Westchester County Streams, Byram River Basin, Flood Risk Management Feasibility Study Fairfield County, Connecticut and Westchester County, New York

> Appendix A.4 MOA and Correspondence

PRELIMINARY DRAFT MEMORANDUM OF AGREEMENT AMONG THE U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT AND THE NEW YORK STATE HISTORIC PRESERVATION OFFICE AND THE CONNECTICUT STATE HISTORIC PRESERVATION OFFICE REGARDING THE BYRAM RIVER BASIN FLOOD RISK MANAGEMENT PROJECT, WESTCHESTER COUNTY, NEW YORK AND FAIRFIELD COUNTY, CONNECTICUT

WHEREAS, the U.S. Army Corps of Engineers, New York District (District) is proposing to undertake a flood risk management project in the Village of Port Chester, Westchester County, New York and the Town of Greenwich, Fairfield County, Connecticut, and has, in coordination with the Town of Greenwich and the New York Department of Environmental Conservation 9NYSDEC), developed a plan consisting of the replacement of the two Route 1 Bridges and channel modification in the vicinity of both bridges to accommodate the change in bridge height (Undertaking; Figure 1 in Appendix A); and

WHEREAS, the Byram River Basin Flood Risk Management Feasibility Study was authorized by a resolution of the US House of Representatives, Committee on Transportation and Infrastructure, Docket 2779, dated May 2, 2007; and

WHEREAS, the Area of Potential Effect (APE) includes: the alignment of the Route 1 Bridge, west bound (Hillside Avenue), the alignment of the Route 1 Bridge east bound (West Putnam Avenue), the area of channel modification to accommodate the change in bridge height and modifications to both sides of the riverbank to accommodate the approaches to each bridge (Figure 2 in Appendix A); and

WHEREAS, the both Route 1 Bridges, which are both dual arched stone bridges were determined to be eligible for the National Register of Historic Places under Criterion A for their connection with transportation history and Criterion C as examples of craftsmanship and design (Appendix B); and

WHEREAS, the Thomas Lyon House, a National Register property, is located adjacent to the west bound lane bridge (West Putnam Avenue), within the Town of Greenwich (Appendix B); and

WHEREAS, the William James Memorial Gateway Park and Pumphouse, located adjacent to the approach to the west bound (West Putnam Avenue) in the Village of Portchester, were determined to be eligible for the National Register of Historic Places under Criterion C as an example of early 20th-century landscape design (Appendix B); and

WHEREAS, the District has determined, pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. §

306108), that the Undertaking will have an adverse effect on both Route 1 Bridges and has the potential to affect the William James Memorial Gateway Park and Pumphouse and Thomas Lyon House; and

WHEREAS, the District is notifying the Advisory Council on Historic Preservation (Council) the potential for the Undertaking to affect historic properties and that a Memorandum of Agreement is being prepared; and

WHEREAS, the District is consulting with the New York State Historic Preservation Office and the Connecticut State Historic Preservation Office (NYSHPO/CTSHPO, pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, the District is consulting with the Stockbridge-Munsee Community, Band of Mohican Indians, the Delaware Tribe of Indians, the Delaware Nation of Oklahoma, and coordinating with the Port Chester Historical Society, the Greenwich Preservation Trust and the Westchester County Historical Society, New York State Department of Transportation, and other appropriate consulting parties to define processes for taking into consideration the effects of the Undertaking upon historic properties; and

WHEREAS, the District will involve the general public through the National Environmental Policy Act (NEPA) process, which affords all persons, organizations, and government agencies the right to review and comment on proposed major federal actions that are evaluated by a NEPA document as part of the public review process of the Draft Integrated Feasibility and Environmental Impact Statement; and

NOW, THEREFORE, the District proposes that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the Undertaking's effects on historic properties.

STIPULATIONS

The District shall ensure that the following measures are carried out:

- I. ROUTE 1 BRIDGES
- A. The District, in coordination with the NYSHPO/CTSHPO will determine the appropriate level of Historic American Engineering Record documentation with which to document the Route 1 Bridges. At a minimum, the District shall document the history of the construction of both Route 1 Bridges through photography, field drawings, and background research, mapping out the access lanes in both the Town of Greenwich and the Village of Port Chester. This work will include the development of a historic context related to the history of transportation in the late 19th and early 20th centuries and may include the context of the Works Progress Administration (WPA) in this area, if one or both of the bridges were built by the WPA. The current condition of the bridges will be documented through photograph and field drawings.

- 1. During the demolition of each bridge, to the extent practicable, an archaeologist and/or architectural historian shall be on hand to photograph, create drawings, and otherwise document any information related to the original construction of the bridges.
- 2. In addition to any technical reports and drawings, this research will result in a publication for public distribution to appropriate local historical societies, museums and libraries. A list of up to 10 repositories will be generated by the District and provided to the NYSHPO and CTSHPO for their review and approval. The final report will be distributed to the repositories on the approved list.
- B. During the Pre-Construction Engineering and Design Phase, the District, in coordination with the NYSHPO/CTSHPO, the New York State Department of Transportation and other interested parties shall explore alternative designs for the new walls that will in some way reflect the aesthetic of the original stone retaining walls but will also meet the necessary engineering requirements for the project. One of the alternatives to be considered will include reuse of the stone in the final design specifically in area of the bridges that are highly visible to the public.
- C. The District will consider the views of the public or interested parties in carrying out recordation and identifying a design alternative(s).
- D. All work under Stipulation I will be performed by a professional who meets the Secretary of the Interior's Professional Qualification Standards (<u>https://www.nps.gov/history/local-law/arch_stnds_9.htm</u>) and who is experienced in preservation and documentation of stone structures.
- II. WILLIAM JAMES MEMORIAL GATEWAY PARK AND PUMPHOUSE and THOMAS LYON HOUSE
- I. During the Pre-Construction Engineering and Design Phase, the District, will develop detailed plans regarding the need for grading or modification of the stream bank or access lanes in the vicinity of the William James Memorial Gateway Park and Pumphouse and the Thomas Lyon House that will avoid adverse effects to these properties.
- II. The District will determine, in accordance with 36 CFR 800.5 if any proposed activities will have an effect on these historic properties and coordinate that determination with the NYSHPO/CTSHPO and other interested parties.
 - 1. If the District determines there will be an adverse effect, the District will identify the measures considered and why an adverse effect is the only solution. The District will provide this documentation to the NYSHPO/CTSHPO and other interested parties for their review. The NYSHPO/CTSHPO and other interested parties will have 30 days to review and comment on the District's submission.
 - 2. The District will prepare a standard mitigation agreements, in coordination with the NYSHPO/CTSHPO and other interested parties, to address any adverse effects to the William James Memorial Gate Park and Pumphouse

