and industrial centers of town, significant alterations and infill have diminished its historic cohesiveness, as demonstrated by several historic maps that cover this area.

Properties Not Yet Surveyed

The project area contains buildings that were constructed from the mid-19th century to the present day. The project area is dominated by 20th century development, both as new construction and renovations of earlier buildings. Although some 19th century residential buildings remain, they have been converted for commercial use, therefore compromising their historical significance.

Archaeological Resources

No archaeological resources are expected to be impacted by this project. It is anticipated that there will be some ground disturbance associated with the proposed project. Most of the roadway and curbing construction will take place within the top 1 to 3 feet, which is consistent with prior disturbance in the area caused by the construction of

adjacent parking lots and buildings. Adjustments to current drainage, including new catch basins and pipe connections, will take place between 5 and 8 feet below the surface, and the foundations for the new traffic signal will be 10 to 15 feet deep. An RPR stating the proposed ground disturbance associated with the proposed project was submitted and approved by NHDHR April 29, 2015.

Individually Listed Properties

An Individual Inventory Form for Daisy Cleaners (SAL1004) was completed by VHB and submitted to the NHDHR in February 2017. The commercial building, located at 14 South Broadway (Tax Map 89, Lot 1092), was constructed in 1960 by Syrian immigrant Shia T. Touma, and has remained in family ownership through its entire history. The parcel has been owned by multiple people since the early twentieth century and has always been maintained as a 7,589-sq. ft. lot. Daisy Cleaners, established in 1960, has remained a presence on one of Salem's historically busiest commercial strips. The building was constructed during Salem's biggest population growth and economic boom and likely benefited from its proximity to Rockingham Park and major regional transportation routes, which were constructed and/or modernized around the same time the building was constructed. The present appearance of the area immediately surrounding the Depot intersection was formed in the mid-twentieth century, though many of the buildings from this era have been replaced or else modernized with new additions and materials.

The Daisy Cleaners property comprises a main building, two small detached sheds, a vertical metal commercial sign, and a paved asphalt parking lot with approximately 10 vehicle spaces on a 7,589-sq. ft. lot. The rear of the building backs up immediately onto the raised steeply sloping former railroad bed with sides now covered with grass and tertiary growth. The main building is a 1-story, 10-bay-by-3-bay Mid-Twentieth Century Modern-style rectangular building. The original mid-century sign indicating the property as "Daisy Cleaners" sits at the southeast corner of the property near the road.

Upon review of the Individual Inventory Form for Daisy Cleaners, NHDHR recommended on May 8, 2017 that the property be determined eligible for listing on the National Register of Historic Places. The widening of NH 28 for the proposed intersection improvements will require the acquisition and demolition of several properties along the western side of the roadway, including Daisy Cleaners. The demolition of this eligible property will result in an adverse effect. Based on the need to address operational deficiencies and safety concerns associated with this intersection, road widening cannot be reasonably avoided.

Documentation of the adverse effect was provided in a Section 106 Cultural Resources Effect Memo dated August 4, 2017 (refer to **Appendix D**). This memo also accounted for the proposed impact within the Manchester & Lawrence Railroad (MLT-MLRR) historic district, but found that this effect would not be adverse. The NHDHR

concurred with these findings on August 16, 2017. Following this finding, the FHWA notified the Advisory Council on Historic Preservation (AChP) of the adverse effect. The AChP replied on November 6, 2017, declining FHWA's invitation to participate in the consultation to resolve the adverse effect. A copy of the AChP response is provided in **Appendix D**.

An MOA for the mitigation of the adverse effect as a result of the demolition of Daisy Cleaners was signed by the Town of Salem, NHDOT, NHDHR, and FHWA pursuant to Section 106. This agreement outlines several mitigation activities that must be implemented to account for the impact to the historical resource. This mitigation includes the preparation of a set of guidelines by NHDOT and FHWA that identifies architectural elements and character-defining features of mid-20th century commercial and institutional buildings, intended to make future decisions about National Register of Historic Places eligibility for listing consistent and defensible. These guidelines would accompany the *Mid-20th Century Architecture in NH: 1945-1975*, prepared in 2012 for the New Hampshire Department of Employment Security in cooperation with the New Hampshire State Historic Preservation Office (NHSHP). A second mitigation measure includes the preservation of the historical "Daisy Cleaners" sign either by relocation to the new Daisy Cleaners location, preservation at a historical non-profit organization, or the exploration of other options if the owners of Daisy Cleaners or a non-profit organization do not claim the sign. Additionally, NHDOT will provide three 8" x 10" printed photographs from the Individual Inventory Form to the owner for display in the new location. Finally, additional stipulations are included in the MOA which outlines steps to take should a previously unidentified archaeological site or burial be found during project construction. A copy of the MOA is provided in **Appendix D**.

Additionally, because there are adverse effects to the Daisy Cleaners, Section 4(f) of the Department of Transportation Act of 1966, 49 USC 303(c) applies to this property. See Section II of this document for a Section 4(f) Evaluation addressing impacts to this property.

1.4.6 Right-of-Way

The project is in a heavily developed section of the Town of Salem. Several retail and service businesses are located within the immediate vicinity of the intersection. **Table 1-2** identifies the businesses within the project area and which properties are to be fully or partially acquired because of the project improvements.

The project area encompasses land zoned within the following districts:

- Commercial A
- Commercial/Industrial B
- Commercial/Industrial C

The Commercial A, Commercial/Industrial B, and Commercial/Industrial C districts are regulated under Article 5 of the Town of Salem Zoning Ordinance. The area directly surrounding the Salem Depot intersection is zoned as Commercial A. The Commercial A district allows offices, restaurants, retail stores, banks, personal services shops, and municipal buildings.

The northern side of the project area is zoned as Commercial/Industrial B and the southern side of the project area is zoned as Commercial/Industrial C. The Commercial/Industrial B and C districts permit the sale and storage of building materials, furniture, oil and gas, and construction supplies. Automobile sales and service uses including service stations and repair facilities are allowed. Printing plants, hospitals, hotels and motels, research and development facilities, manufacturing, distribution, health clubs and recreational uses, and movie theaters are also allowed. No minimum lot size is specified and the height restriction is 35 feet.

Running parallel to NH 28 to the west of the project area is the Salem Rail Trail. This trail follows the existing Manchester & Lawrence railroad corridor. There is a short, paved section of the trail that leads northward from NH 97 to Willow Street. The railroad corridor is in various stages of rehabilitation as a rail trail. The Proposed Action will not negatively impact the Salem Rail Trail nor the ongoing construction work along this trail. As part of the Proposed Action, a signal will be considered to enhance bike and pedestrian safety where the Salem Rail Trail crosses NH 97 at the western boundary of the project area.

A total of 12 properties will be affected by the proposed western widening of NH 28 (refer to **Table 1-2**). Of the 12 properties, 7 properties located within the southwestern portion of the project area will be fully acquired (Tax Map 89 Lots 1066, 1089, 1090, 1092, 1093, 1094, and 1049). The proposed widening will impact parking lots within the affected properties as well as the 7 buildings on the parcels that are proposed to be acquired. These properties are located within the Commercial A district.

Properties requiring acquisition shall be appraised utilizing techniques recognized and accepted by the appraising profession and in conformity with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, amended, and applicable to New Hampshire State Law. Relocation resources will be made available to all relocated businesses without discrimination. Specifically, the owners of the affected properties would be compensated for the impacts and eligible for relocation benefits which could include:

- Fair market value for acquired property
- Relocation advisory assistance services
- Payments for moving and relocation costs
- Residential mortgage interest differential payments and closing costs

Table 1-2: Project Parcel List

(All of the project work will occur within an existing traffic ROW.)

Owner (N/F)	Business	Tax Map Number (map-block-lot)	Parcel Size (acres)	Parcel Acquisition
Metscott 21 LLC	Various	89-938	5	
Ellen E. Lloyd	Not Just Curtains	89-1066	0.05	Full
Salem Co-op Bank	Salem Co-op Bank	89-1084	1.84	
Town of Salem	Town of Salem	89-1085	0.66	
Robert W. Fawcett Trust	Husson Motors	89-1086	0.5	
VSMT Realty LLC	Dunkin Donuts	89-1087	0.29	
Metscott 21 LLC	Various	89-1088	1.19	
590 Essex Street LLC	Big Clearance Center	89-1089	0.08	Full
5-9 Mill Street LLC	22 South Broadway	89-1090	0.49	Full
James R. Desjardins Holdings Inc.	Daisy Cleaners	89-1092	0.18	Full
10 South Broadway LLC	Century 21	89-1093	0.2	Full
4-6 South Broadway, LLC	Sugar & Spice Bake Shoppe; Kian Taekwondo	89-1094	0.3	Full
Town of Salem	Vacant Lot	89-1095	0.18	
Town of Salem	Vacant Lot	89-1096	0.14	
W. S. Realty Trust	China Star	89-1097	0.26	
J & S Investments LLC	Tuscan Kitchen	89-1147	0.19	
Town of Salem	Former Railroad Station	89-1148	0.07	
JK Kara Realty Inc.	Mini Mall	89-1149	0.44	Full
Lupoli Brothers Realty Trust	Sal's Pizza	89-1150	0.56	Partial
Lupoli Brothers Realty Trust	Vacant Lot	89-1152	0.54	Partial
Lupoli Brothers Realty Trust	Sheds	89-1153	0.21	Partial
Dodge Grain Co. Inc.	Dodge Grain Co. Inc.	89-1154	1.24	Partial
Raymond C. & Liliane T. Maroun	88 North Broadway	89-1157	0.89	
Seventy Eight North Broadway LLC	Broadway Stove Shop	89-1158	0.36	
72 North Broadway LLC	72 North Broadway	89-1159	0.14	
Foster Development of NE LLC	Waves Media	89-1160	0.14	
5-9 Mill Street LLC	68 North Broadway	89-1161	0.21	
62-64 North Broadway Condominium Association	62-64 North Broadway	89-1162		
5-9 Mill Street LLC	Lion's Den	89-1165	0.35	
James M. & Diane M. Ferraiolo	Dentist Office	89-1166	0.24	
V. F. W. Post 8546	VFW Post	89-1167	1.25	
34 North Broadway of Salem LLC	DeColores Books & Gifts	89-1168	0.13	
28 North Broadway Salem LLC	Londonderry Piano	89-1169	0.7	
Trickett Realty Trust	Sunoco Gas and Service Station	89-1170	0.37	Partial
Town of Salem	Vacant Lot	89-1171	0.02	
Matteo G. Gallo Trustees	Retail Stores	89-1172	0.23	
Spickett Lodge Realty Co.	Masonic Temple	89-1173	0.79	

Note: Parcel ROW information based on plans dated 10/19/2017.

1.4.7 Farmland

Due to the location of the project, impact to agricultural land is not expected. Soils in the area are identified by the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service's (NRCS) Web Soil Survey as *urban land* (refer to **Figure 1-3**). No changes to soil type will occur due to the proposed project work.

1.4.8 Environmental Justice

Environmental Justice evaluation must be conducted for all transportation projects that are undertaken, funded or approved by any Federal agency to avoid, minimize, or mitigate disproportionately high and adverse human health, environmental, social and economic effects on minority populations and low-income populations.

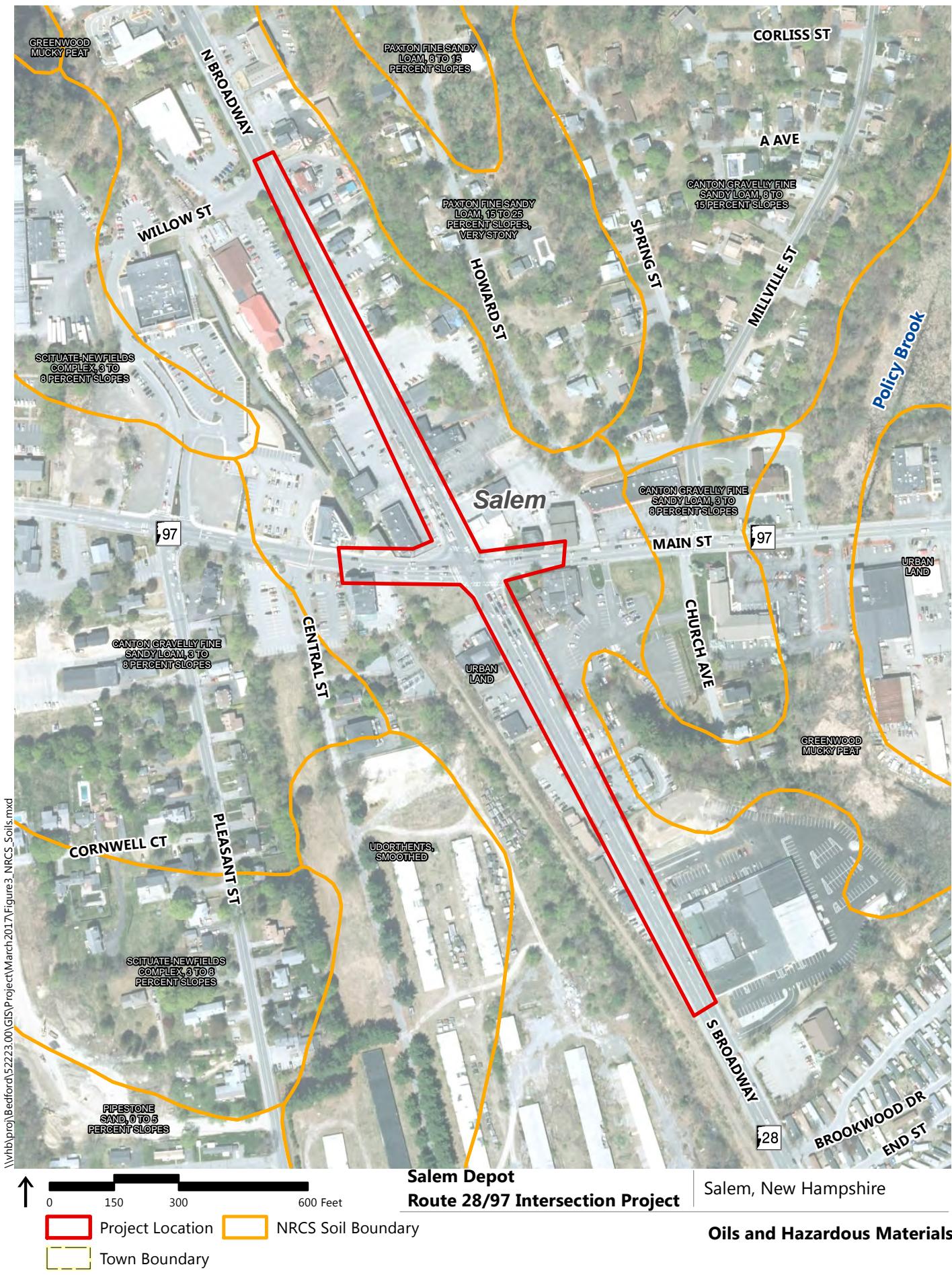
Pursuant to Title VI of the Civil Rights Act of 1964 and Executive Orders 12898 & 13166, an Environmental Justice Population Analysis was completed by NHDOT for the proposed project area (refer to **Appendix E**). The average population percentage was determined within the impacted area and surrounding area for Cheshire County. The average percentage of elderly population within the impacted area is 20.62%, and within the surrounding area is 14.91%. The percentage of minority populations within the impacted area is 7.49%, and 6.63% within the surrounding area. The average percentage of low-income population is 18.38% within the impacted area and 8.96% in the surrounding area. Because NHDOT's analysis shows the presence of protected groups, special considerations related to the planning and design of the project (i.e., ADA compliance) and public outreach for future public meetings are recommended. (See **Appendix E** for more information on these recommendations.)

1.4.9 Land Use/ Public Lands/ Conservation Lands

The proposed project does not affect any conservation easements, publicly owned parks, or any publicly owned wildlife or waterfowl refuges. Further information regarding these land uses are described below.

Parks and Recreational Sites

An online search was conducted for available information regarding town-owned parks or town-owned wildlife or waterfowl refuges within the Town of Salem. Upon review of the Town of Salem Department of Public Work's list of Parks, Properties, and Cemeteries, the nearest park to the Salem Depot intersection is the Field of Dreams, approximately 1.5 miles southeast of the project area. Information available on the Town of Salem's Conservation Commission website showed that the Salem Town Forest is located approximately 2.5 miles from the project area. No further information about parks, cemeteries, or refuges near the project area were found during the online search.



Additionally, an online search was completed for conservation lands located within the vicinity of the project. The nearest conservation land located near the project is the Old Post Office Wetland, which is a 6.9-acre parcel owned by the Town of Salem located between Millville Street and Martin Avenue. This parcel is not anticipated to be affected by the proposed project.

Portions of the existing and proposed Salem Rail Trail run along the western side of NH 28 for the length of the proposed project. The portion of the trail located between NH 97 and Willow Street is paved, and the rest of the trail is in various stages of planning, design or construction. The trail will cross NH 97 at the western limit of the proposed project.

Section 6(f) Properties

The NH Department of Recreation and Economic Resources (NHDRED), Division of Parks and Recreation, was contacted regarding Land and Water Conservation Fund (LWCF) properties acquired by this program within the vicinity of the proposed project. In an email response dated March 20, 2015, NHDRED indicated that no Section 6(f) properties would be affected by the project. Refer to **Appendix F** for agency correspondence.

The NH Office of Energy and Planning (NHOEP) was contacted regarding Conservation Land Stewardship (CLS) program and Land Conservation Investment Program (LCIP) properties acquired by these programs within the vicinity of the proposed project. After consulting their files, NHOEP indicated in an email response dated March 18, 2015 that there are no CLS or LCIP properties within the vicinity of the proposed project. Refer to **Appendix F** for agency correspondence.

Additionally, the NHDRED Land and Community Heritage Program (LCHIP) was also contacted regarding associated properties within the vicinity of the proposed project. In an email response dated March 19, 2015, LCHIP indicated that there are no nearby properties that would be affected by the proposed project. Refer to **Appendix F** for agency correspondence.

1.4.10 Wildlife/Threatened and Endangered Species

A search for the occurrence of for rare plant, animal, or natural communities within the vicinity of the project area was completed using the NH Natural Heritage Bureau's (NHNHB) DataCheck tool. The NHB report (NHB17-0607) dated February 27, 2017 identified no recorded occurrences for sensitive species or natural communities near the project area (refer to **Appendix G**). No further consultation with the NHNHB is necessary.

The proposed project was also reviewed for the presence of federally-listed or proposed, threatened or endangered species, designated critical habitat or other natural

resources of concern through the US Fish and Wildlife Services' Information Planning and Conservation (IPaC) System. Results dated February 27, 2017 indicated the northern long-eared bat (*Myotis septentrionalis*), may occur within the vicinity of the project area (refer to **Appendix G**). There are no maternity roost trees or hibernacula within the Town of Salem; the nearest known hibernacula or roost tree is in Newington, approximately 40 miles away.

Limited tree clearing is proposed to occur within the project area. Trees proposed to be removed as part of the project include four landscape trees located in front of Dodge Grain Store within the northern portion of the project. The nearest small tracts of forestland to the project area are 0.2 to 0.5 miles away, and larger tracts such as the Salem Town Forest are located greater than 1.5 miles away. Since these trees are located within an urbanized area and are a great distance away from forested areas, the removal of these trees was determined to have no effect on the northern long-eared bat. On July 10, 2017, the USFWS concurred with the finding of no effect regarding the tree removal (refer to **Appendix G**).

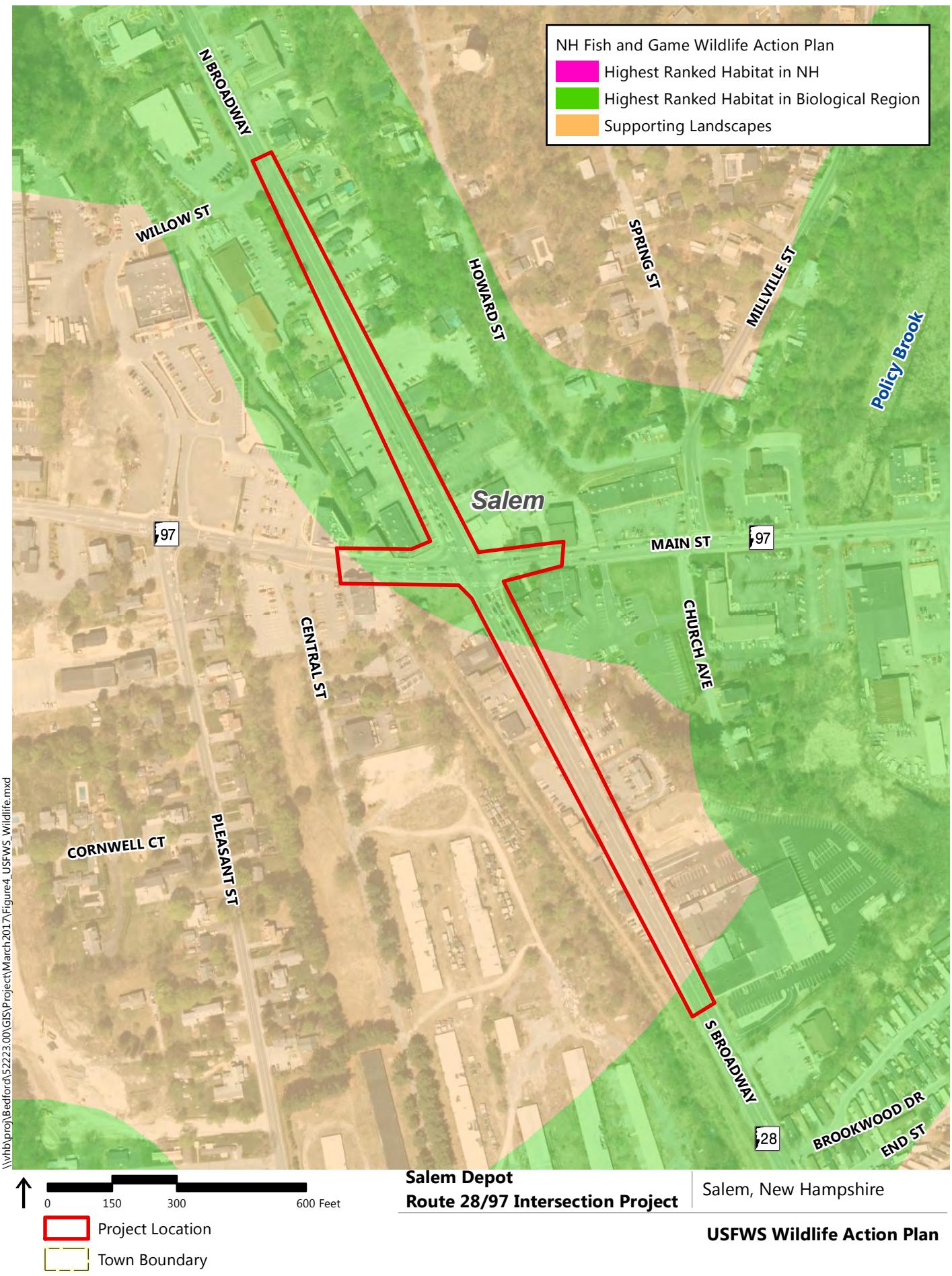
The New Hampshire Fish and Game's Wildlife Action Plan was also reviewed (see **Figure 1-4**). The landscape along either side of Policy Brook and its associated wetland is designated as highest ranked habitat in the biological region and is surrounded by supporting landscapes. The area designated as highest ranked habitat overlaps into the Salem Depot project area. No change in land use cover is proposed to occur because of the proposed project work, and therefore no effects are anticipated to occur to the habitat areas found within the project area.

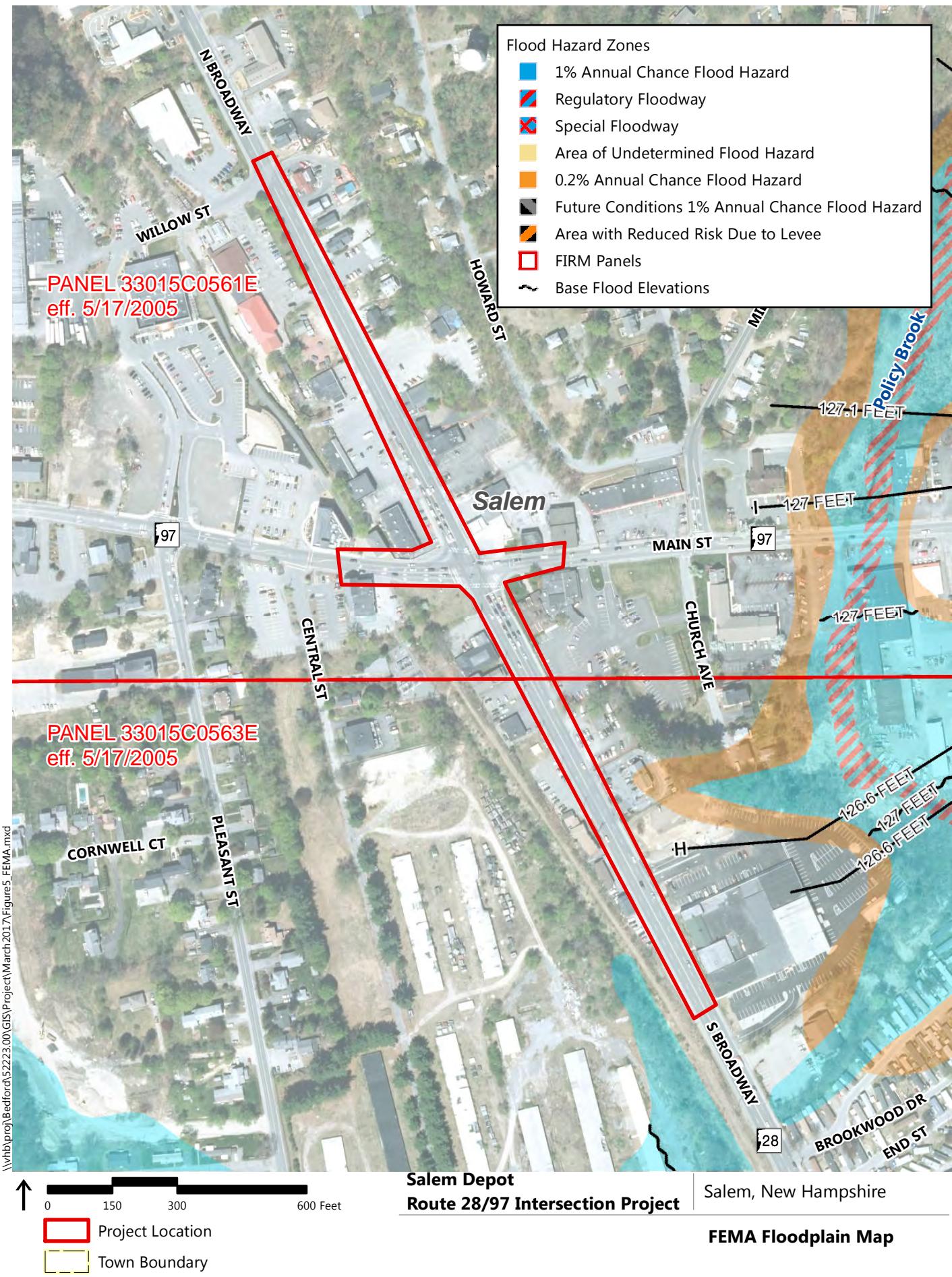
1.4.11 Floodplains/Floodways

According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Maps (FIRM) produced for Rockingham County, the project area is located outside of the 100-year floodplain of the nearest surface water, Policy Brook (refer to **Figure 1-5**). No impacts to floodplains are anticipated because of the proposed project work since the project is located outside of the floodplain boundary and since the project will not result in a significant increase of impervious area (see **Section 1.4.13** below).

