

Date of Publication: October 4, 2010

**Public Notice Regarding Section 106 Review of  
Proposed Sugar Hill Affordable Housing Project (404-414 West 155<sup>th</sup> Street, New York, NY)  
Seeking Public Comment**

The City of New York-Department of Housing Preservation and Development (HPD) is issuing this public notice as a part of its responsibilities under 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended.

Federal funding from the U.S. Department of Housing and Urban Development (HUD), administered by HPD, is being sought to facilitate the new construction of a proposed 13-story mixed-use building that would contain approximately 124 units of affordable housing, a children's museum, a daycare facility and early childhood learning center, and accessory parking (the "proposed project"). The project sponsor, Broadway Housing Development Fund, Inc., would be the recipient of the federal funding through HPD. The project site is identified as Manhattan Block 2069, Lot 21, a 21,685 square-foot lot located at 404-414 West 155th Street, in the Sugar Hill/West Harlem neighborhood of Manhattan (the "project site"). The project site is located just south of the northern boundary of the Sugar Hill Historic District, and is currently occupied by a two-story, 300-space parking garage. The parking garage would be demolished to facilitate the construction of the proposed project.

The regulations at 36 CFR Part 800 require HPD, as the funding agency, to identify if any buildings proposed for demolition are listed or eligible for listing on the National Register of Historic Places (NRHP); to assess any direct or indirect effects the new construction would have on other historic properties; and to seek ways to avoid, minimize, or mitigate any adverse effects. HPD, in consultation with the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), acting as the State Historic Preservation Officer (SHPO), has determined that the existing parking garage structure on the project site (to be demolished) is a contributing structure to the National Register-listed Sugar Hill Historic District.

The demolition of the garage would result in a direct effect. Ground-borne vibration associated with demolition and construction activities has the potential to result in direct effects to an adjacent building located at 87 St. Nicholas Place (Block 2069, Lot 14), which falls within National Register-listed Sugar Hill Historic District. In addition, the Proposed Project would result in indirect effects because its unique modern massing, façade materials and fenestration would differ from the historic rowhouses and apartment buildings prevalent in the District. The indirect effect would alter views from certain locations along West 155th Street, St. Nicholas Place and St. Nicholas Avenue in the vicinity of the project site.

HPD, in consultation with SHPO, has determined that the proposed project would result in direct and indirect adverse effects to historic properties, and has initiated consultation to seek ways to avoid, minimize, or mitigate adverse effects to historic properties that may result from the proposed project.

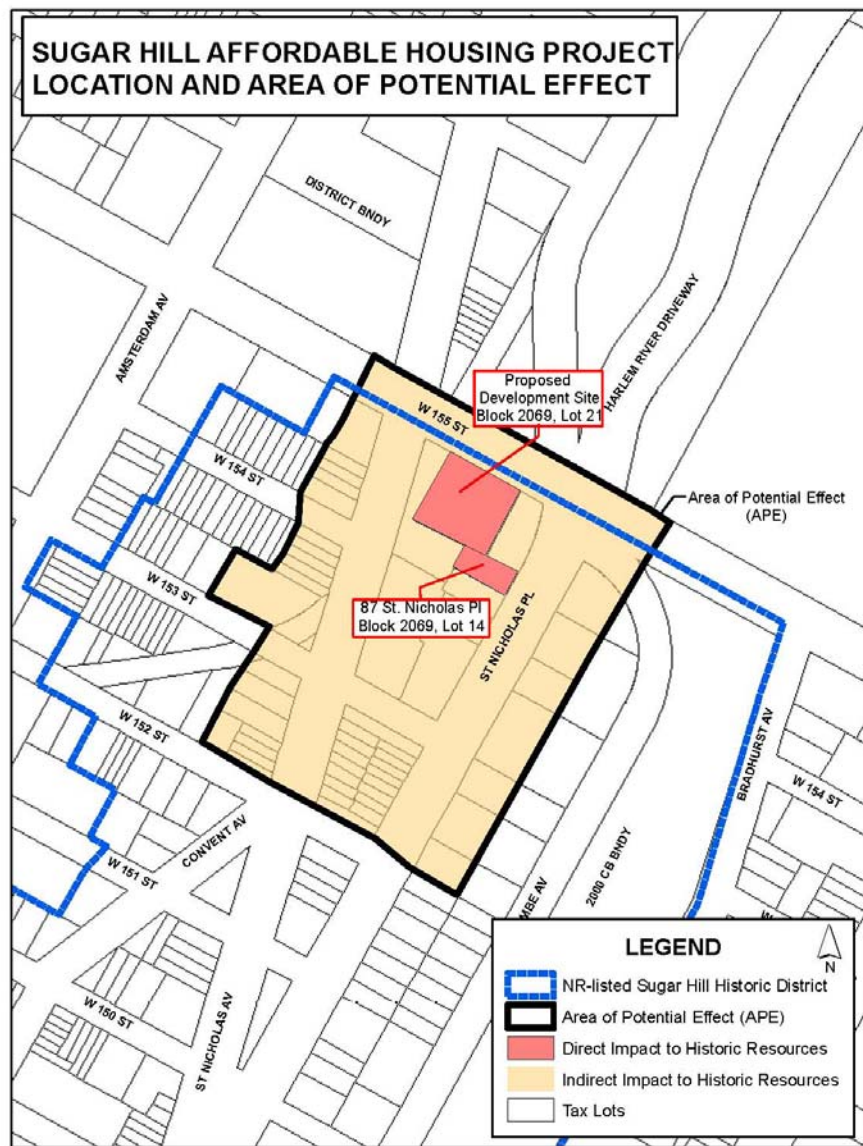
Information related to the proposed project and HPD's determination of an Adverse Effect may be viewed online at <http://www.nyc.gov/html/hpd/downloads/pdf/Sugar-Hill-Project-Section-106.pdf> or at the offices of HPD's Environmental Planning Unit, Room 9I, 100 Gold Street, New York, New York. In order to review the documents at the offices of HPD, please call 212-863-5953 to make an appointment. Members of the public are encouraged to provide views on how the project may affect historic properties and ways that these effects may be avoided, minimized, or mitigated. Comments may be submitted by

email to [wenera@hpd.nyc.gov](mailto:wenera@hpd.nyc.gov) or by regular mail to HPD for an 18-day period beginning on October 4, 2010.

Mailed comments on the proposed project should be sent to:

Patrick S. Blanchfield, AICP  
Director of Environmental Planning  
City of New York Department of Housing Preservation & Development  
100 Gold Street, Rm 9I-6  
New York, NY 10038

Comments must be postmarked (or for electronic correspondence, received) by HPD's Environmental Planning Unit no later than Friday, October 22, 2010.



October 4, 2010

Jaime Loichinger  
Historic Preservation Specialist  
Advisory Council on Historic Preservation  
110 Pennsylvania Avenue NW, Suite 803  
Washington, DC 20004

**Re: Sugar Hill Affordable Housing Project**  
404-414 West 155th Street, New York, NY  
Block 2069, Lot 21

Dear Ms. Loichinger:

In accordance with 36 CFR 800, please be advised that the City of New York – Department of Housing Preservation and Development (HPD) has made an adverse effect finding in connection with the proposed construction of a new, mixed-use affordable housing development known as the Sugar Hill Project. This letter serves to notify the Advisory Council on Historic Preservation of the adverse effect finding associated with the proposal and to invite it to participate in the Section 106 review. Documentation as specified in Section 800.11(e) is provided below:

1. *Description of the Undertaking*

HPD intends to undertake activities funded through the U.S. Department of Housing and Urban Development's (HUD) HOME Investment Partnership Program (HOME). HPD anticipates utilizing HOME funds in connection with a construction loan to facilitate the development of a new, 13-story mixed-use building at 404-414 West 155th Street in the Harlem neighborhood of Manhattan. The project would contain 124 units of affordable housing, a children's museum, a daycare facility and early childhood learning center, and accessory parking (the "Proposed Project"). The project sponsor, Broadway Housing Development Fund, Inc., would be the recipient of the federal funding provided through HPD. In addition to a construction loan comprised of federal funds, the sponsor is seeking federal low-income housing tax credits allocated through HPD.

The property is identified as Manhattan Block 2069, Lot 21 - a 21,685 square-foot site located at 404-414 West 155th Street, New York, NY (the "Proposed Development Site"). The Proposed Development Site is located just south of the northern boundary of the State and National Register (S/NR)-listed Sugar Hill Historic District (the "District"), which is generally bounded by West 145th Street to the south, West 155th Street to the north, Bradhurst Avenue to the east, and Amsterdam Avenue to the west (see attachments). For purposes of the Section 106 process, the Area of Potential Effect (APE) is identified as the Proposed Development Site, an adjacent historic property (87 St. Nicholas Place) which could experience construction-related damage, and the properties within the District that have



***10/5/10 Letter to Loichinger, Advisory Council on Historic Preservation  
Sugar Hill Affordable Housing Project***

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frontage along 155<sup>th</sup> Street in the vicinity of the Proposed Development Site, and along St. Nicholas Place and St. Nicholas Avenue between West 152<sup>nd</sup> and West 155<sup>th</sup> Streets.

2. *Steps Taken to Identify Historic Properties*

The Proposed Project was analyzed in a Final Environmental Impact Statement (“FEIS”) prepared pursuant to New York’s State Environmental Quality Review Act (“SEQRA”) and City Environmental Quality Review (“CEQR”). The New York City Department of City Planning (DCP) was the lead agency responsible for the preparation of the FEIS, which considered several discretionary actions necessary to facilitate the Proposed Project, including zoning changes, disposition of public property and public financing. The DCP published a Notice of Completion for the FEIS on September 3, 2010.

The New York City Landmarks Preservation Commission (NYCLPC) and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), acting as the State Historic Preservation Office (SHPO) were consulted in connection with the preparation of the FEIS. In consultation with the agencies, a comprehensive assessment of the Proposed Project’s effects on historic properties was included in Chapter 5, “Historic and Cultural Resources – Architectural” of the FEIS (attached). The firm of Higgins, Quasebarth & Partners, LLC (“Higgins”) was retained by the project sponsor to compile a report (“Higgins report”) to assist in assessing the history, context and physical fabric of the Proposed Development Site.

According to the FEIS and Higgins report, the Proposed Development Site is located within the northernmost portion of the Sugar Hill Historic District, which was listed on the State and National Registers of Historic Places in 2002. The district consists of 414 contributing buildings, most of which are primarily late nineteenth and early twentieth century row houses and apartment buildings. The National Register Nomination identifies the existing garage on the Proposed Development Site as a contributing structure to the District. It should be noted that the Proposed Development Site is not located within any New York City historic district; nor is it designated (or eligible for designation) as an individual New York City Landmark (NYCL).

The FEIS identified resources (districts and individual buildings) designated (and eligible for designation) by the New York City Landmarks Preservation Commission and State and National Register-eligible and -listed resources, as determined by SHPO.

3. *Affected Historic Properties and National Register Qualifying Characteristics*

According to the FEIS, the S/NR Sugar Hill Historic District, designated in 2002, consists of 414 contributing buildings, which are primarily late nineteenth and early twentieth century row houses and apartment buildings. The District is bounded to the south by West 145th Street and to the north by West 155th Street, running irregularly along the side streets west of Convent Avenue and in some cases as far west as Amsterdam Avenue. The hilly topography, parks, and numerous trees create vistas that juxtapose the natural and urban environments.



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Sugar Hill Affordable Housing Project*

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The S/NR district's period of significance – ca. 1865 to ca. 1956 – incorporates the complex historical and architectural development of the neighborhood. Beginning in the mid-1880s, the district evolved from a rural retreat of widely-spaced freestanding mansions to a middle-to upper middle-class neighborhood of attached single-family homes. A later period of expansion (ca. 1876 to 1906) occurred when a proliferation of free-standing villas and row house groups were built in the neighborhood. They were created in response to transportation improvements including the Eighth Avenue Elevated (1879), the Amsterdam Avenue Cable Car (ca. 1880), and the West 155th Street Viaduct (ca. 1890s). The completion of the Broadway IRT subway (ca. 1904) gave rise to the next phase of significant Sugar Hill development (ca. 1906 to 1926), as middle-class tenants eagerly flocked to the new apartment buildings being constructed in Sugar Hill, which were now easily accessible by mass transit.

