

### 3.3 Historic and Cultural Resources

#### 3.3.1 Introduction

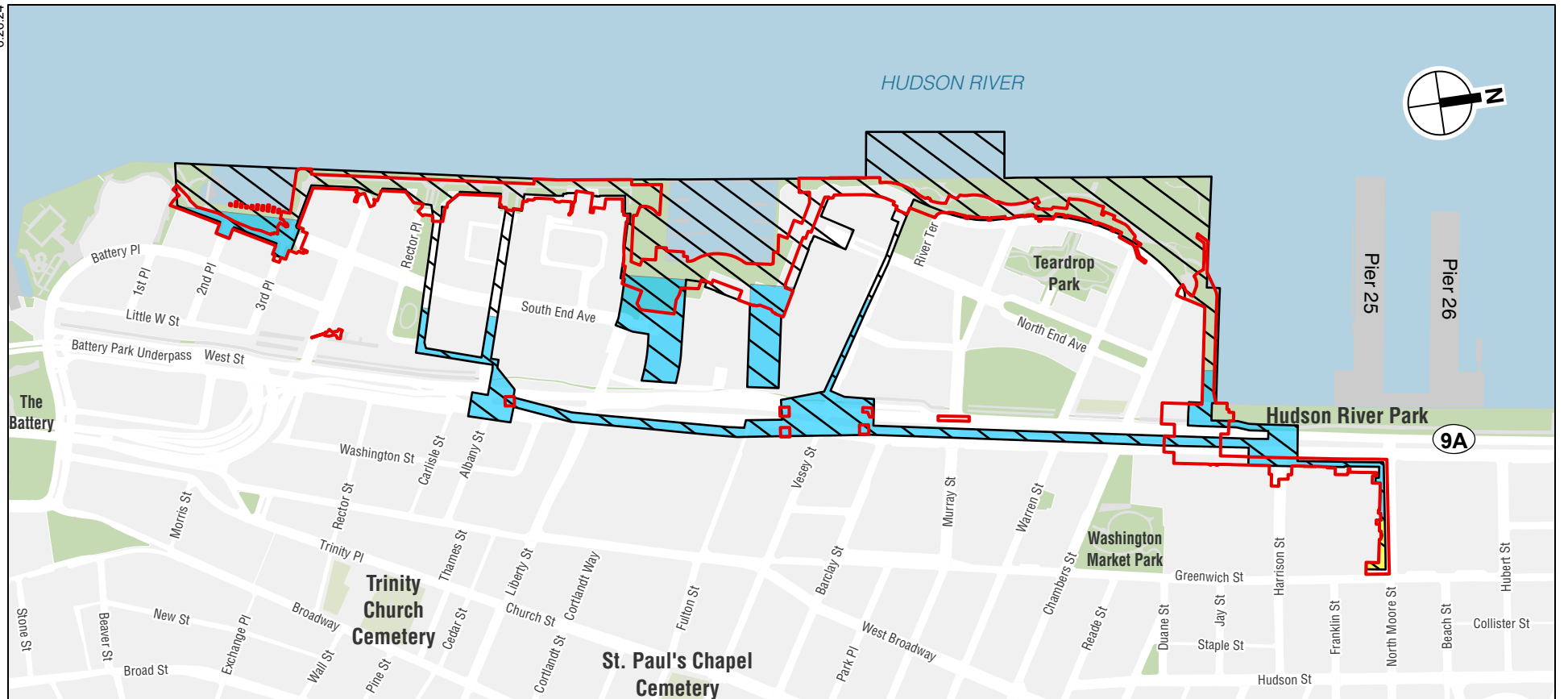
Based on the guidance of the *City Environmental Quality Review (CEQR) Technical Manual*, a historic and cultural resources assessment should be prepared if a proposed action includes any of the following activities: in-ground disturbance; new construction, demolition, or significant physical alteration of any building, structure, or object; the change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; or the screening or elimination of publicly accessible views, even if no known historic resources are located nearby. The Proposed Project would involve a number of these activities; therefore, this historic and cultural resources analysis was prepared. This analysis follows the guidance of the *CEQR Technical Manual* and includes consultation between the Battery Park City Authority (BPCA), the New York State Historic Preservation Office (SHPO) and the New York City Landmarks Preservation Commission (LPC) in accordance with the relevant laws and regulations including Section 14.09 of the New York State Historic Preservation Act (NYSHPA) and Section 106 of the National Historic Preservation Act of 1966 (NHPA), as implemented by federal regulations found in 36 CFR § 800. In a comment letter dated August 8, 2024, SHPO concurred with the historical and cultural resources assessment presented in this chapter (see **Appendix D**).

#### 3.3.2 Principal Conclusions

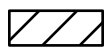
##### 3.3.2.1 Archaeological Resources

For the Proposed Project, the Area of Potential Effect (APE) for archaeological resources (the “Archaeological APE”) is the area expected to be disturbed by project construction, including the horizontal area, or the footprint of proposed ground disturbance; and the vertical area, or the depth of the proposed ground disturbance (see **Figure 3.3-1**). To analyze archaeological resources within the Archaeological APE, a Phase 1A Archaeological Documentary Study of the Project Area was prepared. The Phase 1A Archaeological Documentary Study concluded that much of the Project Area is located in an area of artificial landfill that was formed in the 19th and 20th centuries. A small portion of the Project Area in the vicinity of what is now the streetbed of North Moore Street east of the line of Washington Street was part of Manhattan’s pre-development landform. The remainder of the Project Area was gradually developed as landfill and was used to expand Manhattan’s waterfront westward between the 17th and 19th centuries. The Project Area was determined to have low sensitivity for precontact archaeological resources within deeply buried landforms, and portions of the Project Area were determined to have sensitivity for archaeological resources associated with 17th and 18th century occupation and with 19th century landfilling activities.

The Phase 1A Archaeological Documentary Study recommended a Phase 1B Archaeological Investigation, including a geomorphological investigation and archaeological monitoring to confirm the presence or absence of archaeological resources within the Archaeological APE. The Phase 1B Archaeological Investigation of the identified areas of archaeological sensitivity would be completed in consultation with



*Project Area*



*Location of Recommended Geomorphological Analysis Where Project Impacts are Greater than 30 feet in Depth*



*Areas sensitive for pre-1850 landfill resources in undisturbed areas*



*Areas with historic period sensitivity in undisturbed areas*

Areas of Archaeological Sensitivity

**Figure 3.3-1**

SHPO and LPC, as well as Section 106 Consulting Parties (including Indigenous Nations) as necessary. Agreement documents pursuant to Section 106 or Section 14.09 may also be required by SHPO to memorialize the BPCAs commitment to complete subsequent phases of work. With the completion of the Phase 1B Archaeological Investigation and all subsequent analyses determined necessary in continued consultation with LPC, SHPO, and Section 106 Consulting Parties as necessary, it is concluded that the Proposed Project would not result in any significant adverse impacts on archaeological resources.

### 3.3.2.2 Historic Architectural Resources

As described below, the APE for historic architectural resources (the “Historic Architectural APE”) has been defined as the area within 400 feet from the Project Area, which accounts for potential direct effects (for properties located within 90 feet of the Project Area) and potential indirect (visual and contextual) effects. Construction of the Proposed Project is aligned within 90 feet of a number of listed and eligible historic resources in the Historic Architectural APE including South Cove, which SHPO has been determined to be eligible for listing on the State and National Registers of Historic Places (S/NR-eligible), the Shearwater (S/NR), Hudson River Bulkhead (S/NR-eligible), New York World Telegram Building (S/NR-eligible), Barclay-Vesey Building (New York City Landmark [NYCL], S/NR), 90 West Street (NYCL, S/NR), Lamppost 79 (NYCL), and a portion of the Tribeca West Historic District (NYCL, S/NR-eligible) along Greenwich Street. Therefore, pursuant to Section 106 and Section 14.09, BPCA, in consultation with LPC and SHPO, would develop and implement construction protection plans (CPPs) for these historic architectural resources to avoid inadvertent construction-period damage from ground-borne vibrations, falling debris, collapse, dewatering, subsidence, or the operation of construction equipment. CPPs are prepared following the guidelines of the New York City Department of Buildings (DOB) *Technical Policy and Procedure Notice (TPPN) #10/88*, which “requires a monitoring program to reduce the likelihood of construction damage to adjacent historic structures and to detect at an early stage the beginnings of damage so that construction procedures can be changed.” The CPPs would also comply with LPC’s guidance document *Protection Programs for Landmarked Buildings* and the National Park Service’s *Preservation Tech Notes, Temporary Protection #3: Protecting a Historic Structure during Adjacent Construction*. With these protection plans in place it is concluded that the Proposed Project would not result in any adverse impacts to these eight historic architectural resources.

