A. INTRODUCTION

This chapter assesses the potential effect of the proposed action on historic architectural and archaeological resources. The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated NYC Landmarks; properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed on the State/National Registers of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but that meet their eligibility requirements. The *Manual* suggests that LPC can assist in making determinations of eligibility on the basis of federal, state, and local criteria. In addition, as the proposed project includes proposed financing from the Housing Finance Agency, a state agency, HFA is required to consult with the New York State Historic Preservation Office (SHPO) when making SEQR determinations.

Historic resources that are listed on the S/NR or found to be eligible for listing are given a measure of protection from the effects of federally-sponsored or federally-assisted projects under Section 106 of the National Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. Properties listed on the S/NR are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the State Historic Preservation Act. Private owners of properties eligible for or listed on the S/NR using private funds, are able to alter or demolish their properties without such a review process. Privately-owned properties that are NYC Landmarks or are located in NYC Historic Districts are protected under the NYC Landmarks Law that requires LPC review and approval before any alteration or demolition can occur. For properties which are not S/NR-listed or designated NYC Landmarks but which are found to be eligible for designation, the potential for impacts must be considered for actions subject to CEQR.

Analysis of archaeological resources generally focuses on potential pre-historic (Native American) resources and on potential historic period (beginning in the seventeen century) resources.

Study Areas

According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the proposed action and in the area surrounding identified development sites. The historic resources study area is therefore defined as the area to be rezoned/project site, plus an approximate 400-foot radius around it. This is the area in which it is expected that new development could affect physical, visual, and historic relationships of architectural resources. This study area is based on the assumption that direct impacts (e.g., vibration from construction activity), or indirect

impacts (e.g., changes to the visual context of an architectural resource) of any significance would not occur outside this study area.

Archaeological resources are considered only in those areas where excavation is likely and would result in new in-ground disturbance; these are limited to the project site that may be developed as a result of the proposed action. This is also referred to as the area of potential effect.

As discussed below, there are no historic architectural resources on the project site. There are three resources in the historic resources study area which SHPO has determined are S/NR eligible.

In addition, the proposed action may result in in-ground disturbance and excavation on the project site which may affect additional or different areas than would be affected by the as-of-right excavation completed in 2008 on the project site. As such, its potential to affect archaeological resources is also considered in this chapter. As also discussed below, LPC and SHPO reviews of the site determined that it is not archaeologically sensitive and therefore the proposed action is unlikely to have the potential to result in significant adverse archaeology impacts.

It should be noted that Chapter 6, "Shadows," presents an assessment of the effects of shadows on historic resources. The analysis presented in that chapter indicates that the proposed action would cast shadows on a stained glass rose window located above the entryway to Centro Maria, the former Saint Ambrose Roman Catholic Church, located at 539 W. 54th Street, which is eligible for S/NR listing. This would be considered a significant adverse shadows impact. Potential mitigation measures are discussed in Chapter 19, "Mitigation," however, none of these measures are considered feasible and this significant adverse impact would remain unmitigated, as discussed in Chapter 22, "Unavoidable Adverse Impacts."

As shown in this analysis, apart from the shadows impact identified in Chapter 6, the proposed action would not result in significant adverse impacts on historic archaeological resources. The proposed project has the potential to result in inadvertent construction impacts on 552 and 554 W. 53rd Street and 539 W. 54th Street, which are located across the street from the project site. As eligible historic resources, which are not S/NR-listed or NYC Designated Landmarks, a Construction Protection Plan that would provide special protections to these resources from the construction of the proposed project is not legally required. However, the applicant will voluntarily provide and comply with a Construction Protection Plan for the proposed project to avoid the potential for construction related impacts on these historic resources. Accordingly, with these special protections the proposed project would not result in any significant adverse construction related impacts on these historic resources.

