Chapter 20: Alternative Description

20.1 Introduction

As described in the *City Environmental Quality Review* (CEQR) *Technical Manual*, alternatives selected for consideration in an environmental impact statement are generally those that are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of this action. As described in Chapter 1, "Project Description," the New York City Department of City Planning (DCP) is proposing a series of land use actions (collectively, the "Proposed Actions") that would facilitate the implementation of a multi-year planning study conducted in the Parkchester, Van Nest, and Morris Park neighborhoods of the Bronx in partnership with local stakeholders, City agencies, and the Metropolitan Transportation Authority (MTA). The Proposed Actions would affect an approximately 46-block area primarily along main corridors – East Tremont Avenue, White Plains Road, Bronxdale Avenue, Eastchester Road, and Stillwell Avenue, located near the future Parkchester/Van Nest and Morris Park Metro-North Stations in Bronx Community Districts 9, 10, and 11 (the "Affected Area").

This chapter considers the following two alternatives to the Proposed Actions:

- A No-Action Alternative, which is mandated by CEQR and the State Environmental Quality Review Act (SEQRA) and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part (i.e., no zoning changes).
- A No Unmitigated Significant Adverse Impacts Alternative, which considers a development scenario that would not result in any identified significant, unmitigated adverse impacts.

20.2 Principal Conclusions

NO-ACTION ALTERNATIVE

The No-Action Alternative examines future conditions within the Affected Area but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). In the No-Action Alternative, existing zoning would remain in the area affected by the Proposed Actions. It is anticipated that the Affected Area would experience growth under the No-Action Alternative by 2033. In the No-Action Alternative, it is anticipated that new development would occur on 12 of the 60 projected development sites identified under the Reasonable Worst-Case Development Scenario (RWCDS). In total on the 60 projected development sites, there would be 243,887

gross square feet (gsf) of market-rate residential floor area (239 DUs), 1,243,250 gsf of commercial uses, 405,096 gsf of industrial uses, 229,777 gsf of community facility uses, and 2,208 accessory parking spaces in the 2033 No-Action Alternative. The significant adverse impacts related to community facilities, open space, shadows, historic and cultural resources, transportation, and construction that would occur with the Proposed Actions would not occur with the No-Action Alternative.

In the No-Action Alternative, there would be no change to zoning, Mandatory Inclusionary Housing (MIH), or the City Map within the Affected Area. The substantial amount of affordable housing expected under the Proposed Actions would not be provided. In addition, as compared to the Proposed Actions, the benefits associated with improved economic activity, opportunities for high quality, permanent affordable housing, and enhanced pedestrian conditions and vibrant commercial corridor around two new Metro-North stations would not to be realized.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are modified to avoid the unmitigated significant adverse impacts associated with the Proposed Actions which include impacts related to community facilities and services (elementary schools), open space, shadows, historic and cultural resources (archaeological and architectural), transportation (traffic and pedestrians), and construction (transportation, architectural resources, and noise).

This alternative considers development that would not result in any significant adverse impacts that could not be fully mitigated. However, to eliminate all unmitigated significant adverse impacts, the Proposed Actions would have to be modified to a point where the principal goals and objectives of the Proposed Actions would not be fully realized.

20.3 No-Action Alternative

INTRODUCTION

In the No-Action Alternative, there would be no change to zoning, MIH, or the City Map within the Affected Area.With the No-Action Alternative, it is anticipated that new development would occur on 12 of the 60 projected development sites identified under the Reasonable Worst-Case Development Scenario (RWCDS). In total on the 60 projected development sites, there would be 243,887 gsf of market-rate residential floor area (239 DUs), 1,243,250 gsf of commercial uses, 229,777 gsf of community facility uses, and 2,208 accessory parking spaces under the 2033 No-Action Alternative. In addition to these developments identified in the RWCDS, additional developments, referred to as “No-Builds,” have been

identified for each of the analyses based on their respective study area. The effects of the No-Action Alternative in comparison to those of the Proposed Actions are provided below.

LAND USE, ZONING, AND PUBLIC POLICY

In the No-Action Alternative, based on existing zoning and land use trends and general development patterns, it is anticipated that the Affected Area would experience limited overall growth. Under the No-Action Alternative, it is expected that the Affected Area would experience a net increase in residential, commercial, and community facility uses. In comparison to the future with the Proposed Actions, under the No-Action Alternative there would be less residential, commercial, community facility, and parking uses and more industrial uses in the Affected Area.

Like the Proposed Actions, the No-Action Alternative would not result in any significant adverse impacts to land use, zoning, or public policy. Development within the Affected Area would be consistent with existing uses and is not expected to significantly affect the mix of existing land uses in the area. However, under the No-Action Alternative, significantly fewer residential units and parking spaces would be constructed, with no affordable housing developed under this alternative, compared to the future with the Proposed Actions. Additionally, there would be significantly less community facility and commercial uses and more industrial uses under the No-Action Alternative.

Under the No-Action Alternative, no changes to zoning are anticipated. Development could occur throughout the Affected Area under the current mix of residential, commercial, and manufacturing zoning districts. New developments within the existing zoning districts are expected to primarily comprise residential, community facility, commercial, and parking (though on a much smaller scale than with the Proposed Actions) introduced under the No-Action Alternative. Unlike the Proposed Actions, the No-Action Alternative would not expand development opportunities for the large-scale creation of residential or community facility development and would slightly decrease industrial uses, as opposed to eliminating them.

New development under the Proposed Actions would be of a higher density and larger scale than currently allowed under the existing zoning districts. Thus, the benefits of the Proposed Actions with respect to the creation of new residential development through the zoning of new contextual residential districts would be foregone, as would the proposed establishment of a Mandatory Inclusionary Housing area, which would facilitate expansion of the neighborhood's supply of affordable housing and the construction of new permanently affordable housing development.

The benefits expected to result from the Proposed Actions – including providing opportunities for affordable housing development by increasing residential density and establishing Mandatory Inclusionary Housing, promoting retail uses by designating strategic locations as a full commercial district, and replacing industrial uses with residential and commercial uses adjacent to the new Morris Park and Parkchester Metro-North Stations – would not be realized under this alternative.