and the Thomas Lyon House. The NYSHPO/CTSHPO and other interested parties shall have 30 days to review and comment on the proposed mitigation agreements.

3.Once developed and executed by the District and other signatories, the District shall implement the requirements of the mitigation agreement(s).

III. PUBLIC INVOLVEMENT AND OUTREACH

- A. The District shall inform the public of the existence of this MOA through the public review of the project's Environmental Impact Statement and continued coordination and consultation with the NYSHPO/CTSHPO and other interested parties as they are identified. Copies of this agreement and relevant documentation prepared pursuant to the terms of this MOA shall be made available for public inspection through posting to the District's project website. Information regarding the specific locations of archaeological sites will be withheld in accordance with the Freedom of Information Act and National Register Bulletin No. 29, if it appears that this information could jeopardize archaeological sites. Any comments received from the public related to the activities identified by this MOA shall be taken into account by the District.
- B. The District shall develop, in coordination with the NYSHPO/CTSHPO and other interested parties, publically accessible information about the cultural resources and historic properties investigations for the Undertaking in the form of brief publication(s), exhibit(s), or website.

II. CURATION

- A. The District shall ensure that all collections resulting from the identification and evaluation of surveys, data recovery operations, or other investigations pursuant to this MOA are maintained in accordance with 36 CFR Part 79 until the collection is turned over to the landowner or other entity. Minimally, the District will ensure that analysis is complete and the final report(s) are produced and accepted by the NYSHPO/CTSHPO.
- B. The District shall be responsible for consulting with landowners regarding the curation of collections resulting from archaeological surveys, data recovery operations, or other studies and activities pursuant to this agreement. The District shall coordinate the return of collections to non-federal landowners. If landowners wish to donate the collection, the District, in coordination with the NYSHPO/CTSHPO and others to determine an appropriate entity to take control of the collection.
- C. The District shall be responsible for the preparation of federally-owned collections and the associated records and non-federal collections donated for curation in accordance with the standards of the curation facility.

III. UNANTICIPATED DISCOVERY

A. The following language shall be included in construction plans and specifications:

"When a previously identified cultural resource, including but not limited to archaeological sites and properties of traditional religious and cultural significance are discovered during the execution of the Project, the individual(s) who made the discovery shall immediately secure

the vicinity and make a reasonable effort to avoid or minimize harm to the resource, and notify the Project's Contracting Officer's Representative (COR) and the District. All activities shall cease within a minimum of 50 feet from the inadvertent discovery (50-foot radius 'no work' buffer) until authorized by the District and the Project COR."

- B. If previously unidentified and unanticipated properties are discovered during Project activities, the District shall cease all work in the vicinity of the discovery until it can be evaluated in accordance with 36 CFR Part 800.13 "Post Review Discoveries". Upon notification of an unanticipated discovery, the District shall implement any additional reasonable measures to avoid or minimize effects to the resource. Any previously unidentified cultural resource will be treated as though it is eligible for the NRHP until such other determination may be made.
- C. The District shall immediately notify the NYSHPO/CTSHPO and any other signatories, within 48 hours of the finding and request consultation to resolve potential adverse effects.
 - 1. If the District, NYSHPO/CTSHPO and the signatories agree that the cultural resource is not eligible for the NRHP, then the suspension of work in the area of the discovery will end.
 - 2. If the District, NYSHPO/CTSHPO, and the signatories agree that the cultural resource is eligible for the NRHP, then the suspension of work will continue, and the District, in consultation with the NYSHPO/CTSHPO and the signatories, will determine the actions to avoid, minimize, or mitigate adverse effects to the historic property and will ensure that the appropriate actions are carried out.
 - 3. If the District, the NYSHPO/CTSHPO and the signatories cannot agree on the appropriate course of action to address an unanticipated discovery or effects situation, then the District shall initiate the dispute resolution process set forth in Stipulation VIII.C below.

IV. DISCOVERY OF HUMAN REMAINS

- If any human remains and/or grave-associated artifacts are encountered during any of the investigations, including data recovery, the District will develop a treatment plan for human remains that is responsive to the Council's Policy Statement on Human Remains" (September 27, 1988), the Native American Graves Protection and Repatriation Act (PL 101-601) and , US Army Corps of Engineers, Policy Guidance Letter No. 57 (1998) <u>Indian Sovereignty and Government-to-Government Relations with Indian Tribes.</u>
- 2. The following language shall be included in the construction plans and specifications:

"When human remains, suspected human remains, or indications of a burial are discovered during the execution of a Project, the individual(s) who made the discovery shall immediately notify the local law enforcement, coroner/medical examiner, and the Project COR and the District, and make a reasonable effort to protect the remains from any harm. The human remains shall not be touched, moved or further disturbed. All activities shall cease within a minimum of 50 feet from the area of the find (50-foot radius 'no work' buffer) until authorized by the District."

