Determination of Effect on Historic Properties

Author: C. Scott Speal  Date: May 9, 2022

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<td>PEDS(219)</td>
<td>U.S. Route 7 Pedestrian Safety Improvements</td>
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Finding of Effect: No Adverse Effect, Conditional

Project Description:

The Town of New Milford, with technical assistance from the Connecticut Department of Transportation (CTDOT) and funding support from the Federal Highway Administration (FHWA), proposes design and construction of three new segments of concrete sidewalk along U.S. Route 7 (Danbury Road) and a new segment of concrete sidewalk along Aspetuck Avenue, in the Town of New Milford, as further described below:

- Location 1 involves the installation of approximately 4,000 linear feet of new sidewalk along the High School’s U.S. Route 7 frontage, from Candlewood Lake Road South to Sullivan Court. This segment includes a new timber boardwalk over an unnamed stream.

- Location 2 involves the installation of approximately 130 linear feet of new sidewalk along U.S. Route 7, connecting a sidewalk gap in front of 177 Danbury Road.

- Location 3 involves the installation of approximately 600 linear feet of new sidewalk connecting the John Pettibone School property to U.S. Route 7 frontage.

- Location 4 involves the installation of approximately 1,600 linear feet of new sidewalk along the west side of Aspetuck Avenue connecting the existing sidewalk network near the Town Green with the Canterbury School.
In total, the project will construct approximately 6,330 linear feet of new five-foot wide ADA compliant concrete sidewalk with associated crosswalks, curb ramps, traffic signal pedestrian equipment modifications, and signage.

Under the provisions of the Programmatic Agreement executed between CTDOT, FHWA, the Connecticut State Historic Preservation Officer (CT SHPO), and the Advisory Council on Historic Preservation regarding compliance with Section 106 of the National Historic Preservation Act (NHPA) for minor transportation projects\(^1\), the Office of Environmental Planning (OEP) intends to make a determination of effect on historic properties for the described undertaking.

**Resources Potentially Affected:**

**Above-Ground Structural Resources**

The NPGallery digital asset management database maintained by the National Park Service was consulted for the purpose of locating any properties listed upon the National Register of Historic Places (NRHP) in the project vicinity. Location 4, the northernmost segment of the project, lies immediately adjacent to the **New Milford Center NRHP Historic District** on its north side. This resource is significant in containing a well-preserved concentration of older commercial, civic, and residential buildings which collectively reflect the town’s history as an important regional center of tobacco production and commerce during the late 19\(^{th}\) and early 20\(^{th}\) Century. The construction of new roadside sidewalk immediately adjacent to the northern boundary of the District will not result in any substantive effect to the resource in the view of OEP.

A series of historic maps obtained from the University of Connecticut Map and Geographical Information Center was examined to assess the potential for previously unidentified historic properties to be located within the project area of potential effect (APE). The 1930 Griswold-Spiess Map of reconstructed Native settlement in Connecticut circa 1625 depicts multiple Paugussett villages near the Housatonic River in the vicinity of project Locations 1 and 2. The 1811 Warren Map of Connecticut presents the Danbury Road, precursor to Route 7, as in place by this time along the general course of the three southern locations. No other development, however, is depicted in immediate proximity to the target project locations. The 1854 Hopkins Map of Litchfield County depicts the forebear of Aspetuck Avenue in place by that time, but no development along it. The three southern project locations featured buildings in proximity to the road according to this document, including a residence attributed to ‘G. McMahon’ within the APE of Location 2, and a substantial number of residential and administrative and

\(^1\) Programmatic Agreement among the Federal Highway Administration, the Connecticut Department of Transportation, the Connecticut State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Implementation of Minor Transportation Projects, signed October 26, 2012 and revised May 4\(^{th}\), 2018. Accessible online at: www.ct.gov/culturalresources
commercial buildings associated with the village of “Lanesville” at Location 1. Also of note at that Location is a set of buildings surrounding the future Larson Street intersection attributed to an “I. Northrop.”

Fairchild Series aerial photographs from 1934 reveal that the west side of Aspetuck Avenue north of Summit Street at Location 4 had been cleared but remained mostly undeveloped well into the 20th Century. The Canterbury School campus had also been cleared by this time. At Location 3, several buildings, most likely farmstead support structures including a barn, stood directly along the east side of the road a few hundred feet south of Pickett District Road within the path of the proposed sidewalks. No trace of these buildings remains on the surface today. A rural farmstead complex also stood very near the APE of Location 2 in the 1934 aerials. Sparse rural settlement lined the west side of the Danbury Road at Location 1 during this time as well, being particularly nucleated at the intersection with Sullivan Road. Few of these structures remain along the roadside today, with the notable exception of the farm complex at 401 Danbury Road on the southwest corner of Larson Road, built around 1900 according to the Town property assessment records but possibly representing the Northrop property depicted on the 1854 Hopkins Map. This farm complex appears to remain in a relatively good state of integrity—especially the Colonial-revival style residence which retains 6 x 6 glass panes in most of the windows and intact centrally placed brick chimney. OEP recommends avoidance of any physical impacts to this structure in association with the undertaking as the complex as a whole could be considered NRHP-eligible.

**St. Peter’s Masonic Temple at 11 Aspetuck Avenue**, alongside the APE at Location 4, occupies a former Episcopal Church stone masonry building of gothic design built in 1885. This structure could be considered eligible for the NRHP either independently or as an expansion of the New Milford Center District, as could the Italianate-style residence at 13 Aspetuck Avenue constructed in 1844 according to the Town property assessment records. The cottage at 73 Aspetuck Avenue was also built in 1890 and could be considered eligible. Neither structure, however, should be substantively affected by the construction of sidewalks at the road margins given the distance they are set back from the pavement edge.

