

## **Chapter 6: Land Acquisition, Displacement, and Relocation**

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### **6-1 INTRODUCTION**

This chapter identifies the anticipated acquisition of real property required to implement the Tappan Zee Hudson River Crossing Project and assesses potential impacts associated with displacement of residents, businesses, and parklands. Potential socioeconomic effects of the project are further discussed in Chapter 8, “Socioeconomic Conditions,” and the economic effects of the project’s construction are found in Chapter 18, “Construction Impacts.”

There are several types of potential acquisition, as discussed in this chapter:

- **Partial or Full Acquisition:** This would occur where a portion of or an entire tax parcel is transferred to the New York State Thruway right-of-way, pursuant to applicable state and federal regulations, thereby dissolving its private ownership and potentially requiring relocation of the existing land use.
- **Temporary or Permanent Easements:** A temporary easement would occur where a portion of a lot would be needed for construction activities (during which it would be inaccessible to the public) but would be returned to its original use after construction. A permanent easement would occur where the project would infringe upon, but not physically take or alter, a property (e.g., air rights of an elevated roadway over private property).

In Rockland County, the project is expected to result in the full or partial acquisition of or temporary easements on 12 properties. These parcels are wholly in the Village of South Nyack, Town of Orangetown. Acquisition would result in the displacement of nine households. In addition, the project would require a temporary easement during construction on a small portion of Elizabeth Place Park (which would not affect use of the park), as well as the partial acquisition of, and a temporary easement on, a small (0.05-acre) area of green space just southeast of Elizabeth Place Park (which would render this green space inaccessible during construction). The temporary easement along the back edge of the Bradford Mews apartment complex would result in the loss of up to approximately 12 and 16 parking spaces in the Short and Long Span Options, respectively (subject to final mapping of the proposed improvements). There would be no business displacements associated with the property acquisition.

In Westchester County, the project would result in a permanent easement on a small portion of the common land area associated with The Quay condominiums in the Village of Tarrytown, Town of Greenburgh. There would be no residential or commercial displacement associated with this easement.

All transportation projects that require easements and acquisitions adhere to a well-established New York State Department of Transportation (NYSDOT) process of

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property identification, notification, appraisal, and acquisition. While subject to future determination through the appraisal and acquisition process, a preliminary assessment of the potential loss of tax revenues associated with the public purpose taking of the identified parcels indicates a marginal loss of property tax revenues. In total, the change would be a net reduction of less than 0.06 percent of the total taxes generated in Rockland County, with no measurable loss in Westchester County. The project would result in a tax loss of approximately 0.77 percent of the Village of South Nyack total tax levy, 0.18 percent of the total Nyack School tax levy, 0.02 percent of the total Rockland County and other special taxing districts, and less than 0.01 percent of the total Town of Orangetown tax levy. No measureable differences would occur to the affected tax bases in Westchester County, including to the Tarrytown Union Free School District (UFSD), Village of Tarrytown, Town of Greenburgh, and Westchester County. As a result, no overall economic impact is anticipated to the tax base of the affected taxing jurisdictions.

**6-2 REGULATORY CONTEXT**

Transportation projects often require property acquisition and relocation. A federally funded project must adhere to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as codified in Title 42, Sections 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”). This involves the process regarding relocation services, moving payments, replacement housing payments, and other allowable payment related to commercial and residential moving costs. The rights of property owners and tenants of real property to be acquired to implement the project are protected under the Uniform Act, which is intended 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. In New York, acquisition of real property must also adhere to the New York State Eminent Domain Procedures Law (EDPL) which seeks to establish the exclusive procedure by which property is acquired in New York State, ensure just compensation is paid, and establish opportunities for public participation in the planning of projects necessitating the exercise of eminent domain.

**6-3 METHODOLOGY**

**6-3-1 DELINEATION OF PROPERTIES TO BE ACQUIRED**

Based on the preliminary engineering and planning for the Replacement Bridge Alternative (both the Long and Short Span Options), the delineation of the affected environment specifically identifies and describes those properties for which land acquisition or easements are required for the construction and/or operation of the new bridge.

**6-3-1-1 VALUATION OF PROPERTIES**

NYS DOT follows a well-established process when it is necessary to acquire private property and title vests in (i.e., transfers to) New York State when a copy of the map is filed in the office of the County Clerk in the county where the property is located. In

addition to the acquisition or easements of real property as noted above, the project may require certain other property rights via acquisition or easements on public rights-of-way or underwater land grants that would not affect private property owners.

NYS DOT would have appraisals made to determine the fair market value of the property to be acquired and the monetary damages, if any, to the remaining property. Appraisals would be prepared in conformance with the Uniform Standards of Professional Appraisal Practice (USPAP). The offer of compensation would be based on those appraisals, after they have been thoroughly reviewed for accuracy and content. The law requires the State to pay each property owner the fair market value which, generally, is determined by the amount of money comparable properties would sell for under current market conditions. Value is determined as of the date the State acquires the property.

