

**MEMORANDUM OF AGREEMENT AMONG
THE U.S. DEPARTMENT OF VETERANS AFFAIRS,
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICE,
AND
THE NEW JERSEY DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
REGARDING THE RENOVATION PROJECT AT
VETERAN'S HAVEN SOUTH
301 SPRING GARDEN ROAD
WINSLOW, NEW JERSEY**

WHEREAS, the U.S. Department of Veterans Affairs (VA) is providing a Grant and Per Diem Program Office Grant (FAI NJDM928-2856-642-CG-22) to assist in the financing for the renovation project of the Veteran's Haven South Facility ("Building") at 301 Spring Garden Road, Winslow, New Jersey, to be implemented by the New Jersey Department of Military and Veterans Affairs (NJDMAVA); and

WHEREAS, in consultation with the New Jersey Historic Preservation Office (NJHPO), VA has determined that the Ancora Psychiatric Hospital Historic District is eligible for listing in the National Register of Historic Places (National Register) and that the Building is a contributing resource to the eligible Ancora Psychiatric Hospital Historic District; and

WHEREAS, the Building is part of the larger eligible Ancora Psychiatric Hospital Historic District (Historic District) and once purportedly served as transient nurse and staff housing assigned to the Ancora Psychiatric Hospital; and

WHEREAS, the New Jersey Department of Human Services (NJ DHS), as a state agency, is not subject to this current Section 106 review; and

WHEREAS, the NJDMAVA took over the Building from NJ DHS circa 1995 through a Memorandum of Understanding (MOU) with the intention to operate a homeless veterans support and reintroduction program. Through the MOU, the NJ DHS continues to retain ownership of the Building and manages the rest of the eligible Ancora Psychiatric Hospital; and

WHEREAS, the project consists of the interior and exterior renovations of the Building to include the installation of new Building-wide heating, ventilation, and air conditioning (HVAC) systems in each resident rooms (Packaged Terminal Air Conditioner [PTAC]), installation of ensuite bathrooms in 20 out of 81 resident rooms, and repair of damaged interior wall and ceiling plaster in several resident rooms (collectively, the "Undertaking"); and

WHEREAS, VA, pursuant to 36 Code of Federal Regulations (CFR) § 800.3(a), has determined that provision of a Grant and Per Diem Program Office and the project it will fund is a federal action that meets the definition of an undertaking, per 36 CFR § 800.16(y), and is the type of activity that has the potential to cause effects on historic properties, and therefore subject to Section 106 of the National Historic Preservation Act (NHPA) (54 United States Code [USC] § 306108) and its implementing regulations (36 CFR Part 800 – Protection of Historic Properties); and

WHEREAS, VA, pursuant to 36 CFR § 800.2(c)(4), has authorized the grant applicant, NJDMAVA, to initiate Section 106 consultation with the New Jersey State Historic Preservation Office (NJHPO) and other parties via a program-wide authorization for grant applicants issued October 15, 2021; and

WHEREAS, on behalf of VA, NJDMAVA, pursuant to 36 CFR § 800.2(c)(1), has consulted with the NJHPO; and

WHEREAS, VA and NJDMAVA, pursuant to 36 CFR § 800.4(a)(1), have determined the area of potential effects (APE) as the boundaries of the Building as shown in Attachment A and the NJHPO did not object; and

WHEREAS, VA and NJDMAVA, pursuant to 36 CFR § 800.4(a)(2 through 4), have determined, in consultation with the NJHPO, that the Undertaking has no potential to affect archaeological historic properties based on the results of an archeological survey conducted at the Building location to support acquiring an environmental permit issued by the New Jersey Pinelands Commission for the construction of an addition, circa 2011. The results of this survey are documented in *“An Archaeological Survey of Proposed Improvements to Veterans’ Haven Facility, Ancora State Hospital Block 6801, Lot 1, Winslow Township, Camden County, New Jersey”* dated 2009 ; and

WHEREAS, VA, pursuant to 36 CFR § 800.5(d)(2), has determined that the Undertaking will have an adverse effect on the eligible Ancora Psychiatric Hospital Historic District due to the proposed exterior modifications of the Building to include removal of exterior blocks and installation of ventilation grates. The NJHPO concurred on 10 January 2023; and