SOCIOECONOMIC CONDITIONS

Future conditions with the No-Action Alternative would result in less residential, community facility, and commercial development than would otherwise occur with implementation of the Proposed Actions. Absent the Proposed Actions, it is anticipated that development would only occur on 12 of the 60 projected development sites. No-Action development on these twelve projected development sites would result in a net increase of 153,033 gsf of residential floor area (180 DUs), 137,279 gsf of commercial uses, and 189,759 gsf of community facility uses, which would result in less housing production and comparatively fewer jobs than with the Proposed Actions. The following summarizes the potential socioeconomic effects of the No-Action Alternative as compared to those of the Proposed Actions for the five issues of socioeconomic concern per the *CEQR Technical Manual*.

Direct Residential Displacement

Neither the No-Action Action Alternative nor the Proposed Actions would result in significant adverse impacts due to direct residential displacement. No direct residential displacement would occur under the No-Action Alternative, while the Proposed Actions could potentially directly displace an estimated 162 residents residing in 59 dwelling units on nine projected development sites.

Indirect Residential Displacement

Neither the No-Action Alternative nor the Proposed Actions would be expected to have a significant adverse indirect residential displacement impact. In the future with the No-Action Alternative, approximately 180 dwelling units would be constructed on 12 of the 60 projected development sites, housing a population that would be well below the *CEQR Technical Manual* threshold of five percent of the existing study area population, indicating that the development would not be large enough to substantially alter the secondary study area's socioeconomic character and demographic composition or real estate market conditions.

Demand for housing in the secondary study area is expected to continue to increase given its relative affordability compared to the surrounding areas and its relatively convenient location and proximity to public transit. Given the trends experienced in the neighborhoods surrounding the study area, low vacancy rates, and the increased interest in and limited housing stock of the study area, it is likely that rents within the study area could increase under the No-Action Alternative. In absence of the Proposed Actions, much of the new housing in the foreseeable future is expected to be affordable and targeted to a mix of incomes, providing new opportunities for a variety of housing types. Some of the new housing anticipated in absence of the Proposed Actions would be targeted to households that exceed typical income levels in the study area.

Based on upward trends in income and real estate values near the secondary study area and the limited stock of available apartments, it is likely that low-income households in unprotected units (at-risk households) would continue to experience indirect residential displacement pressures under the No-Action Alternative and could potentially decrease the number of low-income households. The anticipated socioeconomic benefits of the Proposed Actions, including promoting the development of permanently

affordable housing and facilitating mixed-income communities by requiring affordable housing units to be included in any new residential development, would not be realized under the No-Action Alternative. The Proposed Actions and associated RWCDS would create capacity for the construction of new affordable housing in the approximately 46-block Affected Areas, in areas where residential uses are not currently permitted, and would also increase the allowable residential density in areas that can support additional development in a transit accessible area. It is anticipated that the Proposed Actions would help to relieve displacement pressures and provide for a more diverse demographic composition within the study area by providing affordable housing and increasing the overall supply of housing, which is not expected to occur in the No-Action Alternative.

Direct Business Displacement

Like the Proposed Actions, the No-Action Alternative would not result in significant adverse impacts due to direct business displacement. Both the Proposed Actions and the No-Action Alternative would result in some direct business and institutional displacement. The No-Action Alternative could result in the direct displacement of 8 businesses affecting an estimated 100 workers in the retail, wholesale, and other services (public parking), health care and social assistance, and professional and educational services sectors on nine of the 60 projected development sites. As with the Proposed Actions, which could have the potential to directly displace significantly more businesses than the No-Action Alternative, the directly displaced businesses do not provide product or services that would no longer be available to local residents or businesses, nor are they the subject of regulations or publicly adopted plans aimed at preserving, enhancing, or otherwise protecting them in their current location. These businesses are not unique to the ¼ -mile secondary study area, nor do they serve a user base that is dependent on their location within the study area. As with the Proposed Actions, it is expected that the potentially displaced businesses would be able to find comparable space within the study area or elsewhere in the City in the future with the No-Action Alternative.

Indirect Business Displacement

Neither the No-Action Alternative nor the Proposed Actions are expected to result in significant adverse impacts due to indirect business displacement. Similar to the Proposed Actions, the No-Action Alternative would not introduce new economic activities that would substantially alter existing economic patterns in the study area, nor would it alter the land use character of the study area. The ¼-mile secondary study area already has well-established commercial and residential markets, and neither the Proposed Actions nor the No-Action Alternative are expected to substantially alter commercial real estate trends in the area.

Compared to the Proposed Actions, the No-Action Alternative would result in less commercial, community facility, and residential development than would otherwise occur with the implementation of the Proposed Actions. There would be comparably fewer new jobs under the No-Action Alternative. The anticipated socioeconomic benefits of the Proposed Actions, including creating new centers of activity that would bring together housing, commercial uses, community services and street level activities,

promoting continuous active non-residential ground floor uses, would not be realized under the No-Action Alternative. The Affected Area is anticipated to remain a service area that is largely characterized by low-density commercial, automotive, and transportation-related uses.

Adverse Effects on Specific Industries

Neither the Proposed Actions nor the No-Action Alterative would result in significant adverse impacts on specific industries. A significant adverse impact on a specific industry would generally occur only in the case of a regulatory change affecting the city as a whole or in the case of a local action that affects an area in which a substantial portion of that sector is concentrated, relative to the city as a whole. Although the Proposed Actions could result in the potential direct displacement of a number of auto-related uses, which include used car sales, automotive parts and accessory stores, car leasing agencies, gas stations, car washes, automotive glass shops, tire stores, and repair and service shops, from the Affected Area, these displaced businesses and their associated employment are not expected to significantly impact the industry as a whole. The potentially displaced automotive repair and service shops represent a small percentage of employment within the industry in the Bronx, and these businesses could relocate within the City, potentially in other auto-related clusters, thereby maintaining existing business and employment counts within the industry. It is expected that there would remain numerous automotive repair and service businesses nearby, in the greater borough, and in the City as a whole, which would ensure that there are ample locations to provide this type of service. Therefore, there would be no significant adverse impacts form the Proposed Actions. In the future with the No-Action Alternative, the area would not be rezoned and would continue to support a number of automotive uses. Like the Proposed Actions, the No-Action Alternative would not significantly affect business conditions in any industry or any category of business within or outside of the study area.

COMMUNITY FACILITIES AND SERVICES

The No-Action Alternative would introduce fewer residents to the community facilities study area as compared with the Proposed Actions and, therefore, would result in a smaller increase in demand on area community facilities. As with the Proposed Actions, the No-Action Alternative would not result in any significant adverse impacts with regard to high schools, library services, or police, fire, and emergency medical services. Unlike the Proposed Actions, the No-Action Alternative would not result in significant adverse impacts to elementary schools.