When only a portion of a property is required by the State, compensation is established by determining the difference in overall market value between a parcel's current or pre-acquisition state and that in the post-acquisition scenario. Every attempt is made to ensure that there is no or minimal depreciation in value of the remainder of the property. However, if the acquisition of a portion of the property diminishes the remaining utility (i.e., an irregular shape or too small or isolated to be used to its best advantage), the State's valuation will reflect the loss of value resulting from these conditions as well as the value of the land and improvements actually acquired, if NYS DOT concludes that the taking will leave an uneconomic remainder. In this instance, the property owner will be given the option to sell the remnant to the state.

If an agreement cannot be reached on the value of a property to be taken, a property owner is permitted to file a claim in the New York State Court of Claims. There is a time limitation for the filing of claims but a property owner has at least three years from the date of formal acquisition notification. If a claim is filed, a trial will be held before the Court to adjudicate the claim.<sup>1</sup>

For the analysis presented in this chapter, which provides an initial assessment of the effects of the property acquisition on local and county property tax revenues, an estimate of tax loss was determined as follows: for full acquisitions of property, the current taxable basis of the parcel is eliminated thereby resulting in the loss of all property taxes.

### 6-3-2 DATA SOURCES

The identification of affected properties is based on the current level of the preliminary engineering plans for the Short and Long Span Options. Geographic Information System (GIS) databases obtained from Rockland and Westchester Counties were used to graphically depict the affected parcels (as shown on **Figures 6-1** through **6-3**) and to obtain available parcel-level data. In addition, tax assessment and rate data were obtained directly from the affected villages, towns, and counties. Overall, the data assembled provides ownership, use, assessed values, and taxes for each property.

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<sup>1</sup> Summarized from NYS DOT website (<https://www.dot.ny.gov/divisions/engineering/real-estate/faqs?nd=nysdot>)

### **6-3-3 IMPACT CRITERIA**

The assessment of the potential impacts associated with the acquisition of property examines the location and type of property to be acquired and is based primarily on the type of acquisition anticipated:

- Full acquisition would displace current owners or resident tenants and any businesses on a site, resulting in a permanent displacement impact.
- Partial acquisitions and permanent or temporary easements are assessed to determine functional viability of the remainder of the property in order to determine the scale and extent of the potential displacement impact.

In addition, the impact assessment analyzes the likely change and reduction of property taxes that would accrue to all affected levels of jurisdiction from village, town, school district, and county based on the loss of some or all of an existing tax parcel's assessed value or based on tax exemption status that would occur with full or partial acquisition of the property by a federal agency.

## **6-4 AFFECTED ENVIRONMENT**

This section describes the properties that would be fully or partially acquired in order to build or operate the project. These include the affected properties in Rockland County and in Westchester County (for both the Short and Long Span Options). Within Rockland County, the parcels are all located in the Village of South Nyack, Town of Orangetown. The parcel in Westchester County is in the Village of Tarrytown, Town of Greenburgh. Based on New York State property tax jurisdictions, each village and town, as well as school district, county, and other special taxing district (i.e., emergency services), uses a unified property tax assessment with individualized tax rates and separate levies.

### **6-4-1 PROPERTIES FOR ACQUISITION**

#### **6-4-1-1 ROCKLAND COUNTY**

##### *Town of Orangetown*

As shown in **Figures 6-1** and **6-2** and enumerated in **Table 6-1**, 12 properties in Rockland County would be affected by the project (both Short and Long Span Options)—11 tax lots and one parkland property without tax lot status. The 12 affected properties total approximately 6.09 acres with an assessed value of \$4,472,475 in 2011. These parcels contributed \$213,348 in total Nyack school taxes (including taxes for the Nyack Union Free School District and for Nyack Library), \$64,195 to the Village of South Nyack, \$9,400 to the Town of Orangetown, and \$54,956 to Rockland County and “Other” taxing entities including Nyack Ambulance District, Nyack Joint Fire District, Orangetown Sewer Operation and Maintenance, Orangetown Sewer Debt Service, County Solid Waste, and County Transfer Facility. The total tax levies that accrue to these taxing jurisdictions and the corresponding tax rates are presented in **Table 6-2**.

The project would also affect a portion of Elizabeth Place Park. Elizabeth Place Park is located on lands conveyed to the Village of South Nyack by a quitclaim deed prepared by New York State in 1960 on lands within the New York State Thruway right-of-way.

