

A. INTRODUCTION

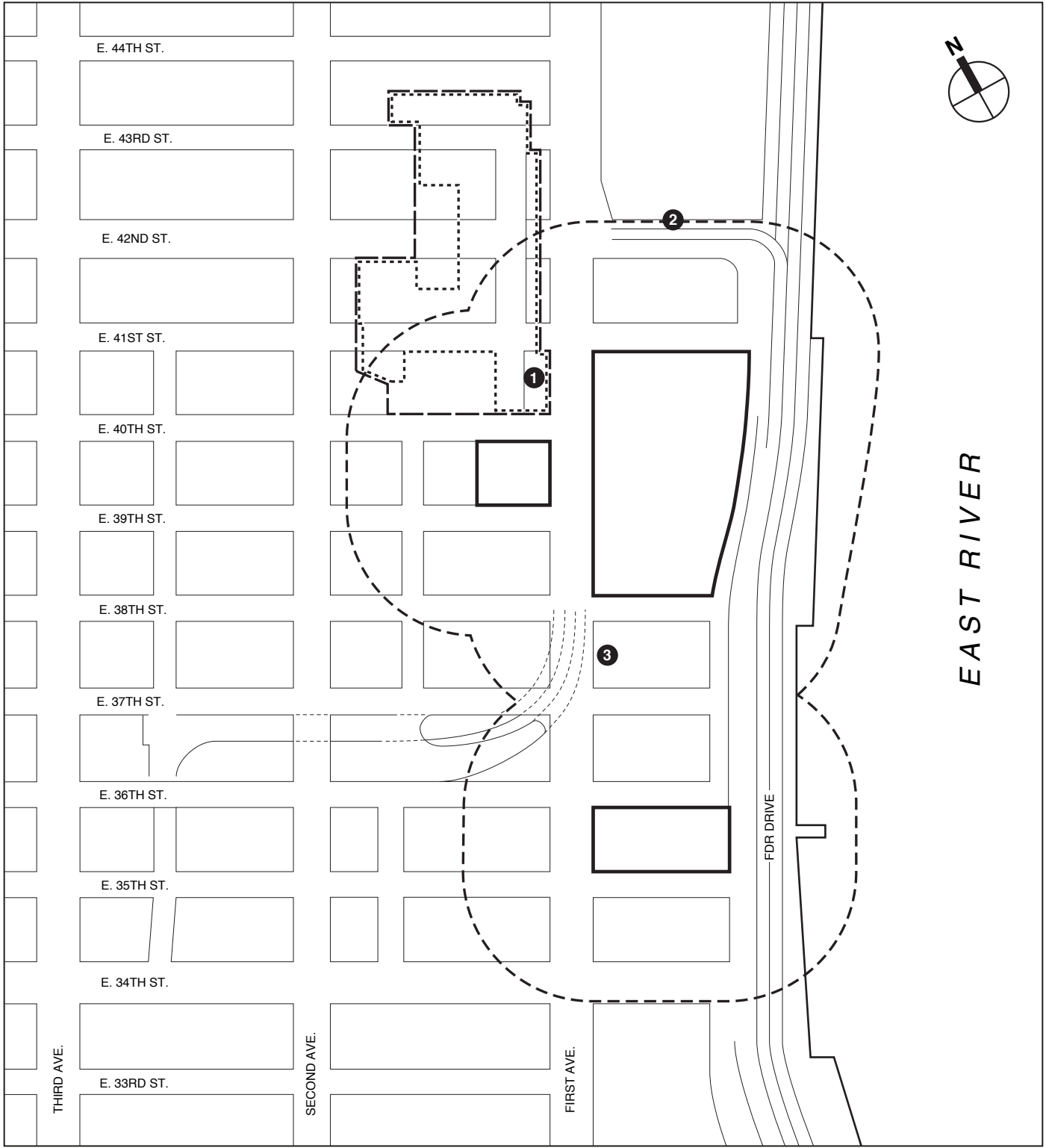
The FGEIS analysis concluded that the sale and redevelopment of the First Avenue parcels would not result in significant adverse impacts to historic resources. This chapter assesses whether changes in background conditions since the FGEIS, newly proposed zoning actions, or differences in program elements and site design between the development programs assessed in the FGEIS and the proposed development program would alter the FGEIS findings with respect to impacts.

