A. INTRODUCTION

This chapter summarizes unavoidable significant adverse impacts resulting from the Proposed Actions. According to the *City Environmental Quality Review (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 infeasible.

As described in **Chapter 18, "Mitigation,"** the Proposed Actions would potentially result in significant adverse impacts with respect to community facilities (public elementary schools and early childhood programs), open space (active open space), transportation (traffic, bus, subway, pedestrians), noise, and construction (traffic, noise). To the extent practicable, mitigation has been proposed for the identified significant adverse impacts. However, in some instances (a) no practicable mitigation was identified to fully mitigate significant adverse impacts, and (b) there are no reasonable alternatives to the Proposed Actions that would meet the purpose and need for the Proposed Actions, eliminate the impact, and not cause other or similar significant adverse impacts.

B. COMMUNITY FACILITIES

Public Elementary Schools

As discussed in **Chapter 4, "Community Facilities,"** the Proposed Actions would result in significant adverse impacts on public elementary schools; the Proposed Actions would not result in any significant adverse impacts on intermediate schools or high schools. According to the ~~updated~~ 2021 *CEQR Technical Manual*, a significant adverse elementary school impact may result if a proposed action would result in both of the following: (1) A utilization rate of elementary schools that is equal to or greater than 100% in the With-Action Condition; and (2) 100 or more new students generated by the proposed development past the 100% utilization rate. As discussed in **Chapter 4**, the demand for elementary school seats with Community School District 30, Sub-District 3 would increase to 141.06 percent compared to the No-Action condition of 136.4 percent. Under the RWCDS, the Proposed Actions would introduce approximately 181 elementary school students. As such, the Proposed Actions would result in significant adverse impacts on elementary schools. The significant adverse elementary school impact would occur with completion of 909 residential units, and therefore would occur upon completion and occupancy of Tower 3 in the last phase of the Proposed Project's construction.

As discussed in **Chapter 18, "Mitigation,"** potential mitigation measures ~~are currently being~~were explored by the Applicant in consultation with the lead agency, the New York City Department of City Planning (DCP), the New York City School Construction Authority (SCA), and the New York City Department of Education (DOE) and ~~will be~~ refined between the DEIS and FEIS. As described in **Chapter 18**, in order to address the Proposed Actions' potential significant adverse impact on public elementary schools, the Applicant will coordinate with SCA to provide programmatic funding for existing elementary schools within Community School District 30, Sub-District 3. This fund will go to a to-be-determined program in the sub-district, and will be outlined more specifically in the Restrictive Declaration. In addition, other

options to address school seat demand in the future could include standard measures utilized by DOE/SCA to address school capacity such as redistricting, the provision of off-site capacity, or other administrative measures. Such measures could wholly or partially mitigate the significant adverse impact on public elementary schools. ~~If feasible mitigation is found, the impacts upon elementary school seats in the study area will be considered mitigated.~~ Absent the implementation of such measures, the Proposed Actions could result in an unmitigated significant adverse impact to elementary schools. If measures to fully mitigate the anticipated impact are not identified and/or implemented, the significant adverse impact on public elementary schools would remain an unavoidable significant adverse impact.

Early Childhood Programs

Following *CEQR Technical Manual* methodology, the Proposed Actions would result in a significant adverse impact to early childhood programs. As discussed in **Chapter 18, "Mitigation,"** ~~mitigation measures for this significant adverse impact will possibly include adding capacity to existing facilities if determined feasible through consultation with the New York City Department of Education (DOE) or providing a new child care facility within or near the Project Area. Mitigation measures for this significant adverse impact will continue to be explored by the Applicant in consultation with the lead agency, the New York City Department of City Planning (DCP), and the DOE, and will be refined between the Draft and Final EIS~~ in order to address the Proposed Actions' potential significant adverse impact on publicly funded early childhood programs, the Applicant will coordinate with DOE to develop possible mitigation measures which may include provision of suitable space on-site for a publicly funded early childhood program facility, provision of a suitable location off-site and within a reasonable distance (at a rate affordable to DOE providers), or funding to support additional capacity.

