

**A. INTRODUCTION**

This attachment considers the potential of the proposed Lambert Houses project to affect architectural and archaeological resources. The proposed project would facilitate the demolition of the Lambert Houses buildings in the Bronx, and the redevelopment of the Development Site with a combination of affordable housing, retail, and a possible school.

The analysis characterizes existing conditions, evaluates changes to historic and cultural resources that are expected to occur independent of the proposed actions, and identifies and addresses any potential impacts to historic and cultural resources associated with the proposed actions. As described in detail below, the proposed actions would not be anticipated to result in significant adverse impacts to historic and cultural resources, with one potential exception, noted below.

As described in more detail in Chapter 6, “Shadows,” the east façade windows of the Beck Memorial Presbyterian Church (S/NR-eligible, NYCL-eligible), adjacent to Parcel 3, would receive between two and a quarter and four and a half hours of incremental shadow from the proposed project in the mornings, depending on the season. At times, the new shadow would eliminate the remaining sunlight from the east windows of the church. Therefore, given the substantial extent and duration of incremental shadows, the proposed project could cause significant adverse shadows-related impact to this historic resource, if the windows are uncovered by shutters and viewable from within a public space in the church interior. As described in detail below, the building is currently closed and no information is currently available regarding plans to re-open the church or make building repairs in the near future or by the 2029 build year for the proposed project.

**B. REGULATORY CONTEXT**

Both the National Environmental Policy Act (NEPA) and the State Environmental Quality Review Act (SEQRA) require the consideration of potential impacts to historic resources. In addition, potential effects on historic resources are considered in conformance with Section 106 and the New York State Historic Preservation Act of 1980 (SHPA). In addition, the New York City Landmark Law and potential impacts to New York City Landmarks (NYCLs) and New York City Historic Districts (NYCHDs) have been considered.

**NATIONAL HISTORIC PRESERVATION ACT (SECTION 106)**

The National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. This process, commonly referred to as Section 106 review, provides for review of any federally licensed, financed, or assisted undertaking. Because federal funds administered by the U.S. Department of Housing and Urban Development (HUD)

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would be used to achieve the project, this assessment of historic resources was prepared pursuant to Section 106.

Section 106, as implemented by federal regulations appearing at 36 Code of Federal Regulations (CFR) Part 800, mandates that federal agencies take into account the effect of their actions on any properties listed on or determined eligible for listing on the National Register of Historic Places (NR) and afford the federal Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings. Federal agencies, in consultation with SHPO, as well as other consulting parties where appropriate, must determine whether a proposed action would have any effects on the characteristics of a site that qualify it for the State and National Registers of Historic Places (S/NR) and seek ways to avoid, minimize, or mitigate any adverse effects. The Section 106 process includes the following:

- All properties that may be affected by the project and that are included in or eligible for the NR must be identified in consultation with SHPO. If properties are found that may be eligible for the NR, but for which no determination has yet been made, the agency consults with SHPO to determine eligibility or ineligibility.
- If there are such properties, and there is a potential for effects, any potential adverse effects of the proposed project on each property must be evaluated, in consultation with SHPO, by applying the criteria of adverse effect (36 CFR § 800.5(a)).
- In general, a proposed project is deemed to have an adverse effect if it would diminish the characteristic of the property that qualified it for inclusion in the NR.

If the analysis indicated that the proposed project would have an adverse effect, ACHP is notified, and SHPO and other consulting parties are consulted to seek agreement on ways to avoid, minimize, or mitigate effects. This mitigation is typically implemented through either a Memorandum of Agreement (MOA) or PA. ACHP may choose to participate in the consultation when there are substantial effects on important historic properties, when a case presents important questions of policy or interpretation, when there is a potential for procedural problems, or when there are issues of concern to Native American tribes or Native Hawaiian organizations. ACHP must be invited to participate when the federal agency sponsoring the project requests ACHP's involvement, when the project would have an adverse effect on a National Historic Landmark (NHL), or when a PA will be prepared.

