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Alternatives

As described in the 2014 *CEQR Technical Manual*, alternatives selected for consideration in an environmental impact statement are generally those which 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.

16.1 Introduction

As described in **Chapter 1**, "**Project Description**," the proposed actions would include several discretionary actions, such as zoning map and text amendments and modification to a large-scale residential development, to facilitate the development of two buildings on Projected Development Site 1—The Suffolk and Norfolk Buildings. In addition, in the future with the proposed actions, it is assumed that the owner of the existing 5-story mixed-use building located on Projected Development Site 2 would develop additional commercial space totaling approximately 4,759 gsf.

This chapter considers the following three alternatives to the proposed actions:

- A No-Action Alternative, which is mandated by CEQR and the State Environmental Quality Review Act (SEQRA). The No Action Alternative is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part.
- A No Unmitigated Significant Adverse Impacts Alternative, which would eliminate the proposed project's unmitigated significant adverse impacts.
- A Lot 95 Exemption Alternative, in which Lot 95 would not be incorporated into the Large-Scale Residential District and floor area from Lot 95 would not be transferred to Projected Development Site 1; the commercial space on Projected Development Site 2 would not be built.

16.2 Principal Conclusions

As discussed in **Chapter 1**, "**Project Description**," the proposed actions are intended to introduce approximately 488 new residential units, including approximately 208 permanently affordable units, within the neighborhood; to provide community facility space for the Chinese American Planning Council (CPC) to establish a permanent and highly visible presence in the neighborhood it serves; and to provide space for BHH use as a cultural heritage center that would allow BHH to maintain its presence and identity in the Lower East Side. As summarized below, neither the No-Action Alternative, nor the No Unmitigated Significant Adverse Impacts Alternative, nor the Lot 95 Exemption Alternative would meet the project goals to the same extent as would the proposed project.

No-Action Alternative

In the No-Action Alternative, both Projected Development Sites 1 and 2 would remain in their existing condition. With no development at either site, the significant adverse impacts related to transportation and construction traffic and noise would not occur under the No-Action Alternative. As compared to the proposed project, the intended benefits associated with the proposed project—the development of new housing, including affordable housing, and community facility space for CPC and BHH—would not be realized.

No Unmitigated Significant Adverse Impacts Alternative

Upon completion of the project, the projected development would result in significant adverse traffic impacts at two intersections (during the various analysis periods) within the study area that could not be fully mitigated with standard traffic capacity improvement measures. A sensitivity analysis determined that the proposed project would need to be substantially reduced to avoid an unmitigated significant adverse traffic impact. The degree to which the project would need to be reduced would compromise the applicant's ability to achieve the project goals and objectives of providing new housing, including affordable housing, and space for CPC and BHH.

As noted in **Chapter 18, "Unavoidable Adverse Impacts,"** there is potential for additional impacts to be identified between Draft and Final of this EIS, and if so, additional measures will be explored, where feasible, to further mitigate the identified impacts. The proposed

mitigation measures are subject to review and approval by NYCDOT, and if certain proposed mitigation measures are deemed infeasible by NYCDOT, alternatives will be analyzed. If no other alternative mitigation measures can be identified, those impact locations would be unmitigated. Therefore, the sensitivity analysis may be refined between the DEIS and the FEIS, to be consistent with the mitigation measures that are determined to be practicable and feasible by NYCDOT.

The project is projected to result in unmitigated traffic and noise impacts during construction. To avoid these impacts, construction would need to be avoided, and the project and the applicant's intended benefits would not be realized.

