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PHASE 1A DOCUMENTARY BACKGROUND STUDY
NEW LOTS PLAZA REZONING
BLOCK 4091, LOTS 1, 8, 15, 16, 18, 19, and 22
BROOKLYN, NEW YORK
Project Number: 08HPD012K

RECEIVED
ENVIRONMENTAL REVIEW

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LANDMARKS PRESERVATION
COMMISSION

Prepared for:
Jackson Development Group, LLC
24201 Braddock Avenue
Bellerose, New York 11426

Prepared by:
Greenhouse Consultants Incorporated
40 Exchange Place, 13th Floor
New York, New York 10005

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LIST OF PERSONNEL

William Goldsmith	-	Principal Investigator Co-author
Paula M. Crowley	-	Documentary Researcher Co-author
Antonella Inserra	-	Documentary Researcher

INTRODUCTION

The New Lots Plaza Rezoning project area consists of two blocks bounded by New Lots Avenue on the south, Livonia Avenue on the north, Barbey Street on the west, and Warwick Street on the east in Brooklyn, New York. The project number is 08HPD012K. The lead agency for this project is the New York City Department of Housing, Preservation and Development. This study is being conducted on behalf of the Jackson Development Group. Blocks 4091 and 4092 total approximately 62,113 square feet. The proposed development at the project area consist of a seven story mixed residential and retail building, 73 accessory parking places, and a 5,561 square foot landscaped market plaza (EAS 2007). See Figure 1 for the location of the project area on the U.S.G.S. 7.5 minute series quadrangle.

A letter from the New York City, Landmarks Preservation Commission, dated December 12, 2007, requested an archaeological documentary study of Block 4091, Lots 1, 8, 15, 16, 18, 19, and 22. The potential exists for data to survive from the colonial period of New Lots and the old burying ground of the Reformed Dutch Church, and later potentially, later periods.

The purpose of this archaeological and historical sensitivity evaluation is to document the potential prehistoric and historic sensitivity of the project area through field inspection and the review of archival, cartographic and published references. In order to provide a context for the evaluation of any resources within the subject parcel, this study provides a synthesis of published and unpublished documentation of prehistoric and historic resources within and around the project area.

This sensitivity evaluation is organized in the following manner: first, an overview of the physical setting of the project area; second, a review of recorded archaeological and historic findings in the vicinity of the project area; third, a discussion of the historic sensitivity of the project area; and finally, conclusions and recommendations.

GEOGRAPHY AND PHYSICAL SETTING

The principal investigator, William Goldsmith, RPA, visited the New Lots Plaza Rezoning project area in Brooklyn, New York on February 24, 2008. Goldsmith inspected the project location and photographed the location. A snowstorm had completely covered the project area.

The project area has a two story brick structure facing Jerome Street. Occupants currently reside within apartments within the structure. The remainder of the project area is vacant and covered with asphalt. A chain link fence, approximately ten feet in height surrounding the property, with a gate that is off Jerome Street. The Reformed Church is situated on the opposite side of the project area, across New Lots Avenue. This structure and its associated cemetery have been placed on the State and National Register of Historic Places in August 1983. Its significance is based on the period of 1800-1899 and its architecture.

Photo 1 is a view of the project area taken from New Lots Avenue, facing north. The second photograph is taken from Jerome Street and faces west. The third photograph shows the existing structure on Jerome Street, a two story brick structure divided into four apartments. Photo 4 shows the project area from the perspective of Barbey Street. Photo 5 shows Block 4091, taken from Livonia Avenue, under the railroad. The last photograph shows the Reformed Church of America.

From historical records, it is known that *New Lots* was extensively wooded during the colonial period. New Lots Avenue was bordered on the north and south by woods, and further south, by salt meadows. A bridge was needed to cross the creek at Jerome and New Lots. Swampy areas lay north of New Lots Avenue in or near the project area.

HISTORIC SENSITIVITY

Research into the historic sensitivity section of this report are grateful to the staffs of the Brooklyn Collection at the Brooklyn Public Library, the Brooklyn Historical Society, the Municipal Archives, the New York Genealogical and Biographical Society, and the New York Public Library, Local History and Genealogical Section and the Industry, Business and Technology Library for their efforts in aiding this research.

A rough outline of the political history of Kings County shows that it was founded in 1683. At that time it included six towns: Brooklyn, Bushwick, Flatbush (including New Lots), Flatlands, Gravesend and New Utrecht. In 1852 the Town of New Lots separated from the Town of Flatbush, leaving Kings County composed of two cities (Brooklyn and Williamsburgh) and six towns (Bushwick, Flatbush, Flatlands, Gravesend, New Lots and New Utrecht). In 1886 New Lots was annexed to the City of Brooklyn, leaving Kings County with one city (Brooklyn) and four towns (Flatbush, Flatlands, Gravesend and New Utrecht).

Flatbush or Vlackbosch was the last settled of the five Dutch towns because of the inland location. Initial settlement of Flatbush began between 1645 and 1650, fertile lands being the attraction. The area of New Lots was known by the Dutch as 'T Oostwout, or the East Woods. Eventually as settlement extended eastward, the area was cleared. Settlement reached New Lots by 1670 (Flint 1896:66, 95). A separate patent was obtained for New Lots from Andros in 1677 by 37 people (Strong 1841). In 1698 the population of Flatbush, including freeholders, wives, children, apprentices and slaves was 476 people (Flint 1896: 103).

The road to New Lots was initially laid out in the village of Brooklyn in 1704 as Fulton Street. This road wandered among farms, utilizing paths to farms, reaching

"...Isaack Greg's house to the Fflackbush new lotts ffence, and soe all along said ffence to the eastward, to the north-east corner of Eldert Lucas's land, lying within the New lotts, of Fflattbush aforesaid, being ffour rod wide all along, to be and continue forever."
(Furman 1824:36-37, Ostrander 1894, Stiles 1867:213).

A description of the Battle of Brooklyn or Long Island described the three routes for the British army, one of which was "... farther east, ran through Flatlands toward the clearing beginning to be called The New Lots" (Flint 1896:394). The right wing of the British army moved to the east on the road toward New Lots. The right wing was the largest and most experienced division. "Reaching the salt-water creek which pushes up from Gowanus Bay, at the Schoonmaacher's Bridge, just south of the site of East New York, they were surprised to find the route open to the Jamaica Road. At two in the morning,

Cornwallis had reached the Half-way House, the inn of William Howard" (Flint 1896:395, Ostrander 1894, Stiles 1867:265-267). The open road allowed the British army to rapidly advance against the Continental forces. Some 16,000 British soldiers occupied the East New York/New Lots area.

The Federal Census of 1820 indicates 64 households in New Lots. The Christian Duryea has five members, one of whom is a slave (Landesman 1977:18, 215-217).

In 1823-1824 the New Lots Reformed Church was constructed. Prior to the construction of the church, farmers traveled to Flatlands or Flatbush to worship. The cemetery adjoining the church was founded in 1841, expanding from the burial ground across the road. The church and adjoining cemetery were placed on the National and State Registers of Historic Places in 1983. The church stands on the south side of New Lots Avenue, at the southwestern corner of Block 4091.

New Lots was described in 1860 as lying in the extreme eastern portion of Kings County with a level surface. The southern half of the town was occupied by extensive salt meadows. East New York was described as a prospective city of "magnificent distances" (French 1860:373).

Cartographic Evidence

Figure 2 is taken from a figure executed by Kelley in the 1977 Landesman book. The separate patent granted by Governor Andros for New Lots in 1677 was divided into 47 plantations. In 1680 the list of landowners (which included a 48th plantation) was submitted to Andros, most of whom were Flatbush residents (Landesmann 1977:13). The lot lines follow the historic streets. The name of *R. Lott*, *C. Duryea*, *J. Bogert*, and *M.S. Duryea* are listed at the project area location. They owned Lots 23 and 24. However, their names do not appear on the Andros list. Cornelis Boomgaert owns Lot 23 and Rem Remse owns Lot 24. Further up the column for Lots 23 and 24 are the names: *Remsen*, illegible, and *Schenck*. Landesman notes that there were a number of conveyances, either outright selling of the land or exchanging it for other parcels (ibid.:16). The original plantation owners also received a share of meadow lots to the south of New Lots Road, one meadow to each plantation, and the rest held in common. The woodlands illustrated on the map, both north and south, were held in common (ibid.:17). The actual number of occupants during the initial period of New Lots is unknown. Flatbush consisted of 48 families in 1683, of which the Flatbush Dutch Reformed Church indicated that one-fifth of the member families were New Lots residents in 1680 (ibid.:18).

Figure 3 is taken from a 1776 sketch showing the countryside after the Battle of Long Island/Brooklyn. No structures are shown for New Lots, which is located next to a marshy area. The other villages are illustrated with structures.

Figure 4 is taken from Johnston's 1776 map of New York and Brooklyn. It is more geographically accurate than the preceding sketch. Not much in the way of structures or lots are indicated at New Lots as opposed to Bedford or Flatbush.

Figure 5 is from the 1776 Plan of New York Island and Part of Long Island. The purpose of the map was to show the positioning of the British and American armies. On this map, Flatland is west of Flatbush, while on Figure 4, it was south of Flatbush. The New Lots is shown as unpopulated, while the remaining villages have structures shown.

Figure 6 is from the 1829 Burr map. Nothing is shown within New Lots. Although the map is reputedly supposed to show "flouring mills, factories, forges, saw mills, churches, etc.," no trace of the church is apparent, which was constructed from 1823 to 1824. Marshes lie to the south.

Figure 7 is from the 1841 Young map, which can best be described as a tourist's guide. The church finally appears in New Lots. The road appears to be heading south into marshes, and the Long Island Railroad is well north of the church. East New York, also appearing for the first time, is located west of New Lots.

Figure 8 is from the W.W. Mather's geological map of Staten and Long Islands in 1842. To the southwest of the label *New Lots* are five structures located east of Fresh Creek. Two of the structures may be the New Lots school house was built in 1810 next to the old burying ground and the church constructed in 1823-1824.

Figure 9 is from the United States Coast Survey published in 1844. Structures are shown along New Lots Road for the first time. The original 48 plantations have been divided into numerous fields. The project area is bounded to the west by the schoolhouse. The church and its associated grounds lie to the southwest. Placement of the location of the project area was based on the following Sidney map. A structure appears at the southeast corner of the project area along New Lots Road.

Figure 10 is from the 1849 Sidney map, and this is the first to show property owners' names. The school is located immediately west of the project area. The Duryea house has been shifted north to what is now 652 Jerome Street and is labeled M. Duryea. The structure that was at the southeastern corner of the project area on the 1844 U.S. Coast Survey is not illustrated. A stream runs through the southeastern corner of the project area. The church is located across the street to the southwest of the project area.

Figure 11 is taken from the United States Coast Survey published in 1866. Indications of a stream are in the eastern section of the project area. The schoolhouse lies to the west and the church to the southwest.

Figure 12 is from the 1873 Beers atlas. Blocks have been laid out. The project area lies empty. The school and cemetery lie one block west. The church lies to the southwest. The M. Duryea house is at 652 Jerome Street. The Hemstead Rail Road lies one-half block south of New Lots Avenue.

Figure 13 is from the 1877 Dripps atlas. Streets are labeled, schools, cemeteries and churches are shown, but not other structures. Property ownership is indicated and Michael S. Duryea owns the project area. The school and cemetery lie one block west and the church lies to the southwest. Its associated cemetery faces the project area on the south side of New Lots Road. The block is 200 feet wide and the side streets are 50 feet wide.

Figure 14 is taken from the 1886 Robinson atlas. Michael S. Duryea owns the block, which has no structures on it. Duryea also owns the blocks lying south of New Lots Road and east and north of John Street. The school and the old cemetery are shown one block west. The old cemetery is shown extending from New Lots Road and crossing Linnington (Livonia) Avenue. The church, the church school and the church cemetery lie on the south side of New Lots Road, south and southwest of the project area.

Figure 15 is from the 1893 Bromley atlas. Lots are shown within blocks. Block 4091 is numbered Block 515. Twenty-one lots are laid out on the block. Only one lot is occupied, by a frame structure in the front half of Lot 14, facing New Lots Road. The public school occupies the western half of Block 514. The old burying ground is shown as vacant. The church and its associated structures and cemetery lie south and west of the project area. A water line runs along New Lots Road, with a connector running one block north on Warwick, zigzagging one block west on Livonia and then zigzagging north again on Jerome.

Figure 16 is from the 1905 Hyde atlas. Block numbers are configured with the current block numbers. The lots in Block 4091 have been reconfigured. There are now 16 instead of 21 lots. Lot 14 is now Lot 22. The two-story frame structure with a brick or stone foundation is set back from New Lots Avenue. The building has a store on the first floor. At the rear of the lot is a frame stable set again the northwest corner. No other structure is on the block. The public school is located on the western two-thirds of Block 4090. The *Old Burying Ground* occupies the eastern third of Block 4090 and continues north across Livonia Avenue into Block 4076. A hydrant is shown in front of

Lot 21 on New Lots Avenue. Water mains are shown on New Lots, Schenck, Warwick, zigzagging along Livonia, and then north on Jerome Street. Sewers are shown along New Lots, Warwick, Jerome, Barbey and Schenck. The sewer runs along Livonia but is discontinued between Schenck and Barbey.

Figure 17 is from the 1928 Sanborn. This page has been manually updated with penciled figures, white masking tape and revised structures added. Block 4091 have been reconfigured. The street number at Lot 16/22 is 681 revised to 659. The two story frame dwelling is still at the front of the lot, and the one story stable or shed is in the northwest corner of the rear of the lot. In the northwest corner of the block at Barbey and Livonia, a one story hollow concrete or cement block building exists. A two-story brick dwelling exists at the front of 840/854 Livonia Avenue. A one-story brick and cement garage is next door at 856 Livonia. The corner of Livonia and Jerome has been listed as vacant and open. Four two-story brick dwellings are on Jerome Street, numbered 606 through 614. At 618 Jerome, another one-story brick and cement garage exists. The corner of New Lots and Jerome is occupied by a three story brick structure with a store. The structure at 665 New Lots Avenue has a brick front on a one-story concrete/cement structure labeled *Television W. Ho.* The rest of the block is vacant. Block 4090 has been white taped and the Brooklyn Public Library, New Lots Branch has been inserted along the front third of New Lots Avenue. The northern section is now a playground with a brick facility. The elevated railroad is present along Livonia Avenue.

Historical Sensitivity

The oldest structure in or near the project area was the Duryea house, described as being at New Lots Road and Barbey Street. A creek passed by the house, and New Lots Road was crossed by a bridge at Jerome Street. The house was described as 1740 Dutch architecture. The house was moved to 562 Jerome Street. M. Duryea resided there in the 1870s. Linington Duryea later occupied the house (www.bklyn-genealogy-info.com/Town/NewLots.html).

