

MaineDOT's Standard Operating Procedures

For Identification of Historic Properties

As described in MaineDOT Environmental Office's Standard Operating Procedures for Section 106 of the National Historic Preservation Act process, the following procedure was followed to identify historic properties (36 CFR 800.4):

The Historic Coordinator (HC) will determine the Area of Potential Effect (APE) and then conduct an Above Ground Cultural Resource Survey or assign projects to the consultant(s) and/or the MHPC archaeological staff. The identification and evaluation of historic properties must be performed by professionals who meet the professional standards established by the Secretary of the Interior [§ 800.2(a)(1)]. The Professional Qualification Standards are published in 36 CFR 61. The HC will provide topographic maps with the APE clearly identified and a written project scope of work. The HC will enter dates into ProjEx under Schedule/Approval/Section 106 architectural survey and Section 106 archaeological survey for when the surveys were assigned and completed. The HC will also enter the name of the surveyor in the permit number section. If there is no PIN number, then the information will be filed in the CPD Non- PIN Regional e-file and archives database.

All above ground surveys will be entered into the web-based historic properties database and GIS layer by the Historic Coordinator or the consultant. All surveys and determinations of eligibility and effects will meet the requirements of the MHPC Survey Guidelines.

The following is a breakdown of responsibility for 800.4:

§800.4 (a) (1) - MaineDOT/HC

§800.4 (a) (2) - MaineDOT/HC consultant, MHPC archaeological staff, and Tribes

§800.4 (a) (3) - MaineDOT/HC

§800.4 (a) (4) - MaineDOT/HC and the lead federal agency

§800.4 (b), (c) and (d) - MaineDOT/HC, consultant, MHPC archaeological staff, and Tribes.

The Historic Coordinator, and/or consultant, and/or the MHPC archaeological staff, and/or the THPO (as appropriate) in accordance with 36 CFR § 800.4 (c) and MHPC Survey Guidelines, will evaluate and recommend whether properties within the APE are eligible for and/or listed on the National Register of Historic Places. The HC will make a final determination of eligibility for the SHPO's concurrence.

A. If there are no National Register eligible or listed properties within the APE, a survey report with eligibility recommendations will be supplied to the HC by the architectural consultant, and/or the MHPC archaeological staff, and/or the THPO (see MHPC Survey Guidelines for Architectural Survey Report guidelines). The report will include all properties surveyed and indicate (property by property) why they are not eligible for the National Register. The HC will make a final determination and forward the supporting documentation with a detailed cover memo and finding of **No historic properties affected** to the SHPO/THPO for concurrence. In accordance with § 800.4(d), all participating consulting parties will be notified and the documentation will be made available subject to confidentiality provisions of 800.11(c). Documentation will be in accordance with 36 CFR § 800.4(d) and § 800.11(d). All documentation will be filed in the CPD e-file and dates will be entered into ProjEx under Schedule/Approval/Section 106 SHPO concurrence. If there is no PIN number, then the information will be filed in the CPD Non- PIN Regional e-file and archives database.

i. If the SHPO/THPO does not object within 30 days of receipt of an adequately documented finding, a memo will be forwarded from the SHPO/THPO to the HC stating so. If no response is received after 30 days from the SHPO/THPO, concurrence will be assumed [see §800.4(d)(1)(i)]. This will complete Section 106. All documentation will be filed in the CPD e-file and dates will be entered into ProjEx under Schedule/Approvals/Section 106 SHPO concurrence. If there is no PIN number, then the information will be filed in the CPD Non-PIN Regional e-file and archives database.

ii. If the SHPO/THPO objects to the finding of no historic properties affected, then the HC, the lead federal agency, and/or the SHPO will follow §800.4(d)(1)(ii) by meeting to resolve the disagreement, or the lead federal agency will forward the finding and supporting documentation to the Advisory Council on Historic Preservation (ACHP) and request that the ACHP review the finding pursuant to §800.4(d)(1)(iv)(C).

