

A. INTRODUCTION

In accordance with the *CEQR Technical Manual*, this chapter considers the potential for the Proposed Actions to affect historic and cultural resources. Historic and cultural resources include both architectural and archaeological resources. Architectural resources generally include historically important buildings, structures, objects, sites, and districts. Archaeological resources are physical remains, usually subsurface, that can shed light on historic periods.

The Proposed Actions would facilitate the redevelopment of the Western Rail Yard (Block 676, Lots 1 and 5) in the Hudson Yards neighborhood of Manhattan, Community District 4 (the “WRY Site” or the “Development Site”) with new mixed-use buildings containing residential, commercial, and community facility space, a hotel resort complex with gaming, and new public open space (the “Proposed Project”). The Development Site occupies the entire area bounded by West 30th and West 33rd Streets and Eleventh and Twelfth Avenues and comprises the western portion of the John D. Caemmerer West Side Yard, an active rail yard where the Long Island Rail Road (LIRR) stores commuter trains. In addition to the Development Site, the Affected Area encompasses the portion of West 33rd Street and the sidewalks between Eleventh and Twelfth Avenues. There is a state process underway to designate locations for downstate gaming licenses; therefore, the Applicant is also presenting for environmental analysis purposes an Alternative Scenario that reflects a similar density and the same open space configuration as the Proposed Project but includes residential and commercial buildings in place of the hotel resort with gaming. The scenario that would result in the more conservative analysis is analyzed for each technical area. The analysis provided below considers both “With Action” scenarios.

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.

PRINCIPAL CONCLUSIONS

An assessment was conducted based on the methodology set forth in the 2021 *City Environmental Quality Review (CEQR) Technical Manual* and consistent with the Final Scope of Work. As described below, this assessment concludes that the Proposed Actions would not result in significant adverse impacts to historic and cultural resources.

DIRECT (PHYSICAL) IMPACTS

The Proposed Actions would not result in significant adverse direct impacts to historic and cultural resources with the preparation and implementation of a Construction Protection Plan (CPP) to avoid inadvertent construction-related impacts (including ground-borne vibration, falling debris, and accidental damage) associated with the construction of the Proposed Project to the known architectural resource within 90 feet of the Development Site (the High Line, which has been determined eligible for listing on the State and National Registers of Historic Places). The Applicant would coordinate with Amtrak regarding the necessary measures to protect the S/NR-eligible North River Tunnel below the Development Site during project construction. With the exception of the High Line and the North River Tunnel, the architectural resources in the study area are located more than 90 feet from the Development Site; thus, the Proposed Project would not be expected to have the potential for adverse physical, construction-related impacts to these resources.

INDIRECT (CONTEXTUAL) IMPACTS

The Proposed Actions would not result in the isolation of 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 architectural resources in the study area already exist in a mixed built context of smaller, older and masonry clad buildings and taller buildings of recent construction with metal and glass curtain walls. Twelfth Avenue and the Hudson River Greenway provide visual separation between the Hudson River Bulkhead and the Development Site and surrounding new development. The New York Improvements and Tunnel Extension of the Pennsylvania Railroad, as a subsurface feature, would have no visual relationship with the Proposed Project.

The portion of the High Line on and adjacent to the Development Site would be directly adjacent to the multi-building, high-rise development to be created in the With Action condition. As with the No Action condition, in the With Action condition the context of the portion of the High Line located on the Development Site would be altered due to the added bulk and height of the proposed buildings; however, the resulting visual context would be consistent with portions of the High Line within the study area that are directly adjacent to the new high-rise buildings on the Eastern Rail Yard and at 500 West 30th Street, as well as other projects that are now planned for the surrounding area. Since the High Line runs adjacent to and sometimes through large buildings constructed both recently and contemporary to the High Line, the construction of new buildings adjacent to or cantilevering over the historic structure would not change the High Line's existing context. In comparison to the No Action condition, by 2030 the With Action condition would include development at the southwest corner of the Development Site that would cantilever over the High Line; however, such development was previously contemplated in the 2009 FEIS.

As with the No Action condition, in the With Action condition it is anticipated that—consistent with the requirements of the Letter of Resolution for the WRY Site executed pursuant to Section 14.09 of the New York State Historic Preservation Act ("Section 14.09") at the time of the 2009 FEIS—consultation would be undertaken with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) regarding aspects of the Proposed Project's design that could affect the High Line (specifically,

review of preliminary and pre-final design plans) and a CPP would be developed to protect the High Line during adjacent project construction.

The Proposed Project would not introduce incompatible visual, audible, or atmospheric elements to the setting of any architectural resource. The Proposed Actions would not result in the elimination or screening of significant publicly accessible views of any architectural resources in the study area. As described in Chapter 6, “Shadows,” the Proposed Actions would result in significant adverse shadow-related impacts to the High Line. While the increase in shadows is considered a significant adverse impact to the vegetation in the open space, it would not constitute a significant adverse impact to the High Line as a historic resource, because the landscape developed on the High Line subsequent to its conversion to park use is not a historic feature of this resource. The conclusions regarding the potential impacts of the Alternative Scenario would be the same as those for the Proposed Project.

