

Section 4.1

Property Acquisitions and Displacements

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Acronyms and Abbreviations

BRT.....	Bus Rapid Transit
CFR.....	Code of Federal Regulations
EDPL.....	Eminent Domain Procedure Law
EIS.....	Environmental Impact Statement
GIS.....	Graphic Information System
FTA.....	Federal Transit Administration
LRT.....	Light Rail Transit
Metro.....	Niagara Frontier Transit Metro System, Inc.
NFTA.....	Niagara Frontier Transportation Authority
NYCRR.....	New York Codes, Rules, and Regulations
SEQR.....	State Environmental Quality Review Act
SUNY.....	State University of New York
USC.....	United States Code

4. Environmental Consequences

4.1 PROPERTY ACQUISITIONS AND DISPLACEMENTS

This section describes the property acquisition and displacements impacts of the No Build Alternative, LRT Build Alternative, and BRT Build Alternative. Anticipated acquisitions include full and partial acquisitions and temporary and permanent easements. This section also describes the potential impacts associated with displacement of residents, businesses, and other uses. Table 4.1 summarizes the property acquisition and displacements impact findings related to the Project. Appendix D1, “Potential Property Acquisitions Supplemental Information,” provides additional details including regulatory context, a list of the anticipated full and partial property acquisitions, for both the LRT Build Alternative or the BRT Build Alternative, and detailed maps.

Table 4-1 Acquisitions and Displacements of Existing Uses - Impact Summary

Alternative	Total Affected Properties	Full Acquisition of Property	Partial Acquisition of Property or Permanent Easement	Displacements	Permanent Impacts	Temporary Easement	Temporary Impacts
No Build Alternative	0	0	0	0	No effects	0	No effects
LRT Build Alternative	192	14	178	15	Adverse impacts with mitigation	3.83 acres	No adverse impacts after mitigation
BRT Build Alternative	178	14	164	15	Adverse impacts with mitigation	4.13 acres	No adverse impacts after mitigation

4.1.1 No Build Alternative

The No Build Alternative would not require any property acquisitions, as a result no property owners, residents, or businesses would be impacted or displaced.

4.1.2 Build Alternatives

The LRT Build Alternative and the BRT Build Alternative would be constructed primarily within existing transportation right-of-way which is owned by the New York State Department of Transportation, State University of New York, Erie County, and the Town of Amherst. However, portions of the LRT Build Alternative and the BRT Build Alternative would be constructed in areas where there is insufficient right-of-way width, extending the limits of disturbance beyond the public transportation right-of-way into privately owned property. As such, implementing the LRT Build Alternative and the BRT Build Alternative is anticipated to require acquiring property and, in some cases, would displace commercial and residential uses.

4.1.2.1 Affected Property

Table 4-2 lists all property that would be affected by the operation of the LRT Build Alternative, and the BRT Build Alternative as compared to the No Build Alternative.

Table 4-2. Build Alternatives Potential Full and Partial Property Acquisitions

Build Alternative	Total Number of Affected Real Property Interests	Property impacted	Real Property Land Uses	
No Build Alternative	0	0	N/A	
LRT Build Alternative	192	542,436 square feet (12.5 acres)	16 Commercial 1 Emergency Services 1 Funeral Home (incl. admin.) 2 Institutional 3 Mixed-use (residential and commercial) 7 Office	3 Religious 97 Residential 55 Retail 1 Neighborhood Park 1 Utility 5 Vacant
BRT Build Alternative	178	498,644 square feet (11.5 acres)	16 Commercial 2 Emergency Services 1 Funeral Home (incl. admin.) 2 Institutional 1 Mixed-use (residential and commercial)	7 Office 95 Residential 48 Retail 6 Vacant

UNIVERSITY AT BUFFALO

Metro and the University at Buffalo (UB) have coordinated various aspects of the Project. Transportation easements are anticipated within the UB North and South Campuses. These easements would allow for the construction, operation, and maintenance of the Project. Details will be outlined in a Memorandum of Agreement between Metro and the State University of New York (SUNY).

TOWN OF AMHERST

Metro and the Town of Amherst have coordinated on aspects related to the Project. Transportation easements are anticipated within the former Boulevard Mall property and along John James Audubon Parkway. These easements would allow for the construction, operation, and maintenance of the Project. In addition, Gateway Park would require a permanent easement for construction and operation of the LRT Build Alternative. Further documentation is provided in Chapter 5, “Section 4(f) Evaluation.”

