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Businesses opposed to Bruce Ratner's Atlantic Yards project dragged to court

BY ERIN DURKIN
 DAILY NEWS WRITER
 Tuesday, June 07, 2011

The state has dragged two Atlantic Ave. business owners into court to force them to let developer Bruce Ratner onto their property for construction work on his Atlantic Yards project.

The businesses are resisting, saying they fear property damage - but Ratner warns that shutting him out could delay the opening of the new Barclays Center arena.

Drew Tressler, president of Global Exhibition Services, which has been making museum and trade show exhibits at the Atlantic Ave. shop for 35 years, said he won't allow the developer to install underground steel cables known as tie-backs. He's afraid it could damage his building.

"Our building is concrete and I really don't know what long-term effect the drilling will have on it. Concrete is brittle," he said.

Tressler said he's already dealing with noise and congestion from the project and he doesn't need any more headaches. He added the work could block him from renovating the building with new plumbing or a subbasement.

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"I don't understand this," he said. "It's certainly not going to help me....I think it would bother any business owner."

The state is also suing Storage Mart, whose owners could not be reached for comment.

State officials insist eminent-domain laws would let them do the work whether or not the owners agree - and that they'll condemn a portion of the property if they have to.

Ratner executive Thomas Bonacuso said the work is necessary to finish the Carlton Ave. bridge - which legal agreements say must be done before the arena can open.

"Delay in completion of work would also prevent the arena from opening on schedule" in fall 2012, Bonacuso wrote.

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The owners of Storage Mart are said to be in dispute with Ratner on construction... (Todd Maisel/News)

"The results would be devastating," he added, adding it would cost the developer "many millions of dollars."

State Empire State Development Corp. spokeswoman Elizabeth Mitchell said the agency will "seek to condemn only such access...as is necessary to shore and install tie-backs under the property at issue. These actions are being taken for the benefit and protection of the adjoining property owners."

But Global Exhibition Services lawyer Joshua Rikon said the move breaks eminent-domain laws.

"This is really poor planning," Rikon said. "There's really no basis for it under the statute."

The two businesses could also have their property seized by the state to make way for the second phase of the arena and 16-tower project, but that is expected to be years off.

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