Appendix F: Displacement and Relocation

A. INTRODUCTION AND METHODOLOGY

This appendix provides additional information on the areas in which short-term (up to 6 months) and long-term (more than 6 months) access limitations or property acquisitions could occur as a result of the Second Avenue Subway project. The focus of the appendix is the project’s effects on businesses and residents who might be displaced, and on owners and tenants of private property, since displacement of businesses and residents and use of private property generally would require compensation. Compensation and relocation assistance for private property acquisitions would be provided by MTA and NYCT in accordance with the procedures defined at the end of this appendix. For each area where the project could involve acquisition of private property, the full area where property could be needed is described and mapped. The specific properties that would be affected by the project will be determined during Preliminary Engineering and Final Design. The discussion thus describes the general characteristics of the property interests that may be acquired for the project by describing the qualities of the larger area.

The protection that property owners and tenants are afforded under federal and state law, including compensation and relocation assistance, are discussed at the end of this appendix. On the federal level, the Second Avenue Subway is subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. Section 4601 et seq., and the applicable implementing regulations set forth in Title 49, Part 24 of the Code of Federal Regulations (together, the “Uniform Act”). MTA and NYCT would also adhere to the requirements of the New York State Eminent Domain Procedure Law.

METHODOLOGY

At each location where short- or long-term access disruption or acquisition could occur (described later in this appendix), the properties in the full area that might be affected were identified during field surveys conducted during fall 2001 and spring 2002, in coordination with the surveys conducted for Chapter 6 of this SDEIS (“Social and Economic Conditions”). As part of the surveys, detailed information was collected about ground-floor commercial establishments located along the proposed subway alignment. Individual property characteristics were analyzed using the Real Property Assessment Database (RPAD) provided by the New York City Department of Finance, and the Sanborn fire insurance maps, both of which provide detailed information on building type, ownership, and dimensions.

To determine the occupants who might be affected should relocation be required, general assumptions about the different uses in the study areas were made. For residential tenants, the estimated number of units in the building (based on building type and size) was multiplied by the average household size reported in the U.S. Census for 2000 for the relevant census tract (for station areas that cross several census tracts, the largest of the tracts’ average household sizes was used). For ground-floor retail establishments, employment was estimated based on
approximate square footage and standard industry rates ranging from 2.5 to 4 employees per 1,000 square feet. For office use, a ratio of one employee per 250 square feet was used to estimate employment. This ratio also reflects industry standards referenced in real estate/development literature, and has been confirmed through field observations and employee interviews conducted for a wide range of building types in New York City.

**B. LOCATIONS WHERE DISPLACEMENT MAY OCCUR**

As discussed in Chapter 8, “Displacement and Relocation,” the proposed project could result in some direct displacement of businesses and residents. The specific properties that would be affected have not yet been identified, so the general areas in which such short- and long-term access disruptions and acquisitions could occur to accommodate station entrances and other essential features are described and illustrated in accompanying figures below. In some cases, the study areas could experience both access disruptions and acquisitions. Where permanent easements or acquisitions of private property are required, it is generally anticipated that only a small number of properties would be needed, for station entrances and other facilities. MTA/NYCT would work to minimize displacement by using existing public property and existing easements wherever possible. The analysis is organized by station location, from north to south along the proposed subway alignment. For each study area, the types of properties in the area are described.

**125TH STREET STUDY AREA**

**SHORT-TERM ACCESS DISRUPTIONS**

Along 125th Street, depending on geological conditions in this area (which are currently being investigated), underpinning could be required for buildings on both sides of the street facing the new subway tunnel. Underpinning could also be required for the buildings on the block between 125th and 124th Street on the west side of Second Avenue, where the tunnel would curve beneath private property.

If feasible, access would be maintained at all times to properties along 125th Street and along the west side of Second Avenue between 124th and 125th Streets, so that no displacement would be required. This would be most important at the firehouse (Engine 36), nursing home, and several churches located between Lexington and Park Avenues. If access disruptions were required, it could affect both residential and business tenants. The residential properties in the study area include walk-up apartment buildings with ground-level stores and one elevator building. The walk-up apartment buildings in this area typically have ground-floor retail space and four floors of residential space, generally housing 8 to 16 units and 21 to 42 residents.

The study area contains street-level retail businesses and vacant storefronts. Based on estimates of floor area, most of the smaller stores, such as a Twin Donuts, employ fewer than 10 workers. At larger stores like the Pathmark supermarket at Lexington Avenue, the staff can include as many as 200 workers. Employees are also located above-ground in the area’s office buildings. The largest of these, a 12-story building at 103 East 125th Street, may house an estimated 400 staff.

1 Please note that the boundaries shown on the figures represent larger areas than the areas that could actually be affected.
Appendix F: Displacement and Relocation

employees [based on an estimated 99,000 gross square feet\(^1\) (gsf) above street level and assuming one employee per 250 gsf].

**ACQUISITION OF PRIVATE PROPERTY FOR PERMANENT PROJECT ELEMENTS**

As shown in Figure F-1, the proposed 125th Street Station would extend along 125th Street from approximately Madison Avenue to Lexington Avenue. The properties in the study area contain store buildings, office buildings, vacant land, residential buildings, and community facilities. Most of these properties are relatively small (generally 4 to 6 stories), with the exception of a 12-story office building and a 10-story nursing home. Several of these small buildings are community facilities that would not be displaced for new subway entrances, including a firehouse (Engine 36) and several churches between Lexington and Park Avenues.

