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SECTION 106 PROJECT REVIEW MEMORANDUM

To: Project File; VT SHPO

Date: 11/14/2023

Subject: NO ADVERSE EFFECT

Project Name: Fair Haven

Project Number: STP BP21(12)

Location: Fair Haven Village on Vermont Route 4A/22A, Rutland County, Vermont.

Distribution: Laura Trieschmann, State Historic Preservation Officer
Julie Ann Held, VTrans Environmental Specialist

The Vermont Agency of Transportation (VTrans) has reviewed this project according to the standards and procedures detailed in the *Programmatic Agreement Among the Federal Highway Administration, the Vermont State Historic Preservation Officer, the Advisory Council on Historic Preservation, and the Vermont Agency of Transportation Regarding the Federal-Aid Highway Program in Vermont* executed in 2023. Completion of this form in accordance with the 2023 PA demonstrates that FHWA has satisfied its Section 106 responsibilities for this project.

Project Description and Location

This project begins at the Liberty Street-Main Street intersection and continues north on Main Street (Vermont Route 4A/22A) to a point near the Main Street-Vermont Route 4A-Vermont Route 22A intersection (*Figures 1-2*).

Work associated with this project includes sidewalk reconstruction and construction, installation of granite curbing, drainage, pavement markings, roadway traffic islands, signage, landscaping, lighting, and other related work.

APE Description

In defining the project Area of Potential Effect (APE) and determining appropriate identification efforts, the potential direct, indirect, and cumulative effects of the project have been considered, including the possible effects to known or potential historic and/or archaeologically sensitive properties and their aspects of integrity both within and beyond the project limits based on the scope, scale, nature, setting, topography, and other environmental factors associated with the project, such as views from and towards the project area and the potential for long-term effects. In the APE map(s) below, the area(s) of ground disturbing activities and/or direct impacts will be outlined in red and the overall APE will be indicated with transparent shaded yellow at Figure 3.

Archaeological Resources

An archaeological resource assessment (ARA) was conducted by project sub-consultant Hartgen Archaeological Associates Inc. in January of 2023. Archaeological recommendations were provided:

The Project has a low precontact archaeological sensitivity and a low historic archaeological sensitivity. Due to extensive previous disturbance during construction of the existing road, sidewalks, buildings, and utilities, the archaeological potential for the Project as a whole is low. The proposed Project will not impact any historic structures, and will be largely contained within existing sidewalks, crosswalks, paved parking areas and roads, and other previously disturbed areas. Hartgen recommends that no further archaeological review is necessary for this Project.

A field visit in the summer 2023 field season was conducted in order to confirm Hartgen's findings of extensive disturbance within the project area. Visual confirmation of grading and landscape alterations were observed and soil cores within the general project area also confirm the previous disturbance. No further archaeological review is recommended given the conditions observed in the field.

Above-Ground Historic Resources

This project is located within the National Register of Historic Places-listed (NRHP) Fair Haven Green Historic District (*Figure 4*).

Public Participation

Numerous public meetings in Fair Haven led by the Selectboard have been held on this project to provide information on its scope, design, anticipated impacts, and to also solicit comments, including feedback on a Downtown Bicycle & Pedestrian Study for Fair Haven from December 20, 2019. The Fair Haven Downtown Revitalization Committee has been included throughout project planning and design. Several articles in the Rutland Herald discussing downtown revitalization and project funding/scope have been published too.

An August 2021, article in the Rutland Herald included the following quote "... 'The Select Board is excited as we start to see the vision come together that was created just a few years ago by local citizens and business owners to revitalize the downtown,' Select Board Chair Chris Cole stated in an email on Tuesday. 'The addition of lighting in the park, reconfiguration of the downtown parking area and improvement to pedestrian safety are all critical to bringing business to our downtown area.'"

Feedback from interested parties and public comments on the proposed project have been overwhelmingly positive.

Analysis

The project activities associated with this undertaking will not result in an adverse effect to the NRHP-listed Fair Haven Green Historic District.