**Table 6-1**  
**Town of Orangetown Real Property (Tax Parcels) for Full or Partial Acquisition – Existing Conditions**

Section-Block-Lot	Acres	Land Use	Total Assessed Value	Land Value	Total Nyack School <sup>1</sup>	Village of S. Nyack	Town of Orangetown <sup>2</sup>	County and Other <sup>3</sup>
66.70-1-16	0.44 <sup>4</sup>	Two-Family	\$267,700	\$45,200	\$11,245	\$3,844	\$520	\$2,563
66.77-1-16	0.10	Two-Family	\$195,000	\$18,200	\$6,955	\$2,800	\$379	\$2,006
66.77-17	0.15	Two-Family	\$200,000	\$26,200	\$7,165	\$2,872	\$389	\$2,045
66.77-1-35	0.35	Two-Family	\$218,500	\$50,700	\$7,942	\$3,138	\$424	\$2,186
66.77-1-36	0.14	One-Family	\$173,000	\$31,100	\$7,267	\$2,484	\$336	\$1,594
66.77-1-37	0.15	One-Family	\$199,000	\$19,600	\$7,123	\$2,858	\$387	\$1,793
66.77-1-38*	0.05 <sup>5</sup>	Green Space <sup>6</sup>	\$1,900	\$1,900	\$0	\$0	\$0	\$0
66.78-1-1	0.04	Vacant Land	\$100	\$100	\$5	\$1	\$0	\$27
66.78-1-2	0.23	One-Family	\$174,000	\$78,600	\$6,073	\$2,499	\$338	\$1,601
66.78-1-3.1/1-2	0.37 <sup>7</sup>	2 x One-Family	\$407,400	\$89,800	\$14,642	\$5,850	\$792	\$3,390
66.78-1-29	3.26	Multi-Family	\$2,635,875	\$426,000	\$144,930	\$37,850	\$5,836	\$37,753
None	0.81 <sup>8</sup>	Park	NA	NA	\$0	\$0	\$0	\$0
<b>Total</b>	<b>6.09</b>		<b>\$4,472,475</b>	<b>\$787,400</b>	<b>\$213,348</b>	<b>\$64,195</b>	<b>\$9,400</b>	<b>\$54,956</b>

**Notes:**

\*Publicly-owned (Village of South Nyack)

<sup>1</sup>Includes Nyack School and Nyack Library taxes, and STAR savings

<sup>2</sup>Includes Townwide Services, Town & Nyack Police, Town Building Services, and Town Outside Highway taxes

<sup>3</sup>Includes Nyack Ambulance, Nyack Joint Fire District, Sewer Operation and Maintenance, Sewer Debt Service, County Solid Waste, and County Transfer Station taxes

<sup>4</sup>Acreage as measured in GIS is 0.44 acres, tax parcel data shows 0.29 acres

<sup>5</sup>Acreage as measured in GIS is 0.05 acres, tax parcel data shows 0.04 acres

<sup>6</sup>Aerial photo observation, Tax Data defines as "Athletic Field"

<sup>7</sup>Tax records show two distinct parcels (i.e. sublots) with condominium status, each with a lot size of 0.18 acres; acreage of the combined sublots as measured in GIS is 0.37 acres

<sup>8</sup>Elizabeth Place Park, Village resource, no tax parcel defined, parcel of size of 0.81 established by project engineer.

**Sources:** Town of Orangetown, Receiver of Taxes, 2011 Tax Bills; Village of S. Nyack Clerk, October 2011

As noted in **Table 6-1**, no separate or unique parcel was created and that is why there is no section-block-lot number for the park. It is, however, a publicly owned open space resource, and the park does not generate any tax revenue.

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**Table 6-2  
Town of Orangetown Taxing Districts, Tax Levies, and Tax Rates**

Taxing Purpose	Total Tax Levy	Tax Rate per \$1000 Assessed Value
Nyack School District <sup>1</sup>	\$26,999,275	\$42.00645 (for Homestead Parcels) and \$54.98366 (for Non-Homestead Parcels)
Village of South Nyack	\$2,311,780	\$14.3594
Town of Orangetown <sup>2</sup>	\$36,517,671	\$1.9426 (for Homestead Parcels) and \$2.2142 for Non-Homestead Parcels)
Rockland County	\$61,700,000	\$3.3103
Other <sup>3</sup>	\$8,268,060	N/A
<b>Total</b>	<b>\$138,796,786</b>	<b>N/A</b>

**Notes:**  
1 Includes Nyack School and Nyack Library taxes, and STAR savings  
2 Homestead parcels are one-, two-, or three-family houses; Non-homestead parcels are over three-family residences and commercial uses  
3 Includes Nyack Ambulance, Nyack Joint Fire District, Sewer Operation and Maintenance, Sewer Debt Services, County Solid Waste, and County Transfer Station; the tax rate for "Other" cannot be calculated some tax rates are per \$1,000 assessed value and some tax rates are per unit.  
**Source:** Town of Orangetown, Receiver of Taxes, 2011 Tax Bills; Village of S. Nyack Clerk, October 2011

6-4-1-2 WESTCHESTER COUNTY

*Town of Greenburgh*

As shown in **Figure 6-3** and **Table 6-3**, the one permanent easement in the Village of Tarrytown (1.100-65-3, et al.) is on the common land area of the Quay Condominium development. The total assessed value of that development is \$651,673, while the land value portion is \$212,850. The entire parcel, including individual tax parcels for each condominium, contributes \$266,739 to the Tarrytown Union Free School District; \$161,931 to the Village of Tarrytown, \$9,145 in total Town of Greenburgh taxes, and \$82,140 to Westchester County (which includes the Westchester County, Saw Mill Valley Enlarged, and County Refuse Disposal District). Based on the 2011 assessment base and individual jurisdiction budgets, the total tax levy accruing to these entities is shown in **Table 6-4**.

