

THE ORIGINS OF BROOKLYN BRIDGE PARK, 1986-1988

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by
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I. Overview

This is the improbable David and Goliath tale of three pivotal years, roughly 1986 through 1988, during which the Brooklyn Heights Association (the “BHA”) rallied a coalition of affected communities, civic groups, politicians and engaged individuals to stalemate the Port Authority’s (P.A.’s) and Koch Administration’s joint ambition to monetize Brooklyn Piers 1-6 through the densest achievable private development, and to advocate, instead, its bold concept of a grand “Harbor Park” stretching all the way from Atlantic Avenue to the Brooklyn Bridge, even today being realized as Brooklyn Bridge Park.

The BHA having only recently orchestrated the Carey Administration’s 1978 purchase of the Tobacco Warehouse and Empire Stores from Consolidated Edison to create Fulton Ferry-Empire Stores State Park¹, its vision of converting piers and upland already in public hands to park and recreation use may seem, with the benefit of today’s hindsight, to have been the

¹ A set in chronological order of the documents referenced in this monograph will be lodged at the Brooklyn Historical Society.

4/15/13, letter, Scott M. Hand to Brooklyn Heights Press (and Brooklyn Daily Eagle), BHA’s Major Role in Early Park Efforts; 5/18/76, letter, Scott M. Hand to Gov. Hugh L. Carey; 7/30/76, letter, Hugh L. Carey to Scott M. Hand; 3/22/77, letter, Scott M. Hand to Hon. Orin Lehman; 8/8/77, letter, Scott M. Hand to Joseph T. Hydock, Vice President, Consolidated Edison; 8/9/77, transcript of letter, Orin Lehman to James P. Manning, Consolidated Edison; 8/24/77, transcript of letter, James P. Manning, Consolidated Edison, to Orin Lehman; 9/26/77, letter, Oliver Carey and David Morton to Hon. Orin Lehman; 9/22/77, Phoenix, Fulton Ferry Becomes Landmark District; Con Ed, State Set Price for Empire Stores (two versions, one legible and the second showing date and name of newspaper); 3/10/78, Mailgram, Orin Lehman to President, Brooklyn Heights Assn.

obvious and almost inevitable next step. But, of course, two realities needed handling. Powerful public authorities intent on reaping major financial reward somehow had to be stopped. And the inspiration that all (or most) of the valuable industrial swath below the Brooklyn Heights Esplanade (the “Promenade”) could really be transformed for the public’s access and enjoyment -- a prospect not immediately intuitive -- required some time for the community, its leadership and its adversaries to absorb. As it happened, by the end of 1988 startling progress had been made on both.

But why address here only the first three years of the Park’s active history when everyone knows it has taken an additional 25 to reach its present state of fulfillment? The answer is that after a laborious year-long, ten-meeting process, Community Board 2’s (“CB2’s”) unanimous (31 to 0) December 14, 1988 recommendation of the BHA’s Harbor Park concept instead of the public entities’ development proposal not only marked a decisive reboot of the substantive debate. It also provided an opportune moment for the consensual reconciliation of a key, behind-the-scenes policy difference in the BHA ranks, through both an organizational restructure of the community’s advocacy effort and a profound change in its leadership.

By virtue of geography, experience and organization it is perhaps not surprising that the BHA provided much of the early leadership in resisting what it correctly perceived as the direst of threats. Earl D. Weiner, a Sullivan & Cromwell corporate partner who was elected BHA President in May 1985, well captured the community’s foreboding when he opined to the Brooklyn Heights Press that

“... the shape and type of development on the piers is the most significant challenge the neighborhood has faced since the

construction of the BQE and Robert Moses' plan to run the expressway directly through the Heights down Hicks Street.²

While he remained actively engaged with the piers throughout his presidency, Weiner faced other major challenges as well³ and, so, as a practical matter, delegated substantial responsibility for the piers to three colleagues, Scott M. Hand, Anthony A. Manheim, and Otis Pratt Pearsall.

Hand, an executive of Inco, Limited (and later its CEO), served as Chair of the BHA's Waterfront Committee⁴ and when in 1986, to broaden its reach and specify its mission, this Committee was reorganized and renamed the "Committee on the Redevelopment of Brooklyn Piers 1-6 (sometimes "Piers Committee)," he remained such. He along with Pearsall served as Piers Committee representative on CB2's Piers Subcommittee where he played a key role during the Subcommittee's 10 meetings throughout 1988 and made the November 14, 1988 motion approved by the Subcommittee on a vote of 12 to 0 with one abstention to endorse Harbor Park and repudiate the development concept sponsored by the P.A. and the City. Perhaps no one in the BHA ranks had more waterfront land use experience than Scott Hand, since as President

² 11/6/86, Brooklyn Heights Press, BHA To Do Own Study And Design for Piers 1-6.

³ For example, Weiner managed the BHA's lawsuit (in which it was joined by Robert Rubin and others) to reconfigure the design of the Morgan Stanley Building, the suit's settlement, and the settlement's complex aftermath, as well as the Watchtower's proposed 34 story building on the bluff fronting the west side of Columbia Heights south of the Squibb Building (30 Columbia Heights), that would have blocked the northerly view to the Brooklyn Bridge and was not defeated until with the invaluable leadership of Borough President Howard Golden the Board of Estimate voted against it in the Fall of 1988, 9-2. It is instructive given the Koch Administration's sponsorship of all-out development of Piers 1-6 that the only votes for the potentially disastrous Watchtower project were the Mayor's.

