



## **JAMES P. COLGATE**

**Partner**

**New York**

**E: [james.colgate@bcplaw.com](mailto:james.colgate@bcplaw.com)**

**T: [+1 212 541 2127](tel:+12125412127)**

### **BIOGRAPHY**

James Colgate is both a real estate lawyer and an architect, giving him the perspective to serve clients with a wide variety of land use issues, including special permits, zoning variances, and comprehensive advice in navigating complex bureaucratic and political processes. Widely-known for meticulous attention to detail and near-encyclopedic knowledge of New York City's labyrinthine building codes and regulations, James can solve problems no one else can.

James' clients - developers, lenders, non-profit institutions and public agencies - look to him for advice on all aspects of land use law in New York City, whether it be obtaining determinations from the NYC Department of Buildings or variances from the Board of Standards and Appeals, reviewing or preparing zoning opinions, or advising his clients of potential uses for their properties that they might never have considered.

James' experience with land use issues is extensive. Before joining Bryan Cave, he was an Assistant Commissioner at the NYC Department of Buildings, where he issued complex interpretations, co-authored laws and managed the department's legislative efforts to revise the NYC Construction Codes. He has also worked at the NYC Department of Housing Preservation and Development as well as the Department of City Planning. James is a member of the American Institute of Architects; is a certified floodplain manager; and served as FEMA's floodplain administrator for the City of New York from 2004 to 2014. His skill set is extensive - and unique.

When he is not advising clients on complex real estate matters, James is helping to foster a positive culture within BCLP. He is an active member of the global LGBTQ\* Network and Lawyers Affinity Group, with fresh ideas for better internal engagement and community partnerships.

The bottom line - **There are few - if any - lawyer/architects who know more about NYC building codes and zoning regulations than James.**

## CIVIC INVOLVEMENT & HONORS

- *Chambers USA*, New York Real Estate: Zoning/Land Use, 2023
- City & State New York- Top 50 NYC Lobbyists, 2021
- Manhattan Community Board 2, Member 1995-1996: Land Use Committee, Landmarks Committee
- Fordham University School of Law – Co-chair, Fordham Outlaws; Special Issues Editor, *Fordham Law Review*; Louis Stein Scholar for Public Interest Law and Ethics; Adele L. Monaco Memorial Award; Fordham Law School Prize; Fordham Legal Writing Prize; Corpus Juris Secundum Award for Scholastic Excellence in Torts

## PROFESSIONAL AFFILIATIONS

- American Society of Civil Engineers: Committee on Flood Resistant Design & Construction Standards, 2010-present

## ADMISSIONS

- New York, 2003
- Connecticut, 2000

## **EDUCATION**

Fordham University, J.D., *cum laude*, Order of the Coif, 2000

University of Pennsylvania, Master of Architecture, Certificate in Historic Preservation, 1992

New York University, B.A., 1988

## **RELATED PRACTICE AREAS**

- Planning & Zoning
- Real Estate Disputes
- Litigation & Dispute Resolution
- Commercial Real Estate
- Real Estate
- Environment
- Brownfields
- Citizen Suits/NIMBY
- Clean Air Act
- Clean Water Law
- Compliance Audits and Internal Investigations
- Cost Recovery Litigation (Superfund/CERCLA and State equivalents)
- Criminal Enforcement
- Endangered Species (ESA)
- Environmental Review (NEPA and State EIS laws)
- Hazardous Materials Transportation (HMTA)
- Hazardous Waste (RCRA)
- Insurance Counseling
- International Environmental Law
- Oil Spills
- Pesticides (FIFRA)
- Reporting Requirements (EPCRA, CERCLA, Prop 65 and other state laws)
- Safe Drinking Water (SDWA)
- Solid Waste and Landfills
- Toxic Substances Regulation (TSCA)
- Transactional Work, Including SEC Disclosures
- Underground Injection Control (UIC)
- Water Rights
- Wetlands
- Mobile Source Emissions and Fleet Management
- Real Estate Private Equity, Investments & REITs

- Real Estate Sector

## RESOURCES

### PUBLICATIONS

- Co-Author, "Open Space Accessibility and the Conundrum Of High Stakes Zoning Disputes," *New York Real Estate Law Reporter*, Vol. 37, No. 3, February 2021
- Note, "If You Build It, Can They Sue? Architects' Liability under Title III of the ADA," 68 *Fordham Law Review* 137 (1999)