The buildings fronting on the station area contain street-level retail storefronts, of which some are currently vacant. The residential properties in the study area include 3- and 5-story walk-up apartment buildings with stores on the ground floor. These buildings typically contain 5 to 16 apartments, with an estimated 13 to 40 residents.

Outside of the immediate study station area, NYCT has obtained easements at the northwest corner of 121st Street and Second Avenue for Block 1785, Lots 29, 30, 31, and 129 (see Figure F-1).

**SECOND AVENUE NORTH OF 125TH STREET STUDY AREA**

As noted in Chapter 3, several sites are being considered for use as shaft sites or staging areas along Second Avenue north of 125th Street, and several other properties in this area could be affected by construction of an underground train storage yard beneath Second Avenue there. The properties that could be affected in this area are shown in Figure F-1.

The potential barge site at 129th Street and the Harlem River is currently vacant and owned by the City of New York. No displacement would be required for its use. The other shaft sites are currently owned by NYCT and are used as bus facilities. Should these sites be used for the Second Avenue Subway, buses would have to be relocated to other properties.

Long-term access limitations could be required to allow excavation for the underground train storage tracks along Second Avenue north of 125th Street. Although no buildings would need to be demolished, the excavation may encroach on two businesses, an auto repair shop at 127th Street and Second Avenue, and a gas station at 125th Street and Second Avenue. These properties could be disrupted during construction, and access could be temporarily lost.

**116TH STREET STUDY AREA**

As shown in Figure F-2, the 116th Street study area includes both sides of Second Avenue from 119th Street to 115th Street. The properties in this area contain residential buildings, vacant land, store buildings, warehouses, and lofts. There are also a few gas stations, community facilities, and an office building in the study area.

The buildings in this study area range in height from 1 to 16 stories. At the ground floor, there are street-level retail storefronts, some of which are vacant. Most of the stores are relatively

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\(^1\) Gross square feet is a measure of total floor area of the building above ground, including common areas, mechanical space, storage space, etc.
small, like El-Bario Meat Market, and average 1,800 gsf with 4 to 7 employees. New York National Bank, located on the southeast corner of 116th Street and Second Avenue, occupies 3 stories with an estimated 13,200 gsf and 53 employees. Three warehouse buildings are located along Second Avenue between 118th and 117th Streets.

Most of the residential properties in this station area are small, typically 4- to 6-story walk-up buildings with 6 to 20 apartments above ground-floor stores. These buildings generally contain 19 to 60 residents. There is one 16-story building under the jurisdiction of the New York City Housing Authority (NYCHA) on the east side of Second Avenue between 117th and 116th Streets.

106TH STREET STUDY AREA

As shown in [Figure F-3] the 106th Street study area stretches along Second Avenue from 109th Street to just south of 105th Street. The study area is dominated by the Franklin Plaza Apartment complex, which is located on superblocks between First and Third Avenues and 109th and 106th Streets. These buildings are set back from the street, and thus would not be suitable for off-street entrances. (However, the setback areas between the buildings and the sidewalk could be suitable locations for plaza-type entrances to the station. In addition, the wide sidewalk areas at the northern corners of 106th Street and Second Avenue appear suitable for subway stairs.) South of 106th Street, the station area contains smaller properties with 4- and 5-story walk-up apartment buildings, mixed-use buildings, store buildings, and parking facilities.

The study area contains businesses, including one vacant storefront located on the southeast corner of 106th Street and Second Avenue. Most of these businesses are small, with fewer than 10 employees, with the exception of Chase bank and Met supermarket, both of which are located on the north side of 106th Street just west of Second Avenue. Larger stores like the Met supermarket can employ as many as 200 workers.

96TH STREET STUDY AREA

SHORT- AND LONG-TERM ACCESS LIMITATIONS

As described elsewhere in this SDEIS, the western portion of Playground 96 at 96th Street may be used as a shaft site or a staging area for construction of the project (see [Figure F-4]). For a more detailed discussion, see Chapter 3 and Chapter 7, “Public Open Space.” A 180-car parking garage on the east side of Second Avenue between 95th and 94th Streets would be inaccessible when construction occurs adjacent to the properties as the garage has only one driveway.

ACQUISITION OF PRIVATE PROPERTY FOR PERMANENT PROJECT ELEMENTS

As shown in Figure F-4, the 96th Street station study area stretches from approximately 98th Street to 92nd Street. The properties in this area predominantly include residential buildings, community facilities, and vacant land. There are also several store buildings and a gas station in the study area. As shown in Figure F-4, NYCT has obtained an easement in this area on the west side of Third Avenue (Block 1451, Lot 21) between 96th and 95th Streets.

North of 97th Street, the study area is dominated by superblocks that contain the Washington Houses (a 14-story NYCHA apartment complex) to the west and Metropolitan Hospital Center to the east. Should a station entrance be located on these large (and publicly owned) properties, it is unlikely to displace any employees or residents, as these buildings are set back from the street.
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and open spaces are available. South of 96th Street, the study area is characterized by large elevator apartment buildings with ground-floor retail space. Among the area’s smaller residential buildings, 5-story walk-up apartment buildings are the most common, typically containing some 1,800 gsf of ground-floor retail space, 8 to 16 apartments, and 19 to 38 residents. The study area has many ground-floor storefronts and a few vacant storefronts. With the exception of a Rite Aid pharmacy and lumber yard, the businesses in the study area are relatively small, with fewer than 10 employees.