OPEN SPACE

Similar to the Proposed Actions, the No-Action Alternative would not result in the physical loss of existing public open space resources. However, unlike the Proposed Actions, the No-Action Alternative would not result in significant adverse shadow impacts on the Greenstreet at Sacket Avenue.

In terms of indirect effects, the open space ratios for the non-residential (¼-mile) study area for the No-Action Alternative — like the Proposed Actions — would exceed the *CEQR Technical Manual* open space ratio guidelines. Therefore, daytime users of passive open space would be well-served by the resources available, and there would be no significant adverse impacts in the non-residential study area as a result of either the No-Action Alternative or the Proposed Actions.

With regard to the open space ratios for the residential (½-mile) study area, the No-Action Alternative, would have total, passive, and active open space ratios of 0.59, 0.33, and 0.26 per 1,000 residents respectively, compared to 0.5, 0.28, and 0.22 per 1,000 residents, respectively with the Proposed Actions. In both the No-Action and the With-Action, the total, passive, and active open space ratios would be below that recommended by the *CEQR Technical* Manual, 2.5, 0.5, and 2.0 per 1,000 residents, respectively.

The open space ratios for both the non-residential and residential study areas under the No-Action Alternative would, therefore, generally be slightly higher than those under the Proposed Actions. However, as with the Proposed Actions, the open space ratios for the residential study area would be below the *CEQR Technical Manual* open space guidelines for open space adequacy and citywide planning goals.

SHADOWS

Unlike the Proposed Actions, the No-Action Alternative would not result in any significant adverse shadows impacts. In the No-Action Alternative, incremental shadows identified with the Proposed Actions would not be cast on publicly accessible open spaces or sunlight-sensitive historic resources. As such, the No-Action Alternative would not result in the significant adverse shadows impacts identified at three resources (Pelham Parkway, the Greenstreet at Sacket Avenue, and State and National Register eligible Parkchester Special Planned Community Preservation District) that would occur with the Proposed Actions. Further, similar to the Proposed Actions, no other publicly accessible open spaces or sunlight-sensitive historic resources would be significantly affected by shadows under the No-Action Alternative. Therefore, the No-Action Alternative would not result in any significant shadow impact.

HISTORIC AND CULTURAL RESOURCES

As with the Proposed Actions, the No-Action Alternative would result in construction-related significant adverse impacts to architectural resources. Unlike the Proposed Actions, the No-Action Alternative would not result in significant adverse archaeological, direct architectural, or indirect architectural impacts.

The No-Action Alternative assumes that development would occur on twelve of the 60 projected development sites in accordance with existing zoning. The New York City Landmarks Preservation Commission (LPC) reviewed and identified projected and potential development sites that could experience new/additional in-ground disturbance and concluded that Projected Development Site 19 at

2547 East Tremont Avenue is potentially archaeologically significant. However, in the No-Action Alternative, Projected Development Site 19 would not be developed. Therefore, unlike the Proposed Actions, the No-Action Alternative would not result in any significant adverse impacts to archaeological resources.

LPC also reviewed and identified projected and potential development sites for architecturally significant features and found that Projected Development Site 8 contained two such resources, 2000 and 2040 East Tremont Avenue and is adjacent to another resource, 14 Metropolitan Oval. However, in the No-Action Alternative, Projected Development Site 8 would not be developed. Therefore, unlike the Proposed Actions, the No-Action Alternative would not result in any significant adverse direct or indirect impacts to architectural resources. Further, the No-Action Alternative would not result in any significant adverse shadows or any other indirect impact to identified architectural resources. Therefore, unlike the Proposed Actions, the No-Action Alternative would not result in any significant adverse indirect impacts to architectural resources.

Similar to the Proposed Actions, the No-Action Alternative would see the development of Projected Development Site 7, which is located within 90 feet of the Parkchester Special Planned Community Preservation District which is eligible for listing in the State/National Registers of Historic Places (S/NR-eligible). Buildings or structures that are S/NR-listed or New York City Landmarks (NYCLs) would be afforded standard protection under the New York City Department of Buildings' (DOB's) Technical Policy and Procedure Notice (TPPN) #10/88, regulations applicable to all buildings located adjacent (within 90 feet) to construction sites; however, since the resources identified above are not S/NR-listed or NYCLs, they are not afforded the added special protections under DOB's TPPN #10/88. Additional protective measures afforded under DOB TPPN #10/88, which include a monitoring program to reduce the likelihood of construction damage to adjacent S/NR-listed resources or NYCLs, would only become applicable if the S/NR-eligible resources are listed or designated in the future prior to the initiation of construction. Otherwise, as with the Proposed Actions, there is the potential for inadvertent construction damage and impacts to occur as a result of the No-Action Alternative.

URBAN DESIGN AND VISUAL RESOURCES

Like the Proposed Actions, the No-Action Alternative would not result in significant adverse impacts on urban design. With the No-Action Alternative, it is anticipated that current urban design trends and general development patterns would continue. The Affected Area would continue to be characterized by underutilized lots and low-scale manufacturing and auto-related buildings.

Four new stations in the east Bronx will be built as part of the Penn Station Access Project prior to the 2033 analysis year, two of which will be located within the Affected Area: the Parkchester/Van Nest Station and the Morris Park Station. Additionally, development will occur on twelve of the 60 projected development sites. The massing and scale of the new developments would be in accordance with existing zoning regulations and would be generally comparable to existing buildings. However, the No-Action Alternative would not provide the urban design benefits afforded under the Proposed Actions such as a

re-orientation of the community towards the corridor and Metro-North's future Parkchester/Van Nest and Morris Park station areas, enabling improved connectivity to the planned stations from the surrounding neighborhoods through the implementation of comprehensive streetscape improvement.

HAZARDOUS MATERIALS

The No-Action Alternative, like the Proposed Actions, would involve building construction, additions, and conversions. However, construction on new buildings for as-of-right uses under the current zoning may occur without regulatory oversight such that environmental conditions of these sites are not addressed, and residual contamination could be encountered by construction workers or the general public without their knowledge. It is assumed that all construction and required removal or handling of hazardous materials would be conducted in accordance with applicable state and federal requirements, thereby minimizing the potential for exposure.

