

# **HISTORICAL** **PERSPECTIVES** INC.



**Phase IA Archaeological Documentary Study**  
**47 Madison Street**  
**New York, NY 10038**  
**Block 279, Lot 1**

**LPC Project Number**  
**LA-CEQR-M (DEPT. OF HOMELESS SERVICES)**

**Phase IA Archaeological Documentary Study  
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New York, NY 10038  
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Prepared For:

Association of New York Catholic Homes  
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## EXECUTIVE SUMMARY

The Association of New York Catholic Homes proposes construction of a new homeless shelter called the Madison Street Safe Haven (MSSH), to be located at 47 Madison Street in the East Chinatown neighborhood of the Borough of Manhattan, New York County, New York (Figures 1 and 2). The project site uses addresses 47 and 49 Madison Street, and is known as Block 279, Lot 1. The slightly irregular shaped Lot 1 measures approximately 25-26 feet by approximately 103-105 feet. The lot presently contains a two-story (plus attic) structure at the front of the lot with a two story addition and two one-story additions covering the remainder of the lot. The second story of the building uses the address of 47 Madison Street and the first story of the building uses the address of 49 Madison Street. The portion of Block 279 containing the project site is bounded by Madison Street on the south, James Street on the west, Oliver Street on the east, and St. James Place on the north. The proposed MSSH project would involve demolishing the existing building on Lot 1 and constructing a new building with approximately 13,000 sq. ft. with 6 stories and a full basement. Preliminary project plans for the new MSSH facility are included as Appendix A.

The project site is within the State/National Register of Historic Places (S/NRHP) listed Two Bridges Historic District (03NR05090). The description of the building on Lot 1, which is a non-contributing resource to the district, is as follows:

House, 47-49 Madison Street; 279, 1; 2.5 story, 3-bay-wide, brick dwelling; 6/6 sash windows with flat, flush lintels, two segmentally-arched/shallow-pediment dormers; first floor completely altered. Late 18/ early 19C. Vernacular. Not Contributing (altered) (Culhane 2003:7-23).

Many of the other buildings on Block 279, including those abutting Lot 1, are contributing resources to the Two Bridges Historic District. In addition, two of these S/NRHP-listed contributing resources on this portion of Block 279 also are individually listed S/NRHP resources and designated New York City Landmarks Preservation Commission (LPC) Landmarks. These are the St. James Church on Lot 25 (90NR00795, LP-00092) and the First Shearith Israel Graveyard on Lot 17 (90NR00665, LP-00091).

As part of the proposed project, sponsors submitted project materials to the LPC for an initial archaeological review in accordance with New York City Environmental Quality Review (CEQR 2020) regulations and procedures. The LPC responded:

LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from Colonial and 19th Century occupation on the project site. Accordingly, the Commission recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary (see CEQR Technical Manual 2020) (Santucci 5/26/2021).

The Area of Potential Effect (APE) for the proposed project includes the entire Lot 1 project site.

HPI has conducted this Phase IA Archaeological Documentary Study of Block 279, Lot 1 to: 1) identify any potential archaeological resources that may be present within the APE, and 2) assess the construction and development history of the APE to determine the potential for archaeological resources on the APE and to evaluate the potential that any such resources may have survived and may remain on the site undisturbed. This Phase IA Archaeological Documentary Study was prepared to satisfy the requirements of the LPC (LPC 2018, CEQR 2020).

Archival research indicated that the project site was part of a large tract of meadowland that first was surveyed into blocks and lots in 1744-45. There was a structure on the project site at least by the 1790s, and possibly earlier. This structure may be the core of the two-story building that still exists on the project site, fronting Madison Street, albeit heavily altered. The first floor of the two-story building appears to have been used for commercial space throughout its history, while the second and attic floors were used for residential space. The earliest documented occupants of the building included men employed in the shipping industry, in the 1790s, while men employed as dyers lived in the house in the first decades of the 1800s. From 1815-1861, the first floor of the building contained a porterhouse or beer hall, which by the 1850s included dog fighting and rat baiting events. From the 1860s through the early twentieth century, an undertaking business occupied the first floor. Residents continued to live on the upper floors of the building during the nineteenth century. During the twentieth century the building had a number of commercial enterprises on the first floor,

including a printing company, a grocery store, a hardware store, and a women's homeless shelter. The eighteenth and nineteenth century ownership, occupation data, and tax records, are included in Appendix C.

The original configuration of the project site lot likely included a rear yard area, to the north of the two-story building. It is possible there was a second residential structure behind the main building on the lot during the first half of the nineteenth century. Historic maps showed that at least by about 1850, the two-story and one-story additions to the main building had been constructed on the project site, which eliminated the earlier yard area. A small space at the back of the building remained open through the 1860s and perhaps the 1870s. By 1885 the lot was completely covered by the building additions. Tax assessment records noted large increases in valuation rates in 1814, 1835, and 1836, suggesting that at least some of the building construction could have happened at about those times, which would have increased the value of the structure. Although the current building on the project site does not have a basement level, and the Certificate of Occupancy for the property also does not indicate a basement, it is possible that there was once a subgrade level beneath the first floor of the main building that has since been sealed over, whether a partial cellar or a full basement.

Soil borings undertaken as part of the Phase II Environmental Site Investigation recorded fill in all three testing locations to the depth of excavations, at 15 feet below the first floor slab. However, the presence of fill does not preclude the potential for the recovery of historic period archaeological resources, particularly the shaft features such as wells, cisterns, and privies discussed above. Prior to the introduction of piped city water in the 1840s and sewers in the 1850s, occupants of the project site would have relied on these features. Since the first building on the property was constructed by the 1790s, more than 50 years before municipal water and sewers were available, these shaft features would have been in use by residents and commercial visitors for many decades. The location of these features would have been in open yard areas, or in the case of cisterns, up against the side of one of the buildings, to catch rainwater channeled from the roof.

Finally, given the original location of the Shearith Israel Jewish Cemetery only 10-25 feet to the east of the project site on a hillside, there is some potential for the recovery of human remains associated with the cemetery from 1681 through the 1790s, when the burials were reinterred further north on the block near Chatham Street and the natural hillside was leveled to match the surrounding topography. As described above, the project site was undeveloped during the seventeenth and much of the eighteenth century, which is the period when the original Shearith Israel Cemetery was in use. As such, there is the potential that human remains, likely in secondary deposition, could be located along the northeastern side of the project site.

HPI has concluded that archaeological resources associated with historic period occupancy of the project site could survive in the former yard area of the lot, behind the main two-story building that fronts Madison Street, as shown on Figure 19. Additionally, the northeastern edge of the project site may be sensitive for potential redeposited human remains associated with the original location of the Shearith Israel Jewish Cemetery.

Project plans (Appendix A) indicate that the present buildings on the project site will be completely removed and new construction will extend to approximately 12 feet below grade for the top of the cellar floor. It is expected that some foundation work will extend below the 12-foot level, to support the new building.

HPI recommends that a program of Phase IB archaeological field testing be conducted on the project site behind the main house that fronts Madison Street, in the area that was formerly the rear yard. This testing should be conducted after the superstructure of the existing building is removed. The Phase IB testing would use heavy machinery, such as a backhoe, under the supervision of a professional archaeologist, to remove the first floor concrete slab and sample the underlying soils to determine whether historic period resources, shaft features, or cemetery remains still exist on the project site. Subsequent hand testing would be conducted within machine cleared trenches to the extent necessary to ascertain presence/absence of historic resources/features/shafts and human remains.

All archaeological testing should be conducted according to OSHA regulations and applicable archaeological standards, which includes prior LPC approval of a field testing work plan (LPC 2018; CEQR 2020). Professional archaeologists, with an understanding of and experience in urban archaeological excavation techniques, would be required to be part of the archaeological team. Due to the potential for the recovery of human remains, an on-call Forensic Archaeologist or Physical Anthropologist would need to be part of the project team, and an Unanticipated Discovery Plan should be included in any future efforts.

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- Photograph 7. The entrance to the second floor at 47 Madison Street. View looking north from the sidewalk on Madison Street.
- Photograph 8. The stairs leading to the second floor at 47 Madison Street. View looking east.

## **I. INTRODUCTION**

The Association of New York Catholic Homes proposes construction of a new homeless shelter called the Madison Street Safe Haven (MSSH), to be located at 47 Madison Street in the East Chinatown neighborhood of the Borough of Manhattan, New York County, New York (Figures 1 and 2). The project site uses addresses 47 and 49 Madison Street, and is known as Block 279, Lot 1. The slightly irregular shaped Lot 1 measures approximately 25-26 feet by approximately 103-105 feet. The lot presently contains a two-story (plus attic) structure at the front of the lot with a two story addition and two one-story additions covering the remainder of the lot. The second story of the building uses the address of 47 Madison Street and the first story of the building uses the address of 49 Madison Street. The portion of Block 279 containing the project site is bounded by Madison Street on the south, James Street on the west, Oliver Street on the east, and St. James Place on the north. The proposed MSSH project would involve demolishing the existing building on Lot 1 and constructing a new building with approximately 13,000 sq. ft. with 6 stories and a full basement. Preliminary project plans for the new MSSH facility are included as Appendix A.

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## **II. METHODOLOGY**

The present study entailed review of various resources.

- Historic maps were reviewed using materials available at the Map Division of the New York Public Library and online using various websites. These maps provided an overview of the topography and a chronology of land usage for the project site.
- Project plans, a title report (Old Republic National Title Insurance Company 2021), and a Phase I Environmental Site Assessment (VHB 2021a) were provided by the Association of New York Catholic Homes.



- Soil borings were provided as part of a Phase II Environmental Site Investigation and are included as Appendix B (VHB 2021b).
- Index books, selected deeds, and other records pertaining to the project site were reviewed at the Manhattan Borough City Register's Office and on familysearch.com with a focus on eighteenth and nineteenth-century records. Appendix C includes a summary of this information.
- Tax assessment records from 1808 (the first year available) through about 1850, when the lot was completely covered by the present building, were reviewed at the New York City Municipal Archives. Appendix C includes a summary of this information.
- City directory and federal census records pertaining to the property's former owners and occupants were reviewed using various websites. Appendix C includes a summary of this information.
- Records of the Croton Aqueduct Department were reviewed to ascertain the years when piped city water and sewers became available under adjacent city streets. Madison Street received piped water by 1842 and sewers were installed under portions of Madison Street abutting the project site in 1852 and 1854.
- Department of Buildings records were reviewed online.
- Selected historic newspapers were searched for information about former occupants of the project site.
- Previous archaeological sites and surveys were reviewed using data available from the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) and the LPC.
- Portions of a topic intensive archaeological documentary study of the Shearith Israel Cemetery by HPI (2003) have been excerpted and adapted for this report. Additional information about the cemetery was reviewed in its NRHP nomination form (Goldstone 1975), and Reverend David De Sola Pool's 1952 publication, *Portraits Etched in Stone: Early Jewish settlers 1682 to 1831*.
- A site visit was conducted on July 16, 2021, and additional interior photographs were provided by the Association of New York Catholic Homes.

### **III. BACKGROUND RESEARCH**

#### **A. CURRENT CONDITIONS**

The Lot 1 project site measures approximately 2,548 square feet, or 0.058 acre in extent. The entire footprint of the lot is covered with the project site building; there are no open yard areas. The southernmost portion of the building, fronting Madison Street, is two stories with an attic (Photograph 1). There is a one-story entry in front of the building. Immediately behind the portion of the two-story building with the attic is a two-story addition without an attic. There are two entrances to the building from Madison Street. The first floor has the address of 49 Madison Street and is accessed from the eastern of the two entry doors (Photograph 2). Behind the two-story portion of the building are two one-story additions, which extend to the north, to the lot boundary. The first floor, which has an open plan including the additions, is leased to the Chinatown Business Improvement District (Photograph 3). There is a locker room at the front of the building on the southeastern side, which is also where many of the underground utilities enter the building. There is a multiple-stall bathroom near the rear of the building, and a small kitchen area near the bathrooms (Photographs 4 and 5). The northernmost portion of the one-story addition contains a storage room that is separate from the main space of the first floor, and is accessed through a door (Photograph 6). There is no evidence of cellar level within any portion of the building, and the Certificate of Occupancy for the property, from 1985, also does not indicate a cellar. However, it is possible that there could be a sealed cellar, partial cellar, or crawl space beneath the front and oldest section of the building. The second entrance to the building has an address of 47 Madison Street and is accessed from the western of the two entry doors (Photograph 7). This entrance leads to a small foyer, and a set of stairs that connect to the second floor (Photograph 8). The second and attic floors are occupied by the St. James Church for family services, and bible studies.

#### **B. TOPOGRAPHY AND HYDROLOGY**

According to historic maps (e.g. Buchnerd 1735, Ratzer 1766-1767 [Figure 7], Viele 1865 [Figure 16]), the project site was once situated near the base of an elevated ridge, on firm ground abutting a marshy area. The marsh surrounded the natural stream known as Old Wreck Brook, which ran from the Collect Pond (fed by a natural spring) in a meandering path downslope and east to the East River (Sanderson 2009:147). As will be described below, the top of the ridgeline contained the earliest location for the Jewish burial ground that later was relocated further to the northwest on the project site block. Over time erosion and other factors caused the original cemetery

location to lose soil and partially collapse. Eventually the graves were disinterred from the ridge and the higher landform was reduced in elevation to more closely match the topography of the adjacent project site parcel.

The earliest historic maps that indicated numerical elevations in the project site vicinity were not created until the second half of the nineteenth century. The 1865 Viele map (Figure 16) noted that the intersection of Madison and James Street was 12 feet above sea level. Both the 1885 Robinson map and the 1891 Bromley map showed that that same intersection was 12.5 feet above sea level, and the intersection of Madison and Oliver Streets was 13.5 feet above sea level. Figure 2, from 2019, indicates that the southwest corner of the 47 Madison Street project site building along the sidewalk is at elevation 15.83 (NAVD 88 datum).

## **C. SOILS**

The USDA soil survey for New York City maps the project site block and surroundings as unit 3, “Pavement & buildings, outwash substratum, 0 to 5 percent slopes,” described as

Nearly level to gently sloping, highly urbanized areas with more than 80 percent of the surface covered by impervious pavement and buildings, over glacial outwash; generally located in urban centers (USDA 2005:11).

As part of the Phase II Environmental Site Investigation for the present project (VHB 2021b), three soil borings were completed on the property. Appendix B contains maps of the soil boring locations, a summary of the hazardous materials results for each boring, a photograph of the soils encountered in each soil boring, and soil boring logs. All of the soil borings were excavated to 15 feet below the grade of the first floor building slab.

Soil boring SB-1 was located in the northern portion of the building below the existing first floor slab. Soils encountered consisted of medium-to-coarse grained brown sands with gravel down to the terminal boring depth. Although this soil boring did not encounter any historic materials in the soil that would suggest that this was fill soil, the presence of hazardous metals concentrations at the base of the soil boring is a characteristic that is common in urban fill throughout New York City, and it is likely that these soils include at least some redeposited fill materials.

Soil boring SB-2 was located in the central portion of the building below the existing first floor slab. The soils in this soil boring were similar to those in SB-1.

Soil boring SB-3 was located in the southern portion of the building that is situated closest to Madison Street, within the locker room. The soil encountered within SB-3 consisted of a mixture of brick fragments and cobble with medium to coarse brown silty sands down to the terminal depth of the boring, which was indicative of urban/historic fill material. There were a number of hazardous materials concentrations within the soils at SB-3, as indicated in Appendix B. It is possible that this area of the building was disturbed from backfilling an older cellar or partial cellar, and/or was affected by subsurface utility installations or upgrades, as this is the section of the building where the municipal services enter from beneath Madison Street.

Results of the soil borings suggest that there has been disturbance to the natural soils on the property, as would be expected from the construction and upgrades of the building on the lot, as well as any previous earthmoving associated with use of the property prior to construction of the additions that presently cover the northern portion of the lot.

## **D. ARCHAEOLOGICAL SITES WITHIN A ONE MILE RADIUS**

Research conducted using data from the NYSOPRHP, the LPC, and the library of HPI revealed no archaeological sites within the APE. However, nearly 40 archaeological sites have been documented within a one mile radius of the APE. These sites (excepting those across the East River in Brooklyn) are listed below.

# Archaeological Sites Within One Mile of the APE

<b>NYSM or NYSOPRHP Site Number</b>	<b>Site Name/Description</b>	<b>Location</b>	<b>Site Type/Time Period</b>
NYSM 4059	Shell Point	Near Canal St.	Unknown Precontact
NYSM 4060	N/A	Lower East side vicinity	Unknown Precontact
06101.000001	District and Extension	South Street Seaport Area	Unknown/form missing
06101.000014	Schermerhorn Row Block	South Street Seaport Area	Unknown/form missing
06101.000491	Unknown/form missing	Lower Manhattan	Unknown/form missing
06101.000503	<i>Tyger</i>	Greenwich and Dey Streets	Ship, ca. 1613
06101.000604	209 Water St Site	South Street Seaport Area	c. 1775-1800
06101.000623	Block 74W Telco Site	South Street Seaport Area	c. 1740-1775
06101.001271	175 Water Street	Near South Street Seaport	c. 1740-1780
06101.001272	Historic Landfill Site, 64 Pearl Street	Financial District	Late 17 <sup>th</sup> century
06101.001282	Ronson Project Site (Pearl, Bridge & Whitehall)	Financial District	17 <sup>th</sup> century-modern
06101.001283	Barclay's Bank Site / 100 Water St	Financial District	1750s-1820s
06101.001284	Block 35 The Assay Site	Financial District	Revolutionary era
06101.001285	Site Washington St. Urban Renewal Project	West and Washington Streets	Early 19 <sup>th</sup> century
06101.001304	City Hall Park Site	City Hall Park	18 <sup>th</sup> -19 <sup>th</sup> century
06101.006763	Schermerhorn Row Block	South Street Seaport Area	1780-1810
06101.006980	African Burial Ground	North of City Hall Park	18 <sup>th</sup> -19 <sup>th</sup> century
06101.006981	Five Points Area	Five Points	Late 18 <sup>th</sup> -19 <sup>th</sup> century
06010.007671	Broome Street Historic Site	576 Broome Street	Unknown
06101.012569	Worth St Historic Site	Worth Street and Lafayette Street	19 <sup>th</sup> century
06101.013335	Tweed Courthouse Area Deposits - burials/structures/deposits	City Hall Park	Burials, structures, deposits, 19 <sup>th</sup> century
06101.013876	Federal Hall Archaeological site	Wall and New Streets	19 <sup>th</sup> century
06101.015708	School Privy	97 Orchard Street	19 <sup>th</sup> century
06101.015801	WTC- Vesey Street Site	Vesey Street	Unknown
06101.015825	Block 100, Lot 1 site	New York Downtown Hospital	19 <sup>th</sup> century
06101.016117	Columbus Park Pavilion cistern	Columbus Park, north of Worth Street	19 <sup>th</sup> century
06101.017265	Spring Street Presbyterian Church Cemetery/Vaults	244-266 Spring St	Burials, 19 <sup>th</sup> century
06101.017777	145-147 Mulberry St former pianoforte factory	Chinatown and Little Italy Historic District	19 <sup>th</sup> century
06101.017931	Historic well beneath Corbin Building	192 John Street	19 <sup>th</sup> century
06101.018000	WTC-VSC Ship	Washington Street	Late 18 <sup>th</sup> century
06101.018115	Burling Slip walls - Codwise and Remsen sections	John Street	18 <sup>th</sup> -19 <sup>th</sup> century
06101.018120	Pier 7 complex Site (NYSM 12322) -	West Street	Early 20 <sup>th</sup> century

<b>NYSM or NYSOPRHP Site Number</b>	<b>Site Name/Description</b>	<b>Location</b>	<b>Site Type/Time Period</b>
06101.018121	Liberty Street Pilings Site (NYSM 12321) -	Liberty Street	19 <sup>th</sup> century
06101.018212	50 Bayard	Bowery Historic District	19 <sup>th</sup> century
06101.018564	St. Philip's Cemetery Remnants	235 Bowery Street	Ca. 1795-1853
06101.019277	60 Wall Street	60 Wall Street	Multiple historic periods
6101.021726	GO Broome	60 Norfolk Street	Late 19 <sup>th</sup> -early 20 <sup>th</sup> century

There have been numerous archaeological studies completed for Lower Manhattan, too many to list here. The NYSOPRHP indicates 93 archaeological studies have been filed with that office within a one mile radius of the project site, and the records of the LPC include numerous additional studies that were not filed with the state agency. Most of the archaeological sites in the above table were discovered as part of specific investigations. However, the archaeological studies that were most pertinent in terms of comparing expected results for this project were those that were located in the immediate vicinity of the APE.

Several significant archaeological investigations were completed for the Foley Square/Five Points project, several blocks to the northwest of the project site. These include Phase IA Archaeological Documentary Studies (or their equivalent) for two areas within Foley Square (Ingle et al. 1990; Geismar 1993), and subsequent archaeological investigations for some parts of these large sites, including the federal courthouse site, and the tunnel extending under Pearl Street from the courthouse site (Yamin et al. 1995; John Milner Associates 1993; Yamin 2000). Work was also completed within the northern part of Columbus Park (Chrysalis 2005, 2007a). More recently, archaeological studies were completed along the Worth Street corridor to the northwest of the project site (HPI 2013; Chrysalis 2020). Last, as noted above, a detailed study of the Shearith Israel Cemetery was completed on the project site block in conjunction with the Second Avenue Subway project (HPI 2003).

## **E. HISTORY OF THE PROJECT SITE<sup>1</sup>**

The project site is within a large tract that was granted by Governor Peter Stuyvesant to Wolphert (aka Wolfert) Webbers in 1650 (Stokes 1928, Vol. VI:170 and Plate 84b). This tract included most of modern Block 279 as well as portions of neighboring Blocks 115, 116, 117, 118, and 278. The land granted to Webbers was known colloquially as “Wolphert’s Meadow” for many years, although at least by 1670 he had died and the land was confirmed by Francis Lovelace, Esq. to his widow Anneken Webber. From 1671 to 1680 the land changed hands several times, eventually becoming the property of William Merritt (aka Merrit or Merrett) in 1680, which was confirmed in 1686 by Governor Thomas Dongan (Stokes 1928, Vol. VI:170).

The first known use of the project site block, other than for meadowland, came in 1681, when the Jewish congregation that would later be known as Congregation Shearith Israel acquired a parcel from William and Margaret Merrett measuring 52 feet by 50 feet, for use as a cemetery. The plot was located east of the project site on the block. This earlier transaction was noted in a confirmatory deed from 1701, but the original deed has been lost. The purchaser of the plot was Joseph Bueno [de Mesquita] (Stokes 1922, Vol. IV:514; De Sola Pool 1952:10). The earliest headstone in the cemetery was that of Benjamin Bueno de Mesquite, from 1683.<sup>2</sup>

Documentary research indicated that first Jewish people had arrived in New Amsterdam on September 7, 1654. They came from Bahia, Brazil when the Dutch evicted all of their Jewish subjects from the city (MCC 1653-1674,

<sup>1</sup> Portions of this section are excerpted and adapted from HPI’s 2003 report, *Shearith Israel Cemetery Intensive Documentary Study, St. James Place, New York, NY, Second Avenue Subway*. Appendix C provides detailed occupation data for the project site in table format.

<sup>2</sup> Sources also indicated an earlier deed for a cemetery in the same general area from 1656, but as the deed was only referenced in later documents it is unclear as to whether this referred to the same location as the 1681 parcel (Stokes 1922, Vol. IV:165).

Vol. 1:240). At that time the directors in New Amsterdam through the Common Council (Council) granted permission for the Jews to reside and traffic in New Amsterdam (Stokes 1922, Vol. IV:155).