PAs may be used when effects on historic properties are similar and repetitive or are multi-state or regional in scope, when effects on historic properties cannot be fully determined prior to approval of an undertaking, or where other circumstances warrant a departure from the normal Section 106 process, among other reasons. In addition, the federal agency sponsoring the project may request an advisory opinion if it wishes.

Execution of the MOA or PA and implementation of the terms therein satisfy the requirement of Section 106 that ACHP be given a reasonable opportunity to comment on the undertaking as well as demonstrated that the federal agency has taken into account the effects of the action.

The review under Section 106 can be conducted in coordination with analyses conducted for NEPA, and where consistent with the procedures set forth in 36 CFR Part 800, information developed for the NEPA environmental review may be used to meet the requirements of Section 106. The views of the public are essential to informed federal decision-making in the Section 106 process, and therefore, the public should be informed about, and given the opportunity to comment on, the project and its effects on historic properties. An agency may use its procedures

for public involvement under NEPA if those procedures provide adequate opportunities for public involvement consistent with 36 CFR Part 800.

In addition, Section 110 of NHPA addresses federal agencies' responsibility to preserve and use historic properties. Section 110(f) mandates additional protection for NHLs by requiring that federal agencies exercise a higher standard of care when considering undertakings that may directly and adversely affect NHLs. Section 110(g) allows agencies to include costs of preservation as project costs. Further, Section 110(a)(2) requires, among other things, that an Agency's procedures for compliance with Section 106: 1) be consistent with ACHP's regulations, and 2) provide a process for identification and evaluation of historic properties and development and implementation of agreements about how adverse effects on historic properties will be concerned.

HPD began the review of the proposed project on September 18, 2015 by publishing its lead agency letter, a Positive Declaration indicating that a Draft Environmental Impact Statement (DEIS) would be prepared, and a Draft Scope of Work. A Notice of Intent to Prepare an Environmental Impact Statement for the project was also issued (by HUD) in the Federal Register on September 30, 2015. These notices also invited the public and interested persons to comment on the scope of work for the EIS in writing and at a public scoping meeting. Notice of the public scoping meeting also appeared in DEC's ENB on September 23, 2015.

The public scoping meeting took place on Wednesday, October 21, 2015 at 4:00 PM in the Daly Community Room located at 921 East 180th Street, Bronx, NY, and served as an opportunity to submit comments regarding historic resources and Section 106 review. No comments were received.

Review of the project continued with publication of the DEIS. The Notice of Completion and Notice of Availability for the DEIS was issued on April 22, 2016, and published in the City Record and NYS Environmental Notice Bulletin (ENB) on April 27, 2016, and in the Federal Register on June 24, 2016. The Notice of Public Hearing on the DEIS was published in two newspapers of general circulation on July 20, 2016. A public hearing on the DEIS was held on August 10, 2016, concurrently with the Uniform Land Use Review Procedure (ULURP) public hearing held by the New York City Planning Commission (CPC) at Spector Hall, 22 Reade Street, New York, NY 10007. Oral and written comments were accepted at the hearings and throughout the public comment period, which remained open until August 22, 2016. Since the proposal is subject to Section 106 of the National Historic Preservation Act of 1966, the DEIS public hearing notice published on July 20, 2016 included a request for any individuals and/or organizations interested in participating as Section 106 Consulting Parties to indicate such interest at the public hearing or through written correspondence to Lead Agency no later than August 22, 2016. No comments were received.

## **STATE HISTORIC PRESERVATION ACT**

SHPO closely resembles NHPA, and requires that state agencies consider the effect of their actions on properties listed on or determined eligible for listing on the State Register of Historic Places. Compliance with Section 106 satisfies the requirements of SHPA, set forth in Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law.

## **NEW YORK CITY LANDMARKS LAW**

LPC designates historically significant properties in New York City as NYCLs and/or NYCHDs, following the criteria provided in the Local Laws of the City of New York, New York City Charter, Administrative Code, Title 25, Chapter 3. Properties designated as NYCLs or NYCHDs are protected under the NYCL Law, which requires LPC review and approval before any alterations or demolition can occur. Although the NYCL Law is not applicable to the proposed project, potential impacts to NYCLs and NYCHDs have been considered.