1.4.12 Wetlands

The proposed project work will take place within an existing ROW in a highly developed landscape. The existing ROW is proposed to be expanded to accommodate a new turn lane to help facilitate traffic flow through the intersection. The expansion of the existing ROW will include minor earthwork in areas immediately surrounding the existing intersection and approaches.





A field visit of the project area was conducted by VHB Wetland Scientist Kristopher Wilkes (CWS#288) on March 26, 2015. As a result of this field visit, no wetlands were found to occur within the boundary of the project area. Therefore, no NHDES Wetlands Permit will be required for the proposed project. Prior to construction, proper erosion and sedimentation control measures will be installed as necessary and maintained throughout the duration of the project so as to not impact the water quality of nearby waterbodies.

The proposed project does not require a US Army Corps of Engineers (USACE) Section 404 Permit pursuant to the Clean Water Act since no dredged fill material will be discharged into wetlands or surface waters. A Section 10 Permit pursuant to the Rivers and Harbors Act is also not required for this project since no structure will be constructed and no work performed within navigable waters of the US.

1.4.13 Surface Waters/Water Quality

Several surface waters are located just outside of the project area. The only named surface water near the project area is Policy Brook, which drains from Canobie Lake west of the project area toward a wetland system located to the east of the project area between NH 28 and Granite Avenue. This wetland system flows to the north, draining towards Millville Pond. Another wetland system is located just outside of the northern limits of the project area and drains southeast toward Millville Pond. No wild and scenic rivers are located near the proposed project. The nearest Wild and Scenic River is the Lamprey River, approximately 25 miles away. Since the project is not located within 250 feet of a surface water, a NHDES Shoreland Permit will not be required.

The land surrounding the Salem Depot intersection is predominantly impervious, and the roadway is mostly bounded by sidewalks, parking areas, and buildings, with very few grassed areas. Therefore, the proposed roadway widening will have minor effects on the current drainage patterns and amount of runoff from the area. Drainage system improvements will include replacing portions of the system where the existing pipes are not reinforced concrete. All catch basins and manholes are proposed to be replaced. It is anticipated that the existing drainage system will be adequate since the amount of impervious area will be very similar, however the Town is in the process of evaluating the condition of the drainage system, and may upgrade deficient pipes. The planned acquisition of the properties in the entire southwest quadrant of the project is expected to result in an interim condition whereby the buildings will be demolished and the land will be cleared and seeded. The vacant parcels will then be consolidated and ultimately redeveloped. The expectation is that the interim post-construction impervious area will be less than the preconstruction area, but that long term the impervious area may approximate the existing area because of the eventual redevelopment of the land.

A stratified drift aquifer underlies the southern portion of the project area. The recharge rate of this aquifer is not expected to decrease as a result of the proposed project work

since the amount of impervious area will initially decrease within the project area, and over time is expected to increase to current conditions. No wellhead protection areas are located within the vicinity of the project area, therefore water supply sources from wells will not be impacted as a result of the proposed project work. Refer to **Figure 1-6** for the location of the aquifer relative to the project area.

The proposed project will likely involve greater than 100,000 square feet of soil disturbance, therefore, a NHDES Alteration of Terrain Permit will be obtained prior to construction. The proposed project is not located within the vicinity of jurisdictional shorelands. Appropriate Best Management Practices will be used during construction to prevent sedimentation and runoff from the site.

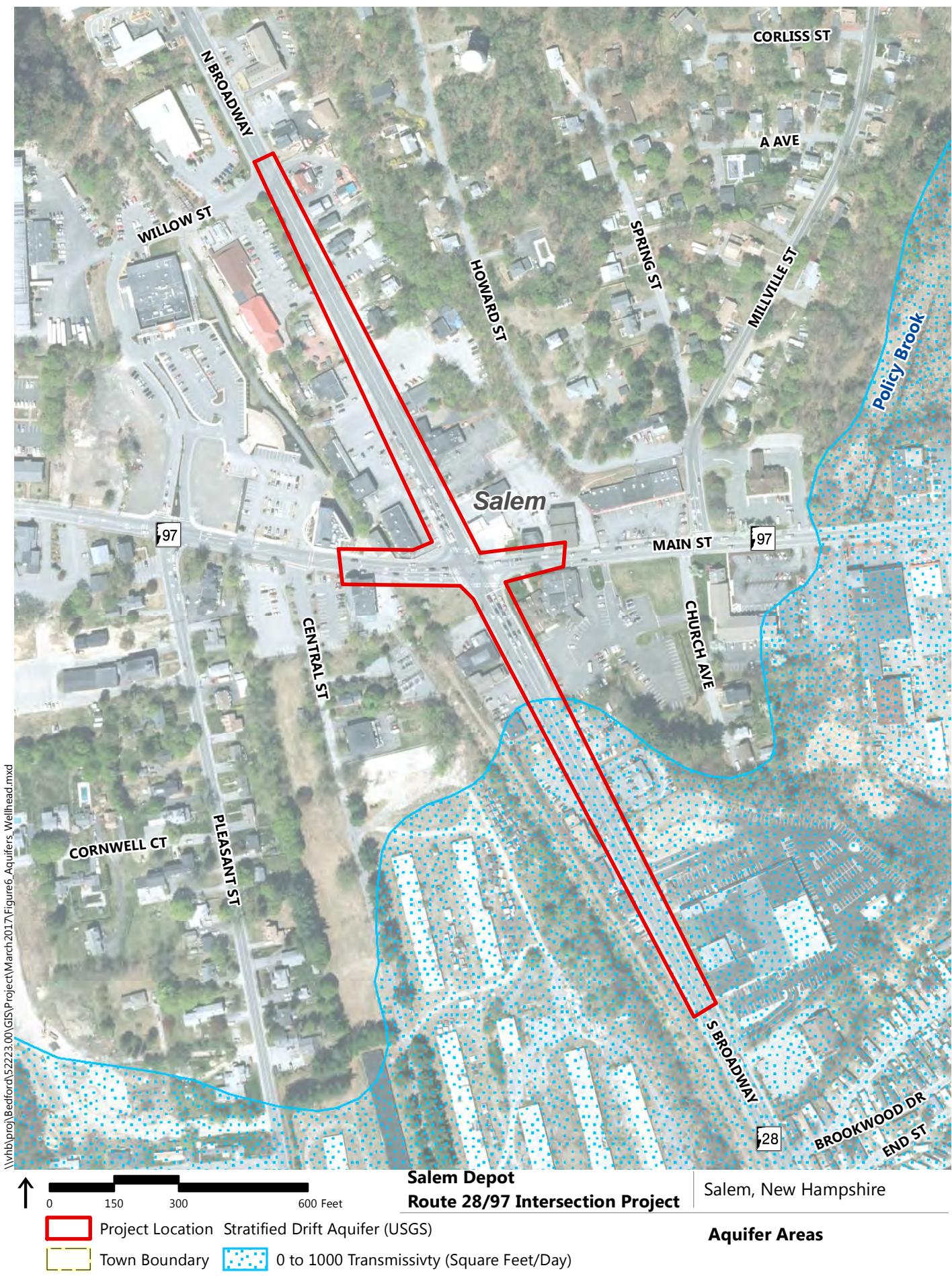
Since the total project disturbance will impact more than an acre of land, a Storm Water Pollution Prevention Plan (SWPPP) will be developed for this project prior to the commencement of construction activities, as required by the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP). This plan will ensure all exposed areas where construction work occurs are stabilized using appropriate erosion control techniques to minimize impacts to nearby waterbodies and wetlands.

1.5 Coordination and Public Participation

Meetings have been held periodically throughout the development and planning process for this project, with various Federal, State, and local agencies, as well as with the general public. These meetings have been taking place since 2008 related to the 2012 Economic Revitalization Plan and more recently the Salem Depot Improvement Project. Meetings related to the proposed project were held on the following dates:

Date	Topic
04/17/2008	Property Owners Meeting
05/12/2008	Board of Selectmen Meeting
04/06/2009	Depot Redevelopment Advisory Committee Meeting
08/03/2009	Board of Selectmen Meeting
11/09/2009	Depot Redevelopment Advisory Committee Meeting
02/11/2010	Depot Redevelopment Advisory Committee Meeting
11/04/2013	Board of Selectmen Meeting (to select the preferred design alternative)
10/19/2017	Public Hearing
4/12/2018	Highway Layout Commission Meeting

During the public meeting held on October 19, 2017, Daisy Cleaners was identified as a property eligible for listing on the National Register of Historic Places, and the adverse effects to the property as a result of the project were clearly outlined. Members of the public were informed of the on-going Section 106 consultation, and the opportunity to become a consulting party was explained. Additionally, the public was given the



opportunity to notify the NHDOT of any other natural, cultural, or socioeconomic resource concerns associated with the proposed project during the public comment period. However, NHDOT and FHWA did not receive any requests for consulting party status, nor were any other concerns raised during the project development or public comment period.

Following the public hearing and issuance of the Report of the Commissioner (March 8, 2018), members of the Highway Layout Commission for this project met on April 12, 2018 to discuss the proposed project. During the meeting the members of the Commission voted in favor of the necessity of the proposed project. The record of this meeting can be found in **Appendix H**.

1.6 Summary of Environmental Commitments

The following environmental commitments have been made for this project.

1. Traffic control plans that specify minimum lane use, hours of operation, and maintenance of driveways to abutting properties will be developed during final design. The contractor will be required to install temporary traffic signs to inform and direct motorists within work zones. Due to the high traffic volumes the contractor will be required to maintain variable message signs that alert motorists in advance of the construction activities and/or detours. (TOWN OF SALEM) Page 9
2. Soils excavated from within the operational ROW shall be addressed in accordance with applicable NHDES rules and/or waivers, and may be subject to management through a Soils Management Plan. (TOWN OF SALEM/CONTRACTOR) Page 12
3. If determined to be contaminated, any excess soil generated during construction within the railroad ROW will be managed appropriately and disposed of at an appropriate facility. (TOWN OF SALEM/CONTRACTOR) Page 12
4. Several NHDES hazardous waste Remediation Sites and potentially contaminated site have been identified within a ¼ mile of the project site. Should any visual or olfactory indications of the presence of hazardous materials be encountered, the Bureau of Environment should be contacted immediately and construction in the immediate area discontinued until the situation is assessed. Construction monitoring shall be conducted if pre-characterization is not conducted or if the results of pre-characterization indicate that impacts are present. (ENVIRONMENT/TOWN OF SALEM/CONTRACTOR) Page 13

5. As mitigation for the adverse effects to Daisy Cleaners, measures as described in the final executed Section 106 MOA will be implemented. These measures include the following:
 - a. NHDOT and FHWA will prepare a historic context for mid-twentieth century suburban commercial strip development in Southern New Hampshire;
 - b. The sign for Daisy Cleaners will be relocated to the new Daisy Cleaners location, a historical non-profit organization, or another location; and,
 - c. Three 8" x 10" printed photographs will be provided to Daisy Cleaners by NHDOT for display in the new location. NHDOT and FHWA will ensure that these mitigation measures are carried out.

(ENVIRONMENT/TOWN OF SALEM) Page 20

6. Properties requiring acquisition shall be appraised utilizing techniques recognized and accepted by the appraising profession and in conformity with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and applicable to New Hampshire State Law.
(ROW/TOWN OF SALEM) Page 23
7. Relocation resources will be made available to relocated businesses without discrimination. Specifically, the owners of the affected properties would be compensated for the impacts and eligible for relocation benefits which could include:
 - Fair market value for acquired property
 - Relocation advisory assistance services
 - Payments for moving and relocation costs
 - Residential mortgage interest differential payments and closing costs
(ROW/TOWN OF SALEM) Page 23

Part II – Final Section 4(f) Evaluation

2.1 Introduction

Pursuant to Section 4(f) of the Department of Transportation Act of 1966, 49 USC 303(c), and Section 18(a) of the Federal Highway Act of 1968, 23 USC 138 (as amended by the Federal-Aid Highway Act of 1983), the Secretary of Transportation shall not approve any program or project which:

“requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance as so determined by federal, state, or local officials having jurisdiction thereof, or any land from a historic site of national, state, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use.”

“Use” of a Section 4(f) property resource can occur in one of three ways:

- When land is permanently incorporated into a transportation facility;
- When there is a temporary occupancy of land that is adverse in terms of the statute’s preservation purpose and determined by the criteria set forth at 23 CFR 774.13(d); or,
- When there is a constructive use of a Section 4(f) property as determined by the criteria set forth at 23 CFR 774.15.

If an alternative avoids Section 4(f) resources and is prudent and feasible to construct, then it must be selected. If no prudent and feasible avoidance alternative exists, only the alternative that causes the least overall harm and includes all possible planning to minimize harm to Section 4(f) properties may be avoided.

This Section 4(f) Evaluation provides the required documentation to demonstrate that there is no prudent or feasible alternative to the use of land from Section 4(f) historical resources associated with the reconstruction of the Salem Depot intersection of NH 28 and NH 97 in Salem, New Hampshire, and that the proposed action includes all possible planning to minimize harm resulting from such use. This evaluation also outlines coordination that has occurred and the measures proposed to minimize harm to these resources.

2.2 Purpose and Need

Project Purpose

The purpose of the proposed Salem Depot NH 28 / NH 97 Intersection Improvement Project is to address the operational deficiencies and safety concerns within the Salem Depot intersection.

Project Need

The proposed improvement of the Depot intersection is necessary to improve traffic flow and safety of vehicles moving through the intersection. Field observations revealed that left turning vehicles from NH 28 southbound are often trapped in the middle of the intersection due to the protected permissive operations. Additionally, long vehicle queues occur regularly at the intersection, particularly along NH 97. On the westbound leg of NH 97, queues were observed to extend past Millville Street, which is approximately 450 feet east of the intersection. The eastbound leg was also observed with long queues reaching past Central Street approximately 360 feet west of the intersection and sometimes extending through the Pleasant Street signal approximately 800 feet west of the intersection.

The existing intersection operates at a Level of Service "F," with long delays during the peak hours of the day. The primary reason for this condition is the absence of exclusive left-turn lanes and an exclusive left-turn signal phase on the NH 28 approaches to the intersection. Left turning motorists waiting to cross the opposing traffic stream often block through traffic, which exacerbates the congestion.

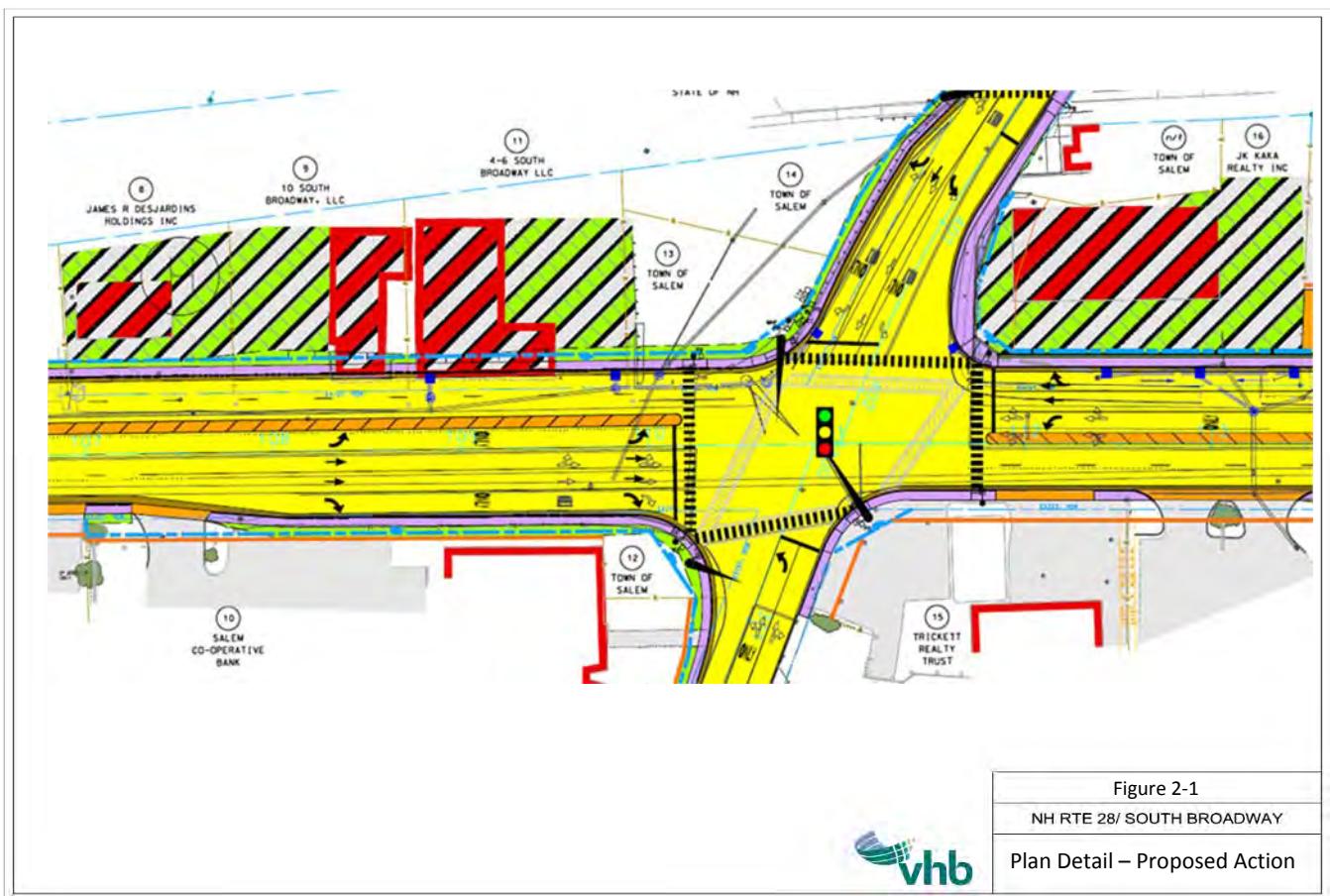
Safety was another consideration for the need for intersection improvements within the Depot area. A study of vehicle accidents along NH 28 and NH 97 was conducted over a three-year period from 2003 to 2005, during which a total of 220 crashes were recorded along NH 28 and NH 97 within approximately 1,000 feet of the Depot intersection, and 50 of which were recorded at the intersection. Approximately the same amount occurred along NH 28 just north and south of the intersection. This intersection has the highest crash rate in Salem. Additionally, the Salem Depot intersection was listed as the 6th most dangerous intersection in New Hampshire in 2014 based on the NHDOT crash statistics.

An additional safety concern related to the absence of an exclusive turning lane along NH 28 northbound and southbound is the number of curb cuts along NH 28 within the vicinity of the intersection. Currently there are approximately 35 existing curb cuts to abutting properties along NH 28. This high number of curb cuts leads to numerous conflict points and resulting safety concerns for motorists and pedestrians. Vehicles turning left into the drives can also be a source of localized delay.

2.3 Proposed Action

The Proposed Action involves improving the existing Salem Depot intersection by widening the intersection and reconfiguring the turning lanes and traffic control signals. Proposed improvements also include improved sidewalks and pedestrian crossings, drainage system and utility improvements, and general pavement resurfacing.

The widening of NH 28 will allow for exclusive left-turn lanes on both the northbound and southbound approaches to the Depot intersection. This widening will also allow space for a painted median on both the NH 28 northbound and southbound sides of the intersection. The widening along NH 28 is to extend 950 feet north and 950 feet south of the Depot intersection. The permanent right-of-way (ROW) impacts will extend approximately 20 feet to the west of the existing NH 28 ROW for the length of the project. A plan detail of the intersection improvements is provided in **Figure 2-1**, below.



To accommodate the additional lane, a total of 12 properties will be affected by the proposed ROW impacts to widen NH 28 on the western side of the road (refer to **Table 1-2**). Of the 12 properties, 7 properties located within the southwestern portion of the project area will be fully acquired (Tax Map 89 Lots 1066, 1089, 1090, 1092, 1093, 1094, and 1049). The proposed widening will impact parking lots within the affected properties as well as the 7 buildings on the parcels that are proposed to be acquired. The project will include building demolition and site grading and restoration of these 7 parcels to produce cleared parcels suitable for contractor staging during road construction. NH 28 will be widened to the west, holding the eastern curb line. The existing pavement cross section will be widened and the pavement will be reclaimed and resurfaced. Curbing, sidewalks and drive aprons will be reconstructed on the east side with the intent of keeping the improvements generally within the existing ROW on that side. New curbing and sidewalks will be constructed on the west side of NH 28. Project work along NH 97 will primarily include constructing new sidewalks and pavement resurfacing east of NH 28, and roadway reconstruction and widening with sidewalks west of NH 28. The existing traffic control signals will be replaced to include controls for the new lane arrangement and improved pedestrian crossings.

Drainage system improvements will include the replacement of the portions of the system where the existing pipes are not reinforced concrete or where the Town has determined that there are concerns through TV inspection of the pipes. All catch basins and manholes are proposed to be replaced. It is anticipated that the existing drainage system will not need to be upsized since the project will have little impact on the total amount of impervious area, however the adequacy of the existing drainage system will be reviewed. The Town will replace existing aged water mains within the project prior to final paving.

Design plans for the Proposed Action are provided in **Appendix A**. Additionally, photos of the project area are provided in **Appendix B**.

2.4 Description of 4(f) Resources

No publicly-owned parks, recreation areas, or wildlife and waterfowl refuges of national, state, or local significance would be impacted by the project. However, project planning conducted by New Hampshire Department of Transportation (NHDOT) and the Federal Highway Administration (FHWA) in collaboration with the NH Division of Historical Resources (NHDHR), which serves as the New Hampshire State Historic Preservation Office (NHSHP), reviewed the project area for potential adverse effects to archaeological resources as well as above-ground properties. Only one such historical resource, Daisy Cleaners (SAL1004), was identified as eligible for the listing on the National Register of Historic Places, as discussed below.

2.4.1 Archaeological Resources

No archaeological resources are expected to be impacted by this project. It is anticipated that there will be some ground disturbance associated with the proposed project. Most of the roadway and curbing construction will take place within the top 1 to 3 feet, which is consistent with prior disturbance in the area caused by the construction of adjacent parking lots and buildings. Adjustments to current drainage, including new catch basins and pipe connections, will take place between 5 and 8 feet below the surface, and the foundations for the new traffic signal will be 10 to 15 feet deep. An RPR describing the proposed ground disturbance associated with the proposed project was submitted to NHDHR on April 8, 2015. In their response to the RPR, NHDHR indicated their concurrence that the project would not impact archaeological resources. (See **Appendix D**.)

2.4.2 Historical Structures

A Request for Project Review (RPR) for the Proposed Action was submitted on April 8, 2015. The NHDHR responded on April 29, 2015 by requesting an Individual Inventory Form for the property at 14 South Broadway (Daisy Cleaners, described below) and noting that there were no archaeological concerns and no need for other inventory forms. An Individual Inventory Form for Daisy Cleaners (SAL1004) was completed by VHB and submitted to the NHDHR in February 2017. On May 8, 2017, NHDHR recommended that Daisy Cleaners be determined eligible for the National Register of Historic Places (SAL1004). Further discussion regarding the eligible property is provided below. Documents related to these findings including the RPR, the Individual Inventory Form for Daisy Cleaners, the NHDHR eligibility recommendation, and the Memorandum of Agreement (MOA) are provided in **Appendix D**.

Several previously recorded properties/districts were found to be located within the project area. The Salem Depot intersection is part of the Manchester & Lawrence Railroad (MLT-MLRR) historic district, which was determined eligible for listing on the National Register in 2009 for its importance as a trade connection between smaller southern NH towns and larger cities such as Manchester and Boston, and as a concentration of 19th and early 20th century railroad-related resources. The railroad ROW runs west of NH 28 along the project area, and the entire ROW in Salem is in various stages of rehabilitation as a rail trail.

There are two railroad-related structures in the Salem Depot area that are contributing resources to the railroad district. Salem Depot (SAL0039, 81 Main Street) was constructed in 1867 and remained in use until 1953 when service through Salem was discontinued. The building was converted to offices in 1953 but was subject to a sympathetic restoration project in 2010 and was listed in the State Register in 2011. The Depot building is located adjacent to the western terminus of the project area on the north side of Main Street, but will not be directly affected. Project work within the

vicinity of the Depot building is limited to sidewalk reconstruction within the public right-of-way. The land use surrounding the building will remain the same as the existing land use once the project is completed, and use of the Depot will not be impacted. The second contributing resource to the Salem Depot area is the Lido Filling Station (SAL0038), which was recorded in 1984 at the southwest corner of South Broadway and Main Street. This property has since been demolished.

Finally, at the north end of the project area is the former Salem Freight House (59 North Broadway), which has been used by Dodge Grain since the end of railroad service in the mid-20th century. Project work within the vicinity of the Freight House is limited to a strip take of a permanently altered grass area in front of this building.

A 1984 Determination of Eligibility (DOE) form for the Salem Depot Area notes that this area does not retain enough integrity for eligibility as a National Register historic district. Although the village was once one of the most important commercial and industrial centers of town, significant alterations and infill have diminished its historical cohesiveness, as demonstrated by several historic maps that cover this area.

