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**PHASE Ia ARCHAEOLOGICAL INVESTIGATION -
DOCUMENTARY RESEARCH AND SENSITIVITY ASSESSMENT
OF THE 90-15 CORONA AVENUE PROJECT AREA
ELMHURST, BOROUGH OF QUEENS, NEW YORK CITY**

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Letter to Amanda Sutphin, Director of Archaeology, LPC; dated July 31, 2006
Restrictive Declaration

MANAGEMENT SUMMARY

This report presents the results of a Phase Ia archaeological investigation of an approximately 1.4 acre commercial property located 90-15 Corona Avenue (Block 1586, Lot 10) in the Elmhurst section of the Borough of Queens, New York City, New York. Existing property buildings will be demolished as part of the project and two new masonry residential and commercial structures constructed. The study has been conducted and this document prepared at the request of Peter G. Geis, of Cozen O'Connor representing Denali Construction, by Jo-Ann McLean Archaeological Consultants; Eugene J. Boesch, Ph.D. served as Principal Investigator. The objectives of this study are to assess the likelihood that possibly significant archaeological resources are present within the project area and to recommend any necessary further investigations.

No Native American sites have been previously identified within the 90-15 Corona Avenue project area or its immediate vicinity. Prior to development, the property consisted of relatively level ground that was not in close proximity to an identified fresh water source. Such locations are considered to have no archaeological sensitivity, or only limited sensitivity, for the presence of Native American sites. Even if small Native American sites did form within the project area, extensive development across much of the property would have destroyed or extensively disturbed such resources. As a result of the pre-development environmental setting of the project property and prior ground disturbance there, the current 90-15 Corona Avenue project area is not considered to be sensitive for the presence of Native American sites.

The current project area is considered sensitive for the presence of human interments associated with the use of at least part of the property as a church cemetery from sometime 1828 to c. 1930. The church and burial ground reportedly served an African-American congregation for most of that period. The burial ground was primarily located in the northern, eastern, and central portions of the project area. Much of the center and eastern portions of the project property are now a parking lot, and served as such for much of the twentieth century. No construction apparently ever occurred in the area. Twenty interments were removed from the burial ground in 1928 and re-interred in Mount Olivet Cemetery in Queens. However, no indications were found by the research conducted for this study that other burials were removed from the cemetery when the property no longer served as church property.

The former locations of a church and dwelling, probably the residence of the church minister, that were located within the southern/southwestern portion of the project area after 1903 are now part of the footprint of the existing masonry structure at 90-15 Corona Avenue. Construction of the masonry building would have destroyed any structural remains or deposits associated with the occupations of the church and dwelling. Municipal water was available in

local streets when the structures were constructed so it is likely that they contained connections to that source and did not have associated water retention or sanitary features.

The former backyard of an early twentieth century dwelling that fronted onto Union Avenue at what is now 90-49 Corona Avenue extended into the eastern portion of the project area. Municipal water was available in local streets when the dwelling was constructed so it is likely that it contained a connection to that source and did not have associated water retention or sanitary features.

Accordingly, due to the date of construction of these structures and the extent of prior ground disturbance in the southern/southwestern portions of the project area, the property is not considered to be sensitive for the presence of domestic-type archaeological resources.

No other Historic period event or activity was identified during the research conducted for this investigation, which could have resulted in the deposition of artifact deposits within the current project area.

The existing masonry commercial buildings located within the current project area were constructed sometime between 1948 and 1981. They will be demolished as part of the proposed development project. None of the structures are considered to have potential historic and/or architectural value and additional evaluation of them is not warranted.

Sub-surface testing should be conducted within the portions of the project area determined to be archaeologically sensitive for the presence of human burials as part of the current development project. A field testing plan outlining the proposed testing should be completed and submitted to the New York City Landmarks Preservation Commission for its review. The plan should be developed in consultation with the Landmarks Preservation Commission and other interested parties.

1.0 INTRODUCTION

This report presents the results of a Phase Ia archaeological investigation of an approximately 1.4 acre commercial property (the project area) located 90-15 Corona Avenue (Block 1586, Lot 10) in the Elmhurst section of the Borough of Queens, New York City, New York (Figures 1 – 2; Ethan C. Eldon Associates, Inc. 2004). It is situated along that avenue between 90th and 91st Streets and the right-of-way for the Port Washington branch of the Long Island Railroad. An existing masonry structure will be demolished as part of the project and two new masonry residential and commercial structures constructed. One of the proposed buildings will be a 5-story structure while the second will be a 9-story structure (see Figures 3 and 4).

The study has been conducted and this document prepared at the request of Peter G. Geis, Cozen O'Connor representing Denali Construction.

The objectives of this study are to assess the likelihood that possibly significant archaeological resources are present within the project area and to recommend any necessary further investigations.

Properties listed on or considered eligible for listing on the New York State and/or National Registers of Historic Places have not been previously identified within the project area. The nearest recognized historic properties to the project area are the Reformed Dutch Church of Newtown Fellowship Hall, located at 85-15 Broadway and the Saint James Church, located at 86-02 Broadway. The latter property also is known as the Church of England in American and the Mission Church in Newtown. Both the Fellowship Hall and Church are located about two blocks southwest of the current project area.

Proposed project impacts to the property area will result from demolition of existing project area buildings, construction of the new structures, the installation of utilities, and grading/landscaping of portions of the property. According to an Environmental Assessment Statement prepared for the property (Ethan C. Eldon, Inc. 2004:1), the proposed construction project:

...would involve the construction of a partial 5-story and partial 9-story 201,634 SF [square feet] mixed use building including 189,634 SF for residential use (174 residential units), 12,000 SF for commercial use (5 retail stores), and a parking garage with 160 accessory self-parking spaces in the cellar and partial sub-cellar.

1.1 90-15 Corona Avenue Project Area Description

The 1.4 acre (62,041 square feet) Corona Avenue project area is the setting of three currently vacant structures, paved parking lot, and access driveways and alley-ways

located on relatively level ground (Figures 5-11). It is situated on Lot 10 of Block 1586 in the Elmhurst section of Queens along the north side of Corona Avenue between 90th and 91st streets, extending northward to the right-of-way along the south side of the Long Island Railroad tracks. An Environmental Assessment Statement prepared for the property states that (Ethan C. Eldon, Associates Inc. 2004:1):

Existing conditions on the subject site include a combined 2-story and 3-story vacant industrial and office building along the front of the property fronting Corona Avenue and 90th Street, a 1-story vacant industrial building along the rear of the property abutting the right-of-way for the Long Island Railroad, an a paved parking lot with 35 accessory spaces. The existing buildings cover 34,057 SF of the lot and the parking lot covers 27,984 SF of the lot. The existing buildings and parking lot would be demolished as a result of the proposed project.

The buildings reportedly were initially constructed between 1948 and 1950 with a number of expansions subsequently added (Ethan C. Eldon Associates, Inc 2004:1; Mikita 2005). The buildings occupy the western and northeastern portions of the property, with the parking area and access driveway located in the southeastern part. Another smaller access drive extends from 90th Street in the northwestern portion of the property. An alley-way leading to the parking lot from Corona Avenue is located near 91st Street in the eastern portion of the property. The unoccupied buildings are locked and secured and could not be entered during the reconnaissance of the project area undertaken for this study. At least four heating oil underground storage tanks are registered for the property (Ethan C. Eldon Associates, Inc. 2004:11).

A request was made from the client for geotechnical boring information pertaining to the site, which may be in their possession. The client responded that no such information was available. No geotechnical borings have been conducted on the property for the current project and as far as is known, none were conducted for prior construction projects there.

A field visit to the site ascertained the depth and extent of the existing basements at the site. It was found that the main building contains a basement that is between 20 and 40 feet wide, which extends across the length of the structure at its front along Corona Avenue. The remainder of the main building and the other buildings on site were constructed on slabs without a basement. The location of the existing basement, fronting onto Corona Avenue, is south of the former location of the church/chapel and manse.

1.2 Methodology

This Phase Ia archaeological investigation involved documentary research on the Euro-American history and African-American culture history and adaptations of the 9015 Corona Avenue project area and vicinity and a pedestrian reconnaissance of the property. Research for the study was conducted at the following repositories:

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New York City Public Library, Local History, Map, and General Research Divisions,
New York City Landmarks Preservation Commission,
The Poppenhusen Institute, College Point,
Queensborough Public Library,
The Queens Historical Society,
The Greater Astoria Historical Society,
The Presbyterian Historical Society, and
The African Episcopal Methodist Society.

Knowledgeable people spoken to as part of the research conducted for this study include:

Mr. Arnold Pickman, Professional Archaeologist,
Mr. Daniel Pagano, New York City Landmarks Preservation Commission,
Ms. Amanda Sutphin, New York City Landmarks Preservation Commission,
Mr. Robert Singleton, The Greater Astoria Historical Society,
Mr. Rudy Mikita, long-time resident and business owner in Newtown. Mr. Mikita indicated that he is charged with “keeping an eye” on the abandoned project area buildings by the current property owner (Mikita 2005),
Mr. Richard Hourhan, Queens County Historical Society,
Mr. Jim Driscoll, Queens County Historical Society,
Mr. Irving Eadie, the current Vice Chairman of the Steward Board of St. Marks A.M.E. Church at 95-18 Northern Boulevard, Jackson Heights, New York (St. Marks A.M.E. Church on Northern Boulevard is the successor church and congregation to St. Marks A.M.E. Church formerly located within the current project area.), and
Ms. Marjorie Melikian, Archivist of the First Presbyterian Church of Newtown.

Pedestrian reconnaissances of the project area were conducted on July 20 and September 15, 2005, and March 16, 2006. Based on the documentary research and pedestrian reconnaissance the archaeological sensitivity of the project area was assessed. Assessment of Native American period sensitivity was based on the location of known archaeological sites reported in the literature as well as a consideration of the present and former topographic and physiographic characteristics of the project area. Assessment of Historic period sensitivity was based on analyses of late eighteenth through early twentieth century maps as well as a review of secondary sources.

2.0 ENVIRONMENTAL SETTING OF THE PROPOSED 90-15 CORONA AVENUE PROJECT AREA

The project area is part of the relatively level to gently undulating landscape of northern Queens. It is situated approximately one and a half miles west of Flushing Creek. A small tributary of the creek formerly flowed southward about 1,600 feet southeast of the project area (Boesch 1997:Figure 3e). A number of ponds and wetlands also would have been present in the area prior to development.

2.1 Geology

The 90-15 Corona Avenue project area is part of the emergent lowland of the Coastal Plain geomorphic/physiographic province. The northern boundary of that province in the project area vicinity extends northward from approximately the Greenpoint Avenue/Newtown Creek vicinity to LaGuardia Airport and thence eastward through the Flushing, Whitestone, and Beechhurst sections of Queens. The portion of Queens south of this line is part of the Piedmont Lowlands geomorphic/ physiographic province.

The emergent lowland of the Coastal Plain make up about three quarters of the land area of Queens and consist of gently rolling terrain, generally less than 120 feet in elevation, which gradually slopes to the southeast (Wolfe 1977:207). The elevation of the emergent lowland in the project area vicinity is generally less than approximately 50 feet above mean sea level (United States Geological Survey 1966).

The bedrock in Queens consists of soft, easily eroded, metamorphic and igneous rock of Cretaceous aged, specifically muscovite-biotite, schist, gneiss, and granite (Gratacap 1904; Schubert 1968; Rogers, Isachsen, Mock, and Nyahay 1990; Isachsen, Landing, Lauber, Rickard, and Rogers 1991). The bedrock surface generally dips to the southeast.

2.2 Surface Geology

In Queens, the undulating surface of the emergent lowland of the Coastal Plain is immediately underlain by post-Pleistocene aged, unconsolidated lacustrine and fluvial sediments associated with Proglacial Lake Flushing and its drainages (Schubert 1968). The northern and westernmost approximately 25 percent of Queens was formerly covered by the waters of that lake (Wolfe 1977:160). The lake covered much of what is today Manhattan, the Bronx, Upper New York Bay (where it joined Glacial Lake Hudson), the East River, and the western

portion of Long Island Sound (Wolfe 1977:160). Glacial Lake Flushing (and Glacial Lake Hudson) drained around 12,500 years B.P. when the moraine crossing the Verrazano Narrows from Brooklyn to Staten Island (see below), which acted as a dam or dike impounding glacial meltwaters and forming the lakes, was breached. For a long period after the lakes drained, much of the former lake bed, including the northern and western portions of Queens, would have been a marshy, pond filled plain overlooking a narrower East River. The plain also would have contained small hills and rises overlooking the marshes.

The portion of the Coastal Plain in Queens was greatly affected by the Wisconsin glaciation. Glacial drift is present below post-Pleistocene deposits over most of the area north of the terminal moraines of the Wisconsin glaciation. Two moraines indicative of two advances of the Wisconsin Stage glaciers are present in Queens. Approximately 75,000 years ago, the Wisconsin ice sheet reached as far south as what is now the middle of Long Island depositing debris culled from New England and New York State in front of it, forming the Ronkonkoma moraine. The Ronkonkoma moraine is present as a band of low hills that extend from Lake Success on the Queens-Nassau border to Montauk Point. A later re-advance of the Wisconsin ice at a slightly different orientation formed the second moraine, the Harbor Hill moraine. The Ronkonkoma moraine intersects the Harbor Hill moraine in the Little Neck/Lake Success vicinity at the Queens/Nassau County border with deposits from the latter partially burying Ronkonkoma deposits. The moraine traverses southwestward through Queens from south of Little Neck Bay through Ridgewood to Prospect Park in Brooklyn and continues across the northern mouth of the Narrows through Staten Island and into New Jersey.

North of the moraine in Queens (including the current project area), glaciofluvial events created kames, kame terraces, eskers, and kettles, most of which have been obliterated by development.

2.3 Flora and Fauna

The predominant pre-contact period habitats present within the Coastal Plain were saltwater/brackish water marshes and tidal flats, freshwater marshes, and upland climax forest (Robichaud and Buell 1973:106). In many localities, brackish, and fresh water marshes grade from the open shore to the upland forest.

Saltwater and brackish water marshes were formerly common along the entire shoreline of Queens, also occurring inland for a short distance along the banks of tidal creeks. Chrysler (1910) provides a list of 38 plants found in the Coastal Plain in salt and brackish water marshes and meadows in the order of their occurrence in soils with decreasing salt content. All are or were formerly present in Queens. The first four are glasswort, found nearest to salt

water, sea lavender, salt reed grass, and salt water cord grass. The composites marsh elder and groundsel occur near the center of Chrysler's list followed a little further down by cat-tail. The last four salt tolerating plants are swamp-rose, arrowhead, lizard's tail, and bur-marigold.

Freshwater marshes were present along the edges of lakes, ponds, rivers, and wherever depressions of land were kept flooded on a regular basis by high water tables (Robichaud and Buell 1973:105). In pre-Contact period freshwater marsh environments, the plant community was typically dominated by reed grass, cat-tail, and/or wild rice (the latter made practically extinct in the area due to the effects of pollution). All of these would have been important economic plants for Native American groups. Other plants that would have been common in pre-Contact period freshwater marshes were low-growing grass-like sedges, bulrushes, arrow-arum, blue flag, spike rush, bur reed, water dock, marsh fern, orange touch-me-not, and swamp milkweed (Robichaud and Buell 1973:125-127).

The remaining portions of the Coastal Plain are characterized as upland forest because the most abundant or dominant type of vegetation present were tall growing, deciduous broadleaf trees (Robichaud and Buell 1973:106). The forests are specifically described as oak-chestnut forests composed primarily of mixed oaks (white, red, and black) with some chestnut trees also present on drier slopes (Robichaud and Buell 1973:106). Beech, several varieties of hickory, sugar maple, white ash, and black cherry also would have been numerous (Shelford 1974).

A description of the plentiful oak-chestnut forest in the area around Hempstead in 1670, but also applicable to the current project area vicinity, is provided by Daniel Denton (1670):

The greatest part of the island is very full of timber, as Oaks, white and red, Walnut trees, Chestnut trees, which yield store of mast for Swine, and are often therewith sufficiently fatted with oat-corn as also Maples, Cedars, Saxifrage, Beech, Birch, Holly, Hazel, with many sorts more.

Marsh and forest habitats are still found in less developed areas within the Coastal Plain in Queens.

Shellfish were one of the most important prehistoric subsistence resources found along the Queens shoreline in the Coastal Plain. The species commonly utilized by Native Americans were oysters, soft shell clams, hard shell clams, scallops, and various marine snails.

Pre-Contact period faunal species usually present within the Coastal Plain's marshes included various invertebrates, migratory water fowl, and other birds, muskrat, and small rodents,

rabbit, raccoon, otter, skunk, opossum, and white-tailed deer (Shelford 1974; Gosner 1978; Roberts 1979). In the province's freshwater streams, marshes, and lakes were found mussels, fish, certain amphibians and reptiles, migratory fowl, and semi-aquatic mammals (Shelford 1974). Pre-Contact period faunal species present within the forests of the Coastal Plain included game birds, small mammals, white-tailed deer, bear, and during at least a portion of the prehistoric period, elk (Shelford 1974). Anadromous fish species would have been present seasonally within northern Queens via streams emptying into the estuary system (the Narrows, Upper New York Bay, western Long Island Sound). All of these economically useful forms would have been present in the project area vicinity during the Native American and early Historic periods.

3.0 DOCUMENTARY RESEARCH - NATIVE AMERICAN PERIOD

The Native American and Native American - European Contact period cultural history of the 90-15 Corona Avenue project area region is provided in Chapter 3.1 and 3.2. This is followed by descriptions of Native American sites and other evidence of Native American activity previously identified in the project area vicinity (Chapter 3.3 and 3.4). Analysis of the Native American archaeological sensitivity of the project area is provided in Chapter 5.1.

3.1 Background Culture History

The prehistory of the Queens County region, which includes the project area, encompasses the PaleoIndian, Archaic, Transitional, and Woodland periods. The PaleoIndian period (10,000-8,000 B.C.) represents the earliest occupation of the southeastern New York region. The Archaic (8,000-1,700 B.C.) refers to a time prior to the introduction of horticulture and pottery manufacture and is divided into Early, Middle, and Late periods. The Transitional period (1,700-1,000 B.C.) witnessed a gradual change in Archaic lifestyles with the development of "Woodland" period traits. The Woodland period (1,000 B.C.- A.D. 1,600), which is characterized by the use of pottery and reliance on horticulture, also is divided into Early, Middle, and Late periods.

The PaleoIndian period corresponds with the end of the Wisconsin glaciation (80,000 - 11,000 B.P.). The last advance of the ice sheet associated with this stage reached its maximum approximately 18,000 years B.P. covering most of Queens with glacial ice. After approximately 18,000 B.P., world wide temperatures started to rise and melting and northward retreat of the ice sheet began. A continuous morainal feature consisting of mixed sands, silts, and clays, and boulders, marks the southernmost advance of the ice sheet (see Chapter 2.2).

Sea levels were lower during the PaleoIndian period and the subsequent Early to Middle Archaic period due to sea water being trapped in the remaining glacial ice. Queens during most of this era was located well inland from the Atlantic coast, being a tract of raised ground containing glacial lakes, and traversed by meltwater streams and rivers.

A tundra environment characterized the landscape of Queens during the late glacial and immediate post-glacial periods. As the glaciers retreated northward, water drained from the melting ice sheet creating large inland lakes, bogs, and marshes. One of the larger of the lakes (Proglacial Lake Flushing) covered the northern and western portions of the borough (see Chapter 2.2).