Duryea genealogy. The Duryea genealogy starts with Joost Duryea, a French Huguenot, who emigrated from Manheim in the Palatine. Joost settled initially in New Utrecht, and then moved to disputed lands between Newtown and Bushwick. He died in 1727. Jacob, one of the twelve children of Joost and Magdalena LeFebre, was (November 21, 1685-1758) and married Catrina Polhemius. Jacob owned a 100 acre farm in Bushwick, and later moved to Brooklyn. The third generation was Cornelius, listed as a farmer in Bushwick. The fourth generation was Christian Duryea of New Lots (1741-July 28, 1830) married to Anna and/or Hannah Stryker. The genealogy lists a son, Cornelius (May 11, 1793-August 5, 1839) (Bergen 1987:368-376, v.1).

Records of the Flatbush Reformed Dutch Church Consistory Books, Kings County, Long Island, New York, 1792-1872, notes the baptism of Cornelius Duryea, born May 4, 1793 and baptized June 7, 1793. He was the son of Christian Duryea and Ann Stryker. No record of the birth or baptism of Michael Duryea was found. The records indicate that Michael Duryea married Lucretia Linnington on April 21, 1832. Their children include: Sarah Matilda Duryea (b. February 13, 1833, baptized May 19, 1833), Hanna Matilda Duryea (born February 11, 1835, baptized June 26, 1835), Cornelius Dureay (born June 28, 1838, baptized September 3, 1838), and Nicholas Linnington Duryea (born February 9, 1842, baptized April 3, 1842) (McCool and Storm 1996).

Inscriptions from the Old Burying Ground recorded by Wyckoff in 1878 included four members of the Duryea family: Christian Duryea (died July 28, 1830, aged 79 years), Hanna Stryker Duryea (wife of Christian, died November 5, 1841, aged 78 years, 6 mos, 5 days), Cornelius Duryea (son of Christian and Hanna, died August 5, 1839, aged 46 years, 3 months, 4 days), and Sarah Matilda Duryea (daughter of Michael and Lucretia, died July 14, 1833, aged 5 months). In the new cemetery, three members of the Duryea family were recorded: Michael S. Duryea (died January 21, 1876, aged 78 years, 8 months and 3 days), Lucretia Linnington Duryea (wife of Michael, died April 5, 1875, aged 72 years, 7 months and 16 days), and Hannah Matilda Duryea (daughter of Michael and Lucretia, died July 30, 185, aged 17 years, 5 months) (Frost 1913).

The Christian Duryea house. Four articles were located regarding the Christian Duryea house. Oser (1980) reported on Frederick V. Eversley's attempts to sell his house. The house in question was the 1740 Christian Duryea house. Complicating Mr. Eversley's attempts to sell his house, was its nomination by the New York State Board for Historic Preservation for a national historic monument, a process which had been ongoing for at least two years. Mr. Eversley wanted the house preserved, but felt that the nomination would hinder his chances at selling. The article, with a photograph, describes the house as a saltbox with a white picket fence. The article states that the house was built at New Lots Road and Barbey Street in 1740, and moved to 562 Jerome Street in the nineteenth century. The original wood shingle roof was intact under layers of asbestos shingles. The original Dutch door with original wrought iron strap hinges was the rear door of the structure. The original oak flooring with boards attached in the tongue-and-groove method were shown to the reporter. The eastern half of the house was the oldest section, dating from 1740, with handhewn beams and original pegs. The western section of the house was dated around 1790, with alterations in 1840 and 1920. The interior trim of the house was dated from the late eighteenth to the early nineteenth centuries. In the 1740 east section of the house the reporter states:

Underneath this section is the original cellar, connected to the outside by a short flight of stone stairs (Oser 1980).

Walters (1985) reported on the continuing saga of saving the 1740 Duryea house. Mr. Eversley, who was age 86 in the 1980 article, died in 1982. The New York Landmarks Conservancy had an option to purchase the house, but Mr. Eversley died without a will. The Queens County Farm Museum wanted to move the house to a site in Floral Park. The time limit to the 1978 application to declare the building a landmark was running out in 1985, and the process would have to be repeated if the deadline expired. The house has deteriorated in the years since the previous article. The windows are boarded up. The house was described as a simple country farmhouse. The article refers to the house as being altered in 1860 and an addition made in 1920. The photograph shows the house boarded up, and the white picket fence partially knocked down.

Rangel (1986) shows a boarded up house. The house is described as "... ravaged by weather and overwhelmed by weeds, abandoned tires and refrigerators ..." (Rangel 1980). Money from the Office of the Borough President aided in stabilizing the structure and painting it. The Office of the Borough President also opposed the move to the Queens County Farm Museum. Brooklyn College, under the direction of H. Arthur Bankoff and Frederick A. Winter conducted archaeological excavations during June and July of 1986 and found 15,000 artifacts dating from the eighteenth to the early twentieth centuries. Local interest in preserving the house was described as strong.

Dunlap (1989) reports on the demise of the 1740 Christian Duryea farmhouse. On November 8, 1989, the house was destroyed by squatters in a fire. During the intervening time between the first article in 1980, the interior had been become badly vandalized and the 1740 woodwork had been used for fires. Not only had Mr. Eversley died, but his son had also died, and the estate was being administered by the Nassau County public administrator's office. Landmarks Conservancy had still been trying to purchase the structure, and the New York City Parks and Recreation Department, and the Brooklyn Borough President's Office were supporting the project. The photographs show the house in 1914, and the remnants after the fire.

The second oldest feature in or near the project area was the Old Burying Ground. This cemetery was established at the end of the eighteenth century, between Schenck and Barbey. The Old Burying Ground extended northward of Linnington/Livonia Avenue for 100 feet on sloping ground. It is in this area that the slaves were reported to be buried. The Old Burying Ground was located on the north side of the railroad. They are not referring to the current Long Island Railroad, but rather the Hempstead Railroad illustrated in the Beers 1873 atlas (www.bklyn-genealogy-info.com/Town/NewLots.html). Inskeep (1999:123) states that the initial use of the cemetery was in 1780 and occupied

land both north and south of New Lots Road. A figure of 700 people, including original Dutch settlers, their slaves, Revolutionary War soldiers (both Continental and English), and possibly Native Americans were interred here (Walker 1984). The 1877 Dripps map is the first to show the cemetery. The illustration clearly shows the old cemetery extending into Barbey. The old cemetery also crossed Livonia and extended into Block 4076. Michael Duryea owned the blocks north and south of New Lots Road. The 1905 Hyde Atlas shows the *Old Burying Ground* extending into Barbey Street. The cemetery boundary extends at least as far as the utility lines, since excavating for the lines encountered graves.

In 1886 a reporter from the *Brooklyn Daily Eagle* interviewed a member of one of the first families in New Lots, Stephen L. Vanderveer, reputedly the wealthiest resident of the 26th Ward. Vanderveer explained that initially the families were buried on individual farms. Eventually they decided on a proper burial ground. In 1886, Vanderveer said that the cemetery was over two hundred years old. Vanderveer also stated that in the colonial days, there were as many African-Americans as whites, and whites were buried in the front of the cemetery, near the roadside, while the African-Americans were buried away from the road near the swamp. The decision to build the church was based on the extent of travel required to go to Flatbush or Flatlands to worship, and the desire to have a church near the burial ground. Vanderveer states:

In 1841 we saw the necessity of having a new burying ground, as the black people were overcrowding us in the old one. Therefore we purchased the ground alongside the church and removed a great many of the dead from across the road. I have not taken up all my people yet, but I expect to do so ere long. (*Brooklyn Daily Eagle* September 19, 1886).

The 1886 reporter then proceeded to visit the cemetery to confirm Vanderveer's remarks about the existence of the old cemetery. The reporter found the cemetery unkept except for the African-American part, "... which speaks well for them." Wading through the undergrowth, the reporter found headstones, including Daniel Rapelje, died October 15, 1822. The reporter's excursion was cut short when he tumbled into an open grave.

A newspaper article in the *Brooklyn Daily Eagle* in 1900 records a visit to the cemetery, and notes the neglect. One published photograph in the article illustrates the headstone of Joseph Howard, died August 2, 1812. The author states:

On the side opposite the school there was a street put through some years ago, and it being necessary to cut down some depth, many of the graves with their contents were removed. That is, the graves were removed, but in many cases the bones were left lying on the side of the bank. Some residents of the neighborhood say that the bones might be seen there until within the last five years. If this be true, it shows on the part of

the responsible persons a lack of veneration amounting almost to vandalism. (*Brooklyn Daily Eagle* August 5, 1900).

The street opposite the school would be Barbey.

Complaints, in the form of letters to the editor, occurred during the 1890s and the early twentieth century. On February 3, 1899 *A Resident* wrote the editor of the *Brooklyn Eagle* about the eyesore next to Public School 72. The fences were torn down, tombstones vandalized and the cemetery was used as a playground. "One part of the graveyard was set apart for the burial of the slaves owned by the different families" (1899:8). According to the *A Resident* complaints had been filed for ten years about the condition of the cemetery, and recommended that the remains be removed and made into a park or school playground. A follow-up letter to the editor, dated August 13, 1900, concerning the article written on August 5, 1900, stated that the children at Public School 72 used the graveyard for a playground. This correspondent stated that on April 6, 1899, Borough President Grout sent a communication to the Board of Education concerning the cemetery. There appears to be a controversy over who owned the property, and that it appears to have been owned by the old School District No. 2 of Flatbush, and hence, was the property of the Board of Education.

A letter to the editor written on September 27, 1906 discussed ownership of the cemetery. Tracing back to February 3, 1676, the church and school lands were allotted to New Lots and Flatbush, the article states that the current Board of Education had inherited those rights and obligations. The old school was established before 1674. The author states that:

The annexation act of the Town of New Lots in 1886 did not provide for any change of custody in these lands but the annexation act of the Town of Flatbush did have a provision in it which placed these lands in the custody, jointly of the Flatbush Reformed Church, and the Board of Education.

As a matter of fact, the Town of New Lots never had any church or school lot, for the mother town would not recognize any divided authority, and the Town of New Lots, and the New Lots church, on the south side of the New Lots road, were obliged to purchase private property for burial ground and church (Palmer 1906:5)

Included in the group of people providing funds for the church was Christian Duryea. Palmer discusses the excavation of the sewer lines, and the fact that the excavation impacted the grave of one of the early schoolmasters and sextons of the church.

On February 27, 1913, it was reported in the *Brooklyn Daily Eagle* and the *Brooklyn Daily Times* that Senator Herman H. Torborg of East New York had introduced a bill in

Albany to give the Board of Education and the city, authority to exhume the bodies, under the Board of Health, re-inter them, and utilize the area of the old cemetery for school purposes. The bill was introduced on February 26, 1913 as Int. No. 1008, entitled *An Act Authorizing the Board of Education of the City of New York to Utilize for School Purposes, an Abandoned Burying Ground in the Borough of Brooklyn upon Removing the Bodies and Providing for the Determination and Payment of Claims of any Person Claiming to have Title to Such Premises*. It was also numbered as A.1606. The bill went to the Cities Committee and was printed as No. S.1135 (*State Journal* p. 414). The subsequent fate of this bill was not determined, since the records of the state library from that period were burned. Subsequent searches under the headings of cemeteries, churches, schools, Board of Education, Board of Health, Reformed Church, Dutch Reformed Church did not yield any further information concerning the old cemetery at New Lots.

The Frost publication of 1913 indicated that the cemeteries, both old and new, were revised to copy their inscriptions because the city was supposed to do away with the old cemetery (Frost 1913). Armbruster (1942:352) states that by 1922, the old cemetery was terribly neglected and few tombstones remained standing. He says that the City of New York had taken possession of the cemetery, and had agreed to remove the remains. Armbruster also states that the old cemetery extended 100 feet north of Linington (Livonia) Avenue on sloping ground, which was the burial area for slaves. The last remaining piece of information was in the Brooklyn Historical Society Scrapbook on the New Lots Dutch Reformed Church Volume 134, page 6, from *The Chat* on November 28, 1925. The article, *Old School is Still Doing Much Business* details school activities. The last paragraph states:

There is an exceptionally large playground adjoining the school recently enclosed by the city. This is situated on what was formerly an old cemetery, the record of ownership of the land having been lost in a fire which destroyed [illegible] Flatbush Town Hall so the city took possession (*The Chat* November 28, 1925).

It appears that the remains from the cemetery may have been removed somewhere between 1922 and 1925.

The third oldest structure is the school, built in 1810. It was built adjoining the old burying ground. When New Lots was a part of Flatbush, it was known as District School No. 2. Once New Lots separated from Flatbush in 1852, it became District School #1 in the Town of New Lots. Early in the twentieth century, the school was moved to 639 Barbey Street between Livonia and Dumont. Public School 72 was built on the old school site (www.bklyn-genealogy-info.com/Town/NewLots.html, Armbruster 1912:57).

The fourth oldest structure is the National and State Registered Reformed Church and Cemetery constructed in 1823-1824. The cemetery stands south of the current project area while the church is located southwest.

Summary

The sensitivity of Block 4091 has two potential historical components, the 1740 Duryea house, and part of the *Old Burying Ground*. Although historic sources indicate a number of households residing in New Lots from the late seventeenth century, early historic maps do not document their existence. The 1849 Sidney map is the first map that demonstrates that the house has been relocated by that year. However, its exact location within the project area is not known from historical records. The towns in Kings County did not categorize conveyances by block and lot until the late nineteenth century, the conveyances and tax assessments yield information about acreage, farms and buildings. See Appendices 1 and 2. The location of the 1740 farmhouse was supposed to be at New Lots and Barbey, and a stream ran by it. The stream on the 1849 Sidney map, and the U.S. Coast Survey maps indicate that it lay on the eastern side of the project area. This location also makes sense since the bridge was at Jerome Street and New Lots Avenue. At Barbey and New Lots, there are only the school and the church. Another conjecture may be that the house was located on the south side of New Lots and relocated when church members decided to start a new burying ground in 1841. Another location may be the structure indicated at the southeast corner of the project area on the 1844 U.S. Coast Survey map. No structure is indicated further north on Jerome Street. On the 1849 Sidney, the structure at the southeast corner is gone, and there is a structure for M. Duryea at 652 Jerome Street.

The *Old Burying Ground* is always indicated on the **west** side of Barbey Street, and on both sides of Livonia Avenue. Historic maps indicate that the cemetery extended at least to the middle of Barbey Street, based upon excavation of utility lines during the fourth quarter of the nineteenth century. Articles from the *Brooklyn Daily Eagle* indicate bodies had not all been removed from the old cemetery by the end of the nineteenth century, nor were all going to be removed. During the late nineteenth and early twentieth centuries, the city and its agencies were engaged in establishing legal control over the property. While there was occasional mention of the cemetery, chiefly in the form of complaints, no actual account of the removal of bodies was found. In 1975, Rose McCarthy, a local historian, visited the new cemetery and observed:

Those who had died prior to 1892 would feel a sense of displacement when they realized that their bones had been removed from across the street in that year and the New Lots Public Library now stands where they once rested. (McCarthy 1975:4, pt 2)

McCarthy states that the cemetery extended north of Livonia Avenue, and it was here that the "...Black slaves were buried, apparently without grave markers, and also

Indians. A former pastor, Rev. Summers, remembers that in the course of excavation in this area, that bones were uncovered which were subsequently deposited in the present cemetery (ibid.)."

