A. INTRODUCTION

This analysis considers the potential for the proposed project to affect historic and cultural resources, which include both architectural and archaeological resources, on the Brooklyn Site at 275 Atlantic Avenue (Block 175, Lot 1). The 2014 *City Environmental Quality Review (CEQR) Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed on the State or National Registers of Historic Places (S/NR) or contained within a S/NR-listed district or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but which meet their eligibility requirements.

According to the 2014 *CEQR Technical Manual*, a historic and cultural resources assessment is required if there is the potential to affect either archaeological or architectural resources of historic importance. Actions that could affect archaeological resources that typically require an assessment are those that involve ground disturbance, or belowground construction and excavation. Actions that trigger an architectural resources assessment include new construction, demolition, or significant alteration to any historic building, structure, or object; a change in scale, visual prominence, or visual context of any historic building, structure, or object or landscape feature; construction, including but not limited to excavation, vibration, subsidence, dewatering, and the possibility of falling objects that could damage a historic resource; additions to or significant removal, grading, or replanting of significant historic landscape features; screening or elimination of publicly accessible views of a historic resource; and the introduction of significant new shadows or significant lengthening of the duration of existing shadows over a historic landscape or on a historic structure with sunlight-dependent features.

The analysis presented in this section characterizes existing conditions, evaluates changes to historic and cultural resources that are expected to occur independent of the proposed actions in the future without the proposed project (the No Action condition), and identifies and addresses any potential impacts to historic and cultural resources associated with the proposed project in the future with the proposed project (the With Action condition).

PRINCIPAL CONCLUSIONS

ARCHAEOLOGICAL RESOURCES

Pursuant to the *CEQR Technical Manual*, information regarding the proposed project was submitted to LPC to initiate their initial evaluation of the Brooklyn Site's potential archaeological sensitivity. In comment letters dated August 8, 2018 and November 28, 2018, LPC determined that the Brooklyn Site and the adjacent streetbed of State Street are not archaeologically significant (see **Appendix D**). Therefore, additional archaeological analysis of the Brooklyn Site is not

warranted and the construction of the proposed project on the Brooklyn Site would not have the potential to result in significant adverse impacts on archaeological resources.

ARCHITECTURAL RESOURCES

In the future with the proposed project, the existing Brooklyn Detention Complex would be demolished and redeveloped with an approximately 395-foot-tall detention facility. As there are no architectural resources on the project site, the proposed project would have no adverse impacts on such resources.

There are four known architectural resources and two potential architectural resources in the study area. The Brooklyn Central Courthouse, a known architectural resource, is located within 90 feet of the proposed project. Construction-related activities to demolish the existing detention facility on the project site and to build the proposed project could result in inadvertent adverse direct impacts to the Brooklyn Central Courthouse. Therefore, to avoid inadvertent construction-related impacts to this architectural resource, a Construction Protection Plan (CPP) would be prepared in consultation with LPC and implemented in coordination with a licensed professional engineer. The CPP would follow the guidelines set forth in Section 522 of the *CEQR Technical Manual* and LPC's *New York City Landmarks Preservation Commission Guidelines for Construction Adjacent to a Historic Landmark* and *Protection Programs for Landmark Buildings*. The CPP would also comply with the procedures set forth in the New York City Department of Buildings (DOB)'s *Technical Policy and Procedure Notice (TPPN) #10/88*. The Brooklyn Central Courthouse would also be directly and indirectly impacted through the construction of new pedestrian bridges from 275 Atlantic Street to the courthouse. To mitigate the potential significant adverse impact of the proposed pedestrian bridges to the historic appearance of the State Street façade of the courthouse, consultation would be undertaken with LPC regarding their design. Following consultation with LPC, if the significant adverse impact could not be mitigated, other options would be explored to avoid the potential significant adverse impact. This potential significant adverse impact is discussed more in Section 3.15, "Mitigation-Brooklyn."

The proposed project would not result in any indirect impacts on known and potential architectural resources with the exception of the potential construction of pedestrian bridges that would connect from the proposed detention facility to the State Street façade of the Brooklyn Central Courthouse, as described above. No known or potential architectural resources have sunlight-dependent features that would be impacted by the proposed project, and the proposed project would not significantly impact publicly accessible views to, or significantly alter, the historic setting of the known and potential architectural resources located in the study area.

