

# West 108<sup>th</sup> Street WSFSSH Development

## Chapter 15: Unavoidable Adverse Impacts

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### A. INTRODUCTION

This chapter summarizes unavoidable significant adverse impacts resulting from the Proposed Project. According to the *City Environmental Quality Review (CEQR) Technical Manual*, 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.

As outlined in Chapter 1, “Project Description,” the Proposed Actions consist of a series of land use actions that would facilitate the redevelopment of Block 1863, Lots 5, 10, 13, and 26 (the “Development Site”) with affordable and supportive housing and community facility uses. Specifically, the Proposed Project would consist of two buildings: the Western Development (“Building 1,” on Lots 5, 10, and 13) would consist of a 193,000 gross square foot (gsf) building with 1959 affordable housing units and 37,400 gsf of community facility uses (including 110 shelter beds and 6,400 gsf of other community facility uses); and the Eastern Development (“Building 2,” on Lot 26) would consist of a 45,000 gsf building with 82 affordable housing units. The potential for the Proposed Project to result in significant adverse impact was evaluated in Chapters 2 through 12 of this EIS, with mitigation for identified significant adverse impacts presented in Chapter 13, “Mitigation.” As described in Chapter 12, “Construction,” the Proposed Project would result in significant adverse impacts with respect to construction noise. Potential noise mitigation measures were explored and ~~will continue to be evaluated between the DEIS and FEIS, and the project sponsor has committed to the following partial mitigation measures: the offer of AC units to impacted residential units, continuous construction noise monitoring, and enhanced community outreach and coordination with regard to the construction schedule and anticipated high noise periods. A final description of construction noise mitigation measures will be presented in the FEIS, taking into consideration public comments received on the potential measures discussed in the DEIS and the feasibility and practicability of such measures. While the incorporation of feasible and practicable the above-listed mitigation measures (to be enforced through the Land Disposition Agreement (LDA) between the City of New York – Department of Housing Preservation and Development (HPD) and the project sponsor) will substantially reduce construction noise exposure, but it is not expected to eliminate the significant adverse impact; therefore,~~ construction noise is considered an unavoidable significant adverse impact. There are no reasonable alternatives to the Proposed Project that would meet its purpose and need, eliminate its impacts, and not cause other or similar significant adverse impacts.

### B. CONSTRUCTION NOISE

As described in greater detail in Chapter 12, “Construction,” in addition to standard noise control measures required pursuant to the New York City Noise Control Code (including a variety of source and path controls, such as ensuring that all equipment employs the manufacturer’s appropriate noise reduction device(s) and that construction devices with internal combustion engines keep their engine’s housing doors closed, covering portable noise-generating equipment with noise-insulating fabric, preventing vehicle engine idling on-site, etc.), the project sponsor will provide a temporary fifteen-foot perimeter noise wall as a special noise control measure as part of the Proposed Project. While these

measures would serve to reduce noise levels and were incorporated into the detailed analysis, the detailed construction noise analysis presented in Chapter 12 found that predicted noise levels due to construction-related activities associated with the Proposed Project would still result in potentially significant adverse noise impacts to adjoining residential buildings along West 109<sup>th</sup> Street and Amsterdam and Columbus avenues on a temporary basis during portions of the construction period.

Potential noise mitigation measures ~~including voluntary outreach efforts by the project sponsor to improve window/wall attenuation for identified sensitive receptors, continued construction noise monitoring, and enhanced community outreach and coordination with regard to the construction schedule and anticipated high noise periods~~ were explored, which are presented in Chapter 13, "Mitigation." Potential noise mitigation measures will continue to be and evaluated between the DEIS and FEIS. A final description of construction noise mitigation measures will be presented in the FEIS, taking into consideration public comments received on the potential measures discussed in the DEIS and the feasibility and practicability of such measures. As presented in Chapter 13, "Mitigation," based on a pedestrian field review, the majority of the residential buildings affected appear to have standard double-paned windows and window air conditioning (AC) units, rather than central heating ventilation and air conditioning (HVAC) systems, and the results presented in Chapter 12 assume their use to provide a level of exterior to interior noise attenuation during warm weather when windows would otherwise be opened for ventilation. Absent the use of a window AC, interior noise levels would be higher than described in Chapter 12. Between the DEIS and FEIS, ~~an additional field surveys were~~ will be conducted to confirm the presence of operable window AC units in impacted residential units. Based on the estimated number of units that lack a functional window AC, the ~~feasibility of a program under which the project sponsor would~~ has committed to offer provide window AC units to those units, upon request ~~will be evaluated~~. However, as the use of window ACs would not completely eliminate the significant adverse impact, unmitigated significant adverse construction impacts could occur.

The project sponsor has also committed to implementing a construction noise monitoring program, ~~which is a potential mitigation measure that would aid in the identification and proactive resolution of noise exposure issues. Noise monitoring is an adaptive management approach that cannot be quantitatively modeled, but would meaningfully contribute to minimizing community exposure to construction noise. A detailed monitoring protocol would need to be~~ was developed between the DEIS and FEIS ~~to specifying~~ the location(s) of noise monitoring during different construction phases, as well as the construction noise action levels triggering additional investigation or changes in the construction approach, is provided in Appendix V, "Mitigation." Similarly, even though it does not directly reduce construction noise levels, providing the affected residences/institutions information on the Proposed Project' construction and when to expect elevated noise levels associated with its construction can be effective in helping manage construction noise impacts.

While the incorporation of ~~feasible and practicable~~ the above-described mitigation measures (to be enforced through the LDA between HPD and the project sponsor) will substantially reduce construction noise exposure, it is not expected to eliminate the significant adverse impact; therefore, construction noise is considered an unavoidable significant adverse impact.