

A. INTRODUCTION

This chapter summarizes unavoidable significant adverse impacts resulting from the three alternatives under consideration for implementation of the Proposed Project. According to the 2021 *City Environmental Quality Review Technical Manual (CTM)*, unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is infeasible. Unavoidable significant adverse impacts resulting in the area(s) of analysis under operational conditions include shadows, historic and cultural resources, and transportation, and under construction conditions include noise and transportation.

B. SHADOWS

As described in **Chapter 05.05, “Shadows,”** the Proposed Project under all three analyzed alternatives (i.e., the Rezoning Alternative, Non-Rezoning Alternative, and Midblock Bulk Alternative) would result in significant adverse shadows impacts due to direct shadows effects on Chelsea Park and Public School (PS) 33 Playground.

Although mitigation measures have not been identified at this time, potential mitigation measures will continue to be explored in consultation with the New York City Department of Parks and Recreation (NYC Parks) and will be published in the Final Environmental Impact Statement (FEIS), if identified.

If practicable measures to fully mitigate the impacts cannot be identified, then impacts would remain as unavoidable adverse impacts.

C. HISTORIC AND CULTURAL RESOURCES

As described in **Chapter 05.06, “Historic and Cultural Resources,”** the Proposed Project under all three analyzed alternatives would result in significant adverse historic and cultural resources impacts due to the demolition of the existing State and National Register of Historic Places (S/NR)-eligible buildings on the Elliott-Chelsea Houses Project Site.

As discussed in **Chapter 05.21,** the New York City Housing Authority (NYCHA), New York City Department of Housing Preservation and Development (HPD), and Permanent Affordability Commitment Together (PACT) Partner have worked with the State Historic Preservation Office (SHPO) and Section 106 consulting parties to develop measures to partially mitigate the adverse effect, set forth in a draft Memorandum of Agreement (MOA) pursuant to Section 106 of the National Historic Preservation Act (NHPA) (provided in **Appendix D.2**).

As these measures being developed would only partially mitigate the adverse effect, this impact would not be considered fully mitigated and therefore an unavoidable adverse impact of the Proposed Project.

D. TRANSPORTATION

Alternative 2 – Rezoning Alternative

Traffic

As discussed in **Chapter 05.13, “Transportation,”** the Rezoning Alternative would result in significant adverse traffic impacts at eleven signalized study area intersections during one or more analyzed peak hours; specifically, five lane groups at five intersections during the weekday AM peak hour, eight lane groups at seven intersections in the midday peak hour, ten lane groups at eight intersections in the PM peak hour, and five lane groups at four intersections during the Saturday peak hour.

As discussed in **Chapter 05.13**, assuming the implementation of the proposed mitigation measures, all of the traffic impacts could be mitigated except for impacts to two lane groups at one intersection (W. 23rd Street & 10th Avenue) during the weekday PM peak hour which would remain unmitigated. Implementation of the recommended traffic engineering improvements is subject to final review and approval by the New York City Department of Transportation (NYCDOT). If, prior to implementation, NYCDOT determines that an identified mitigation measure is infeasible, an alternative mitigation measure will be identified, if possible. In the absence of the implementation of mitigation measures, the impacts would remain unmitigated. Therefore, any unmitigated impact would constitute unavoidable significant adverse traffic impacts as a result of the Rezoning Alternative.

Pedestrians

As discussed in **Chapter 05.13**, the Rezoning Alternative would result in significant adverse pedestrian impacts at six sidewalks and two crosswalks in one or more peak hours. As discussed in **Chapter 05.21**, assuming implementation of the proposed mitigation measures for one sidewalk and one crosswalk, there would still be unmitigated impacts to five, two, four, and five sidewalks during the weekday AM, midday, PM, and Saturday peak hours, respectively, as well as one crosswalk in the weekday PM peak hour. Additional mitigation measures will be further explored in consultation with the Lead Agencies and NYCDOT between the Draft Environmental Impact Statement (DEIS) and FEIS. If no feasible and practicable measures are identified for these locations, the impacts would remain unmitigated. In addition, if the proposed mitigation measure is deemed infeasible and no alternate mitigation measure is identified, the impacts would remain unmitigated. Therefore, any unmitigated impacts would constitute unavoidable significant adverse impacts as a result of the Rezoning Alternative.