B. METHODOLOGY

ARCHAEOLOGICAL RESOURCES

The study area for archaeological resources includes those areas that would be disturbed by subsurface excavation and, for the purposes of this analysis, includes the Brooklyn Site in its entirety (Block 175, Lot 1). Archaeological resources include material culture and other physical remnants of past human activities on a site. Precontact archaeological resources are those that are associated with Native American populations that used or occupied a site and date to the time before the region was colonized by European settlers. Archaeological resources can also include remains from activities that occurred during the historic period, which began with the European colonization of New York City in the 17th century. On sites where development (including the construction and demolition of buildings, landfilling, and other landscape modifications) occurred

at some point during the past, archaeological resources may have been disturbed or destroyed by grading, excavation, infrastructure installation, and tidal action/erosion. However, some resources do survive in urban environments despite extensive development. Archaeological sites can be protected when covered with pavement. In both scenarios, archaeological deposits can be sealed beneath the ground surface, protected from further disturbance and archaeological investigations can be designed to further investigate those deposits.

As stipulated by the *CEQR Technical Manual*, for all projects subject to CEQR, consultation must be initiated with LPC to obtain a preliminary determination of the project site's potential archaeological significance and to determine if an archaeological investigation is required. Archaeological investigations typically proceed in a multi-phase process consisting of Phase 1—determining the presence or absence of archaeological resources through documentary research and field testing; Phase 2—gathering sufficient information to assess S/NR eligibility; and Phase 3—mitigating unavoidable effects through data recovery or another form of mitigation. The need for advancing to an additional phase of work is dependent upon the results of the preceding phase. In urban contexts, the first phase of work is typically divided into two smaller phases, known as Phase 1A, which involves documentary research, and Phase 1B, which involves field testing to confirm the results of the Phase 1A Study.

Pursuant to the *CEQR Technical Manual*, information regarding the proposed project was submitted to LPC to initiate their initial evaluation of the Brooklyn Site's potential archaeological sensitivity. In comment letters dated August 8, 2018 and November 28, 2018, LPC determined that the Brooklyn Site and the adjacent streetbed of State Street are not archaeologically significant (see **Appendix D**). Therefore, additional archaeological analysis of the Brooklyn Site is not warranted and the construction of the proposed project on the Brooklyn Site would not result in significant adverse impacts on archaeological resources. The remainder of the historic and cultural resources analysis of the Brooklyn Site therefore focuses only on architectural resources.

