

PRESS RELEASE
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**BROOKLYN HEIGHTS ASSOCIATION DEMANDS THAT THE CITY TAKE IMMEDIATE ACTION
TO PROTECT NYC'S ONLY DESIGNATED SCENIC VIEW DISTRICT**

The BHA Challenges Mayor de Blasio to Protect a View that is in the Public Trust

The Brooklyn Heights Association (BHA) is calling upon Mayor Bill de Blasio and Department of Buildings Commissioner Rick Chandler to uphold the legislation designed to protect the views from the Brooklyn Heights Promenade and to require that the Brooklyn Bridge Park Corporation (BBPC) and Toll Brothers abide by the Special Scenic View District zoning regulation (SV-1).

The Brooklyn Heights Scenic View District is the only such district created in New York City since the 1974 legislation was enacted and the City Planning Commission bestowed this honor on the city's most iconic view. The significance of the legislation was recognized at that time by the City Planning Commission's statement that "the outstanding views that exist in New York are as much a public trust as are landmark buildings or parks." The view protected by SV-1 attracts visitors from all over the world to observe Lower Manhattan's skyscrapers, the harbor and the constant stream of boats plying its waters.

The BHA and Save the View Now (STVN) - which was founded to oppose the breach of agreements on height limits on the north Pierhouse building - first became aware of the possible violation of SV-1 in August 2015, when Toll Brothers began construction of the penthouse and other structures on the south Pierhouse building. When the BHA and STVN brought their concerns to the City, the Department of Buildings (DOB) found that construction was proceeding according to the plans filed by Toll Brothers. These plans, however, incorrectly mapped the location from which the Scenic View is established by the zoning designation.

To confirm its belief that SV-1 was being violated, the BHA hired an independent surveyor who found that the penthouse illegally protrudes 20 feet into the Scenic View. State Senator Daniel Squadron and Councilman Stephen Levin submitted the surveyor's findings to the Buildings Commissioner and to the BBPC, requesting an order to halt further construction of the intruding structure. The DOB declined to take any action or meet directly with the BHA and STVN to discuss the violation.

The City has had ample time since this violation was brought to its attention in August to determine that Toll Brothers and the BBPC have not complied with the requirements of SV-1. The City has, more specifically, failed to take the necessary enforcement action to require Toll Brothers to remove that portion of Pierhouse that intrudes into SV-1. As the Department of Buildings has refused to take action on this matter and the BBPC has evaded its responsibility, the BHA is calling upon the Mayor to stand up for the public interest.

In early December, the BHA and STVN filed a lawsuit in New York State Supreme Court to force the City of New York, Toll Brothers and the BBPC to comply with SV-1. The parties are due in court on February 4, 2016, at which time the BHA and STVN will seek a preliminary injunction to halt further work on the structure.