WHEREAS, VA, pursuant to 36 CFR § 800.2(c)(2), invited the Delaware Nation of Oklahoma, the Delaware Tribe of Indians, and the Shawnee Tribe via electronic mail on 16 December 2022 to be consulting parties as federally recognized tribes. On 16 December 2022, the Delaware Tribe of Indians via electronic mail stated they have no objection or comments to interior work being completed for this project and do not wish to enter into consultation unless ground disturbing activities are expected. As of the date of this Memorandum of Agreement (Agreement), no response has been received from the Delaware Nation of Oklahoma and the Shawnee Tribe and it is assumed that they have chosen not to participate in the consultation; and

WHEREAS, VA, pursuant to 36 CFR § 800.2(c)(3 through 5), invited Winslow Township and Camden County via electronic mail on 16 December 2022 to be consulting parties. As of the date of this Agreement, no response has been received from the township or county and it is assumed that they have chosen not to participate in the consultation; and

WHEREAS, VA, pursuant to 36 CFR § 800.2(d), provided the public with information about the Undertaking and its effects on historic properties and sought public comment and input. As of the date of this Agreement, no response has been received from the public and it is assumed that they have chosen not to participate in the consultation; and

WHEREAS, VA, pursuant to 36 CFR § 800.6(a)(1), notified the Advisory Council on Historic Preservation (ACHP) via electronic mail on 16 December 2022 of its adverse effect finding with specified documentation. In a letter dated 27 December 2022, the ACHP responded that they chose not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, VA, pursuant to 36 CFR § 800.6(c)(2)(iii), invited NJDMAVA, as the grant applicant, to sign this Agreement as an Invited Signatory; and

NOW, THEREFORE, VA, the NJHPO, and NJDMAVA agree that the Undertaking shall be implemented in accordance with the following stipulations in order to mitigate the Undertaking's effect on the Building which is contributing to the Historic District.

The VA shall ensure that NJDMAVA shall implement the following stipulations:

I. MITIGATION MEASURES

A. Design Requirements

The project design shall require:

1. Remove the existing window air conditioners and replace them with a similar window glass to what is currently installed so that the window muntin design is maintained, and
2. That the color of the PTAC grilles match the exterior block.
3. All work shall be reviewed and approved by the NJHPO prior to construction.

B. Interpretation Signage

NJDMAVA, using the services of a person meeting the Secretary of the Interior's Professional Qualification Standards [48 FR 44738-9] in History and/or Architectural History, shall design and install one (1) interpretive sign detailing the history and significance of the Building to be displayed in a publicly accessible area. The content of the signage shall include a colorful panel mounted on a pedestal or wall and the content shall incorporate historic photographs as well as text regarding the historic significance of the Historic District. The location, content, size and text of the signage shall be submitted to the NJHPO for review and approval prior to fabrication. The sign shall be installed and verification of installation shall be provided within one (1) year of the project completion. NJDMAVA shall ensure that the interpretive signage will include, but not limited to, the following:

1. The sign will be installed adjacent to the Building, incorporating historical and descriptive narrative and images that relate to all modification to the exterior historic resources. The sign location and content shall be consistent with existing signs in the Historic District..

2. The narrative shall be developed from various documents available in the archives held at the New Jersey State Library, NJHPO, NJDHS, NJDMAVA, and the internet and include:
 - a. Locational, ownership, and use data.
 - b. Detailed historical information for the Building and Historic District, including, where relevant, dates of construction, architect, builder, alterations, and original and subsequent architectural uses.
 - c. An overview narrative historical context of the Historic District and the Building's connection to the Historic District.
 - d. Detailed physical descriptions of the buildings and landscape features at the Building and Hospital Historic District, including, as applicable, the dimensions, materials, structural system, and architectural details of exterior and interior features. The narrative will include an overview description of the site and setting.
 - e. References used.
3. A complete draft of the interpretative sign along with a map of proposed sign location will be provided to NJHPO and any consulting parties that may wish to participate for a 30-day review prior to installation of the sign. The NJDMAVA will take any timely comments submitted by the NJHPO into consideration before finalizing and installing the signs.
4. The final interpretive sign shall be prepared and installed and verification of installation shall be provided to the NJHPO within one (1) year of the project completion.