## **C. METHODOLOGY**

### **IDENTIFICATION OF THE AREA OF POTENTIAL EFFECT**

First, a study area or area of potential effect (APE) is defined based on the characteristics of the Proposed Action and the context in which it takes place. In general, potential effects on historic or architectural resources can include both direct physical effects (e.g., demolition, alteration, or damage from construction on nearby sites) and indirect, contextual effects, such as the isolation of a property from its surrounding environment, or the introduction of visual, audible, or atmospheric elements that are out of character with a property or that alter its setting.

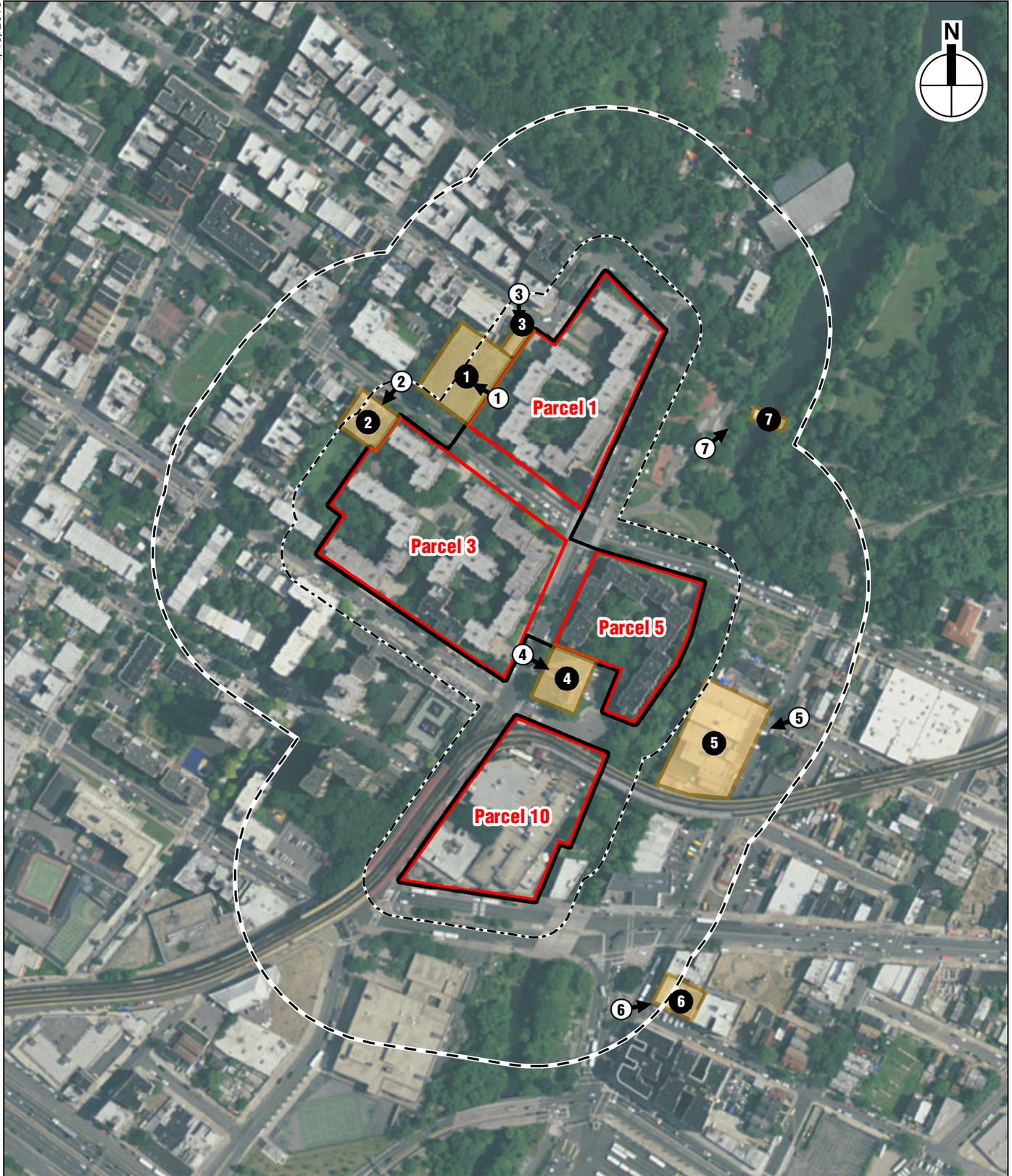
The APE for archaeological resources is the area of planned construction and disturbance within the Development Site (see **Figure 7-1**). In a comment letter dated August 29, 2014, LPC determined that the Development Site has no archaeological significance (see **Appendix 7**). SHPO was contacted for its preliminary evaluation of the APE's archaeological sensitivity on September 18, 2014. In a letter dated March 17, 2016, SHPO noted it had reviewed the DEIS analysis. No archaeological concerns were raised.