Alternative 3 – Non-Rezoning Alternative

Traffic

As discussed in **Chapter 05.13**, the Non-Rezoning Alternative would result in significant adverse traffic impacts at eight signalized study area intersections during one or more analyzed peak hours; specifically, five lane groups at five intersections during the weekday AM peak hour, four lane groups at three intersections in the midday peak hour, six lane groups at six intersections in the PM peak hour, and four lane groups at three intersections during the Saturday peak hour.

As discussed in **Chapter 05.13**, assuming the implementation of the proposed mitigation measures, there would still be unmitigated impacts to two lane groups at one intersection (W. 23rd Street & 10th Avenue) during the weekday PM peak hour. Implementation of the recommended traffic engineering improvements is subject to final review and approval by NYCDOT. If, prior to implementation, NYCDOT determines that an identified mitigation measure is infeasible, an alternative mitigation measure will be identified, if possible. In the absence of the implementation of mitigation measures, the impacts would remain unmitigated. Therefore, any unmitigated impact would constitute an unavoidable significant adverse traffic impact as a result of the Non-Rezoning Alternative.

Pedestrians

As discussed in **Chapter 05.13**, the Non-Rezoning Alternative would result in significant adverse pedestrian impacts at six sidewalks in one or more peak hours. As discussed in **Chapter 05.21**, assuming implementation of the proposed mitigation measures, there would still be unmitigated impacts at five, two, three, and five sidewalks during the weekday AM, midday and PM, and Saturday peak hours, respectively. Additional mitigation measures will be further explored in consultation with the Lead Agencies and NYCDOT between the DEIS and FEIS. If no feasible and practicable measures are identified for these locations, the impacts would remain unmitigated. Therefore, any unmitigated impacts would constitute unavoidable significant adverse impacts as a result of the Rezoning Alternative.

Alternative 4 – Midblock Bulk Alternative

As the Rezoning Alternative is similar to the Midblock Bulk Alternative in terms of total development program, it is anticipated that the Midblock Bulk Alternative would result in significant traffic and pedestrian impacts similar to the Rezoning Alternative. The mitigation measures proposed for the Rezoning Alternative would improve the conditions of the impacted pedestrian and traffic locations under the Midblock Bulk Alternative. However, as with the Rezoning Alternative, some pedestrian and traffic impacts would remain unmitigated. Any unmitigated traffic and pedestrian impacts would constitute unavoidable significant adverse traffic and pedestrian impacts as a result of the Midblock Bulk Alternative.

E. CONSTRUCTION – NOISE

As discussed in **Chapter 05.19, “Construction,”** the Proposed Project would lead to significant adverse impacts in the form of construction noise at various receptors within and adjacent to the Project Sites under the Rezoning Alternative, Non-Rezoning Alternative, and the Midblock Bulk Alternative.

Construction activities for the Rezoning Alternative, Non-Rezoning Alternative, or Midblock Bulk Alternative would be required to follow the requirements of the NYC Noise Control Code for construction noise control measures. Specific noise control measures would be incorporated in noise mitigation plan(s) required under the NYC Noise Control Code. These measures could include a variety of source and path controls.

Chapter 05.21 identifies source and path control that would be implemented as Project Commitments Related to the Environment (PCREs) during construction of the Proposed Project beyond New York City regulations to minimize noise emissions to the maximum extent practicable. In addition to these source and path-control measures, the feasibility and practicability of receptor control measures for non-NYCHA buildings and/or other potential mitigation for construction noise impacts on nearby buildings will be evaluated further between Draft and Final EIS.

Even with the noise reduction measures described in the DEIS, interior noise levels during construction would still exceed the acceptable thresholds for residential or community facility uses under the Rezoning Alternative, Non-Rezoning Alternative, or Midblock Bulk Alternative. Therefore, under any of these alternatives there would be unavoidable significant adverse noise impacts during construction.