C. RECORDATION

1. Prior to the removal, demolition, or alteration of any components of the Building, the NJDMAVA on behalf of the VA, using the services of an Architectural Historian who meets the Secretary of the Interior's Professional Qualifications Standards [48 FR 44738-91] in Architectural History, shall document the existing conditions of the Building with a focus on the Building exterior. The documentation shall be completed to Level III equivalent standards of the Historic American Engineering Record (HAER). In lieu of large format photography, the permittee shall include high-resolution digital photos that meet the National Park Service National Register Digital Photo Submission Standards. The standards can be found at the following web address: <https://www.nps.gov/hdp/standards.PhotoGuidelines.pdf>.
2. Photographic documentation will include a minimum of fifteen (15) digital photographs per the National Park Service Standards for digital photography. The photographs will provide representative exterior views of the Building and contextual views from around the Building. A portion of the photographs can be,

at NJDMAVA's discretion, aerial photographs of the Building and Historic District from publicly available sources such as Google Map and/or the State of New Jersey's aerial photography library (<https://njgin.nj.gov/njgin/edata/imagery/index.html>). Photographic documentation must be approved by the NJHPO prior to project commencement.

3. The recordation shall include both archival stable, 4-inch by 6-inch black and white prints and high-resolution digital RAW and/or TIFF files on an archival CD-R.
4. The VA/NJDMAVA shall ensure that all documentation is completed and accepted by the NJHPO prior to any removal, demolition, or alteration of any components of the Building. The VA/NJDMAVA shall provide one original archival copy of the recordation to the NJHPO and duplicate copies, with original photographs, shall be provided to the appropriate repositories as identified in consultation with the NJHPO.

II. INADVERTENT DISCOVERY

- A. Should a previously unidentified resource be encountered during this Undertaking, or if an unanticipated effect to a known historic property results from the Undertaking, NJDMAVA shall inform VA and will halt activities in the vicinity of the resource. VA shall comply with 36 CFR 800.13(b) by notifying the NJHPO and invite comment from signatories to the Agreement. VA's notifications shall include a description of unanticipated effects, an eligibility recommendation, or a proposed schedule for assessing eligibility, and if appropriate, a process to resolve potential adverse effects.

III. ADMINISTRATIVE PROVISIONS

A. Professional Qualifications

1. NJDMAVA shall ensure that individuals meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61; 48 FR 44738-9) in the relevant field of study carry out or review appropriateness and quality of the actions and products required by this Agreement. However, nothing in this stipulation may be interpreted to preclude NJDMAVA or any agent or contractor thereof from using the properly supervised services of persons not meeting the Secretary of the Interior's Professional Qualification Standards.
2. If NJDMAVA determines that the Undertaking must be modified, it will notify VA, and VA and NJDMAVA will consult with the NJHPO to determine the effect of such modifications. If the modifications result in additional adverse effects to historic properties, additional mitigation to resolve adverse effects shall be determined in consultation with the NJHPO and ACHP and included under Stipulation II and appended to this Agreement pursuant to Stipulation III.E.

B. Duration

1. This Agreement will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, NJDMAVA may consult with VA, the NJHPO, and ACHP to reconsider the terms and extend the Agreement's duration for an additional five years upon mutual agreement and amend it in accordance with Stipulation III.E.
2. If NJDMAVA determines the terms of the Agreement have been fulfilled, it shall notify VA, the NJHPO, and ACHP in writing. Upon written concurrence from VA, the NJHPO, and ACHP that the terms of the Agreement have been fulfilled, this Agreement will be considered expired.

C. Confidentiality

1. NJDMAVA acknowledges that the historic properties covered by this Agreement are subject to the provisions of § 304 of the NHPA, relating to the disclosure of archeological site information and, having so acknowledged, will ensure that all actions and documentation prescribed by this Agreement are consistent with said sections.