B. BACKGROUND/HISTORY

The project site is located in Clinton, a neighborhood which prior to 1959 was more commonly known as Hell's Kitchen, although both names continue to be used to describe the area west of Midtown Manhattan bounded by W. 59th Street on the north, Eighth Avenue on the east, W. 30th Street on the south, and the Hudson River on the west. Following Native American occupation of Manhattan, this area was settled with farms during the colonial period. The area's land owners

included the family of De Witt Clinton, a leading politician of the early nineteenth century. Over the course of the 1800s, this section of Manhattan transformed from an agricultural to an urban area, as the 1811 Manhattan grid was extended into the area and industry and tenements were developed. Immigrants populated the neighborhood and many were employed at local factories, warehouses, and railyards. Over the course of the last two centuries, to a considerable extent, the character of the area has been shaped by its transportation facilities, including the Hudson River Piers, railroads, and later, the West Side Highway. In more recent decades, as commercial activities along the waterfront and industrial uses on the inland blocks have diminished, the area has undergone redevelopment fueled primarily by residential and retail redevelopment. (Refer to Chapter 2, "Land Use, Zoning, and Public Policy" for additional information on historic land use trends in the area and on the project site.)

C. METHODOLOGY

The historic resources analysis includes several steps. These include: identifying the history and mapping the location of potentially architecturally and archaeologically sensitive locations within the study area; submitting the proposed action to LPC and SHPO for their review and determination; and assessing the probable direct and indirect impacts of the proposed project on study area historic resources.

As discussed in Chapter 1, "Project Description," this analysis is prepared using an existing conditions analysis year of 2008, which does not necessarily reflect conditions in the area at the time the EIS is issued. This is a dynamic area and it should be noted that the description in this chapter reflects a "snapshot in time" of existing conditions. The analysis employs a Build analysis year of 2011. In the future without the proposed action, the analysis assumes that project site would be vacant and this serves as the baseline for comparing the effects of the proposed project, which is defined in Chapter 1, with additional relevant information provided in this chapter to facilitate the assessment of the project's expected environmental effects on historic resources.

D. ARCHITECTURAL RESOURCES

Existing Conditions

For this analysis, lists of NYC Landmarks, S/NR-listed resources, and National Historic Landmarks were reviewed in order to identify possible historic resources on the project site and in the surrounding study area. In addition, LPC and SHPO were consulted to confirm the findings of this review and to identify any eligible historic resources.

Project Site

As discussed in Chapter 2, "Land Use, Zoning, and Public Policy," until recently the project site was occupied by a Verizon automotive service/vehicle storage facility (Use Group 16) which included two buildings and unenclosed storage area. The applicant demolished these buildings during 2007. The buildings were utilitarian one to two-story brick garage buildings located along the Eleventh

Avenue frontage. In addition, the right-of-way of Amtrak's below-grade Empire Line, which traverses the northeastern edge of the project site, is covered by an at-grade platform. Figure 7-1 shows photographs of the project site.

The applicant commenced as-of-right excavation on the project site for an as-of-right development. This excavation work continued into 2008.

The buildings on the project site were not distinguished architecturally and were not considered eligible for designation as NYC Landmarks or for S/NR-listing.

Study Area

There are three known historic resources located within the historic architectural resources study area. These include two adjoining properties located across W. 53rd Street from the project site at 552 W. 53rd Street and 554 W. 53rd Street. There is also one property located across W. 54th Street from the project site at 539 W. 54th Street. The location of these resources is shown in Figure 7-2 and photographs are shown in Figure 7-3. Refer to Table 7-1.

Table 7-1, Study Area Historic Resources

No.	Name	Address	Notes
1	former 53rd Street Industrial School, now the Old School	552 W. 53rd St.	S/NR eligible
2	formerly The Emerson, now the Flats	554 W. 53rd St.	S/NR eligible
3	former St. Ambrose RC Church, now Centro Maria	539 W. 54th St.	S/NR eligible

Although built at different times as distinct buildings, the two W. 53rd Street historic properties now function as a single integrated residential development. Nevertheless, they are identified individually as distinct historic resources for the purpose of this assessment.

552 W. 53rd Street, the former 53rd Street Industrial School, now The Old School

This 5-story brick building was constructed in 1894 and housed a school which offered classes in carpentry, woodworking, printing, dressmaking, laundry work, and typewriting. It later was used as a school for children with tuberculosis and other chronic diseases run by the Children's Aid Society. This building is now part of the Flats/Old School affordable housing residential development. SHPO determined that this building is eligible for listing on the S/NR.[1]

[1] "Resource Evaluation: 53rd Street Industrial School, 552 West 53rd Street." NY State Office of Parks, Recreation, and Historic Preservation, 25 October 2001.