86TH STREET STUDY AREA

For the 86th Street Station, the study area extends along Second Avenue from 87th Street to just south of 83rd Street (see Figure F-5). This area largely contains residential buildings, commercial buildings, and loft buildings with ground-floor retail space. NYCT has obtained one easement in this station area on the south side of 86th Street between Second and Third Avenues, and one on the west side of Second Avenue between 86th and 85th Streets (Block 1531, Lots 24, 28, 29, and 30).

The buildings in the study area include smaller (4-story) walk-ups and large (30-story) apartment buildings, all of which have ground-floor retail space. Many retail storefronts (includes several restaurants) are located in the station area. The restaurants in the area have fewer than 20 employees (assuming an estimated 4 to 5 workers per 1,000 square feet of floor area). The area’s larger retail establishments include a Food Emporium supermarket and Chase bank at 86th Street. The smaller residential buildings, predominantly 5- and 6-story walk-up apartment buildings and 4-story mixed-use buildings, typically have an estimated 5 to 20 units and 8 to 32 residents.

72ND STREET STUDY AREA

As shown in Figure F-6, the study area for the 72nd Street Station extends along Second Avenue from 73rd Street to just south of 69th Street. All of the properties in the study area are classified as residential. NYCT has obtained an easement on the southeast corner of 72nd Street and Second Avenue in this area (Block 1446, Lot 149). The smaller residential buildings are typically 4-story walk-up apartments with approximately 6 to 12 units and 9 to 18 residents. Many of the buildings have retail space on the ground floor, including such local businesses as Patsy’s Pizzeria and Philip Roman Optician to national retailers such as Hold Everything. All of the businesses are generally small. Ground-floor stores in a typical walk-up apartment building, for example, contain about 1,800 gsf and 5 to 7 employees.

57TH STREET STUDY AREA

Near the 57th Street station, the study area extends from 58th Street to 52nd Street along Second Avenue (see Figure F-7). The majority of the properties in this area contain residential buildings, many of which have retail stores on the ground floor. In addition there are store buildings, many of which have apartments above; and a small amount of vacant land. There is one office building and a school (High School of Arts and Design). Within the study area, NYCT has obtained easements between 54th Street and 53rd Street for Block 1346, Lot 30; Block 1327, Lots 1 and 28; Block 1345, Lots 4, 48, 49, 51, 52, and 150; and Block 1346, Lot 49.

The buildings in the study area range in height from 2 to 45 stories. For some of the larger residential buildings, no displacement would occur, since the buildings are set back from the street with landscaped plazas in front. Other large buildings have ground-floor retail spaces, such
as the Duane Reade pharmacy at the southeast corner of 57th Street. The smaller residential buildings are predominantly 4-story mixed-use buildings with 6 to 12 dwellings and 9 to 18 residents. All of these have small ground-floor retail stores, typically with fewer than 10 employees. There are many street-level retail establishments and a few vacant storefronts are located in this station area. The area’s one office building, classified as “miscellaneous” office building, contains just under 10,000 gsf and an estimated 34 employees.

42ND STREET STUDY AREA

As shown in Figure F-8, the study area for the 42nd Street Station extends along Second Avenue from 44th to 40th Streets. While this area includes some small buildings, most of the properties are large lots. The majority of the properties in this area include residential buildings ranging from a 4-story walk-up building to a 36-story high-rise apartment building. The study area also contains a few large office towers and a 1-story store building. NYCT has one easement in this station area (Block 1337, Lot 1), and another easement immediately to the north at 45th Street (Block 1338, Lot 1).

The smaller residential buildings are located along the southwest corner of 44th Street and Second Avenue. These 4-story, mixed-use buildings typically contain about 6 to 12 apartments and 8 to 17 residents with retail space on the ground floor. The area contains a total of 27 street-level retail businesses and 1 vacant storefront. The stores in the small residential buildings range in size from 800 to 1,500 gsf with up to 6 employees. Larger national retailers like Sam Goody and Innovation Luggage are located in the area’s large office towers and elevator apartment buildings and may employ an estimated 15 to 30 workers.

34TH STREET STUDY AREA

LONG-TERM ACCESS DISRUPTIONS

As described elsewhere in this SDEIS, the western portion of St. Vartan Park at 35th Street may be used as a shaft site or staging area (see Figure F-9). For a more detailed discussion, see Chapters 3 and 7.

ACQUISITION OF PRIVATE PROPERTY FOR PERMANENT PROJECT ELEMENTS

The study area for the 34th Street Station extends from approximately 36th Street to 31st Street (see Figure F-9). The vast majority of the properties in this area contain residential buildings (many of which have ground-floor retail space). There are also some store buildings and community facilities.

The buildings range in height from a 2-story store building to a 36-story elevator apartment building. Most of the smaller lots and buildings are located on the west side of Second Avenue and are generally no more than 20 feet wide and 70 feet deep. The east side is characterized by large buildings such as St. Vartan Cathedral at 34th Street and two large residential towers immediately to the south.