D. Dispute Resolution

1. Should any Signatory object at any time to the manner in which the terms of this Agreement are implemented, to any action carried out or proposed with respect to implementation of the Agreement (other than the Undertaking itself), or to any documentation prepared in accordance with and subject to the terms of this Agreement, they shall consult with the VA to resolve the objection. If the VA determines that such objection cannot be resolved, VA shall:
 - a. Forward all documentation relevant to the dispute, including VA's proposed resolution, to the ACHP. The ACHP shall provide VA and the NJHPO with its advice on the resolution of the objection within 30 days of receiving adequate documentation. Prior to reaching a final decision on the dispute, VA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the NJHPO and provide the NJHPO with a copy of this written response. VA will then proceed according to its final decision.
 - b. If the ACHP does not provide its advice regarding the dispute within the 30-day time period, VA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, VA shall prepare a written response that takes into account any timely comments regarding the dispute from the NJHPO and provide the NJHPO with a copy of such written response.

2. VA's responsibility to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged.
3. Should any member of the public raise a timely and substantive objection pertaining to the manner in which the terms of the Agreement are carried out, at any time during its implementation, NJDMAVA shall notify VA and in coordination with VA take the objection into account by consulting with the objector to resolve this objection. When NJDMAVA responds to an objection, it shall notify the consulting parties of the objection and in the manner in which it was resolved. NJDMAVA may request the assistance of a consulting party to resolve an objection.

E. Amendments

1. This Agreement may be amended when agreed to in writing by all Signatories and Invited Signatories. The amendment will be effective on the date a copy signed by the Signatories is filed with the ACHP.

F. Termination

1. If any Signatory or Invited Signatory to this Agreement determines that its terms will not or cannot be carried out, that party will immediately consult with the other parties to develop an amendment per Stipulation III.E., above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any Signatory or Invited Signatory may terminate the Agreement upon written notification to the other Signatories.
2. If this Agreement is terminated, and prior to work continuing on the Undertaking, VA and NJDMAVA must either (a) execute an Agreement pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. VA will notify the Signatories and Invited Signatory of the course of action it will pursue.

G. Reporting Requirements

1. NJDMAVA shall provide the Signatories to this Agreement an Annual Report documenting actions carried out pursuant to this Agreement. The reporting period shall commence one year from the date of execution.
2. The Annual Report shall address the following: status of undertaking (e.g., phases complete and upcoming), scheduling changes, status of mitigation, any objections received and how they were resolved, status of any proposed amendments, and any interest from the public in the undertaking and/or terms of the Agreement.
3. VA shall coordinate a meeting with all Signatories to be scheduled within ninety (90) days of distribution of the Annual Report, or another mutually agreed upon date, to discuss activities carried out pursuant to this Agreement during the

preceding year and activities scheduled for the upcoming year. This meeting, should it be deemed unnecessary, may be cancelled by mutual consent of the Signatories.

Execution of this Agreement by VA, the NJHPO, and the NJDMAVA and implementation of its terms evidence that VA has taken the effects of the Undertaking on the Building to the Historic District into account and afforded the ACHP an opportunity to comment.

**MEMORANDUM OF AGREEMENT AMONG
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GRANT AND PER DIEM PROGRAM OFFICE,
THE NEW JERSEY STATE HISTORIC PRESERVATION OFFICE,
AND THE NEW JERSEY DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
REGARDING THE RENOVATION PROJECT AT
VETERAN'S HAVEN SOUTH
301 SPRING GARDEN ROAD
WINSLOW, NEW JERSEY**

SIGNATORY:

U.S. Department of Veterans Affairs Grant and Per Diem Program Office

By

CHELSEA A.