Based on potential effects due to on-site construction activities, and also to account for the project's potential visual and/or contextual impacts, the APE for architectural resources was defined as extending 400 feet from the Development Site (see **Figure 7-1**).

### **IDENTIFICATION OF HISTORIC PROPERTIES/STRUCTURES**

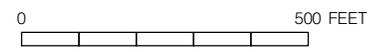
Once the APE is defined, a list of officially recognized historic resources within the APE is compiled. Consistent with the guidance of the *CEQR Technical Manual*, this includes: New York City Landmarks (NYCL), Interior Landmarks, Scenic Landmarks, New York City Historic Districts (NYCHD); resources calendared for consideration as one of the above by the New York City Landmarks Preservation Commission (LPC); resources listed on or formally determined eligible for inclusion on the State and National Registers of Historic Places (S/NR), or contained within a district listed on or formally determined eligible for listing on the Registers; resources recommended by the New York State Board for listing on the Registers; and National Historic Landmarks (NHL). A list of potential historic resources within the APE is also compiled. These are identified based on field surveys of the APE and, where available, information from historic societies or preservation organizations with knowledge of the area. Potential historic resources comprise properties that may be eligible for listing on the S/NR and/or designation as NYCLs.

The National Register Criteria for Evaluation are found in 36 CFR Part 60. Following these criteria, districts, sites, buildings, structures, and objects are eligible for the S/NR if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:



-  Development Site
-  Study Area (90-Foot Boundary)
-  Study Area (400-Foot Boundary)

-  Known Historic Resource
-  Photograph View Direction and Reference Number



- A. are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. are associated with the lives of significant persons in our past; or
- C. embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. have yielded, or may be likely to yield, information important in history or prehistory.

Properties that have been constructed within the last 50 years are ordinarily not eligible. Determinations of eligibility are made by SHPO. Generally, all properties that are listed on the NR are listed on the State Register, which has the same criteria for evaluation as the NR.

Buildings, properties, or objects are eligible for designation as an NYCL or NYCHD when a part is at least 30 years old. Landmarks have a special character or special historical or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the City, State, or nation. There are four types of NYCLs: individual, interior, historic district, and scenic.

Known and potential historic resources are identified and described below in Section D, “Existing Conditions.”

#### **ASSESSMENT OF POTENTIAL EFFECTS ON HISTORIC RESOURCES**

Once the historic resources in the APE are identified, the effects of the project on those resources are assessed. As described above, project effects on known historic resources and those potential resources determined to meet eligibility criteria for listing on the NR identified in this section may include both physical and contextual effects. Direct effects could include physical destruction, damage, or alteration of a historic resource. In addition, visual effects, such as changes in the appearance of a historic resource or in its setting—including introduction of incompatible visual, audible, or atmospheric elements to a resource’s setting—are considered.

