

Steven Guterman  
Save The View Now  
75 Columbia Heights  
Brooklyn, NY 11201

August 17, 2015

Empire State Development Corporation  
633 Third Avenue  
New York, New York 10017

Dear Governor Cuomo and the Empire State Development Corporation;

My name is Steven Guterman and I live at 75 Columbia Heights, Brooklyn, NY 11201. I am writing this letter on behalf of Save The View Now, an organization I created after realizing that the Pierhouse Project in Brooklyn Bridge Park was exceeding the height limitations that had been agreed to in 2005 and 2006 and blocking the view of the Brooklyn Bridge from the Promenade. This was supposed to be a protected view. Save The View Now has over 6,600 supporters. While we continue to be concerned about the over-sized Pierhouse, I am writing this letter to address the unnecessary buildings proposed for Pier 6. The ESDC should not break another commitment made during the planning process for this Park, should reject the proposed modification and then should make sure that the General Project Plan is not disregarded a second time.

I will make one simple point. **The BBPC has not demonstrated that it needs any funding from housing on Pier 6 in order to maintain the Park—this is a fundamental tenet guiding development in this Park.** I do not believe that the conclusions presented in the financial models prepared by the BBPC or the allegedly independent analysis by Ms. Dehham can be trusted: 1) there are obvious gaps and inaccuracies in their financial analyses, 2) my experience with the BBPC in connection with Pierhouse has led me to believe that it distributes misleading information and 3) there is a lack of any real transparency as to the BBPC's inputs, assumptions and calculations. I will provide an example of each below.

**First, the obvious bias in the Financial Model.** Using the limited information disclosed by the BBPC, one can plainly see that expenses are front loaded while certain income items, such as the revenue from the Park's profit sharing interest in the Pier 1 hotel are completely ignored by both Mr. Lowin and the supposedly independent Ms. Denham. It is unfathomable that over the next 50 years neither of them expect even a single dollar of income from the hotel profit sharing formula. It is just as clear, even using their biased assumptions, that there is enough income over the next 50 years to support the Park. While there might be a temporary cash shortfall, especially if the BBPC insists on unnecessarily spending \$90 million in one year, the Park can do what any business or

governmental entity does that needs a large short term expenditure that it has ample long term revenue to pay for: as suggested by Senator Squadron, it can borrow money during the few years of negative cashflow and pay it back with the surplus that accrues in future years. It is unconscionable to permanently remove much needed parkland and build huge unsightly towers in order to fund a short period of negative cashflow when alternatives are available.

**Second, the BBPC has a history of misleading the public.** To use an example that we recently discovered: When the Brooklyn Heights Association requested information about the contents of the bulkheads rising on the roof of the Pierhouse last November, the BBPC wrote:

that there would be one elevator and “The hotel bulkhead contains two parts. The lower bulkhead, closer to Furman Street, is approximately 23’ tall and contains an emergency generator and cooling towers. The remainder of the hotel bulkhead is approximately 30’ tall and contains three levels. The lower level contains the access for the elevators and egress stairs. The middle level contains the elevator equipment room, an IT equipment room and exhaust and supply fans serving all floors of the hotel. The upper level of the bulkhead contains the required overrun heights for elevator service and equipment and pressurized fans”

In the response to the BHA, the BBPC also attached a set of rather incomprehensible plans. After much effort Save the View Now managed to obtain the actual plans for the bulkheads submitted by Toll Brothers to the NYC Department of Buildings. When we examined the plans we learned that the statements made by the BBPC in November 2014 were completely misleading and omitted critical facts. The bulkheads contain the following:

- 1) Six elevators with oversized lobbies and vestibules, not one;
- 2) kitchens and bar prep areas,
- 3) structures for hanging a large event tent,
- 4) a pool equipment room

We also learned that the overall size of the bulkhead is larger than that allowed by NYC Zoning rules although the BBPC insisted that it was relying upon those rules to justify its violations of the height limitations agreed to in 2005.

Apparently these alleged “mechanical” bulkheads were designed to create usable hotel space in clear violation of the height limitations that had been agreed to. The fact that **the BBPC has blatantly misled the public on the use of the bulkheads** and in the process destroyed the views promised in 2005 shows that nothing the BBPC says or writes can be accepted without complete investigation and truly independent confirmation.

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**This brings me to my third point: lack of transparency.** In an attempt to appear transparent, the BBPC has presented numerous financial models at public meetings. To be precise, what they have really presented is a series of their own conclusions. When I and others asked for a copy of their most recent model and the inputs used to create it, Mr. Lowin refused to provide them. There is no transparency when all you are doing is presenting conclusions and refusing to share underlying data and assumption. NYC Comptroller Stringer agrees; in a recent letter to the BBPC he wrote:

“I write today to urge the Brooklyn Bridge Park Corp to improve the transparency of its financial statements and provide greater detail to the public on past, present and future budget projections”

The BBPC is ignoring the comptroller as it has its on Community Advisory Counsel and all of our local elected officials—some of whom are on its own Board.

As a not-for-profit controlled by a single person, the Mayor of NYC, the BBPC has a unique organizational structure. It does exactly what the Mayor wishes without input from any other agency or budgetary authority. Except for you. The ESDC is the only other public entity that has a voice in this matter. **It is your responsibility to make sure that the commitments made to our community through your own environmental review process are honored. You must vote NO to any development in the Park unless it is shown to be absolutely necessary to support the Park and no other viable alternative is available.**

Sincerely,

Steven Guterman  
Save The View Now