B. If there are National Register eligible or listed properties identified within the APE, a survey report with eligibility recommendations will be supplied to the HC by the architectural consultant, and/or the MHPC archaeological staff, and/or the THPO (see MHPC Survey Guidelines for Architectural Survey Report guidelines). The report will indicate under which National Park Service National Register Criteria (Criteria A, B, C or D) the property is eligible and which of the seven aspects of integrity (Location, Design, Setting, Materials, Workmanship, Feeling, and/or Association) the property retains to convey its significance. The HC will make a final determination of eligibility for the SHPO's concurrence. For nearly all projects, the determination of National Register boundaries will automatically default to the modern-day parcel boundaries. The need for more refined and individual assessments of boundaries beyond that will be assessed on a case-by-case basis.

i. If the SHPO/THPO objects to the finding of National Register eligibility, then the HC, the lead federal agency, and the SHPO will meet to resolve the disagreement, or the lead federal agency will forward the finding and supporting documentation to the Secretary of

the Interior (specifically the Keeper of the National Register within the U.S. Dept of Interior/National Park Service) pursuant to 36 CFR § 63 requesting a determination of eligibility. The Keeper of the National Register will respond within 45 days with a determination.

STATE OF MAINE
Memorandum

Date: September 2, 2016

To: Earle Shettleworth, Jr., MHPC
From: Megan M. Hopkin, Maine DOT/ENV
Subject: Section 106 request for concurrence
Project: Bath 19273.10
Scope: sidewalk rehabilitation/construction

The Maine DOT has reviewed this project pursuant to the Maine Programmatic Agreement (PA) and Section 106 of the National Historic Preservation Act of 1966, as amended.

The project consists of construction and rehabilitation of sidewalks for approximately .1 mile on the right side of Leeman Highway and the right side of Commercial Street between Washington and Middle Streets as the Viaduct Replacement Project comes to completion. The Federal action for this project is Federal funding. The cultural review is scheduled to be completed by November 5, 2016.

In accordance with 36 CFR Part 800.4, the following identification efforts of historic properties were made:

- 800.4(a) (1) - The Area of Potential Effect (APE) includes properties/structures adjacent to the road and within the project limits. Properties/structures adjacent to the project limits are considered to be within the APE. The APE is shown as a red polygon on the attached map.
- 800.4(a) (2) – Review of existing information consisted of researching the National Register database. The Maine Historic Preservation Commission Archaeological staff has also reviewed this undertaking.
- 800.4(a) (3) – The town of Bath was contacted via letter and asked to comment on knowledge of, or concerns with, historic properties in the area, and any issues with the undertaking’s effect on historic properties. The town was also requested to provide information regarding local historic societies or groups.
- 800.4(a) (4) – Letters obtaining project location and scope were sent to the 4 federally recognized Tribes in Maine. The Tribes have not replied to date.
- 800.4(c) – The Maine DOT conducted historic architectural surveys within the APE to determine if properties met National Register criteria. Several properties were determined eligible for the National Register as part of a listed Historic District as well as an eligible district and individually eligible or listed properties. Maine Historic Preservation Commission Archaeological staff also reviewed this undertaking and recommended ‘no archaeological properties affected’.

In accordance with 36 CFR Part 800.4(d), ***the Maine DOT has determined that no historic or prehistoric archaeological properties or historic architectural properties will be adversely affected by the undertaking.*** Please see attached supporting documentation.

In accordance with the PA and 36 CFR Part 800, please reply with your concurrence or objection to this determination within 30 days.

Please contact me at megan.m.hopkin@maine.gov or at 592-3486 if you have any questions. Thank you.

cc: CPD e-file
enc: Architectural memo
Archaeological memo
Supporting Information for Finding of Effect

Supporting Information for Determination of Eligibility and Finding of Effect

Project: Bath 19273.10

Scope: sidewalk construction

Finding of Effect: No adverse effect

Project History: Leeman Highway and Commercial Street were reconstructed in 1947 ahead of the West Approach Bridge (Viaduct) construction in 1956. Later in 1983, portions of these roadways were reconstructed as part of a Washington Street intersection project. At this time some of the sidewalks were reconstructed with granite curb. Portions of the existing sidewalks are missing or in poor condition and require reconstruction.