ARCHITECTURAL RESOURCES

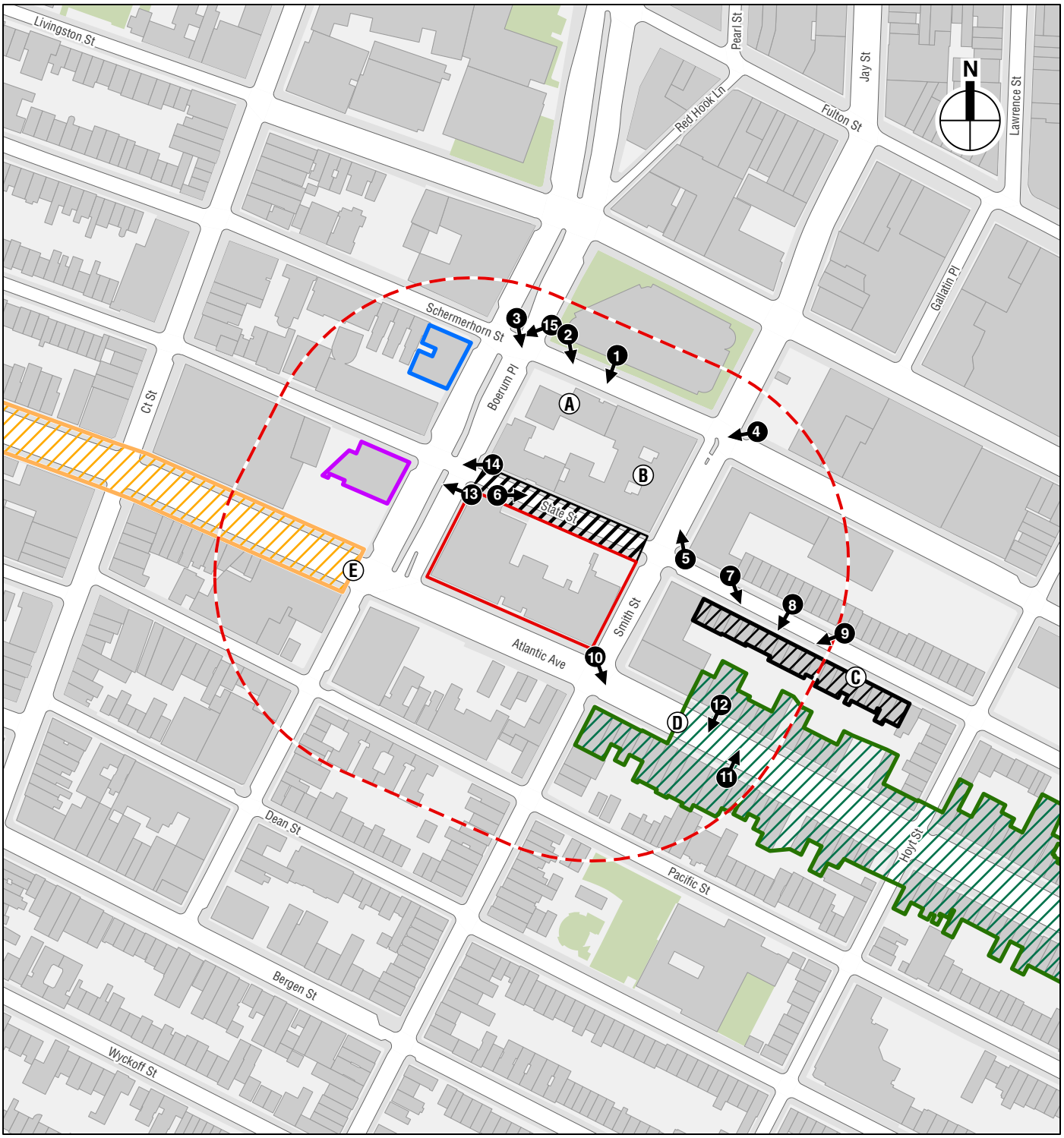
ARCHITECTURAL RESOURCES STUDY AREA

Study areas for architectural resources are determined based on the area of potential effect for construction period impacts, as well as the larger area in which there may be visual or contextual impacts. The *CEQR Technical Manual* sets the guidelines for the study area as being typically within an approximately 400-foot radius of a project site (see **Figure 3.5-1**).

Impacts on architectural resources can include both direct physical impacts and indirect impacts. Direct impacts include damage from vibration (i.e., from construction blasting or pile driving) and additional damage from adjacent construction that could occur from falling objects, subsidence, collapse, or damage from construction machinery. Adjacent construction is defined as any construction activity that would occur within 90 feet of an architectural resource, as defined in the New York City Department of Building's (DOB) *Technical Policy and Procedure Notice* (*TPPN) #10/88*.[1]

[1] *TPPN #10/88* was issued by DOB on June 6, 1988, to supplement Building Code regulations with regard to historic structures. *TPPN #10/88* outlines procedures for the avoidance of damage to historic structures that are listed on the NR or NYCLs resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.

3/17/2019



Project Site

Study Area Boundary (400-foot boundary)

Proposed Demapped Area

Photograph View Direction and Reference Number

Potential Architectural Resources

96 Schermerhorn Street

St. Vincent's Services

Known Architectural Resources

0 200 FEET

Ⓐ Friends Meeting House and School [NYCL, S/NR-listed]

Ⓑ Brooklyn Central Courthouse [S/NR-eligible]

Ⓒ State Street Houses [NYCL, S/NR-listed]

Ⓓ Atlantic Avenue Historic District [S/NR-eligible]

Ⓔ Atlantic Avenue Tunnel [S/NR-listed]

Architectural Resources Study Area
Brooklyn Site - 275 Atlantic Avenue

BOROUGH-BASED NYC JAIL SYSTEM

Figure 3.5-1

Indirect impacts on architectural resources 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 (e.g., a church with stained-glass windows).

IDENTIFICATION OF ARCHITECTURAL RESOURCES

Once the study area was determined, an inventory of officially recognized architectural resources in the study area was compiled. Officially recognized historic resources ("known resources") include designated NYCL; properties calendared for consideration as landmarks by LPC; properties listed on the S/NR or contained within a S/NR-listed district or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but which meet their eligibility requirements.

Criteria for inclusion on the National Register are listed in the Code of Federal Regulations, Title 36, Part 63. Districts, sites, buildings, structures, and objects are eligible for the National Register if they possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

A. Are associated with events that have made a significant contribution to the broad patterns of history; or
B. Are associated with the lives of significant persons in our past; or
C. That 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. That have yielded or may be likely to yield, information important in history or prehistory.

Properties that are less than 50 years of age are ordinarily not eligible, unless they have achieved exceptional significance. Determinations of eligibility are made by New York's State Historic Preservation Office (SHPO).

LPC designates historically significant properties or areas in New York City as NYCLs and/or New York City Historic Districts, following the criteria provided in the Local Laws of the City of New York, New York City Charter, Administrative Code, Title 25, Chapter 3. Buildings, properties, or objects are eligible for landmark status when they are 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 landmarks: individual landmarks, interior landmarks, scenic landmarks, and historic districts.