City programs could potentially avoid the anticipated impact by expanding the number of publicly funded child care slots in the study area. Since 2014, the City has made significant investments to provide free, full-day, high-quality early childhood education through the Pre-K for All and 3-K for All, as part of a broader effort to create a continuum of high-quality early care and education programs for New York City children from birth to five years old. By the Proposed Development's 2031 Build year, further investments could include the expansion of slots as part of the City's universal Pre-K for All and 3-K for All programs and possible new DOE facilities, reflecting the City's policy of providing early childhood education and care opportunities to all residents, regardless of family income. However, as such capacity expansions have not been identified at this time, they are not accounted for in the quantitative analysis and impact determination. Furthermore, the projected increase in demand for early childhood program slots in the With-Action Condition could be offset by private day care facilities and day care centers outside of the Child Care Study Area, which are not included in this analysis; some parents may choose day care providers that are closer to their workplace rather than their home.

~~Mitigation measures for this impact would possibly include funding or making program or physical improvements to support additional capacity at existing facilities if determined feasible through consultation with DOE or providing a new child care facility within or near the Project Area.~~

In connection with the approval of the Proposed Actions, a Restrictive Declaration will be recorded on the Development Site subject to CPC approval. The Restrictive Declaration for the Proposed Project will require the Applicant to work with DOE to consider the need for and the implementation of one or more measures as listed above to provide additional capacity, if required, to mitigate the significant adverse impact to publicly funded child care facilities within the 1.5-mile study area or within Queens Community District 1. Based on the results of the analysis presented in **Chapter 4, "Community Facilities and Services,"** which accounts for the current inventory of publicly funded child care facilities and conservative

future background projections, providing capacity for 27 publicly-funded early childhood program slots would be needed to reduce the increase in the utilization rate to less than five percent. ~~The Applicant is currently coordinating with DCP and DOE and further mitigation measures will be explored between the Draft and Final EIS.~~ The Applicant would also re-evaluate the need for additional publicly-funded early childhood program seats at the triggering 89th affordable unit, in consultation with DOE and other City agencies, as appropriate. Absent the implementation of such needed mitigation measures~~If measures to fully mitigate the anticipated impact are not identified and implemented~~, this would remain an unavoidable significant adverse impact.

C. OPEN SPACE

As discussed in **Chapter 5, "Open Space,"** as the Proposed Actions would result in a substantial decrease in the active open space ratio in the residential study area, and the active open space ratio would be below ~~the City~~CEQR's guideline ratio in the future, the Proposed Actions would result in a significant adverse active open space impact. Potential partial mitigation measures for this significant adverse impact ~~are currently being~~were explored by the Applicant in consultation with the lead agency, DCP, and the New York City Department of Parks and Recreation (DPR) and ~~will be~~were refined between the Draft and Final EIS. The *CEQR Technical Manual* lists potential mitigation measures for open space impacts. These measures may include, but are not limited to, creating new open space within the study area; funding for improvements, renovation, or maintenance at existing local parks; or improving existing open spaces to increase their utility or capacity to meet identified open space needs in the area, such as through the provision of additional active open space facilities. As discussed in **Chapter 18, "Mitigation,"** as a part of ~~ongoing~~ discussions between the relevant agencies, ~~DPR has expressed a community need~~in order to address the significant adverse impact on active open space, the Applicant would be required to improve and renovate the existing Triborough Bridge Playground B, located approximately 0.5 miles east of the Project Area, which ~~c~~would increase utility and provide additional active open space facilities within the neighborhood. Specifically, the ~~I~~improvements ~~and/or renovations~~ at the Triborough Bridge Playground B would include replacing a playground and sitting area (approximately 35,000 sf area), reconfiguring existing storm water management systems at the playground, restoring existing pavement in the playground and sitting area, and installing eight security lights at the playground~~as a potential mitigation measure will be further refined, and additional mitigation measures, if any, will be explored further by the Applicant in consultation with DCP and DPR between the DEIS and FEIS~~. These improvements would increase the utility of Triborough Bridge Playground B and its capacity to meet the active open space needs of the study area, and therefore would constitute partial mitigation of the potential significant adverse impact on active open space. ~~If no additional feasible mitigation is found, the impacts will be considered partially mitigated. If~~ Therefore, as the significant adverse impact on open space ~~is~~will not be fully mitigated, the Proposed Actions would result in an unavoidable adverse impact on open space.