Although the Proposed Project would directly affect South Cove (S/NR-eligible), it would not result in an adverse effect to that historic architectural resource as the proposed work would be limited to the edges of South Cove and the main contributing features of the landscape would be unaffected. In sum, the Proposed Project would not affect the design and historical integrity of the Postmodernist designed landscape.

Adjacent to Stuyvesant High School, a small portion of the buried Hudson River Bulkhead would be removed for construction of a roller gate, as the upper portion of the buried bulkhead would be in conflict with the bottom of the gate footing. As only two feet of granite block at the top of the bulkhead in this location would be removed and the majority of the historic bulkhead located within the Project Area would remain unaffected by the Proposed Project, this direct effect to a small section of historic material

would not result in an adverse effect to the historic resource. BPCA will discuss the potential salvage of the removed bulkhead materials with LPC and SHPO.

It is also not expected that the Proposed Project would result in any contextual impacts on historic architectural resources in the Project Area or in the Historic Architectural APE. Overall, the Proposed Project design would not alter the scale, visual prominence, or visual context of any building, structure, object, or landscape feature; screening or elimination of publicly accessible views; or introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape or an historic structure that is sunlight dependent.

### **3.3.3 Regulatory Context**

The regulatory context for the environmental review of the Proposed Project includes the following federal, state, and city laws, rules, and regulations.

#### **3.3.3.1 National Historic Preservation Act (Section 106)**

Section 106 of NHPA mandates that federal agencies consider the potential effects of their actions on any properties listed on or determined eligible for listing on the National Register of Historic Places (NR) and afford the federal Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings. Section 101(d)(6)(B) of the NHPA requires the lead federal agency to consult with any federally recognized Indigenous Nation(s) (referred to in the NHPA as “Indian Tribes”) that attach religious and cultural significance to historic properties that may be affected by a proposed action. The lead federal agency shall ensure that consultation in the Section 106 process provides the Indigenous Nations a reasonable opportunity to identify its concerns about historic properties, advise on the identification and evaluation of properties, including those of traditional religious and cultural importance, articulate its views on the undertaking’s effects on such properties, and participate in the resolution of adverse effects.

The lead federal agency, in consultation with SHPO and Section 106 Consulting Parties, must determine whether a proposed action would have any adverse effects on historic properties within the APE. Section 106 requires consultation with the SHPO, Indigenous Nations that might attach religious and cultural significance to historic properties affected by the project, and additional Consulting Parties with a demonstrated interest in the project based on a legal or economic relation to affected properties, or an interest in the project’s effects on historic properties. In addition, the ACHP may elect to participate in consultation, if certain criteria are met.

Section 106 review of the Proposed Project will be limited to those effects subject to U.S. Army Corps of Engineers (USACE) permits or authorizations.

#### **3.3.3.2 New York State Historic Preservation Act**

The New York State Historic Preservation Act of 1980 (NYSHPA) was established as a counterpart to the NHPA and requires that state agencies consider the effect of their actions on properties listed on or

determined eligible for listing on the State Register of Historic Places (SR). Compliance with NYSHPA will be required as the Proposed Project is being undertaken by BPCA and will require permits from the New York State Department of Environmental Conservation (NYSDEC).

### **3.3.3.3 New York City Landmarks Law**

The New York City Landmarks Law establishes LPC and gives it the authority to designate landmarks, interior landmarks, scenic landmarks, and 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.

The New York City Landmarks Law also gives LPC the authority to regulate any construction, reconstruction, alteration, or demolition of such landmarks and districts. Under the Landmarks Law, no new construction, alteration, reconstruction, or demolition can take place on privately owned properties that are landmarks, landmark sites, within designated New York City historic districts or pending designation as New York City Landmarks (NYCLs) until LPC has issued a Certificate of No Effect on protected architectural features, Certificate of Appropriateness, or Permit of Minor Work. Publicly owned resources are also subject to review by LPC before the start of a project; however, LPC's role in projects sponsored by other city or state agencies generally is advisory only. Projects reviewed under CEQR that physically affect NYCLs or properties in New York City historic districts require mandatory review by LPC, in the case of private properties, and approval of LPC, in the case of certain City property. For the Proposed Project, LPC will be advising BPCA as it relates to the guidance of the *CEQR Technical Manual* and potential effects on historic architectural and archaeological resources.

## **3.3.4 Methodology**

### **3.3.4.1 Definition of the Area of Potential Effects**

A required step in the assessment of effects to historic and cultural resources is determining the Study Area or APE. Section 106 of the NHPA defines the APE as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if such properties exist" (36 CFR § 800.16[d]). Section 14.09 of the NYSHPA refers to this area as the project impact area and it will be referred to as the APE in this DEIS. The APE is influenced by the size and intensity of a project. For this Proposed Project, the APEs for archaeological and historic architectural resources were developed in consultation with BPCA and SHPO and are described below.

### **3.3.4.2 Archaeological Resources**

Archaeological resources are potentially affected by direct effects from construction activity resulting in disturbance to the ground surface (including submerged ground surfaces) such as excavation, grading, pile-driving, cutting and filling, dredging, and staging. Therefore, for the Proposed Project, the Archaeological APE is the area expected to be disturbed by project construction, including the horizontal

area, or the footprint of proposed ground disturbance; and the vertical area or the depth of the proposed ground disturbance (see **Figure 3.3-1**).

#### **3.3.4.3 Historic Architectural Resources**

Adverse effects on historic architectural resources include both direct physical effects—demolition, alteration, or damage from construction—and indirect effects, such as the introduction of visual, audible, or atmospheric elements that may alter the characteristics of the historic property that qualify it for inclusion in the National Register in a manner that diminishes the integrity of the property’s historic features. The criteria for adverse effects, as defined by ACHP, are described in greater detail below.

Direct effects may include physical damage or destruction of a resource or alterations of its setting. The portion of the APE for historic architectural resources where there is the potential for a project to cause direct effects includes all locations potentially subject to direct ground-disturbing activities and adjacent areas within 90 feet. Project activities are anticipated to include demolition, excavation, pile-driving, cutting and filling, and staging. As defined in the DOB *TPPN #10/88* and in conformance with New York City Building Code Chapter 3309.4.4, adjacent construction is defined as any construction within 90 feet of a historic resource. To account for potential indirect effects both visually and from ground disturbance the Historic Architectural APE is 400 feet from the Project Area (see **Figure 3.3-2**).

### **3.3.5 Identification of Historic Properties within the APE**

#### **3.3.5.1 Archaeological Resources**

Archaeological resources are physical remnants, usually buried, of past human activities on a site. They can include archaeological resources associated with Indigenous populations that used or occupied a site and can include stone tools or refuse from tool-making activities, remnants of habitation sites, and similar items. These resources are also referred to as “precontact,” since they were deposited before Native Americans’ contact with European colonizers. Archaeological resources can also include artifacts and features associated with activities that occurred during the historic period, which began with the European colonization of the New York area in the 17th century. Such resources can include cultural material generated by European contact with Native Americans, landfill deposits, structural foundations, and domestic shaft features such as cisterns, wells, and privies.

On sites where later development occurred, archaeological resources may have been disturbed or destroyed by grading, excavation, infrastructure installation, and street improvements. However, some resources do survive in urban environments despite extensive development. Deposits can be protected when covered with pavement (e.g., a parking lot) or with a building with a shallow foundation and no basement. In both scenarios, archaeological deposits can be sealed beneath the ground surface and protected from further disturbance.