Consistent with the guidance of the 2014 *CEQR Technical Manual*, in order to determine whether the proposed project could potentially affect architectural resources, this attachment considers whether the proposed project would result in a physical change to any resource, a physical change to the setting of any resource (such as context or visual prominence), and, if so, whether the change is likely to alter or eliminate the significant characteristics of the resource that make it important. More specifically, as set forth in the *CEQR Technical Manual*, potential impacts to architectural resources may include the following:

- Physical destruction, demolition, damage, alteration, or neglect of all or part of an historic property;
- Changes to an architectural resource that cause it to become a different visual entity;
- Isolation of the property from, or alteration of, its setting or visual relationships with the streetscape, including changes to the resource’s visual prominence;
- Introduction of incompatible visual, audible, or atmospheric elements to a resource’s setting;
- Replication of aspects of the resource so as to create a false historical appearance;
- Elimination or screening of publicly-accessible views of the resource;

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- Construction-related impacts, such as falling objects, vibration, dewatering, flooding, subsidence, or collapse; and
- Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over an historic landscape or on an historic structure (if the features that make the resource significant depend on sunlight) to the extent that the architectural details that distinguish that resource as significant are obscured.

The criteria of adverse effect contained in the Code of Federal Regulations, Title 36, Part 800 were also applied to historic and cultural resources that may be affected by the proposed actions, so that this analysis may be used as the basis for further review of the proposed actions pursuant to Section 106.

## **D. EXISTING CONDITIONS**

### **DEVELOPMENT SITE**

The Development Site is approximately 11.7 acres in size and includes portions of four blocks in the West Farms neighborhood of the Bronx, just south of the Bronx Zoo. It is roughly bounded by Bronx Park South to the north, the Bronx River and Bronx Street to the east, East Tremont Avenue to the south, and Vyse Avenue to the west. It comprises the following blocks and lots: Block 3132, Lot 1; Block 3138, Lot 1; Block 3139, Lots 1, 19, and 50; and Block 3140, Lot 7. The Development Site contains Parcels 1, 3, 5, and 10 of the Bronx Park South Large Scale Residential Development (LSRD) (see **Figure 7-1**). There are five groups of six-story residential buildings, one two-story building containing retail use, and 375 parking spaces in a structured parking facility within this portion of the Development Site. The Development Site also includes a small City-owned triangular parcel at the intersection of East Tremont Avenue and Boston Road that currently contains some seating and several trees.

There are no known or potential architectural resources within the Development Site. In a comment letter dated August 29, 2014, LPC determined that the Development Site has no architectural significance. In a comment letter dated October 21, 2014, SHPO determined that the Lambert Houses development is not eligible for listing on the National Register owing to alterations to the buildings. (See **Appendix 7**.)

### **STUDY AREA**

In its comment letter dated October 21, 2014, SHPO determined that the following buildings within the APE are eligible for listing on the State and National Registers of Historic Places:

- Old West Farms Soldier Cemetery;
- Beck Memorial Presbyterian Church;
- New Tabernacle Baptist Church;
- Peabody Home for Aged and Indigent Women; and
- Former Bronx Consumers Ice Company.

In a comment letter dated September 23, 2015, LPC determined that the Beck Memorial Presbyterian Church and the Peabody Home for Aged and Indigent Women appear to be eligible for New York City Landmark designation. In a comment letter dated March 8, 2016, LPC

determined that the former Bronx Consumers Ice Company appears not eligible for listing on the Registers. There are two other known architectural resources located within the APE. These resources are described below and mapped on **Figure 7-1**. No potential architectural resources were identified within the APE.

*OLD WEST FARMS SOLDIER CEMETERY (S/NR-ELIGIBLE, NYCL)*

The Old West Farms Soldier Cemetery is the oldest public veterans' burial ground in the Bronx. Among shade trees with a wire-fenced enclosure, the remains of 40 veterans of four wars (The War of 1812, the Civil War, the Spanish-American War, and World War I) lie beneath well-marked stones within the 2/3-acre site (Resource No. 1 on **Figure 7-1**, see Photograph 1 of **Figure 7-2**). West Farms Cemetery was founded in 1815 on land purchased the year before by John Butler, who had plots laid out for a private burial ground. The Butler family retained control of the cemetery until 1954, when the City assumed possession on a "quit claim" deed. The burial ground has been maintained by a Civil War Memorial committee, which was reconstituted about 1950. The cemetery meets Criterion A for representing the community's interest in creating burial grounds specifically as the final resting place for local veterans.