On March 16, 2016 the West Approach Bridge Replacement and Traffic Signal Improvements, WINs 19273.00 & 20565.00, (Viaduct Project) was awarded to Reed & Reed, Inc. to begin construction. This contract includes improvements to the pedestrian facilities at the Washington Street intersection (upgrades to accessibility, facilities and signals) as well as a mill and overlay to both Commercial Street and Leeman Highway in addition to the replacement of the viaduct bridge. Some of the improvements and modifications that are proposed as part of this project will be administered via contract modification to the Viaduct Project, for example drainage upgrades and modifications.

Purpose & Need: Leeman Highway and Commercial Street have sidewalks that are missing or are in a state of disrepair. As part of this project continuous sidewalk corridors will be reconstructed from the High Street overpass to Washington Street on the north side of Leeman Highway and from Middle Street to Washington Street on the south side of Commercial St.

Brief Summary of Proposed Scope of Work:

This project will consist of installing new and rehabilitating existing sidewalks from the High Street overpass to Washington St in various locations. This sidewalk improvement project will include adding ADA crossings and sidewalk terminals, adjusting striping and stenciling, and drainage improvements. New curb locations will be bituminous and existing granite curb will be reset or replaced as needed. All proposed sidewalks are bituminous.

Federal Action

Federal funding.

Definition of APE

The study area includes a portion of Route 1 and the surrounding area. The Area of Potential Effects is defined as the area in which the project may cause alterations to the visual setting or characteristics of properties in the vicinity of the project. This definition is illustrated as a red polygon on the topographic map submitted with the survey package.

Historic Properties

(1) Bath Historic District, Stations

NR-eligible, Criteria A

The Bath Historic District includes the historical commercial downtown and many historical residential neighborhoods. The town developed in the nineteenth century as a result of the robust shipbuilding industry, culminating in the establishment of the Bath Iron Works in 1889. The historic district retains a high concentration of historically and architecturally significant structures dating from the nineteenth century to the twentieth century. The historic district consists of residential, commercial, and religious structures. The Greek Revival and Italianate styles are most prominent and found on both commercial and residential structures. Within the project area (along Centre, Front, Middle, School, Water, and Washington streets) the historic district has commercial and residential structures, along with modern infill and several parking lots.

The Bath Historic District was listed in the National Register in 1973. The historic district retains a high level of integrity and includes the town's downtown commercial center and residential neighborhoods to its north and west. While the downtown has suffered losses due to urban renewal efforts in the 1950s and 1960s, west Centre Street remains intact. Route 1 was added just south of downtown and serves as the historic district's southern boundary signifying the route's disruption of the city's original composition. The historic district is listed in the National Register under Criteria A and C for the areas of significance of Architecture, Commerce, Industry, and Religion. The period of significance is 1800 to 1899; however, the composition of the downtown commercial core suggests that the period of significance should be expanded to c.1940. Therefore, for the purpose of this survey the period of significance used for the historic district will be 1800 to c.1940.

(2) US Route 1 Historic District

NR-eligible

Through much of the 1920s and 1930s, American roadways were upgraded and codified with all-weather surfaces, signage, and numbering.¹ In addition, US Route 1 was designated a US highway in 1925, running from Maine to Florida. Route 1 ran directly through Bath and prompted the need for a more efficient way to cross the Kennebec River. In 1927 the Carlton Bridge was constructed across the waterway and proved an important link for travelers heading between Downeast and southern Maine. Route 1 brought travellers from Brunswick into Bath via Centre Street to Washington Street south to Vine Street and then over the bridge to Woolwich. The new bridge prompted an increase in automobile traffic through Bath and in 1937 one million vehicles crossed the Carlton Bridge. That same year, with the high traffic count causing congestion in downtown Bath, the city's first traffic light was installed at the intersection of Centre and Washington streets.² The traffic light did little to ease congestion within downtown Bath and the traffic snarl remained until the 1940s.

To address the traffic issue, the State Highway Commission constructed the current path of Route 1 in Bath in 1946. The goal was to bring traffic away from city streets and create a more direct link to the Carlton Bridge. Therefore, the roadway was moved off of Centre Street and constructed just to the south. Moving south of Centre Street also required cutting through a significant granite ridge found along High Street to allow Route 1 to run under High Street.³ The east-west construction of Route 1 in Bath, known as the Leeman Highway, was an engineering feat spurred by the route's increased popularity, particularly for tourists.