Under Section 106 regulations—36 CFR Part 800.5(a)(1)—adverse effects occur when an undertaking may directly or indirectly alter characteristics of a historic property that qualify it for inclusion in the National Register. 36 CFR Part 800.5(a)(2) provides seven examples of adverse effects on historic properties. The seven examples of adverse effects include:

- (i) Physical destruction of or damage to all or part of the property;
- (ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary's standards for the treatment of historic properties (36 CFR part 68) and applicable guidelines;
- (iii) Removal of the property from its historic location;
- (iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- (v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;
- (vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and
- (vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

Examples i, ii, iv, and v above apply to this undertaking. Reconstructing an existing sidewalk and other associated work within the right of way at Fair Haven's historic commercial block will not damage or destroy significant, character defining features of these historic properties or the Fair Haven Green Historic District. Some variation of a paved sidewalk has historically existed in this location, changing slightly over time in design and materials (*Figures 5-6*). Extant stepping blocks will be temporarily removed and reset, while natural granite curbing compatible with the significant character defining characteristics of the historic district will replace existing concrete curbing. Construction details such as facade reveals and means/methods to prevent water and salt intrusion to building foundations will be refined prior to construction (*Stipulation 1*). Some new paved pedestrian walkways will also be constructed as part of a new pedestrian plaza space (*Figure 6*). Furthermore, vibrations near building foundations will be reduced by using smaller equipment such as plate compactors and a pre-construction conditions assessment

of building foundations will be performed (*Stipulations 2-3*). Street trees removed as part of this project are in varying states of health, but all appear less than 50 years of age and consequently, are not considered significant character defining features of the historic district. Nonetheless, VTrans' Historic Preservation Staff and Landscape Architect have consulted with the town to develop a replanting plan within the project area since historically, trees have helped contribute to the setting, feeling, and design of the area around Fair Haven's green space (*Figure 9*). There will be no physical destruction of, or damage to all or part of the significant, character defining features that define the Fair Haven Village Green Historic District.

A section of the current vehicle parking near 65-87 Main Street in Fair Haven will be converted to a pedestrian plaza. Although some parking will be lost at this historic commercial block, parking will remain on both sides of this pedestrian space and vehicle capacity will be expanded at a newly redesigned park and ride facility proposed directly across the street near the village green (*Figures 6; 10*). This change is reversible, consistent with the Secretary of the Interior's Standards by ensuring the design, materials, feeling, construction, and other characteristics are compatible with the Fair Haven Village Green Historic District and will help to reestablish the pedestrian scale and design of Fair Haven's village core that has existed historically, encouraging a thriving, vibrant downtown core. There will be no alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary's standards for the treatment of historic properties (36 CFR part 68) and applicable guidelines. There will be no change in the character of a historic property's use or of physical features within the property's setting that contribute to its historic significance. In fact, construction of a pedestrian plaza, traffic calming measures, and street lighting will enhance the Fair Haven's village core by making it more accessible to pedestrians.

Street lighting installed as part of this project will similarly be compatible with the character defining features of the historic district, matching new lighting posts and luminaires installed throughout the village green and adjacent park and ride. Easily reversible, the design of these streetlights was developed through a local design committee and has achieved consensus. Finally, traffic islands proposed along Main Street within the APE (*Figure 3*) will help to calm traffic throughout the village core, also contributing to a safer, more pedestrian-accessible historic downtown (*Stipulation 4*). Visual, atmospheric, or audible elements introduced as part of this project such as street lighting and a pedestrian plaza will not diminish the integrity of the Fair Haven Village Green Historic District's significant historic features.

Stipulations

1. Prior to construction, in coordination with VTrans Historic Preservation Staff, sidewalk design details must be refined at building facades to preserve foundation reveals and ensure water and salt/de icer do not affect historic building foundations.
2. Small compactors such as plate compactors should be used to minimize vibrations near buildings during construction.
3. Prior to construction, the conditions of building foundations within the direct project area must be documented.

4. Prior to construction, VTrans Historic Preservation Staff and Landscape Architect must be consulted on and approve the final material, design, and color(s) of the pedestrian plaza, tree wells, and traffic island surfaces to ensure compatibility with the Fair Haven Village Green Historic District.

The above information substantiates VTrans' findings and determination of No Adverse Effect for the above project:

Brennan Gauthier

Brennan Gauthier, Senior Archaeologist

Kyle Obenauer

Kyle Obenauer, Senior Architectural Historian

Attachments:

- Survey Form(s)
- Photos
- Map
- Archaeological Resource Assessment
- Other: Plan Sheets

