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Gale A. Brewer, Borough President

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**Testimony of Manhattan Borough President Gale A. Brewer to the NYC Council
Committee on Government Operations – Intro 1701 of 2019**

Thank you to Chair Cabrera and members of the Committee on Government Operations and Chair Salamanca Jr. and members of the Land Use Committee for considering these land use issues. I am Manhattan Borough President Gale Brewer and I am expressing support for Intro 1701 of 2019. I also thank Council Member Kallos for being the prime sponsor.

My office has seen developments crop up in residential neighborhoods—many of which are out-of-scale heights that destroy the community fabric. And oftentimes, the question is *how did this building get so big?* Leaving aside those developments that use zoning loopholes (which is another issue for another hearing), the answer is almost always that the developer purchased development rights (also known as air rights) from an adjacent property.

The legislation before you has a simple focus: it mandates that the local Community Board, Council Member, along with the Borough President and the Office of the Speaker are informed every time a transaction for the sale of development rights takes place. This change empowers communities. Too often developers purchase their development rights and their building plans are well underway by the time the community even becomes aware of the development. But when communities get an early sense of what developments are coming to their neighborhood, they have the opportunity to better engage the developers, ask them the right questions, and get them to understand what their concerns are. In essence, it gives communities an opportunity to shape what that development looks like. In the worst case scenarios, when a community feels it has to mount a challenge against a development—whether it is at the Department of Buildings or the Board of Standards and Appeals—advanced notice can be critical.

I have long advocated for community planning and a pre-ULURP effort in order to allow communities an opportunity to have an early say in how their neighborhoods grow and build. I believe that this legislation will offer an analogous benefit for as-of-right developments. I therefore urge this Committee to support it.

Thank you for your time and consideration.