The Jewish congregation used the cemetery on the project site block to bury their dead from the 1680s through the 1720s, at which time the original burial ground became nearly full. A request was filed by the Congregation on August 23, 1728 for Council permission to purchase land for a new cemetery elsewhere in the city. They had originally tried to acquire land adjoining the old cemetery but thought they would not be able to do so. Instead, they asked for the right to bury their dead in newly purchased lots nearby. Their petition read:

Petition by Principle Inhabitants of City of Hebrew Nation read to Mayor, Recorder, Aldermen and Assistants 'The humble Petition of the Inhabitants of the City of New York being of the Jewish Nation Sheweth (sic) That your petitioners some years since purchased a small piece of land beyond the fresh water for a burying place for the said inhabitants, but the said burying place being now full, your petitioners would have purchased some more land adjoining there to, but it being in dispute they could not have the title to the same. Whereupon your petitioners were obliged to purchase 2 lotts (sic) of land lying near the Cripple Bush or Swamp being the Numbers 84 and 85 which contain 50 foot in breadth and 112 foot in length but your petitioners would not presume to make a burying place thereof without the leave and lycence (sic) of this Corporation first had and obtained.' (MCC 1675-1776, Vol. 3:447).

The document was signed by Abraham Isaacs, Joseph Nunez, Baruch Judah, Isaac De Medina, Daniel Nunez, Daniel Gomez, Jacob Hayes, Lewis Gomez, Rodrigo Pacheco, Mordecai Gomez, Jacob Franks, and Nathan Levy (Ibid.).

Although permission was granted for the purchase, plans were abandoned because the land adjacent to their existing cemetery near Chatham Square became available (Ibid.:174). Expanding the boundaries of their existing cemetery was preferable to creating a new cemetery elsewhere.

On December 17, 1729, Roy Willey of London<sup>3</sup> sold his land near the existing burial ground to Luis Gomez and his three sons, Mordecai, Daniel, and David, for 30 pounds. The property was located "at [the] southeast<sup>4</sup> corner of the Jewish burial place" and extend[ed] to the "highway" (the present line of Chatham Square) (Stokes 1922, Vol. IV:514). Historian De Sola Pool confirmed that this tract was purchased in 1729 to enlarge the 1681 plot (De Sola Pool 1952:25). Gomez purchased the land to create a burial place for the "use of the Jewish nation in general, acknowledging that they held the land in trust and promising that it should so remain" (Stokes 1922, Vol. IV:514). No survey maps or plans were found detailing which lots this purchase encompassed, but on November 24, 1730, the Gomez family conveyed this land to the Congregation's trust (Ibid.).

De Sola Pool suggested that the burial ground was probably walled in 1729 when the addition of land was made, but provided no primary evidence of this action (De Sola Pool 1952:26). Regardless, a new wall was built around the property's perimeter in 1736. Plans began around this time to begin construction of the Congregation's first synagogue as well (De Sola Pool 1952:27).

In 1731 the project site and vicinity (not including the cemetery) were purchased by Christopher Bancker from Noy (Roy) Willy (Willey) (Liber 37:138). Bancker combined his lands with neighboring tracts belonging to Anthony Rutgers, John Roosevelt and Jacobus Roosevelt, and together this group became the owners of a large section of land collectively known as "The Meadows." A 1917 composite map (Figure 3) showing early Tracts and Farms with modern streets overlaid clearly noted the location of the expanded "Jews Burying Ground" in proximity to the project site within "The Meadows" tract.

Several historic maps and images depicted the Jewish burial ground beginning in the 1730s, after the purchase of additional land and the construction of the wall around the property. Perhaps the earliest published plan to depict

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<sup>3</sup> Willey (or Willy) had purchased the land from William Janeway in 1700, who in turn had bought the tract from William Merritt in 1698 (Stokes 1928, Vol. VI:170).

<sup>4</sup> The orientation in this citation appears to be reversed: the new property was located to the northwest of the original burial ground plot.

what was then known as the “Jews Burying Place” or “Jews Burying Ground,” was Mrs. Buchnerd’s Plan, drawn in 1735 but depicting conditions in ca.1732 to 1735 (Buchnerd 1735). This crude hand-drawn plan of the city depicted the burial ground located on a hillside overlooking a large area noted as “Salt Marsh or Meadow,” which led from the Fresh Pond to the East River. The project site was abutting the edge of this marshy area, at the base of the hill containing the cemetery. Another map depicting conditions in the 1740s (Figure 4), made from memory by Grim in 1813, showed a slightly smaller cemetery shape, perhaps representing the original 52 by 50 foot plot, but also indicated the new land grant extending the holdings toward Chatham Square. The vacant project site was located just at the edge of the marshy area, on firm ground. Last, an anonymous lithograph published in 1861 (Figure 5) representing an “Ancient View” of the intersection of Pearl Street and Chatham Street, looking roughly to the east, showed the long rectangle of the Jewish cemetery as enclosed with a wall and at a slightly higher elevation than the surrounding terrain. The area including the project site still was labeled as “Walphert’s Meadow,” a name associated with its early owner, who had died by 1670. The project site location, on the right side of the cemetery plot, was depicted as vacant.

Surveyor Evert Bancker mapped the land of Christopher Bancker, Anthony Rutgers, John Roosevelt and Jacob Roosevelt in 1744-1745. The survey divided the property into blocks and lots, and created many of the city streets that still endure today, albeit often with different names. What is now Madison Street was originally called Bancker Street (the name was changed to Madison Street in 1826). Although the survey does not appear to have survived,<sup>5</sup> deeds beginning in 1790 referencing the survey noted that the project site, now known as Lot 1, was then called Lot 267 (Liber 49:100).

Bancker Street was laid out in about 1750, and began to appear on historic maps after that time. The 1755 Maerschalk map (Figure 6) showed the alignment of “Banckers” Street on the south side of the project site and “St. James” Street on the west side of the block. The Jewish cemetery was shown to the east of the project site, with the wall surrounding the burial ground clearly drawn. At that time, there was no roadway on the east side of the block. The project site was depicted as undeveloped. Similar conditions were shown on the 1766-1767 Ratzer map (Figure 7).

A survey was made by Maerschalk of the Jewish cemetery and several adjacent lots in 1771 (Figure 8) because of an agreement between the Congregation and Hayman Levy. This agreement allowed Levy to rent a lot and build on it for himself and his heirs. There is no evidence that he completed any improvements to the lot, however. It is possible that his plans for construction may have been halted because of the Revolutionary War in 1776, as apparently the entire congregation left for Philadelphia when the British occupied New York City. They returned after the war, at which time the Congregation was finally officially incorporated in 1784 (De Sola Pool 1952:38).

The 1771 Maerschalk plan portrayed the “Burying Ground” as distinct from the rest of the congregation’s lot (Figure 8). At that time the “Burying Ground” alone measured 52.4’ on the north side, 140’ on the east side, 53.6’ on the south side, and 141’ on the west side for a total size of roughly 7,500 square feet. The entire parcel owned by the congregation, was much longer measuring 45.5’ on its north side, 447.9’ on its east side, 53.6’ on its south side, and 459’ on its west side, or roughly 23,850 square feet. A smaller lot owned by “Mr. Barker” (possibly a misspelling of Bancker) bordered the congregation’s property to the west, and Mr. Ryke’s lot and house was west of Barker’s property (Figure 8). These lots would have bordered the south side of Chatham Street. The project site was located west of the portion of the congregation’s holdings near the original burial ground. Although not labeled, Bancker Street would have been situated just south of the project site at this time.

During the second half of the eighteenth century, the Jewish cemetery to the east of the project site experienced a number of issues. The NRHP nomination form for the Shearith Israel Cemetery recounted the battles that the congregation had with the location of the burial ground on the hillside landform:

As early as 1769 the original and lowest, portion of the burial ground had begun to slide downhill. The higher ground of the northerly part of the cemetery not only contributed to the earth pressure but it was itself frequently washing out, caving in, and in danger of slipping over the earliest

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<sup>5</sup> The survey does not appear to be included in any of the Bancker plans collections held by the New York Public Library or the New-York Historical Society.

graves. Heroic efforts were made to strengthen fences, to construct walls and to relieve the pressure by cutting off the unused portion of the high ground (Goldstone 1975:7-3).

The work of stabilizing the cemetery was halted by the American Revolution, when the Jewish population of New York City largely evacuated the area. During the war, the Americans constructed a battery several blocks to the east of the cemetery, on the same ridgeline, but the battery did not impinge on the project site block. The NRHP nomination form indicated:

When the British finally evacuated the city and the dispersed Jewish community reunited, desperate remedies were needed to retain the sliding earth. In 1784 it was decided to support the southerly boundary by a massive stone retaining wall. In order to construct it without disturbing the earliest graves, additional land was needed. A parcel between the original southerly boundary and Bancker (now Madison) Street was bought for £80 from Isaac Roosevelt, great-great-grandfather of Franklin Delano Roosevelt, and a small strip of land along the cemetery's easterly boundary was given to the congregation by the heirs of Henry Rutgers. But even this did not solve the problem (Goldstone 1975:7-3).

Further exacerbating the problems of the burial ground, in 1789 Bancker Street was graded to a new lower level, which left the cemetery "twenty steps above street level" (De Sola Pool 1952:72). With the removal of the supports the hillside began to collapse. In order to further stabilize the hill, the Congregation applied for a loan to build another retaining wall (it is unclear exactly how many different walls were built). This action caused many burials to be disturbed. There was some difficulty in the construction of a good retaining wall apparently and the burials did begin to shift. According to De Sola Pool, all the burials which needed to be dug up were transferred to the northeast corner of the "present enclosure" and no other person was buried in the "upper part" of the cemetery. The entrance at the north side was leveled to match the surrounding land, but it is unknown how much grading was required (Ibid.). The leveling appears to have been done in 1790 when Peter Cypher [Sifer] (sic) was paid for the "ridging" and Abraham Isaacs for "reburying (sic) the dead." In fact, all of the men in the Congregation were mobilized in the fall of 1790 to work in the cemetery (De Sola Pool 1952:75-76). In 1791 Isaac Classon was hired to grade more of the cemetery's hill adjoining Roosevelt's land as it kept caving in. More burials were then removed and the ground again leveled (De Sola Pool 1952:78).

The NRHP nomination form concluded the saga of the disappearing original burial ground:

At last, in 1792, and after consultation with religious authorities in London, the order was reluctantly given to level the upper part of the cemetery to the grade of the surrounding lots and to transfer as many of the earliest graves and stones as could be salvaged (including that of Benjamin Bueno de Mesquita) from the low-lying southeastern part. This accounts for the present situation in which all of the tombstones that pre-date 1750 are to be found in the front or northwesterly, part of what remains of the cemetery (Goldstone 1975:7-4).

As noted above, by 1790 Bancker Street had been graded and regulated, eliminating the elevated ridge to the east of the project site and continuing east past present Oliver Street. At the same time Fayette Street was laid out, connecting Bancker Street with Chatham Street, to the east of the present line of Oliver Street (Stokes 1918, Vol. III:993, 999). The first buildings were constructed on the north side of Bancker Street, including on the project site and the adjacent congregation-owned lots to the east, at least by 1790.

In 1790, the heirs of Walter Franklin sold the present project site to Samuel Osgood (Walter's widow Mary's new husband); the deed noted that there was already a house on the property, which likely corresponded to the two-story portion of the extant building (albeit heavily modified) on the project site:

All that Messuage, Tenement or Dwelling house and Lot of Ground, situate lying and being in the Out Ward of the City of New York, in or near a place known by the Name of the Meadows and near to the Jews Burying place, and known and Distinguished in a certain Map or chart formerly made of the Lands and Lots of Ground there, which did belong to Christopher Bancker, Anthony Rutgers, John Roosevelt and Jacob Roosevelt by Lot Number 267 and is bounded on the east side by undivided ground belonging to the said Jacobus Roosevelt and the heirs or Devisees of the said

Christopher Bancker, Anthony Rutgers, and John Roosevelt deceased. And Bounded to the southward in front by Bancker Street, and on the West side by the Rears of the Lots numbered and Distinguished in the said Map or Chart by the numbers 110, 111, 112, 113 and 114 and bounded Northerly on the rear by part of the Lot numbered in the said Map number 109 and the said lot numbered 267 contains in length One hundred and twenty five feet and in breadth twenty five feet (Liber 49:100).

Walter Franklin owned a number of properties in Manhattan during the late eighteenth century, although it is unclear when he had purchased the project site lot from the earlier Bancker, Rutgers, and Roosevelt owners. Neither he nor his family appears to have occupied the house on the project site, according to city directories, which listed Franklin in other locations. Rather, the house was rented to tenants. No listings for Bancker Street were included in two 1786 city directories; a 1790 city directory only had a few listings for Bancker Street and none that seemed to match the project site location. But beginning in 1794, tenants were listed for 33 Bancker Street, which was the address that was assigned to the project site from the 1790s through about 1827 (Appendix C). During the 1790s, city directories indicated that these tenants included several men who worked in the shipping industry: a mariner in 1794 and a shipjoiner in 1798 (Appendix C).

In 1794 Samuel and Mary Osgood sold the project site lot to Thomas Gardner (Liber 71:305). Members of the Gardner family and their descendants the Ketelas, McCarty, and Hutton families, would continue to own the property through the entire nineteenth century, until its sale to the Church of St. James, its current owner, in 1903 (Liber 76:175) (Appendix C). None of the Gardner family members or their descendants ever occupied the structure on the project site; the building always was rented to tenants; a selection of which is listed in Appendix C.

Both the 1797 Taylor & Roberts map (Figure 9) and the 1811 Commissioners map by Randel (Figure 10) showed the layout of the city streets surrounding the project site around the turn of the nineteenth century. At that time, Fayette Street was the easternmost edge of the project site block. Although these maps did not show the locations of the buildings on the project site block, tax assessment records, which are extant for this portion of Manhattan beginning in 1808, indicated that there were a number of houses on the north side of Bancker Street, including the project site and to the east and west of the project site. After the hillside containing the original cemetery location had been cut down and the graves moved in the 1790s, Congregation Sherith Israel constructed three houses facing Bancker Street, known as 35, 37, and 39 Bancker Street, which were rented to tenants (De Sola Pool 1952:46).

Immediately to the east of the project site, there were a number of changes that occurred during the 1810s and the 1820s that further reconfigured the layout of the block. The first major change was the opening of Oliver Street from Bancker Street to Chatham Street in 1818-1819 (Stokes 1918, Vol. III:1007). The new 60-foot wide line of Oliver Street was situated west of the narrower Fayette Street, marking a continuation of the alignment of Oliver Street south of Bancker Street. The new Oliver Street roadbed ran partially through land held by the Congregation, and also eliminated a narrow pathway known as "Jews Alley" which had led uphill from Bancker Street along the rear of the lots fronting Fayette Street to the cemetery. The Congregation was forced to give up part of its land within the proposed Oliver Street roadway, but also needed to recreate access to the cemetery by purchasing a small gore of land near Henry Street. Combined with the assessed taxes they needed to pay for the opening of Oliver Street, the Congregation was in a financial bind (Goldstone 1975:7-4).

After several years of negotiations, in 1823 the Congregation sold some of its land along the Chatham Street frontage, which had never been used for burials (Goldstone 1975:7-4). Further, in 1829 the Congregation surveyed and sold the land immediately east of the project site north of (recently renamed) Madison Street and as far north as the relocated burial ground (Liber 246:421). A survey of the land sold by the Congregation, made in 1829 (Figure 11) showed that the project site was still attributed to the Estate of John Gardner, and that the active burial ground was now located well to the north of the project site. Because the 1825 ordinance by the City Council forbade any new burials south of Grand Street in Manhattan, selling the unused land was a way to raise funds, since they would no longer be able to use this tract for the expansion of the cemetery on the block (MCC 1784-1831, Vol. 14:576-80).

In anticipation of the 1829 sale of the Congregation's land north of Madison Street, the houses that were situated immediately east of the project site were first sold, and then demolished in 1827 (De Sola Pool 1952:114-115; Appendix C). Bancker Street was proposed to be widened at this time, and it appears that in order to do this the front yards of some of the lots were truncated. In the case of the Congregation's lots, the fronts of the houses



themselves were proposed to be cut down. The solution was to remove the houses entirely, particularly since they were apparently in a dilapidated state (Ibid.:115). The new owners of the land, on the west side of Oliver Street and north of Bancker Street, reconfigured the layout of the property to have all the lots fronting on Oliver Street instead of on Bancker Street. With that lot reconfiguration, the project site became the easternmost address on the north side of Bancker Street between James and Oliver Streets. The rearmost yards of the new lots fronting Oliver Street now were located immediately east of the project site.

The project site building had a series of occupants and uses during the nineteenth century. From 1808-1814, city directories and tax assessment records showed that the project site house at 33 Bancker Street was occupied by a succession of renters, several of whom – Colin McArthur and James Lightbody – had occupations listed as “dyers.” These early tax records indicated that some of these renters were being assessed for the house as well as their own personal property (Appendix C). At least one of the city directory entries from this period noted that there was a separate residence listed as the rear of 33 Bancker Street, suggesting that there may have been a second building behind the main house, either on the project site or immediately north of the project site.

Beginning in 1815 and continuing through 1860, the project site building was used as a “porterhouse” or beer hall on the first floor. City directory entries (Appendix C) listed a series of proprietors running the porterhouse (sometimes noted as a hotel, sometimes as a tavern, and toward the end of the occupation, simply as “liquors”). Residential renters continued to occupy the second floor and also likely the attic of the building. Operators of the porterhouse, as detailed in Appendix C, included:

1816	Rufus Ogden/Ogdern
1817	Christopher Merckle
1819-1820	Andrew Sellig/Selleg/Seely
1822-1824	David Petty
1824-1826	Paul C. Tabor/Tabour/Taber
1827-1834	Charles Miller
1835	William A. Thompson
1836-1837	Giles Lowerre/Lowery
1839	John Dawson/Dorson
1841	Charles Mills
1842-1843	Stephen Duboice/Dubois
1846	James Sullivan
1847-1848	James Toms
1849	William Williams
1850-1855	John Marriot
1857	Charles Giddings
1859-1860	Henry Jennings

In addition to the use of the first floor of the project site as a porterhouse, by the 1850s the building also was being used by John Marriot to host dog fighting matches and “rat-baiting” events. One account revealed:

Mid-century saloons which offered bare-knuckle boxing, dog fighting, and illegal gambling were sometimes termed “sportsman’s halls.” The most infamous of these would be Kip Burns’ Sportsman’s Hall on Water Street, opened in 1863. But a full decade earlier John Marriott operated his at No. 49 Madison Street. Like Burns, Marriott offered a grisly and popular betting game—rat and dog fighting.

Young boys were paid a commission to gather brown wharf rats from the nearby riverfront. Patrons then laid bets on how long a dog—most often a terrier—could kill 100 rats. An advertisement appeared in the *Spirit of the Times* in March 1853: “Rat Killing, and other sports, every Monday evening. A good supply of rats kept constantly on hand for gentlemen wishing to try their dogs, with the use of the pit gratis, at J. Marriott’s Sportsman’s Hall, 49 Madison Street” (Miller 2015).

In the late 1850s, the operation was sold to Henry (aka Harry) Jennings, another notorious proprietor:

In the late 1850s, Marriot sold the dive to an English gangster named Harry Jennings, who built a veritable dog-fighting franchise on the Lower East Side. He ran gambling hells (sic) at 49 Madison, 114 Madison, and 22 White Street. His brother Jack supplied the vermin, catching rats by hand and selling them to the pits for 15 cents a rat (if demand was low, he turned the excess into cheap gloves.) To add variety, he brought in pigs, badgers, raccoons, even bears, with a silver collar given to the dog “that runs at the bear the gamest.” Jennings himself owned 21 championship bulldogs, including Rose, Jack, Topsy, Benny, and the celebrated Lady Suffolk who dispatched a whopping 100 rats in 8 minutes and 23 seconds (Madeja 2017).

The porterhouse and rat baiting business endured on the project site through about 1861, after which time it closed.

At some time during the first half of the nineteenth century, the two-story building on the southern portion of the project site received the additions that covered over the rear yard of the lot. Because historic mapping during this period generally did not depict individual buildings, it is unclear when this happened. However, tax assessment records (Appendix C) suggest that there were several times when this could have occurred, based on increases in valuation rates. In 1814 the tax assessment for the project site doubled, from \$1400 to \$2800. Later, in 1835 the tax assessment jumped from \$3000 to \$4000, and in 1836 the tax assessment increased considerably, from \$4000 to \$6500. It is likely that these steep increases in taxes corresponded to new building construction on the lot, which then increased the value of the structures.

Additionally, during the 1840s the tax assessment records consistently noted a rear structure behind the main house as well. Most of the tax records during this period attributed the rear structure to the same address as the main house on the project site, which was 33 Bancker Street from the 1790s-1827, 41 Madison Street from ca. 1830-1850, and 47-49 Madison Street after about 1850. A few entries suggested that the rear structure may have been associated with what is now the easternmost portion of adjacent Lot 25, where the St. James Church is located, and to the north of the project site. The St. James Church was constructed in 1837, replacing the buildings that previously fronted James Street in that location (Lash 1971).

Several maps made during the 1850s confirmed that by this period, the project site lot had been almost completely covered with buildings. The 1852 Dripps map (Figure 12) showed that the entire lot, excepting a tiny corner at the rear of the property, contained a long, rectangular building. The 1852 Perris map (Figure 13) depicted considerably more detail, and showed that there were two general segments to the building on the project site: the front portion facing Madison Street, and the longer addition to the north. Like the Dripps map, a small opening was shown at the extreme rear of the lot. Further, the 1852 Perris map illustrated another structure immediately north of the project site, in the area now known as Lot 25 and owned by the St. James Church. Similar conditions were shown on the 1855 Perris map. A tax map from 1856 (Figure 14), which labeled the ward numbers for the block, indicated that the project site was given the numbers 267 (the original 1744-1745 Bancker survey lot number) as well as 351, whereas the area to the north of the project site, and owned by the church, was known as 930, which in some tax records was listed as the “rear” of the project site.

The 1850s also marked the time when the streets surrounding the project site and vicinity were supplied with municipal sewers. Piped city water had been available under many of the streets in the project site vicinity since 1842 (Endicott 1842); in the early 1850s the area was also given municipal sewers. Records of the Croton Aqueduct Department noted that Madison Street from Roosevelt Street to James Street received a sewer in 1852 and Madison Street from Oliver Street to Market Street in 1854, suggesting that the block of Madison Street in front of the project site likely was sewered in about 1853 (Croton Aqueduct 1852, 1854).

The last major change to the project site block came in about 1855, when New Bowery Street (now St. James Place) was cut diagonally through the block, necessitating additional removal of approximately 253 graves from the Shearith Israel Cemetery to their new cemetery on 21<sup>st</sup> Street, of which 70 were reinterred in individual coffins (Inskeep 2000:36). The creation of New Bowery Street did not have any direct effect on the project site.

Historic maps from the remainder of the nineteenth century showed similar conditions on the project site. The 1857-1862 Perris map update (Figure 15) indicated three rather than two segmented brick sections to the building, with a frame entry along Madison Street and a small open area at the far rear of the property. The 1867 Harrison map,

while less detailed than the Perris maps, still showed the small opening at the rear of the project site lot. By issuance of the 1885 Robinson map, however, this opening had been closed and the project site was shown as completely covered by the building. The 1891 Bromley map indicated the same layout, although the rear addition on the lot was depicted as frame construction. The 1894 Sanborn map (Figure 17) indicated a similar configuration, with the rear addition again shown as made of brick. The 1905 Sanborn map update (Figure 18) illustrated more details about the building, but otherwise showed similar conditions as earlier maps. Additional Sanborn maps made during the remainder of the twentieth century showed no further changes to the 47-49 Madison Street building or site (VHB 2021a:Appendix D).

Occupants of the project site building from the 1860s through about 1910 included the Murphy family, from Ireland, first headed by Felix Murphy, later by his wife Elizabeth, and last by his son P. Charles Murphy (Federal census 1870, 1880, 1900, 1910; Appendix C). All three were undertakers, and newspaper advertisements showed that the by the early 1900s P. Charles Murphy also ran a general carting and contracting business in addition to the undertaking work (Miller 2015). Additional tenants lived in the upper floors of the building, with occupants varying from year to year. These renters generally were from working class and frequently immigrant backgrounds.

There were a number of different occupants of the project site building after the departure by the Murphys in the 1910s. During the 1920s, when the neighborhood had a number of Greek residents, the building contained a Greek printing company. In the 1960s, there was a first a grocery store and later a hardware store on the first floor (Miller 2015). During the 1980s there was a women's homeless shelter in the building. Today, as noted above, the first floor is leased to the Chinatown Business Improvement District and the second and attic floors are occupied by the St. James Church for family services, and bible studies.

