A. INTRODUCTION

Historic and cultural resources include both architectural and archaeological resources. The 2021 *City Environmental Quality Review* (CEQR) *Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); 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 (NHL); and properties not identified by one of the programs listed above, but that meet their eligibility requirements. An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

As the Project Site is located in close proximity to the S/NR-listed Brooklyn Navy Yard (BNY) Historic District it is necessary to assess the potential impacts of the Proposed Action on historic architectural resources. According to *CEQR Technical Manual* guidance, impacts on historic architectural resources are considered on those sites affected by a proposed action and in the area surrounding a project site. The historic resources study area is therefore defined as the Project Site (Brooklyn Block 2023, Lot 10) plus an approximate 400-foot radius around the Project Site (refer to **Figure 6-1**), which is typically adequate for the assessment of historic architectural resources, in terms of physical, visual, and historical relationships.

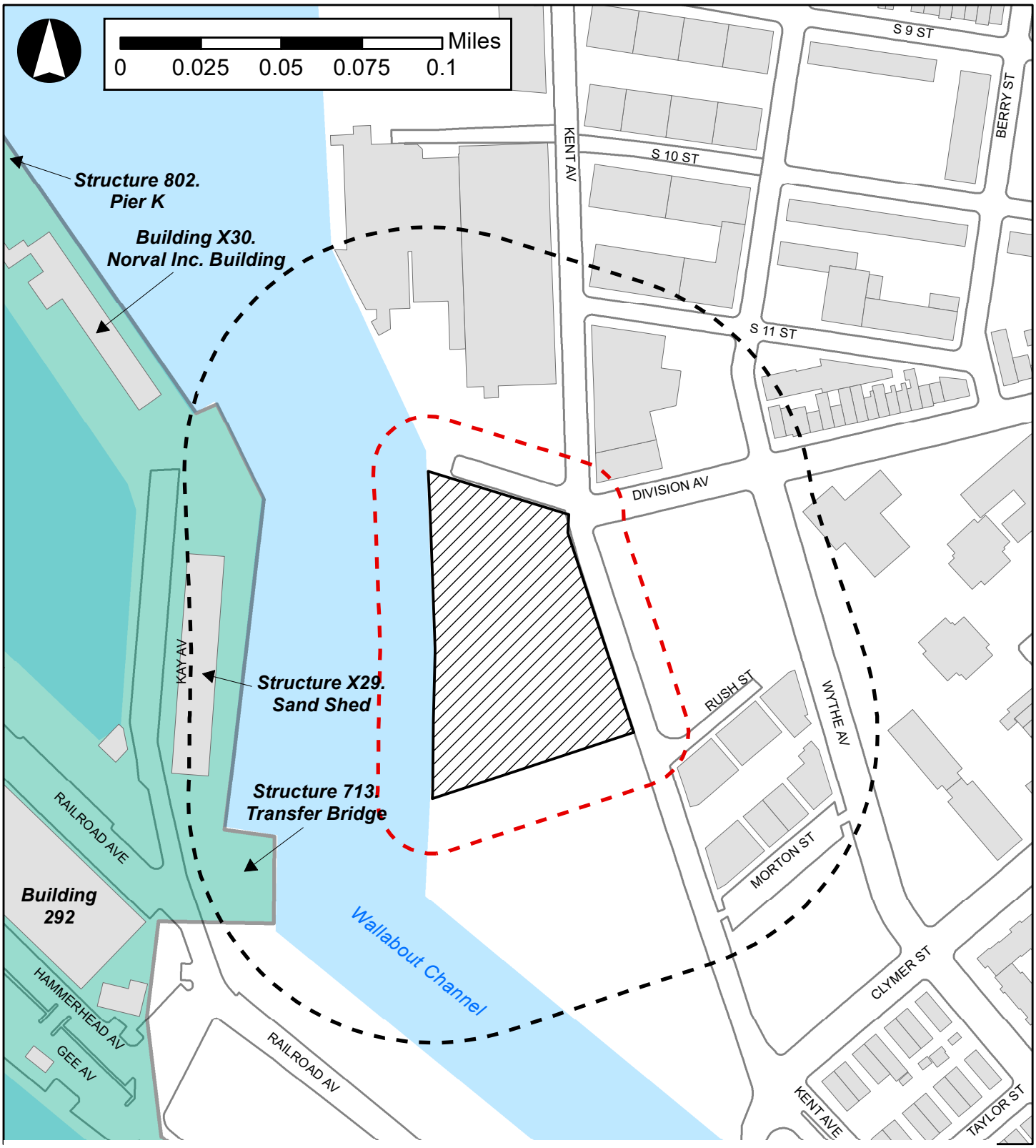
Archaeological resources are considered only in those areas where new excavation or in-ground disturbance is likely and would result in new in-ground disturbance as compared to No-Action conditions; these are limited to sites that may be developed as a result of a proposed action. Because the Proposed Action would facilitate development that could result in new in-ground disturbance on a site identified as potentially sensitive for archaeological resources, an assessment of the potential effects of the Proposed Action on archaeological resources is warranted, and is provided below.