Research into the cemetery has indicated that some remains were moved by their descendants during the nineteenth century. One article in a 1900 newspaper indicated that some were destroyed when the new road was put in. The question also arises as to what nineteenth century inhabitants meant by removal? removal of entire bodies? removal of skulls only? removal of tombstones only? In short, although historic records indicate some graves were moved, and in the early twentieth century, the remainder were removed, we do not know the extent or the definition of what was removed.

The New York City Department of Design and Construction was contacted for any information on borings and WPA Rockline maps in the vicinity in effort to learn about the subsurface of the area. At Livonia and Schenk Avenue, one block east of the current project area, 5 feet of clay fill overlies a layer of 10 feet of sand. At Livonia Avenue and Barbey Street, the site of the former cemetery, 5 feet of clay fill sits on top of a layer of 10 feet of sand. At Livonia Avenue and Jerome Street, the northeast corner of the project area, 5 feet of filled ground and sand overlie a 5 foot layer of sand and gravel, which lies on top of a third layer, a 5 foot layer of sand. A clay cap appears to have been introduced between Barbey and Schenck. The clay cap may have been introduced to stabilize the area, when the elevated No. 3 line was brought to New Lots Avenue circa 1920-1922, because the location was described as swampy in historic records .

CONCLUSIONS AND RECOMMENDATIONS

The above research has documented use of Block 4091. Three historic issues have been identified for this block.

1740 Duryea House

The first historic issue is the 1740 Duryea house. This house and its cellar were relocated by 1849 to 652 Jerome Street. Its exact location within the project area is unknown. Historic records state that its location was at New Lots Road and what is now Barbey Street, and a creek ran by it. Historic maps indicate that the creek was near Jerome and a bridge was constructed across the creek at Jerome and New Lots Road. The 1844 U.S. Coast Survey indicates a structure at this location, but none north of it on Jerome Street, specifically what is now 652 Jerome. The 1849 Sidney does not show any structure within the project area, but the *M. Duryea* house is shown at 652 Jerome. The location of the 1740 Duryea house may have been under the three-story brick building indicated on the 1928 Sanborn map, or if it was located exactly at the corner of New Lots and Jerome, its location may be partially under the expanded New Lots Avenue. Although the Duryea farmstead itself would have been considered a potentially significant resource, the house and its foundations have been relocated. New Lots was described as an area in the eighteenth century, as abundant in woods, yet the Duryeas did not abandon their house, they moved it during the 1840s, even though it was at least 100 years old at that point in time. Given the technology of the period, the relocation of the house was no light undertaking. The house relocation appears to have occurred after the death of Hanna, Michael's mother in 1841. The year 1841 was also the year that the congregants at the church decided to expand their cemetery to the south side of New Lots Road. Although the house was moved, Duryea family definitely would have used cisterns and privies during the eighteenth and early nineteenth centuries. The former location at Jerome and New Lots Road fits the description of the farmstead lying along the stream. No historic map supports Barbey and New Lots location.

Reommendations: GCI recommends subsurface backhoe trenching to search for features such as cisterns and privies, as well as potential outbuildings such as sheds or barns that were used by the Duryea family from 1740 until the 1840s. As detailed in Appendix 3, the scope of work will include three backhoe trenches, approximately 60 to 80 feet in length, and approximately 6 to 7 feet in width.

Lot 16/22

The second historic concern was at Lot 16/22. This was the only structure erected during the nineteenth century, a two-story frame dwelling. This dwelling first appears

on the 1893 Bromley, after utilities have been installed. The rest of the former structures on the block were constructed during the twentieth century and are a mix of residential and industrial functions. They are not considered of historic importance.

Recommendations: No further investigation is recommended.

The Old Burying Ground

The third historic concern is the *Old Burying Ground*. It is described in historic sources, as being on the west side of Barbey Street. Historic maps and historic documentation also indicate that the cemetery extended at least to the mid-point of Barbey Street, when graves were encountered when utility lines were excavated during the late nineteenth century. Historic documentation indicates that into the first quarter of the twentieth century, graves had not been completely removed. While there is mention of the cemetery in the form of complaints, and documentation of the city and the Board of Education's attempts to gain legal control of the cemetery, no documentation exists on the actual removal of any human remains. If the cemetery was vandalized to the extent that articles and photographs document, it is questionable that all graves were actually removed. Tombstones had been removed from graves, and other graves, especially to the rear of the cemetery, may have never had markers. There is also the question of what the late nineteenth and early twentieth century inhabitants meant by removal of remains. Based on information found during this research, there is potential that the cemetery may extend into the western portion of Block 4091. Historical documentation indicates that the land sloped as it progressed northward from New Lots Avenue to Livonia Avenue, and that African-Americans were buried nearer to the swamp. The area is very flat with no trace of a swamp today. The WPA Rockline Map filed with the Subsurface Exploration Section of the New York City Department of Design and Construction indicates that a five foot deep clay cap was placed at Barbey and Livonia and Schenck and Livonia.

Recommendations: Greenhouse Consultants Incorporated recommends subsurface testing of the western part of Block 4091 in order to ascertain whether any remnants of the cemetery remain. The buildings erected during the twentieth century probably did not impact the cemetery, if there was any great amount of fill at the location. As detailed in Appendix 3 in the scope of work, exploratory units (3 x 3 feet) will be initially excavated to ascertain the current stratigraphy and compare it to the Rockline Maps. Manual excavation of ten excavation units (5 x 5 feet) will explore the potential extent of the former cemetery in a north/south and east/west dimensions. The Reformed Church of America, the direct descendent of the former Dutch Reformed Church and the appropriate contact for the disposition of their former constituents, in the event that any human remains are encountered. A physical anthropologist will be on call for consultation in the discovery of human remains.

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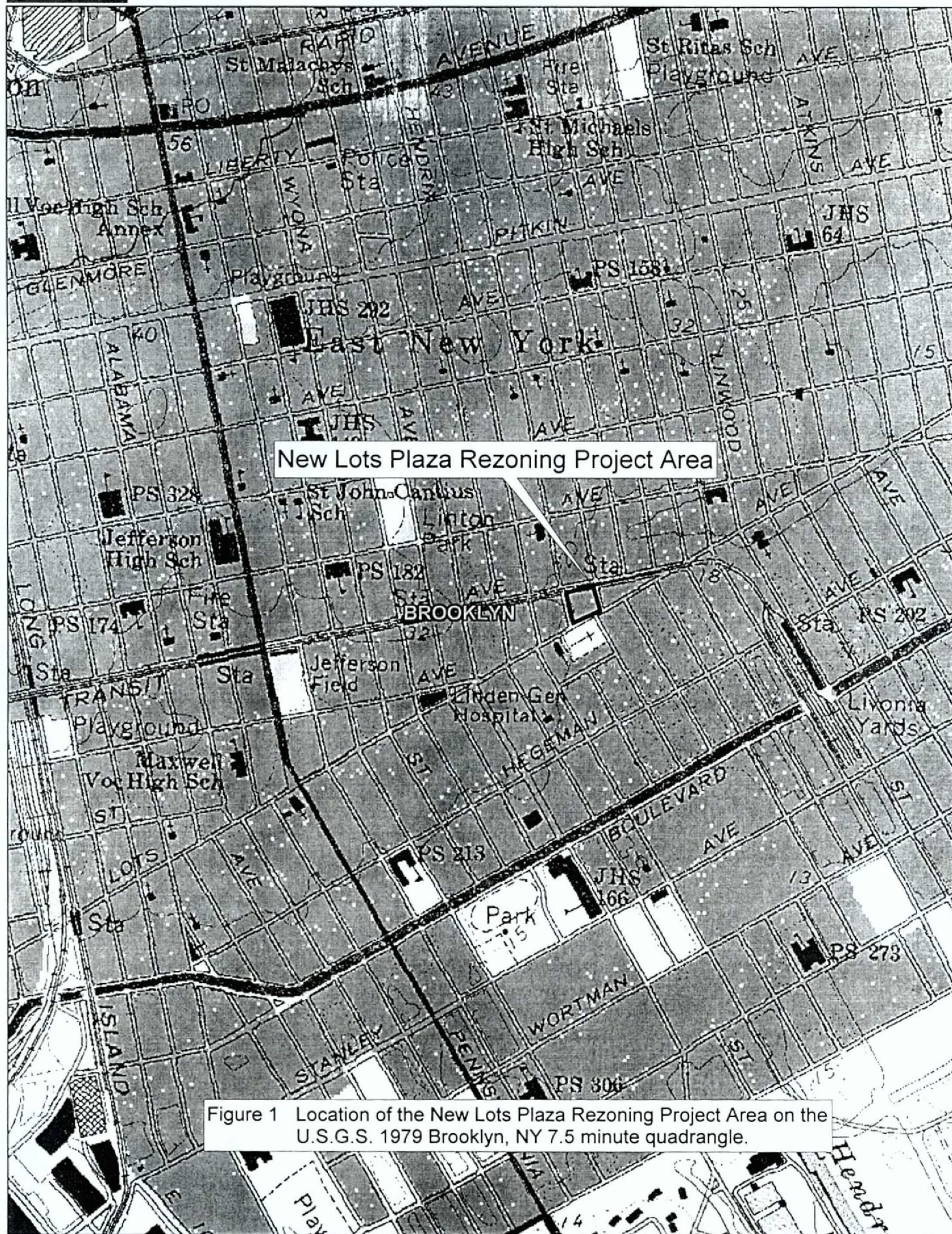


Figure 1 Location of the New Lots Plaza Rezoning Project Area on the U.S.G.S. 1979 Brooklyn, NY 7.5 minute quadrangle.

Figure 2 From Kelley, Map showing the property owners of "New Lotts of Midwout."

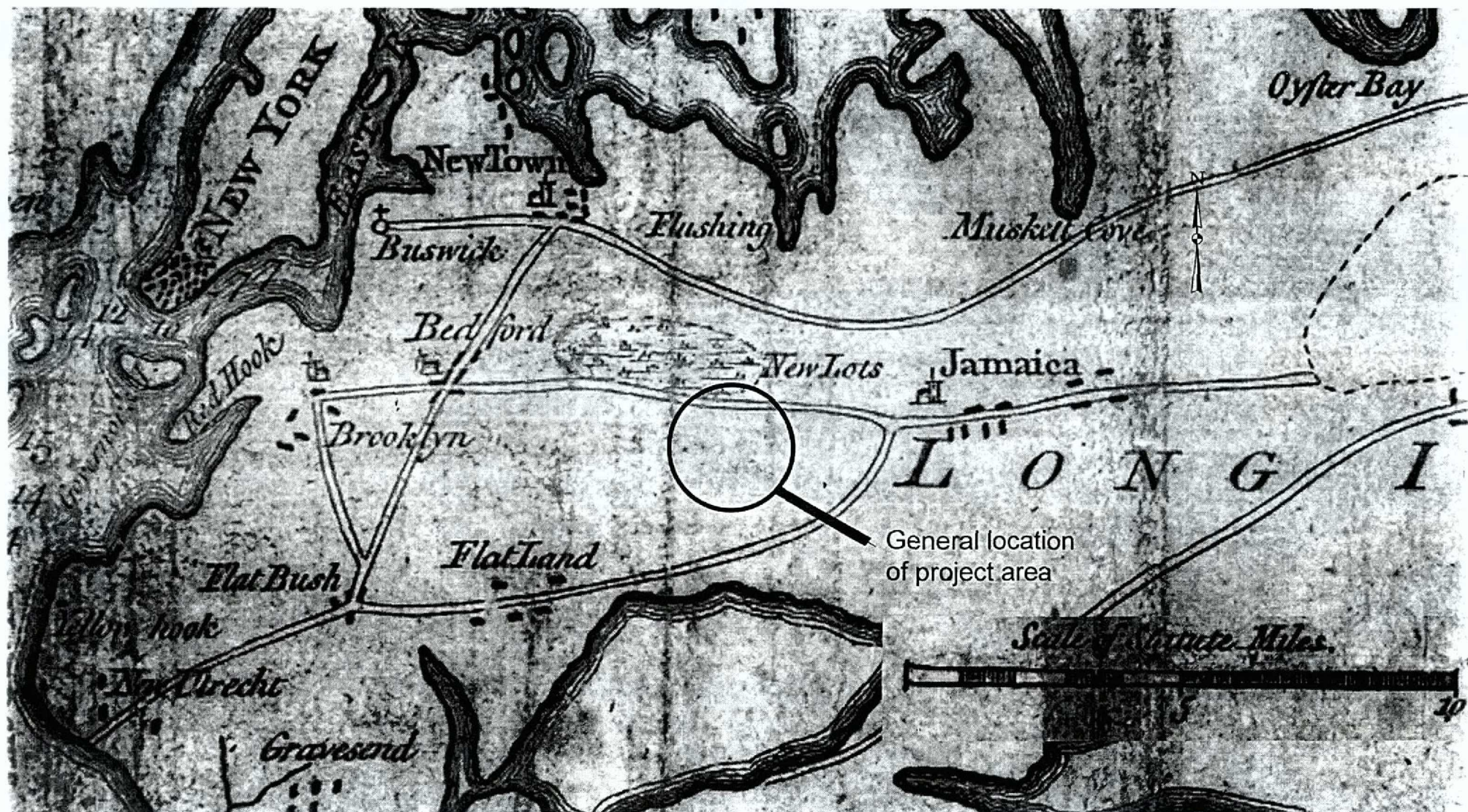


Figure 3 From the 1776 Sketch of the Country Illustrating the late Engagement on Long Island.