#### **F. POTENTIAL FOR RESIDENTIAL AND COMMERCIAL ARCHAEOLOGICAL RESOURCE SURVIVAL**

In order to understand the behavior of past peoples, archaeologists rely on locating undisturbed resources that can be associated with a specific group or individual during a particular time period. Evaluating the significance of archaeological resources hinges on two factors: the integrity of the potential features, and if associations with individuals and/or groups can be documented. It is possible that the archaeological examination of these resources can reveal information pertinent to many issues that do not exist in the documentary record. Because of the somewhat elusive nature of these resources and the fact that only a limited number are likely to have survived subsequent development in an urban environment, it is vital that the remaining sites where potential resources may be present are studied. Therefore, the recovery of intact resources in an urban setting is very likely to yield new information pertaining to land use, settlement patterns, socioeconomic status/class patterns, ethnic patterns (potentially), trade and commerce patterns and consumer choice issues.

Archaeologists have found that former residential and commercial sites are often sensitive for shaft features, such as privies, wells, and cisterns. In addition, yard scatter and artifact concentrations associated with the domestic or commercial population might also yield meaningful data. In New York City and other urban locales, complete or truncated shaft features have yielded rich archaeological deposits. In some cases, subsequent construction episodes have aided the preservation process by covering over the lower sections of these deep features and sealing them below structures and fill layers.

Archaeological research conducted in New York City and other urban locales indicates that the positioning of privies, as well as other shaft features, within a building lot had become somewhat standardized by the nineteenth century. For those lots containing only one building, privies were located at the extreme back of the lot, farthest from the residence or business, either in the corner or center of the lot (Cantwell and DiZerega Wall 2001:246-247). In lower income neighborhoods (typically in tenement style housing), where these lots often had two residences or buildings per lot, the privy would have been located somewhere between both structures. Some privies were intentionally excavated and the "nightsoil" removed in order to extend the period of viable usage (Roberts and Barrett 1984:108-115). In some cases, wells and cisterns no longer needed for water were used as privies or cesspools. For example, Jean Howson's research found that following the introduction of an effective water system in Manhattan, wells and rainwater cisterns were reused as privies (1992-3: 141-142). Cisterns were often located closer to the residence and in some cases were directly against the building itself. A cistern found at 109 Waverly Place in 2008 was located immediately adjacent to the rear of a ca. 1839 residence, in an area that was later covered

by an extension to the building (Geismar 2009). A similarly sited partial cistern remnant was found at the rear of an 1818 residence at 66 Watts Street as part of the 100 Varick Street project, although the feature had been filled with sand and did not contain any historic artifacts (HPI 2012a, 2012b).

The project site was developed with a structure by 1790. At least by 1815, the ground floor of the building contained a porterhouse, which endured until about 1860, with residents living on the upper floor and in the attic. Given that piped city water was not available in this neighborhood until the early 1840s and municipal sewers were not installed until the early 1850s, occupants of and visitors to the project site would have needed to rely on shaft features such as wells, cisterns, and privies, for over 50 years, and possibly longer, until the building was hooked up to the city services.

### **Potential Depths of Shaft Features**

The depth of shaft features has always been one of the reasons these resources can survive subsequent development. Typically, the domestic yard feature that extends to the greatest depth is the drinking water well. The depth of a well is often contingent upon the depth of the water table, the type of excavation method employed, and the construction materials used. In urban locations, where potable water was at a premium, wells often extended to great depths (Garrow 1999:8; Glumac et al. 1998).

Cisterns, built to hold captured rainwater, were not constructed to the same depths as wells. These features are much more common on nineteenth-century urban sites than wells (Garrow 1999:12). In some cases, cisterns used by multiple residents of large buildings have extended to depths greater than 10 feet (e.g., HPI 1997).

Privies, like cisterns, were not typically built to extend to great depths. In urban areas, however, many have been constructed to depths greater than 10 feet. In his review of several nineteenth century privies excavated in Alexandria, Stephen Judd Shepard found several extended to depths between 10 and 26 feet deep (1987:171). In his discussion of privy “architecture,” M. Jay Stottman found that in one neighborhood in urban Louisville the privies examined by archaeologists extended to depths between 11 and 22 feet below the surface (2000:50). In New York City, truncated privy shafts survived subsequent development in many locations (e.g., Salwen and Yamin 1990; Howson 1992-3; Yamin 2001a, 2001b).

### **Comparative Sites**

#### Five Points

Archaeological studies conducted in Manhattan and the outer boroughs have found that residually related shaft features have survived behind, beneath, and adjacent to subsequent construction. One of the most important archaeological studies took place in the Five Points neighborhood. The discovery of numerous shaft features and archaeological deposits in Lower Manhattan has contributed extensively to the collective understanding of one of the poorest and least documented communities in nineteenth century New York. Numerous professional papers (including a session at the 29<sup>th</sup> Annual Meeting of the Society for Historical Archaeology, Cincinnati 1996) as well as an entire issue of *Historical Archaeology* have been devoted to the archaeological discoveries made within these fourteen lots studied in Lower Manhattan. Archaeologists found that the interconnectedness and subsequent development of the area actually enabled the preservation of these important archaeological sites. According to Rebecca Yamin, “the Courthouse Block yielded 50 backyard features, all of which had been subsequently enclosed within later tenement walls” (2001a:2). Yamin further wrote:

*a complex of features on Lot 6...illustrates the intensification of spatial use over time and the degradation of living conditions. Wood-lined privies...apparently served the early residents of the block. They were located well behind a house that would have faced Pearl Street...A more substantial stone-lined privy, Feature B, was constructed further back on the lot, possibly at the same time a cistern, Feature Z, was put in.*

*This tenement population was served by a sewage system that virtually filled the backyard...All of these features had been filled by 1875. A William Clinton is assessed for the property in that year,*

*its value having increased from \$10,500 to \$15,000, probably as a reflection of a second tenement that had been built at the back of the lot, into and over the edge of the cesspool. (2001b:10-11).*

The archaeological investigations at Block 160 demonstrated that truncated features with significant archaeological deposits can be found on lots which were subsequently developed. The resulting studies conducted on the material recovered have made a substantive contribution to the understanding of the history of a working class neighborhood in nineteenth century New York City.

#### Sullivan Street (NYU campus)

The results of excavations within six lots on Sullivan Street for an NYU expansion project in Greenwich Village also indicate that many nineteenth century shaft features have survived the subsequent intense development of Manhattan. Salwen and Yamin found that:

*Although the nineteenth century backyard surfaces were destroyed by construction of Sullivan Street, truncated features were found on all but one of the lots. All were packed with artifactual material (1990).*

During the subsurface investigations, archaeologists found a total of five privies, three cisterns, one well, and two "other" features. All of the truncated features were found between 5-9 feet below the modern street elevation, underlying subsequent fill and construction episodes. With the exception of the well, which extended another 20 feet in depth, these truncated features ranged from 1-7 feet in depth. Each of these significant features was found in the location where Sullivan Street had cut through former backyards. Research conducted on the site by Jean Howson also found that although there was a City policy in place that encouraged residents to connect their dwellings into the public sewer system, many continued to utilize their privies for a decade or more after the public sewer was installed (Howson 1992-3:142-143).

#### Ericsson Place

Excavations conducted by Historical Perspectives, Inc. at the Ericsson Place Site found several undocumented features in the back yards of nineteenth century residential lots.

*Excavation revealed several walls and foundations-some were expected, but a few, in the rear lots of the residences along Beach Street, were undocumented. The presence of two nineteenth century cisterns indicate that backyard features relating to the adjacent residences were indeed present as predicted. The most productive area of the site had two features (the foundations of an at-grade twentieth century outbuilding and a nineteenth century cistern) and two concentrations of historic artifacts.*

*The large double brick cistern found in the rear lot of 126 Hudson Street was most likely introduced to the site before the late 1850s.... The cistern may not have been in use for long and was probably filled in a single dumping episode (1997).*

#### Lower East Side

Excavations in two lots in the Lower East Side unexpectedly encountered a cistern and a series of drainage system features in the location of the former rear yards. The features were discovered under what had been a tailor's shop. Subsequent demolition activity had buried and sealed the features beneath three to five feet of twentieth century debris. A rectangular stone foundation wall that enclosed and post-dated the cistern was also discovered. The find "provided a unique vertically stratified record of early to mid-nineteenth century history within the Lower East side. The features dated from 1840-1867, indicating that water was not connected to residences in this area until after the Civil War "at least a decade after the documentary record has previously suggested" (Grossman 1995:2).

Excavations also found a late nineteenth to early twentieth century privy feature and a mid to late nineteenth century pit feature. According to the project archaeologist, the pre-Croton Reservoir water control cistern structure was found to be totally intact and undisturbed by the subsequent 150 years of later nineteenth and twentieth century

building and demolition activities at the site. No mixed late nineteenth or twentieth century materials were encountered in association with it, and no later building activities had intruded into, or disturbed, the feature in any way (Grossman 1995).

#### 97 Orchard Street, Tenement House Museum

Excavations in the rear yard of the 97 Orchard Street property, which contains the 1863 Tenement House Museum, revealed the presence of a “school sink” or multi-compartment outdoor, water cleansed privy. The feature appeared to date to the time of the building’s construction in the 1860s. It was found at various depths beneath the original ground surface, which itself was two feet lower than the modern grade. The site, which is located about ten blocks east of the project site, was believed to represent the earliest known archaeological example of a school sink in New York City (Geismar 2003).

#### Lower East Side Girls Club Site

In 2009, Historical Perspectives, Inc. excavated two large trenches at the Lower East Side Girls Club site on Block 377, Lots 35, 41, 42, 43, 47, and 48, located on Avenue D between 7th and 8th Streets in the Lower East Side of Manhattan. Two ca. seven-foot diameter stone lined circular privies were found on the site, both of which had been truncated by later development. Intact deposits in Feature B, the first privy, were found at a depth of 2.5 meters (8.2 feet) below the existing ground surface. Feature E, the second privy, was found at a depth of ca. 2.66 meters (8.7 feet) below the existing ground surface. Beneath the two privies were thick deposits of marshy peat, attesting to the block’s former location within marshland that was subsequently filled in to create building lots. Both privies contained assemblages of early nineteenth century residential deposits (Historical Perspectives 2009).

### **G. POTENTIAL FOR HUMAN REMAINS RESOURCE SURVIVAL**

In addition to the potential for the recovery of residential and commercial archaeological resources on the project site, there is some potential that human remains associated with the original location of the Shearith Israel Jewish Cemetery could be present within the project site, particularly along the eastern edge of the lot. The original cemetery location, which was angled askew from the present street grid and oriented diagonally through the project site block, was situated between 10-25 feet to the east of the project site boundaries, depending on location, when it was surveyed in 1771 (Figure 8). The cemetery was located slightly upslope from the project site, on a hillside. From 1681 through approximately 1729, the cemetery may have been unenclosed. After approximately 1729 a wall was erected around the periphery of the cemetery, although the depth of the wall below grade is unknown. Additional retaining walls were constructed in the 1780s when the original walls around the cemetery proved unable to hold back the eroding hillside. In the 1790s the graves from the original cemetery were removed to the more northerly portion of the cemetery, closer to Chatham Street, and the section of the cemetery adjacent to the project site was leveled to match the grade of the surrounding lots.

It is possible that the dividing line between the cemetery land and the non-cemetery land was less precise in the seventeenth and eighteenth century, and burials or cemetery resources could have extended into the project site for a variety of reasons, including:

- Lack of formal cemetery boundaries, or imprecision in land division markings, causing burials to be placed in or adjacent to the project site;
- Intrusions into the project site of burials or partial burials from root action, bioturbation, or other human or non-human earthmoving activities;
- The effects of erosion, which as historic accounts detail, caused some of the burials to slide downhill from their original locations;
- Imprecision in the removal of burials in the 1790s, which could have left some remains behind or caused them to be spread into the project site area; and
- The scattering of human remains that may not have been properly or completely removed during the reburial process, associated with the grading of the hillside in the 1790s.

Particularly on properties that abutted or were in close proximity to historic cemeteries, there is evidence that human remains may still be located in these areas, along lot boundaries. One such archaeological site that had precisely this

condition was the 235 Bowery Street project, which abutted the Second African Burial Ground/St. Philip's Cemetery at 195-197 Chrystie Street in Manhattan, and contained disarticulated and fragmentary human remains in redeposited soils to the west of the mapped cemetery on the adjacent lot (HPI 2006). Another example was at the 126<sup>th</sup> Street Bus Depot site in Harlem, where disarticulated and redeposited human remains were found outside of a formal grave shaft in proximity to the nearby Harlem African Burial Ground, which had been in use from the late 1660s through the mid-nineteenth century (HPI 2005, AKRF 2016).

The project site was undeveloped during the seventeenth and much of the eighteenth century, which is the period when the original Shearith Israel Cemetery was in use, and before the graves were disinterred and the burial ground hillside terrain was graded and leveled in the 1790s. Given the conditions outlined above, there is a potential that human remains, likely disarticulated and in secondary deposition, could be located along the northeastern side of the project site.

#### **IV. CONCLUSIONS**

Archival research indicated that the project site was part of a large tract of meadowland that first was surveyed into blocks and lots in 1744-45. There was a structure on the project site at least by the 1790s, and possibly earlier. This structure may be the core of the two-story building that still exists on the project site, fronting Madison Street, albeit heavily altered. The first floor of the two-story building appears to have been used for commercial space throughout its history, while the second and attic floors were used for residential space. The earliest documented occupants of the building included men employed in the shipping industry, in the 1790s, while men employed as dyers lived in the house in the first decades of the 1800s. From 1815-1861, the first floor of the building contained a porterhouse or beer hall, which by the 1850s included dog fighting and rat baiting events. From the 1860s through the early twentieth century, an undertaking business occupied the first floor. Residents continued to live on the upper floors of the building during the nineteenth century. During the twentieth century the building had a number of commercial enterprises on the first floor, including a printing company, a grocery store, a hardware store, and a women's homeless shelter. The eighteenth and nineteenth century ownership, occupation data, and tax records, are included in Appendix C.

The original configuration of the project site lot likely included a rear yard area, to the north of the two-story building. It is possible there was a second residential structure behind the main building on the lot during the first half of the nineteenth century. Historic maps showed that at least by about 1850, the two-story and one-story additions to the main building had been constructed on the project site, which eliminated the earlier yard area. A small space at the back of the building remained open through the 1860s and perhaps the 1870s. By 1885 the lot was completely covered by the building additions. Tax assessment records noted large increases in valuation rates in 1814, 1835, and 1836, suggesting that at least some of the building construction could have happened at about those times, which would have increased the value of the structure. Although the current building on the project site does not have a basement level, and the Certificate of Occupancy for the property also does not indicate a basement, it is possible that there was once a subgrade level beneath the first floor of the main building that has since been sealed over, whether a partial cellar or a full basement.

Soil borings undertaken as part of the Phase II Environmental Site Investigation recorded fill in all three testing locations to the depth of excavations, at 15 feet below the first floor slab. However, the presence of fill does not preclude the potential for the recovery of historic period archaeological resources, particularly the shaft features such as wells, cisterns, and privies discussed above. Prior to the introduction of piped city water in the 1840s and sewers in the 1850s, occupants of the project site would have relied on these features. Since the first building on the property was constructed by the 1790s, more than 50 years before municipal water and sewers were available, these shaft features would have been in use by residents and commercial visitors for many decades. The location of these features would have been in open yard areas, or in the case of cisterns, up against the side of one of the buildings, to catch rainwater channeled from the roof.

Finally, given the original location of the Shearith Israel Jewish Cemetery only 10-25 feet to the east of the project site on a hillside, there is some potential for the recovery of human remains associated with the cemetery from 1681 through the 1790s, when the burials were reinterred further north on the block near Chatham Street and the natural hillside was leveled to match the surrounding topography. As described above, the project site was undeveloped during the seventeenth and much of the eighteenth century, which is the period when the original Shearith Israel

Cemetery was in use. As such, there is the potential that human remains, likely in secondary deposition, could be located along the northeastern side of the project site.

## **V. RECOMMENDATIONS**

HPI has concluded that archaeological resources associated with historic period occupancy of the project site could survive in the former yard area of the lot, behind the main two-story building that fronts Madison Street, as shown on Figure 19. Additionally, the northeastern edge of the project site may be sensitive for potential redeposited human remains associated with the original location of the Shearith Israel Jewish Cemetery.

Project plans (Appendix A) indicate that the present buildings on the project site will be completely removed and new construction will extend to approximately 12 feet below grade for the top of the cellar floor. It is expected that some foundation work will extend below the 12-foot level, to support the new building.

HPI recommends that a program of Phase IB archaeological field testing be conducted on the project site behind the main house that fronts Madison Street, in the area that was formerly the rear yard. This testing should be conducted after the superstructure of the existing building is removed. The Phase IB testing would use heavy machinery, such as a backhoe, under the supervision of a professional archaeologist, to remove the first floor concrete slab and sample the underlying soils to determine whether historic period resources, shaft features, or cemetery remains still exist on the project site. Subsequent hand testing would be conducted within machine cleared trenches to the extent necessary to ascertain presence/absence of historic resources/features/shafts and human remains.

All archaeological testing should be conducted according to OSHA regulations and applicable archaeological standards, which includes prior LPC approval of a field testing work plan (LPC 2018; CEQR 2020). Professional archaeologists, with an understanding of and experience in urban archaeological excavation techniques, would be required to be part of the archaeological team. Due to the potential for the recovery of human remains, an on-call Forensic Archaeologist or Physical Anthropologist would need to be part of the project team, and an Unanticipated Discovery Plan should be included in any future efforts.



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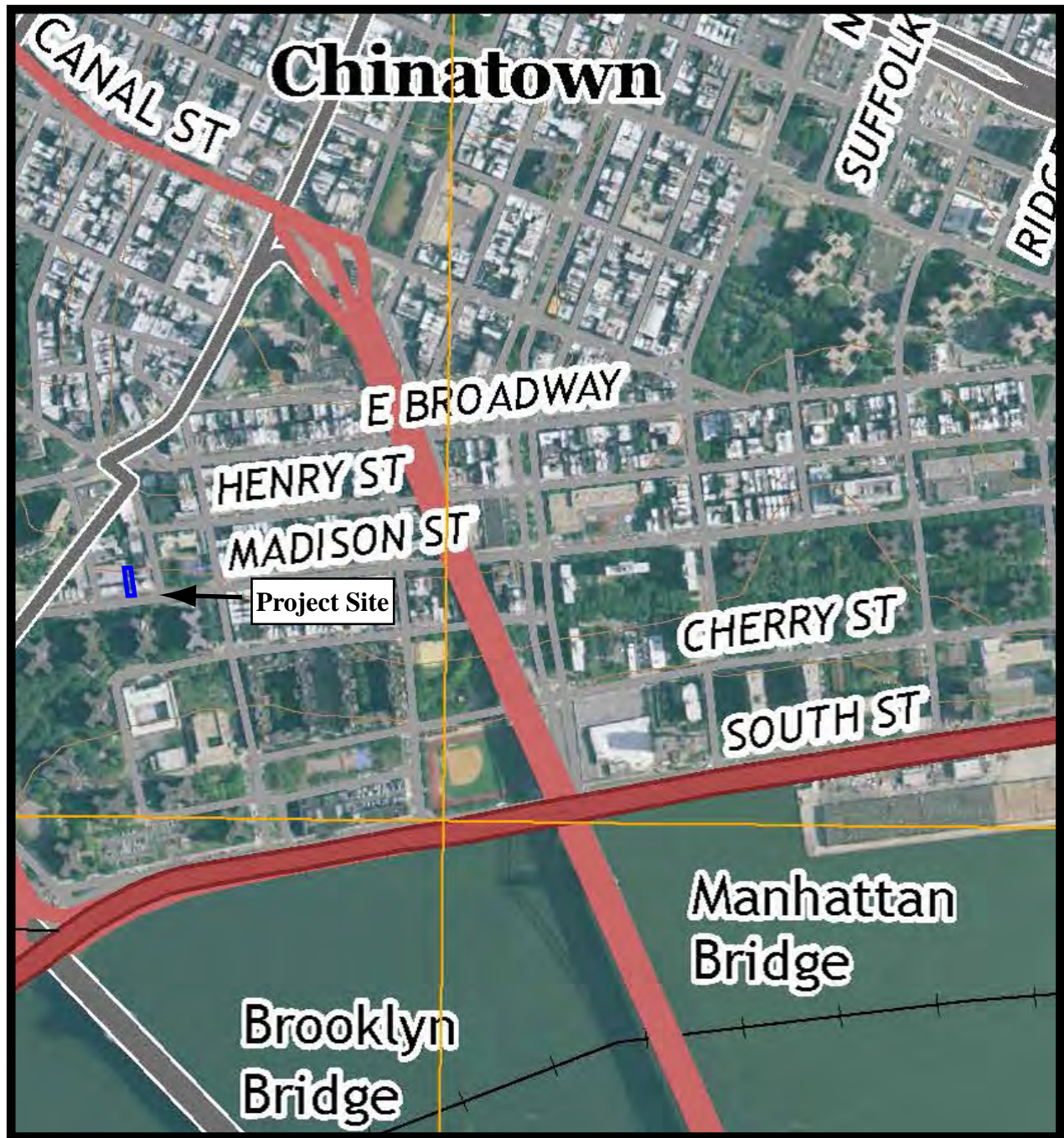
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## FIGURES



Phase IA Archaeological Documentary Study  
 47 Madison Street  
 New York, NY 10038  
 Block 279, Lot 1

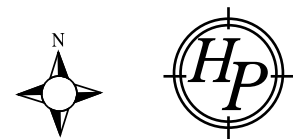


Figure 1: Project site on *Brooklyn, N.Y. 7.5 Minute Quadrangle* (U.S.G.S. 2016).

0 250 500 750 1000 1250 FEET



"UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY NOT BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW."  
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"SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY OR LENDING INSTITUTION LISTED HEREON AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS."

LEGAL GRADE SHOWN THUS . . . . . [X.X]  
EXISTING GRADES SHOWN THUS . . . . . (X.X)  
PROPOSED GRADES SHOWN THUS . . . . . <X.X>  
GROUND ELEVATIONS SHOWN THUS . . . . . X.X

NOTE:  
THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF SURVEYS MADE ON THE DATES INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME.