Images and Illustrations

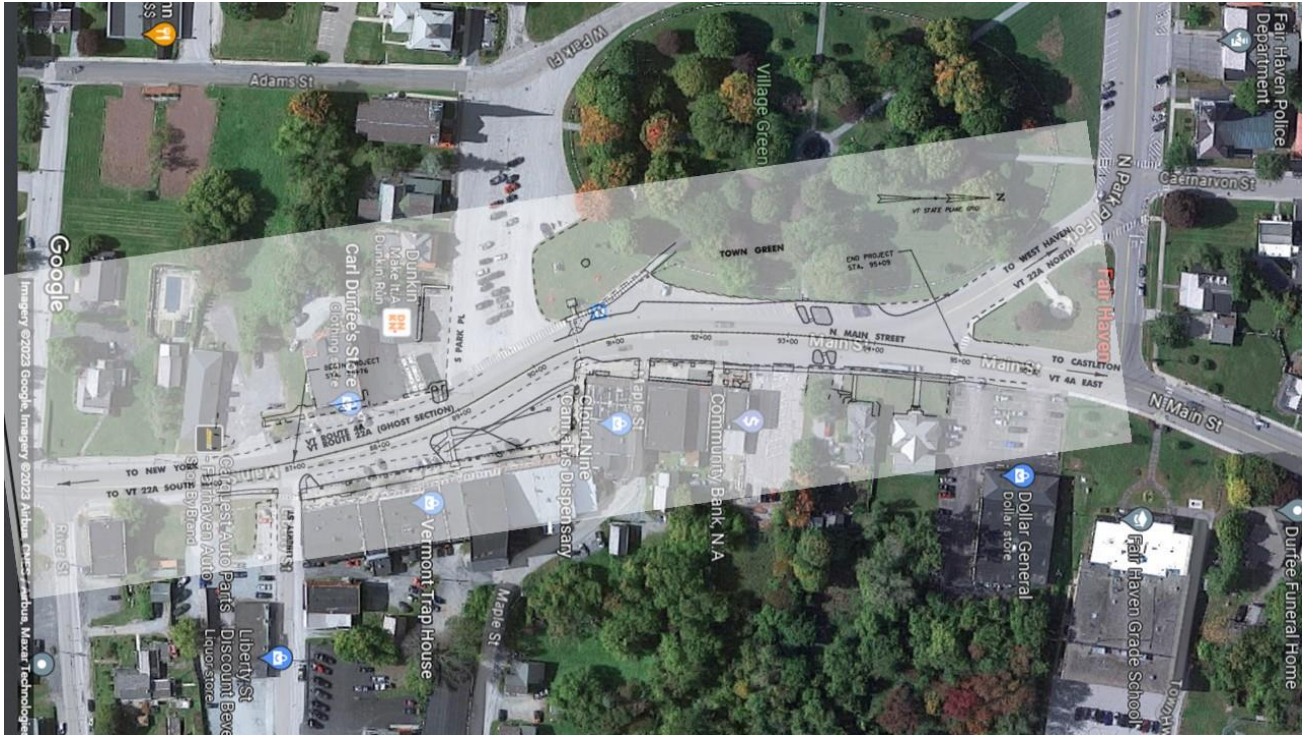


Figure 1: Project Location at Fair Haven village.

