

8. HISTORIC AND CULTURAL RESOURCES

8.1. INTRODUCTION

This chapter assesses the Proposed Action’s effect on historic and cultural resources. Historic and cultural resources include both archaeological resources and architectural resources. Archaeological resources are physical remains, usually subsurface, of the prehistoric, Native American, and historic periods—such as burials, foundations, artifacts, wells, and privies. Architectural resources generally include historically important buildings, structures, objects, sites, and districts. Historic and cultural resources include designated New York City Landmarks (NYCLs) and Historic Districts; properties calendared for consideration as NYCLs by the New York City Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation (NYCL-eligible); properties listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or properties contained within a S/NR listed or eligible district; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHLs); and potential historic resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements).

An assessment of archaeological/architectural resources is usually needed for projects that are located adjacent to listed or eligible 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.

8.2. PRINCIPAL CONCLUSIONS

8.2.1. Archaeological Resources

The Proposed Action has the potential to result in significant adverse impacts to archaeological resources as it may result in deeper in-ground disturbance. While the potential impacts of the provisions are expected to be limited and unlikely, it is not possible to conclude where and to what extent additional in-ground disturbance might occur. As such, the possibility of significant impacts on archaeological resources cannot be eliminated.

8.2.2. Architectural Resources

The Proposed Action is not expected to induce development. In total, it is anticipated to result in five fewer self-storage facilities overall by 2027, with nine fewer in Designated Areas, and four more in M and C8 districts outside of Designated Areas. Privately owned properties that are NYCLs or in New York City Historic Districts would continue to be protected under the New York City Landmarks Law that requires LPC review and approval before any alteration or demolition can occur. However, as discussed below, impacts to eligible historical resources that are not protected by local, state or national designations may be affected by the Proposed Action. Such impacts are unlikely, however, given that the Proposed Action is expected to shift the location of four new facilities citywide. Not only would one of these four facilities need to be located in close proximity to an architectural resource, but it would need to be situated or constructed in such a way to

adversely affect the resource. The likelihood of the combination of these factors is limited.

8.3. SCREENING ANALYSIS

8.3.1. Archaeological Resources

Archeological resources usually need to be assessed for actions that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated and includes new excavation deeper and/or wider than previous excavations on the same site. For any action that would result in new ground disturbance, assessment of both prehistoric and historic archaeological resources is appropriate.

The Proposed Action would not change any of the existing zoning designations. Rather, it would introduce a Special Permit for self-storage facilities, a use that is currently allowed as-of-right. As discussed in the Analysis Framework, the likely effects of the proposed text would be to affect the amount and geographic distribution of future self-storage facilities. Since the location of development could change as the result of this action, further analysis is appropriate.

8.3.2. Architectural Resources

Architectural resources usually need to be assessed for actions that would result in new construction, demolition, or significant physical alteration to any building, structure, or object; a change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; construction, including excavating vibration, subsidence, dewatering, and the possibility of falling objects; additions to or significant removal, grading, or replanting of significant historic landscape features; screening or elimination of publicly accessible views; and introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape.

As mentioned above, the Proposed Action would create a Special Permit which is anticipated to slightly change the geographic distribution of self-storage facilities in the city. While the Proposed Action is not expected to have direct impacts on architectural resources, it could potentially cause indirect impacts, including new shadows on the physical features of historic structures as well as changes in visual context. An assessment on architectural resources is therefore warranted.

8.4. DETAILED ASSESSMENTS

8.4.1. Archeological Resources

The Proposed Action would create a Special Permit which is anticipated to result in five fewer self-storage facilities citywide by 2027, with nine fewer in Designated Areas, and four more in M and C8 districts outside of the Designated Areas. This change in geographic distribution of self-storage facilities has the potential to result in changes in ground disturbance, and further analysis was determined to be appropriate.

As shown in Table 1, the No-Action Condition is anticipated to result in a larger building footprint than the With-Action Condition. Consequently, this proposal is not anticipated to result in additional ground

disturbance in terms of length or width. The Proposed Action is also not anticipated to influence how buildings site on the lot. However, given that the Proposed Action could result in taller buildings, and because newly constructed self-storage facilities tend to construct cellars, it is reasonable to expect that building construction under the With-Action Condition would result in additional ground disturbance relative to the No-Action Condition.