The tundra landscape was succeeded by woodland with local forests consisting primarily of spruce and fir with small amounts of oak and other deciduous species (Snow 1980). Many faunal species now extinct or no longer native to the area were present in the forests. These included mammoth, mastodont, horse, caribou, giant beaver, sloth, elk, moose, and peccary (Snow 1980). Remains of extinct fauna found in the project area region include mastodont teeth recovered in 1858 from a buried peat layer near Baisley Pond. The pond is located approximately six miles southeast of the project area.

Little is known about cultural activities during the PaleoIndian period although it is generally accepted that humans first inhabited the region at approximately 10,000 B.C. (Funk 1976; Ritchie 1980). Small nomadic bands of hunters and gatherers subsisted probably on the animal species mentioned previously as well as small game animals, certain riverine resources, and a variety of plants. Population density, however, was very sparse. A variety of functionally diverse site types, however, have been identified based upon intersite variability of artifact assemblages and environmental setting. These include base camps, quarry workshops, rockshelter habitations, open air hunting camps, kill and butchering sites, and other temporary camps (Funk 1972; Gardner 1974; Moeller 1980; Gramley 1982).

A small number of PaleoIndian sites have been recorded in the New York metropolitan area. The closest to the project area is the multi-component Piping Rock site on the Hudson River shoreline in Westchester County (Funk 1976:206; Brennan 1977). Other PaleoIndian sites in the region are located on Staten Island (Port Socony north a.k.a. Port Mobil north/North Beach and Cutting site, Kreischerville; Charleston Beach; see Ritchie 1980) and in Orange County (Dutchess Quarry Cave, Kings Road, West Athens Hill sites; see Funk 1976).

Most evidence of PaleoIndian activity, however, comes from scattered surface finds of Clovis Fluted points, a diagnostic PaleoIndian artifact (Funk 1976:205). At least two fluted points have been recovered from Queens. One was found in the Bayswater section (Platt 1994, 1995; Stone 1996a). The exact location of the find is not indicated in the literature but it likely was recovered from the high, well-drained ground overlooking the former lake bed of Proglacial Lake Flushing. As previously noted, once the lake drained, the area would have contained numerous marshes, ponds, and a narrower East River Channel. Another fluted point was recovered from a fill context at the Wilkins site, located at 141st Street and 14th Avenue in the College Point section of Queens, approximately one mile southwest of the project area. Almost all of the other fluted points found in New York City were recovered from Staten Island as surface finds. Others have been recovered from Nassau and Suffolk Counties (Saxon 1973; Rutsch 1970).

Information from known PaleoIndian sites in the New York - New Jersey - Pennsylvania-Connecticut region suggests that raised, well-drained areas near rivers, streams or wetlands

were the areas preferred for occupation. The project area vicinity during the late glacial and early Holocene periods would probably have fit such a topographic and physiographic description. Rock shelters, areas near lithic sources, and lower river terraces also were subject to PaleoIndian occupation and use (Werner 1964; Funk 1976; Moeller 1980; Ritchie 1980; Marshall 1982).

The lack of data from PaleoIndian sites, especially stratified sites, in Queens (and the remainder of New York City and Long Island) is the primary reason for the current lack of understanding of PaleoIndian adaptations on Long Island. Many PaleoIndian sites in the vicinity probably were located off the Atlantic and Long Island Sound shores and were inundated by post-glacial rising sea levels (Edwards and Emery 1966, 1977; Salwen 1962, 1965, 1975). Many sites probably were submerged beneath the rising waters of Flushing Bay, Little Neck Bay, Little Bay, and the other bays and inlets along the north and south coasts of Long Island. Meltwater rivers formerly were associated with most of these areas. Prior to submergence, the areas would have contained productive environments (i.e. marshes, lakes, streams) that could have been exploited for subsistence purposes by PaleoIndian populations.

During the Archaic period (8,000-1,000 B.C.), the environment changed from a pine dominated forest to an increasingly deciduous forest which achieved an essentially modern character by 2,000 B.C. (Salwen 1975). While Archaic cultures have been traditionally thought of as reflecting a forest-based adaptation, more recent research has produced a picture of an increasingly varied subsistence pattern based on the seasonal exploitation of various faunal and floral resources (Ritchie and Funk 1973; Funk 1976; Kraft 1986; Starbuck and Bolian 1980). In the lower Hudson Valley and Long Island Sound area oyster became a major component of subsistence, at least seasonally, during this period (Brennan 1977). At this time, the project area probably was a forested tract.

Archaic hunters and gatherers were still nomadic and organized into small bands which occupied localities along the Queens shoreline, especially its protected coves, inlets, and bays, probably during the warmer months and interior regions during the colder months (Wyatt 1977; Ritchie 1980; Kraft 1986). Population growth throughout the period resulted in an increase in both site density and the number of functional site types represented in the archaeological record. Site types recognized for this period include spring fishing camps along major streams, fall open air hunting camps, rockshelter habitations, shellfish collecting and processing stations, mortuary sites, quarry and workshop sites, and semi-permanent villages (Harrington 1909; Brennan 1974; Dincause 1976; Barber 1980; Ritchie 1980; Snow 1980). Ritchie states that most Archaic sites were small and multi-component, lacking traces of substantial dwellings, fortifications, storage pits, and graves (Ritchie 1980:32 and 35). Evidence of house patterns attributable to the Late Archaic period, however, has been reported from the Howard site in Old Lyme, Connecticut near Long Island Sound (Pfieffer

1983).

In the vicinity of the project area, the range of reported site types associated with the Archaic period is limited to shellfishing stations and rockshelters along the Long Island Sound shore and possibly small temporary camps in the interior (Skinner 1919a, 1919b, 1920, 1932; Funk 1976; Levine 1978; Ritchie 1980; Truex 1982).

Most information concerning the Archaic period comes from Late Archaic sites since evidence for Early and Middle Archaic sites in the region is almost as scarce as for PaleoIndian sites. Human population, site density, and site size apparently increased in the Queens region during the Late Archaic period. Some sites appear to have been occupied on a semi-permanent basis. Sites apparently containing Late Archaic components have been found on high ground bordering north shore bays and inlets, in low-lying areas in close proximity to estuaries, and along major interior streams, such as Flushing Creek.

Sites dating to the Transitional period (or Terminal Archaic; 1,500 - 1,000 B.C.) are most frequently found along the coast and major waterways (Funk 1976; Ritchie 1980; Vargo and Vargo 1983) although smaller sites are known from the interior (Funk 1976; Vargo and Vargo 1983). New and radically different broadbladed projectile point types appeared during this period as did the use, during the latter half, of steatite (soapstone) vessels. In Queens, Transitional period components have been found on high ground bordering the bays and inlets of the north shore.

During the Early Woodland period (1,000 B.C. - A.D. 1), the use of fired clay ceramic vessels gradually replaced the reliance on steatite vessels. Subsistence practices included a continuation of the hunting, gathering, and fishing of the Archaic but were supplemented by an increase in shellfish collecting. It has been suggested that this indicates a trend towards more sedentary lifestyles (see Funk 1976; Snow 1980).

Human populations during the Middle Woodland period (A.D. 1 - 800) gradually adopted a more sedentary lifestyle. Although it is generally felt that subsistence was essentially based on hunting and gathering supplemented by fishing and shellfish collecting, there has been speculation that domestication of various plants occurred during this period (Ritchie and Funk 1973; Snow 1980). Most Middle Woodland sites on Long Island are located near estuaries although smaller inland sites also are known (Funk 1976; Ritchie 1980).

By Late Woodland times (A.D. 900 - 1,600), horticulture was the primary subsistence base and permanent villages existed. Use was still made, however, of temporary and special purpose campsites (Ritchie 1980; Snow 1980). Most Late Woodland sites are located along the Long Island Sound shore and the Hudson River and its major tributaries, although smaller

inland camp sites and shell fish processing sites have been recognized (Skinner 1919a, 1919b; Bolton 1922; Parker 1922; Funk 1976; Levine 1978; Ritchie 1980; Truex 1982).

Late Woodland sites are relatively numerous in Queens with components being identified at the Wilkins, Clearview, Aqueduct, and Oakland Lake sites among others. Large base camps/villages are usually located adjacent to tidal inlets and major rivers. These were probably occupied on a permanent or semi-permanent basis. Smaller inland sites, usually located near a water source, that were probably occupied on a seasonal or temporary basis, also have been recognized (Funk 1976; Ritchie 1980; Snow 1980). Extensive shell middens associated with Late Woodland occupations also have been identified in Queens (see Boesch 1997).

Smith (1950), basing his conjectures on ceramic typologies, sees an initial "Windsor Tradition" Late Woodland culture occupying all of Long Island. Groups associated with the "East River" culture eventually forced this culture out of the western part of Long Island. Smith sees East River culture groups as expanding eastward from New Jersey and/or southeastern New York. The East River culture is divided into an earlier Bowman's Brook phase and a later Clason's Point phase.

3.2 Native American - European Contact Period

The documentary history of the northern Queens vicinity, which includes the project area, begins with the information recorded by early settlers concerning the Native American groups who occupied the area when Europeans first arrived in the early seventeenth century.

The Contact period (A.D. 1600 - ca. 1750) is the time of the first large scale contacts between Native Americans and European colonists. By the latter part of the Late Woodland period Native American cultures began to resemble those of groups that were encountered by seventeenth century Europeans. At this time Long Island Native Americans were part of the widespread Algonquian cultural and linguistic stock. Specifically, they were a group of Munsee (Minsi) speakers who migrated into the area during Late Woodland times (Goddard 1978a, 1978b; Salwen 1978; Grumet 1995).

Munsee speakers were a linguistic subgroup of the Lenape or Delaware. The Lenape consisted of autonomous, loosely related bands or lineages living in small family groups or hamlets. They never formed a politically united tribe. The origin of the name "Lenape" is unclear. Goddard (1978b:236) states that the name translates roughly as "real people." Salomon (1982:14) agrees in a general sense stating that the name means "the real men" or "common people."

The Munsee composed a relatively large, loosely related Lenape group who shared the same totemic symbol, the wolf (Ruttenber 1872:47). They occupied most of the land south of the Catskill Mountains to a line drawn from the headwaters of the Lehigh River through the Delaware water gap area to the Raritan River in New Jersey, and eastward to approximately the Smithtown area of Long Island (Salwen 1978).

Munsee settlements included camps along major rivers, estuaries, coves, inlets, and bays with larger villages located at river mouths (Salomon 1982). Small hunting, gathering, and agricultural sites were located in the interior. Despite references to such sites by early European explorers and settlers, only a few Contact period sites have been identified on Long island.

Robert Juet, an officer on the "Half Moon", provides an account in his journal of some of the Contact period Native Americans who inhabited southeastern New York (see Cunningham 1959). In his entries for September 4th and 5th, 1609 he states (Juet 1859:28):

This day the people of the country came aboard of us, seeming very glad of our coming, and brought greene tobacco, and gave us of it for knives and beads. They goe in deere skins loose, well dressed. They have yellow copper. They desire cloathes, and are very civill. They have great store of maize or Indian wheate whereof they make good bread. The country is full of great and tall oakes.

This day [September 5th, 1609] many of the people came aboard, some in mantles of feathers, and some in skinned of divers sorts of good fures. Some woman also came to us with hempe. They had red copper tabacco pipes, and other things of copper they did wear about their necks. At night they went on land againe, so wee rode very quite, but durst not trust them.

The political, linguistic, and social relationships that existed among the various bands of Munsee speakers probably will never be fully understood for a number of reasons. The Native groups themselves had no fixed boundaries and "ownership" of particular areas may have overlapped with use rights shared. EuroAmerican colonists also frequently misunderstood and misrecorded Native American associations with particular areas. Finally, early pressure on some Native groups by colonial expansion probably resulted in frequent shifts of villages and territories (Goddard 1978b).

Native American identification with particular areas and with themselves as members of particular "tribes", and the development of large permanent villages, was likely the result of

changes in Native American social and subsistence systems caused by seventeenth century EuroAmerican territorial expansion (Ceci 1980; Strong 1997). Native American identification during the period of initial European Contact, and probably during the Late Woodland period as well, likely was not based on "tribal" identification but on kinship relations, shared totems, linguistic relationships, and/or other criteria (Strong 1997:23).

Scholars traditionally have associated the Matinecock with the northern Queens vicinity (Becker 1934; Skinner 1932; Swanton 1952; Bailey 1959; Bolton 1975). Their traditional lands reportedly extended from Elmhurst in Queens County eastward to the Nissequogue River and southward to the approximate center of Long Island (Ruttenber 1872:74). According to Tooker (1911), the name "Matinecock" roughly translates as "at the hilly land" which certainly describes the morainal north shore land that they occupied. Bolton (1922:172-173), however, states that the Newtown vicinity during the early seventeenth century was the home of the Mispata, a "subordinate chieftaincy" of the Matinecock.

Problems and conflicts during the seventeenth century between Long Island Native Americans and the Dutch resulted in the deaths of large numbers of aboriginals (Hodge 1910; Washburn 1978). The introduction of European diseases such as smallpox further devastated the local Native American populations. During the early period of European contact, the total Native American population of Long Island is estimated to have numbered approximately 7,500 individuals (Cook 1976:84). The population of the Matinecock has been estimated at approximately 1,200 people. By the year 1650, it has been estimated that the total population of Long Island had been reduced to approximately 1,000 individuals with the Matinecocks totaling approximately 200 people (Cook 1976:84). By the time of the American Revolution, only 100 to 200 Native Americans remained on Long Island (Cook 1976:82).

3.3 Native American Sites in the Project area Vicinity

A small number of sites have been identified in the vicinity of the proposed 90-15 Corona Avenue project area. The avocational archaeologist Arthur C. Parker indicates that traces of Native American occupation were found scattered along the Flushing Creek shoreline south of what is now Flushing Meadows/Corona Park (see Boesch 1997:4), approximately one and three quarter miles southeast of the current project area. Other Native American sites reported in the literature that were located in the project area vicinity include (see Boesch 1997)

- A camp site reportedly located south of Astoria Boulevard just west of the Grand Central Parkway (Solecki 1941). The site area is less than two miles northeast of the project area.

- A habitation site located along the swampy margins of Maspeth Creek between Laurel Hill and Linden Hill (Bolton 1922:230). The former location of the site is now within Maurice Park, located about one and three quarter miles southwest of the project area.

4.0 DOCUMENTARY RESEARCH - HISTORIC PERIOD

The Euro-American history of the region, which includes the 90-15 Corona Avenue project area, is presented in Sections 4.1 – 4.2 of this Chapter. This is followed in Chapter 4.3 by a discussion of the Historic period occupational history of the property. The analysis of the Historic period archaeological sensitivity of the project area is presented in Chapter 5.2.

4.1 The Seventeenth to Late Eighteenth Centuries

In 1609 Henry Hudson, representing the Netherlands, entered and explored the river that now bears his name. Three years later, anxious to solidify their claim to the area, the Dutch commissioned Adrian Block to further explore the region that came to be called New Netherlands. After initial difficulties at Manhattan Island, Block sailed past Hell Gate in the East River and into Long Island Sound passing what later was to become the Borough of Queens. The Dutch claimed all of the newly explored territories, establishing small settlements at Astoria, Hunters Point, and the Dutch Kills area of Long Island City around 1637. During the 1640's, the Dutch allowed English colonists from New England to immigrate into their colony, including what was to become the Borough of Queens. Some English, as well as Dutch colonists, settled along the headwaters of Newtown Creek in 1642 but were driven away the next year by hostile Native Americans during the conflict between the European colonists and local Native groups. The conflict came to be called Kieft's War.

The first permanent settlement in the project area vicinity occurred in 1656. The settlement, which was called Newtown was generally located approximately one-quarter mile south of the project area. The former Newtown area corresponds to what is now, approximately, the Elmhurst section of Queens. Settlers were attracted to the Newtown area due to the fertility of the land, by the vast meadows of salt marsh grass in the nearby Flushing Meadows and along Maspeth Creek, which could be fed to cattle, and by the area's excellent hunting and fishing grounds (Hazelton 1925).

Following the English takeover of New Netherlands in 1664, the population of the colony steadily increased. This resulted in the need for new administrative units. Accordingly, in 1683, the New York Colonial Assembly established counties throughout the colony, one of which was Queens County. Soon after Queens County was established, the English authorities divided its western portion into three units or "towns." These new towns were Newtown, which included the current project area, Flushing, and Jamaica.

Euro-American population of the project area vicinity remained low during this period with

the number of colonists occupying Newtown likely being less than a 1,000 individuals (Munsell 1882; Seyfried and Peterson n.d.). The current project area during the early period of colonization likely remained undeveloped. With the establishment of the Newtown settlement, however, the area likely was soon cultivated, used as pasturage, or served as an orchard.

The eighteenth century witnessed little development within Queens north of the Newtown settlement, including within the current project area vicinity. The area likely remained an agricultural property for all or part of the period.

During the American Revolution, most of Queens and the rest of Long Island remained loyal to the British Crown. This is not surprising given the occupation of New York City and its surrounding countryside by the British in 1776 following the American defeat at the Battle of Brooklyn on August 27 of that year and their subsequent evacuation of the area. For the remainder of the war, a large number of British troops were quarters in Queens County. Although most of Long Island's population remained loyal to the British Crown, the Newtown area reportedly contained a large number of people whose sentiments were with the American cause, however surreptitiously given local circumstances Seyfried 1995; Seyfried and Peterson n.d.; Hazelton 1925). One map reviewed for this study, the 1781 Taylor and Skinner map does not indicate the presence of structures within the current project area vicinity as of that year, but does suggest that the area remained agricultural in nature.

4.2 The Late Eighteenth Through Early Twentieth Centuries

During the late eighteenth and early nineteenth centuries, the Newtown area, and Queens generally, remained rural in character. It was comprised of numerous small villages and countless small farms. Population growth in the county was very slow increasing from 5,393 inhabitants in 1790 to 5,791 people in 1800. By 1830, the county's population had increased to only 7,806 people (Seyfried and Peterson n.d.).

Beginning in the 1840's, the growth of a manufacturing sector in the county, advances in transportation, and increased immigration, caused the population of Queens to grow rapidly. To accommodate this growth, land speculators acquired farms for the establishment of building lots spreading out from the original areas of settlement. Groups of individuals also began to acquire lands in western Queens for the establishment of large, privately owned cemeteries. These profitable businesses became legal after passage of the Rural Cemetery Act in 1847 by the New York State Legislature, and more so after 1848 when New York City authorities banned burial grounds in lower Manhattan for health reasons (Amon n.d.; Seyfried 1995).

Before the passage of the Rural Cemetery Act, the city's deceased were interred in Church cemeteries or small family cemeteries. With the passage of the bill, a number of large cemeteries were established in Queens and Brooklyn and most of New York's dead were interred in them. As land in New York City became increasingly valuable, burials in Manhattan's cemeteries frequently were disinterred for reburial elsewhere.

During the remainder of the nineteenth century, and into the early twentieth century, Queens continued to develop, first as a suburban community and later as an urban one. By the end of the nineteenth century, 152,999 people lived in the county. On January 1, 1898, the Borough of Queens was created, consolidating with Manhattan, Brooklyn, the Bronx, and Staten Island to form the City of New York. The opening of the Queensboro Bridge in 1909 and other transportation improvements during the period, resulted in explosive population growth over the next 20 years. Many of these new comers were immigrants to the United States. The influx was such that by 1929, 1,079,129 people lived in the Borough (Seyfried and Peterson n.d.).