While the Leeman Highway/Route 1 brought through traffic out of the city's downtown, it also became a physical dividing line between north and south Bath. In particular it separated the Maine Central Railroad Station from the downtown. This separation would become more evident in 1958 when the West Approach Bridge was constructed. Again, continued vehicle congestion required separating Route 1 traffic entering and exiting Bath using the Carlton Bridge from city streets. By the 1950s, limiting access to roadways was a largely commonplace tactic for controlling traffic flow. As early as the mid to late 1930s, limited access routes had been

¹ Kaszynski, William, *The American Highway: The History and Culture of Roads in the United States* (Jefferson, NC: McFarland and Company, Inc., 2000), 52-54, 61.

² Kenneth R. Martin, Ralph Linwood Snow, *Maine Odyssey: Good Times and Hard Times in Bath, 1936-1986* (Bath, ME: Patten Free Library, 1988), 43.

³ United States Department of the Interior, Geological Survey. Bath Quadrangle, Sagadahoc County, Maine. 7.5 Minute Series, 1945, 1957; Peter Goodwin and Robin A. S. Haynes, "History Overview," Bath's Historic Downtown, Maine Memory Network, accessed 24 February 2014, <http://bath.mainememory.net/page/938/display.html>.

constructed in Newton, Massachusetts, and Portsmouth, New Hampshire, in order to relieve vehicular congestion.⁴ In Bath, the State Highway Commission created a limited access roadway that crossed under High Street, but rose over Middle and Washington streets to connect with the approach to the Carleton Bridge.

The West Approach Bridge No. 3838 was built in 1958 and is an elevated steel stringer structure set on concrete piers and abutments. MaineDOT plans from 1958 note that the bridge was designed in-house by Mr. Everett.⁵ The bridge is locally known as the Route 1 viaduct. The bridge carries US Route 1 through Bath and connects it with the Sagadahoc Bridge over the Kennebec River. The bridge is situated above the Leeman Highway with Middle and Washington streets as the primary cross streets underneath. The construction of the West Approach Bridge would greatly alter how the traveling public accessed the City of Bath. Prior to 1900, Bath's major east-west thoroughfare was Centre Street and a ferry connected the city to Woolwich.⁶ The popularity of the automobile exploded in the 1910s and 1920s. In 1913 Americans owned 1.3 million cars, but this number jumped to 10 million by 1920. At the same time, recognizing the inadequacy of much of the country's roads, the federal government passed a series of acts to encourage road building and road improvements.

As an elevated roadway, the West Approach Bridge placed the traveling public above the city, and motorists had reduced opportunities to turn off of Route 1 to visit Bath. As noted in *Maine Odyssey*, "Through traffic no longer had to cope with downtown drivers; but the blessing of the viaduct could be a curse to business, because it invited travellers and sightseers to keep moving past Bath's downtown."⁷ Vehicles could cruise straight past the city with only a cursory glance. At street level, the elevated roadway remained a dominant visual barrier between north and south Bath. In 2003 a local resident complained, "I don't like it [West Approach Bridge]. I think it's ugly and I would very much like to see the viaduct go away. . . Most of all, it creates a terrible first impression and entrance for our city."⁸ Further, in 2005, a feasibility study of the Route 1 Corridor in Bath noted, "The viaduct lacks aesthetics and has caused a visual, physical, and psychological barrier between the northern and southern parts of the city."⁹ In 2012 Maine

⁴ Kaszynski, 130.

⁵ Email correspondence. Megan Hopkin, MaineDOT to Amanda Taylor, Kleinfelder, 27 January 2012.

⁶ *Atlas of the State of Maine*. Houlton, ME: George N. Colby and Company, 1884.

⁷ Martin, 147.

⁸ "Bath's Route 1 viaduct to be focus of DOT study," *Bangor Daily News*, 11 January 2003, C3.

⁹ "Bath Feasibility Study, PIN 10123.00," MaineDOT, prepared by HNTB, July 2005, 28.

