

Federal Street Neighborhood Association

January 29, 2007

Executive Office of Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2524
Attention: Deirdre Buckley, MEPA Unit

Re: J. Michael Ruane Judicial Center/Salem Trial Courts
EOEA #13944 Comments on the Environmental Notice Form dated January 2, 2007

Dear Ms. Buckley:

The Federal Street Neighborhood Association, Inc. (FSNA) is a 501 c.3 non-profit organization established in the mid-1990's to protect and enhance the historic Federal Street neighborhood in Salem. The organization was formalized after several decades of activity. FSNA's neighborhood is bounded by North, Bridge, Boston and Essex Streets. FSNA's members' properties are part of the McIntire Historic District in Salem. Our neighborhood directly abuts the National Register Federal Street Historic District that comprises the project area. FSNA also abuts the same entrance corridors on Bridge and North Streets as the Salem courthouse complex.

This letter provides comments on the ENF for the Judicial Center project that currently contemplates the addition of new building(s), rehabilitation of structures, demolition/relocation of existing historic buildings, and de-accessioning historic buildings currently used by the Massachusetts courts on Federal Street in Salem.

We are extremely interested in all aspects of these plans. The project will have a direct impact on our historic neighborhood and downtown Salem, and a significant effect on multiple National Register properties that are important to Salem's future. FSNA representatives, together with those of the Alliance of Salem Neighborhood Associations, Historic Salem and the Salem Partnership have been actively involved with this project since 2003. We have provided written comment on this project on several occasions and testified in support of the project to the Legislative Committee when it visited Salem.

SUMMARY

The Federal Street Neighborhood Association strongly supports this project. Continuing to ensure that the courts remain located in the Federal Street Historic Court District while meeting current and future court needs in Salem is very important to the City and to our neighborhood. The Courts contribute significantly to the economic health and vibrancy of Salem's historic downtown. We believe that this project offers a significant opportunity to meet the needs of the courts while enhancing Salem's downtown.

We would like to provide a context for our comments. Because the project area directly abuts our historic neighborhood and we share the same entrance corridors, our interests in the project include historic preservation, as well as scale and continuity between our neighborhood and the court block. Our neighborhood greatly values the pedestrian quality of life in Salem, especially the ability to walk to Salem's downtown through the Federal Street Court District, to the train station that abuts the project across Bridge Street, to Leslie's Retreat Park and to other adjoining neighborhoods. Pedestrian access, traffic and parking impacts from this project (as well as from planned projects to widen Bridge Street between Washington and Flint Street, and a parking garage at the MBTA station)

directly also affect our neighborhood, and the economic well-being of the downtown and the City in general.

Our comments are summarized below and presented more completely in the attachment to this letter:

- **First Baptist Church:** We support and applaud the planned re-use and moving of the First Baptist Church.
- **Commitment to re-use the Old Essex Courthouse and the Essex County Superior Courthouse:** We urge DCAM and the Courts to re-examine their options to reuse these very important historic court buildings for court functions as planned in the predecessor ICON study. Their reuse would reduce the scale of the currently planned 190,000 square foot new building.

If they are not reused for the Courts, then we request that planning begin now for public reuse of these two very historic buildings so that they will be ready for use when the new building is completed and so that they will not sit empty.
- **Preserving 58, 60 and 62 Federal Street:** We support Plan C. This plan preserves the three historic houses located at the corner of Federal and North Streets, and preserves the current density and street presence. Preserving these historic houses will contribute to the project by softening the scale of the new building without compromising its civic presence on the street. Preserving the houses, combined with moving the First Baptist Church, will also soften views of the very large institutional presence of the new building as Federal Street crosses North Street.