Additionally, a survey was conducted to identify any previously undesignated properties that appear to meet S/NR or NYCL eligibility criteria ("potential architectural resources") in the study area.

Once the architectural resources on the project site and in the study area were identified, the proposed project was assessed for both direct physical impacts and indirect contextual impacts on architectural resources.

C. EXISTING CONDITIONS

PROJECT SITE

The project site, which contains the Brooklyn House of Detention at 275 Atlantic Avenue, is bounded by Smith Street to the east, Atlantic Avenue to the south, Boerum Place to the west, and State Street to the north. The 14-story Brooklyn House of Detention was built originally ca. 1954 to 1956 and designed by LaPierre, Litchfield & Partners (originally Alfred Hopkins & Associates). The building is clad in grey brick and is symmetrically fenestrated with windows covered with metal mesh covers. The building subsequently received a western addition for a visitor's center built ca. 1967 to 1972, which was then replaced after 1996 by a one- and two-story ground-floor addition. This addition is clad in red stone with a polished finish, with large window openings, that wrap around the entirety of west, south, and east façades. With the large ground-floor addition, the building's architectural integrity has been compromised. In a letter dated August 8, 2018, LPC determined that the project site has no architectural significance (see **Appendix D**). Therefore, there are no known or potential architectural resources on the project site.

STUDY AREA

KNOWN ARCHITECTURAL RESOURCES

There are four known architectural resources located within the 400-foot study area. These architectural resources are described below and their locations are shown on **Figure 3.5-1**.

Friends Meeting House and School[1]

Located on the southeast corner of Schermerhorn Street and Boerum Place (110 Schermerhorn Street), the property is located approximately 164 feet from the project site (see **Figures 3.5-2** and Photo 3 of **Figure 3.5-3**). The Friends Meeting House and School (S/NR-listed, NYCL) consists of two buildings, a three-and-a-half story meeting house and a three-story school. The meetinghouse was constructed in 1857 by the Hicksite sect of the Quaker church for the Brooklyn Society of Friends and is representative of the mid-19th century style preferred by the Society of Friends. The Hicksite's first meetinghouse was at the corner of the Henry and Clark Streets in Brooklyn Heights, but over the next 20 years the community outgrew its former meeting house, leading to the construction of the new meeting house at Schermerhorn Street and Boerum Place.

The Friends Meeting House is a simple, primarily Greek Revival building, with some influence of the Italianate style through the elongated proportions of the doors and windows. The building is constructed of red brick with brownstone window sills and lentils, and a raking cornice. The north (front) façade is symmetrical with a porch entrance that has a triangular pediment supported by two wooden columns; the porch has since been enclosed. To either side of the porch are eight-over-eight double sash windows, with three tall, sixteen-over-sixteen double sash windows overhead. These window patterns along the ground floor, and second and third stories continue onto the western façade and are evenly spaced. The north façade also includes a gable containing a demi-lune window. On the western façade, the southernmost window opening on the ground floor has been changed to allow for a pedestrian entrance.

[1] Information about this resource has been summarized from the following source: Dibble, James E. *National Register of Historic Places Inventory-Nomination Form: Friends Meeting House and School.* Prepared for the National Register of Historic Places, National Park Service. June 1981.

View southwest of the school section of the Friends Meeting House and School (NYCL, S/NR-listed) at 112 Schermerhorn Street (Block 169, Lot 9). **1**

View southeast of the Friends Meeting House and School along Schermerhorn Street **2**

Study Area - Known Architectural Resources
Brooklyn Site - 275 Atlantic Avenue

Figure 3.5-2

View southeast of the Friends Meeting House and School from the median in Boerum Place **3**

View southwest of the Brooklyn Central Courthouse (S/NR-eligible) at 120 Schermerhorn Street (Block 169, Lot 17) from Smith Street **4**

Study Area - Known Architectural Resources
Brooklyn Site - 275 Atlantic Avenue

Figure 3.5-3

To the east of the Friends Meeting House is the Friends School, which was constructed in 1902. The building was built in the Classical Revival style with red brick. The school was designed by Brooklyn architect, William Tubby, who designed many residential buildings in the Clinton Hill neighborhood of Brooklyn. He built the school with clean, straight lines so that it would blend in with the previously built meetinghouse to the west. The buildings northern façade is symmetrically fenestrated with three rounded windows on the first floor with keystones above and two small flanking windows. The building also has a projecting cornice. The building to the east of the school is a later addition built to resemble the original school building (Dibble 1981: 2).