4.1.2.2 LRT Build Alternative

Environmental Consequences of the LRT Build Alternative related to property acquisition and displacements are described below.

POTENTIAL FULL PROPERTY ACQUISITIONS

Table 4-3 lists the full property acquisitions for the LRT Build Alternative, which include entire real property interests that would be needed for the Project, or portions of real property interests in which affecting that portion would impede its functional capabilities and future use. Based on

conceptual engineering, full property acquisition is anticipated to impact 14 properties with a combined area of approximately 274,393 square feet (6.3 acres), resulting in 15 total displacements.

Table 4-3. LRT Build Alternative Full Acquisitions

Address	Parcel ID	Land Use	Parcel Size* (Square Feet)	Displacements
135 Kenmore Avenue	79.31-3-21	One-Family Residential	7,815	1
165 Niagara Falls Boulevard	79.31-3-25	One-Family Residential	8,002	1
546 Niagara Falls Boulevard	67.71-3-1	Restaurant	3,861	1
861 Niagara Falls Boulevard	67.47-7-2.1	One-Family Residential	7,387	1
865 Niagara Falls Boulevard	67.47-7-19	Two-Family Residential	4,008	2
899 Niagara Falls Boulevard	67.39-5-2.11	Funeral Home	91,687	1
910 Niagara Falls Boulevard	67.39-2-6	Commercial	10,799	1
926 Niagara Falls Boulevard	67.39-2-4.1	Commercial	4,335	1
925 Niagara Falls Boulevard	67.39-5-1	Commercial	29,831	1
1061 Niagara Falls Boulevard	67.06-1-35	Commercial	10,437	1
1167 Niagara Falls Boulevard	67.06-1-39	Auto Body Shop	16,368	1
1250 Niagara Falls Boulevard	54.79-3-2.2	Retail	112	1
1269 Niagara Falls Boulevard	54.03-1-24.4	Retail	22,918	1
3893 Maple Road	54.03-1-13	Auto Body Shop	56,831	1
<i>Subtotal</i>			274,393	15

Source: Erie County; Town of Amherst, 2022 and 2023

*Note: parcel size is rounded to whole numbers

POTENTIAL PARTIAL PROPERTY ACQUISITIONS OR PERMANENT EASEMENTS

Based on estimates from conceptual engineering, for the LRT Build Alternative, portions of 178 real property interests are anticipated to require partial property acquisitions or permanent easements which are described in Table 4-4. These partial acquisitions or easements would involve a strip of yard frontage to widen the right-of-way, along Niagara Falls Boulevard and Maple Road. In total, the impact of partial acquisitions or permanent easements would account for 268,043 square feet (6.2 acres). This initial assessment of property acquisition will be further refined during preliminary and final design. Additionally, the LRT Build Alternative could require the relocation of signage, fences, and other personal property on some properties that are within existing right-of-way, but do not need to be acquired. This will be determined during preliminary and final design.

A property owned by the Town of Amherst (Gateway Park located on the northeast corner of Niagara Falls Boulevard and Kenmore Avenue) would require a permanent easement for construction and operation of the LRT Build Alternative. Further documentation is provided in Chapter 5, “Section 4(f) Evaluation.”

TEMPORARY EASEMENTS

Temporary property acquisitions or easements that would result from the construction of the LRT Build Alternative are described in Table 4-5. A temporary easement would be required for the purpose of storage of materials and equipment, access to construction areas, construction staging, site grading, or other construction-related activities. Properties impacted by temporary

easements will be restored to an acceptable preconstruction condition, depending on the individual easement need and agreement. Identification of specific real property interests impacted by a temporary easement will not be defined until final design and will be subject to final construction plans defined by a contractor. To account for temporary easements, the area of Project disturbance was defined as a buffer of 10-feet outside of the permanent Project alignment except for Niagara Falls Boulevard where a 5-foot buffer was assumed; given the constrained existing transportation right-of-way.

