

960 FRANKLIN AVENUE REZONING EIS

Chapter 18: Public Health

A. INTRODUCTION

This chapter assesses the Proposed Development's effect on public health. As defined by the 2020 *City Environmental Quality Review (CEQR) Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on human health may occur as a result of a proposed project and, if so, to identify measures to mitigate such effects.

The *CEQR Technical Manual* states that a public health assessment is not necessary for most projects. Where no significant adverse unmitigated impacts are found in other CEQR analysis areas—such as air quality, water quality, hazardous materials, or noise—no public health analysis is warranted. If, however, an unmitigated adverse impact is identified in any of these other CEQR analysis areas, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As outlined in **Chapter 1, “Project Description,”** the Proposed Development would include a series of land use actions that would facilitate the construction of a two building mixed-use development. For conservative analysis purposes, the reasonable worst-case development scenario (RWCDs) anticipates that the Proposed Development would be comprised of approximately 1,578 dwelling units (DUs) (1,263,039 gsf), approximately 21,183 gsf of local retail space and approximately 9,678 gsf of community facility space. Additionally, approximately 10,790 sf of publicly accessible open space plaza area would be created. Parking spaces for 16 percent of market-rate DUs would be allocated in two separate parking garages on the ground- and cellar-levels of the Proposed Development.

As described in the relevant analyses of this EIS, the Proposed Development would not result in any significant adverse water quality impacts, and, with the assigning of an (E) designation (E-586) to Block 1192, Lots 41, 46, 63, and 66, in the areas of operational air quality, operational noise, and hazardous materials, no unmitigated significant adverse impacts would occur in the areas of operational air quality, operational noise, or hazardous materials. However, the Proposed Development does have the potential to result in partially mitigated significant adverse construction-related noise impacts at nearby sensitive receptors, as presented in **Chapter 23, “Unavoidable Adverse Impacts.”**

B. PRINCIPAL CONCLUSIONS

The Proposed Development is not expected to result in unmitigated significant adverse impacts in the following technical areas that contribute to public health: operational air quality, operational noise, water quality, or hazardous materials. The Proposed Development would result in temporary, partially mitigated significant adverse construction-related noise impacts. However, while during some periods of construction the Proposed Development would result in significant adverse impacts related to noise, as defined by *CEQR Technical Manual* thresholds, the predicted overall temporary change in noise levels

would not be large enough to substantially affect public health. Therefore, the Proposed Development would not result in significant adverse public health impacts during construction.

C. PUBLIC HEALTH ASSESSMENT – CONSTRUCTION NOISE

As described in **Chapter 20, “Construction,”** the *CEQR Technical Manual* divides construction duration into “short-term” (less than two years) and “long-term” (two or more years) and states that impacts resulting from short-term construction generally do not require detailed assessment. 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. Even with these measures, predicted noise levels due to construction-related activities associated with the Proposed Development would result in increases in noise levels that would exceed the *CEQR Technical Manual* impact criteria at several adjacent residential receptor locations, the Brooklyn Botanic Garden, and at P.S. 375 Jackie Robinson School over a prolonged period of time. Affected locations include approximately nine existing residential buildings to the north, south and west of the Development Site that would have direct line-of-sight to the construction site. Additionally, P.S. 375 Jackie Robinson School would experience a maximum construction noise increment of up to 26 dBA at a 4th floor receptor on the western façade of the building that overlooks the building 1 construction site (receptor #139). The highest increments of 20 dBA would be limited to third and fourth-story receptors which would have direct line-of-sight to the construction site.

As presented in **Chapter 21, “Mitigation,”** and **Chapter 23, “Unavoidable Adverse Impacts,”** potential measures to mitigate the significant adverse construction noise impacts were explored in consideration of their effectiveness, cost, and feasibility. No feasible cost-effective measures were identified that would fully mitigate the identified and significant adverse construction noise impacts. Specifically, the provision of window air conditioning units and/or storm windows or insulated glass replacement windows at the receptors would not eliminate the identified impact, and the associated cost would take away from the Proposed Development’s goal of maximizing the amount of affordable housing provided to the community. ~~However, the Applicant will commit to providing an 8-foot high perimeter noise wall. Construction fencing would be lined with quilted fiberglass to improve sound absorption and reduce construction noise levels at surrounding residential properties. These commitments would be memorialized in an enforceable legal mechanism.~~ As no additional feasible mitigation measures have been identified, the impacts would be considered partially mitigated and would constitute an unavoidable significant adverse impact as a result of the Proposed Development.

Assessment

The *CEQR Technical Manual* construction noise impact thresholds are based on quality of life considerations and not on public health considerations. In terms of public health, significance is not determined based on the incremental change in noise level, but is based principally upon the magnitude of noise level and duration of exposure. Noise in and around homes may decrease quality of life by disrupting sleep or interfering with conversations. Prolonged exposure to levels above 85 dBA will eventually harm hearing.

None of the existing residential buildings in the vicinity of the Development Site would experience elevated noise levels that would exceed 85 dBA. Additionally, as described in **Chapter 20, “Construction,”**

the predicted elevated noise levels due to construction are associated with specific pieces of equipment that operate intermittently during the construction period. Noise levels during hours or days in which those pieces of equipment would not be operating would be lower than the worst-case noise levels determined as part of the construction noise analysis; and outside of the construction work hours, when residents are more likely to be at home, these receptors would not experience elevated noise levels as a result of construction. Consequently, the partially mitigated significant adverse construction noise impact that would occur at residential units to the north, west and south, in locations with direct line-of-sight to the Development Site. Additionally, P.S. 375 Jackie Robinson School would experience a maximum construction noise increment of up to 26 dBA at a 4th floor receiver on the western façade of the building that overlooks the building 1 construction site (receptor #139). The next highest increments of 20 dBA would be limited to third and fourth-story receptors which would have direct line-of-sight to the construction site. As indicated above, these temporary construction noise conditions would not have the potential to result in significant adverse public health impacts.