In summary, the Proposed Actions would not result in a significant adverse impact on historic and cultural resources, with the preparation and implementation of the CPP for the High Line, which requirement CPP was incorporated into the Restrictive Declaration for the 2009 project, coordination with Amtrak regarding the necessary measures to protect the North River Tunnel during project construction, and continued consultation with OPRHP regarding aspects of the Proposed Project’s design that could affect the High Line, consistent with the requirements of the LOR.

B. METHODOLOGY

The study area for archaeological resources is defined as the area where subsurface disturbance would occur. The potential archaeological sensitivity of the Western Rail Yard was assessed in the 2004 *No. 7 Subway Extension—Hudson Yards Rezoning and Development Program Final Generic Environmental Impact Statement* (FGEIS). For that project, the New York City Landmarks Preservation Commission (LPC) completed an initial review of the Hudson Yards rezoning project area that was based on historic maps and existing subsurface information, including boring logs. Additional research and fieldwork were completed for sites located within the Hudson Yards rezoning project area that were identified as potentially sensitive for archeological resources. The Hudson Yards FGEIS concluded that none of the lots located on the Development Site were sensitive for archaeological resources. In a comment letter dated February 2, 2024, LPC determined that Block 676, Lots 1 and 5 have no archaeological or architectural significance (see **Appendix C**). Therefore, this chapter focuses on architectural resources only.

Consistent with the guidance of the *CEQR Technical Manual*, in order to determine whether the Proposed Actions could potentially affect architectural resources, this attachment considers whether the Proposed Actions 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:

Western Rail Yard Modifications

- Physical destruction, demolition, damage, alteration, or neglect of all or part of a 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;
- 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 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.

To evaluate potential effects due to on-site construction activities, and to account for visual or contextual impacts, the study area for architectural resources is defined as extending 400 feet from the Development Site and Affected Area (see **Figure 7-1**). As defined in the New York City Department of Building's (DOB) *Technical Policy and Procedure Notice (TPPN) #10/88*, adjacent construction is defined as any construction activity that would occur within 90 feet of an architectural resource.¹ Consistent with the guidance of the *CEQR Technical Manual*, designated architectural resources that were analyzed include: 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 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). In addition, a survey was conducted to identify any previously undesignated properties that appear to meet S/NR or NYCL eligibility criteria ("potential architectural resources").

C. EXISTING CONDITIONS

DEVELOPMENT SITE AND AFFECTED AREA

The Development Site consists of Manhattan Block 676, Lots 1 and 5, and occupies the entire area bounded by West 30th and West 33rd Streets and Eleventh and Twelfth Avenues. The Development Site encompasses the western half of the MTA's John D. Caemmerer West Side Yard and the primary use of the Development Site is as an LIRR train yard. The Development Site also contains other LIRR facilities that support the daily operation of LIRR, including a railroad-interior cleaning facility, storage, and buildings that

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 resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.



- Development Site
- Affected Area
- Study Area (400-foot perimeter)



1 Photograph View Direction and Reference Number

Historic Resources

- 1 New York Improvements and Tunnel Extension of the Pennsylvania Railroad
- 2 High Line
- 3 Hudson River Bulkhead
- 4 W & J Sloane Warehouse Garage
- 5 West Chelsea Historic District

WESTERN RAIL YARD MODIFICATIONS

Historic Resources

Figure 7-1

house other operational functions. The northernmost section of the High Line public open space runs along the western and southern edges of the Development Site, along Twelfth Avenue and West 30th Street, respectively. Other transportation infrastructure facilities are located beneath the Development Site, including tunnels for Amtrak's Hudson River and Empire Lines. The project area that may be affected by the With Action condition consists of the Development Site and the portion of West 33rd Street and the southern sidewalk between Eleventh and Twelfth Avenues (the "Affected Area").

There are two known architectural resources located within the Development Site and Affected Area: the High Line and the New York Improvements and Tunnel Extension of the Pennsylvania Railroad (see **Figure 7-1**). No potential architectural resources were identified within the Development Site and Affected Area.