Daisy Cleaners (SAL1004)

An Individual Inventory Form for Daisy Cleaners (SAL1004) was completed by VHB and submitted to the NHDHR in February 2017. The commercial building, located at 14 South Broadway (Tax Map 89, Lot 1092), was constructed in 1960 by Syrian immigrant Shia T. Touma, and has remained in family ownership through its entire history. The parcel has been owned by multiple people since the early twentieth century and has always been maintained as a 7,589 sq. ft. lot. Daisy Cleaners, established in 1960, has remained a presence on one of Salem's historically busiest commercial strips. The building was constructed during Salem's biggest population growth and economic boom and likely benefited from its proximity to Rockingham Park and major regional transportation routes, which were constructed and/or modernized around the same time the building was constructed. The present appearance of the area immediately surrounding the Depot intersection was formed in the mid-twentieth century, though many of the buildings from this era have been replaced or else modernized with new additions and materials.

The Daisy Cleaners property comprises a main building, two small detached sheds, a vertical metal commercial sign, and a paved asphalt parking lot with approximately 10 vehicle spaces on a 7,589 sq. ft. lot. The rear of the building backs up immediately onto the raised steeply sloping former railroad bed with sides now covered with grass and tertiary growth. The main building is a 1-story, 10-bay-by-3-bay Mid-Twentieth Century Modern-style rectangular building. The original mid-century sign indicating the property as "Daisy Cleaners" sits at the southeast corner of the property near the road.

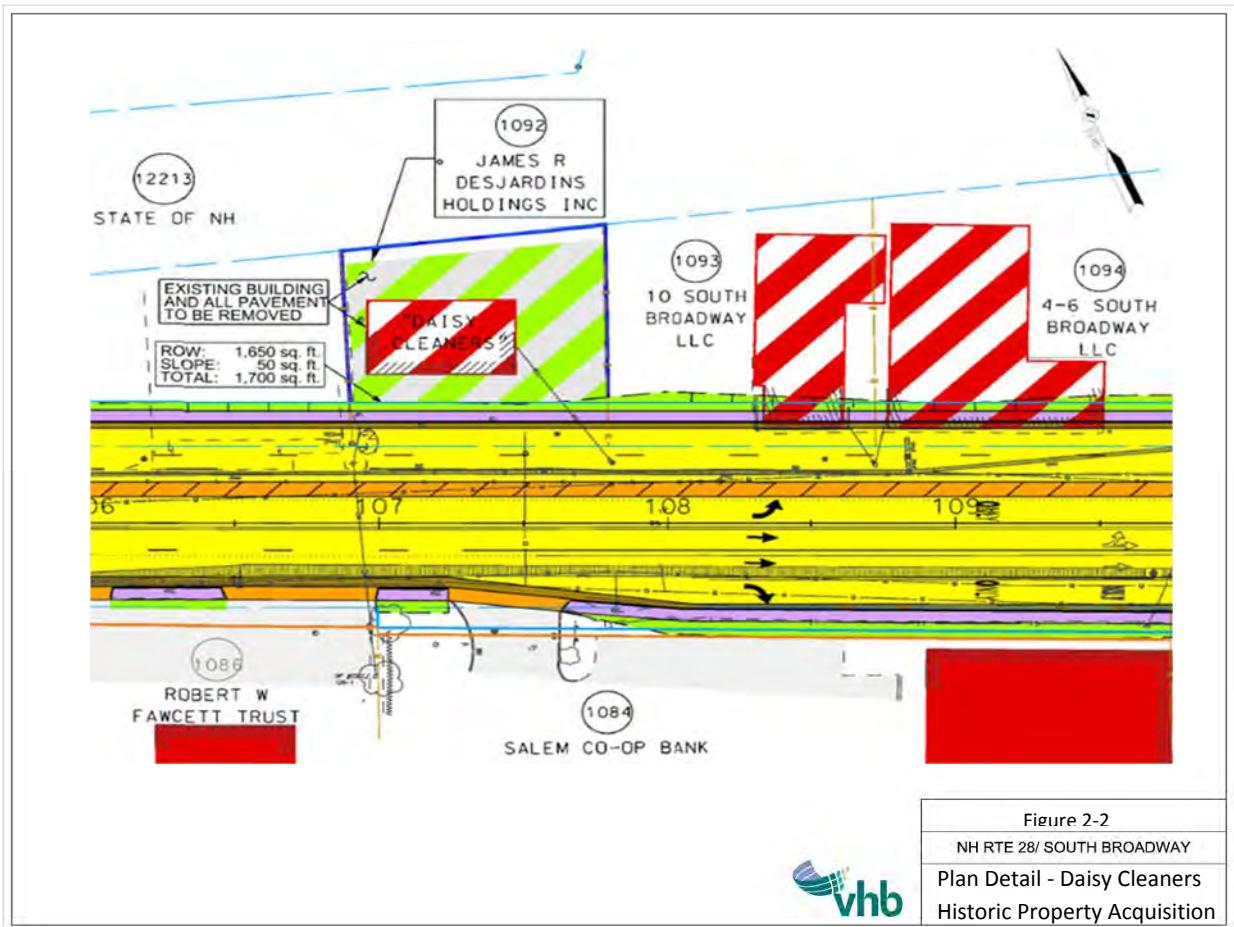
Upon review of the Individual Inventory Form for Daisy Cleaners, NHDHR recommended on May 8, 2017 that the property be determined eligible for listing on

the National Register of Historic Places. The widening of NH 28 for the proposed intersection improvements will require the acquisition and demolition of several properties along the western side of the roadway, including Daisy Cleaners.

2.5 Impacts to 4(f) Resources

The Proposed Action would remove the Daisy Cleaners building (SAL1004) as part of the full property acquisitions by NHDOT needed to widen the NH 28 ROW (see **Figure 2-2**), resulting in an adverse effect. Documentation of this adverse effect was provided in a Section 106 Cultural Resources Effect Memo dated August 4, 2017 (see **Appendix D**).

The Effects Memo also documents that the Proposed Action would not result in an adverse effect on the Manchester & Lawrence Railroad (MLT-MLRR) historic district. The western end of the project area will use approximately 550 square feet of the railroad ROW for intersection approach improvements. At the south end of the project approximately 200 square feet of the ROW will be used to accommodate the NH 28 roadway widening. Minor temporary easements are also anticipated for grading. Currently the sites are developed as paved parking lots encroaching on the



former railroad ROW. Because the Proposed Action would not remove historic railroad infrastructure, and because the Proposed Action would only convert the current use of these portions of the ROW from private transportation use (parking) to public transportation use (sidewalk), no adverse effects to the eligible district would result from the Proposed Action. The NHDHR (i.e., NH SHPO) concurred with the finding of no adverse effect on August 16, 2017.

2.6 Alternatives Analysis

The use of Section 4(f) property is prohibited unless there is no feasible and prudent avoidance alternative to the use of the land from the property. An avoidance alternative is prudent and feasible if it avoids using the Section 4(f) property and does not cause other severe problems of a magnitude that substantially outweighs the importance of protecting the Section 4(f) property. An avoidance alternative is not feasible if it cannot be built as a matter of sound engineering judgement. According to 23 CFR 774.117, an alternative is not prudent if:

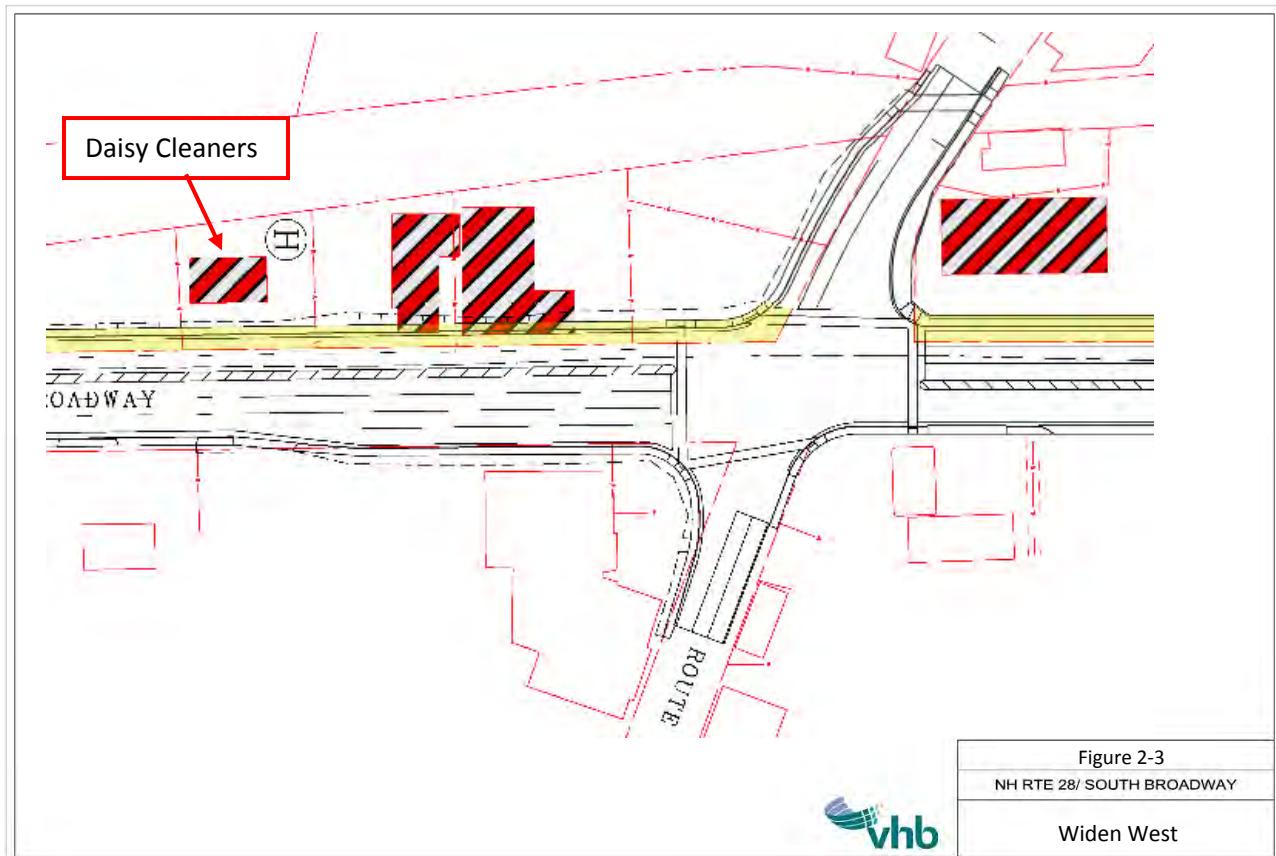
- i. *It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;*
- ii. *It results in unacceptable safety or operational problem;*
- iii. *After reasonable mitigation, it still causes:*
 - a. *Severe social, economic, or environmental impacts;*
 - b. *Severe disruption to established communities;*
 - c. *Severe disproportionate impacts to minority or low income populations;*
 - d. *Severe impacts to environmental resources protected under other Federal statutes;*
- iv. *It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;*
- v. *It causes other unique problems or unusual factors; or*
- vi. *It involves multiple factors in paragraphs (3)(i) through (3)(v) of this definition, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.*

A total of five alternatives were considered, including the No Action Alternative. As discussed above, the Proposed Action (Alternative 1) would require the demolition of the Daisy Cleaners property, a Section 4(f) resource. The remaining four alternatives would avoid the Daisy Cleaners property and are therefore considered avoidance alternatives. Each of these alternatives are discussed below.

2.6.1 Alternatives Requiring Use of the Section 4(f) Resource

Alternative 1: Widen West (Proposed Action)

This alternative would maintain the 4-way traffic signal controlled operations at the Depot intersection. It would include providing exclusive left-turn lanes on all four approaches with two through lanes in each direction on NH 28 and a single through lane in each direction on NH 97 (refer to **Figure 2-3** below). From an operational perspective, this alternative would result in a modest reduction in the level of delay and congestion, primarily due to providing the much-needed NH 28 northbound exclusive left-turn lane. Widening the roadway to the west would impact 12 properties, 7 of which would require full acquisition.



Under Alternative 1, two design options were evaluated; one option included a 6-foot wide painted median on NH 28, and the other option did not include a median. The purpose of adding a painted median would be to reserve space for a future raised median. A raised median would further reduce the number of intersection delays caused by vehicles making left turns into businesses within the vicinity of the intersection. The Salem Selectmen endorsed the option with the painted median, as is reflected in the current design under Alternative 1. Additionally, this alternative would result in a large reduction

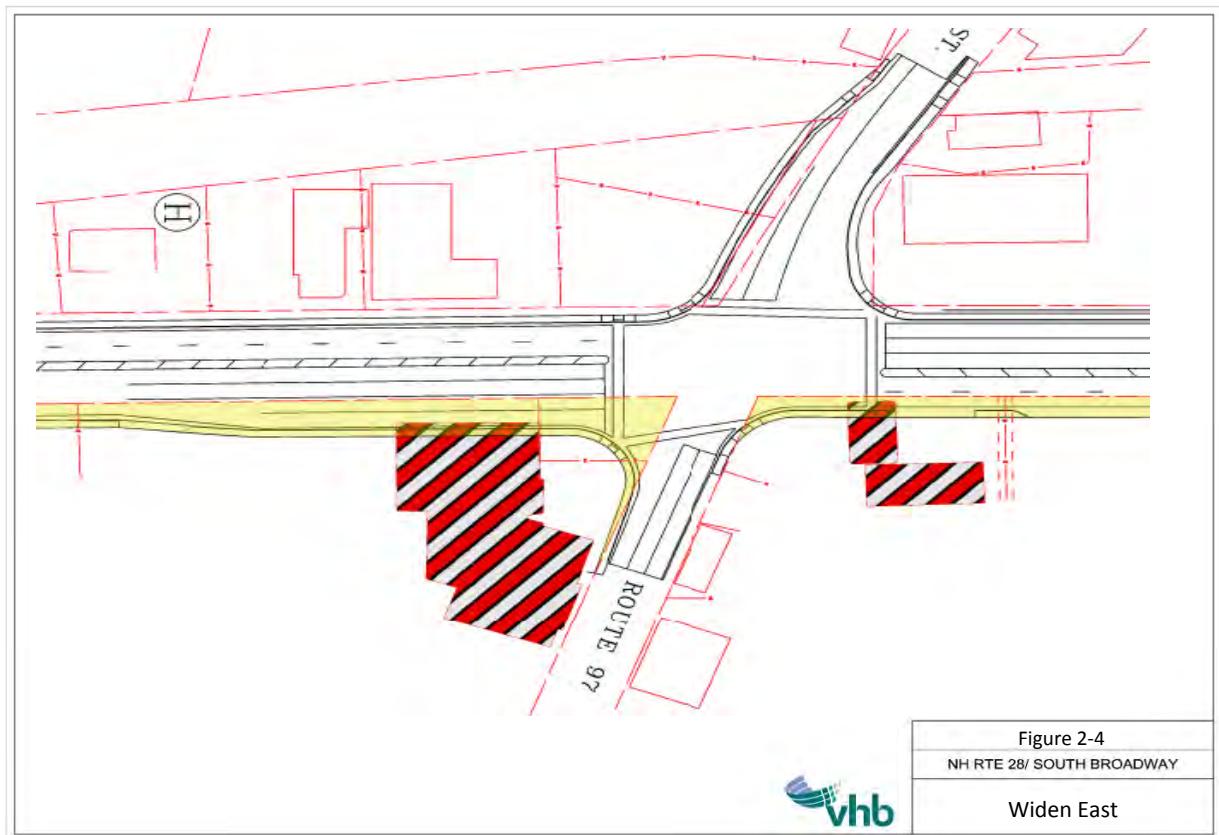
in the number of curb cuts along NH 28, particularly along NH 28 south of the intersection. A reduced number of curb cuts south of the intersection would greatly increase the safety of vehicles that are accelerating after the intersection.

This alternative was determined to fully meet the project's purpose and need of providing relief for the existing traffic congestion problem at the intersection while improving the safety of vehicles traveling through the intersection by providing exclusive left-turn lanes on all four approaches and widening the roadway within the vicinity of the intersection. While this alternative results in full acquisition and removal of a Section 4(f) property, full mitigation will be provided for this property as is discussed further in **Section 2.8** below.

2.6.2 Avoidance Alternatives

Alternative 2: Widen East

This alternative would require all necessary roadway widening to occur to the east side of NH 28, away from the Section 4(f) property on the west side of NH 28 (refer to **Figure 2-4**, below). Alternative 2 would avoid direct impacts to the Daisy Cleaners property, which, as described in Section 2.4, was



determined eligible for listing on the National Register and is therefore subject to protection under Section 4(f).

The scope of the transportation improvements would be the same, including the addition of exclusive left turn lanes on NH 28. This alternative would impact approximately 15 properties, 5 of which would require full takings including the bank in the southeast corner of the intersection. This alternative was not selected in part because widening to the east is estimated to result in greater ROW impacts than widening to the west. The bank has the highest appraised value of any of the buildings impacted by either alternative and it is an important business within the community, providing valuable services to the surrounding public.

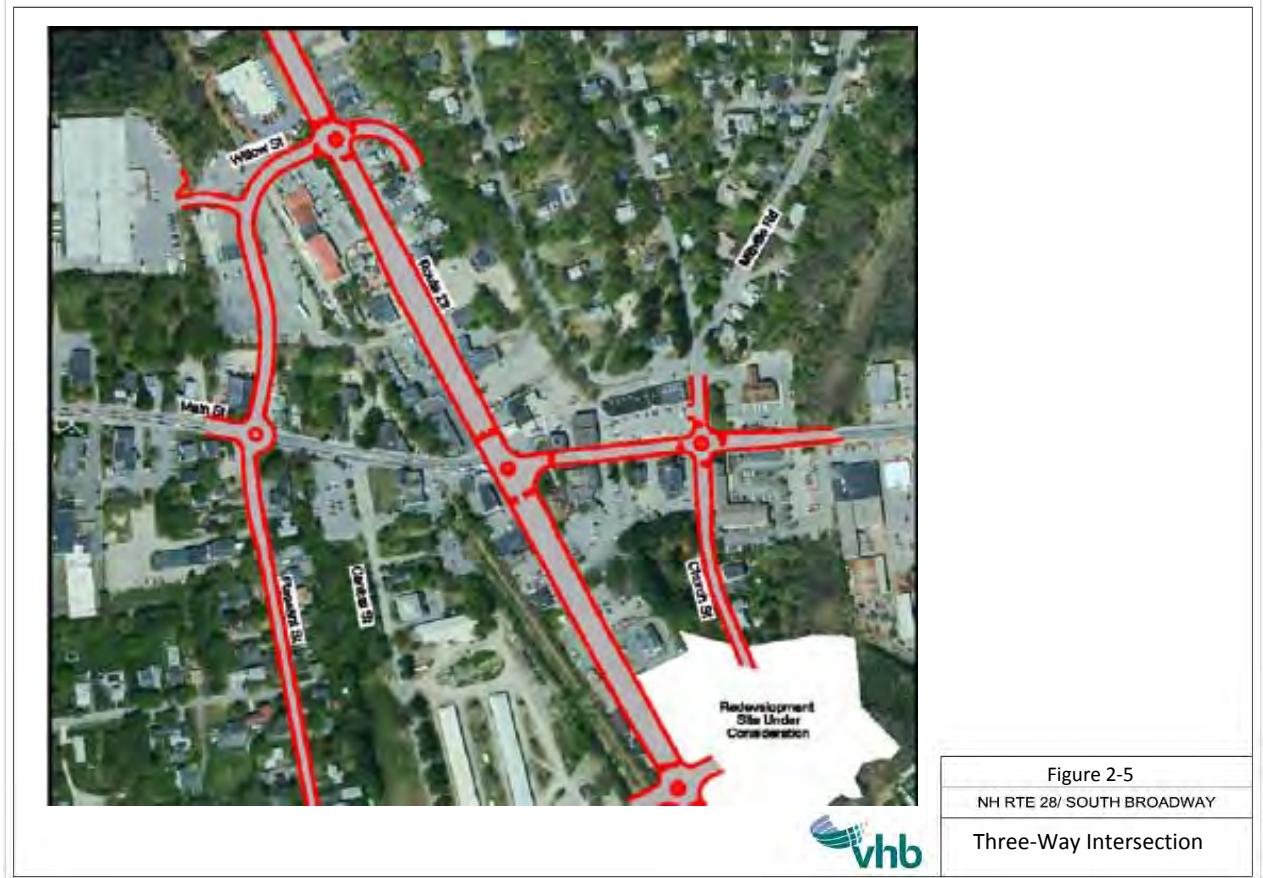
The eastward NH 28 shift under the complete avoidance alternative would also shorten the westbound Main Street approach to NH 28, which is a concern because the reduced vehicle storage would impact the nearby Millville Street / Church Ave/ Main Street Intersection. There would also be impacts to three buildings that are older than 50 years old, although inventories have not been done on those buildings to determine their potential eligibility. Therefore, since this alternative would result in greater ROW impacts, a higher cost resulting from the property easements and full acquisitions required, impacts to valuable and potential historical properties, as well as negative impacts to nearby roadway intersections, this alternative was eliminated in favor of the Widen West alternative.

Alternative 3: Three-Way Intersection

This alternative would convert the Depot intersection to a 3-way traffic signal controlled operation by discontinuing NH 97 west of the intersection (refer to **Figure 2-5**, below). Alternative 3 would avoid direct impacts to the Daisy Cleaners property, which, as described in Section 2.4, was determined eligible for listing on the National Register and is therefore subject to protection under Section 4(f).

The 3-way configuration would result in a substantial reduction in the level of delay and congestion at the Depot intersection as the conversion to a 3-way operation eliminates a number of conflicting movements. Alternative 3 would also have the benefit of allowing NH 97 to maintain the “look and feel” of a more local town street. From a land use perspective, discontinuing NH 97 at Central Street introduces interesting redevelopment opportunities for a well-connected town center along the west side of NH 28 from the Rockingham Park northward to Willow Street. However, this alternative would result in major disruptions to current traffic patterns. NH 97 is an important east-west route, providing direct access to Interstate 93. Eliminating this east-west connection through the intersection introduces inefficiency and would force motorists through other intersections and potentially other neighborhoods

that may not be able to handle the added traffic. For these reasons, this alternative does not fully address the purpose and need of the proposed project and therefore was eliminated.

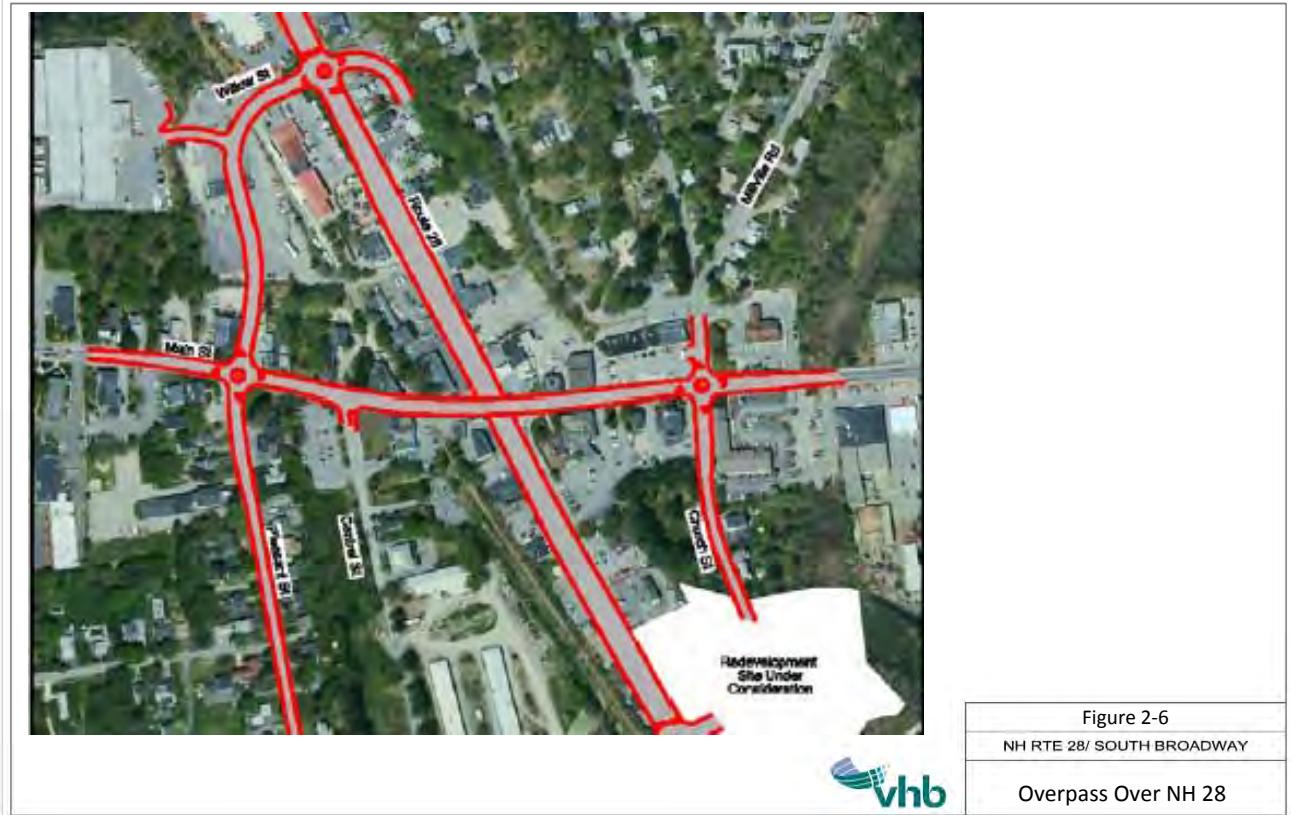


Alternative 4: Overpass Over NH 28

This alternative would consist of the construction of a local bridge where NH 97 would pass over NH 28, resulting in the elimination of the current Depot signalized intersection (refer to **Figure 2-6**, below). Alternative 4 would avoid direct impacts to the Daisy Cleaners property, which, as described in Section 2.4, was determined eligible for listing on the National Register and is therefore subject to protection under Section 4(f).