Brooklyn Central Courthouse[1]

The Brooklyn Central Courthouse (S/NR-eligible) is located on the eastern edge of the block bounded by Schermerhorn Street to the north, Smith Street the east, State Street to the south, and Boerum Place to the west (see Photo 4 of **Figure 3.5-3** and **Figure 3.5-4**). Located at 120 Schermerhorn Street, the building is approximately 57 feet from the project site. Built in 1932, the courthouse was designed by Collins & Collins in the Renaissance Revival style. The 10-story building is clad in limestone with a granite basement. The front entrance to the building is located along Schermerhorn Street, with three three-story arched entrances that extend from the first to third-story. The first four floors along the north (front) façade are rusticated, with a balustrade that wraps around the exterior of the building above the fourth floor. Above this balustrade, along the top of the fifth floor windows is a row of dentils that also wraps around the exterior of the building. The upper floors have arched windows, which are in turn separated by Corinthian columns that form a colonnade, and are topped with a copper roof. The east and south façades are symmetrical with seven arched windows that extend from the first-to second-story as well as another set that extend from the third-to fourth-story.

State Street Houses[2]

A section of the State Street Houses (S/NR-listed, NYCL), located at 290-312 State Street, are within the 400-foot study area (see **Figure 3.5-5** and Photo 9 of **Figure 3.5-6**). The residences are located along State Street between Smith and Hoyt Streets. 290 State Street, the westernmost of the State Street Houses, is located approximately 140 feet from the project site. These residences were built between 1847 and the mid-1870s with a mix of Italianate and Greek Revival elements by various architects. The buildings are clad in brick with raised basements that are clad in brick, stucco, or brownstone. All of the buildings are three stories with similar cornice and window heights. The residences serve as a physical example of the type of middle class rowhouses built in the area during the mid-to-late 19th century.

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[1] Information about this resource has been summarized from the following source: Shaver, Peter. *Resource Evaluation: Brooklyn Central Courthouse.* Prepared for the National Register of Historic Places, National Park Service. April 1995.

[2] Information about this resource has been summarized from the following source: Kurshan, Virginia. *National Register of Historic Places Inventory-Nomination Form: State Street Houses.* Prepared for the National Register of Historic Places, National Park Service. August 1979.

View northwest of the south and east façades of the Brooklyn Central Courthouse along Smith Street **5**

View east of the south façade of the Brooklyn Central Courthouse along State Street **6**

Study Area - Known Architectural Resources
Brooklyn Site - 275 Atlantic Avenue

Figure 3.5-4

View southeast of the State Street Houses (NYCL, S/NR-listed) (Block 176, Lots 5–22) **7**

View southwest of 304 and 306 State Street **8**

Study Area - Known Architectural Resources
Brooklyn Site - 275 Atlantic Avenue

Figure 3.5-5

View southwest of the State Street Houses **9**

View south from the intersection of Atlantic Avenue and Smith Street of the start of the Atlantic Avenue Historic District (S/NR-eligible) **10**

Study Area - Known Architectural Resources
Brooklyn Site - 275 Atlantic Avenue

Figure 3.5-6

Atlantic Avenue Historic District[1]

A section of the Atlantic Avenue Historic District (S/NR-eligible), located along Atlantic Avenue roughly between Smith and Nevins Streets, is within the 400-foot study area (see Photo 10 of **Figure 3.5-6** and **Figure 3.5-7**). The westernmost building of the historic district, 292 Atlantic Avenue, is approximately 117 feet from the project site. The historic corridor along Atlantic Avenue began to develop starting in 1834 with the creation of the City of Brooklyn. Development along this corridor continued with the creation of a new ferry landing at South Ferry in 1836 (with a ferry that ran from Lower Manhattan to the foot of Atlantic Avenue in Brooklyn) as well as the extension of the Long Island Rail Road.

Originally built for residential purposes, the buildings along Atlantic Avenue were soon altered to incorporate commercial storefronts on the ground floors. Generally ranging from two to four stories and constructed of brick, the Atlantic Avenue Historic District buildings have Italianate style details. Also, included in the district are two churches and a synagogue. The buildings serve as physical examples of a cohesive collection of 19th and early 20th century residential architecture from the era of Brooklyn's expansion.