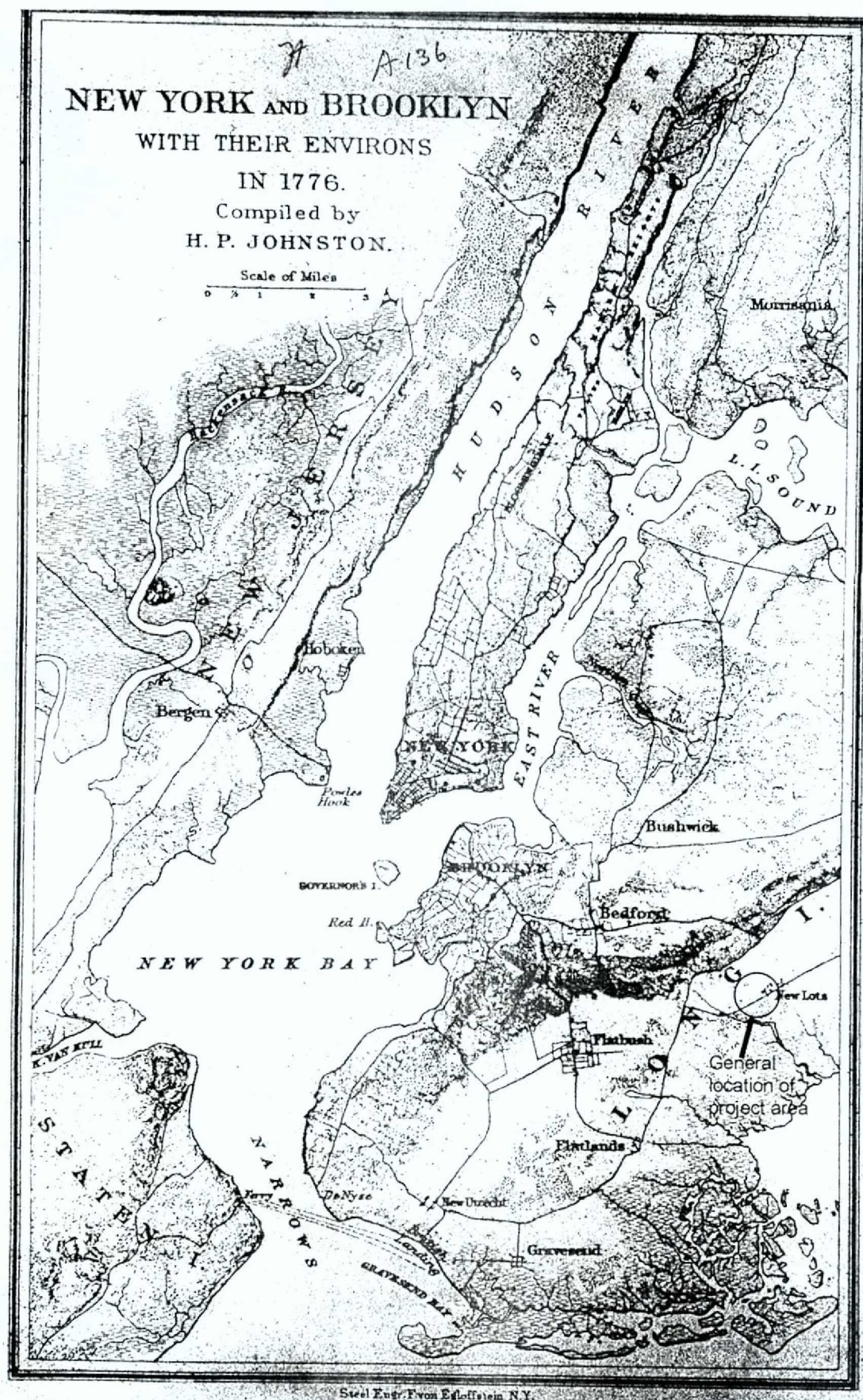


Figure 4 From Johnston's 1776 New York and Brooklyn with their Environs.

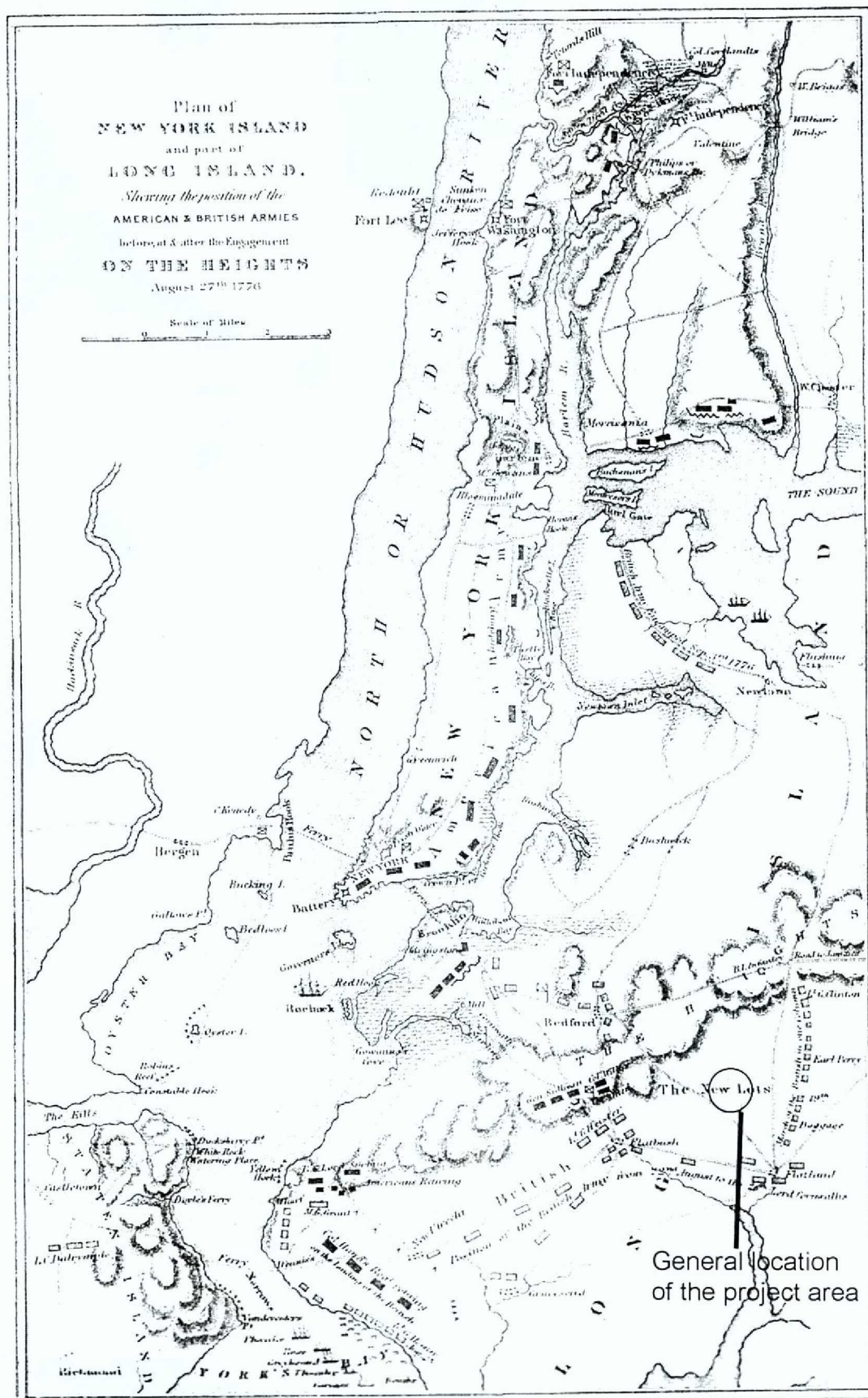


Figure 5 From the 1776 Plan of New York Island and part of Long Island, Showing the position of the American & British Armies.

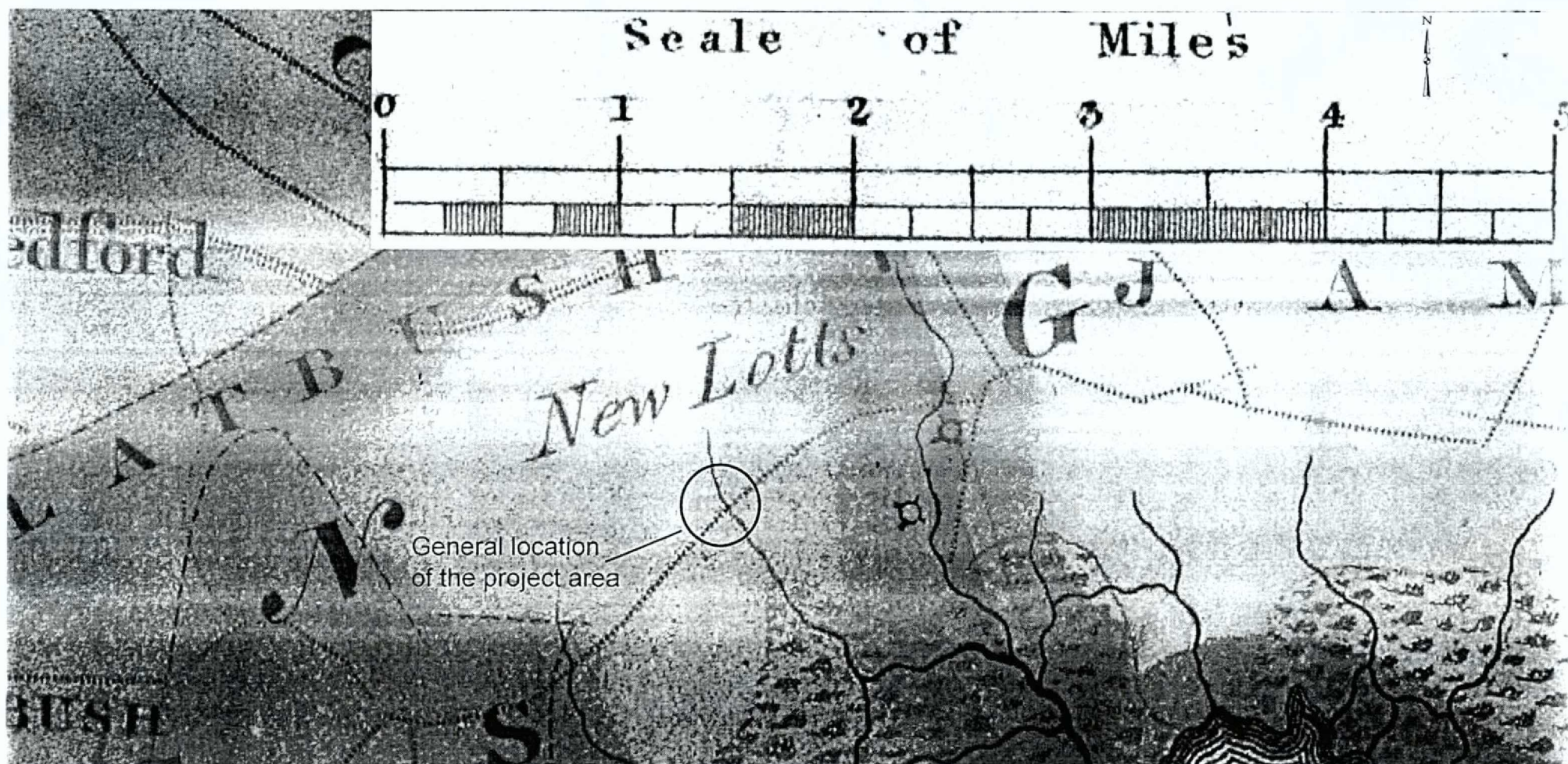


Figure 6 From the 1829 Burr atlas.

The Olden Town of BROOKLYN

With her Galaxy of Sister Cities, Villages Etc. - Anne Domini 1841

Also divers landmarks, glorious and historick reminiscences and other matters of great publick moment, existing or still green in memory upon the 26th day of Oct. when appeared for the first time the Brooklyn Eagle and Kings County Democrat from the print shop of Isaac Van Anden, Esq.

Done by J. Young, Esq. in conference with G. Currie, Esq. 1726, with some slight indifference to anachronisms

Union Hall Academy
 Tuition \$140 - \$200 per annum for children of the wealthy 1792

Long Island Railroad

Jamaica Turnpike

Rockaway Turnpike

Centerville Trotting Course

Union Course Race Track

General location of the project area

Vanderveer's Mill

Fresh Creek

NEW LOTS

EAST NEW YORK

ATBUSH

ATBUSH FALLS

G. Vanderveer's farm

Canasic Landing

Hunting water fowls

Terphune

North

East

West

End

Figure 7 From the 1841 Young map.

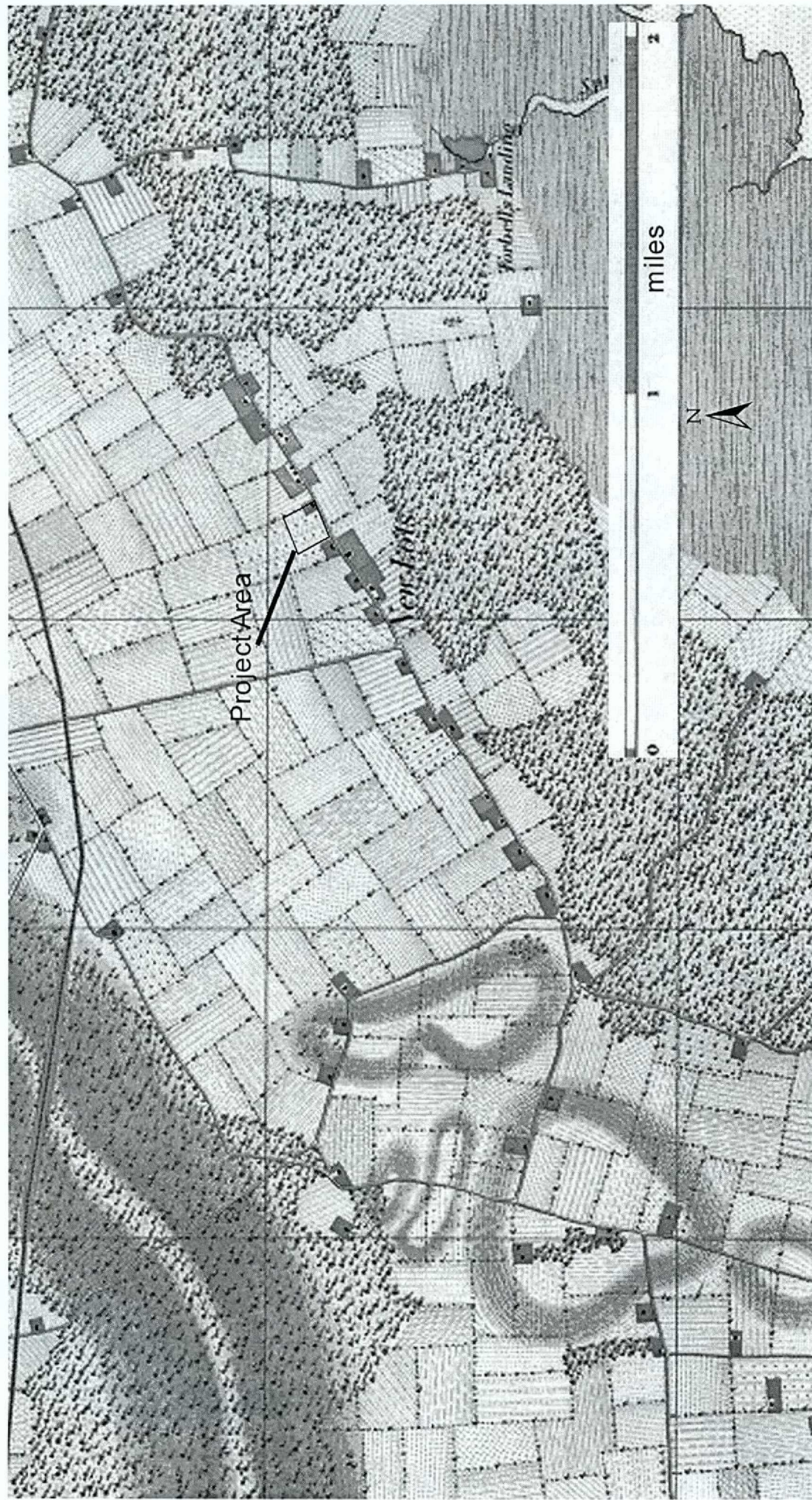


Figure 9 From the 1844 United States Coast Survey.