**Table 6-3  
Town of Greenburgh Tax Lots for Acquisition**

Section-Block-Lot	Acres	Land Use	Total Assessed Value	Land Value	Tarrytown UFSD	Village of Tarrytown	Greenburgh Town Tax	County/Other <sup>1</sup>
1.100-65-3, et al.	11.3 <sup>2</sup>	Condos	\$651,673	\$212,850	\$266,739	\$161,931	\$9,145	\$82,140

**Notes:**  
<sup>1</sup>Includes County Tax, Saw Mill Valley Enlarged, and County Refuse Disposal District county taxes.  
<sup>2</sup> Acreage as measured in GIS is 11.3 acres, tax parcel data shows 11.58 acres  
**Sources:** Town of Greenburgh, GIS Maps, 2011 Assessment and Tax Data; Village of Tarrytown, Village Treasurer's Office, October 2011

**Table 6-4  
Town of Greenburgh Taxing Districts, Tax Levies, and Tax Rates**

Taxing Purpose	Total Tax Levy	Tax Rate per \$1000
Tarrytown UFSD	\$51,574,301	\$674.09
Village of Tarrytown	\$14,158,885	\$260.69
Greenburgh Town	\$56,269,762	\$189.5046
Total County <sup>1</sup>	\$63,927,484	\$128.3575
<b>TOTAL</b>	<b>\$185,930,432</b>	<b>N/A</b>
<b>Notes:</b>		
<sup>1</sup> Includes County Tax, Saw Mill Valley Enlargement, and Refuse Disposal District county taxes.		
<b>Sources:</b> Town of Greenburgh, GIS Maps, 2011 Assessment and Tax Data; Village of Tarrytown, Village Treasurer's Office, October 2011		

## 6-5 ENVIRONMENTAL EFFECTS

### 6-5-1 NO BUILD ALTERNATIVE

In the No Build Alternative, there would be no land acquisition and there would be no impacts resulting from the displacement of property owners, residents, or businesses for any of the affected parcels noted above.

### 6-5-2 REPLACEMENT BRIDGE ALTERNATIVE

As noted above in Section 6-4, the Replacement Bridge Alternative would result in the full or partial acquisition of, or temporary easements, on 12 parcels in Rockland County (including 11 tax lots and one park property without tax lot status). There is one permanent easement proposed in Westchester County. The location and number of parcels remain the same in both the 2017 and 2047 analysis years.

**Table 6-5** summarizes the type and extent of the identified properties proposed for acquisition, permanent easement, or temporary easement in both Rockland and Westchester Counties. The total parcel size is presented along with the percent to be acquired (and acres of acquisition) for both the Long and Short Span Options. As indicated in the table, the only variation is for Rockland County, Parcel 66.77-1-29/The Bradford Mews where the Long Span Option has a slightly greater level of acquisition (0.107 acres compared to 0.067 acres for the Short Span) and area for temporary easement (0.054 acres compared to 0.048 for the Short Span).

#### 6-5-2-1 ROCKLAND COUNTY

The Short Span and Long Span Options generate the same overall number of affected properties although there is a minor variation in the amount of partial acquisition and temporary easement (**see Table 6-5**). **Tables 6-6** and **6-7** present the type of impact (acquisition or temporary easement) per parcel, an indication as to whether the parcel would continue in its present use, and an estimate of the total reduction in tax revenues generated by the parcels.

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**Table 6-5  
Property Acquisitions for the Replacement Bridge Alternative**