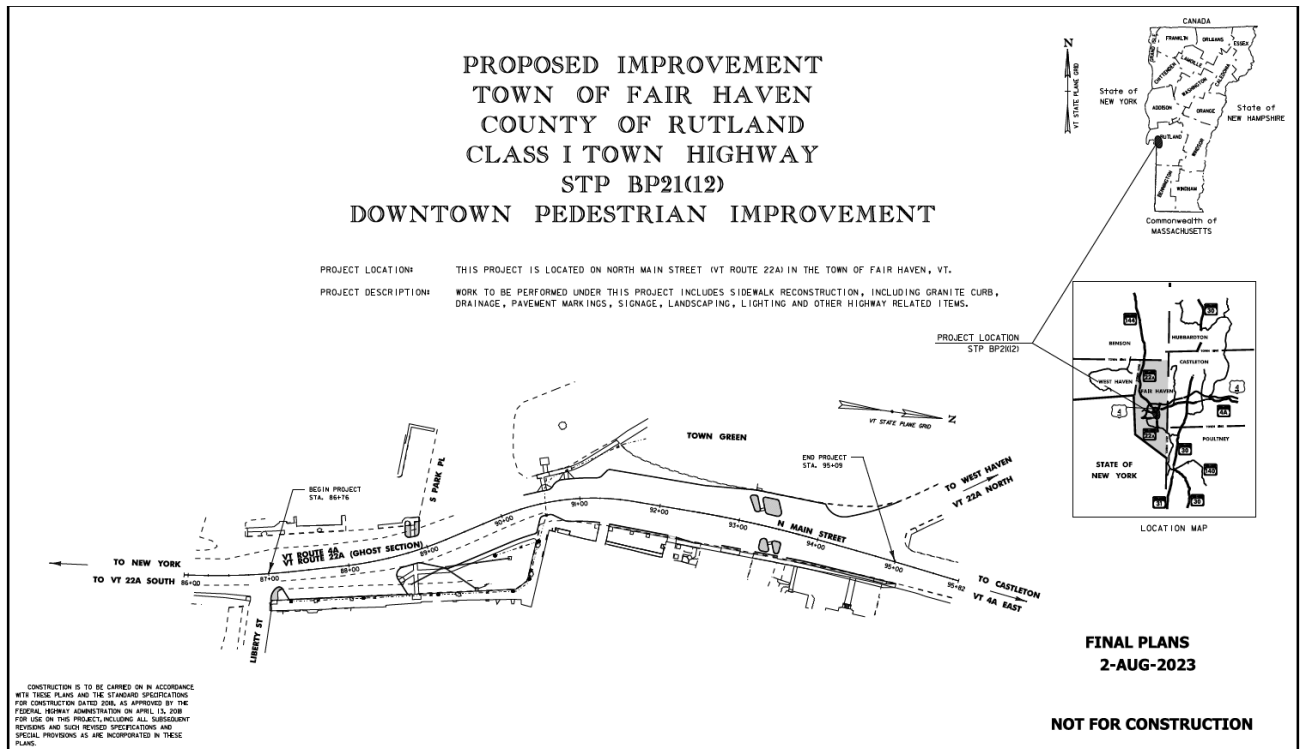


Figure 2: Project Location.



Figure 3: APE

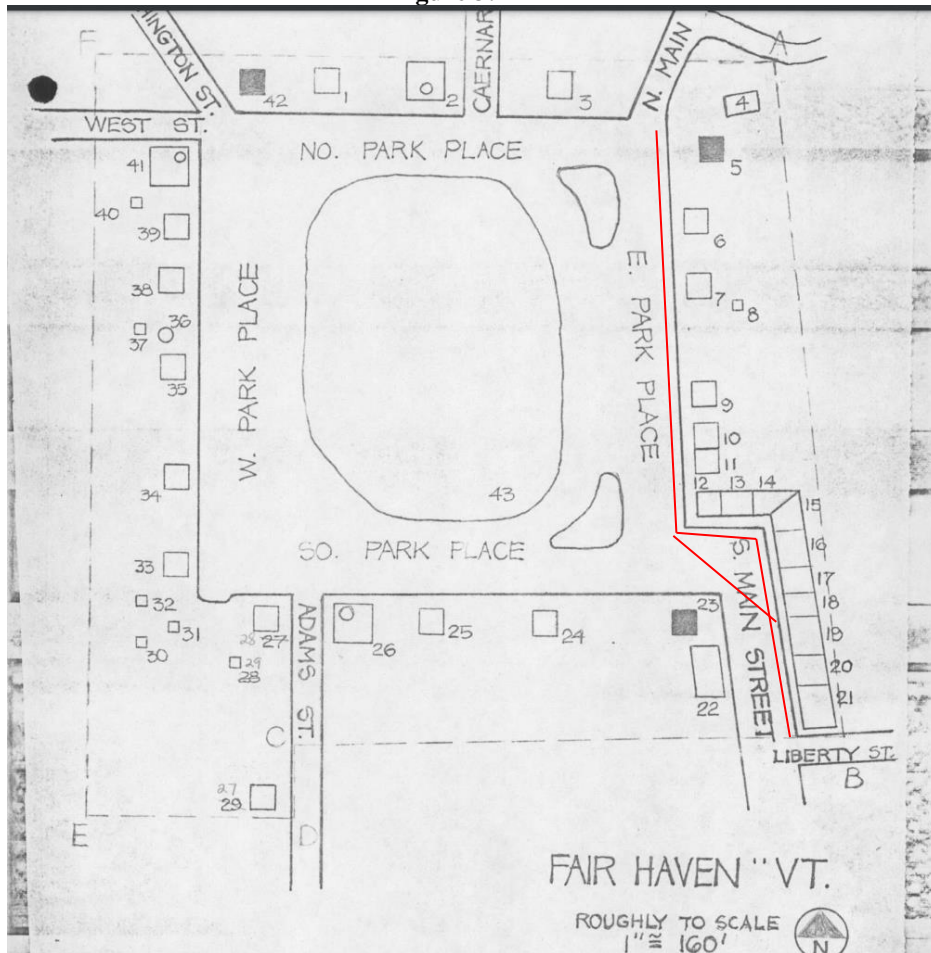


Figure 4: National Register-listed Fair Haven Green Historic District boundaries with project location in red.