4.3 Historic Period to Late Twentieth Century Occupation of the Project Area

In order to investigate land use history within the project area, maps showing the pertinent section of the Newtown-Elmhurst section of the Borough of Queens were consulted. On the maps reviewed, the project area is located north of what is now Corona Avenue and west of the intersection of that thoroughfare and what is now Junction Boulevard. The intersection is located approximately 0.4 miles east of the project area along Corona Avenue. The route of Corona Avenue also makes a distinct inverted V-shaped jog in the immediate project vicinity with the subject property located just west of the apex of the V. This roadway configuration is seen on Historic period maps, providing a distinct landmark for identifying the project property on those cartographic documents. On maps post-dating 1852, the presence of the railroad (now the Long Island Railroad) north of the project area provides another location indicator.

The project parcel was owned by William Hunter, a local landowner of some note, during the late 1820's. In July 1828, four former slaves named Coles, Doyle or Peters, and Johnson, and their families, formed the United African Society (St. Mark's A.M.E. Church n.d.; Seyfried 1995. Another source refers to the four individuals who formed the Society as John Coes. George Derlin, John Peterson, and John Potter (Inskeep 2000:163). While the names Coles/Coes, Doyle/Derlin, Peters/Peterson are similar, the names Johnson and John Potter are not. Accordingly, the names of the individuals who founded the Society are problematic. On November 23rd, 1828, the Society purchased from Hunter, and his wife Jane, the one and a half acre tract of land on Union Avenue (now Corona Avenue) for \$75.00 (St. Mark's A.M.E.

Church n.d.; Seyfried 1995:19). Seyfried (1995:19), however, implies the land was provided at no cost to the Society, stating that the deed to the property reportedly stated that the land was given to the Society for the purpose of erecting a church and parsonage “and for no other purpose.” An African church was organized in an old carpenter shop on the property soon after the property transfer where the four families worshiped for a number of years until funds were raised for construction of a proper church. According to Seyfried (1995:19-20), the church was erected and the first interments placed in the surrounding land within a few years of the property’s acquisition. It is reported that a school also was established on the property (Hourhan 2006). After the death of the four founding men, the property reportedly was neglected and several white denominations used the church and, likely, its cemetery (St. Mark’s A.M.E. Church n.d.).

No structures are shown on the 1844 United States Coast Survey Map (Figure 12) as located within the current project area as of that year. One structure, likely a residence, however, is shown on the map as located to the immediate east of the property, likely within what is now 91st Street or just east of that road. Another structure is located west of the project area, west of what is now 90th Street. The map suggests that as of 1844, the project area was part of an agricultural field.

The African-American abolitionist, minister, and writer, James William Charles Pennington served as a pastor at the Newtown A.M.E. church during the 1830's and again in the late 1850's. He also served as the teacher for the school located there (Hourhan 2006). Pennington, however, is not buried at the cemetery, apparently dying in Jacksonville, Florida on October 20 or 22, 1870 (Hodges 1995:890; Hourhan 2006). Pennington was born a slave in Maryland in 1807. He escaped from bondage in Maryland around 1828 coming north where he was educated by Quakers. He initially worked as a blacksmith but later served as a pastor at the Newtown A.M.E., in Connecticut, and between 1847 and 1855, at the First (Shiloh) Presbyterian Church on Prince Street in New York City. A strong supporter of John Brown, Pennington was among the most radical of the black ministers serving in antebellum New York City. In 1851, Pennington was awarded a doctorate of divinity from the University of Heidelberg. Later, he wrote an important narrative of his years as a slave and a history of blacks in colonial America. The New York Legal Rights Association was formed in 1855 with Pennington help. The Association subsequently sued New York City to secure the right for blacks to use public transit facilities (Hodges 1995:890; Hourhan 2006).

No structures are shown on the 1852 O'Connor map (Figure 13) or 1859 Walling map (Figure 14) as located within the project area as of those years. The Walling map indicates that the railroad had been constructed as of 1859, extending past the project area to its north.

The 1866 United States Coast Survey Map (Figure 15) also does not indicate the presence of

structures within the project area as of that year. The map does indicate the presence of the Flushing Railroad, north of the current project property, and that the south side of what is now Corona Avenue (opposite the project site) had been developed by 1866.

The 1886 Beers map (Figure 16) indicates that three structures had been constructed along the north side of what is now Corona Avenue within the project area vicinity as of that year. The scale of the map suggests that none of the structures was located within the current project area. The eastern most of the buildings, identified on the map as a church, formerly was located where the structures currently at 90-31 through 90-39 Corona Avenue are situated.

It is possible that the church shown on the Beers map was built with sanitary and/or water retention features (privies, wells, cisterns) since municipal water had not been installed in nearby streets by this date (see below). Archaeological remains of such features, and of the church itself, likely would have been destroyed, however, when the existing buildings at 90-21 through 90-39 Corona Avenue were constructed.

The other two buildings shown in the project area vicinity on the 1886 map were located west of the project property. It is likely, however, that a cemetery was associated with the church's property, as indicated by subsequent Historic period maps. Such a burial ground, which would have been associated with the church from the date of its initial construction, would have extended into what is now the project area.

By 1888, the cemetery reportedly contained 310 burials (Seyfried 1995:61). Apparently, there was some question about the denomination using the property during the late nineteenth – early twentieth century period. According to the records of St. Mark's A.M.E. Church (n.d.): "In 1902, Mr. Purcell Harris [a member of the Church's Board of Trustees] inquired about the name of the denomination and after a thorough investigation, it was revealed that the property originally belonged to the Negroes. Mr. Harris employed the services of a lawyer and the property reverted back to the Negroes by court order."

The 1891 Wolverton map (Figure 17) provides a more detailed depiction of the church shown on the 1886 Beers map, identifying it as a Presbyterian Church and indicating that a cemetery was associated with it. The Wolverton map situates the church in the same location as it is shown on the 1886 Beers map, placing it outside of the current project area along Corona Avenue. The Wolverton map, however, clearly indicates that the associated cemetery extended north of the church, and possibly to its east and west as well, placing it within the bounds of the current project area. Except for the church, no other buildings are shown on the 1891 Wolverton map as located within the project area as of that year.

By the early twentieth century, the church was referred to as the Union Avenue A.M.E.

Church. An application was made, and accepted, to join the African Methodist Episcopal Church in 1906 at which point the name of the church was changed to St. Mark's A.M.E. Church (St. Mark's A.M.E. Church n.d.). A new and enlarged church was constructed on the property in 1908. The congregation was impoverished so funds for the new church were raised with the help of local white churches. The new church was completed by November 1911. Dr. Booker T. Washington, the noted scientist, spoke at the new church in 1914 as part of a fundraiser to pay the church's outstanding construction debts. At the time, however, the church was referred to as a Presbyterian Church (St. Mark's A.M.E. Church n.d.; Seyfried 1995:119).

The 1903 Hyde map (Figure 18) depicts the burial ground shown on the 1891 Wolverton map, identifying it as the Dutch Lane Cemetery. The name "Dutch Lane" for the Cemetery shown on some nineteenth century maps derives from that name given to what is now Corona Avenue (formerly Union Avenue) when that roadway was formally opened on June 1, 1823 (Seyfried 1995:25). The extent of the cemetery as shown on the Hyde map would encompass all of the current project area. A chapel is shown on the Hyde map as associated with the cemetery. The chapel is located in the same place that the Presbyterian Church is shown on the 1891 map. However, the 1903 chapel is smaller and has a different configuration than the earlier house of worship, suggesting that the 1891 church had been demolished and a smaller chapel constructed on a portion of its footprint. Other than the chapel, no structures are shown on the 1903 Hyde map as located within the current project area.

The 1903 Hyde map also indicates that municipal water had been installed below Union Avenue (now Corona Avenue) by that year. The chapel may or may not have been constructed with connections to that municipal water source. However, if a cistern, well, or privy was associated with the chapel, it likely would have been located in close proximity to the building. Archaeological remains of such features, as well as structural or stratigraphic evidence for the chapel, would have been destroyed when the existing structures at 90-31 through 90-39 Corona Avenue were constructed.

The 1909 Bromley and Bromley map (Figure 19) indicates the Dutch Lane Cemetery and three buildings within the burial ground as of that year. One building (the westernmost) is identified as a chapel, which apparently is the same building that is shown on the 1903 Hyde map. As stated above, that chapel was located where the buildings at 90-31 through 90-39 Corona Avenue currently are situated.

The other two structures shown on the 1909 Bromley and Bromley map within the project area were constructed west on the chapel. The westernmost, and larger of the two, buildings is identified on the map as a church. The structure shown east of the church (between it and the chapel), likely served as the residence of the church minister (see below). Less likely is

that the building served as a church hall or had some other ecclesiastical or cemetery-related function.

It is unlikely that water retention or sanitary features (privies, wells, cisterns) were associated with the church or likely dwelling since those buildings would have been constructed with connections to the to the municipal water system which had been installed beneath Union Avenue (Corona Avenue) sometime between 1891 and 1903 (Figures 17 and 18).

A building lot apparently had been carved from the easternmost portion of the cemetery sometime between 1903 and 1909 and sold for construction of a residence. A portion of the former backyard of the residence would have extended into the current project area. The structure probably was constructed with connections to the municipal water source, which was installed beneath Union Avenue (now Corona Avenue) sometime between 1891 and 1903 (see Figures 17 and 18). Accordingly, the structure would not have been constructed with sanitary and water retention features, which frequently are located in the former backyards of Historic period dwellings.

By 1914, according to the Sanborn map of that year (Figure 20), the chapel indicated on the 1903 Hyde and 1909 Bromley and Bromley maps was no longer present. The church and apparent dwelling shown west of the chapel on the 1909 map are depicted in the 1914 map where they are seemingly identified as Saint Marks M.E. (Methodist-Episcopal) Church and a dwelling. The dwelling likely served as the residence of the church's minister. The church and dwelling are located where the current project area building at 90-15 Corona Avenue is now situated.

The area north of the church and dwelling is indicated on the 1914 map as the "Old Cemetery." Other than the church and dwelling, no buildings are indicated on the 1914 map as located within the current project area as of that year. A roadway, S. (South) Railroad Avenue, apparently was planned to extend through the northern portion of the project area, extending along the south side of the Long Island Railroad. The road apparently was never constructed.

According to Mr. Robert Singleton of the Greater Astoria Historical Society (Singleton 2005), the houses of worship and cemetery that occupied the current project area from sometime around 1828 until sometime after 1914, served an African-American congregation, for all or part of their period of operations. Following contemporary practice, more prosperous churches reportedly financed or otherwise sponsored the project area church (and similar ethnic churches), which in turn, took the name of the sponsoring house of worship in way of recognition (Singleton 2005).

St. Mark's A.M.E. Church was the church and congregations associated with the Corona Avenue cemetery. The Church closed in 1929 or 1930 (Seyfried 1995:20 and 119). Its successor church, also referred to as St. Mark's AME, is now located at 95-18 Northern Boulevard in Queens. A request was made to the successor church for information as to the disposition of the burials at the Newtown site. They responded that they have no information on the burials in their files including information as to whether or not interments were removed from the site at any time.

Contact was made with the archivist of the First Presbyterian Church of Newtown, Ms. Marjorie Melikian. She provided information from a letter in the church's archives that cites an April 13, 1928 New York Times newspaper article that states that before Corona Avenue was widened, the borough of Queens requested St. Mark's A.M.E. Church to remove its cemetery burials for re-interment in another cemetery. The newspaper article reportedly states that they declined to do so. The letter states that when the road was subsequently widened, human remains were encountered. Twenty sets of human remains from the St. Mark's A.M.E. Church cemetery were transferred to Mt. Olivet Cemetery on Grand Avenue in Maspeth on May 21, 1928, according to information contained in the cemetery's Burial Registration Book for 1928 and its Director, Mr. David C. Gigler (2006). The Cemetery's Burial Order Book for 1928 indicates that an order was received at the cemetery for re-interring the remains on May 17th from J.W. Lane Undertaker. The transferred burials likely were those referred to in the newspaper article as encountered by the expansion of Corona Avenue. The individuals whose remains were transferred to the Mt. Olivet burial ground, according to the cemetery's records, are:

Thomas Johnson	James Peterson
Samuel Dualing	James Peterson (the two Peterson's may be father and son)
Jacob Lip	Sarah Hodges
Jesus Huff	Rachel Warren
Nicholas Coles	Carolina Johnson
Henry Stephens	David Watson
Emma Stevens	Thomas Peterson
Emma Lawrence	George Harris
Elsie Harris	Sarah Stephens
John Johnson	Katie Johnson.

The remains arrived at Mt. Olivet in four boxes and were placed in Graves Number 2 and 3 in Section C, Lot 3498. The boxes reportedly were the size of coffins. No monument has ever marked the gravesite. Each set of remains was accompanied by a Burial Permit (numbers 308-327), which indicates where the burials came from and authorized their transference to Mt. Olivet for reburial. The permits are on file at Mt. Olivet Cemetery. Examination of them

provided no further information of the St. Mark's A.M.E. Church Corona Avenue Cemetery. The cost for the reburial of the 20 individuals at Mt. Olivet was \$40.00. Both graves were dug to a depth of seven and a half feet suggesting that two boxes were laid on top of each other per grave.

The Grave Registration Book and Grave Order Book was further examined for the years 1920–1932. No additional entries for re-burials of human remains from the St. Mark's A.M.E. Church were found.

The New York Times also was reviewed for the years 1927–1930 at the New York Public Library with no further mention of St. Mark's A.M.E. church or cemetery found. The Newtown Register weekly newspaper was reviewed for the years 1928–1929 with no mention of St. Mark's A.M.E. cemetery or church found.

The manuscript Private and Family Cemeteries in the Borough of Queens published by the Queens Borough Public Library in the early twentieth century does not discuss the St. Marks A.M.E. Church graveyard in Newtown, although two other Newtown burial grounds are described (Old Newtown Cemetery and Burroughs Cemetery).

The guide to New York City Cemeteries prepared by Carolee Inskeep in 2000 reports that Saint Marks Cemetery was used between 1828 and c. 1899. Other sources, however, (see above), suggest that the cemetery was used well into the twentieth century. Inskeep cites an elder church member, probably recorded around 1975, who states that whites were not interred in the cemetery. Depending on the individual's age, the individual would be recalling events that occurred at the cemetery sometime during the late nineteenth or early twentieth century period, or else recalling statements made to him/her as a child by adults. This may indicate that the cemetery was used during the twentieth century. In any case, the individual's recollection apparently applies only to the cemetery's latter years since documentary sources (see above) apparently indicate that white congregations used St. Marks Church and cemetery for a time.

The Church's history subsequent to c. 1927 is little known, although it is known that the congregation left the site around 1929 or 1930 (St. Mark's A.M.E. Church n.d.; Seyfried 1995:119; see Figure 25). The graveyard reportedly continued to be used till 1930 but whether this means new interments were placed there till that date or that the cemetery only remained open for visitors and mourners, with interments ending years earlier, is not certain (Seyfried 1995:20; Hourhan 2006; St. Mark's A.M.E. Church n.d.).

The portion of the 1931 Sanborn map (Figure 21) that includes the current project area does not indicate the contemporary or former use of the property as a cemetery or for ecclesiastical

purposes. The 1931 map indicates that the former Saint Mark's church building served as a screen factory by that date while the dwelling located to its east still served as a residence. Six one-story auto storage garages were present in the northeastern portion of the project area by 1931 with remaining portions of the site being vacant.

By 1950, according to the Sanborn map of that year (Figure 22), a machine shop had been constructed at 90-15 Corona Avenue, on the footprint of the former church/screen factory and residence depicted on the 1903, 1909, and 1914 maps. As described in Chapter 1.1, the machine shop was built around 1948. An office (90-29 Corona Avenue) for the machine shop also had been constructed by 1950, according to the Sanborn map, just east of the northeast corner of the shop. Five auto-storage garages also were located in the northeastern portion of the project area by 1950. Remaining portions of the site were vacant. No indication of the former use of the property as a cemetery is indicated on the 1950 Sanborn map.

The 1981 Sanborn map indicates what essentially are the existing conditions within the project area (Figure 23). According to Ethan C. Eldon Associates, Inc. (2004:10), the 1981 Sanborn map indicates that by that year:

The [project] site is developed with a two-story commercial building at 90-11 Corona Avenue, the previously identified machine shop at 90-15 Corona Avenue that is occupied by "Peerless Instrument Co.", a one-story carpenter shop, and a one-story plating works facility in the northern portion of the site. The two-story commercial building was built in 1962. The plating works facility was built in 1954-1956. Other portions of the site are used for a parking lot.

The office building and automobile storage structures shown on the 1950 Sanborn map were not longer present within the project area by 1981, according to the Sanborn map of that year.

The project area property has remained unchanged in terms of its structural component since 1981 although the existing buildings are now unoccupied (Ethan C. Eldon Associates, Inc. 2004:10).

5.0 ANALYSIS OF ARCHAEOLOGICAL SENSITIVITY AND RECOMMENDATIONS

5.1 Native American Period Sensitivity

No Native American sites have been previously identified within the 90-15 Corona Avenue project area or its immediate vicinity. Prior to development, the property consisted of relatively level ground that was not in close proximity to an identified fresh water source. Such locations are considered to have no archaeological sensitivity, or only limited sensitivity, for the presence of Native American sites. Even if small Native American sites did form within the project area, extensive development across much of the property would have destroyed or extensively disturbed such resources. Project area disturbance primarily has resulted from construction of the existing commercial structures in the southern/southwestern and northern portions of the property between 1948 and 1981. Prior to that construction, the early twentieth century church and dwelling also located in the southern/southwestern portions of the property, would have impacted that area to some extent. Early twentieth century construction of the automobile storage facilities in the northern and eastern portions of the project property also would have impacted those areas to some extent. Finally, the apparent use of the property as a burial ground between 1828 and c. 1930 would have disturbed the local stratigraphy by the excavation of burial trenches.

As a result of the pre-development environmental setting of the project area and the construction and cemetery-related disturbances that occurred there during the late nineteenth and early twentieth century period, the current 90-15 Corona Avenue project area is not considered to be sensitive for the presence of Native American sites.

5.2 Historic Period Sensitivity

The current project area is considered sensitive for the presence of human interments associated with the use of at least part of the property as a church cemetery from c. 1828 to around 1930 with at least 310 interments located there by 1888. The church and burial ground reportedly served an African-American congregation for most of its period of use. According to the Historic period maps reviewed for this study, the burial ground was primarily located in the northern, eastern, and central portions of the project area. This is supported by the fact that a church and dwelling (see below) were constructed during the early twentieth century within the southern/southwestern portions of the project property. It is unlikely that buildings would have been constructed there if the area formerly served as part of the cemetery.

The documentary research suggests that only 20 burials of the multiple hundreds of interments reported for the project property were removed in 1928 from the former St. Marks A.M.E. Church cemetery. The remaining burials may remain on the property. The building that currently exists on the lot, constructed c. 1948, contains a relatively narrow basement. This could be the area from which the burials were removed and subsequently reburied in Mt. Olivet Cemetery in 1928. The major portion of the graveyard was located north of the basement. The remainder of the building, as well as the other small structure on the property, was built on a concrete slab. Perhaps this mode of construction was intentionally chosen with the knowledge that human burials were present in the area.