Location	Parcel ID	Impact Type/Land Use	Parcel Size (Acres) <sup>4</sup>	Long Span Option		Short Span Option	
				Percent to be Acquired	Acres of Acquisition <sup>1</sup>	Percent to be Acquired	Acres of Acquisition <sup>1</sup>
Rockland	66.70-1-16	Full Acquisition/ Two-Family	0.44	100.0	0.44	100.0	0.44
Rockland	66.77-1-16	Full Acquisition/ Two-Family	0.10	100.0	0.10	100.0	0.10
Rockland	66.77-1-17	Partial Acquisition/ Two-Family (only driveway would be affected)	0.15	4.7	0.007	4.7	0.007
Rockland	66.77-1-35	Full Acquisition/ Two-Family	0.35	100.0	0.35	100.0	0.35
Rockland	66.77-1-36	Full Acquisition/ One-Family	0.14	100.0	0.14	100.0	0.14
Rockland	66.77-1-37	Full Acquisition/ One-Family	0.15	100.0	0.15	100.0	0.15
Rockland	66.77-1-38	Partial Acquisition/ Green Space	0.05	30.0	0.015	30.0	0.015
Rockland	66.77-1-38	<i>Temporary Easement/ Park</i>	<i>0.05</i>	<i>70.0</i>	<i>0.035</i>	<i>70.0</i>	<i>0.035</i>
Rockland	66.78-1-1	Full Acquisition/ Vacant	0.04	100.0	0.04	100.0	0.04
Rockland	66.78-1-2	Full Acquisition/ One-Family	0.23	100.0	0.23	100.0	0.23
Rockland	66.78-1-3.1/1-2	Partial Acquisition/ One-Family <sup>2</sup>	0.37	3.8	0.014	3.8	0.014
Rockland	66.78-1-3.1/1-2	<i>Temporary Easement/ One-Family<sup>2</sup></i>	<i>0.37</i>	<i>2.1</i>	<i>0.008</i>	<i>2.1</i>	<i>0.008</i>
Rockland	66.78-1-29	Partial Acquisition/ Multi-Family <sup>3</sup>	3.26	3.3	0.107	2.0	0.067
Rockland	66.78-1-29	<i>Temporary Easement/ Multi-Family<sup>3</sup></i>	<i>3.26</i>	<i>1.6</i>	<i>0.054</i>	<i>1.5</i>	<i>0.048</i>
Rockland	Elizabeth Place Park	<i>Temporary Easement/ Park</i>	<i>0.81</i>	<i>3.7</i>	<i>0.032</i>	<i>3.7</i>	<i>0.032</i>
Westchester	1.100-65.3, et al.	Permanent Easement/ Multi-Family	11.30	<1	0.050	<1	0.050

**Notes:**

<sup>1</sup>Rounded to the hundredth of an acre (except for partial acquisitions, which are rounded to the nearest thousandth of an acre to more accurately represent the percentage of the partial to be acquired).

<sup>2</sup>Two one-family units on shared lot; housing units would be not displaced

<sup>3</sup>Housing units would not be displaced

<sup>4</sup>Represents acreages as measured in GIS (see **Tables 6-1 and 6-3**).

**Table 6-6**  
**Estimated Reduction in Property Taxes in Rockland County**  
**(Short Span Option)**

Parcel ID	Impact Type/Use	Continued Use of Property?	Tax Reduction Nyack School District	Tax Reduction South Nyack Village	Tax Reduction Orangetown Town	Tax Reduction County and Other
66.70-1-16	Full Acquisition Two-Family/	No	(\$11,245)	(\$3,844)	(\$520)	(\$2,563)
66.77-1-16	Full Acquisition Two-Family/	No	(\$6,955)	(\$2,800)	(\$379)	(\$2,006)
66.77-1-17	Partial Acquisition/ Two-Family (only driveway would be affected)	Yes	(\$54)	(\$29)	(\$3)	(\$15)
66.77-1-35	Full Acquisition/ Two-Family	No	(\$7,942)	(\$3,138)	(\$424)	(\$2,186)
66.77-1-36	Full Acquisition/ One-Family	No	(\$7,267)	(\$2,484)	(\$336)	(\$1,594)
66.77-1-37	Full Acquisition/ One-Family	No	(\$7,123)	(\$2,858)	(\$387)	(\$1,793)
66.77-1-38	Partial Acquisition/ Park	No	(\$0)	(\$0)	(\$0)	(\$0)
66.77-1-38	Temporary Easement/ Green Space	Yes	(\$0)	(\$0)	(\$0)	(\$0)
66.78-1-1	Full Acquisition/ Vacant	No	(\$5)	(\$1)	(\$0)	(\$26)
66.78-1-2	Full Acquisition/ One-Family	No	(\$6,073)	(\$2,449)	(\$338)	(\$1,601)
66.78-1-3.1/1-2	Partial Acquisition/ One-Family <sup>1</sup>	Yes	(\$90)	(\$36)	(\$5)	(\$21)
	Temporary Easement/ One-Family <sup>1</sup>	Yes	(\$51)	(\$20)	(\$3)	(\$12)
66.78-1-29	Partial Acquisition/ Multi-Family <sup>2</sup>	Yes	(\$546)	(\$143)	(\$22)	(\$142)
	Temporary Easement/ Multi-Family <sup>2</sup>	Yes	(\$345)	(\$90)	(\$14)	(\$90)
Elizabeth Place Park	Temporary Easement/ Park	Yes	(\$0)	(\$0)	(\$0)	(\$0)
<b>TOTAL</b>			<b>(\$47,696)</b>	<b>(\$17,892)</b>	<b>(\$2,431)</b>	<b>(\$12,049)</b>
<b>Notes:</b>						
<sup>1</sup> Two one-family units on shared lot; housing units would be not displaced						
<sup>2</sup> Housing units would not be displaced						