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IF AN ITEM BEARING THE PROFESSIONAL SEAL OF THE LICENSED LAND SURVEYOR IS ALTERED, THE ALTERING LAND SURVEYOR SHALL AFFIX TO HIS ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.  
DATUM NOTE:  
COORDINATES AND BEARINGS SHOWN ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD83) NEW YORK STATE PLANE COORDINATE SYSTEM, LONG ISLAND ZONE 3104, AS ESTABLISHED BY THE NATIONAL GEODETIC SURVEY.  
ELEVATIONS SHOWN ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

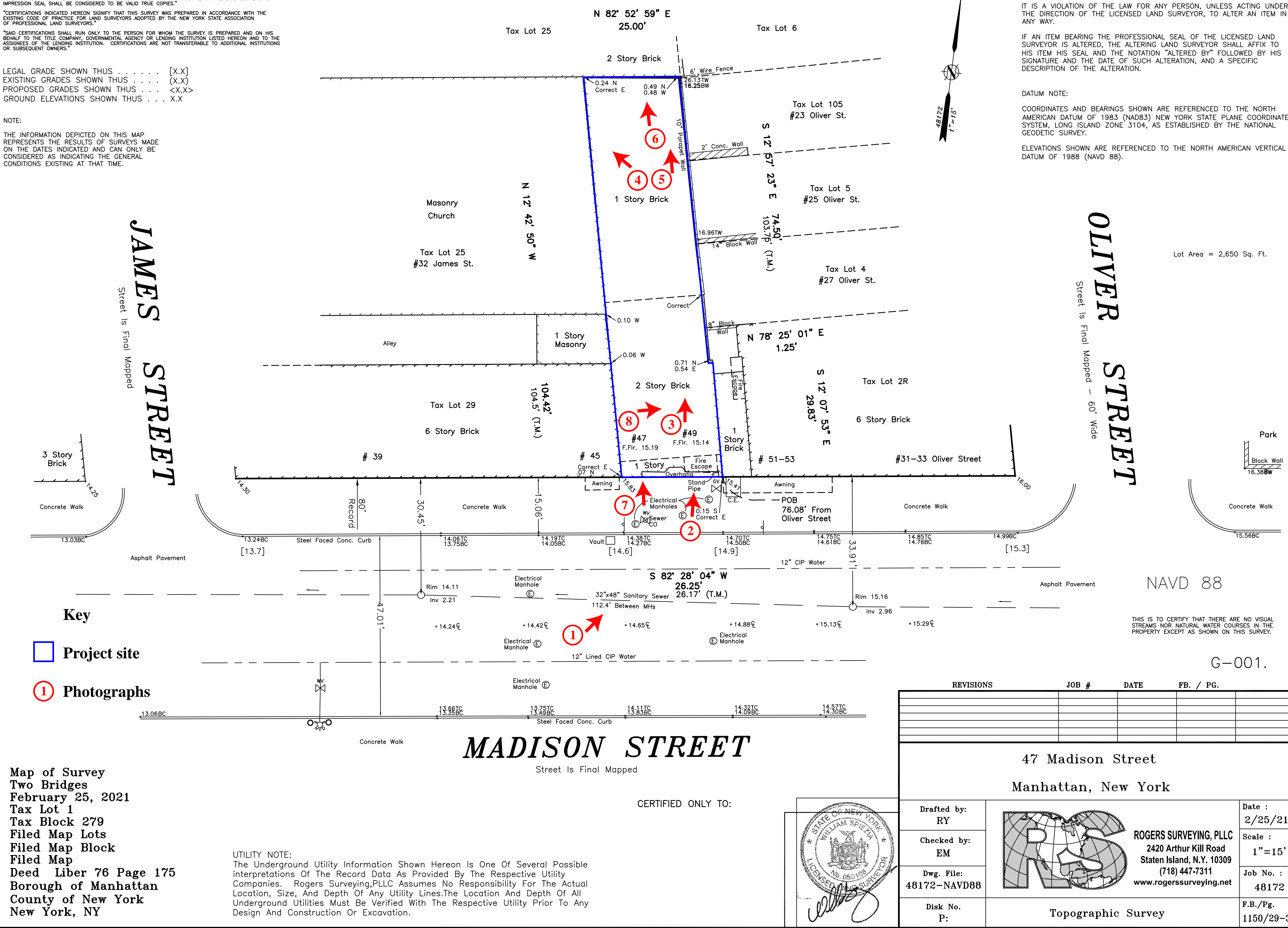
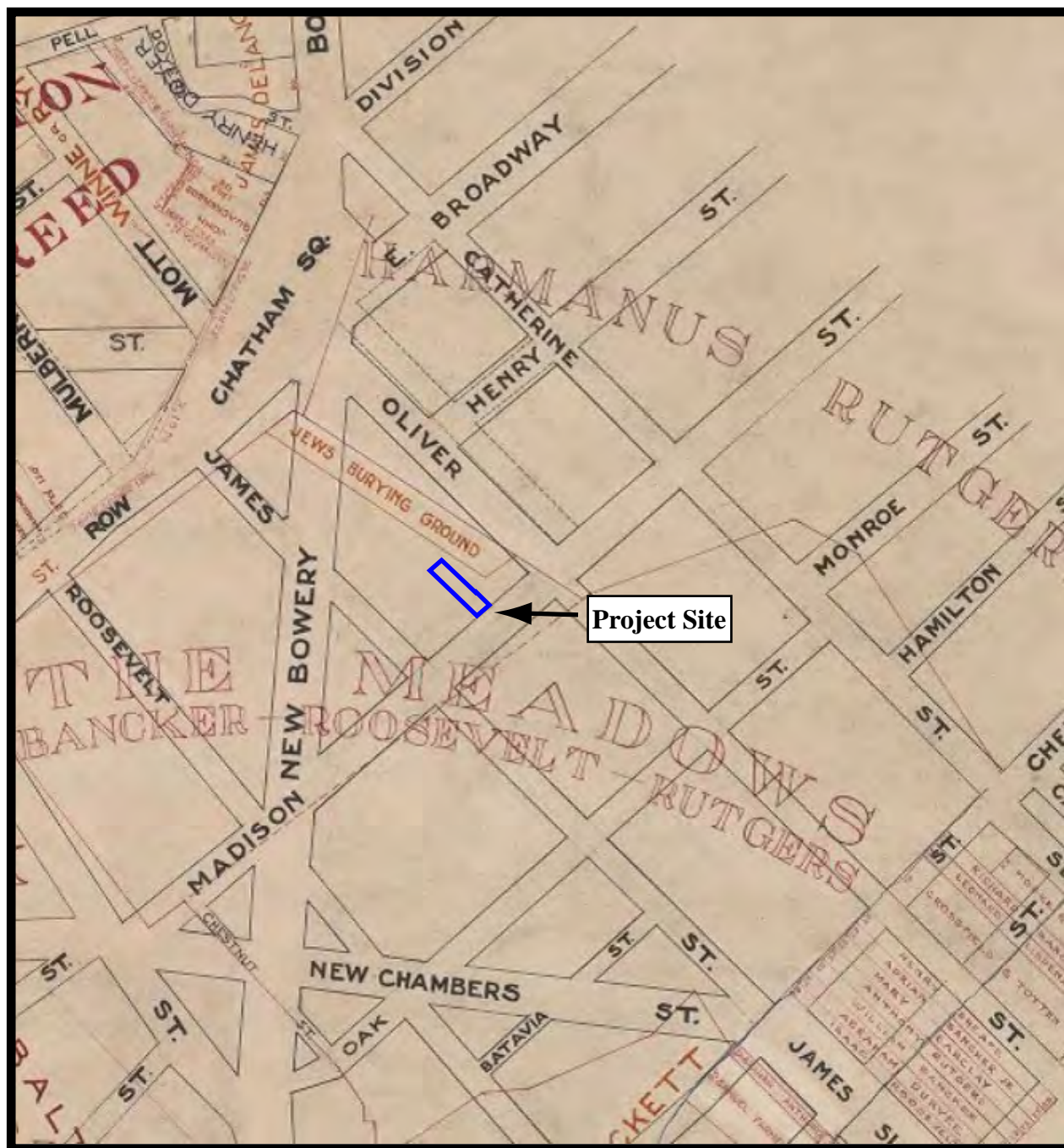
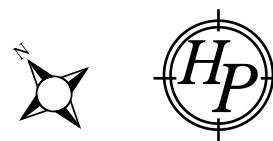


Figure 2: Project site and photograph locations on Topographic Survey (HPI 2021 and Rogers Surveying 2021).



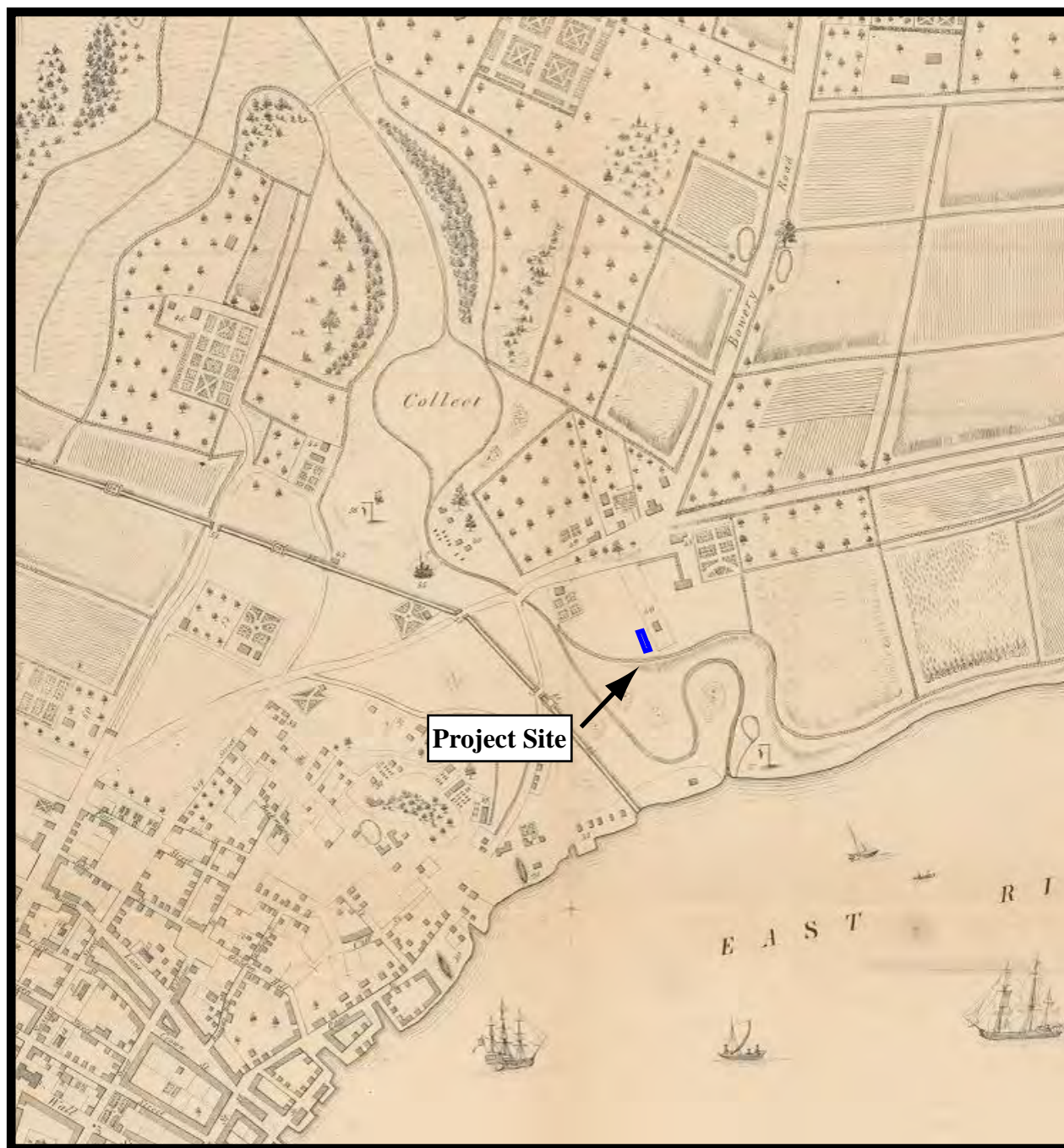
**Phase IA Archaeological Documentary Study**  
**47 Madison Street**  
**New York, NY 10038**  
**Block 279, Lot 1**



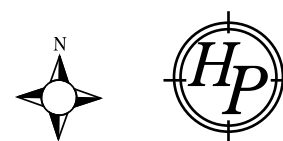
**Figure 3: Project site on *Tracts and Farms with Street Changes...* (Register's Office 1917).**





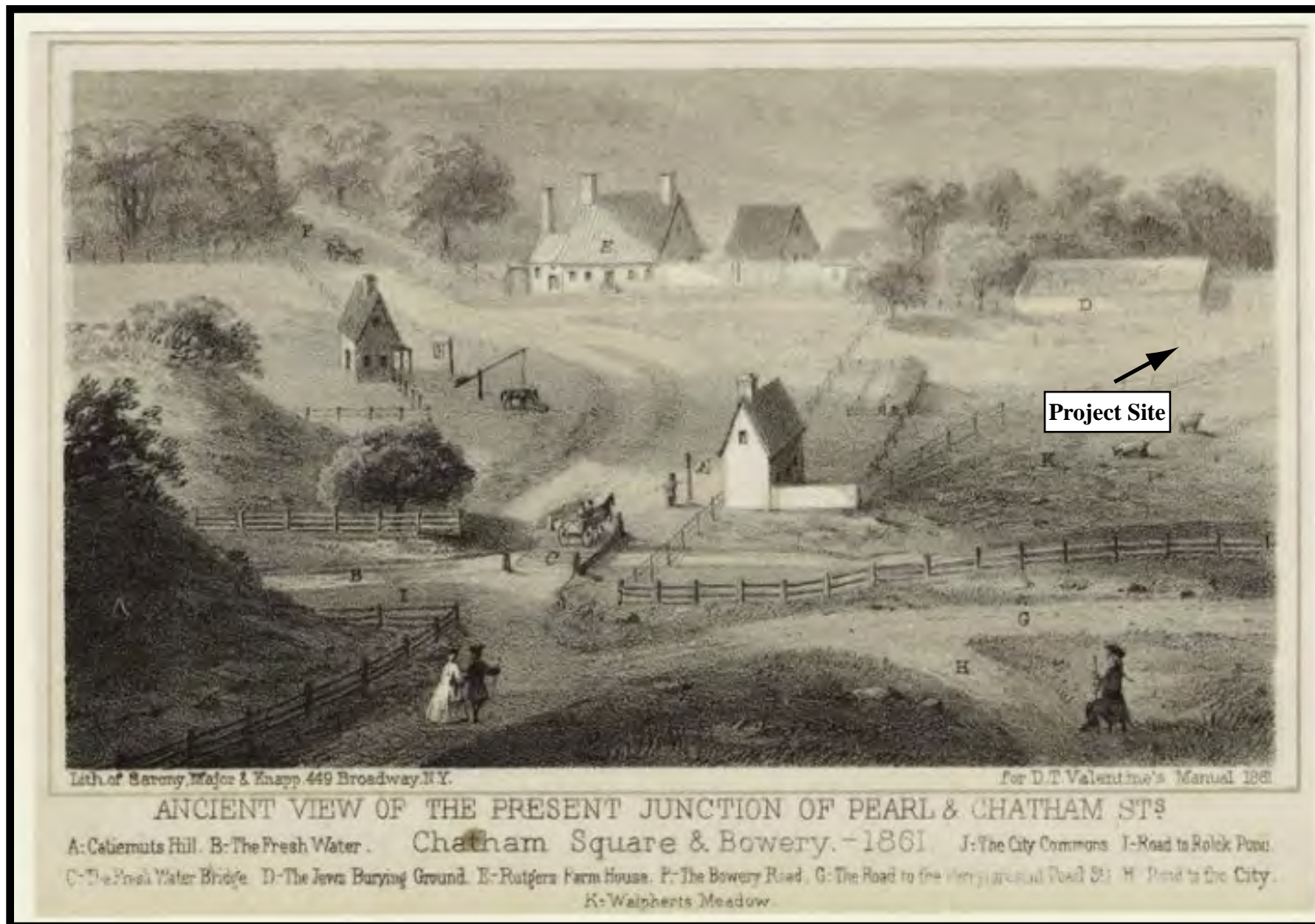


Phase IA Archaeological Documentary Study  
 47 Madison Street  
 New York, NY 10038  
 Block 279, Lot 1



**Figure 4: Project site on *A plan of the city and environs of New York: as they were in the years 1742-1743 and 1744* (Grim 1813).**

0 400 800 1200 1600 2000 FEET



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 New York, NY 10038  
 Block 279, Lot 1

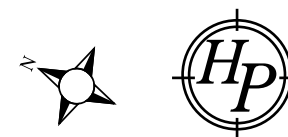
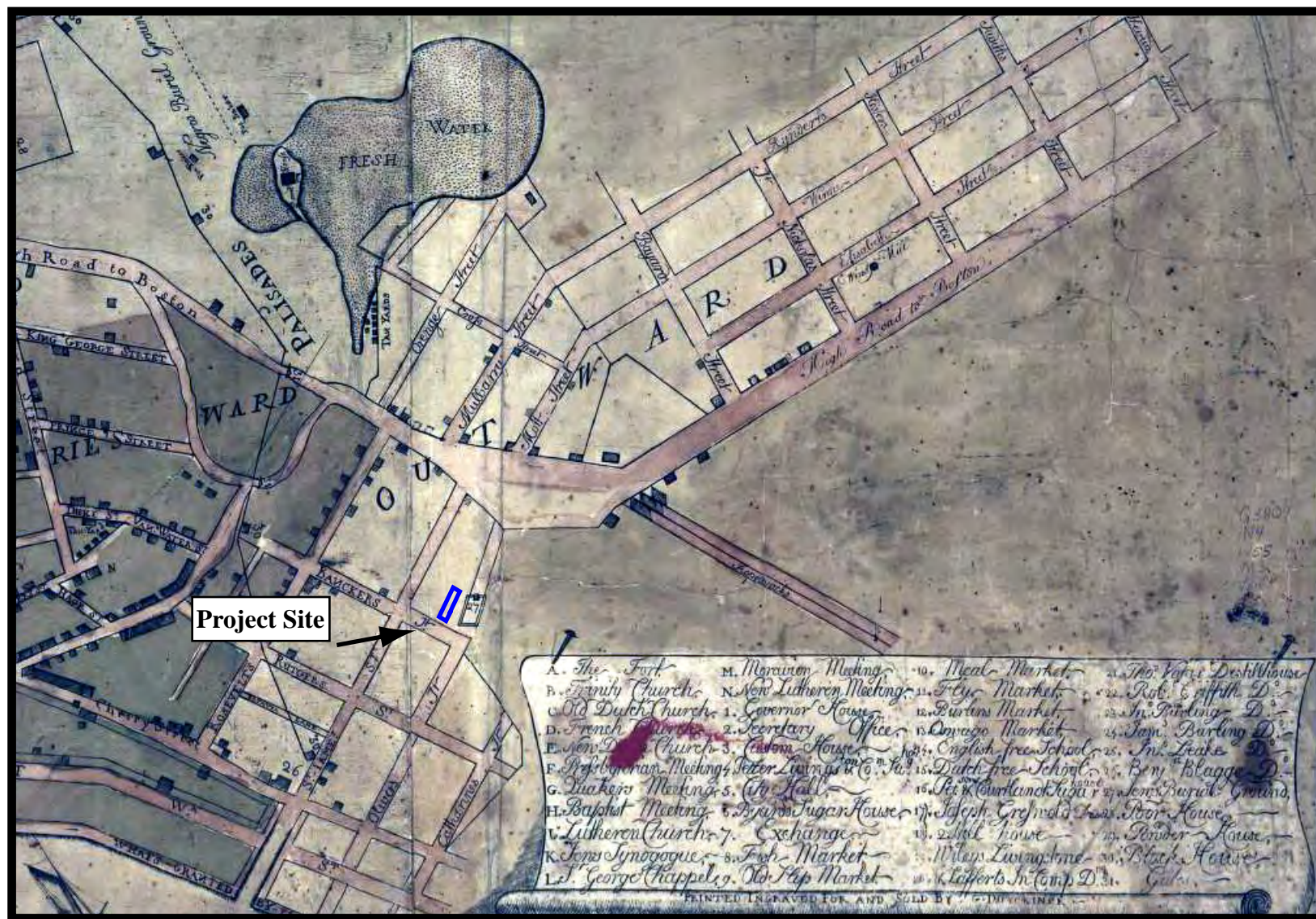


Figure 5: Project site on *Ancient View of the Present Junction of Pearl & Chatham Sts.* (Anonymous 1861).





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 Block 279, Lot 1

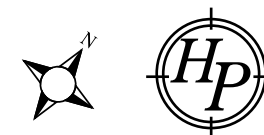
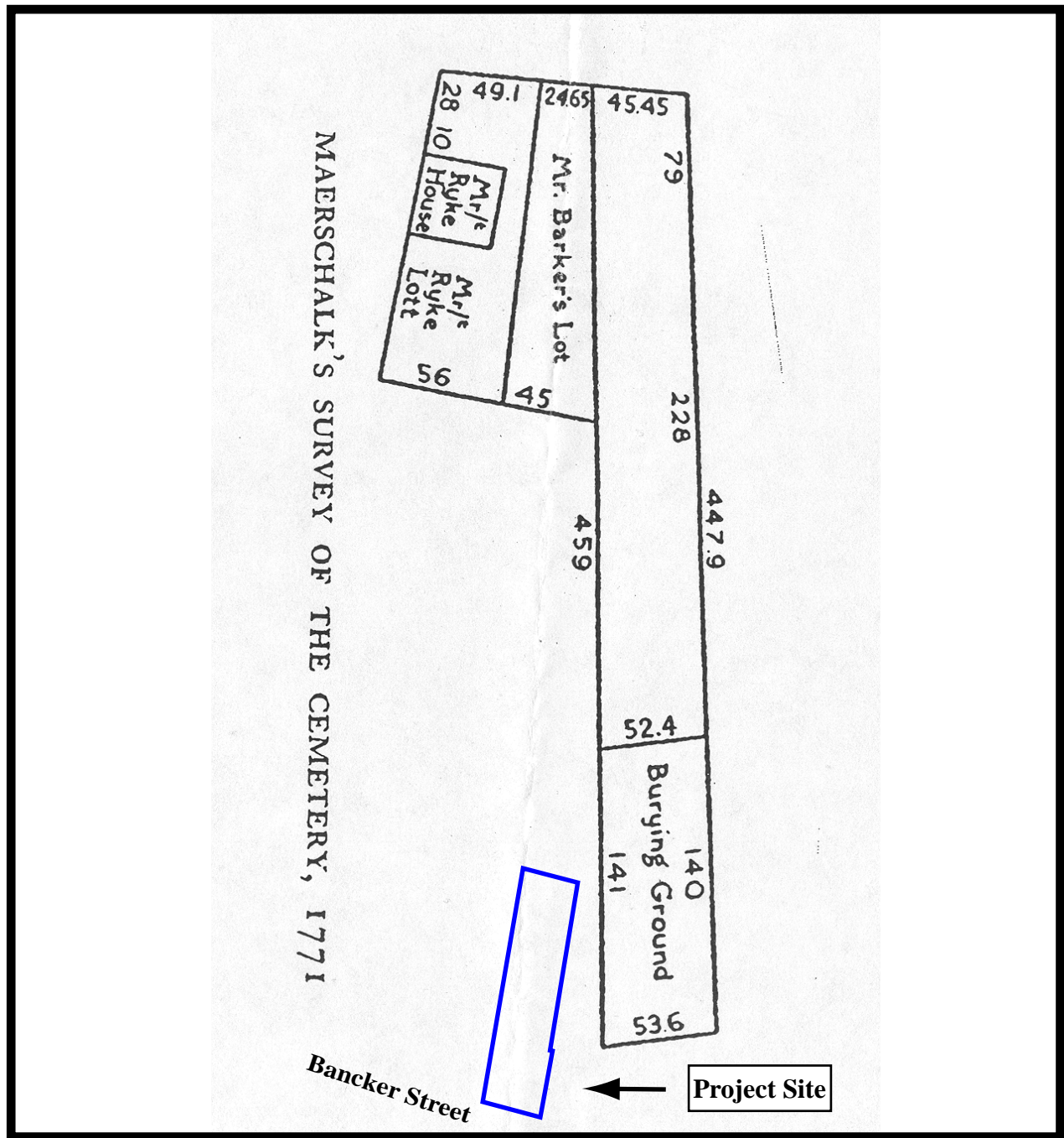


Figure 6: Project site on A plan of the city of New York from an actual survey (Maerschalck 1755).