From an operational perspective, grade separating the intersection would effectively eliminate any delay and congestion at the intersection resulting in the free flow of traffic along NH 28. Like the 3-way intersection alternative, Alternative 4 would also have the benefit of allowing NH 97 to maintain the “look and feel” of a local town street. However, the bridge structure would have a substantial negative aesthetic impact due to its height above NH 28, and traffic between NH 28 and NH 97 would be re-routed through other intersections and neighborhoods due to the grade separation within the intersection. The bridge approaches would likely result in right-of-way

impacts and would cut access to adjacent properties. For these reasons, this alternative was eliminated.



No Action

The No-Action Alternative is not considered feasible since it does not address the deficiencies and safety concerns described in the Purpose and Need of the proposed project. Under the No-Build Alternative, the existing Salem Depot intersection would continue to operate at unacceptable levels of service due to vehicles causing traffic delays and safety concerns when turning left on NH 28 southbound. The intersection would continue to operate at a Level of Service "F" and vehicles would continue to experience long traffic queues during peak travel times. The No-Build Alternative does not address the identified needs and deficiencies and therefore has been determined not feasible or prudent.

2.7 Least Harm Analysis

When multiple alternatives use Section 4(f) property and the evaluation of avoidance alternatives concludes that there is no feasible and prudent avoidance alternative, then FHWA may approve, from the remaining alternatives that use Section 4(f) property, only the alternative that causes the least overall harm in light of the preservation purpose of the statute. [23 CFR 774.3(c)] In the case of the Salem Depot

project, however, there is only one use alternative (i.e., Alternative 1, the Proposed Action) and therefore a Least Harm Analysis is not required.

2.8 Measures to Minimize Harm / Mitigation

The design of the Proposed Action has been developed with the intent of preserving the integrity and minimizing the potential impacts to properties that are or may be eligible for the National Register of Historic Places. However, avoidance of impacts to the National Register eligible property located at 14 South Broadway (Tax Map 89, Lot 1092), Daisy Cleaners, was determined to be not feasible and prudent due to space constraints, property acquisition costs, and greater ROW impacts. Refer to Section 2.4.2 for a discussion of the resource.

A MOA for the proposed demolition of Daisy Cleaners was signed by the Town of Salem, NHDOT, NHDHR, and FHWA pursuant to Section 106. This agreement outlined several mitigation activities that must be implemented to account for the impact to the historic resource. This mitigation includes the preparation of a set of guidelines by NHDOT and FHWA that identifies architectural elements and character-defining features of mid-20th century commercial and institutional buildings, intended to make future decisions about National Register of Historic Places eligibility for listing consistent and defensible. These guidelines would accompany the *Mid-20th Century Architecture in NH: 1945-1975*, prepared in 2012 for the New Hampshire Department of Employment Security in cooperation with the NHSHPO. The second mitigation measure includes the preservation of the historical “Daisy Cleaners” sign either by relocation to the new Daisy Cleaners location, preservation at a historical non-profit organization, or the exploration of other options if the owners of Daisy Cleaners or a non-profit organization do not claim the sign. As a third mitigation measure, NHDOT will provide three 8” x 10” printed photographs from the Individual Inventory Form to the owner for display in the new location. Finally, additional stipulations are included in the MOA which outlines steps to take should a previously unidentified archaeological site or burial be found during project construction. A copy of the MOA is provided in **Appendix D**.

2.9 Coordination & Public Participation

The Town of Salem has coordinated with NHSHPO, FHWA, Salem Town Officials, and local citizens to discuss alternatives and measures to minimize harm to the Section 4(f) properties. The measures that were considered feasible and prudent were evaluated and incorporated into the design of the project. A Section 106 Cultural Resources Effect Memo was prepared which addresses unavoidable impacts to the historical property (refer to **Appendix D**). Pursuant to the provisions of Section 106 of the National Historic Preservation Act (36 CFR 800), an MOA addressing the Proposed Action and agreed-to mitigation measures to minimize/mitigate harm to

Section 4(f) properties have been developed following consideration of comments on the Proposed Action.

Meetings have been held periodically throughout the development and planning process for this project, with various Federal, State, and local agencies, as well as with the general public. These meetings have been taking place since 2008 related to the 2012 Economic Revitalization Plan and more recently the Salem Depot Improvement Project. Meetings related to the proposed project were held on the following dates:

Date	Topic
04/17/2008	Property Owners Meeting
05/12/2008	Board of Selectmen Meeting
04/06/2009	Depot Redevelopment Advisory Committee Meeting
08/03/2009	Board of Selectmen Meeting
11/09/2009	Depot Redevelopment Advisory Committee Meeting
02/11/2010	Depot Redevelopment Advisory Committee Meeting
11/04/2013	Board of Selectmen Meeting (to select the preferred design alternative)
10/19/2017	Public Hearing
4/12/2018	Highway Layout Commission Meeting

During the public meeting held on October 19, 2017, Daisy Cleaners was identified as a property eligible for listing on the National Register of Historic Places, and the adverse effects to the property as a result of the project were clearly outlined.

Members of the public were informed of the on-going Section 106 consultation, and the opportunity to become a consulting party was explained. Additionally, the public was given the opportunity to notify the NHDOT of any other natural, cultural, or socioeconomic resource concerns associated with the proposed project during the public comment period. However, NHDOT and FHWA did not receive any requests for consulting party status, nor were any other concerns raised during the project development or public comment period.

Following the public hearing and issuance of the Report of the Commissioner (March 8, 2018), members of the Highway Layout Commission for this project met on April 12, 2018 to discuss the proposed project. During the meeting the members of the Commission voted in favor of the necessity of the proposed project. The record of this meeting can be found in **Appendix H**.

2.10 Summary Statement

For reasons demonstrated in this Section 4(f) Evaluation, there are no feasible and prudent alternatives to the use of the Section 4(f) property. In addition, the Proposed Action includes all possible planning to minimize harm to the Section 4(f) property resulting from such use. It has been demonstrated that there are unique problems or unusual factors involved in the use of alternatives that avoid this property or that the cost, social, economic and environmental impacts, and community disruption resulting from such alternatives reach extraordinary magnitudes, especially when

Appendices

Appendix A.....	Design Plan
Appendix B	Representative Site Photographs
Appendix C	Contaminated Sites Data
Appendix D.....	Historic and Cultural Resources
Appendix E	Environmental Justice Population Analysis
Appendix F.....	Agency Correspondence
Appendix G.....	Threatened and Endangered Species Correspondence

Appendix A

Design Plan (Under Separate Cover)



Appendix B

Representative Site Photographs



Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 1: View northwest along NH 28 toward the former Coca-Cola Bottling Co.



Photo 2: View north of the former Coca-Cola Bottling Co. located to the east of NH 28.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 3: View southeast toward the former Coca-Cola Bottling Co. located to the east of NH 28.



Photo 4: View west toward Not Just Curtains along NH 28, with Stateline Tickets to right of photo.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 5: View northeast toward Dunkin' Donuts, located to the east of NH 28.



Photo 6: View northwest along NH 28. Husson Motors seen to the right of photo.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 7: View southeast toward business plaza located at 22 South Broadway (along NH 28).



Photo 8: View west toward Daisy Cleaners, located to the west of NH 28.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 9: View west toward businesses located near the intersection of NH 28 and NH 97.



Photo 10: View southeast toward the Salem Co-operative Bank, located at the Salem Depot intersection.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 11: View of the Salem Depot intersection from NH 28 looking northwest.



Photo 12: View west along the eastern leg of NH 97 looking toward the Salem Depot intersection. Masonic Temple to right of photo.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 13: View east along the western leg of NH 97 looking toward the Salem Depot intersection. Tuscan Kitchen to left of photo, China Star to right.



Photo 14: View west looking toward the western leg of NH 97 from the Salem Depot intersection. China Start to left of photo, Greater Salem Chamber of Commerce to the right.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 15: View northeast toward the Greater Salem Chamber of Commerce. The Salem Rail Trail is located between this building and the Tuscan Kitchen (to left of photo).



Photo 16: View southwest towards the shopping plaza located along the northwestern corner of the Salem Depot intersection.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 17: View southeast towards Londonderry Piano, located along the eastern side of NH 28 north of the Sunoco Gas Station.



Photo 18: View southwest towards Sal's Pizza, located along the western side of NH 28.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 19: View west towards DeColores Christian Books & Gifts, located along the eastern side of NH 28.



Photo 20: View west of the VFW Post, located along the eastern side of NH 28.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 21: View west towards the Sheds business, located south of Dodge Grain along the western side of NH 28.



Photo 22: View southeast along NH 28 from the driveway of Dodge Grain.

Representative Site Photographs
Salem Depot NH Route 28/97 Intersection Improvement Project, Salem NH
July 11, 2014



Photo 23: View northeast along NH 28 from the driveway of Dodge Grain.



Photo 24: View southwest towards Dodge Grain, located along the western side of NH 28.

Appendix C

Contaminated Sites Data



Table 1
Summary of Environmental Assessments and Recommendations
Salem Depot Intersection Project
Salem, New Hampshire



Parcel #	Tax Map/Lot	Description	Address	NHDES Master ID(s)	Database Listing(s)	Regulatory Status	GEI Notes and Recommendation in 2004 Screening	Prior CPM Recommendation	VHB's 2013 RASCAL Updates	Proposed VHB Recommendation
98	89/1085	Town of Salem	1 SO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	No Action At This Time	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (No Action).
91	89/938	Coca-Cola Bottling Company	23 SO BROADWAY	5288	Hazardous Waste Generator	Declassified	Numerous investigation and remedial activities have been performed. Depth to groundwater ranged between 1.5 and 6 feet below grade. Recommended ISA.	Construction Monitoring (dependent upon results of File Review)	Site Screening, Regulatory Review, and Initial Site Assessment	Construction Monitoring
					UST/UIC	4 Permanently Closed 1991-1997.				
					LUST	Active - GWP issued in 2016.				
90	89/1066	Not Just Curtains (former Psychic Reading)	28 SO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	No Action At This Time	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (No Action).
89	89/1089	Stateline Tickets	26 SO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	No Action At This Time	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (No Action).
88	89/1090	Berge's Real Estate	22 SO BROADWAY	N/A	N/A	N/A	No sources of contamination on this parcel, but it is adjacent to Daisy Cleaners and source on cleaners parcel may be near property boundary. Recommended PSI/DSI.	PSI/DSI	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (PSI/DSI). Construction Monitoring likely necessary depending on results.
87	89/1087	Dunkin Donuts	17 SO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring) due to GMZ on adjacent parcel (Master ID 5234).
85	89/1092	Daisy Cleaners	14 SO BROADWAY	18489	Hazardous Waste Generator	Inactive 2013	Due to suspected chemical storage for drycleaning activities, GEI recommended PSI/DSI.	PSI/DSI - "Do not purchase unless absolutely necessary. Significant contamination issues, do not drill at or near this site, please coordinate with BOE"	Site Screening and Regulatory Review.	Regulator Contact (due to recent NON). Construction Monitoring likely necessary depending on results.
					UIC	NA				
					Hazardous Waste Project	Active- GWP issued in 2004 (expired). NON issued in 2015.				
84	89/1093	Coldwell Banker	8 SO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
83	89/1094	Commercial Rental Property	4 SO BROADWAY	5233	UST	Closed in Place Prior to 1986.	Due to presence of UST, recommended GPR, soil borings, and groundwater samples (PSI/DSI).	Construction Monitoring	Site Screening and Regulatory Review	PSI/DSI (UST Removal information not available and automotive service in 1951 Sanborn map)
82	89/1086	Camires Gulf/Cumberland Farms	13 SO BROADWAY	5234/58118	Hazardous Waste Generator	Inactive 2011	Numerous investigation and remedial activities have been performed on the parcel. Recommended ISA including File Review and comparison of delineated contamination to Project Area.	Not finalized by CPM	Site Screening and Regulatory Review	Construction Monitoring.
					UST	6 Permanently Closed 1998				
					LUST	Active- GWP issued in 2016.				
				46626	Hazardous Waste Generator (Former Mineke)	Inactive 2006				
81	89/1088	Coca-Cola	19 SO BROADWAY	46671	Hazardous Waste Generator (Former Central Refurbishing)	Inactive 1999	No Further Action.	No Action At This Time	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (No Action).
75	89/1169	Londonderry Pianos (former Sovereign Bank)	20 NO BROADWAY	59035	On-Premise Use of Fuel Oil (UST)	Closed 2004	Parcel listed as a RCRA Generator. Recommended Limited ISA due to monitoring wells observed.	ISA	Site Screening and Regulatory Review.	No Action At This Time (Groundwater tested and was below AGQS).
					Hazardous Waste Generator	Inactive 2004				
74	89/1168	DeColores Books & Gifts	34 NO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	No Action At This Time	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (No Action).
73	89/1150	Sal's Pizza	29 NO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	No Action At This Time	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (No Action).
72	89/1167	VFW Post	42 NO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
71	89/1152	The Olde Garden Gate Antiques (former Portland Glass)	39 NO BROADWAY	14006/46578	Hazardous Waste Project	Regulatory Action Completed - DES File Closed 1997	Recommended PSI/DSI to determine the presence of contamination. GPR survey should be performed to determine whether the waste oil UST was removed.	PSI/DSI (including GPR)	Site Screening, Regulatory Review, and Initial Site Assessment	No Action At This Time (DES correspondence from 1997 indicates that all soil and groundwater was below AGQS and RCMP standards).
					Hazardous Waste Generator	Inactive 1999				
70	89/1166	Dentist Office	48 NO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring (dependent on result of File Reviews)	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
69	89/1153	Former Sullivan Fuel	49 NO BROADWAY	14022	Hazardous Waste Generator	Inactive 2002	Free product had been reportedly observed in some on-site monitoring wells. Depth to groundwater ranged between 1.4 and 5.4 feet below grade. GEI did not find any documentation regarding site remedial activities. Therefore, GEI stated that this parcel had significant environmental risk and recommended ISA.	PSI/DSI and Construction Monitoring - "Do not purchase unless absolutely necessary."	Site Screening, Regulatory Review, and Initial Site Assessment	Construction Monitoring due to Naphthalene above AGQS.
					AST	6 Perm. Closed 1994				
					UST	4 Perm. Closed 2002				
					LUST	Active- GWP issued 2013.				

Table 1
Summary of Environmental Assessments and Recommendations
Salem Depot Intersection Project
Salem, New Hampshire



Parcel #	Tax Map/Lot	Description	Address	NHDES Master ID(s)	Database Listing(s)	Regulatory Status	GEI Notes and Recommendation in 2004 Screening	Prior CPM Recommendation	VHB's 2013 RASCAL Updates	Proposed VHB Recommendation
68	89/1165	Lion's Den Tattoo Parlor	54 NO BROADWAY	46555	Hazardous Waste Generator	Inactive 1999	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring (dependent on result of File Reviews)	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
67	89/1162	Costa's European Hair Salon	64 NO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
66	89/1161	Stein, Ralph	66 NO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
65	89/1160	Gaudette, Alphonse	70 NO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
64	89/1159	McGrath, Mark	72 NO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
63	89/1154	Dodge Grain Agway	59 NO BROADWAY	46568	Hazardous Waste Generator	Inactive 1999	Recommended limited ISA due to pallets of fertilizers, pesticides and other chemicals stored on the site and major dumping.	ISA	None (based on EDR/NHDES search and Site Reconnaissance)	No Action At This Time (On-Site storage does not appear to warrant ISA).
62	89/1157	Psychic Readings	88 NO BROADWAY	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
57	89/1170	Sunoco Gas and Service Station	2 NO BROADWAY	46574	Hazardous Waste Generator (JM Auto Service)	Inactive	A Groundwater Management Permit exists for this parcel. Contaminated groundwater may be encountered during construction activities. Recommended No Further Action.	ISA and PSI/DSI	Site Screening, Regulatory Review, and Initial Site Assessment	Construction Monitoring (Case recently closed).
				5301	Hazardous Waste Generator (Sunoco)	Inactive 2005				
					UST	3 Active, 7 Perm. Closed 1990, 2014 & 2016				
					LUST	Closed 2013				
56	89/1171	Vacant Lot	99 MAIN ST	14010	Site Evaluation	Closed 1998	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	Site Screening, Regulatory Review, and Initial Site Assessment	Same as prior (Construction Monitoring)
31	89/1147	Tuscan Kitchen	67 MAIN ST	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	No Action At This Time	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (No Action).
29	89/1148	Former Railroad Station	81 MAIN ST	65719	Hazardous Waste Generator	Lead Paint - Inactive 2008	Pipe observed east side of building, which may have been associated with floor drain. GEI recommended limited ISA.	Construction Monitoring (dependent on result of Limited ISA)	None (based on EDR/NHDES search and Site Reconnaissance)	No Action At This Time (Based on historical use of property, drain does not appear to warrant additional investigation).
27	89/1149	Mini Mall	75 E BROADWAY (1 N BROADWAY)	46553/16550	Hazardous Waste Generator	Inactive 2011	Recommended ISA due to active RCRA Generator for photo fixer solution, etc.	ISA	Site Screening, Regulatory Review, and Initial Site Assessment	No Action At This Time.
25	89/1172	Retail Stores	101 MAIN ST	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	Construction Monitoring	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (Construction Monitoring)
24	89/1097	China Star	76 MAIN ST	N/A	N/A	N/A	No sources of contamination were identified on this parcel. No Further Action.	No Action At This Time	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (No Action).
23	89/1173	Masonic Temple	107 MAIN ST	46527	Hazardous Waste Generator	Inactive 1999	Recommended that additional soil borings/monitoring wells be installed (PSI/DSI) to determine the presence of soil and/or groundwater contamination.	No Action At This Time. "This site is not the source of the free product discovered downgradient on parcel 18."	None (based on EDR/NHDES search and Site Reconnaissance)	Construction Monitoring (located in area with history of contamination).
22	89/1096	TM Cellular	90 MAIN ST	55601	Hazardous Waste Generator	Inactive 2005	No Further Action.	No Action At This Time	None (based on EDR/NHDES search and Site Reconnaissance)	Same as prior (No Action).
20	89/1095	Former Getty Station	2 SO BROADWAY	5253	Hazardous Waste Generator	Declassified 2007	Numerous investigation and remedial activities have been performed on this parcel. GEI Recommended Regulator Contact regarding the status of cost recovery and formal closure of the Site prior to property acquisition.	Regulator Contact. "This parcel needs to be investigated - file review, possibly installing wells, etc."	None (based on EDR/NHDES search and Site Reconnaissance)	Same as Prior (Regulator Contact to obtain missing files with soil and groundwater data). Construction Monitoring likely necessary based on results.
					UST	5 Perm. Closed 1992-1998.				
					LUST	Closed 2004				
18	89/1084	Salem Co-Op Bank	3 SO BROADWAY	14011	Hazardous Waste Generator	Inactive 2007	Free product is present on this parcel. Active recovery of the free product is on-going. Depth to groundwater ranged between 0.2 and 8.9 feet below grade. It is suspected that the free product is from Parcel 23 (Masonic Temple). GEI recommended Regulator Contact.	Regulator Contact	Site Screening, Regulatory Review, and Initial Site Assessment	Construction Monitoring (Case was recently closed).
					On-Premise Use of Fuel Oil	Closed 2014				
151/12213	151/12213	Railroad Right-of-Way	S BROADWAY	N/A	N/A	N/A	No Action Completed.	Not finalized by CPM	Site Screening and Regulatory Review	Construction Monitoring (railroads typically source of fill of unknown origin, arsenic from ties, metals and pesticides from vegetation management, etc.)

= PSI/DSI Recommendation
= Regulator Contact Recommendation
= Construction Monitoring Recommendation

Notes: DSI = Detailed Site Investigation
GPR = Ground-penetrating Radar
GWP = Groundwater Permit

ISA = Initial Site Assessment
LUST = Leaking UST
PSI = Preliminary Site Investigation

UIC = Underground Injection Control
UST = Underground Storage Tank

Appendix D

Historical and Cultural Resources



Please mail 2 copies of the completed form and required material to:

Cultural Resources Staff
Bureau of Environment
NH Department of Transportation
7 Hazen Drive
Concord, NH 03302

RECEIVED

APR 09, 2015

DHR Use Only	6617
R&C #	
Log In Date	/ /
Response Date	/ /
Sent Date	/ /

**Request for Project Review by the
New Hampshire Division of Historical Resources
for Transportation Projects**

RECEIVED
BUREAU OF ENVIRONMENT

This is a new submittal.
 This is additional information relating to DHR Review and Compliance (R&C) #:

MAY 01 2015

GENERAL PROJECT INFORMATION

NH DEPARTMENT OF
TRANSPORTATION

DOT Project Name & Number Salem STP-X-5399(011), State No. 12334

Brief Descriptive Project Title Route 28/97 (Salem Depot) Intersection Improvement Project

Project Location Route 28/97, Salem Depot

City/Town Salem

Lead Federal Agency and Contact (*if applicable*) FHWA
(*Agency providing funds, licenses, or permits*)

Permit Type and Permit or Job Reference #

DOT Environmental Manager (*if applicable*) C.R. Willeke STP-X-5399

PROJECT SPONSOR INFORMATION

Project Sponsor Name Mr. Robert Puff, Jr.; Director of Engineering

Mailing Address 33 Geremonty Drive Phone Number 603 890-2033

City Salem State NH Zip 03079 Email RPuff@ci.salem.nh.us

CONTACT PERSON TO RECEIVE RESPONSE

Name/Company Greg Bakos, PE; VHB Inc.

Mailing Address 2 Bedford Farms Drive; Suite 200 Phone Number -6033913950

City Bedford State NH Zip 03301 Email gbakos@vhb.com

This form is updated periodically. Please download the current form at <http://www.nh.gov/nhdhr/review>. Please refer to the Request for Project Review for Transportation Projects Instructions for direction on completing this form. Submit 2 copies of this project review form for each project for which review is requested. Include 1 self-addressed stamped envelope to expedite review response. Project submissions will not be accepted via facsimile or e-mail. This form is required. Review request form must be complete for review to begin. Incomplete forms will be sent back to the applicant without comment. Please be aware that this form may only initiate consultation. For some projects, additional information will be needed to complete the Section 106 review. All items and supporting documentation submitted with a review request, including photographs and publications, will be retained by the DOT and the DHR as part of its review records. Items to be kept confidential should be clearly identified. For questions regarding the DHR review process and the DHR's role in it, please visit our website at: <http://www.nh.gov/nhdhr/review> or contact the R&C Specialist at christina.st.louis@dcr.nh.gov or 603.271.3558.

PROJECTS CANNOT BE PROCESSED WITHOUT THIS INFORMATION

Project Boundaries and Description

- Attach the relevant portion of a 7.5' USGS Map (photocopied or computer-generated) **indicating the proposed area of potential effect (APE)**. (See RPR for Transportation Projects Instructions and R&C FAQs for guidance. Note that the APE is subject to approval by lead federal agency and SHPO.)
- Attach a detailed narrative description of the proposed project.
- Attach current engineering plans with tax parcel, landscape, and building references, and areas of proposed excavation, if available.
- Attach photos of the project area/APE with mapped photo key (overview of project location and area adjacent to project location, and specific areas of proposed impacts and disturbances.) (Blank photo logs are available on the DHR website. Informative photo captions can be used in place of a photo log.)
- A DHR file review must be conducted to identify properties within or adjacent to the APE. Provide file review results in **Table 1**. (Blank table forms are available on the DHR website.)
File review conducted on 06/ 20 /14 * above-ground only

**The DHR recommends that all survey/National Register nomination forms and their Determination of Eligibility (green) sheets are copied for your use in project development.*

Architecture

Are there any buildings, structures (bridges, walls, culverts, etc.) objects, districts or landscapes within the APE? Yes No

If no, skip to Archaeology section. If yes, submit all of the following information:

- Attach completed **Table 2**.
- Photographs of **each** resource or streetscape located within the APE. Add to the mapped photo key and photo log noted above. (Digital photographs are accepted. All photographs must be clear, crisp and focused.)
- Copies of National Register boundary (listed or eligible) mapping, and add National Register boundaries for listed and eligible properties to the 7.5' USGS project map (if applicable).

Archaeology

Does the proposed undertaking involve ground-disturbing activity? Yes No

If yes, submit all of the following information:

- Description of current and previous land use and disturbances.
- Available information concerning known or suspected archaeological resources within the project area (such as cellar holes, wells, foundations, dams, etc.) N/A

Please note that for many projects an architectural and/or archaeological survey or other additional information may be needed to complete the Section 106 process.

AGENCY COMMENT

This Space for DOT and Division of Historical Resources Use Only

Sent to DHR; Authorized DOT Signature:

SC

Date: 4/8/2015

Insufficient information to initiate review.

Additional information is needed in order to complete review.

Comments: *No archaeology issues*

An Individual Inventory Form Should be prepared for 14 South Broadway (Daisy Cleaners). This resource type has been identified in the Mid-Century Modern Context (Mausolf 2012).

Although 5 other properties are proposed for full takes, these have been extensive previous alterations and inventory does not appear necessary.
Other impacts appear minimal. No other inventory appears necessary.
Proceed with public involvement activities.

If plans change or resources are discovered in the course of this project, you must contact the Division of Historical Resources as required by federal law and regulation. *Laura J. Blaue April 29, 2015*

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

Name, Location, Ownership

1. Historic name Daisy Cleaners
2. District or area _____
3. Street and number 14 South Broadway
4. City or town Salem
5. County Rockingham County
6. Current owner James Desjardins

Function or Use

7. Current use(s) Commerce/Trade: business
8. Historic use(s) Commerce/Trade: business

Architectural Information

9. Style Modern Movement
10. Architect/builder _____
11. Source _____
12. Construction date 1960
13. Source Assessor's records
14. Alterations, with dates storefront window glazing replaced late 20th c.