D. TRANSPORTATION

Traffic

As discussed in **Chapter 11, "Transportation,"** the Proposed Actions would result in significant adverse traffic impacts at total of ~~39~~ 40 lane groups would be significantly adversely impacted at 20 intersections (13 signalized and seven unsignalized) during one or more analyzed peak hours. The traffic impact analysis indicates that during the AM peak hour, a total of ~~32~~ 30 lane groups at 18 intersections are expected to be significantly adversely impacted. A total of 14 lane groups at 10 intersections are expected to be

significantly adversely impacted in the weekday midday peak hour. During the weekday PM peak hour, a total of ~~30~~27 lane groups at 17 intersections are expected to be significantly adversely impacted. A total of 20 lane groups at 12 intersections are expected to be significantly adversely impacts in the Saturday midday peak hour. As discussed in **Chapter 18, "Mitigation,"** implementation of traffic engineering improvements such as signal timing changes and lane restriping would fully mitigate the significant adverse impacts to ~~14~~ 10 lane groups in the weekday AM peak hour, ~~7~~ 3 lane groups in the midday peak hour, ~~11~~ 6 lane groups in the weekday PM peak hour, and ~~10~~ 5 lane groups in the Saturday peak hour. Intersections where all impacts would be fully mitigated would total ~~18~~6, ~~7~~3, ~~19~~4, and ~~10~~3 during these same periods, respectively. As shown in **Table 20-1**, no practicable mitigation was identified for the impacts to one or more lane groups in one or more peak hours at 16~~14~~ intersections. Consequently, these impacts would constitute unavoidable significant adverse traffic impacts as a result of the Proposed Actions.

Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified. In the absence of the application of mitigation measures, the impacts would also remain unmitigated and would also constitute unavoidable adverse traffic impacts as a result of the Proposed Actions.

TABLE 20-1
Lane Groups With Unmitigated Significant Adverse Traffic Impacts

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday**
Signalized Intersections				
26th Avenue & 21st Street				
27th Avenue & 4th Street				
27th Avenue & 8th Street		EB-R	WB-T~~, NB-L~~	
27th Avenue & 9th Street	WB-T, SB-L		WB-T~~, SB-L~~	WB-T, SB-L
27th Avenue & 12th Street	EB-LT		EB-LT, WB-TR	EB-LT
27th Avenue & 14th Street			WB-LT	
Astoria Boulevard & 8th Street			NB-LT	
Astoria Boulevard & 18th Street	SB-LR			
Astoria Boulevard & 21st Street	EB-L,TR. WB-T. NB-LT.	EB-TR. WB-T. NB-LT, SB, R.	EB-L,TR. WB-T, R. NB-LT. SB-R.	EB-TR. WB-T. NB-LT, SB-R.
24th Avenue & 21st Street	NB-LTR. SB-LT	NB-LTR	NB-LTR	NB-LTR
Hoyt Avenue North & 21st Street	~~WB-L.~~ NB-T. SB-TR	NB-T	WB-LT, NB-T	NB-T
Astoria Park S/Hoyt Avenue S & 21st Street				
30th Avenue & 21st Street				
Unsignalized Intersections				
26th Avenue & 3rd Street				
27th Avenue & 3rd Street	SB-LR	SB-LR	SB-LR	SB-LR
27th Avenue & 18th Street		EB-LTR	EB-LTR	EB-LTR, WB-LR
Astoria Boulevard & Newtown Avenue	NB-LR		NB-LR	NB-LR
30th Avenue & 8th Street	SB-LT, WB-LR	SB-LT, WB-LR	SB-LT, WB-LR	SB-LT, WB-LR
30th Avenue & Main Street	EB-LT		EB-LT	
30th Avenue & 12th Street	EB-LTR			
30th Avenue & 14th Street	EB-LTR. SB-LTR			
Notes: NB—northbound, SB—southbound, EB—eastbound, WB—westbound L—left-turn, T—through, R—right-turn				

Notes:
NB – Northbound, SB – Southbound, EB – Eastbound, WB – Westbound
L – Left-turn, T – Through, R – Right-turn, DefL – Defacto left-turn

Transit

Subway Station Operations

As discussed in **Chapter 11, "Transportation,"** significant adverse subway station impacts are anticipated at the 30th Avenue Station during the AM and PM peak hours. Specifically, the M3-S3 street stairs at the northwest corner of 31st Street and 30th Avenue is projected to operate at level of service (LOS) E with a v/c ratio of 1.35~~1.45~~ in the PM peak hour. The WIT on this stairs would exceed *CEQR Technical Manual* impact criteria and would be considered significantly adversely impacted by action-generated demand in the PM peak hour. The P1-P2 platform stairs leading to the Manhattan-bound trains at the 30th Avenue station is projected to operate at LOS E with a v/c ratio of 1.47~~1.48~~ in the AM peak hour. As the WIT for this stairs would exceed *CEQR Technical Manual* impact criteria, these stairs would be considered significantly adversely impacted by action-generated demand in the AM peak hour. The P3-P4 platform staircase from the Astoria-Ditmars-bound trains at the 30th Avenue station is projected to operate at LOS E with a v/c ratio of 1.42~~1.46~~ in the PM peak hour. As the WIT for these stairs would exceed *CEQR Technical Manual* impact criteria, both would be considered significantly adversely impacted by action-generated demand in the PM peak hour.