Table 4-4. LRT Build Alternative Potential Partial Property Acquisitions or Permanent Easements

Build Alternative	Property Acquisition Type	Total Number of Real Property Interests	Total Proposed Acquisition
LRT Build Alternative	Partial or Permanent Easement	178	268,043 square feet (6.2 acres) <i>Average acquisition is 4.0 % of total property</i>

Table 4-5. LRT Build Alternative Potential Temporary Easements

Build Alternative	Property Acquisition Type	Anticipated Acreage by Roadway Segment
LRT Build Alternative	Temporary Construction Easement	<ul style="list-style-type: none"> ▪ 1.64 acres along Niagara Falls Boulevard ▪ 1.72 acres along Maple Road ▪ 0.34 acres along Sweet Home Road ▪ 0.13 acres along John James Audubon Parkway
<i>Subtotal</i>		<i>3.83 acres</i>

POTENTIAL DISPLACEMENTS

Real property that is anticipated to be acquired as a result of the LRT Build Alternative is approximately 6.3 acres. This represents 14 unique real property interests which are anticipated to require displacements. As listed in Table 4-3, these displacements include residential properties, mixed-use properties, and properties that provide goods and services, for a total of 15 possible displacements. Details regarding these LRT Build Alternative displacements are as follows:

- **Land uses that provide residential housing:** The tunnel cut-and-cover will displace one single-family home on Kenmore Avenue and one single family home on Niagara Falls Boulevard. The roadway widening on Niagara Falls Boulevard will displace one single-family home and one two-family home on Niagara Falls Boulevard. Erie County parcel data provided the single- and two-family status, and the number of households in the two-family home will be confirmed as preliminary and final design continues.
- **Land uses that provide goods and services:** The roadway widening on Niagara Falls Boulevard will displace 11 land uses that provide goods and services typical of the businesses in the Project Corridor:

- Four commercial uses
- Three retail businesses
- One restaurant
- Two automobile care businesses
- One funeral administration office

Loss of Tax Revenues

Table 4-6 provides a preliminary estimate, subject to final appraisal and acquisition determination, of the potential loss of property tax revenue that would result from the displacement related to the LRT Build Alternative. Estimated school property tax revenue loss is preliminary and anticipated to be approximately \$5,852 annually for the Amherst Central School District and \$70,636 annually for the Sweet Home Central School District¹. The total aggregate property tax loss under the LRT Build Alternative would be less than one percent annually.

The proposed Project stations would improve regional accessibility and help attract new developments to the area, thereby reducing the long-term effects of displacements. A 2013 study commissioned by the American Public Transportation Association found that fixed guideway transit sheds in five locations outperformed their respective regions by 41.6%. in terms of property values.

Table 4-6. LRT Build Alternative Loss of Tax Revenues as a Result of Displacement

Address	Parcel ID	Parcel Size * (Square Feet)	Loss in Tax Revenues (2023)
135 Kenmore Avenue	79.31-3-21	7,815	\$2,520.63
165 Niagara Falls Boulevard	79.31-3-25	8,002	\$6,648.45
546 Niagara Falls Boulevard	67.71-3-1	3,861	\$3,242.19
861 Niagara Falls Boulevard	67.47-7-2.1	7,387	\$1,340.00
865 Niagara Falls Boulevard	67.47-7-19	4,008	\$1,875.50
899 Niagara Falls Boulevard	67.39-5-2.111	91,687	\$7,012.42
910 Niagara Falls Boulevard	67.39-2-6	10,799	\$6,835.06
926 Niagara Falls Boulevard	67.39-2-4.1	4,335	\$4,311.15
925 Niagara Falls Boulevard	67.39-5-1	29,831	\$3,559.24
1061 Niagara Falls Boulevard	67.06-1-35	10,437	\$5,530.53
1167 Niagara Falls Boulevard	67.06-1-39	16,368	\$6,935.88
1250 Niagara Falls Boulevard	54.79-3-2.2	112	\$35,416.64
1269 Niagara Falls Boulevard	54.03-1-24.4	22,918	\$856.04
3893 Maple Road	54.03-1-13	56,831	\$13,859.44
<i>Subtotal</i>			<i>\$99,943.17</i>

Source: Erie County; Town of Amherst, 2022 and 2023

*Note: parcel size is rounded to whole numbers

4.1.2.3 BRT Build Alternative

Environmental Consequences of the BRT Build Alternative related to property acquisition and displacements are described below.

¹ Source: Erie County Real Property Tax Services and Town of Amherst Comprehensive Property Information, 2022

POTENTIAL FULL PROPERTY ACQUISITIONS

Table 4-7 lists the full property acquisitions for the BRT Build Alternative, which include entire real property interests that would be needed for the Project, or portions of real property interests in which affecting that portion would impede its functional capabilities and future use. Based on conceptual engineering, full property acquisition would include 14 properties with a combined area of approximately 296,038 square feet (6.8 acres). Each full acquisition of real property would result in a total of 15 displacements.