15. Moved? no yes date: _____

Exterior Features

16. Foundation Concrete, poured
17. Cladding Concrete block
18. Roof material tar and gravel
19. Chimney material Concrete block
20. Type of roof Flat
21. Chimney location One end, single exterior
22. Number of stories 1
23. Entry location Facade, off-center
24. Windows Other; Double-hung

Replacement? no yes date: _____

Site Features

25. Setting Commercial artery/strip
26. Outbuildings two sheds
27. Landscape features N/A
28. Acreage 0.18



35. Photo #1 Direction: SW
36. Date December 2016
37. Reference (file name or frame#): SAL1004_1
29. Tax map/parcel # Map 89; Lot 1092
30. State Plane Feet (NAD83) X: 1,101,716.50; Y: 102,693.7737
31. USGS quadrangle and scale: Salem Depot 1:24000

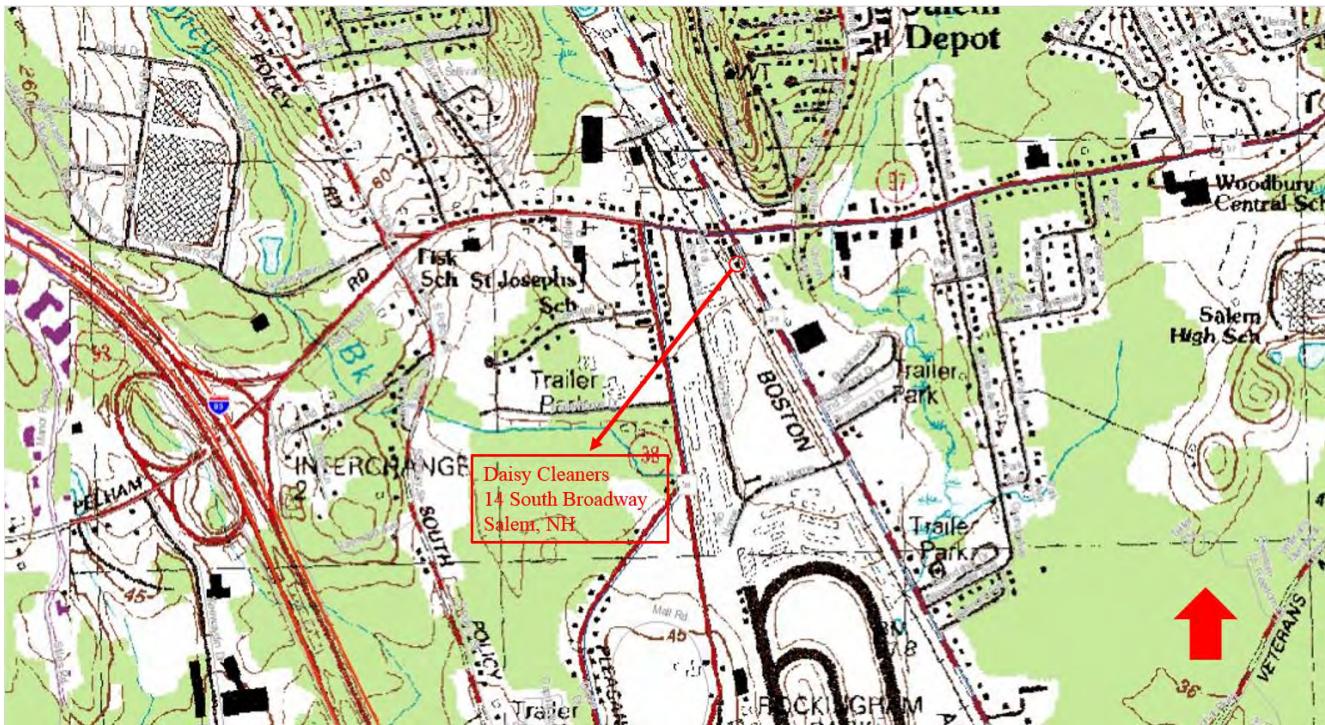
Form prepared by

32. Name Carolyn S. Barry
33. Organization VHB
34. Date of survey March 2017

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

39. LOCATION MAP:



40. PROPERTY MAP:

Please see Property Map, Figure 4.

41. Historical Background and Role in the Town or City's Development:

The commercial building at 14 South Broadway, Salem, was constructed in 1960 by Syrian immigrant Shia T. Touma, and has remained in family ownership through its entire history. The parcel has been owned by multiple people since the early twentieth century and has always been maintained as a 7,589 sq. ft. lot. Directory research neither yielded information on when the present business, Daisy Cleaners, first occupied the building, nor whether any previous businesses may have been housed here; however, the style of the commercial signage at the front of the property indicates that Daisy Cleaners was likely the original commercial business at this location.

History of the Daisy Cleaners building

The present history of ownership originated in December 1959 when Lena E. Hart sold the property to Shia T. Touma (RCRD 1959). The transaction maintained Hart was the Executrix of Andrew G. Hart's will and Andrew had prior purchased the property from Charles A. Kimball in October 1936 (RCRD 1936). Shia owned the property at the time the existing building was constructed. Archival research at the Salem Town Hall building permit records resulted in no additional information on the original building permit or architectural drawings indicating any architect or builder responsible for the design (Salem n.d.). Additionally, archival research with the Salem Historical Society yielded no historic photos of the subject property (D. Zavisza, personal communication, 1 December 2016). In March 1963, Shia placed ownership of the property under the United Realty Associates, a family group comprising Trustees Millerd J. Touma, Chickery F. Touma, and Sarah Touma (RCRD 1963). Shia T. died in 1989 (Ancestry.com 1989).

In January 2000, James R. Desjardins Holdings, Inc. was granted ownership of the property from Millerd J. Touma, the only surviving Trustee of United Realty Associates (RCRD 2000). At that time, the property consisted of 7,589 sq. ft. of land. Millerd J. Touma died in 2006 (Find A Grave 2008). The property is currently owned and the business operated by James R. Desjardins. According to the present owner, the Desjardins family is related to the Touma family and, thus, the commercial building at 14 South Broadway has been owned within the same family since it was originally constructed in 1960 (J. R. Desjardins, personal communication, 1 December 2016).

The Touma family and Syrian community ties

The Touma family, who owned the lot at 14 South Broadway from ca. 1960–2000, had roots in Syria. Shia was born in Syria in 1897 and immigrated to the United States in 1903 (U.S. Census 1930). A large number of Syrians and Armenians came to the United States in the early twentieth century as a result of political and social unrest leading up to the Armenian Genocide (ca. 1915–1923), and many immigrants settled in enclaves in New Britain, CT, Lawrence, MA, or Salem, NH, (Garabedian 2008:25). The Toumas lived in a Lawrence, MA neighborhood from the 1920s to the 1950s, along with several other regional immigrants.

In 1922, Shia lived at in Lawrence with his wife, Sarah (also seen as Sahra in records), also born in Syria, and worked at the adjacent Arcadia Bottling Company (City Directory 1922). At this time, Shia's sister, Annie, lived with her husband, Nanoia Shaheen, also of Syrian origin, nearby. The 1930 census records Shia (name misspelled as Shayce) as living in a rented house in Lawrence with his family. In 1940, Shia lived with his wife, two sons, Millerd and Chickery, and his daughter, Sadie (U.S. Census 1940). In 1948, Shia's elder son, Millerd, married Josephine Awen (1927-2007), a one-time president of the United Lebanese Association (Find A Grave 2008). The next street over from the 1922 Touma residence is currently named Lebanon Avenue and the St. Joseph Melkite Church is on the same block, all indicative of a Syrian immigrant enclave where family and village ties were maintained upon arrival in the United States. In 1958, Shia and Sarah had moved to nearby Methuen, MA (City Directory 1958), and they continued to reside in Massachusetts after purchasing the Daisy Cleaners property in Salem, NH. Shia Touma worked in the commercial cleaning industry for many years before establishing Daisy Cleaners. The 1930 census records Shia working as a cleanser in the "dye and cleaning industry" (U.S. Census 1930), and in 1958, Shia and Sarah worked at the National Cleaners & Laundries (City Directory 1958).

Mid-Twentieth Century Development in Salem

Daisy Cleaners, established in 1960, has remained a presence on one of Salem's historically busiest commercial strips. The building was constructed during Salem's biggest population growth and economic boom and likely benefitted from its proximity to Rockingham Park and major regional transportation routes, which were constructed and/or modernized at around the same time the subject building was constructed. The present appearance of the area immediately surrounding the Main Street/Broadway intersection was formed in the mid-twentieth century, though many of the buildings from this era have been replaced or else modernized with new additions and materials. However, the Daisy Cleaners building at 14

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

South Broadway still evokes classic mid-twentieth century architectural design for a small-scale commercial building, including the original “Daisy Cleaners” commercial signage.

Daisy Cleaners is located near the Main Street/Broadway intersection in what is known as the Salem Depot area, due to the presence of the ca. 1867 railroad depot building at the northwest intersection of Main Street and Broadway (Khalife and Seed 2008:55). The Manchester & Lawrence Railroad was constructed in the mid-1880s, as an alternative route to already existing rail lines and connected Manchester, NH to Boston, MA. The introduction of the rail line through Salem increased development in town, particularly near the depot (Mausolf 2009:14; Khalife and Seed 2008:55). Agriculture had been the primary focus of the town’s economy into the twentieth century, at which time the popularity of Canobie Lake Park and Rockingham Park, both located within a mile of Salem Depot and the Daisy Cleaners property, shifted the town’s economic focus and encouraged local transportation and commercial improvements (Khalife and Seed 2008:16).

Developed along the shores of Canobie Lake, which by the late 19th century developed as a Victorian-era seasonal resort with cottages, recreation areas, and dance halls (Hill and Federer 1991:3), the amusement park was established in the early twentieth century as a trolley line park and later developed into a popular regional concert venue for big bands. By the mid- to late-twentieth century, Canobie Lake Park was a large amusement park with roller coasters and other rides. Rockingham Park was established as a gambling venue and horse racing track in the early twentieth century and remained one of the most profitable businesses in the state of New Hampshire through the end of the century. By the 1930s, the popularity of Rockingham Park resulted in extra trains being added to the rail schedule on weekends and for special events, and its popularity largely influenced the Salem economy for many years. In the 1940s, the owners of Rockingham Park paid almost a half million dollars in salaries to employees, many local residents, and construction projects at the park, resulting in secondary and tertiary economic development in town with money being pumped into local companies and infrastructure projects, including improvements to local roads and schools (Jesep 1998:10,13).

New Hampshire, along with the rest of the county, experienced economic growth in the post-World War II period (Mausolf 2012:5). By the mid-twentieth century, Salem’s population and economy were growing at a rapid pace due to the national post-war industrial and baby boom, as well as the financial success of Rockingham Park and Canobie Lake Park. Population growth coupled with economic prosperity allowed for a building boom in town and many new schools, public and commercial buildings, and transportation projects were constructed during this time period. By 1950, Salem’s population had doubled its 1931 population, from approximately 2,300 residents to 4,800 (Jesep 1998:14). This number would grow to over 9,200 people by the following decade. The associated rising consumer culture also led to new commercial buildings, which, beginning around 1960, were constructed outside of the traditional historic downtown core and in commercial strips along automobile routes (Mausolf 2012:32,35). In 1958, anticipating the nearing rapid development, a zoning study commission, proposed by the Salem Board of Trade, was approved. Local historian Richard Noyes described the 1960s as Salem’s “most hectic decade” (Noyes 1974:238).

This time period was characterized by transportation-related improvements as well, as repairs were made on existing highways and new streets were laid out in town (Noyes 1974:239). Route 28 (aka Broadway), was originally laid out ca. 1804–1806 and known as the Londonderry Turnpike. The road was macadamized in 1904 and, in 1914, it was reconstructed to accommodate the growing number of automobiles (Khalife and Seed 1996:11; Hill and Federer 1991:3). In the summer of 1950, approximately four miles of Route 28 were modernized between the railroad depot at the intersection with Main Street to the New Hampshire-Massachusetts border (Khalife and Seed 2006:118). The 1950s modernization effort replaced the two-lane concrete road with the four-lane asphalt road seen today.

The population and economic boom which characterized Salem in the 1940s-1960s largely ceased by the late twentieth century. The Boston & Maine Railroad ended passenger service by the early 1950s, though freight service continued into the late twentieth century. The rail line was abandoned in the 1980s and the rails were soon removed for salvage material (Mausolf 2009:16). In 1980, a fire destroyed much of Rockingham Park, resulting in a loss of \$5 million in tax revenue for the state of New Hampshire and a \$480 million loss for the town of Salem (Jesep 1998:90). An effort was made to rebuild the park and it reopened in 1984, however the park was officially closed and put up for sale in 2016.

As Salem’s economy changed with the decline and closure of Rockingham Park, and transportation improvements increased its connectivity to larger regional cities, the make-up of the commercial strip near the intersection of Main Street and Broadway evolved as well. Beginning in the 1950–1960s, many earlier buildings on the Salem Depot corner were demolished (Khalife and Seed 2008:58). The one-story commercial strip mall and parking lot at the northwest corner of the intersection, adjacent to the Salem Depot, was constructed ca. 1965 to replace an earlier post office. The existing

Sunoco at the northeast corner, established in 1993, replaced a ca. 1960 Shell station. The one-story commercial strip to the east of Sunoco, at 115 Main Street, was built in 1973 to replace four ca. 1900 dwellings. The Salem Cooperative Bank, at the southeast corner of Main Street and Broadway, replaced two one-story ca. 1900 commercial buildings. The one-story commercial building immediately south of 14 South Broadway was constructed ca. 1950 (HistoricAerials.com 1938–2013). The Mall at Rockingham Park, currently the largest shopping mall in New Hampshire, was constructed in 1991 about 1.5 miles southwest of the Daisy Cleaners property. The location of the mall off Route 38 meant consumers could bypass the commercial corridor Salem Depot commercial corridor entirely. A two-story dwelling and commercial building at the southwest corner of the intersection were demolished sometime between 2005 and 2008; the lot is presently empty. The First Baptist Church that was fronted onto Main Street west of Church Avenue was demolished ca. 2008–2009; the lot is currently vacant as well (HistoricAerials.com 1938–2013). As a result, Daisy Cleaners remains an uncommon vestige of mid-twentieth-century commercial development at the Main Street/Broadway intersection in the heart of Salem Depot.

Mid-Twentieth Century Commercial Architecture

Commercial architecture design in the mid-twentieth century was influenced by popular architectural trends originating in Europe and taught at architectural colleges, such as Harvard University and Massachusetts Institute of Technology (MIT), under such influential architects as Le Corbusier, Walter Gropius, and Marcel Breuer. Modern architecture valued functional, rational, and contemporary techniques and materials in its design (Mausolf 2012:65). The war effort led to shortages of traditional building materials like wood, rubber, steel, and iron and resulted in innovations in building methods and production techniques for materials such as plastic, aluminum, and concrete, which further influenced the design of mid-twentieth century buildings (Mausolf 2012:46). The International Style, in particular, emphasized simple, geometric, forms with streamlined, smooth wall surfaces of glass, stucco, or steel and favored the absence of ornamentation. Buildings constructed in this architectural style sometimes feature cantilevered upper stories. International Style commercial buildings are generally symmetrical and have horizontal window bands set flush with exterior walls (Mausolf 2012:70–71).

The Modern style was likely selected for Daisy Cleaners due to contemporary architectural trends, but also due to the generally low cost of the building materials and the ease of construction allowed by the simplified style. Daisy Cleaners expresses a vernacular version of the International Style for a commercial building. Three of the exterior walls are concrete block, a material developed in the early twentieth century that was popular in the mid-twentieth century due to its low-production cost. The northwest and southeast elevations are painted white and resemble stucco. The façade is dominated by full-height metal-framed windows underneath the cantilevered flat-roof. The effect is a functional building with streamlined design.

In addition to its mid-century architectural design, Daisy Cleaners represents a fast-growing business type in mid-twentieth-century America. The dry-cleaning industry expanded rapidly in the mid-twentieth century due to innovations in the field shortly after World War II. The service industry was revolutionized in 1949 when Henry Martin, a New York-based chemist, introduced a less flammable solvent that allowed on-site cleaning rather than the process occurring further away from development. This allowed for same-day dry cleaning services and the business type greatly expanded all over the county (Mausolf 2012:39).

42. Applicable NHDHR Historic Contexts (please list names from appendix C):

- 88. Automobile highways and culture, 1900–present.
- 128. European and Middle Eastern immigration to New Hampshire.
- 130. Commerce, industry, and trade in New Hampshire village and town centers, 1630–present

43. Architectural Description and Comparative Evaluation:

Daisy Cleaners is located along one of the busiest transportation routes in Salem, NH, on the southwest side of South Broadway (Route 28) just south of the intersection of Main Street and North and South Broadway. South Broadway comprises two lanes each on the northwest and southeast direction flanked by either a narrow shoulder or pedestrian sidewalk in the immediate vicinity of Daisy Cleaners. South Broadway is a busy commercial strip and buildings are spaced

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

out along the route. The buildings adjacent to Daisy Cleaners on either side of South Broadway have commercial and institutional uses, including restaurants, banks, and automobile services.

The Daisy Cleaners property comprises a main building, two small detached sheds, a vertical metal commercial sign, and a paved asphalt parking lot with approximately ten automobile spaces on a 0.18-acre lot. The rear of the building backs up immediately onto the raised steeply sloping former railroad bed with sides now covered with grass and tertiary growth. Daisy Cleaners was constructed ca. 1960 and is a one-story, Mid-Twentieth Century Modern-style rectangular building with an open floor plan fronted by a storefront system composed of nine glazed sections and an off-center entrance. The building is dominated by characteristic Mid-Twentieth Century Modern-style architectural elements with a streamlined roofline that projects over full-height, plate-glass windows extending across the entire façade (northeast elevation). The roof is flat with a narrow boxed cornice with a projecting slightly angled-up lip at the façade. The walls are cinderblock and the side elevations are painted white to resemble stucco. The walls rest on a concrete foundation with four rows of continuous red brick stretchers at the ground level of the façade. The façade has an off-center entrance door with paired aluminum-framed fully-glazed glass doors with a large rectangular transom. The window framing at the façade appear original, however the glazing was reportedly replaced in the late 20th c. The windows are situated above rectangular textured spandrels. The rear elevation has a one-story, one-bay cinderblock ell at the northwest side with a lower, shed-roof storage addition at the southeast elevation of that ell. The shed-roof addition has double plywood doors with metal hinge brackets. The rear (west) corner has a cinderblock chimney stack, painted white. A square window comprising four panes with original metal sash is at the rear elevation near the chimney. The northwest elevation has a secondary entrance adjacent to the chimney comprising a solid metal door with simple surround. The northwest and southeast elevations each have two windows that are three rectangular panes fixed with original wood sash with narrow sills. A large A/C unit sits on the south side of the roof.

At the southwest side of the southeast elevation is a modern one-story, one-bay-by-one-bay shed that faces northwest immediately onto the main building. The shed has an asphalt-shingle-clad side-gable roof with a gable-roof dormer at the rear slope. The vinyl-siding walls rest on concrete blocks. The northeast and southwest elevations each have one window, a six-over-six, double-hung, vinyl sash window.

A one-story, three-bay-by-one-bay shed is at the rear of the property close to the south side of the southwest elevation of the main building. The shed has an asphalt-shingle-clad gambrel roof, and appears to date to the construction of the main building. Walls are clapboard with horizontal boards at the gable end. The southwest elevation has a vertical-board entrance door at the south side and two blocked window openings on the north side.

The original mid-century sign indicating the property as "Daisy Cleaners" sits at the southeast corner of the property near to the road. The sign is approximately 15 ft. high and comprises a squared metal column with five squared illuminated yellow panels, each with a letter spelling out "DAISY," projecting vertically from the pole towards the road and a similar style rectangular panel projecting towards the main building spelling out "Cleaners" on a background of graphic white flowers. A smaller angled metal pole anchors the rectangular projection to the base of the sign. The pole is placed in an oval-shaped flower bed edged with cinderblocks.

Comparative Evaluation

The comparative evaluation for the Daisy Cleaner's building concentrated on Modern-style small-scale commercial buildings in Salem, New Hampshire. The four buildings discussed below are among the only Modern-style small-scale commercial buildings along the major commercial routes in town. However, the Daisy Cleaners building is the best-preserved examples in this group, with clearly discernible characteristics of Modern style commercial buildings. The other buildings have either been altered with large additions or replacement materials, or else exhibit fewer characteristics of the architectural type. They were all constructed during the most significant period of population and economic growth in Salem. Given the number of late-twentieth and early-21st century buildings along the main commercial routes in Salem, it is likely that many mid-twentieth century commercial buildings have since been altered or demolished and replaced.

Sunshine Laundry Center, 161 Main Street

The Sunshine Laundry Center building is on the north side of Main Street just west of the intersection with Martin and Granite avenues and approximately 0.3 miles northeast from Daisy Cleaners. The building was constructed in 1964 just a few years after Daisy Cleaners, around the time of significant growth in Salem, and both are currently used for commercial/service purposes. The building exhibits some characteristics of the Contemporary style with its overhanging angled roof forming a point over the façade and the vinyl-paneled bays above the windows. Sunshine Laundry Center is a one-story, three-bay-by-two-bay, rectangular, masonry building. It has a low-pitch front-gable roof with overhanging boxed

eaves and a wide angled projection centered over the façade (south elevation). The building has gray cinderblock walls and blonde glazed bricks with paneled vinyl siding above each window bay at the façade. The primary entrance is centered on the façade and comprises a fully-glazed, aluminum-framed entrance door with rectangular single-light sidelights and transom. The entrance is flanked by two large, rectangular fully-glazed, aluminum-framed, single-light, fixed windows.

Salem Laundromat, 160 Main Street

The Salem Laundromat building is on the south side of Main Street, just west of the intersection with Martin and Granite avenues, immediately across the street from the Sunshine Laundry Center. The building was constructed in 1966, within the same decade as Daisy Cleaners and both provide a similar service of clothes cleaning. The Salem Laundromat building comprises two periods of construction: the original 1966 brick building at front and the large one and two story rear addition added sometime between 1978 and 1992 (HistoricAerials.com 1938–2013). The simple building design does reference characteristics of mid-twentieth-century commercial architecture with its dramatic roof shape. The original building is a one-story, three-bay-by-two-bay, rectangular building with red brick walls. It has a flat roof with widely overhanging eaves and an angled paneled cornice. The primary entrance is centered on the façade (north elevation) and is a set of fully-glazed, aluminum-framed double doors with simple surround. The entrance is flanked by rectangular, two-light, fixed, aluminum-framed casement windows. The rear addition has smooth stuccoed walls and a similar flat roof with overhanging eaves that angle over the upper wall.

Husson Motors Auto Repair, 13 South Broadway

The Husson Motors Auto Repair building is on the east side of South Broadway, just south of the intersection with Main Street, and immediately across the street from Daisy Cleaners. The building is a one-story, five-bay-by-three-bay, rectangular, masonry building constructed in 1968. The small commercial building has elements of the Mid-Twentieth-Century Modern style in its widely overhanging eaves and the wrap-around corner window at the façade and south elevation. It has a flat roof with overhanging boxed angled eaves and red brick walls. The primary entrance is a fully-glazed, aluminum-framed door centered on the façade (west elevation). Two multi-pane, aluminum-framed, roll-up garage bays are to the north of the entrance door. The south side of the façade is dominated by two single-light, fixed, aluminum-framed window bays that wraps around one bay on the south elevation.

Haffner's Car Wash, 440 South Broadway

Haffner's Car Wash is on the southwest side of South Broadway approximately two-and-one-half miles south of Daisy Cleaners. Although less than 50 years old, the property is included as a comparison due to the presence of some late Modern-style details. The property has two one-story, rectangular buildings, one for the drive-through car wash and another with individual bays for self-serve car washes. The latter building was added to the property sometime between 1978 and 1992 (HistoricAerials.com 1938–2013). The original building was constructed in 1974 and is a one-story, rectangular, masonry building with one rectangular open bay on both the northeast and southwest elevations for cars. The building has a flat roof with a narrow, unornamented, aluminum cornice. There are no windows and the exterior walls comprise textured concrete block with a machine tooled finish interrupted by narrow recessed full-height stone bays. Each narrow bay has a characteristic Modern-style light fixture of a glass orb on a metal arm. Similar pole light fixtures are spaced throughout the parking lot. The original car wash building exhibits restrained Modern-style details with its flat-roof, almost no ornamentation save for the wall texture and color, and the orb-lights.

44. National or State Register Criteria Statement of Significance:

Daisy Cleaners at 14 South Broadway, Salem, NH is recommended as eligible for listing in the National Register of Historic Places under Criteria A and C at the local level in the areas of Community Planning and Development and Architecture. It is a commercial building constructed during a large and significant period of population growth and economic prosperity in Salem and as a relatively rare example of a commercial building in town that evidences character-defining features of the Modern style of architecture.

Criterion A: The building is associated with local events that have made a significant contribution to the broad patterns of Salem's history. Daisy Cleaners is a remaining example of mid-twentieth century commercial development in the Salem Depot area, spurred by recreational tourism at Canobie Lake Park and Rockingham Park, two of the most important businesses in the region. Businesses located on corridors such as South Broadway (Route 28) supported the massive population growth in town during that time period.

Criterion B: Historic research yielded no information that connected the property with the life of an individual of local, regional, or national significance. The property was owned by the Touma family for much of its existence. The family originated in Syria and are representative of Middle Eastern immigration to New Hampshire, though do not appear to have made significant contributions to the area that would suggest the property's eligibility for listing in the National Register under Criterion B.

Criterion C: The building is a fine example of the Modern style of architecture, executed as a small-scale mid-twentieth century commercial building. The building references a vernacular version of the Modern style, with full-height windows dominating the entire façade, underneath a slight projection of the cantilevered flat roof. The commercial sign in front of the building evokes classic mid-twentieth century advertising. There have been few alterations to the original 1960 construction.

Criterion D: The property was not evaluated under Criterion D.

45. Period of Significance:

The period of significance for Daisy Cleaners extends from 1960, the date of its construction, through 1967, the National Register 50-year age criteria cutoff date.

46. Statement of Integrity:

Daisy Cleaners retains a relatively high degree of all seven aspects of integrity. The commercial building retains integrity of location and setting as it remains on the parcel it was originally constructed on, located near a busy intersection along a major automobile route in town. The Salem Depot area has been a busy transportation and commercial corridor since at least the introduction of the railroad in the late-nineteenth century and was further developed around the time Daisy Cleaners was constructed. Daisy Cleaners retains integrity of association as a commercial building constructed during the most significant period of population growth and commercial development in town. The building maintains integrity of design and workmanship as the form, plan, space, structure, and style are all intact from the original 1960 Modern-style design. It maintains integrity of materials as the roof, walls, foundation, and windows all appear to date to its original construction. Daisy Cleaners retains integrity of feeling as it clearly evokes the Modern style of architecture with its full-height windows dominating the façade underneath the projecting flat roof and its original ca. 1960 commercial signage at the front of the parcel.

47. Boundary Discussion:

The boundary of the survey area is concurrent with the parcel boundary: Salem Tax Map 89, Lot 1092 (see Figure 3).

48. Bibliography and/or References:

Ancestry.com

1989 *U.S., Social Security Death Index, 1935–2014*. Online database, www.ancestry.com, accessed December 2016.

