

Neighborhood Retail Alliance

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Memorandum

From: Dr. Richard Lipsky

To: Elected officials and community leaders

Subject: Gateway Development

Date: 7/5/05

According to testimony given at last week's City Council hearing on the redevelopment of the Bronx Terminal Market, lawyers for the Related Companies (TRC) are pushing hard to have the 1,000,000 sq. ft. project certified immediately for land use review. There are a number of compelling reasons why certification at this time by the Department of City Planning is both premature and contrary to the community's best interests.

First and foremost is the fact that the developers have not even begun to enter into a dialogue with the impacted community. In our discussions with members of Community Board #4 as well as leaders of local CBOs, it is clear that TRC has not disclosed the full nature of the project, have not even bothered to address community concerns that are already being clearly expressed and, unlike with the Atlantic Yards project in Brooklyn, has not felt at all compelled to begin negotiations for a community benefits agreement (CBA).

Secondly, the eviction and relocation of Market merchants is very much up in the air. Last week's testimony by EDC head Andrew Alper clearly indicated that the city has

had absolutely no interest in negotiating with the merchants in good faith to preserve the integrity of this vital minority distribution center.

In addition, the court challenge to the eviction of the merchants has yet to be resolved, along with the legality of the city's transfer of the lease from the Buntzman family to TRC. Discussions with community and business leaders in the Southwest Bronx indicate a strong sentiment to resolve these issues before entering into a contentious land use review.

In our attached memo, "Creating a Yes, But Coalition", we go into these matters in greater detail. Suffice it to say that TRC is trying to bum rush the community and steamroll and legitimate criticism of the Gateway project. The developers seem to realize that the more scrutiny the project receives, the more community skepticism is generated.

Certification During the Summer

The clearest indication that TRC is looking to try to rush approval for Gateway without the fullest community review is its push to get the project certified this month while CB#4 is out of session. A project as immense as this will inevitably have a large number of significant impacts. A great deal of technical data will be submitted in support of the development. When will the community board be able to review this information?

In addition, in testimony before the City Council Jesse Masyr, counsel for TRC, told the council members that he planned to have a CBA negotiated before the project came to the City Council for disposition. Since there have been absolutely no discussions with community leaders when does TRC plan to negotiate this CBA? In Brooklyn, the CBA was negotiated before the review was even started. Shouldn't a CBA be negotiated before any application is sent City Planning?

No Certification without Negotiation

City Planning should, as our attached memo emphasizes, hold off on any certification. If however, it fails to do so, elected officials and community leaders should insist that the land use application be withdrawn and that a Town Hall meeting be held to address the relevant questions concerning the Gateway project.

The Town Hall meeting should be held in any event so that the community can hear about the various concerns that have been raised about Gateway. The takeover of the BTM was accomplished in an environment of secrecy and cronyism with no input from the community. The same process is being repeated in the advancement of the land use review. In the interests of the community this backroom favoritism needs to be stopped right now.