In the event that our recommendation is not accepted, then we feel it is imperative that DCAM commit to work with the City to prepare a plan for relocation and re-use of these houses in Salem.
- **Scale:** The scale of the new building in the context of this important Federal Street Historic District and from every vantage point, including our entrance corridors, Salem's downtown, and our neighborhood is very important to our neighborhood. Goody Clancy, architects, have extensive experience fitting large new buildings into historic settings, but the scale of the new building based on the court system's requirements is a significant concern. Re-use of the court buildings planned to be de-accessioned would help reduce the size of the new building. We also believe that the Plan A creates a large plaza. In contrast, Plan C maintains the building street edge and is consistent with the scale and street edge of the adjoining McIntire District.
- **Preserving neighborhood continuity:** Maintaining the sense of historic, architectural, pedestrian and traffic flow continuity between our neighborhood, the Federal Street Historic District, Salem's downtown and other neighborhoods is extremely important to our neighborhood and to sustaining the quality of life that is so integral to the special nature of Salem as a small city.
- **Traffic, parking and pedestrian friendliness of the plans presented by EarthTech:** Ensuring that the project is pedestrian friendly, provides for good traffic flow and adequate parking is important to our neighborhood and to the City. As you know, we do not have the benefit of a traffic study to review nor have we seen a presentation by MassHighways. However, based on the EarthTech presentations at the information meeting and the MEPA Scoping meeting, we do not believe the traffic plans presented are based on sufficient information. We request that MEPA require that this information on traffic, parking and pedestrians be made available on a specified timetable, and that, if inadequate, that an EIR action be required. We believe that this will help ensure that this project move forward as quickly as possible to the benefit of the Courts and the City.
- **Coordination with other projects:** Eight projects underway or planned located close to the project site that will impact traffic, parking and pedestrian access were identified in the MEPA Scoping meeting. It is a goal of our neighborhood and the Alliance of Salem Neighborhood Associations that traffic, parking and pedestrian plans related to this project be integrated to

ensure that all planned the projects proceed smoothly with minimal changes as they come on stream. We request that these projects be included in EarthTech's traffic study.

The ENF does not provide for or refer to consultation with state agencies other than with MHC, even though the plan depends on changes that must be made by MassHighways to make the site work. We request that MassHighways and the MBTA be recognized consulting agencies, along with the City of Salem.

- **Mitigation:** We do not believe mitigation is adequately addressed, particularly given the number of historic structures planned for relocation/demolition under Plan A, the planned de-accessioning of the existing court house structures, and the likely impact of the planned traffic changes at North and Federal Street. We ask that MEPA and MHC review mitigation.

DETAILED COMMENTS, QUESTIONS AND REQUESTS

Detailed comments, questions and requests are attached. We ask that you consider the attachment to be an integral part of this letter.

CONCLUSION

We appreciate the manner in which the MEPA process has been conducted. We look forward to continuing to work with MEPA and all the parties in this project to ensure its success and to help make this project the best it can be for the Courts and for Salem.

We recognize that the project creates challenges, many of which come from locating the new court building in the existing Federal Street Historic District block between Washington and North Streets. This location is a great asset both to the courts project and for Salem. It enhances the importance and viability of the courts that will all be in one very important and imposing historic block – at the same time that it enhances the vibrancy and economic vitality of Salem's historic downtown Salem by retaining and building on Salem's historic court presence in the Federal Street Historic District.

As you know, the Massachusetts Historical Commission (MHC) has determined that FSNA is an interested party with respect to this project. Please include our representatives in any correspondence or consultation:

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Thank you for your consideration of our comments and recommendations.

Sincerely,

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cc: Mayor Kimberley Driscoll
Hannah Diozzi, Chair, Salem Historical Commission

Lynn Duncan, Salem City Planner
State Representative John Keenan
State Senator Frederick Berry
Michael Sosnowski, Ward 2 City Councillor
Gail Rosenberg, Project Manager, Salem Court House, DCAM
Richard L'Heureux, Architect, Massachusetts Courts
Brona Simon, Executive Director, Massachusetts Historical Commission
Barbara Cleary, President, Historic Salem, Inc.
Maggie Lemelin, Co-Coordinator, Alliance of Salem Neighborhood Associations
Polly Wilbert, Representative, Alliance of Salem Neighborhood Associations (ASNA)
Meg Twohey, Representative for FSNA & ASNA
Rita Markunas, Representative for FSNA