Much of the center and eastern portions of the project property are now a parking lot, and served as such for much of the twentieth century. No construction apparently ever occurred in the area. In addition, other than the 20 burials removed no indications were found by the research conducted for this study that additional interments were disinterred during or after the period when the property served as a church burial ground. Even if the burials were disinterred in all or certain areas, it is possible that some were inadvertently overlooked. In addition, construction of the foundations for the two 1-story structures currently located in the northern portion of the project area may not have extent deep enough to have impacted any interments that may have remained in that portion of the property. However, it is likely that construction of the existing buildings at 90-15 and 90-11 Corona Avenue would have disturbed any burials located in that area.

As a result of the cartographic and other documentary evidence for the presence of the early nineteenth to early twentieth century cemetery on the property, and the lack of extensive ground disturbance activities in its central, eastern, and northern parts, portions of the project area (northern and central parts) are considered to be sensitive for the presence of an early nineteenth to early twentieth century burial ground (Figure 24).

The former locations of the church and dwelling, probably the residence of the church minister, that were located within the southern/southwestern portion of the project area after 1903 are now part of the footprint of the existing masonry structure at 90-15 Corona Avenue. Construction of the masonry building would have destroyed any structural remains or deposits associated with the occupations of the church and dwelling. Municipal water was available in local streets when the structures were constructed so it is likely that they contained connections to that source and did not have associated water retention or sanitary features.

The former backyard of an early twentieth century dwelling that fronted onto Union Avenue at what is now 90-49 Corona Avenue extended into the eastern portion of the project area. Municipal water was available in local streets when the dwelling was constructed so it is

likely that it contained a connection to that source and did not have associated water retention or sanitary features.

Accordingly, due to the date of construction of these structures and the extent of prior ground disturbance in the southern/southwestern portions of the project area, the property is not considered to be sensitive for the presence of domestic-type archaeological resources.

No other Historic period event or activity was identified during the research conducted for this investigation, which could have resulted in the deposition of artifact deposits within the current project area.

5.3 Architectural Resources

The existing masonry commercial buildings located within the current project area (see Figures 5 – 11, 22, and 23) were constructed sometime between 1948 and 1981. They will be demolished as part of the proposed development project. None of the structures are considered to have potential historic and/or architectural value and additional evaluation of them is not warranted.

5.4 Recommendations

A multi-phase program of Phase Ib-level sub-surface testing should be conducted within the portions of the project area determined to be archaeologically sensitive for the presence of human interments (see Figure 24) as part of the present construction project. The scope of the investigation should be detailed in a field testing program developed by a qualified archaeologist following consultation with staff at the New York City Landmarks Preservation Commission and other appropriate parties interested in the former cemetery located within the project property.

The principal interested party is the Pastor and congregation of Saint Mark's A.M.E. Church on Northern Boulevard, the successor church to that formerly located in the project area. Other potentially interested parties could include the Queens Historical Society and the Presbyterian Historical Society. Although concentrated efforts to resolve issues concerning the disposition of human remains with the principal interested parties were attempted, these issues could not be resolved in a timely manner. The client therefore, appealed to the LPC and the BSA for relief. Please see the documents located in Appendix B for the current disposition of this matter.

The field testing plan should be developed well prior to any archaeological excavations within the project area and submitted to the New York City Landmarks Preservation Commission for approval. The initial phase of testing could consist of the excavation of a number of continuous sampling geotechnical borings to determine the thickness of any fill layers that may be present and the depth below current grade of any former ground surfaces present. Based upon this information, a determination will be made as to whether remote sensing investigation of the site is appropriate and should be undertaken. The type of remote sensing investigation most appropriate for the site given existing project area conditions also will be determined.

Based on the geotechnical borings and possible remote sensing investigation, following the removal of fill by mechanized machinery, excavation of a series of manual archaeological test units may be undertaken within the sensitive area to expose any former ground surfaces identified.

If stratigraphic or other evidence for the presence of the burial ground is encountered, further investigations of the site will cease and staff at the New York City Landmarks Preservation Commission immediately informed. Further consultations will be held with Landmarks Commission staff as to the manner in which to proceed.

As part of the sub-surface investigation, additional documentary research should be conducted on the cemetery and churches formerly located within the project area, as well as on those identified as buried there. That research should focus on the ethnicity of those buried, the possible number of interments present in the cemetery, and the possible use of grave markers and other monuments at the cemetery, among other issues.

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APPENDIX A
FIGURES

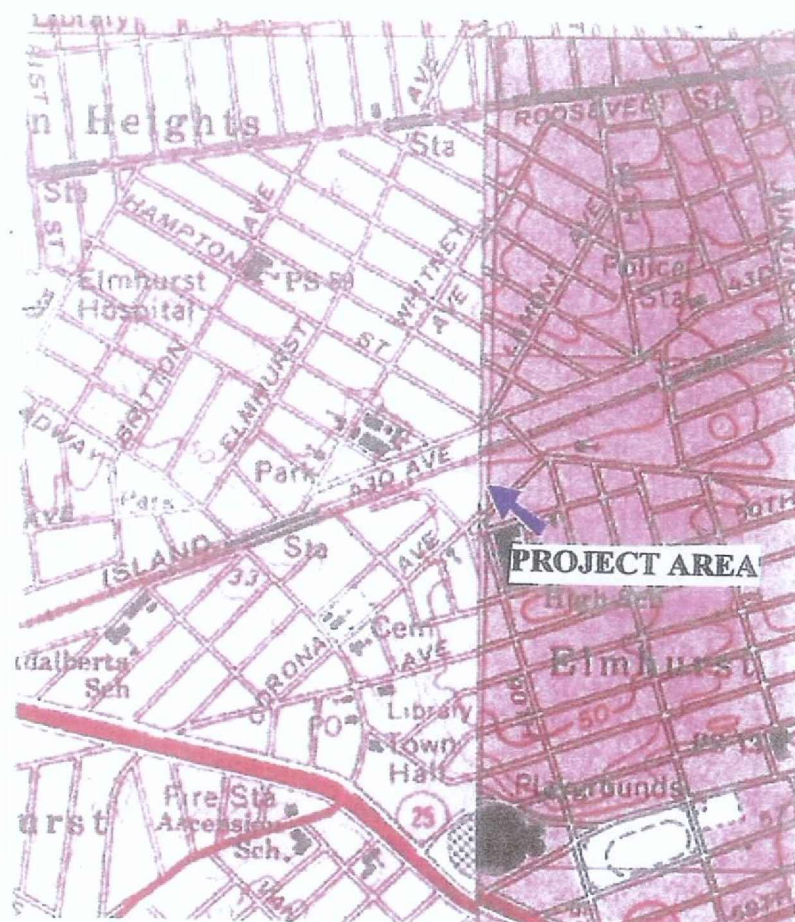
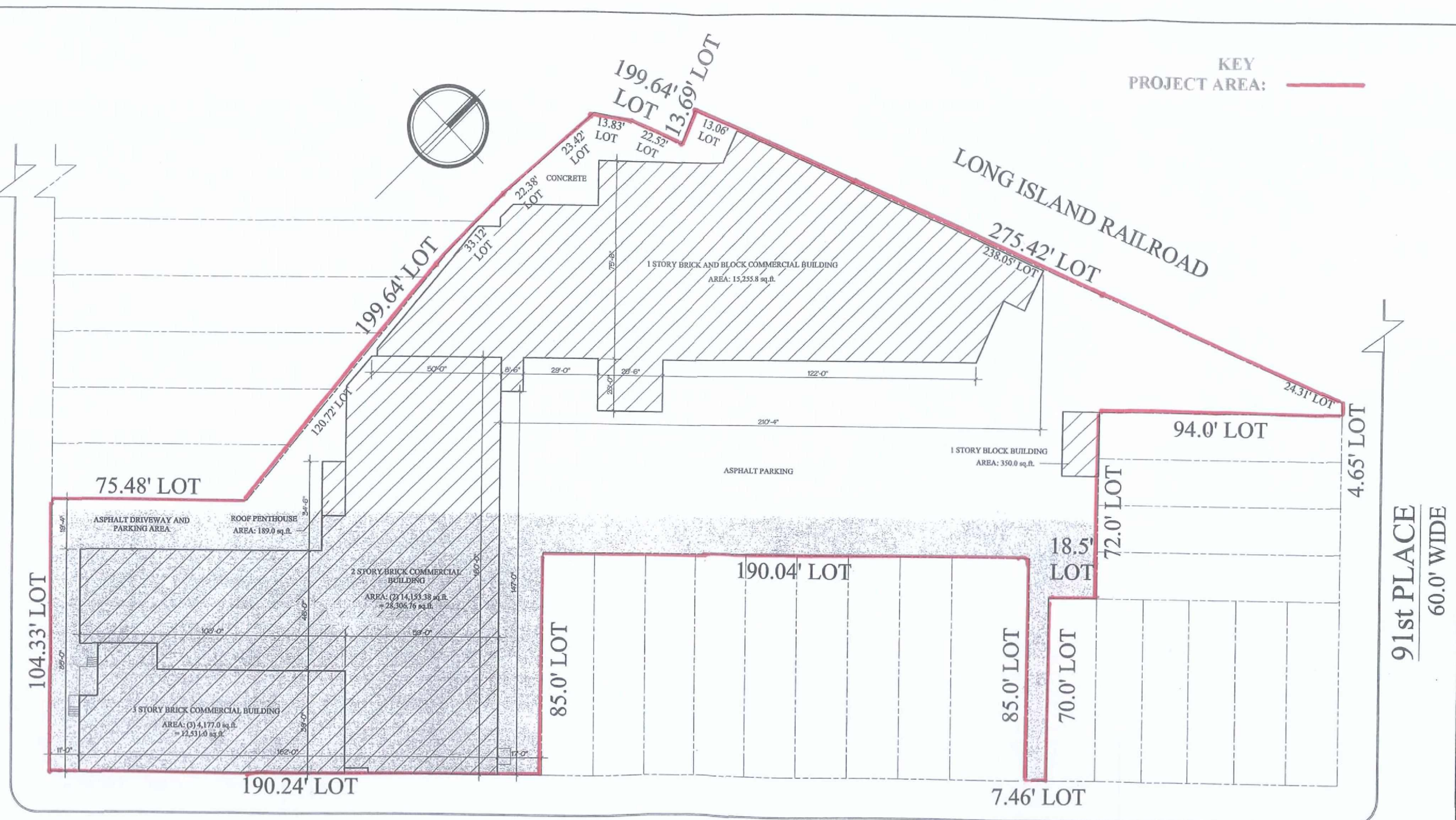


Figure 1
 Proposed 90-95 Corona Avenue Project Area Region
 Source: United States Geological Survey 1966
 Scale of Original: 1:24,000
 Contour Interval: 10 feet

Arrow indicates approximate location of the project area.

90th STREET
50.0' WIDE



KEY
PROJECT AREA: ———

PLOT PLAN



- ☐ DENOTES RESIDENTIAL DISTRICT (R6B)
- ☐ DENOTES COMMERCIAL OVERLAY (C2-3)

CORONA AVENUE
80.0' WIDE

Figure 2
Proposed 90-15 Corona Avenue Project Area Location
Source: Bricolage Designs: 2004a



ARCHITECTS
PLANNERS
CONSULTANTS
6321 New Utrecht Avenue
Brooklyn, N.Y. 11219

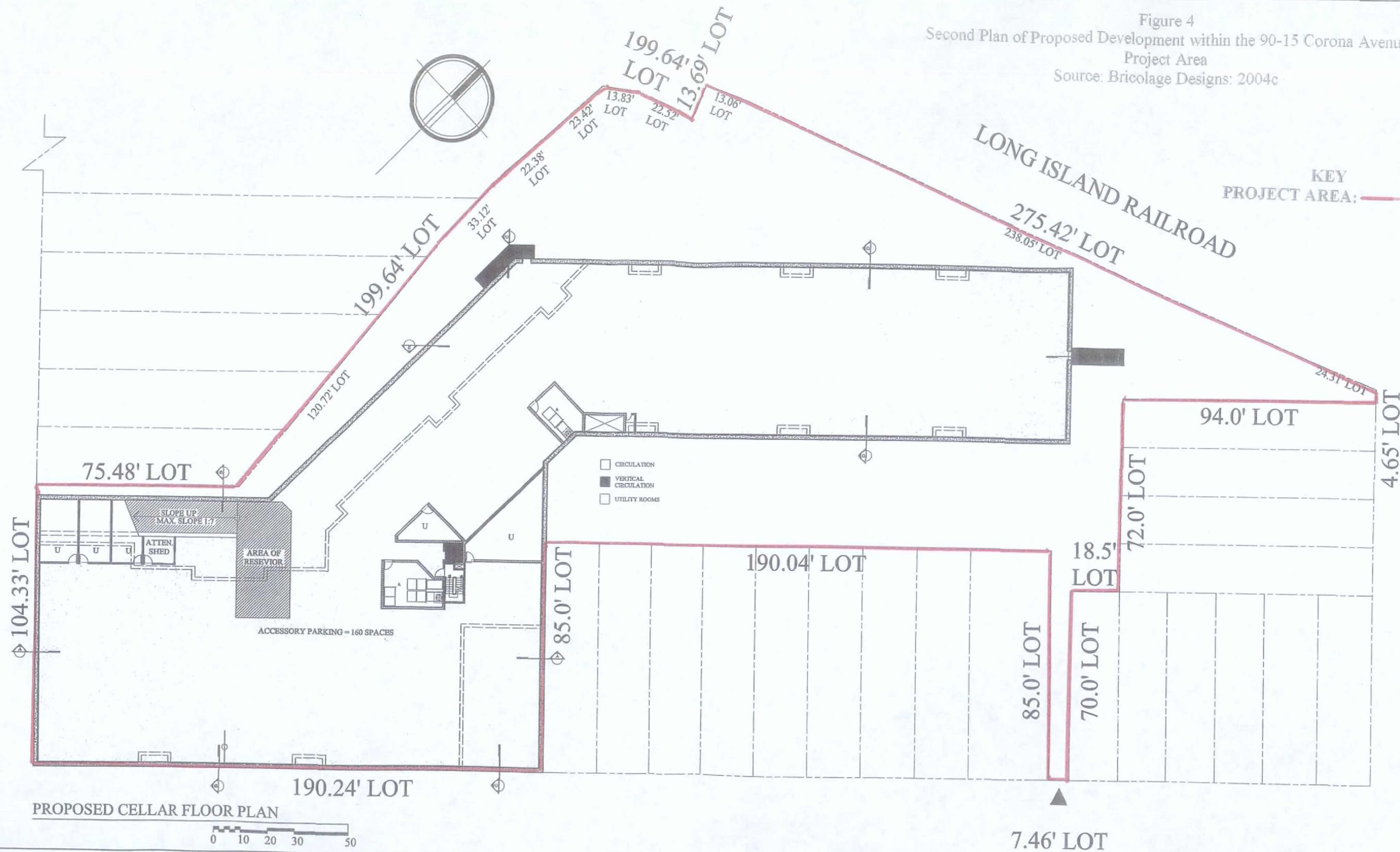
Existing Plot Plan
Existing Multi-Story Masonry and Concrete
Commercial Building Located at 9015
Corona Avenue, Queens, New York

REVISIONS:

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DATE: September 2, 2004
DRAWING No.:
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Figure 4
Second Plan of Proposed Development within the 90-15 Corona Avenue
Project Area
Source: Bricolage Designs: 2004c



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ARCHITECTS
PLANNERS
CONSULTANTS

6321 New Utrecht Avenue
Brooklyn, N.Y. 11219
Tel. 718.259.1100
Fax. 718.259.0111

Proposed Cellar Floor Plan
Proposed New Five (5) Story and Nine (9) Story
Residential and Commercial Masonry Building Located
at 9015 Corona Avenue, Queens, New York

Client:

REVISIONS:

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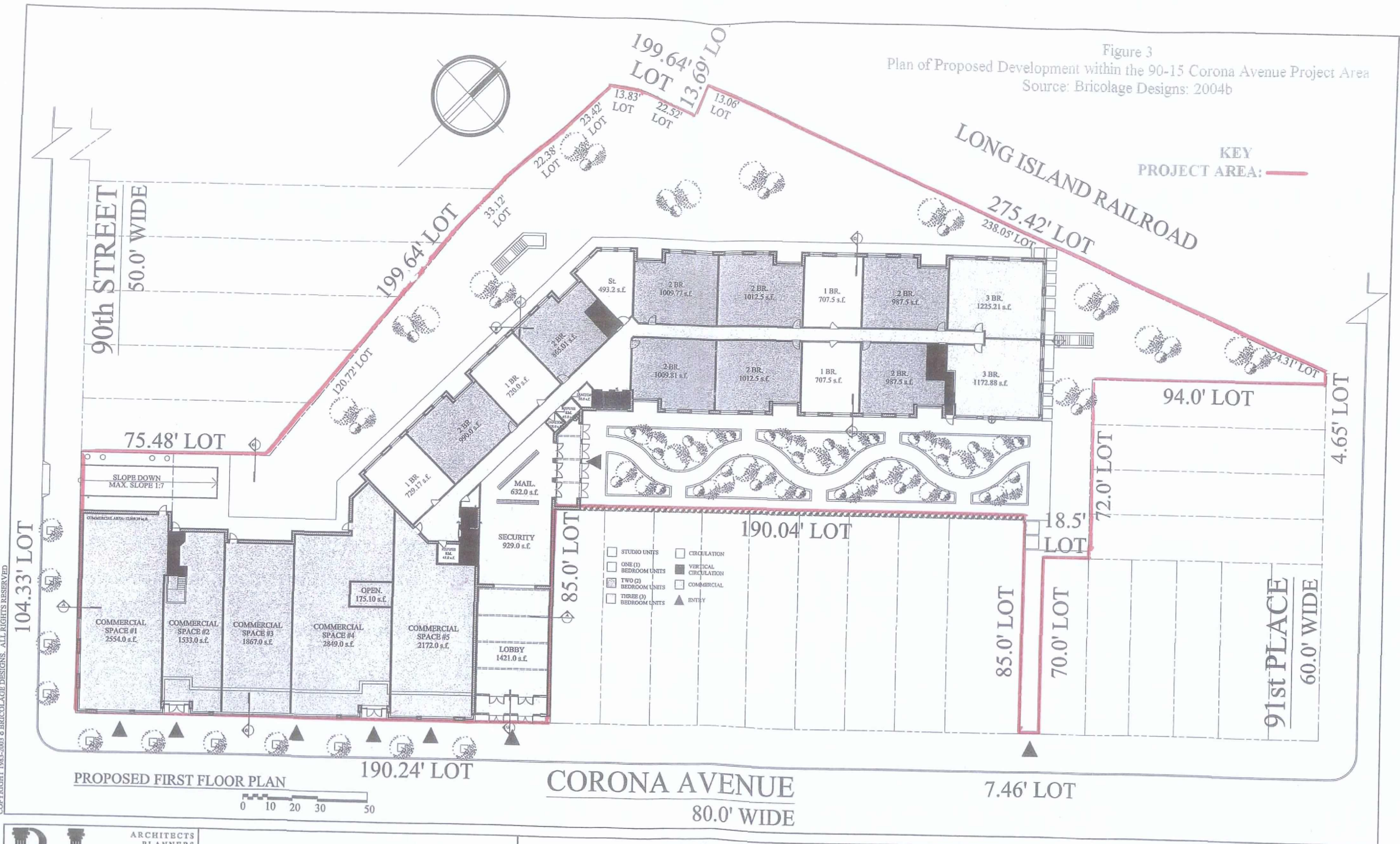
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3 OF 18