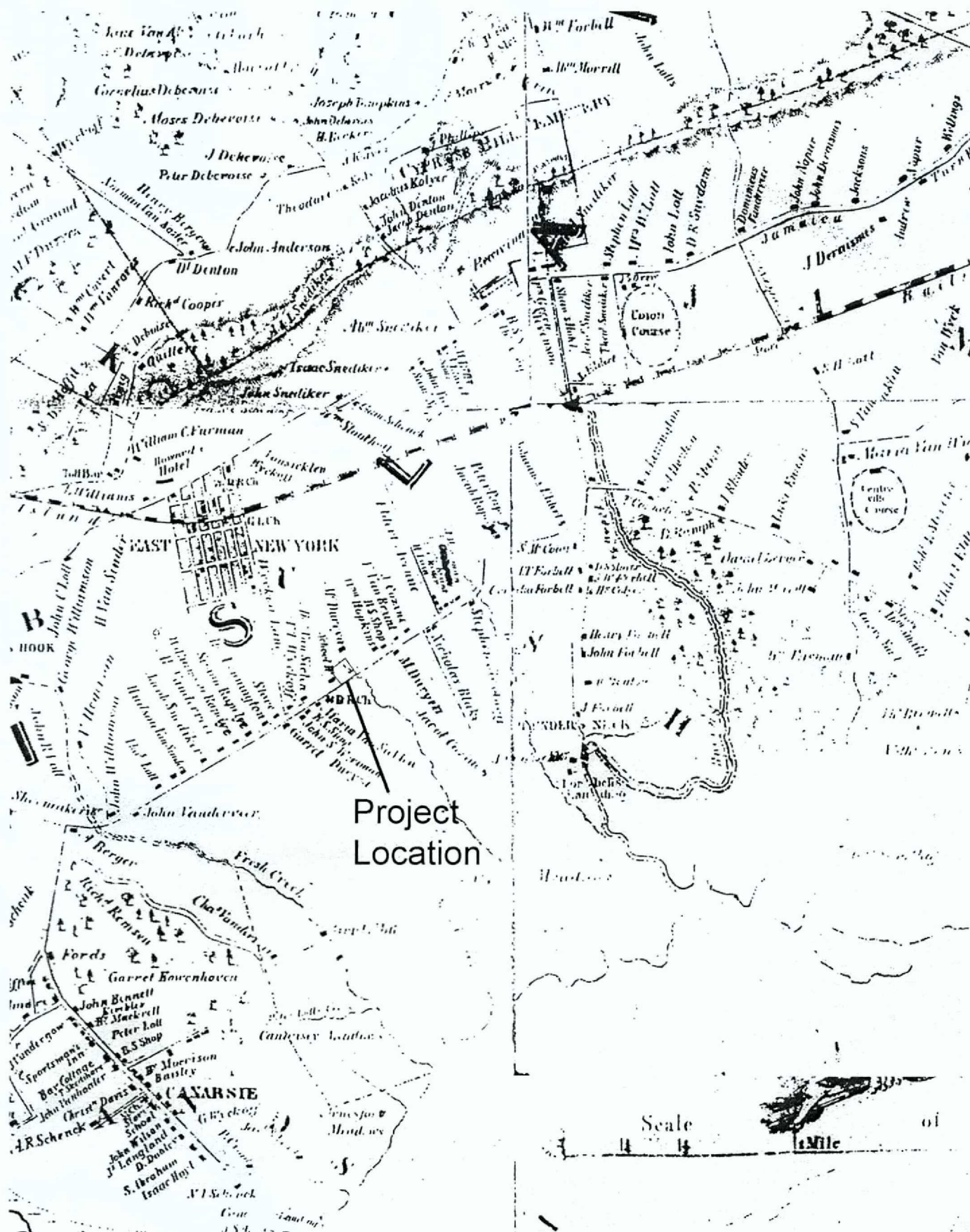


Figure 10 From the 1849 Sidney map.

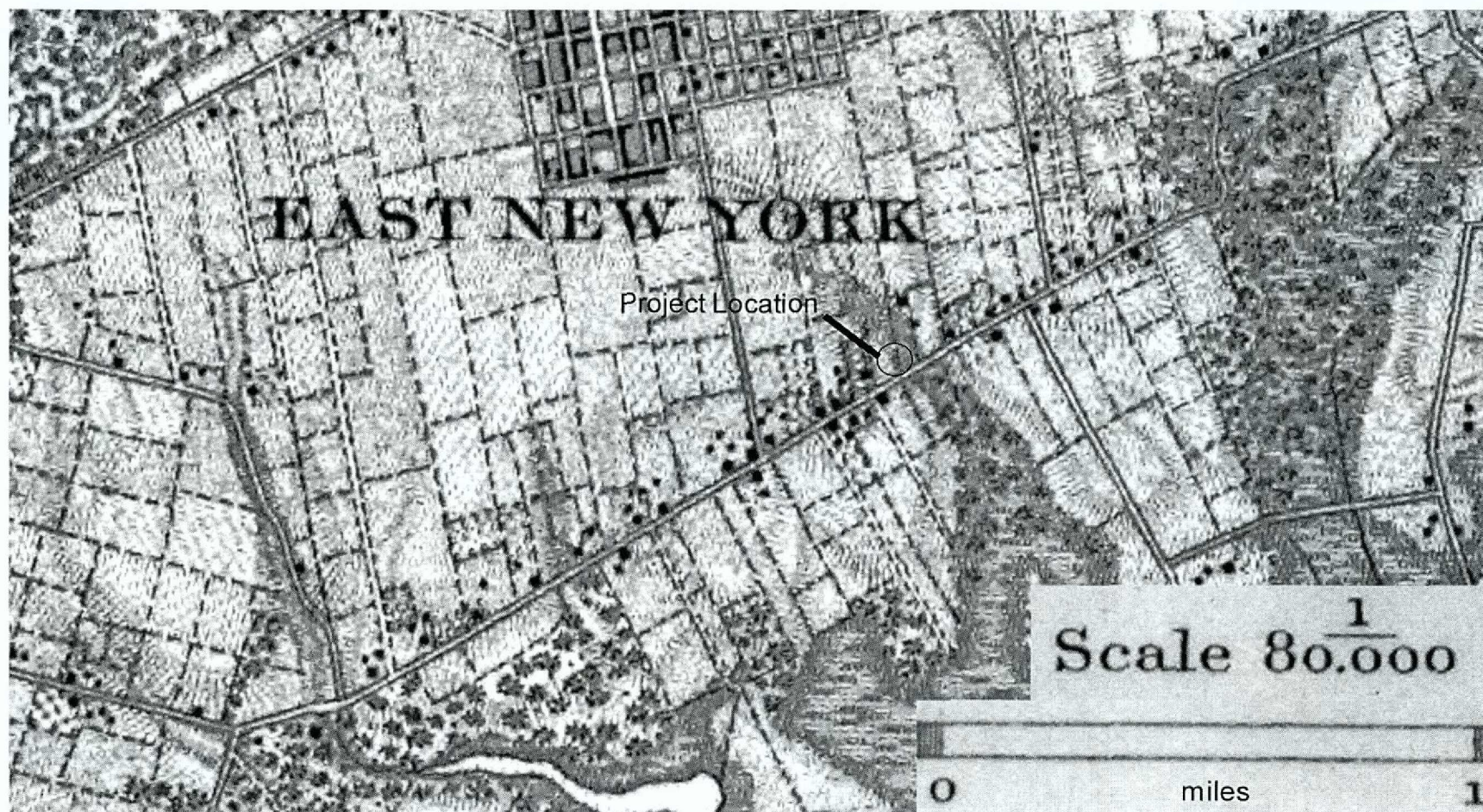


Figure 11 From the 1866 United States Coast Survey.

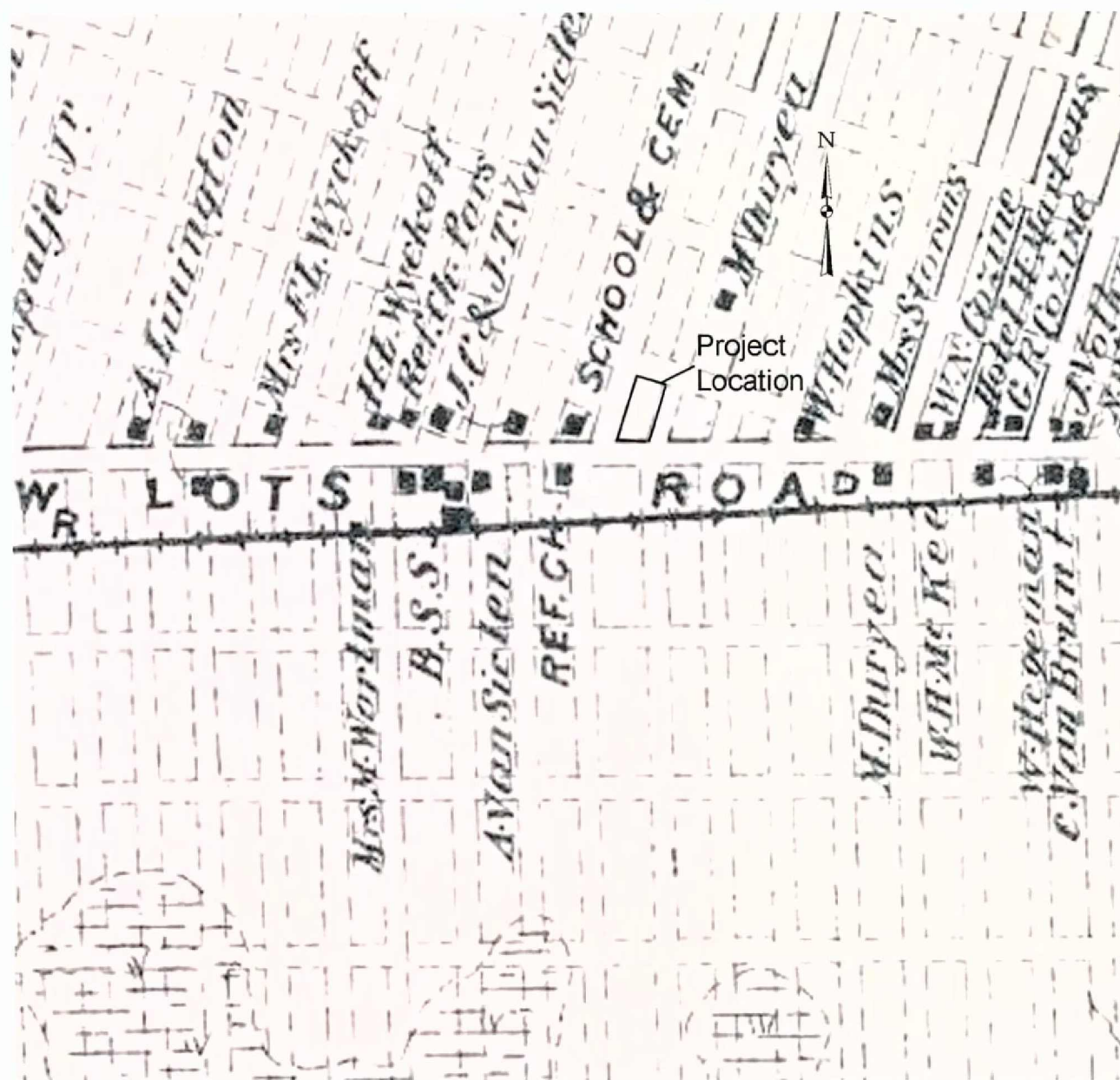


Figure 12 From the 1873 Beers atlas, 120 rods to the inch.

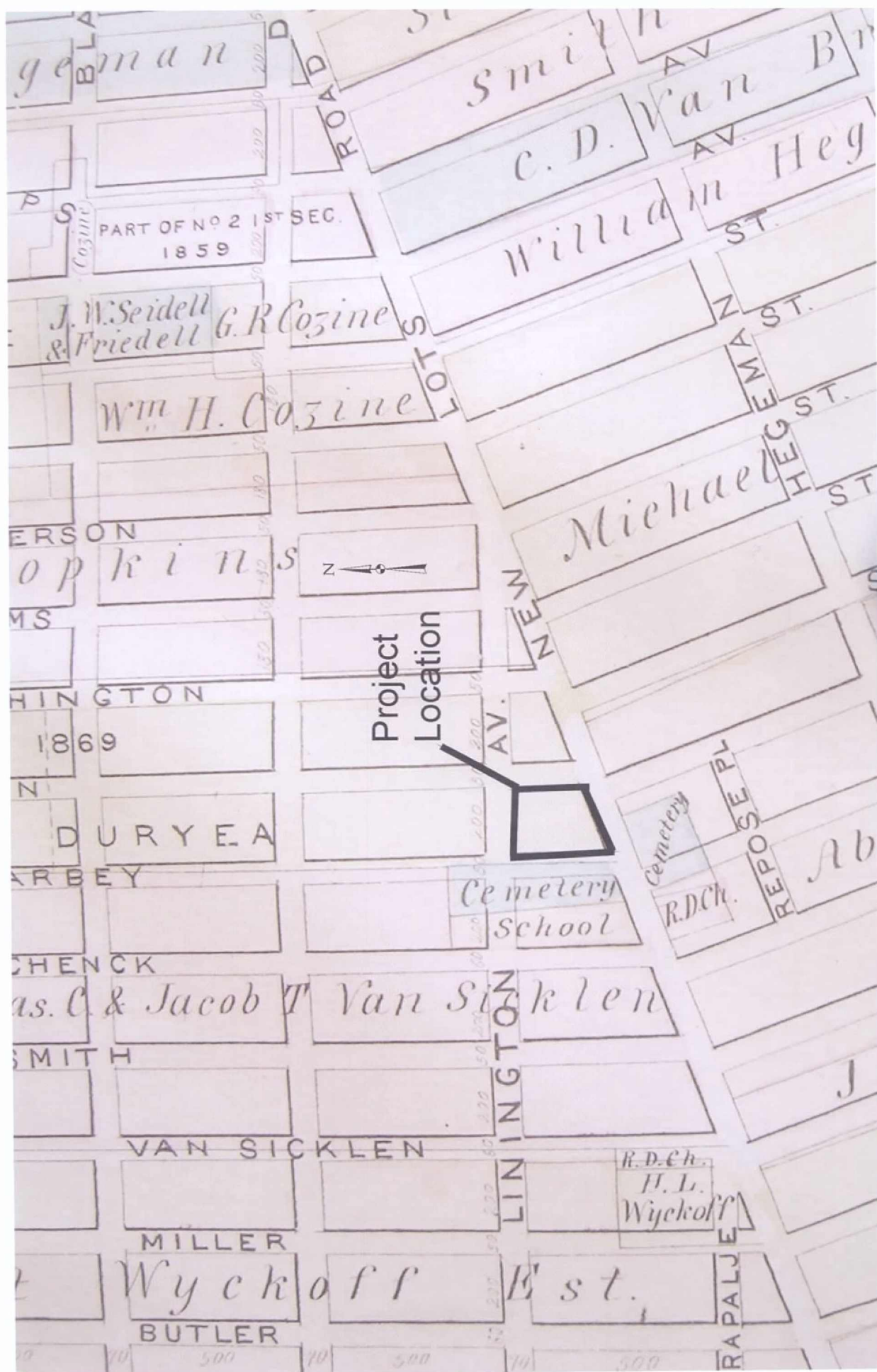


Figure 13 From the Dripps 1877 map, scale at 1:600 and 1:1600 feet.