Archaeological investigations in New York City typically proceed in a multi-phase process consisting of an archaeological documentary study (e.g., a Phase 1A Archaeological Documentary Study or “Phase 1A Study”); an archaeological investigation to determine the presence or absence of archaeological resources



Project Area/Archaeology Area of Potential Effect

Architectural Resources Area of Potential Effect (400-foot perimeter)

#### Architectural Resources

- |   |                                                      |    |                                                  |    |                                                        |
|---|------------------------------------------------------|----|--------------------------------------------------|----|--------------------------------------------------------|
| 1 | Shearwater (S/NR)                                    | 5  | Harrison Street Houses (NYCL)                    | 13 | 120 Greenwich Street (S/NR-eligible)                   |
| 2 | South Cove (S/NR-eligible)                           | 6  | Lamppost 89 (NYCL)                               | 14 | 40 Rector Street (S/NR-eligible)                       |
| 3 | Hudson River Bulkhead (S/NR-eligible)                | 7  | New York World Telegram Building (S/NR-eligible) | 15 | Lamppost 80 (NYCL, S/NR-eligible)                      |
| 4 | Tribeca West Historic District (NYCL, S/NR-eligible) | 8  | Barclay-Vesey Building (NYCL, S/NR)              | 16 | St. George's Syrian R. C. Church (NYCL, S/NR-eligible) |
|   |                                                      | 9  | World Trade Center Site (S/NR-eligible)          | 17 | Frasch Building (S/NR-eligible)                        |
|   |                                                      | 10 | 90 West Street (NYCL, S/NR)                      | 18 | Robert F. Wagner, Jr. Park (S/NR-eligible)             |
|   |                                                      | 11 | Lamppost 79 (NYCL)                               |    |                                                        |
|   |                                                      | 12 | New York Evening Post Building (S/NR)            |    |                                                        |

Historic Resources - Area of Potential Effect

through field testing or monitoring (e.g., a Phase 1B Archaeological Investigation); a significance evaluation—gathering sufficient information to assess a site’s eligibility for the S/NR (e.g., a Phase 2 Archaeological Survey/Evaluation); and the mitigation of unavoidable impacts through data recovery or another form of mitigation (e.g., Phase 3 Data Recovery/Mitigation). The need for advancing to an additional phase of work is dependent upon the results of the preceding phase.

Information regarding the Proposed Project was submitted to LPC for review; and in a letter dated July 18, 2022, LPC determined that an archaeological documentary study (“Phase 1A Study”) was required to assess the potential for the Proposed Project to impact potentially significant archaeological resources (see **Appendix D**). In comments issued through the New York State Cultural Resources Information System (CRIS) on October 11, 2022, SHPO also requested that a Phase 1A Study of the Project Area be completed. To satisfy these requests, a Phase 1A Study of the Project Area was completed in November 2022.<sup>1</sup> In comment letters issued November 29, 2022, and December 9, 2022, LPC and SHPO, respectively, concurred with the conclusions and recommendations of the Phase 1A Study (see **Appendix D**). The conclusions of the Phase 1A Study are summarized in “Existing Conditions.”

### 3.3.5.2 Historic Architectural Resources

Once the Historic Architectural APE was determined, a list of officially recognized historic architectural resources in the APE was compiled that includes National Historic Landmarks (NHL), S/NR-listed properties or properties determined eligible for such listing, NYCLs and Historic Districts, and properties that have been found by LPC to appear eligible for designation, considered for designation (“heard”) by LPC at a public hearing, or calendared for consideration at such a hearing (these are “pending” NYCLs). A field survey of the Historic Architectural APE was also conducted to identify any previously unidentified properties that may appear to meet the eligibility criteria for S/NR listing or NYCL designation.

Criteria for listing on the National Register are in the Code of Federal Regulations, Title 36, Part 63, and LPC has adopted these criteria for use in identifying historic 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 information important in prehistory or history. Properties that are younger than 50 years of age are ordinarily not eligible, unless they have achieved

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<sup>1</sup> AKRF, Inc. (2022): North/West Battery Park City Resiliency Project; Portions of Block 142, Lots 25 and 50; Block 16, Lots 3, 12, 15, 20, 70, 100, 120, 125, 140, 150, 160, 210, 215, 225, 7501 (formerly Lot 90), 7502 (formerly Lot 95), 7505 (formerly Lot 65), 7509 (formerly Lot 45), and 7511 (formerly Lot 25); and Portions of streetbeds of Greenwich, North Moore, and Harrison Streets, and Route 9A (West Street); Manhattan, New York County, New York: Phase 1A Archaeological Documentary Study. ” Prepared for: Battery Park City Authority; New York, NY.

exceptional significance. Official determinations of eligibility are made by the New York State Office of Parks Recreation and Historic Preservation (OPHRP)/SHPO.

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. NYCLs 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 landmark, interior landmark, scenic landmark, and historic district.

One potential historic architectural resource that appeared to meet the eligibility criteria for S/NR listing was identified in the APE—South Cove in Battery Park City, which is located within the Project Area. This resource was identified based on field surveys of the Historic Architectural APE conducted by a historian who meets NPS Professional Qualification Standards for Architectural History, codified under 36 CFR § 61, and additional research. A memorandum that provided a description of the planning and design of South Cove and a rationale for why it appeared to meet the eligibility criteria for listing on the National Register of Historic Places was submitted to SHPO for their evaluation and determination of eligibility (see **Appendix D**). The memorandum also addressed North Cove in Battery Park City and why it did not similarly appear to meet the criteria for NR eligibility. In a letter dated March 30, 2023, SHPO determined that South Cove meets the eligibility criteria for S/NR listing (see **Appendix D**). SHPO also concurred that North Cove in Battery Park City is not eligible for S/NR listing. See **Appendix D** for the *Memorandum, Potential National Register Eligibility of South Cove, Battery Park City*, dated March 1, 2023, and the SHPO letter dated March 30, 2023.

### 3.3.5.3 Evaluation of Potential Effects on Historic Properties

Once the historic properties in the APEs were identified, both the direct and indirect effects of the Proposed Project on those resources were assessed. based on ACHP's Criteria of Adverse Effect codified in 36 CFR § 800.5(a)(1) and (2). The assessment may result in three possible findings: no effect (no historic properties affected); no adverse effect; or adverse effect. According to ACHP's criteria, an adverse effect is found "when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association." Examples of adverse effects include, but are not limited to, "physical destruction or damage of all or part of the property"; "removal of the property from its historic location; change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance"; and "introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features." Adverse effects may include "reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative."

### **3.3.6 Existing Conditions**

#### **3.3.6.1 Archaeological Resources**

The Phase 1A Study of the Project Area in November 2022 included a comprehensive review of the Project Area's occupation and development histories. The study concluded that much of the site is located in an area of artificial landfill that was formed in the 19th and 20th centuries. A small portion of the Project Area in the vicinity of what is now the streetbed of North Moore Street east of the line of Washington Street was part of Manhattan's pre-development landform. The remainder of the Project Area was gradually developed as landfill and was used to expand Manhattan's waterfront westward between the 17th and 19th centuries. The majority of modern Battery Park City was constructed in the late 20th century. As described previously, the conclusions and recommendations of the Phase 1A Study as summarized below have been accepted by both LPC and SHPO (see **Appendix D**).

#### **Precontact Sensitivity Assessment**

As described in the Phase 1A Study, precontact sensitivity of project sites in New York City is generally evaluated by a site's proximity to level slopes, watercourses, well-drained soils, and previously identified precontact archaeological sites. The Phase 1A Study concluded that the Project Area was historically inundated and only a small portion in the vicinity of North Moore and Greenwich Streets is known to have been dry, inhabitable land prior to the initiation of landfilling efforts along the Hudson River waterfront. Other coastal precontact archaeological sites have been identified in Lower Manhattan, and the Project Area was situated near waterfront bluffs near fresh- and saltwater resources provided by the Hudson River and nearby marshes. The Phase 1A Study determined that the area was therefore likely to have been utilized by Indigenous populations for resource exploitation if not for long- or short-term occupation. However, despite the high likelihood that Native Americans utilized land in the Project Area, Native American archaeological sites are typically found at shallow depths, within the top 5 feet of the original ground surface. Given the extent of development and landscape modification on the Project Area during the 19th and 20th centuries, much of the pre-development ground surface was likely destroyed as a result of development between the 18th and 19th centuries. The Project Area was therefore determined to have low sensitivity for precontact archaeological resources.

The portions of the Project Area that were part of the Hudson River prior to landfilling efforts could have been dry, inhabitable land prior to the rise of sea levels thousands of years ago. Previous archaeological investigations completed in association with the reconstruction of Route 9A/West Street determined that deeply buried landforms are present within the streetbed at depths greater than 30 to 60 feet below what was the ground surface before modern Route 9A/West Street was constructed. Subsurface impacts for the Proposed Project could impact depths greater than 30 to 60 feet in limited locations, and methods for documenting deeply buried archaeological resources have been developed in recent decades that were not available at the time of previous assessments.

### Historic Sensitivity Assessment

The Project Area's historical development as documented in the Phase 1A Study extended gradually to the west with different portions of the Project Area being filled and occupied at different times. The Project Area was determined to be sensitive for two types of historic period archaeological resources associated with 18th-century industrial uses in that portion that was originally fast land in the vicinity of North Moore and Greenwich Streets and for 18th through mid-19th century resources associated with landfilling.