A greater amount of ground disturbance in areas where soil is potentially contaminated from hazardous materials would occur under the Proposed Actions, as compared with the No-Action Alternative, since some projected development sites would be redeveloped under the Proposed Actions but not under the No-Action Alternative. However, development under the Proposed Actions would be conducted in accordance with the testing and remediation requirements required pursuant to the (E) designations or comparable measure that would be placed on the projected development sites under the Proposed Actions. As such, the No-Action Alternative would involve less soil disturbance, but potentially the controls on its performance would not be as stringent as under the Proposed Actions.

WATER AND SEWER INFRASTRUCTURE

Neither the Proposed Actions nor the No-Action Alternative would result in significant adverse impacts on the City's water supply, wastewater treatment, or stormwater conveyance infrastructure. Compared with the Proposed Actions, the No-Action Alternative would generate less demand on the City's Water supply and wastewater treatment infrastructure. Similar to the Proposed Actions, the incorporation of selected best management practices (BMPs) would be required as part of the New York City Department of Environmental Protection (DEP) site connection application process for new buildings.

SOLID WASTE AND SANITATION SERVICES

Neither the Proposed Actions nor the No-Action Alternative would adversely affect solid waste and sanitation services or place a significant burden on the City's solid waste management system. While solid waste generated by the projected development sites would increase under both the No-Action Alternative and the Proposed Actions, the No-Action Alternative would generate less demand on New York City's solid waste services and sanitation services.

ENERGY

Neither the Proposed Actions nor the No-Action Alternative would result in significant adverse impacts with respect to the transmission or generation of energy. Like the Proposed Actions, the No-Action Alternative would generate increased demands on New York City's energy services, but the demand generated under the No-Action Alternative would be considerably less than for the Proposed Actions. However, under both the Proposed Actions and the No-Action Alternative, the annual increase in demand would represent a negligible amount of the City's forecasted annual energy requirements for 2033.

TRANSPORTATION

In the No-Action Alternative, traffic, parking, transit, and pedestrian demand in the study area would increase as a result of background growth, development that could occur pursuant to existing zoning (i.e., as-of-right development), and other development projects likely to occur within and in the vicinity of the Affected Area. The No-Action Alternative would result in significant adverse traffic impacts to 24, 15, 23, and 11 intersections in the weekday AM, midday, and PM, and Saturday midday peak hours, respectively, as opposed to ~~37~~39, 29, ~~35~~36, and ~~20~~21 with the Proposed Actions, respectively. The Proposed Actions' significant adverse impacts to southbound Bx4A in the AM peak, northbound Bx4A in the PM peak, southbound Bx21 in the AM peak, southbound Bx21 in the PM peak, north and southbound Bx31 in the AM peak, east and westbound Bx40 in the AM and PM peaks, westbound Bx42 in the PM peak, southbound BxM10 Express in the AM peak, and north and southbound BxM10 Express in the PM peak would not occur in the No-Action Alternative. However, impacts to northbound Bx21 in the AM peak, northbound Bx31 in the PM peak, east and westbound Bx42 in the AM peak, eastbound Bx42 in the PM peak, and northbound BxM10 Express in the AM peak would occur in the No-Action Alternative. Further, the Proposed Actions' significant adverse impact to 14 sidewalks and 11 crosswalks would not occur in the No-Action Alternative. Unlike the Proposed Actions, the No-Action Condition would not exceed parking capacity in the weekday midday, weekday overnight, or Saturday midday peak periods.

Traffic

Independent of the Proposed Actions, traffic levels of services at many locations in the study area would experience congested conditions in the future. The No-Action Alternative would result in significant adverse traffic impacts to 24, 15, 23, and 11 intersections in the weekday AM, midday, and PM, and Saturday midday peak hours, respectively, as opposed to ~~37~~39, 29, ~~35~~36, and ~~20~~21 with the Proposed Actions, respectively.

Transit

Subway

Subway Stations

The four analyzed subway stations would experience an increase in demand as a result of background growth and future developments anticipated within and in the vicinity of the Affected Area in the No-

Action Alternative. All analyzed stairs and fare arrays at these stations would operate at an acceptable LOS C or better in both the weekday AM and PM peak hours in this alternative. Neither the No-Action Alternative nor the Proposed Actions are expected to result in significant adverse subway station impacts.

Subway Line Haul

Subway trains serving stations in proximity to the Affected Area would experience increased ridership through their maximum load points as a result of background growth and new development in the No-Action Alternative. The No-Action Alternative, like the Proposed Actions, would see exceedances of capacity on the No. 2 line in the AM and PM peak period and the No. 5 line in the AM peak period. However, unlike the Proposed Actions, the No-Action would not result in an exceedance of capacity on the No. 6 line in the AM peak hour. Like the Proposed Actions, in the No-Action Alternative all lines are expected to experience fewer than five incremental trips per car in each direction in each peak hour as a result of the Proposed Actions, therefore significant adverse impacts to subway line haul conditions are not anticipated based on *CEQR Technical Manual* criteria.

Bus

Demands on the local bus services operating in the vicinity of the Affected Area are expected to increase compared to existing ridership as a result of background growth and new development in the No-Action Alternative. The existing levels of bus service would not be sufficient to provide adequate supply to meet the projected demand in the No-Action Alternative. In the No-Action Alternative capacity exceedances would occur on northbound Bx21 in the AM peak, northbound Bx31 in the PM peak, east and westbound Bx42 in the AM peak, eastbound Bx42 in the PM peak, and northbound BxM10 Express in the AM peak would occur in the No-Action Alternative. Based on a loading guideline of 54 passengers per standard bus, 85 passengers per articulated bus, and 55 passengers per over-the-road motorcoach, one additional standard bus on the Bx21, three articulated buses on the Bx42, and one over-the-road motorcoach bus on the BxM10 per hour in the AM peak hour would need to be added to accommodate projected demand in the No-Action Alternative. In the PM peak hour, two standard buses on the Bx31 and five articulated buses on the Bx42 would need to be added. The Proposed Actions' significant adverse impacts to southbound Bx4A in the AM peak, northbound Bx4A in the PM peak, southbound Bx21 in the AM peak, southbound Bx21 in the PM peak, north and southbound Bx31 in the AM peak, east and westbound Bx40 in the AM and PM peaks, westbound Bx42 in the PM peak, southbound BxM10 Express in the AM peak, and north and southbound BxM10 Express in the PM peak would not occur in the No-Action Alternative.