Overall however, since the proposal is anticipated to reduce the number of self-storage facilities citywide, and only result in four new facilities in Non-Designated C8 and M districts, the potential for adverse impacts are limited.

Table 1: Prototypes by Footprints and Heights				
Prototype	No Action Development footprint	With Action Development Footprint	No Action Building Height	With Action Building Height
P1	18,000	17,700	20'	40'
P2	22,000	22,000	88'	88'
P3	24,000	15,000	30'	40'
P4	20,000	20,000	50'	50'

8.4.2. Architectural Resources

As described above, architectural resources are defined as properties or districts listed on the Registers or determined eligible for such listing, NHLs, NYCLs and NYCHDs, and properties that have been found by the LPC to appear eligible for designation, considered for designation by LPC at a public hearing, or calendared for consideration at such a hearing.

The assessment of the Proposed Action’s potential effect on architectural resources accounts for both direct physical impacts and indirect impacts. Direct impacts include demolition of a resource and alterations to a resource that cause it to become a different visual entity. A resource could also be damaged by construction activities such as blasting, pile driving, falling objects, subsidence, collapse, or damage from construction machinery unless proper protection measures are put in place. Construction activity that would occur within 90 feet of an architectural resource, as defined in the New York City Department of Buildings (DOB) Technical Policy and Procedure Notice (TPPN) #10/88, may cause such damage.

Indirect impacts are contextual or visual impacts that could result from project construction or operation. As described in the CEQR Technical Manual, indirect impacts could result from blocking significant public views of a resource; isolating a resource from its setting or relationship to the streetscape; altering the setting of a resource; introducing incompatible visual, audible, or atmospheric elements to a resource’s setting; or introducing shadows over a historic landscape or an architectural resource with sun-sensitive features that

contribute to that resource's significance (i.e., a church with stained-glass windows). Significant adverse direct or indirect impacts can occur if a project would cause a change in the quality of a property that qualifies it for S/NR listing or for designation as a NYCL.

According to the CEQR Technical Manual, to account for potential physical, visual and contextual impacts, an architectural resources study area should be defined, and any potentially eligible architectural resources that may be affected by the Proposed Action should be identified through a combination of field surveys and documentary research for the study area. The study area is typically defined as the project area and the area within approximately 400 feet of the project area. However, as mentioned above, the Proposed Action is a citywide "Generic Action" and there are no known development sites. Therefore, a specific architectural resources study area, for the purposes of identifying, investigating, site surveying and documenting of architectural resources, has not been defined.

8.4.2.1. Existing Condition

Based on the National Register of Historic Places (NR), there are over 700 historic sites in New York City that are listed as places worthy of preservation.¹ The U.S. Secretary of the Interior has established criteria of eligibility for listing on the National Register of Historic Places which New York State has adopted for use in identifying significant historic resources for environmental review. To be considered eligible for the National Register, a property must represent a significant part of the history, architecture, archaeology, engineering, or culture of an area, and it must have the characteristics that make it a good representative of properties associated with that aspect of the past.

More specifically, districts, sites, buildings, structures, and objects more than 50 years of age are eligible for the National Register if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and: 1) are associated with events that have made a significant contribution to the broad patterns of history (Criterion A); 2) are associated with significant people (Criterion B); 3) embody distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction (Criterion C); or 4) may yield [archaeological] information important in prehistory or history. Official determinations of eligibility are made by the New York State Office of Parks, Recreation and Historic Preservation and criteria for listing on the National Register are in the Code of Federal Regulations, Title 36, Part 63.