**Below-Ground Archaeological Resources**

Digital site records maintained by the Office of the State Archaeologist, as well as OEP’s own internally compiled database of resources and previous cultural resource studies, were consulted for the purpose of identifying any previously known archaeological sites within the APE. There are no fewer than 50 documented archaeological sites within a mile of the project limits. Though post-European Contact resources are also represented, the vast majority are indigenous pre-Contact components. This great number of sites is partially a product of the high number of archaeological surveys that have been conducted in the area, but also reflects the long history of indigenous occupation along this part of the Housatonic evidenced in the map review above.
The vast preponderance of the project APE has been previously surveyed for archaeological resources as part of the Reconstruction of Route 7 Project during the 2000’s. No documented archaeological resources lie in immediate proximity to Locations 2 or 4. One pre-Contact site, State Number 96-134, is plotted about 400 feet north of the northern end of the Location 3 APE. This site is well-defined and securely located on the opposite side of Route 7 well north of the Location 3 APE.

Some seven documented resources fall immediately within the project APE at Location 1 (see attached maps). These include the following:

96-119 -- isolated find associated with Iroquois Gas Pipeline survey in 1998

96-136 – substantial pre-Contact lithic scatter of poor integrity, determined not eligible for NRHP by PAST, Inc. in 2003

96-142 – remnants of the J. Marsh House, 19th Century residential structure tested in 1997 & 98 as part of Route 7 Reconstruction project and determined not to be NRHP-eligible

96-143 – temporally non-defined sparse lithic scatter determined not to be eligible for NRHP as part of Route 7 Reconstruction project.

96-144 – temporally undefined lithic scatter recommended not to be eligible for the NRHP as part of 1997/98 Route 7 excavations by PAST

96-147 – NRHP-eligible “village” site partially excavated as part of Route 7 reconstruction project, well-defined resource located well to the south of the project APE

96-161 – substantial early to middle archaic ‘encampment’ destroyed by construction of New Milford High School

Soil classification maps maintained by the U.S. Natural Resources Conservation Service were examined in conjunction with predictive models developed within the State of Connecticut to assess the sensitivity of the project area for previously unknown archaeological resources. The great preponderance of the APE at Locations 1, 2 and 4 falls upon soils predicted to be of high or medium archaeological potential. The map analysis above also revealed that the foundations of former late 19th and early 20th Century structures could conceivably remain today within the project APE at Location 1—particularly at the infield of the Sullivan

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Avenue intersection. Only Location 3 occurs upon soils predicted to be lacking in potential. Virtually the entirety of Locations 1, 2, and 3, however, have been previously surveyed for archaeological resources as part of the Reconstruction of Route 7 during the late 1990s and early 2000’s. Given the methods of the subsurface reconnaissance effort, which remain current under Connecticut standards, all archaeological resources of an NRHP-caliber within or immediately adjacent to the APE in these areas are presumed known.

A field review of the project APE conducted by qualified OEP archaeological staff on September 19th of 2019 revealed that the ground surface south of Summit Road manifests abrupt hummocky undulations characteristic of repeated disturbance from tree removals and grading for drainage. North of Summit Road storm drainage lines the pavement margins and the flattened road shoulder suggests soil truncation from grading for snow shelf. The roadbed itself appears to represent a considerable cut into the landscape for evening of the grade. No such ground disturbance, however, was apparent in front of the Canterbury School at the north end of the APE—except immediately at the entrance drive at the northernmost project limit. Two 3” diameter auger probes were therefore placed in front of the Canterbury School and in front of the residence at 73 Aspetuck Avenue to evaluate subsurface soil integrity. Auger Probe 1 was placed in front of the Canterbury School directly opposite 94 Aspetuck Avenue. It revealed well-developed strata consistent with Charlton Soil Series descriptions down to a depth of 95 cmbs. Auger Probe 2, however, in front of 73 Aspetuck Avenue, produced mixed sediments inconsistent with location naturals over a layer of compact gravel—most likely representing artificial fill over a utility line cap.

OEP therefore found that—although pockets of intact soil exist along the shoulders of Aspetuck Avenue—the vast preponderance of the project APE is too disturbed to warrant formal subsurface survey. Moreover, the ridgetop location is too far away from a reliable natural water source to have likely attracted any substantial pre-Colonial settlement. OEP therefore does not see the predicted high archaeological potential as validated under field review, perceiving it to be moderate, at best, before considering the extensive ground disturbance.

**Determination of Effect:**

Consultation was carried out with Federally recognized Native American Tribal authorities with ancestral ties to the State of Connecticut for this undertaking in October of 2019. In a response dated November 6th of that year, the Stockbridge Munsee requested archaeological monitoring during construction of Site 1—as defined above—given the constellation of known sites in the area. None of the other solicited Tribes expressed any concerns with the undertaking.

Given the range of potentially NRHP eligible structural resources in the area, albeit without any anticipated project-related impacts that might compromise the integrity of the qualities that render these resources significant, OEP hereby determines that
there will be no adverse effect to historic properties in association with the present undertaking. This finding is made conditional upon monitoring during construction of Site 1—as defined above—by a qualified professional archaeologist per the Tribal request. With this determination, FHWA, through OEP, has concluded its responsibility to consider the potential effects of the described project on cultural resources under Section 106 of the NHPA via the provisions of the Programmatic Agreement referenced above.

C. Scott Speal  
National Register Specialist  
Office of Environmental Planning  
Connecticut Department of Transportation