City Directory

1922 *The Lawrence Directory*. Sampson & Murdock Company, Boston, MA.

1958 *Polk's Greater Lawrence City Directory*. R.L. Polk & Co., Publishers: Boston, MA.

Find A Grave

2008 "Josephine Awen Touma." Electronic document, <http://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GSln=Touma&GSby=1910&GSbyrel=after&GSdyrel=all&GSst=21&GScnty=1177&GSntry=4&GSob=n&GRid=24967570&df=all&>, accessed December 2016.

Garabedian, Jennie

2008 *Images of America: New Britain's Armenian Community*. Arcadia Publishing: Charleston, SC.

1991 *Canobie Lake Neighborhood*. New Hampshire Division of Historical Resources (NHDHR) -Area Form. On file, NHDHR, Concord, NH.

HistoricAerials.com

1938–2013 Historic Aerial Photographs, Salem, NH. Nationwide Environmental Title Research (NETR), LLC. Electronic document, www.historicaerials.com, accessed December 2016.

1890–1988 Historic Topographic Maps, Salem, NH. Nationwide Environmental Title Research (NETR), LLC. Electronic document, www.historicaerials.com, accessed December 2016.

Jesep, Paul Peter

1998 *Rockingham Park 1933–1969: A History of Power, Glamour, and Gambling*. Peter E. Randall Publisher: Portsmouth, NH.

Khalife, Katherine and Douglas W. Seed

1996 *Images of America: Salem, NH, Vol. II. Trolleys, Canobie Lake, and Rockingham Park*. Arcadia Publishing: Charleston, SC.

2006 *Scenes of America: Salem*. Arcadia Publishing: Charleston, SC.

2008 *Images of America: Salem, NH, Vol. I*. Arcadia Publishing: Charleston, SC.

Mausolf, Lisa

2009 *Manchester & Lawrence Railroad*. New Hampshire Division of Historical Resources (NHDHR) -Area Form. On file, NHDHR, Concord, NH.

2012 *Mid 20th Century Architecture in NH: 1945–1975*. Electronic document, http://www.nh.gov/nhdhr/publications/documents/mid_20th_century_architecture_nh.pdf, accessed November 2016.

Noyes, Richard

1974 *At the Edge of Megalopolis: A History of Salem, N.H. 1900-1974*. Phoenix Publishing: Canaan, NH.

Rockingham County Registry of Deeds (RCRD)

1936 Charles A. Kimball to Andrew G. Hart, Deed Book 923, p. 459.

1959 Lena H. Hart to Shina T. Touma, Deed Book 1536, p. 177.

1963 Shina T. Touma to Trustees of United Realty Association (Millerd J. Touma, Chickery F. Touma, Sarah Touma), Deed Book 1665, p. 1.

2000 Millerd J. Touma (United Realty Associates) to James R. Desjardins Holdings, Inc., Deed Book 3448, p. 0338.

Salem Historical Society (SHS)

n.d. Personal correspondence with Dr. Dan Zavisza. 1 December 2016.

Salem, Town of (Salem)

n.d. Building permits. On file, Town Hall, Salem, NH.

2016 Online Maps, 2016 Tax Maps. Electronic database,

http://www.townofsalemnh.org/sites/salemnh/files/u121/2016_taxmaps.pdf, accessed December 2016.

United State Census Bureau (U.S. Census)

1930 Fifteenth Census of the United States, Lawrence, Essex County, Massachusetts, 1930. Roll 898, p. 12A, ED 0105. Electronic document from www.ancestry.com, accessed December 2016.

1940 Sixteenth Census of the United States, Lawrence, Essex County, Massachusetts, 1940. Roll T627_1583, p. 3B, ED 5-189. Electronic document from www.ancestry.com, accessed December 2016.

1955 *Ayers Village Quadrangle, New Hampshire-Massachusetts, 7.5 minute series.* United States Department of the Interior Geological Survey.

1968 *Salem Depot Quadrangle, New Hampshire-Massachusetts, 7.5 minute series.* United States Department of the Interior Geological Survey.

PHOTOGRAPH KEY

Photo #1	SAL1004_1	Main building, view of northwest and northeast (façade) elevations	Photographer facing SW	December 2016
Photo #2	SAL1004_2	Main building, northeast elevation (façade)	Photographer facing SW	December 2016
Photo #3	SAL1004_3	Main building, southeast and northeast (façade) elevations	Photographer facing NW	December 2016
Photo #4	SAL1004_4	Main building, façade detail.	Photographer facing NW	December 2016
Photo #5	SAL1004_5	Main building, southeast elevation and façade.	Photographer facing NW	December 2016
Photo #6	SAL1004_6	Main building, southwest (rear) and southeast elevations, and two outbuildings.	Photographer facing NE	December 2016
Photo #7	SAL1004_7	Outbuilding at rear (southwest) elevation.	Photographer facing NE	December 2016
Photo #8	SAL1004_8	Main building, northwest and southwest (rear) elevations, and outbuilding.	Photographer facing E	December 2016
Photo #9	SAL1004_9	Main building, northwest side of southwest (rear) elevation and chimney.	Photographer facing NW	December 2016
Photo #10	SAL1004_10	Main building, northwest and southwest (rear) elevations and chimney.	Photographer facing NE	December 2016
Photo #11	SAL1004_11	Main building, northwest elevation and chimney.	Photographer facing SE	December 2016
Photo #12	SAL1004_12	Main building, northeast (façade) and northwest elevations.	Photographer facing S	December 2016
Photo #13	SAL1004_13	Main building, northeast (façade) elevation and sign.	Photographer facing NW	December 2016
Photo #14	SAL1004_14	Sunshine Laundry Center (161 Main Street), view of south (façade) and east elevations	Photographer facing NW	December 2016
Photo #15	SAL1004_15	Salem Laundromat (160 Main Street), view of north (façade) and west elevations	Photographer facing SE	December 2016
Photo #16	SAL1004_16	Husson Motors Auto Repair (13 South Broadway), view of southwest (façade) and southeast elevations	Photographer facing NE	December 2016
Photo #17	SAL1004_17	Haffner's Car Wash (440 South Broadway), view of southeast and northeast (façade) elevations	Photographer facing NW	December 2016

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

Surveyor's Evaluation:

NR listed: individual _____
within district _____

NR eligible:
individual _____
within district _____

NR Criteria: A _____
B _____

Integrity: yes _____
no _____

not eligible _____
more info needed _____

C _____
D _____
E _____

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

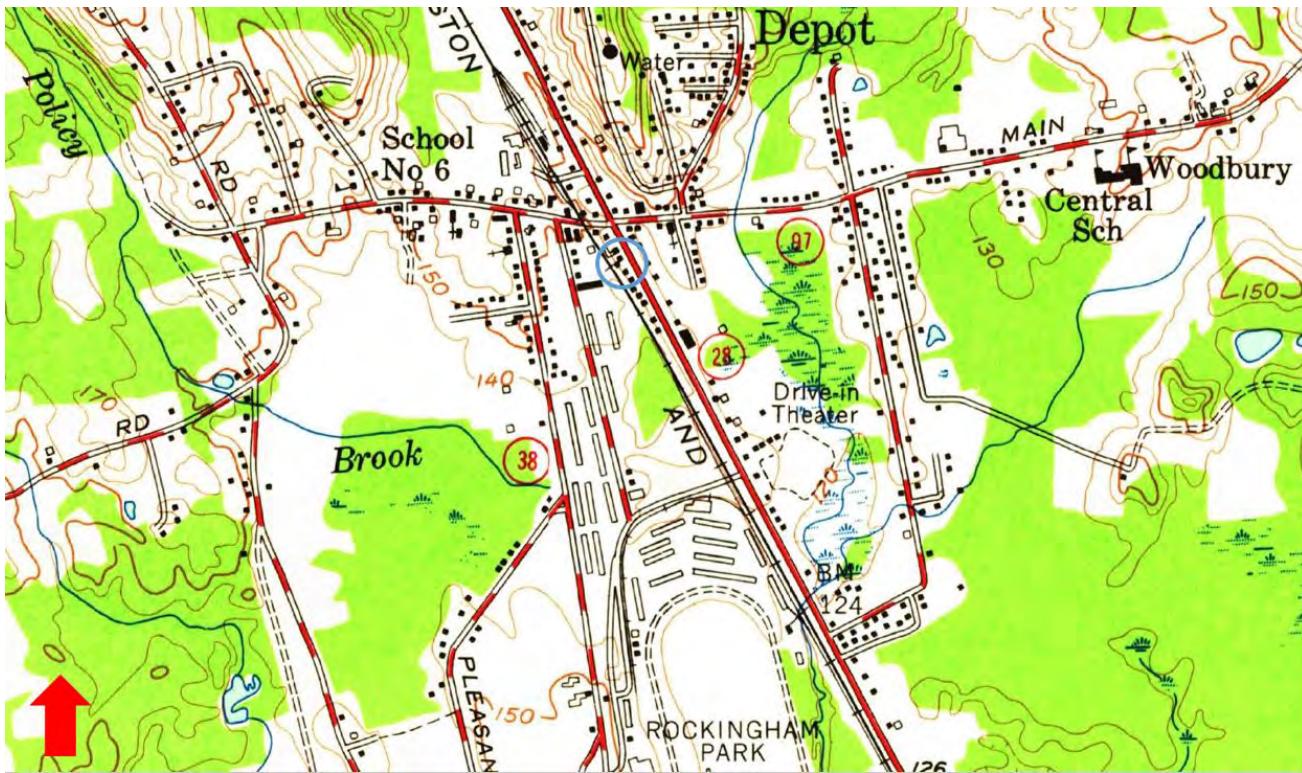


Figure 1. Approximate location of Daisy Cleaners (not yet built) indicated by blue circle, shown on 1955 topographic map (USGS 1955).

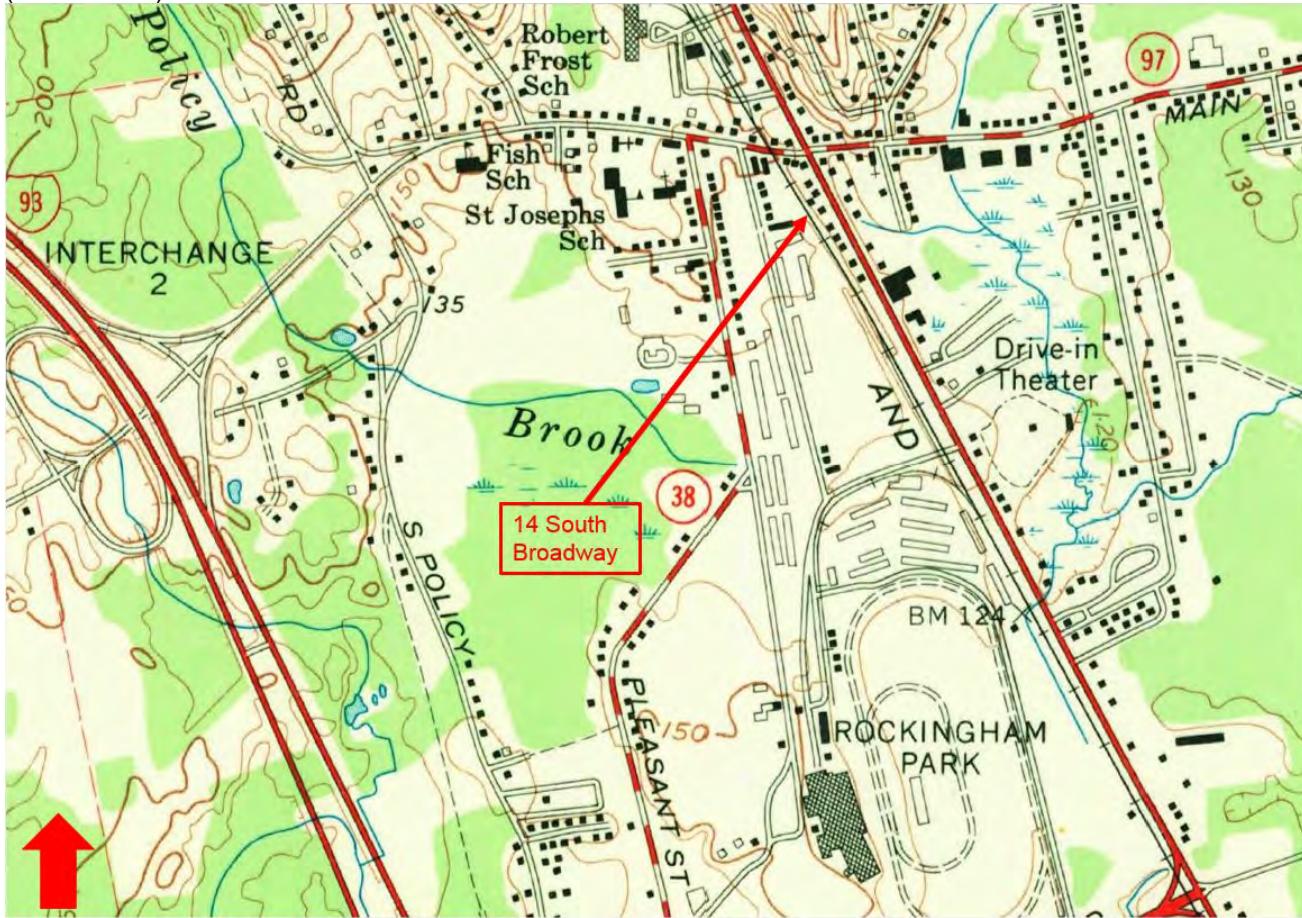


Figure 2. Daisy Cleaners, location on 1968 topographic map (USGS 1968).

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

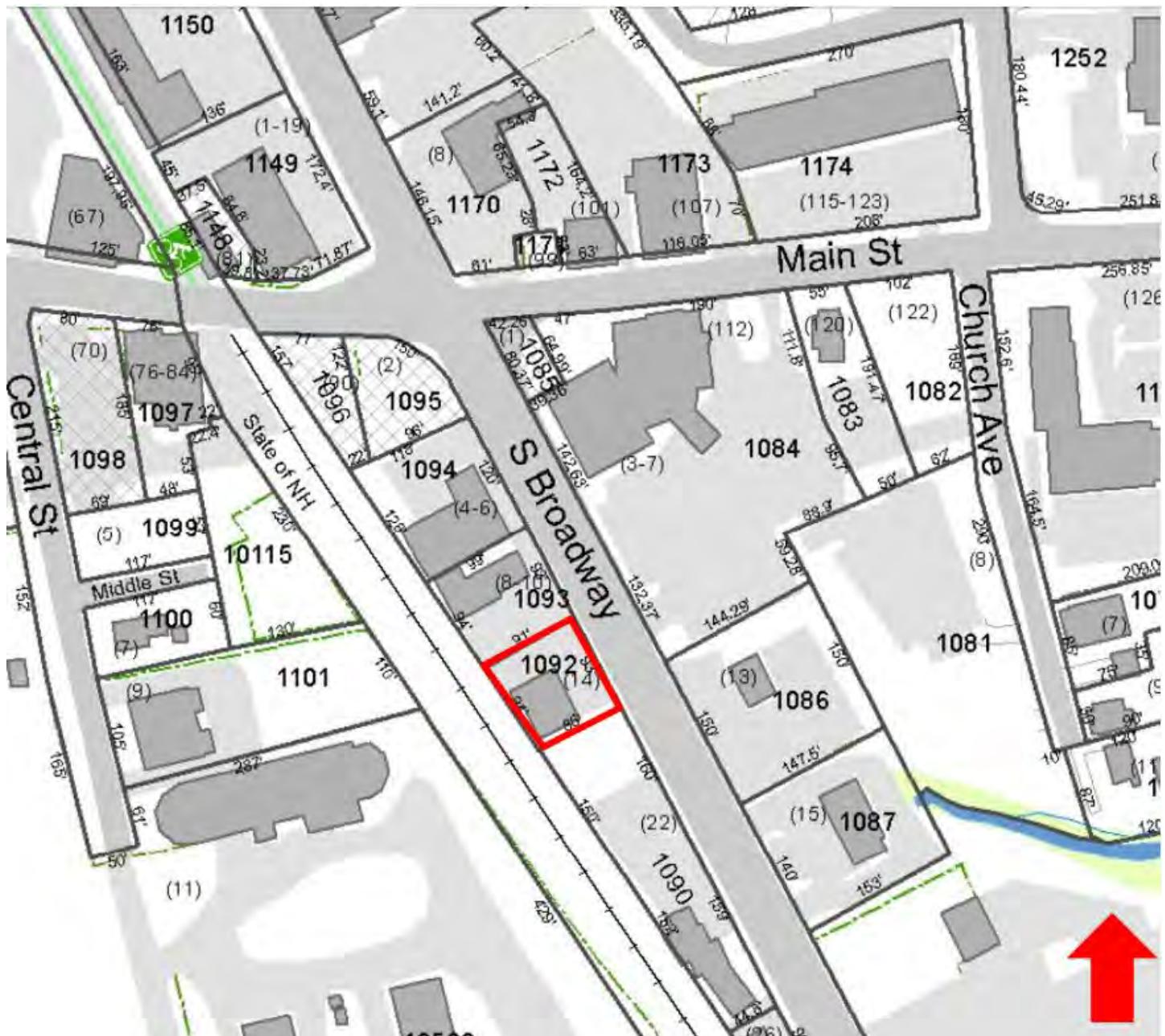


Figure 3. Location of 14 South Broadway, outlined in red, shown on the Town of Salem Tax Maps (Salem 2016:89).

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

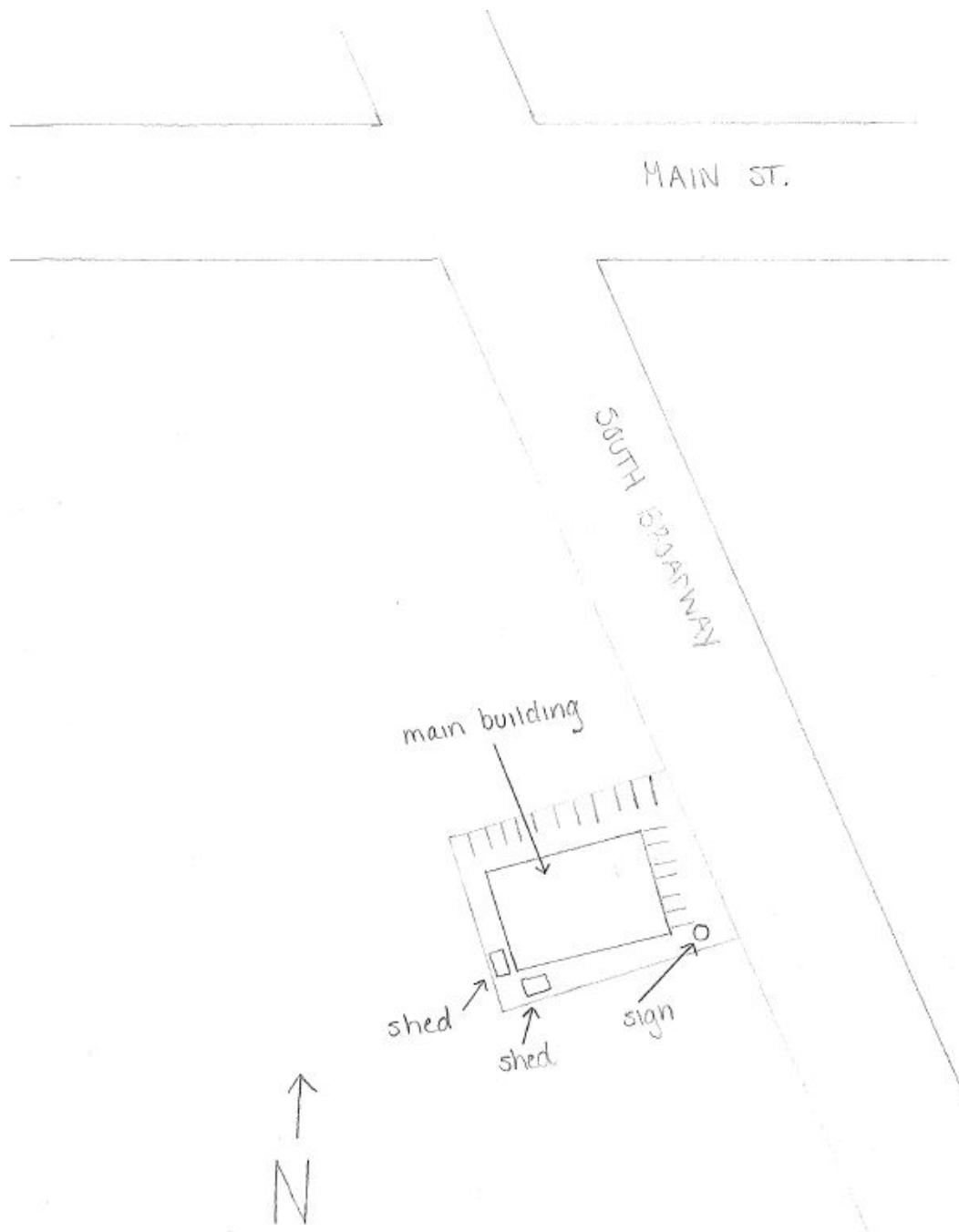


Figure 4. Sketch map identifying the property and resources.

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

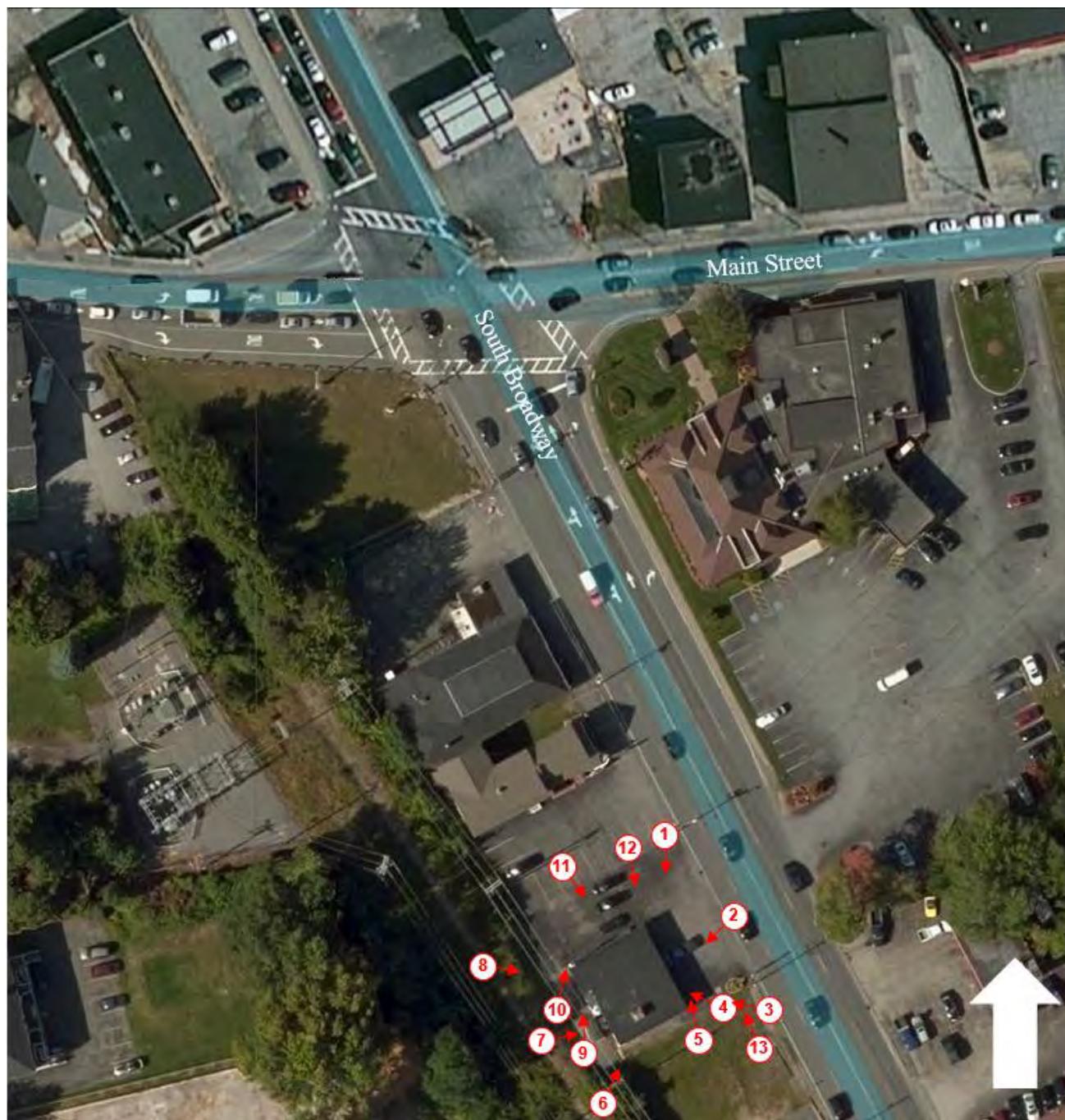


Figure 5. Photographic location map, Photos #1–13, Daisy Cleaners, 14 South Broadway, Salem, NH (Map base: Bing Maps 2016).

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004



Figure 6. Photographic location map, Photos #14 (161 Main Street) and #15 (160 Main Street), Salem, NH (Map base: Bing Maps 2016).

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004



Figure 7. Photographic location map, Photo #16, Husson Motors Auto Repair, 13 South Broadway, Salem, NH (Map base: Bing Maps 2016).

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004



Figure 8. Photographic location map, Photo #17, Haffner's Car Wash, 440 South Broadway, Salem, NH (Map base: Bing Maps 2016).

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

Date photos taken: December 1, 2016



Photo # 2 Description: Main building, northeast elevation (façade).

Reference (file name or frame#): SAL1004_2

Direction: SW



Photo # 3 Description: Main building, southeast elevation and façade.