Pedestrians

Sidewalks

All analyzed sidewalks are expected to operate at an acceptable LOS C or better in all peak hours with the exception of three sidewalks – the north sidewalk along Westchester Avenue between Westchester Square and Lane Avenue which would operate at LOS E in the weekday AM, midday, and PM peak hours, and LOS D in the Saturday peak hour; the east sidewalk along Eastchester Road between Morris Park Avenue and Wilkinson Avenue which would operate at LOS D in the weekday PM peak hour; and the east

sidewalk along Stillwell Avenue between McDonald Street and Wilkinson Avenue which would operate at LOS D in the Saturday peak hour. This compares to adverse impacts at 14 sidewalk locations in one or more peak hours as a result of the Proposed Actions, which would not occur in the No-Action Alternative.

Crosswalks

All analyzed crosswalks are expected to operate at an acceptable LOS B or better in all peak hours. This compares to adverse impacts at 11 crosswalks in one or more peak hours as a result of the Proposed Actions, which would not occur in the No-Action Alternative.

Corners

All analyzed corners are expected to operate at an acceptable LOS A or better in all peak hours, in comparison to an acceptable LOS C or better in all peak hours with the Proposed Actions.

Parking

It is anticipated that demand for both off-street and on-street parking would increase due to new development and general background growth in the No-Action Alternative. Sufficient parking is projected within a ¼-mile radius of the study area to accommodate parking demand in the No-Action Alternative. Parking within a ¼-mile radius of the study area is projected to be 89 percent utilized during the weekday midday period and 84 percent utilized in the weekday overnight, and 91 percent utilized during the Saturday midday periods. Unlike with the Proposed Actions, the No-Action Alternative would not result in a parking shortfall per the guidance of the *CEQR Technical Manual*.

AIR QUALITY

Mobile Sources

In the No-Action Alternative, emissions from traffic demand in the air quality study area would increase as a result of background growth and development that could occur pursuant to existing zoning (i.e., as-of-right-development). As reported in Chapter 14, "Air Quality," in the No-Action Alternative, there would be no exceedances of the national ambient air quality standards for carbon monoxide or particulate matter less than 10 microns in diameter and less than 2.5 microns in diameter. As such, there would be no significant adverse mobile source impacts under this alternative.

Stationary Sources

As outlined in Chapter 14, "Air Quality," while some development would occur under the No-Action Alternative, the Proposed Actions would result in more development and therefore the emissions from heat and hot water systems associated with the Proposed Actions would cumulatively be greater than the emissions from heat and hot water systems in the No-Action Alternative. However, unlike the Proposed Actions, the as-of-right development on 12 of the 60 projected development sites would not have an environmental assessment of air quality exposure as conducted for the Proposed Actions; thus, such

development would not be subject to any air quality E designations. Specifically, they would not have the restrictions specified in Chapter 14, "Air Quality," for the control of emissions for fossil-fuel-fired heating, ventilation, and air conditioning (HVAC) systems, which would be designed to ensure that there would be no significant adverse air quality impacts at nearby receptor locations.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Greenhouse Gas Emissions

In the No-Action Alternative, greenhouse gas (GHG) emissions associated with land uses in the Affected Area would change over the years due to changes in development that would occur under existing zoning rules depending on changes in the local real estate market and due to changes in the mix of fuel in the electricity provided to buildings as well as fuels used locally for heating and vehicles.

Resilience to Climate Change

The resilience challenges associated with sea level rise, the future increase in potential severe storm levels, and the City's response to these challenges would be the same as those described for the Proposed Actions but would potentially affect the smaller development that would occur in the Affected Area without the Proposed Actions.

NOISE

In the No-Action Alternative, traffic volumes would increase in the Affected Area due to general background growth and trips associated with new development that would be independent of the Proposed Actions. According the 2021 Penn Station Access Project Environmental Impact Statement (PSA EIS), the planned Metro-North Railroad service would increase the number of trains on the Hells Gate Line by 102 trains per day by the year 2027, thereby increasing the noise level in the No-Action Alternative by as much as 5.0 dBA as compared to the existing alternative. Increases in traffic generated by the background growth would result in less than 3.0 dBA increase in noise levels compare to the Existing condition. However, as the No-Action Alternative would not constitute receptors created by the Proposed Actions, it is not warranted to assess if there would be the potential of any significant adverse noise impacts.

PUBLIC HEALTH

In the No-Action Alternative, no unmitigated significant adverse impacts would occur in the areas of hazardous materials, air quality, or construction. Since there would not be any unmitigated significant adverse impacts, evaluation for potential impact on the health of the potentially affected population does

not need to be conducted.Therefore, neither the Proposed Actions nor the No-Action Alternative would result in significant adverse public health impacts.

NEIGHBORHOOD CHARACTER

According to the *CEQR Technical Manual*, a proposed action could have a significant adverse neighborhood character impact if it would have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact in any relevant technical area, or through a combination of moderate effects in those technical areas. Like the Proposed Actions, the No-Action Alternative would not result in any significant adverse impacts to neighborhood character. The significant adverse transportation impacts would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect such a defining feature. New development that could occur under the No-Action Alternative would be moderate, as compared to the Proposed Actions, and the overall neighborhood character of the area would remain substantially the same as it is today in the No-Action Alternative. The study area would continue to be characterized by the presence of multiple neighborhoods, often physically separated by the existing railroad right-of-way, which extends north-south and accommodates Amtrak and future Metro-North service. While each neighborhood is generally cohesive in and of itself, the Affected Area, with its low-density commercial uses, including garages, tire shops, and other automotive businesses, currently creates a disjointed character within the overall study area. Neither the Proposed Actions nor the No-Action Alternative would result in significant adverse impacts to neighborhood character, however, the improvements to neighborhood character that would occur under the Proposed Actions, including streetscape improvements and mixed-use development centered on two new Metro-North stations would not occur in the No-Action Alternative.

CONSTRUCTION

As the amount of new construction under the No-Action Alternative would be less as compared to the Proposed Actions, the No-Action Alternative would not generate as much temporary construction disruption. The No-Action Alternative would result in shorter durations of construction-related noise and traffic than the Proposed Actions and may also result in less potential construction-related impacts to non-designated historic resources in the area.

Neither the Proposed Actions nor the No-Action Alternative would result in significant adverse construction impacts with respect to land use and neighborhood character, socioeconomic conditions, community facilities, open space, hazardous materials, or air quality. The No-Action Alternative would involve less soil disturbance, but potentially the controls on its performance would not be as stringent as under the Proposed Actions.

With the No-Action Alternative, there could be new construction if parcels within the Affected Area are developed independent of the Proposed Actions. However, any noise increase would not be the result of Proposed Actions but from as-of-right development.