Senator Seth Goodall commended Main Street Bath for its efforts to reinvigorate the city's downtown despite "overwhelming obstacles." These obstacles included the West Approach Bridge.¹⁰

The evolution of Route 1 through Bath is characteristic of the explosion of automobile travel immediately before and after WWII and its effect on towns and cities in Maine. With an increase in traffic, congestion, and headaches, the State Highway Commission sought ways to improve the travel experience for the motoring public. Typical solutions included physically separating Route 1 from established city streets in one fashion or another, as demonstrated in Bath in 1958.

Despite its association with Route 1, the West Approach Bridge No. 3838 is not eligible for the National Register. The bridge itself is not an innovative technological feat, but a common place steel stringer design typical of highway construction in the 1950s. In addition, the elevation of Route 1 clearly altered the composition of Bath and created physical barriers between north and south Bath and from the traveling public and the city's downtown. The period of significance for US Route 1 is 1946. The West Approach Bridge does not share this period of significance thus it is a non-contributing factor to the district.

(3) Middle Street Historic District

NR-eligible

This area consists of 714, 706, 702, 694, 688, 680 Middle Street and 58 Union Street. These resources were deemed eligible for the National Register as a small historic district under Criterion C and A.

The c.1850 house and c.1855 carriage barn located at 706 Middle Street are eligible for listing in the National Register. The Italianate style structure features a hipped roof with a gabled dormer and interior brick chimney. The roofline features a paneled frieze band with alternating small rectangular windows. The house is clad in wood clapboard and the six-over-six wood windows sit in wood frames with hoods. A three-sided paneled bay with brackets and four one-over-one windows is positioned south of the front entry. A substantial flat hood is positioned over the front door and is supported with thick braces adorned with a floral motif. The paneled front door is

¹⁰ "Senator Goodall Recognizes Main Street Bath for National Award," Maine State Democrats, 10 April 2012, accessed 24 February 2014, <http://mainesenate.org/blog/2012/04/10/senator-goodall-recognizes-main-street-bath-for-national-award/>.

flanked by sidelights and topped with a three-light transom. The house sits on a granite foundation. The carriage barn features a unique low-pitched hipped roof and is clad in wood clapboard siding. The barn also has wood six-over-six windows and has folding wooden doors. The Italianate-style house (SM #58) and its connected carriage barn (SM #57) maintain all seven aspects of integrity. The house represents the Italianate style and retains many architectural details typical of that style: paneled cornice, paneled bay window with brackets, and a rectangular footprint. The carriage barn also retains a high level of integrity, despite the replacement of its original doors with folding wood doors. The period of significance for this site is c.1850-c.1855. The house is eligible for the National Register under Criterion C for Architecture.

The 1824 Hyman and Eliza Ann Morse House is a Greek Revival-style two-story, side-gabled structure with a rectangular footprint and rear-ell. The house features cornice returns and a classical door surround with entablature and fluted pilasters. The front door is paneled and glazed and is flanked by sidelights and topped with a three-light transom. A paneled three-sided bay with one-over-one windows is found on the south elevation, suggestive of later Italianate-style influences. The house is clad with wood clapboard siding and has two-over-two wood windows in simple wood frames. The rear-ell is also gabled and has two-over-two and six-over-six wood windows. The house sits on a granite foundation. The house maintains all seven aspects of integrity and represents the Greek Revival style. The house retains Greek Revival-style massing and architectural details, such as the front door surround. The period of significance of the resource is 1824-c.1850 as a result of its original construction and later Italianate style elements added. The house is eligible for the National Register under Criterion C for Architecture.

The c.1850 Italianate-style house at 694 Middle Street has a hipped roof with an interior brick chimney. The roofline features a paired bracketed cornice. The house is clad in wood clapboard siding and the two-over-two wood windows sit in wood frames with prominent hoods. A three-sided paneled bay with four one-over-one windows and a bracketed cornice is positioned on the east elevation. The main entrance is found on the south elevation and features a small entry porch with upper balustrade. The house has side-ell and sits on a granite foundation. A non-contributing garage is found on the property. The house maintains all seven aspects of integrity, despite the addition of a modern garage on the property. The house is largely intact and retains many features of the Italianate style, such as massing, bracketed cornice, and paneled and bracketed bay window. The period of significance is c.1850 and the house is eligible for the National Register under Criterion C for Architecture.

