

FRIENDS OF THE MITCHELL RIVER WOODEN DRAWBRIDGE
C/O 14 SUNSET LANE
CHATHAM, MA 02633

January 11, 2012

Ms. Pamela S. Stephenson
Division Administrator
Federal Highway Administration
Massachusetts Division
55 Broadway, 10th Floor
Cambridge, MA 02141

Re: Mitchell River Bridge
Chatham, MA 02633

Dear Ms. Stephenson:

The Friends of the Mitchell River Wooden Drawbridge (“Friends”) wish to thank you and FHWA for holding the teleconference among the respective government agencies and consulting parties on January 4, 2012, with respect to the continuation of the Section 106 proceedings regarding the Mitchell River Bridge in Chatham, Massachusetts.

Based upon my own notes and discussions with other consulting parties, I would like to set forth the Friends’ position and the further issues that need to be addressed in order to move the process along to where a final draft Memorandum of Agreement (“MOA”) could be completed.

1. As you are aware, the Friends have accepted Alternative 1B (one of the designs offered by MassDOT in their Addendum to the second URS Report) as being the closest to the existing National Register eligible bridge which the Keeper found to be a rare surviving example and the only existing timber drawbridge in Massachusetts and perhaps in the entire United States. This alternative retains the all-timber structure that has been at this site for approximately 150 years, with the exception of a central concrete pier (faced in native stone) that would house the counterweight and keep it safe and dry. The other consulting parties representing preservation organizations concurred in this choice. In contrast, MassDOT proposed Alternative 3 which (i) includes a wooden superstructure except for the critical bascule leaf which would continue to be steel (covered with wood on top) and (ii) the substructure which would consist of concrete and steel pilings and concrete caps.

My notes of the meeting show that representatives of the Advisory Council recommended that a possible choice would be a “hybrid” between Alt. 3 and Alt. 1B which would incorporate additional wood into the proposed bridge and which would allow the replacement to continue

to remain eligible for the National Register, a matter of “paramount importance”. (Additional wood that could be utilized could include wooden caps rather than concrete caps, as suggested by the Chatham Historical Commission representative, and timber pilings which have been recommended by the Friends and the other preservation organizations. The engineering adviser to the Friends, John Smolen of Smolen Engineering, Ltd., also suggested considering using a wooden bascule reinforced with steel under Alt. 3. The MassDOT Project Manager, Mr. Joseph Pavao, stated that he was “skeptical” regarding the use of any wooden pilings, whether these would include some of the existing pilings and/or a tropical hardwood such as “greenheart”.) (Fn. 1) Thus, the additional wood which could be incorporated into the proposed design so as to bring the replacement bridge closer to the existing bridge has yet to be agreed upon and will need further actual consultation if this is to be successful.

2. A major portion of the discussion at the teleconference involved the extent to which the previous consultations were productive and whether questions raised by the Friends and the other preservation consulting parties could be best addressed. These included the refusal of MassDOT to have their staff experts in engineering and environment meet with their counterparts on the Friends or to discuss with them their conflicting theories as to feasibility and prudence with respect to the various proposed designs.

My notes of the meeting and discussions with other consulting parties confirm that there continues to be a lack of clarity as to whether such meetings or discussions will now be taking place so that actual and genuine consultation and dialogue between the parties will be occurring as required by Sec. 106. Without this, it is our continued view that as succinctly stated by the representative of the National Trust for Historic Preservation, the core Section 106 requirement of consultation will be “frustrated” because neither supporting documentation nor conversation has been forthcoming from MassDOT which has gone under “a code of silence” followed by “unilateral decision making”.

3. The Town of Chatham, as a required consulting party under Section 106 and through its Board of Selectmen, spoke about the importance to the Town of reaching a conclusion to the process that would fully consider the costs of the various alternatives and how these would impact the town over the extended period. While the Friends and the other preservation organizations understand these concerns, there continues to be a divergence between the estimated costs set forth by MassDOT in its proposals and the questions raised to date by the Friends and others as to the accuracy of these estimates and the failure of MassDOT to consider or refer to the letter submitted by the Forest Products Laboratory as part of the Friends’ statement provided at the second consulting party’s meeting. In this respect, it is important to note the comments of the Advisory Council in its letter of June 9th, 2011, supporting the cost analysis of Alt. 1B which was jointly submitted by the National Trust/Indiana SPANS Task Force/and Historic Bridge Foundation as being nearly the same as Alt. 3 and providing for the best alternative from a preservation perspective.

Fn. 1. The Friends have only recently learned of a private dock that was constructed in approximately 1960 in Stage Harbor, Chatham, to serve an oceangoing yacht. The dock is

located in an area extremely close to the Mitchell River Bridge. According to our information, the dock was built with greenheart pilings that are still in place and in use after approximately fifty (50) years. If this is correct, then the life of this wood at basically the same location as the Bridge is far in excess of the estimated 20-30 year life claimed by MassDOT for wooden pilings generally and the life of similar pilings at the Powder Point Bridge in Duxbury, Massachusetts cited by MassDOT. The use of greenheart would also obviate the need for pressure treatment of the pilings.

4. The participants at the teleconference spoke at length regarding the National Register eligibility status of the Bridge and whether it could be maintained given the proposed demolition and reconstruction which will take place. The Friends have taken the position from the outset that the very nature of a timber drawbridge is to require constant repairs and reconstruction, and that this has occurred continually over the 150 year period of the existence of the Bridge. We have made it clear that the loss of National Register eligibility status would not be acceptable to us, particularly since a feasible alternative exists (Alt. 1B) which will continue this Bridge's core existence as a wooden drawbridge with only de minimus evolutionary changes (i.e., the concrete pier faced with native stone to hold the counterweight).

My notes and discussions with other consulting parties confirm that the Advisory Council representative, Ms. Charlene Dwin Vaughn, stated that the issue of the National Register eligibility status of the replacement Bridge has not yet been resolved; that this was a matter for final determination by the Keeper; but that the parties needed to move forward with a design that would be National Register eligible because this issue is one of "paramount importance". FHWA stated that it would be willing to support an application (or "re-application") by the Friends for such status after the construction of the Bridge was completed. Notwithstanding this offer, the Friends are unable to see how this would be meaningful since none of the parties are suggesting that a negative determination by the Keeper would mean that the replacement Bridge would thereupon be demolished and a new Bridge then be redesigned and re-erected. Therefore, unless the final proposed alternative is one that is a wooden drawbridge in pattern and design similar to the existing Bridge, one that meets the Keeper's test of a continuous line of wooden drawbridges, we are unable to see how this will adequately resolve this issue.

In summary, we wish to thank you for your efforts in this matter and for seeking ways to "bridge" the gaps between the parties. We trust that you will take our comments into consideration, and we look forward to a new redraft of the proposed MOA.

Sincerely,

Norman Pacun
For the Friends of the Mitchell River
Wooden Drawbridge