B. PRINCIPAL CONCLUSIONS

Archaeological Resources

Subject to the outcome of future soil borings and, if warranted, archaeological field investigations, construction on the Project Site could disturb or destroy potential archaeological resources due to excavations for foundations and footings of the proposed buildings. The potential for the presence

Figure 6-1
Historic Resources Map



Legend

- Project Site
- 90-Foot Radius
- 400-Foot Study Area
- S/NR-listed Brooklyn Navy Yard Historic District

of such archaeological resources also may be clarified by investigations at neighboring development sites at 470 Kent Avenue and the Brooklyn Navy Yard, which have been subject to previous environmental reviews (CEQR Nos. 08DCP056K and 19DME011K, respectively), in the event that such investigations occur prior to development of the Project Site. Therefore, in accordance with an LPC-approved restrictive declaration, the applicant would develop and implement an archaeological monitoring program in consultation with LPC as a Project Component Related to the Environment (PCRE) to avoid significant adverse impacts to archaeological resources. The scope of work for the monitoring program would be submitted to LPC before construction work on the Proposed Project begins. The restrictive declaration will require that the Department of Buildings cannot issue a building permit until LPC either issues: 1) a notice to proceed; 2) a notice of no objection; or 3) a notice of satisfaction for the archaeological investigation and potential mitigation of any archaeological resources within the Project Site. With the restrictive declaration in place, the Proposed Action would not result in any significant adverse archaeology impacts.

Architectural Resources

Direct (Physical) Impacts

The Proposed Action is site-specific, and, as discussed below, the Project Site does not contain any designated or eligible historic resources. Therefore, the Proposed Action would not result in any direct impacts to historic architectural resources.

Indirect (Contextual) Impacts

The Proposed Action would not result in significant adverse indirect impacts on historic architectural resources. The Proposed Project would not significantly alter the context or setting of the State or National Registers of Historic Places (S/NR)-listed BNY Historic District as compared to No-Action conditions. Although the Proposed Project would be visible when looking northeast from within the BNY Historic District, as well as when looking at the BNY Historic District to the southwest and west from Kent and Divisions Avenues, these views would not result in significant or adverse contextual impacts to the S/NR-listed Historic District. The study area is a dense urban environment with multiple existing and planned mid- and high-rise buildings forming the backdrop of the BNY Historic District, and the Proposed Project would not substantially change the visual setting of the Historic District so as to affect those characteristics that make it eligible for listing on the S/NR.

Additionally, in the future with the Proposed Action, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting. The Proposed Project would not alter the relationship of any identified historic architectural resources to the streetscape, as all streets in the study area would remain open as under existing conditions, and all historic resources' relationships to the street would remain unchanged in the future with the Proposed Action. The Proposed Project would not eliminate or screen significant public views of any historic architectural resources, which would remain visible in view corridors on adjacent public streets and sidewalks. No primary facades, significant architectural ornamentation, or notable features of contributing structures within the BNY Historic District would be obstructed by the Proposed

Project. Rather, the Proposed Project would introduce publicly-accessible open space to the Project Site that would introduce new extensive and unobstructed views of the BNY Historic District, by means of a new visual corridor along the southern edge of the site and by a shore public walkway across the site's entire shoreline, which would not be available under No-Action conditions.

The Proposed Action would not result in development that would diminish the qualities that make the S/NR-listed BNY Historic District historically and architecturally significant. As such, the Proposed Action would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

Construction-Related Impacts

As there are no historic architectural resources located within 90 feet of the Project Site, the Proposed Action would not result in any significant adverse construction-related impacts to historic resources. (The potential effects of the Proposed Action on archaeological resources is discussed above.)

Shadows Impacts

As there are no historic resources within the vicinity of the Project Site that contain sunlight-sensitive architectural features, development facilitated by the Proposed Action would not result in any significant adverse shadows impacts on historic resources.