The Sugar Hill Historic District is recognized by the National Register as significant under Criteria A, B, and C for evaluation of historic properties. Criterion A identifies the buildings of the district as important due to their association with events that have made a significant contribution to the broad patterns of history in the areas of community planning and development, ethnic heritage, and social history. The district achieves its exceptional significance as the nation's foremost African-American urban community (ca. 1925-ca. 1956).

Criterion B recognizes buildings in the Sugar Hill Historic District for their association with lives of significant individuals, notably central figures in the cultural history of Harlem who have played an important role in local and national history, including such illustrious figures as future Supreme Court Justice Thurgood Marshall, sociologist W.E.B. DuBois, painter Aaron Douglas, composers and jazz musicians Edward Kennedy "Duke" Ellington and C. Luckeyth ("Luckey") Roberts, civil rights leaders Walter Francis White and Adam Clayton Powell Sr., and writers Ralph Ellison and Langston Hughes.

Criterion C focuses on the diverse architectural character of the buildings in the Sugar Hill Historic District and recognizes it as representative or embodying distinctive characteristics of various styles that resulted from distinct periods of growth and development. The district is significant under Criterion C for its intact late 19th and early 20th century residential architecture including row houses and apartment buildings.

Due to the steep grade in the site to the west, the garage rises three stories at the northeast corner and is one story at the northwest corner. 414 West 155th Street has continuously been used as a parking garage, but has had numerous tenants over time. The Proposed Development Site's immediate neighbors are a noncontributing gas station and a noncontributing late 1960's utilitarian garage structure used by the New York City Department of Environmental Protection. The garage structure on the Proposed Development Site is distinct from and differs in scale and use from the rowhouses and apartment buildings that characterize the District. The Proposed Development Site is considerably larger than most other sites in the District, and is also located on and oriented to West 155th Street, which is a major two-way street that forms the northern boundary of the District.

The Higgins report indicates that the garage structure has been modified over time with alterations to the entries and window bays, including: modifications to the ground-floor



openings on the West 155th Street elevation, non-original glass block infill at the second-floor windows on both facades, paint on the brick facade, and the removal of historic signage.

4. *Description of the Undertaking's Effects on Historic Properties*

The Proposed Development Site and portions of the surrounding S/NR Sugar Hill Historic District would be affected by the proposed undertaking. According to the FEIS, construction of the new building would require the demolition of the existing garage, which would result in a direct impact. The existing parking garage located on the Proposed Development Site is considered a contributing structure to the National Register-listed Sugar Hill Historic District. The National Register Nomination describes it as a two-story neo-Gothic brick and terra-cotta parking garage with Oxford embellishments (see attachments). Ground-borne vibration associated with demolition and construction activities at the Proposed Development Site has the potential to result in impacts to the building located at 87 St. Nicholas Place (Block 2069, Lot 14), which falls within both the NYCLPC-designated Hamilton Heights/Sugar Hill Northeast Historic District and the S/NR-listed Sugar Hill Historic District.

In addition, the Proposed Project would result in indirect impacts because its unique modern massing, façade materials and fenestration would differ from the historic rowhouses and apartment buildings prevalent in the District. The indirect impact would alter views from certain locations along West 155th Street, St. Nicholas Place, and St. Nicholas Avenue in the vicinity of the Proposed Development Site. In a letter dated August 25, 2010 (attached), SHPO concurred with the conclusions in the FEIS.

5. *Adverse Effect Determination and Measures to Minimize or Mitigate Adverse Effects*

The Proposed Project would result in the demolition of the existing garage to create a new, affordable housing development, which includes 124 units of affordable housing, a children's museum, a daycare facility/early childhood learning center and accessory parking. HPD has determined that its demolition and the subsequent construction of the new building would constitute an Adverse Effect on Historic Properties. In order to minimize or mitigate these impacts, several measures are proposed and are outlined below.

HPD has determined that that there are no prudent and feasible alternatives to demolition of the existing garage structure that will meet the project's requirements, and the following mitigation measures are recommended for incorporation as part of the Proposed Project:

- Photographically documenting the historic building in accordance with the standards of the Historic American Buildings Survey (HABS). The documentation would be submitted to HPD and SHPO for approval prior to any demolition. One copy would be submitted to HPD and two copies would be submitted to SHPO, one of which would be for archival storage in the New York State Archives and the other for retention in SHPO files, and a fourth copy of the documentation would also be provided to the Museum of the City of New York.

*10/5/10 Letter to Loichinger, Advisory Council on Historic Preservation  
Sugar Hill Affordable Housing Project*

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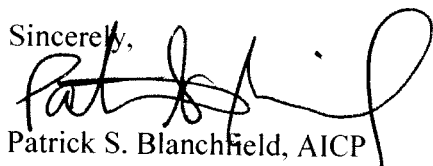
- A survey of the decorative exterior terra cotta elements on the existing building will be conducted and SHPO would be consulted to determine if any of these elements can be removed and incorporated into the design of the Proposed Project or utilized in the interior public spaces of the new building.
- The project sponsor would consult with SHPO regarding the incorporation of references to the Old Croton Aqueduct in the design of the entrance plaza to the new building.
- A Construction Protection Plan (CPP) would be prepared in coordination with a licensed professional engineer for historic buildings within 90 feet of the Proposed Development Site. The CPP would meet the requirements specified in the New York City Department of Buildings (NYCDOB) Technical Policy Procedure Notice #10/88 concerning procedures for avoidance of damage to historic structures resulting from adjacent construction. This plan would be submitted to SHPO for review and approval prior to implementation. It should also be noted that the Proposed Project would occur adjacent to a building that is located within a NYCLPC historic district, and its construction would therefore be subject to implementing the same standard construction protection measures required for buildings designated as landmarks.

The project sponsor has agreed to undertake all of the above measures for both the direct and indirect impacts. The HABS documentation will be submitted to HPD and was submitted to SHPO, which accepted it in a letter dated July 8, 2010 (attached).

6. *Consulting Parties/Public Correspondence*

Enclosed, please find a graphic showing the APE, correspondence from SHPO and LPC, letters inviting potential consulting parties and relevant chapters of the SEQRA/CEQR FEIS. Please do not hesitate to contact me with any questions at 212-863-5056.

Sincerely,



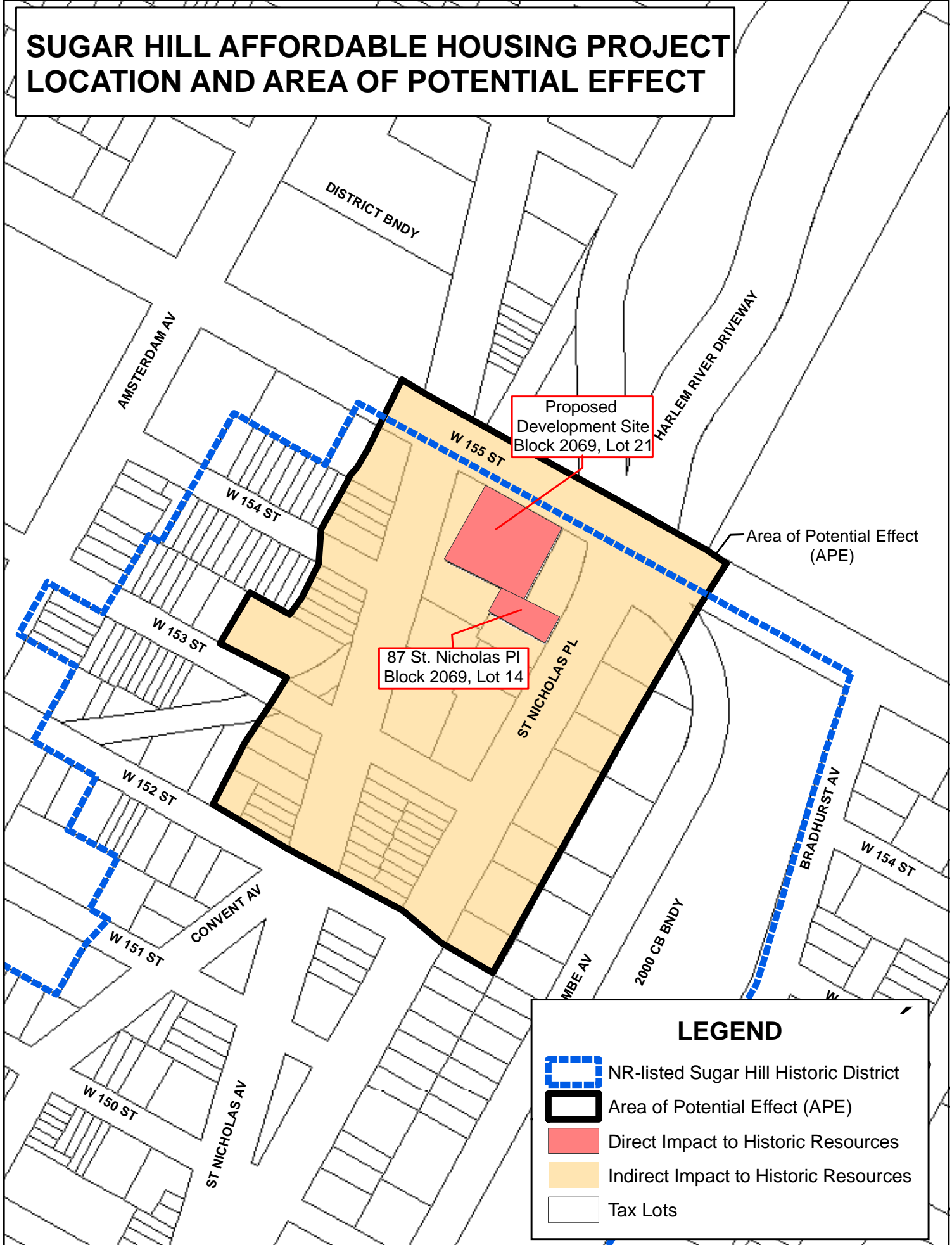
Patrick S. Blanchfield, AICP  
Director of Environmental Planning  
New York City Department of Housing Preservation & Development

Copy: T. Fretwell (HUD), B. Cumming (NYS SHPO), G. Santucci (NYC LPC), M. Villari (Broadway Housing Development Fund Inc.), V. Campbell (Kramer Levin)

**NYC**



# SUGAR HILL AFFORDABLE HOUSING PROJECT LOCATION AND AREA OF POTENTIAL EFFECT





## ENVIRONMENTAL REVIEW

DEPARTMENT OF CITY PLANNING/LA-CEQR-M

3/20/2009

**Project number**

**Date received**

**Project: SUGAR HILL REZONING**

**Properties with no archaeological significance:**

414 WEST 155 STREET, BBL 1020690021  
89 ST NICHOLAS PLACE, BBL 1020690020  
416 WEST 155 STREET, BBL 1020690026  
416 WEST 155 STREET, BBL 1020690026  
87 ST NICHOLAS PLACE, BBL 1020690014  
89 ST NICHOLAS PLACE, BBL 1020690028

**The following properties possess architectural significance:**

**Comments:** AS AMENDED SECOND TIME. The project site is located in block 2069 of the State/National Register listed Sugar Hill Historic District. Lot 20 of the project site is a non-contributing building. Lot 21 of the project site is a contributing building. Lot 28 and the northern portion of lot 26 contain a contributing building. Lot 26, southern portion, is a non-contributing building. Lot 14 north in part, at the edge of the project site, is within LPC and S/NR listed Hamilton Heights/Sugar Hill Northeast HD.

The NR nomination and map for Sugar Hill have been sent separately to the consultant.

In the radius: Hamilton Heights/Sugar Hill Northwest HD, and the Colonial Parkway Apartments, Jackie Robinson Pool and Park, and the 155<sup>th</sup> St. Viaduct, all LPC and S/NR listed.