It should be noted that even if a property is excluded from eligibility for the National or State Register(s), it may be eligible for designation under the New York City Landmarks Law, which has different criteria for eligibility from those of the National Register. According to LPC, there are more than 33,000 landmark properties in New York City, most of which are located in 114 historic districts and 20 historic district extensions in all five boroughs. The total number of protected sites also includes 1,347 individual landmarks, 117 interior landmarks and 10 scenic landmarks. LPC designates historically significant properties in the City as NYCLs and/or Historic Districts, following the criteria provided in the Local Laws of the City of New York, New York City Charter, Administrative Code, Title 25, Chapter 3. Buildings, properties, or objects are eligible

¹ Designated and Non Designated Areas are a subset of this citywide amount of 700

for landmark status when a part is at least 30 years old. Eligible properties typically contribute to the heritage, or cultural characteristics of the city, state, or nation, and are generally classified as one of four types of landmarks: individual landmark, interior landmark, scenic landmark, and historic district.

Properties that are NYCLs are protected under the NYCL Law, which requires LPC review and approval before any alteration or demolition of those resources can occur. All properties within LPC-designated historic districts also require LPC permit and approval prior to new construction, addition, enlargement, or demolition. This approval process would ensure that development under a Proposed Action would not have an adverse impact on these resources. Additionally, historic resources that are listed in the S/NR are given a measure of protection from the effects of federally sponsored, or federally assisted projects under Section 106 of the National Historic Preservation Act, and are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the New York State Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. Private property owners using private funds can, however, alter or demolish their S/NR-listed or S/NR-eligible properties without such a review process.

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

While designated historically significant properties in the City are protected under local, state, and national laws, eligible historical resources that are not designated landmarks are not subject to the same laws and review process. According to the *CEQR Technical Manual*, potential historic resources can be considered significant if they meet the criteria for listing on the S/NR, established by the U.S. Secretary of the Interior, or criteria for local designation set forth in the New York City Landmarks Law. Although a typical environmental review considers a project's impacts on eligible sites for landmark designation, potential significant historical resources that are not currently designated as landmarks are not protected by local, state and national laws that provide measures to preserve properties.

8.4.2.2. Architectural Future No-Action Condition

In the future without the Proposed Action, the status of historic resources could change. S/NR-eligible architectural resources could be listed in the Registers, and properties found eligible or calendared for consideration for designation as NYCLs could be designated. It is also possible, given the Proposed Action's analysis year of 2027, that additional sites could be identified as eligible historic resources in this time frame. It is also possible that some architectural resources could deteriorate, while others could be restored. In the future without the Proposed Action, the local, state and federal procedures and protections described in the existing conditions above would continue to apply.

8.4.2.3. Architectural Future With-Action Condition

The Proposed Action would create a Special Permit for self-storage facilities in Designated Areas, an action which has the potential to change the geographic distribution of self-storage facilities in New York City. Historic resources can be directly affected by physical destruction, demolition, damage, or alterations. Direct impacts 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. A resource could also be damaged by construction activities such as blasting, pile driving, falling objects, subsidence, collapse, or damage from construction machinery unless proper protection measures are put in place. Any new construction taking place on any site adjacent to or within 90 feet of individual landmarks or historic districts has the potential to cause damage to those historic resources from ground-borne construction vibrations.

In the With-Action condition, privately owned properties that are NYCLs or in New York City Historic Districts would continue to be protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition can occur. Also, the New York City Building Code would continue to provide measures of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to LPC-designated Landmarks and S/NR listed historic buildings located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. As such, the Proposed Action is not anticipated to result in any significant adverse physical impacts to architectural resources.

Similarly, historic resources that are listed in the S/NR are given a measure of protection from the effects of federally sponsored, or federally assisted projects under Section 106 of the National Historic Preservation Act, and are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the New York State Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process.

8.4.3. Conclusion

The Proposed Action is not expected to induce development. In total, it is anticipated to result in five fewer self-storage facilities citywide by 2027, with nine fewer in Designated Areas, and four more in M and C8 districts outside of the Designated Areas. Privately owned properties that are NYCLs or in New York City Historic Districts would continue to be protected under the New York City Landmarks Law that requires LPC review and approval before any alteration or demolition can occur. However, as discussed below, impacts to eligible historical resources that are not protected by local, state or national designations may be affected by the Proposed Action. Such impacts are unlikely, however, given that the Proposed Action is expected to change the geographic distribution of four new facilities *citywide*. Not only would one of these four facilities

need to be located in close proximity to an architectural resource, but it would need to be constructed in such a way to adversely affect the resource. The likelihood of the combination of such factors is limited.