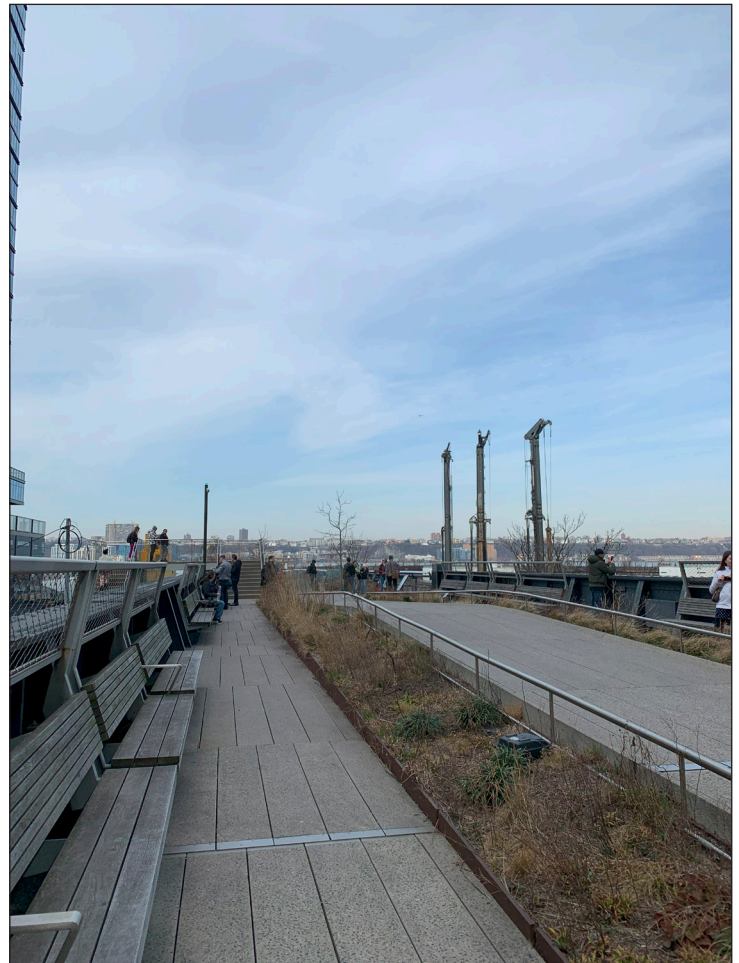
The **High Line** has been determined eligible for listing on the State and National Registers of Historic Places (S/NR-eligible). It is significant under Criterion A as a significant transportation structure from the 20th-century industrial development of the City. The High Line is a former freight railroad viaduct that was converted to a public park on the west side of Manhattan and opened to the public in phases, starting in 2009. Completed in 1934 as part of the West Side Improvement Project, it replaced the New York Central Railroad along West Street and Tenth Avenue to eliminate grade crossing hazards. The West Side Improvement Project also included construction of the West Side Highway (Route 9A). The High Line runs in a loop track around the John D. Caemmerer West Side Yard along West 34th Street, Twelfth Avenue, and West 30th Street, where it turns south to run west of Tenth Avenue (see Views 1-5 of **Figures 7-2 through 7-4**). In the 1980s, the northernmost existing section between West 33rd and West 34th Streets was reconstructed and a section between West 34th and West 35th Streets was removed. At West 30th Street, a spur runs east to Tenth Avenue, where there is a large, double-track platform over the avenue adjacent to the Morgan General Mail Facility; the platform over Tenth Avenue originally connected to the Morgan General Mail Facility to allow mail trains to simultaneously enter and leave the building. Both the loop track and spur have a concrete parapet simply ornamented with recessed panels and a tubular steel railing broken up with square concrete posts. As it parallels Twelfth Avenue between West 30th and West 33rd Streets, the loop track viaduct has a decorative steel parapet and railing similar to those on the Tenth Avenue platform and the trestles south of West 30th Street, including the trestle over that street. In 2023, a new Moynihan Train Hall Connector opened, which connects to the High Line spur at Tenth Avenue and extends east along West 30th Street before turning north along Dyer Avenue into the public space at the Manhattan West development. With this new connection, High Line users are able to move through the Manhattan West development and into the Moynihan Train Hall across Ninth Avenue.

The subterranean and subaqueous railroad tracks and tunnels (North River Tunnel) of the **New York Improvements and Tunnel Extension of the Pennsylvania Railroad**, which extend from Weehawken, New Jersey, beneath the Hudson River, beneath Manhattan—including beneath the Development Site—and under the East River to Long Island City, Queens have been determined S/NR-eligible under Criterion A for transportation history and Criterion C for engineering design. Built between 1903 and 1910, this linear transportation corridor was the largest and most advanced metropolitan railroad project undertaken in the United States at that point in history. The system's engineering represents various construction techniques and designs that met the various



High Line at Development Site, view northwest from West 30th Street near Eleventh Avenue