V. PROFESSIONAL QUALIFICATIONS AND STANDARDS

The District shall ensure that qualified professionals meeting the National Park Service professional qualifications for the appropriate discipline [National Park Service Professional Qualification Standards, <u>Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation</u> (https://www.nps.gov/history/local-law/arch_stnds_9.htm) and relevant NYSHPO and CTSHPO are used to complete all identification and evaluation plans related to this Undertaking.

VIII. ADMINISTRATIVE TERMS

A. REPORTING

- 1. Each year following the execution of this MOA until it expires or is terminated, the District shall provide the NYSHPO/CTSHPO, all signatories, and interested parties a summary report detailing work undertaken pursuant to this MOA. This report will include any scheduling changes, problems encountered, project work completed, MOA activities completed, and any objections and/or disputes received by the District in its efforts to carry out the terms of this MOA.
- 2. Following authorization and appropriation, the District shall coordinate a meeting or equivalent with the signatories to be held annually on a mutually agreed upon date to evaluate the effectiveness of this MOA and discuss activities carried out pursuant to this MOA during the preceding year and activities scheduled for the upcoming year.

B. REVIEW PERIODS

- 1. The District shall ensure that all draft and final reports resulting from action pursuant to this MOA will be provided to the NYSHPO/CTSHPO and, upon request, to other interested parties.
- 2. The NYSHPO/CTSHPO and any other interested party shall have 30 calendar days to review and/or object to determinations, evaluations, plans, reports and other documents submitted to them by the District.
- 3. Any comments and/or objections resulting from a review of any District determination, evaluations, plans, reports and other documents must be provided in writing to the District.
- 4. If comments, objections, etc., are not received within 30 calendar days, the District will assume concurrence with the subject determination, evaluation, plan, report or other document submitted.

C. DISPUTE RESOLUTION

1. Should any signatory object in writing to the District object in writing to the District at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the District and the signatories shall attempt to resolve any disagreement arising from implementation of this MOA.

- 2. If there is a determination that the disagreement cannot be resolved, the District shall forward all documentation relevant to the dispute to the Council and request the Council's recommendations or request the comments of the Council in accordance with 36 CFR Part 800.7(c).
- 3. The Council shall provide the District with its advice on the resolution of the objection within 30 days of receiving adequate documentation. Any Council recommendations or comments provided in response will be considered in accordance with 36 CFR Part 800.7(c), with reference only to the subject of the dispute. The District shall respond to Council recommendations or comments indicating how the District has taken the Council's recommendations or comments into account and complied with the Council's recommendations or comments prior to proceeding with the Undertaking activities that are the subject to dispute. Responsibility to carry out all other actions under this MOA that are not the subject of the dispute will remain unchanged.
- 4. If the Council does not provide its advice regarding the dispute within the 30 calendar day time period, the District may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the District shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories to the MOA, and provide them and the Council with a copy of such written response.

D. WITHDRAWAL AND TERMINATION

- 1. Any signatory may withdraw its participation in this MOA by providing thirty 30 days advance written notification to all other signatories. In the event of withdrawal, any signatory to this MOA may terminate it by providing 30 calendar days, written notice to the signatories. In the event of withdrawal, this MOA will remain in effect for the remaining signatories.
- 2. This agreement may be terminated in accordance with 36 CFR Part 800, provided that the signatories consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Any signatory requesting termination of this MOA will provide 30 days advance written notification to all other signatories.
- 3. In the event of termination, the District will comply with 36 CFR 800.4 through 800.6 with regard to individual undertakings covered by this Agreement.

E. DURATION AND SUNSET CLAUSE

- 1. This MOA shall take effect upon execution by the District, the NYSHPO/CTSHPO, and the signatories with the date of the final signature.
- 2. This MOA will continue in full force and effect until the construction of the Undertaking is complete and all terms of this MOA are met, unless the Undertaking is terminated or authorization is rescinded or a period of five years from execution of the MOA has passed, at which time the agreement may be extended as written provided all signatories concur.

F.AMENDMENT

- 1. This MOA may be amended upon agreement in writing by all signatories. Within 30 days of a written request to the District, the District will facilitate consultation between the signatories regarding the proposed amendment.
- 2. Any amendments will be in writing and will be in effect on the date the amended MOA is filed with the Council.
 - G. ANTI-DEFICIENCY ACT

All requirements set forth in this MOA requiring expenditure of funds by the District are expressly subject to the availability of appropriations and the requirements of the Anti-Deficiency Act (31 U.S.C. 1341). No obligation undertaken by the District under the terms of this MOA shall require or be interpreted to require a commitment to extend funds not appropriated for a particular purpose. If the District cannot perform any obligation set forth in this MOA because of unavailability of funds that obligation must be renegotiated among the District and the signatories as necessary.

Execution and implementation of this MOA will evidence that the District has satisfied its Section 106 responsibilities for the Undertaking and has afforded the NYSHPO/CTSHPO and the Council an opportunity to comment on the undertaking and its effects on historic properties.



Appendix A

Figure 1: Concept Plan Sheet for Route 1 Bridges

Figure 2: Area of Potential Effect for the Byram River Flood Risk Management Project



Figure 1: Concept plan sheet for the replacement of the Route 1 Bridges



Figure 2: Area of Potential Effect for Byram River Basin Flood Risk Management Project

APPENDIX B

ROUTE 1 BRIDGES DETERMINATION OF ELIGIBILITY WILLIAM JAMES MEMORIAL GATEWAY AND PUMPHOUSE DETERMINATION OF ELIGIBILITY

THOMAS LYON NATIONAL REGISTER NOMINATION



Date:	03/31/2015
Staff:	Paul Archambault
USN Number:	11944.000454
Name:	West Putnam Avenue Bridge
Location:	Putnam Avenue, Port Chester NY

Resource Status:

- 1. Determination: Eligible
- 2. Contributing:

Criteria for Inclusion in the National Register:

A. X Associated with events that have made a significant contribution to the broad patterns in our history.
B. Associated with the lives of persons significant in our past.
C. X Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or posses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.
D. Have yielded, or may be likely to yield information important in prehistory or history.