20.4 No Unmitigated Significant Adverse Impacts Alternative

Based on the analyses presented in other chapters of this EIS, there is the potential for the Proposed Actions to result in a number of significant adverse impacts for which no practicable mitigation has been identified. Specifically, unmitigated impacts were identified with respect to community facilities and services (elementary schools), open space, shadows, historic and cultural resources (archaeological and architectural), transportation (traffic, parking, and pedestrians), and construction (transportation and noise). This alternative considers development that would not result in any significant adverse impacts that could not be fully mitigated. However, to eliminate all unmitigated significant adverse impacts, the Proposed Actions would have to be modified to a point where the principal goals and objectives of the Proposed Actions would not be fully realized.

COMMUNITY FACILITIES AND SERVICES

The Proposed Actions would result in significant adverse impacts on public elementary schools within CSD 11, Sub-District 1. As discussed in Chapter 4, "Community Facilities and Services," the utilization rate for elementary school seats within CSD 11, Sub-District 1 would increase from 86.5 percent in the No-Action to 103.7 percent in the With-Action, with a shortfall of 340 seats. Possible mitigation measures ~~will be~~ were explored by DCP, in coordination with the New York City Department of Education (DOE), and the New York City School Construction Authority (SCA) between the Draft and Final EIS (DEIS and FEIS) and are outlined in Chapter 21, "Mitigation." Should practical and feasible mitigation measures not be ~~found~~ implemented, the significant adverse impact to public elementary schools would remain unmitigated.

In order to avoid the significant adverse elementary school impact in CSD 11, Sub-district 1, the number of incremental dwelling units that could be developed in the sub-district would have to be reduced to 5,292, generating 1,257 elementary school students, as compared to No-Action conditions. This would represent a decrease of 1,431 DU (approximately 21 percent) in CSD 11, Sub-district 1. Reducing the number of incremental dwelling units developed in the Affected Area would be less supportive of the goals and objectives of the Proposed Actions. Alternately, based on the RWCDS for the Proposed Actions, the provision of an additional 240 elementary school seats under this alternative would avoid the unmitigated significant adverse impacts on public elementary schools within CSD 11, Sub-District 1.

OPEN SPACE

As discussed in Chapter 5, "Open Space," given the anticipated decrease in the total, passive, and active open space ratios in the residential study area and the fact that open space ratios in the study area would remain below the City guideline ratios, the Proposed Actions would result in a significant adverse indirect impact to the total, passive, and active open space resources in the residential study area. Potential partial

mitigation measures are currently being explored in coordination the New York City Department of Parks and Recreation (DPR) and will be refined between the DEIS and FEIS. These measures could include expanding existing parks; creating new open space on publicly owned sites; pursuing opportunities to encourage owners of large privately-owned sites to create new open space as part of their redevelopment; making playgrounds accessible to the community after school hours through the Schoolyards to Playgrounds program, establishing new pedestrian plazas in streets through the City's Plaza Program, and/or improving existing parks to allow for more diverse programming and enhanced usability. Because these measures would only partially mitigate the significant adverse impact, even with the implementation of these measures, the impact would not be fully mitigated.

To entirely avoid the identified significant adverse open space impact associated wih the Proposed Actions, the number of redicential units would need to be reduced to approximately 447 residential units. This would represent an approximately 94 percent reduction in the number of additional residential units anticipated under the Proposed Actions. However, such a reduction would severely inhibit one of the primary goals of the Proposed Actions, to facilitate the development of housing, including affordable housing.

SHADOWS

The Proposed Actions would result in significant adverse shadow impacts on three sunlight-sensitive resources: a portion of Pelham Parkway, the Greenstreet at Sacket Avenue, and a small portion of the larger 129-acre Parkchester Special Planned Community Preservation District. For all three identified resources, the analysis determined that they would not receive adequate sunlight during the growing season (at least the six to eight hour minimum specified in the *CEQR Technical Manual*) as a result of incremental shadow coverage, and vegetation at these resources could therefore be significantly impacted. Potential mitigation measures for the identified impacts vary by resource. DCP, as lead agency, will explore potential mitigation measures in coordination with NYC Parks between the DEIS and FEIS. Absent the identification and implementation of feasible mitigation measures that would mitigate the shadow impacts to the greatest extent practicable, the Proposed Actions would result in unmitigated significant adverse shadows impacts.

The specific modifications to the Proposed Actions that could eliminate significant adverse shadow impacts on the three open space resources are described below.

Pelham Parkway

Projected Development Site 58 is located immediately south of a portion of Pelham Parkway, and would cast incremental shadows on that resource during the March 21/September 21, May 6/August 6, and December 21 analysis days. Incremental shadow duration on these analysis days would range between four hours and 26 minutes on the May 6/August 6 analysis day and eight hours and 37 minutes on the March 21/September 21 analysis day.

In the No-Action condition, the lot comprising Projected Development Site 58 would continue to be used as a surface parking lot for the Jacobi Medical Center complex and would not contain any structures. Given the location of this site relative to the open space, any new development on Site 58 would result in new incremental shadow falling on the adjacent portion of Pelham Parkway, thereby reducing the exposure of vegetation to sunlight during the plant growing season (March through October). To minimize incremental shadow coverage on this open space and eliminate the potential for an unmitigated impact, the maximum building height of Projected Development Site 58 would have to be limited to about 60 feet, rather than the 120 feet proposed in the RWCDS. This substantial reduction in the height and floor area at Projected Development Site 58 would substantially limit the development potential on this site, and would be inconsistent with the goals of the Proposed Actions of locating higher bulk along the Affected Area's primary corridors.

Sackett Avenue Greenstreet

Projected Development Sites 31 and 32 are located immediately east of the Sacket Avenue Greenstreet and would be cast in incremental shadow on the March 21/September 21, May 6/August 6, June 21, and December 21 analysis days. Incremental shadow duration on these analysis days would range between two hours and three minutes on the December 21 analysis day and four hours and 14 minutes on the June 21 analysis day.

In the No-Action condition, the lots comprising Projected Development Sites 31 and 32 would continue to be occupied by low-rise structures ranging in height from 16 to 25 feet. Given the proximity of these two sites to the sunlight-sensitive resource, virtually any new development on Sites 31 and 32 taller than the existing buildings would result in new incremental shadow falling on Sacket Avenue thereby reducing the exposure of vegetation to sunlight during the plant growing season (March through October). To minimize incremental shadow coverage on this open space and eliminate the potential for an unmitigated impact, the maximum building height of Projected Development Sites 31 and 32 would have to be limited to about 50 feet, rather than the 205 and 135 feet proposed in the RWCDS, respectively. This substantial reduction in the height and floor area at Projected Development Sites 31 and 32 would substantially limit the development potential on those sites and would be inconsistent with the goals of the Proposed Actions of locating higher bulk along the Affected Area's primary corridors.