Historic resources include both archaeological and architectural resources. The study area for archaeological resources would be the area disturbed for project construction, the development parcels themselves. The study area for architectural resources includes the four development parcels and the area within 400 feet (e.g., where construction activities might physically alter a historic structure or where construction may be close enough to a historic structure to potentially cause structural damage), based on the assumption that direct impacts of any significance would not occur outside this study area (see Figure 7-1). This study area also accounts for indirect impacts (e.g., changes to the visual context of an architectural resource).

Within the study area, architectural resources analyzed include properties listed on the State and National Registers of Historic Places (S/NR) or properties determined eligible for S/NR listing, National Historic Landmarks (NHLs), New York City Landmarks (NYCLs) and Historic Districts, and properties determined eligible for landmark status. In addition, other properties in the study area were evaluated for their potential S/NR or NYCL eligibility. On the development parcels, there are no designated NYCLs or properties listed, or determined eligible for listing, on the Registers.

B. CONCLUSIONS OF THE FGEIS




In accordance with SEQRA regulations and Section 14.09 of the New York State Historic Preservation Act of 1980, consultation was undertaken with the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) regarding the identification of historic resources and the assessment of impacts. Consultation was also undertaken with the New York City Landmarks Preservation Commission (LPC). Agency determinations were documented in the FGEIS, which concluded that no significant adverse impacts on architectural and archaeological resources would occur from either the As-of-Right Development Scenario or the three prototypical programs associated with the Rezoning Scenario. In a letter dated August 9, 2001, LPC determined that the development parcels do not possess any archaeological significance. OPRHP determined in a letter dated June 18, 2001 that none of the buildings on the four development parcels are eligible for S/NR listing and there are no historic preservation issues associated with the development parcels.

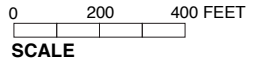


EAST RIVER

FDR DRIVE

-  *Development Parcel*
-  *400-Foot Perimeter*
-  *Tudor City Historic District (S/NR)*
-  *Tudor City Historic District (NYCL)*

-  *Windsor Tower*
-  *United Nations Headquarters*
-  *Kips Bay Brewery*



The Location of Tudor City,
Kips Bay Brewery,
and The United Nations Headquarters
Figure 7-1

The FGEIS concluded that the one known historic resource in the study area, the Tudor City Historic District (NYCL, S/NR), would not be significantly affected, although the prototypical programs would mark a change in context for Tudor City. Potential physical impacts to Windsor Tower of Tudor City would be avoided through the development of a construction protection plan that would be prepared by the developer in consultation with OPRHP and implemented prior to construction. Further, the FGEIS concluded that there would be no adverse impacts on potential historic resources in the study area—the United Nations complex and the former Kips Bay Brewery—resulting from the As-of-Right Development Scenario or the three prototypical programs associated with the Rezoning Scenario. Any potential physical impacts to the former Kips Bay Brewery would be avoided by its inclusion in the construction protection plan.

The Stage 1A Archaeological Assessment (June 2001) concluded that none of the development parcels are sensitive for buried prehistoric or historic-period resources, and LPC concurred with that conclusion in a letter dated August 9, 2001. The report also found that the Waterside Station parcel (700 First Avenue [Waterside]) could contain a limited amount of the original electrical and steam generating equipment, dating from 1901-1906 (the dates of construction of Waterside No. 1 and Waterside No. 2). In a walk-through conducted with an industrial archaeologist, a few examples of retired equipment dating from this time period were identified. Consistent with the recommendations set forth in the PSC Order, this equipment was documented to Historic American Engineering Record (HAER) standards through photographic documentation and an accompanying narrative. In addition, HAER-level photographs were also taken of the exterior of the Waterside Station and of the interiors of the Waterside No. 1 and Waterside No. 2 control rooms. Those photographs, along with the photographs of the equipment and the historical narrative, were incorporated into one archival report.