C. DEVELOPMENT BACKGROUND

Prior to the arrival of the European colonists in the 17th century, Brooklyn was inhabited by Canarsie Native Americans, a largely autonomous tribe of the Leni Lenape. They called the crescent-shaped bay to the north of the study area "Mahrenhanreck," meaning sandy beach or bay. The Project Site and surrounding study area was a swampland, with marshes and mudflats nearly reaching what is now Flushing Avenue to the south. During high tide, most of the land that encompasses the present Project Site and study area flooded, except for two hills to the west and the east of the bay. The western hill, near present day Vinegar Hill, contained a Canarsie settlement named "Rinnegokonck."

In 1637, Joris Jansen de Rapalje purchased 335 acres of land from the Canarsie tribe, including most of the study area, for use as a farm. The Rapalje family emigrated from Wallonia, Belgium, and the land soon became known as "Wallabout," and the tidal marsh "Wallabout Bay." The family retained the greater portion of this original tract for over a century, using it as farmland with a dam and mill. During the Revolutionary War, Wallabout was an anchorage spot for the British fleet and a mooring area for their prison ships. At the conclusion of the war in 1783, the British abandoned the shore, and, as the family members were loyalists, the Rapalje lands were seized by the state. John Jackson and his brothers subsequently purchased much of the land that encompasses the Project Site, study area, and current-day BNY, constructing a shipyard on the site.

In 1800, the Jackson shipyard was put up for auction and purchased by the U.S. Navy. The War of 1812 brought the first sustained period of activity to the Navy Yard; subsequently, the surrounding Brooklyn waterfront began to develop rapidly. By the 1820s, port-related businesses were prospering in Brooklyn as a result of successful foreign trade, coastal shipping, and the opening of the Erie Canal in 1825. The busy waterfront attracted craftsmen in trades such as sail-making, carpentry, cabinetry, and rope-making, who were alternately employed by private builders and the BNY as work became available.

The growing Navy Yard employed an increasingly large number of men, and Brooklyn's population expanded so rapidly in the early decades of the 19th century that it was chartered as a city in 1834. During the Civil War, the BNY played a major role in converting, outfitting, and building ships for use by the Union Navy. Concurrently, in the mid-19th century, Wallabout Creek was dredged and channelized from the East River inland to the Naval Hospital. The Navy Yard was very active on the western side of the canal, while the eastern side of the canal on Kent Avenue was subsequently developed with industrial uses, including a sugar refinery on the Project Site, clustered along the new wharves, paralleling the major industrialization of Brooklyn during this time. New transportation options during the latter half of the 19th century were also spurring dense residential development in Brooklyn, including the blocks to the east of Kent Avenue in the study area. Most residents worked on the waterfront, in the BNY, or in the expanding industries located in Wallabout.

However, in the years after the Civil War, the Navy Shipyards fell into decline, as they were poorly suited to handle the transition to the larger iron and steel ships required for modern warfare, and the advent of steam vessels eliminated the need for the skilled craftsmen previously employed in Navy Yard shipbuilding. In 1884, the portion of the BNY just north of Flushing Avenue between Washington Avenue and Ryerson Street was leased to the City of Brooklyn from the Navy, in exchange for the City providing water to the BNY. In 1896, the Wallabout Market opened, eventually becoming Brooklyn's primary food market and, due to its close proximity to shipping centers on the Brooklyn waterfront, one of the largest such markets in the world. During this time, the Project Site was occupied by a coal yard, the Knickerbocker Ice Company, and, on the norther part of the property, the Eastern State Power house, constructed in 1893 by the Brooklyn City Railroad to provide electricity for its trolley lines, which replaced the sugar refinery.

By the early 20th century, Brooklyn was the fourth largest manufacturing center in the country and Wallabout had developed into a significant enclave for large industries. Preparation for World War I led to increased employment and activity at the BNY. However, similar to other post-war periods, Navy Yard employment dropped in the 1920s and very little new construction occurred in the area. The BNY and Wallabout neighborhood became known as the "Barbary Coast" during the Great Depression, with flophouses, saloons, gambling dens, and a red-light district providing entertainment for sailors.

On the Project Site, the original power plant was supplanted by a larger one, completed about 1907, as the facility was expanded southward on land previously containing the coal yard and the Knickerbocker Ice Company building. The larger power plant, which for many years provided power to trolley, elevated, and subway lines, was operated by the Brooklyn Rapid Transit Company and its successors, including the Brooklyn-Manhattan Transit Corporation (BMT), the

City-owned Board of Transportation, and the New York City Transit Authority. Coal was delivered to the plant by water-borne vessels.

Preparations for World War II required the expansion and reconfiguration of the BNY in order to create a first-class, state-of-the-art shipyard. In 1941, the Wallabout Market was demolished. Both of these parcels of land were acquired by the Navy and subsequently redeveloped. The massive transformation of the Navy Yard allowed it to be designated a battleship building yard, and as during other war times, employment at the BNY soared with the construction of new, bigger warships, piers, and dry docks, among other buildings and structures. Concurrently, the southern portion of the Wallabout Canal was filled in.

