

A. INTRODUCTION

This chapter summarizes unavoidable significant adverse impacts resulting from the four 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 four alternatives (i.e., the Rezoning Alternative [which has been identified as the Preferred Alternative and is referred to by the latter term for the remainder of this chapter], Non-Rezoning Alternative, Midblock Bulk Alternative, and COY Alternative) would result in significant adverse shadows impacts due to direct shadows effects on Chelsea Park and Public School (PS) 33 Playground. As discussed in Chapter 05.21, “Mitigation,” lighting improvements have been identified as a practicable and feasible measure to partially mitigate shadows impacts to Chelsea Park resulting from the Proposed Project under the four alternatives. In particular, this would consist of updating approximately 14 existing incandescent light poles around the sports turf field in the western half of Chelsea Park with LED bulbs or equivalent, as needed to improve illumination and efficiency. These measures will be obligations of the PACT Partner that will be memorialized in legally binding documents. This measure would only partially mitigate the shadows impact on Chelsea Park. Therefore, despite partial mitigation, shadows impacts to Chelsea Park would remain as unavoidable adverse impacts. No additional measures were determined to be feasible, practicable, and effective to mitigate the predicted significant adverse shadows impacts to Chelsea Park and PS 33 Playground and therefore, shadows would be an unavoidable adverse impact of the Proposed Project.

C. HISTORIC AND CULTURAL RESOURCES

As described in **Chapter 05.06, “Historic and Cultural Resources,”** the Proposed Project under all four 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 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 – Preferred Alternative

Traffic

As discussed in **Chapter 05.13, “Transportation,”** the Preferred 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, nine lane groups at eight 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 one lane group at one intersection in the weekday AM period (W. 26th Street & 9th Avenue), one lane group at one intersection in the weekday midday period (W. 23rd Street & 10th Avenue), and 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 Preferred Alternative.

Pedestrians

As discussed in **Chapter 05.13**, the Preferred Alternative would result in significant adverse pedestrian impacts at five 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 four, one, three, and four 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 were further explored in consultation with the Lead Agencies and NYCDOT between the Draft Environmental Impact Statement (DEIS) and Final EIS (FEIS). As no feasible and practicable measures were identified

for these locations, these 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 Preferred 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 one lane group at one intersection during the weekday AM, midday, and PM peak hours. These intersections include W. 26th Street & 9th Avenue during the weekday AM peak hour and W. 23rd Street & 10th Avenue during the weekday midday and PM peak hours. 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 five 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 three, two, three, and four sidewalks during the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. Additional mitigation measures were further explored in consultation with the Lead Agencies and NYCDOT between the DEIS and FEIS. As no feasible and practicable measures were identified for these locations, these impacts would remain unmitigated. Therefore, any unmitigated impacts would constitute unavoidable significant adverse impacts as a result of the Non-Rezoning Alternative.

Alternative 4 – Midblock Bulk Alternative

As the Preferred 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 Preferred Alternative. The mitigation measures proposed for the Preferred Alternative may be proposed for the Midblock Bulk Alternative and would improve the conditions of the impacted pedestrian and traffic locations

under the Midblock Bulk Alternative. However, as with the Preferred 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.

Alternative 7 – COY Alternative

As the COY Alternative would generate fewer vehicle and pedestrian trips in each peak hour than would the Preferred Alternative, it is anticipated that these impacts would potentially be reduced in magnitude with the COY Alternative. The mitigation measures proposed for the Preferred Alternative’s significant adverse traffic and pedestrian impacts may be proposed for the COY Alternative and would improve the conditions of the impacted pedestrian and traffic locations under the COY Alternative. However, as with the Preferred 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 COY 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 Preferred Alternative, Non-Rezoning Alternative, the Midblock Bulk Alternative, and the COY Alternative.

Construction activities for the Preferred Alternative, Non-Rezoning Alternative, Midblock Bulk Alternative, or COY 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 were evaluated further between the Draft and Final EIS. However, no additional measures were determined to be feasible, practicable, and effective to mitigate the predicted significant adverse construction noise impacts. For the Proposed Project under any of the alternatives, the measures described in Chapter 05.21 will be obligations of the PACT Partner that will be memorialized in legally binding documents.

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

F. CONSTRUCTION – TRANSPORTATION

Alternative 2 – Preferred 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 Preferred Alternative would result in significant adverse traffic impacts at seven 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 six lane groups at six 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 Preferred Alternative.

Pedestrians

As discussed in **Chapter 05.19**, in the first quarter of the 2034 peak construction period, the Preferred 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, 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 Preferred 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 nine 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 two 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, 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 Non-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 Preferred Alternative, it is anticipated that it would not result in any new significant adverse construction traffic and pedestrian impacts compared to the Preferred Alternative. The mitigation measures proposed for the Preferred Alternative's significant adverse construction traffic and pedestrian impacts may be proposed for the Midblock Bulk Alternative and would improve the traffic and pedestrian conditions of the impacted locations under the Midblock Bulk Alternative. However, as with the Preferred 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.

Alternative 7 – COY Alternative

As the COY Alternative would generate fewer vehicle and pedestrian trips in each of the construction peak hour than would the Preferred Alternative, it is anticipated that these impacts would potentially be reduced in magnitude with the COY Alternative. The measures proposed for the Preferred Alternative's significant adverse construction traffic and pedestrian impacts may be proposed for the COY Alternative and would improve the conditions of the impacted pedestrian and traffic locations under the COY Alternative. However, as with the Preferred 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 COY Alternative.