Lot 95 Exemption Alternative

In this alternative, Block 346, Lot 95 would be subdivided from the zoning lot but would not be included in the Large-Scale Residential District. Therefore, the approximately 15,000 square feet of development rights from Lot 95 would not be transferred to Projected Development Site 1, and the additional approximately 27 units of housing projected to be developed on Projected Development Site 1 from this transfer of floor area would not be created. Further, the new commercial space on Projected Development Site 2 would not be built. This alternative would be substantially similar to the proposed project but because no new commercial space would be developed on Projected Development Site 2, the (E) Designation for Block 346, Lot 95 related to hazardous materials, air quality, and noise would not be needed. In addition, with no subsurface disturbance at Projected Development Site 2, Phase 1B archaeological testing would not be needed. While substantially similar to the proposed project, this alternative would not meet the project goals to the same extent as would the proposed project as it would provide approximately 27 fewer units.

16.3 No-Action Alternative

Description of the No-Action Alternative

In the No-Action Alternative, both Projected Development Sites 1 and 2 would remain in their existing condition. Because of prior actions that affect Projected Development Site 1 and the fact that Block 346, Lot 75 is designated as accessory parking for the existing Hong Ning senior housing building on Block 346, Lot 1, there is no development that could occur as-of-right. Further, most of Projected Development Site 1 (Block 346, Lot 75) is within the Seward Park large-scale residential development (LSRD), and discretionary actions are required for development of the site. Therefore, the development of 488 residential units, including affordable housing, and community facility space for local organizations, the Chinese American Planning Council and the BHH congregation, would not be realized. The owner of Block 346, Lot 95 would not develop additional commercial space on Projected Development Site 2 in the No-Action condition because such development could not occur without the proposed zoning map amendment.

Land Use, Zoning, and Public Policy

In the No-Action Alternative, the project block would remain in its existing condition and land uses would remain the same. Block 346, Lot 75 would continue to be used as an underutilized accessory parking lot to the Hong Ning building. BHH will continue to work with LPC to stabilize the damaged former synagogue structure on Block 346, Lot 37, with all removals of the fire-damaged building subject to LPC approval. The Hong Ning senior housing building and the mixed-use building on Lot 95 would remain in their current condition.

Outside of the project area, current land use trends and general development patterns would continue. The Essex Crossing development sites are expected to be complete by 2023 within 400 feet of the project area. Overall, by 2023, the No-Action projects within a 400-foot study area are expected to create 821 residential units, 560,269 square feet of commercial space, and 21,126 square feet of community facility space within the study area.

Zoning and public policies affecting the study area are expected to remain unchanged from existing conditions.

In summary, neither the No-Action Alternative nor the With-Action condition would result in significant adverse impacts to land use, zoning, or public policy.

Socioeconomic Conditions

Similar to the With-Action condition, the No-Action Alternative would not result in direct residential and business displacement, indirect residential and business displacement, or adverse effects on specific industries as no new development would be introduced at the site.

Open Space

Neither the No-Action Alternative nor the With-Action condition would physically alter or displace publicly accessible open space resources.

In the No-Action Alternative, the total, active, and passive open space ratios in the residential study area would be below the City's planning goals, but, as the project area would remain as in existing conditions, the No-Action Alternative would not increase the open space user population. In the No-Action Alternative, the study area is expected to see an increase in open space acreage with the opening of waterfront open space at Pier 42 on the East River waterfront. Neither the No-Action Alternative nor the With-Action condition would result in a significant adverse open space impact.

Shadows

With no new development in the No-Action Alternative, this alternative would not cast any incremental shadow on any of the sunlight-sensitive resources that were identified in the With-Action condition. However, neither the No-Action Alternative nor the With-Action condition would result in significant adverse shadows impacts to sunlight-sensitive resources within the study area.

Historic and Cultural Resources

Unlike the With-Action condition, the No-Action Alternative would not have the potential to disturb archaeological resources, as no development and thus no subsurface disturbance would take place on Projected Development Sites 1 or 2. Phase 1B archaeological testing would not be undertaken at the site.

BHH will continue to work with LPC to stabilize the damaged former synagogue structure on Projected Development Site 1, with all removals of the fire-damaged building subject to LPC approval. In the No-Action Alternative, the remnants would not be preserved and incorporated into a new development as a marker of the historical site use and structure as they would be in the With-Action condition.