Following World War II and the Korean War, the BNY and surrounding area fell into decline. The demand for ship production plummeted as new ship construction contracts were awarded to private shipyards that were larger, more efficient, and had modern technology to develop nuclear-powered vessels. From the 1940s to the 1960s, employment at the BNY shrunk from 70,000 workers to fewer than 7,000 workers. Additionally, the heavy manufacturing uses of Wallabout had outgrown the area's narrow streets and aging factories, and like other industrial uses in Brooklyn, closed or left the City during the late 1950s and 1960s. Much of the existing population followed the employment base to the suburbs and other areas of the country, resulting in significant abandonment in the area. The 1961 Zoning Resolution zoned the study area for manufacturing, resulting in the construction and expansion of waste transfer stations, power plants, and sewage treatment centers in the area. The BNY was closed in 1966.

During the mid-20th century, many of the lots in the 400-foot study area were redeveloped. In the 1940s, three-story industrial/manufacturing buildings were constructed immediately north of the Project Site across Division Avenue, while to the south, the BNY's Nassau Gas Works was constructed in 1958 (which has since been demolished in preparation for new, development by the BNY, detailed below).

In 1959, Consolidated Edison (Con Ed) acquired the Project Site from the City of New York. Con Ed continued to operate the power plant on the Project Site until shuttering it in 1999 and demolishing the plant buildings in 2009. The Project Site has remained vacant since then, though, as detailed in **Chapter 9, "Hazardous Materials,"** environmental remediation activities have been carried out.

Today, the BNY is thriving as a modern, sustainable industrial park with a variety of commercial, manufacturing, and institutional uses. As detailed below, it is undergoing further redevelopment with commercial, industrial, and community facility uses, including the redevelopment of the parcels immediately south of the Project Site with mixed industrial, commercial, and community facility buildings, anticipated to be completed by 2030; however within the 400-foot study area no new developments within the BNY would occur by the Proposed Project's 2026 build year. As also detailed below, it is expected that a portion of the site north of the Project Site, 470 Kent Avenue, will be redeveloped with mixed-use residential and commercial development by 2026, reflecting the ongoing redevelopment of the formerly industrial Brooklyn waterfront to the north and northwest of the study area.

D. ARCHAEOLOGICAL RESOURCES

Archaeological resources are the physical remnants, usually buried, of past activities on a site. They can include precontact archaeological resources associated with the Native American populations who used or occupied a site, or archaeological resources associated with the historic period, which began with the settlement of Europeans in the New York area beginning in the 17th century. In developed areas and in urban regions, archaeological resources are often disturbed or destroyed by grading, excavation, and the installation and improvement of infrastructure. However, some archaeological resources do survive in an urban environment and are often sealed beneath the surface and protected from further disturbance.

In accordance with *CEQR Technical Manual* guidance, archaeological resources are assessed only in areas where excavation is likely and would result in new in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site. For projects that would result in new in-ground disturbance, assessment of both prehistoric and historic archaeological resources is appropriate. As detailed in **Chapter 1, "Project Description,"** the Proposed Action would facilitate new in-ground disturbance on the Project Site. As such, an assessment of archaeological resources is necessary for the Proposed Action.

As detailed in the *CEQR Technical Manual*, the area of subsurface work for a project is considered the impact area for archaeological resources. Environmental review for archaeological resources is a predictive endeavor. Therefore, to assess whether the impact area may contain significant archaeological resources, data must be gathered from the surrounding area to predict the likelihood of archaeological resources existing in the impact area. For prehistoric resources, it is appropriate to determine whether there are known prehistoric archaeological resources within a half-mile radius of the site. For historic archaeological resources, it is appropriate to determine if there are known historic archaeological resources in the nearby area, such as on the present-day full tax lot or within the boundaries of the nearest adjacent mapped streets.

Existing Conditions

In a letter dated February 26, 2020 (provided in **Appendix B)**, LPC determined that archaeological sensitivity models and historic maps indicate the potential for the recovery of remains from 18th century burials possibly from Revolutionary War prison ships in Wallabout Bay. Accordingly, LPC recommended that an archaeological documentary study be performed for the Project Site to clarify these initial findings and provide a threshold for the next level of review, if warranted.