1



High Line at Development Site, looking west from near West 30th Street

2



High Line at Development Site, looking east from Hudson River Greenway **3**



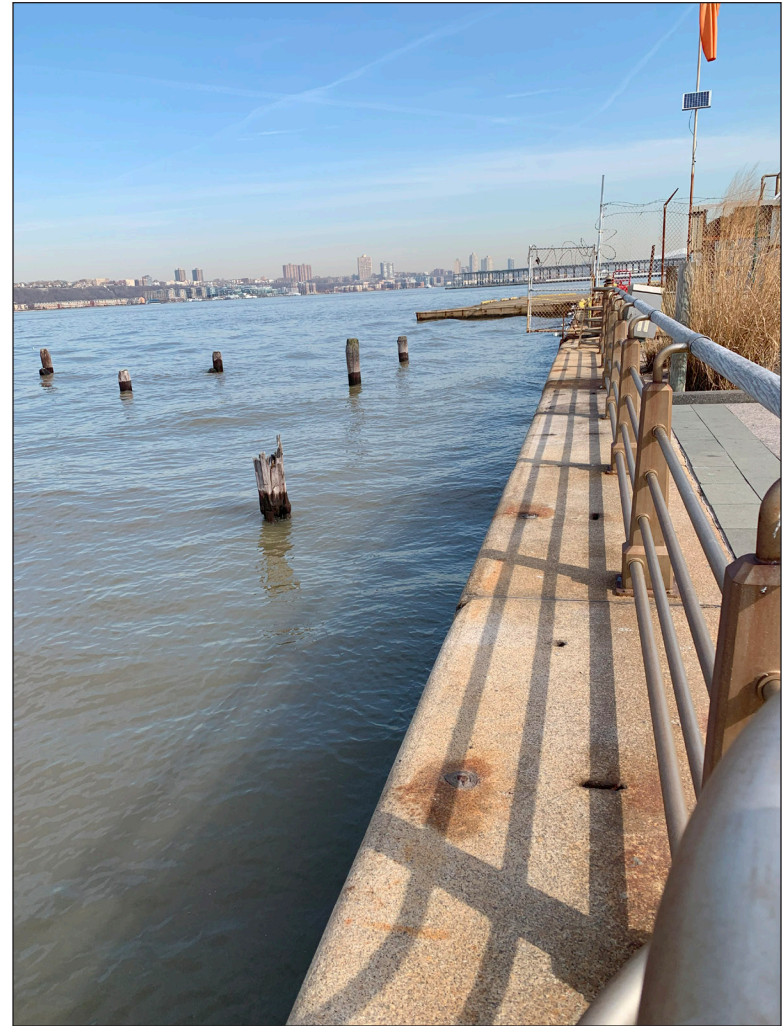
High Line, looking northeast from West 30th Street and Eleventh Avenue **4**

Architectural Resources on Development Site
and in Study Area

Figure 7-3



High Line at Eastern Rail Yard, looking east near West 30th Street 5



Hudson River Bulkhead, view north from Hudson River Park near West 28th Street 6

needs of the project and the geological conditions.² Alexander Cassatt, President of the Pennsylvania Railroad (PRR) from 1899 to 1906, spearheaded the New York Improvement and Tunnel Extension project, of which the construction of the North River Tunnel was one element. Charles M. Jacobs, PRR engineer, oversaw the design and construction of the tunnels under the North River Division of the larger endeavor. The two subaqueous tubes under the Hudson River were constructed using large shields of 18 feet in diameter driven from each side of the Hudson River to be joined together mid-river. Each tube is of cast iron construction and is lined with monolithic masonry panels. Important components of the design were the bore segments placed every 15 feet to accommodate a screw pile driven into bedrock to stabilize the tubes. This was done to solve the previous problems that the unstable silt river floor caused regarding in constructing railroad tunnels under the Hudson River. The piles kept the silt surrounding the tubes from shifting and potentially fracturing the cast iron tube while a train was moving through it.³ Each tube contains only a single set of tracks to prevent train derailments and collisions. Eight-inch-wide concrete benches run along both sides to allow for maintenance and repair. The benches are constructed on hollow terra-cotta tiles to accommodate electrical cables, including high-tension and low-tension power lines and telegraph, telephone, and signal wires.⁴

STUDY AREA

The High Line extends through the study area, as illustrated on **Figure 7-1**. There are two other known architectural resources located within the study area: the Hudson River Bulkhead and the W & J Sloane Warehouse and Garage. These resources are described below and mapped on **Figure 7-1**. No potential architectural resources were identified within the study area.

The **Hudson River Bulkhead** and its relieving platforms, extending from Battery Place to West 59th Street, has been determined eligible for listing on the State and National Registers. The S/NR-eligible Hudson River Bulkhead runs between the Battery and West 59th Street. Significant under Criterion A in the areas of commerce or industry, under Criterion C in the area of engineering, and under Criterion D for the potential of the bulkhead to yield information about historic engineering methods, the bulkhead and its associated structural systems were constructed between 1871 and 1936 by the New York City Department of Docks. The majority of the construction consisted of masonry walls on a variety of foundation systems, with quarry-faced ashlar granite block forming the visible face along most of the armored frontage. Built between 1876 and 1898, the bulkhead between approximately West 27th and West 36th Streets consists of a granite wall on narrow concrete block with inclined bracing piles and timber binding frames around the piles, with the exception of a small section of collapsed pile-supported platform/rip-rap near West 34th Street (see Views 6 and 7 of **Figures 7-4 and 7-5**).