Summary Statement:



Hillside Avenue Bridge (11944.000453)

West Putnam Avenue Bridge (11944.000454)

Based on the information provided and brief research, the Byram River Bridges located on West Putnam Avenue and Hillside Avenue in Port Chester, New York were constructed circa 1907 and circa 1930, respectively. The bridges accommodate vehicular traffic and provide access into Greenwich, CT along U.S. Route 1. They are eligible for listing under Criterion A due to their connection with transportation history, and potentially, with the federal highway road building movement in the 1920s and 1930s, particularly under the Works Progress Administration of the New Deal Program; and under Criterion C as examples of the craftsmanship and design of the double arched stone bridges.

The first evidence of the double arched stone bridge on West Putnam Avenue is shown on the 1915 Sanborn Map. However this bridge, referred to as the "Byram River Bridge," is depicted in 1907 and 1910 postcards. It is possible that the "Byram River Bridge" does not appear on the Sanborn Map until 1915 because the south section of Port Chester was less developed. Most of the industry and residences were located in the north section of town near the intersections of North Main Street and Mill Street.

In addition to the central, double arched span, both ends of the bridge touching in Port Chester and Greenwich had stone wall supported inclines. They were most likely removed with road modifications in the mid-twentieth century. The cut stone on the West Putnam Avenue bridge has a rougher, more natural appearance than the Hillside Avenue bridge, providing evidence that it was constructed earlier.

The double arched stone bridge on Hillside Avenue does not appear on the Sanborn Maps until 1934. However, there is a gap in the Sanborn Maps from 1915-1934. At this point, with limited research, one can only speculate the approximate year it was built. The stone on this bridge span is more refined signifying that it was altered with, possibly, more advanced masonry machinery. Based on the refinement of the stone and knowing the bridge was on Hillside Avenue by 1934, it is possible that it was constructed circa 1930. At this time, there was an increasing number of vehicular traffic due to the rise of the automobile and expansion of the federal road system, especially in towns that were along major U.S. routes as is the case in Port Chester. Designed to match the West Putnam Avenue stone bridge, the Hillside Avenue bridge could have possibly been built under the Works Progress Administration program.

Both bridges retain a high degree of architectural integrity.

Bibliography: Byram Bridge, Port Chester, NY postcard. Available at:

http://commons.wikimedia.org/wiki/File:Byram_Bridge,_Port_Chester,_Ny.JPG.

Byram Bridge Port Chester, NY postcard. Available at: http://www.ebay.com/itm/Port-Chester-NY-Byram-Bridge-c1910-Old-Postcard-/360790892605

"Port Chester, New York." 1885-1934. "Sanborn Fire Insurance Maps, 1867-1970 - New York."



The east bound lanes (West Putnam Avenue) of the Route 1 Bridges (2015)



Date:	03/31/2015
Staff:	Paul Archambault
USN Number:	11944.000453
Name:	Hillside Avenue Bridge
Location:	NY

Resource Status:

- 1. Determination: Eligible
- 2. Contributing: False

Criteria for Inclusion in the National Register:

Α.	Х	Associated with events that have made a significant contribution to the broad patterns in our history.
в.		Associated with the lives of persons significant in our past.
C.	Х	Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or posses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.
D.		Have yielded, or may be likely to yield information important in prehistory or history.

Summary Statement:



Hillside Avenue Bridge (11944.000453) West Putnam Avenue Bridge (11944.000454)

Based on the information provided and brief research, the Byram River Bridges located on West Putnam Avenue and Hillside Avenue in Port Chester, New York were constructed circa 1907 and circa 1930, respectively. The bridges accommodate vehicular traffic and provide access into Greenwich, CT along U.S. Route 1. They are eligible for listing under Criterion A due to their connection with transportation history, and potentially, with the federal highway road building movement in the 1920s and 1930s, particularly under the Works Progress Administration of the New Deal Program; and under Criterion C as examples of the craftsmanship and design of the double arched stone bridges.

The first evidence of the double arched stone bridge on West Putnam Avenue is shown on the 1915 Sanborn Map. However this bridge, referred to as the "Byram River Bridge," is depicted in 1907 and 1910 postcards. It is possible that the "Byram River Bridge" does not appear on the Sanborn Map until 1915 because the south section of Port Chester was less developed. Most of the industry and residences were located in the north section of town near the intersections of North Main Street and Mill Street.

In addition to the central, double arched span, both ends of the bridge touching in Port Chester and Greenwich had stone wall supported inclines. They were most likely removed with road modifications in the mid-twentieth century. The cut stone on the West Putnam Avenue bridge has a rougher, more natural appearance than the Hillside Avenue bridge, providing evidence that it was constructed earlier.

The double arched stone bridge on Hillside Avenue does not appear on the Sanborn Maps until 1934. However, there is a gap in the Sanborn Maps from 1915-1934. At this point, with limited research, one can only speculate the approximate year it was built. The stone on this bridge span is more refined signifying that it was altered with, possibly, more advanced masonry machinery. Based on the refinement of the stone and knowing the bridge was on Hillside Avenue by 1934, it is possible that it was constructed circa 1930. At this time, there was an increasing number of vehicular traffic due to the rise of the automobile and expansion of the federal road system, especially in towns that were along major U.S. routes as is the case in Port Chester. Designed to match the West Putnam Avenue stone bridge, the Hillside Avenue bridge could have possibly been built under the Works Progress Administration program.

Both bridges retain a high degree of architectural integrity.

Bibliography:

Byram Bridge, Port Chester, NY postcard. Available at: http://commons.wikimedia.org/wiki/File:Byram_Bridge,_Port_Chester,_Ny.JPG.

