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Unavoidable Significant Adverse Impacts

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 impossible.

Introduction

This chapter summarizes unavoidable significant adverse impacts resulting from the With-Action condition. As described in **Chapter 19, Mitigation**, the Proposed Actions have the potential to result in significant adverse impacts with respect to transportation (traffic and pedestrians) and construction (traffic, pedestrians, and noise). To the extent practicable, mitigation has been proposed for the identified significant adverse impacts. However, in some instances no practicable mitigation has been identified to fully mitigate the significant adverse impacts, and there are no reasonable alternatives to the Proposed Actions that would meet the purpose and need, eliminate potential impacts, and not cause other or similar significant adverse impacts.

Transportation

Traffic

As described in **Chapter 12, Transportation**, of the 13 intersections analyzed, the Proposed Actions would result in significant adverse traffic impacts as follows:

- at four intersections (at six specific traffic movements) during the weekday AM peak hour,
- at four intersections (at six specific traffic movements) during the weekday midday peak hour,
- at five intersections (at nine specific traffic movements) during the weekday PM peak hour, and
- at five intersections (at seven specific traffic movements) during the Saturday peak hour.

Standard traffic capacity improvements typically implemented by New York City Department of Transportation (NYC DOT), such as signal timing modifications, could mitigate the traffic impacts at two intersections during the weekday AM peak hour, three intersections during the weekday midday peak hour, four intersections during the weekday PM peak hour, and two intersections during the Saturday peak hour. Such measures are identified and are discussed in **Chapter 19, Mitigation**. However, significant traffic impacts to the intersections listed below would remain unmitigated:

- Franklin Street and Quay Street (weekday midday, PM, and Saturday peak hours)
- Franklin Street and Greenpoint Avenue (weekday AM peak hour)
- McGuinness Boulevard and Greenpoint Avenue (Saturday peak hour)
- West Street and Oak Street (weekday AM peak hour)
- Franklin Street and Milton Street (Saturday peak hour)

The proposed mitigation measures are subject to review and approval by NYC DOT. If, prior to implementation, NYC DOT determines that any of the identified mitigation measures are infeasible, and no other alternative and equivalent mitigation measures could be advanced, then the impacts would remain unmitigated.

Pedestrians

As described in **Chapter 12, Transportation**, two of the 22 pedestrian elements analyzed would be significantly adverse impacted by the Proposed Actions:

- Southwest corner at the intersection of Franklin Street and Quay Street (Saturday peak hour)
- South crosswalk at the intersection of Franklin Street and Quay Street (weekday AM, midday, PM and Saturday peak hours)

As discussed in **Chapter 19, Mitigation**, no feasible mitigation measures were identified, therefore the significant adverse impacts to these pedestrian elements would remain unmitigated.

Construction

Traffic

As discussed in **Chapter 18, Construction**, 13 intersections were analyzed for potential significant traffic impacts during the construction traffic peak hours. Significant impacts were identified at three intersections (at four specific traffic movements) during the weekday AM construction peak hour and four intersections (at six specific traffic movements) during the weekday PM construction peak hour. Where these impacts during construction can be expected to occur, traffic capacity improvements in the form of signal timing modifications are proposed to provide full mitigation where feasible. Significant traffic impacts could be fully mitigated at the three significantly impacted intersections during the weekday AM construction peak hour and three of the four significantly impacted intersections could be fully mitigated during the PM construction peak hour. Such measures are identified and are discussed in **Chapter 19, Mitigation**. However, significant traffic impact at the intersection listed below would remain unmitigated during construction:

- McGuinness Boulevard and Greenpoint Avenue (weekday PM construction peak hour)

The proposed mitigation measures are subject to review and approval by NYC DOT. If, prior to implementation, NYC DOT determines that any of the identified mitigation measures are infeasible, and no other alternative and equivalent mitigation measures could be advanced, then the impacts would remain unmitigated.

Pedestrians

As described in **Chapter 18, Construction,** construction-related activities would generate 567 pedestrian trips during the weekday AM and PM construction peak hours. While the number of construction-related pedestrian trips would be substantially lower than pedestrian trips generated by the Proposed Development (1,262 pedestrian trips during the weekday AM commuter peak hour and 2,278 pedestrian trips during the PM commuter peak hour would be generated by the Proposed Development), significant impacts were identified that could not be mitigated at the south crosswalk at the intersection of Franklin Street and Quay Street under weekday operational conditions). Therefore, it is possible that construction activities could result in the same significant adverse pedestrian impacts, although the potential for these significant pedestrian impacts during construction would be no worse than what has been identified for the operational condition.

Noise

As described in **Chapter 18, Construction**, construction of the Proposed Development would have the potential to result in a significant adverse construction noise impact on the future building to be located at 3 West Street due to exceedances of the thresholds for exterior increase in noise and thresholds for acceptable interior noise levels for residential uses. No other receptors analyzed would experience significant adverse construction noise impacts. Construction at the Development Site would be required to adhere to New York City's construction noise regulations, including the requirement to prepare and implement a Construction Noise Mitigation Plan and to construct an 8-foot-tall construction noise barrier, as well as additional measures (i.e., limiting the usage of generators) beyond what is required by the code, which is assumed in the noise modeling analysis. Even with these measures, construction noise would exceed the threshold for a significant adverse construction noise impact at one receptor location, 3 West Street, during certain phases of construction. No further practicable and feasible mitigation measures were identified to fully mitigate the identified potential significant adverse construction noise impact. As such, this significant adverse impact would be unmitigated and therefore unavoidable.