**Table 6-7**

**Estimated Reduction in Property Taxes in Rockland County  
 (Long Span Option)**

Parcel ID	Impact Type/Use	Continued Use of Property?	Tax Reduction Nyack School District	Tax Reduction South Nyack Village	Tax Reduction Orangetown Town	Tax Reduction County and Other
66.70-1-16	Full Acquisition/ Two-Family	No	(\$11,245)	(\$3,844)	(\$520)	(\$2,563)
66.77-1-16	Full Acquisition/ Two-Family	No	(\$6,955)	(\$2,800)	(\$379)	(\$2,006)
66.77-1-17	Partial Acquisition/ Two-Family (only driveway would be affected)	Yes	(\$54)	(\$29)	(\$3)	(\$15)
66.77-1-35	Full Acquisition/ Two-Family	No	(\$7,942)	(\$3,138)	(\$424)	(\$2,186)
66.77-1-36	Full Acquisition/ One-Family	No	(\$7,267)	(\$2,484)	(\$336)	(\$1,594)
66.77-1-37	Full Acquisition/ One-Family	No	(\$7,123)	(\$2,858)	(\$387)	(\$1,793)
66.77-1-38	Partial Acquisition/ Park	No	(\$0)	(\$0)	(\$0)	(\$0)
66.77-1-38	Temporary Easement Green Space	Yes	(\$0)	(\$0)	(\$0)	(\$0)
66.78-1-1	Full Acquisition/ Vacant	No	(\$5)	(\$1)	(\$0)	(\$26)
66.78-1-2	Full Acquisition/ One-Family	No	(\$6,073)	(\$2,449)	(\$338)	(\$1,601)
66.78-1-3.1/1-2	Partial Acquisition/ One-Family <sup>1</sup>	Yes	(\$90)	(\$21)	(\$5)	(\$21)
	Temporary Easement One-Family <sup>1</sup>	Yes	(\$51)	(\$20)	(\$3)	(\$12)
66.78-1-29	Partial Acquisition/ Multi-Family <sup>2</sup>	Yes	(\$769)	(\$201)	(\$31)	(\$200)
	Temporary Easement Multi-Family <sup>2</sup>	Yes	(\$388)	(\$101)	(\$16)	(\$101)
Elizabeth Place Park	Temporary Easement Park	Yes	(\$0)	(\$0)	(\$0)	(\$0)
<b>TOTAL</b>			<b>(\$47,962)</b>	<b>(\$17,946)</b>	<b>(\$2,442)</b>	<b>(\$12,118)</b>
<b>Notes:</b>						
<sup>1</sup> Two one-family units on shared lot; housing units would not be displaced						
<sup>2</sup> Housing units would not be displaced						

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In Rockland County, property acquisition or temporary easements would affect approximately 1.73 acres in the Short Span Option (or 9.9 percent of the total acreage of the affected properties) and 1.77 acres in the Long Span Option (or 10.2 percent of the total acreage of the affected properties).

### *Displacement*

As previously stated, of the 12 properties identified for acquisition or easement, there are six residential properties that would require displacement of the occupants. Public records indicate that three of these are two-family homes and three are one-family homes; as such, it can be assumed that there would be a total of nine households that would be displaced. There are no commercial businesses that would be displaced as a result of the Replacement Bridge Alternative. Measures to undertake displacement are discussed in Section 6-6, below.

Properties affected by partial acquisitions are expected to be able to continue their existing uses after the appropriations. For the Bradford Mews multi-family development on Piermont Avenue just to the north of Interstate 87/287, the acquisition of 0.107 acres in the Long Span Option (and less in the Short Span) would push the property line northward from the existing right-of-way along a narrow band at the northwest corner of the parcel and a slightly wider wedge in the middle portion of the parcel. The resulting property change would reduce the amount of parking by up to approximately 12 to 16 spaces, respectively, in the Short and Long Span Options. This initial estimate will be further refined as engineering plans and specifications are finalized (which may include the ability to regain parking spaces under elevated structures or other configuration changes). With a current parking lot count of 131 spaces, the loss reflects about a 10 percent reduction in total spaces, and the remaining spaces would still provide a total parking capacity similar to what would most conservatively be required by zoning.<sup>1</sup> Ultimately, the value of the appropriation would be established by pre- and post-acquisition market value analyses that consider the direct value of the property being acquired and any indirect market value diminution affected by sufficiency and layout of available on-site parking, Village of South Nyack parking requirements, and costs to feasibly mitigate the effects of lost parking within the site.