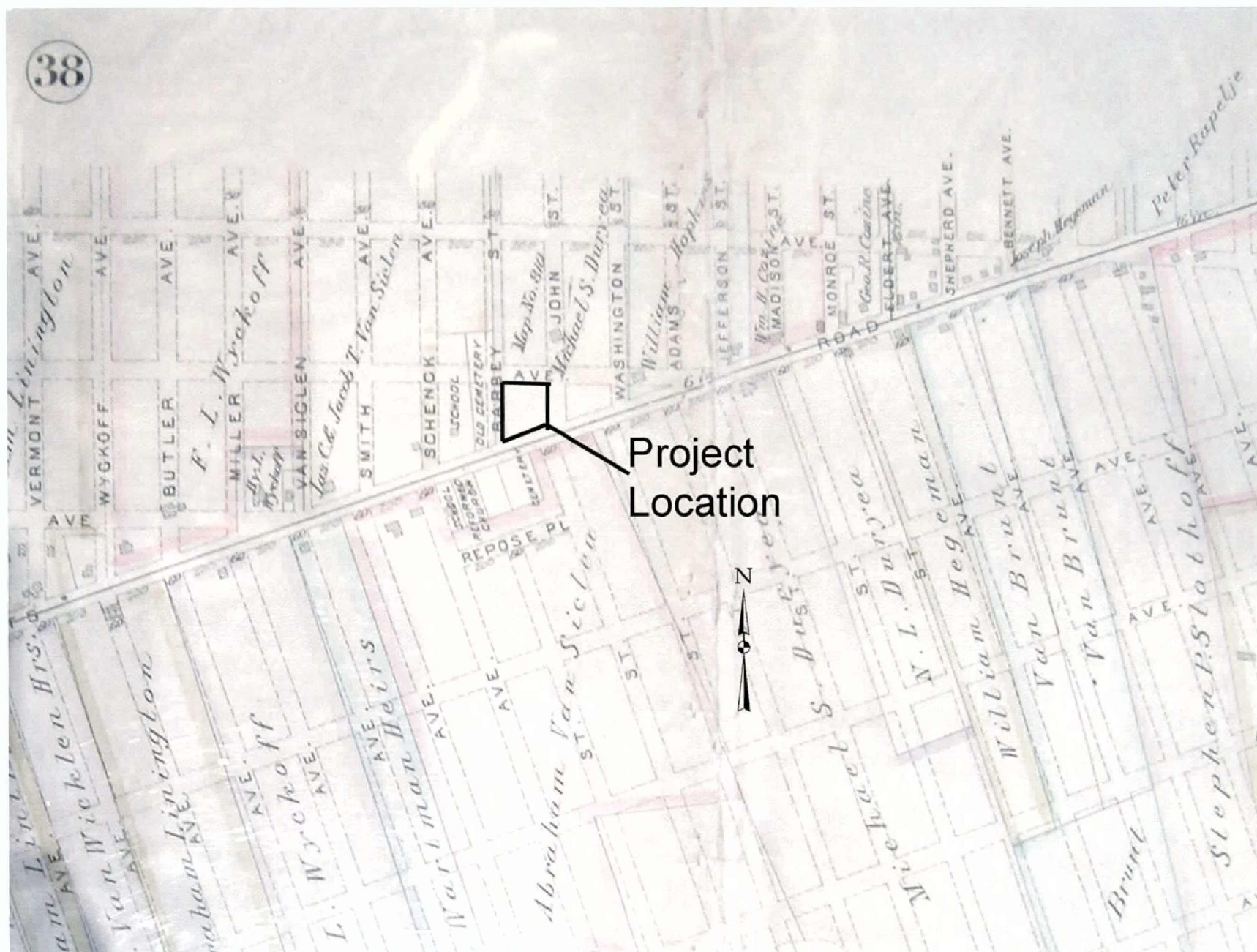


Figure 14 From the 1886 Robinson Atlas, Plate 40, scale of 1 inch equal 500 feet.

38

Project
Location

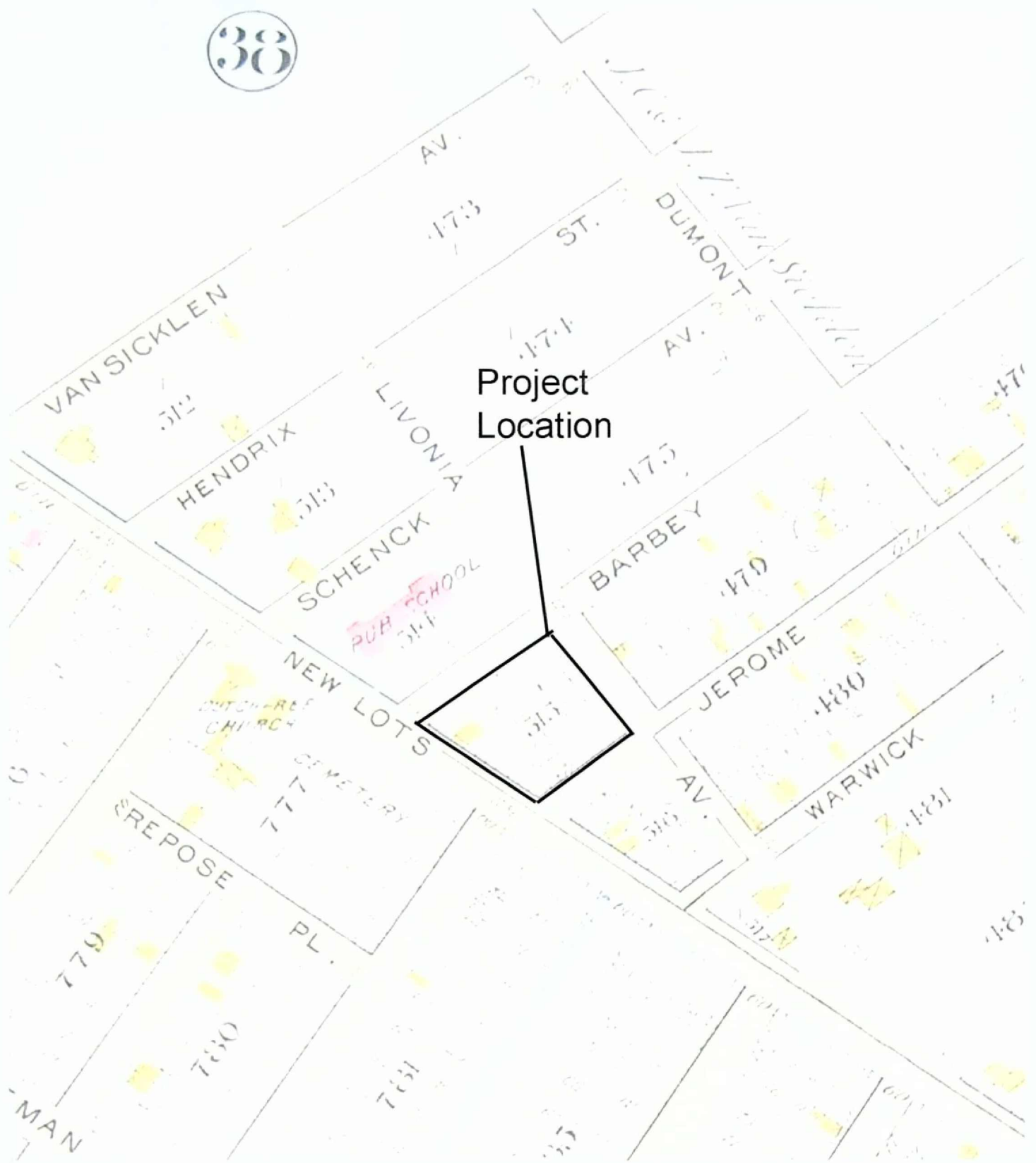


Figure 15 From the 1893 Bromley atlas, scale 1 inch to 300 feet.

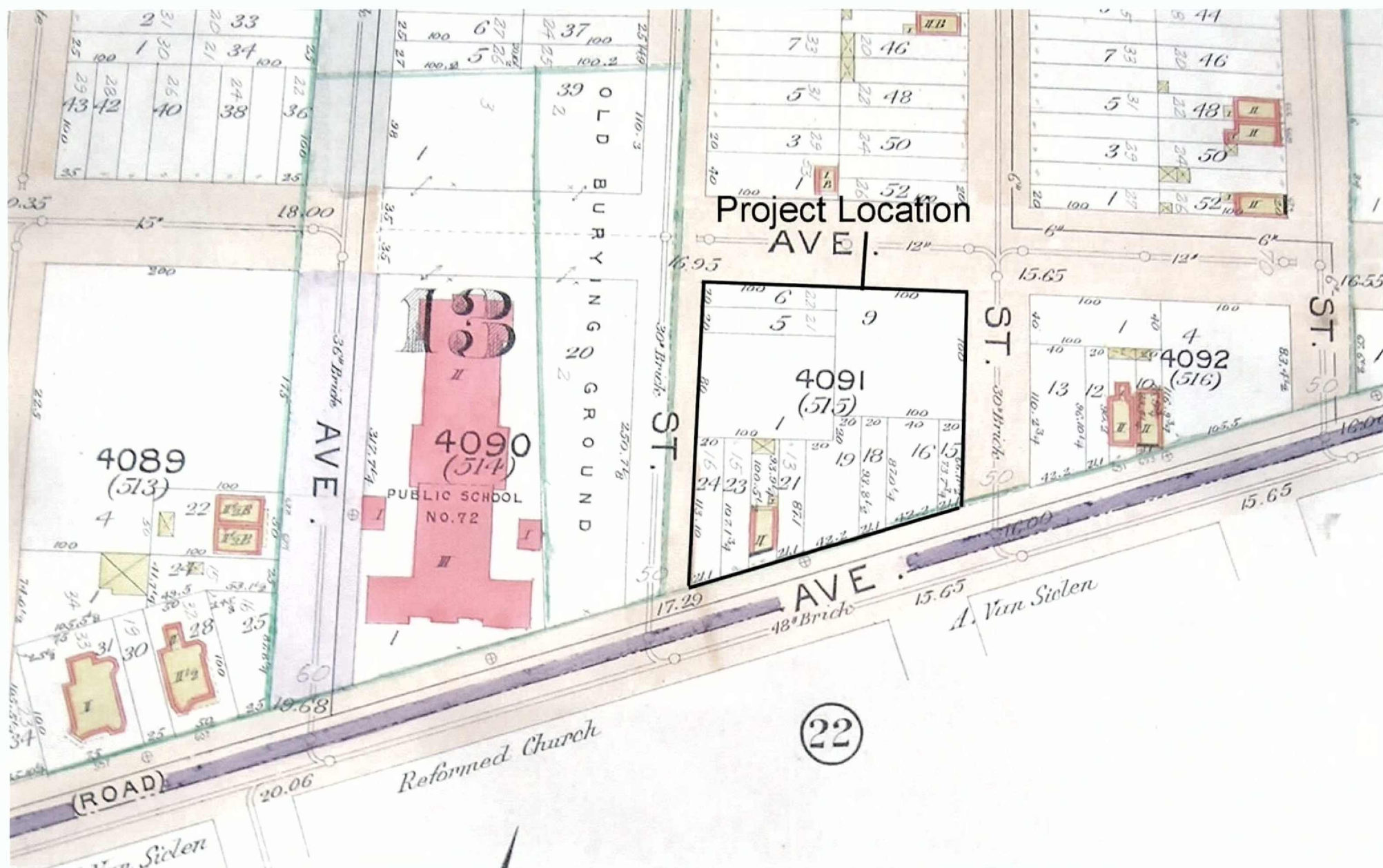


Figure 16 From the 1905 Hyde atlas.



Photo 1 View of Block 4091 facing north, taken from New Lots Avenue.



Photo 2 View of Block 4091 facing west, taken from Jerome Street.



Photo 3 View of the existing structure on Block 4091, Jerome Street, taken from New Lots Avenue, facing north.



Photo 4 View of Block 4091 facing east, taken from Barbey Street.



Photo 5 View of Block 4091 facing south, taken from Livonia Avenue.



Photo 6 View of the Reformed Church of America, facing south from New Lots Avenue.

APPENDIX 1
LAND CONVEYANCES

New Lots Block 4091 - Land Conveyances

Grantor	Grantee	Recording Date	Liber:Page	Block:Lot
Krom (Cram), Floras W.	Thomas Barker	12/3/1679	1:1	??:??*
Johannas, Minne	William Morris	2/3/1679/80	1:3	??:??*
Morris, William	George Ramson	4/2/1688	1:104	??:??*
Kennedy Arch ^d Recor Genre	Inhabitants of New Lotts	5/21/1726	5:29	??:??*
Duryea, Christina (daughter of) Stoothoff, Hannah Stoothoff, Stephen P. Stoothoff, Arabella Stoothoff, Christian D. Stoothoff, William	Michael S. Duryee (Duryea)	5/3/1869	894:89	??:??*
Duryea, Michael S. (son & heir of)	Albert Sibley	9/11/1886	1689:98	??:??*
Duryea, Nicholas L.	Albert Sibley	6/21/1887	1745:431	4091:??
Sibley, Albert Sibley, Mary L.	Richard Laugenberg	6/25/1887	1746:268	4091:??
Sibley, Albert Sibley, Mary L.	Martin Leach	6/27/1887	1746:357	4091:??
Sibley, Albert Sibley, Mary L.	Candido F. Valdes	7/12/1887	1750:306	4091:??
Sibley, Albert Sibley, Mary L.	Christina Kray	10/12/1887	1766:245	4091:??
Sibley, Albert Sibley, Mary L.	Edmund Palmer	10/12/1887	1766:245	4091:??
Sibley, Albert Sibley, Mary L.	Charles G. Schlieper Henry Schlieper	12/12/1889	1933:65	4091:??
Sibley, Albert Sibley, Mary L.	Harry C. Underhill	2/17/1890	1947:139	4091:??