F. CONSTRUCTION – TRANSPORTATION

Alternative 2 – Rezoning Alternative

Traffic

As discussed in **Chapter 05.19**, in the first quarter of the 2034 peak construction period, construction traffic in combination with operational traffic from completed development on the Project Sites under the Rezoning Alternative would result in significant adverse traffic impacts at six study area intersections during one or both analyzed construction peak hours; specifically, one lane group at one intersection in the AM construction peak hour, and five lane groups at five intersections in the PM construction peak hour.

As discussed in **Chapter 05.19**, assuming the implementation of the proposed mitigation measures, impacts to one lane group at one intersection (W. 29th Street and 9th Avenue) in the weekday PM construction peak hour would remain unmitigated. Implementation of the recommended traffic engineering improvements is subject to final review and approval by NYCDOT. If, prior to implementation, NYCDOT determines that an identified mitigation measure

is infeasible, an alternative mitigation measure will be identified, if possible. In the absence of the implementation of mitigation measures, the impacts would remain unmitigated. Therefore, any unmitigated impact would constitute an unavoidable significant adverse construction traffic impact as a result of the Rezoning Alternative.

Pedestrians

As discussed in **Chapter 05.19**, in the first quarter of the 2034 peak construction period, the Rezoning Alternative would result in significant adverse pedestrian impacts at three sidewalks and one crosswalk in one or both of the construction peak hours.

As discussed in **Chapter 05.19**, assuming implementation of the proposed mitigation measures in the peak construction period for one sidewalk during the AM and PM construction peak hours, there would still be unmitigated impacts to one sidewalk during the AM construction peak hour and three sidewalks during the PM construction peak hour, as well as one crosswalk in the weekday PM construction peak hour. If proposed mitigation measures are deemed infeasible and no alternate mitigation measure is identified, the impacts would remain unmitigated. Therefore, any unmitigated impacts would constitute unavoidable significant adverse impacts as a result of the Rezoning Alternative.

Alternative 3 – Non-Rezoning Alternative

Traffic

As discussed in **Chapter 05.19**, in the second quarter of the 2037 peak construction period, construction traffic in combination with operational traffic from completed development on the Project Sites under the Non-Rezoning Alternative would result in significant adverse traffic impacts at eight study area intersections during one or both analyzed construction peak hours; specifically, one lane group at one intersection in the AM construction peak hour, and eight lane groups at seven intersections in the PM construction peak hour.

As discussed in **Chapter 05.19**, assuming the implementation of proposed mitigation measures, all intersections would be fully mitigated. Implementation of the recommended traffic engineering improvements is subject to final review and approval by NYCDOT. If, prior to implementation, NYCDOT determines that an identified mitigation measure is infeasible, an alternative mitigation measure will be identified, if possible. In the absence of the implementation of mitigation measures, the impacts would remain unmitigated and would therefore constitute an unavoidable significant adverse impact.

Pedestrians

As also discussed in **Chapter 05.19**, in the second quarter of the 2037 peak construction period, the Non-Rezoning Alternative would result in significant adverse pedestrian impacts at three sidewalks in one or both of the construction peak hours.

As discussed in **Chapter 05.19**, assuming implementation of the proposed mitigation measures in the peak construction period for one sidewalk during the AM and PM construction peak hours, there would still be unmitigated impacts to one sidewalk during the AM and PM construction peak hours. If proposed mitigation measures are deemed infeasible and no alternate mitigation measure is identified, the impacts would remain unmitigated. Therefore, any unmitigated impacts would constitute unavoidable significant adverse impacts as a result of the Rezoning Alternative.

Alternative 4 – Midblock Bulk Alternative

As the Midblock Bulk Alternative would generate fewer vehicle and pedestrian trips in each of the construction peak hour than the Rezoning Alternative, it is anticipated that it would not result in any new significant adverse construction traffic and pedestrian impacts compared to the Rezoning Alternative. The mitigation measures proposed for the Rezoning Alternative's significant adverse construction traffic and pedestrian impacts would improve the traffic and pedestrian conditions of the impacted locations under the Midblock Bulk Alternative. However, as with the Rezoning Alternative, some pedestrian and traffic impacts would remain unmitigated. Any unmitigated construction traffic and pedestrian impacts would constitute unavoidable significant adverse construction traffic and pedestrian impacts as a result of the Midblock Bulk Alternative.