Neither the With-Action condition nor the No-Action Alternative would result in significant adverse direct or indirect effects to known or potential historic architectural resources on Projected Development Sites 1 or 2 or in the study area.

Urban Design and Visual Resources

The No-Action Alternative would not add any new buildings to Projected Development Site 1 or 2. Therefore, there would be no new ground floor uses incorporated at Projected Development Site 1 or commercial use at Projected Development Site 2 that would enliven and improve the existing streetscape. Neither the With-Action condition nor the No-Action Alternative would eliminate any significant publicly accessible view corridors or completely block public views to any visual resources, result in any substantial changes to the built environment of a historic district.

Hazardous Materials

In the No-Action Alternative there would be no excavation or construction on the projected development sites and there would be no potential for disturbing any contaminated materials that may exist. However, no significant adverse impacts are expected in the With-Action condition, as an (E) designation (E-548) would ensure that investigation and remediation of both Projected Development Sites 1 and 2, if warranted, would be administered by the New York City Mayor's Office of Environmental Remediation (OER).

Transportation

As indicated in **Chapter 9**, "**Transportation**," while there would be no construction on the projected development sites in the No-Action Alternative, demand for off-street parking is expected to increase by 2023 due to background growth and other programmed development in the vicinity of the projected development sites. However, the projected parking demand would be adequately accommodated by off-street parking facilities. Similarly, No-Action traffic, transit, and pedestrian volumes would increase due to background growth and other programmed development in the vicinity of the projected development sites. The traffic analysis indicates that most of the traffic movements would continue to operate at acceptable levels of service, but four of the six intersections would have at least one movement operating at unacceptable levels of service during at least one

peak hour: Delancey Street and Essex Street; Delancey Street and Clinton Street; Broome Street and Norfolk Street; and Grand Street and Clinton Street. With regard to transit, the two subway station elements analyzed would continue to operate at acceptable levels of service in the No-Action Alternative. The pedestrian analysis indicated that all of the pedestrian elements analyzed would operate at acceptable levels of service during the peak hours analyzed.

Neither the No-Action Alternative nor the With-Action condition would result in significant adverse parking or transit impacts. Unlike the No-Action Alternative, however, the With-Action condition would result in significant adverse traffic and pedestrian impacts due to increased traffic and pedestrian volumes generated by the proposed project.

Air Quality

The No-Action Alternative would not result in increased vehicle trips and mobile source pollution and would not result in stationary sources of emissions as no new development would be built. The projected developments on Projected Development Sites 1 and 2 in the With-Action condition would result in more vehicle trips and would result in stationary sources of emissions but, similar to the No-Action Alternative, would not result in significant adverse air quality impacts.

Greenhouse Gas Emissions

In the No-Action Alternative, because no new development would occur, there would be no increase in energy use at the projected development sites. Similar to the With-Action condition, the No-Action Alternative would not result in significant adverse GHG emissions or climate change impacts.

Noise

In the No-Action Alternative, noise from mobile sources would increase due to both background growth and trips associated with new development, such as the Essex Crossing buildings. Like the With-Action condition, no significant adverse noise impacts would result as the increase in traffic volumes would not be sufficient to have the potential to cause a significant mobile source noise impact.

With no new development on Projected Development Site 1 or 2, the No-Action Alternative would not introduce building mechanical systems with the potential to result in noise increases; however, the With-Action condition would not result in significant adverse noise increases from stationary sources as the proposed buildings' mechanical systems would be designed to meet all applicable noise regulations.

Neighborhood Character

Similar to the With-Action condition, the No-Action Alternative would not result in significant adverse impacts associated with neighborhood character. In the No-Action Alternative, both projected development sites would remain in their existing condition.

Construction

Unlike the With-Action condition, the No-Action Alternative would not involve any construction on either Projected Development Site 1 or 2.