The proposed partial acquisition of 0.007 acres of 308 South Broadway (tax lot 66.77-1-17) would compromise the existing driveway. The roadway reconfiguration and resulting lot frontages of the affected parcel is anticipated to result in opportunities to create a new driveway. However, and as noted in the valuation methodology in Section 6.3-1-1, in the unlikely event that it is determined a new driveway is not feasible, the economic value of the property would be analyzed up to and including an offer of outright acquisition. Any loss in value would be established by appraising the property as it exists prior to the proposed acquisition and how it would function after the appropriation

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<sup>1</sup> The Village of South Nyack zoning regulations for an RG-A district requires 1.0 parking spaces per dwelling unit of not more than 300 square feet; 1.5 spaces per dwelling units of 301-500 square feet; and 2.5 parking spaces per dwelling unit of more than 501 square feet. Conservatively assuming that all Bradford Mews apartments are more than 501 square feet, with 40-50 units, it is estimated that current zoning would require a maximum of requires approximately 125 spaces A 2.5 parking spaces per multi-family dwelling unit is generally considered to be high by industry standards.

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and would consider whether a driveway can be re-established, the cost involved in restoration, and how the driveway issues and utility influence market value.

Other minor anticipated partial fee and permanent easement acquisitions—at the rear of 74 Smith Avenue and within Salisbury Point Apartments’ river frontage and in Rockland County and over the NY Central Railroad, Quay Condominiums, and town-owned river frontage in Westchester County—are not expected to affect the utilization of the parent properties from which they originate. Similarly, the temporary easements would not appreciably affect the utility of the public and private properties in which short-term use of small areas of land for construction or infrastructure placement would be necessary. Most notably, use of Elizabeth Place Park would be unaffected, and access would remain available from the Raymond G. Esposito Trail to the west.

The small 0.05-acre Village-owned green space area on the east side of South Broadway (Lot 66.77-1-38) would have both a temporary easement of 0.035 acres (70 percent of the lot) and a permanent acquisition of the remaining 0.015 acres (30 percent of the lot) at its northwestern edge, necessary to allow for the rebuilding of the South Broadway overpass.

*Loss of Tax Revenues*

While subject to final appraisal and acquisition determination, **Tables 6-8** and **6-9** show a preliminary estimate of the potential loss of property tax revenue that could result from the project in Rockland County for the Short and Long Span Options. Since the temporary easements (which would be in place for several years) represent a very small portion of the affected land area, they have been conservatively included in the calculation of permanent estimated tax revenue reductions. For partial acquisition or easement, the estimate of tax revenue reduction is calculated by applying the percentage of existing taxes that is attributable to the land value of the tax parcel and then estimating the percentage of that value, or the amount that would be reduced, by the loss of the acreage from acquisition or easement.

**Table 6-8**  
**Estimated Property Tax Impacts in Rockland County (Short Span Option)**

<b>Tax Type</b>	<b>Estimated Tax Loss</b>	<b>% of Total Tax Levy<sup>1</sup></b>
Nyack School	\$47,696	0.18%
Village of S. Nyack	\$17,892	0.77%
Orangetown Town	\$2,431	0.007%
County/Other	\$12,049	0.02%
<b>Total</b>	<b>\$80,068</b>	<b>0.06%</b>

**Notes:** <sup>1</sup>Total tax levies are presented in Table 6-2.

**Table 6-9**

**Estimated Property Tax Impacts in Rockland County (Long Span Option)**

Tax Type	Estimated Tax Loss	% of Total Tax Levy
Nyack School	\$47,962	0.18%
Village of S. Nyack	\$17,946	0.78%
Orangetown Town	\$2,442	0.007%
County/Other	\$12,118	0.02%
<b>Total</b>	<b>\$80,468</b>	<b>0.06%</b>

**Notes:** <sup>1</sup>Total tax levies are presented in Table 6-2.

The Long Span Option would result in a total tax loss of \$80,468 or approximately 0.06 percent of the combined total tax levies in Rockland County (and an estimated \$80,068 or approximately 0.06 percent of the combined total tax levies would be lost in the Short Span Option). The Village of South Nyack would have the highest proportion of tax levy reduction with a loss of about 0.77 percent. The relatively small aggregate loss of property taxes is not considered an adverse impact of the project; therefore, no mitigation has been identified.

6-5-2-2 WESTCHESTER COUNTY

Both the Long Span and Short Span Options would involve a permanent easement on one property in Westchester County, Town of Greenburgh, Village of Tarrytown (1.100-65-3, et al.) where the highway would be elevated over this property. The property subject to easement is a small 0.05-acre vacant area in the southwest corner of the larger 11.3-acre property of The Quay Condominiums (or about 0.4 percent of its total land area). See **Table 6-10**.