0 400 800 1200 1600 2000 FEET







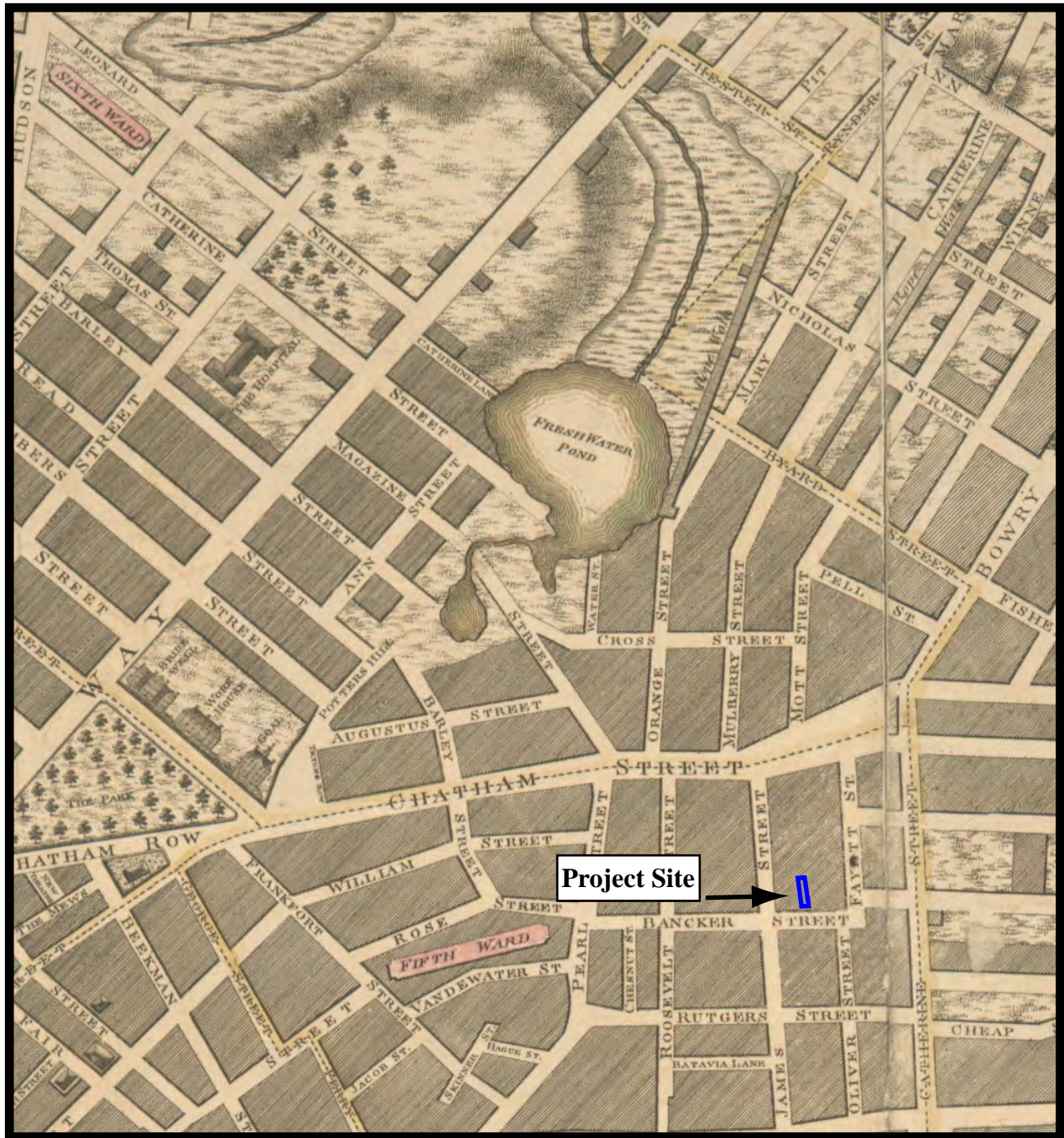
Phase IA Archaeological Documentary Study  
 47 Madison Street  
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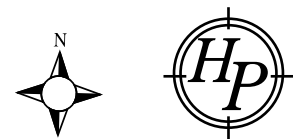
Figure 8: Project site on *Maerschalk's Survey of the Cemetery, 1771* (De Sola Pool 1952).

0 50 100 150 200 250 FEET





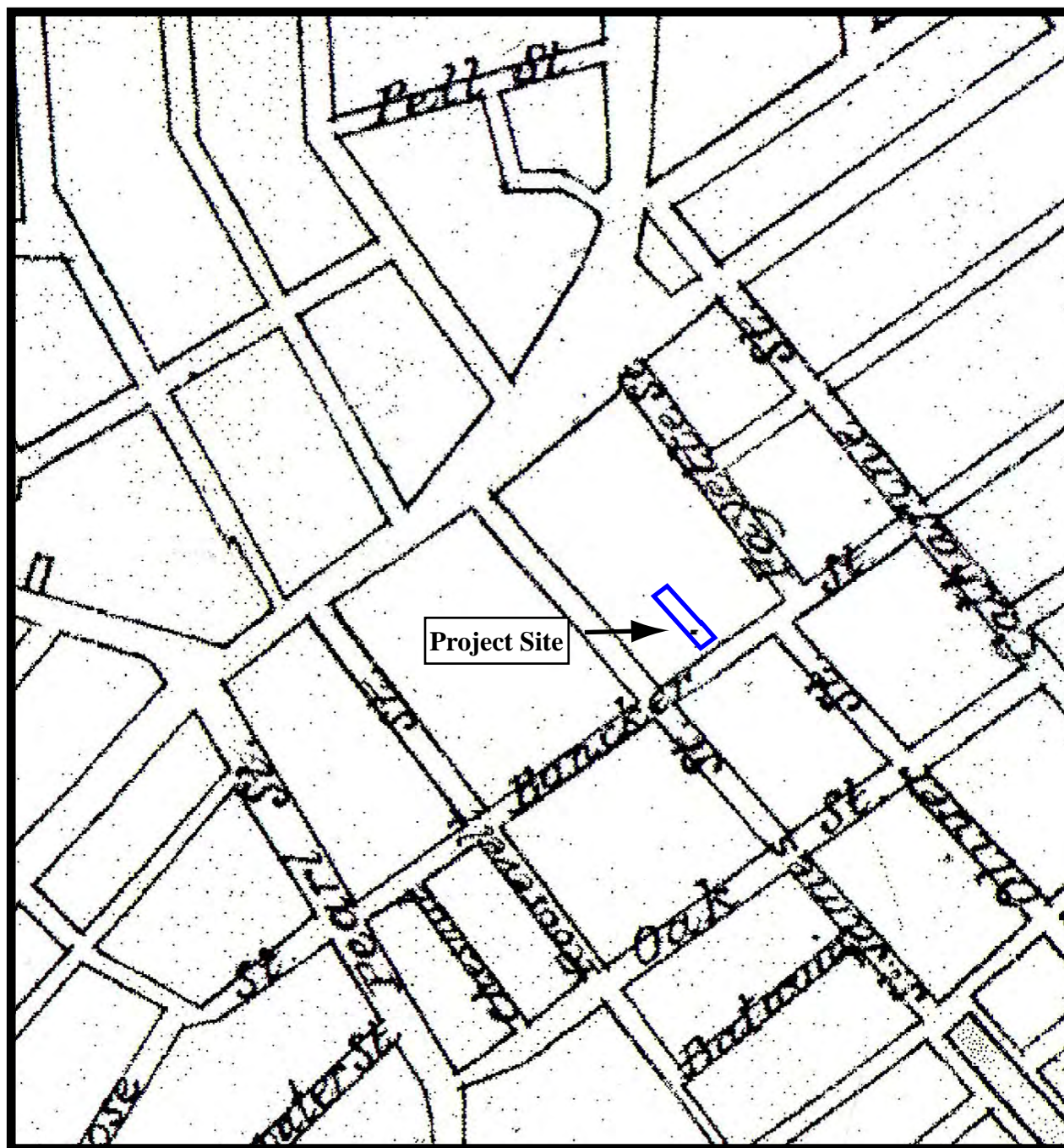
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**Figure 9: Project site on *A New & Accurate Plan of the City of New York in the State of New York in North America* (Taylor and Roberts 1797).**

0 200 400 600 800 1000 FEET





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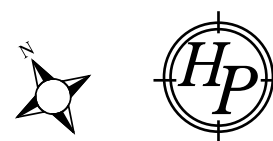
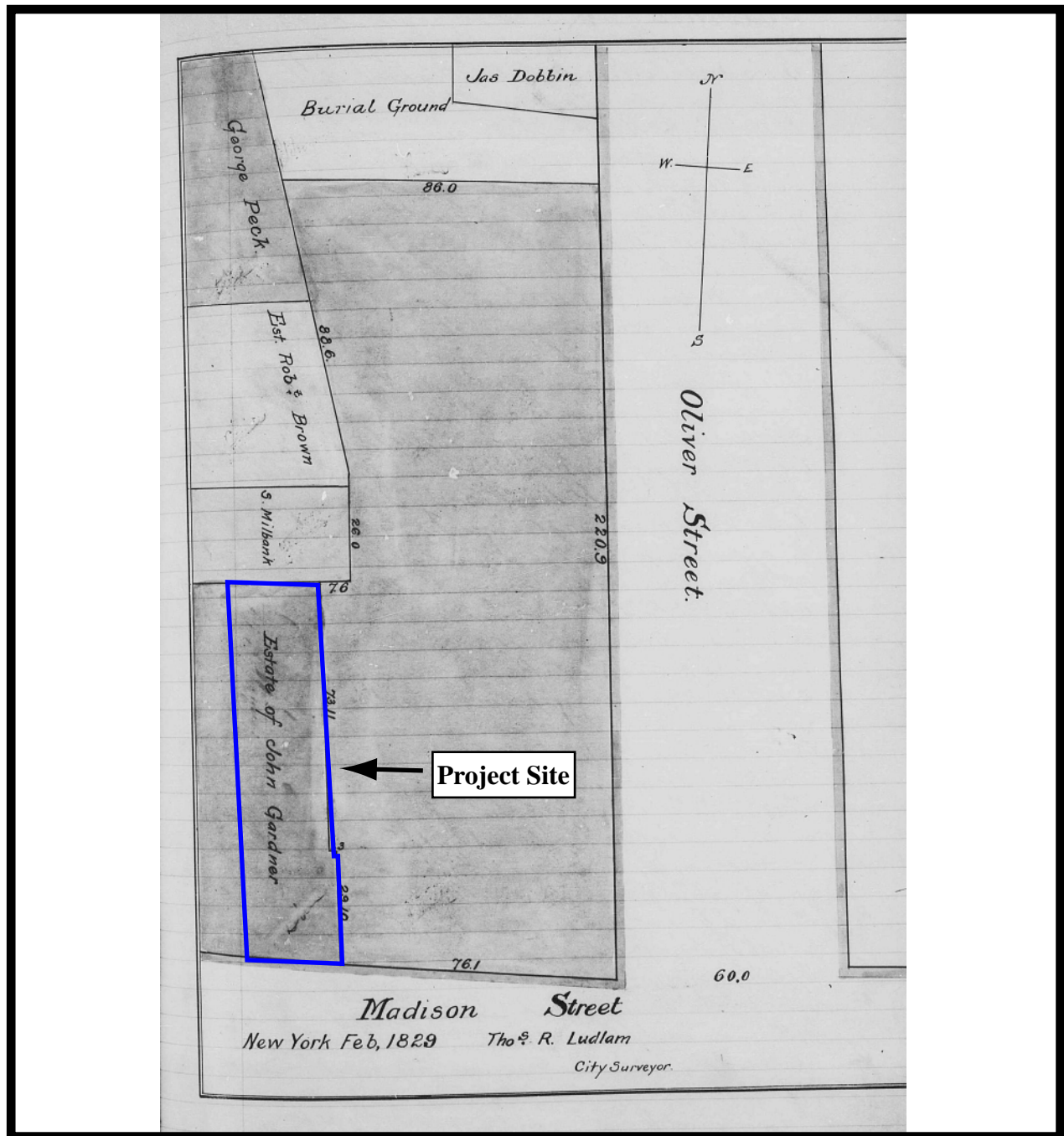


Figure 10: Project site on *A Map of the City of New York By the Commissioners...* (Randel 1811).

0 100 200 300 400 500 FEET



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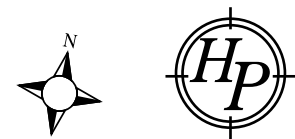
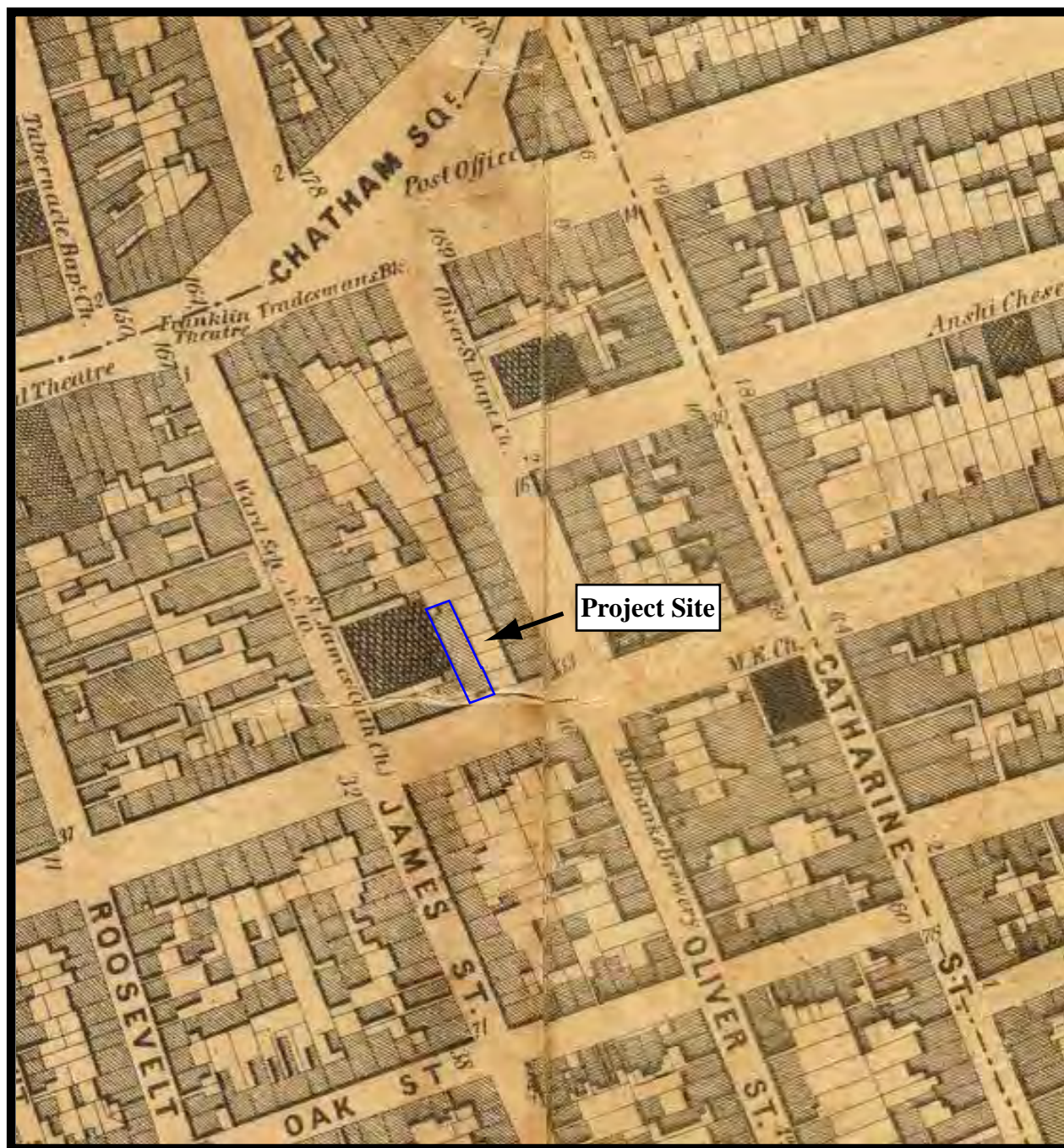


Figure 11: Project site on survey map from deed Liber 246, page 428, Congregation Shearith Israel to Robert Swanton and David Bryson (New York County Land Records 1829).

0 25 50 75 100 125 FEET





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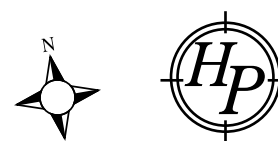
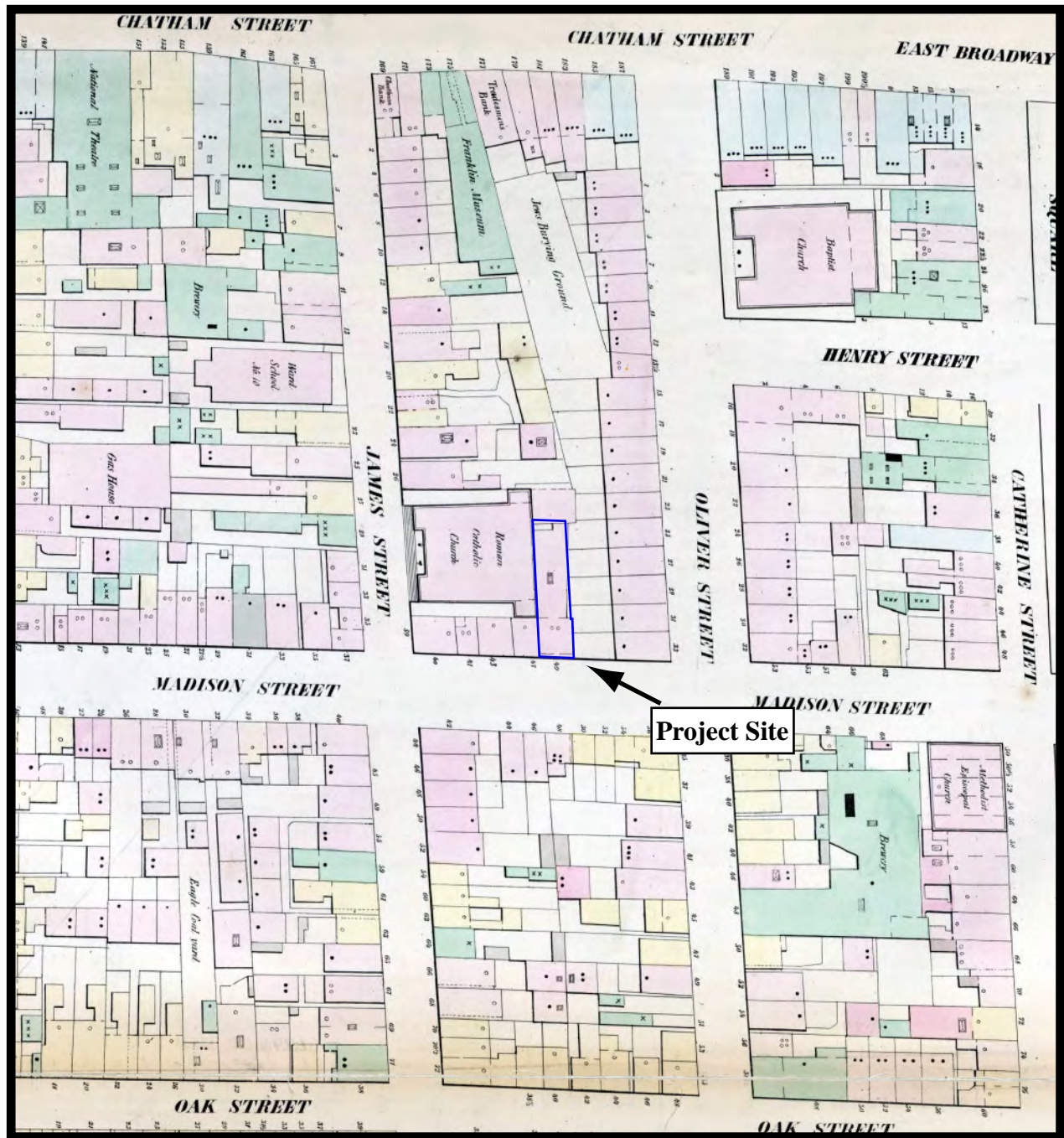


Figure 12: Project site on *Maps of the City of New-York Extending Northward to Fiftieth St.* (Dripps 1852).

0 100 200 300 400 500 FEET





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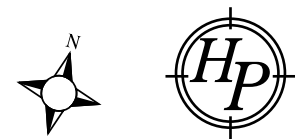
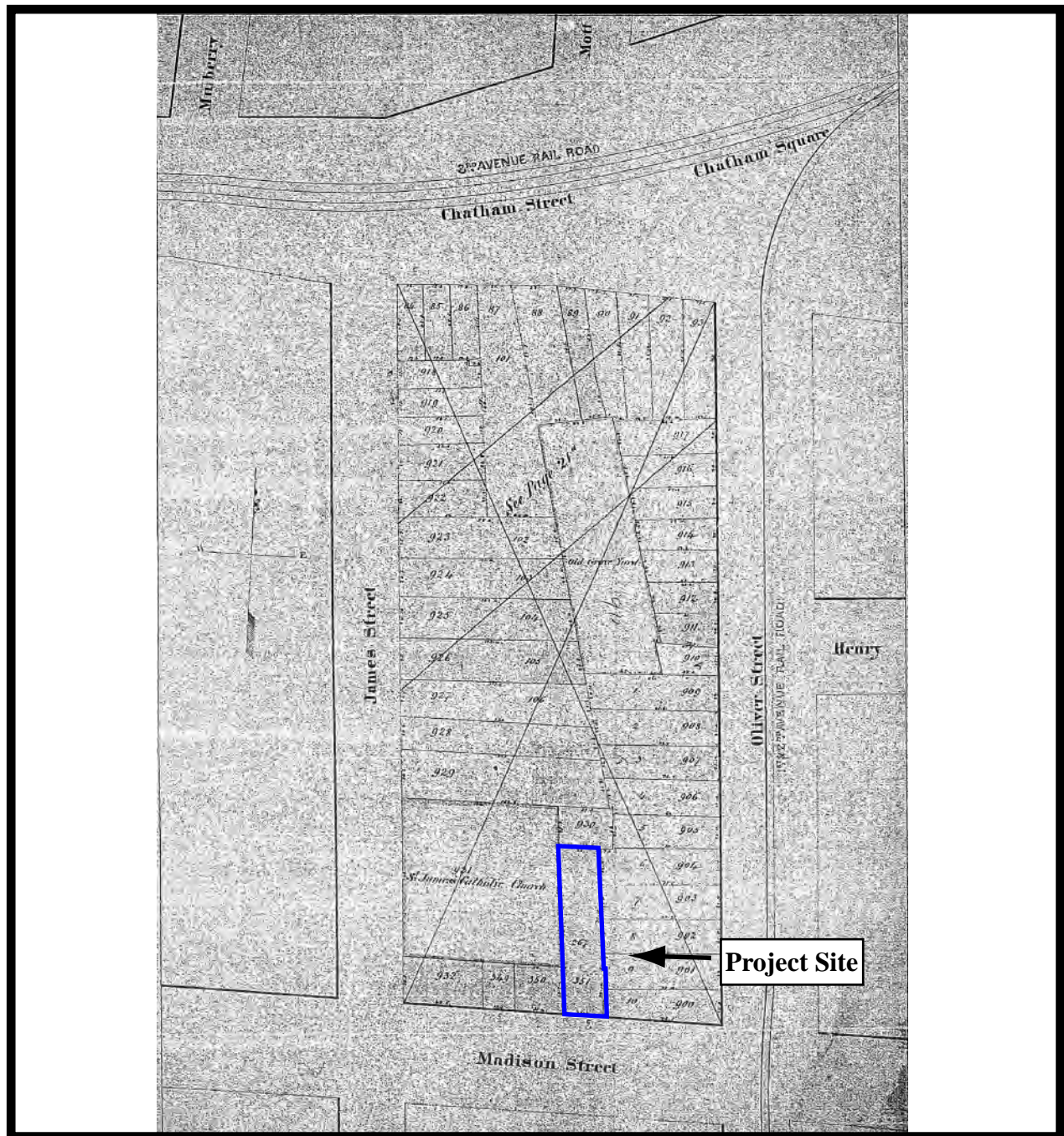


Figure 13: Project site on *Maps of the City of New-York* (Perris 1852).