² New York State Office of Parks, Recreation and Historic Preservation, Kathy Howe, Resource Evaluation, New York Improvement & Tunnel Extension of the Pennsylvania Railroad from NJ to Manhattan to LIC Queens, USN: 06101.018103, March 11, 2011.

³ New York State Office of Parks, Recreation and Historic Preservation, March 11, 2011.

⁴ New York State Office of Parks, Recreation and Historic Preservation, March 11, 2011.



Hudson River Bulkhead, view south from Hudson River Park near West 28th Street

7



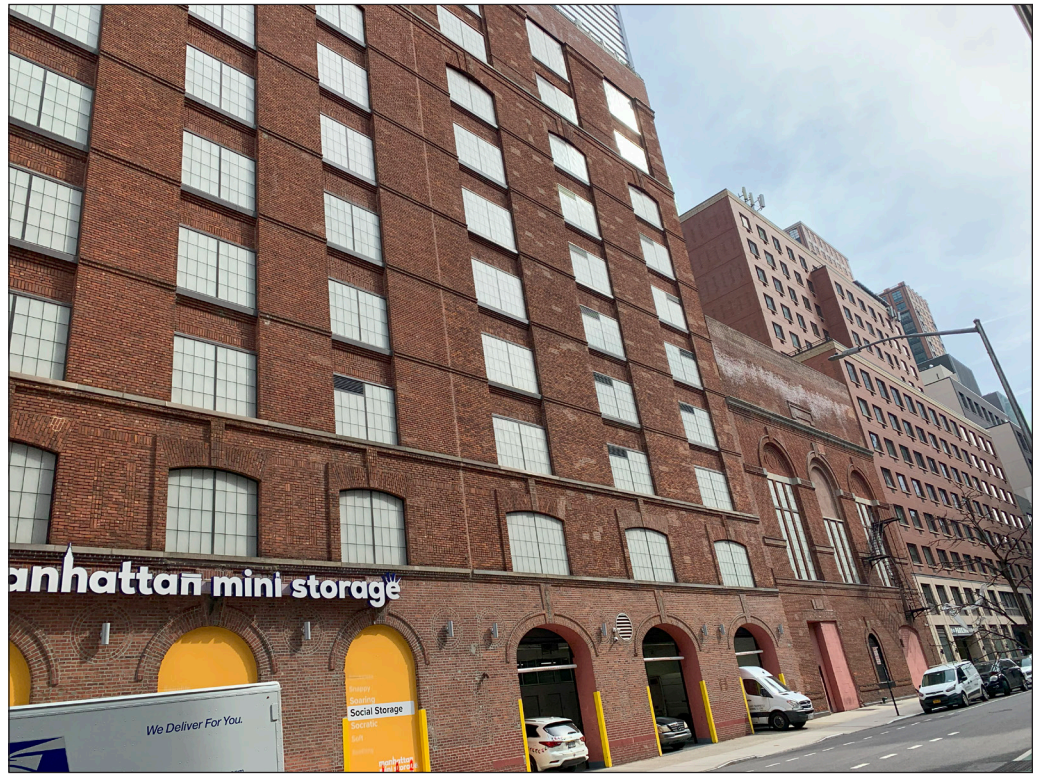
Former W&J Sloane Warehouse and Garage, view northeast from West 29th Street and Eleventh Avenue

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Design of the bulkhead was the responsibility of George B. McClellan, a general during the Civil War who became the first Engineer-in-Chief of the Department of Docks. McClellan's plans contemplated the creation of a 250-foot-wide marginal street, from which 60- to 100-foot-wide piers with cargo sheds would project 400 to 500 feet around 150- to 200-foot-wide slips. Initiated to respond to the deteriorated, congested, and silt-filled condition of the waterfront, the carefully built granite walls created a consistent monumental surface to the waterfront that reinforced an image of New York City's commercial prominence. As property was acquired and as commerce warranted, the City built the bulkheads, built or rebuilt pier substructures, and leased redeveloped areas to private companies that were usually responsible for piershed and headhouse construction.

The three buildings at 541-561 West 29th Street and 306-310 Eleventh Avenue constitute the former **W & J Sloane Warehouse and Garage**, which has been determined eligible for listing on the Registers (see Views 8-10 on **Figures 7-5 and 7-6**). Founded in 1843, the W & J Sloane company was a retail and wholesale carpet, rugs, and furnishings company. W & J Sloane supplied stores across the country, controlled mills, imported European goods, established branch retail establishments in other cities, and was the first American company to sell oriental rugs retail. Originally located on Broadway near City Hall, the firm relocated several times uptown as the retail business periodically moved northward along Broadway and Fifth Avenue. W & J Sloane's second store was located at 649-655 Broadway near Bleecker Street; this building is located within the NYCL NoHo Historic District. In 1882, the company moved its retail and warehouse operations to 880-886 Broadway; this building is located within the NYCL Ladies Mile Historic District.