Attachment: Detailed Comments, Questions and Requests

Previous letters written by FNSA on this project

FSNA letter dated Dec. 27, 2006 to Brona Simon, MHC, requesting to be considered an interested party
FSNA letter dated Sept. 12, 2006 to Gail Rosenberg, DCAM, request for public meeting.
Joint HSI & ASNA/FSNA letter dated July 21, 2006 to Gail Rosenberg, DCAM regarding importance of
three residential houses at the corner of Federal and North St., requesting meeting with the architects
ASNA/FSNA letter dated Dec. 31, 2005, regarding goals for Salem's Federal Street Court Campus

ATTACHMENT TO
FEDERAL STREET NEIGHBORHOOD ASSOCIATION LETTER
dated January 29, 2007

SPECIFIC COMMENTS, QUESTIONS AND REQUESTS

This attachment provides detailed comments in response to the ENF for the J. Michael Ruane Judicial Center Salem Trial Courts dated January 2, 2007 and supplements the comments provided in our letter.

Saving and Re-Using the First Baptist Church

We support and applaud the planned re-use and moving of the First Baptist Church. We are grateful to DCAM and the courts for recognizing the importance of this historic structure and for moving it so that it can have prominence along North Street, adjoining the new courthouse building. We strongly recommend the location shown in Plan C for the reasons noted below. We ask that the ENF provide data to support feasibility of moving the church.

Commitment to re-use the Old Essex Courthouse and the Essex County Superior Courthouse

We hope that DCAM and the Courts will pursue the opportunity raised at the MEPA site review to re-use these buildings for court functions as planned in the ICON study. We do not believe that DCAM has sufficiently demonstrated that re-use of these building for at least ancillary court functions is not practical. We request further information be provided to us, Historic Salem, the Salem Historical Commission and to MHC about the basis for that decision. We believe that re-use of these buildings, together with consideration of use of the existing District Court building on Washington Street, would allow the proposed new court building to be less massive. We hope that as the project proceeds, DCAM and the courts will re-examine their option to reuse these very important and historic public buildings. It is particularly regrettable that the extraordinary law library in the Essex County Superior Courthouse will not be reused. We strongly support the separation of Juvenile Court from adult court.

If the proposed plan is retained, we strongly request that DCAM and the City immediately work together to provide a plan to reuse for public purposes these two court buildings so that they do not sit empty. Planning for reuse of these two very historic buildings now will enable them to be ready for use when the new building is ready. Because of the importance of these buildings and their extraordinary history, we feel that it is critical that these buildings be reused for public purposes.

Preserving 58, 60 and 62 Federal Street

We support Plan C. This plan preserves the three historic houses located at the corner of Federal and North Streets. We note that Plan C for the new building is virtually identical to Plan A, the plan preferred by DCAM, with the sole exception that the Baptist Church is moved a little. Therefore, Plan C does not in any way require a change to the preferred plan of the new building.

Our neighborhood is particularly concerned with retention of the three houses because the new court building, however well designed, will already have a negative impact on our neighborhood because of its height and massive institutional presence. Preserving these historic houses will contribute to the project by softening the scale of the new building without compromising the Courts' civic presence on the street. Preserving these houses, combined with moving the First Baptist Church, will also soften the very large institutional presence of the new building as Federal Street crosses North Street.

In supporting retaining these three houses, we concur with the letter submitted by Historic Salem. We also want to call attention to the statement in the National Register nomination for the District prepared in November 1979 that states:

"The Federal Street District is therefore a self-contained block, characterized by contrasts of scale, architectural style and use which successfully synthesize into a single entity. No voids or intrusions disrupt the integrity of the district."

Security has been cited as a reason to remove and (possibly) demolish these three buildings. However, with all due respect, this argument is not convincing to us since DCAM is currently planning to de-accession the two court buildings at the other end of Federal Street that are equally close to the current Registry of Deeds building planned for use for Family and Probate Court. No concerns about security are expressed for the de-accessioning of those two courthouse buildings. Therefore, there should be none with regard to these three houses.