Phase IA

In response to LPC's recommendations, Historical Perspectives, Inc. prepared a *Phase IA Archaeological Documentary Study* dated December 2021, which is provided in **Appendix B**. As noted therein: "This study was prepared to comply with the standards of the New York City Landmarks Preservation Commission (CEQR 2020, LPC 2018). The Area of Potential Effect (APE) is the area that could be affected by project development. For this study the APE for the

property includes the entire project site." The study further states: "This Phase IA Archaeological Documentary Study focused specifically on the LPC recommendation to clarify the potential for the existence and survival of potential eighteenth-century burials from Revolutionary War era prison ships."

The study concludes: "the proposed project will entail removing additional soil along the original Wallabout Bay shoreline where Revolutionary War prisoner burials could have been situated." Based on its conclusions, "HPI recommends that future geotechnical soil borings extending below the existing basement slab be reviewed by a professional archaeologist. These borings should be implemented with a continuous tube sampling of soil beneath the extant basement slab. The intent of this review would be to confirm the expected disturbance to the natural soil column along the former shoreline where potential Revolutionary War prisoner burials might have been located. Historic accounts noted that the burials were placed in natural sandy soils that were located at the base of the bluff overlooking the bay, although historic maps differed as to the precise location of the shoreline within the project site. Therefore, a sufficient number of geotechnical borings should be placed along the eastern side of the project site to adequately sample the area that was once firm ground, extending from the boundary of the property with the Kent Avenue sidewalk west to the approximate center of the property. If the planned geotechnical soil borings show disturbance extending below the level of the proposed project cellar floor and its support components (including pile caps) along the eastern side of the project site, then it is likely that no further archaeological consideration will be necessary. If the soil borings do not indicate the expected deep disturbance along the eastern side of the project site, then it is possible that additional archaeological testing or monitoring may be warranted. The scope and work plan for any future archaeological field investigations should be developed in consultation with the LPC and prepared according to LPC guidelines (LPC 2018)."

In a letter dated December 16, 2021 (provided in **Appendix B**), LPC stated that it "concurs that geotechnical testing should occur as a next step and that the work plan for this testing should be submitted to LPC before the work begins as per the LPC 2018 Guidelines for Archaeological Work in New York City." LPC further noted, "Regarding archaeology in the Historic Chapter, the text pertaining to archaeological resources notes that an archaeological restrictive declaration will be developed for the site. Please submit this to the LPC for review before it is executed. Otherwise, the archaeological text is acceptable."

Future Without the Proposed Action (No-Action Condition)

As detailed in **Chapter 1**, in the No-Action condition the Project Site would be redeveloped with an approximately 312,599-gsf building, including 58,000 gsf of office space, 181,401 gsf of warehouse space, and 73,198 gsf of accessory parking. This No-Action development would include one cellar level to a depth of approximately 0 feet North American Vertical Datum of 1988 (NAVD 88), although the base of the new cellar floor, the new building pilings, pile caps, and other foundation elements would extend considerably deeper.

Future With the Proposed Action (With-Action Condition)

As also detailed in **Chapter 1**, in the With-Action condition the Project Site would be redeveloped with an approximately 684,242-gsf building, including 598,442 gsf of office space, 21,233 gsf of retail space, and 64,567 gsf of public parking. This With-Action development would include one cellar level to a depth of approximately 3.5 feet NAVD 88, although the base of the new cellar floor, the new building pilings, pile caps, and other foundation elements would extend considerably deeper.

Although the cellar would not be as deep under With-Action as under No-Action conditions, the footprint of excavation and soil disturbance for the With-Action would be different and as such the Proposed Action could result in an incremental increase in the depth and coverage of excavation as compared to No-Action conditions.

Assessment

As noted above, subject to the outcome of future soil borings and, if warranted, archaeological field investigations, construction on the Project Site could disturb or destroy potential archaeological resources due to excavations for foundations and footings of the proposed buildings. The potential for the presence of such archaeological resources also may be clarified by investigations at neighboring development sites at 470 Kent Avenue and the Brooklyn Navy Yard, which have been subject to previous environmental reviews (CEQR Nos. 08DCP056K and 19DME011K, respectively), in the event that such investigations occur prior to development of the Project Site. Therefore, in accordance with a restrictive declaration recorded against the site, the applicant would develop and implement an archaeological monitoring program in consultation with LPC unless findings at other sites demonstrate that such measures are unwarranted. The scope of work for the monitoring program would be submitted to LPC before construction work on the Proposed Project begins. The restrictive declaration will require that the Department of Buildings cannot issue a building permit until LPC either issues: 1) a notice to proceed; 2) a notice of no objection; or 3) a notice of satisfaction for the archaeological investigation and potential mitigation of any archaeological resources within the Project Site. With the restrictive declaration in place as a Project Component Related to the Environment (PCRE), the Proposed Action would not result in any significant adverse archaeology impacts.

