

**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 14, “Mitigation,” some of the potential impacts identified for the proposed project could be mitigated. However, as described below, in some cases, project impacts would not be fully mitigated.

**B. TRANSPORTATION****TRAFFIC**

As discussed in Chapter 8, “Transportation,” traffic conditions were evaluated at 17 intersections during the weekday midday and PM, and Saturday midday and PM peak hours. The proposed project would result in significant adverse traffic impacts at five intersections in the weekday midday peak hour, nine in the weekday PM peak hour, seven in the Saturday midday peak hour, and nine in the Saturday PM peak hour. The majority of the locations significantly impacted could be mitigated using standard traffic capacity improvements such as signal phasing and timing changes, lane re-striping and parking prohibitions. Where standard traffic mitigation measures alone are not sufficient to improve traffic and operating conditions, non-standard capacity improvements would be undertaken as part of an overall Traffic Management Plan (TMP) that would be in effect during peak events (5,000 attendees) to manage traffic and pedestrian flows and Variable Message Signs (VMS) to guide patrons to appropriate parking destinations.

As described in Chapter 14, “Mitigation,” with the proposed mitigation measures in place all significant adverse traffic impacts could be fully mitigated except at two intersections during the weekday midday peak hour, five intersections during the weekday PM peak hour, four intersections during the Saturday midday peak hour, and five intersections during the Saturday PM peak hour. Specifically, West Fordham Road and Sedgwick Avenue and West Kingsbridge Road and Reservoir Avenue/ Grand Avenue would have unmitigated significant adverse impacts during the weekday midday peak hour. West Fordham Road at Major Deegan Expressway northbound on-ramp, and Sedgwick Avenue, and West Kingsbridge Road at Sedgwick, University, and Reservoir/Grand Avenues, would have unmitigated significant adverse impacts during the weekday PM peak hour. West Fordham Road at Major Deegan Expressway northbound on-ramp, and Sedgwick Avenue, and West Kingsbridge Road at University and

Reservoir/Grand Avenues, would have unmitigated significant adverse impacts during the Saturday midday peak hour. West Fordham Road at Major Deegan Expressway northbound on-ramp, and Sedgwick Avenue, and West Kingsbridge Road at Jerome, University, and Reservoir/Grand Avenues, would have unmitigated significant adverse impacts during the Saturday PM peak hour.

Additional feasible mitigation measures that may fully or partially mitigate these significant impacts, such as the installation of a traffic signal at West Kingsbridge Road and Reservoir/Grand Avenue, will be explored in coordination with New York City Department of Transportation (NYCDOT) for the Final Environmental Impact Statement (FEIS).

## **PEDESTRIAN**

As discussed in Chapter 8, “Transportation,” the proposed project would result in significant adverse pedestrian impacts under the 2018 With Action conditions at the following locations:

- Goulden Avenue and West 197th Street: 1) The west sidewalk north of West 197th Street, 2) the north crosswalk, and 3) the south crosswalk;
- Reservoir Avenue and West 195th Street: 1) The south sidewalk east of Reservoir Avenue and 2) the east crosswalk;
- Jerome Avenue and West Kingsbridge Road: 1) The north sidewalk west of Jerome Avenue and 2) the north crosswalk.

As discussed in Chapter 14, “Mitigation,” deploying Traffic Enforcement Agents (TEAs) to regulate pedestrian flow to and from the Lehman College Parking lot would mitigate significant adverse pedestrian impacts at all pedestrian elements at the intersection of Goulden Avenue and West 197th Street and at the east crosswalk of Reservoir Avenue and West 195th Street intersection.

Two sidewalk locations and one crosswalk location shown below could not be fully mitigated with the proposed project:

- The south sidewalk of West 195th Street between Reservoir Avenue and Jerome Avenue;
- The north sidewalk of West Kingsbridge Road between Davidson Avenue and Jerome Avenue; and
- The north crosswalk at Jerome Avenue and Kingsbridge Road.

In the absence of sidewalk obstructions that could be removed to fully mitigate the projected significant adverse sidewalk impacts at the south sidewalk of West 195th Street (between Reservoir Avenue and Jerome Avenue) and at the north sidewalk of West Kingsbridge Road (between Davidson Avenue and Jerome Avenue), these locations would remain unmitigated with the proposed project.

For the north crosswalk at Jerome Avenue and Kingsbridge Road, a combination of crosswalk widening and signal timing shifts could not fully mitigate the projected significant adverse crosswalk impacts. Strategies implemented as part of the TMP, such as deploying TEAs to the north crosswalk at this intersection to control pedestrian flows, could minimize the significant adverse pedestrian impacts at this crosswalk during peak events.