Byram Bridge Port Chester, NY postcard. Available at: http://www.ebay.com/itm/Port-Chester-NY-Byram-Bridge-c1910-Old-Postcard-/360790892605

"Port Chester, New York." 1885-1934. "Sanborn Fire Insurance Maps, 1867-1970 - New York."



The west bound lanes (Hillside Avenue) of the Route 1 Avenue Bridge (2015)



United States Department of the Interior

NATIONAL PARK SERVICE 1849 C Street, N.W. Washington, D.C. 20240

The attached property, the Lyon, Thomas, House, in Fairfield County, Connecticut, reference number 77001390, was listed in the National Register of Historic Places by the Keeper of the National Register on 08/24/1977, as evidenced by the FEDERAL **REGISTER/WEEKLY LIST notice of Tuesday, February 6, 1979,** Part II, Vol. 44, No. 26, page 7440. The attached nomination form is a copy of the original documentation provided to the Keeper at the time of listing.

2/19/2009 Date

Keeper of the National Register of Historic Places

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

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DATE ENTERED

SEE INSTRUCTIONS IN HOW TO COMPLETE NATIONAL REGISTER FORMS TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

NAME					
HISTORIC Lyon	n, Thomas, House				
AND/OR COMMON	1 Cottage				
LOCATION					
STREET & NUMBER SOUT	heast corner West	Putnam Av	venue an <u>d</u> ,	BERAMURAN	
CITY, TOWN	nwich	VICINITY OF	Fourth Di	ONGRESSIONAL DISTR	ICT
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CLASSIFICA	ATION				
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DESCRIPTION

CONDITION

CHECK ONE

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EXCELLENT

DN .__DETERIORATED ___RUINS __UNEXPOSED

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_ORIGINAL SITE XMOVED DATE 1926-27

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The Thomas Lyon House today is situated close to the south side of West Putnam Avenue just east of its junction with Byram Road. This site is very constricted. It slopes upward at the northeast and trees and shrubs are very close to the building. In addition, existing landscaping with high hedges, over abundant vegetation, terracing, entrance arbor, concrete and slate walks, brick cookout grill in rear (southeast) yard, and small frame shed in southwest yard do not enhance the house. On the hill, northeast of the house is the Byram School, but vegetation obscures it from the Lyon House. Across West Putnam Avenue, a busy four-lane highway, are commercial buildings. Nearby are the Byram River and the New York State border.

Prior to 1926 the house was located across West Putnam Avenue. It was moved in 1926-27 to save it from demolition due to a highway widening. At that time its exterior was restored by Theodore L. Blake, architect, and John L. Duge, contractor. However, since then numerous alterations have been made, particularly on the interior, without consideration for the architectural integrity of the structure. Fortunately most of these appear additive and could be removed.

Photographs taken prior to moving the house reveal that its original site was level and not overgrown by trees and shrubs. In addition, the house had a one-story open front porch and a side porch. Both of these appear to have been built in the 19th century and were removed in 1926-27. A barn or carriage house was behind the house.

Today the exterior of the late 17th century house is characterized by its lack of ornamentation, its salt-boz massing, and its textured shingle wall surfaces. The two-story frame building is very small, having only three bays on its main (northwest) facade. The rear (southeast) slope of its steep gable roof extends over the lean-to ending about five feet above the ground. The roof is currently covered with composition shingle roofing. An outstanding feature is the massive. stone central chimney which was moved intact. Covering exterior walls are shingles with semi-circular butt ends. They are reproductions of the original shingles which were in place until 1926. Frederick Kelly said that the building had clay insulation between its studs. Window sash, in most cases, is 6/6 double-hung sash and probably dates from the 19th century. Inappropriate 20th century features include the front stoop with metal railing and storm door with hood, metal storm windows, window boxes, and the garbage bin attached to the northeast side of the house.

The first floor of the house has a two-room plan with kitchen in rear lean-to. Unfortunately recent panelling hides most original fabric. However, summer beams, corner posts, and the kitchen fireplace are partially visible. One room has an Adamesque mantel suggesting an early 19th century remodelling. The roof framing consists of a purlin system with wooden pegs.

SIGNIFICANCE

PERIOD	AF	EAS OF SIGNIFICANCE CH	IECK AND JUSTIFY BELOW	
FREHISTORIC	ARCHEOLOGY-PREHISTORIC	COMMUNITY PLANNING	LANDSCAPE ARCHITECTURE	RELIGION
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	AGRICULTURE	ECONOMICS	LITERATURE	SCULPTURE
<u>X</u> 1500-1699	XARCHITECTURE	EDUCATION	MILITARY	SOCIAL/HUMANITARIAN
1700-1 799	ART	ENGINEERING	MUSIC	THEATER
1800-1899	COMMERCE	XEXPLORATION/SETTLEMENT	PHILOSOPHY	TRANSPORTATION
1900-	COMMUNICATIONS	INDUSTRY	POLITICS/GOVERNMENT	OTHER (SPECIFY)
,		INVENTION		

SPECIFIC DATES about 1690

BUILDER/ARCHITECT

STATEMENT OF SIGNIFICANCE

The Thomas Lyon House is typical of late 17th century shinglecovered architecture in the region around Stratford, Connecticut. It is a simple dwelling with center chimney, salt-box massing, restored shingle siding, and three-bay facade. Although moved and altered it is among the few 17th century houses still standing in this area and is typical of the type of dwelling built by the regions earliest settlers. The house was probably erected about 1690 for Thomas Lyon, Junior, the son of one of the earliest settlers in Greenwich. It was occupied by members of the Lyon family until 1926 when it was given to two Greenwich civic clubs who moved it to save it from demolition.

Thomas Lyon was among the first settlers of the town of Greenwich appearing on the land records as early as 1676. He died about 1690 and left his homelot on the Byram River to his son Thomas. It is probably that about this time Thomas Lyon, Junior, built the existing house. However, different sources give varying dates for its erection ranging from circa 1640 to circa 1701.