### SPEAKING ENGAGEMENTS

- "Housing Opportunity: Office to Residential Conversion in New York City," American Institute of Architects (New York, NY; December 5, 2023)
- "Encouraging Resilience through Zoning Regulations: New York City's Zoning For Coastal Resiliency," Association of State Floodplain Managers Annual Conference (Raleigh, NC; May 10, 2023)
- "Rising Waters, Higher Standards: New York City's Recently Enacted Floodplain Ordinance," Association of State Floodplain Managers Annual Conference (Orlando, FL; May 18, 2022)
- "Dry-floodproofing: Recent Case Studies in NYC," Association of State Floodplain Managers Annual Conference (Cleveland, Ohio; May 15, 2019)
- "An 'Opening' Argument: The Controversy Over Floodshields & the Protection of Glass Storefronts & Curtain Walls," Association of State Floodplain Managers Annual Conference (Kansas City, Mo.; May 2, 2017)
- "Land Use CLE 2017: The History and Impact of Multiple Dwelling Law," Center for New York City Law (New York, NY; March 23, 2017)
- "The Challenges of Developing Basement Apartment Conversions," Citizens Housing Planning Council (New York, NY; February 16, 2017)
- "Case Study: Regulatory Complexities and Approvals for a New York City Dry Flood Proofing System," Association of State Floodplain Managers' Annual National Conference (Grand Rapids, MI; June 19-24, 2016)

- "Assemblages, Bonus and Beyond - Finding What's Left in NY Land Development," Young Mortgage Bankers Association's Winter Luncheon (New York, NY; February 24, 2016)
- "The Impact of the 2014 New York City Building Code to High-Rise Buildings," Council on Tall Buildings and Urban Habitat (New York, NY; December 15, 2015)
- "Revised NYC Construction Codes," New York Society of Architects (New York, NY; February 26, 2015)
- "High-Rise Building Codes in New York City," 2nd International Tall Building Fire Safety Conference (Greenwich, UK; June 19, 2014)
- "New York City after Superstorm Sandy: Regulatory Reform," Association of State Floodplain Mangers Conference (Seattle, WA; June 5, 2014)
- "New York City After Superstorm Sandy: Rebuilding and Resiliency," Association of State Floodplain Mangers Conference (Hartford, CT; June 13, 2013)
- "Super-Sized Efficiency: Tackling the Existing Building Sector in New York City," Greenbuild 2010 International Conference and Expo (Chicago, IL; Nov. 19, 2010)
- "Research and Regulatory Reform: The Three Major World Trade Center Evacuation Studies," 4th International Symposium on Human Behaviour in Fire (Cambridge, UK; July 13, 2009)
- "Sistemas de Sinalização de Segurança Fotoluminescente nas vias de evacuação: Novo código de NY Pós 9/11," I Conferência NFPA Portugal, Seguridad contra Incêndios, (Estoril, Portugal; Oct. 20, 2006)
- "New York City's Local Law 26 of 2004 Resulting from the WTC Building Code Task Force," Columbia University WTC Evacuation Study: Translating Research into Practice (New York; Sept. 15, 2006)
- "The WTC Building Code Task Force: Photoluminescent Exit Path Markings & Emergency Action Plans," Human Behaviour in Fire Network Workshop (London, UK; Nov. 17, 2005)
- "Building Code Changes in Response to 9/11: Learning from the World Trade Center," Structural Engineering Institute/ASCE Structures Congress (New York; April 23, 2005)
- "Lessons Learned from 9/11: The Report of the WTC Building Code Task Force," 3rd International Symposium on Human Behaviour in Fire (Belfast, UK; Sept. 2, 2004)

## RELATED INSIGHTS

Awards

Jun 08, 2023

**Legal 500 US 2023**

News

Jun 01, 2023

**Chambers USA 2023**

Diversity

Feb 23, 2023

**BCLP hosts panel in celebration of UK LGBTQ+ History Month**

News

Jul 21, 2022

**Partner Appointed by NYC Mayor to Task Force Exploring Opportunities to Convert Obsolete Office Buildings**

News

Feb 04, 2022

**Partner Quoted in 'POLITICO Pro' on Hotel Housing Program**

News

Dec 07, 2021

**Partner in 'New York Times' on Potential Hotel Conversions**

Awards

Jun 14, 2021

**The Legal 500 US 2021**

Awards

Jun 10, 2021

**'City & State' Top 50 Lobbyists in NYC 2021**

Insights

Feb 01, 2021

**Partners Author Article on 'Peyton' as it Applies to NY Zoning Disputes**