554 W. 53rd Street, formerly The Emerson, now The Flats

This 7-story residential building located at the southeast corner of W. 53rd Street and Eleventh Avenue was constructed as a model tenement building in 1915. Previously named for its architect and original owner, William Emerson, the building wraps around an internal courtyard providing more space, light, and air than typically provided in tenement buildings of its time. A 1928 renovation replaced the ground-floor day-care and store, which had been a cooperative for the building tenants, with apartments.[2] Most recently, a renovation completed in 2007 reconfigured The Flats and Old School as a single affordable housing development. The building once again has ground-floor commercial space.

The renovation and occupancy of the S/NR eligible Flats/Old School complex was completed in 2007. These buildings underwent significant internal changes and the creation of ground-floor commercial space. Exterior work included cleaning and repointing of the brick facade.

539 W. 54th Street, formerly Saint Ambrose Roman Catholic Church, now Centro Maria

Originally constructed as a church, school and rectory for the Saint Ambrose parish in the early 1900s, the 4-story midblock brick building is an example of neo-Gothic institutional design with several notable architectural details.[3] For many years it has housed Centro Maria, a women's residence operated by Catholic nuns.

Apart from these three S/NR eligible resources, there are no other known historic resources located within the historic architectural resources in the study area. There are no properties listed on the S/NR, designated as National Historic Landmarks, or designated NYC Landmarks. Furthermore, LPC and SHPO did not identify any other eligible resources within the study area. (Refer to Appendix C, for the LPC Environmental Review and SHPO comment letters.)

A review of the State Preservation Historic Information Network Exchange (SPHINX) database maintained on the SHPO website identified a number of properties in the study area determined to be not eligible for the S/NR. These properties are listed in Table 7-2.

Future Without the Proposed Action

Project Site

As discussed in Chapter 1, "Project Description," for analysis purposes it is assumed that the project site will remain unoccupied in the 2011 future without the proposed action. In 2007 the applicant commenced with excavation for an as-of-right development. This excavation work continued into 2008. The applicant is currently conducting as-of-right foundation work on the project site pursuant

[2] "Building-Structure Inventory Form: Historically - "The Emerson"; Locally - "The Flats"; 554 W. 53rd St." NY State Office of Parks, Recreation, and Historic Preservation, undated.

[3] "Resource Evaluation: Current Centro Maria, 539 West 54th Street." NY State Office of Parks, Recreation, and Historic Preservation, 14 April 2008.

to plans filed with the NYC Department of Buildings. Potential construction effects of this work on the S/NR eligible Flats and Old School buildings across the street from the project site are discussed below.

Table 7-2, Study Area Properties Determined "Not Eligible" for Listing on the State/National Registers of Historic Places

NAME/LOCATION OF RESOURCE	NOTES
De Witt Clinton Park (structure)	
555 W. 52nd Street/742 11th Ave.	Clinton Parkview (refer to Table 2-2 for description)
500 W. 53rd St./783 10th Ave.	The buildings on these sites were demolished to facilitate the Archstone Clinton development. Refer to Chapter 2 "Land Use, Zoning, and Public Policy," for description.
502-504 W. 53rd St.	
506 W. 53rd St.	
508 W. 53rd St.	
510 W. 53rd St.	

Source: SPHINX Database, NY SHPO <accessed from NY SHPO website>

Study Area

As detailed in Chapter 2, "Land Use, Zoning, and Public Policy," new development is expected to occur in the vicinity of the project site on a number of sites in the future without the proposed action by 2011. Several of these are located in the architectural resources study area. These planned projects will not directly affect any historic resources.

Future With the Proposed Action

According to the *CEQR Technical Manual*, generally, if a proposed action would affect those characteristics that make a resource eligible for New York City Landmark designation or S/NR listing, this could be a significant adverse impact. The three S/NR eligible historic resources in the study area are significant both for their architectural quality as well as for their historical value as part of the City's development. This section assesses the potential for the proposed action to result in significant adverse impacts on identified architectural resources, including effects resulting from construction of proposed project, project-generated shadows, or other effects on existing historic resources in the study area once construction is completed.