Table 4-7. BRT Build Alternative Full Acquisitions

Address	Parcel ID	Land Use	Parcel Size * (Square Feet)	Displacements
546 Niagara Falls Boulevard	67.71-3-1	Restaurant	3,861	1
861 Niagara Falls Boulevard	67.47-7-2.1	One-Family Residential	7,387	1
865 Niagara Falls Boulevard	67.47-7-19	Two-Family Residential	4,008	2
899 Niagara Falls Boulevard	67.39-5-2.11	Funeral Home	91,687	1
910 Niagara Falls Boulevard	67.39-2-6	Commercial	10,799	1
920 Niagara Falls Boulevard	67.39-2-5	Commercial	8,754	1
926 Niagara Falls Boulevard	67.39-2-4.1	Commercial	4,335	1
925 Niagara Falls Boulevard	67.39-5-1	Commercial	29,831	1
1061 Niagara Falls Boulevard	67.06-1-35	Commercial	10,437	1
1167 Niagara Falls Boulevard	67.06-1-39	Auto Body Shop	16,368	1
1250 Niagara Falls Boulevard	54.79-3-2.2	Retail	112	1
1269 Niagara Falls Boulevard	54.03-1-24.4	Retail	22,918	1
3893 Maple Road	54.03-1-13	Auto Body Shop	56,831	1
4265 Maple Road	54.74-3-13	Gas Station	28,708	1
<i>Subtotal</i>			296,038	15

Source: Erie County; WSP, 2023

*Note: parcel size is rounded to whole numbers

POTENTIAL PARTIAL REAL PROPERTY INTERESTS OR PERMANENT EASEMENT

Based on estimates from conceptual engineering, for the BRT Build Alternative, real property interests are anticipated to require partial property acquisitions or permanent easements. For the BRT Build Alternative, portions of 164 real property interests are anticipated to require partial acquisitions that involve a strip of frontage to widen a right-of-way, particularly along Niagara Falls Boulevard and Maple Road (Table 4-8). In total, partial acquisitions would account for 202,606 square feet (4.7 acres). This initial assessment of property acquisition will be further refined during preliminary and final design. Additionally, the BRT Build Alternative could also require the relocation of signage, fences, and other personal property on some properties that are within existing right-of-way but do not need to be acquired. This will be determined during preliminary and final design.

Table 4-8. BRT Build Alternative Potential Partial Property Acquisitions or Permanent Easements

Build Alternative	Property Acquisition Type	Total Number of Real Property Interests	Total Proposed Acquisition
BRT Build Alternative	Partial or Permanent Easement	164	202,606 square feet (4.7 acres) <i>Average acquisition is 4.2% of total property</i>

TEMPORARY EASEMENTS

Temporary property acquisitions or easements that would result from the construction of the BRT Build Alternative is described in Table 4-9. A temporary easement would be required for the purpose of storage of materials and equipment, access to construction areas, construction staging, site grading, or other construction-related activities. Properties impacted by temporary easements will be restored to an acceptable preconstruction condition, depending on the individual easement need and agreement. Identification of specific real property interests impacted by a temporary easement will not be defined until final design and will be subject to final construction plans defined by a contractor. To account for temporary easements, the area of Project disturbance was defined as a buffer of 10-feet outside of the permanent Project alignment except for Niagara Falls Boulevard where a 5-foot buffer was assumed; given the constrained existing transportation right-of-way.

Table 4-9. BRT Build Alternative Potential Temporary Property Acquisitions

Build Alternative	Property Acquisition Type	Anticipated Acreage by Roadway Segment
BRT Build Alternative	Temporary Construction Easement	<ul style="list-style-type: none"> 1.55 acres along Niagara Falls Boulevard 2.17 acres along Maple Road 0.30 acres along Sweet Home Road 0.11 acres along John James Audubon Parkway
<i>Subtotal</i>		<i>4.13 acres</i>

POTENTIAL DISPLACEMENTS

Of the approximately 11 acres of land that would be acquired as a result of the BRT Build Alternative, 6.8 acres may require displacements. These displacements would include two residential properties and 12 properties that provide goods and services, for a total of 15 displacements. Details regarding these BRT Build Alternative displacements are as follows:

- **Land uses that provide residential housing:** Roadway widening would displace one single-family home and one two-family home on Niagara Falls Boulevard. Erie County parcel data provided the single- and two-family status, and the number of households in the two-family home would be confirmed as preliminary and final design continues.
- **Land uses that provide goods and services:** Roadway widening would displace 12 businesses that provide goods and services typical of the businesses in the Project Corridor including, five commercial uses, two retail businesses, three auto care businesses, one gas station, and one funeral administration office.