0 50 100 150 200 250 FEET





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 New York, NY 10038  
 Block 279, Lot 1

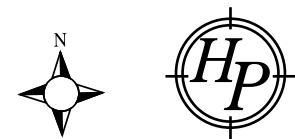
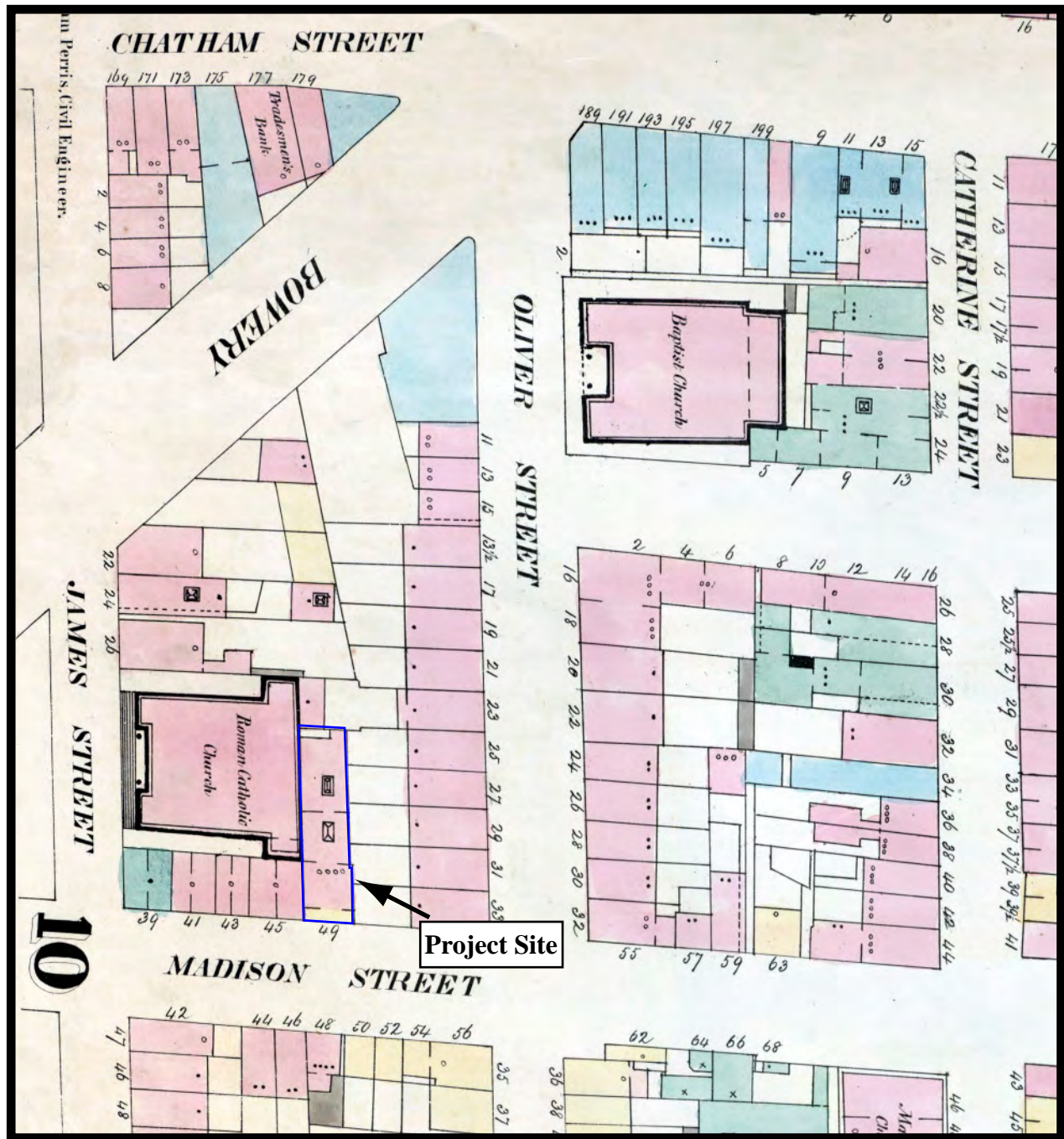


Figure 14: Project site on Tax Assessment and Ward Map (Manhattan Tax Records 1856).

0 50 100 150 200 250 FEET





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Figure 15: Project site on *Maps of the City of New-York* (Perris 1857-1862).





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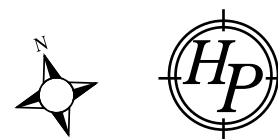


Figure 16: Project site on *Sanitary and Topographical Map of the City and Island of New York* (Viele 1865).

0 200 400 600 800 1000 FEET





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 New York, NY 10038  
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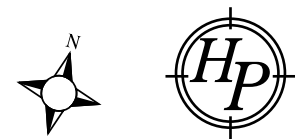
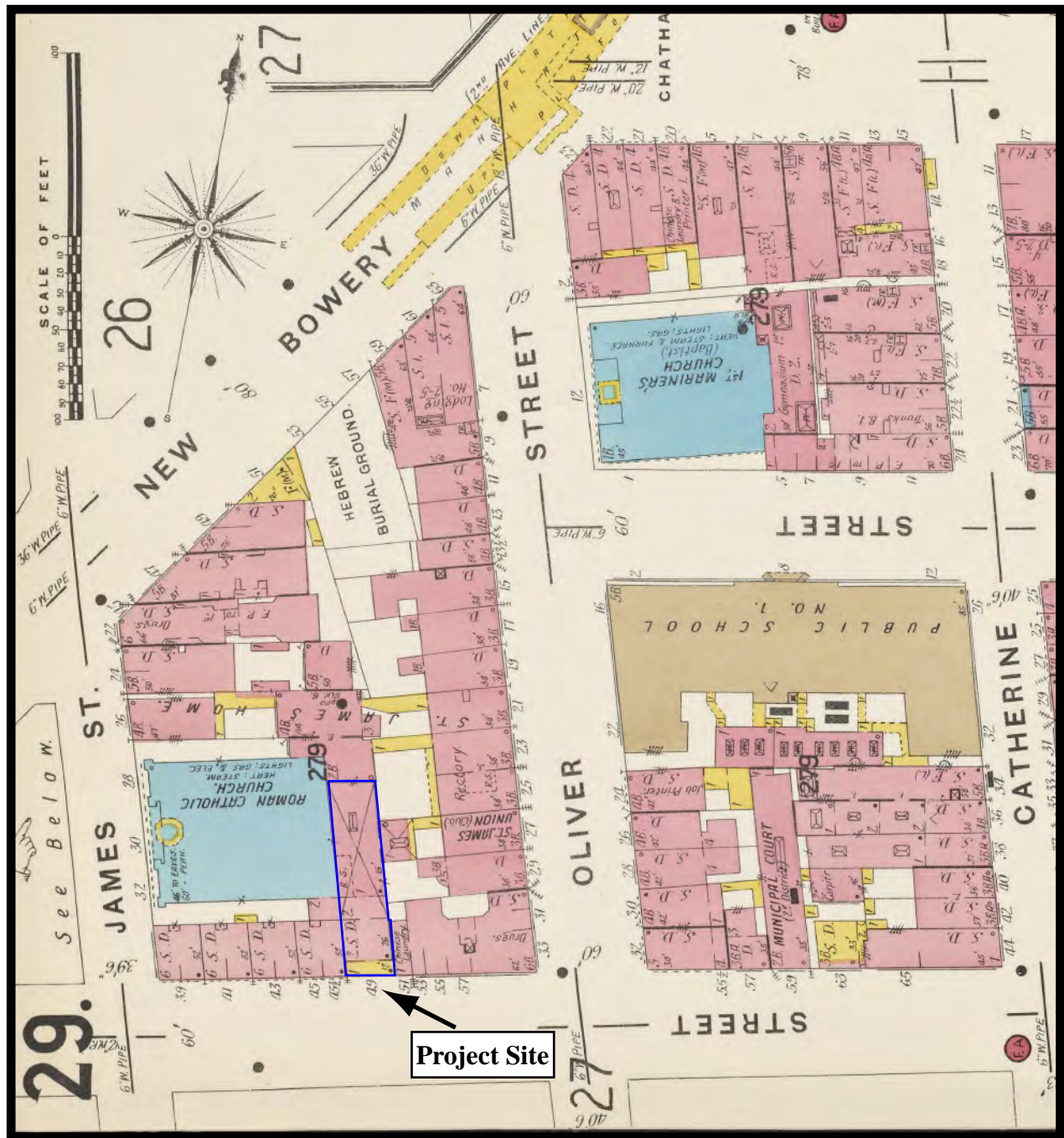


Figure 17: Project site on *Insurance Maps of the City of New York, Borough of Manhattan* (Sanborn 1894).

0 50 100 150 200 250 FEET





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 47 Madison Street  
 New York, NY 10038  
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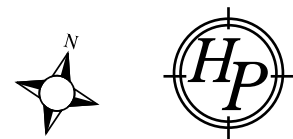


Figure 19: Project site on *Insurance Maps of the City of New York, Borough of Manhattan* (Sanborn 1905).

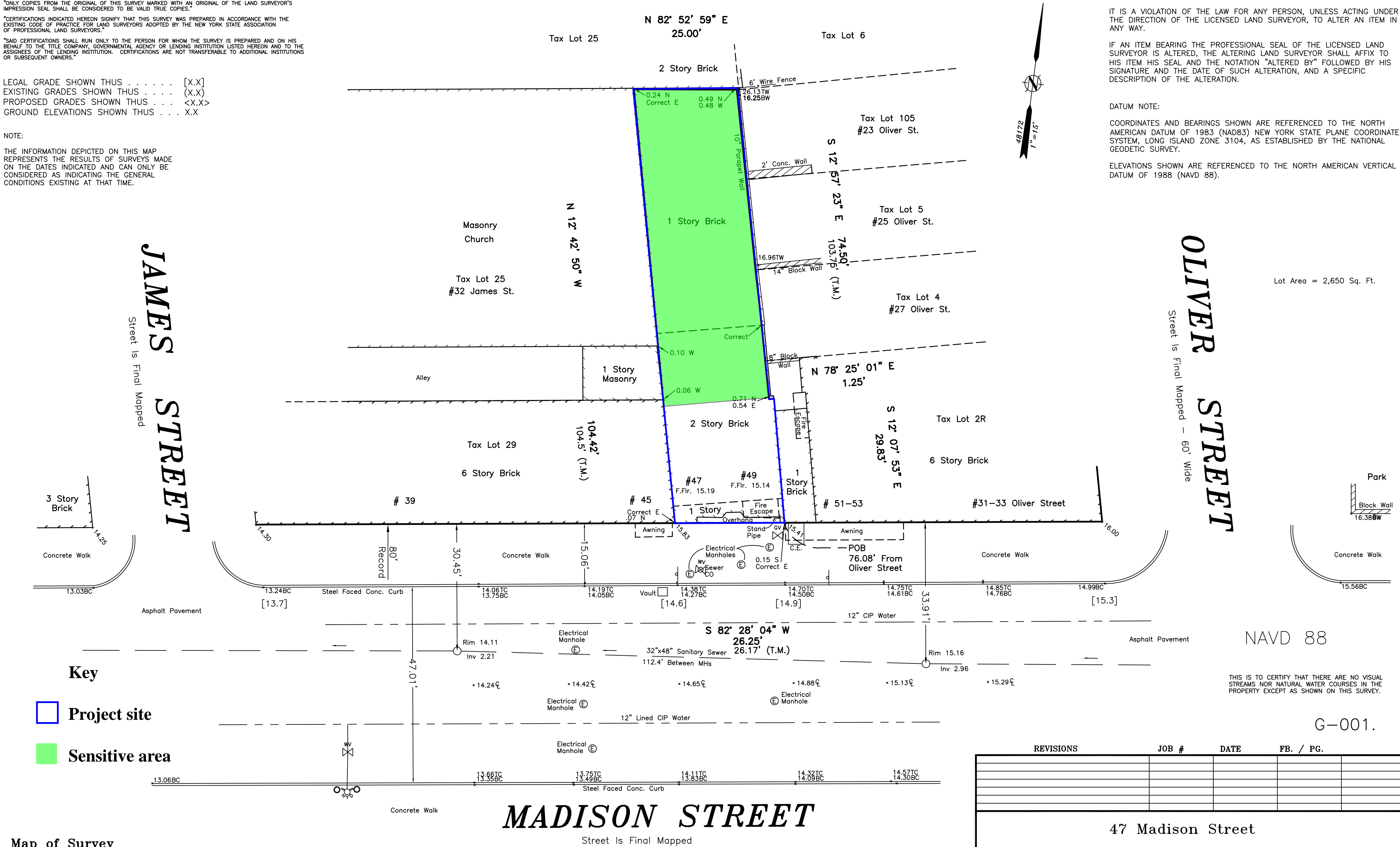
0 50 100 150 200 250 FEET

"UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY NOT BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW."  
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LEGAL GRADE SHOWN THUS . . . . . [X.X]  
EXISTING GRADES SHOWN THUS . . . . . (X.X)  
PROPOSED GRADES SHOWN THUS . . . . . <X.X>  
GROUND ELEVATIONS SHOWN THUS . . . . . X.X

NOTE:  
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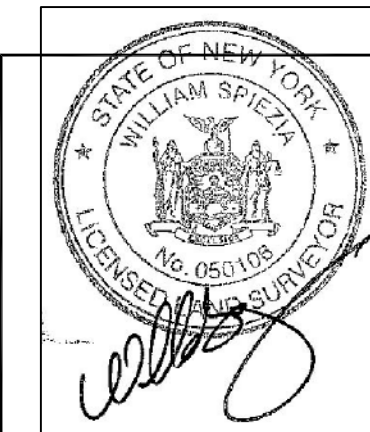
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ELEVATIONS SHOWN ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).



Map of Survey  
Two Bridges  
February 25, 2021  
Tax Lot 1  
Tax Block 279  
Filed Map Lots  
Filed Map Block  
Filed Map  
Deed Liber 76 Page 175  
Borough of Manhattan  
County of New York  
New York, NY

UTILITY NOTE:  
The Underground Utility Information Shown Hereon Is One Of Several Possible Interpretations Of The Record Data As Provided By The Respective Utility Companies. Rogers Surveying, PLLC Assumes No Responsibility For The Actual Location, Size, And Depth Of Any Utility Lines. The Location And Depth Of All Underground Utilities Must Be Verified With The Respective Utility Prior To Any Design And Construction Or Excavation.

CERTIFIED ONLY TO:



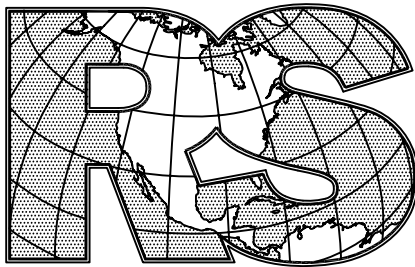
REVISIONS		JOB #	DATE	FB. / PG.
47 Madison Street  Manhattan, New York				
Drafted by: RY	 ROGERS SURVEYING, PLLC 2420 Arthur Kill Road Staten Island, N.Y. 10309 (718) 447-7311 www.rogerssurveying.net	Date : 2/25/21		
Checked by: EM		Scale : 1"=15'		
Dwg. File: 48172-NAVD88		Job No. : 48172		
Disk No. P:	Topographic Survey	F.B./Pg. 1150/29-30		

Figure 19: Project site and archaeologically sensitive area on Topographic Survey (HPI 2021 and Rogers Surveying 2021).

## PHOTOGRAPHS





Photograph 1. The 47-49 Madison Street building (red) on the project site. View looking northeast from Madison Street.



Photograph 2. The entrance to first floor at 49 Madison Street. View looking north from the sidewalk of Madison Street.





Photograph 3. The interior of first floor at 49 Madison Street. View looking north.



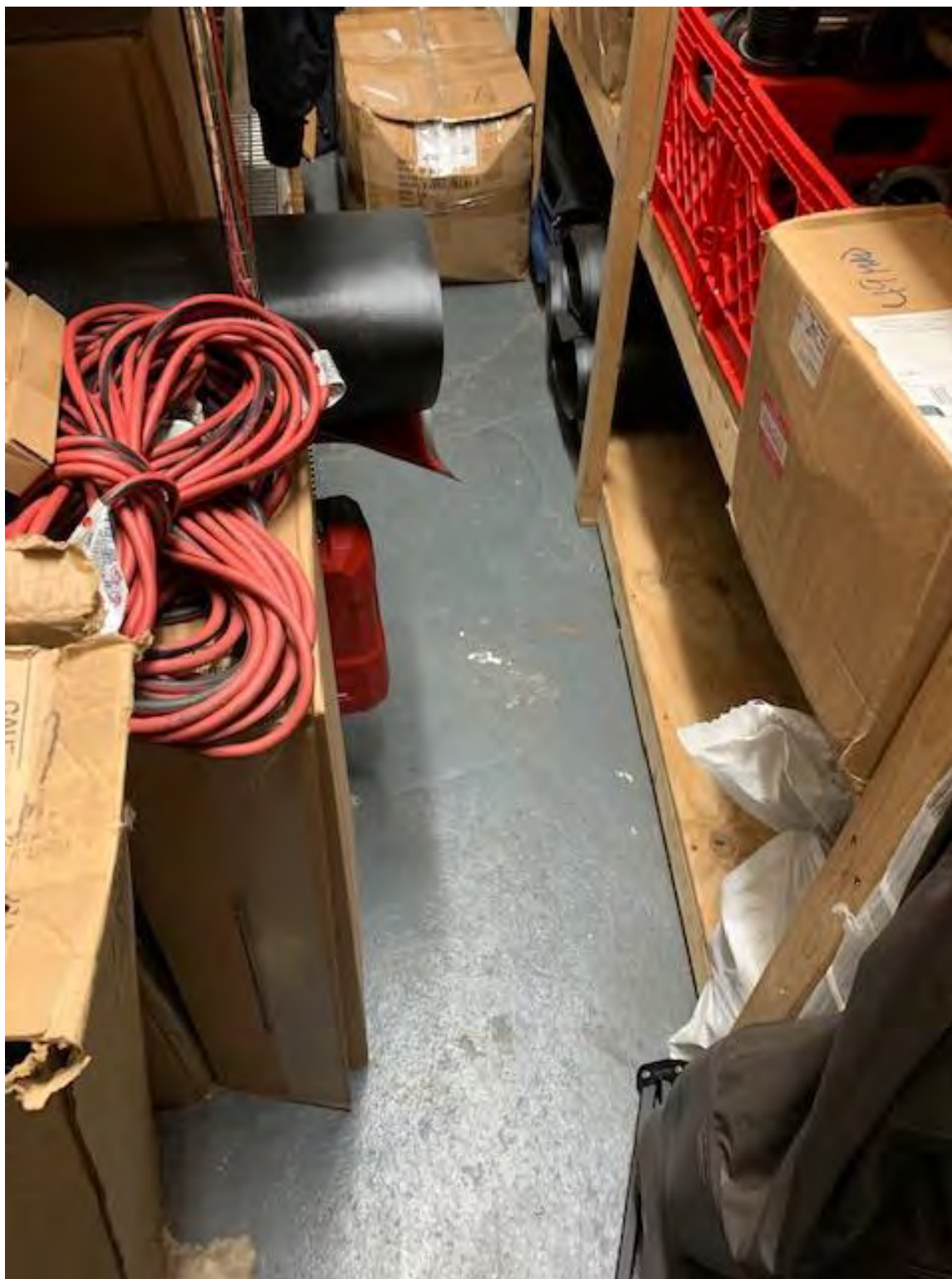
Photograph 4. The bathroom at the rear of the first floor at 49 Madison Street. View looking northwest.





Photograph 5. The hallway at rear of the first floor at 49 Madison Street. A storage room is behind the door in the background, which constitutes the northernmost portion of the building. View looking north.





Photograph 6. The interior and floor of the rear one-story storage room. View looking north.



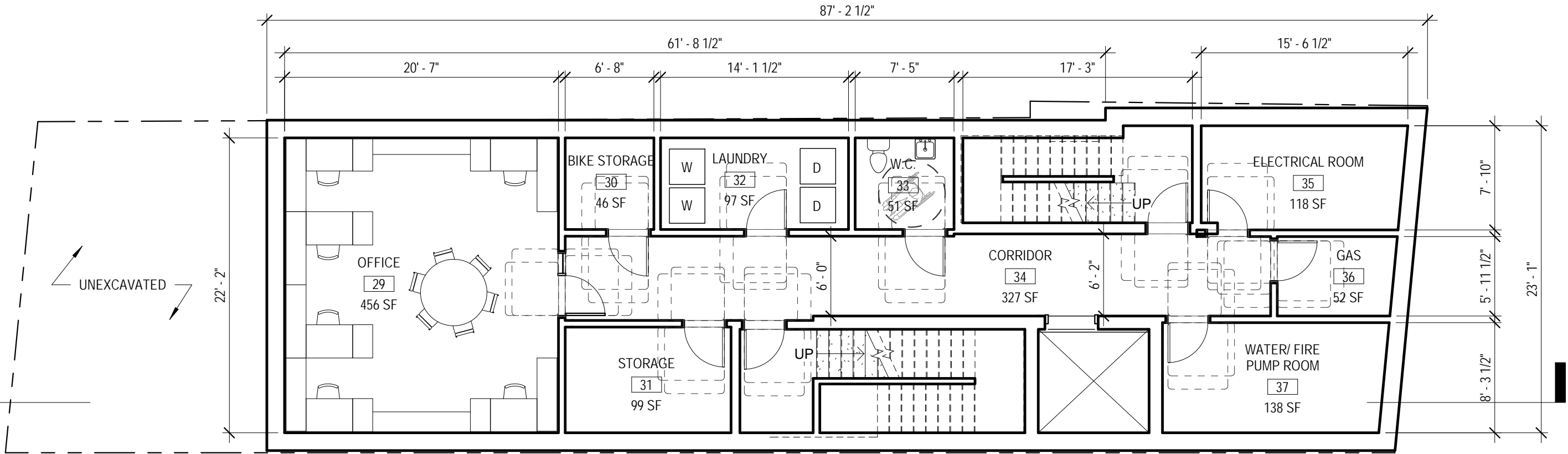
Photograph 7. The entrance to the second floor at 47 Madison Street. View looking north from the sidewalk on Madison Street.



Photograph 8. The stairs leading to the second floor at 47 Madison Street. View looking east.