E. ARCHITECTURAL RESOURCES

Criteria & Regulations

Once the study area was determined, an inventory of officially recognized architectural resources was compiled. Criteria for listing on the National Register are in the Code of Federal Regulations, Title 36, Part 63. As recommended in the *CEQR Technical Manual*, Chapter 9, Section 160, LPC has adopted these criteria for use in identifying National Register listed and eligible architectural resources for CEQR review. Following these criteria, districts, sites, buildings, structures, and objects are eligible for the National Register if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and: (1) are associated with events that have

made a significant contribution to the broad patterns of history (Criterion A); (2) are associated with significant people (Criterion B); (3) embody distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction (Criterion C); or (4) may yield [archaeological] information important in prehistory or history. Properties younger than 50 years of age are ordinarily not eligible, unless they have achieved exceptional significance. Official determinations of eligibility are made by the New York State Office of Parks, Recreation & Historic Preservation (OPRHP), through the State Historic Preservation Office (SHPO).

In addition, LPC designates historically significant properties in the City as NYCLs and/or Historic Districts, following the criteria provided in the Local Laws of the City of New York, New York City Charter, Administrative Code, Title 25, Chapter 3. Buildings, properties, or objects are eligible for landmark status when a part is at least 30 years old. Landmarks have a special character or special historical or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the city, state, or nation. There are four types of NYCLs: individual landmarks, interior landmarks, scenic landmarks, and historic districts.

Existing Conditions

Project Site

In a letter dated February 26, 2020 (provided in **Appendix B**), LPC determined that there are no designated or eligible historic architectural resources on the Project Site.

400-Foot Study Area

As shown in **Figure 6-1**, a portion of the S/NR-listed Brooklyn Navy Yard Historic District is located within the 400-foot study area surrounding the Project Site. A brief description of this resource is presented below, and photos are provided in **Figure 6-2**.

Brooklyn Navy Yard Historic District (S/NR-Listed): ***Roughly bounded by Navy Street, Flushing Avenue, Kent Avenue, and the East River (Block 2023, Lots 1, 50, 100, & 150)***

As shown in **Figure 6-1**, a small portion of the S/NR-listed Brooklyn Navy Yard Historic District is located to the west of the Project Site across the Wallabout Channel. In total, the BNY Historic District encompasses 236 acres and includes the largest intact area associated with the shipyard during the period of significance, from the construction of the Yard's first commandant's quarters in 1805-06 to the Yard's decommissioning in 1966. The BNY Historic District is generally bound by Wallabout Bay and the East River to the north and Flushing Avenue (the BNY's consistent boundary over time) to the south. To the west, the boundary generally follows the border of the BNY as indicated on historic maps, but excludes a section of the northwest corner that lost integrity when it was redeveloped into the Red Hook Water Pollution Control Plant (WPCP) in 1987. To the east, the boundary is irregular and was drawn to exclude the area that was historically part of the BNY but has suffered a near complete loss of integrity.



1.) Looking at Building 292 from the southwest along Gee Ave.



2.) Looking west at Building 292 from Railroad Ave.



3.) Looking northeast towards Transfer Bridge from Kay Ave.



4.) Looking north towards Transfer Bridge and Salt Shed from Railroad and Kay Aves.

Figure 6-2

The BNY Historic District includes resources representing six significant periods of the Yard's history, which correspond with important periods in the history of the U.S. Navy itself. As it exists today, the BNY Historic District most clearly illustrates the site's significance during World War II, when it reached its largest and most fully developed extent. However, its plan retains features dating to its establishment in 1801, and its pattern of development can be understood despite changes in time, land use, configuration, and naval technology.

Buildings in the BNY Historic District include several basic types: fabrication and shop buildings, warehouses, office buildings, officers' quarters and barracks, service buildings, and hospital buildings. Structures in the district include piers, dry docks, and cranes. Objects in the district include flagpoles and monuments. The majority of the district's buildings are of brick, steel-framed, or reinforced-concrete construction, and a smaller number are of granite or wood-framed construction. Most buildings are from one to three stories, with a smaller number of buildings that range from six to 18 stories. The buildings incorporate a variety of styles and influences, including Greek Revival, Romanesque Revival, Italianate, Second Empire, American Round-Arch, Art Deco, and Moderne, as well as modern industrial design. Although many buildings have undergone alterations, relatively few alterations have been sufficiently major to obscure the buildings' historic character. In terms of circulation, remnants of the internal rail system—primarily in the form of partially exposed tracks—are also found at various points in the district.