4/3/2009

SIGNATURE

DATE



## **ENVIRONMENTAL REVIEW**

DEPARTMENT OF CITY PLANNING/10DCP031M

8/26/2010

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**Project number**

**Date received**

**Project: SUGAR HILL REZONING**

**Comments:** The LPC is in receipt of the draft FEIS chapters for Historic Resources, Mitigation, and Appendix A dated 8/26/10. The Historic Resources chapter is acceptable. The Mitigation chapter notes that HABS documentation of the project site has been completed and signed off on in the SHPO letter of 7/9/10. LPC can find no SHPO reference to the HABS documentation in Appendix A. If the HABS documentation has been completed, LPC requests a copy for its files. If the HABS work has not been completed, LPC requests a copy of the HABS scope of work for review and comment.

cc: SHPO

*Gina Santucci*

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8/30/2010

SIGNATURE

DATE

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## **ENVIRONMENTAL REVIEW**

DEPARTMENT OF CITY PLANNING/10DCP031M

8/30/2010

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**Project number**

**Date received**

**Project: SUGAR HILL REZONING**

**Comments:** LPC is in receipt of Appendix A and the revised Mitigation chapters of this date. The fourth paragraph on page 12-3 of the Mitigation chapter should have the following added at the end of the paragraph: "Due to the proximity of the new project to the LPC designated Hamilton Heights/Sugar Hill Northeast Historic District, and the potential for indirect contextual effects to the LPC designated district, LPC requests a copy of the signed MOU for its files." Given this change, the text for both chapters is acceptable.

LPC also requests a copy of the HABS documentation for its files.

Cc: SHPO

*Gina Santucci*

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8/30/2010

SIGNATURE

DATE

25672A\_FSO\_GS\_08302010.doc



David A. Paterson  
Governor

Carol Ash  
Commissioner

## New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

February 10, 2010

Valerie Campbell  
Special Counsel  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036

Re: Information Request  
Sugar Hill Project  
404-414 West 155<sup>th</sup> Street  
New York County  
09PR034131

Dear Ms. Campbell,

Thank you for continuing to consult with the New York State Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). In cases where a state agency is involved in an undertaking, it is appropriate for that agency to determine whether consultation should take place under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any federal agency involvement, then review would take place in accordance with Section 106 of the National Historic Preservation Act of 1966 and the relevant implementing regulations. In this case we understand that State funding is likely thus, at this time, our review will proceed in accordance with the Section 14.09. These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

We have reviewed the alternatives analysis dated December 17, 2009 from SLCE Architect, LLP and concur that there are no prudent and feasible alternatives to demolition of the 404-414 West 155<sup>th</sup> Street that will meet the project requirements. In particular, we understand that the existing building cannot carry the loads of a large addition that would be needed to meet the required number of housing units. At this point it is reasonable to begin discussion of a formal Letter of Resolution (LOR) that would identify proper mitigation measure to be incorporated into the work.

On February 2, 2010, we received a draft LOR from you and have reviewed this draft. I've e-mailed you a few changes to the draft but otherwise our office would be willing to sign this agreement as long as it is acceptable to the involved State Agency identified for the project. Until such an Agency is identified, we will not be able to sign this document.

If anyone has any questions, or if I can be of any assistance, please call me at (518) 237-8643, ext. 3282.

Sincerely,

Beth A. Cumming  
Historic Site Restoration Coordinator  
e-mail: beth.cumming@oprhp.state.ny.us



**New York State Office of Parks,  
Recreation and Historic Preservation**

Historic Preservation Field Services • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

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July 8, 2010

Catherine Gavin  
Higgins Quasebarth & Partners, LLC  
11 Hanover Square  
New York, NY 10005

Re: Information Request  
Sugar Hill Project  
404-414 West 155<sup>th</sup> Street  
New York County  
09PR034131

Dear Ms. Gavin,

Thank you for requesting the comments of the New York State Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPHRP) for the Historic American Building Survey (HABS) recording of 414 West 155<sup>th</sup> Street.

Based upon our review of the submitted HABS documentation we find that it meets our standards for documentation. One copy has been retained in our office and the other has been sent to the New York State Archives. As you know, we have a draft Letter of Resolution (LOR) for this project. At this point, we cannot comment further on the proposed mitigation measures until an involved State agency is identified for the project.

If anyone has any questions, or if I can be of any assistance, please call me at (518) 237-8643, ext. 3282.

Sincerely,

Beth A. Cumming  
Historic Site Restoration Coordinator  
e-mail: [beth.cumming@oprhp.state.ny.us](mailto:beth.cumming@oprhp.state.ny.us)

enc: V. Campbell - Kramer Levin Naftalis & Frankel LLP (via e-mail)

**David A. Paterson**  
Governor

**Carol Ash**  
Commissioner



## New York State Office of Parks, Recreation and Historic Preservation

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July 9, 2010

Valerie Campbell  
Special Counsel  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036

Re: Information Request  
Sugar Hill Project  
404-414 West 155<sup>th</sup> Street  
New York County  
09PR03413

Dear Ms. Campbell,

Thank you for continuing to consult with the New York State Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). In cases where a state agency is involved in an undertaking, it is appropriate for that agency to determine whether consultation should take place under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In addition, if there is any federal agency involvement, then review would take place in accordance with Section 106 of the National Historic Preservation Act of 1966 and the relevant implementing regulations. In this case we understand that State funding is likely thus, at this time, our review will proceed in accordance with the Section 14.09. These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

At this time, we have reviewed your memorandum dated July 1, 2010 with additional information regarding the proposed design of the new building. Kathy Howe, our National Register representative for New York City, and I reviewed the additional photos and descriptions with respect to the appropriateness of the proposed new construction. We understand that the proposed project is a 13-story building located where the existing historic garage now sits. Based on our review, we concluded that the scale of the building is not out of context with existing conditions found at the northern end of the Sugar Hill Historic District. As noted, the contributing apartment building at 409 Edgecombe Avenue is of similar height. In accordance with our Guide to Compatible New Construction, we do not agree that the massing or design details of the proposed building are compatible with the historic district. Hopefully, we can have further conversations regarding these details.

If anyone has any questions, or if I can be of any assistance, please call me at (518) 237-8643, ext. 3282.

Sincerely,

Beth A. Cumming  
Historic Site Restoration Coordinator  
e-mail: [beth.cumming@oprhp.state.ny.us](mailto:beth.cumming@oprhp.state.ny.us)

cc: R. Dobruskin – NYC (via e-mail)



## New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

[www.nysparks.com](http://www.nysparks.com)

August 25, 2010

Robert Dobruskin  
Environmental Assessment and Review Division  
New York City Department of City Planning  
22 Reade Street  
New York, NY 10007

Re: HUD  
Sugar Hill Project  
404-414 West 155<sup>th</sup> Street  
New York County  
09PR03413

Dear Mr. Dobruskin,

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO) for the proposed new construction at 404-414 West 155<sup>th</sup> Street. We are currently reviewing the project in accordance with Section 106 of the National Historic Preservation Act because we understand that funds for the project will come from the U.S. Department of Housing and Urban Development (HUD). These comments are those of the SHPO and relate only to the Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

We have reviewed the revised draft version of the Sugar Hill Rezoning FEIS, Project Description, Historic Cultural Resources, Visual Resources and Mitigation chapters provided in your e-mail dated August 20, 2010. Based upon our review of these revised chapters, we have no further comments regarding the FEIS.

We look forward to continued consultation under Section 106 of the National Historic Preservation Act of 1966. If anyone has any questions, or if I can be of any assistance, please call me at (518) 237-8643, ext. 3282.

Sincerely,

Beth A. Cumming  
Historic Site Restoration Coordinator  
e-mail: [beth.cumming@oprhp.state.ny.us](mailto:beth.cumming@oprhp.state.ny.us)

David A. Paterson  
Governor

Carol Ash  
Commissioner

# SLCE Architects, LLP

December 17, 2009

Ms. Beth Cummings  
State Historic Preservation Office  
Peebles Island, Field Service Bureau  
Delaware Avenue  
Cohoes, New York 12047

**RE: Sugar Hill Development  
414 West 155<sup>th</sup> Street  
New York, New York**

Dear Ms. Cummings:

841 Broadway  
New York, NY 10003  
212 979 8400 telephone  
212 979 8387 telefax  
info@slcearch.com

*Peter Claman, AIA*  
*Enzo Depol, AIA*  
*Saky Yakas, AIA*  
*James Davidson, AIA*  
*Luigi Russo, AIA*  
*Robert Laudenschlager, AIA*  
*Gloria B. Glas, AIA*

The proposed development site, located on the South side of West 155<sup>th</sup> Street between St Nicholas Avenue and St. Nicholas Place, is currently occupied by an existing two story parking garage with cellar. This garage facility was built in 1929 and has been used exclusively as a garage up to today. The structure is a steel frame structure with brick and terra cotta exterior. The exterior has had several modifications to the entries and window bays over the years.

The proposed development program includes the requirement of 124 units of low income housing, a children's museum, day care center and an accessory parking facility.

To meet the program needs the development program requires a total floor area of 169,333 sq. ft. This program cannot be accommodated within the existing garage which contains only 65,055 sq. ft. of floor area. To meet the need for additional floor area, we have investigated the feasibility of enlarging the existing two story parking garage to accommodate the proposed development program. This scheme would accommodate the required floor area in a new structure above the garage. Our conclusion based on the attached Engineering Report is that the existing structure will not support the new loads that will be imposed by an addition.

The existing garage structure cannot be reused based on the attached structural report by Ysrael A. Seinuk, P.C. Consulting Engineers due to the following:

- Neither the existing garage columns, nor their respective footings can be used to carry a structure above them. If the existing columns are utilized, the safe load carrying capacities of the columns and corresponding footings will be exceeded. They were not designed for the excessive loads coming from a large addition above.
- The new structure would require a distribution of columns that deny the utilization of the parking structure. Preliminary studies indicate that at least 35 columns and 3 shear walls would be needed to support the large addition above.
- Additionally, at the southern portion of the site, the DEP requires a 28ft. easement. The current structure extends to the rear lot line. The required 28 ft. easement dedicated to DEP must carry not only DEP trucks and other vehicular traffic, but also fire engines. The existing structure cannot meet the vehicular loading requirements. This part of the existing structure would have to be removed up to the first column line, which is approximately 45 ft. north of the south property line, and substituted with a bona fide elevated road design.

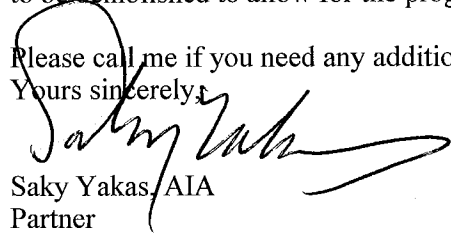


# SLCE Architects, LLP

In conclusion, to accommodate the proposed development, we would need to demolish the rear portion of the existing building, remove the roof and floor plates, remove a large portion of the modified exterior, and remove and replace the existing structure. It is not feasible to incorporate the existing parking garage into the proposed new development. We conclude that the parking garage structure needs to be demolished to allow for the program needs to be met.

Please call me if you need any additional information or you have any questions.

Yours sincerely,

  
Saky Yakas, AIA  
Partner

Encl. Structural Report  
Photographs of existing structure

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cc: Mary Ann Villari  
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October 20, 2009

Mr. Saky Yakas  
SLCE Architects  
841 Broadway Ave  
New York, NY 10003

Re: **Sugarhill Residential Project**  
**414 West 155<sup>th</sup> Street, New York, N.Y.**

Dear Saky,

A visual inspection was performed by our personnel on the existing parking structure. As can be seen in the attached photographs, portions of the structural slabs of the building are in a state of disrepair. Exposed reinforcement shows different states of deterioration due to rusting. This is not uncommon in structures where water and deicing salts, brought in by the cars penetrate the slabs' concrete. It was also observed that some exposed portions of the structural steel beams exhibit rusting.