Public Health

Under both the With-Action condition and No-Action Alternative, no unmitigated significant adverse impacts in any of the technical areas related to public health (hazardous materials, water quality, air quality, or noise) would occur. Therefore, the No-Action Alternative, like the With-Action condition, would not result in significant adverse public health impacts.

16.4 No Unmitigated Significant Adverse Impact Alternative

As discussed in **Chapter 17**, "**Mitigation**," and **Chapter 18, "Unavoidable Significant Adverse Impacts**," the projected development would result in significant adverse traffic impacts at two intersections (during the various analysis periods) within the study area that could not be fully mitigated with standard traffic capacity improvement measures. These impacts would result despite the project's modest increase in vehicle trips because of existing congestion at area intersections and substantial increases in background vehicle traffic as a result of planned developments in the area, such as the Essex Crossing developments. In addition, roadway capacity for vehicles has been reduced in the area because of background roadway improvements that have included bike lanes (i.e., bike lanes have been introduced in roadway area previously devoted to vehicular transport) and that prioritized pedestrian safety (i.e., sidewalks have been widened and/or bulb-outs have been implemented, again in areas of roadway previously devoted to vehicular transport). Therefore, even a minimal increase in traffic would result in unmitigated impacts at the analysis locations.

A sensitivity analysis determined that the proposed project would need to be substantially reduced to avoid an unmitigated significant adverse traffic impact. The degree to which the project would need to be reduced would compromise the applicant's ability to achieve the project goals and objectives of providing new, permanently affordable housing within the neighborhood; providing a permanent and highly visible community facility space for the Chinese American Planning Council to house its new headquarters and maintain its identify in the Lower East Side community, consolidating many of its operations under one roof; and reestablishing space for BHH at the site as a Jewish Heritage and Cultural Center. Therefore, the No Unmitigated Significant Adverse Impact alternative is not a reasonable alternative as it would not realize the goals of the proposed actions.

As discussed in **Chapter 17**, "**Mitigation**," and **Chapter 18, "Unavoidable Significant Adverse Impacts**," the project is projected to result in unmitigated traffic and noise impacts during construction. To avoid these impacts, construction would need to be avoided, and the project and its benefits would not be realized.

16.5 Lot 95 Exemption Alternative

Description of Lot 95 Exemption Alternative

In the Lot 95 Exemption Alternative, Lot 95 would be subdivided from the zoning lot but would not be included in the Large-Scale Residential District. Therefore, the approximately 15,000 square feet of development rights from Lot 95 would not be transferred to Projected Development Site 1, and the additional approximately 27 affordable housing units projected to be developed on Projected Development Site 1 from this transfer of floor area would not be created. Further, the new commercial space on Projected Development Site 2 would not be built (see **Table 16-1**).

Table 16-1 Lot 95 Exemption Alternative

	Norfolk Building	Suffolk Building	Projected Development Site 2	Total	Comparison to Proposed Actions
Commercial GSF	0	18,788	0	18,788	-4,759
Community Facility GSF	3,788	40,222	0	44,010	No change
Residential GSF	67,923	316,421	0	399,344	-15,000
Total GSF	71,711	375,431	0	462,142	-19,759
Market-rate Units	0	280	0	280	No change
Affordable Units	88	93	0	181	-27
Total Residential Units	88	373	0	461	-27

Comparison of Lot 95 Exemption Alternative to the Proposed Project

With only 27 fewer residential units on Projected Development Site 1 and approximately 4,759 gsf less commercial space that would not be developed on Projected Development Site 2, the Lot 95 Exemption Alternative would be substantially similar to the proposed project.

Land Use, Zoning, and Public Policy

With 27 fewer residential units on Projected Development Site 1 and approximately 4,759 gsf less commercial space that would not be developed on Projected Development Site 2, the Lot 95 Exemption Alternative would be substantially similar to the proposed project in terms of its effects on land use, zoning, and public policy. However, by providing 27 fewer affordable units, this alternative would be less supportive of Mayor de Blasio's affordable housing plan, Housing New York (as supplemented by Housing New York 2.0).