Figure 5. Project area looking north-northeast, around 1979.



Figure 6. Fair Haven Village, 1920-30s.

SPECIAL PROVISION
 (STREET LIGHT ASSEMBLY OR
 ORNAMENTAL STREET LIGHT ASSEMBLY)
 STA. 87+25 RT
 STA. 88+12 RT
 STA. 88+94 RT
 STA. 89+73 RT
 STA. 89+77 RT
 STA. 90+03 RT
 STA. 90+36 RT

WIRED CONDUIT (1/2 INCH 80 PVC)
 STA. 87+25 RT - STA. 91+25 LT
 STA. 89+73 RT - STA. 90+36 RT

KEY	QTY	Botanical Name	Common Name	SIZE	ROOT	COMMENTS
TREES						
MS	7	<i>Molus Spring Snow</i>	Spring Snow Crabapple	5-6' Ht.	2" Cal. 88.B	Fruitless variety
MP	4	<i>Molus Prairiefire</i>	Prairie Fire Crabapple	5-6' Ht.	2" Cal. 88.B	
SHRUBS						
TM	17	<i>Taxus media 'taurana'</i>	Taunton Yew	24" Ht.	#3 Cont.	5' O.C.
HERBACEOUS						
NW	63	<i>Argemone 'Walker's Low'</i>	Walker's Low Ornamental Catmint		#2 Cont.	24" O.C.
PVS	65	<i>Panicum virgatum 'Shirlandoah'</i>	Shirlandoah Switchgrass		#2 Cont.	36" O.C.
RI	23	<i>Rubus fulgens 'Goldstrum'</i>	Goldstrum Black Eyed Susan		#2 Cont.	24" O.C.