The portion of the Project Area in the vicinity of North Moore Street between Washington and Greenwich Streets was the site of an 18th-century foundry as depicted on a map of lower Manhattan drawn by Bernard Ratzer in 1767 and published in 1776. The street beds of North Moore and Greenwich Streets appear to have been constructed by the late 18th century and have been maintained as active roads since that time. Historical maps suggest that within the Project Area, these streets have experienced little change since the mid- to late-19th century. Washington Street historically passed through the Project Area but has since been demapped and is now incorporated into Block 142, Lots 25 and 50. Undisturbed portions of this street bed could contain archaeological resources associated with the 18th-century foundry that was located in this area before North Moore Street was constructed. Therefore, this portion of the Project Area was determined to have low to moderate sensitivity for archaeological resources dating to the 18th century and earlier (see **Figure 3.3-1**).

The Phase 1A Study indicated that landfill and landfill-retaining structures became standardized beginning in the mid-19th century. As such, landfill deposits pre-dating 1850 have significantly higher archaeological research value and provide greater insight into historical land-making technology. While many of the older waterfront structures may have been removed as part of the construction of later, more modern pier structures, the extent to which older structures were entirely removed was determined to be unknown. Intact segments of the historic Hudson River Bulkhead—which has been determined to be S/NR-eligible—have been documented along Route 9A/West Street within and in the vicinity of the Project Area as a result of archaeological investigations completed in the last two decades. Those portions of the Project Area that were developed with landfill or waterfront structures (e.g., wharves, piers, or docks) prior to 1850 are therefore determined to have moderate sensitivity for historical landfill-retaining structures and landfill deposits. The general locations of these areas are depicted on **Figure 3.3-1**.

#### 3.3.6.2 Historic Architectural Resources

##### Project Area

There are three historic architectural resources in the Project Area. These resources are shown on **Figure 3.3-2** and described below.

##### Shearwater (#1 on Figure 3.3-2, S/NR)

The Shearwater is a wooden auxiliary schooner built in 1929. Currently, the Shearwater docks at the North Cove Marina and is used for sightseeing cruises. Designed by naval architect Theodore Wells and built in Boothbay, Maine in 1929, the schooner measures 81.5 feet in length overall, 64 feet, 6 inches on deck and

4 feet, 3 inches on the waterline. Her maximum beam is 16 feet, 6 inches, and she draws 10 feet, weighing 36 gross tons. Her design represents the semi-fisherman type popular for ocean cruising yachts of the 1910s and 1920s characterized by the spoon-shaped bow, the deep keel, and the schooner rig.<sup>2</sup> The schooner features round bilges, a full keel made of solid oak timber with external lead ballast shoe, and attached rudder and a transom stern.

#### South Cove (#2 on Figure 3.3-2, S/NR-eligible)

South Cove opened in 1988 at the southern end of the Battery Park City Esplanade and is the product of a collaboration between the artist Mary Miss, the landscape architect Susan Child, and the architect Stan Eckstut that began with planning sessions in 1985. Their collaborative process for the design of South Cove integrated art, landscape architecture, and architecture in a way that differed from previous modernist approaches to the inclusion of art in architectural projects where the art was an ornamental addition to a designed space. All the parts together of South Cove made one piece of landscape art that was to be experienced by the public rather than just observed as a sited sculpture. The Postmodernist designed landscape of South Cove is significant under National Register Criterion A in the area of community and urban planning and under Criterion C in the areas of landscape architecture and art. In addition, SHPO has determined that South Cove meets the standard for exceptional significance necessary to satisfy National Register Criterion Consideration G for properties less than 50 years old. See **Figures 3.3-3 through 3.3-7** for photographs of South Cove.

Planned around a cove feature, South Cove has upper and lower sections connected by wide stairways. Its upper level continues the established formal vocabulary of the Battery Park City Esplanade, but the lower level suggests nature and New York City's maritime history. The distinct architectural zones are further differentiated with three planting zones that transition from formal to wild. The upper section is lined with benches and plantings along the inland edge abutting the adjacent residential buildings, with the main area more loosely planted with a grove of honey locust trees. The curvilinear paths through the upper section have wood railings, and they are paved with the hexagonal pavers used on the other portions of the Esplanade. The upper section slopes down to the river and a promenade along the waterfront edge. Densely planted and lined by boulders placed in specific locations by Miss, the sloped inland edge along the promenade suggests the historic, natural shoreline and clearly defines a transition between the upper and lower sections of South Cove. Wood railings and lampposts with blue harbor lights line the promenade's waterfront edge, and groupings of wood pilings continue the maritime design of the lower section into the water. At the southeast corner of the cove, a bowed bridge connects the promenade to a wood jetty that curves back to the shoreline, in a playful reconfiguring of a traditional maritime structure. Beyond the end of the jetty, the structure continues as a deconstructed framework. A wood pergola and benches are provided on the jetty. Located inside the curve of the jetty and crossed by the bridge is a small island planted with native flora. On the south side of the bridge, the surface of the circle created by the curved jetty has been partially removed to reveal the concrete substructure of the

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<sup>2</sup> *Building Inventory Form, Shearwater, schooner*, April 16, 2019. <https://cris.parks.ny.gov/Default.aspx>, accessed July 22, 2022.



South Cove, view south from northern end 1



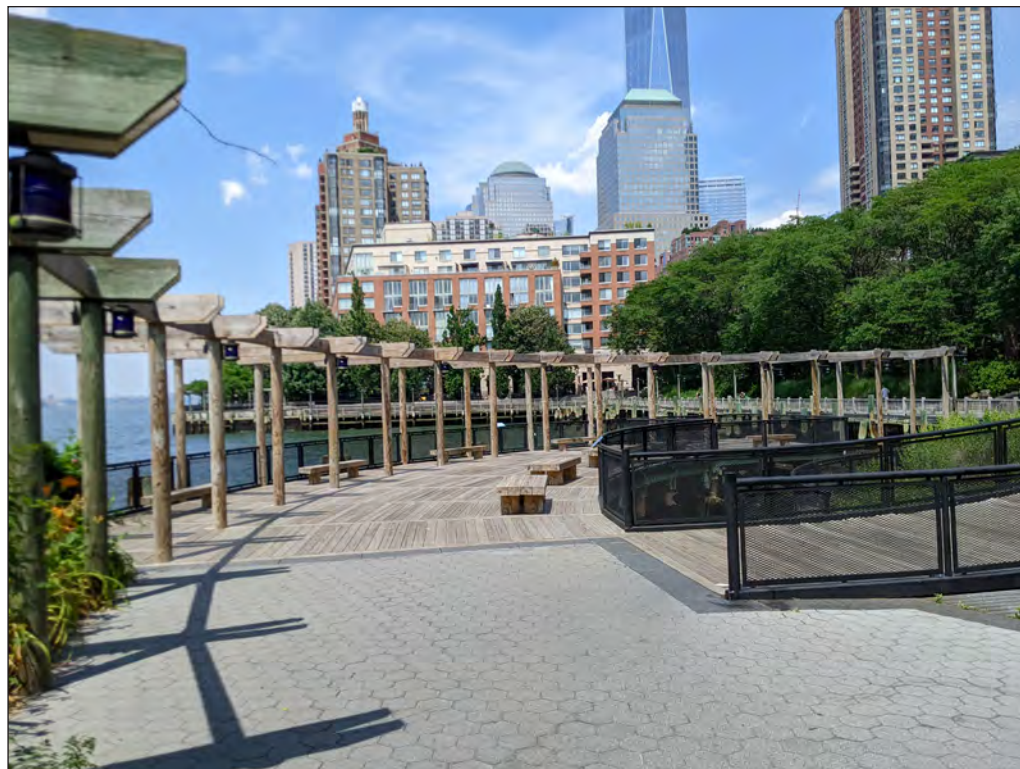
South Cove upper section, view south from entrance at South End Avenue 2