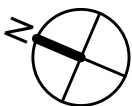
## APPENDIX A: PRELIMINARY PROJECT PLANS

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CELLAR

1/8" = 1'-0"



**SK-01**  
CELLAR

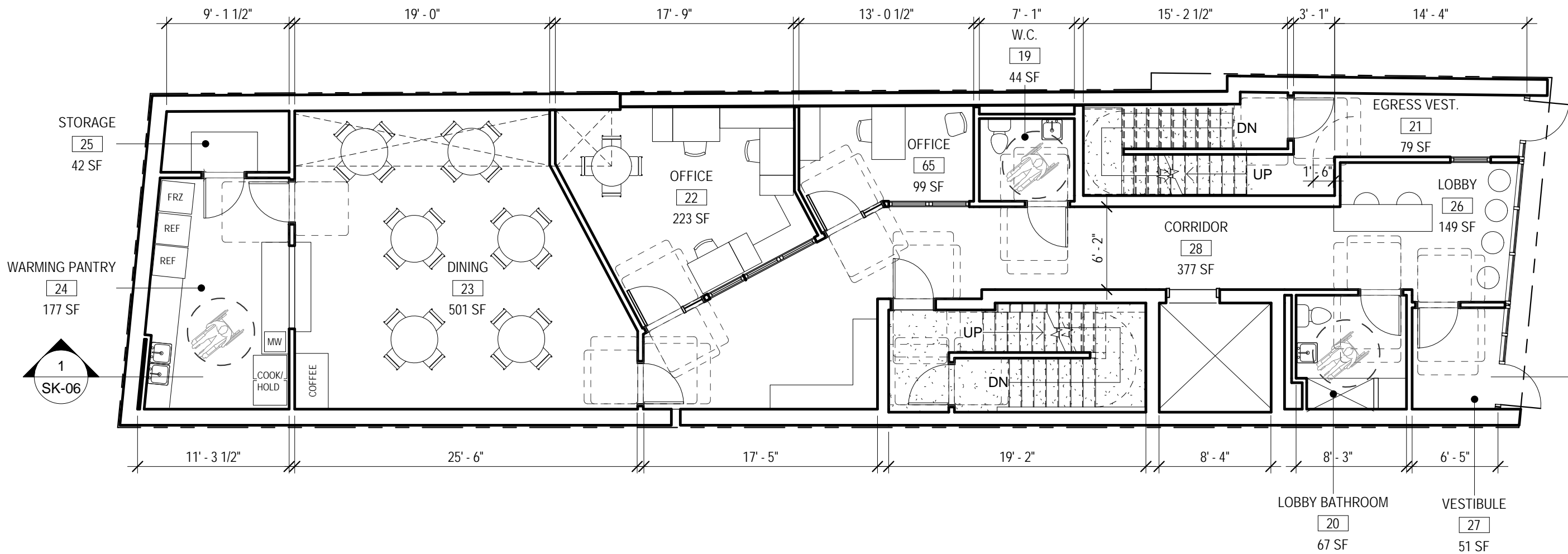
**MADISON STREET**

CELLAR FLOOR PLAN  
GROSS AREA SF: 2152 SF  
SCALE 1/8" = 1'-0"

**EDELMAN SULTAN KNOX WOOD / ARCHITECTS LLP**  
100 Lafayette Street, Suite 204, New York, NY 10013  
tel: 212-431-4901      www.edelmansultan.com

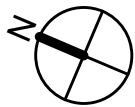


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1ST FLOOR PLAN

1/8" = 1'-0"



SK-02  
1ST FL

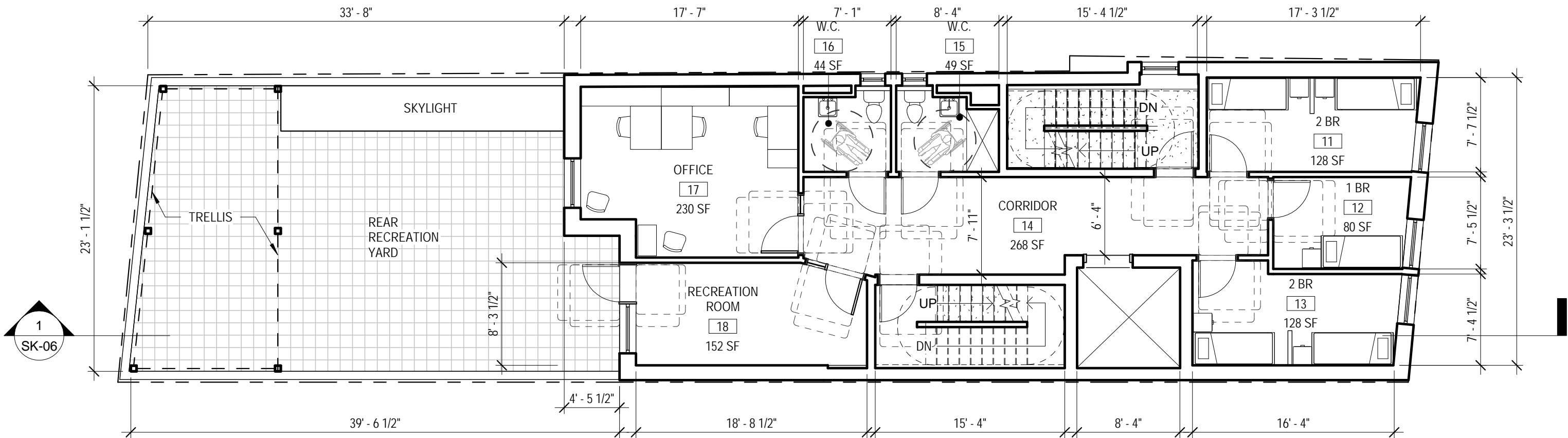
MADISON STREET

FIRST FLOOR PLAN  
GROSS AREA SF: 2566 SF  
SCALE 1/8" = 1'-0"

EDELMAN SULTAN KNOX WOOD / ARCHITECTS LLP  
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tel: 212-431-4901      www.edelmansultan.com

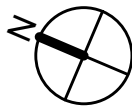
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SECOND FLOOR PLAN  
GROSS AREA SF: 1683 SF  
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2ND FL

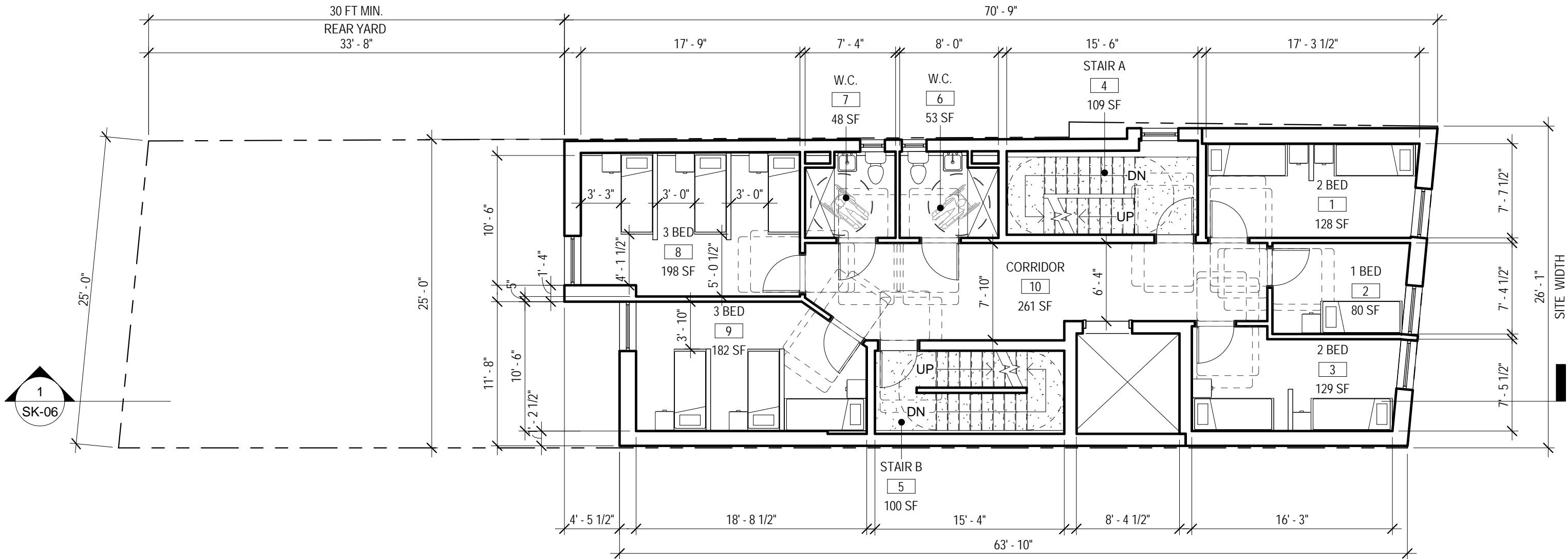
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**SK-03**  
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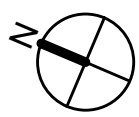
**MADISON STREET**

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tel: 212-431-4901      [www.edelmansultan.com](http://www.edelmansultan.com)



TYPICAL FLOOR

1/8" = 1'-0"

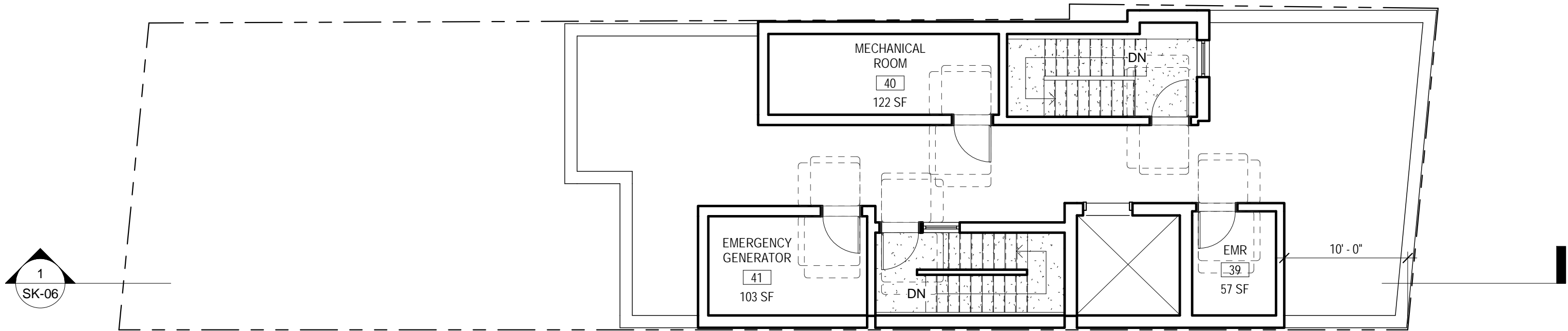


SK-04  
TYP FLOOR

MADISON STREET

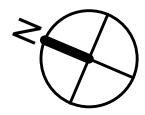
EDELMAN SULTAN KNOX WOOD / ARCHITECTS LLP  
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tel: 212-431-4901      www.edelmansultan.com





ROOF LEVEL

1/8" = 1'-0"

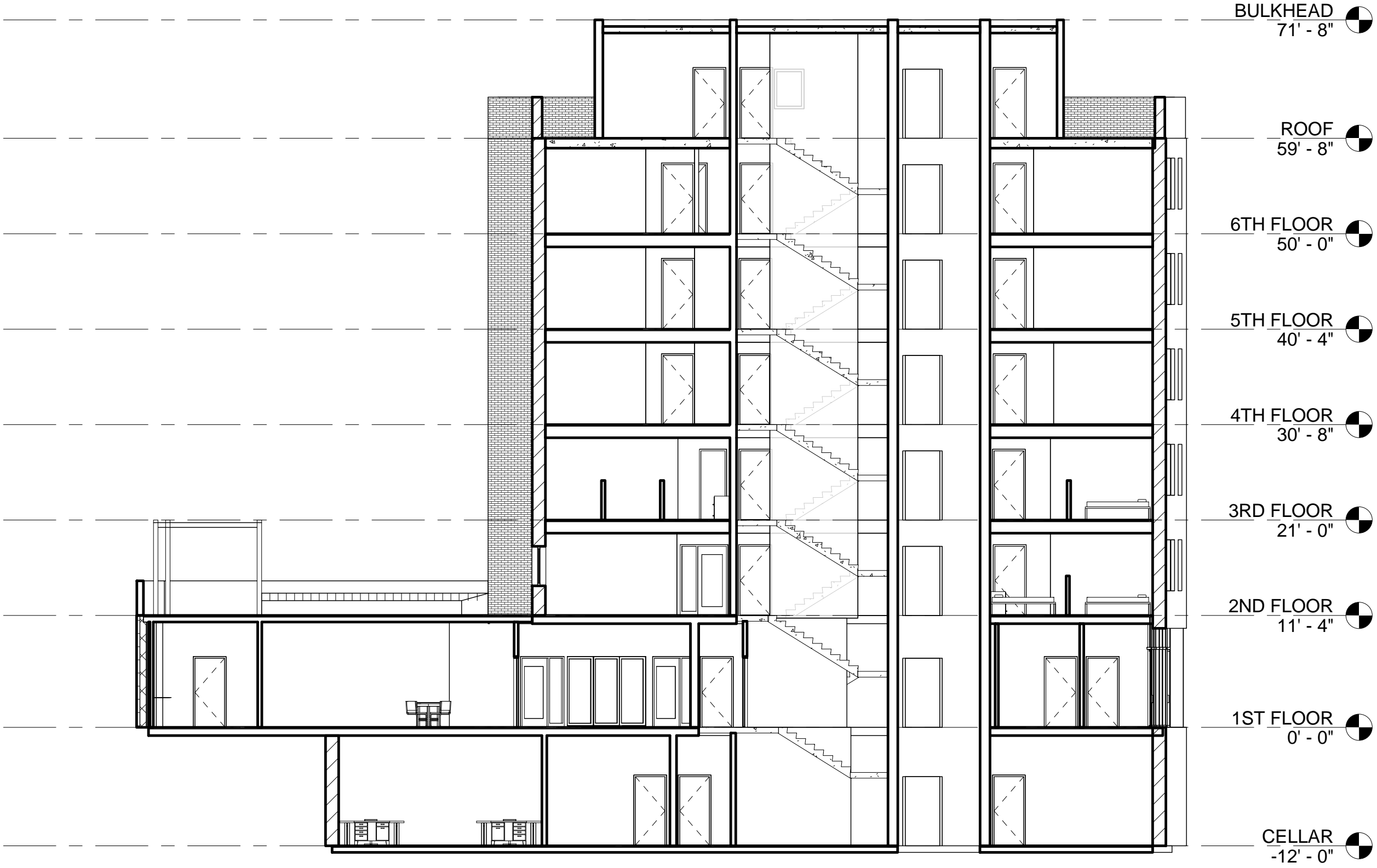


**SK-05**  
ROOF

**MADISON STREET**

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N-S SECTION

3/32" = 1'-0"

MADISON STREET

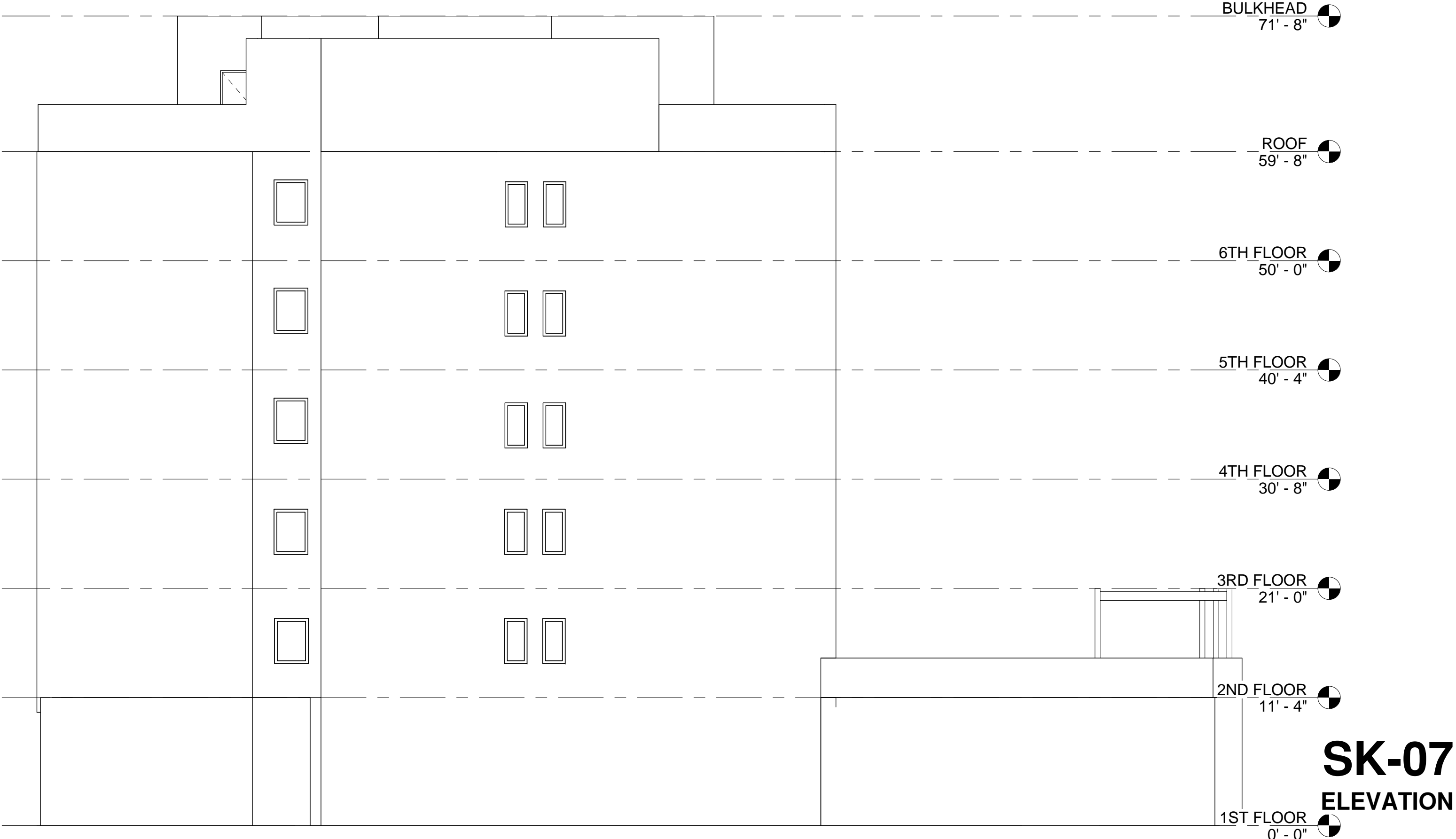
**SK-06**  
N-S SECTION

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5/25/2021 3:01:31 PM

EAST ELEVATION

1/8" = 1'-0"

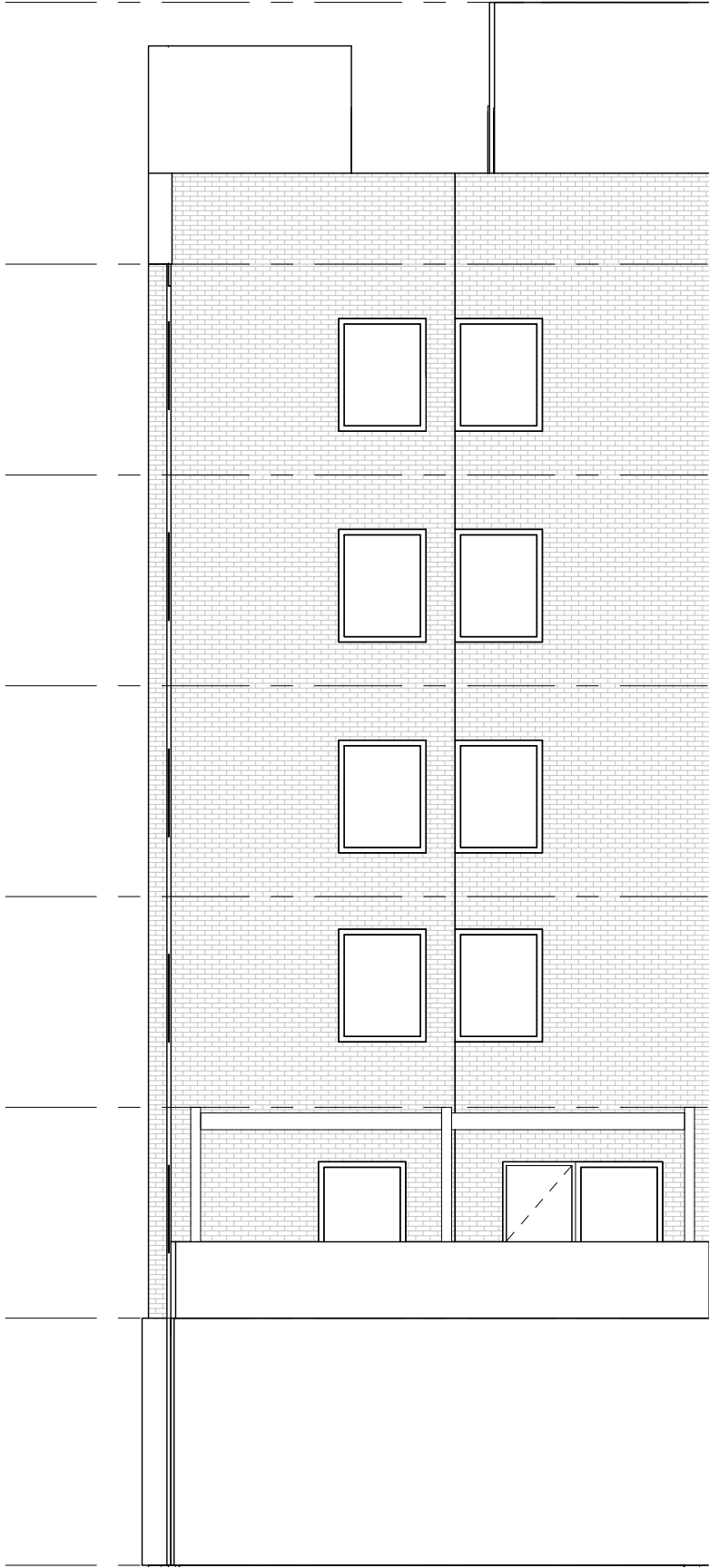


MADISON STREET

SK-07  
ELEVATION

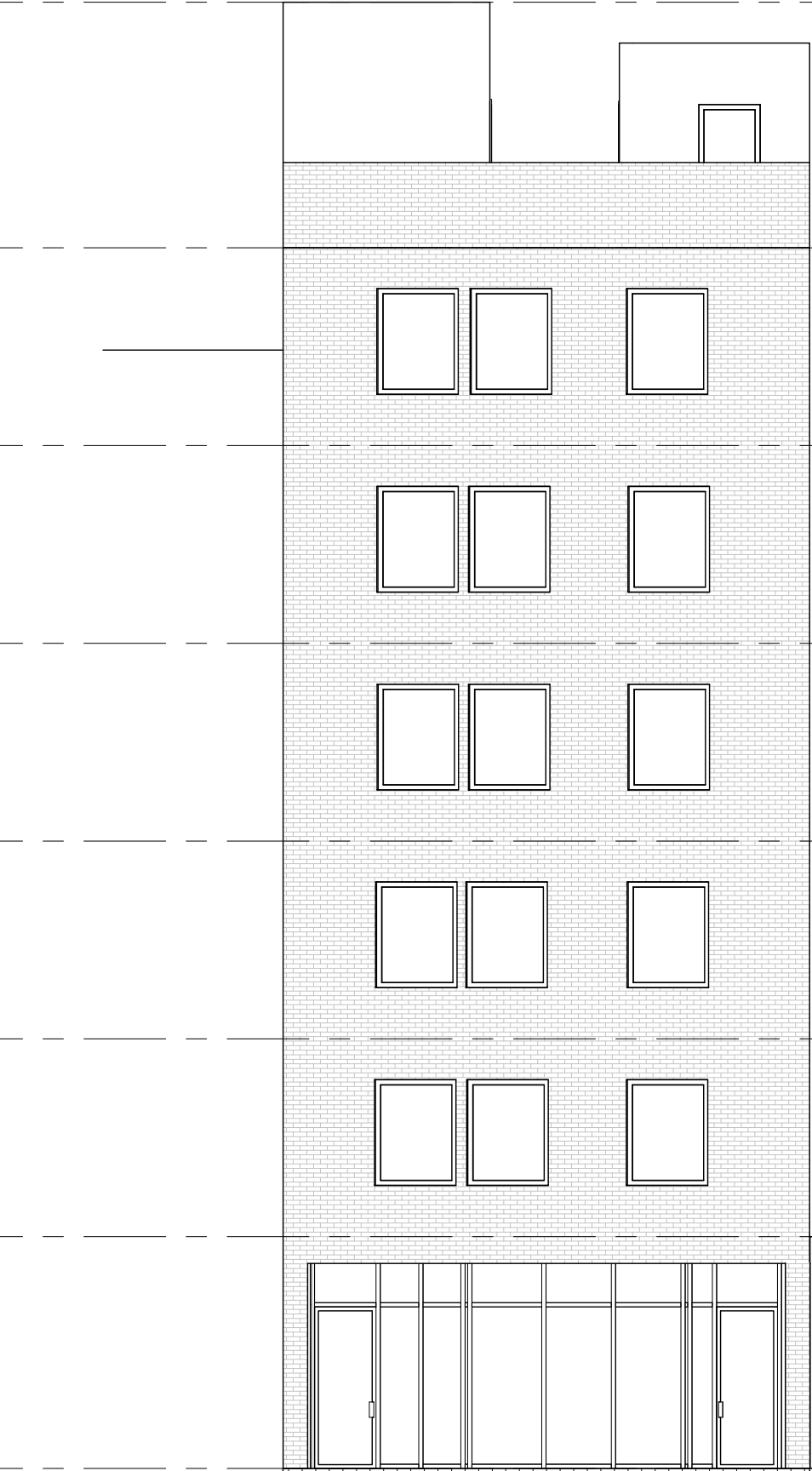
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100 Lafayette Street, Suite 204, New York, NY 10013  
tel: 212-431-4901      www.edelmansultan.com