The c.1890 Queen Anne-style house at 58 Union Street has a gable-front roof with two pedimented gables and a central brick chimney. The gabled ends are clad with rounded wood shingles and the pedimented gables have small square lights with stained glass. The pediments also top three sided, two-story three-sided bays. The front bay has a large picture window on the first story. The house is clad with wood clapboard siding and features a thick string course of rounded wood shingles. The one-over-one wood windows sit in wood frames with slight hoods. A hipped front porch is supported with turned wood columns and has a spindlework frieze and balustrade. The house sits on a granite foundation and has a rectangular footprint. 58 Union Street maintains all seven aspects of integrity. The house represents the Queen Anne style with a complex roofline, multiple wall cladding materials, and decorative spindlework. The period of significance is c.1890. The house is eligible for the National Register under Criterion C for Architecture.

Impacts to Properties

(1) Bath Historic District, Stations

NR-eligible, Criteria A

All of the work will be completed within the existing ROW limits. This work will include a rehabilitating existing sidewalks and matching existing materials of a bituminous sidewalk with granite curbing. New granite curbing will be installed in the sections where new sidewalk is being constructed. New sections of sidewalk are illustrated in orange on the attached plan. Existing granite curb will be removed and reset as bat of the project. No direct impacts or takes on the historic district due to the project taking place within existing ROW. The rehabilitation and construction of new sidewalk will cause minimal visual effects to the property; therefore, the proposed project will have **no adverse effect** on this property.

(2) US Route 1 Historic District

NR eligible

All of the work will be completed within the existing ROW limits on the ramps leading up to Leeman Highway (US Route 1). This work will include a rehabilitating existing sidewalks and matching existing materials of a bituminous sidewalk with granite curbing. New granite curbing will be installed in the sections where new sidewalk is being constructed. New sections of sidewalk are illustrated in orange on the attached plan. Existing granite curb will be removed and reset as bat of the project. No direct impacts or takes on the historic district due to the project

taking place within existing ROW. The rehabilitation and construction of new sidewalk will cause minimal visual effects to the property; therefore, the proposed project will have **no adverse effect** on this property.