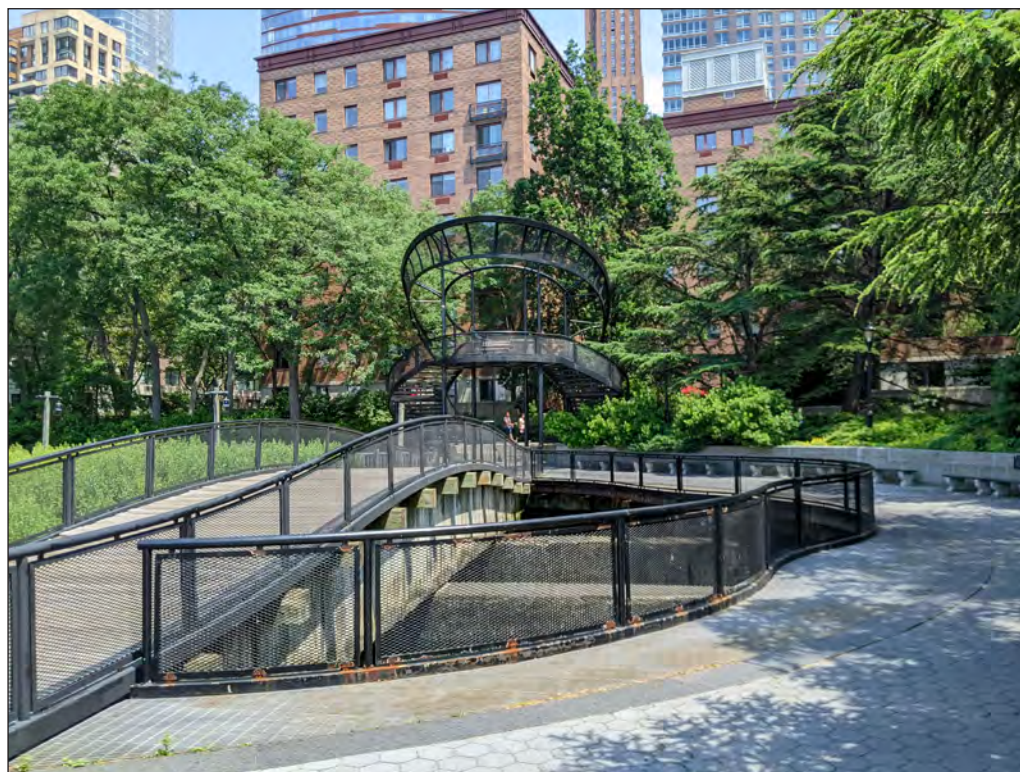
South Cove upper section, view south in honey locust grove 3



South Cove promenade, view south 4



South Cove curved jetty, view north 5



South Cove island and bridge, view east from jetty 6



South Cove island and bridge, view west from lookout 7



South Cove lookout, view northwest 8



South Cove, southern end, view north 9



South Cove northern end, view west 10

landfill on which Battery Park City was constructed, thereby directly addressing the man-made nature of the site. Benches line the southern edge of the curve, and a 9/11 Memorial has been inset into the path as later addition to the site. At the southeast corner overlooking the cove is a steel lookout formed by two curved stairs and an armature that references the crown of the Statue of Liberty. The paths through the honey locust grove, the waterfront Esplanade, the bowed bridge and curved jetty, and the overlook provide unique experiential zones and different perspectives of the waterfront, and the promenade, jetty, and bridge allow visitors to get close to, and over, the water. The southern end of the cove is densely planted with native species to suggest a “wild” habitat that also creates a distinct visual edge to South Cove. There are curved paths through the “wild” habitat that connect to the Esplanade, which continues south. The northern end of the cove has a level lower than that of the main Esplanade level, plantings, benches, and wood lampposts with blue harbor lights with a circular, vine-covered wood pergola encircling a tree where the upper path of the cove connects back to the Esplanade.

#### Hudson River Bulkhead (#3 on Figure 3.3-2, S/NR-eligible)

The Hudson River Bulkhead (S/NR-eligible) runs from Battery Place to the south end of the former New York Central Railroad’s terminal at West 59th Street. Significant under Criterion C in the area of engineering and under Criterion A in the areas of commerce or industry, the bulkhead and its associated structural systems were constructed between 1871 and 1936 by the New York City Department of Docks. The majority of the construction consisted of masonry walls on a variety of foundation systems, with quarry-faced ashlar granite block forming the visible face along most of the armored frontage. South of Harrison Street, the bulkhead is buried along Route 9A/West Street in fill that was used to create Battery Park City. Built between 1871–1915 and 1920–1960, the portion of bulkhead within the Project Area consists of seven significant construction types—granite block on rip rap; granite wall supported by pre-cast concrete blocks and concrete base; granite wall on mass concrete block resting on a concrete bed; granite wall on pre-cast concrete block with mass concrete backing and inclined bracing; granite wall on narrow concrete block with inclined bracing piles and timber binding frame; granite wall on wider concrete blocks without binding frame; and concrete bulkhead with timber or concrete relieving platforms on piles.

Design of the bulkhead was the responsibility of George B. McClellan, a general during the Civil War who became the first Engineer-in-Chief of the New York City Department of Docks. McClellan's plans contemplated the creation of a 250-foot-wide marginal street, from which 60- to 100-foot-wide piers with cargo sheds would project 400 to 500 feet around 150- to 200-foot-wide slips. Initiated to respond to the deteriorated, congested, and silt-filled condition of the waterfront, the carefully built granite walls created a consistent monumental surface to the waterfront that reinforced an image of the City's commercial prominence. As property was acquired and as commerce warranted, the City built the bulkheads, built or rebuilt pier substructures, and leased redeveloped areas to private companies that were usually responsible for piershed and headhouse construction.

#### Area of Potential Effect within 400 Feet of the Project Area (Historic Architectural APE)

There are 15 historic architectural resources located within the 400-foot Historic Architectural APE. These resources are shown on **Figure 3.3-2** and described below.

#### Tribeca West Historic District (#4 on Figure 3.3-2, NYCL, S/NR-eligible)

The Tribeca West Historic District is roughly bounded by Greenwich, Hubert, Reade, and Varick Streets and Ericsson Place and West Broadway in Manhattan. The area within the district boundaries was initially developed as a prime residential neighborhood in the early 19th century. By the mid-19th century, the area began to be redeveloped with houses replaced by commercial buildings, and with these stores, lofts, and warehouses defining the architectural character of the district. The buildings typically are of masonry and are of a unified scale, with the ground floors including architectural treatments such as cast-iron piers rising above stepped vaults or loading platforms sheltered by awnings. Within the APE, the Tribeca West Historic District includes properties on the east side of Greenwich Street between Jay and Hubert Streets and on Jay, Harrison, Franklin, North Moore, and Beach Streets between Greenwich and Hudson Streets. The Tribeca West Historic District is significant as exceptionally cohesive and “has a distinct and special character within the larger Tribeca community which is defined by the district’s historical development as reflected in the plan of its streets and the architectural qualities of its buildings.”<sup>3</sup> See Figure 3.3-8 for photographs of the Tribeca West Historic District.

#### Harrison Street Houses (#5 on Figure 3.3-2, NYCL)

The nine three-story Federal-style row houses at 25-41 Harrison Street were built in the late 18th and early 19th centuries (in 1796-7, 1803-4, 1819, 1827, and 1828). Five of them were originally located on Washington Street and moved to this location and restored with the other houses in the early 1970s when the Independence Plaza North residential complex was developed. They were built for specific owners close to the original shoreline, and they have brick façades with stone window lintels and pitched roofs with dormers (see **Figure 3.3-9**). The houses at 37, 39, and 41 Harrison Street are located off the street on a short alley. John McComb, the City's first native born architect, designed and built the two houses at 27 and 27A Harrison Street (formerly located at 315 and 317 Washington Street).

#### Lamppost 89 (#6 on Figure 3.3-2, NYCL)

Lamppost 89 is located on the north side of Warren Street between Route 9A/West Street and Greenwich Street. It was restored and moved to this location from its original location across Warren Street, on the east side of the former Washington Street, when the building at 270 Greenwich Street was built in 2006. The LPC “Historic Street Lampposts” designation report (1997) describes this post as an “unknown [bishop’s crook] type that was probably an expedient retrofit.”<sup>4</sup> Probably built in the early 20th century,

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<sup>3</sup> New York City Landmarks Preservation Commission, Tribeca West Historic District Designation Report. May 1991, p. 427. Included as part of District Certification Application documentation in letter from Jennifer J. Raab, Chairman, New York City Landmarks Preservation Commission, to Bernadette Castro, Commissioner, New York State Office of Parks, Recreation and Historic Preservation, August 18, 1994. The designation report largely serves as the basis for the required certification documentation.

<sup>4</sup> See page 7 of the New York City Landmarks Preservation Commission’s “Historic Street Lampposts” designation report, 1997.



Tribeca West Historic District, view northeast at Greenwich and Harrison Streets

11



Tribeca West Historic District, view east on North Moore Street from Greenwich Street

12



25, 27, 27A, 29, 31, and 33 Harrison Street 13



37, 39, and 41 Harrison Street 14

lamppost 89 would have been one of several similar lampposts that lined Washington Street when it was a functioning city street.