The proposed project was assessed in accordance with guidelines established in the *CEQR Technical Manual* (Chapter 3F, Part 420), to determine (a) whether there would be a physical change to any designated property or its setting as a result of the proposed action, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such

as context or visual prominence). Whereas this section of the chapter focuses specifically on the proposed project's effects on the physical and visual context of architectural historic resources, an assessment of the proposed action's effect on the visual character of the study area in general is provided separately in Chapter 8, "Urban Design and Visual Resources."

The proposed action would facilitate the proposed project, a 32-story, approximately 1.3-million gsf mixed-use development described in Chapter 1, "Project Description." This development would be implemented instead of the No-Build development scenario described above.

Direct Effects

As there are no historic architectural resources located on the project site, the proposed action would not result in any direct effects on any historic resources.

Indirect Effects

Indirect effects, also referred to as contextual effects, can occur when: development results in the isolation of a property from or alteration of its setting or visual relationship with the streetscape; introduction of incompatible visual, audible, or atmospheric elements to a resource's setting; replication of aspects of a resource so as to create a false historic appearance; or elimination or screening of publicly accessible views of the resource.

The proposed project is not expected to have significant adverse indirect impacts on the three existing historic resources in the area. As discussed in Chapter 1, "Project Description," and Chapter 2, "Land Use, Zoning, and Public Policy," the proposed project would place its tallest portions adjacent to the taller, 450-foot high AT&T Switching Tower, while across the street from the 7-story Flats, 5-story Old School, and 4-story Centro Maria, the proposed project would consist of a 10 story tower rising above an approximately 43-foot base, i.e., top of parapet. Further east, a diagonal tower would gradually rise from 10 stories towards the eastern side of the site. This design would help to create a setting with scale and bulk that relates to the existing historic resources as well as other buildings of varied height on the surrounding sites. The proposed project, while providing a unique design and contemporary building materials and exterior fixtures, would share some similar characteristics with historic buildings in the area, including continuous street walls, relatively high lot coverage, and setbacks from a maximum base height.

In assessing the sensitivity of the three historic resources in the study area for indirect impacts, criteria used individually, or in conjunction, to make this determination include:

* a resource's visual prominence;
* identifiable views that would be blocked;
* expected removal of an architectural resource that contributes to another's setting;
* location of an architectural resource in a primarily low-rise setting of parking lots, and/or nondescript structures that make it notable in the streetscape;
* the low-rise character of an architectural resource; and
* the location of multiple development sites adjacent to an architectural resource.

Applying these criteria to the Flats, Old School, and Centro Maria, these resources are not considered to be potentially sensitive to indirect impacts, as there are existing large scale buildings in the vicinity, such as the AT&T Switching Tower building and the 39-story Clinton Towers building located immediately north of the project site. In addition, although the proposed project would change the context and setting of 552 and 554 W. 53rd Street and 539 W. 54th Street, it would not remove an architectural resource that contributes to the setting of the three historic resources. Until recently, these resources faced a nondescript 2-story commercial building and vehicle storage lot and currently face the project site which is undergoing foundation work. The project site has not been contributing to the visual prominence of the three historic resources.

Accordingly, the proposed project would not result in significant adverse impacts due to the indirect effects of the proposed project on 552 and 554 W. 53rd Street and 539 W. 54th Street.

Construction Effects

As there are three S/NR eligible historic resources located within 90 feet of the project site, the potential for construction effects must be considered.

The NYC Department of Building's (DOB) Technical Policy and Procedure Notice (PPN) #10/88, provides procedures for avoidance of damage to historic structures from adjacent construction. The PPN defines an adjacent historic structure as being a building which is a designated NYC Landmark or S/NR listed and that is contiguous to or within lateral distance of 90 feet from a lot under development or alteration. Developed by the DOB, the PPN must be followed for construction within proximity of historic landmarks to avoid potential adverse impacts during construction. Under the PPN, a construction protection plan (CPP) must be provided to the NYC Landmarks Preservation Commission (LPC) for review and approval prior to construction. When required, a CPP would follow the guidelines set forth in LPC's Guidelines for Construction Adjacent to a Historic Landmark and Protection Programs for Landmark Buildings.