Loss of Tax Revenues

Table 4-10 provides a preliminary estimate, subject to final appraisal and acquisition determination, of the potential loss of property tax revenue that would result from the displacement related to the BRT Build Alternative. Estimated school property tax revenue loss is preliminary and anticipated to be approximately \$89,503 annually for the Sweet Home Central

School District². The total aggregate property tax loss under the BRT Build Alternative would be less than one percent annually.

Table 4-10. BRT Build Alternative Loss of Tax Revenues as a Result of Displacement

Address	Parcel ID	Parcel Size (Square Feet)	Loss in Tax Revenues (2023)
546 Niagara Falls Boulevard	67.71-3-1	3,861	\$3,242.19
861 Niagara Falls Boulevard	67.71-3-1	7,387	\$1,340.00
865 Niagara Falls Boulevard	67.47-7-2.1	4,008	\$1,875.50
899 Niagara Falls Boulevard	67.39-2-8	91,687	\$7,012.42
910 Niagara Falls Boulevard	67.39-5-2.111	10,799	\$6,835.06
920 Niagara Falls Boulevard	67.39-2-5	8,754	\$7,396.32
926 Niagara Falls Boulevard	67.39-2-5	4,335	\$4,311.15
925 Niagara Falls Boulevard	67.39-2-4.1	29,831	\$3,559.24
1061 Niagara Falls Boulevard	67.39-5-1	10,437	\$5,530.53
1167 Niagara Falls Boulevard	67.06-1-35	16,368	\$6,935.88
1250 Niagara Falls Boulevard	54.79-3-2.2	112	\$35,416.64
1269 Niagara Falls Boulevard	67.06-1-39	22,918	\$856.04
3893 Maple Road	54.03-1-24.4	56,831	\$13,859.44
4265 Maple Road	54.03-1-13	28,708	\$9,711.19
		<i>Subtotal</i>	<i>\$100,704.23</i>

Source: Erie County; Town of Amherst, 2022 and 2023

4.1.3 Potential Mitigation Measures

Efforts to avoid or minimize property acquisitions and displacements were made to the maximum extent practicable during the conceptual engineering of both Build Alternatives. Measures taken include reductions in the Project footprint, reducing the number of vehicular lanes on Niagara Falls Boulevard, and reducing the number of vehicular lanes on Maple Road for both Build Alternatives. In addition, the LRT Build Alternative alignment would travel below-grade at the intersection of Maple Road and Sweet Home Road to reduce the impacts to the properties surrounding the intersection. As preliminary and final design continues, Metro will coordinate with these property owners to refine property needs.

To address the impacts associated with the anticipated property acquisition and displacement needs related to the construction and operation of the Project, property acquisition activities, including full and partial acquisition and displacement will be performed in accordance with the 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs (Uniform Act) as amended and Federal Transit Administration (FTA) Circular 5010.1F, Grants Management Requirements, the NFTA's Guidelines for Acquisitions and Dispositions of Real Property, and all applicable New York State laws that establish the process through which Metro may acquire real property through a negotiated purchase or condemnation. The Project proposes mitigation measures related to property acquisition and displacement impacts through fair compensation and relocation assistance per the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 USC § 4601, et

² Source: Erie County Rel Property Tax Services and Town of Amherst Comprehensive Property Information, 2022

seq.). The following mitigation measures and assurances regarding property acquisition will be made:

- As part of the preparation procedure for the Acquisition Stage Relocation Plan, site occupants will be interviewed to determine their specific relocation needs.
- The acquisition and relocation assistance program will be conducted in accordance with the requirements and standards of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended or as may be amended, as authorized by Section 30 of New York's Highway Law and implementing Rules and Regulations (Part 101, Title 17, and NYCRR).
- All site occupants will be furnished a copy of an information booklet and will be fully informed of all benefits to which they may be entitled.
- No site occupant will be required to move from his or her property without at least 90-day written notice.
- Comparable replacement housing will be offered to all residential occupants.