Beginning around 1900, ornamental arc lampposts were introduced in New York City, and the earliest of this form was the bishop's crook. Several variations of this style were produced, and there were several types manufactured by different companies. Approximately 76 types of cast-iron lampposts were in use by 1934. The earliest bishop's crook lampposts incorporated a garland on the fluted shaft, a short ladder rest, and were made from a single iron casting up to the crook section.

#### New York World-Telegram Building (#7 on Figure 3.3-2, S/NR-eligible)

The New York World-Telegram building at 150 West Street (a.k.a. 125 Barclay Street) was designed by Cleveland-based architect James William Thomas and built in 1930–1932 by the Adelson Construction and Engineering Corporation to serve as both the newsroom and printing facility for the New York Telegram (founded 1867, later New York World-Telegram). It is a 10-story Art Deco building with brick façades and terra-cotta trim. This building is currently being renovated and is encased in construction netting and scaffolding.

#### Barclay-Vesey Building (#8 on Figure 3.3-2, NYCL, NYCL Interior, S/NR)

Built between 1923 and 1927, the Art Deco Barclay-Vesey Building (NYCL, S/NR-eligible) located at 140 West Street occupies the full block bounded by Barclay, Washington, Route 9A/West Street, and Vesey Streets. Designed by Ralph Walker of McKenzie, Voorhees & Gmelin as an office building and switching center for the New York Telephone Company, this 29-story, brick, limestone, and terra-cotta structure consists of an 18-story parallelogram base and an 11-story square tower (see view 15 of **Figure 3.3-10**). For 10 stories, the base rises flush with the lot lines. Above the 10th floor, there are setbacks on the north and south façades and light courts on the east and west façades. Above the base, the tower is oriented to the Manhattan grid street pattern. Multiple setbacks above the tenth floor serve to further relieve the building's bulk. Flat piers provide verticality, and on the tower, they create buttresses that cap the structure. There are limestone cornices on each setback, and on the first two floors there are terra-cotta spandrel panels and window and door enframements of intricately carved reliefs of people, animals, and vegetation. The ground-floor of the Vesey Street façade is an arcade.

#### World Trade Center Site (#9 on Figure 3.3-2, S/NR-eligible)

Occupying approximately 16 acres, the WTC Site is bounded by Vesey Street to the north, Liberty Street to the south, Route 9A/West Street to the west and Church Street to the east. The portion of the WTC Site that is located within the Project Area is developed with the One World Trade Center office building and the 9/11 Memorial and Museum (see **Figure 3.3-10 and 3.3-11**). In 2004, the WTC Site was determined to meet "National Register Criterion A for its association with the September 11, 2001 attacks on the two 110-story towers of the WTC which on local, state, and national levels constitute historic events that have made a significant contribution to the broad patterns of our history." In connection with the events of September 11, the WTC Site is significant in the areas of political and government issues, social history and economic history. The WTC Site is exceptionally significant in the history of the United States as the location of events that immediately and profoundly influenced the lives of millions of



Barclay-Vesey Building, view southeast on Route 9A 15



World Trade Center Site, view west of One WTC ground-floor entrance 16



World Trade Center Site, view south of 9/11 Memorial Plaza 17



World Trade Center Site, view southwest of 9/11 Memorial Plaza 18

American citizens and for its role in symbolizing and commemorating those events for survivors, families of victims, New Yorkers, Americans, and visitors from all over the world.”<sup>5</sup>

#### 90 West Street (#10 on Figure 3.3-2, NYCL, S/NR)

Designed by Cass Gilbert and built in 1905–07, the 90 West Street Building is among the most important early 20th century skyscrapers in New York City, and the aesthetic precursor of Gilbert’s Woolworth Building from 1910–13. The 23-story former commercial office building is also the earliest example of the use of Gothic detail on a skyscraper with distinctly vertical massing. It has a C-shaped plan with a light court facing east and its primary façade fronting on Route 9A/West Street (see view 19 of **Figure 3.3-12**). Above a two-story granite base, the façades of the shaft are clad in terra cotta with modest marble and polychromed terra-cotta trim. The shaft is articulated with recessed window bays and clustered columns that form piers. These piers, along with colonettes between the windows, rise uninterrupted for most of the building’s height, creating vertical emphasis. The building’s heavy three-story capital is ornately designed as an arcade with engaged columns. A mansard roof with dormers and pinnacles crowns the building.

#### Lamppost 79 (#11 on Figure 3.3-2, NYCL)

Lamppost 79 is located adjacent to 90 West Street at the northeast corner of Albany Street and Route 9A/West Street. It is a later bishop’s crook variant from the early 20th century and the most common. It lacks the garland and ladder rest common to earlier bishop’s crook lampposts, and the crook ornament is wrought iron, rather than cast iron.

#### New York Evening Post Building (#12 on Figure 3.3-1, S/NR)

Located at 75 West Street, the New York Evening Post Building occupies the entire blockfront on Carlisle Street between West and Washington Streets. Horace Trumbauer designed the 16-story Art Deco building in 1925. It has a two-story stone base with recessed window bays and an entablature with stylized balustrades. The upper floors are clad in brick and massed with light courts and a series of setbacks that form a central tower (see view 20 of **Figure 3.3-12**). Projecting brick piers with stone caps emphasize the verticality of the massing. Colorful panels of geometric tiles ornament the upper stories. Stone detailing is also used on the upper setbacks to add further emphasis to the verticality of the building’s design.

#### 120 Greenwich Street (#13 on Figure 3.3-2, S/NR-eligible)

The 12-story Hazen Building at 120 Greenwich Street was designed in 1905 by Jardine, Kent & Jardine. The Renaissance Revival-style brick structure has a tripartite design of base, shaft, and capital (see view 21 of **Figure 3.3-13**). The three-story base is rusticated and contains arched window bays with pronounced voussoirs and keystones. A stone cornice with egg and dart molding runs above the base. The main

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<sup>5</sup> Coordinated Determination of National Register Eligibility—World Trade Center Site New York City, New York, March 31, 2004. <https://cris.parks.ny.gov/Uploads/ViewDoc.aspx?mode=A&token=+U/VvpTOZfwcuINikCWz70t8CAI/Rg2nt+amZLwXlvW/AFCD4iPDDhvkenLXwpyseeO4aCwACV5jxY4kJBG870zrrn+1ITicNr9Kmhgpv0aXLcWo6sm8ykKA4tfNMXL3&q=false>, accessed July 22, 2022.



90 West Street, view northeast 19



New York Evening Post Building, view west 20



120 Greenwich Street, view south 21



40 Rector Street, view northeast 22

entrance fronting Albany Street is crowned with a large broken pediment and an ornate shield above the door. The Greenwich Street corners are rounded, with protruding horizontal bands of brick that create the appearance of quoining and emphasize the curved design. Brick quoining also marks the northwest and southwest corners. The small office windows on the shaft have stone sills and keystones. The building's two-story capital is embellished with brick pilasters and ornate, arched bay windows with stone voussoirs and keystones. A denticulated cornice caps the shaft, and a projecting, modillioned cornice crowns the building.

#### 40 Rector Street (#14 on Figure 3.3-2, S/NR-eligible)

The 17-story Renaissance Revival-style 40 Rector Street Building (also originally known as the Barrett Building) was designed in 1920–21 by Warren Wetmore as an office building on what was then the Hudson River waterfront. This large, boxy building with no setbacks has an eight-story wing at the southeast corner. It was originally L-shaped, wrapping around several old tenement buildings at 100–106 Washington Street. The building's owners intended to tear them down when their leases expired and develop the site with a small park to protect the light to the 40 Rector Street Building's east façade. Sometime after 1951, an addition was constructed on this parcel adjacent to the north of the eight-story wing. This addition does not replicate the original façade treatment. The original building is designed with a large, rusticated stone base and upper floors clad in brick (see view 22 of **Figure 3.3-13**). Tall arched and rectangular windows puncture the base on all three street façades, and a stone balustrade runs above the base. A brick and stone mezzanine transitions the design from the stone base to the brick upper floors. Metal spandrel panels and stone quoins add some detail to the office floors. The top two floors are designed as a loggia with stone pilasters. A stone entablature and projecting metal cornice crown the buildings.

#### Lamppost 80 (#15 on Figure 3.3-2, NYCL, S/NR-eligible)

Lamppost 80, located adjacent to 107 and 109 Washington Street, is a later bishop's crook variant from the early 20th century. It lacks the garland and ladder rest found on earlier versions. The section above of the base may be a modern reproduction as there was a period after 2003 when the lamppost was missing.

