



DUMBO
NEIGHBORHOOD
Foundation

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New York, New York 10003

Dear Members, Neighbors, and Admirers of the Brooklyn Bridge:

As a member of the DUMBO Neighborhood Foundation, and a community activist for over 5 years in DUMBO, I would like to inform you of recent developments regarding the Dock Street project.

On October 9, 2009, the DUMBO Neighborhood Foundation (DNF), a non-profit group formed in 2007 by neighborhood residents, filed a lawsuit to reverse zoning changes it believes were wrongfully approved by the New York City Council and to halt the so-called Dock Street Project, a controversial mixed-use project in the historic DUMBO neighborhood of Brooklyn. The Dock Street Project, if built, would include a 17-story tower that would severely impact views of and from the landmark Brooklyn Bridge and cause irreparable damage to the DUMBO neighborhood in Brooklyn, New York.

In June 2009, the City Council voted, 39-9, to approve a rezoning application by developer Two Trees Management Company LLC (Two Trees), permitting the Dock Street Project to proceed over the objections of numerous elected officials, hundreds of neighborhood residents and thousands who signed petitions opposing the over-height and out-of-scale development project. The City Council's vote was based on the inclusion in the Dock Street Project of a new middle school for students in New York City School District 13. Over the six-month land use review process leading up to the City Council's vote, Two Trees and officials from the New York School Construction Authority (SCA) repeatedly endorsed the Dock Street Project as an appropriate site for a new middle school. But newly-uncovered documents, released in response to freedom-of-information requests, reveal that:

- Contrary to numerous representations by SCA officials, the Dock Street Project site was not chosen on the basis of a full, fair and objective site selection process required by law. SCA Officials failed to consider alternative sites for a new District 13 middle school and they themselves have even stated that Dock Street is an inferior site that fails to meet the safety and environmental standards for a New York City public school.
- Officials from the SCA and the New York City Department of Education, in collusion with Two Trees, a private developer, engaged in a systematic and lengthy effort to advance the re-zoning application for the Dock Street Project – at the expense of New York City schoolchildren and to the detriment of the historic DUMBO neighborhood.

- Two Trees and New York City officials made a number of public misrepresentations about the proposed Dock Street middle school in order to advance the re-zoning application.

The lawsuit, filed in Supreme Court, Kings County, alleges these defects in the land review process as well as a number of technical deficiencies in the rezoning of the Dock Street Project as a general large-scale development. The named defendants include The City of New York, New York City Department of City Planning, City Planning Commission, New York City Council, DOE, SCA and Two Trees.

The filing of the lawsuit received broad support from elected officials and others who have long expressed concerns about the Dock Street Project.

“I continue to believe that approval of this project was a mistake. We now know the School Construction Authority never told the City Planning Commission or the City Council that its own internal documents questioned the value of placing the school in this building,” said New York City Council member **David Yassky**.

Stephen Levin, Yassky’s successor as New York City Council member for District 33, also expressed his solidarity with DNF. “I continue to oppose the Dock Street project [and] believe this is an inappropriate development,” stated Levin.

New York City Council member Bill de Blasio, Democratic candidate for New York City Public Advocate, who voted against the project in the City Council, threw his support behind DNF’s legal action. He stated, “I did not support the Dock Street project in the City Council and I am still opposed to the current proposal. I support the DUMBO Neighborhood Foundation in their efforts to continue to fight this project.”

Council member Tony Avella, Chair of the New York City Zoning and Franchise Subcommittee, who voted against the project in the City Council, stated, “I firmly stand by DNF in their pursuit to shed light on a process that is immensely flawed and influenced by deep-pocketed developers. Such influence should not play a role in formulating public policy, particularly when it comes to the expenditure of public money on a project that will damage our cultural heritage, the Brooklyn Bridge, and the interests of our public school children.”

New York State Senator **Daniel Squadron** stated, “I continue to believe this project unacceptably sacrifices one goal – preserving the character of the neighborhood and of the Brooklyn Bridge – in pursuit of another – the dire need for a middle school. The recent approval of the project is especially troublesome in light of revelations about the School Construction Authority’s process for selecting a site for the middle school.”

Gus Sheha, a DNF member, stated, “The SCA was fully aware of the deficiencies and problems pertaining to this site early on in the process but took no action to correct or clarify the misrepresentations by the developer, Two Trees.”

“The fix was in long before the public approval process commenced,” states **Barry Silverstein**, Director of DNF. “The Brooklyn Bridge should not be the pawn in this shameless arrangement between a developer and city agencies entrusted to protect the tax paying public. The truth is being uncovered and it’s deeply upsetting to many of us. My hope is that this lawsuit will repair the damage wrought by the bad decision making that has thus far plagued the SCA, DOE, City Planning and the City Council,” said Silverstein.

Attached is a copy of the legal complaint for your review. We urge all residents and admirers of the Brooklyn Bridge to unite behind this worthy cause. It is abundantly clear that the proposed structure is out of scale to both existing and new structures in newly land-marked DUMBO. There is no question that quality of life for DUMBO residents will be significantly reduced and traffic and congestion issues will be exacerbated. This structure will adversely affect one of our most identifiable national treasures, the Brooklyn Bridge, by impeding the panoramic views from both directions of the pedestrian walkway of the bridge and by creating an imposing cloak over the bridge tower. Additionally, the development will cast sizable shadows on the Brooklyn Bridge Park, across historic DUMBO and historic Fulton Ferry Landing as well as the Brooklyn Bridge itself. This structure will eliminate the originally conceived urban plan of having taller buildings set back from the bridge with the heights of structures becoming shorter as you approach the bridge, a “cascading effect”, in essence bowing in reverence to this wondrous landmark. Moreover, this structure will eradicate the DUMBO skyline from the bridge walkway and from many viewing points from lower Manhattan. Lastly, a structure of this size and density in such proximity to the bridge and busy roadways raises grave security and environmental concerns, particularly in light of the proposal to include a school in this structure.

Please help us preserve the bridge by fighting this good fight. Since we are a 100% volunteer non-profit organization we rely on the generosity of others to achieve our goal. We hope you can contribute to DNF and we assure you ALL your contributions will go towards this and only this cause.

Checks can be made out to the DUMBO Neighborhood Foundation and can be mailed to:

DNF
c/o Gus Sheha
42 Main St. 10F
Brooklyn, NY 11201

Or

DNF
c/o Barry Silverstein
200 Park Avenue South, Suite 1700
New York, New York 10003

Should you like more information on the legal action or should you prefer to hand-deliver your donation please email Gus Sheha at gsheha@earthlink.net to make arrangements. Thank you.