*BECK MEMORIAL PRESBYTERIAN CHURCH (S/NR-ELIGIBLE, NYCL-ELIGIBLE)*

Beck Memorial Presbyterian Church (Resource No. 2 on **Figure 7-1**, see Photograph 2 of **Figure 7-2**), located at 980 East 180th Street, was organized in 1814 as the Bronx's first Presbyterian congregation. The first church on the site was built in 1815 and served the congregation until 1895, and a new Late Gothic Revival church was built immediately north of the original church in 1905. The church was named in honor of Charles Bathgate Beck, who donated funds for the new structure. The church meets Criterion C as an outstanding example of Late Gothic Revival style ecclesiastical design. The rough-coursed cut fieldstone church has a modified T-shape plan and side bell tower. The double-door entrance on the north façade is recessed behind a Tudor-arched portico decorated with crockets and a finial. Above the entrance portico is a large, pointed-arch window. This and other windows are currently covered with metal sheathing. The church and bell tower feature rectangular-slit windows, and the upper portion of the tower is clad in terra cotta.

*NEW TABERNACLE BAPTIST CHURCH (S/NR-ELIGIBLE)*

The former Swedish Evangelical Emmanuel Church and rectory at 992 East 181st Street (Resource No. 3 on **Figure 7-1**, see Photograph 3 of **Figure 7-3**) were designed by Walfrid Erickson and dedicated in 1925. Today, the building is owned by the New Tabernacle Baptist Church. The building meets Criterion C as an outstanding local example of the Late Gothic Revival style. The front (north) and east facades are clad in light-colored brick laid in Flemish bond. The rear elevation is red brick in American bond. The double-door front entrance portal is set under an archivolt with blind arcading above and flanked by piers capped with pinnacles. The upper portion of the façade has a Tudor-arched stained-glass window with tracery and stone quoin surrounds. The attached rectory is a two-and-one-half story building clad in light-colored brick. The complex may also meet Criterion A in the area of ethnic heritage for its historic association with the Swedish-American community.



Old West Farms Soldier Cemetery 1



Beck Memorial Presbyterian Church 2



New Tabernacle Baptist Church and Rectory 3



Peabody Home for Aged and Indigent Women 4

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### *PEABODY HOME FOR AGED AND INDIGENT WOMEN (S/NR-ELIGIBLE, NYCL-ELIGIBLE)*

The former Peabody Home for Aged and Indigent Women at 2064 Boston Road (Resource No. 4 on **Figure 7-1**, see Photograph 4 of **Figure 7-3**) was built in 1901 to the design of architect Edward A. Sargent (1842-1914). The three-story brick building with notable masonry details meets Criterion C as an outstanding example of Neo-Gothic style institutional architecture. The building is also meets Criterion A in the area of social history as an important social welfare institution that was founded in 1874 as a free and non-sectarian institution for destitute women over the age of 65. The building is currently in use as the Bronx River Arts Center.

### *FORMER BRONX CONSUMERS ICE COMPANY (S/NR-ELIGIBLE<sup>1</sup>)*

The former Bronx Consumers Ice Company building at 425 Devoe Avenue (Resource No. 5 on **Figure 7-1**, see Photograph 5 of **Figure 7-4**) is a good example of a circa 1920 commercial warehouse in the Bronx. The main core of the brick building has five parts, consisting of a central three-story structure with a flat parapet roof, flanked by two, two-story flat roof bays, connected to two, two-story end bays with semi-circular parapets. The extension to the south consists of a series of one-story structures that mimic the main core of the building- a central bay flanked by end bays with semi-circular parapets- but on a smaller scale. Decorative details include stone sills, stone-capped piers flanking the end bays with semi-circular parapets, some original windows, and geometric stone and brick motifs on the end bay facades.