POTENTIAL ARCHITECTURAL RESOURCES

St. Vincent's Services

Constructed in 1905, the building at 66 Boerum Place is approximately 130 feet from the project site (see **Figure 3.5-8**). Located on the southwest corner of Boerum Place and State Street, St. Vincent's Services, once home to the St. Vincent's Home for Boys, was designed by architect Franz J. Berlenbach in the Renaissance Revival style. The six-story building was built to provide shelter for homeless boys in the area. When built, the St. Vincent's Home for Boys provided the boys with a roof garden, playground, recreation rooms, a gymnasium, dorm rooms, kitchen, classrooms, and more. Over the next 80 years, the building would transition from a residence to administrative offices, with community outreach services expanding into Queens and Staten Island.

Today, the building is predominately intact, with its symmetrically fenestrated façades clad in brick, with stone and terracotta detailing. Some of the terracotta detailing includes pilasters around the second-story windows, keystones above the windows, a central three-story arched window opening along the Boerum Place façade, as well as triangular and round arched pediments above some of the third-story windows. The main entrance to the building is set at the second-story within an arched entrance along Boerum Place and accessed by two sets of stairs. The entrance is flanked by two pilasters which visually supports the three-story arched window opening above. A stone beltcourse supported on brackets extends across the façades above the second floor. The building is capped with a copper cornice.

96 Schermerhorn Street

Located on the southwest corner of Schermerhorn Street and Boerum Place (96 Schermerhorn Street) is a 14-story, Collegiate Gothic style building formerly known as The Tower (see **Figure 3.5-9**). The Tower is approximately 204 feet from the project site. The Tower was built in 1928 as the main building for St. John's College's Downtown Brooklyn campus. The building was built

[1] Information about this resource has been summarized from the following source: Howe, Kathy. *Resource Evaluation: Atlantic Avenue Historic District.* Prepared for the New York State Office of Parks, Recreation and Historic Preservation. April 26, 2010.

View of Atlantic Avenue Historic District buildings, 313-317 Atlantic Avenue, located along the north side of the avenue **11**

View of Atlantic Avenue Historic District buildings, 308-314 Atlantic Avenue, located along the south side of the avenue **12**

Study Area - Known Architectural Resources
Brooklyn Site - 275 Atlantic Avenue

Figure 3.5-7

View west of the east façade of the St. Vincent's Services building at 66 Boerum Place (Block 277, Lot 1) **13**

View southwest of the east and north facades of the St. Vincent's Services building from the intersection of Boerum Place and State Street **14**

Photographs
Brooklyn Site - 275 Atlantic Avenue
Figure 3.5-8

View southwest of 96 Schermerhorn Street (Block 271, Lot 47) from the intersection of Boerum Place and Schermerhorn Street **15**

Study Area - Potential Architectural Resources
Brooklyn Site - 275 Atlantic Avenue

Figure 3.5-9

to house four of the college's undergraduate and graduate departments: the School of Arts and Sciences, the School of Law, the School of Accounting, Commerce and Finance, and the School of Pharmacy. Additionally, the building had a gymnasium, multiple libraries, recreation rooms, and laboratories. The building has Collegiate Gothic elements with pointed gothic arches, piers that extend above the parapets, and decorative ornament at the setbacks and roofline.

Over the next 30 years, St. John's College would be renamed St. John's University, New York, and the university would purchase the former Hillcrest Golf Course in Jamaica, Queens, for the eventual relocation of the university from Downtown Brooklyn. By 1955, many of the academic schools had moved to the Queens campus from 96 Schermerhorn Street, leaving the building to be occupied solely by some of the university's graduate programs, such as the School of Law. However, due to a decline in admissions, the entire campus was moved to Queens by the early 1970s, vacating the building until 1981, when the building was purchased and converted into a co-op. Today, the old emblem of the school and the school name can be seen on the main façade of the building located along Schermerhorn Street.

D. THE FUTURE WITHOUT THE PROPOSED PROJECT

In the No Action condition, the status of architectural resources could potentially change. The S/NR-eligible Brooklyn Central Courthouse could be listed on the Registers and potential architectural resources could be determined S/NR-eligible or considered for NYCL designation. It is also possible that, given the project's 2027 analysis year, additional sites could be identified as architectural resources and/or potential architectural resources.

In the No Action condition, changes to architectural resources or to their settings could occur. For instance, indirect impacts from future projects could include blocking 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 settings or introducing shadows over an architectural resource with sun-sensitive features. It is also possible that some architectural resources in the project area could deteriorate or experience direct impacts through alteration or demolition, while others could be restored.

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

The New York City Building Code, in Section BC 3309: Protection of Adjoining Property, 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. While these regulations serve to protect all structures adjacent to construction areas, they do not afford special consideration for historic structures.