Since DCAM owns or will own all these properties, when it disposes of them, DCAM can place restrictions to ensure that any security concerns are satisfied. These restrictions could include requiring approval of tenants and uses. Further, exterior easements can be placed on the buildings to ensure that the historic fabric of the buildings is maintained to a high standard and that any exterior uses (such as trash placement) are defined in a manner consistent with the Courts' wishes. Thus, the three houses can be restored to their former glory and can be an attractive feature adjacent to the new courthouse.

As noted by Historic Salem, it would seem to be unacceptable to destroy Salem's historic fabric simply because it interferes with the view of a new building.

Finally, the ENF states only that DCAM will make an effort to save and re-locate these houses should Plan A be selected. We strongly urge that the Commonwealth require that DCAM provide for the relocation and re-use of these three houses within Salem, working with the City. We cite as one of many precedents the recent relocation of the two historic houses by the Peabody Essex Museum when it built its new wing.

Scale

The scale, materials and final design of the new building in the context of this important Federal Street Historic District and from every vantage point, including our entrance corridors, Salem's downtown, and our neighborhood is very important to our neighborhood and to the City.

Goody Clancy, architects, have extensive experience fitting large new buildings into historic settings, but the scale required because of the court system's requirements is a significant concern. Further, we are concerned that the Plan A creates a large plaza rather than maintaining the building street edge which is there now, and which is consistent with the scale and street edge of the adjoining McIntire District.

We believe that the project should comply with Salem's "Heritage West Urban Renewal Plan, Design Criteria" under 301 CMR 11.03 (1)(b) 6 and 7.

We request that your review and MHC's consider the scale of the new building and its impact on the historic resources in the Federal Street District, our historic neighborhood and downtown Salem, as well as Salem's entrance corridors. We also request that we continue to be involved in reviewing the design as the project moves forward.

Preserving Neighborhood Continuity

The Federal Street Neighborhood Association has identified three concerns associated with designing the new judicial center at the proposed Federal Street site:

- The importance of preserving existing historic buildings and the timely and appropriate reuse of any de-accessioned court buildings for public purposes,
- The use of suitable architectural scale and context in order to maintain the compatibility and atmosphere that exists within and between the three sections of Federal Street, the adjoining neighborhoods and the historic downtown. As noted, we are particularly concerned that Plan A proposes a large plaza rather than maintaining the building street edge consistent with adjacent the McIntire Historic District as provided by Plan C.
- The anticipated traffic and parking problems associated with building another large courthouse while abandoning existing large court buildings for undetermined use. This will significantly increase the density and congestion in this one block area as well as create overflow problems in the Federal Street Neighborhood.

All of these concerns are related to the issue of maintaining continuity between the new courthouse site in the Federal Street Historic District block, our neighborhood, downtown Salem and the rest of Salem.

The Federal Street neighborhood consists of the segment of Federal Street that runs from North Street to Boston Street. It includes the side streets known as Beckford, River, Andover, Lynn, Monroe, Carpenter and Flint. This densely residential area consists almost entirely of historic buildings and is a part of the McIntire Historic District. What makes the Federal Street Neighborhood unique is the diverse use of these historic buildings. They include single and multiple family residences, as well as an elementary school, Catholic Church, Rectory, a regional behavioral health center, a group home for disabled adults, a funeral home, doctor's office and two Museum houses that serve as historic resources and function facilities and for the Peabody Essex Museum. As a result of this diverse use, the Federal Street Neighborhood is home for many and a destination for many more.

It is important that residents and individuals coming into and leaving our neighborhood feel a sense of connection to adjoining neighborhoods, including the Federal Street Historic District and our historic downtown. This sense of

connection is a quality of life issue that is fostered by easy flowing traffic and available, convenient parking. This sense of continuity is also facilitated by buildings that look like they belong in the neighborhood. Historic preservation maintains continuity by linking our rich heritage to the present and the future. Finally neighborhood continuity is engendered by ease of pedestrian mobility.