The existing building could not accommodate the above proposed residential and community facility building for the following reasons:

- Neither the existing garage columns, nor their respective footings can be used to carry a structure above them. If existing columns are to be utilized, the safe load carrying capacities of the columns and corresponding footings will be exceeded. They were not designed for the excessive loads coming from a 12-story structure above.
- The new residential structure requires a distribution of columns that deny the utilization of the rest of the parking structure. Preliminary studies indicated at least 35 columns coming from the upper typical floors, with 3 shear walls that are developed around the stairs and elevator shafts.
- At the southern portion of the site, the current structure extends to the rear. The required 28 ft. easement dedicated to DEP must carry not only DEP trucks and other vehicular traffic, but also fire engines. The loading requirement cannot be accommodated by the present structure. This part of the existing structure has to

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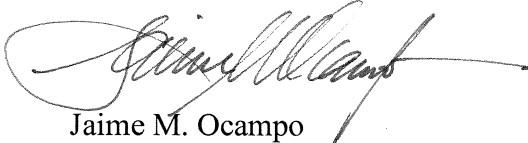
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PROF. YSRAEL A. SEINUK, P.E., CEng, FACI, FICE, FASCE, *Chief Executive Officer* • ESTANISLAO T. SALCEDO, P.E., *President*  
SUSAN C. BACAS, P.E., *Senior Vice President* • JAIME OCAMPO, *Senior Vice President* • GEORGE OZGA, P.E., *Senior Vice President*  
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ROBERTO SALGADO, P.E., *Vice President* • BEATRIZ SEINUK-ACKERMAN, *Vice President - Marketing & Business Development*

be removed up to the first column line, which is approximately 45 ft. north of the south property line, and substituted with a bona fide elevated road design.

In summary, we find no logical economical alternative to removing the existing structure in order to provide for the requirements of the proposed 12-story building.

Regards,

A handwritten signature in black ink, appearing to read "Jaime M. Ocampo", with a large, stylized flourish extending to the right.

Jaime M. Ocampo  
Senior Vice President

**Sugar Hill Rezoning EIS**

**CHAPTER 5: HISTORIC & CULTURAL RESOURCES –  
ARCHITECTURAL**

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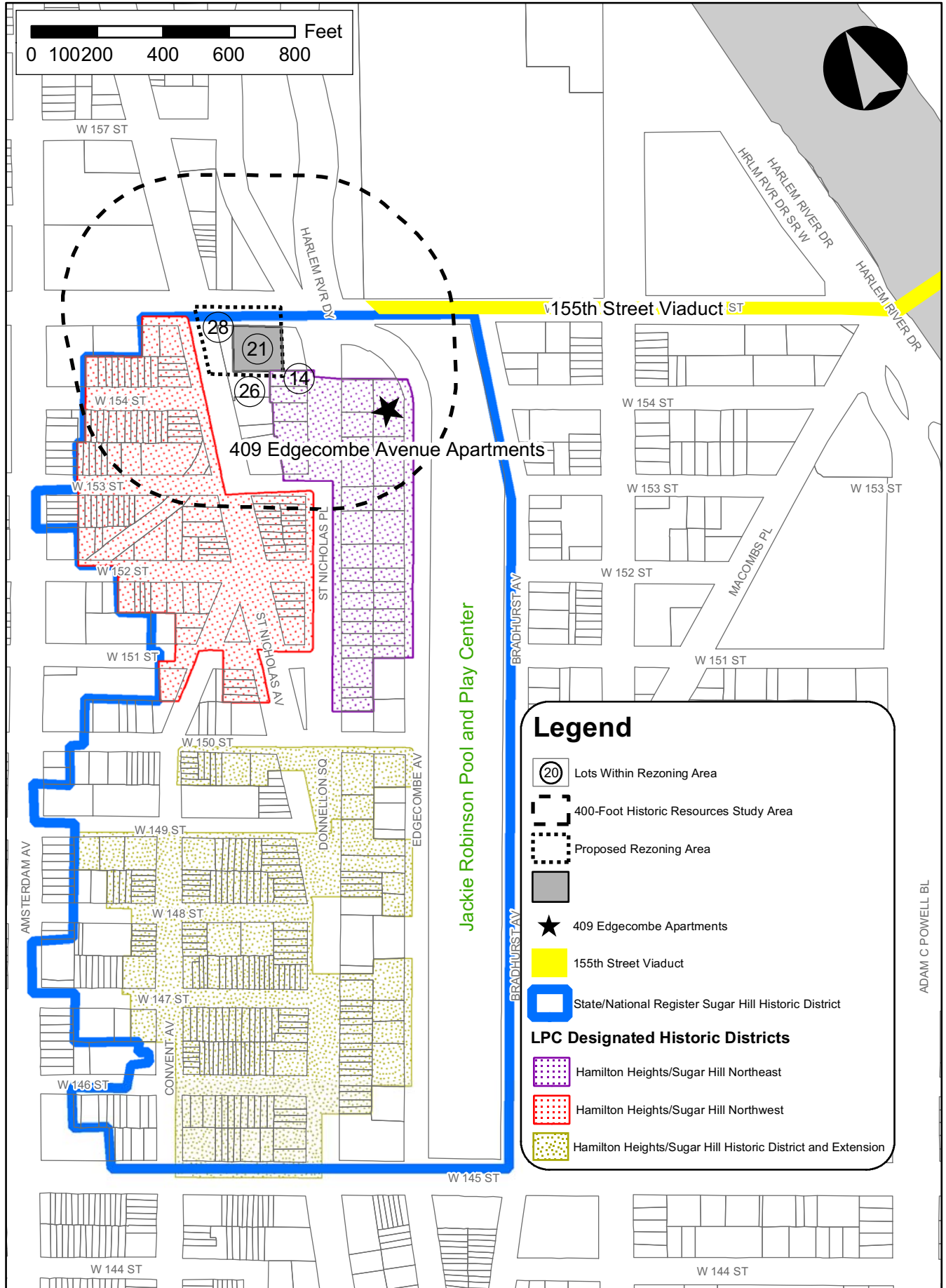
**A. INTRODUCTION**

Historic resources are defined as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes properties that have been designated as or are under consideration as New York City Landmarks or Scenic Landmarks, or are eligible for such designation; properties within New York City Historic Districts; properties listed on the State and/or National Register of Historic Places or contained within a district listed on or formally determined eligible for the State and/or National Register of Historic Places; and National Historic Landmarks. 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.

Archaeological resources are assessed only in areas where excavation is likely and would result in new in-ground disturbance. The Proposed Development Site, which is expected to be redeveloped as a result of the Proposed Action, would experience new development that would require ground disturbance. However, in a letter dated 4/3/2009, the NYC Landmarks Preservation Commission (NYCLPC) indicated that all of the lots comprising the rezoning area have no archaeological significance (refer to Appendix A to this EIS). As such, the Proposed Action and the resulting development on the Proposed Development Site is not expected to result in any significant adverse impacts to archaeological resources. Therefore, an archaeological analysis is not warranted and this chapter focuses exclusively on historic architectural resources.

Designated historic resources have been identified within and adjacent to the proposed rezoning area. The Proposed Development Site and the larger rezoning area are located within the State and National Register-listed (S/NR) Sugar Hill Historic District, and Lot 14, which falls partially within the rezoning area, also falls within the New York City Landmarks Preservation Commission (NYCLPC) designated Hamilton Heights/Sugar Hill Northeast Historic District. In addition, designated individual landmarks located within a 400-foot radius include the 155<sup>th</sup> Street Viaduct (NYCLPC-designated and S/NR-listed), 409 Edgecombe Avenue (NYCLPC-designated and S/NR-listed), and a portion of Jackie Robinson Park, which encompasses the NYCLPC-designated and S/NR-listed Jackie Robinson (Colonial Park) Play Center. Therefore, this chapter assesses the Proposed Action's potential to impact historic architectural resources in the area. In accordance with CEQR guidelines, both "direct" impacts (i.e., a physical change to a historic property) and "indirect" impacts (such as a physical change to the setting or context of a historic resource) are assessed.

Based on potential impacts that would result from proposed construction activities, and also to account for contextual effects, the study area for architectural resources is defined as the area within approximately 400 feet of the proposed rezoning area (see Figure 5-1). Whereas this chapter



focuses specifically on the Proposed Action's effects on the general context of historic resources in the immediate vicinity, an assessment of the Proposed Action's effects on the physical character of a broader ¼-mile study area, including the general context of the historic district, is provided separately in Chapter 6, "Visual Resources."

As described more fully below, because the existing building on the Proposed Development Site, which is identified as a contributing structure to the S/NR-listed Sugar Hill Historic District, would be demolished to facilitate construction of the Proposed Development, and the new building would alter the general context of West 155<sup>th</sup> Street, which marks the northern boundary of the S/NR-listed historic district, the Proposed Action would result in a significant adverse impact with respect to historic architectural resources. Partial mitigation measures that would minimize or reduce this significant adverse impact are discussed in Chapter 12, "Mitigation" of this EIS.

## **B. EXISTING CONDITIONS**

As shown in Figure 5-1, the Proposed Development Site and rezoning area are located at West 155<sup>th</sup> Street, which marks the northern boundary of the State and National Register-listed (S/NR) Sugar Hill Historic District, and Lot 14, which falls partially within the rezoning area, also falls within the New York City Landmarks Preservation Commission (NYCLPC) designated Hamilton Heights/Sugar Hill Northeast Historic District. Notably, the remainder of the proposed rezoning area, including the Proposed Development Site, is excluded from the NYCLPC-designated historic District. In addition, the western edge of the 155<sup>th</sup> Street Viaduct is located diagonally across from the rezoning area, and 409 Edgecombe Avenue and the northernmost area of Jackie Robinson Park (which encompasses the Jackie Robinson Play Center) are located within a 400-foot radius of the rezoning area. Each of these resources is discussed briefly below. It should be noted that the Old Croton Aqueduct passes underneath Lot 26; however, this portion is not part of the National Historic Landmark designation, which applies to the portions of the aqueduct that fall mainly within Westchester County, stretching from the Old Croton Dam in Cortlandt to Van Cortlandt Park at the Bronx County/City of Yonkers border.

### **S/NR Sugar Hill Historic District<sup>1</sup>**

The S/NR Sugar Hill Historic District, designated in 2002, consists of 414 contributing buildings, which are primarily late nineteenth and early twentieth century row houses and apartment buildings. As shown in Figure 5-1, it is bounded to the south by West 145<sup>th</sup> Street and to the north by West 155<sup>th</sup> Street, running irregularly along the side streets west of Convent Avenue and in some cases as far west as Amsterdam Avenue. The hilly topography, parks, and numerous trees create vistas that juxtapose the natural and urban environments.

Along the district's southern and northern boundaries, marked by West 145<sup>th</sup> Street and West 155<sup>th</sup> Street, respectively, the distant eastern aspect terminates on an historic bridge (the 145<sup>th</sup> Street

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<sup>1</sup> Information in this section is from the Sugar Hill Historic District National Register of Historic Places Registration Form, February 2002, as well as a Historical Context Study prepared by Adjaye Associates in June 2009.

Bridge and the Macombs Dam Bridge). At both boundaries, the steep climb necessary to reach the Sugar Hill neighborhood is fully expressed. On West 145<sup>th</sup> Street, the park gives way to ascending buildings while on the north, at West 155<sup>th</sup> Street, one is always conscious of the seemingly limitless eastern view toward Yankee Stadium, over the one-time Polo Grounds' immensely tall, but still dwarfed by the scenery, housing project and the haze of the unseen Long Island Sound.

Given the historic district's large area covering more than 15 irregularly-shaped blocks, it can be accessed from a number of different streets, and does not have a defined "gateway". West 155<sup>th</sup> Street, a wide two-way street which forms the northern boundary of the historic district, exhibits an eclectic mix of building types and bulks. The south side of West 155<sup>th</sup> Street, which falls within the historic district boundary, is characterized by the following (from east to west): Jackie Robinson Park, Maher Circle, two 2-story commercial use buildings, a gas station with a one-story structure housing a convenience store, the garage building on the Proposed Development Site, a vehicle storage and parking area that is entirely enclosed by a brick wall with a fence above, the 6-story St. Nicholas Hotel with commercial uses on the ground floor, the Prince Hall Masonic Temple, a 12-story multifamily residential building, and a 20-story residential building at Amsterdam Avenue. The north side of West 155<sup>th</sup> Street, which falls outside the historic district boundary, is characterized by the following (from west to east): a public school and playground at Amsterdam Avenue, two 3-story commercial use buildings, a strip of vacant land, Highbridge Park, and the Polo Grounds Towers residential development consisting of four 30-story buildings.

On the district's eastern edge between West 145<sup>th</sup> and West 155<sup>th</sup> Streets, Jackie Robinson Park forms the area's defining rocky hillside. Here, between taller bookend-like apartment houses located at 145<sup>th</sup> and 155<sup>th</sup> Streets (as discussed below, Bowery Savings Bank Apartments ca. 1956, and Colonial Parkway Apartments ca. 1916), there are a range of five and six-story multiple dwellings. They are as uniform in the ca. 1900-1927 date and exhibit similar cornice height and neoclassical ornamentation.