New Lots Block 4091 – Land Conveyances continued.

Grantor	Grantee	Recording Date	Liber:Page	Block:Lot
Sibley, Albert Sibley, Mary L.	William Ziegler	9/2/1890	2000:64	4091:??
Zielger, William Ziegler, E. Matilda	Mary M. Murray	3/21/1891	2032:340	4091:??
Zielger, William Ziegler, E. Matilda	Vernor C. Murray	4/15/1891	2038:432	4091:??
Leach, Martin Leach, Rosanna	Alonzo E. De Baun	5/7/1891	2043:549B	4091:??
De Baun, Alonzo E. De Baun, Agnes	Benjamin Marder	6/20/1891	2053:185	4091:??
Sibley, Albert Sibley, Mary L.	William W. Clayton	10/2/1891	2070:131	4091:??
Palmer, Edmund	Margaret Young	1/29/1892	2088:332	4091:??
Schlieper, Charles G. Schlieper, Margaret	Joseph Niederegger	2/16/1892	2097:265	4091:??
Schlieper, Henry				
Zielger, William Ziegler, E. Matilda	Delia F. Murphy	5/26/1892	2117:541	4091:??
Marder, Benjamin Marder, Malka	Sidney Beller	8/19/1892	2132:196	4091:??
Young, Margaret	Hannah E. P. Alt	2/10/1893	2161:260	4091:??
Underhill, Harry C. Underhill, Margaret	Richard D. Max	3/30/1893	2169:124	4091:??
Alt, Hannah E. P.	Margaret Young	4/4/1894	2170:310	4091:??
Murray, Vernon C. Murray, Mary M.	Almon W. Griswold	6/15/1893	2185:433	4091:??

*part of a larger plots

APPENDIX 2
TAX ASSESSMENTS

New Lots Tax Assessments – Block 4091

“Town Records of Kings County Volumes New Lots – 11;12;13;14;15;16;17. Box # 28”

“New Lots Tax Assessment 1857”

Owner	Description	Acres
Stephen P. Stoothoff (as guardian for heir of William Stoothoff)	Farm house and barn New Lotts Road	30
Michael S. Duryea	Farm house and barn	70
Michael S. Duryea (executor of Cornelius Duryea, dec'd)	Farm house and barn	37

Listed as “Farm Lands”

“New Lots Tax Assessment 1860”

Owner	Description	Acres
Garrett Duryea	Farm house and barns New Lotts Road	16
Est. of William Stoothoff Dec'd (Stephen P. Stoothoff guardian of heirs)	Land and building	40

Listed as “Farm Lands”

“New Lots Tax Assessment 1861”

Owner	Description	Acres
Garrett Duryea	Farm house and barns New Lotts Road	16
Est. of William Stoothoff Dec'd (Stephen P. Stoothoff guardian of heirs)	Land and building	40

Listed as “Farm Lands”

“New Lots Tax Assessment 1862”

Owner	Description	Acres
Garrett Duryea	Farm house and barns New Lotts Road	16
Est. of William Stoothoff Dec'd (Stephen P. Stoothoff guardian of heirs)	Land and building	40

Listed as “Farm Lands”

New Lots Tax Assessments – Block 4091 continued.

Town Records of Kings County New Lots Vol. – 18;19;20;21;22. Box # 29.

“New Lots Assessment 1864. Vol. 18.”

Owner	Description	Acres
Mrs. Garrett Duryea	Farm house and barns New Lots Road	16
Est. of Wm. Stoothoff Dec'd	Land and building	40
Stephen P. Stoothoff guardian of heirs of Wm.		
Stephen P. Stoothoff	Land and buildings New Lots Road	35
Michael S. Duryea	Land and building	65
Michael S. Duryea	Land and building	37

Listed as “Farm Lands”

“New Lots Assessment 1865. Vol. 19.”

-No farm land listed, only blocks in East New York assessed.

“New Lots Assessment 1866. Vol. 20.”

Owner	Description	Acres
Garrett Duryea, estate of	New Lots Road, land and building	18
Est. of Wm. Stoothoff Dec'd	Land and buildings	40
Stephen P. Stoothoff guardian of heirs Arabella Stoothoff		
Stephen P. Stoothoff	Land and buildings Meadow Rd.	35
Michael S. Duryea	Land and building Meadow Rd.	65
Michael S. Duryea	Land and building Meadow Rd.	37

Listed as “Farm Lands”

“New Lots Assessment 1867. Vol. 21.”

Owner	Description	Acres
Est. of Wm. Stoothoff Dec'd	Land and building	40
Stephen P. Stoothoff guardian of heirs of Wm.		
Arabella Stoothoff		
Michael S. Duryea	Land and building	60
Michael S. Duryea	Land and building	37

Listed as “Farm Lands”

New Lots Tax Assessments – Block 4091 continued.

“New Lots Assessment 1868. Vol. 22.”

Owner	Description	Acres
Est. of Wm. Stoothoff Dec'd	Land and building Brooklyn and Jamaica RR	40
Stephen P. Stoothoff guardian of heirs		

Arabella Stoothoff		
Stephen P. Stoothoff	Land and buildings New Lots Road	35
Michael S. Duryea	Land and building	60
Michael S. Duryea	Land and building	37
Nicholas L. Duryea	-	-

Listed as "Farm Lands"

"Town Records of Kings County Volumes New Lots - 23;24;25. Box # 30"

"New Lots Assessment 1869. Vol. 23."

Owner	Description	Acres
Stephen P. Stoothoff	Land and buildings	35
Michael S. Duryea	Land and buildings	60
Michael S. Duryea	Land and buildings	37

Listed as "Farm Lands"

"New Lots Assessment 1870. Vol. 24."

Owner	Description	Acres
Est. of Wm. Stoothoff	Land and building	40
Heirs of Wm. Stoothoff		
Arabella Stoothoff		
Stephen P. Stoothoff	Land and buildings; house and lot	35
Michael S. Duryea	Land and building	60
Michael S. Duryea	Land	17

Listed as "Farm Lands"

"New Lots Assessment 1871. Vol. 25."

Owner	Description	Acres
Stephen P. Stoothoff	Land and buildings	35

Listed as "Farm Lands"

Michael S. Duryea property only mentioned page 171 as:

"Property of East New York being part of the farm of map of Michael S. Duryea, surveyed by Martin Johnson Nov. 1868 and filed in the Register's Office Kings Co. April 28, 1869."

New Lots Tax Assessments – Block 4091 continued.

“Town Records of Kings County Volumes New Lots – 26;27;28;29. Box # 31”

“New Lots Assessment 1872. Vol 26.”

Owner	Description	Acres
Est. of William Stoothoff	Land and buildings	40
Michael S. Duryea	Land and buildings	60 & 17
Listed as “Farm Lands”		

“New Lots Assessment 1873. Vol. 27.”

Owner	Description	Acres
Stephen M. Stoothoff	Land and buildings	35
John Menis, executor of Est. of Cornelius Duryea		
Michael S. Duryea	--	60 & 17
Listed as “Farm Lands”.		

“New Lots Assessment 1874. Vol. 28.”

Owner	Description	Acres
Stephen M. Stoothoff	Land and buildings	35
John Menis, executor of Est. of Cornelius Duryea		
Michael S. Duryea	--	60 & 17
Listed as “Farm Lands”		

“New Lots Assessment 1875. Vol. 29.”

Owner	Description	Acres
Stephen M. Stoothoff	Land and buildings	35
John Menis, executor of Est. of Cornelius Duryea		
Michael S. Duryea	--	60 & 17
Listed as “Farm Lands”		

“Town Records of Kings County New Lots – Vol. - 30;31;32. Box # 32.”

“New Lots Assessment 1876. Vol 30.”

Ass. vol.	Atlas page	Ass. #	Owner	Description	Acres	Side of street
1	40	1	Michael S. Duryea	land & buildings	17	North
2	13	1	Michael S. Duryea	-	60	South
	14	2				

*Listed as “Farm Lands”

New Lots Tax Assessments – Block 4091 continued.

“New Lots Assessment Roll 1877. Vol. 31.”

Ass. vol.	Atlas page	Ass. #	Owner	Description	Acres	Side of street
1	40	1	N. Linington Duryea	land & buildings	17	North
-	-	-	N. Linington Duryea	land	9	South

*Listed as "Farm Lands"

"New Lots Assessment 1878 Vol. 32"

Ass. vol.	Atlas page	Ass. #	Owner	Description	Acres	Side of street
1	40	1	N. Linington Duryea	land & buildings	17	North
-	-	-	N. Linington Duryea	land	9	South

Listed as "Farm Lands"

"Town Records of Kings County New Lots - Vol. - 33;34. Box # 33"

"New Lots Assessment Roll 1879. Vol 33."

Ass. vol.	Atlas page	Ass. #	Owner	Description	Acres
1	40	1	N. L. Duryea	New Lots Rd.	17
-	-	-	N. L. Duryea	Land & buildings	9
-	-	-	N. L. Duryea	Low land	10

*Listed as "Farm Lands"

"New Lots Assessment Roll 1880. Vol 34."

Ass. vol.	Atlas page	Ass. #	Owner	Description	Acres	Side of street
1	40	1	N. Linington Duryea	land & buildings	19	North
-	-	-	N. Linington Duryea	land	13 ½ & 10	South

Listed as "Farm Lands"

"Town Records of Kings County New Lots - Vol. - 35;36;37. Box # 34."

"New Lots Assessment Roll 1881. Vol 35."

Ass. vol.	Atlas page	Ass. #	Owner	Description	Acres	Side of street
1	40	1	N. Linington Duryea	land & buildings	19	North
-	-	-	N. Linington Duryea	land	13 ½ & 10	South

Listed as "Farm Lands"

New Lots Tax Assessments - Block 4091 continued.

"New Lots Assessment Roll 1882. Vol 36."

As s. vol	Atlas page	Ass. #	Owner	Description	Acres	Side of street
1	40	1	N. Linington Duryea	land & buildings	19	North
-	-	-	N. Linington Duryea	land	13 ½ & 10	South

Listed as "Farm Lands"

"New Lots Assessment Roll 1883. Vol 37."

Ass. vol.	Atlas page	Ass. #	Owner	Description	Acres	Side of street
1	40	1	N. Linington Duryea	land & buildings	19	North
-	-	-	N. Linington Duryea	land	13 ½ & 10	South

Listed as "Farm Lands"

Town Records of Kings County New Lots - Vol. - 38;39;40;41;42;43. Box # 35

"New Lots Tax Assessment 1884. Vol 38."

Ass. vol.	Atlas page	Ass. #	Owner	Description	Acres	Side of street
1	40	1	N. Linington Duryea	land & buildings	19	North
-	-	-	N. Linington Duryea	land	13 ½ & 10	South

Listed as "Farm Lands"

"New Lots Tax Assessment 1885. Vol 39."

Ass. vol.	Atlas page	Ass. #	Owner	Description	Acres	Side of street
1	40	1	N. Linington Duryea	land & buildings	19	North
-	-	-	N. Linington Duryea	land	13 ½ & 10	South

Listed as "Farm Lands"

"New Lots Assessment Roll September 17, 1885. Vol. 40."

Owner	Block	Lot	Assessed Value
City of Brooklyn	515*	1	1500

*Block 515 renumbered 4091

New Lots Tax Assessment Block 4091 continued.

Record of Assessment, Brooklyn, 26th Ward, Box 64, Roll 61.

"Annual Record of Assessed Valuation of Real Estate 26th Ward. Block 233-519. 1886 to 1887."

Block 515*:

Location	Owner	No. on Ward Map
Jerome St – West side	N. L. Duryea	2-6
New Lots Ave – North side	N. L. Duryea	7-9
New Lots Ave – North side	Christiana Kray	10-15
New Lots Ave – North side	Candido L. Valches	16
Barbey St – East side	Candido L. Valches	17-21
Barbey St – East side	Edmund Palmer	22

Record of Assessment, Brooklyn, 26th Ward, 1887/1889 Box 65, Roll 62.

"Annual Record of Assessed Valuation of Real Estate 26th Ward. Vol. 5. Block 222-518. 1887 to 1889." Block 515*:

Location	Owner	No. on Ward Map	Date
Jerome St – West side	N. L. Duryea	2-6	-
New Lots Ave – North side	N. L. Duryea	7-8	-
New Lots Ave – North side	N. L. Duryea	9	-
New Lots Ave – North side	Christiana Kray	10-14	10/12/87
New Lots Ave – North side	R. Langenberg	15	6/12/87
New Lots Ave – North side	Candido L. Valches	16	7/12/87
Barbey St – East side	Candido L. Valches	17-20	-
Barbey St – East side	Martin Leach	21	6/24/87
Barbey St – East side	Edmund Palmer	22	11/22/87

*Block 515 renumbered to 4091

New Lots Tax Assessment Block 4091 continued.

Record of Assessment Brooklyn 26th Ward 1887/1889 – 1889/1891, Box 66, Roll 63.

"Annual Record of Assessed Valuation of Real Estate 26th Ward. Vol 6. Blocks 422 to 518. 1889 to 1891." Block 515, 1889-1891.

Location	Owner	No. on Ward Map
Jerome St – West side	Mary M. Murray	2-6
New Lots Ave – North side	Vernon C. Murray	7-9
New Lots Ave – North side	Christiana Kray	10-12
New Lots Ave – North side	Theodore Kiendl	13
New Lots Ave – North side	Joseph Niederegger	14
New Lots Ave – North side	R. Langenberg	15
New Lots Ave – North side	Candido F. Valdes	16
Barbey St – East side	Candido L. Valches	17-20
Barbey St – East side	Benjamin Marder	21
Barbey St – East side	Edmund Palmer	22

Record of Assessment Brooklyn 26th Ward 1891/1894 – 1892/1985. Box 68. Roll 65.

"Annual Record of Assessed Valuation of Real Estate 26th Ward. Vol 7. Block 222 to 518. 1891 to 1894." Block 515*, 1891-1894:

Location	Owner	No. on Ward Map
Jerome St – West side	Mary M. Murray	2-6
New Lots Ave – North side	Vernon C. Murray	7
New Lots Ave – North side	W. Clayton	8-9
New Lots Ave – North side	Christiana Kray	10
New Lots Ave – North side	Delia J. Murphy	11-12
New Lots Ave – North side	Theodore Kiendl	13
New Lots Ave – North side	Joseph Niederegger	14
New Lots Ave – North side	R. Langenberg	15
New Lots Ave – North side	Candido F. Valdes	16
Barbey St – East side	Candido L. Valches	17-20
Barbey St – East side	Sidney Beller	21
Barbey St – East side	Margaret Young	22

*Block 515 renumbered to 4091

New Lots Tax Assessment Block 4091 continued.