In 1912, a new retail building was completed for W & J Sloane at Fifth Avenue and 47th Street. The construction of the company's warehouse on West 29th Street coincides with the construction of the midtown retail store. The first component of the warehouse—the 10-story brick structure at 306-310 Eleventh Avenue and 557-561 West 29th Street—was built in 1909 and designed by James Barnes Baker. Designed with Renaissance Revival elements, the building is sited around the southwest corner of the block, which is occupied by a parking lot. Arched loading docks with stone keystones are located on the ground floor. The second floor is designed with cambered-arched windows. Stone courses run along the tops of the first and second floors with wide brick piers dividing the upper floors into recessed and arched window bays. A projecting cornice caps the avenue and street façades. The two secondary façades facing the parking lot are largely blank brick. (When the building was constructed, two four-story store and dwelling structures occupied the corner at 302 and 304 Eleventh Avenue. By 1930, the corner was occupied by a gas station.) Constructed in 1913, the building at 549-555 West 29th Street is identical and indistinguishable from the 1909 structure. James Barnes Baker also designed the garage, built in 1910, located at 541-547 West 29th Street. The garage is a four-story structure with Romanesque Revival details. Clad in brick with stone trim, the façade features three round-arched, recessed window bays. This resource is significant under Criterion A for its association with New York's industrial history and Criterion C for its industrial design.



Former W&J Sloane Warehouse and Garage, view northeast on West 29th Street

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Former W&J Sloane Warehouse and Garage, view east from West 29th Street and Eleventh Avenue

10

D. THE FUTURE WITHOUT THE PROPOSED ACTIONS

In the future without the Proposed Actions (the No Action scenario), it is assumed that the Development Site will be developed with 4.5 million zsf (5,009,725 gsf) of residential, commercial, and community facility space by 2030. This scenario is based on the Maximum Commercial Scenario analyzed in the 2009 *Western Rail Yard Final Environmental Impact Study* and is allowable under the Site's current zoning. In total, it is assumed that the Development Site will be developed with approximately 2,185,000 gsf of office space, 164,500 gsf of retail, 2,514,225 gsf of residential space (approximately 3,454 units), and 146,000 gsf of community facility space in three buildings on Site B, Site C-1, and Site C-2. Site B will contain an 81-story (approximately 810-foot-tall) mixed-use tower with residential, cultural, retail, and public school uses; Site C-1 will contain a 66-story (approximately 950-foot-tall) office tower; and Site C-2 will contain an approximately 81-story (approximately 810-foot-tall), 1,092,000-gsf residential tower. The No Action development will also create 4.31 acres of publicly accessible open space on the Development Site. Approximately 225 accessory parking spaces will be provided in a below-grade garage for Site B, and 30 spaces for the LIRR will be accommodated on the Development Site. The grade of West 33rd Street between Eleventh and Twelfth Avenues will not be altered.

Construction for the No Action scenario development, including the creation of the Platform upon which the new structures will be built, will require deep footings, reinforced building foundations, and a concrete slab to transfer building loads to the bedrock below. Caissons (i.e., watertight columns) will be drilled through the water table and soil and into bedrock, including on either side of the North River Tunnel. The Platform's support columns will be threaded between the existing railroad tracks and associated infrastructure in the Western Rail Yard. When Hudson Yards was redeveloped in 1986, the tracks and other facilities were reconfigured, and laid out to accommodate the columns that future development would require; as a result, no existing storage tracks will be displaced, and train service will be maintained during the construction of the Platform. Construction of the Platform will also require demolition of a cleaning platform and three non-historic LIRR service buildings on the western edge of the Development Site; these will be reconstructed in approximately the same footprint once construction of the Platform is complete. The Applicant will coordinate with Amtrak regarding the necessary measures to protect the North River Tunnel during construction of the No Action scenario.

In regard to the High Line, the 2009 FEIS concluded that the context of the portion of the High Line located on the Development Site would be altered due to the added bulk and height of the development proposed for the WRY Site at that time; however, the 2009 FEIS also concluded that the development would be in keeping with the bulk, height, and modern design of the various No Build projects that were planned for completion in the surrounding area, and that since the High Line runs adjacent to and sometimes through large buildings constructed both recently and contemporary to the High Line, the construction of new buildings adjacent to or cantilevering over the historic structure would not change the High Line's existing context.