The S/NR district's period of significance – ca. 1865 to ca. 1956 – incorporates the complex historical and architectural development of the neighborhood. Beginning in the mid-1880s, the district evolved from a rural retreat of widely-spaced freestanding mansions to a middle- to upper-middle-class neighborhood of attached single-family homes. A later period of expansion (ca. 1876 to 1906) occurred when a proliferation of free-standing villas and row house groups were built in the neighborhood. They were created in response to transportation improvements including the Eighth Avenue Elevated (1879), the Amsterdam Avenue Cable Car (ca. 1880), and the West 155<sup>th</sup> Street Viaduct (ca. 1890s). The completion of the Broadway IRT subway (ca. 1904) gave rise to the next phase of significant Sugar Hill development (ca. 1906 to 1926), as middle-class tenants eagerly flocked to the new apartment buildings being constructed in Sugar Hill, which were now easily accessible by mass transit.

The district is recognized by the National Register as significant under Criteria A, B, and C for evaluation of historic properties. Criterion A identifies the buildings of the district as important due to their association with events that have made a significant contribution to the broad patterns of history in the areas of community planning and development, ethnic heritage, and social history. The district achieves its exceptional significance as the nation's foremost African-American urban community (ca. 1925-ca. 1956). Criterion B recognizes buildings in the Sugar Hill Historic District for their association with lives of significant individuals, notably central figures in the cultural history of Harlem who have played an important role in local and national history, including such illustrious figures as future Supreme Court Justice Thurgood Marshall, sociologist W.E.B. DuBois,

painter Aaron Douglas, composers and jazz musicians Edward Kennedy “Duke” Ellington and C. Luckeyth (“Luckey”) Roberts, civil rights leaders Walter Francis White and Adam Clayton Powell Sr., and writers Ralph Ellison and Langston Hughes. Criterion C focuses on the diverse architectural character of the buildings in the Sugar Hill Historic District and recognizes it as representative or embodying distinctive characteristics of various styles that resulted from distinct periods of growth and development. The district is significant under Criterion C for its intact late 19<sup>th</sup> and early 20<sup>th</sup> century residential architecture including row houses and apartment buildings.

According to the S/NR Historic District Registration Form, two types of residential buildings, the row house and the apartment building, give the district its special architectural character. Many of the late 19<sup>th</sup> century row houses were speculatively-built and were treated as block-long compositions in which the various materials and architectural features were arranged to create a distinct sense of place. Built in a succession of popular historical styles, these private residences display remarkable neo-Grec, Romanesque and Renaissance Revival style details of high quality materials, including elaborate brickwork, stone carvings, and metalwork (refer to examples in Figure 5-2a). During the early decades of the 20<sup>th</sup> century, apartment houses were erected along St. Nicholas Avenue, and later, Convent Avenue. Many of the apartment buildings in the district reflect the Beaux-Arts and “City Beautiful” movements, as illustrated in some of the examples in Figure 5-2b. Popular styles include the Beaux Arts, Renaissance Revival, French Renaissance Revival, Colonial Revival, and neo-Gothic.

The historic structures within the Sugar Hill Historic District exhibit a variety of accenting building elements, colors, and textures. As shown in Figure 5-3a, various expressions of nature are inscribed onto buildings throughout the district, including fern leaves, flowers, twisted vines, roses, thistle and scrolls. The details shown in the figure are largely attributable to nature as opposed to geometric patterning. The district’s historic buildings also exhibit colors and materials that vary greatly within a range from deep brown/purple brownstone to terracotta to limestone. In terms of building textures, Gothic Revival and neoclassical buildings in this district in general have highly articulated facades from intricately detailed carvings to variegated surface textures (see Figure 5-3b). The carvings and textures run across building facades providing a wide spectrum of shadow and light play. Neo classical buildings tend to work with a flattened striping and variations of achitraves, keystones, cornices and bases. Gothic revival buildings tend to use organic forms in both their material and design. Materially the buildings are picturesque with rough cut stone patterns and integral use of natural carving.

In terms of massing, the historic district exhibits a range of building types and heights. While the row houses prevalent in the midblocks are typically 3 to 4 stories in height (refer to Figure 5-2a), apartment buildings are typically 6 stories in height, although taller apartment buildings can also be found, particularly at the northern, and southern edges of the S/NR historic district, such as the 13-story landmark building at 409 Edgecombe Avenue (a.k.a. Colonial Parkway Apartments, and the 13-story building at the southeastern boundary of the historic district, a.k.a. Bowery Savings Bank Apartments), as shown in Figure 5-2b.

This S/NR historic district encompasses the proposed rezoning area in its entirety and the 2-story garage on the Proposed Development Site is identified as a contributing structure, as discussed below.





**Above:** View of eastern blockfront of St. Nicholas Avenue between W. 152nd and W. 153rd Streets. (S/NR district and LPC Hamilton Heights/Sugar Hill Northwest HD)

**Below:** View of town houses on West 147th Street between St. Nicholas and Convent Avenues (S/NR district and LPC Hamilton Heights/Sugar Hill Northwest HD)



**Above:** View of northern blockfront of W. 145th Street between St. Nicholas and Amsterdam Avenues. (S/NR district and LPC Hamilton Heights/Sugar Hill HD & Extension)

**Below:** View of western blockfront of St. Nicholas Avenue between W. 152nd and W. 153rd Streets. (S/NR district and LPC Hamilton Heights/Sugar Hill Northwest HD)





**Above:** A pair of Beaux Arts style apartment houses known as the "Montvale" (#83 St. Nicholas Place, to the left) and the "Non Pared" (#87 St. Nicholas Place, to the right). The building to the right occupies Lot 14, which falls partially within the proposed rezoning area. Both buildings fall within the S/NR HD and the LPC Hamilton Heights/Sugar Hill Northeast HD

**Left:** A 14-story apartment building at the northwest corner of West 145th Street and St. Nicholas Avenue, at the southern boundary of the S/NR historic district. The building is within the boundaries of the S/NR HD, but outside the LPC Hamilton Heights/Sugar Hill HD & Extension

**Above:** 409 Edgecombe Avenue - an individual LPC landmark, which also falls within the S/NR HD and the LPC Hamilton Heights/Sugar Hill Northeast HD  
**Below:** Arundel Court, at 772-778 St. Nicholas Avenue which falls within the S/NR HD and the LPC Hamilton Heights/Sugar Hill Northeast HD



Source: Google Maps



Source: Adjaye Associates



RUSTICATED STRIPS



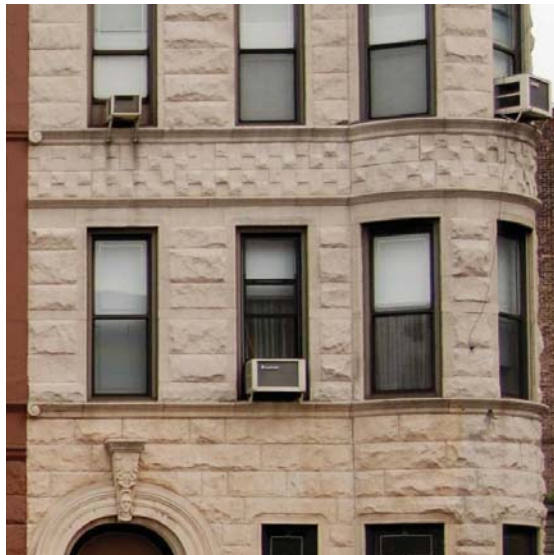
ENTIRELY RUSTICATED



ORNAMENTAL



STRIPS OF ORNAMENT



VARIED RUSTICATION



FLAT WITH CORNICE STRIPS

Source: Adjaye Associates

## ***Proposed Development Site<sup>2</sup>***

The Proposed Development Site (414 West 155<sup>th</sup> Street) comprises a large lot located just within the northern boundary of the Sugar Hill National Register Historic District, which is marked by West 155<sup>th</sup> Street. The National Register Nomination notes it as a contributing structure to the district and describes it as a two-story neo-Gothic brick and terra-cotta parking garage with Oxford embellishments. According to the nomination report, “Erected in 1901 as The Speedway Livery Stable ... at half its current size, this building became a garage by 1915. ... In 1927 it was transformed into its current state in which the embellishments of Oxford lend dignity to an otherwise utilitarian structure.” Due to the steep grade in the site to the west, the garage rises three stories at the northeast corner and is one story at the northwest corner. 414 West 155<sup>th</sup> Street has continuously been used as a parking garage, but has had numerous tenants over time.

The Proposed Development Site’s immediate neighbors are a noncontributing gas station and a noncontributing late 1960’s utilitarian garage structure used by the Department of Environmental Protection. The existing garage is distinct from and differs in scale and use from the rowhouses and apartment buildings that characterize the Sugar Hill Historic District. The project site is considerably larger than most other sites in the historic district, and is also located on and oriented to West 155<sup>th</sup> Street, which is a major two-way street that forms the northern boundary of the historic district.

Higgins Quasebarth & Partners, LLC (“Higgins”) was retained by the applicant, Broadway Housing Communities, to compile a report (“Higgins report”) to assist in assessing the history, context and physical fabric of 414 West 155<sup>th</sup> Street. The report was intended for use as part of the historic preservation review by the State Historic Preservation Office (SHPO) of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) in connection with the planned new construction on the site. The report indicates that the structure, which is clad in buff brick with tan-colored mortar joints and finished with white glazed terra-cotta details, has been modified over time with alterations to the entries and window bays, including: modifications to the ground-floor openings on the West 155<sup>th</sup> Street elevation, non-original glass block infill at the second-floor windows on both facades, paint on the brick facade, and the removal of historic signage.

414 West 155<sup>th</sup> Street has two street elevations: the north, primary, facade on West 155<sup>th</sup> Street and the east facade, visible from St. Nicolas Place (see photos in Figure 5-4), which are articulated in a tri-partite composition defined by the terra-cotta details at the parapet. There are thirteen bays on each facade, divided into three sections: a center section of seven bays with flanking sections of three bays. The ground floor of the north elevation is composed of numerous entries. At the second floor, both facades have large window bays divided by brick piers. White glazed terra-cotta tiles clad the center bay of each section and are defined by a raised parapet marked with tile-clad pinnacles at the center and terminus of each bay (see Figure 5-4). The pinnacles are all linked by a terra-cotta crenelated parapet.

As also shown in Figure 5-4, the ground floor of the north elevation is marked by openings that step up in height as the grade increases. There are five vehicle entries (Bays 1, 3, 7, 11, and 13)

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<sup>2</sup> Information in this section, including detailed description of Proposed Development Site, is from 424 West 155<sup>th</sup> Street – Historical Background Report, Higgins Quasebarth & Partners, LLC; February 2009, which is attached as Appendix B to this EIS document.

Photographs of Existing Garage on Proposed Development Site in Context with Sugar Hill Historic District



View of northern and eastern facades of Proposed Development Site from the corner of West 155th Street and St. Nicholas Place, looking southwest.

Close up view of eastern facade of Proposed Development Site from adjacent sidewalk on West 155th Street, looking west towards St. Nicholas Avenue.



Close-up view of northern facade (western end of building).

Close-up view of northern facade (eastern end of building).



**Photographs of Existing Garage on Proposed Development Site  
in Context with Sugar Hill Historic District**

**View from corner of W. 155th Street and St. Nicholas Place, looking south. Gas station adjacent to the Proposed Development Site is on the corner to the right, existing garage visible in the far right center.**



**View from corner of W. 155th Street and St. Nicholas Avenue, looking south. Fenced-in parking area dominated the corner, existing garage building is visible to the left**

**View looking southeast down W. 155th Street. Secondary facade of 409 Edgecombe Avenue is visible in the distance.**



and two doors (Bays 2 and 6). The brick is painted black and white at this level. The Higgins report indicates that all of the bays have been altered over time with non-historic infill (concrete and glass block) and non-historic metal windows. The large second-floor window bays have also been altered and are occupied by non-original glass block surrounding non-historic metal windows and louvers. The Higgins report states that the glass block is in very poor condition. The terra-cotta details begin between the center windows of the three sections and rise up to the parapet. Original rounded terra-cotta pinnacles extend above the crenelated parapet emphasizing these bays.