Record of Assessment Brooklyn 26th Ward 1894/1898 – 1895/1899. Box 70. Roll 67.

“Annual Record of Assessed Valuation of Real Estate 26th Ward. Vol 7. Block 422 to 518. 1891 to 1894.” Block 515*, 1894-1898:

Location	Owner	No. on Ward Map
Jerome St – West side	M. Adalaide Griswold	2-6
New Lots Ave – North side	Vernon C. Murray	7
New Lots Ave – North side	W. Clayton	8-9
New Lots Ave – North side	Christiana Kray	10
New Lots Ave – North side	Delia J. Murphy	11-12
New Lots Ave – North side	Theodore Kiendl	13
New Lots Ave – North side	Joseph Niederegger	14
New Lots Ave – North side	R. Langenberg	15
New Lots Ave – North side	Candido F. Valdes	16
Barbey St – East side	Candido L. Valches	17-20
Barbey St – East side	Sidney Beller	21
Barbey St – East side	Margaret Young	22

*Block 515 renumbered to 4091

APPENDIX 3
SCOPE OF WORK



40 Exchange Place, 13th Floor
New York, New York 10005
212 514-9520
Fax: 212 480-9080

MEMORANDUM

TO: Ms. Amanda Sutphin
Director of Archaeology
New York City Landmarks Preservation Commission

FROM: William Goldsmith, RPA, Principal Investigator
Paula M. Crowley, Project Manager
Greenhouse Consultants Incorporated

DATE: July 8, 2008

SUBJECT: New Lots Avenue Rezoning
Block 4091, Lots 1, 8, 15, 16, 18, 19, and 22
Brooklyn, New York, Project Number: 08HPD012K
Phase 1B Archaeological Testing

Greenhouse Consultants Incorporated (GCI) is pleased to provide this scope of archaeological services for Phase 1B archaeological testing at the New Lots Rezoning Plaza, Block 4091, Lots 1, 8, 15, 16, 18, 19, and 22, Brooklyn, New York, Project Number: 08HPD012K in consultation with the Landmarks Preservation Commission of New York City. Our scope of work is based on our 2008 Phase 1A report being submitted with this scope.

The general purpose of Phase 1B archaeological testing is to search for positive or negative evidence for the existence of archaeological remains within a project area, and to assess the potential significance of such findings. Our Phase 1A study concluded that potential existed for preservation for two historic remains: 1) the former 1740 Duryea House, formerly located along a stream, probably near New Lots Avenue and Jerome, and 2) on the westernmost side of Block 4091 of a portion of the *Old Burying Ground* of the former Dutch Reformed Church of New Lots.

The 1740 Duryea House

As illustrated in our Phase 1A report, we do not have definitive evidence of the exact location of the 1740 Duryea house. As discussed in the report, it is located: a) at Barbey and New Lots; b) on the 1845 U.S. Coast Survey as being located at Jerome and New Lots. The house and its associated cellar were definitely relocated by the time of the 1849 Sidney map.



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Field Methodology, 1740 Duryea House

Our field methodology for exploring the southeast corner of Block 4091 (corner of New Lots Avenue and Jerome Street) will be in the form of three parallel backhoe trenches, measuring 60 to 80 feet in length and 6 to 7 feet in width. See Trenches 1 - 3 on Figure A, the current Tax Map. We know through historical resources that New Lots Avenue has been widened in the past, so the actual former location of the house may be partially under New Lots Avenue. Therefore, the southernmost trench will be located as close to New Lots Avenue as possible. The remaining trenches will be placed northward, paralleling the southernmost trench and bounded by the current buildings on Jerome.

The current surface at New Lots and Jerome is covered by asphalt. By the second quarter of the twentieth century, a three story brick structure with a store occupied the corner of New Lots and Jerome. Next door at 665 New Lots Avenue, a one story concrete/cement structure with a brick front was built. We anticipate encountering construction demolition remains under the asphalt, since the three trenches will intersect the location of these two buildings. We also know through historic records and maps that a stream ran along the vicinity of Jerome Street, until at least the mid-1800s, and that a bridge was at the intersection of New Lots Avenue and Jerome. Since no stream or bridge have been present for 100 to 150 years, we anticipate the presence of fill, since the area is now level. The WPA Rockline Map has no borings in their records for the corner of New Lots Avenue and Jerome. The boring at the corner of Livonia and Jerome, had five feet of filled ground/sand overlying a five foot layer of sand and gravel which overlies a 5 foot layer of sand. Two blocks east at Livonia, Ashford and New Lots, a boring revealed 10 feet of filled ground/clay overlying 5 feet of sand. Based on this information, we expect to find the original Colonial era surface at least five to ten feet below the current ground surface.

Our first step is to use the backhoe to remove the asphalt. Our second step is to assess the current stratigraphy at the southeastern corner of Block 4091. Two units, (3 feet x 3 feet) will be placed to assess the stratigraphy, one unit will be near the corner of New Lots and Jerome, the second unit will be placed near the western end of Trench 3 to assess the interior of the block.

Our third step is to use the backhoe to remove construction overburden from the early twentieth century, if it exists. All of the archaeological testing will be conducted according to the specifications described in the CEQR Technical Manual (1993, reviewed and updated 2001) and the New York City Landmarks Preservation Commission Guidelines for Archaeology (2002).



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Mechanical excavation of the trenches to investigate this location of the former 1740 Duryea House will proceed slowly and methodically under the supervision of a Registered Professional Archaeologist (RPA). Vertical control will be maintained relative to the ground surface and horizontal control relative to the street. The trenches will be excavated in 20 foot segments, soil samples will be screened through ¼" hardware mesh to aid in recovering artifacts. The samples will constitute twenty percent per 20 foot section of trench in order to control vertically and horizontally. Cultural material will be assigned to soil stratum and stratigraphy recorded. Soils will be identified by texture and inclusions, and referenced to Munsell Chart colors. Since these trenches will be a minimum of five feet in depth, shoring the sides of the trenches is essential while archaeological investigation is ongoing. The trenches will be backfilled after recording, photographing, and mapping. Soil samples will be screened selectively through ¼" hardware mesh to aid in recovering artifacts. Cultural material will be assigned to soil stratum and stratigraphy recorded. Soils will be identified by texture and inclusions, and referenced to Munsell Chart colors. Following fieldwork, recovered artifacts or samples will be returned to our Manhattan laboratory for processing, cleaning, marking and analysis. After the artifacts are analyzed and inventoried a Phase 1B archaeological testing report will be completed, and submitted to the LPC staff for review.

The Old Burying Ground

This cemetery was established by 1780 and was active until 1841, when a new cemetery opened on the south side of New Lots Road. Historic documentation indicates that some remains were removed by their descendants during the late nineteenth century, and a controversy arose by the end of the century and continued into the twentieth century over the neglect of the cemetery. Remains were impacted by the construction of streets and utility lines during that period. Furthermore, although by 1925, the cemetery appears to have been removed, since the children at the public school were using a new playground, no documentation was discovered on the actual removal. We also do not know the definition of *removal* from that time period, whether it covered the actual recovery of a full set of remains, partial, or just tombstones, etc. Many tombstones had been destroyed by 1922, and other graves never had markers. Our archaeological concern is whether all the graves and their remains were relocated, east of Barbey Street, and how far the eastward extension of the cemetery reached. Legally the Board of Education could deal only with the portion of the cemetery on Block 4090, but any eastward extension, which would include Block 4091, the current project area, which was under private ownership, the Board would not have had jurisdiction. We strongly doubt that 100 percent of the



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212 514-9580
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remains in the cemetery were removed, particularly those in areas not under the jurisdiction of the Board of Education.

Our assessment is that the *potential* exists for a portion of the old cemetery to lie within the western part of Block 4091. We cannot conclusively state, based on the historical documents examined, that it actually did extend into Block 4091. We do know that the old cemetery extended past the middle part of Barbey Street, based on the historic maps and documentation. New Lots Road/Avenue has existed since the late 1600s, but the north/south streets were paper entities until the end of the nineteenth century and the beginning of the twentieth century. The area of the Town of New Lots was open farmland, with scattered farmsteads. The inhabitants probably did not adhere to precise surveying during the first 200 years. While the Duryeas owned the farmland north and south of New Lots Avenue, they may not have been concerned about the intrusion of graves from the cemetery, since that portion of their property may not have been productive farmland because of its location (on sloping ground into swampy area). The elder Mr. & Mrs. Duryea may not have cared about the cemetery intruding on their property, but maybe Michael, their son, did have an opinion. It may be a coincidence or not, that in 1841, the elder Mrs. Duryea died, and in 1841, the church decided to start a new cemetery on the south side of New Lots Avenue.

The basic facts we know about the location of the old cemetery is that it lay on the east side of the school, and on the north side of New Lots Avenue. Since Barbey Street did not exist until the end of the nineteenth century, there was technically no known eastern boundary. The description of Barbey Street as an eastern boundary was just a matter of convenience.

The section of the cemetery near Livonia Avenue and Barbey Street is particularly important. It is in this area that slaves of the Dutch settlers, and possibly Native Americans were buried. According to historic documents, not all of these graves were identified with a marker.

Field Methodology

Subsurface testing will be the method used to accomplish the exploration of the cemetery during Phase 1B investigation. All of the archaeological testing will be conducted according to the specifications described in the CEQR Technical Manual (1993, reviewed and updated 2001) and the New York City Landmarks Preservation Commission Guidelines for Archaeology (2002).



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The Hyde 1905 atlas shows the *Old Burying Ground* extending into Barbey Street. The atlas shows the cemetery extending at least as far as the sewer, since excavating for the sewer encountered graves. The atlas does not show the cemetery extending further east, since excavation for utilities did not occur further east. The house on Lot 22 first appears on the 1893 Bromley atlas. There is no concern with this structure since sewer and water hookup were already present. When laying a backhoe trench from Barbey along New Lots, it need not extend further east than Lot 22 to search for the cemetery.

Theoretically, we potentially know what the stratigraphy should be in the northern section of the project area through the 1930s WPA Rock Line maps. At the intersection of Livonia Avenue and Barbey Street, five feet of clay overlies ten feet of sand. At the intersection of Livonia and Jerome Street, five feet of filled ground and sand overlie five feet of sand and gravel, and then five feet of sand. We also know through historic records that the ground sloped from New Lots Avenue to Livonia. The area is level today.

Our plan, detailed in Figure A, includes ten excavation units (5 x 5 feet) exploring the length of Barbey Street between New Lots Avenue and Livonia Avenue. We expect that these excavation units will be at least a minimum of 5 to 6 feet in depth to encounter the nineteenth century surface. These excavation units will explore the western edge of the block, staggered so they are not in the same alignment running north/south.

Our first step is to use the backhoe to remove the asphalt from the surface.

Our second step is to assess the current stratigraphy and compare it to the data from the original Rock Line Map from the 1930s. Two units, (3 feet x 3 feet) would be positioned along Barbey Street. One unit would be excavated near the corner of Barbey and Livonia to determine whether the clay cap is still in position at the northwest corner of the block, and a second positioned further south along Barbey Street below the former one-story hollow concrete/cement building built by the second quarter of the twentieth century to explore the theoretically culturally sterile portion of the block. The building erected at the northwest corner of the block may yield deconstruction debris at its location.



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Our third step is to use the backhoe to remove this overburden, if it exists in order to reach the former original ground surface. We would hypothesis that the fill is deeper at the northern end of the block and becomes progressively shallower, as it nears New Lots Avenue. The nineteenth century ground surface will probably be deeper than five feet and the walls of the trenches will require shoring.

Our fourth step is to use hand excavation, initially using shovels once the overburden is removed, and then trowels as features are encountered. If human remains are encountered, they will be treated with dignity and respect. While intact primary burials may remain, the potential for disarticulated and fragmented remains is higher, especially the northern end of Barbey due to construction of the warehouse in the northwest corner in the twentieth century, the building of the elevated along Livonia Avenue in the twentieth century, and the excavation of utility lines during the late nineteenth century. If human remains are encountered, the physical anthropologist will be immediately notified to assess these remains.

The Phase 1B portion of the investigation will be used to assess the potential for the project to adversely affect cultural or archaeological resources, and whether such impacts should be avoided or mitigated. If the Phase 1B exploration of the Old Burying Ground area encounters human remains, we plan to leave the remains in place. The Church may want to relocated the remains and/or the client may want to consider replanning development of the location.

Burials and Human Remains

In the case that human remains are encountered, all work in the trench will cease. The project area is already secured by a chain link fence. A properly accredited physical anthropologist will be on call, and will be immediately contacted for their assessment. If the remains are identified as human by a physical anthropologist, and a determination will be made as to whether the human remains encountered are primary burials or fragmentary remains. Artifacts in association with the human remains will also be recorded, such as coffin remnants, shroud pins, buttons, jewelry and shell. Once human remains have been identified, the Reformed Church of America and the Landmarks Preservation Commission will be notified. The current Reformed Church of America on New Lots Avenue is the direct successor to the former Dutch Reformed Church, and therefore the most appropriate group to consult for disposition of their former constituents.



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In the case that no human remains are encountered, the methodology will proceed as follows. The trenches and any structural features uncovered will be mapped, photographed and drawn in profile cross-section and plan view in order to identify and document the potential for intact resources. Upon completion of the mechanical and manual scraping, the trenches will be backfilled under the supervision of archaeologists in order to protect any intact deposits. Identified features will be covered with plastic before backfilling to ensure protection of the features and easier relocation if the need for data recovery is required.

Following fieldwork, recovered artifacts or samples will be returned to our Manhattan laboratory for processing, cleaning, marking and analysis. After the artifacts are analyzed and inventoried a Phase 1B archaeological testing report will be completed, and submitted to the LPC staff for review.

SEE
PAGE 5

LIVONIA

AVE.

SCHENCK

ST.

BARBEY

JEROME ST.

4090

4091

NEW LOTS

Exploratory
Excavation
Unit 3

Exploratory
Excavation
Unit 4

Exploratory
Excavation
Unit 2

Exploratory
Excavation
Unit 1

Excavation
Unit 1

Excavation
Unit 2

Excavation
Unit 3

Excavation
Unit 4

Excavation
Unit 5

Excavation
Unit 6

Excavation
Unit 7

Excavation
Unit 8

Excavation
Unit 9

Excavation
Unit 10

Trench 3, 60 ft.

Trench 2, 80 ft.

Trench 1, 60 ft.

B-1
SES 3120

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Figure A Location of planned trenches, exploratory units and excavation units on Block 4091.