Since the final design of the proposed development of the WRY Site had not been determined at the time of the 2009 FEIS—although it was contemplated that the proposed building at the southwest corner of the Development could be located adjacent to and

above the High Line, and the two proposed buildings along West 30th Street could extend under the High Line—the Metropolitan Transportation Authority (MTA), the New York City Planning Commission (CPC), and the Applicant executed a Letter of Resolution (LOR) with OPRHP to address the potential for adverse effects to the High Line, including those relating to construction of the development on the WRY Site as well as the potential design of the development. The LOR requires continued consultation under Section 14.09 regarding aspects of the development's design that could affect the High Line (specifically, review of preliminary and pre-final design plans), as well as preparation of a CPP to protect the High Line during adjacent project construction. That LOR remains in effect. Therefore, in the future without the Proposed Actions, it is anticipated that agency consultation would be undertaken regarding aspects of the No Action development's design that could affect the High Line.

The requirement for a CPP to protect the High Line during adjacent project construction was also incorporated into the Restrictive Declaration for the 2009 project. As detailed in the Restrictive Declaration, prior to commencing construction within 90 feet of the High Line, the Applicant will develop a CPP in coordination with OPRHP and LPC to avoid any adverse physical, construction-related impacts to the High Line, such as those from ground-borne vibrations, falling objects, dewatering, flooding, subsidence, collapse, or damage from construction machinery.

There are four development projects expected to be completed by 2030 within the 400-foot study area (see **Appendix A and Figure A-1**). Directly south of the Development Site, construction is nearing completion on a new mixed-use (residential and ground-floor retail) tower development at 610 West 30th Street. To the northeast of the Development Site is a proposed office tower development at 3 Hudson Boulevard (aka 400 Eleventh Avenue). Planning and design for improvements to Hudson River Park between West 29th and West 44th Street, including a habitat beach, are currently underway. The West Side Perimeter Protection is an MTA/LIRR plan, still under development, to construct protection for the West Side Yard. The project at 610 West 30th Street is located within 90 feet of the High Line and the former W & J Sloane Warehouse and Garage, and the potential work at Hudson River Park is located within 90 feet of the Hudson River Bulkhead.

Architectural resources that are located within 90 feet of construction for an as-of-right development are offered some protection through DOB controls governing the protection of adjacent properties from construction activities. Specifically, the provisions of the 2014 New York City Building Code 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. ("Historic structures" in this context are defined as NYCLs, properties within NYCHDs, and S/NR-listed properties.) *TPPN #10/88* supplements the building protections afforded by the Building Code by requiring a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and S/NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

In the future without the Proposed Actions, changes to the condition or setting of architectural resources within the study area could occur. It is possible that some architectural resources in the study area could deteriorate or experience direct impacts through alteration or demolition, while others could be restored. 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 and City-owned sites that are NYCLs or within NYCHDs are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition can occur.

E. THE FUTURE WITH THE PROPOSED ACTIONS

DEVELOPMENT SITE AND AFFECTED AREA

The Proposed Actions would facilitate the development of the Proposed Project. Under the Proposed Project, the Development Site would be developed with approximately 6,226,560 gross square feet (gsf) in three buildings. Site A, located in the southwestern portion of the Site, would be developed with an approximately 80 story (1,172-foot-tall), 1.2 million gsf building containing approximately 1,507 residential units and 12,250 gsf of ground floor retail (Building A). Site B, at West 30th Street and Eleventh Avenue, would be developed with a 74-story (approximately 1,366-foot-tall) office tower on a podium with a height up to 200 feet (Building B). Building B would contain 2,179,899 gsf of office space, 16,000 gsf of space for a local cultural institution, 12,388 gsf of ground floor retail, a 10,000-gsf day care center, 120,000 gsf for a public school, and approximately 225 accessory parking spaces and 30 LIRR parking spaces. Site C would be developed with a 2,667,400-gsf hotel resort with gaming along West 33rd Street. It would contain a 1,750-key hotel, inclusive of 250 extended stay units, gaming space, ballroom and meeting space, amenity space, retail, and food and beverage facilities, lobbies for the proposed hotel and resort, and parking. The proposed building would contain a 5-story (up to 200-foot-tall) resort podium with gaming; development above the podium on Site C would reach a maximum height of 80 stories (approximately 1,189 feet). Approximately 500 accessory parking spaces for commercial uses would be provided on Site C. The Proposed Project also would adjust the grade of West 33rd Street to align with the level of the proposed development and enhance public access to the Site, and would create approximately 5.63 acres of new publicly accessible open space on the Development Site.

Construction of the Proposed Project would not entail the demolition of any architectural resources on the Development Site and Affected Area. Like the No Action scenario development, construction for the Proposed Project—including the creation of the Platform upon which the new structures would be built—would require deep footings, reinforced building foundations, and a concrete slab to transfer building loads to the bedrock below. Caissons (i.e., watertight columns) would be drilled through the water table

and soil and into bedrock, including on either side of the North River Tunnel. The Platform's support columns would be threaded between the existing railroad tracks and associated infrastructure in the Western Rail Yard. Construction of the Platform would also require demolition of a cleaning platform and three non-historic LIRR service buildings on the western edge of the Development Site; these would be reconstructed in approximately the same footprint once construction of the Platform is complete. The Applicant would coordinate with Amtrak regarding the necessary measures to protect the North River Tunnel during project construction. The North River Tunnel, as a subsurface feature, would have no visual relationship with the Proposed Project, and the Proposed Project would not result in any visual/contextual impacts to this resource.