This area contains many street-level retail businesses and a few vacant storefronts. Most of the stores are located on the west side of the avenue in mixed-use buildings with apartments above the ground floor. The stores average 1,100 gsf and 3 to 5 employees. These buildings are typically 4 stories tall with an estimated 6 to 12 apartments and 10 to 19 residents. The only stores located on the east side of Second Avenue are set back from the street in a below-grade
plaza between 34th and 33rd Streets. These include a restaurant, medical offices, and an animal clinic on the ground-floor and a second-floor fitness center. Each ground-floor business on this property is estimated to employ an average of 5 to 10 workers. As shown in Figure F-9, NYCT has obtained an easement on this property (Block 939, Lot 1). Additional easements have been obtained just outside of the study area to the west along 34th Street for Block 914, Lots 37, 45, and 53.

23RD STREET STUDY AREA

As shown in Figure F-10, the 23rd Street Station study area extends from just south of 28th Street to just south of 23rd Street. Most of the properties in the area contain residential buildings, but there are a few office buildings and community facilities in the area as well. NYCT has obtained easements in this area for Block 904, Lot 24; Block 907, Lot 25; and Block 928, Lots 54, 55, 56, and 57.

The buildings range in height from a 3-story office building to a 35-story apartment building. Most of the residential buildings are tall elevator buildings set back from the street with ground-floor retail tenants such as a Duane Reade pharmacy. Small buildings include a vacant, 2-story religious facility on the southeast corner of 23rd Street as well as smaller residential buildings—typically 4- and 5-story walk-up apartment buildings with about 6 to 20 units and 10 to 33 residents.

The study area contains many street-level retail businesses and a few vacant storefronts. Businesses range in size from small restaurants and other small retailers, which typically have fewer than 10 workers, to larger establishments such as supermarkets, which can employ up to 200 workers.

14TH STREET STUDY AREA

The 14th Street Station study area, which extends along Second Avenue from 15th Street and 10th Street (see Figure F-11), contains largely residential buildings, many of which have retail stores on the ground floor. The other properties in the area include community facilities, miscellaneous store buildings, an office building, theater, and a telephone utility building. The buildings in this study area are predominantly 5 to 6 stories tall.

The residential buildings in this study area are predominantly 5- and 6-story walk-up apartments and mixed-use buildings. The walk-up apartment buildings are larger, with an average of 2,700 gsf of retail space on the ground floor and approximately 8 to 20 housing units above (13 to 32 residents). The mixed-use buildings have an average floor plate of 1,800 gsf with a range of total of 8 to 10 housing units and 13 to 16 residents. The study area contains many street-level businesses, one of which is vacant. Most of the stores are small, like Kentucky Fried Chicken and an optician at 14th Street, and employ fewer than 10 workers. Village East Theater, a seven-screen movie house on the southwest corner of Second Avenue and 12th Street, is much larger and employs approximately 65 workers.

HOUSTON STREET STUDY AREA

ACQUISITION OF PROPERTY FOR SHAFT SITES AND STAGING AREAS

Because the Houston Street area is under consideration as a possible spoils removal area, it might be necessary to acquire the property located on the northeast corner of Second Avenue
and 1st Street and currently occupied by a gas station. The property could be needed to accommodate the construction staging activities described in Chapter 3. This property includes an approximately 1,400-square-foot, 1-story building, which would probably need to be demolished. Fewer than 10 workers are likely to be employed at the gas station. While the site would not need to be used permanently, the spoils removal activities could last for up to 5 years.

**ACQUISITION OF PRIVATE PROPERTY FOR PERMANENT PROJECT ELEMENTS**

As shown in Figure F-12, the proposed station at Houston Street would extend along Second Avenue from 4th Street to just south of Houston Street. Almost half of the properties in this area contain residential buildings (including walk-up, elevator, and mixed-use/primarily residential buildings, some of which contain ground-floor stores); with some community facilities (including a hospital/health facility, several religious facilities, a school, and a cemetery); store buildings; and office buildings constituting the bulk of the remaining uses. There are also a few warehouses and lofts, a gas station, theater, and vacant land, in the study area.

Most of the buildings in this study area are 4 to 5 stories tall, with the exception of a 9-story elevator apartment building and a 9-story warehouse. The residential properties in this study area include walk-up apartment buildings, elevator apartment buildings, and mixed-use/primarily residential buildings, most of which contain retail space on the ground floor. The most common residential building in the area—the 4- to 6-story walk-up apartment buildings—typically contains 6 to 20 units and 10 to 33 residents.

The buildings in the station area have many street-level retail businesses and some vacant storefronts. The stores are generally small, about 2,000 to 3,000 gsf, with fewer than 10 employees. These include two funeral homes, a theater, and a gas station. As discussed above in the description of potential displacement during construction, this is a potential location for a construction-related shaft site. In this case, an easement for a new subway entrance would likely be included in any new building that would be built on the property once construction of the subway is complete.