#### St. George's Syrian Roman Catholic Church (#16 on Figure 3.3-2, NYCL, S/NR-eligible)

The former St. George's Syrian Roman Catholic Church at 103 Washington Street was originally built as a tenement in 1871. It was converted into a church in 1920 to serve a Middle Eastern Christian community that lived in Lower Manhattan at that time and was given a new, Gothic terra-cotta façade. Confined to a narrow lot, the church expresses its Gothic character through applied façade details, rather than through a typical church form of nave, tower, and side aisles. The Gothic details include pointed-arch side entrances; a central, arched entrance with a tympanum and flanking colonnette; Tudor-arched windows; piers and pinnacles; Gothic tracery; and a statue of St. George killing the dragon (see view 23 of **Figure 3.3-14**).

#### Frasch Building (#17 on Figure 3.3-2, S/NR-eligible)

This narrow 15-story building is located at 56 West Street at the corner of Rector Street. Designed by Henry Otis Chapman in 1921, it has a Classically inspired tripartite design (stone-clad base, brick-faced



St. George's Syrian Roman Catholic Church 23



Frasc Building, view west 24

shaft, and stone-clad capital) (see view 24 of **Figure 3.3-14**). A bracketed cornice crowns the building. A stone carved plaque on the Rector Street façade tells that the building was named for Herman Frasch (1851–1914), the founder and first president of the Union Sulphur Company.

#### Robert F. Wagner, Jr. Park (#18 on Figure 3.3-2, S/NR-eligible)

The National Register-eligible Robert F. Wagner, Jr. Park (Wagner Park) is an approximately 3.3-acre park located at the southern end of the 92-acre Battery Park City neighborhood. It is bound to the north by the Museum of Jewish Heritage, the south by the Pier A inlet and Pier A, the east by Battery Place, and the west by the Battery Park City Esplanade and Hudson River. The Postmodern-style park was designed by the landscape architecture firm Hanna/Olin in collaboration with the architecture firm Machado & Silvetti and public garden designer Lynden Miller. Built between 1994 and 1996, the Wagner Park site was identified in the 1979 Battery Park City Master Plan prepared by Alexander Cooper Associates. On February 23, 2021, SHPO determined that “Wagner Park is significant under National Register Criterion A in the area of community and urban planning, under Criterion C in the areas of landscape architecture and architecture, and meets the standard for exceptional significance necessary to satisfy National Register Criteria Consideration G for properties less than 50 years old” (Cumming, February 23, 2021).

As originally designed, Wagner Park was comprised of five organizing elements, including: north and south allées of maple trees; a central plaza; a brick pavilion with northern and southern structures with intricate brickwork and arches, linked by a footbridge; north and south ornamental gardens and lawns; and a central lawn. The park also includes three contemporary sculptures: Jim Dine’s Ape & Cat (At the Dance) (1996); Louise Bourgeois’ Eyes (1998); and Tony Cragg’s Resonating Bodies (1999). As described below, Wagner Park is currently under construction in the No Action condition.

### 3.3.7 No Action Conditions

Under the No Action condition, it is assumed that there would be no coastal storm protection systems installed in the Project Area, and the Battery Park Esplanade and adjoining open spaces will remain as in Existing Conditions.

#### 3.3.7.1 Archaeological Resources

There are no planned projects that would affect archaeological resources that could potentially be present in the Archaeological APE.

#### 3.3.7.2 Historic Architectural Resources

##### Overview

In the future without the Proposed Project, the status of historic architectural resources could change. S/NR-eligible resources could be listed on the Registers, NYCL-eligible properties could be calendared for a designation hearing, and properties pending designation as NYCLs could be designated. It is also possible that additional sites could be identified as historic architectural resources and/or potential historic architectural resources before the project’s completion year.

In the absence of the Proposed Project, existing historic architectural resources within the Protected Area will remain at risk of damage from storm surges during major storm events.

Further, under the No Action condition changes to historic architectural resources or to their settings are expected (e.g., Wagner Park, see below). For instance, indirect effects from future projects could include: a change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; screening or elimination of publicly accessible views; or introduction of significant new shadows or significant lengthening of the duration of existing shadows on a historic landscape or on a historic structure if the features that make the resource significant depend on sunlight. It is also possible that some historic architectural resources in the APE could deteriorate or experience direct effects through alteration or demolition, while others could be restored.

Historic architectural resources that are listed on the S/NR or that have been found eligible for listing are given a measure of protection under Section 106 of the NHPA from the effects of projects sponsored, assisted, or approved by federal agencies. Although preservation is not mandated, federal agencies must attempt to avoid adverse effects on such resources through a notice, review, and consultation process. Properties listed on the Registers are similarly protected against effects resulting from projects sponsored, assisted, or approved by State agencies under the NYSHPA. However, private owners of properties eligible for, or even listed on, the Registers using private funds can alter or demolish their properties without such a review process. Privately owned properties that are NYCLs, in New York City Historic Districts, or pending designation as NYCLs are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition can occur, regardless of whether the project is publicly or privately funded. Publicly owned resources are also subject to review by LPC before the start of a project; however, LPC's role in projects sponsored by other City or State agencies generally is advisory only.

The 2014 New York City Building Code, in Section BC 3309: Protection of Adjoining Property, provides protection measures 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. Further, Section BC 3309.4.4 requires that "historic structures that are contiguous to or within a lateral distance of 90 feet...from the edge of the lot where an excavation is occurring" be monitored during the course of excavation work. In addition, the DOB *TPPN #10/88* applies to NYCLs, properties within New York City Historic Districts, and NR-listed properties. *TPPN #10/88* supplements the standard building protections afforded by the Building Code by requiring a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

### **Project Area**

There are no planned projects that could potentially affect historic architectural resources in the Project Area.

### Historic Architectural APE

As described in Chapter 3.1, “Land Use, Zoning, and Public Policy,” one coastal resiliency project and three development projects are expected to be completed within the Historic Architectural APE by the project analysis year.

At the southern end of Battery Park City, the South Battery Park City Resiliency Project is rebuilding several southern sections of the Battery Park City Esplanade and including Wagner Park. This coastal resiliency project is constructing an integrated coastal flood risk management system, which includes raising portions of Wagner Park (which requires the removal of the Wagner Pavilion and original landscape features) and installing flip-up deployable floodgates, glass-topped floodwalls, buried floodwalls beneath terraced slopes, exposed floodwalls, and bermed floodwalls. This project will result in direct impacts to historic character-defining features of the S/NR-eligible Wagner Park. The South Battery Park City Resiliency Project was subject to review under NYSHPA and a Letter of Resolution was executed among BPCA and SHPO that listed the mitigation measures that would be undertaken by BPCA to mitigate the adverse impacts to Wagner Park pursuant to that law.

East of Route 9A/West Street, there are two No Action projects at the WTC complex—the Performing Arts Center adjacent to the east of the One World Trade Center commercial building and St. Nicholas Church at the east end of Liberty Park. Both projects will add to the density of development at the WTC but will not result in any direct or indirect effects to historic architectural resources.

In the northern portion of the Study Area, a project at 18 Harrison Street (between Greenwich and Hudson Streets) is under construction that will add two residential units and approximately 1,147 square feet of retail space to the existing four-story loft building. As this site is located within the Tribeca West Historic District and subject to review and approval by LPC and to the DOB *TPPN #10/88*, it will not result in direct or indirect effects to the historic district.

### 3.3.8 Proposed Action Conditions

In a comment letter dated August 8, 2024, SHPO concurred with the following assessment of the potential of the Proposed Project to affect archaeological and historic architectural resources (see **Appendix D**).

#### 3.3.8.1 Archaeological Resources

In the future with the Proposed Project, additional archaeological analysis would be required in areas of archaeological sensitivity as described previously and depicted on **Figure 3.3-1**. The Phase 1A Study recommended a Phase 1B Archaeological Investigation to confirm the presence or absence of archaeological resources within the Archaeological APE. Specifically, it determined that the Phase 1B Archaeological Investigation should include a geomorphological study of all areas where the Proposed Project would impact potentially deeply buried landforms considered sensitive for precontact archaeological resources at depths of 30 feet below grade or more. In addition, the Phase 1A Study recommended archaeological monitoring during construction in those areas that were determined to

have historic-period archaeological sensitivity (including sensitivity for buried landfill-retaining structures and associated deposits) as shown on **Figure 3.3-1**.