**Table 6-10**

**Estimated Reduction in Property Taxes in Westchester County (Short and Long Span Options)**

Parcel ID	Impact Type/Use	Continued Use of Property?	Tax Reduction Tarrytown UFSD	Tax Reduction Tarrytown Village	Tax Reduction Greenburgh Town	Tax Reduction County
1.100-65-3..et al	Permanent Easement/ Condos	Yes	(\$385)	(\$234)	(\$13)	(\$119)

*Displacement*

The small, permanent easement would not result in any displacement; overall, there would be no change to continued use of the property. Therefore, no mitigation associated with displacement would be required.

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*Loss of Tax Revenues*

Although subject to final appraisal determinations, and as shown in **Tables 6-10 and 6-11**, the 0.05-acre easement on the larger 11.3-acre parcel (or approximately 0.4 percent of the total land area) could result in a small reduction in property tax revenues of between \$13 and \$385 dollars per year to any given taxing jurisdiction, if considered as a proportionate reduction in overall taxable land value. This is an extremely small percentage of the overall tax levies to these taxing jurisdictions and would have no appreciable impact on total tax revenues. The loss would not be considered an adverse impact requiring mitigation.

**Table 6-11**  
**Estimated Property Tax Impacts in Westchester County (Short and Long Span Options)**

<b>Tax Type</b>	<b>Estimated Tax Loss</b>	<b>% of Total Tax Levy</b>
Tarrytown UFSD	\$385	0.00%
Village of Tarrytown	\$221	0.00%
Greenburgh Town	\$13	0.00%
County/Other	\$119	0.00%
<b>Total</b>	<b>\$738</b>	<b>0.00%</b>

**Notes:** <sup>1</sup>Total tax levies are presented in Table 6-4.

**6-6 MITIGATION**

**6-6-1 DISPLACEMENT**

6-6-1-1 RESIDENTIAL DISPLACEMENT

The loss of six residential properties and nine households in the Village of South Nyack, Town of Orangetown would be undertaken pursuant to the federal Uniform Act and the New York State EDPL. Efforts to avoid property acquisitions were included in the design of the Replacement Bridge Alternative to the maximum extent practicable. In accordance with these laws, owners and tenants of affected properties would be provided relocation assistance. In addition, owners of properties that would be acquired would be compensated at fair market value.

In addition, the Uniform Act provides for certain protections, such as requiring the availability of replacement housing for displaced persons, minimum standards for such housing, and required notices and information to be provided to all property occupants. The law also requires the provision of advisory services to protect occupants to help them move successfully.

The State must plan for providing the advisory services that displaced persons would need to satisfy the requirements of the Uniform Act. The availability of replacement housing in the area would be compared with the housing needs of displaced households, and measures would be proposed to resolve special relocation needs, if any. A relocation survey may be conducted to obtain information on special relocation needs and considerations, such as impacts on minorities, the elderly, large families, and persons with disabilities when applicable, or any special relocation advisory

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services that may be necessary from the displacing agency and other cooperating agencies. Other special relocation needs may include transportation for displaced occupants to inspect housing to which they are referred; counseling related to the availability and eligibility requirements of government assisted housing programs; technical help to persons applying for such assistance; or an ambulance to transfer persons who are physically disabled.

Mitigation options for displacements would need to document that the market inventory of housing or properties would be adequate to relocate displaced activities. Based on the implementation of a relocation assistance program for displaced residents, it is anticipated that displaced households would be able to remain in close proximity to their existing locations or, at a minimum, in the larger Town of Orangetown and Rockland County area (see Chapter 8, "Socioeconomic Conditions"). Moreover, as discussed in Chapter 8, the vacancy rate in the local Rockland County study area is approximately 7 percent, which represents about 125 available housing units, compared with 9 households that would be displaced with the project. In Rockland County, overall, a similar vacancy rate indicates that at any given time there are many thousands of vacant housing units in the County. Therefore, it is expected that replacement housing would be available for displaced residents.

### **6-6-1-2 PARKING DISPLACEMENT**

The actual loss of parking spaces at the Bradford Mews apartment complex (preliminarily estimated at between 12 and 16 spaces) would be determined based on final design and construction specifications for the project. Once construction is complete, the project (primarily the shared-use path) would be elevated over the Bradford Mews parking area, thereby potentially allowing for the reinstatement of parking spaces. The value of this appropriation will be estimated as described above to determine the direct value of the area appropriated and any indirect market value diminution affected by sufficiency and layout of available on-site parking, Village of South Nyack parking requirements, and costs to feasibly mitigate the effects of lost parking within the site.

### **6-6-2 REDUCTION IN PROPERTY TAX REVENUES**

The analysis of potential reduction in property tax revenues associated with the full and partial acquisitions (including all temporary easements) indicates that the amount would be less than 1 percent of current total tax levies for all the affected jurisdictions. Therefore, there would not be any adverse impact and no mitigation is required. The ultimate determination of changes in property tax revenues based on the full or partial acquisition of, and temporary and permanent easements on, real property would be based on the NYSDOT appraisal process described above.