**ALIGNMENT SOUTH OF HOUSTON STREET**

As described in Appendix B, “Development of Alternatives,” the area immediately south of the Houston Street Station was a focus of study for several reasons, including the presence of two existing subway lines and the fact that construction in this area poses a number of potential environmental concerns, including impacts to private properties and businesses and Sara D. Roosevelt Park. Three options were considered for the alignment south of Houston Street: the Shallow Chrystie Option, the Deep Chrystie Option, and the Forsyth Street Option. Each of the options would have markedly different effects during construction and different benefits once complete. The need to disrupt access and acquire property for each option is described below.

As a result of information gained through the analyses included in the SDEIS, the Shallow Chrystie Option is no longer under consideration by NYCT because it would result in a greater number of significant adverse impacts (including significantly more displacement) than the Deep Chrystie and Forsyth Street Options. Although no longer under consideration, the Shallow Chrystie Option is nevertheless discussed throughout the SDEIS for comparative purposes.
LONG-TERM ACCESS DISRUPTIONS

Shallow Chrystie Option

With this option—which is, again, no longer being considered—the Second Avenue Subway would be constructed adjacent to the existing tracks under Chrystie Street to facilitate an across-the-platform transfer. As a consequence, disruptive construction activity would be required very close to the buildings along the west side of Chrystie Street between Houston and Canal Streets, and underpinning would likely be needed along the entire length of Chrystie Street in this area potentially affecting all properties in this area (see Figure F-13). As described in Chapter 3, because of the proximity of the excavation area to the building line, construction work could prohibit or severely restrict access to these buildings for up to four weeks at a time, several times during the construction period.

While the Second Avenue Subway project would endeavor to maintain access to residents and businesses to the degree possible, the complexity of the underpinning required in this area, the fact that the tunnel and station support walls would need to abut the building facades along this entire area, the types of building foundations, and the fact that safe egress from fire escapes at the buildings could not be ensured during construction could require temporary displacement of all residents and businesses in this area during construction at several times for up to four weeks at a time.

Nearly half of the properties in this study area contain residential buildings, most of which include ground-floor commercial space. In addition, there are warehouses, factories, lofts, store buildings, a religious facility, several gas stations and parking lots, and two office buildings.

The non-residential buildings in the area are up to 9 stories tall. The tallest of these, 195 Chrystie Street, contains a number of commercial and industrial tenants such as apparel manufacturers, travel agents, photographers, elevator repair service providers, wholesale wall covering suppliers, etc. At 55 Chrystie Street, many apparel retailers and wholesalers operate from this property’s 5-story loft building. Most buildings in this area are 4 stories tall, and include street-level retail businesses. Chrystie Street contains many street-level retail businesses and a few vacant storefronts. These commercial spaces average 2,300 gsf with 6 to 9 employees. As discussed in Chapter 6, much of the street-level space along Chrystie Street is occupied by wholesale establishments providing restaurant equipment, construction equipment and supplies, food and beverages, and other miscellaneous goods.

Deep Chrystie Option

With the Deep Chrystie Option, construction would shift east of the buildings lining Chrystie Street. However, at the properties bordering the existing Grand Street Station, access could still be difficult to maintain during construction. In addition, underpinning is likely to be required for some buildings within the vicinity of the Grand Street Station. Figure F-14 shows the properties where access could be curtailed for up to four weeks at a time several times during the construction period.
This area—from just south of Delancey Street to Hester Street—is the same area that could be affected by potential acquisitions or easements for permanent project elements in the Shallow Chrystie Option, described above.

Vehicle access would be interrupted at several times during construction for up to two weeks at a time. Pedestrian access would be maintained for the majority of the buildings throughout construction. For a limited number of buildings to be underpinned, pedestrian access would be interrupted for up to two weeks during underpinning of the building. The precise buildings that would have interrupted access will be determined during Final Design.

*Forsyth Street Option*

As described in Chapter 3, the Forsyth Street Option would require extensive renovation to the existing Grand Street Station beneath Chrystie Street. As illustrated in Figure F-15, the work required could potentially result in limitations to access and possible underpinning for the buildings in the area from just south of Delancey Street to Hester Street—the same area that could be affected by construction of the Deep Chrystie Option. Impacts to buildings would be similar to those described in the Deep Chrystie Option.

*ACQUISITION OF PRIVATE PROPERTY FOR PERMANENT PROJECT ELEMENTS*

*Shallow Chrystie Option*

With the Shallow Chrystie Option, which is no longer under consideration, the study area for permanent project elements that might require acquisition of private property or easements includes all properties located on the west side of Chrystie Street from just south of Delancey Street to Hester Street (see Figure F-13).

This area includes mostly residential buildings, with some warehouses and loft buildings, and a few miscellaneous store buildings. The remaining properties include a garage and a 5-story office building. Most of the residential buildings are 5- and 6-story walk-up apartments with more than six families and a store on the ground floor. The floor plate of these buildings averages 2,700 square feet. The study area contains one 7-story elevator apartment building, the tallest structure in the area. With a floor plate of 3,750 square feet, this building includes approximately 26,250 gsf. Assuming 800 square feet per apartment and 3.25 residents per apartment, this building has an estimated 33 apartments and 110 residents.

*Deep Chrystie Option*

With the Deep Chrystie Option, the study area for potential permanent station elements includes all properties located on the west side of Chrystie Street from just south of Delancey Street to Hester Street (see Figure F-14). This is the same area as might be affected by permanent station elements in the Shallow Chrystie Option, described above.