As discussed in **Chapter 18, "Mitigation,"** potential measures to mitigate these impacts ~~will be~~were explored in consultation with New York City Transit (NYCT) between the Draft and Final EIS~~, and could include adding vertical capacity to the 30th Avenue subway station~~. However, implementing a potential street stair and ADA-compliant elevator at the 30th Avenue station's Manhattan-bound platform as described in Chapter 18 has been determined to be not practicable, and thus, the projected impacts at the station's platform stairs (P1-P2) would be unmitigated. Absent the implementation of practicable mitigation measures at the impacted stairways, the Proposed Actions would have an unmitigated significant adverse impact on subway stations. The applicant would commit to work with NYCT to explore an additional free subway shuttle bus service connecting the site to the adjacent subway stops at Astoria Boulevard and Broadway. It should also be noted that as part of the plan for partially mitigating the subway station impacts, the Applicant will also commit to conducting a TMP at Projected Development Site 1 to better estimate the transportation planning factors, modal splits, subway station/line usage, bus route usage, the full build demand generated by the Proposed Actions, and any future demand from No-Action developments. The TMP will revise transit analyses based on findings of surveys and new data at the 30th Avenue station, and will be reviewed by NYCT. ~~Additionally, a preliminary study shows that a new street stair and elevator could potentially be located at the southwest corner of Newtown Avenue and 31st Street, adjacent to the 30th Avenue subway station's southbound platform. As discussed in **Chapter 18, "Mitigation,"** this measure would remove the impact the Manhattan-bound platform stairs (P1-P2) during the AM peak hour; however, while the new stair would relieve some pressure on other stairs including the M3-S3 street stairs (on the northwest corner of 30th Avenue and 31st Street) and P3-P4 platform stairs, in the PM peak hour, the M3-S3 street stairs and P3-P4 platform stairs would continue to exceed thresholds for impact. If feasible mitigation is not found,~~ However, as the significant adverse impacts on subway stations would remain unmitigated, these impacts would be considered unavoidable.

Bus Line Haul

As described in **Chapter 11, "Transportation,"** the Proposed Actions would result in potential significant adverse bus line haul impacts on the eastbound Q18, northbound Q103, and southbound Q103 services would be significantly adversely impacted in the AM peak hour along with the northbound Q103 and southbound Q103 services in the PM peak hour. NYCT and MTA Bus routinely monitor changes in bus ridership and, subject to the agencies' fiscal and operational constraints, make necessary service

adjustments where warranted. As discussed in **Chapter 18, "Mitigation,"** the identified potential impacts could be mitigated if increased service adjustments are made. If adjustments are not made, these impacts would be considered unavoidable.

Pedestrians

As described in **Chapter 11, "Transportation,"** the Proposed Actions would result in significant adverse impacts to the two sidewalks, three crosswalks, and one corner in one or more peak hours. Recommended mitigation measures consisting of the relocation/removal of impediments to sidewalk flow and the widening of crosswalk or corner areas would fully mitigate the impacts to one sidewalk (west sidewalk of 4th Street between 26th Avenue and 27th Avenue), one crosswalk and one corner (27th Avenue and 4th Street). One sidewalk (north sidewalk of 27th Avenue between 3rd Street and 4th Street) and two crosswalks (north and east crosswalks at 27th Avenue and 4th Street) would be remain unmitigated during the weekday midday and/or Saturday peak hours. Implementation of the proposed mitigation measures would be subject to review and approval by DOT, as well as DPR if a street tree is to be removed. ~~DCP, as lead agency, will explore potential mitigation measures in coordination with DOT and DPR between the Draft and Final EIS.~~ Absent the identification and implementation of additional feasible mitigation measures that would mitigate the pedestrian impacts to the greatest extent practicable, the Proposed Actions would result in unmitigated significant adverse pedestrian impacts and would be considered unavoidable.