WATSON 238575

Digitally signed by CHELSEA
A. WATSON 238575
Date: 2023.03.14 09:25:05
-04'00'

3/14/2023

Chelsea Watson, National Director

Date

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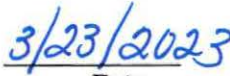
SIGNATORY:

New Jersey State Historic Preservation Office

By



Katherine Marcopul, Deputy State Historic Preservation Officer



Date

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WINSLOW, NEW JERSEY**

INVITED SIGNATORY

New Jersey Department of Military and Veterans Affairs

By



Vincent Solomeno III
Acting Deputy Commissioner of Veterans Affairs

3/20/23
Date

Attachment A

Area of Potential Effects

Letter from NJDMAVA to NJHPO Dated 27 May 2022

and

Letter from NJHPO to NJDMAVA dated 10 August 2022



State of New Jersey

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
POST OFFICE BOX 340
TRENTON, NJ 08625-0340

PHILIP D. MURPHY
Governor
Commander-in-Chief

SHEILA OLIVER
Lieutenant Governor

★
LISA J. HOU, D.O.
Brigadier General
The Adjutant General

Ms. Katherine J. Marcopul
Deputy State Historic Preservation Officer
Department of Environmental Protection
Historic Preservation Office
PO Box 420 Trenton, New Jersey 08625-0420

27 May 2022

RE: Veterans Haven- South
301 Spring Garden Rd, Hammonton, NJ 08037
39.6858443288232, -74.85719906705734

PROJECT: Veterans Affairs (VA) Grant to upgrade 20 interior rooms

Dear Ms. Marcopul,

As part of the U.S. Department of Veterans Affairs grant approval process NJDMAVA, on behalf of the VA must demonstrate Section 106 (36 CFR §800.5) consultation with the State Historic Preservation office considering the effects of undertakings upon resources listed for the National Register of Historic Places. NJDMAVA received a VA FY2022 Capital Grant to upgrade 20 double rooms into 20 single rooms with individual bathrooms. The project calls for the retrofit of 20 rooms 24 ft. by 16 feet. This consultation does not include design specifications as Section 106 is required to receive the grant.

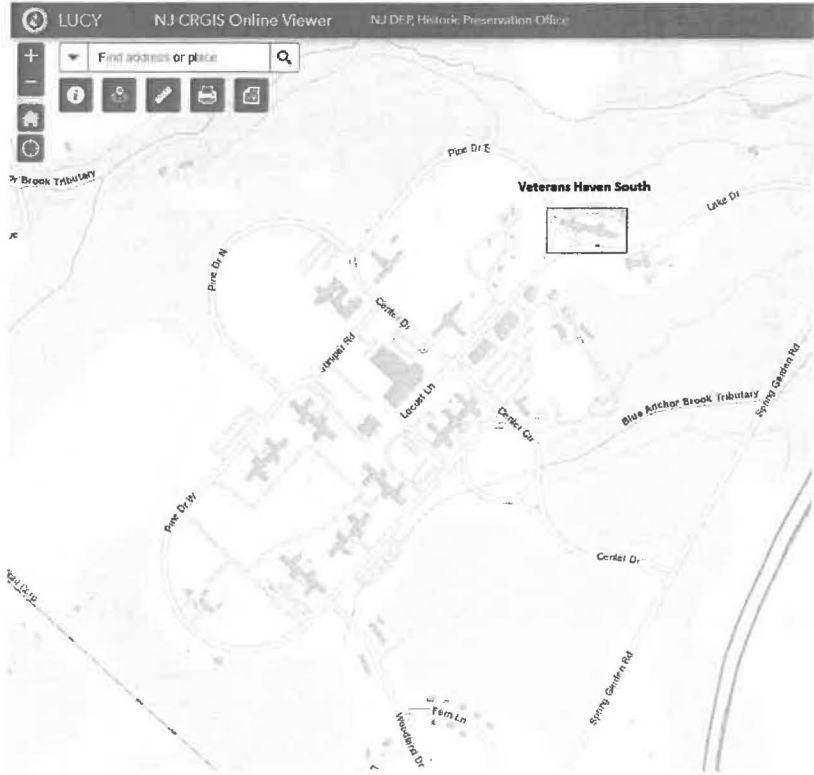
The Veterans Haven South building is a state building located on state owned property. The building consists of three floors, with three sections (A, B, C wings). According to NJDEP GIS LUCY, the referenced building is not located within or adjacent to any property on, or eligible for listing in, the New Jersey and National Registers of Historic Places. This site has not had an archeological investigation; however, review of historical aerial imagery shows the site has been previously disturbed due to ongoing construction activities including a recent addition. Furthermore, the proposed construction footprint is located within the existing building therefore, no groundbreaking disturbance will occur from this project. I have recommended that any future proposed projects should require a building architectural evaluation and phase 1a archeological evaluation to determine the presence of historic sites.