5/25/2021 2:57:13 PM



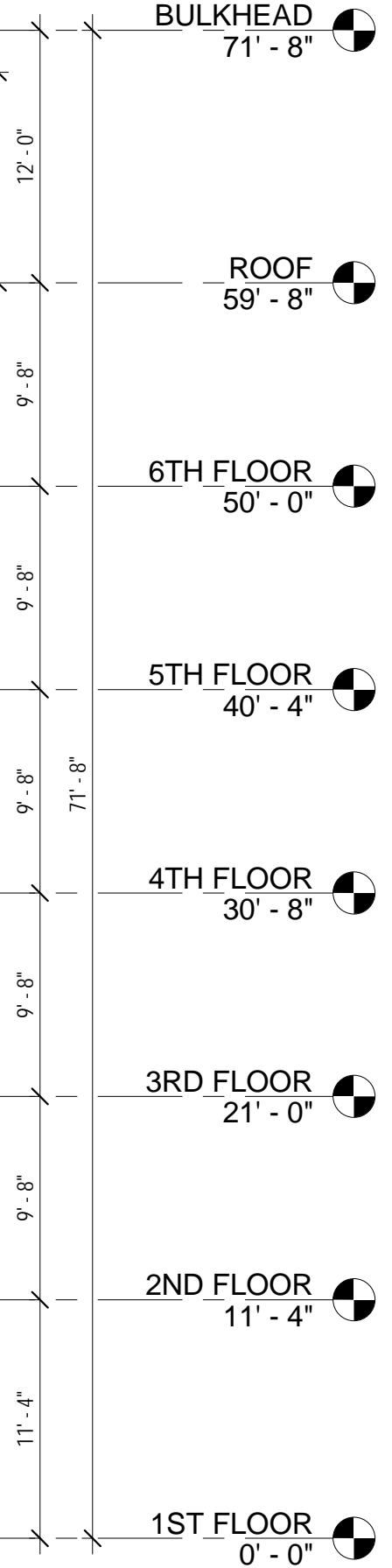
NORTH ELEVATION

1/8" = 1'-0"



SOUTH ELEVATION

1/8" = 1'-0"



MADISON STREET

**SK-08**  
N+S  
ELEVATIONS

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## APPENDIX B: SOIL BORING DATA

FIGURE 3 | Sample Locations



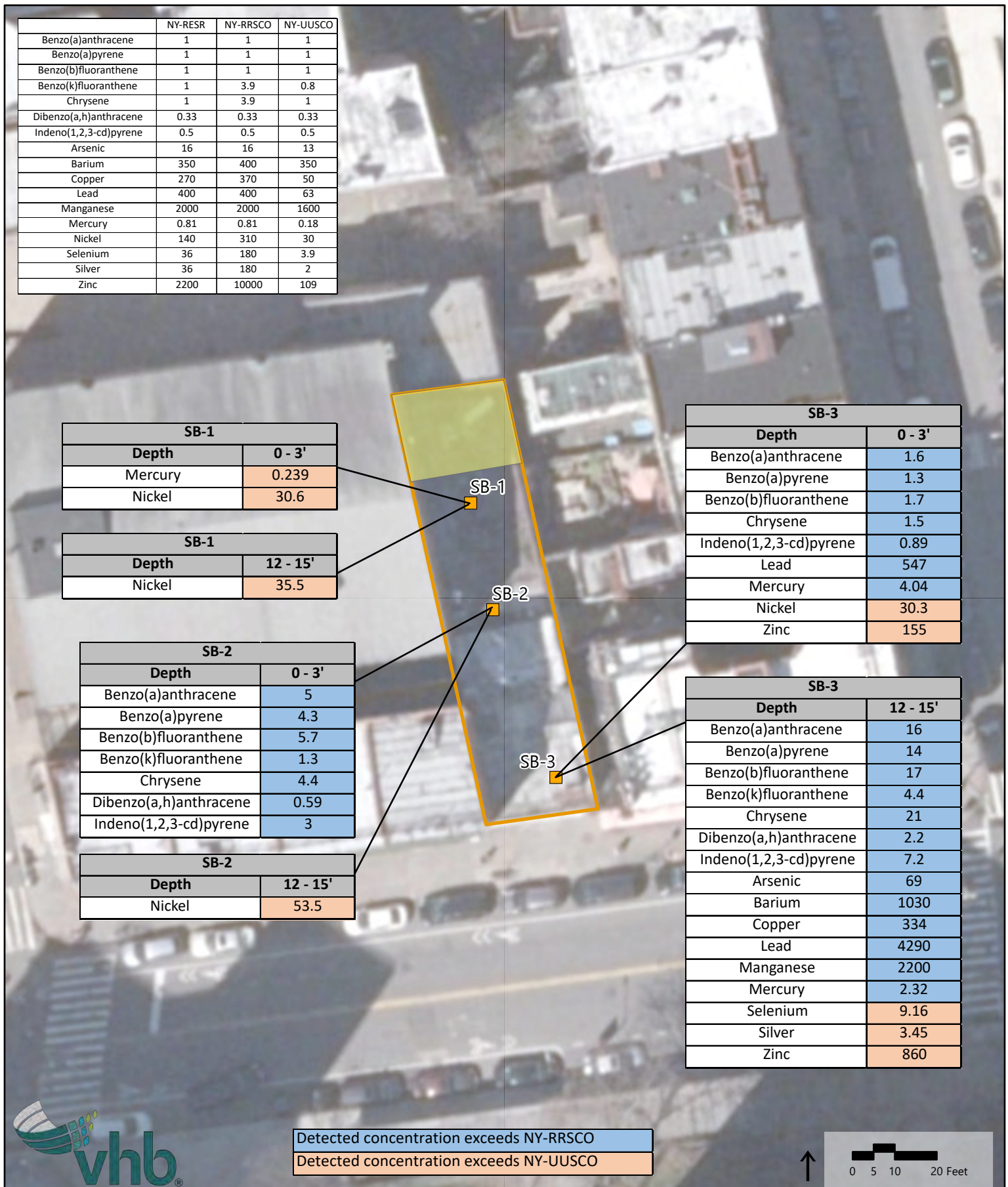
- Site
- Proposed Slab-on-Grade Construction
- Groundwater Sample
- Soil Boring/Soil Sample
- Soil Vapor Sample

PHASE II ENVIRONMENTAL  
SITE ASSESSMENT

Sources: NYC MapPLUTO 19v2; ESRI World Imagery  
Basemap



FIGURE 4 | Soil Boring Results



- Soil Boring/Soil Sample
- Proposed Slab-on-Grade Construction
- Site

- All results in mg/kg (milligrams per kilogram)

- NY-RESR = NY - New York NYCRR Part 375 Residential Criteria, New York Restricted use Criteria per 6 NYCRR Part 375 Environmental Remediation Programs, effective December 14, 2006.

- NY-RRSCO = NY - New York NYCRR Part 375 Restricted-Residential Criteria, New York Restricted use Criteria per 6 NYCRR Part 375 Environmental Remediation Programs, effective December 14, 2006.

- NY-UUSCO: NY - New York NYCRR Part 375 New York Unrestricted use Criteria Criteria per 6 NYCRR

## PHASE II ENVIRONMENTAL SITE ASSESSMENT

Sources: NYC MapPLUTO 19v2; ESRI World Imagery  
Basemap



Soil from SB-1. The upper strata are on the bottom and the lower strata are on the top.







Soil from SB-2. The upper strata are on the bottom and the lower strata are on the top.




Soil from SB-3. The upper strata are on the bottom and the lower strata are on the top. Note the brick inclusions.

			<b>Boring Log</b>		Project No.: 20607.00		<b>Page:</b>		
			Drill Rig: Geoprobe 420M			Date Drilled: 8/16/21			Logged By: MI
			Boring Diameter: 2 inch			Boring Number: SB-1			
Sample	% Recovery	PID Reading (ppm)	Depth (Feet)	USCS Soil Type	Lithology/Description				
X	75	0.2	0-3	SW	Medium to coarse grained medium brown/gray sandy material. Trace gravel				
	75	0.0	3-6	SP	Medium to coarse grained medium brown/gray sandy material. Trace gravel				
	100	0.0	6-9	SP	Medium to coarse grained medium brown/gray sandy material. Trace gravel. Apparent boulder encountered at 9 ft bgs.				
	80	0.0	9-12	SP	Very coarse grained brown/gray sandy gravel material with gravel.				
X	80	0.0	12-15	SM	Medium to coarse grained medium brown/gray sandy material. Trace gravel				
Completion Notes: SB-1 (0'-2') collected at 09:15. SB-1 (12'-15') collected at 10:05. GW-1 collected at 12:05. DTW 16.1'. DTB 20.0.						Boring Location: SB-1			
BGS - Below Ground Surface									
USCS - Unified Soil Classification System									

			<b>Boring Log</b>		Project No.: 20607.00		<b>Page:</b>		
			Drill Rig: Geoprobe 420M			Date Drilled: 8/16/21			Logged By: MI
			Boring Diameter: 2 inch			Boring Number: SB-2/SV-2			
Sample	% Recovery	PID Reading (ppm)	Depth (Feet)	USCS Soil Type	Lithology/Description				
X	60	0.0	0-3	SM	Medium to fine grained medium brown sand. Trace gravel.				
	60	0.0	3-6	SP	Medium to coarse grained grow/gray sandy material. Some cobble.				
	100	0.0	6-9	SW	Coarse grained medium gray sandy gravel.				
	100	0.0	9-12	SP	Coarse grained medium gray sandy gravel mix.				
X	100	0.0	12-15	SP	Coarse grained medium gray sandy gravel mix.				
Completion Notes: SB-2 (0'-3') 12:35. SB-2 (12'-15') 13:05. Soil vapor point Installed at 12 ft bgs.Backfilled with crushed gravel and sealed with bentonite. SV-2 collected from 07:25 through 09:25.						<b>Boring Location: SB-2/SV-2</b>			
BGS - Below Ground Surface									
USCS - Unified Soil Classification System									



		<b>Boring Log</b>		Project No.: 20607.00		<b>Page:</b>
		Drill Rig: Geoprobe 420M		Date Drilled: 8/17/21		Logged By: MI
		Boring Diameter: 2-inch		Boring Number: SB-3/SV-3/GW-2		
Sample	% Recovery	PID Reading (ppm)	Depth (Feet)	USCS Soil Type	Lithology/Description	
X	40	0.0	0'-3'	SP	Medium grained medium brown/gray sand. Brick fragments.	
	40	0.0	3'-6'	SP	Medium to coarse grained dark brown/gray sand. Trace gravel.	
	100	0.0	6'-9'	SP	Medium to coarse grained dark brown sand. Brick fragments throughout.	
	100	0.0	9'-12'	SP	Medium to coarse grained medium brown sand. Brick fragments and cobble from 9'-10'.	
X	100	0.0	12'-15'	SM	Medium grained dark brown silty sand. Trace brick fragments and cobble.	
Completion Notes: SB-3 (0'-3') collected at 07:50 SB-3 (12'-15') collected at 08:20. GW-2 collected at 12:30. DTW 15.2 ft bgs. DTB 19.6 ft bgs. Soil vapor point installed at 12ft bgs. Backfilled with crushed gravel and sealed with bentonite. SV-3 collected from 07:25 through 09:25.						<b>Boring Location: SB-3/SV-3/GW-2</b>
BGS - Below Ground Surface						
USCS - Unified Soil Classification System						

APPENDIX C: LOT HISTORY TABLE

## APPENDIX C: LOT HISTORY TABLE

**Block 279, Lot 1 (formerly Lot 267). 33 Bancker Street (1790s-1827), 41 Madison Street (ca. 1830-1850), 47-49 Madison Street (1850+)**

Year	Grantor	Grantee	City Directory	Census	Tax Assessment	Remarks
1650	Peter Stuyvesant	Wophert Webbers				Large tract of meadowland including Block 279
1670	Francis Lovelace, Esq.	Anneken Webbers				Confirmation deed to the widow of Wolphert Webbers
1671	Anna Webber	Abram Lambertsen				
1671	Abram Lambertsen	Aernout Webber				
1680	Aernout Webber	Laurens Colvelt				Liber 6:172
1680	Laurens Colvelt	William Merritt				Liber 6:170
1698	William Merritt	William Janeway				Liber 9:474
1700	William Janeway	Noy Willy				Liber 31:399, 402
1731	Noy Willy	Christopher Bancker				Liber 37:138
1744/1745						Evert Bancker surveys the land of Christopher Bancker, Anthony Rutgers, John Roosevelt and Jacob Roosevelt. What is now Lot 1 was then Lot 267.
1786			No listings for any residents on Bancker Street			Two different 1786 directories, both reprinted in later years
1790			Some listings for Bancker Street, but few with addresses and none specifically for 33 Bancker. Richard Corkran not on Bancker Street			Hodge et al. compilers
5/4/1790 Recorded 6/8/1793	Executors of Walter Franklin, including Mary Franklin, now Mary Osgood	Samuel Osgood				Liber 49:100; Lots 1, 25. Lot 1 contains a structure on it. Known as Lot 267 on 1744-5 Bancker map. No deed indexed for when Franklin purchased the lot.

### APPENDIX C: LOT HISTORY TABLE

Year	Grantor	Grantee	City Directory	Census	Tax Assessment	Remarks
1794			Corkran, Richard, mariner, 33 Bancker St.			New-York directory, and register, for the year 1794. Illustrated with a new and accurate plan of the city and part of Long-Island, exactly laid down (William Duncan)
5/19/1794	Samuel Osgood Mary Osgood, Indenture of Release	Thomas Gardner				No Liber given. 33 Bancker Street (Lot 267) measures 25 feet front and 125 feet rear.
1798			Alexander, ___, taylor, 33 Bancker St. Watts, Robert, shipjoiner, 33 Bancker St.			Longworth's American almanac, New-York register and city directory
1801			No listings for 33 Bancker			
5/1/1805	John Gardner	Thomas Gardner				Liber 71:305; Lot 1. Lot 267 on a map made in 1744-1745 by Evert Bancker. Part of land sold by Walter Franklin to Samuel Osgood and later sold to Thomas Gardner (father, now deceased).
12/23/1805	Thomas Gardner Eleanor Gardner	John Gardner				Liber 71:273; Lot 1 Lot 267 on a map made in 1744-1745 by Evert Bancker. Part of land sold by Walter Franklin to Samuel Osgood and later sold to Thomas Gardner (father, now deceased).
1808			M'Arthur, Colin, dyer, 275 Greenwich & 33 Bancker		Collin McArthur, house and lot, 33 Bancker, value \$1350, \$100 personal tax	Longworth's American Almanack, New-York Register, and City Directory



### APPENDIX C: LOT HISTORY TABLE

Year	Grantor	Grantee	City Directory	Census	Tax Assessment	Remarks
1809-1811					James Lightbody, house and lot, 33 Bancker, value \$1400, \$100 personal tax	
1812			Binns, Joseph, cardmaker, 33 Bancker Reed, William, rear 33 Bancker		James Lightbody, house and lot, 33 Bancker, value \$1400, \$200 personal tax	Longworth's American almanac, New-York register and city directory
1813			Lightbody, James, dyer, 33 Bancker			Longworth's American almanac, New-York register and city directory
1814			Lightbody, James, dyer, 33 Bancker		John Gardiner, house and lot, 33 Bancker, value \$2800	Longworth's American almanac, New-York register and city directory
1815			No listings for 33 Bancker		Rufus Ogden, house and lot, 33 Bancker, value \$2800, \$100 personal tax	
1816			Ogden, Rufus, porterhouse, 33 Bancker		Rufus Ogden, house and lot, 33 Bancker, value \$2800, \$500 personal tax	
1817			Merckle, Christopher, porterhouse, 33 Bancker		Christopher Merckle, house and lot, 33 Bancker, value \$2800, \$200 personal tax	
1818					Thomas Gardner, house and lot, 33 Bancker, value \$2800	
1819					A. Sellig, house and lot, 33 Bancker , value \$2800, \$200 personal tax	
1820			Selleg, Andrew, porterhouse, 33 Bancker		A. Seely, house and lot, 33 Bancker , value \$2100, \$200 personal tax	Mercein's city directory, New-York register, and almanac
1822			Petty, David, porterhouse, 33 Bancker		D. Petty, house and lot, 33 Bancker , value \$3000, \$200 personal tax	
1823			Petty, David, porterhouse, 33 Bancker			
1824					D. Petty, house and lot, 33 Bancker, value \$2500, \$300 personal tax	

### APPENDIX C: LOT HISTORY TABLE

Year	Grantor	Grantee	City Directory	Census	Tax Assessment	Remarks
1825					Paul C. Tabor, house and lot, 33 Bancker, value \$2700, \$200 personal tax, Innkeeper	
1826			Tabour, Paul C., porterhouse, 33 Bancker		Paul C. Taber, house and lot, 33 Bancker, value \$2700, \$200 personal tax	
1827			Miller, Charles, porterhouse, 33 Madison Curtis, Eli, mariner, 33 Madison		Charles Miller, house and lot, 33 Madison, value \$2700, \$500 personal tax	Note that Shearith Israel had 3 houses at 35, 37, and 39 Madison “cut down”, valued \$4000
2/26/1829	Congregation Shearith Israel	Robert Swanton and David Bryson				Liber 246:421; Lots 2-11 and a sliver of Lot 1
6/25/1829	Robert Swanton Ann Swanton David Bryson	Peter McCartee				Liber 253:160; Lots 2-11 and a sliver of Lot 1
1830			Miller, Charles, porterhouse, 41 Madison Parisen, George, tailor, 41 Madison		Charles Miller, house and lot, 41 Madison, value \$3000, \$200 personal tax	
1832			Miller, Charles, porterhouse, 41 Madison Butterfield, Aaron, tailor, 41 Madison			
1834			Miller, Charles, porterhouse, 41 Madison Butterfield, Aaron, tailor, 41 Madison			
1835			Thompson, William A., porterhouse, 41 Madison Butler, John C., porterhouse, 41 Madison		William A. Thompson, house and lot, 41 Madison, value \$4000	
1836			Lowerre, Giles H., porterhouse, 41 Madison		Giles H. Lowery, house and lot, 41 Madison, value \$6500	
5/25/1836	John Hyer, last surviving Trustee of John Gardner’s estate	Eugene Ketelas and Thomas S. McCarty, who will be the new Trustees				Liber 362:248; no property descriptions

### APPENDIX C: LOT HISTORY TABLE

Year	Grantor	Grantee	City Directory	Census	Tax Assessment	Remarks
1837			Lowerre, Giles H., porterhouse, 41 Madison Ferrier, John, musician, 41 Madison		Giles H. Lowery, house and lot, 41 Madison, value \$6000, \$600 personal tax	
1838			Tink, John W., grocer, 41 Madison Ferrier, John, musician, 41 Madison			
1839			Dawson, John, tavern, 41 Madison		John Dorson, house and lot, 41 Madison, value \$5750	
1840					Jacob Colvin, house and lot, 41 Madison, Ward 351, value \$5550	
1841			Mills, Charles, tavern, 41 Madison		Charles Mills, house and lot, 41 Madison, Ward 351, value \$5500 John Wood, rear 41 Madison, Ward 351, value \$1000	
1842			Dubois, Benjamin, coachmaker, 23, h. 41 Madison Dubois, Stephen S., 23, h. coachpainter, 41 Madison		Stephen L. Duboice, house and lot, 41 Madison, Ward 351, value \$5000 John Wood, rear 41 Madison, Ward 351, value \$1000	
1843			Dubois, Benjamin, blacksmith, 23, h. 41 Madison Dubois, Peter, coachmaker, 23, h. 41 Madison Dubois, Stephen S., porterhouse, 41 Madison Cosgrove, Daniel, cabinetmaker, 41 Madison		E. Kettletass, house and lot, 41 Madison, Ward 351, value \$4500 James Wood, rear 41 Madison, no Ward number, value \$800	
1844-1847					E. Ketelass, house and lot, 41 Madison, Ward 351, value \$4600 James Wood, rear 41 Madison, Ward 930, value \$800	

### APPENDIX C: LOT HISTORY TABLE

Year	Grantor	Grantee	City Directory	Census	Tax Assessment	Remarks
1846			Sullivan, James, porterhouse, 41 Madison, h. 41 Madison			
1847			Toms, James, porterhouse, 41 Madison			
1848			Toms, James, porterhouse, 41 Madison		E. Ketelass, house and lot, 41 Madison, Ward 351, value \$4600 William Williams, personal tax at 41 Madison James Wood, rear 41 Madison, Ward 930, value \$800	
1849			Williams, William, hotel, 41 Madison			No John Marriot yet
1850					E. Ketelass, house and lot, 41 Madison, Ward 351, value \$4600 John Marriot, personal tax at 41 Madison James Wood, rear 41 Madison, Ward 930, value \$800	
1851			Marriot, John, porterhouse, 49 Madison Jung Frederick, shoemaker, 47 Madison			
1852			Devine Jane, wid. Thomas, toys, 47 Madison, h. 6 Devoe Marriot, John, porterhouse, 41 Madison, h. 41 Madison Marstin John S. boatbuilder, h. 41 Madison			
1855			Marriot, John, porterhouse, 49 Madison			
1857			Giddings, Charles, liquors, 49 Madison Giddings, James, liquors, 49 Madison			



### APPENDIX C: LOT HISTORY TABLE

Year	Grantor	Grantee	City Directory	Census	Tax Assessment	Remarks
1859			Jennings, Henry, liquors, 49 Madison			
1860			Jennings, Henry, liquors, 49 Madison			
1861			Murphy, Felix, undertaker, 49 Madison			
7/20/1861	Eugene Ketelas Malvina Ketelas	Mary Ketelas				Liber 837:595; Lot 1 and part of Lot 25. Mary is the daughter of Eugene and Malvina; Malvina is an heir of John Gardner. Conveying one half part of their holdings.
7/20/1861	Mary Ketelas	Eugene Ketelas				Liber 837:596; Lot 1 and part of Lot 25. Mary is the daughter of Eugene and Malvina; Malvina is an heir of John Gardner. Conveying one half part of her holdings back to her father.
1862			Murphy, Felix, undertaker, 49 Madison, h. 46 James			
1865			Murphy, Felix, undertaker, 49 Madison, h. 49 ½ Madison			
1870				Felix Murphy, 35, undertaker Elizabeth Murphy, 22 3 Murphy children James H. Murphy, 26, undertaker William Mitchell, 40 asst. undertaker Jas. McClinchy, 21, driver Theresa McCluskey, 14 Daniel Collins, 20, peddler		

### APPENDIX C: LOT HISTORY TABLE

Year	Grantor	Grantee	City Directory	Census	Tax Assessment	Remarks
1872			Murphy, Felix, undertaker, 49 Madison			
11/1/1873	Eugene Ketelas Smith Eugene Ketelas Malvina Ketelas Mary Ketelas Alice Ketelas Edith M.K. Wetmore Henry Ketelas Philip D. Ketelas Eugene M. Ketelas John G. Ketelas	Jane De Dion Thomas McCarty Pierre McCarty Henrietta Hutton Rosalie M. Steels				Liber 1279:18; Lots 1 and 19. The Ketelas and McCarty families are heirs of John Gardner. Numerous lots are conveyed in this deed, including 49 Madison Street.
1877			Murphy, Felix, undertaker, 49 Madison O'Connor William, furniture, 50 E. B'way, h 49 Madison			
1878			O'Connor, William, bagh., 49 Madison O'Connor, William, furniture, 56 E. B'way, h. 49 ½ Madison Felix Murphy no longer listed for 49 Madison			
1879			Felix Murphy no longer listed for 49 Madison			
1880				Elizabeth Murphy, 34, undertaking business Patrick Charles Murphy, 12 2 additional Murphy children Theresa McCluskey, 20, sister Ann Quinn, 18, servant		
1900				P. Charles Murphy, 33, undertaker Nelly Murphy, 34 5 Murphy children Bridget Owen, 19, servant Patrick Maher, 15, boarder		
1/12/1903	Henrietta Hutton	James B. Curry				Liber 75:241; Lot 1

### APPENDIX C: LOT HISTORY TABLE

Year	Grantor	Grantee	City Directory	Census	Tax Assessment	Remarks
1/12/1903	Rosalie M. Steele	James B. Curry				Liber 75:240; Lot 1
1/12/1903	Executors and Trustees of Thomas McCarty and Individuals and Trustees of Fanny Fahet DeTuite	James B. Curry				Liber 75:235; Lot 1
3/2/1903	James B. Curry	Church of St. James				Liber 76:175; Lot 1
1910				Charles P. Murphy, 43, undertaker Ellen T. Murphy, 44 5 Murphy children Samuel Feeney, 50, servant		

## APPENDIX D: HISTORIC PHOTOGRAPHS





The 47 Madison Street project site in 1927. Courtesy New York Public Library, Percy Sperr.



The 47 Madison Street project site in the late 1930s or early 1940s. Courtesy New York City Municipal Archives.



The 47 Madison Street project site in the 1980s. Courtesy New York City Municipal Archives.