The Federal Street Neighborhood is delineated by Route 107 (Bridge Street) along its western and northern borders and by Route 114 (North Street) along its eastern border. These state thoroughfares already threaten the connection between our historic neighborhood and the rest of Salem. As a result, we are very concerned that building a large courthouse on land currently used to facilitate traffic flow between Route 114 and Route 107 (i.e., the east loop ramp) risks further deteriorating the pedestrian, historic and aesthetic continuity and connection that exists between the Federal Street Neighborhood, the Federal Street Historic District, downtown Salem and other adjoining neighborhoods.

We are concerned that the scale of the new intersection, number of lanes and number of lights could have negative visual impact on our neighborhood.

We request that MEPA and MHC consider these impacts in your review.

Traffic, parking and pedestrian issues

As you know, we do not have the benefit of a traffic study or of the presentation planned by DCAM to be presented by MassHighways. However, based on the EarthTech presentations at the January 9 information meeting and the January 22 MEPA Scoping meeting, we do not believe the traffic plans are based on sufficient or necessarily accurate information. Further, the plans do not take into account a number of other projects planned in and near the courthouse project, including the MBTA Garage, the widening of Bridge Street and a number of others that could affect the results of the traffic analysis and the viability of the proposed design. We have therefore provided a list of our concerns based on the information to date.

We are concerned that there is no traffic study available for review, and that a MassHighways' presentation on this project has not taken place before these ENF comments are due.

We observe that the "Roadway Improvement Feasibility Study" dated January 2003 prepared by Edwards and Kelcey, Inc. in support of the ICON Architecture, Inc. plan for the Proposed Trial Court Expansion in Salem dealt thoroughly with many of our issues. We urge that MEPA direct DCAM to incorporate this study, updated as necessary to meet changed circumstances.

We request that MEPA require that the traffic study, including information on traffic, parking and pedestrians, be made available on a specified timetable, along with a public presentation, and that, if inadequate, an EIR action be required. We believe that this will help ensure that this project move forward as quickly as possible to the benefit of the Courts and the City.

Our specific comments on the information presented to date follow:

- The traffic analysis appears to be incomplete, inconsistent and in places incorrect. We are concerned that the analysis understates the traffic and parking impacts on the area affected by the project, including our Federal Street residential neighborhood.
- There is no meaningful analysis of parking impact in the traffic analysis presented in the information meeting and the MEPA scoping meeting.
- There is no meaningful analysis of pedestrian impact in the traffic analysis presented in the information meeting and the MEPA scoping meeting. In the last several years, we had accidents involving both cars and pedestrians at the Federal Street/North Street intersection. It is important that the situation not continue or to be made worse.
- Removing the east ramp from North Street to Bridge Street could compromise viable flow of heavy traffic through downtown Salem, especially during commuter rush hours. Deficiencies in the traffic analysis presented leave us skeptical that the proposed design will achieve the specified results. The former east ramp provided an important opportunity for improved access to the MBTA station.
- We are concerned that the proposed changes in the traffic and light configuration proposed for the Federal and North Street intersection and the expanded west ramp could result in increased cut-through traffic

through our historic neighborhood and reduced access to our neighborhood if no left turn is permitted for northbound traffic. These issues are dismissed or ignored in the traffic analysis presented.