C. EXISTING CONDITIONS

ARCHAEOLOGICAL RESOURCES

As described above, LPC determined that the development parcels are not sensitive for archaeological resources.

ARCHITECTURAL RESOURCES

DEVELOPMENT PARCELS

The development parcels are vacant. As described in the FGEIS, OPRHP determined that none of the structures formerly located on the development parcels were eligible for S/NR listing.

STUDY AREA

No further architectural resources have been identified in the 400-foot-study area in addition to those documented in the FGEIS. The study area contains the Tudor City Historic District (NYCL, S/NR) and two potential architectural resources—the United Nations complex and the former Kips Bay Brewery.

D. FUTURE WITHOUT THE PROPOSED ACTIONS

DEVELOPMENT PARCELS

In the future without the Proposed Actions, it is anticipated that the parking lot at 685 First Avenue will remain in its current condition. The Waterside Station was decommissioned and demolished,¹ and it is anticipated that all of the development parcels would remain vacant in the future without the Proposed Actions.

Since none of the development parcels are sensitive for below-grade archaeological resources, there would be no effects to archaeological resources resulting from ground-disturbing remediation activities.

STUDY AREA

Due to the international territory status of the United Nations, it is not expected that the buildings in this complex would receive S/NR designation in the near future. Since the complex is technically not located in New York City, it would also not be eligible for NYCL status in the near future. Because of the historical and architectural quality of the former Kips Bay Brewery, it is possible that this building would be found eligible for listing on the S/NR or designation as a NYCL, and/or become an S/NR site or NYCL in the future.

Historic resources that are listed on the State and National Registers 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 Registers are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the State Historic Preservation Act. Private owners of properties eligible for, or even listed on, the Registers can, however, alter or demolish their properties using private funds without such a review process. Privately owned properties that are NYCLs, in New York City Historic Districts, or pending designation as Landmarks are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition permit can be issued. Publicly-owned resources are also subject to review by LPC prior to the start of a project; however, LPC's role with other city agencies is advisory only.

EFFECTS OF OTHER PROJECTS

As described in Chapter 2, "Land Use, Zoning, and Public Policy" of this SEIS, several projects are planned for completion within the architectural resources study area by 2014. None of these projects will directly affect an architectural resource nor will they be located within the area of potential effect for construction-related damage (e.g. within 90 feet of an architectural resource).

¹ As described in the FGEIS, OPRHP determined that none of the development parcels contained structures eligible for the S/NR.

E. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

ARCHAEOLOGICAL RESOURCES

As described in the FGEIS, there would be no adverse impacts to archaeological resources since LPC determined that the development parcels are not sensitive for buried archaeological resources. To account for the little remaining early-20th-century equipment at the Waterside Station which was of industrial interest, the FGEIS indicated that a HAER-level photographic documentation and historical narrative would be prepared and placed in a public repository. This documentation has been prepared and it will be submitted to a repository to be determined.

ARCHITECTURAL RESOURCES

DEVELOPMENT PARCELS

As described in the FGEIS, OPRHP determined that none of the development parcels contained structures eligible for S/NR listing. The structures on the Waterside Parcel (700 First Avenue [Waterside]) have been demolished.

STUDY AREA

As described in the FGEIS, proposed development at 685 First Avenue would occur across East 40th Street within 90 feet of Windsor Tower, which is located within the Tudor City Historic District. Development of the Waterside Parcel would occur within 90 feet of the former Kips Bay Brewery, which is located across East 38th Street. Therefore, as described in the FGEIS, a construction protection plan would be developed in consultation with OPRHP and/or LPC to avoid inadvertent construction-related damage to Windsor Tower and the former Kips Bay Brewery.