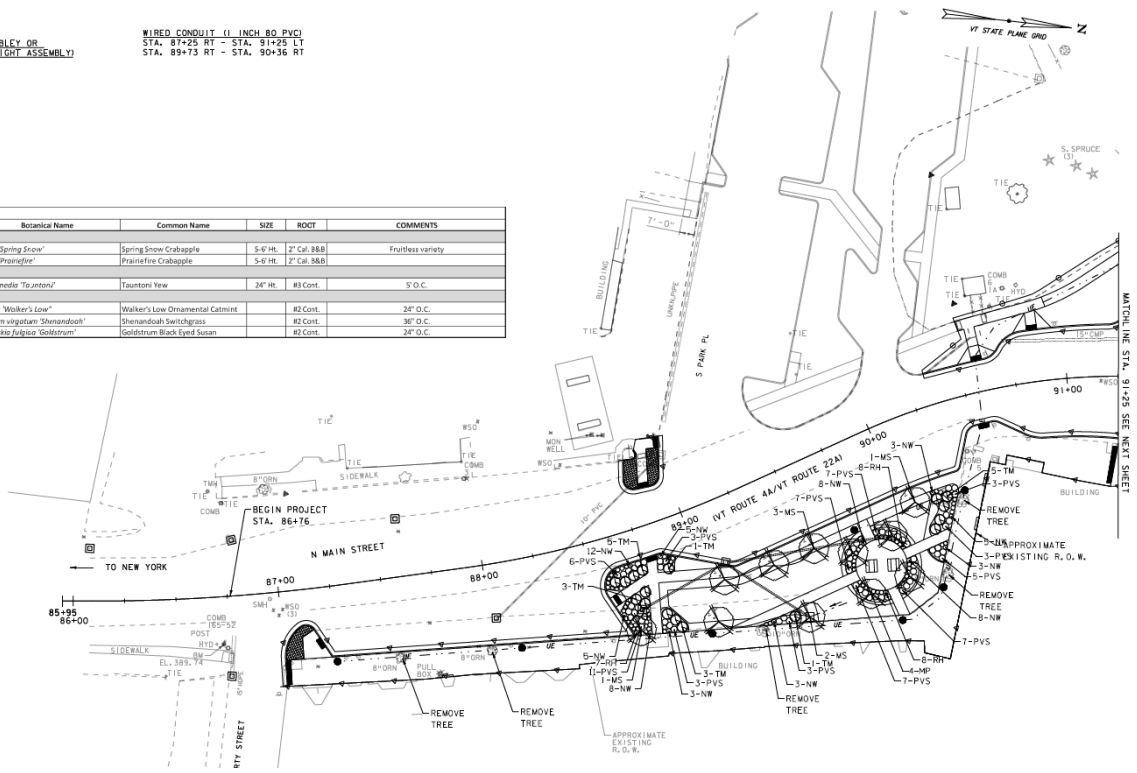


Figure 6. Pedestrian Plaza Layout



Figure 7. View of Fair Haven's Main Street, looking north-northeast towards project area.



Figure 8. View of project area from Main Street, looking south.



Figure 9. Main Street, Fairhaven around 1907. Note street trees, likely elms.

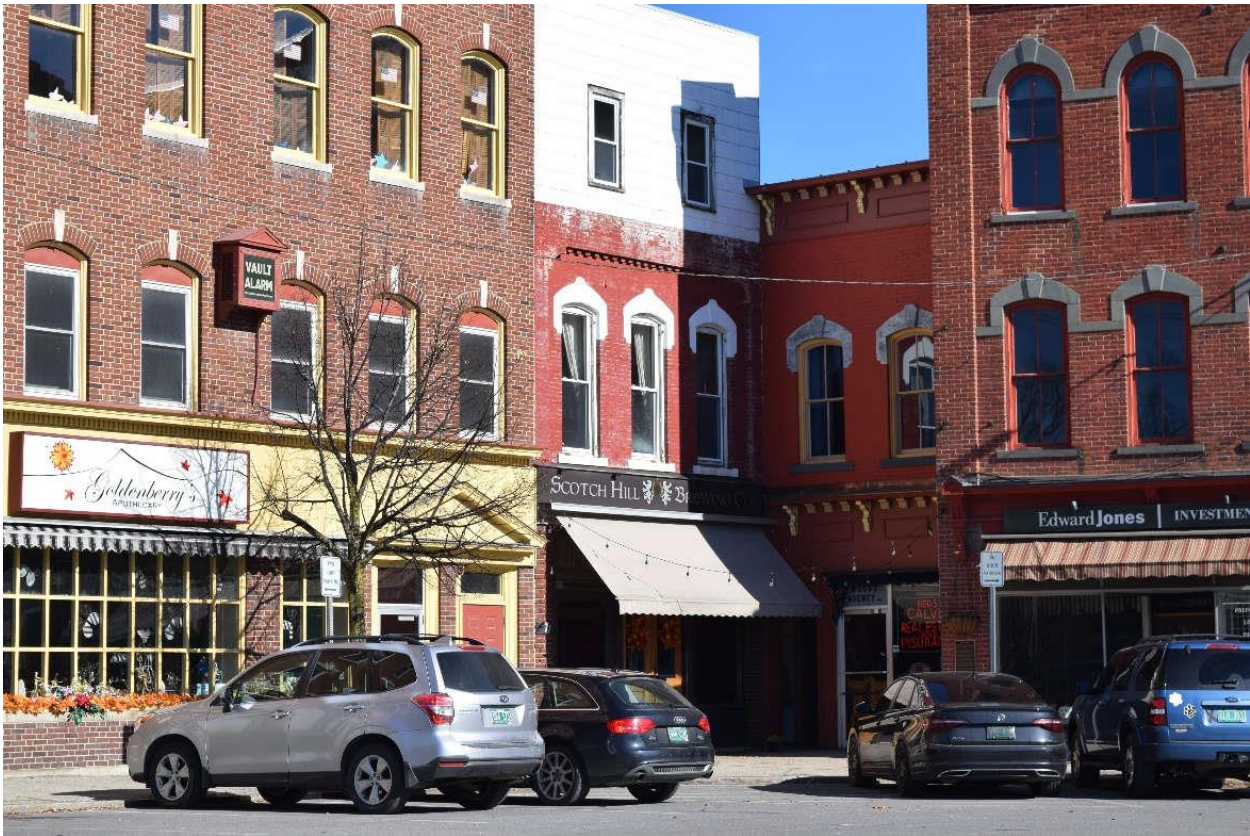


Figure 10. Area of proposed pedestrian plaza, near 71 Main Street in Fair Haven.



Figure 11. Approximate location of pedestrian plaza.