Similar to the With-Action Alternative, current land use trends and general development patterns would continue, and the Essex Crossing development sites and other No-Action projects are expected to be completed by 2023.

Socioeconomic Conditions

The Lot 95 Exemption Alternative would have a similar development program as the With-Action condition. However, the Lot 95 Exemption Alternative would result in 27 fewer units on Projected Development Site 1 and would not include the commercial space on Projected Development Site 2. As described in **Chapter 3**, "**Socioeconomic Conditions**," the With-Action condition is not expected to result in significant adverse impacts to the socioeconomic conditions of the study area. Similarly, the Lot 95 Exemption Alternative would not result in significant adverse socioeconomic impacts; however, as noted above, by providing 27 fewer affordable units, this alternative would be less supportive of Mayor de Blasio's affordable housing plan, Housing New York (as supplemented by Housing New York 2.0).

Open Space

Neither the Lot 95 Exemption Alternative nor the With-Action condition would physically alter or displace publicly accessible open space resources.

In the Lot 95 Exemption Alternative, the total, active, and passive open space ratios in the residential study area would be below the City's planning goals but would have a lower incremental increase in the open space user population as compared to the With-Action condition since the Lot 95 Exemption Alternative would have 27 fewer units. Similar to the No-Action Alternative, the opening of waterfront open space at Pier 42 on the East River waterfront would increase the open space acreage in the study area. Neither the With-Action condition nor the Lot 95 Exemption Alternative would result in significant adverse open space impacts.

Shadows

The Lot 95 Exemption Alternative would have the same development program and building form for the Suffolk Building on Projected Development Site 1 as the With-Action condition; with 27 fewer units, the Norfolk Building would be shorter than in the With Action condition. In addition, the commercial space would not be developed on Projected Development Site 2. With a shorter Norfolk Building and no commercial space, shadows would be expected to be slightly less than in the With-Action condition. As described in **Chapter 5**, "**Shadows**," the proposed project would not result in significant adverse shadow impacts on surrounding sunlight-sensitive resources. Therefore, the Lot 95 Exemption Alternative would also not result in significant adverse shadow impacts.

Historic and Cultural Resources

Under the Lot 95 Exemption Alternative, there would be no subsurface disturbance on Projected Development Site 2 without the construction of the commercial space on Lot 95 and Phase 1B testing would not be necessary at Projected Development Site 2. However, similar to the With-Action condition, there would be subsurface disturbance on Projected Development Site 1 and the remnants of the BHH synagogue would be incorporated into the development. Neither the With-Action condition nor the Lot 95 Exemption Alternative

would result in any significant adverse direct or indirect effects to known or potential historic architectural resources on Projected Development Sites 1 or 2 or in the study area.

Urban Design and Visual Resources

Similar to the With-Action condition, the Lot 95 Exemption Alternative development would replace the remnants of the BHH synagogue and underutilized accessory parking with two new buildings on Projected Development Site 1. However, there would be no new commercial space on Projected Development Site 2. As described in **Chapter 7**, "**Urban Design and Visual Resources**," the With-Action condition is not expected to result in significant adverse impacts to urban design and visual resources and would be a substantial improvement over the existing and No-Action urban design and visual resources conditions of the site. Because the Lot 95 Exemption Alternative would have a similar development program as the With-Action condition, the Lot 95 Exemption Alternative is also expected to be an improvement over the existing and No-Action urban design conditions at the site. The Lot 95 Exemption Alternative would therefore not result in a significant adverse impact on urban design and visual resources.

Hazardous Materials

With the Lot 95 Exemption Alternative there would be no excavation or construction on Projected Development Site 2, and as such, there would be no potential for disturbing any contaminated materials that may exist. Therefore, the (E) Designation identified for Projected Development Site 2, which is needed because of minimal subsurface disturbance, would not be needed.

