18

Unavoidable Significant Adverse Impacts

Unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is impossible.

18.1 Introduction

This chapter summarizes unavoidable significant adverse impacts resulting from the With-Action condition. According to the 2014 *CEQR Technical Manual*, unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is impossible.

18.2 Principal Conclusions

Transportation

As discussed in **Chapter 9**, "**Transportation**," and **Chapter 17**, "**Mitigation**," while the projected development on Projected Development Sites 1 and 2 would generate only a modest amount of vehicle trips, significant traffic impacts are expected 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 Essex Crossing. 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).

Of the six intersections analyzed, traffic impacts would remain unmitigated, as follows:

- Delancey Street and Essex Street during the weekday PM peak hour;
- Grand Street and Clinton Street during the weekday AM, midday, and PM peak hours and the Saturday midday peak hour.

Absent the implementation of the proposed mitigation measures, the proposed project could result in additional unmitigated significant adverse traffic impacts at some or all of the identified locations. Further, there is potential for additional impacts to be identified between Draft and Final of this Environmental Impact Statement (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 the New York City Department of Transportation (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.

Construction

Traffic

Construction activities would generate the highest amount of construction-related traffic in the fourth quarter of 2021. Three key intersections were analyzed for potential significant traffic impacts during the peak construction traffic. Of the intersections analyzed, traffic impacts at Grand Street and Clinton Street during the PM construction peak hour could not be mitigated.

Absent the implementation of the proposed mitigation measures, the proposed project could result in additional unmitigated significant adverse traffic impacts at some or all of the identified locations. Further, 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 and would therefore be considered unavoidable adverse impacts.

Noise

As discussed in **Chapter 15**, "**Construction**," and **Chapter 17**, "**Mitigation**," construction at Projected Development Site 1 has the potential to result in a significant adverse noise impact because of the duration and magnitude of the projected construction noise levels. The applicants are committed to implementing controls that exceed the noise control measures required by the New York City Noise Control Code, including the use of a 12-foot perimeter noise barrier. However, even with these measures, elevated construction noise levels are predicted to occur at certain locations. Additional measures, as feasible, to avoid potential

significant adverse noise impacts will be explored between publication of the Draft and Final EIS in consultation with DCP. If no feasible and practicable mitigation measures are identified, the significant adverse construction-period noise impact would remain unmitigated.