



JUDITH M. GALLENT

Partner

New York

Partner and Practice Group Leader - Planning and Zoning US

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BIOGRAPHY

Judy Gallent, leader of the firm's U.S. Planning and Zoning Practice, counsels both private and public sector clients on all aspects of land use and development law in New York City. Following law school, Judy served as a law clerk to the Hon. John M. Walker, Jr., first on the United States District Court for the Southern District of New York, and then on the United States Court of Appeals for the Second Circuit.

Honest, thorough, and straightforward, Judy brings her litigation background to bear in developing strategies and clear, concise presentations for the numerous agencies with whom she interacts on behalf of her clients. Her many years of successfully navigating the network of agencies and their

protocols has given her a thorough understanding of the discretionary land use review process, allowing her to efficiently secure approvals for development projects.

In addition to developers, both large and small, Judy also represents public transportation agencies, schools, not-for-profit institutions and municipalities.

The bottom line - **There is no better guide to the mind-boggling maze of land use and development law in New York City than Judy Gallent.**

CIVIC INVOLVEMENT & HONORS

- *Best Lawyers®* 'Best Law Firms,' National Tier 1, New York City Tier 1, Land Use and Zoning Law, 2021-Present
- *Chambers USA*, New York Real Estate: Zoning/Land Use, 2020-Present
- *The Legal 500 US*, Real Estate – Land Use/Zoning, 2017-Present
- *The Best Lawyers in America®*, Land Use and Zoning Law, 2018-2023
- City & State New York, Top 50 NYC Lobbyists, 2021
- City & State Reports, Corporate Social Responsibility Award, 2015
- Hon. John M. Walker, Jr., U.S. Court of Appeals, Second Circuit, 1990
- Hon. John M. Walker, Jr., U.S. District Court, Southern District of New York, 1989
- New York City Urban Fellow, 1985-1986

PROFESSIONAL AFFILIATIONS

- The Association of the Bar of the City of New York – Special Committee on Land Use, Planning and Zoning, Secretary, 1992-1994, Member, 1994-1997; Municipal Affairs Committee, 1997-1998; Land Use Planning and Zoning Committee, 2020-present
- Real Estate Board of New York - Zoning Committee
- New York State Bar Association – Municipal Law Section
- American Bar Association

COMMITTEE CONTENT

- Firmwide Diversity Committee

ADMISSIONS

- New York, 1990
- United States District Courts for the Eastern and Southern Districts of New York

EDUCATION

Harvard University, J.D., *magna cum laude*, 1989

Yale University, B.A., *summa cum laude*, Phi Beta Kappa, 1985

RELATED PRACTICE AREAS

- Planning & Zoning
- Higher Education Team
- Real Estate Sector
- Commercial Real Estate
- Real Estate
- Finance
- 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
- Campus Free Expression

EXPERIENCE

- Providing land use advice in connection with the proposed New York State-sponsored Empire Station Complex, an integrated public transportation complex that would create a world-class intercity transportation hub and revitalize New York's Penn Station area. The project aims to catalyze transit-oriented development that would generate revenue to fund a major renovation and expansion of Penn Station, implement other public transportation and public realm improvements within and around Penn Station, and revitalize the business district surrounding the station.
- Representation of New York City's largest charter school network before the New York City Board of Standards and Appeals in connection with an application for a special use permit for an approximately 300,000 sf, 2400 seat K-12 school in Bronx, NY. We are also representing Success Academy in connection with environmental issues.
- Representation of the public authority that develops and operates New York City's mass transit system in land use matters, including the reconstruction of Penn Station, the nation's busiest rail station; the recent \$82 million purchase of a site in East Harlem, NY from Extell Development to serve as the terminus of New York City's Second Avenue Subway line; obtaining easements from private property owners required under the New York City Zoning Resolution on multiple properties along the route of the second phase of the Second Avenue Subway line, as well as zoning issues arising in connection with development of property owned by the MTA and private developer transit improvements pursuant to various Zoning Resolution zoning incentive provisions.
- Representing a building owner before the New York City Landmarks Preservation Commission and New York City Planning Commission in obtaining a special permit to modify applicable

use and bulk regulations in connection with the redevelopment of a building located in the Greenwich Village Historic District.

- Represented Flushing Commons LLC, a joint venture of The Rockefeller Group Development Corporation and TDC Development and Construction Corporation, as developer in obtaining land use approvals in connection with the Flushing Commons project in Queens, an \$850 million project consisting of the redevelopment of a 5.5-acre, city-owned municipal parking lot into a 1.6 million-square-foot mixed-use development, including residential, commercial and community facility uses, as well as below-grade public parking.
- Represented the Metropolitan Transportation Authority in the sale of several hundred thousand square feet of excess development rights appurtenant to MTA-owned land to the owner of an adjacent property in Queens, New York.
- Representation of The Hudson Companies in connection with applications for land use approvals, including a rezoning and special permits, to facilitate a supportive and affordable housing development with ground floor retail at 806 Ninth Avenue in Manhattan, as well as a zoning determination from the New York City Department of Buildings and a zoning lot development agreement.
- Representation of St. Nick's Alliance, a not-for-profit developer of affordable housing, in connection with the rezoning of an approximately 49,000 sf site in Brooklyn, NY to facilitate the development of a 13-story building containing 213 units of affordable senior housing and associated services, as well as ground floor retail that would function as a new wing of an existing affordable senior housing development. Together the existing and proposed buildings would contain 363 units and over 303,000 gsf.
- Ongoing representation of Janus Property Company, owner of four acres in Harlem, NY, in connection with rezoning and redevelopment of property as the Manhattanville Factory District, including a purpose-built life science lab building.
- Representation of Breaking Ground, New York City's largest provider of permanent supportive housing, in connection with the rezoning of property in Brooklyn, NY to facilitate the conversion of a hotel to 500 units of supportive and affordable housing, including zoning text and map amendments.
- Representation of Silverstein Properties, Inc., a full-service real estate development, investment and management firm based in New York City, in all land use aspects of developing an approximately 100,000 square foot site in Hudson Yards with a two-building, 1.8 million sf project consisting of a hotel, gaming and entertainment complex and residential use.

RESOURCES

PUBLICATIONS

- "Open Space Accessibility and the Conundrum Of High Stakes Zoning Disputes," *New York Real Estate Law Reporter*, Vol. 37, No. 3, February 2021 (co-author with Philip E. Karmel, James P. Colgate)
- "New York's High Court Creates Another Obstacle for Property Owners Asserting Regulatory Taking Claims," *Environmental Law In New York*, No. 5, May 2000 (co-author with Robert S. Davis)
- "Court of Appeals Rejects Heightened Scrutiny In Determining Whether Rezoning Effects A Taking," *Municipal Lawyer*, No. 1, January/February 2000 (co-author with Robert S. Davis)
- "ADEC Reexamining Hazardous Waste Regulations," *Environmental Law in New York*, No. 1, January 1993
- "Indoor Air Pollution," *Environmental Law in New York*, No. 6, July 1991

SPEAKING ENGAGEMENTS

- Speaker, Could Zoning Work in the UK?, July 17, 2020
- Speaker, Zoning Rules! Legal Permissibility - The Threshold of Highest and Best Use, New York Metro Chapter of the Appraisal Institute, Oct. 20, 2015

RELATED INSIGHTS

Awards

Jun 08, 2023

Legal 500 US 2023

News

Jun 01, 2023

Chambers USA 2023

Awards

Aug 18, 2022

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BCLP Land Use Team Makes Key Hire

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Racial Equity Reports Required for Land Use Actions

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Jun 14, 2021

The Legal 500 US 2021