Chapter 17: Mitigation

A. INTRODUCTION

This chapter considers mitigation measures to address significant adverse impacts resulting from the Proposed Project. As described in Chapter 1, "Project Description," the Applicant is requesting a rezoning and other discretionary actions (the Proposed Actions) to facilitate the construction of the Proposed Project, an approximately 596,200 gross-square-foot (gsf) through-block building on the site of its existing New York Blood Center (NYBC) building at 310 East 67th Street, Block 1441 Lot 40 (the Development Site). Block 1441 is bounded by East 66th and East 67th Streets and First and Second Avenues and is part of a larger Rezoning Area which also includes Block 1441, Lots 1001–1202, and Block 1421, p/o Lot 21. The Proposed Project would be constructed in a single phase, anticipated to begin in 2022 and to be complete in 2026 over an approximately 51-month period, as compared to the 44-month period estimated for the 229,092-gsf new building under the No Action condition.

The Proposed Project would result in a significant adverse shadow impact to St. Catherine's Park. An alternative to reduce the shadow impact has been considered in Chapter 18, "Alternatives." While the Applicant has stated that, at this time, there is no massing alternative to remove the impact and be financially feasible, potential mitigation measures are being explored by NYBC in consultation with DCP, NYC Parks, and Friends of St. Catherine's Park and will be refined between the DEIS and Final EIS. These measures may include replacing vegetation and additional maintenance of the Park features.

The Proposed Project would result in significant adverse impacts related to construction noise. Mitigation measures have been identified to address the significant adverse impacts where feasible and practicable. As discussed below in more detail, partial mitigation is proposed for some of the significant adverse impacts of the Proposed Project. Significant adverse impacts that cannot be fully mitigated through reasonably practicable measures are also identified and discussed in Chapter 19, "Unavoidable Adverse Impacts."

B. SHADOWS

As detailed in Chapter 5, "Shadows," incremental shadow from the Proposed Project would cast new shadows that would have a significant adverse impact on St. Catherine's Park. While the Applicant has stated that, at this time, there is no massing alternative to remove the impact and be financially feasible, potential mitigation measures are being explored by the Applicant in consultation with DCP, NYC Parks, and Friends of St. Catherine's Park and will be refined between the DEIS and FEIS. These measures may include replacing vegetation and additional maintenance of the Park features.

C. CONSTRUCTION NOISE

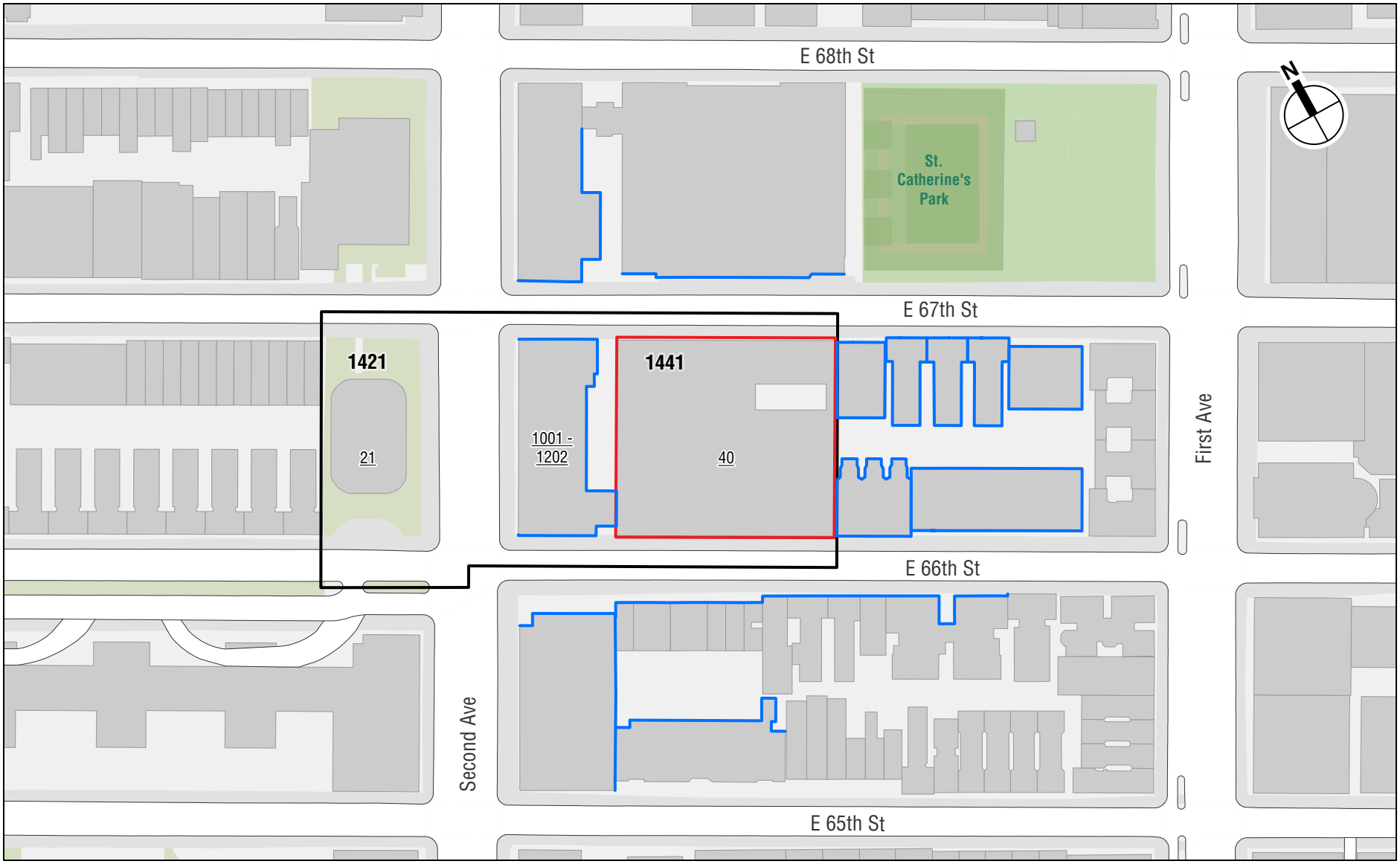
As discussed in Chapter 15, "Construction," the Proposed Project's construction activities would result in significant adverse impacts related to noise. The predicted construction noise levels would not result in increments that would be considered very objectionable (i.e., 20 dBA or greater) at any noise receptors. However, at some receptors, construction of the Proposed Project would result in increments that would exceed the CEQR construction noise screening thresholds and/or that would be considered objectionable (i.e., 15 dBA or greater). The potential for significant adverse impacts at these receptors was determined by evaluating the duration of these increments.