- We are concerned that the proposed design does not provide adequate pedestrian access from Federal Street to the train station, downtown and Leslie's Retreat park. The current asphalt walkway through the west ramp is very heavily traveled. It is not clear whether a similar walkway will be retained.
- We are concerned that potential closures of the left turn from North Street northbound onto Federal Street (by this project), combined with the potential need to eliminate a left turn onto Lynn Street from Bridge Street westbound (as a result of the Bridge Street Phase VI project) could limit access for residents and visitors to our neighborhood and cause unnecessary extension of traffic trips. This limitation is exacerbated by the elimination of the east ramp that provides today a way to come back up the west ramp onto Federal Street from Bridge Street.
- We are concerned that plans for the North Street/Federal Street intersection could present significant traffic and safety issues. Plans presented by EarthTech retain the existing left turn onto Federal Street from North Street northbound at Lynde Street. However, during discussion at the information meeting, EarthTech analysts suggested that left turn was problematic for traffic flow. EarthTech suggested that it might be necessary to extend the existing North Street island at Federal Street southward to preclude the left hand turn. At the MEPA Scoping meeting, a city official with engineering and fire credentials stated that extending the island would prevent fire trucks from gaining access to Federal Street. These issues need to be resolved.
- The plan calls for extensive signalization at the top of the west ramp near the intersection of North and Federal Streets. Ten traffic lights are proposed. We are concerned that this extensive signalization will create traffic backups, noise from the signals and light intrusion in our historic neighborhood.
- We wish to confirm that the widening of the west ramp will not intrude on the historic Peabody Essex Museum Pierce Nichols house, and that significant additional lighting will not be required on the ramp which would intrude on that historic resource or our neighborhood.
- Specific impacts of other projects in or near the project area were omitted from the analysis. Eight projects were identified in the MEPA Scoping meeting in various stages of planning which could directly impact traffic loading and design of the North Street/Bridge Street intersection. None were included in the traffic analysis. EarthTech has offered to include impacts of the MBTA Garage plan in the analysis, but the results were not available to us for inspection in time for this response. We request that all projects be included in the traffic report, with consultation with the City.
- Coordination of the various agencies and projects that will affect the Courts was not demonstrated in the ENF or the presentations. Failure to incorporate the best information available regarding these projects in the traffic analysis nullifies the validity of the traffic analysis, diminishes its credibility and risks unnecessary disruption and disproportionate remediation costs for decades to come.

We recommend that MEPA require a traffic study which addresses parking and pedestrians be made available on a specified timetable, and that, if inadequate, an EIR action be required. We believe that this will help ensure that this project move forward as quickly as possible to the benefit of the Courts and the City. We note that EarthTech has worked successfully with the City in the past and we are confident in their ability to produce an excellent document, given appropriate scope and direction.

We recommend that MEPA specify a scope that will ensure that all aspects of environmental impact are properly addressed. This scope should include a process that:

- Requires that all parties to the analysis work closely with neighborhood and City officials to ensure that the data supporting the analysis is complete, consistent and correct.
- Adopts an integrated approach that expands the area of analysis to include impacts throughout the areas affected by the project. For example, the current analysis for the Federal Street Neighborhood includes only Federal Street from North Street to Beckford Street. We request that it be expanded to include critical routes such as River/Andover/Lynn, Beckford, Monroe, Carpenter and Flint.

- Addresses all likely contributors to adverse traffic, parking and pedestrian impact on the Federal Street neighborhood and other affected neighborhoods
- Addresses impacts of cut through patterns and changed resident access
- Analyzes and provides for pedestrian movement from Federal Street to and downtown, the train station and Leslie's Retreat Park.
- Considers reversing some sections of Federal Street in order to reduce adverse traffic impacts. Alternatives identified to date include reversing Federal Street between North and Washington Street, or between Beckford and North Street. These changes might induce needs for other changes, e.g. reversing Beckford Street from Federal Street to Essex Street, however they might result in a less cumbersome plan for the Federal and North Street intersection.
- Addresses aesthetics and urban design, particularly given the impact of traffic changes on the historic districts affected.

We recommend that MEPA require that the details and working papers of the traffic analysis, including the simulation model necessary for proper review of these complex issues, be made available to all interested parties for inspection.

We recommend that MEPA direct DCAM to review the "Roadway Improvement Feasibility Study" dated January 2003 prepared by Edwards and Kelcey, Inc. in support of the ICON Architecture, Inc. plan for the Proposed Trial Court Expansion in Salem and incorporate this study, updated as necessary to meet changed circumstances.