The house was visited by patriotic soldiers during the Revolutionary War. Benjamin Trumbull recorded in his journal that on January 31, 1777, he took "post at Lyon's near bridge."

Occupants of the house include Gilbert ("Gentleman Gil") Lyon from 1719 to 1816; Abraham Lyon (1764-1849); and Underhill Lyon, a prosperous farmer and prominent local citizen who died in 1920. Underhill Lyon's daughter, Mrs. Julia Saunders, gave the house to the local Rotary and Lions Clubs in 1926 when it was threatened by a highway widening project. The clubs saved the building by having it moved across the road in 1926-27 to town property. Due to finances the clubs where not able to use the building as an information bureau as they had hoped. However its exterior was restored with Theodore A. Blake serving as architect. Since 1927 the clubs have leased the building to tenants and a number of incompatible alterations have been made.

1. Quoted in Allan F. Kitchel, Jr., "Historic Houses of Greenwich: The Thomas Lyon Homestead Built Nearly a Century Before the Revolution," <u>Greenwich Press</u>, Feb. 4, 1937.

9 MAJOR BIBLIOGRAPHICAL REFERENCES

Interview with Leonard S. Clark, Frederick Whelan, Al Henry, other repre-sentatives of the Greenwich Rotary and Lions Clubs, June 15, 1976.

Interview with William Finch, July 7, 1976. Allan F. Kitchel, Jr. "Historic Houses of Greenwich: The Thomas Lyon Home-stead Built Nearly a Century Before the Revolution," <u>Greenwich Press</u>, Feb. 4, 1937. See Continuation Sheet

10GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY less than one-third acre UTM REFERENCES

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VERBAL BOUNDARY DESCRIPTION

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(Rev. 10-14) UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

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NATIONAL REGISTER OF HISTORIC PLACES **INVENTORY -- NOMINATION FORM**

DATE ENTERED

CONTINUATION SHEET

8 **8** - 7

Form No. 10-300a

ITEM NUMBER 4,9 PAGE 1

Lyon, Thomas, House Greenwich, CT.

¹+. Owner of Property Page 1 Name: Land: Town of Greenwich Greenwich Town Hall, Greenwich Avenue Greenwich, CT.

9. Major ^Bibliographical References

Letter from Harold L. von Brock, Greenwich Assessor, to T. Robins Brown, May 14, 1976. Files of TRBrown.

J. Frederick Kelly, <u>Early Domestic Architecture of Connecticut</u>, New Haven: Yalte, 1924; reprint ed.; New York: Dover, 1963, pp. 80, 85. Spencer P. Mead, Ye Historie of Ye Town of Greenwich, New York: Knicker-bocker Press, 1911, pp. 468, 607.



AMS 0266 IFSW SERIES V816



The Thomas Lyon House c. 1695



Date:	03/31/2015
Staff:	Lorraine Weiss
USN Number:	11944.000452
Name:	Pump House and William James
Location:	NY

Resource Status:

- 1. Determination: Eligible
- 2. Contributing: False

Criteria for Inclusion in the National Register:

- A. Associated with events that have made a significant contribution to the broad patterns in our history.
- **B.** Associated with the lives of persons significant in our past.
- **C.** X Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or posses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.

Memorial Gateway Park

D. Have yielded, or may be likely to yield information important in prehistory or history.

Summary Statement:

Based on the information provided, the William James Memorial Gateway Park and the Pumphouse are eligible for listing on the State and National Registers of Historic Places under Criterion C as an example of early 20th-century landscape design. Situated near the National Register-eligible Putnam Avenue bridge and located between Main Street and the Byram River, the park includes war memorials and is used as public space for community events. The c. 1920s 1.5-story Pumphouse reflects a simple Mediterranean style. Elements include a side-gabled red tile roof with extended gables and chimneys at the Main St. elevation; a patio area set between two wings, the open walls of which consist of three arches resting on lonic columns on the Main Street side and brick piers on the river side; and small windows placed in the center of each wing on both sides.



William James Memorial Gateway Park and Pumphouse with the east bound lanes of the Route 1 Bridge to the right (2015; facing west).



William James Memorial Gateway Park and Pumphouse (2015, facing east).



May 18, 2011

Mr. Daniel Forrest Connecticut Commission on Culture & Tourism Historic Preservation & Museum Division One Constitution Plaza, 2nd Floor Hartford, Connecticut 06103

Subject: Archaeological Phase 1A Assessment - Management Memorandum Byram River Bank Stabilization & Sewer Siphon Protection Project Greenwich, Connecticut

Dear Mr. Forrest:

Enclosed for your review and concurrence is a copy of the Management Memorandum for the Archaeological Phase 1A Assessment completed as part of the Byram River Bank Stabilization & Sewer Siphon Protection Project. The Phase 1A Assessment Survey was recently completed by Archaeological Services at the University of Massachusetts Amherst on behalf of Camp Dresser & McKee Inc. (CDM) and our client, the Town of Greenwich.

Copies were also submitted to Dr. Nick Bellantoni, State Archaeologist and Ms. Kathleen Knowles, Tribal Historic Preservation Officer, Mashantucket Pequot Tribe.

Please feel free to contact me at (617) 452-6603 if you have any questions.

Very truly yours

Isabel S. Tourkantonis, PWS Environmental Scientist Camp Dresser & McKee Inc.

Enclosures

cc: K. Knowles, Mashantucket Pequot Museum & Research Center N. Bellantoni, University of Connecticut State Museum of Natural History



ANDREW M. CUOMO

Governor

ROSE HARVEY Commissioner

April 02, 2015

Ms. Nancy Brighton Supervisory Archaeologist US Army Corps of Engineers, New York District 26 Federal Plaza, Room 2151 New York, NY 10278

Re: USACE Byram River Flood Risk Management and Watershed Management Port Chester, NY 15PR00914

Dear Ms. Brighton:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the provided documentation in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

We concur that the Pump House and William James Memorial Gateway Park, the Hillside Avenue Bridge and the West Putnam Avenue Bridge are eligible for listing on the State and National Registers of Historic Places. Their resource evaluations are included for your use. We have determined that 13 Riverdale Avenue and 604 North Main Street are not eligible for listing on the State or National Registers of Historic Places.