The second protective measure applies to NYCLs, properties within New York City Historic Districts, and NR-listed properties. For these structures, *TPPN #10/88* applies. *TPPN #10/88* supplements the standard building protections afforded by Building Code C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

PROJECT SITE

In the No Action condition, it is assumed that the Brooklyn House of Detention will remain in its current condition.

STUDY AREA

Four development projects are currently anticipated to be completed by 2027 within the 400-foot study area. At 76 Schermerhorn Street (Block 271, Lot 34), a 12-story mixed-use building will be constructed. The building will include retail, community facility, and residential space. At 280 Atlantic Avenue (Block 181, Lot 20) a five-story mixed-use building is proposed that will contain residential and retail space. At 286 Atlantic Avenue (Block 181, Lot 23) a new two-story building will include retail space. At 264 Pacific Street (Block 187, Lot 17) a new seven-story building will include residential and retail space. These developments are located over 90 feet from any of the known and potential architecture resources. Therefore, these developments are not anticipated to have any adverse physical effects on the Friends Meeting House and School, the Brooklyn Central Courthouse, the State Street Houses, the Atlantic Avenue Historic District, the St. Vincent's Services building, and the building at 96 Schermerhorn Street.

E. THE FUTURE WITH THE PROPOSED PROJECT

PROJECT SITE

In the With Action condition, the existing Brooklyn Detention Complex would be replaced with an approximately 1,190,000 gross-square-foot detention facility containing approximately 1,437 beds for people in detention; support space; and community facility and/or retail space. This site would also provide approximately 292 accessory parking spaces. The portion of State Street between Boerum Place and Smith Street would be demapped above- and below-grade to facilitate the construction of pedestrian bridges and/or a potential tunnel to connect the proposed detention facility to existing court facilities to the north and allow the potential placement of accessory space or tunnels below the street. State Street would remain as a mapped public street open to vehicular and pedestrian traffic with utilities in the street bed. As currently proposed, the project would not include a tunnel to the existing court facilities, but this feature may be added as the design process progresses. As there are no architectural resources on the project site, the proposed project would have no adverse impacts on such resources.

STUDY AREA

POTENTIAL DIRECT IMPACTS

The S/NR-eligible Brooklyn Central Courthouse would be directly impacted through the construction of new pedestrian bridges from 275 Atlantic Avenue to 120 Schermerhorn Street. Impact avoidance or mitigation cannot be defined because designs and details with respect to the proposed pedestrian bridges will be completed as part of the design/build process (and noting also

that a tunnel may be constructed in place of or in addition to bridges). Therefore to mitigate the potential significant adverse impact to the historic appearance of the State Street façade of the courthouse resulting from construction of potential pedestrian bridges, consultation would be undertaken with LPC regarding their design. The Applicant is also committed to consider other options, such as construction of a tunnel from 275 Atlantic Avenue to 120 Schermerhorn Street, which would avoid the significant impact. This potential significant adverse impact is discussed in more detail in Section 3.15, "Mitigation-Brooklyn."

To avoid the potential for inadvertent construction-related impacts to the Brooklyn Central Courthouse from both the construction of any bridges or a potential tunnel, but also due to the construction of the proposed detention facility as the Brooklyn Central Courthouse is located within 90 feet of the project site, construction protection measures would be set forth in a CPP that would be developed in consultation with LPC and implemented in coordination with a licensed professional engineer. It would describe the measures to be implemented to protect the Brooklyn Central Courthouse during demolition and construction activities associated with the proposed project. The CPP would follow the guidance set forth in Section 522 of the *CEQR Technical Manual,* and LPC's *New York City Landmarks Preservation Commission Guidelines for Construction Adjacent to a Historic Landmark* and *Protection Programs for Landmark Buildings*. The CPP would also comply with the procedures set forth in DOB's *TPPN #10/88*. The CPP would include provisions for preconstruction inspections, monitoring the building for cracks and movement, installation of physical protection as appropriate, and provisions for stopping work if monitoring thresholds are exceeded or damage occurs.

POTENTIAL INDIRECT IMPACTS (VISUAL AND CONTEXTUAL IMPACTS)

According to the *CEQR Technical Manual*, visual and contextual impacts on architectural resources can include 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; elimination or screening of publicly accessible views of a resource; or introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over a historic landscape or on a 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 proposed project would have no potential for significant adverse indirect impacts on the known and potential architectural resources in the area with the exception of the potential construction of pedestrian bridges that would connect from the proposed detention facility to the State Street façade of the Brooklyn Central Courthouse. The built environment of the study area has continued to evolve since the mid-20th century with the construction of the existing Brooklyn House of Detention built in the 1950s, and the introduction of new large-scale, mixed-use development along Atlantic Avenue, Boerum Place, and Smith Street in the early 2000s.