Reference (file name or frame#): SAL1004_3

Direction: NW

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004



Photo # 4 Description: Main building, façade detail.
Reference (file name or frame#): SAL1004_4

Direction: NW



Photo # 5 Description: Main building, southeast elevation and façade.
Reference (file name or frame#): SAL1004_5

Direction: NW

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

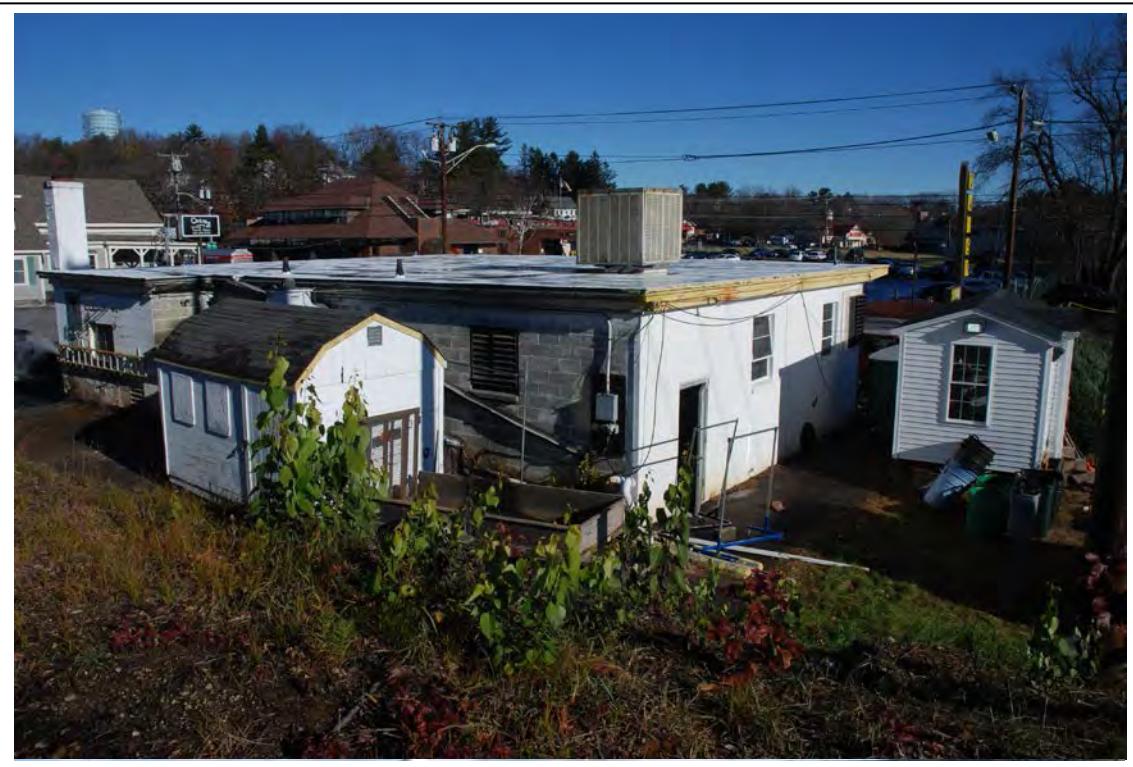


Photo # 6 Description: Main building, southwest and southeast elevations and two outbuildings.
Reference (file name or frame#): SAL1004_6 Direction: NE



Photo # 7 Description: Outbuilding at rear (southwest) elevation.
Reference (file name or frame#): SAL1004_7 Direction: NE

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004



Photo # 8 Description: Main building, northwest and southwest (rear) elevations, and outbuilding.
Reference (file name or frame#): SAL1004_8 Direction: E



Photo # 9 Description: Main building, northwest side of southwest (rear) elevation and chimney.
Reference (file name or frame#): SAL1004_9 Direction: NW

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004



Photo # 10 Description: Main building, northwest and southwest (rear) elevations and chimney.
Reference (file name or frame#): SAL1004_10 Direction: NE



Photo # 11 Description: Main building, northwest elevation and chimney.
Reference (file name or frame#): SAL1004_11 Direction: SE

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004



Photo # 12 Description: Main building, northeast (façade) and northwest elevations.
Reference (file name or frame#): SAL1004_12 Direction: S

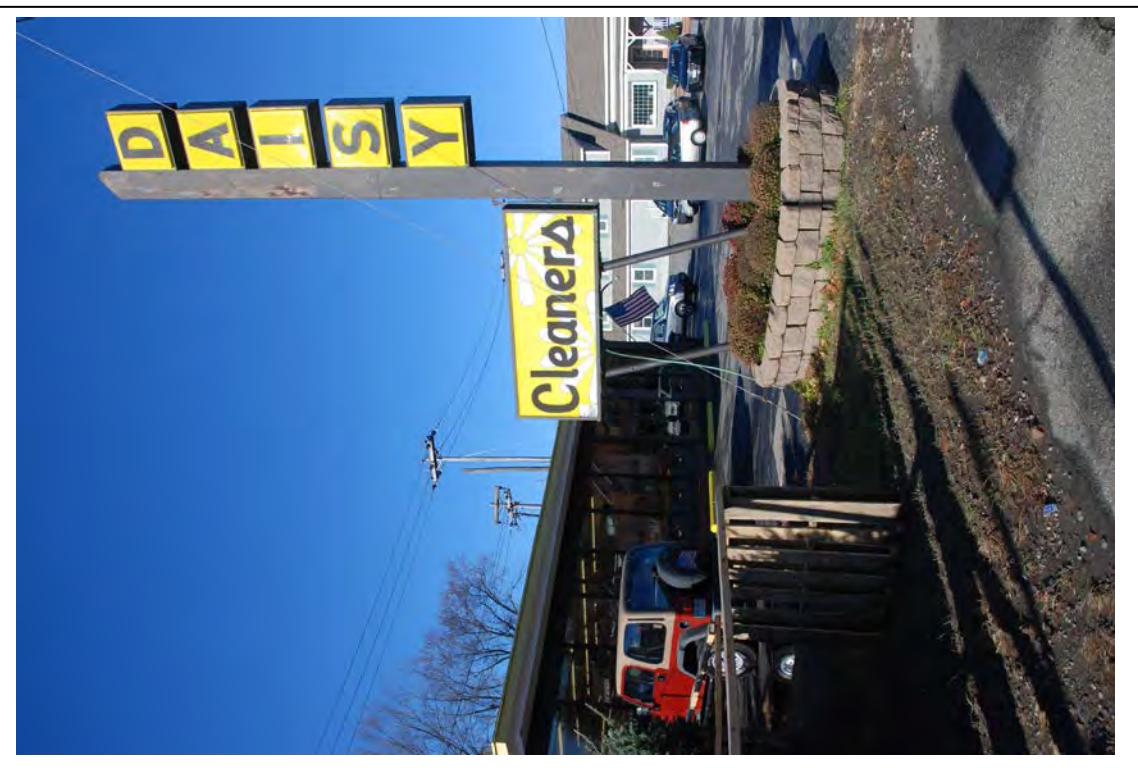


Photo # 13 Description: Main building, northeast elevation (façade), and sign.
Reference (file name or frame#): SAL1004_13 Direction: NW

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004



Photo # 14 Description: Sunshine Laundry Center (161 Main Street), view of south (façade) and east elevations.
Reference (file name or frame#): SAL1004_14

Direction: NW



Photo # 15 Description: Salem Laundromat (160 Main Street), view of north (façade) and west elevations.
Reference (file name or frame#): SAL1004_15

Direction: SE

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004



Photo # 16 Description: Husson Motors Auto Repair (13 South Broadway), view of southwest (façade) and southeast elevations.

Reference (file name or frame#): SAL1004_16

Direction: NE



Photo # 17 Description: Haffner's Car Wash (440 South Broadway), view of southeast and northeast (façade) elevations.

Reference (file name or frame#): SAL1004_17

Direction: NW

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY # SAL1004

PHOTO KEY IS LOCATED ON PAGE 15-18

I, the undersigned, confirm that the photos in this inventory form have not been digitally manipulated and that they conform to the standards set forth in the NHDHR Photo Policy. These photos were printed at the following commercial printer OR were printed using the following printer, ink, and paper: Canon Pixma MG7720, Canon Photo Plus Paper Glossy, and Canon CLI-271 inks. (Color photos must be professionally printed.) The negatives or digital files are housed at/with: VHB, Watertown, MA.

SIGNED:



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

State of New Hampshire, Department of Cultural Resources
19 Pillsbury Street, Concord, NH 03301-3570
TDD Access: Relay NH 1-800-735-2964
www.nh.gov/nhdhr

603-271-3483
603-271-3558
FAX 603-271-3433
preservation@dcr.nh.gov

May 8, 2017

Jillian Edelmann
Bureau of Environment
NH Department of Transportation
Hazen Drive
Concord NH 03302-0483

Re: DOT/FHWA STP-X-5399(011), 12334, RPR 6617

Dear Jill:

Thank you for requesting a determination of National Register eligibility for the property listed below. As requested, the Division of Historical Resources' Determination of Eligibility Committee has reviewed the *DHR individual Inventory Form* prepared by Vanesse Hangen Brustlin; based on the information available, the DOE Committee's evaluation of National Register eligibility is:

TOWN/CITY	PROPERTY	DETERMINATION
Salem	Revised Daisy Cleaners, 14 South Broadway, SAL1004	Eligible

A copy of the DHR evaluation form is attached for your use. The inventory data and the evaluation will also be added to the statewide survey database for historic properties in New Hampshire.

Please contact Laura Black at 271-6438 or Laura.Black@dcr.nh.gov if you have questions.

Sincerely,

Christina St.Louis
Program Specialist

Enclosure

cc: Elizabeth Muzzey / State Historic Preservation Officer
Jamison Sikora, FHWA
Vanesse Hangen Brustlin, Inc.



Determination of Eligibility (DOE)**Inventory #:** SAL1004**Review Date:** 4/26/2017**DOE Date:** 4/6/2017 Final DOE Approved**Property Name:** Daisy Cleaners**Area:****Address:** 14 S. Broadway**Town:** Salem**County:** Rockingham**Reviewed For:** R&C**DOE Program(s):**

DOT Department of Transportation

DETERMINATION OF ELIGIBILITY

National Register eligible, individu

Integrity: Partial**Level:** Local

Criteria:	A: Yes	B: Unknown	C: Yes
	D: Unknown	E:	

STATEMENT OF SIGNIFICANCE:

4/26/17: The consultant has noted that the change to the windows in the late twentieth century affected the glazing only. Based on the information provided and for purposes of the project, Daisy Cleaners is eligible for listing in the National Register of Historic Places under Criterion A for its association with Syrian and Armenian immigration in the early twentieth century in Salem as well as Criterion C for its architecture.

3/22/17: Daisy Cleaners was constructed in 1960 by the Touma family as a purpose built dry cleaners. The Touma family came from Syria during an important time in Salem's history when Syrian and Armenian immigrants relocated to the area to escape from political and social unrest. The building is located on one of Salem's busiest commercial strips, typical of mid-century commercial development. A historic sign is located adjacent to the roadway. The building retains many mid-century characteristics including open floor plan fronted by a storefront system including a streamlined roofline that projects over full-height plate glass windows extending across the entire façade, and expresses a vernacular International Style common during this period. The storefront windows appear to have been replaced at some time and it is unknown whether or not they were replaced in-kind or in a different configuration from the original. National Register eligibility can not be confirmed until information is provided regarding the replacement windows (see follow-up below).

Period of Significance: 1960
to 1960

 Period not applicable**AREAS OF SIGNIFICANCE(S)**

Ethnic Heritage, Other

Architecture

Boundary: tax parcel 89-1092**Follow Up:**

4/26/17: Notify appropriate parties.
3/22/17: Provide additional information regarding the change to the storefront windows. Were they replaced in-kind? What date? How does this change affect the integrity and eligibility of the property?

Comments:

Section 106 Cultural Resources Effect Memo
(Project NOT directly managed by NHDOT)

Project Town: **Salem**

Date: **8/4/2017**

State No.: **12334 RPR6617**

Federal No. (as applicable): **STP-X-5399(011)**

Lead Federal Agency: **Federal Highway Administration**

Submitted by: **Gregory L. Bakos, PE**
(Project Manager/Sponsor)

Email address: **gbakos@vhb.com**

Pursuant to meetings on and/or the Request for Project Review signed on 4/8/2017, and for the purpose of compliance with the regulations of National Historic Preservation Act and the Advisory Council on Historic Preservation's *procedures for the Protection of Historic Properties* (36 CFR 800), and NH RSA 227-C the NH Division of Historical Resources and, when applicable, the NH Division of the Federal Highway Administration or the US Army Corps of Engineers have coordinated the identification and evaluation of cultural resources relative to:

The purpose of this project is to address the operational deficiencies and safety concerns at the North Broadway (Route 28) / Main Street (Route 97) intersection. The deficiencies are a result of traffic volumes that regularly exceed the capacity of the intersection. This is exacerbated by north and southbound left turn lanes that are not exclusive turn lanes, resulting in back-ups of left-turning vehicles contending with oncoming through traffic. This inherent conflict coupled with excessive delay often leads to risk taking and, ultimately, crashes. The Proposed Action involves improving the existing Salem Depot intersection by widening the intersection and reconfiguring the turning lanes and traffic control signals. Proposed improvements also include improved sidewalks and pedestrian crossings, drainage system and utility improvements, and general pavement resurfacing.

The widening of NH 28 will allow for exclusive left-turn lanes on both the northbound and southbound approaches to the Depot intersection. This widening will also allow space for a painted median on both the NH 28 northbound and southbound sides of the intersection. The widening along NH 28 is to extend 950 feet north and 950 feet south of the Depot intersection. The permanent right-of-way (ROW) impacts will extend approximately 20 feet to the west of the existing NH 28 ROW for the length of the turn lanes, and tapering to match the existing width at both ends.

In order to accommodate the additional lane, a total of 11 properties will be affected by the proposed ROW impacts to widen NH 28 on the western side of the road. Of the 11 properties, six properties located within the southwestern portion of the project area and one property located in the northwestern portion of the project area will be fully acquired (Tax Map 89 Lots 1066, 1089, 1090, 1092, 1093, and 1094, and 1149). The proposed widening will impact parking lots within the affected properties as well as demolition of the seven buildings on the parcels that are proposed to be acquired. The project will include building demolition and site grading and restoration of these seven parcels to produce cleared parcels suitable for contractor staging during road construction.

NH 28 will be widened to the west, holding the eastern curb line. The existing pavement cross section will be widened and the pavement will be reconstructed/reclaimed and resurfaced. Curbing, sidewalks and drive aprons will be reconstructed on the east side with the intent of keeping the improvements generally within the existing ROW on that side. New curbing and sidewalks will be constructed on the west side of NH 28. Project work along Main Street and NH 97 will primarily include constructing new sidewalks and pavement resurfacing east of NH 28, and roadway reconstruction and widening with sidewalks west of NH 28. The existing traffic control signals will be

replaced to include controls for the new lane arrangement and improved pedestrian crossings. Pedestrian signals will also be added to accommodate the rail trail crossing of Main Street.

Drainage system improvements will include the replacement of the portions of the system where the existing pipes are not reinforced concrete or where the Town has determined that there are concerns through TV inspection of the pipes. All catch basins and manholes are proposed to be replaced. It is anticipated that the existing drainage system will not need to be upgraded since the project will have little impact on the total amount of contributing impervious area, however the adequacy of the existing drainage system will be reviewed. The Town will replace existing aged water mains within the project prior to final paving.

Please describe all public outreach efforts (see 36 CFR800.2-3) that have been done to-date. Identify Consulting Parties and include any public feedback (if applicable, attached pages if necessary):

There is a long history of public discussions surrounding the need and desire to address the traffic operational deficiencies at the Depot intersection. The Town of Salem and the New Hampshire Department of Transportation (NHDOT) have over the years developed various plans to upgrade the intersection. However, due primarily to the impact that the proposed roadway modifications would have had on abutting properties, none of these plans have been implemented. Through an extensive public and abutter outreach effort, a series of alternatives were developed and evaluated for a 2012 Depot Area Economic Revitalization Plan, which resulted in a consensus-driven coordinated roadway and land use vision for the Depot area. The following meetings have been held to engage the public in discussions regarding alternatives to address the intersection's operational deficiencies and the effects of these alternatives, as well as to develop a vision for land use around the reconfigured intersection:

04/17/2008	Property Owners Meeting (Local Concerns Meeting)
05/12/2008	Board of Selectmen Meeting (Local Concerns Meeting)
04/06/2009	Depot Redevelopment Advisory Committee Meeting
08/03/2009	Board of Selectmen Meeting
11/09/2009	Depot Redevelopment Advisory Committee Meeting
02/11/2010	Depot Redevelopment Advisory Committee Meeting
11/04/2013	Board of Selectmen Meeting (to select the preferred design alternative)

In addition, a public hearing on the proposed project is anticipated in September/October 2017.

Based on a review of the project, as presented to date, it has been determined that:

Section 106 Effect Determination	<input type="checkbox"/> No Historic or Archaeological Properties will be Affected
	<input type="checkbox"/> There will be No Adverse Effect on Historic or Archaeological Properties
	<input checked="" type="checkbox"/> There will be an Adverse Effect on Historic or Archaeological Properties or Resources
	Additional comments, please explain <i>why</i> the undertaking has resulted in the above effect: The Daisy Cleaners property (DHR# SAL1004), located at 14 South Broadway, has been determined eligible for the National Register (DOE 4/26/2017). Daisy Cleaners was constructed in 1960 by the Touma family as a purpose-built dry cleaners. The Touma family came from Syria during an important time in Salem's history when Syrian and Armenian immigrants relocated to the area to escape from political and social unrest. The building is located on one of Salem's busiest commercial strips, typical of mid-century commercial development. A historic sign is located adjacent to the roadway. The building retains many mid-

	<p>century characteristics including an open floor plan fronted by a storefront system, including a streamlined roofline that projects over full-height plate glass windows extending across the façade, expressing a vernacular International Style common during this period.</p> <p>The widening of NH 28 to allow exclusive left-turn lanes necessitates the full acquisition of the Daisy Cleaners property to achieve the necessary right-of-way, with subsequent building demolition and site grading. The demolition of this eligible property will result in an adverse effect. Based on the need to address the operational deficiencies and safety concerns associated with this intersection, widening the road cannot be reasonably avoided.</p> <p>Mitigation strategies for adverse effects to the historic Daisy Cleaners property are being developed with the input of town stakeholders and NHDHR.</p> <p>An additional historic district, the Manchester & Lawrence Railroad (MLT-MLRR) is located within the APE but will not be adversely impacted. The district was determined eligible in 2009. The railroad right-of-way (ROW) runs west of Route 28 (South Broadway and North Broadway) along the project area, and the entire ROW in Salem is in various stages of rehabilitation as a rail trail. At the west end of the project, approximately 550 square feet of the ROW will be used for intersection approach improvements. At the south end of the project approximately 200 square feet of the ROW will be used to accommodate the Route 28 roadway widening. Minor temporary easements are also anticipated for grading. Currently the sites are developed as paved parking lots encroaching on the former railroad ROW and no adverse effects to the eligible district are anticipated.</p> <p>There are two railroad-related structures in the Salem Depot area that are contributing resources to the railroad district. These properties are located within the project APE but will not be impacted. Salem Depot (SAL0039) was constructed in 1867 and remained in use until 1953. It was subject to a sympathetic restoration project in 2010, and was listed in the State Register in 2011. The DOE for the building also notes its individual eligibility for the National Register under A and C. The depot is adjacent to the western terminus of the project area, but will not be directly affected. At the north end of the project area is the former Salem Freight House (59 North Broadway), which has been used by Dodge Grain since the end of railroad service in the mid-20th century. <i>Project work in its vicinity is limited to a strip take in a previously altered grass area.</i></p>
--	--

In accordance with the Advisory Council's regulations, we will continue to consult, as appropriate, as this project proceeds.

Section 4(f) (to be completed by FHWA)	<i>There Will Be:</i>	<input type="checkbox"/> No 4(f);	<input type="checkbox"/> Programmatic 4(f);	<input checked="" type="checkbox"/> Full 4 (f); or
		<input type="checkbox"/> A finding of <i>de minimis</i> 4(f) impact as stated: In addition, with NHDHR concurrence of no adverse effect for the above undertaking, and in accordance with 23 CFR 774.3, FHWA intends to, and by signature below, does make a finding of <i>de minimis</i> impact. NHDHR's signature represents concurrence with both the no adverse effect determination and the <i>de minimis</i> findings. Parties to the Section 106 process have been consulted and their concerns have been taken into account. Therefore, the requirements of Section 4(f) have been satisfied.		

Lead Federal Agency
(if applicable)

(date)

8/23/17

NHDOT Cultural Resources Program

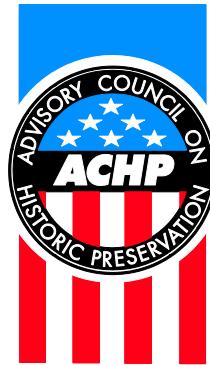
Jill Edler 8/21/2017

The NH State Historic Preservation Officer concurs with these findings:

Richard Abusow DSHPW 8-16-17
NH Division of Historical Resources

cc: FHWA NHDHR ACOE (← as applicable ↑)

Updated December 2015 S:\Environment\CULTURAL RESOURCES\MEMOS\CURRENT\ChecklistMemo FINAL.docx



Preserving America's Heritage

November 6, 2017

Mr. Jamison S. Sikora
Environmental Program Manager
Federal Highway Administration
New Hampshire Division
53 Pleasant Street, Suite 2200
Concord, NH 03301

Ref: *Proposed Route 28/97 (Salem Depot) Intersection Improvement Project
Salem, Rockingham County, New Hampshire
Federal No. STP-X-5399(011); NH State No. 12334*

Dear Mr. Sikora:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the New Hampshire State Historic Preservation Officer (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact Ms. MaryAnn Naber at (202) 517-0218 or via email at mnaber@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637
Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov

MEMORANDUM OF AGREEMENT

AMONG NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION,

FEDERAL HIGHWAY ADMINISTRATION,

and the

NEW HAMPSHIRE STATE HISTORIC PRESERVATION OFFICER

Regarding the project known as the Salem Depot Project [NHDOT Project Salem 12334, FHWA Project X-MGS-STP-X-5399(011)] which plans to reconstruct the intersection of NH 28 (North and South Broadway) with NH 97 (Main Street):

WHEREAS, the Federal Highway Administration (FHWA) plans to provide funds for the New Hampshire Department of Transportation (NHDOT) to reconstruct a portion of NH 28 (North and South Broadway) and NH 97 (Main Street west of NH 28) in the Town of Salem, New Hampshire; and

WHEREAS, the undertaking consists of reconstruction of the intersection of NH 28 with NH 97, including widening to include exclusive left-turn lanes on all four intersection approaches with two travel lanes in each direction on NH 28 and a single travel lane in each direction on NH 97, and drainage system improvements where deficiencies have been noted; and

WHEREAS, FHWA has defined the undertaking's area of potential effect (APE) as properties adjacent to limits of the project along approximately 2000 feet of NH 28 and 500 feet of NH 97; and

WHEREAS, FHWA has determined that the undertaking will have an adverse effect on Daisy Cleaners, which has been determined to be eligible for listing in the National Register of Historic Places, and has consulted with the NHDOT and the New Hampshire State Historic Preservation Officer (SHPO) pursuant to 36 C.F.R. part 800, of the regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108); and

WHEREAS, the Manchester & Lawrence Railroad (MLT-MLRR) historic district, determined eligible for listing on the National Register, will not be adversely impacted by the proposed project; and

WHEREAS, NHDOT has coordinated with the Town of Salem and other interested parties through Public Informational Meetings and a Public Hearing held on October 19, 2017, but no Consulting Parties have been identified; and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), FHWA has notified the Advisory Council on Historic Preservation (AHP) of its adverse effect determination with specified documentation and the AHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii);

NOW, THEREFORE, FHWA, NHDOT and the SHPO agree that the undertaking shall be implemented in accordance with the following stipulations to take into account the effect of the undertaking on historic properties.

I. STIPULATIONS

FHWA and NHDOT shall ensure that the following measures are carried out:

1. NHDOT and FHWA will prepare a historic context for mid-twentieth century suburban commercial strip development in southern New Hampshire. This context is intended to further the framework established in "*Mid-20th Century Architecture in NH: 1945-1975*," prepared in 2012 for the New Hampshire Department of Employment Security.

The scope of work for the preparation, review, and distribution of this context will be developed by NHDOT, the Town of Salem, and SHPO. As a resource, the context is intended as a tool for use by NHDOT and others in the future assessment of the National Register eligibility of, and effects to, resources that reflect this development and use type. It is also intended as an educational tool for communities to understand this common streetscape type, at a time when many examples of this development are reaching 50 years of age. It is assumed that the context can be developed primarily through published source material, images, and archives.

A draft document will be submitted to NHDOT and SHPO for review prior to final distribution; the review period for each agency shall be 30 days.

Once final, one hard copy (unbound) and one electronic copy of the final document will be provided to NHDOT, SHPO, the Salem Historical Society, the Kelley Library in Salem and the State Library in Concord, NH.

The context is anticipated to examine the following research questions/topics:

- A historical background on how the suburban commercial strip developed on a national, state, and regional level. How did Salem, NH, exhibit similar or differing characteristics of historical development?
- How, and to what extent, did trends in planning, automobile usage, and consumer preference influence the development of this particular type of commercial corridor, at this historical moment?
 - What was the role of single-use zoning and land use in the layout of the linear commercial strips?
 - How did the post-World War II automobile culture help shape the commercial strip?

- What were the precedents that led to the suburban commercial strips that became common in the mid-twentieth century, and how did they evolve in the decades leading up to this time period?
- What are the property types commonly associated with this development pattern?
 - What are the character-defining features of these resource types?
 - Were there local practitioners who were particularly prolific or influential on the local or regional level?
- What would make resources eligible for the National Register under this context?

2. NHDOT and Town of Salem will preserve the historic “Daisy Cleaners” sign as follows:

- a. Relocation to New Daisy Cleaners Location - NHDOT and the Town will work with the current owner of “Daisy Cleaners” to relocate the sign to the new business location. Costs for the relocation of the sign would be the responsibility of the NHDOT and the Town of Salem, including removal and transportation of the sign to its new location, and the re-installation of the sign on a new foundation outside of the business or as a display inside the business. Once installed, subsequent operation and maintenance costs for the sign would be the responsibility of the business and/or property owner.
- b. Arrange for Preservation at Historical Non-Profit Organization - If, for any reason, the sign cannot be relocated to the new Daisy Cleaners, then NHDOT and the Town will offer the sign to the Salem Historical Museum for preservation as part of the museum’s collection. If the Salem Historical Museum declines or is unable to take ownership, then the sign would be offered to Historic New England, or similar entity, for the same purpose. NHDOT and the Town will be responsible for the removal of the sign and its transportation to the accepting museum, but storage and curation costs would be the responsibility of the accepting museum.
- c. Final Consultation - If the above strategies to fulfill Stipulation 2 do not result in preservation of the Daisy Cleaners sign, the signatories to this agreement will consult to determine if any additional reasonable preservation option exists. This consultation will not constitute reopening this MOA; instead it will allow stakeholders to make a final decision specifically related to the preservation of the sign.

