

**A. 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 of the action, eliminate the impact, and not cause other or similar significant adverse impacts.

As described in Chapter 22, “Mitigation,” a number of the potential impacts identified for the proposed actions could be mitigated. However, as described below, in some cases, project impacts would not be fully mitigated.

**B. COMMUNITY FACILITIES****SCHOOLS**

As discussed in Chapter 22, “Mitigation,” the proposed actions would result in significant adverse impacts on elementary school enrollment within the 1½-mile study area, within Zone 3 of Community School District (CSD) 30, and within CSD 30. The proposed actions would also result in a significant adverse impact on intermediate schools within the 1½-mile study area. If none of these potential mitigation measures are undertaken, the proposed actions would result in an unmitigated significant adverse impact on elementary and intermediate school enrollment.

**DAY CARE FACILITIES**

The proposed actions may result in a significant adverse impact on day care facilities. The proposed actions would provide 45,000 gsf of space for community facility use. If warranted, a portion of this space could be used as a public day care center. To mitigate the potential impact on day care facilities, the New York City Economic Development Corporation would require that a future developer of Site A consult with the Administration for Children’s Services to determine the appropriate way to meet demand for day care services generated by development on the project sites. Absent the implementation of any needed mitigation measures, the proposed actions could have an unmitigated significant adverse impact on day care facilities.

**C. TRAFFIC**

As discussed in Chapter 16, “Traffic and Parking,” the proposed actions would result in significant adverse traffic impacts at locations within the traffic study areas analyzed in the DEIS pursuant to the methodologies contained within the *CEQR Technical Manual*. Nearly all of the locations that would be significantly impacted could be mitigated using traffic

improvements such as new traffic signals, modifying existing signal timing/phasing plans, parking regulation changes, lane reconfigurations, and prohibition of turn movements.

Under the proposed actions, a maximum of eight intersections would experience unmitigatable impacts in the 2017 Build year (but not in all peak hours); of these, four intersections could be partially mitigated. The four intersections that would remain unmitigated are the intersections of Van Dam Street with Thomson Avenue/Queens Boulevard, with the LIE exit ramp, and with Borden Avenue, and the intersection of Center Boulevard with 49th Avenue. The four intersections where significant traffic impacts could be partially mitigated include Vernon Boulevard and 50th Avenue, Jackson Avenue and 11th Street, Jackson Avenue and 21st Street, and 11th Street and Borden Avenue at the Queens-Midtown Tunnel Toll Plaza Exit Ramp. At these intersections, traffic improvements would be able to mitigate one or more—but not all—approaches that would be significantly impacted. Specific peak hours affected are described in detail in Chapter 22, “Mitigation.” Mitigation measures at locations that could only be partially mitigated or could not be mitigated at all would be re-evaluated between the Draft and Final EISs to determine the feasibility of additional mitigation measures.

## **D. TRANSIT AND PEDESTRIANS**

As discussed in Chapter 17, “Transit and Pedestrians,” significant adverse impacts associated with the proposed actions were identified for subway stairways, bus line-haul, and pedestrian elements. Potential mitigation measures identified include widening of existing stairways and/or construction of a new stairway, increase and/or extension of existing bus service, removal of sidewalk obstructions, installation of a corner bulb-out, and widening of existing crosswalks.

The analyses presented in Chapter 22, “Mitigation,” show that there could be up to six unmitigatable transit and pedestrian impacts. Transit-related mitigation measures are subject to further discussions with the MTA and NYCT, and if the potential stairway widenings and/or the construction of a new stairway are deemed not practicable, the significant adverse impacts identified for the S7 and S8 street-level stairways at the Vernon Boulevard-Jackson Avenue subway station would remain unmitigated. For several of the pedestrian crosswalk impacts, the necessary widenings exceed the maximum typically permitted by the New York City Department of Transportation (NYCDOT). Therefore, the north crosswalk of the Vernon Boulevard and 50th Avenue intersection would only be partially mitigated, and is therefore considered unmitigated. In addition, the significant adverse impacts identified at the west crosswalk at the Vernon Boulevard and 50th Avenue intersection and at the east and west crosswalks at the 2nd Street and Borden Avenue intersections would remain unmitigated. During the period between publication of the Draft and Final EISs, further analysis will be conducted to identify mitigation measures for these impacts.

## **E. NOISE**

As discussed in Chapter 19, “Noise,” and Chapter 22, “Mitigation,” in 2017, traffic generated by the reasonable worst-case development scenario would noticeably increase noise levels ( $L_{eq(1)}$ ) at one analysis location, receptor 4, located on 51st Avenue between Vernon Boulevard and 5th Street. The change in noise levels from project-generated traffic would exceed the *CEQR Technical Manual* impact criteria and result in significant noise impact during the weekday PM time period at this receptor location. The impact at this location would affect pedestrians and residences on 51st Avenue between Vernon Boulevard and 2nd Street. As described in Chapter 22, “Mitigation,” there are no feasible or practicable mitigation measures that could be implemented

to eliminate the noise impact predicted at this location for pedestrians. Consequently, the predicted impacts at this location would be considered as unmitigated significant impacts. However, predicted noise levels on 51st Avenue between Vernon Boulevard and 2nd Street for Build conditions would still fall within CEQR's "marginally acceptable" range. \*