Significant adverse noise impacts are predicted to occur at multiple sensitive locations (i.e., MSKCC facilities on East 66th Street and Second Avenue, the JREC, the 67th Street Library, residences immediately adjacent to the proposed development site at 301 and 321 East 66th Street, residences at 324 through 340 East 66th Street, residences at 332, 338, and 342 East 67th Street, and residences at 315 East 65th Street) as a result of construction of the Proposed Project, as shown in **Figure 17-1**.

Construction of the Proposed Project would be required to follow the New York City Noise Control Code for construction noise control measures. Additionally, as mitigation for the predicted impacts, the Applicant would incorporate measures to control construction noise that go beyond those required by Code. Specific noise control measures would be incorporated in noise mitigation plan(s) required under the New York City Noise Code, including a variety of source and path controls.

In terms of source controls (i.e., reducing noise levels at the source or during the most sensitive time periods) and path controls (e.g., placement of equipment, implementation of barriers or enclosures between equipment and sensitive receptors), the following measures would be implemented in accordance with the New York City Noise Code:

- Equipment that meets the sound level standards specified in Subchapter 5 of the New York City Noise Control Code would be utilized from the start of construction. Table 16-9 in Chapter 16, "Construction," shows the noise levels for typical construction equipment and the mandated noise levels for the equipment that would be used for construction of the Proposed Project;
- As early in the construction period as logistics would allow, diesel- or gas-powered equipment would be replaced with electrical-powered equipment such as welders, water pumps, bench saws, and table saws (i.e., early electrification) to the extent feasible and practicable. Where electrical equipment cannot be used, diesel or gas-powered generators and pumps would be located within buildings to the extent feasible and practicable;
- Where feasible and practicable, the construction site would be configured to minimize back-up alarm noise (i.e., the site will be configured to the extent feasible and practicable to allow trucks to pull through without needing to turn around). In addition, no trucks would be allowed to idle more than three minutes at the construction site based upon Title 24, Chapter 1, Subchapter 7, Section 24-163 of the New York City Administrative Code;
- Contractors and subcontractors would be required to properly maintain their equipment and mufflers;
- Where logistics allow, noisy equipment, such as cranes, concrete pumps, concrete trucks, and delivery trucks, would be located away from and shielded from sensitive receptor locations;



Predicted Construction Noise Impacts

NEW YORK BLOOD CENTER—CENTER EAST

Figure 17-1

- Noise barriers constructed from plywood or other materials consistent with the noise barrier requirements set forth in the New York City Department of Environmental Protection (DEP)'s "Rules for Citywide Construction Noise Mitigation," would be erected to provide shielding;
- Concrete trucks would be required to be located inside site-perimeter noise barriers while pouring or being washed out; and
- Path noise control measures (i.e., portable noise barriers, panels, enclosures, and acoustical tents) for certain dominant noise equipment to the extent feasible and practical based on the results of the construction noise calculations. The details to construct portable noise barriers, enclosures, tents, etc. are shown in DEP's *Rules for Citywide Construction Noise Mitigation*.

Additionally, the Proposed Project would, where feasible, practicable, and effective to control construction noise, incorporate site-perimeter noise barriers during concrete operations least 12 feet tall with a cantilever towards the work area as described in the noise barrier performance requirements set forth in the DEP's "Rules for Citywide Construction Noise Mitigation."

Mitigation measures to control noise at the receptors predicted to experience impacts would also be offered during construction of the Proposed Project. While some of the buildings where impacts have been identified feature modern façade construction, including insulated glass windows and an alternative means of ventilation that would allow for the maintenance of a closed-window condition, it is not possible to definitively determine the presence of these features at all receptors that would have the potential to experience construction noise impacts. At building façades that are predicted to experience impact, the Applicant would offer to make available at no cost for purchase and installation storm windows for façades that do not already have insulated glass windows and/or one window air conditioner per living room and bedroom at residences that do not already have alternative means of ventilation. The mitigation measures would be implemented prior to the start of construction. Building façades with insulated glass windows or storm windows and alternative ventilation would provide sound attenuation such that even during warm weather conditions, interior noise levels would be approximately 25 dBA less than exterior noise levels. However, the most noise-intensive construction activity nearest the receptors experiencing significant adverse impacts would result in interior noise levels up to 62 dBA L_{10}, which is 17 dBA greater than the level considered acceptable according to *CEQR Technical Manual* noise exposure guidelines. Consequently, significant adverse noise impacts predicted to occur at the above-mentioned receptors would be only partially mitigated. ✷