Coordination with Other Projects

The location of the Courthouse project overlaps or interacts directly with major projects in various stages of planning which directly impact traffic loading and design of the North Street/Bridge Street intersection that is critical to the Courthouse traffic plans. These have not been included in the information presented by EarthTech to date. We recommend that they be included and considered in the traffic study which EarthTech is preparing. These projects include:

- Bridge Street Bypass Phase VI project
- North Street reconstruction,
- MBTA garage,
- District Attorney's Offices,
- Possible location of the Registry of Deeds future home.

We thank EarthTech for their commitment to consider impacts of the MBTA Garage plan in the analysis, but the results were not available to us for inspection in time for this response.

It has been a long-standing objective of our neighborhood and the Alliance of Salem Neighborhood Associations to ensure that the planning for this project, traffic, parking and pedestrians is integrated and makes sense.

We request that DCAM and MassHighways work with the City and other agencies to ensure that plans incorporate them. The ENF does not provide for or refer to consultation with state agencies other than with MHC, even though the plan depends on changes that must be made by MassHighways to make the site viable. We recommend that MassHighways and the MBTA be recognized consulting agencies, along with the City of Salem.

Mitigation

We request that MEPA and MHC review the mitigation presented in the ENF. The mitigation presented in the ENF focuses on the desire to keep the courts in downtown Salem, retaining and reusing the Registry of Deeds/Probate and Family Courthouse and relocating and integrating the Baptist Church into the new plan. There is also a statement of commitment by DCAM to work with the City to identify appropriate reuse alternatives for the Country Commissioner's and Superior Court buildings, consistent with the City's planning goals and preservation of these historic structures, and a statement that DCAM will "investigate" opportunities for relocation and reuse of 58, 60 and 62 Federal Street by others, providing for possible retention of three historic properties. Finally, there is a commitment to a goal of making the new building LEED Silver certifiable.

While we join with the City and DCAM in strongly supporting retaining the courts in the Federal Street Historic District, we believe that this plan equally benefits the Courts, allowing the Courts to integrate a new building in an extremely important historic court district recognized by its National Register status.

We deeply appreciate the commitment shown in the ENF to retain and re-use historic structures for the reconfigured Courts campus. However, we believe that re-examination and clarification of the reasons for not reusing the Court buildings planned for de-accession is needed. If a plan closer to that proposed in the ICON study were adopted, then the remaining historic Courts buildings would be retained and reused for court functions – and for public use. Re-use of these buildings would also reduce the scale of the new building as currently proposed at 190,000 square feet, reducing its impact in many ways that are demonstrated by the contrast between the traffic changes required under the ICON plan, and those required under the current plan.

Should the planned de-accessioning proceed, we are very concerned that there is no commitment that these de-accessioned buildings be used for public purposes nor is there is clear commitment to a timeline and plan that ensures their reuse by the time the new building is completed.

Based on the public input at the information and MEPA meetings, there does not appear to be great support for traffic plan presented by EarthTech; the proposed removal of the interchange loop ramp and the proposed alternative use of the current west ramp with ten additional signal lights added to North Street adjacent to the site. There is also concern about the practicality of pedestrian access to the MBTA station as proposed in the plan presented in the MEPA meeting. Based on the information provided at the meetings, we believe this plan creates adverse effects on traffic, parking and pedestrian access. It is important that these impacts be addressed in at least a neutral and ideally a beneficial manner. As already noted, we believe the North/Federal Street traffic plan will have a negative impact on historic resources – both in the Federal Street Historic District and in the historic districts surrounding the courthouse campus – and a net negative impact on the City. We request that these concerns be addressed.

It has been our understanding that the project was committing \$3M for 250 parking spaces in the planned MBTA garage, which is not mentioned in the mitigation section. We request that this commitment be clearly stated as it will contribute significantly to alleviating parking pressure on downtown Salem when the MBTA garage is built.

We strongly support the goal that the building be LEED Silver certifiable.