The Brooklyn Navy Yard Historic District is divided into three functional groupings, which are roughly distinguished by geographical area and period(s) of development: (1) the residential sections of the Commandant's House and grounds and Officer's Row, at the western edge of the Historic District; (2) the shipyard, in the center of the Historic District; and (3) the U.S. Naval Hospital campus within the Naval Annex, in the southeastern corner of the Historic District.

As shown in **Figure 6-1**, there is one contributing building in the S/NR-listed BNY Historic District located within 400 feet of the Project Site: Structure 713, Transfer Bridge at 652 Kent Avenue.[1] The Transfer Bridge was constructed during World War II (in 1941) for the purpose of loading and unloading railroad freight cars from barges and car-floats to land, carrying out freight transfer activities that were eliminated with the demolition of Wallabout Market and its associated transfer installations. The Transfer Bridge was originally constructed with an overhead suspension, contained-apron design along with a gable-roofed machinery house (or tower gantry) supported by two steel truss towers and two bridge spans suspended from a crossbeam. Each bridge span had railroad tracks and a flexible platform (an apron) at the outer end of each span floor. The Transfer Bridge was converted to a pontoon bridge in 1977, and in the 1980s was used for the delivery of new subway cars built in Japan. The Transfer Bridge has been out of use since 1992, and as shown in **Figure 6-2** is currently abandoned and partially sinking.

Future Without the Proposed Action (No-Action Condition)

Under No-Action conditions, the status of historic resources could change. S/NR-eligible architectural resources could be listed in the Registers, and properties found eligible for consideration for designation as NYCLs could be calendared and/or designated. Changes to the

[1] It should be noted that Structure X29: Sand Shed (labeled in **Figure 6-1**) was constructed after 1966 and is considered a non-contributing resource in the BNY Historic District per the 2014 *Brooklyn Navy Yard Historic District Nomination Report*.

historic resources identified above or to their settings could also occur irrespective of the Proposed Action. Future projects could affect the settings of architectural resources. It is possible that some architectural resources in the area surrounding the Project Site could deteriorate, while others could be restored. In addition, future projects could accidentally damage architectural resources through adjacent construction.

Properties that are designated NYCLs are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition of those resources can occur. All properties within LPC-designated historic districts also require LPC permit and approval prior to new construction, addition, enlargement, or demolition. The owners of a property may work with LPC to modify their plans to make them appropriate. Properties that have been calendared for consideration for designation as NYCLs are also afforded a measure of protection insofar as, due to their calendared status, permits may not be issued by the New York City Department of Buildings (DOB) for any structural alteration to the buildings for any work requiring a building permit, without at least 40 days prior notice being given to LPC. During the 40-day period, LPC has the opportunity to consider the case and, if it so chooses, schedule a hearing and move forward with designation.

The New York City Building Code provides some measures of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to designated NYCLs and S/NR-listed historic buildings located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent NYCL-designated or S/NR-listed historic resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

Additionally, historic resources that are listed on the S/NR or that have been found 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, and are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the New York State 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. Private property owners using private funds can, however, alter or demolish their S/NR-listed or S/NR-eligible properties without such a review process.

Anticipated Developments in the No-Action Condition

Project Site

As detailed in **Chapter 1, "Project Description,"** absent the Proposed Action, it is anticipated that the Project Site would be developed as-of-right under the existing M3-1 zoning. The No-Action development on the Project Site would be four stories (74 feet tall), comprised of approximately 58,000 gross square feet (gsf) of office space, 181,401 gsf of warehouse space, and

279 accessory parking spaces. As the No-Action development would be predominately warehouse, the Project Site would be exempt from waterfront public access area and visual corridor requirements. The building would have a partial cellar containing mechanical space.

400-Foot Study Area

As detailed in **Chapter 2, "Land Use, Zoning, & Public Policy,"** it is anticipated that a portion of the 420 Kent Avenue development site located across the street from the Project Site at the northwest corner of Kent and Division Avenues, will be developed by the Proposed Project's 2026 Build year.

Future With the Proposed Action (With-Action Condition)

According to the *CEQR Technical Manual*, generally, if a project would affect those characteristics that make a resource eligible for NYCL designation or S/NR listing, this could be a significant adverse impact. This section assesses the Proposed Action's potential to result in significant adverse impacts on identified architectural resources in the study area, including impacts resulting from construction of the Proposed Project, project-generated shadows, or other indirect effects on existing historic resources in the study area.