If approved, this project will allow Veterans Haven South to extend services and admit Veterans with unique privacy concern, such as transgendered veterans, as well as help us to provide a higher level of safety in situations such as the COVID-19 pandemic, by offering the privacy and security of individual bathrooms.

After review of the project requirements, it is the NJDMAVA's opinion that this project will not adversely affect any historic resources. We request that you concur with our findings. You may contact the undersigned at (609) 530-7134 or Sarah.Helble@dmava.nj.gov should you have any questions or would like to arrange a site visit. I thank you in advance for your assistance.

SARAH J. HELBLE
Environmental Specialist
Sarah.Helble@njdmava.nj.gov

Attachments:
Grant Application Package





State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

HISTORIC PRESERVATION OFFICE

501 East State Street

P.O. Box 420, Mail Code 501-04B

Trenton, New Jersey 08625-0420

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www.nj.gov/dep/hpo

PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

SHAWN M. LATOURETTE

Commissioner

HPO Project #22-1117-2

HPO-G2022-133

August 10, 2022

Sarah J. Helble
Environmental Specialist II
Cultural Resource Manager
Department of Military and Veterans Affairs
New Jersey Army National Guard
Environmental Management Bureau
via email at sarah.helble@dmava.nj.gov

Dear Ms. Helble,

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40553-40555), I am providing consultation comments on the following proposed undertaking:

**Camden County, Winslow Township / Atlantic County, Hammonton Township
Veterans Haven South
301 Spring Garden Road
Rehabilitation of 20 Rooms
Division of Military and Veterans Affairs (DMAVA)**

The following comments were prepared in response to your letter and supporting documentation received by the Historic Preservation Office (HPO) on June 28, 2022, and an informal meeting with HPO Staff on July 27, 2022.

800.3 Initiation of the Section 106 Process

The Department of Military and Veterans Affairs (DMAVA) proposes to rehabilitate twenty rooms at Veterans Haven South (Hickory Hall), with the intention of repurposing double-occupancy rooms into single-occupancy rooms with private bathrooms, in order to better serve the female and transgender veteran communities. Details of the project are to be determined, pending the receipt of grant funding.

800.4 Identification of Historic Properties

The area of potential effects (APE) for the proposed project is limited to the subject structure, which was built c. 1955 as a part of the larger Ancora Psychiatric Hospital complex. The subject structure is potentially a contributing resource to a larger district related to the Ancora Psychiatric Hospital, which is potentially eligible for listing on the National Register of Historic Places. In order to make a formal determination, the HPO requests Intensive Level Architectural Survey of the Veterans Haven South / Hickory Hall building.

800.5 Assessment of Adverse Effects

As discussed on the 7/27/22 Teams meeting between you, Therese Matthews of DMAVA, and Emma Connolly and Meghan Baratta of my staff, in the event that the timing of the grant application does not enable an intensive level architectural survey to be completed, we have provided guidance to help the project team plan the project. The project will have **no adverse effect** to potentially eligible properties, with the conditions listed below:

- All proposed work shall meet the Secretary of the Interior's Standards for Rehabilitation (the Standards). Any project plans, specifications, and/or project description will be submitted to the HPO for review and approval before project implementation to ensure that the work meets the Standards. For more information about the Standards, please visit <https://www.nps.gov/tps/standards/rehabilitation.htm> and <https://www.nps.gov/tps/how-to-preserve/by-topic.htm>.

Additional Comments

Thank you for providing the opportunity to review and comment on the potential for the above-referenced undertaking to affect historic properties. Please do not hesitate to contact HPO staff members Erin Frederickson at erin.frederickson@dep.nj.gov and Emma Connolly at emma.connolly@dep.nj.gov, with any questions, and reference the HPO project number 22-1117 in any future calls, emails, or written correspondence to help expedite our review and response.

Sincerely,



Katherine J. Marcopul
Deputy State Historic Preservation Officer

KJM/MMB/EF/ec