### *U.S. POST OFFICE, WEST FARMS STATION (S/NR-ELIGIBLE)*

The West Farms Station post office at 362 Devoe Avenue (Resource No. 6 on **Figure 7-1**, see Photograph 6 of **Figure 7-4**) was constructed in 1935-1936 and designed by Lorimer Rich during his tenure at the Office of the Supervising Architect of the Treasury Department. The building is similar in design to the Kensington Station post office in Brooklyn also by Rich and constructed at the same time. It is a 2-story red brick structure with stone lintels and sills at the square second-floor and elongated first-floor windows. There is a shallow portico with Doric columns surrounding the main entrance on Devoe Avenue.

### *182ND STREET DAM, BRONX RIVER (S/NR-ELIGIBLE)*

The 182nd Street Dam (Resource No. 7 on **Figure 7-1**, see Photograph 7 of **Figure 7-5**) is the central focus of River Park, a DPR park at the intersection of Boston Road and 180th Street. The current concrete and masonry dam is 26 feet high and 90 feet wide. It has a natural rock cascade set into the dam face and a deep plunge pool at its base. The dam forms a wide lake to the north of the park. Stone walls flank the dam on either side. The eastern side of the dam still contains mill foundations. There is a break in the dam on the western side where the former gate house was located. Some scholars suggest that this is the earliest dam site on the Bronx River. Although debatable, this may be the site of the first mill built on the Bronx River by Jonas Bronch in 1639. In 1680 William Richardson and Associates built a saw and grist mill on this site. The mills burned in 1845 and were rebuilt the following year. The new dam created an artificial lake that extended north to Bronxdale. The lake became a popular recreation spot during the early 20th century. In 1910, the dam was repaired and the natural rock cascade was

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<sup>1</sup> Determination by SHPO; LPC determination is that the building does not appear S/NR eligible.



Former Bronx Consumers Ice Company 5



U.S. Post Office, West Farms Station 6



182nd Street Dam, Bronx River 7

added. Recently, a fish ladder was created at the dam, to enable migratory fish such as alewives and blue back herring to spawn in the freshwater upstream. The 182nd Street Dam meets National Register Criterion A in the area of settlement for the role it played in the early development of this portion of the Bronx. It may also be significant for its association with the recreational history of the area during the early 1900s.

## **E. THE FUTURE WITHOUT THE PROPOSED PROJECT**

Absent the proposed actions, the proposed Development Site will continue in active use as in the existing condition.

Two planned development projects are expected to be completed within the 400-foot study area by the 2029 analysis year; one at 1932 Bryant Avenue, on the triangular block bounded by East Tremont Avenue, Bryant Avenue, and Boston Road; the other at 1939 West Farms Road. Neither project appears to be located within 90 feet of architectural resources, and thus would not be expected to have the potential to directly (physically) affect historic resources during construction activities.

In the future without the proposed project, the condition of other architectural resources within the study areas could change. Architectural resources that are listed on the National Register or that have been found eligible for listing are given a measure of protection from the effects of federally sponsored or 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 State Register are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the State Historic Preservation Act. Private property owners using private funds can, however, alter or demolish their properties without such a review process. Privately owned sites that are NYCLs or within New York City Historic Districts are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition can occur.

## **F. PROBABLE IMPACTS OF THE PROPOSED PROJECT**

### **DEVELOPMENT SITE**

The proposed project would redevelop the Development Site with: 1,665 residential units (934 units over the No Action condition), all affordable; approximately 61,100 sf of retail (21,610 sf over the No Action condition); a new 500-seat public elementary school of approximately 86,608 sf on a portion of Parcel 10; and 110 parking spaces.

The proposed construction within the Development Site would not entail the demolition of any known or potential architectural resources. Furthermore, as discussed below, the proposed project would not have any direct, physical impacts on known or potential architectural resources in the study area, as a result of the implementation of a Construction Protection Plan (CPP).