Figure 3
Plan of Proposed Development within the 90-15 Corona Avenue Project Area
Source: Bricolage Designs: 2004b



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ARCHITECTS
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6321 New Utrecht Avenue
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Proposed First Floor Plan
Proposed New Five (5) Story and Nine (9) Story
Residential and Commercial Masonry Building Located
at 9015 Corona Avenue, Queens, New York
Client:

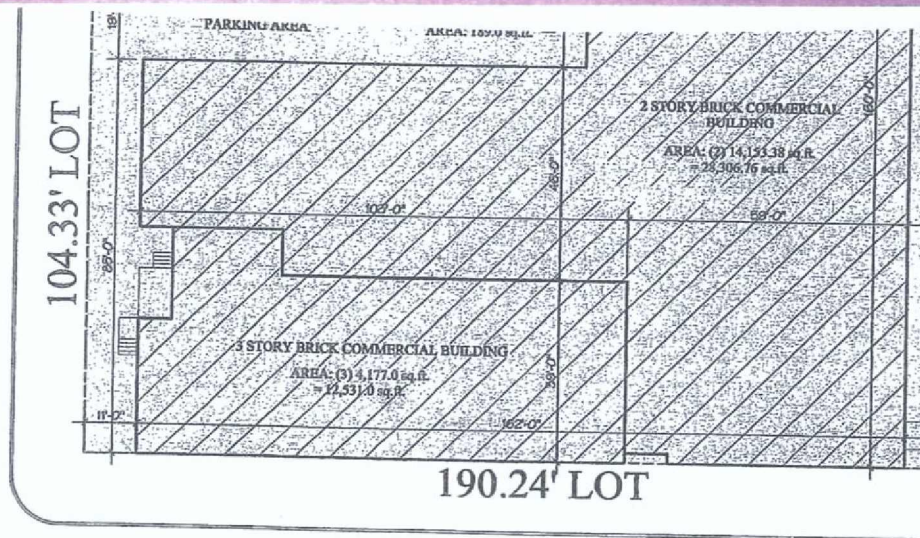
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90th ST
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PLOT PLAN

0 5 10 15 20

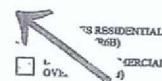


Figure 5
90-15 Corona Avenue – Southern Façade of Existing Project Area
Building Fronting onto Corona Avenue; View is to the Northwest

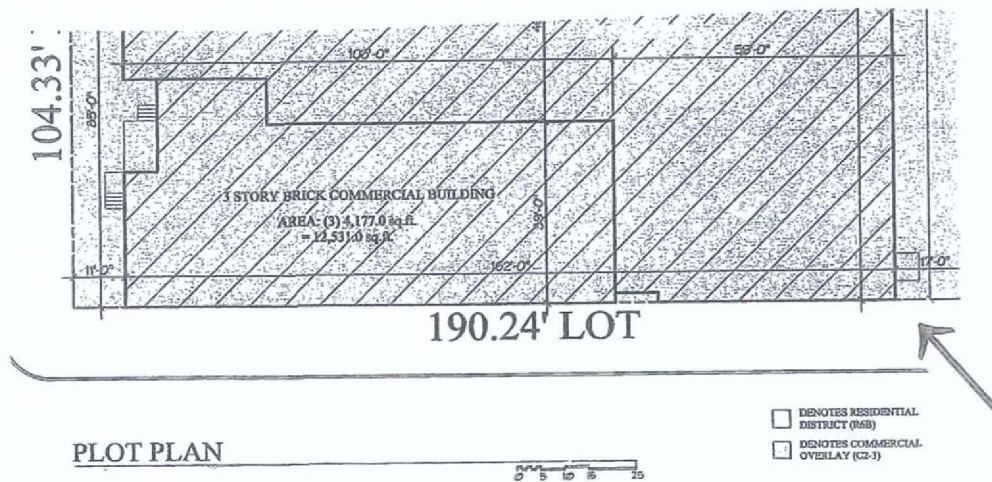


Figure 6
Southeast Corner of Existing Building at 90-15 Corona Avenue;
View is to the West/Northwest

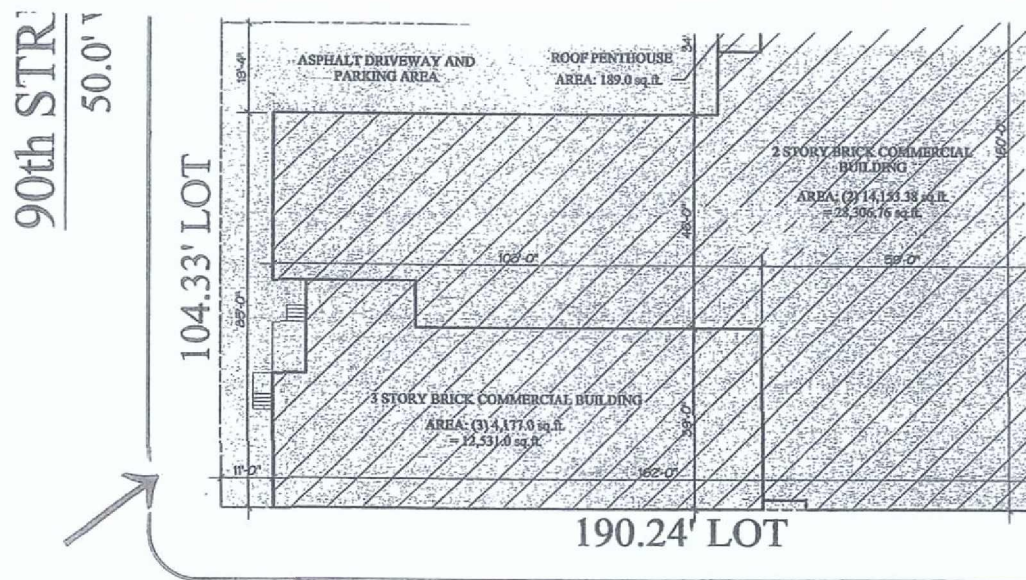


Figure 7
Southern/Southwestern Facades of Existing Building at
90-15 Corona Avenue; View is to the North/Northeast

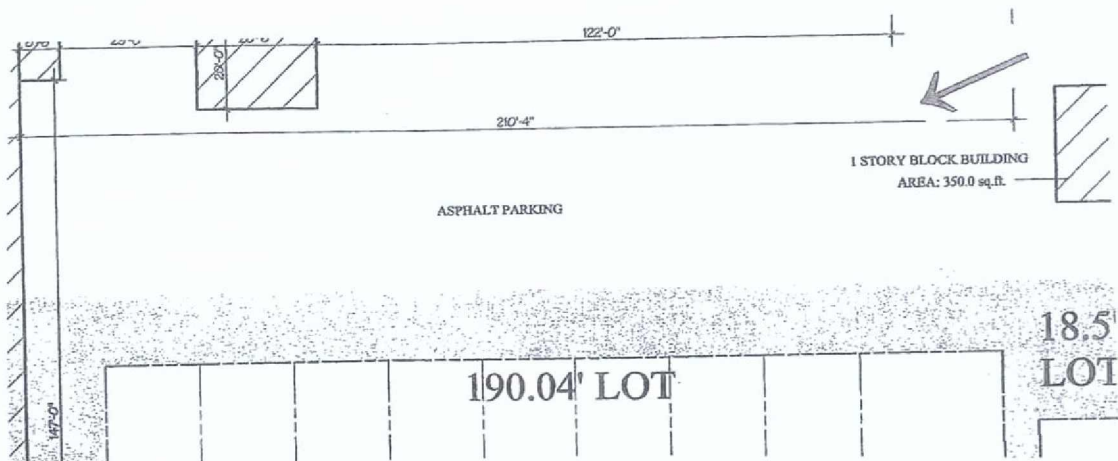


Figure 8
Existing Parking Lot within the Project Area; Existing One-Story Project Area
Buildings to Right; Existing Building at 90-15 Corona Avenue in Background;
View is to the South/Southwest

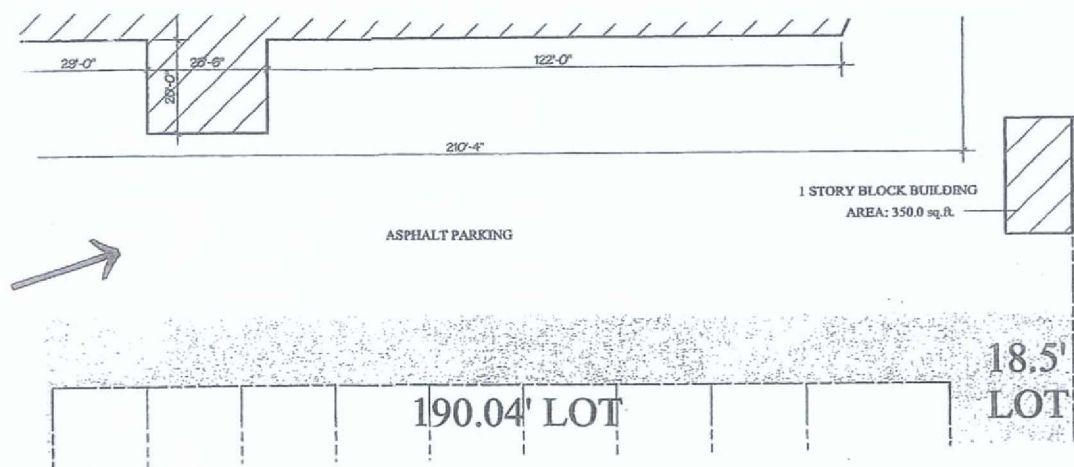


Figure 9
Existing Parking Lot within the Project Area; Existing One-Story Project Area
Buildings to Left and in Background; View is to the North/Northeast

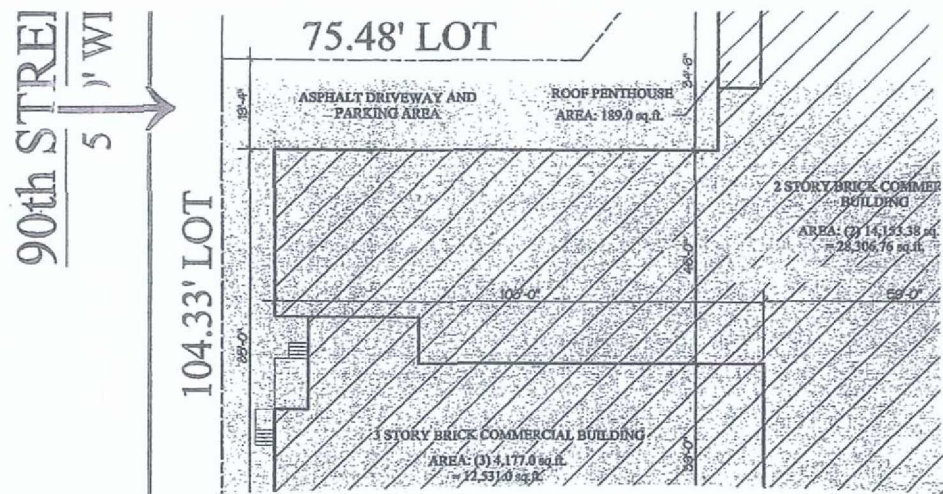


Figure 10
Alley/Access Drive at Southwestern Corner of 90-15 Corona Avenue;
View is to the North/Northeast

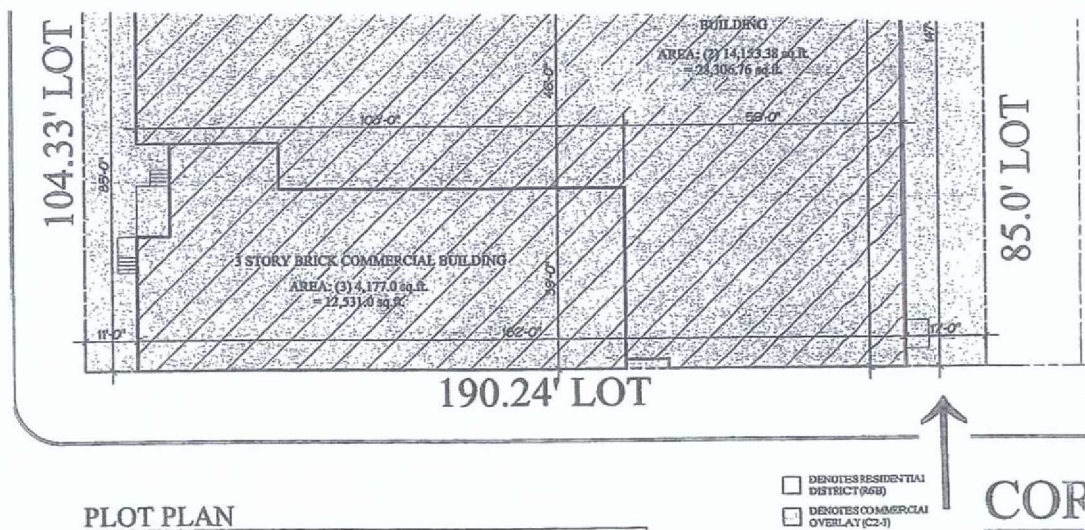


Figure 11
Main Entrance to Parking Lot – East of Existing Building at
90-15 Corona Avenue; View is to the North



Figure 12
1844 United States Coast Survey Map
Scale of Original: 1:80,000

Arrow indicates approximate location of the project area.

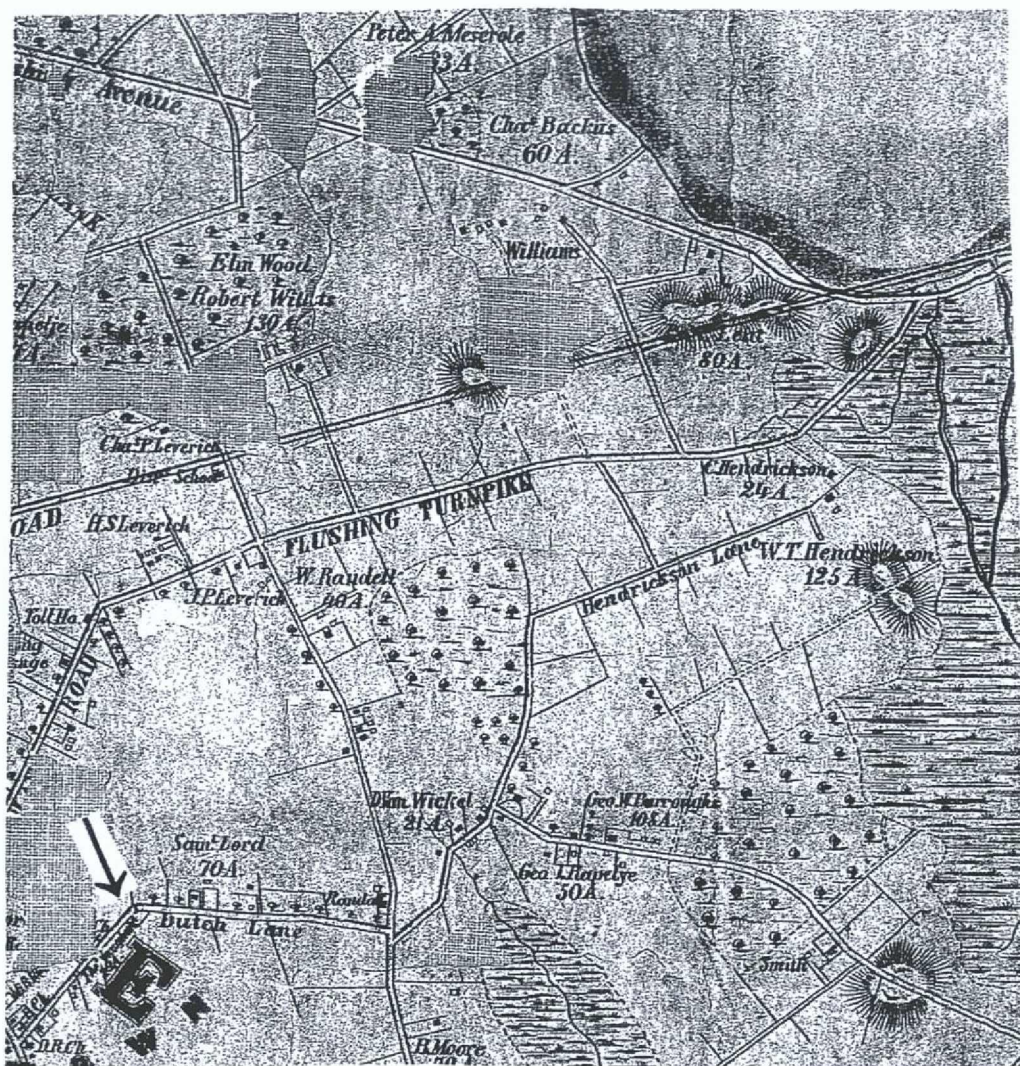


Figure 13
1852 O'Connor Map
Scale of Original: 6.75 inches = 2 miles

Arrow indicates approximate location of the project area.

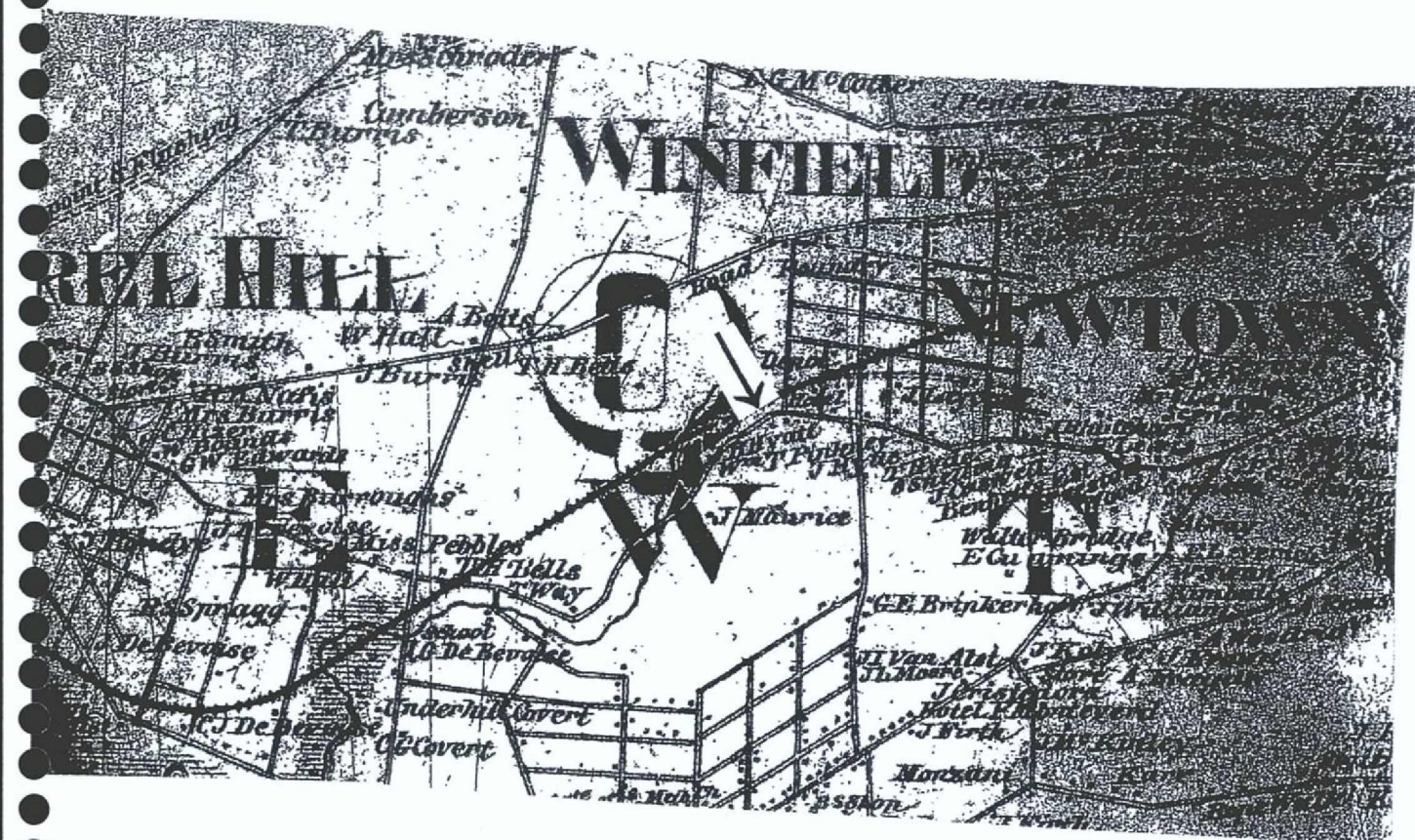


Figure 14
1859 Walling Map

Scale of Original: 1 inch = approximately 3,413 feet

Arrow indicates approximate location of the project area.