The three-story State Street Houses are located on the south side of State Street, mid-block between Smith and Hoyt Streets, facing north. They are separated from the project site by a four- to 13-story building built in 2007 that fronts on Smith Street between State Street and Atlantic Avenue and by Smith Street, a 60-foot-wide city street. The Friends Meeting House and School are located on the southeast corner of Boerum Place and Schermerhorn Street. An 11-story residential building is located directly south of this architectural resource, as well as the 60-foot-wide State Street, which distances this architectural resource from the project site. The Atlantic Avenue Historic District is separated from the project site by the 100-foot-wide Atlantic Avenue with the north portion of the historic district also located east of the four- to 13-story building that

fronts on Atlantic Avenue and Smith Street. As described above, the study area has developed over time with more recent construction including the existing Brooklyn House of Detention on the project site, as well as larger mixed-use developments along the commercial corridor, and to the north and west. The project site would be redeveloped in-kind with a detention facility and although the proposed project would be a larger and taller building, it would not isolate or alter the setting or visual relationship of the historic district with the streetscape.

The St. Vincent's Services building sits on the southwest corner of State Street and Boerum Place. Located across the 130-foot-wide Boerum Place, the St. Vincent's Services building has faced east towards the existing Brooklyn House of Detention since the 1950s. Since then, a new 11-story mixed-use building has been constructed directly adjacent to the building on the corner of Atlantic Avenue and Boerum Place as well as the 20-story Brooklyn Law School building across State Street, creating a mixed context of older and newer buildings. Farther north on the west side of Boerum Place is 96 Schermerhorn Street, which is located on the southwest corner of Schermerhorn Street and Boerum Place. 96 Schermerhorn Street is adjacent to the 20-story Brooklyn Law School and is located across the street from the Friends Meeting House and School, and a newer 11-story residential building. The area surrounding these potential architectural resources has continued to change through time, but their settings and visual relationship to the streetscape has remained the same.

The Brooklyn Central Courthouse, located directly north of the project site, has frontages along State, Smith, and Schermerhorn Streets. The 60-foot-wide State Street separates the building from the project site. Although above- and below-grade volumes of State Street would be demapped with the proposed project, the street would continue to exist and would function as it does currently and in the No Action condition and would remain accessible to the public. The 10-story courthouse, a large, approximately 264,180 sf building, would remain visually prominent along State, Smith, and Schermerhorn Streets with the development of the proposed project. As discussed above, pedestrian bridges would be included in the proposed design that would connect the new detention facility to be built on the project site and the southern façade of the Brooklyn Central Courthouse to the north. These pedestrian bridges would alter the appearance of, and public views to, this façade. Therefore, to minimize or mitigate potential significant adverse impacts to the Brooklyn Central Courthouse, as there are not yet designs or details regarding the proposed pedestrian bridges, consultation would be undertaken with LPC regarding the design of the bridge structures.

The proposed project would construct a new detention facility on a site that presently contains a detention facility. The new detention facility would be taller than the existing Brooklyn Detention Center on the project site. However, similar to the existing building, the proposed detention facility would have a large footprint similar to those to the north of Atlantic Avenue in the study area including the Brooklyn Central Courthouse and the New York City Transit Authority building at 130 Livingston Street. The proposed project would have setbacks along Atlantic Avenue, as well as along Boerum Place and Smith Street at approximately 85 feet (six-stories), which would allow for a streetwall that is similar in scale with other buildings along Atlantic Avenue. Therefore, the proposed project would not introduce an incompatible visual, audible, or atmospheric element to the settings of the known and potential architectural resources in the study area.

The proposed project would not have the potential to eliminate or screen any significant publically accessible views of the known and potential architectural resources. Only partial views of the secondary façade of the Brooklyn Central Courthouse from Atlantic Avenue (which can be seen above the short base of the existing building on the project site), as well as along Smith Street,

south of State Street the views would be altered. However, views to the main entrance and façade along Schermerhorn Street would not be altered. Views of the secondary façade would remain along State Street, including the demapped portion between Boerum Place and Smith Street, which would remain accessible to the public, although views to the State Street façade would be altered by the pedestrian bridges between the new detention facility on the project site and the Brooklyn Central Courthouse.

None of the known and potential architectural resources have sunlight-sensitive features, and the proposed project would not result in any shadows impacts on these architectural resources. Therefore, the proposed project would not have potential for significant adverse indirect impacts, with the exception of the potential construction of pedestrian bridges, to architectural resources in the study area. ✷