As noted above, the buildings at 552 and 554 W. 53rd Street and 539 W. 54th Street are S/NR eligible and are each located across the street from the project site, at a lateral distance of approximately 60 feet.

As eligible resources, these historic resources are not subject to the special protections and requirements of PPN #10/88. Without such special protections, these resources could potentially experience adverse direct impacts associated with construction. However, in order to avoid the potential for significant adverse impacts, the applicant will voluntarily provide and comply with a Construction Protection Plan for the proposed project to avoid the potential for construction related impacts on these historic resources. Accordingly, with these special protections the proposed project would not result in any significant adverse construction related impacts on these historic resources.

Shadows

As discussed in Chapter 6, "Shadows," the proposed action would result in significant adverse shadows impacts on Centro Maria, due to shadows being cast on the stained glass rose window located above the entryway.

E. ARCHAEOLOGICAL RESOURCES

Existing Conditions

LPC reviewed the project site to identify its potential archaeological sensitivity. Based on archaeological sensitivity models and historic maps it determined that the project site is not archaeologically sensitive. SHPO, i.e., the NY State Office of Parks, Recreation, and Historic Preservation, identified no archaeological concerns on the project site. Refer to Appendix C.

Future Without the Proposed Action

As discussed above, the applicant conducted as-of-right excavation and is proceeding with as-of-right foundation work on the project site. As noted above in the "Existing Conditions" section, LPC and SHPO have determined that the site is not archaeologically sensitive. Accordingly, the expected "No-Build" excavation would not affect any archaeological resources.

Future With the Proposed Action

The proposed action may result in in-ground disturbance and excavation on the project site which may affect additional or different areas than would be affected by the expected "No-Build" excavation. In any event, as noted above in the "Existing Conditions" section, LPC and SHPO have determined that the site is not archaeologically sensitive. Therefore, while additional excavation may occur as a result of the proposed project, it would have no impact on archaeological resources.

F. CONCLUSION

Architectural Resources

In order to assess the potential architectural impacts of the proposed action, a study area was defined by drawing a 400-foot radius around the project site. The study area contains three historic resources: 552 and 554 W. 53rd Street and 539 W. 54th Street, which are S/NR eligible resources located across the street from the project site. Although the W. 53rd Street resources are adjoining buildings which have been reconfigured into a single affordable housing development they are considered two separate historic resources.

As there are three S/NR eligible historic resources located within 90 feet of the project site, the potential for construction effects must be considered. As eligible historic resources, which are not S/NR-listed or NYC Designated Landmarks, a Construction Protection Plan that would provide special protections to these resources from the construction of the proposed project is not required. However, the applicant will voluntarily provide and comply with a Construction Protection Plan for the proposed project to avoid the potential for construction related impacts on these historic resources. Accordingly, with these special protections the proposed project would not result in any significant adverse construction related impacts on these historic resources.

In addition, as discussed in Chapter 6, "Shadows," the proposed action would result in significant adverse shadows impacts on stained glass rose window located above the entryway to Centro Maria. As discussed in Chapter 19, "Mitigation," and Chapter 22, "Unavoidable Adverse Impacts," measures to mitigate this impact were identified but are not feasible. As a result, this impact would be unmitigated.

Archaeological Resources

The assessment of the proposed action's potential for effects on archaeological resources considers only those areas where excavation is likely and would result in new in-ground disturbance.

The applicant completed as-of-right excavation and is proceeding with as-of-right foundation work on the project site that represents conditions in the future without the proposed project. As the proposed action may potentially result in additional excavation on the project site than would occur under the No-Build scenario, LPC and SHPO reviewed the site to determine the potential for effects on archaeological resources if additional excavation occurs. LPC and SHPO determined that the project site is not archaeologically sensitive and therefore the proposed action does not have the potential to result in significant adverse archaeological impacts and no further analysis is necessary.