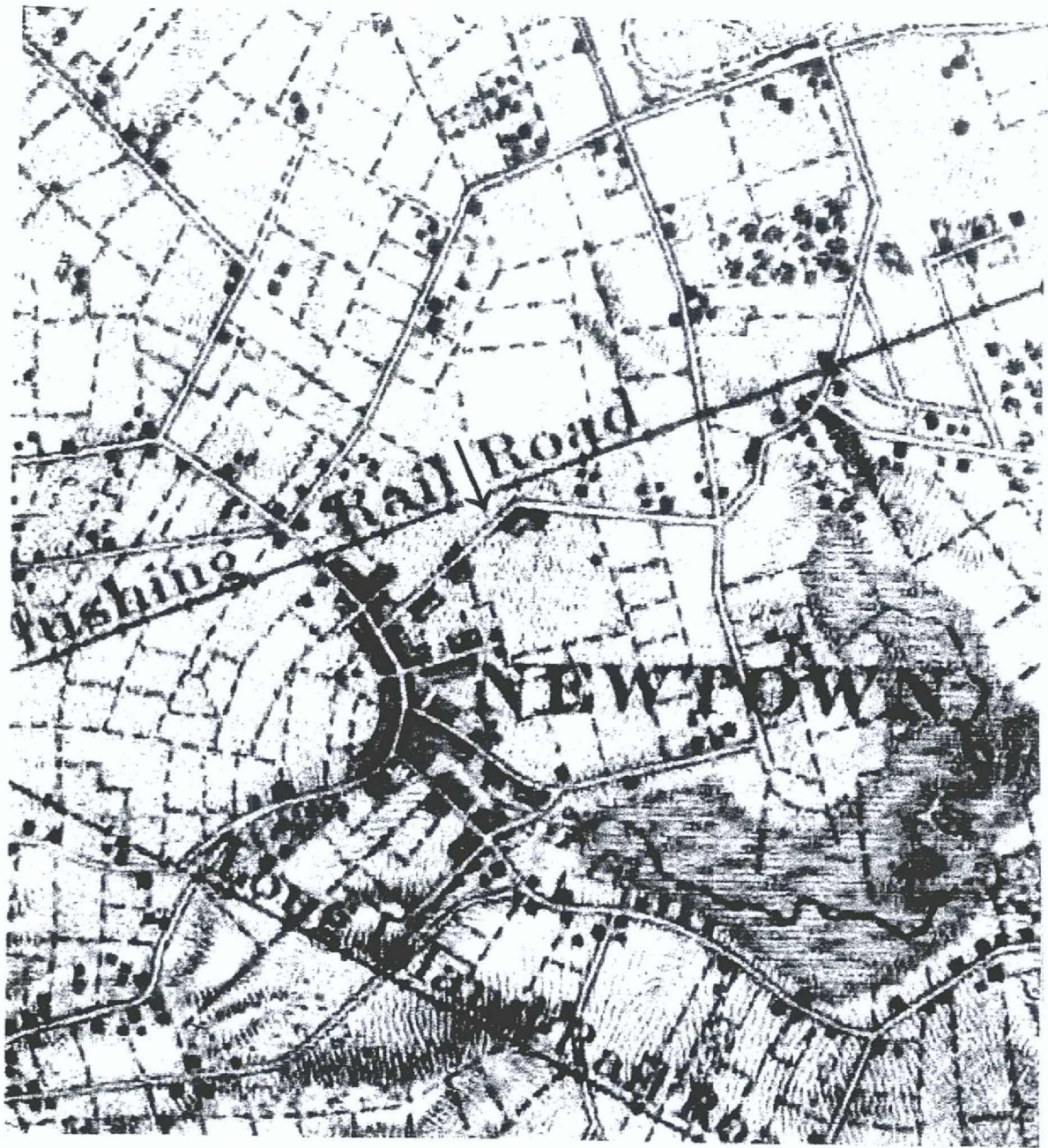


Figure 15
1866 United States Coast Survey Map
Scale of Original: 1:80,000

Arrow indicates approximate location of the project area.

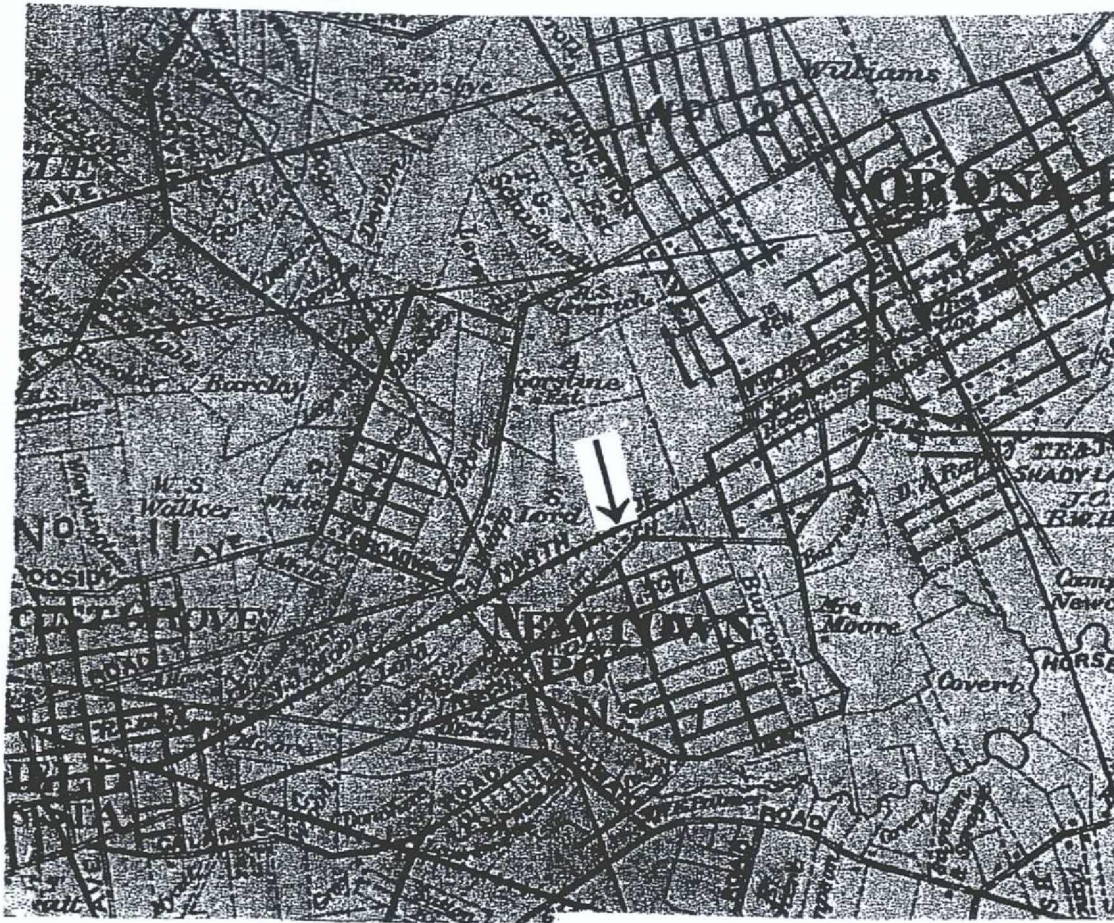


Figure 16
1886 Beers Map
Scale of Original: 1 inch = 3,200 feet

Arrow indicates approximate location of the project area.

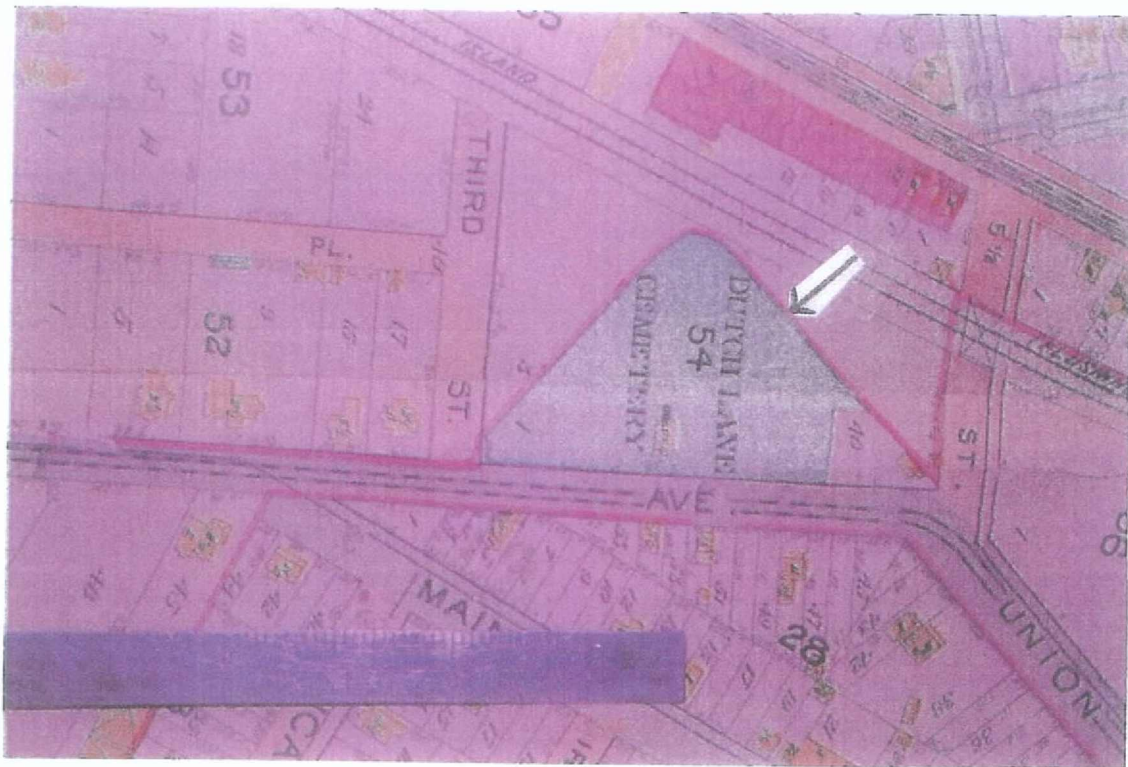


Figure 18
1903 Hyde Map
Scale of Original: 1 inch = 160 feet

Arrow indicates approximate location of the project area.

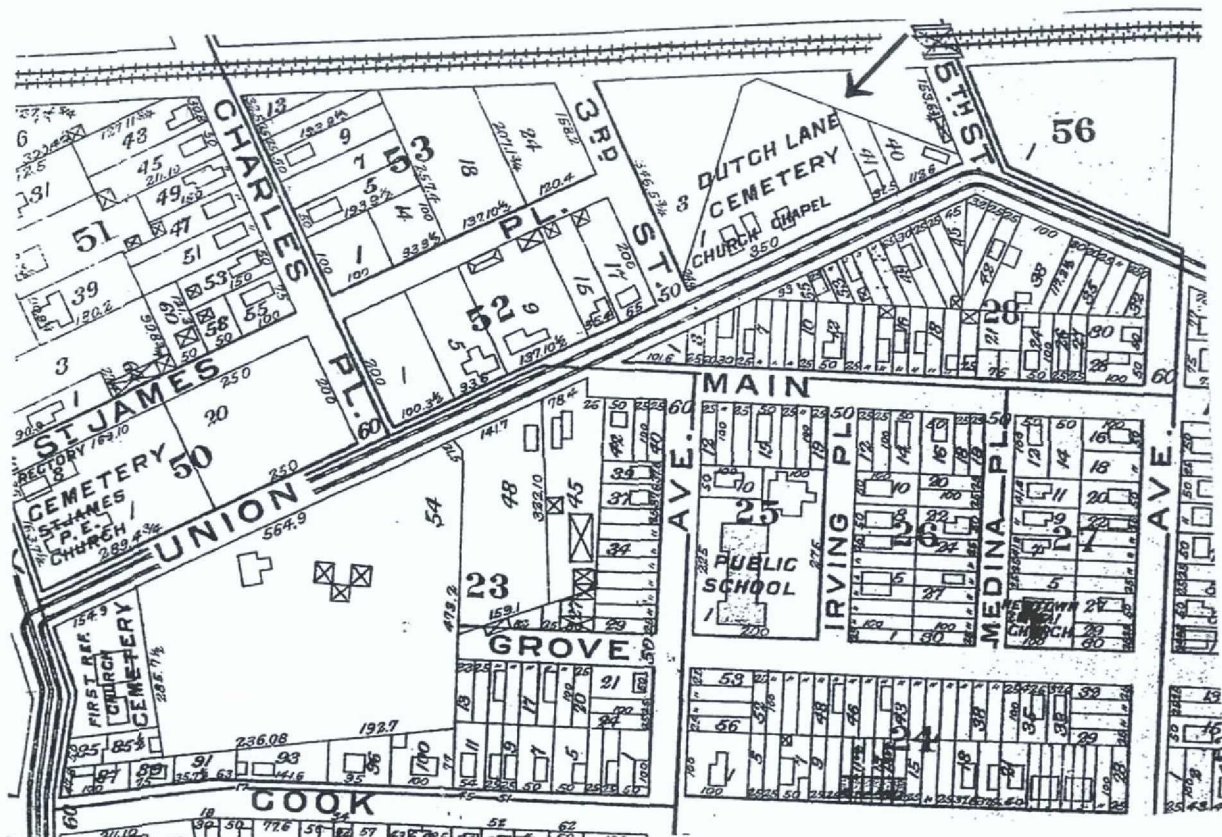


Figure 19
 1909 Bromley and Bromley
 Scale of Original: 1 inch = 300 feet

Arrow indicates approximate location of the project area.