The east elevation exhibits similar changes over time. The ground floor has a nonoriginal entry and window. Large exposed steel beams, which originally functioned as signage armature, extend from the ground floor to the first floor. The first floor level, which originally was obscured by signage, is clad in common red brick topped by the buff brick of the second floor. The second-floor window bays have the same nonoriginal infill as found on the north elevation. Three of the bays however are clad with the original buff brick.

Historically, 414 West 155<sup>th</sup> Street had large spans of glazing on the first and second floors. The typical unit consisted of a four-over-four center pivot steel window with four lights above and below. At the first floor this unit was used in the transoms and storefronts. At the second floor, the large bays had two of these units. The Higgins report indicates that non-original infill at the first and second floors has changed the overall transparency and symmetry of the 1920s design. The exposed common red brick and non-original entry on the east elevation have also changed the original character of this facade.

The Higgins report indicates that the condition of the buff brick and white glazed terra cotta is fair. The brick shows wear. It is cracked and spalled, notably on the east elevation. The tan-colored joints are eroded. The terra cotta has some surface cracking and spalling. There are also sections of soiling and stains on the terra cotta.

The rolled roof of the garage, which is not original, appears to be in good condition. Eight skylights project from the center of the roof and a bulkhead sits just off center on the rear south elevation. On the interior, one staircase provides non-vehicular circulation. The concrete of the interior shows typical signs of wear such as cracking and areas of efflorescence on the surface. Building management notes concern for the condition of the concrete structure in the eastern half of the garage based on significant cracking in the floor slab.

When the existing garage is viewed from directly across the street, the only view of a contributing building in the historic district is the secondary façade of 79 St. Nicholas Place (on Lot 14), as shown in the first photo in Figure 5-4. At the intersection of St. Nicholas Place and West 155<sup>th</sup> Street, the view south is dominated by the gas station. At the intersection of St. Nicholas Avenue and West 155<sup>th</sup> Street, the view south is dominated by the fenced-in portion of the Old Croton Aqueduct. Looking west up West 155<sup>th</sup> Street from St. Nicholas Place, the street façade of 889 St. Nicholas Avenue is visible primarily over the fenced in portion of the Old Croton Aqueduct and only the top floor of a portion of this building is visible over the garage. Looking east down West 155<sup>th</sup> Street from the corner of St. Nicholas Avenue there is only a view of the secondary façade of 409 Edgecombe Avenue and the building located at the southeast corner of West 155<sup>th</sup> Street and St. Nicholas Place which is noncontributing. These views are illustrated in Figures 5-4. In general, given the width of West 155<sup>th</sup> Street and the somewhat irregular street grid in this area, views of the main facades of buildings within the historic district are limited and are not readily available to pedestrians walking along West 155<sup>th</sup> Street.



### ***Other Lots Within Rezoning Area***

The proposed rezoning area also includes Lot 28 and parts of Lots 14 and 26, which are all located within the S/NR Sugar Hill Historic District. The S/NR nomination report identifies Lot 26 as a non-contributing one-story garage building for NYCDEP, c. 1960, with an address of 882 St. Nicholas Avenue. Lot 14 is identified as one of two six-story Beaux Arts style apartment houses (this building is further described in the discussion of the NYCLPC-designated historic district in the section below).

### **NYCLPC's Hamilton Heights/Sugar Hill Historic District (Northeast and Northwest)<sup>3</sup>**

The boundaries of the NYCLPC-designated Hamilton Heights/Sugar Hill Historic District (Northeast and Northwest) are different from the S/NR district discussed above, as illustrated in Figure 5-1. The rezoning area is included within the boundaries of the S/NR district but is mostly excluded from the NYCLPC-designated district, with the exception of the portion of Lot 14 located within the rezoning area, which falls within both districts. The Proposed Development Site is excluded from the NYCLPC-designated historic district.

### ***Hamilton Heights/Sugar Hill Northeast Historic District***

The Hamilton Heights/Sugar Hill Northeast Historic District was designated in 2001. Nearly all of the buildings in this historic district were constructed between 1905 and 1930, a period when developers ceased building single-family houses and began to build medium-size apartment buildings. These structures are located on uninterrupted block fronts that extend along St. Nicholas Place and Edgecombe Avenue, from West 150<sup>th</sup> to West 155<sup>th</sup> Streets. Nearly all of the thirty-two buildings in this historic district are apartment houses; two attached single-family residences are also included in the district. Most of the buildings are five or six stories tall, and generally have brick and stone facades, reflecting popular neoclassical styles, especially Renaissance and Colonial Revival.

Visible from central Harlem, where most tenants occupied older tenements and crowded rooming houses, these recently-constructed apartment houses represented a world of domestic comfort and personal success. Many African-American professionals were attracted to the area, including jazz composer and big band leader Duke Ellington whose family occupied a five-room apartment at 381 Edgecombe Avenue, from 1929 to 1939. He and his frequent collaborator Billy Strayhorn celebrated the neighborhood in song, urging listeners to "Take the A Train . . . to go to Sugar Hill." Other important residents were the composer and music publisher W. C. Handy and the poet and playwright Langston Hughes. During the 1930s and 1940s, the most prestigious address in the district was 409 Edgecombe Avenue (see Figure 5-2), near West 155<sup>th</sup> Street, which is also a designated individual landmark (see discussion below).

As noted above, this historic district incorporates Lot 14 (a.k.a. 87 St. Nicholas Place), which falls partially within the proposed rezoning area. This building is one of a pair of Beaux Arts style

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<sup>3</sup> Information in this section is from NYCLPC's *Hamilton Heights/Sugar Hill Northeast Historic District Designation Report* (October 23, 2001), and *Hamilton Heights/Sugar Hill Northwest Historic District Designation Report* (June 18, 2002).

apartment houses (the other being #83 St. Nicholas Place). Known as the "Montvale" and the "Non Pared," the pair was built in 1905 at a time when the area was rapidly developing with five- and six-story apartment houses. Typical of apartment buildings of that period, 87 St. Nicholas Place features standard floor plans intended to attract middle-class residents and is constructed of inexpensive materials. The facades are enlivened through the inventive use of mass-produced facade ornament and popular revival styles (see Figure 5-2). According to promotional literature published in 1908, each building originally had apartments of four to six rooms and a bath, which could easily be combined into larger apartments with eleven rooms and two bathrooms. The designation report indicates that Nos. 83 and 87 St. Nicholas Place, which are distinguished by their limestone bases, columnar porticos with surmounting balustrades, and splayed lintels, remain largely intact. The words "Non Pared" are incised in the frieze of 87 St. Nicholas place.

### ***Hamilton Heights/Sugar Hill Northwest Historic District***

The Hamilton Heights/Sugar Hill Northwest Historic District was designated in 2002. The historic district includes approximately 97 buildings and extends from the southwest corner of Convent Avenue and West 151<sup>st</sup> Street and the west side of St. Nicholas Avenue, just south of West 151<sup>st</sup> Street, north to the southwest corner of St. Nicholas Avenue and West 155<sup>th</sup> Street. Buildings in this historic district face on Convent Avenue, St. Nicholas Avenue, St. Nicholas Place, and West 152<sup>nd</sup>, West 153<sup>rd</sup>, West 154<sup>th</sup>, and West 155<sup>th</sup> Streets. The area of the historic district remained largely rural until the last two decades of the nineteenth century. Beginning in 1881 speculative builders started erecting handsome residential structures in the historic district, most of which were single-family row houses. Between 1881 and 1898, 62 extant row houses were erected. These row houses were designed in several popular late nineteenth-century styles, including Neo-Grec, Queen Anne, Neo-Renaissance, and Beaux-Arts. They are faced with various materials, notably brick, brownstone, and limestone, and are trimmed with finely crafted terra cotta, cast iron, wrought iron, stained glass, and wood (refer to Figures 5-2 and 5-3 above for examples).

Besides the row houses, there is one freestanding mansion, dating from 1887, in the district. A few middle-class apartment buildings were also erected during the late nineteenth century, but most of the district's multiple dwellings date from the early twentieth century. In total, there are 33 apartment houses in the district. These apartment houses are either five or six stories tall and almost all have brick facades with limestone bases and terra-cotta trim. In addition, this district includes a 2-story building containing a store with residence above and a masonic lodge, the only institutional building within the boundaries.

### **409 Edgecombe Avenue**

This 13-story building (see Figure 5-2), originally called the Colonial Parkway Apartments, was designated by NYCLPC in 1993, and falls within the S/NR-listed Sugar Hill Historic District as well as the LPC-designated Hamilton Heights/Sugar Hill Northeast Historic District. Constructed in 1916-1917 and set on a ridge overlooking central Harlem, this was the most prestigious address for African-American New Yorkers from the 1930s through the 1950s. Notable for its conspicuous height and illustrious tenants, the curving thirteen-story apartment house attracted such luminaries as Thurgood Marshall, Aaron Douglass, and W.E.B. Dubois. The E-shaped building dominates the block and the wide façade curves to follow the route of Edgecombe Avenue as it turns west. At the time of completion, it was intended for upper middle class white tenants, who occupied spacious

soundproof apartments with as many as six rooms. Units were fitted with dumbwaiters, gas stoves, and other modern amenities, and the two passenger elevators were staffed by uniformed operators.

### **Macomb's Dam Bridge and 155<sup>th</sup> Street Viaduct**

Spanning the Harlem River between West 155<sup>th</sup> Street and St. Nicholas Place in Manhattan, and Jerome Avenue and East 162<sup>nd</sup> Street in the Bronx, Macomb's Dam Bridge and 155<sup>th</sup> Street Aqueduct were designated by NYCLPC in 1992. Known until 1902 as Central Bridge, this is the oldest metal truss swing bridge and the third-oldest bridge in the city. The ensemble consists of a swing bridge over the Harlem River with an intricate latticework of steel crowned with four finials; stone end piers capped by shelter houses; a camelback span over the railroad tracks in the Bronx; the 155<sup>th</sup> Street steel viaduct with tall stairways in Manhattan; and a shorter steel approach road in the Bronx.

### **Jackie Robinson Play Center**

The Jackie Robinson (Colonial Park) Play Center was designated by NYCLPC in April 2007, including the swimming pool, bath house, former diving pool, band shell, dance floor terrace and extension between West 148<sup>th</sup> and West 150<sup>th</sup> Streets, retaining walls, fencing, stairways, linking pathways, playground, former wading pool and comfort station. NYCLPC also granted landmark protection to the interior of the complex's bath house. As shown in Figure 5-1, only a small portion of Jackie Robinson Park falls within the 400-foot study area, and none of the designated features described below fall within that area.

Originally named the Colonial Park Play Center, the complex stretches from West 145<sup>th</sup> to West 155<sup>th</sup> Streets along Edgecombe and Bradhurst avenues in Manhattan, and is set within a 1.28-acre, narrow hillside. The exterior of the imposing two-story bath house features Romanesque Revival-inspired details, and incorporates elements of the Art Moderne style. The exterior of the bath house features a series of recessed bays, a parapet embellished with a cast-stone balustrade, and several large round towers that rise above the roof line of the building. The pool, which measures 82 feet by 236 feet and owes its unusual shape to the narrow site, is located above the grade of Bradhurst Avenue. The lobby includes two cascading stairways that lead in opposite directions to the men's and women's locker room, bas-relief panels of water-related activities, floral limestone corbels supporting the concrete Gothic arches, an original flagged bluestone floor and a ticket booth that resembles the prow of a ship.

## **C. THE FUTURE WITHOUT THE PROPOSED ACTION (NO-ACTION)**

In the future without the Proposed Action, the RWCDs assumes none of the properties within the proposed rezoning area would be redeveloped, and the existing land uses would remain. The Proposed Development Site would continue to be occupied by a public parking garage (Lot 21). It is expected that the study area's current land use trends and general development patterns would continue. Although no developments are anticipated within the defined historic resources study area, as discussed in Chapter 2, "Land Use, Zoning, and Public Policy," several other

developments are expected to occur outside the 400-foot study area in the future without the Proposed Action. None of these developments would directly affect designated architectural resources, and all of the identified landmark structures and historic districts within the study area would remain in their current state.