In order for us to continue our review please provide plans, specifications and/or scope of work for the all proposed work. If alternatives are being considered we would appreciate the opportunity to comment on them as to the potential impacts to historic resources. If replacement of the bridges is proposed, please note that demolition of an historic structure is by definition an Adverse Effect. This would trigger an exploration of alternatives that might either remove the adverse effects or reduce harm to the historic resources.

Please note that archeology has requested additional information as well. If you have any questions, I can be reached at (518) 268-2181.

Sincerely,

Bed a.

Beth A. Cumming Senior Historic Site Restoration Coordinator e-mail: beth.cumming@parks.ny.gov

via e-mail only



DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT JACOB K. JAVITS FEDERAL BUILDING 26 FEDERAL PLAZA NEW YORK NY 10278-0090

August 5, 2015

Planning Division Environmental Analysis Branch

Daniel Forrest Director of Arts and Historic Preservation State Historic Preservation Officer One Constitution Plaza Hartford, Connecticut 06103

Dear Mr. Forrest;

The U.S. Army Corps of Engineers, New York District (District) is developing a flood risk management feasibility study for the portion of the Byram River located in Fairfield County, Connecticut, and Westchester County, New York (Attachment 1). The current study was authorized in 2007 as part of a larger Westchester County streams study area that included the Byram River Basin. A previous feasibility study was completed in 1977, but the project was never constructed. The current study will examine the project proposed in 1977 as well as determine if there are other alternatives for flood risk management along the river.

The Area of Potential Effect (APE) currently extends from the New York-Connecticut border and the US Route 1/West Point Avenue Bridge at the southern end to the intersection of Bailiwick and Riversville Roads to the north (Attachment 2). The District has initiated a cultural resources study to 1) provide an historic context for the APE; 2) identify known historic properties; 3) assess archaeological sensitivity; and 4) locate above-ground features that have not been previously identified but are potentially eligible for the National Register of Historic Places (Attachment 3). The cultural resources study utilized reviews of site files and documentation from both New York and Connecticut as well as a field reconnaissance of the APE. Phone interviews with residents who were identified as having knowledge of local history were also conducted.

The study identified a number of resources that are listed on the National Register, or have been determined to be eligible for listing, or have the potential to be eligible. These include six bridges, the Glenville Historic District, the New Mill and Depot/American Felt Company, the Glenville School, the Thomas Lyon House, the Byram School, the remains of the Byram River Beagle Club, dams associated with industries once located along the rivers and retaining walls and other structures lining the river. The study also noted areas along the river that are archaeologically sensitive, recommending a archaeological survey to include shovels tests as well as possibly deep-testing (see Attachment 3).

Although the study references two alternatives, the District is developing other alternatives to include a non-structural alternatives that might involve house-raising, wet and dry flood-proofing and acquisitions. Once it has developed its suite of alternatives, the District will assess all of the

alternatives for their effect on historic properties, which will be coordinated with your office as well as the public. To date, there have been several general public meetings held jointly by the Town of Greenwich and the District to present the ongoing flood risk management study and potential alternatives.

Please review the attached study and provide comments or questions regarding the identification of resources or the recommendations for additional archaeological survey. If you have any questions or need additional information, please contact Nancy J. Brighton at (917) 790-8703 or Nancy.J.Brighton@usace.army.mil. Thank you for your assistance.

Sincerely,

Peter Weppler Chief, Environmental Analysis Branch

Attachments



Attachment 1: Byram River Basin Feasibility Study Area



Attachment 2: Area of Potential Effect, Byram River Basin Feasibility Study Area



Department of Economic and Community Development



State Historic Preservation Office

One Constitution Plaza | Hartford, CT 06103 | 860.256.2800 | Cultureandtourism.org

PROJECT REVIEW COVER FORM

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TYPE OF REVIEW REQUESTED

a. Does this undertaking involve funding or permit approval from a State or Federal Agency?

Agency Name/Contact	Type of Permit/Approval SECTION IOL REVIEW	State	Federal
	ONN Dodd Center files to determine the presence al resources within or adjacent to the project area?	Yes	No

>

If yes:

Was the project site wholly or partially located within an identified archeologically sensitive area?

Does the project site involve or is it substantially contiguous to a property listed or recommended for listing in the CT State or National Registers of Historic Places?

Does the project involve the rehabilitation, renovation, relocation, demolition or addition to any building or structure that is 50 years old or older?



Department of Economic and Community Development

State Historic Preservation Office

One Constitution Plaza | Hartford, CT 06103 | 860.256.2800 | Cultureandtourism.org

PROJECT REVIEW COVER FORM

The Historic Preservation Review Process in Connecticut Cultural Resource Review under the National Historic Preservation Act – Section 106 <u>http://www.achp.gov/106summary.html</u> involves providing technical guidance and professional advice on the potential impact of publicly funded, assisted, licensed or permitted projects on the state's historic, architectural and archaeological resources. This responsibility of the State Historic Preservation Office (SHPO) is discharged in two steps: (1) identification of significant historic, architectural and archaeological resources; and (2) advisory assistance to promote compatibility between new development and preservation of the state's cultural heritage.