3. NHDOT and the Town of Salem will provide three 8” x 10” printed photographs from the Individual Inventory Form to the owner of the Daisy Cleaners for display in the new location.

II. DURATION

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Item IV below.

III. POST-REVIEW DISCOVERIES

In the event of discovery of a previously unidentified site or human remains during project construction, the following stipulations shall be followed:

- a. If human remains are discovered during project construction, that portion of the project will stop immediately. The resident engineer shall notify the county medical examiner and the state archaeologist at NH SHPO as per RSA 227-C:8-a-II, as well as the NHDOT Cultural Resources Program Specialist/Archaeologist or Cultural Resources Program Manager so that the proper steps may be taken by these agencies to determine proper procedures and identify the appropriate notification process. Cover and protect the burial. Construction activities shall not continue until verbal notification is provided by the NHDOT. If the human remains are determined by the medical examiner to be subject to the provisions of RSA 227-C:8-b then FHWA with NHDOT and NH SHPO shall be responsible for complying with RSA 227-C:8 and NAGPRA, not the investigating archaeologist.
- b. When the burial is Native American, whether or not the group is federally recognized, RSA 227-C:8-d directs the State Archaeologist to immediately notify the leaders, officials, or spokesperson of Native American tribes or groups to determine the appropriate treatment of the burial (see also RSA 227-C:8-g). In addition, a treatment and reburial plan shall be developed in full consultation with the appropriate Native American group(s) in compliance with the requirements of NAGPRA.
- c. When the burial is not Native American, the State Archaeologist and often the NHDOT Bureau of Right of Way seek identification of descendants to determine wishes for disposition of the burial (see also RSA 227-C:8-e and 8-g). If skeletal analysis is deemed appropriate, this study shall be undertaken by a qualified analyst in consultation with the NH SHPO and NHDOT (see RSA 227-C:8-f).
- d. If unanticipated archaeological features and artifacts are discovered, that portion of the project shall stop immediately. The resident engineer shall notify the NHDOT Cultural Resources Program Specialist/Archaeologist or Cultural Resources Program Manager and the State Archaeologist at the NH SHPO so that the proper steps may be taken by these agencies to determine proper procedures. Regulation 36 CFR 800.13 (b) states that if historic properties are located after the conclusion of the Section 106 process as "post review discoveries," for example those arising during construction, the federal agency official shall make every reasonable effort to avoid, minimize, or mitigate the effect of the project on the properties. In such situations in which the NHDOT must recover archaeological remains in a short time period and they do not involve human remains, the identified features and artifact concentrations shall be recovered following the guideline for Phase III excavations as closely as possible. Construction monitoring of the affected area may follow this recovery if the type of archaeological deposit, landscape, vegetation, and project allow this approach to be effective.

IV. MONITORING AND REPORTING

Each year following the execution of this MOA until it expires, is terminated, or stipulations completed, NHDOT shall provide all parties to this MOA a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in FHWA's efforts to carry out the terms of this MOA.

V. DISPUTE RESOLUTION

Should any signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with such party to resolve the objection. If the FHWA determines that such objection cannot be resolved, FHWA will:

- B. Forward all documentation relevant to the dispute, including FHWA's proposed resolution, to the ACHP. The ACHP shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.
- C. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
- D. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VI. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

VII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation IV, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, FHWA must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

Execution of this MOA by FHWA, NHDOT and SHPO and implementation of its terms evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

FEDERAL HIGHWAY ADMINISTRATION

By: Levij Bauer Date: 3/5/2018
FOR Patrick A. Bauer
NH Division Administrator

NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

By: Elizabeth H. Muzzey Date: 2/26/18
FOR Elizabeth H. Muzzey
State Historic Preservation Officer

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

By: C. R. Willche Date: 3/5/18
FOR Peter E. Stamnas
Director of Project Development

TOWN OF SALEM, NEW HAMPSHIRE

By: Christopher A. Dillon Date: 3/2/18
FOR Christopher A. Dillon
Town Manager

Appendix E

Environmental Justice Population Analysis



STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
INTER-OFFICE COMMUNICATION

RECEIVED
BUREAU OF ENVIRONMENT

MAR 06 2017

NH DEPARTMENT OF
TRANSPORTATION

DATE: March 6, 2017

FROM: *JL* Jay Ankenbrock, Chief of Labor Compliance,
Office of Federal Compliance

TO: Marc Laurin, Senior Environmental Manager, Bureau of Environment

RE: Environmental Justice Population Analysis, Project: **Salem 12334**

The attached analysis and recommendations are provided pursuant to Title VI of the Civil Rights Act of 1964 and Executive Orders 12898 & 13166. The intent of these statutes is to ensure fair and full participation and the equal receipt of benefits under Federally-assisted programs. Your efforts to accommodate and encourage participation by traditionally underserved groups, where significant, will ensure program access and minimize the potential for disproportionate project impacts on protected groups.

The table entitled "EJ Population Analysis" shows the presence of protected groups that might be impacted by the project. Personnel responsible for project planning/design and the coordination of public meetings/hearings should use this analysis to guide their outreach efforts under Title VI and in support of developing a context sensitive solution. Based on the availability of information and where appropriate, we have included specific outreach recommendations to facilitate public comment from underrepresented groups.

Please note that US Census Bureau, American Community Survey (ACS) 2010-2014 data is used to provide to an EJ Population analysis for the project. If you have questions regarding this analysis, please contact me @ 271-2467.

Encls: EJ Population Analysis

Cc: Michael O'Donnell, Bureau of Traffic
Kevin Nyhan, Administrator, Bureau of Environment
Jennifer Jack, Bureau of Right-of-Way

EJ Population Analysis for Project:

STUDY AREA	AVG% Elderly Population	AVG % Minority Population	AVG % Low-income Household Population**	AVG% LEP
Impacted Area – County, 1 mile radius of project area.	20.62%	7.49%	18.38%	1.32%
Surrounding Area- County, 3 mile radius of project area.	14.91%	6.63%	8.96%	1.41%

REMARKS:

* The population percentage identified is meaningfully greater than the surrounding area and constitutes an EJ population. Characteristics of this particular study area indicate that targeted outreach efforts to solicit public participation should be taken.

** Low-income population for this analysis is defined as household income of less than \$25,000.

LEP Definition: Where there is a population of people who speak English as a second language less than well (as indicated by the U.S. Census data). When a particular LEP language group constitutes 5% of the impacted population, the Department is required to translate public information meeting notices and take appropriate measures to ensure language access. If this requirement exists, the Project Manager should contact the Title VI Coordinator for further assistance.

Impacted Area: The impacted area was defined by the project limits and a 1 mile radius the immediate vicinity.

Surrounding Area: The surrounding area was defined by a 3 mile radius of the project area.

Special Considerations: Special consideration should be given to any project features that affect pedestrian accessibility. This project constitutes an alteration in accordance with Title II of the Americans with Disabilities Act. As such, minimum ADAAG accessibility requirements apply, unless deemed technically infeasible.

ADAAG was adopted as the 2010 Standards for Accessible Design on July 23, 2010 by the DOJ
<http://www.ada.gov/reg3a.html#Anchor-Appendix-52467>

For more information, I have provided a link to the Draft Public Rights-of-Way Guidelines (PROWAG)

The Draft PROWAG (Revised Draft Guidelines for Accessible Public Rights-of-Way) was released in November 2005 and has not been adopted by DOJ or FHWA

In 2006, FHWA issued a statement that the Draft PROWAG is to be considered best practice for making public rights-of-way accessible

<http://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/background/revised-draft-guidelines>

The Draft PROWAG includes specifications for detectable warnings and gives detailed information regarding their installation on curb ramps and on blended curbs, including at street corners, at cut-through islands and medians, and in front of buildings. It also has sections on accessible pedestrian signals (APS), roundabouts, channelized turn lanes, protruding objects, channelizing devices and barriers, and tactile and print signs.

Outreach Recommendations:

Resident/Agency Address

Org/Housing Type

Contact Name/Number

Salem Town Hall
33 Geremonty Drive
Salem, NH 03079

Susan Wall
603-890-2116

Salem Community Television
44 Geremonty Drive
Salem, NH 03079

603-893-7069 X5118

Kelley Library
324 Main Street
Salem, NH 03079

Alison Baker
603-898-7064

Ingram Senior Center
1 Sally Sweet Way
Salem, NH 03079

603-890-2190

Greater Salem Chamber of Commerce
81 Main Street
Salem, NH 03079

Sue Desjardins
603-893-3177

Salem CAC
85 Stiles Road Suite 103
Salem, NH 03079

603-893-9172

Salem Head Start
171 Zion Hill Road
Salem, NH 03079

603-893-4470

USPS
51 South Broadway
Salem, NH 03079

603-685-2005

Appendix F

Agency Correspondence



From: [Gegas, Vasilios \(Bill\)](#)
To: [Jones, Lindsay](#)
Cc: [Walker, Peter](#)
Subject: RE: Request for review
Date: Friday, March 20, 2015 1:21:30 PM
Attachments: [image002.png](#)

Thanks Lindsay. Below is a list of 6(f) properties in Salem. Based on the information provided there should be no impact to any 6(f) properties within the town. See the attached aerial for proximity.

ProjID	ProjName	ProjType	Sponsor	Municipality	Scope
3300354	HITI TITY BROOK OPEN SPACE AREA	Acquisition	SALEM	Salem	Acquire four parcels(Brown, Geary, Murray, Lundberg) totaling 177.6 acres on Hitity Brook, off Shadow Lake Road.
3300526	SALEM TENNIS COURTS	Development	SALEM	Salem	Develop Lawrence Road with four tennis courts.
3300377R	SALEM OPEN SPACE(MARY QUEEN OF PEACE)	Development	SALEM	Salem	Acquire 49.9 acres undeveloped land on Lawerence Road with frontage on the Spicket River.
3300477	SALEM BALLFIELDS	Development	SALEM	Salem	Develop Lawerence Road with baseball field, softball field, and a parking lot.
3300366	HEDGEHOG PARK	Development	SALEM	Salem	Improve Hedgehog Park by picnic area, tot lot, warming shelter, lighting, game courts, parking, access road, and fencing.
3300314	LANCASTER SCHOOL FIELD (SALEM)	Development	SALEM SD	Salem	Improve Lancaster School Field with a 60' baseball field and a tot lot. Immediately adjacent to elementary school.
3300680	HEDGEHOG PARK SKATE PARK AND ADDITIONS	Development	SALEM	Salem	Addition of a skate park, improved entrance/exit to the park and additional parking.
3300078	SALEM RECREATION AREA	Development	SALEM SD	Salem	Improve the Salem Recreation Area with toilet/storage building, a soccer field, a softball field with backstop, and lights.
3300156	SALEM SOFTBALL FIELD	Development	SALEM	Salem	Development of softball field at Shannon Road.
3300539	SALEM SOCCER FIELD	Development	SALEM	Salem	Improve Lawrence Road (Mary Queen of Peace land) with a soccer field.

Please let me know if you have any questions.

Bill

Bill Gegas
Program Specialist
NH Division of Parks and Recreation
172 Pembroke Road, P.O. Box 1856
Concord, NH 03302-1856
Tel: 603-271-3556
Fax: 603-271-3553
bill.gegas@dred.nh.gov
www.nhstateparks.org

From: Jones, Lindsay [mailto:LGJones@VHB.com]
Sent: Friday, March 20, 2015 1:08 PM
To: Gegas, Vasilios (Bill)
Cc: Walker, Peter
Subject: RE: Request for review

No problem Bill, the attachment is included in this email. Thank you for your assistance!

Lindsay Jones
Environmental Scientist

P 603.391.3916
www.vhb.com

From: Gegas, Vasilios (Bill) [<mailto:Vasilios.Gegas@dred.nh.gov>]

Sent: Friday, March 20, 2015 1:03 PM

To: Jones, Lindsay

Cc: Walker, Peter

Subject: RE: Request for review

Hi Lindsay,
The attachment didn't come through to me. Can you forward that to me?
Thanks
Bill

Bill Gegas
Program Specialist
NH Division of Parks and Recreation
172 Pembroke Road, P.O. Box 1856
Concord, NH 03302-1856
Tel: 603-271-3556
Fax: 603-271-3553
bill.gegas@dred.nh.gov
www.nhstateparks.org

From: Bryce, Philip
Sent: Wednesday, March 18, 2015 12:42 PM
To: Jones, Lindsay
Cc: Walker, Peter; Gegas, Vasilios (Bill)
Subject: RE: Request for review

Ms. Jones,
Via this email I am asking Bill Gegas who administers the LWCF program for the state to follow up. If you don't hear from him in a timely fashion, please let me know.

Phil

Philip A. Bryce
Director
NH Division of Parks and Recreation
(w) 603-271-3556 (c) 603-340-7846
www.nhstateparks.org
Philip.Bryce@dred.nh.gov

NH State Parks License Plate information at:
<http://www.nhstateparks.org/get-involved/parks-plate.aspx>

From: Jones, Lindsay [<mailto:LGJones@VHB.com>]
Sent: Wednesday, March 18, 2015 12:01 PM
To: Bryce, Philip
Cc: Walker, Peter
Subject: Request for review

Hello,

VHB is preparing an Environmental Study for the town of Salem, NH to upgrade the NH Route 28/97 (Salem Depot) intersection (see figure attached). A portion of the study is to document the existing environmental issues and constraints in the vicinity of the project location. VHB requests information regarding any DRED Land and Water Conservation Fund (LWCF) properties within the vicinity of the project location. Any data or information supplied by your office will be incorporated into the Environmental Study.

Please don't hesitate to contact me if you have any questions.

Lindsay Jones
Environmental Scientist



Same people. Same passion. Fresh look.

2 Bedford Farms Drive
Suite 200
Bedford, NH 03110-6532
P | F 603.518.7495
lgjones@vhb.com

Engineers | Scientists | Planners | Designers
www.vhb.com

This communication and any attachments to this are confidential and intended only for the recipient(s). Any other use, dissemination, copying, or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify us and destroy it immediately. Vanasse Hangen Brustlin, Inc. is not responsible for any undetectable alteration, virus, transmission error, conversion, media degradation, software error, or interference with this transmission or attachments to this transmission.

Vanasse Hangen Brustlin, Inc. | info@vhb.com

This communication and any attachments to this are confidential and intended only for the recipient(s). Any other use, dissemination, copying, or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify us and destroy it immediately. Vanasse Hangen Brustlin, Inc. is not responsible for any undetectable alteration, virus, transmission error, conversion, media degradation, software error, or interference with this transmission or attachments to this transmission.

Vanasse Hangen Brustlin, Inc. | info@vhb.com

From: [Walker, Steve](#)
To: [Jones, Lindsay](#)
Subject: RE: Request for review
Date: Wednesday, March 18, 2015 3:59:12 PM

Hi Lindsay, there are no LCIP properties in your project area. Thanks steve

Steve Walker
Office of Energy and Planning
Stewardship Specialist
603-271-6834

From: Jones, Lindsay [mailto:LGJones@VHB.com]
Sent: Wednesday, March 18, 2015 11:51 AM
To: Walker, Steve
Cc: Walker, Peter
Subject: Request for review

Hello Steve,

VHB is preparing an Environmental Study for the town of Salem, NH to upgrade the NH Route 28/97 (Salem Depot) intersection (see figure attached). A portion of the study is to document the existing environmental issues and constraints in the vicinity of the project location. In 2013, VHB requested information regarding any Conservation Land Stewardship Program (CLS) properties within the vicinity of the project location, and is now requesting information regarding any updates to these parcels since 2013. Any data or information supplied by your office will be incorporated into the Environmental Study.

Please don't hesitate to contact me if you have any further questions.

Lindsay Jones
Environmental Scientist



Same people. Same passion. **Fresh look.**

2 Bedford Farms Drive
Suite 200
Bedford, NH 03110-6532
P | F 603.518.7495
ljones@vhb.com

Engineers | Scientists | Planners | Designers
www.vhb.com

This communication and any attachments to this are confidential and intended only for the recipient(s). Any other use, dissemination, copying, or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify us and destroy it immediately. Vanasse Hangen Brustlin, Inc. is not responsible for any undetectable alteration, virus, transmission error, conversion, media degradation, software error, or interference with this transmission or attachments to this transmission.
Vanasse Hangen Brustlin, Inc. | info@vhb.com

From: [Paula Bellemore](#)
To: [Jones, Lindsay](#)
Subject: FW: Request for review
Date: Thursday, March 19, 2015 10:18:27 AM
Attachments: [Figure 1-SLM.pdf](#)

Lindsay,
LCHIP does not have any protected resources within or adjacent to the project area described.

Paula

Paula S. Bellemore, Natural Resource Specialist
Land and Community Heritage Investment Program

13 West Street, Suite 3
Concord, NH 03301
603.224.4113

www.LCHIP.org

From: Dijit Taylor
Sent: Wednesday, March 18, 2015 1:15 PM
To: Paula Bellemore
Subject: FW: Request for review

From: Jones, Lindsay [<mailto:LGJones@VHB.com>]
Sent: Wednesday, March 18, 2015 11:55 AM
To: Dijit Taylor
Cc: Walker, Peter
Subject: Request for review

Hello Ms. Taylor,

VHB is preparing an Environmental Study for the town of Salem, NH to upgrade the NH Route 28/97 (Salem Depot) intersection (see figure attached). A portion of the study is to document the existing environmental issues and constraints in the vicinity of the project location. In 2013, VHB requested information regarding any Land and Community Heritage and Investment Program (LCHIP) properties within the vicinity of the project location, and is now requesting information regarding any updates to these parcels since 2013. Any data or information supplied by your office will be incorporated into the Environmental Study.

Please don't hesitate to contact me if you have any further questions.

Lindsay Jones
Environmental Scientist



Same people. Same passion. **Fresh look.**

2 Bedford Farms Drive
Suite 200
Bedford, NH 03110-6532
P | F 603.518.7495
lgjones@vhb.com

Engineers | Scientists | Planners | Designers
www.vhb.com

This communication and any attachments to this are confidential and intended only for the recipient(s). Any other use, dissemination, copying, or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify us and destroy it immediately. Vanasse Hangen Brustlin, Inc. is not responsible for any undetectable alteration, virus, transmission error, conversion, media degradation, software error, or interference with this transmission or attachments to this transmission.

Vanasse Hangen Brustlin, Inc. | info@vhb.com

Appendix G

Threatened and Endangered Species Correspondence





To: Lindsay Jones
2 Bedford Farms Drive Suite 200
Bedford, NH 03110-6532

Date: 2/27/2017

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 2/27/2017

NHB File ID: NHB17-0607

Applicant: Town of Salem

Location: Tax Map(s)/Lot(s):
Salem

Project Description: Reconfigure the existing NH Route 28 and NH Route 97 intersection, known as the Salem Depot, in the Town of Salem. The existing intersection has operational deficiencies during peak hours. The project would involve the widening of NH Route 28 to include an exclusive left-turn lane at the Depot intersection.

The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded occurrences for sensitive species near this project area.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 2/26/2018.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-0607





United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 COMMERCIAL STREET, SUITE 300
CONCORD, NH 03301
PHONE: (603)223-2541 FAX: (603)223-0104
URL: www.fws.gov/newengland

Consultation Code: 05E1NE00-2017-SLI-0936

February 27, 2017

Event Code: 05E1NE00-2017-E-01703

Project Name: Salem Depot NH 28 / NH 97 Intersection Improvement Project

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan

(http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:
<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;
<http://www.towerkill.com>; and
<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Salem Depot NH 28 / NH 97 Intersection Improvement Project

Official Species List

Provided by:

New England Ecological Services Field Office

70 COMMERCIAL STREET, SUITE 300

CONCORD, NH 03301

(603) 223-2541

<http://www.fws.gov/newengland>

Consultation Code: 05E1NE00-2017-SLI-0936

Event Code: 05E1NE00-2017-E-01703

Project Type: TRANSPORTATION

Project Name: Salem Depot NH 28 / NH 97 Intersection Improvement Project

Project Description: Reconfigure the existing NH Route 28 and NH Route 97 intersection, known as the Salem Depot, in the Town of Salem. The existing intersection has operational deficiencies during peak hours. The project would involve the widening of NH Route 28 to include an exclusive left-turn lane at the Depot intersection.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Salem Depot NH 28 / NH 97 Intersection Improvement Project

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-71.231746673584 42.78451969077204, -71.23095273971559 42.78477165943259, -71.22915029525758 42.782377915751276, -71.22846364974977 42.782330669878824, -71.22814178466798 42.7816062286528, -71.22865676879884 42.781558982191456, -71.22672557830812 42.77888162380691, -71.22764825820924 42.778550883266625, -71.22985839843751 42.78144874030808, -71.2307381629944 42.78148023800906, -71.23106002807619 42.78247240738808, -71.23035192489625 42.7824251615877, -71.231746673584 42.78451969077204)))

Project Counties: Rockingham, NH



United States Department of Interior
Fish and Wildlife Service

Project name: Salem Depot NH 28 / NH 97 Intersection Improvement Project

Endangered Species Act Species List

There are a total of 1 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Mammals	Status	Has Critical Habitat	Condition(s)
Northern long-eared Bat (<i>Myotis septentrionalis</i>) Population: Wherever found	Threatened		



United States Department of Interior
Fish and Wildlife Service

Project name: Salem Depot NH 28 / NH 97 Intersection Improvement Project

Critical habitats that lie within your project area

There are no critical habitats within your project area.



United States Department of the Interior

FISH AND WILDLIFE SERVICE



New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
<http://www.fws.gov/newengland>

January 8, 2018

To Whom It May Concern:

The U.S. Fish and Wildlife Service's (Service) New England Field Office has determined that individual review for specific types of projects associated with highway maintenance and upgrade activities **is not required**. These comments are submitted in accordance with provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

Due to the high workload associated with responding to many individual requests for threatened and endangered species information, we are attempting to reduce the number of correspondences we conduct. We have evaluated our review process for highway maintenance actions and believe that individual correspondence with this office is not required for the following types of actions on existing roadways:

1. resurfacing projects;
2. intersection improvements, including the construction of traffic signals;
3. routine maintenance and installation of guard rails;
4. lighting improvements.

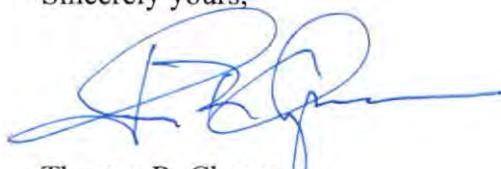
In regard to other proposed highway actions along existing rights-of-way, your review of the list of threatened and endangered species locations in Vermont, New Hampshire, Rhode Island, Connecticut and Massachusetts (available on our website, see below) may confirm that no federally-listed, endangered or threatened species are known to occur in the town or county where the project is proposed. If a listed species is present in the town or county where the project is proposed, further review of the information provided on our website may allow you to conclude that suitable habitat for the species will not be affected. For example, our experience demonstrates that there will be few, if any, highway projects that are likely to affect endangered roseate terns, threatened piping plovers, endangered Jesup's milk-vetch, or other such species found on islands, coastal beaches or in riverine habitats.

For projects that meet the criteria described above, there is no need to contact this office for further project review. A copy of this letter should be retained in your file as the Service's determination that no listed species are present, or that listed species in the general area will not be affected. This correspondence remains valid until January 1, 2019. Updated consultation letters and species lists are available on our website:

<http://www.fws.gov/newengland/EndangeredSpec-Consultation.htm> (accessed January 2018)

Thank you for your cooperation, and please contact David Simmons of this office at 603-227-6425 for further assistance.

Sincerely yours,



Thomas R. Chapman
Supervisor
New England Field Office

Jones, Lindsay

From: Martin, Rebecca <Rebecca.Martin@dot.nh.gov>
Sent: Monday, July 10, 2017 8:06 AM
To: Jones, Lindsay
Subject: FW: Salem Depot Intersection Improvement Project - 12334

Hello Lindsay,

Susi has concurred that these few landscape trees are not habitat for NLEB.

Thank you,
Rebecca

From: vonOettingen, Susi [mailto:susi_vonoettingen@fws.gov]
Sent: Monday, July 10, 2017 8:03 AM
To: Martin, Rebecca
Subject: Re: Salem Depot Intersection Improvement Project - 12334

Hi Rebecca,

Correct, not bat habitat. Especially given the distance from forested areas.

No effect would be my determination as well.

Susi

Susi von Oettingen
Endangered Species Biologist
New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301
(W) 603-227-6418
(Fax) 603-223-0104

www.fws.gov/newengland

On Fri, Jul 7, 2017 at 3:51 PM, Martin, Rebecca <Rebecca.Martin@dot.nh.gov> wrote:

Hello Susi,

One of the consultants has inquired about landscape trees that are planted in front of a grain store in Salem that will be impacted by the Salem Depot Intersection Improvement Project. Below are screen shots taken from Google street view

of the four trees in front of Dodge Grain along NH 28 or North Broadway that are proposed to be removed as part of the roadway widening for this project.





The trees are within the heart of Salem – there is a small tract of forestland to the east of the grain store that is 0.25 miles away and another small one about 0.5 miles away. Other than similar sized forests, all larger tracts of forest are greater than 1.5 to 2 miles away. The Salem town forest is approximately 1.5 miles to the north of these trees. Since these trees are more than 1000 feet from forested habitat, I was going to suggest that they are not potential habitat for NLEB. Would you agree? The Programmatic User Guide Section 2.2 Actions That Will Have No Effect on Bats and/or Indiana Bat Critical Habitat -Some projects for reasons of location or activity type will have “no effect” on the bat species or Indiana bat designated critical habitat .. and includes

Project(s) inside the species range with no suitable summer habitat¹⁰; must also be greater than 0.5 miles from any hibernaculum unless meeting exceptions listed below; - so if these trees are not potential habitat, the project to widen the roadway would have no effect on NLEB, correct?

Thank you,

Rebecca Martin

Environmental Manager

NH DOT Bureau of Environment

7 Hazen Drive

Concord, NH 03302

(603)271-6781

Rebecca.Martin@dot.nh.gov