## **D. PROBABLE IMPACTS OF THE PROPOSED ACTION**

As detailed in Attachment A, “Project Description,” the Proposed Action includes: (1) a zoning map change from C8-3 and R7-2 to a R8A residential zoning district; (2) acquisition/ disposition of City-owned property, in the form of an exchange of easements between the applicant and the NYC Department of Citywide Administrative Services (DCAS); (3) construction financing from the NYC Department of Housing Preservation and Development (NYCHPD), an Involved Agency for CEQR purposes, which will likely be comprised of federal funding from the U.S. Department of Housing and Urban Development (HUD); and (4) other financing from the New York State Division of Housing & Community Renewal (DHCR), and the New York State Office of Temporary Disability Assistance for the residential component of the Proposed Development. Approval of all City actions (rezoning and acquisition/disposition) is a pre-requisite for any grant of the federal or state funding.

The Proposed Action would facilitate construction of a 13-story mixed-use building on the Proposed Development Site (refer to illustrative rendering in Figure 5-5). As described in Chapter 1, “Project Description,” in designing the Proposed Development, the applicant’s main goal was to design a modern building that would conform to the proposed R8A zoning envelope, and provide innovative interior and exterior features to house the mixed use program of affordable apartments, museum and day care center. Another design goal was to develop a fenestration pattern for all the uses in the building that provided an abundance of natural light and views. It should be noted that the design of the Proposed Development is ongoing and may be modified to the extent required to conform with State and federal funding requirements.

As presented in Chapter 1, “Project Description,” in the future with the Proposed Action, the existing 2-story garage on the Proposed Development Site, which is identified as a contributing building in the S/NR district, would be demolished in order to construct the Proposed Development. The Proposed Development would consist of a mixed-use building that is 13 stories plus one cellar, with a height of approximately 120 feet from the average curb level to the roof line. The proposed building would incorporate the required setback at 76 feet, with the upper portion of the building sliding back from the base with a 10’ cantilever. The Proposed Development would be completed and occupied in late 2012.

### **Assessment**

The Proposed Action was assessed in accordance with guidelines established in the *CEQR Technical Manual* (Chapter 9, Part 420), to determine (a) whether there would be a physical change to any designated property or its setting as a result of the Proposed Action, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including nonphysical changes such as context).

Proposed Development Site - Existing Views vs. Illustrative Future View



View from corner of W. 155th Street and St. Nicholas Avenue looking southeast towards proposed Development Site. Existing view above, illustrative future view below.



Privately owned properties that are NYC landmarks or S/NR-listed, or are pending designation as landmarks, are protected under the New York City Landmarks Law, which requires NYCLPC review and approval before any alteration or demolition can occur. Similarly, developments occurring within NYCLPC-designated historic districts require a Certificate of Appropriateness (COA) from NYCLPC. As noted above, the Proposed Development Site is excluded from the NYCLPC-designated historic district, and therefore does not require a COA from NYCLPC. In addition, the city has procedures for avoiding damage to historic structures from adjacent construction, as discussed in the “Construction” section below.

Likewise, 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. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. Properties listed on the S/NR are similarly protected against impacts resulting from State-sponsored or State-assisted projects under the State Historic Preservation Act. However, private owners of properties that are eligible for – or even listed on – the S/NR can, using private funds, alter or demolish their properties without such a review process. Because the Proposed Development is expected to utilize State and/or Federal funding (including NYS Low Income Housing Tax Credits allocated by the NYC Division of Housing Community Renewal (DHCR), as well as funding from the NYS Office of Temporary Disability Assistance under their Homeless Assistance Program) and is located in a S/NR-listed historic district, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) was consulted during the preliminary design process in order to determine whether the Proposed Development may adversely affect the S/NR historic district.

As discussed in the assessment below, the Proposed Development would relate in height and bulk to several of the taller apartment buildings in the area, although it could alter the context of West 155<sup>th</sup> Street, which marks the northern boundary of the S/NR historic district and would therefore result in a significant adverse indirect impact to historic resources. In addition, as the Proposed Action would result in the demolition of the existing garage structure, which is identified as a contributing structure to the S/NR historic district, OPRHP has indicated that this would constitute a significant adverse impact. Mitigation measures that would minimize or reduce impacts to historic resources are discussed in Chapter 12 of this EIS.

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

### ***Direct Effects***

Historic resources can be directly affected by physical destruction, demolition, damage, alteration, or neglect. 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 Development Site is excluded from the NYCLPC-designated historic District. Although the existing garage structure on the Proposed Development Site falls within the S/NR-listed historic district, which identifies it as a contributing structure, an architectural assessment report conducted by Higgins Quasebarth & Partners LLC indicates that the building has been modified over time since its construction and transformation into its current form in 1927 (see discussion under “Existing Conditions” above). The report found that alterations have been made to the structure’s entries and window bays, including: modifications to the ground-floor openings on the West 155<sup>th</sup> Street elevation, non-original glass block infill at the second-floor windows on both facades, paint on the brick facade, and the removal of historic signage. The report also indicates that non-original infill at the first and second floors has changed the overall transparency and symmetry of the structure’s 1920s design. The exposed common red brick and non-original entry on the east elevation have also changed the original character of this facade.

Nevertheless, as the Proposed Action would result in the demolition of the existing garage structure, which is identified as a contributing structure to the S/NR historic district, this would constitute a significant adverse direct impact to historic architectural resources. Identified mitigation measures that would minimize or reduce this significant adverse impact are discussed in Chapter 12, “Mitigation” of this document.

### *Indirect Effects*

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

The Proposed Development, at 13-stories, would be taller than most buildings immediately to the south of the rezoning area, which fall within the S/NR historic district and partially within the NYCLPC historic district. However, there are several buildings within a 400-foot radius that are of similar height or taller than the Proposed Development. These include the 13-story landmark building at 409 Edgecombe Avenue, which is located within the boundaries of both the S/NR and LPC historic districts, as well as newer mid-century buildings, especially those owned by the New York City Housing Authority, such as the 22-story NYCHA development at Amsterdam Avenue and West 156<sup>th</sup> Street, the 20-story NYCHA building at the southeast corner of Amsterdam Avenue and West 155<sup>th</sup> Street, one block to the west of the Proposed Development, and the 30-story Polo Grounds Towers to the northeast of the rezoning area. Moreover, the Proposed Development would be located along West 155<sup>th</sup> Street, which is a major two-way thoroughfare that divides the historic district to the south and the open spaces and the 30-story Polo Ground residential complex to the north. Most of the taller structures noted above are located along West 155<sup>th</sup> Street, similar to the Proposed Development. As such, the Proposed Development would relate well to the taller contemporary buildings in the study area, while respecting the context of historic structures to the south.

It should be noted that the Proposed Development, at a height of 120 feet, would be shorter than the approximately 140-foot tall landmark building at 409 Edgecombe Avenue. Moreover, 409 Edgecombe Avenue is set on a ridge overlooking central Harlem, which contributes to its prominent visual presence in the neighborhood. The Proposed Development, by being lower in height than the nearby historic building at 409 Edgecombe Avenue, would maintain physical and

visual deference to this historically significant structure. The Proposed Development would have a continuous streetwall and high lot coverage, in keeping with the character of many of the area's historic buildings. The proposed new building is expected to use modern materials and design and would not create an ersatz historic building that would detract from the original historic character of the area. In addition, it would not eliminate any public views of other historic resources. As such, the Proposed Development would not impair distinguishing architectural and decorative characteristics and views to nearby historic resources. These historic resources and their distinguishing characteristics are oriented to and viewed from the public streets and these views would not be obstructed by the Proposed Development.

As illustrated in the photos in Figure 5-4 above, there is no point where the existing garage building (or the proposed new building) is seen in the context of the historic rowhouses that give the Sugar Hill Historic District its distinct sense of place. Moreover, the uniform street walls in much of the Sugar Hill Historic District, and the presence of intervening developments in the vicinity of the site, limit views of the Proposed Development Site from street level at the core of the historic district further to the south. However, the upper portion of the Proposed Development would be visible from some locations, similar to how the upper portions of the building at 409 Edgecombe Avenue are currently visible in some views from street level. Thus, the slightly altered views to and from the historic district would not affect the characteristics that make it eligible for listing on the S/NR or designation by the LPC, either in terms of its architectural quality or historic significance.

Moreover, the proposed landscaped entry plaza on St. Nicholas Avenue would be a publicly accessible community resource that highlights the presence of the Old Croton Aqueduct underneath that lot (Lot 26). The entry plaza is expected to draw attention to the path of the Old Croton Aqueduct, one of the great engineering feats of the 19<sup>th</sup> century. Although the plans for the plaza have not yet been finalized, it is expected that the entry plaza would be landscaped, and may include a linear configuration of concrete pavers to locate the Aqueduct, distinguishing it from the surrounding paved open space. The proposed building with its landscaped plaza will open up the views along St. Nicholas Avenue from the south because the walled in area with a fence above that currently exists will be eliminated and replaced with a landscaped publicly-accessible plaza.

Overall, while some elements of the Proposed Development would be considerably different from those of neighboring buildings, these changes would be compatible as the area has a wide range of building types, sizes, and architectural styles. Just as existing buildings from different historic periods contribute to the layers of history evident in the area, the proposed building would add to this mixture by creating a new purpose-built mixed-use building representing the early twenty-first century.

In reviewing the proposed building design, SHPO has concluded that the scale of the building is not out of context with existing conditions found at the northern end of the Sugar Hill Historic District (for example, the contributing apartment building at 409 Edgecombe Avenue, which is an individual LPC landmark, is of similar height). However, given its unique massing and modern design details, the Proposed Development would likely alter views from some sidewalks within the historic district, thereby altering the setting and general context of some of these structures. As such, the Proposed Development has the potential to result in a significant adverse indirect contextual impact to historic resources, as its modern massing, façade materials, and fenestration would differ from the historic rowhouses and apartment buildings prevalent in the historic district. In a letter dated August 25, 2010 (refer to Appendix A of this document), SHPO concurred with



this conclusion. Mitigation measures that would minimize or reduce this potential significant adverse impact are discussed in Chapter 12, “Mitigation” of this document.

## Shadows

As described in Chapter 4, “Shadows,” historic resources that could potentially be affected by shadows from the Proposed Development are those located mostly to the north, east and west of the rezoning area. These include small areas of the S/NR-listed Hamilton Heights Historic District, and the West 155<sup>th</sup> Street Viaduct. The NYCLP-designated Hamilton Heights/Sugar Northeast Historic District and the landmark 409 Edgecombe Avenue are located to the south of the rezoning area and are not within the defined shadow radius. The resources falling within the maximum shadow radius display distinctive architectural styles relevant to the history of New York City. However, the architectural details of these resources are not dependent on sunlight during the day to the extent that shadows from the Proposed Development would obscure their significance. Therefore, while the Proposed Development facilitated by the Proposed Action could potentially cast shadows on portions of some of the historic resources identified above, the Proposed Action is not expected to result in significant adverse shadows impacts related to historic resources.

## Construction

The Proposed Development would entail demolition of an existing structure and the construction of a new building adjacent to a historic structure, namely, the building on Block 2069/Lot 14, which falls within both the NYCLPC-designated Hamilton Heights/Sugar Hill Northeast Historic District and the S/NR-listed Sugar Hill Historic District. Therefore, the Proposed Action has the potential to cause damage to this historic architectural resource from ground-borne construction vibrations.

There are two mechanisms to protect buildings in New York City from potential indirect damage caused by construction activities. All buildings are provided some protection from accidental damage through New York City Department of Buildings controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the requirements of Building Construction Subchapter 7 and Building Code Subchapters 11 and 19.

The second protective measure applies only to designated NYC Landmarks and S/NR-listed historic buildings located within 90 linear feet of the 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 C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent NYCLPC-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. By following these measures, which are required for any designated historic resources within 90 feet of the Proposed Development Site, the proposed demolition/construction work would not cause any significant adverse construction-related impacts.

## E. CONCLUSION

The Proposed Action would not result in any significant adverse impacts to archaeological resources. Although the Proposed Development Site would experience new development that would require ground disturbance, the NYCLPC has indicated that all of the lots comprising the rezoning area have no archaeological significance. As such, the Proposed Action and the resulting development on the Proposed Development Site is not expected to result in any significant adverse impacts to archaeological resources.