## **C. NOISE**

As discussed in Chapter 11, “Noise,” in 2018, when the proposed project would be complete and operational,  $L_{eq(1)}$  noise levels from project-generated traffic would exceed the 2012 *City Environmental Quality Review (CEQR) Technical Manual* impact criteria during the weekday PM, weekend midday, and weekend PM time periods and result in significant adverse noise impacts during those time periods at residences and the church along the west side of Reservoir Avenue between West 195th Street and West Kingsbridge Road, the principal feeder street to and from the parking facility for the proposed project. Noise levels at this location in the future with the proposed project would be considered “marginally unacceptable” according to CEQR criteria, which is not unusual for residential areas in New York City. Furthermore, these noise level increases are expected to occur only during the hour preceding and following high attendance events at the proposed project, when most of the participants and spectators would be arriving and departing. As such, these exceedances would occur during limited hours of the day and would not occur during the nighttime periods. At all other times, noise levels along this roadway would be expected to be similar to conditions predicted in the future without the proposed project.

The noise levels predicted in this assessment are based on conservative assumptions regarding traffic generation and mode of transportation for users of the proposed project. Noise levels would be lower if the traffic generation is less than forecast in this assessment. Therefore, since the significant noise level increases described above are expected to occur during only limited times of day and only in the hour before and after high attendance events at the Armory, a post-construction noise monitoring program would be enacted to determine whether the proposed project would result in a significant increase in noise levels. The applicant would prepare a monitoring protocol for review and approval by the New York City Department of Environmental Protection (DEP). The applicant would perform post-construction noise monitoring as approved by DEP and submit the results for DEP consideration. If, based on the post-construction noise monitoring program, the predicted increase in noise levels materializes, measures to mitigate the significant adverse noise impact would be made available.

At any impacted locations that do not already have double-glazed windows and a form of alternative ventilation (i.e., air conditioning), the project sponsors would make these measures available at no cost for purchase and installation to owners of residences. These measures would partially mitigate project impacts for residential uses.

If, based on the post-construction noise monitoring program, the mitigation measures described above are determined to be necessary, at locations where owners elect not to take advantage of these mitigation measures, the noise level increases resulting from the proposed project would constitute unmitigated significant adverse impacts.

Also as discussed in Chapter 11, “Noise,” the level of interior noise within the commercial portion of the proposed project along the south façade of the Armory building resulting from exterior sources may be greater than the 50 dBA  $L_{10(1)}$  level considered acceptable for commercial use according to *CEQR* interior noise level guidelines. Between the DEIS and FEIS, noise levels will be measured inside the Armory building along the south façade in order to determine whether interior  $L_{10(1)}$  noise levels resulting from exterior noise sources do actually exceed 50 dBA. If the interior  $L_{10(1)}$  noise levels resulting from exterior noise sources do exceed 50 dBA, this would constitute a significant adverse impact based on *CEQR* interior noise level criteria.

Typically, a project involving the reuse of an existing structure would meet the attenuation requirements by replacing existing windows with well-sealed double-glazed windows and alternate means of ventilation. However, the Kingsbridge Armory is listed on the State/National Registers of Historic Places (S/NR), and the windows on the façade along West Kingsbridge Road are a significant element of the structure's design. Thus, the removal and replacement of the windows on the façade facing West Kingsbridge Road would adversely affect one of the Armory's essential physical features that convey its historic identity (i.e., its integrity). Furthermore, the project is seeking federal historic preservation tax credits, and to receive the credits the Armory must be rehabilitated to the Secretary of the Interior's Standards for Rehabilitation of Historic Properties. The Secretary of the Interior's Standards for Rehabilitation of Historic Properties state that "the removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided." Removal of the Armory's existing windows would not conform to the Secretary's Standards, and therefore an alteration of the building's façade elements (i.e., by replacing the existing windows) to provide the required amount of attenuation would likely result in the project's inability to receive federal historic preservation tax credits. To the extent practicable, the proposed project would undertake measures to improve the noise attenuation of the existing structure while preserving the building's historic integrity. All existing windows requiring replacement would be replaced with well-sealed windows, and all existing windows to remain would be repaired/resealed to be weather-tight. Other openings in the façade would be tightly sealed as required.

Even with those improvements, however, interior noise levels resulting from exterior noise sources may be greater than the 50 dBA  $L_{10(1)}$  level considered acceptable for commercial use according to *CEQR* interior noise level guidelines. Consequently, this would constitute an unmitigated significant adverse noise impact. \*