For Projected Development Site 1, the same measures described in **Chapter 8**, "**Hazardous Materials**," to reduce the potential for exposure to future site occupants would be undertaken, and no significant adverse impacts would result. Therefore, neither the proposed project nor the Lot 95 Exemption Alternative would result in significant adverse impacts with respect to hazardous materials.

Transportation

As described in **Chapter 9**, "**Transportation**," the With-Action condition would not result in significant adverse parking and transit impacts but would result in significant adverse traffic and pedestrian impacts due to an increase in traffic and pedestrian volumes generated by the proposed project. Because the Lot 95 Exemption Alternative would have a similar development program as the With-Action condition (though the Lot 95 Exemption Alternative would have 27 fewer units and 4,759 sf less commercial space), the Lot 95 Exemption Alternative would also result in significant adverse traffic and pedestrian impacts. As discussed above under the No Unmitigated Significant Adverse Impact Alternative, because of existing congestion at area intersections, substantial increases in projected background vehicle trips (such as from the Essex Crossing developments), and background roadway improvement projects in the area that have included bike lanes and that have prioritized pedestrian safety, even a modest increase in traffic would result in unmitigated impacts at the analysis locations.

Air Quality

Similar to the With-Action condition, the number of trips generated by the Lot 95 Exemption Alternative would not exceed screening thresholds addressed in the *CEQR Technical Manual*. As such, traffic from the proposed project would not result in a significant adverse impact on mobile source air quality.

As described in **Chapter 10**, "**Air Quality**," certain commitments would be made in an (E) Designation for the Norfolk Building on Projected Development Site 1 to avoid any significant adverse air quality impacts. Similarly, the Lot 95 Exemption Alternative would necessitate these commitments for the Norfolk Building.

Since there would be no development on Projected Development Site 2 in the Lot 95 Exemption Alternative, the (E) Designation specific to Lot 95 would not be needed.

For both the proposed project and the Lot 95 Exemption Alternative, no significant adverse impacts are expected from existing industrial sources within a 400-foot radius of the project block, and no "large" or "major" emission sources were identified in a 1,000-foot radius of the project block.

Greenhouse Gas Emissions

Without the development of Projected Development Site 2 and with 27 fewer residential unit, the Lot 95 Exemption Alternative would have slightly lower GHG emissions than the With-Action condition. Similar to the With-Action condition, the Lot 95 Exemption Alternative would not result in significant adverse GHG emissions or climate change impacts.

Noise

Similar to the With-Action condition, the Lot 95 Exemption Alternative is not expected to result in significant adverse noise impact from vehicular sources and would not include any substantial stationary source noise generators. The design and specifications for the buildings' mechanical equipment would incorporate sufficient noise reduction devices that would comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code.

For the With-Action condition, the noise analysis identified the need for an (E) Designation for noise that would be applied to Projected Development Sites 1 and 2 specifying the appropriate amount of window/wall attenuation and an alternate means of ventilation. Under the Lot 95 Exemption Alternative, the (E) Designation would apply to just Projected Development Site 1 since there would be no new development on Projected Development Site 2.

Neighborhood Character

Similar to the With-Action condition, the development under the Lot 95 Exemption Alternative would not result in significant adverse impacts in any of the technical areas that contribute to neighborhood character, nor would it adversely affect the defining features of the neighborhood.

Construction

The development under the Lot 95 Exemption Alternative would have a similar construction schedule and activities as the With-Action condition. The same regulations would apply to the Lot 95 Exemption Alternative as in the With-Action condition. Both the Lot 95 Exemption Alternative and the With-Action condition are expected to result in significant adverse construction traffic and noise impacts at certain locations adjacent to the construction activity.

Public Health

Under both the With-Action condition and the Lot 95 Exemption Alternative, no unmitigated significant adverse impacts in any of the technical areas related to public health (hazardous materials, water quality, air quality, or noise) would occur. Therefore, the No-Action Alternative, like the With-Action condition, would not result in significant adverse public health impacts.