The proposed development program would have buildings sited and massed differently from those of the prototypical development programs analyzed in the FGEIS. For example, 616 First Avenue would be developed with two buildings instead of one located toward the FDR Drive, there would be a building on the Waterside parcel at First Avenue and East 39th Street, and the building at 685 First Avenue would have a narrow rectangular footprint rather than an L-shaped or wide, square footprint. In addition, the proposed building at 685 First Avenue would be pulled back from both First Avenue and East 40th Street. That configuration on the 685 First Avenue parcel would allow for somewhat greater views of the south façade of Windsor Tower from First Avenue and East 40th Street. From farther south on First Avenue, the proposed building, like the buildings assumed under the FGEIS prototypical development programs, would block views of Windsor Tower from the east side of First Avenue in views north. These views were also assumed to be obstructed by the prototypical development programs analyzed in the FGEIS. Since, as concluded in the FGEIS, Windsor Tower is the only Tudor City building that would be blocked in this view, the proposed development program would not result in any significant adverse visual or contextual impacts to Tudor City.

As described in Chapter 6, “Shadows,” the proposed development program would have a significant adverse shadow impact on the December analysis day on the Tudor City open spaces. That impact, however, would not translate into a significant adverse historic resources impact. The shadow impact results from the project’s combined increment on the Tudor City parks and playgrounds, and the playgrounds are not part of the Tudor City Historic District. In addition,

much of the parks are covered in existing shadow during the December analysis day. Shadows on the parks, while they might lessen the usability of the parks as open space resources, do not obscure those features as defining elements of the Tudor City Historic District. Further, stained-glass windows in the Tudor City Historic District, the other sun-sensitive feature of the district, face away from the development parcels and would not be shadowed by development on the parcels.

The proposed development program would place two buildings on the southern portion of the Waterside Parcel, located across East 38th Street from the former Kips Bay Brewery. This development would result in tall buildings that would not differ significantly in height from those analyzed in the FGEIS and would be in keeping with prevailing development trends in the area. Therefore, the proposed development program would not result in significant adverse visual or contextual impacts to the Kips Bay Brewery.

The proposed development at 708 First Avenue would consist of a building that occupies a large portion of the full former city block bounded by the FDR Drive, First Avenue, and East 41st and 40th Streets. The 47-story tower would have an approximately rectangular footprint placed parallel to East 41st Street, and the large footprint of the building would be similar to that of the building analyzed in the FGEIS under the “Rezoning Scenario Mixed-Use Program with Office on 708 First Avenue.” Therefore, the potential impacts of the Proposed Actions would be similar to those described in the FGEIS—namely, that the intervening block (between the FDR Drive, First Avenue, and East 42nd and 41st Streets), which is developed with an eight-story ventilating building and Robert Moses Playground, would serve as a physical buffer between the United Nations and development on the 708 First Avenue parcel. It is also assumed that similar to the rezoning scenarios analyzed in the FGEIS, the building on the 708 First Avenue parcel would block some views of the United Nations Secretariat building in views north on First Avenue between East 38th and 41st Streets.

Due to the distance of the 616 First Avenue parcel from the Tudor City Historic District, United Nations complex, and former Kips Bay Brewery, redevelopment of this site would not be expected to result in any significant adverse impacts, as was concluded in the FGEIS.

F. FUTURE CONDITIONS WITH THE UNDC PROJECT

As described in Chapter 25 of the FGEIS, the United Nations has proposed to construct an office building on the site of Robert Moses Playground, located across East 42nd Street from the United Nations complex and across First Avenue from the Tudor City Historic District. However, it is uncertain as to whether this project will be built, as described in Chapter 2, “Land Use, Zoning and Public Policy” of this SEIS. If the United Nations office building is constructed by 2014, it is expected that it will be visible from both Tudor City and the United Nations complex and that the new building will block some views of the Secretariat of the United Nations in views north on First Avenue. In the absence of the new UN building, those views would otherwise be blocked by the proposed development on the 708 First Avenue parcel. *