As the Proposed Action would result in the demolition of an existing 2-story garage which is identified as a contributing structure to the S/NR historic district, this would constitute a significant adverse direct impact to historic architectural resources. Identified mitigation measures that would minimize or reduce this significant adverse impact are discussed in Chapter 12, “Mitigation” of this EIS.

The Proposed Development would relate in height and bulk to several of the taller apartment buildings in the area, although it would alter the general context of West 155<sup>th</sup> Street, which forms the northern boundary of the S/NR historic district and would therefore result in a significant adverse indirect impact to historic resources. Mitigation measures that have the potential to minimize or reduce this significant adverse impact are discussed in Chapter 12, “Mitigation” of this document. No incompatible, audible or atmospheric elements would be introduced by the Proposed Development to any historic resource’s setting, nor would the Proposed Action result in any significant adverse shadows impacts relating to historic resources. Finally, designated NYC Landmarks and S/NR-listed historic buildings located within 90 linear feet of the Proposed Development Site would be subject to the protections of NYCDOB’s TPPN #10/88, which would ensure that such development resulting from the Proposed Action would not cause any significant adverse construction-related impacts to historic resources. With these protection measures, the Proposed Action and subsequent construction of the Proposed Development would not result in any significant adverse construction-related impacts to historic resources in the area.

## Sugar Hill Rezoning EIS CHAPTER 12: MITIGATION

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### A. INTRODUCTION

The preceding chapters of this environmental impact statement (EIS) examine the potential for significant adverse impacts as a result of the Proposed Action. Where such impacts have been identified in accordance with the *CEQR Technical Manual* guidelines – in the areas of historic architectural resources and hazardous materials – measures are examined to minimize or eliminate the anticipated impacts. These mitigation measures are discussed below. Significant adverse impacts that cannot be fully mitigated through reasonably practicable measures are also identified and discussed in Chapter 14, “Unavoidable Adverse Impacts.”

### B. HISTORIC ARCHITECTURAL RESOURCES

As discussed in Chapter 5, “Historic and Cultural Resources,” the Proposed Action would cause significant adverse direct impacts to historic architectural resources. The existing 2-story garage building on the Proposed Development Site, which is identified as a contributing structure in the S/NR-listed Sugar Hill Historic District, would be demolished to facilitate construction of the Proposed Development. This would constitute a significant adverse impact. As also discussed in Chapter 5, the proposed new building would alter the context of West 155<sup>th</sup> Street, which forms the northern boundary of the S/NR-listed historic district, and would therefore result in a significant adverse indirect impact to historic resources.

#### **Mitigation for Direct Impact**

The Proposed Action was assessed for possible mitigation measures in accordance with CEQR guidelines. The *CEQR Technical Manual* identifies several ways in which impacts on potential archaeological resources can be mitigated, including:

- Redesigning the action so that it does not disturb the resource;
- Relocating the action to avoid the resource altogether;
- Contextual redesign of a project that does not actually physically affect an architectural resource but would alter its setting;
- Adaptive reuse to incorporate the resource into the project rather than demolishing it;
- A construction protection plan to protect historic resources that may be affected by construction activities related to a proposed action;
- Data recovery or recordation of historic structures that would be significantly altered or demolished; and
- Relocating architectural resources.

As part of the design process for the Proposed Development, measures to preserve or document the contributing building on the site prior to demolition have been considered, in consultation with the State Historic Preservation Office (SHPO) of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), in order to avoid any adverse impacts. In evaluating the possibility of reusing the existing structure, the project architects, SLCE Architects, retained a structural engineering firm Ysrael A. Seinuk, P.C., to undertake a visual inspection of the existing parking structure. The visual inspection, performed in March of 2009 by Ysrael A. Seinuk, P.C. (Seinuk report is included in Appendix A to this EIS), found that portions of the structural slabs of the building are in a state of disrepair, and concluded that reuse of the existing structure is not economically viable. The inspection indicated that exposed reinforcement showed different states of deterioration due to rusting, an occurrence that is not uncommon in structures where water and deicing salts, brought in by the cars, penetrate the slabs' concrete. Some exposed portions of the structural steel beams also exhibited rusting. The Seinuk report therefore indicated that keeping the present use of the building is possible, although achieving a proper long lasting repair would be costly, and concluded that the intended use of the site conflicts with the wisdom of such repair due to the following:

- A 28 foot easement dedicated to NYCDEP at the southern portion of the site will require carrying vehicular traffic, not only NYCDEP trucks, but also fire engines. The loading requirement cannot be accommodated by the present structure. This part of the existing structure would have to be removed up to the first column line, which is approximately 45 feet north of the south property line, and substituted with a bona fide elevated road design.
- The new residential structure requires a distribution of columns that deny the utilization of the rest of the parking structure. Preliminary studies indicate that at least 35 columns and 3 shear walls would be needed to support the new addition above.
- Neither the existing garage columns, nor their respective footings can be used to carry a structure above them. They were not designed for the heavy loads coming from a 12-story structure above.

In short, accommodating the existing garage into the Proposed Development was deemed to be infeasible, as it would require demolition of the rear portion of the existing building, removal of the roof and floor plates, and removal of a large portion of the modified exterior. Therefore, the Seinuk report concluded that there is no logical economical alternative to removing the existing structure in order to provide for the requirements of the proposed 12-story building.

In a letter dated February 10, 2010 (provided in Appendix A to this EIS), the OPRHP concurred that there are no prudent and feasible alternatives to demolition of the existing garage structure that will meet the project's requirements, and recommended that the following mitigation measures be incorporated as part of the project:

- Photographically documenting the historic building in accordance with the standards of the Historic American Buildings Survey (HABS). The documentation would be submitted to OPRHP for approval prior to any demolition. Two copies would be submitted to OPRHP, one of which would be for archival storage in the New York State Archives and the other for retention in OPRHP files, and a third copy of the documentation would also be provided to the Museum of the City of New York.
- A survey of the decorative exterior terra cotta elements on the existing building will be conducted and OPRHP would be consulted to determine if any of these elements can be removed and incorporated into the design of the Proposed Development or utilized in the interior public spaces of the new building.

- The applicant would consult with OPRHP regarding the design of the new building, as well as regarding the incorporation of references to the Old Croton Aqueduct in the design of the entrance plaza to the new building.
- A Construction Protection Plan (CPP) would be prepared in coordination with a licensed professional engineer for historic buildings within 90 feet of the Proposed Development Site. The CPP would meet the requirements specified in the New York City Department of Buildings (NYCDOB) Technical Policy Procedure Notice #10/88 concerning procedures for avoidance of damage to historic structures resulting from adjacent construction. This plan would be submitted to OPRHP for review and approval prior to implementation. It should also be noted that the Proposed Development would occur adjacent to a building that is located within a NYCLPC historic district, and its construction would therefore be subject to implementing the same standard construction protection measures required for buildings designated as landmarks, as described further under the “Construction” section of Chapter 5, “Historic Resources”.

The applicant has agreed to undertake all of the above measures. The HABS documentation was prepared and submitted to OPRHP, which accepted and signed off on it in a letter dated July 8, 2010 (refer to Appendix A).

It is also expected that the sponsor would enter into a Memorandum of Understanding (“MOU”) with the OPRHP acting as the State Historic Preservation Officer, the New York City Department of Housing Preservation and Development (NYCHPD) and potentially the Advisory Council on Historic Preservation and other parties. NYCHPD anticipates providing a construction loan to facilitate the proposed project. The construction loan would likely be comprised of federal funding from HUD. Under 24 CFR Part 58, NYCHPD assumes the responsibilities for environmental review, decision-making and action that would otherwise apply to HUD. Accordingly, NYCHPD is required to conduct environmental reviews under the laws and rules which apply to HUD programs and policies, including the National Environmental Policy Act (NEPA) and related Federal Laws, Executive Orders and Rules, including the National Historic Preservation Act (36 CFR Part 800). The MOU will be executed as the result of the consultation process required pursuant to Section 106 of the National Historic Preservation Act.

NYCLPC, upon review of the OPRHP evaluation, has also concurred that the above measures should be incorporated. With implementation of the above measures, the identified significant adverse direct impact to historic architectural resources would be partially mitigated. However, despite these measures, this impact would not be completely eliminated. Therefore, it would constitute an unavoidable significant adverse impact on this historic resource as a result of the Proposed Action (refer to Chapter 14, “Unavoidable Adverse Impacts”).

### **Mitigation for Indirect Impact**

As described in Chapter 5, “Historic and Cultural Resources,” the Proposed Development would result in a significant adverse indirect contextual impact to historic resources, as its modern massing, façade materials, and fenestration would differ from the historic rowhouses and apartment buildings prevalent in the historic district. However, as the Proposed Development would not obstruct important views to the Sugar Hill historic district, which would continue to be visible from all streets throughout the study area, nor would the Proposed Action alter the street grid so that the approach to the historic district changes, it would not result in a significant adverse

impact to visual resources. As such, the Proposed Development results in a significant adverse indirect contextual impact to historic resources. Because the design of the proposed building is still evolving, as noted above, one of the measures identified to partially mitigate the significant adverse direct impact on historic architectural resources is for the applicant to consult with the OPRHP regarding the final design of the new building. As part of that process, further measures may be identified to partially mitigate this significant adverse indirect impact, and as a result, some of the building's treatment or design elements, such as its cantilever, fenestration, and façade materials and color, may be modified. However, if design changes that are feasible or practicable given the applicant's goals and objectives are not identified to fully mitigate this impact, it would constitute an unmitigable significant adverse impact on this historic resource as a result of the Proposed Action (refer to Chapter 14, "Unavoidable Adverse Impacts").

In a letter dated August 25, 2010 (refer to Appendix A of this document), SHPO indicated that they have no further comments on the above mitigation measures.

### **C. HAZARDOUS MATERIALS**

As discussed in Chapter 8, "Hazardous Materials," a Phase I Environmental Site Assessment (ESA) was prepared in March 2008 for the Proposed Development Site, which identified the site as having recognized environmental conditions that could affect the property. These include the current and historical use of the Proposed Development Site for auto related operations, use of the eastern adjacent property as a gasoline filling station and auto repair shop and the southwestern adjacent property as a garage; suspect petroleum staining on the floor; and the potential presence of underground storage tanks at the site.

The Phase I ESA was reviewed by NYCDEP's Office of Environmental Planning and Assessment, and a restrictive declaration was recommended by NYCDEP, due to the potential presence of hazardous materials on the site as a result of past and present on-site land uses. The declaration requires the preparation of a Phase II Workplan and a Health and Safety Plan for NYCDEP's review and approval. The restrictive declaration is binding upon the property's successors and assigns. The declaration serves as a mechanism to assure the potential for hazardous material contamination that may exist in the sub-surface soils and groundwater on the project site would be characterized prior to any site disturbance (i.e., site grading, excavation, demolition, or building construction).

In order to avoid significant adverse impacts with respect to hazardous materials, the applicant has executed and recorded a restrictive declaration that conforms with the requirements of NYCDEP. The restrictive declaration requires that the applicant (and any future owner) undertake a testing and sampling protocol to remediate any hazardous materials to the satisfaction of the NYCDEP prior to the issuance of any building permit. Should the testing identify any significant hazardous materials issues requiring remediation, the restrictive declaration would obligate the applicant to perform the remediation work recommended by NYCDEP. The scope of the investigation will be subject to NYCDEP approval, as will the need for any subsequent measures to address potential contamination. The applicant would also commit to a site specific Health and Safety Plan on the portion of Lot 26 to be used as the entrance plaza in the Reciprocal Easement Agreement with the City.

The restrictive declaration for hazardous materials was executed on August 5, 2010 and submitted for recording on August 31, 2010. Pursuant to an email from NYCDEP dated August 31, 2010, NYCDEP is in receipt of a signed copy of a NYCDEP-approved restrictive declaration with proof of recording for the site.

Accordingly, with the implementation of the preventative and remedial measures for the Proposed Development Site (through the use of a restrictive declaration), no significant adverse impacts related to hazardous materials would result from the Proposed Action and resultant construction activities on the Proposed Development Site. Following construction, there would be no potential for the Proposed Development to have significant adverse impacts.