(3) Middle Street Historic District

NR-eligible

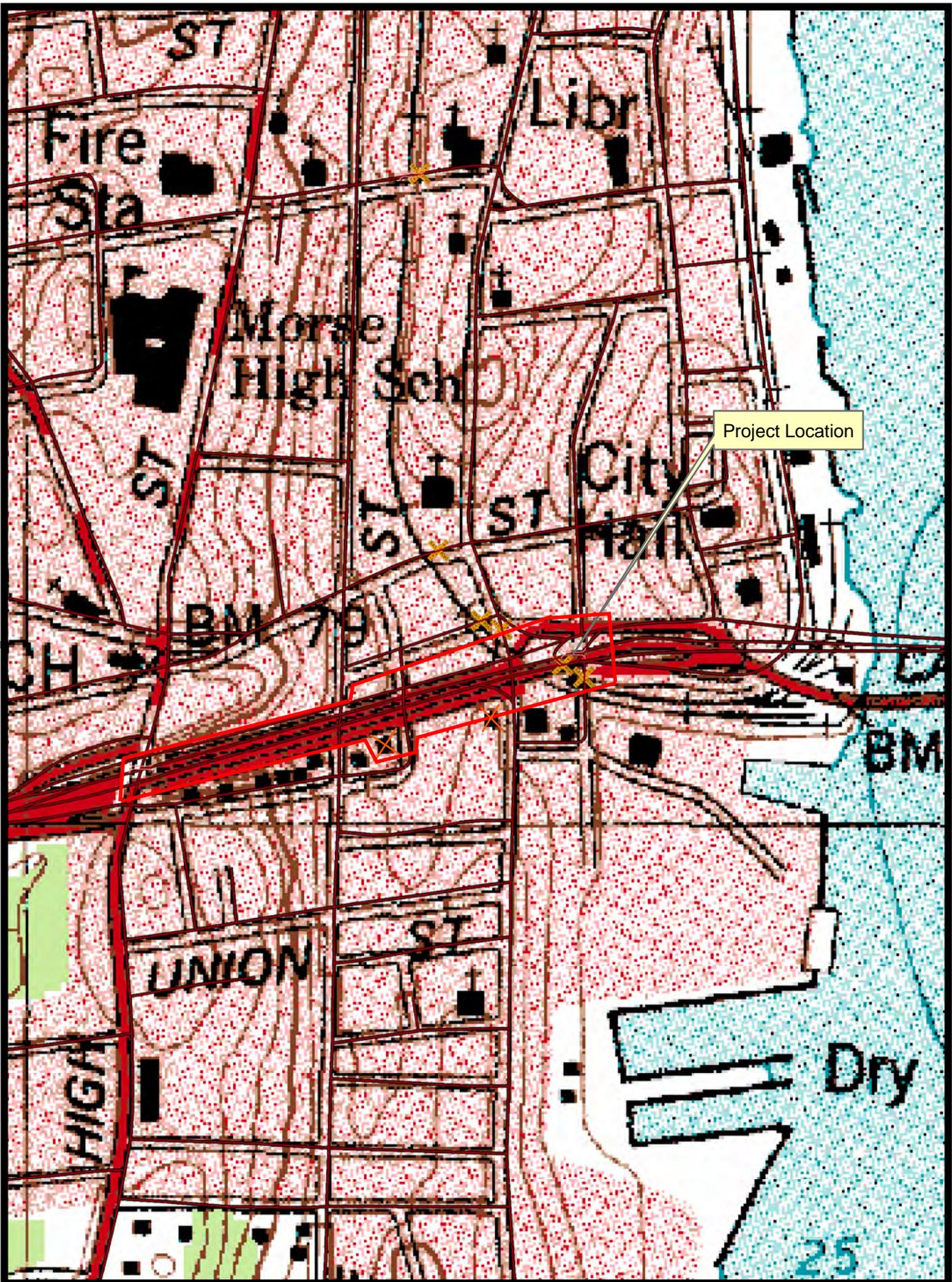
All of the work will be completed within the existing ROW limits. This work will include a rehabilitating existing sidewalks and matching existing materials of a bituminous sidewalk with granite curbing. New granite curbing will be installed in the sections where new sidewalk is being constructed. New sections of sidewalk are illustrated in orange on the attached plan. Existing granite curb will be removed and reset as bat of the project. No direct impacts or takes on the historic district due to the project taking place within existing ROW. The rehabilitation and construction of new sidewalk will cause minimal visual effects to the property; therefore, the proposed project will have **no adverse effect** on this property.

Archaeological Resources

No archaeology resources will be affected by this undertaking.

Avoidance, Minimization and Mitigation

All of the work will be completed within the existing ROW limits. This work will include a rehabilitating existing sidewalks and matching existing materials of a bituminous sidewalk with granite curbing. New granite curbing will be installed in the sections where new sidewalk is being constructed. New sections of sidewalk are illustrated in orange on the attached plan. Existing granite curb will be removed and reset as bat of the project. No direct impacts or takes on the historic district due to the project taking place within existing ROW.