*Forsyth Street Option*

Once reconstruction of the existing Grand Street Station is completed in the Forsyth Street Option, new off-street entrances or other station elements could be provided at street-level on the west side of Chrystie Street. These might require acquisition of property in the area between Delancey and Hester Streets on the west side of Chrystie Street, the same area discussed above for acquisitions of property for permanent project elements with the Shallow Chrystie and Deep Chrystie Options. In addition, the Forsyth Street Option would also have an entirely new Grand Street Station beneath Forsyth Street, for which other off-street entrances or ancillary elements...
might be required along Forsyth Street. The study area for permanent easements for the Forsyth Street Option is shown in Figure F-15.

Along the east side of Forsyth Street in the study area, the majority of the properties contain residential buildings and a small minority are industrial lofts. There is also a hotel, theater, stand-alone store building, garage, and a religious facility. On average, the buildings in this part of the study area are 5 stories tall with approximately 11,000 gsf. They range in size from a 1-story, 2,800-gsf office building to a 28,200-gsf residential walkup apartment building. Typical residential buildings are 5 story walkup apartment buildings, typically with 8 to 16 units and 26 to 51 residents. Ground-level retail space is typically approximately 2,400 gsf with about 6 to 10 employees.

Many street-level retail businesses and a few vacant storefronts are located in this study area. Based on estimates of floor area, most of the smaller stores, such as the market at the Grand Street/Chrstie Street intersection, employ fewer than 10 workers. Fewer businesses are located along Forsyth Street than on Chrstie Street. Two loft buildings, ranging in size from 13,000 to 23,000 gsf, also contain businesses.

CHATHAM SQUARE STUDY AREA
As shown in Figure F-16 nearly half of the properties that face the project alignment in the Chatham Square Station area contain store buildings (including stand-alone stores, a funeral home, and a store with apartments above). There are also some office buildings and residential buildings (including walk-up and elevator apartments, some of which contain ground-floor stores). The remainder of the properties in the study area include a cemetery, two schools, and three open spaces (Kimlau Square at Chatham Square, a park at St. James Place and Oliver Street, and James Madison Plaza, which, though officially parkland, is used as a parking lot by the New York City Police Department). As shown on the figure, NYCT has obtained one easement in the study area for Block 162, Lot 1.

Most of the buildings in this study area are 4 to 6 stories tall, although some taller buildings (12, 21, and 25 stories) are also present. The residential properties in this study area include a mix of smaller walk-up apartment buildings with ground-level stores, and large elevator buildings. The smaller residential buildings typically contain 3,200 gsf of retail space on the ground floor and 8 to 20 apartments (25 to 60 residents) above. This area contains many street-level retail businesses. Based on estimates of floor area, most of the smaller ground-floor retail spaces employ fewer than 10 workers.

SEAPORT STUDY AREA
As shown in Figure F-17 the Seaport Station study area extends from close to Frankfort Street (at the Brooklyn Bridge) to near John Street. Half of the properties in the study area contain residential buildings (including elevator apartments and condominiums). In addition, there are gas stations and parking lots, a government building (U.S. Post Office), and one office tower (199 Water Street, also known as Seaport Plaza).

The buildings in this study area range from the 1-story gas station structure to high-rise office towers and apartment buildings. The study area contains a few street-level retail businesses. Among these are the 11,000-gsf retail space in the ground floor of the office tower at the southeast corner of Fulton Street and Water Street, with 28 employees. The residential properties in this study area include the 27-story Southbridge Towers and a 31-story NYU dormitory at
Fulton and Water Streets. The NYU dormitory has an office supply store on the ground floor, with an estimated 13 employees. Access to a 310-car garage on Pearl Street would be eliminated when construction occurs in the area.

HANOVER SQUARE STUDY AREA

As shown in Figure F-18, the Hanover Square Station study area extends along both sides of Water Street from just north of Wall Street to Coenties Slip. The study area contains a mix of office buildings; residential buildings (including one condominium building and several mixed-use/primarily residential buildings); loft buildings (one of which contains ground-level retail); and a commercial building with a sports club. As shown in the figure, NYCT has obtained two easements in this area.

Most of the buildings in this area are high-rise structures, although there are several smaller (4-story) buildings. The smaller buildings are estimated to contain 6 units and 11 residents. The study area contains several street-level retail businesses. Based on estimates of floor area, most of the smaller businesses typically employ an average of 15 to 20 workers, while larger retailers (such as a clothing store) can employ more than 30 workers.

BROADWAY LINE

In addition to the properties that could be acquired to facilitate development of new stations along the project’s Second Avenue route, additional property could be required for one station on the project’s 63rd Street/Broadway Line service. As described in Chapter 2, the project would improve the existing 63rd Street Line station at Lexington Avenue/63rd Street by creating a new Third Avenue entrance to that station. At that intersection, stairs have already been constructed in the northwest, southwest, and northeast corners of the intersection that could be opened for the project. It is possible that a new entrance would also be created at the southeast corner of the intersection, potentially within ground-floor retail space at that intersection.