Pursuant to Section 106 and SEQRA, should significant (e.g., S/NR-eligible) archaeological resources be identified in sensitive areas through Phase 1B and Phase 2 archaeological investigations, disturbance or removal of such resources through construction would constitute an adverse effect under Section 106 and a significant adverse impact under SEQRA. However, as outlined above, at this time only the *potential* for archaeological resources has been identified in certain segments of the Project Area. As set forth in the *CEQR Technical Manual*, a “site’s actual, rather than potential, sensitivity cannot be ascertained without some field testing or excavation.”<sup>6</sup> Additional analysis is therefore required to confirm the presence or absence of potentially significant archaeological resources in the Project Area. A Phase 1B Archaeological Investigation of the identified areas of archaeological sensitivity would therefore be completed in consultation with SHPO and LPC, and any Section 106 Consulting Parties (including Indigenous Nations) as necessary. Prior to the start of construction, a Phase 1B Archaeological Work Plan outlining the scope of work for the Phase 1B Archaeological Investigation must be submitted to LPC, SHPO, and the Section 106 Consulting Parties as necessary for review and concurrence. If necessary, based on the results of that testing, additional archaeological investigations (e.g., Phase 2 Archaeological Survey/Evaluation and/or a Phase 3 Data Recovery) would be completed to assess and document any archaeological resources and to mitigate any potential impacts. Agreement documents pursuant to Section 106 or Section 14.09 may also be required by SHPO to memorialize the applicant’s commitment to completed subsequent phases of work.

If no significant archaeological resources are identified as a result of the Phase 1B Archaeological Investigation, or if they are determined not to be significant as a result of a Phase 2 Archaeological Survey/Evaluation, and LPC, SHPO and Section 106 Consulting Parties (including Indigenous Nations) as necessary concur with the conclusions of those investigations, the Proposed Project would have no significant adverse archaeological impacts. If significant archaeological resources are determined to be present, the submission of any required Work Plans or agreement documents and continued consultation with LPC, SHPO, and Section 106 Consulting Parties as necessary would be performed to ensure the Proposed Project avoids any significant adverse archaeological impacts.

### Geomorphology Investigations

Geomorphological investigations of deeply buried landforms were initiated in coordination with a geotechnical boring program being completed as part of the project design. A Work Plan summarizing the geomorphological investigation scope of work was prepared, and in comment letters dated March 23, 2023, and March 30, 2023, LPC and SHPO, respectively, approved that Work Plan (see **Appendix D**).

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<sup>6</sup> *CEQR Technical Manual* (December 2021): page 9-10 ([https://www.nyc.gov/assets/oec/technical-manual/09\\_Historic\\_Resources\\_2021.pdf](https://www.nyc.gov/assets/oec/technical-manual/09_Historic_Resources_2021.pdf)).

### **3.3.8.2 Historic Architectural Resources**

#### **Project Area**

##### **Potential Direct Effects through Demolition or Alteration**

The Proposed Project would not have adverse effects on the South Cove historic architectural resource, as the proposed flood protection alignment would be limited to the interior edges of South Cove and the principal historic features would be unaffected, i.e., the honey locust grove and sloped inland edge, Esplanade, jetty, bridge and island, lookout, and wild habitat. Under the Proposed Project, the northern end of the cove is to be reconstructed with a passive structure along the northern edge, a new wall between the upper and lower levels, and an expanded planted area. The wood pergola would be removed, but the wood lampposts with blue harbor lights along the northern edge would remain in place. Overall, the Proposed Project would maintain the bi-level planted design of the northern end of South Cove. Within the main portion of South Cove, a passive structure would be constructed along the existing masonry privacy walls at the inland edge of the upper portion, farthest from the water's edge. At the entrances into South Cove, a roller gate would be installed at 2nd Place, a swing gate would be at 3rd Place, and a flip-up gate would be at South End Avenue. Overall, it is concluded that the Proposed Project would not affect the design and historical integrity of the Postmodernist designed landscape.

Adjacent to Stuyvesant High School, the upper two feet of a small portion of the buried Hudson River Bulkhead would be removed for construction of a roller gate, as the upper portion of the buried bulkhead would be in conflict with the bottom of the gate footing. As only two feet of granite block at the top of the bulkhead in this location would be removed and the majority of the historic bulkhead located within the Project Area would remain unaffected by the Proposed Project, this direct effect to a small section of historic material would not result in an adverse effect to the historic resource. BPCA will discuss the potential salvage of the removed bulkhead materials with LPC and SHPO.

The Proposed Project would not have direct effects on other historic architectural resources through demolition or alteration.

##### **Potential Direct Effects from Adjacent Construction**

Construction of the Proposed Project is proposed within 90 feet of South Cove, the Shearwater, and the visible (i.e., above-ground portion) of the Hudson River Bulkhead located north of the Battery Park City Esplanade and Stuyvesant High School within Hudson River Park. Although the exact location of the buried portion of the Hudson River Bulkhead cannot be determined, some of it would likely be located within 90 feet of proposed construction activities because south of approximately Harrison Street the bulkhead is buried within the Project Area along Route 9A/West Street in fill that was used to create Battery Park City. (As noted above, the Proposed Project could directly affect a small section of the buried bulkhead near Stuyvesant High School by removing some original material.) Therefore, it is expected that BPCA in consultation with SHPO would develop an agreement document pursuant to Section 106 or Section 14.09, to implement CPPs for these historic architectural resources and avoid inadvertent construction-period damage from ground-borne vibrations and collapse, falling debris, and other potential indirect impacts

from dewatering, subsidence, or the operation of construction equipment. The plans would be developed in consultation with LPC and SHPO and would follow the guidelines of the DOB *TPPN #10/88*, which “requires a monitoring program to reduce the likelihood of construction damage to adjacent historic structures and to detect at an early stage the beginnings of damage so that construction procedures can be changed.” It is expected that the CPPs will also be prepared in accordance with LPC’s guidance document *Protection Programs for Landmarked Buildings* and the National Park Service’s *Preservation Tech Notes, Temporary Protection #3: Protecting a Historic Structure during Adjacent Construction*. With the CPPs in place, construction would not be expected to result in adverse effects to these historic architectural resources.

#### Potential Contextual Effects

It is not expected that the Proposed Project would result in any contextual effects on the two above-ground historic architectural resources in the Project Area—the Shearwater or South Cove. The Proposed Project would not result in a change in scale, visual prominence, or visual context of those resources; screening or elimination of publicly accessible views of those resources; or introduction of significant new shadows or significant lengthening of the duration of existing shadows on South Cove.

#### Historic Architectural APE

##### Potential Direct Effects from Adjacent Construction

Construction of the below-grade interior drainage improvements along Route 9A/West Street may be within 90 feet of a portion of the Tribeca West Historic District (#4, NYCL, S/NR-eligible) along Greenwich Street, the New York World Telegram Building (#7, S/NR-eligible), Barclay-Vesey Building (#8, NYCL, S/NR), 90 West Street (#10, NYCL, S/NR), and Lamppost 79 (#11, NYCL). Therefore, these resources would also be stipulated in an agreement document pursuant to Section 106 or Section 14.09. As described above, BPCA, in consultation with LPC and SHPO, would develop, finalize, and implement these CPPs to avoid inadvertent construction-period damage from ground-borne vibrations and collapse, falling debris, and other potential indirect impacts from dewatering, subsidence, or the operation of construction equipment and would follow the above-described guidelines of the DOB *TPPN #10/88* and LPC’s guidance document *Protection Programs for Landmarked Buildings* and the National Park Service’s *Preservation Tech Notes, Temporary Protection #3: Protecting a Historic Structure during Adjacent Construction*. With these CPPs in place, construction of the Proposed Project would not result in any adverse effects to these five historic architectural resources.

#### Potential Contextual Effects

It is not expected that the Proposed Project would result in any contextual effects on historic architectural resources in the 400-foot APE. In general, the Proposed Project would not result in a change in scale, visual prominence, or visual context of any building, structure, object, or landscape feature; screening or elimination of publicly accessible views; or introduce new significant shadows or lengthening of the shadow duration over a historic landscape or structure with features that depend on sunlight. The proposed flood barrier system would have no visual relationship with Wagner Park (which is being reconstructed in the No Action condition; see above) or the majority of the historic architectural resources

located in the portion of the Study Area east of Route 9A/West Street due to distance and intervening buildings. The proposed flood barrier system at the northern end of the Project Area along the Hudson River Greenway and Route 9A/West Street in the vicinity of Harrison Street and along the south side of North Moore Street would have a limited visual relationship with the Tribeca West Historic District and the Harrison Street Houses and would not result in any contextual impact on those two historic architectural resources.