Project review is conducted in two stages. First, the SHPO assesses affected properties to determine whether or not they are listed or eligible for listing in the Connecticut State or National Registers of Historic Places. If so, it is deemed "historic" and worthy of protection and the second stage of review is undertaken. The project is reviewed to evaluate its impact on the properties significant materials and character. Where adverse effects are identified, alternatives are explored to avoid, or reduce project impacts; where this is unsuccessful, mitigation measures are developed and formal agreement documents are prepared stipulating these measures. For more information and guidance, please see our website at: http://www.cultureandtourism.org/cct/cwp/view.asp?a=3933&q=293820

ALL PROJECTS SUBMITTED FOR REVIEW MUST INCLUDE THE FOLLOWING MATERIALS*:

PROJECT DESCRIPTION Please attach a full description of the work that will be undertaken as a result of this project. Portions of environmental statements or project applications may be included. The project boundary of the project should be clearly defined** SEE ATTACKED REPORT. (PANAMERICAN 2015)

PROJECT MAP This should include the precise location of the project – preferably a clear color image showing the nearest streets or roadways as well as all portions of the project. Tax maps, Sanborn maps and USGS quadrangle maps are all acceptable, but Bing and Google Earth are also accepted if the information provided is clear and well labeled. The project boundary should be clearly defined on the map and affected legal parcels should be identified.

PHOTOGRAPHS Clear, current images of the property should be submitted. Black and white photocopies will not be accepted. Include images of the areas where the proposed work will take place. May require: exterior elevations, detailed photos of elements to be repaired/replaced (windows, doors, porches, etc.) All photos should be clearly labeled.

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PROJECT CONTACT						
Name Ang Praton Ti	tle Supr. Archaeologist					
Firm/Agency 5 Any Corps of Emineer	S. NewYork Demide					
Address RM ZIJI 26 PEDERAL DLAZ	Á					
City NBN/VORIE	State NY Zip 10278					
Phone 917 190 8703 Cell	Fax:212264 09(0)					
Email Nancy, J. Brighton a USace	, army, ml.					
*Note that he SHPO's ability to complete a timely project review depends largely on the quality of the materials submitted.						

** Please be sure to include the project name and location on each page of your submission.

Baumann, Cynthia

From:	Tourkantonis, Isabel (Simoes)
Sent:	Wednesday, June 01, 2011 11:03 AM
To:	Baumann, Cynthia
Cc:	Dunk, Dwight; Lemoi, Danielle
Subject:	FW: MANAGEMENT MEMORANDUM-ANRHAEOLOGICAL PHASE IA ASSESSMENT SURVEY - BYRAM RIVER BANK STABILIZATION & SEWER SIPHON PROTECTION PROJECT-GREENWICH, CT

Hi Cindy,

Below is the official THPO sign-off. Please forward a copy to the CT DEP reviewer to document compliance with Section 106 as part of the wetland application review process. I'll keep you posted on SHPO's review.

Feel free to call if any questions.

Thank you, Isabel

Isabel S. Tourkantonis, PWS | Environmental Scientist CDM | One Cambridge Place, 50 Hampshire Street | Cambridge, MA 02139 Tel./Fax: (617) 452-6603 | Email: tourkantonisis@cdm.com | www.cdm.com

From: Knowles, Kathleen [mailto:KKnowles@mptn-nsn.gov]
Sent: Saturday, May 28, 2011 1:05 PM
To: Tourkantonis, Isabel (Simoes)
Subject: MANAGEMENT MEMORANDUM-ANRHAEOLOGICAL PHASE IA ASSESSMENT SURVEY - BYRAM RIVER BANK
STABILIZATION & SEWER SIPHON PROTECTION PROJECT-GREENWICH, CT

Ms Isabel S. Tourkantonis, PWS Environmental Scientist Camp Dresser & McKee Inc.

Re: MANAGEMENT MEMORANDUM – ARCHAEOLOGICAL PHASE IA ASSESSMENT SURVEY BYRAM RIVER BANK STABILIZATION & SEWER SIPHON PROTECTION PROJECT GREENWICH, CT

Dear Ms Tourkantonis,

I have reviewed the Management Memorandum – Archaeological Phase IA Assessment Survey, Byram River Bank Stabilization & Sewer Siphon Protection Project, Greenwich, CT, submitted by the University of Massachusetts Archaeological Services.

The research design and testing strategy meets acceptable professional standards, and I agree with the recommendations and conclusions.

Please keep me informed of any further developments with respect to this project.

Kathleen Knowles, Tribal Historic Preservation Officer Mashantucket Pequot Tribe Please note my new mailing address below:

Kathleen Knowles

Tribal Historic Preservation Officer

MASHANTUCKET PEQUOT TRIBAL NATION

Natural Resources Protection & Regulatory Affairs

550 Trolley Line Blvd. P.O. Box 3202 Mashantucket, CT 06338-3202

TEL: 860.396.6887 FAX: 860.396.6914

www.mptn-nsn.gov kknowles@mptn-nsn.gov

CDM Transmittal

CDM

One Cambridge Place 50 Hampshire Street Cambridge, MA 02139 Tel/Fax: 617.452.6603 Email: tourkantonisis@cdm.com

То:	Ms. Kathlween Knowles (THPO)	From:	Isabel S. Tourkantonis, PWS					
Organization/ Address:	Mashantucket Pequot Tribe Mashantucket Pequot Museum & Research Center 110 Pequot Trail P.O. Box 3180 Mashantucket, CT 06338	Date:	May 19, 2011					
Re:	Re: Management Memorandum – Archaeological Phase 1A Assessment Survey Byram River Bank Stabilization & Sewer Siphon Protection Project Greenwich, CT							
Job #:								
Via:	Mail:	Overnight	: X Courier:					
Enclosed plea	se find:							
For yo	our information		Approved					
F	For your review X		Approved as noted					
For	your signature		Returned to you for correction					

• Message:

Attached please find a copy of the Management Memorandum for the Phase 1A Archaeological Assessment Survey completed for the above-referenced project.

Please feel free to contact me at (617) 452-6603 if you have any questions concerning the Byram River Bank Stabilization & Sewer Siphon Protection Project. Thank you.

lan for Signed