E. NOISE

Chapter 14, "Noise," concludes that the Proposed Actions would have the potential to result in significant adverse noise impacts at 10 residential and commercial office receptor locations along 26th Avenue between 3rd and 4th Street, and along 3rd Street between 26th and 27th Avenue during various peak hours. As discussed in **Chapter 18, "Mitigation,"** practicable and feasible mitigation measures ~~will be~~were explored in consultation with DCP and additional work ~~will be~~was conducted between the DEIS and FEIS to provide a sufficient reduction to the identified noise increments to remain below the CEQR threshold (i.e., 3 dBA) or to lower interior noise levels at the identified impacted noise receptors to an acceptable range. ~~If warranted~~As such, ~~possible~~ for impacted receptors at 3-04-3-06 26th Avenue, 3-08-3-10 26th Avenue, 26-38 3rd Street, 26-24 3rd Street, 26-19 3rd Street, 26-15 3rd Street, and 26-11 3rd Street that do not have an alternate means of ventilation (i.e., air conditioning), the Applicant ~~mitigation measures c~~would offer through-window air conditioning units as partial mitigation ~~include installing storm windows or providing an alternate means of ventilation (including, but not limited to, air conditioning) to impacted existing noise receptors where these measures are not already in use~~. However, ~~if identified mitigation measures are determined to be impracticable and infeasible or~~ if interior noise levels at the identified impacted noise receptors remain above the acceptable level (i.e., 45 dBA or lower for residential/community facility uses, and 50 dBA or lower for commercial office uses) ~~and there are no other feasible and practicable mitigation measures that could be implemented~~, the significant adverse mobile source noise impacts would be considered either partially mitigated or would remain unmitigated. Therefore, consequently, these impacts at existing buildings would constitute an unavoidable significant adverse mobile source noise impact as a result of the Proposed Actions.

F. CONSTRUCTION

Traffic

Construction traffic conditions during the 2027 Q3 and Q4 construction were evaluated at 21 intersections (10 signalized and 11 unsignalized) in the traffic study area where construction vehicle trips would exceed the 50-trips/hour *CEQR Technical Manual* analysis threshold in the AM and/or PM construction peak hours. As discussed in **Chapter 17, "Construction,"** the construction traffic impact analysis identified the potential for significant adverse impacts to three lane groups at two intersections in the weekday AM construction peak hour, and ten lane groups at five intersections in the weekday PM construction peak hour. As discussed in **Chapter 18, "Mitigation,"** implementation of recommended traffic signal timing changes at an existing traffic signal would fully mitigate the significant adverse impacts to two lane groups at one intersection in the construction AM and/or PM peak hour. As shown in **Table 20-2,** no practicable mitigation was identified for the impacts to two lane groups at one intersection in the construction AM peak hour and eight lane groups at four intersections in the construction PM peak hour. Consequently, these impacts would constitute an unavoidable significant adverse construction traffic impact as a result of the Proposed Actions.

Table 20-2
Lane Groups With Unmitigated Significant Adverse Construction Traffic Impacts

	Construction Peak Hour	
	Weekday AM	**Weekday PM**
Signalized Intersections		
Astoria Boulevard & 21st Street	EB-TR, WB-T	EB-L, EB-TR, WB-T, NB-T
Unsignalized Intersections		
27th Avenue & 3rd Street	---	SB-LR
27th Avenue & 18th Street	---	EB-LTR
30th Avenue & 8th Street	---	SB-LT, WB-LR

Notes: NB—northbound, SB—southbound, EB—eastbound, WB—westbound L—left-turn, T—through, R—right-turn

Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that the identified mitigation measure is infeasible, an alternative and equivalent mitigation measure will be identified. In the absence of the application of mitigation measures, the impacts would remain unmitigated.

Noise

Chapter 17, "Construction," concludes that the Proposed Actions would have the potential to result in temporary significant adverse construction noise impacts at several receptor locations surrounding the Project Area. Construction activities would follow 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) for construction noise control measures. Specific noise control measures would be incorporated in noise mitigation plan(s) required under the *New York City Noise Control Code*. These measures could include a variety of source and path controls. However, the implementation of these measures would not eliminate

all of the identified significant adverse construction noise impacts predicted to occur during hours when the loudest pieces of construction equipment are in use. Consequently, these temporary construction noise impacts would not be fully mitigated and would therefore constitute an unavoidable significant adverse construction noise impact.