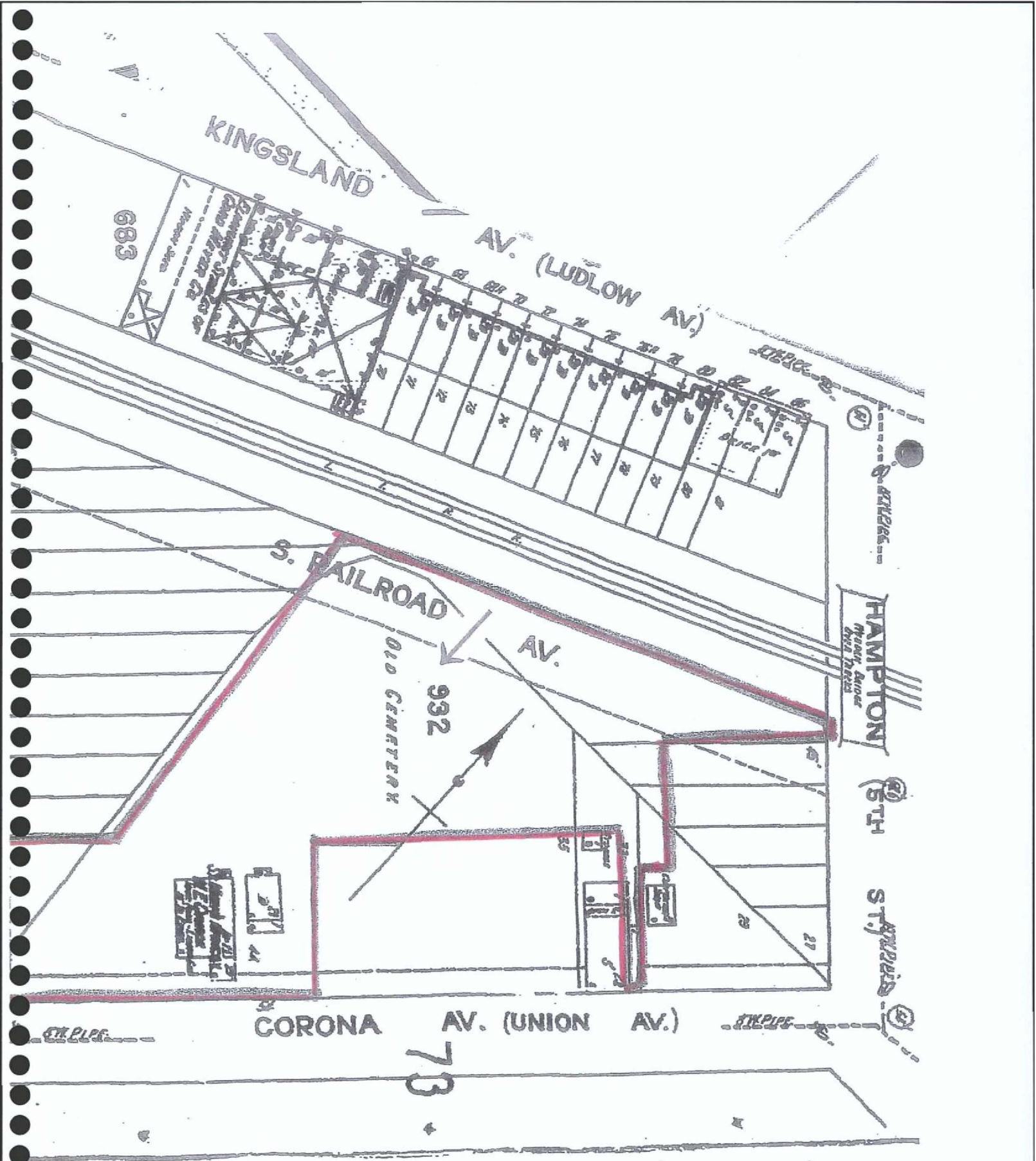


Figure 20
 1914 Sanborn Map
 Scale of Original: 1 inch = 100 feet

1914

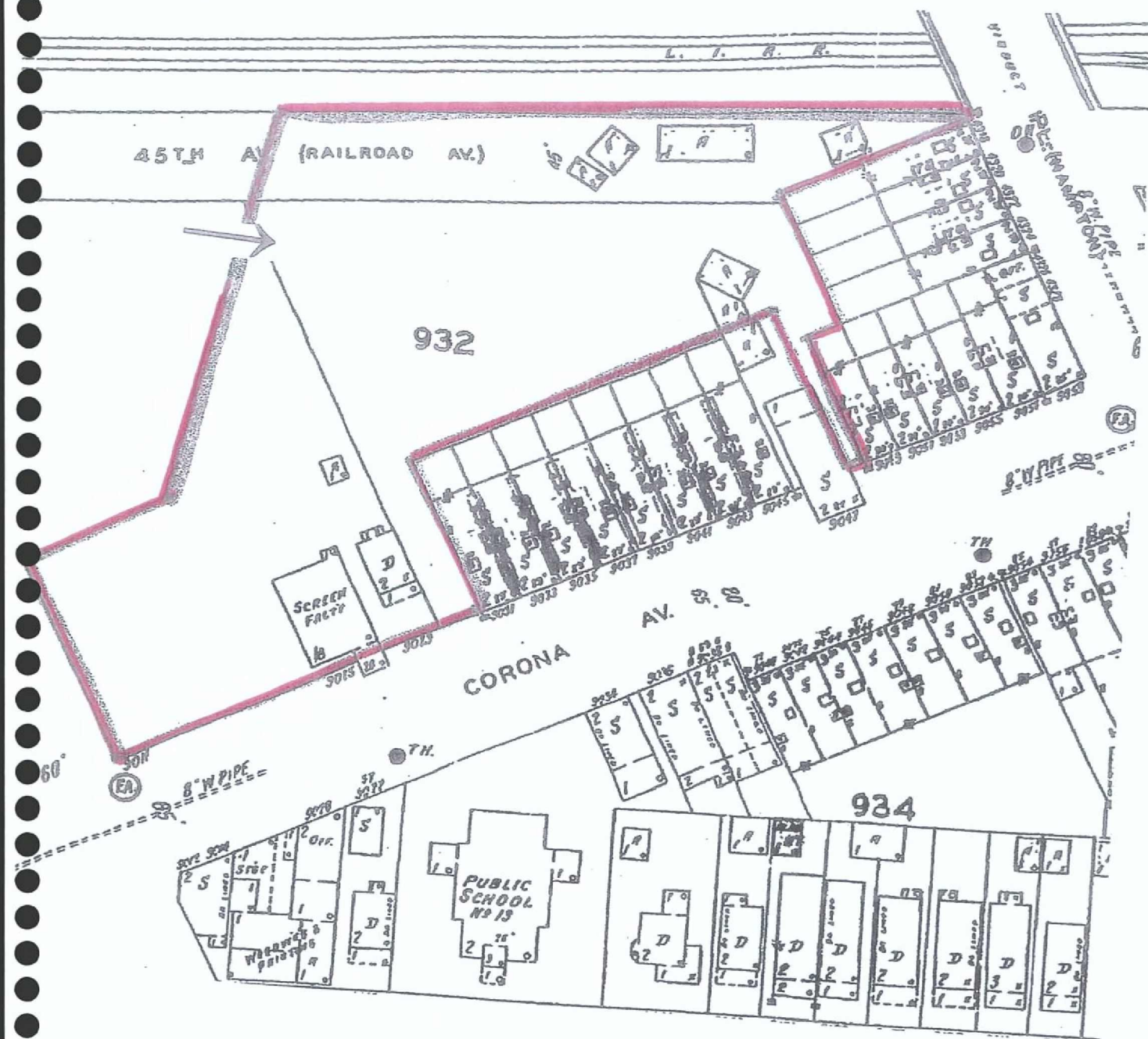


Figure 21
 1931 Sanborn Map
 Scale of Original: 1 inch = 100 feet

Arrow indicates approximate location of the project area.

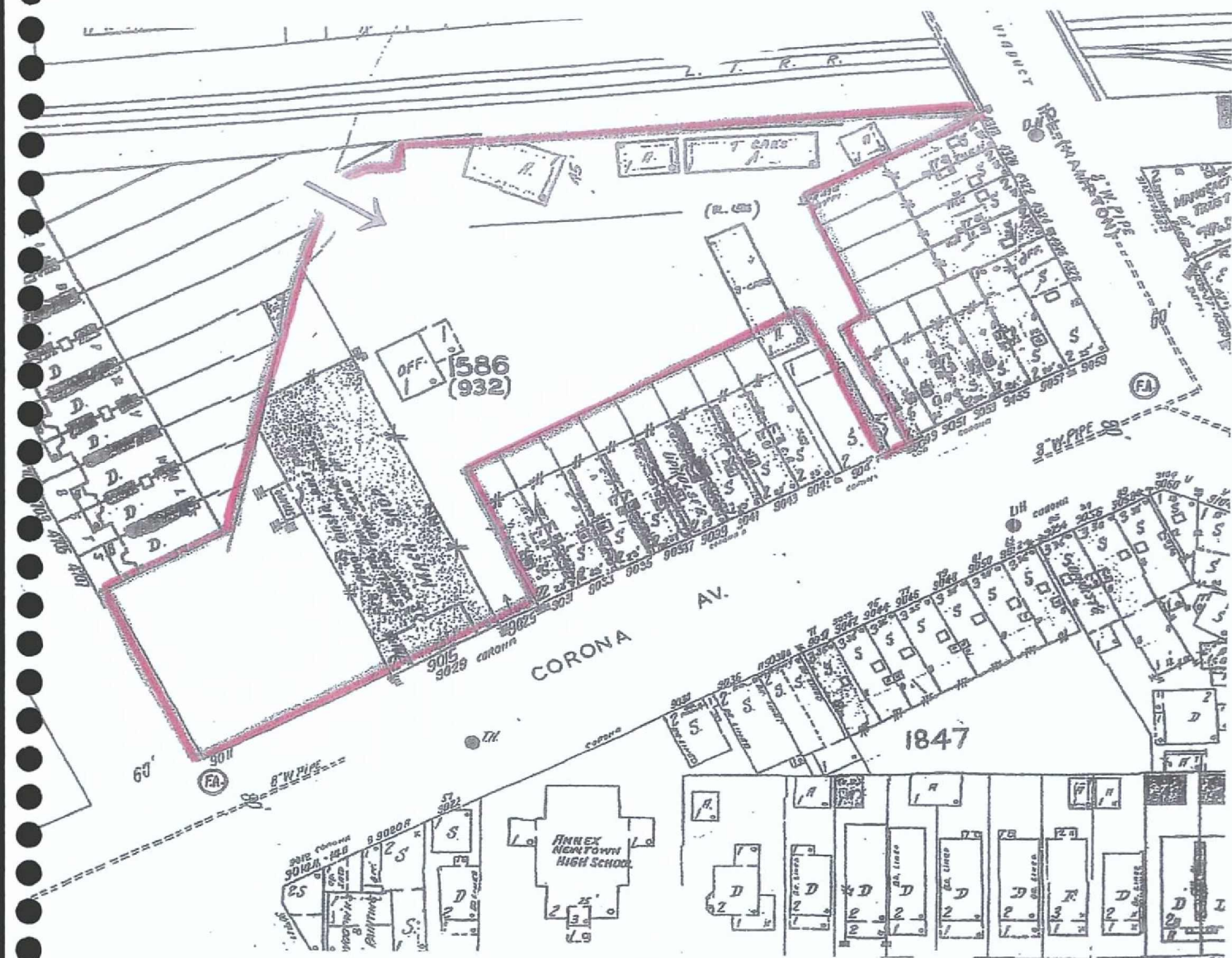


Figure 22
 1950 Sanborn Map
 Scale of Original: 1 inch = 100 feet

Arrow indicates approximate location of the project area.

Figure 23
1981 Sanborn Map
Scale of Original: 1 inch = 100 feet

Arrow indicates approximate location of the project area.

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90th STREET
50.0' WIDE

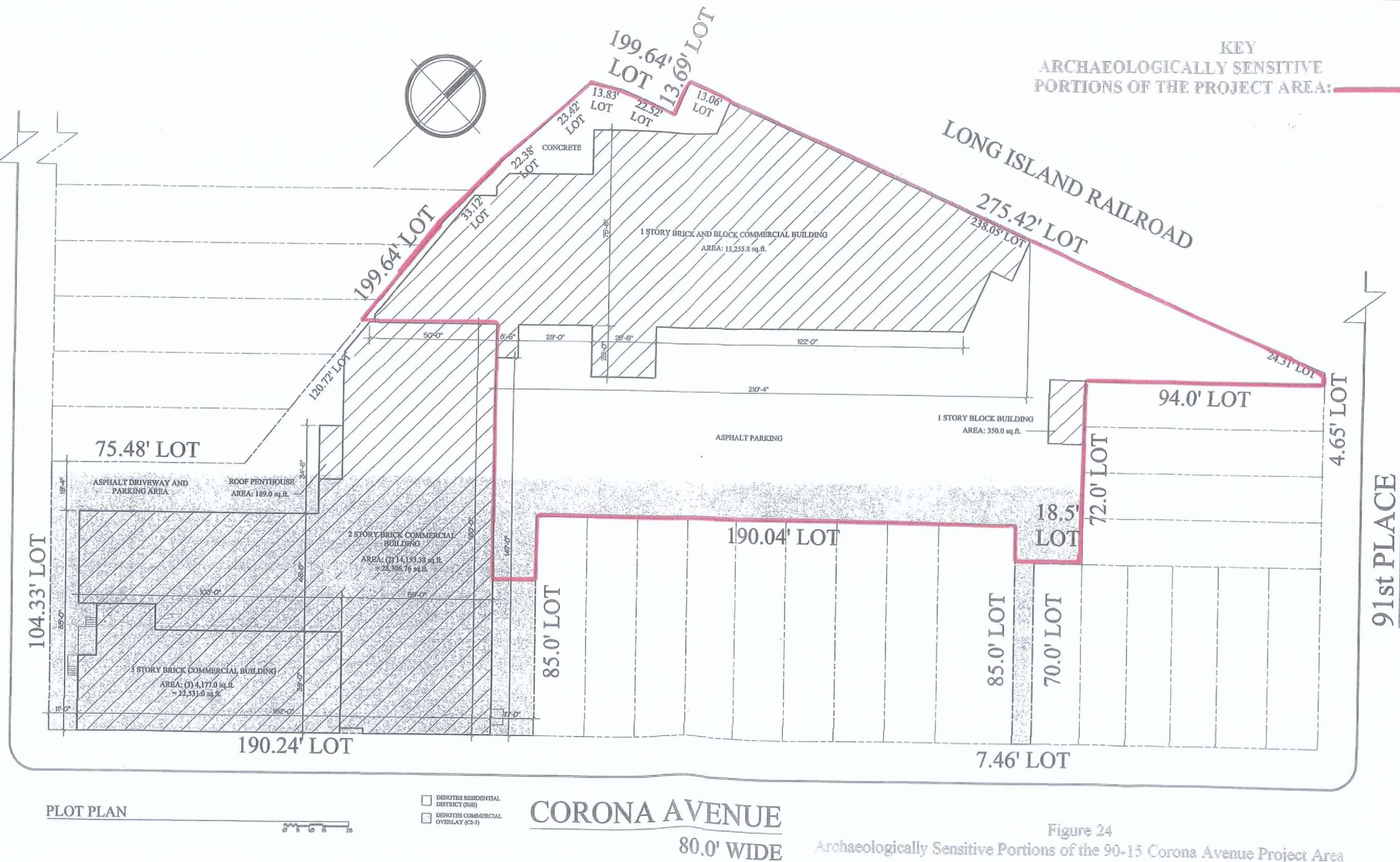


Figure 24
Archaeologically Sensitive Portions of the 90-15 Corona Avenue Project Area

ARCHITECTS
PLANNERS
CONSULTANTS
6321 New Utrecht Avenue
Brooklyn, N.Y. 11219

Existing Plot Plan
Existing Multi-Story Masonry and Concrete
Commercial Building Located at 9015
Corona Avenue, Queens, New York

REVISIONS:

1	
2	
3	
4	
5	

DATE: September 2, 2004
DRAWING No.:
E1

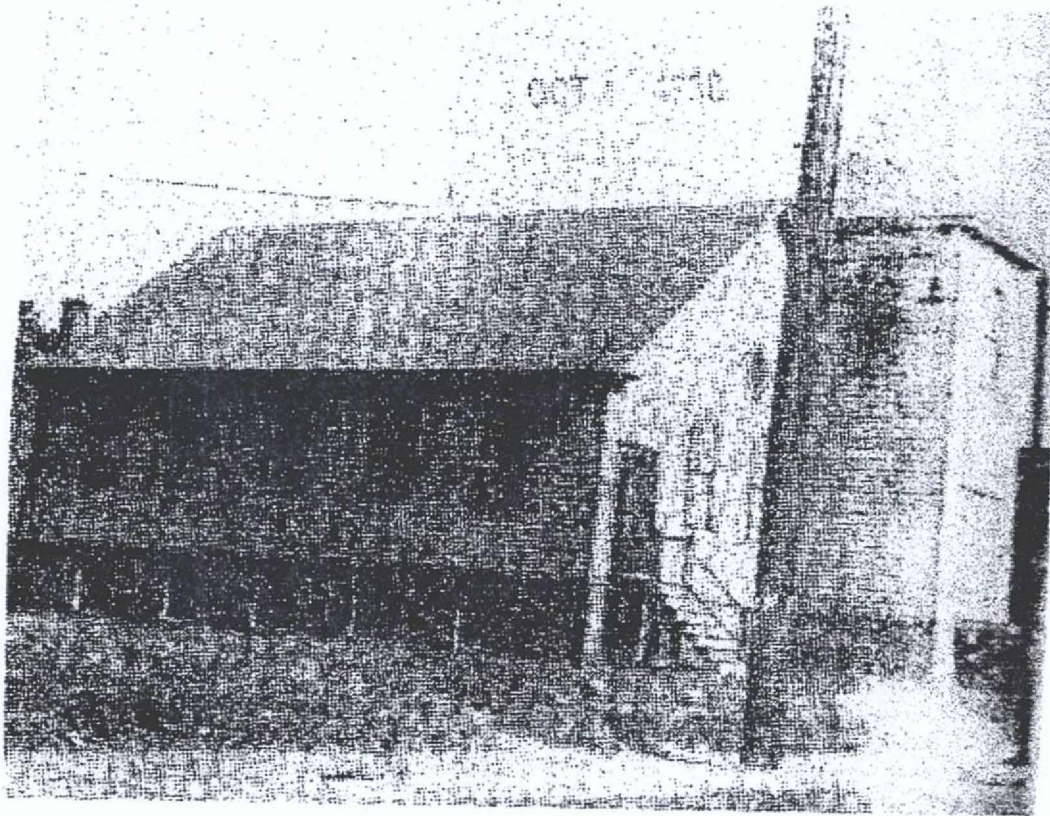


Figure 25
Saint Mark's A.M.C. Church, Corona Avenue c. 1929-1930
Source: Seyfried 1995

APPENDIX B
SUPPLEMENTAL DOCUMENTS



A PROFESSIONAL CORPORATION

17TH FLOOR 909 THIRD AVENUE NEW YORK, NY 10022-7431 212.509.9400 800.437.7040 212.207.4938 FAX www.cozen.com

July 31, 2006

Howard B. Hornstein
Direct Phone 212.453.3796
Direct Fax 866.832.7199
hbornstein@cozen.com

Amanda Sutphin
Director of Archeology
Landmarks Preservation Commission
1 Centre Street
9th Floor
New York, NY 10007

Rory Levy
CEQR Examiner
Board of Standards & Appeals
40 Rector Street
New York, NY 10006

Re: 90-15 Corona Avenue, Queens
BSA Number 47-05-BZ
CEQR Number: 05BSA102Q

Dear Ms. Sutphin and Mr. Levy:

The referenced case is currently before the Board with a decision scheduled for August 15, 2006. A number of months ago, the qualitative issues for the underlying variance were resolved. Formatting issues also appear to have been resolved. However, the CEQR remains open for issues relating to archeology, specifically relating to the likely presence of bodies of from a 19th / early 20th Century church graveyard.

The successor to the original church is St. Marks A.M.E. Church at 95-18 Northern Boulevard. Our initial contact with the church, through our archeologist, was to determine what records, if any, were available relating to the burials at the site. Although St. Marks is clearly the successor church, the current church has no records or other information concerning who would

be interred at the site, other than the generally held knowledge that there was once a cemetery and that there is a strong possibility that bodies remain on the site.

Later in the process, we were informed through our archeologist that Landmarks wanted us to make contact with the successor church to arrive at an understanding of how bodies will be dealt with if / when they are encountered. In that regard we initially reached out to the general leadership of the New York City A.M.E. churches in April of 2006. They advised us to speak with Ervin Eadie of St. Marks Church. We then reached out to Mr. Eadie, sending him information about the general issue and requesting a meeting with him and / or the appropriate leadership from the Church. We are not quite sure why, but initially it was difficult to arrange a meeting. However, a meeting was eventually scheduled for June 5, 2006 with a person whom we understood to be a church elder.

Shortly before the June 5 meeting, we were contacted by the Church and requested to postpone the meeting as a new Pastor was soon to be installed for the congregation. The Church leadership felt that the issue should more appropriately be dealt with by the Pastor, who was expected in 1-2 weeks. In late June we were finally advised that the new Pastor was arriving, but he was going on a trip / vacation, and would be available in July. Shortly after the July 4, 2006 holiday, our office spoke with Mr. Eadie, who informed us that the new Pastor had died.

Since that time, we have been attempting to set up a meeting through Mr. Eadie for anyone in an appropriate Church leadership position, as it is unclear when a new Pastor will be in place. While we do not think the Church is purposely avoiding the issue, it does not appear to be a priority. In the meantime, our clients are running into extreme financial straits, with their loan likely to be defaulted (they have been carrying the vacant building for over two years). Our clients are very mindful of the sensitive nature of the potential burials at the site and fully intend to respectfully handle the bodies in a dignified manner and have been anxiously awaiting the yet to materialize meeting(s) with the Church.

We propose that the restrictive declaration be executed now, with Landmarks having control over our field work. By getting the go ahead to execute the declarations and obtain the BSA approval, our clients will be able to rearrange financing / bring partners into the project, maintaining its viability. In the meantime, we will continue to reach out to the Church with the intention of reaching a meeting of the minds on any potential bodies. As the preparatory work alone for the building demolition and field work will be extensive, the time saved by allowing us to move forward while still having a Church dialogue would prove invaluable.

Amanda Sutphin
Rory Levy
July 31, 2006
Page 3

Please respond to us as soon as possible. Although close, the August 15, 2006 BSA decision can still be retained if we can execute and record the declaration in time.