Parkchester Special Planned Community

Projected Development Site 7 is located west of the Parkchester Special Planned Community Preservation District and would cast incremental shadow on part of the complex's landscaping on the March 21/September 21, May 6/August 6, June 21, and December 21 analysis days. Incremental shadow duration on these analysis days would range between three hours and 52 minutes on the December 21 analysis day and nine hours and six minutes on the May 6/August 6 analysis day.

In the No-Action condition, Projected Development Site 7 would be occupied by a 45-foot-tall building. Given the proximity of this site to the sunlight-sensitive resource, virtually any new development on Site

7 would result in new incremental shadow falling on the landscaped portion of the Parkchester Special Planned Community Preservation District thereby reducing the exposure of vegetation to sunlight during the plant growing season (March through October). To minimize incremental shadow coverage on this open space and eliminate the potential for an unmitigated impact, the maximum building height of Projected Development Site 7 would have to be limited to about 60 feet, rather than the 115 feet proposed in the RWCDS. This substantial reduction in the height and floor area at Projected Development Site 7 would substantially limit the development potential on this site and would be inconsistent with the goals of the Proposed Actions of locating higher bulk along the Affected Area's primary corridors.

HISTORIC AND CULTURAL RESOURCES

The Proposed Actions would result in direct and indirect significant adverse impacts to both archaeological and architectural resources, as described in greater detail below. This includes archaeological impacts to Projected Development Site 19, direct and indirect impacts on the S/NR-eligible Parkchester Special Planned Community Preservation District, and construction related impacts to the S/NR-eligible Parkchester Special Planned Community Preservation District, the S/NR-eligible 1595 Unionport Road, and Projected Development Site 19.

Architectural Resources

The Proposed Actions would result in significant adverse impacts to the S/NR-eligible Parkchester Special Planned Community Preservation District as a result of the alteration and/or demolition of contributing resources to the historic district, 2000 East Tremont Avenue, 14 Metropolitan Oval, and 2040 East Tremont Avenue. The alteration and/or demolition of these buildings on Projected Development Site 8 would facilitate the construction of new projected developments under the Proposed Actions. Because there is no mechanism to avoid the demolition of the resources, the significant adverse impact would be unmitigated.

Direct impacts to architectural resources could be avoided by excluding these properties from the Proposed Actions. In that future scenario, 2000 East Tremont Avenue, 14 Metropolitan Oval, and 2040 East Tremont Avenu would remain in their current condition with parking and storage in an area directly opposite the new Parkchester Metro-North Station. In this scenario, the Proposed Actions stated goals of expanding the presence of affordable housing and improving pedestrian conditions in the immediate vicinity surrounding the new Metro-North stations would not be achieved.

See the construction section below for a discussion of construction-related impacts to architectural resources.

Archaeological Resources

The Proposed Actions have the potential to result in an unmitigated significant adverse archaeology impact associated with Projected Development Site 19. The Phase 1A Study confirmed the potential for two historical archaeological resource types to exist on a portion of Projected Development Site 19; 19th century shaft features associated with the church on the western section of the site, and potential human

remains associated with the Methodist Episcopal Church of Westchester cemetery on the eastern section of the site.

In order to mitigate potential significant adverse impacts on archaeological resources, additional archaeological analysis would be required on the site before it is redeveloped. While there are no mechanisms currently in place to ensure that this archaeological analysis would occur on the privately owned site subsequent to rezoning, if redevelopment would involve either federal or state funding or permitting, or if the site were to be developed through future discretionary actions that would be subject to review under CEQR, then further environmental review could be required, and historic resource issues could be addressed. Environmental review could necessitate Phase 1B archaeological testing and possibly mitigation for identified significant archaeological resources through avoidance or data recovery (e.g., Phase 2 or Phase 3 excavations). If future development does not entail federal or state funding or permitting and occurs as-of-right, the proposed action could result in significant adverse impacts to archaeological resources.

While the removal of Projected Development Site 19 from the Proposed Actions would eliminate the possibility for a significant adverse impact as part of the Proposed Actions, it would not eliminate the possibility of as-of-right development disturbing potential archaeological resources on this site. Further, the removal of Projected Development Site 19 would eliminate a development site from a key corridor in the study area, East Tremont Avenue, leaving a site zoned for C2-2/R4 at a central location in the Affected Area, thus hindering the goals and objectives of the Proposed Actions.

TRANSPORTATION

As presented in Chapter 13, "Transportation", the Proposed Actions would result in significant adverse impacts to traffic, transit, and pedestrian elements during one or more analyzed peak hours. As described in Chapter 21, "Mitigation Measures", the significant adverse impact to transit, specifically a capacity shortfall on six bus lines, could be fully mitigated with additional bus service following the general policy of NYCT. Unmitigated significant adverse impacts to traffic and pedestrians would remain. The specifics for each travel mode analyzed is detailed below.

Traffic

A described in Chapter 21, "Mitigation Measures," the implementation of traffic engineering improvements, such as signal timing changes, the installation of new traffic signals, and modifications to lane striping and curbside parking regulations would provide mitigation for many, but not all, of the anticipated traffic impacts. Specifically, the significant adverse impacts to traffic would be fully mitigated at 13 lane groups in the weekday AM peak hour, ~~13~~15 lane groups in the midday, ~~14~~16 lane groups in the PM, and ~~13~~15 lane groups in the Saturday peak hour. Intersections where all impacts would be fully mitigated would total ~~9~~11, ~~9~~10, ~~10~~12, and ~~10~~11 during these same periods, respectively. In total, impacts

to one or more lane group would remain unmitigated in one or more peak hours at 30 intersections. Because of existing congestion at a number of these intersections, even a minimal increase in traffic would result in unmitigated impacts. Specifically, in the No-Action condition, a total of 30 intersections would have at least one congested lane group in one or more peak hours, and a total of ~~21~~22, 15, ~~23~~22, and ~~nine~~ten intersections would have one or more lane groups operating at or over capacity in the weekday AM, midday and PM, and Saturday peak hours, respectively. According to the *CEQR Technical Manual*, for a lane group that would operate at LOS F in the No-Action condition, a projected delay of four or more seconds is considered a significant impact. As such, small increases in incremental With-Action traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hours, and almost any new development in the Affected Area could result in unmitigated traffic impacts. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Actions' stated goals.

