4. . UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

INTRODUCTION

Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

• There are no reasonably practicable mitigation measures to eliminate the impacts; and

• There are no reasonable alternatives to the Proposed Project that would meet the purpose and need for the actions, eliminate the impacts, and not cause other or similar significant adverse impacts.

As described in Chapter 3, Mitigation, a number of the potential impacts identified for the Proposed Action could be mitigated. However, as described below, some significant adverse impacts would not be fully mitigated.

OPEN SPACE

Chapter 2.D, Open Space, concludes that development under the Reasonable Worst Case Development Scenario (RWCDS) would cause substantial decreases in the residential study area's active, passive, and overall open space ratios, compared with future no-action conditions. Given the size of the decreases (7.4, 6.8, and 7.0 percent respectively), the Proposed Action would cause a significant adverse open space impact. Measures that would partially mitigate this significant adverse impact are discussed in Chapter 3, Mitigation, but the lead agency and the New York City Department of Parks and Recreation (DPR) were unable at the present time to identify sufficient funding sources to implement the mitigation measures. If funding sources are unable to be found at the time the impacts would occur with the completion of Development Site 2S, the significant adverse open space impact would remain unmitigated.

Furthermore, as noted above, the identified measures would only partially mitigate the open space impacts; therefore, a portion of the impacts would remain even with implementation of these measures. As the result, the Proposed Action would result in unmitigated significant adverse impacts to open space.

HISTORIC AND CULTURAL RESOURCES

As is discussed in Chapter 2.F, Historic and Cultural Resources, a Phase 1A Documentary Study was performed and reviewed by the New York City Landmarks Preservation Commission (LPC) and the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), which concluded that eight of the current tax lots within projected development sites may contain potentially sensitive subsurface archaeological artifacts. Unless in-ground testing is done and any identified artifacts are recovered prior to excavation, the redevelopment of these sites could result in the disturbance and destruction of archaeological resources, which would constitute a significant adverse impact.

Four of the lots are under the control of the project applicant (within development Sites 1, 2S, 2N, and 9D), and the applicant will enter into a restrictive declaration to follow a testing and recovery protocol that has been reviewed and approved by the LPC and OPRHP.

The other four lots, two of which may contain human remains from a former cemetery and two of which may contain former privies (shafts) in which artifacts may have subsequently been disposed, are not under the applicant's control. They are Block 3009, Lots 38 and 44 (the two southernmost lots on the west side of Boone Avenue on the blockfront between East 172nd and 173rd Streets, within Sites 3D and 3E respectively); Block 3015, Lot 87 (a through lot fronting on Boone Avenue and West Farms Road on the block extending from East 174th Street to the Cross Bronx Expressway, within Site 6B); and Block 3016, Lot 71 (a midblock parcel on the north side of Rodman Place between West Farms Road and Longfellow Avenue, within Site 9E). No mechanism is available to ensure that the redevelopment of these sites

would not result in unavoidable adverse impacts to archaeological resources that may be located therein. Their redevelopment could therefore result in unmitigated significant adverse impacts to archaeological resources.

TRANSPORTATION

As discussed in Chapter 2.M, Transportation, in the absence of signal timing changes or other measures, the Proposed Action would result in significant adverse impacts at seven study area intersections during one or more analyzed peak hours (weekday AM, weekday midday, and weekday PM), with significant adverse impacts at four of the intersections during the AM, six of the intersections during the midday peak period and at five of the intersections during the PM peak period.

Mitigation measures approved by the New York City Department of Transportation (NYCDOT) would mitigate all impacts except for two, three, and one traffic movements at the intersection of East 177th Street at the Sheridan Expressway during the AM, midday and PM peak hours, respectively, and one movement at the intersection of West Farms Road and Boston Road at East Tremont Avenue during the PM peak hour. The Proposed Action would result in unmitigated significant adverse impacts to (1) the left-through-right movement of the northbound approach and the left/through movement of the southbound approach at the intersection of East 177th Street at the Sheridan Expressway during the AM peak hour; (2) the left movement of the eastbound approach, the left-through-right movement of the northbound approach and the left/through movement of the southbound approach at the intersection of East 177th Street at the Sheridan Expressway during the midday peak hour; (3) the left/through movement of the southbound approach at the intersection of East 177th Street at the Sheridan Expressway during the PM peak hour; and (4) the through/right movement of the southbound approach at the intersection of West Farms Road and Boston Road at East Tremont Avenue during the PM hour.

As discussed earlier in this EIS, the Proposed Action could have a significant adverse impact on elementary public schools. The mitigation measure identified to address this impact would be the construction of a new elementary school on Site 2S as described in Chapter 3, Mitigation, However, as a consequence of implementing such a measure, it would result in an additional traffic impact at the unsignalized intersection of West Farms Road at East 172nd Street. The impact would be to the to the eastbound approach on East 172nd Street during the AM peak period. No feasible or practicable mitigation measure was identified for this location. As the result, the Proposed Action under the New School Mitigation scenario would have one additional unmitigated significant adverse traffic impact besides those noted above for the Proposed Action without the new elementary school.

CONSTRUCTION

Traffic

The construction preliminary traffic analysis in Chapter 2.S, Construction Impacts, concluded that there would potentially be significant adverse impacts during construction at six study area intersections. Measures approved by NYCDOT would fully mitigate the impacts at four of the intersections, as is discussed in Chapter 3, Mitigation. The significant adverse construction traffic impacts during the PM peak construction hour at East Tremont Avenue and Boston Road at West Farms Road and at East 177th Street at the Sheridan Expressway would remain unmitigated.

Noise

Even though no long-term construction noise impacts are expected to occur as a result of the Proposed Action, there are shorter periods during which very high increases in construction noise would occur. This would affect the rear facades of existing residential buildings fronting on the east side of Longfellow Avenue between East 173rd and East 174th Streets. The high noise levels would be generated by construction activities on sites that are not under control of the applicant and so cannot be controlled by a restrictive declaration. Further analysis conducted between the Draft and Final EIS confirmed that the third through sixth floor windows of the rear façade of one of the buildings (the six-story building on Block 3010, Lot 4) would be subject to a significant adverse impact. The Proposed Action would therefore result in a significant adverse impact related to construction noise.

Although there are measures that a construction contractor can take to screen the construction site to reduce noise levels at the sensitive receptor sufficiently to avoid a significant impact, no means have been identified that to ensure that such measures are taken. The impact would therefore remain unmitigated.