For details see attached tax map

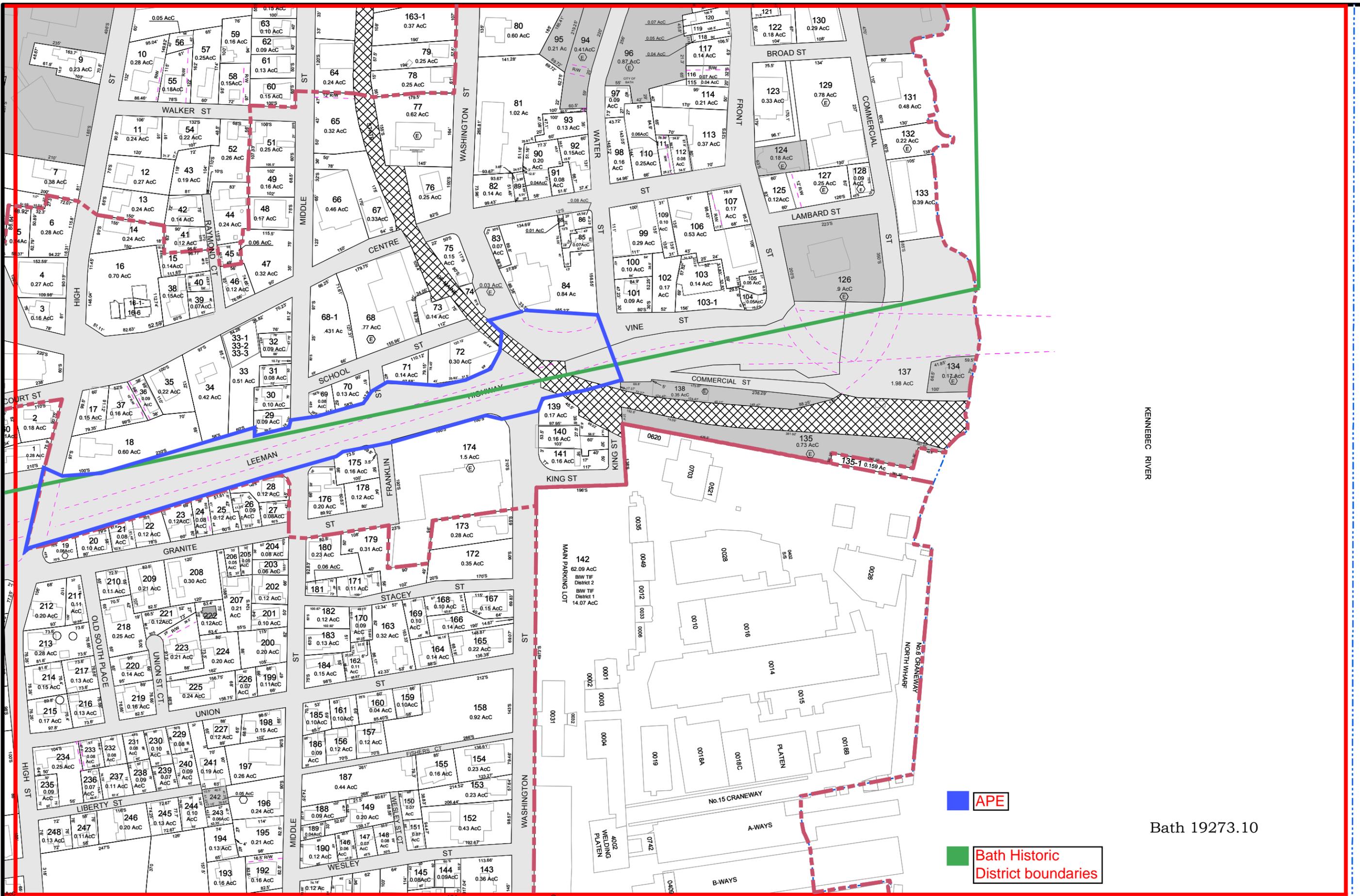
APE



Bath
19273.10

West Approach Bridge on US 1
Bridge #3838 Sidewalk
Construction





KENNEBEC RIVER

APE

Bath Historic District boundaries

Bath 19273.10

This map is for assessment purposes only. It is not valid for legal description or conveyance. Lot numbers outside of red boundary are on adjacent maps. Maps originally produced by Cartographic Associates, Littleton, NH. Photography Date: April 29, 1993. Completion Date: Sept. 30, 1994.

Maps Updated by: Spatial Alternatives
207.846.2356
www.spatialalternatives.com

Ac Surveyed Area
 AcC Calculated Area
 100' Record Dimension
 100'S Scaled Dimension
 Common Ownership
 Right of Way
 Surface Water
 Buildings (Accurate Location)
 Buildings (Approx. Location)
 TIF District
 Parcels
 City Owned Parcels
 Roads
 Railroad
 Zoning
 Water

TAX MAP
BATH
 Contracting Authority: City of Bath, Maine

Revised to: April 1, 2011

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