The Proposed Action was assessed in accordance with guidance established in the *CEQR Technical Manual* (Chapter 9, Part 420), to determine (a) whether there would be a physical change to any designated or listed property as a result of the Proposed Action; (b) whether there would be a physical change to the setting of any designated or listed resource, such as context or visual prominence, as a result of the Proposed Action; and (c) if so, whether the change is likely to diminish the qualities of the resource that make it important. Whereas this chapter focuses specifically on the Proposed Action's effects on the visual context of historic resources, an assessment of the Proposed Action's effects on the visual character of the study area in general is provided separately in **Chapter 7, "Urban Design & Visual Resources."**

As detailed in **Chapter 1, "Project Description,"** the Proposed Action would facilitate the development of a new, 23-story (352-foot-tall) office and retail building on the Project Site, comprised of approximately 593,435 gsf of office space, 20,476 gsf of retail space, and 234 public parking spaces. As shown in **Figure 1-6, Building Massings**, in **Chapter 1**, the Proposed Project would contain a northern base fronting Division Avenue and southern base facing the Brooklyn Navy Yard's former Nassau Gas Works site. The building would have an open area at grade providing pedestrian access through the central portion of the Project Site. The two bases would connect below- and above-grade with two double-high bridges at the third and fourth levels. The development would have two cellar levels excavated to a maximum depth of 20 feet below the base plane. The Proposed Project would also contain approximately 23,180 sf of waterfront public open space, including a shore public walkway and supplemental public access area.

Direct (Physical) Impacts

Historic resources can be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a

new wing to a historic building or replacement of the resource's entrance could result in significant adverse impacts, depending on the design. Direct effects also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

The Proposed Action are site-specific, and, as discussed above, the Project Site does not contain any designated or eligible historic resources. Therefore, the Proposed Action would not result in any direct impacts to historic architectural resources.

Indirect (Contextual) Impacts

Contextual impacts may occur to architectural resources under certain conditions. According to the *CEQR Technical Manual*, possible impacts to architectural resources may include isolation of the property from, or alteration of, its setting or visual relationships with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor. Significant indirect impacts can occur if the Proposed Action would cause a change in the quality of a property that qualifies it for listing on the S/NR or for designation as a NYCL.

The Proposed Action would not result in significant adverse indirect impacts on historic architectural resources. The Proposed Project would not significantly alter the context or setting of the S/NR-listed BNY Historic District as compared to No-Action conditions. As detailed above, the Proposed Action would facilitate the development of a new, 23-story (352-foot-tall) commercial building on the Project Site. As shown in figures in **Chapter 7, "Urban Design and Visual Resources**," the With-Action building on the Project Site would be 19 stories (278 feet) taller than the as-of-right No-Action development on the site, and would be visible when looking northeast from within the BNY Historic District, as well as when looking at the BNY Historic District to the southwest and west from Kent and Divisions Avenues. However, these views would not result in significant or adverse contextual impacts to the S/NR-listed Historic District. The study area is a dense urban environment with multiple existing and planned mid- and high-rise buildings forming the backdrop of the BNY Historic District, and the Proposed Project would not substantially change the visual setting of the BNY Historic District so as to affect those characteristics that make it eligible for listing on the S/NR.

Additionally, in the future with the Proposed Action, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting. The Proposed Project would not alter the relationship of any identified historic architectural resources to the streetscape, as all streets in the study area would remain open as under existing conditions, and all historic resources' relationships to the street would remain unchanged in the future with the Proposed Action. The Proposed Project would not eliminate or screen significant public views of any historic architectural resources, which would remain visible in view corridors on adjacent public streets and sidewalks. No primary facades, significant architectural ornamentation, or notable features of contributing structures within the BNY Historic District would be obstructed by the Proposed Project. Rather, the Proposed Project would introduce publicly-accessible open space to the Project

Site that would introduce new extensive and unobstructed views of the BNY Historic District which would not be available under No-Action conditions.

The Proposed Action would not result in development that would diminish the qualities that make the S/NR-listed BNY Historic District historically and architecturally significant. As such, the Proposed Action would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

Construction-Related Impacts

Any new construction taking place within historic districts or adjacent to individual landmarks has the potential to cause damage to contributing buildings to those historic resources from ground-borne construction vibrations. As noted above, the New York City Building Code provides some measure of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to LPC-designated and S/NR-listed historic resources located within 90 linear feet of a proposed construction site. For these structures, DOB's TPPN #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. As there are no historic architectural resources located within 90 feet of the Project Site (see **Figure 6-1**), the Proposed Action would not result in any significant adverse construction-related impacts to historic resources.

Shadows Impacts

As discussed in **Chapter 5, "Shadows,"** there are no historic resources within the vicinity of the Project Site that contain sunlight-sensitive architectural features. Therefore, development facilitated by the Proposed Action would not result in any significant adverse shadows impacts on historic resources.