4.1.3.1 Displacement Mitigation Measures

To satisfy the requirements of the Uniform Act, Metro will provide advisory services for displaced people. In addition to the data listed below, the availability, characteristics, and cost of comparable replacement housing in the area, at the time of relocation, will be compared with the housing needs of the displaced households, and measures will be proposed to resolve special relocation needs. The following is a list of proposed mitigation measures:

- Relocation assistance and just compensation is appropriate as a mitigation measure in accordance with the Uniform Act, which establishes a policy for the fair and equitable treatment of persons displaced as a result of federal and federally assisted programs (49 CFR part 24.1).
- Relocation assistance will be offered to all relocated people without discrimination.
- The relocation program will be carried out in an orderly, humane, and timely fashion.
- During relocation, care will be taken to move displaced businesses to a similar area in terms of traffic counts and demographics. Current Assessed Values (equalized) in the towns of Amherst and Tonawanda will provide a good basis to understand an order of magnitude value, though a Uniform Act compliant appraisal will be used for specific transactions. To minimize costs of acquiring partial acquisitions and easements, care will be taken to minimize the effect on parking—specifically for retail/restaurants—as parking loss can significantly increase the fair market value of the offer presented to the property owner.

Under certain circumstances, mitigation beyond what is outlined in the Uniform Act may be appropriate. As necessary, Metro will also provide the following services for those impacted by Project displacements:

- Metro's public outreach specialists will provide specific outreach to potentially displaced residents and/or businesses and will answer questions regarding relocation rights, requirements, processes, and anticipated timelines. Metro, in coordination with the Town of Amherst, will provide informational resources, permitting support, and points of contact for displaced business owners to find suitable sites for relocation.
- Metro will provide assistance at hours convenient for the relocated people.
- Metro will provide transportation for displaced occupants to inspect housing to which they are referred.
- Metro will provide counseling related to the availability and eligibility requirements of government assisted housing programs.
- Metro will provide technical help to people applying for such assistance.
- Metro will provide paratransit services or an ambulance to transport persons who are physically disabled.
- As part of efforts to mitigate the displacement caused by full and partial property acquisition, Metro will hire a compliant relocation agent to assist.
- Additional mitigation measures may be identified in connection with the public review of this Draft EIS and as the Project develops.

SPECIAL RELOCATION NEEDS AND SERVICES

Metro conducted a relocation survey to better understand potential Project impacts on populations throughout the Project corridor. The survey included obtaining information on special relocation needs and considerations. Inclusive of the mitigation measures listed above, Metro will also provide special relocation advisory services in cooperation with the appropriate social services agencies and organizations.

4.1.3.2 Relocation

Based on current market conditions, the availability of replacement housing, commercial buildings, and vacant parcels within the adjacent markets (Amherst and Tonawanda) would allow displaced businesses and residents to relocate within and surrounding the study area. In addition, based on current market conditions, adverse impacts on market values would be mitigated.

RESIDENTIAL RELOCATION

The United States Census Bureau, American Community Survey data for the year 2022, estimates that there are a total of 1,445 vacant housing units in the census tracts intersecting with and surrounding the Project corridor. Based on this estimate, the towns of Amherst and Tonawanda have a sufficient supply of available properties to accommodate the households that would be displaced by either Build Alternative. The Project's potential property acquisitions are primarily along Niagara Falls Boulevard and Maple Road and represent a mix of residential and commercial properties, primarily retail. As of November 2024, the multiple listing services

(MLS) includes 106 listings in Amherst at a median price per square foot of \$208 and 68 listings in Tonawanda at a median price per square foot of \$165. Additionally, similar properties in Amherst have been identified for the residential properties that would be acquired with either Build Alternative.

BUSINESS RELOCATION

Available spaces of varying sizes and types are present within the towns of Amherst and Tonawanda and would accommodate the variety of business types and number of employees that would be displaced as a result of either Build Alternative. The commercial properties being acquired by the Project would be primarily retail. Based on the CoStar Buffalo North submarket, which also includes the City of North Tonawanda and Town of Grand Island, there is a retail vacancy rate of 3.8%, and a total of 818,381 square feet on the market at an asking rent of \$15.02 per square feet as of November 2024. Approximately 377,483 square foot of this retail space is near Niagara Falls Boulevard and Maple Road across 21 listings of a variety of types. Thus, based on market conditions per November 2024, it is anticipated that those displaced would be able to relocate within a similar area.