Pedestrians

As described in Chapter 21, "Mitigation Measures," the Proposed Actions would result in significant pedestrian impacts that could not be mitigated at 12 pedestrian elements during the weekday AM peak hour, 11 pedestrian elements during the weekday midday peak hour, nine pedestrian elements during the weekday PM peak hour, and ten pedestrian elements during the Saturday peak hour. A number of the pedestrian element significant impacts could be mitigated with the removal of street furniture or sidewalk obstructions or widening existing crosswalks. However, some sidewalk and crosswalk elements would remain unmitigated, particularly in the vicinity of the Projected Development Sites 8 and 9, and 59 which result in incremental walk and transit trips with walk components of over 1,000 incremental trips in a peak hour. The required level of reduction in the development program to reduce walk trips and eliminate unmitigated significant impacts to pedestrians would not meet the Proposed Actions' stated goals.

CONSTRUCTION

Historic and Cultural Resources - Architectural Resources

As discussed in Chapter 7, "Historic and Cultural Resources," potential significant adverse impacts associated with construction vibration may occur to contributing resources in the S/NR-eligible Parkchester Special Planned Community Preservation District, including the S/NR-eligible 1595 Unionport Road as a result of adjacent construction located within 90 feet of projected or potential development sites. Because the resources identified are not S/NR-listed or NYCLs, they are not afforded the added special protections under the DOB's TPPN #10/88. Additional protective measures afforded under TPPN #10/88, which include a monitoring program to reduce the likelihood of construction damage to adjacent historic buildings, would only become applicable if the S/NR-eligible resources are listed or designated in the future prior to the initiation of construction. Otherwise, there is the potential for inadvertent construction damage and impacts to occur as a result of adjacent development resulting from the

Proposed Actions. The S/NR-eligible Parkchester Special Planned Community Preservation District may also be adversely impacted due to incremental shadows impacts. In order to fully mitigate all identified significant adverse impacts associated with direct and indirect effects, the Proposed Actions would have to be modified to a point where their principal goals and objectives would not be realized. Further, as-of-right development on potential and projected development sites within 90 feet of the identified architectural resources may still occur in the absence of the Proposed Actions.

Transportation

As presented in Chapter 21, "Mitigation Measures," the Proposed Actions would result in significant adverse traffic impacts at 24 study area intersections during one or both of the analyzed construction peak hours; specifically, nine intersections during the weekday AM construction peak hour and 23 intersections during the weekday PM construction peak hour. Implementation of traffic engineering improvements, such as signal timing changes, the installation of new traffic signals, and modifications to lane striping and curbside parking regulations would provide mitigation for many, but not all, of the anticipated traffic impacts.

Specifically, the significant adverse impacts would be fully mitigated at eight lane groups in the weekday AM construction peak hour and 14 lane groups in the weekday PM construction peak hour. Intersections where all impacts would be fully mitigated would total five and 12 during these same periods, respectively. In total, impacts to one or more lane group would remain unmitigated in one or both construction peak hours at 12 intersections. Because of existing congestion at a number of these intersections, even a minimal increase in traffic would result in unmitigated impacts. Specifically, in the Construction No-Action condition, a total of 24 intersections would have at least one congested lane group in one or both construction peak hours, and a total of seven and 21 intersections would have one or more lane groups operating at or over capacity in the weekday construction AM and PM peak hours, respectively. According to the *CEQR Technical Manual*, for a lane group that would operate at LOS F in the No-Action condition, a projected delay of three or more seconds is considered a significant impact. As such, small increases in incremental Construction With-Action traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or both construction analysis peak hours, and construction on almost any new development in the Affected Area could result in unmitigated traffic impacts. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Actions' stated goals.

Noise

Based on the construction noise analysis of representative construction sites for large projected developments and long-term construction periods (Projected Development Sites 59 and 8, respectively), the increased noise from construction activities and traffic generated by the construction of some of these development sites under the Proposed Actions may be perceptible and considered very objectionable in some cases. These development sites include Projected Development Sites 7, 9, 29, 58, and 59, which are considered large development sites, and Project Development Sites 5, 8, 19, 22, 24, 31, and 38, whose

construction durations are considered to be long-term (two years or more). No significant adverse construction noise impacts are expected from construction of development sites whose construction duration would be considered short-term (less than 24 months).

The construction noise analysis examined the reasonable worst-case peak hourly noise levels that would result from construction in an analyzed month, and consequently is conservative in predicting significant increases in noise levels. Typically, the loudest hourly noise level during each month of construction would not persist throughout the entire month. Furthermore, this analysis is based on conceptual site plans and construction schedules. It is possible that the actual construction may be of less magnitude, or that construction on multiple projected development sites may not overlap, or that a site would not be completed and occupied during construction immediately adjacent, in which case construction noise would be less intense and for shorter duration than the analysis predicts. Additionally, construction noise would be regulated by the requirements of the *New York City Noise Control Code* (also known as Chapter 24 of the *Administrative Code of the City of New York*, or Local Law 113), the *DEP Notice of Adoption of Rules for Citywide Construction Noise Mitigation* (also known as Chapter 28), and EPA noise emission standards. These requirements mandate that specific construction equipment and motor vehicles must meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7:00 AM and 6:00 PM; and that those construction materials be handled and transported in such a manner as not to create unnecessary noise. Permits would be required to be obtained, as specified in the *New York City Noise Control Code*, for weekend and after-hour work if they become necessary. In addition, EPA requirements mandate that certain classifications of construction equipment meet specified noise emission standards.

Nonetheless, an alternative scenario that would completely avoid any unmitigated significant adverse impact from construction noise in the With-Action scenario would preclude any development under the Proposed Actions on the above-mentioned projected development sites from being of large scale and taking longer then 24 months to build. Therefore, to eliminate all unmitigated significant adverse impacts resulting from construction noise, the Proposed Actions would have to be significantly reduced in size. This reduction would not meet the objectives of the Proposed Actions, which are intended to leverage the new planned Metro-North service to promote economic growth, facilitate the development of housing, including affordable housing, as well as guide investment in the public realm around stations to improve pedestrian safety and comfort. Therefore, no reasonable alternative could be developed without substantially compromising the Proposed Actions' stated goals.