C. COMPENSATION AND RELOCATION ASSISTANCE

Once the general property needs have been defined for the project, the MTA Real Estate and Legal Departments are responsible for acquiring right-of-way and other real estate interests necessary to complete the project. The Real Estate and Legal Departments would be assisted by the right-of-way coordinator from the Second Avenue Subway team. The acquisition process would consist of the following six steps: identification of required real estate once design information is available; appraisal of required property interests; preparation of detailed property acquisition maps and metes-and-bounds descriptions of the property interests to be acquired; procurement of title reports to identify owners, lessees, mortgages, lien holders, and any parties with compensable interests in the property to be acquired; acquisition, either through negotiation or eminent domain; settlement or litigation of any claims for additional compensation or property damage; and relocation of occupants if necessary.

With respect to property acquisition, MTA and NYCT would adhere to the requirements of the New York State Eminent Domain Procedure Law (the “Eminent Domain Procedure Law”). Among other things, the Eminent Domain Procedure Law requires the condemnor to: hold a public hearing (for all potential acquisitions other than “de minimis” and emergency acquisitions); inform the public and affected parties about the public use, benefit, and purpose of the proposed acquisitions, the reasons for selecting those locations, and the general impacts of
the acquisition on the surrounding area; issue a determination and findings within 90 days after the close of the public hearing; make written offers in the full amount of MTA/NYCT’s highest approved appraisal; advise condemnees that, subject to proving title and clearing title objections, the offer may be accepted as payment in full for the property interests to be acquired, or in the alternative, accepted as advance payments with a continuing right on the owners’ part to file claims for additional compensation; and if the compensation offer is not accepted, to file a petition with the New York State Supreme Court to acquire the necessary property interests by condemnation. Compensation for real property generally is determined on the basis of fair market or fair rental value and, in the case of partial takings, diminution (if any) to the value of the remaining property. Compensation for tenant-owned trade fixtures is determined on the basis of “sound value,” which under New York law generally constitutes a fixture’s reproduction cost less depreciation.

MTA and NYCT would also adhere to the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as codified in Title 42, Section 4601 et seq. of the United States Code, and the applicable implementing regulations set forth in Title 49, Part 24 of the Code of Federal Regulations (collectively, the “Uniform Act”). As described below, the Uniform Act covers the appraisal and acquisition of real property, relocation services, moving payments, replacement housing payments, and other allowable payments related to commercial and residential moving costs and displacement.

As part of the project’s design work, property identification plans will be developed to identify every parcel affected by the project and to define the need for property acquisitions and/or easements. From property identification plans, preliminary title reports would be obtained to ascertain the owners of record and legal descriptions of the parcels. The parcels would then be certified as needed for the project and the acquisition process initiated.

As part of the procedure for preparing the acquisition stage relocation plan, all site occupants would be personally interviewed to determine their specific relocation needs, and would be furnished written information about benefits to which they may be entitled. Owners, tenants, and parties with compensable interests in the properties to be acquired would be compensated in accordance with the Eminent Domain Procedure Law. Displaced residents, business owners, and commercial tenants would receive relocation benefits and assistance as required under the Uniform Relocation Act.

The rights of owners and tenants of real property acquired to implement the proposed project are protected under the Uniform Act, which provides for fair, uniform, and equitable treatment of persons displaced from their homes, businesses or farms by federal and federally assisted programs. (“Owner” refers to either the fee owner of the property or the tenant-owner of improvements on it.) The Act recognizes that displacement of businesses often results in their closure, and aims to minimize the adverse impact of displacement in order to maintain the economic and social well-being of communities. Overall, the Act is designed to ensure that individuals do not suffer disproportionate injuries as a result of programs and projects designed for the benefit of the public as a whole, and to minimize the hardship of displacement on such persons.

Entitlements for property owners under the Uniform Act include the following:

- Expeditious acquisition, with every reasonable effort made to acquire the property by negotiation;
• Notice to the owner as soon as feasible of the interest in acquiring the property and basic protections;
• Just compensation for property, which may not be less than the acquiring agency’s approved appraisal of the fair market value;
• If necessary, a determination of just compensation by a court of law;
• The opportunity to accompany the appraiser who appraises their property;
• Written statement of, and summary of the basis for the amount established by the acquiring agency as just compensation;
• Payment of the agreed upon purchase price (or a deposit in the court) before being required to surrender possession of the property;
• Reimbursement for certain expenses incidental to transfer of title to the acquiring agency, such as recording fees, boundary surveys, and transfer taxes;
• At least 90 days’ written notice to vacate occupied property;
• Relocation services and payments, where applicable; these may involve housing supplements, moving cost, etc. for residential acquisitions, or reestablishment, moving costs, etc. for business, nonprofit, or farm acquisitions; and
• Written statement or brochure advising property owners of their rights and entitlements, and assurance that they receive all of the services and payments to which they are entitled under federal and state law and regulations.

The implementing regulations under the Uniform Act are published at 49 CFR Part 24 (which can be found on the internet at www.fhwa.dot.gov/realestate/act.htm). Detailed information on the rights of displaced persons is provided on the internet at www.fhwa.dot.gov/environment/subject.htm under “Real Estate Services.” As it has in other major projects involving relocation of tenants and residents, the MTA Real Estate Department intends to retain a consulting firm specialized in relocation for government construction projects to assist MTA and NYCT in complying with the terms of the Uniform Act. The specific provisions of the Uniform Act for businesses and residents affected by a federal project are outlined below.