Sincerely,

COZEN O'CONNOR

By: Howard B. Hornstein

HBH

cc: John Reisinger, Esq.
Mark Silberman Esq.
Jeff Mulligan
Peter Geis

DECLARATION

This DECLARATION made as of the _____ day of _____ 2006, by **AMF Machine Corp.** having an office located at **6833 Shore Road, Brooklyn, NY 11220** (hereinafter referred to as "Declarant");

WITNESSETH

WHEREAS, Declarant is the fee owner of certain real property located in the County of **Queens**, City and State of New York, designated for real property tax purposes as **Lot 10 of Tax Block 1586** commonly known by the street address as **90-15 Corona Avenue** (the "Subject Property") and is more particularly described in Exhibit A, annexed hereto and made part hereof; and

WHEREAS, **First American title Insurance Company** has issued a Certification of Parties in Interest, annexed hereto as Exhibit B and made a part hereof, that as of the 27th day of **September, 2005**, Declarant and **Intervest National Bank** are the only Parties-in-Interest (as defined in subdivision (c) of the definition of "zoning lot" set forth in Section 12-10 of the Zoning Resolution of the City of New York) in the Subject Property; and

WHEREAS, all Parties-in-Interest to the Subject Property have either executed this Declaration or waived their rights to execute this Declaration by written instrument annexed hereto as Exhibit B-1 and made a part hereof, which instrument is intended to be recorded simultaneously with this Declaration; and

WHEREAS, Declarant has applied to the New York City Board of Standards and Appeals (the "BSA") for a bulk variance to permit the construction of a six-story mixed-use building on the Subject Property in a **R6B** zoning district and has submitted to the BSA an application numbered **47-05-BZ** (the "Application") for review pursuant to the Rules of Practice and Procedure for the BSA, the requirements set forth in the New York City Charter, §§666 and 668, and New York City Zoning Resolution (the "ZR") §72-21; and

WHEREAS, an environmental assessment statement concerning the Subject Property prepared pursuant to the City Environmental Quality Review (the "CEQR") is under review in connection with the Application (CEQR #**05BSA102Q**) and, pursuant to CEQR, the Landmarks Preservation Committee (the "LPC") has reviewed the environmental assessment, including the historic land use of the Subject Property; and

WHEREAS, the results of such review, as documented in LPC's **March 31, 2006** notice attached hereto as Exhibit C and made a part hereof, indicate the potential presence of archaeological resources on the Subject Property, including the potential for the recovery of remains from 19th and 20th Century occupation of the site; and

WHEREAS, Declarant desires to identify the existence of any potential archaeological resources and mitigate any potential damage to any such archaeological resources found in connection with the development or redevelopment of the Subject Property and has agreed to follow and adhere to all requirements for archaeological identification, investigation and mitigation set forth in the

CEQR Technical Manual and LPC's Guidelines for Archaeological Work in NYC, including without limitation, the completion of an archaeological documentary study, archaeological field testing, excavation, mitigation and curation of archaeological resources as required by the LPC (collectively, the "Archaeological Work"); and

WHEREAS, Declarant agrees to restrict the manner in which the Subject Property may be developed or redeveloped by having the implementation of the Archaeological Work, performed to the satisfaction of the LPC, as evidenced by writings described and set forth herein, be a condition precedent to any soil disturbance for any such development or redevelopment, including any soil disturbance related to potential removal / remediation of hazardous materials at the site (other than soil disturbance necessitated by Declarant's performance of the Archaeological Work); and

WHEREAS, Declarant intends this Declaration to be binding upon all successors and assigns; and

WHEREAS, Declarant intends this Declaration to benefit all land owners and tenants including the City of New York (the "City") without consenting to the enforcement of this Declaration by any party or entity other than the City.

NOW, THEREFORE, Declarant does hereby declare and agree that the Subject Property shall be held, sold, transferred, and conveyed, subject to the restrictions and obligations which are for the purpose of protecting the value and desirability of the Subject Property and which shall run with the land, binding the successors and assigns of Declarant so long as they have any right, title or interest in the Subject Property or any part thereof:

1. (a) Declarant covenants and agrees that no application for grading, excavation, foundation, alteration, building or other permit respecting the Subject Property which permits soil disturbance, including excavating of test pits for environmental soil sampling, shall be submitted to or accepted from the Department of Building (the "DOB") by the Declarant until LPC has issued to DOB, as applicable, either a Notice of No Objection as set forth in Paragraphs 2(a) and 2(c), a Notice to Proceed as set forth in Paragraph 2(b), a Notice of Satisfaction as set forth in Paragraph 2(d) or a Final Notice of Satisfaction as set forth in Paragraph 2(e) AND LPC has submitted to DOB confirmation that it has reviewed and approved as sufficient a memorialized agreement between the Declarant and St. Mark's A.M.E. Church, 95-18 Northern Boulevard, Jackson Heights, NY 11372, (the "St. Mark's Agreement") setting forth the procedure for the handling and disposition of any human remains that may be discovered at the Subject Property during construction of the Proposed Development. Declarant shall submit a copy of the Notice of No Objection, Notice to Proceed, Notice of Satisfaction or Final Notice of Satisfaction, as the case may be, to the DOB at the time of filing of any application set forth in this Paragraph 1(a).

(b) During the negotiation of the St. Mark's Agreement, should any irreconcilable conflict arise between the Declarant and the St. Mark's A.M.E. Church as to the handling and disposition of potential human remains, the Declarant agrees that such dispute may and shall be resolved through referral of the dispute to the Executive Director of the BSA, for resolution

through whatever process the Executive Director of the BSA deems sufficient, including restoration of the matter to calendar for public hearing.

2. (a) Notice of No Objection – LPC shall issue a Notice of No Objection after the Declarant has completed the work set forth in the LPC-approved Archaeological Documentary Study and LPC has determined in writing that the results of such assessment demonstrate that the site does not contain potentially significant archeological resources.

(b) Notice to Proceed with LPC-Approved Field Testing and Mitigation – LPC shall issue a Notice to Proceed after it approves a Field Testing Plan and Mitigation Plan. Because the Subject Property may contain human remains, the Mitigation Plan shall include appropriate removal, treatment and reinterment of the human remains. In addition to satisfying LPC's standards for this work, if human remains are uncovered the Declarant shall rebury or otherwise place the remains in a place and in a manner that is satisfactory to the descendent community or otherwise approved by the BSA. Issuance of a Notice to Proceed shall enable the Declarant to obtain a building permit solely to perform excavation or other work necessary to implement the Field Testing and Mitigation Plan. The LPC shall review and approve the scope of work in all permits prior to Field testing or mitigation work commencing on the Subject Property.

(c) Notice of No Objection After Field Work. LPC shall issue a Notice of No Objection After Field Work if Declarant has performed required LPC-approved field testing and, as a result of such testing, the LPC determines in writing that the Subject Property does not contain potentially significant archaeological resources. The notices described in subparagraphs (a) and (c) of this paragraph shall each hereafter be referred to as a "Notice of No Objection." Issuance of a No Objection shall be sufficient to enable Declarant to obtain a full building permit for the performance of excavation or construction on the Subject Property.

(d) Notice of Satisfaction – LPC shall issue a Notice of Satisfaction after the Mitigation Plan has been prepared and accepted by LPC and LPC has determined in writing that all significant identified archaeological resources have been documented and removed from the Subject Property. Issuance of a Notice of Satisfaction shall enable Declarant to obtain a building permit for excavation and construction of the Declarant's proposed new building on the Subject Property;

(e) Final Notice of Satisfaction – LPC shall issue a Final Notice of Satisfaction after the mitigation has been completed and the LPC has set forth in writing that the Mitigation Plan, including but not limited to the Final Archaeological Report and a curation plan for any archaeological resources found on the Subject Property, has been completed to the satisfaction of LPC.

3. No temporary certificate of occupancy ("TCO") or permanent certificate of occupancy ("PCO") shall be granted by the Buildings Department or accepted by Declarant until the Chairperson of the LPC shall have issued a Final Notice of Satisfaction or a Notice of No Objection.

4. The Director of Archaeology of the LPC shall issue all notices required to be issued hereunder reasonably promptly after Declarant has made written request to the LPC and has provided documentation to support each such request, and the Director or Archaeology of the LPC shall in all events endeavor to issue such written notice to the Buildings Department, or inform Declarant in writing of the reason for not issuing said notice, within thirty (30) calendar days after Declarant has requested such written notice.

5. Declarant represents and warrants with respect to the Subject Property that no restrictions of record, nor any present or presently existing estate or interest in the Subject Property nor any lien, encumbrance, obligation, covenant of any kind preclude, presently or potentially, the imposition of the obligations and agreement of this Declarant.

6. Declarant acknowledges that the City is an interested party to this Declaration and consents to the enforcement of this Declaration solely by the City, administratively or at law or at equity, of the obligations, restrictions and agreements pursuant to this Declaration.

7. The provisions of this Declaration shall inure to the benefit of and be binding upon the respective successors and assigns of the Declarant, and references to the Declarant shall be deemed to include such successors and assigns as well as successors to their interest in the Subject Property. References in this Declaration to agencies or instrumentalities of the City shall be deemed to include agencies or instrumentalities succeeding to the jurisdiction thereof.

8. Declarant shall be liable in the performance of any term, provision, or covenant in this Declaration, except that the City and any other part relying on this Declaration will look solely to the fee interest of the Declarant in the Subject Property for the collection of any money judgment recovered against Declarant, and no other property of the Declarant shall be subject to levy, execution, or other enforcement procedure for the satisfaction of the remedies of the City or any other person or entity with respect to this Declaration. The Declarant shall have no personal liability under this Declaration.

9. The obligations, restrictions and agreements herein shall be binding on the Declarant or other parties in interest only for the period during which the Declarant and any such Party-in-Interest holds an interest in the Subject Property; provided, however, that the obligations, restrictions and agreements contained in this Declaration may not be enforced against the holder of any mortgage unless and until such holder succeeds to the fee interest of the Declarant by way of foreclosure or deed in lieu of foreclosure.

10. Declarant shall indemnify the City, its respective officers, employees and agents from all claims, actions, or judgments for loss, damage or injury, including death or property damage of whatsoever kind or nature, arising from Declarant's performance of its obligations under this Declaration, including without limitation, the negligence or carelessness of the Declarant, its agents, servants or employees in undertaking such performance; provided, however, that should a claim be made or action brought, Declarant shall have the right to defend such claim or action with attorneys reasonably acceptable to the City and no such claim or action shall be settled without the written consent of the City.

11. If Declarant is found by a court of competent jurisdiction to have been in default in the performance of its obligations under this Declaration, and such finding is upheld on a final appeal by a court of competent jurisdiction or by other proceeding or the time for further review of such finding or appeal has lapsed, Declarant shall indemnify and hold harmless the City from and against all reasonable legal and administrative expenses arising out of or in connection with the enforcement of Declarant's obligations under this Declaration as well as any reasonable legal and administrative expenses arising out of or in connection with the enforcement of any judgment obtained against the Declarant, including but not limited to the cost of undertaking the Mitigation Plan, if any.

12. Declarant shall cause every individual or entity that between the date hereof and the date of recordation of this Declaration, becomes a Party-in-Interest (as defined in subdivision (c) of the definition of "zoning lot" set forth in Section 12-10 of the Zoning Resolution of the City of New York) to all or a portion of the Subject Property to waive its right to execute this Declaration and subordinate its interest in the Subject Property to this Declaration. Any mortgage or other lien encumbering the Subject Property in effect after the recording date of this Declaration shall be subject and subordinate hereto as provided herein. Such waivers and subordination shall be attached to this Declaration as Exhibits and recorded in the Office of the County or City Register.

13. This Declaration and the provisions hereof shall become effective as of the date of this Declaration. Declarant shall record or shall cause this Declaration to be recorded in the Office of the County or City Register, indexing it against the Subject Property within five (5) business days of the date hereof and shall promptly deliver to the LPC and the Board of Standards and Appeals proof of recording in the form of an affidavit of recording attaching the filing receipt and a cop of the Declaration as submitted for recording. Declarant shall also provide a certified copy of this Declaration as recorded to LPC and BSA as soon as a certified copy is available.

14. This Declaration may be amended or modified by Declarant only with the approval of LPC or the agency succeeding to its jurisdiction and no other approval or consent shall be required from any other public body, private person or legal entity of any kind. A statement signed by the Chair of the LPC, or such person as authorized by the Chair, certifying approval of an amendment or modification of this Declaration shall be annexed to any instrument embodying such amendment or modification.

15. Any submittals necessary under this Declaration from Declarant to LPC shall be addressed to the Director of Archaeology of LPC, or such other person as may from time to time be authorized by the Chair of the LPC to receive such submittals. As of the date of this Declaration LPC's address is:

Landmarks Preservation Commission
1 Centre Street, 9N
New York, NY 10007

Any notices sent to Declarant shall be sent to the address hereinabove first set forth, to the attention of David Werber and shall be sent by personal delivery, delivery by reputable overnight carrier or by regular mail.

16. Declarant expressly acknowledges that this Declaration is an essential element of the environmental review conducted in connection with the Application and as such the filing and recordation of this Declaration may be a precondition to the determination of significance pursuant to CEQR, which implements the State Environmental Quality Review Act ("SEQRA") and the SEQRA Regulations, Title 6 New York Code of Rules and Regulations ("NYCRR") Part 617.7 within the City of New York.

17. Declarant acknowledges that the satisfaction of the obligations set forth in this Declaration does not relieve Declarant of any additional requirements imposed by Federal, State or Local laws.

18. This Declaration shall be governed by and construed in accordance with the laws of the State of New York.

19. Wherever in this Declaration, the certification, consent, approval, notice or other action of Declarants, LPC or the City is required or permitted, such certification, consent, approval, notice or other action shall not be unreasonably withheld or delayed.

20. In the event that any provision of this Declaration is deemed, decreed, adjudged or determined to be invalid or unlawful by a court of competent jurisdiction, such provision shall be severable and the remainder of this Declaration shall continue to be in full force and effect.

21. This Declaration and its obligations and agreement are in contemplation of Declarant receiving approvals or modified approvals of the Application. In the event that the Declarant withdraws the Application before a final determination or the Application is not approved, the obligations and agreements pursuant to this Declaration shall have no force and effect and Declarant may request that LPC issue a Notice of Cancellation upon the concurrence of the following events: (i) Declarant has withdrawn the Application in writing before a final determination on the Application; (ii) the Application was not approved by the Board of Standards and Appeals; or (iii) LPC has issued a Final Notice of Satisfaction. Upon such request, LPC shall issue a Notice of Cancellation after it has determined, to LPC's reasonable satisfaction, that one of the above has occurred. Upon receipt of a Notice of Cancellation from LPC, Declarant shall cause such Notice to be recorded in the same manner as the Declaration herein, thus rendering this Restrictive Declaration null and void. Declarant shall promptly deliver to LPC and the BSA a certified copy of such Notice of Cancellation as recorded.

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the day and year first above written.

AMF MACHINE, CORP.

By: _____

Title:

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF NEW YORK)
) .ss.:
COUNTY OF _____)

On the ____ day of ____ in the year ____ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

Tax Block 1586, Lots 10

ALL that certain plot, piece or parcel of land situate, lying and being in the Second Ward of the Borough and County of Queens, City and State of New York, being bounded and described as follows:

RUNNING THENCE at a point at the corner formed by the intersection of the northwesterly side of Corona Avenue and the northeasterly side of 90th Street;

RUNNING THENCE from said point of **BEGINNING** along the northeasterly side of 90th Street 104.33 feet to a point;

RUNNING THENCE northeasterly at a right angle with the last mentioned course 75.48 feet to a point;

RUNNING THENCE northerly along a line forming an exterior angle of 128 degrees 28' 00" inches with the last mentioned course, a distance of 120.72 feet to a point;

CONTINUING THENCE northerly along the last mentioned line and forming an interior angle with same of 174 degrees 49' 00" a distance of 33.12 feet to a point;

CONTINUING THEREFROM northerly along the same line and forming an interior angle with same of 174 degrees 51' 10" a distance of 22.38 feet to a point;

CONTINUING still northerly along the same line and forming an interior angle with same of 181 degrees 22' 40" a distance of 23.42 feet to a point;

RUNNING THENCE easterly along a line forming an interior angle with the last mentioned line of 127 degrees 19' 30" a distance of 13.83 feet to a point;

CONTINUING THENCE easterly along a line forming an interior angle with the last mentioned line of 167 degrees 56' 40" a distance of 22.52 feet to a point;

RUNNING THENCE northerly along a line forming an exterior angle of 269 degrees 59' 08" a distance of 13.69 feet to a point;

RUNNING THENCE easterly along a line forming a right angle with the last mentioned line a distance of 13.06 feet to a point;

CONTINUING THENCE easterly along the last mentioned line forming an interior angle with same of 178 degrees 47' 47" a distance of 238.05 feet to a point;

CONTINUING still easterly along the last mentioned line and forming an interior angle with the same of 181 degrees 12' 13" a distance of 24.31 feet to the southwesterly side of 91st Place and forming an exterior angle of 67 degrees 51' 08" with the last mentioned course;

RUNNING THENCE southeasterly along 91st Place a distance of 4.65 feet to a point;

RUNNING THENCE southwesterly along a line forming a right angle with the last mentioned course 94.00 feet to a point;

RUNNING THENCE southeasterly at a right angle with the last mentioned course 72.00 feet to a point;

RUNNING THENCE southwesterly at a right angle with the last mentioned course 18.50 feet to a point;

RUNNING THENCE southeasterly along a line forming an exterior angle with the last mentioned course of 70.03 feet to a point on the northwesterly side of Corona Avenue;

RUNNING THENCE southwesterly along Corona Avenue a distance of 7.46 feet to a point;

RUNNING THENCE northwesterly along a line forming a right angle with the last mentioned course a distance of 85.00 feet;

RUNNING THENCE southwesterly along a line forming a right angle with the last mentioned a distance of 190.04 feet to a point;

RUNNING THENCE southeasterly along a line forming a right angle with the last mentioned course a distance of 85.00 feet to the northwesterly side of Corona Avenue;

RUNNING THENCE southwesterly along the northwesterly side of Corona Avenue a distance of 190.24 feet to the point or place of **BEGINNING**.

EXHIBIT B

[This is a sample form.]

[Final version must appear on Title Co letterhead and be acknowledged by Title Co]

Certification of "Parties in Interest"

Parties in Interest as defined in subparagraph (c) in the definition of "zoning lot" in section 12-10 of the Zoning Resolution of the City of New York, effective December 15, 1961, as amended.

First American Title Insurance Company of New York, a Title Insurance Company licensed to do business in the State of New York and having its principal office at 633 Third Avenue, New York, New York, hereby certifies that as to the land hereafter described being a tract of land, either unsubdivided or consisting of two or more lots of record, contiguous for a minimum of ten linear feet, located within a single block in the single ownership of AMF Machine Corp. a.k.a. AMF Machine Corporation and that all the parties in interest constituting a party as defined in section 12-10 subparagraph (c) of the Zoning Resolution of the City of New York, effective December 15, 1961, as amended, are as of the 27th day of September, 2005 the following:

NAME/ADDRESS

NATURE OF INTEREST

1. AMF Machine Corp. aka AMF Machine Corporation

Fee Owner

2. Intervest National Bank

Mortgagee

The subject tract of land with respect to which the foregoing parties are thus parties in interest as aforesaid, is known as Tax Lot Number(s) 10 in Block 1586 on the Tax map of the City of New York, Queens County and more particularly described as follows:

SEE ATTACHED SCHEDULE "A"

EXHIBIT B-1

Intervest National Bank being a "Party in Interest" as defined in Section 12-10 ("Zoning Lot"-- subdivision (c)) of the Zoning Resolution of the City of New York, effective December 15, 1961, as amended, with respect to the land known as Tax Lot(s) 10 in Block 1586 on the Tax Map of the City of New York, Queens County and more particularly described in Exhibit A attached hereto, hereby waives its right to execute a declaration dated _____, 2006 made by AMF MachineCorp. regarding archeological resources and human remains on such land.

IN WITNESS WHEREOF, the undersigned has executed this waiver this _____ day of _____, 2006.

By: _____

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF NEW YORK)
) .ss.:
COUNTY OF _____)

On the ____ day of _____ in the year _____ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

EXHIBIT C

(LPC Letter)