## **STUDY AREA**

### *DIRECT IMPACTS*

Using the *CEQR Technical Manual* direct impact criteria noted above, the proposed development within the Development Site would not result in the replication of aspects of any of the architectural resources in the study area so as to cause a false historical appearance, or the introduction of significant new shadows or significant lengthening of the duration of existing shadows over historic landscapes or structures. As described in Chapter 6, “Shadows,” the proposed project would result in both incremental and reduced shadows on the West Farms Soldier Cemetery and the New Tabernacle Baptist Church, but the incremental shadows were not determined to create a significant adverse effect on these resources. There would be no physical changes to any of the architectural resources identified above.

There are four historic resources located within 90 feet of the Development Site, and thus would be within the area of potential construction-related project impacts (see **Figure 7-1**):

- West Farms Soldier Cemetery. The cemetery is located within 90 feet of proposed buildings 1B and 1D on Parcel 1.
- New Tabernacle Baptist Church. The New Tabernacle Church is located within 90 feet of proposed building 1B on Parcel 1.
- Beck Memorial Presbyterian Church. The Beck Memorial Presbyterian Church is located within 90 feet of building 3A on Parcel 3.
- The former Peabody Home for Aged and Indigent Women. This resource is located within 90 feet of the Lambert Houses open space that would be located on Parcel 5.

Therefore, to avoid inadvertent demolition and/or construction-related damage to these resources from ground-borne construction-period vibrations, falling debris, collapse, etc., these buildings would be included in a CPP for historic structures that would be prepared in coordination with SHPO and LPC and implemented in consultation with a licensed professional engineer. The CPP would be prepared as set forth in Section 523 of the *CEQR Technical Manual* and in compliance with the procedures included in the DOB’s TPPN #10/88 and LPC’s *Guidelines for Construction Adjacent to a Historic Landmark and Protection Programs for Landmark Buildings*. Provisions of the 2014 New York City Building Code also provide protection measures for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Further, Building Code Chapter 3309.4.4 requires that “historic structures that are contiguous to or within a lateral distance of 90 feet...from the edge of the lot where an excavation is occurring” be monitored during the course of excavation work. The CPP would be prepared and implemented prior to demolition and construction activities on the Development Site and project-related demolition and construction activities would be monitored as specified in the CPP.

### *INDIRECT IMPACTS*

The proposed project would not isolate any architectural resource from its setting or visual relationship with the streetscape, or otherwise adversely alter a historic property’s setting or visual prominence. The proposed buildings would be of a comparable height to the existing taller buildings in the surrounding area, and of a comparable footprint to the structures currently located within the Development Site itself. The proposed new buildings within the Development Site would not introduce incompatible visual, audible, or atmospheric elements to a resource’s

setting. The proposed residential, retail, and school uses of the development are comparable with the use of many of the historic buildings in the study area. The proposed project would not eliminate or screen significant publicly accessible views of any architectural resource.

As described in more detail in Chapter 6, “Shadows,” the east façade windows of the Beck Memorial Presbyterian Church (S/NR-eligible, NYCL-eligible), adjacent to Parcel 3, would receive between two and a quarter and four and a half hours of incremental shadow from the proposed project in the mornings, depending on the season. At times, the new shadow would eliminate the remaining sunlight from the east windows of the church. Therefore, given the substantial extent and duration of incremental shadows, the proposed project could cause significant adverse shadows-related impacts to this historic resource, if the windows are uncovered by shutters and viewable from within a public space in the church interior. The building is currently closed and no information is currently available regarding plans to re-open the church or make building repairs in the near future or by the 2029 build year for the proposed project. Therefore, as detailed in Chapter 6, “Shadows,” and Chapter 21, “Mitigation,” since no mitigation measures can be identified at this time to address the potential shadows impact on the church, the impact would remain unmitigated.

In summary, with the potential exception of the incremental shadow on the Beck Memorial Presbyterian Church, the proposed project would not be anticipated to have any significant adverse impacts on historic and cultural resources with the preparation and implementation of a CPP for architectural resources located within 90 feet of the Development Site. ~~The project sponsors are also undertaking continuing consultation with OPRHP pursuant to Section 106 and Section 14.09.~~ \*