BUSINESSES

The Uniform Act provides entitlements to qualified businesses displaced as part of a federal and federally assisted program, including reimbursement for the following relocation expenses:

• Actual reasonable moving and related expenses for: transportation of personal property up to 50 miles, disconnecting, dismantling, removing, packing, crating, reassembling, and reinstalling relocated machinery, equipment, and other personal property, including connection to utilities available nearby; storage of the personal property for a period not to exceed 12 months; insurance for the replacement value of the personal property in connection with the move and necessary storage; any license, permit, or certification required of the displaced business at the replacement location; replacement value of property lost, stolen, or damaged in the process of moving; and professional services necessary for planning, moving and installing the relocated personal property at the replacement location.
• Actual direct loss of tangible personal property incurred as a result of moving or discontinuing the business based on the fair market value of the item for continued use at the displacement site, less the proceeds from its sale.

• Purchase of substitute personal property, if an item of personal property that is used as part of a business is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site.

• Actual reasonable payment for expenses required to search for a replacement location, not to exceed $1,000, including transportation, fees to a real estate agent, and time spent searching.

• Other moving-related expenses that are not listed as ineligible, as determined to be reasonable and necessary.

BUSINESS RE-ESTABLISHMENT

In addition to the above mentioned payments, a small business or nonprofit organization is entitled to receive a payment, not to exceed a total sum of $10,000, for expenses actually incurred in relocating and reestablishing such small business or nonprofit organization at a replacement site, including:

• Repairs or improvements to the replacement real property as required by federal, state or local law, code or ordinance;

• Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business;

• Construction and installation costs, for exterior signing to advertise the business;

• Provision of utilities from right-of-way to improvements on the replacement site;

• Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling, or carpeting;

• Licenses, fees, and permits when not paid as part of moving expenses;

• Feasibility surveys, soil testing and marketing studies; and

• Professional services in connection with the purchase or lease of a replacement site.

FIXED PAYMENT FOR MOVING EXPENSES

A displaced business may be eligible to choose a fixed payment in lieu of the payments for actual moving and related expenses, and actual reasonable reestablishment expenses as provided. Such fixed payment, except for payment to a nonprofit organization, shall equal the average annual net earnings of the business, as computed in accordance with the average annual net earnings of an eligible business, but not less than $1,000 nor more than $20,000. The displaced business is eligible for the payment if it is determined, among other conditions, that the business cannot be relocated without a substantial loss of its existing patronage (clientele or net earnings). A business is assumed to meet this test unless it is determined that it will not suffer a substantial loss of its existing patronage.
RESIDENTS

Under the Uniform Act, displaced residents are entitled to relocation payments including moving expenses (for both tenants and owner/occupants), and under certain conditions, rental and utility assistance (for tenants) or replacement housing expenses (for owner/occupants). No person can be required to move from his or her dwelling unless at least one comparable replacement dwelling has been made available to the person. Where possible, three or more replacement dwellings shall be made available. The law requires that relocations be planned in such a manner as to minimize potential adverse impacts of displacement. Relocation advisory services would be provided to displaced tenants, including a personal interview to determine the relocation needs and preferences of each person to be displaced, and to explain relocation payments, available assistance, and procedures for obtaining such assistance. Like business relocations, any qualified displaced residential tenant (or owner) is entitled to payment of his or her actual moving and related expenses (as described above). In addition, payment shall be made to or for any person displaced from any dwelling not eligible to receive a payment under the above resident relocation provisions, if the tenant actually and lawfully occupied the displacement dwelling for not less than ninety days immediately prior to the initiation on negotiations for acquisition of such dwelling, and has rented or purchased a decent, safe, and sanitary replacement dwelling within one year after the tenant moves from the displacement dwelling. Such payment shall consist of the amount necessary to enable such person to lease or rent for a period not to exceed 42 months, a comparable replacement dwelling, but not to exceed $5,250.

In addition to rights of residential tenants outlined above, any person who is displaced from a dwelling actually owned and occupied by such displaced person for at least 180 days prior to initiation of discussions for the acquisition of the property is entitled to an additional payment not in excess of $22,500. Such additional payment shall be the sum of the following elements:

- The amount, if any, which when added to the acquisition cost of the dwelling acquired by the displacing agency, equals the reasonable cost of a comparable replacement dwelling.

- The amount, if any, which will compensate such displaced person for any increased interest costs and other debt service costs which such person is required to pay for financing the acquisition of any such comparable replacement dwelling. Such amount shall be paid only if the dwelling acquired by the displacing agency was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than 180 days immediately prior to the initiation of negotiations for the acquisition of such dwelling.

- Reasonable expenses incurred by such displaced person for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

The additional payment authorized by the Uniform Act shall be made only to a displaced person who has purchased and occupied a decent, safe, and sanitary replacement dwelling within one year after the date on which such a person receives final payment from the displacing agency for the acquired dwelling or the date on which the displacing agency’s obligation under section 205(c)(3) of the Uniform Act is met, whichever is later, except that the displacing agency may extend such period for good cause. If such period is extended, the payment under this section shall be based on the costs of relocating the person to a comparable replacement dwelling within one year of such date.

Any person eligible for payment under the previous paragraph may elect to apply such payment to a down payment on, and other incidental expenses pursuant to, the purchase of a decent, safe, and sanitary replacement dwelling.