As with the No Action condition, in the With Action condition the context of the portion of the High Line located on the Development Site would be altered due to the added bulk and height of the proposed buildings; however, the development would be in keeping with the bulk, height, and modern design of the Hudson Yards buildings that have been constructed since the 2009 FEIS, as well as other projects that are now planned for the surrounding area. Since the High Line runs adjacent to and sometimes through large buildings constructed both recently and contemporary to the High Line, the construction of new buildings adjacent to or cantilevering over the historic structure would not change the High Line's existing context. In comparison to the No Action condition, by 2030 the With Action condition would include development at the southwest corner of the Development Site that would cantilever over the High Line; however, such development was previously contemplated in the 2009 FEIS. As with the No Action condition, in the With Action condition it is anticipated that consultation with OPRHP regarding aspects of the Proposed Project's design that could affect the High Line (specifically, review of preliminary and pre-final design plans) would be undertaken consistent with the requirements of the LOR described above, and the Applicant would prepare a CPP to protect the High Line during adjacent project construction.

In summary, with the preparation and implementation of the CPP for the High Line, coordination with Amtrak regarding the necessary measures to protect the North River Tunnel during project construction, and consultation with OPRHP regarding aspects of the Proposed Project's design that could affect the High Line, consistent with the requirements of the LOR and the Restrictive Declaration described above, the Proposed Actions would not have any direct, physical or contextual impacts on architectural resources on the Development Site.

STUDY AREA

DIRECT IMPACTS

Using the *CEQR Technical Manual* direct impact criteria noted above, the Proposed Project 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. There would be no physical changes to the architectural resources in the study area identified above.

As described in Chapter 6, "Shadows," the Proposed Actions would result in significant adverse shadow-related impacts to the High Line. While the increase in shadows is

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considered a significant adverse impact to the vegetation in the open space, it would not constitute a significant adverse impact to the High Line as a historic resource, because the landscape developed on the High Line subsequent to its conversion to park use is not a historic feature of this resource.

With the exception of the High Line, the architectural resources in the study area are located more than 90 feet from the Development Site; thus, the Proposed Project would not be expected to have the potential for adverse physical, construction-related impacts to these resources.

INDIRECT IMPACTS

The *CEQR Technical Manual* criteria for indirect, contextual impacts are as follows:

- Isolation of a 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; and
- Elimination or screening of publicly accessible views of the resource.

The Proposed Actions would not result in the isolation of 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 Hudson Yards neighborhood is experiencing a wave of development of new tall and modern skyscraper buildings, and the architectural resources in the study area already exist in a mixed built context of smaller, older and masonry clad buildings and these taller buildings of recent construction with metal and glass curtain walls. Specifically, the W & J Sloane Warehouse and Garage is flanked by new 31-, 33-, and 34-story developments directly to the north and south and faces the new tower development that is nearing completion on the west side of Eleventh Avenue (610 West 30th Street). Twelfth Avenue and the Hudson River Greenway provide visual separation between the Hudson River Bulkhead and the Development Site and surrounding new development. The New York Improvements and Tunnel Extension of the Pennsylvania Railroad, as a subsurface feature, would have no visual relationship with the Proposed Project.

The High Line runs adjacent to and sometimes through large buildings constructed both recently and contemporary to the High Line. The portion of the High Line on and adjacent to the Development Site would be directly adjacent to the multi-building, high-rise development to be created in the With Action condition; however, the resulting visual context would be consistent with portions of the High Line within the study area that are directly adjacent to the new high-rise buildings on the Eastern Rail Yard (including 10 Hudson Yards and 15 Hudson Yards) and at 500 West 30th Street (Abington House).

The Proposed Project would not introduce incompatible visual, audible, or atmospheric elements to the setting of any architectural resource. The Proposed Actions would not result in the elimination or screening of significant publicly accessible views of any architectural resources in the study area. As described above, the incremental shadow on the High Line generated by the Proposed Actions would not constitute a significant adverse impact to the High Line as a historic resource, because the landscape developed on the High Line subsequent to its conversion to park use is not a historic feature of this resource.

The conclusions regarding the potential impacts of the Alternative Scenario would be the same as those for the Proposed Project.

In summary, the Proposed Actions would not result in a significant adverse impact on historic and cultural resources, with the preparation and implementation of the CPP for the High Line, coordination with Amtrak regarding the necessary measures to protect the North River Tunnel during project construction, and continued consultation with OPRHP regarding aspects of the Proposed Project's design that could affect the High Line, consistent with the requirements of the LOR and the Restrictive Declaration described above. *