⁴ As of March 1985 the BHA Waterfront Committee was comprised of, in addition to Hand, Fred Bland, Deirdre Carsen, Pat Coady, Joyce Curll, Tracy Henderson, Tony Manheim, Mickey Murphy, Otis Pearsall, Mary Anne Yancey and Earl Weiner. Two years later, in May 1986 (shortly before its reconfiguration as the "Committee on the Redevelopment of the Brooklyn Piers 1-6"), its membership included, in addition to Bland, Curll, Hand, Manheim, Murphy and Pearsall, new members Peggy Kingsbury, Ted Liebman, Henrik Krogus and John Watts. 3/12/85, Excerpt of BHA Board Minutes; 5/16/86, "BHA Waterfront Committee, Current Membership," attached to 5/16/86, "BHA Waterfront Committee, Scott M. Hand to Earl Weiner, Re: Port Authority Piers -- Waterfront Committee Actions."

(1975-77) and thereafter a member of the BHA's Advisory Committee, he was behind the successful 1977 designation of the Fulton Ferry Historic District by the Landmarks Preservation Commission (chaired by Brooklyn Heights resident Beverly Moss Spatt) and, along with Oliver Carey who was President of the New York Dock Railway, New York State's purchase for preservation purposes of the Empire Stores and Tobacco Warehouse.

Tony Manheim, a former investment banker who was Weiner's immediate predecessor as President of the BHA (6/83-5/85), and thereafter a member of its Advisory Committee, had served along with Hand on CB2's informal task force on Fulton Landing and, as discussed below, fielded along with Weiner and others the P.A's initial feelers in 1984 and early 1985 concerning the potential redevelopment of Piers 1-6. But apart from waterfront matters Manheim hardly lacked for serious land use experience given the major development challenges that beset his administration including, in addition to the Watchtower's proposed skyscraper on Columbia Heights, the BHA's campaign to enforce the neighborhood's 50 foot height limitation on the site of the destroyed Hotel Margaret, with its proceedings before the Board of Standards and Appeals, in the Board of Estimate and through litigation all the way up to the State's Court of Appeals. When in July 1986 the BHA Waterfront Committee that Manheim had initiated in December 1983 was reconstituted as the Committee on the Redevelopment of the Brooklyn Piers 1-6, Manheim became along with Pearsall one of its two Vice Chairs and as such shared the transformative tumult that by year's end 1988 had given rise to the concept of "Harbor Park" (the initial name of what soon after became known as Brooklyn Bridge Park) embraced by a broad array of civics City-wide, the neighboring communities, and Community Boards 2 and 6.

Otis Pearsall was the third member of President Weiner's leadership team on Piers 1-6. Pearsall, a litigation partner with Hughes Hubbard and Reed and a member of the BHA Advisory

Committee, who led the BHA's successful campaigns for enactment of the Landmarks Law and the designations of Brooklyn Heights as the City's first Historic District (1965) and its first LH-1 50 foot Limited Height District (1967), became interested in the waterfront initially when in 1968-1969 he ran the BHA's joint opposition with the Municipal Art Society (of which he was then Secretary) that upended the City's planned relocation of the Fort Greene Meat Market to the East River in place of the Empire Stores and Tobacco Warehouse.⁵ In March 1985, as the piers development threat posed by the P.A. and by the City through its Planning Department and Public Development Corporation drew imminent, Manheim, Weiner and Hand recruited Pearsall to the BHA's Waterfront Committee with which, after its Summer 1986 metamorphosis, he and Manheim served as Vice Chairs under Chairman Hand for the next two and a half years through December 1988, by which time as this narrative will detail a cascade of events favoring the Harbor Park concept over the P.A.'s development plan had irrevocably foreordained the future of Piers 1-6.

This triumvirate, then, along with Earl Weiner and his immediate successor as BHA President, Denise C. Clayton, provided the on-going leadership in these three turn-around years. But they were hardly alone. Others, too, played significant roles.⁶ Of these, Frederick Bland

⁵ 10/24/68, NYT, Ft. Greene Market To Be Moved To The Waterfront In Brooklyn, ("On Monday, Otis Pratt Pearsall, Secretary of the Municipal Art Society of New York, said [at the Site Selection Board hearing] that selection of the area for a market would mean 'the outrageous misuse of a prime section of river frontage.'"); 12/13/68, NYT editorial, Good-by to the Waterfront ("The selection of one of the last open waterfront sites in Brooklyn for the relocation of the Fort Greene meat market is a clear illustration of New York's planning jinx at work."); 3/9/69, NYT feature by Ada Louise Huxtable, New York, Life's Loser, Does It Again; 3/20/69, Brooklyn Heights Press, Mayor Refuses To Approve Meat Market at Brooklyn Bridge Site, Heights Press Learns; 3/21/69, Daily News, Fort Greene Mart Move KO'd by Lindsay; 4/10/69, NYT editorial, Shorefront Meat.

⁶ A significant contributor too often overlooked because of the specific focus of her responsibilities was BHA Governor Irene Janner. An IRS Revenue Agent in the Special Enforcement Projects Branch, Janner in the Fall of 1986 became Chair of the special BHA "Subcommittee For The Recreational Development of Piers 1-6," responsible for ascertaining

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was a key advisor, particularly in the early going as the BHA sought to sort through and identify the planning issues and stakes for both the Heights and its neighbors. An architect with Beyer Blinder Belle, who was active on the Waterfront Committee and its successor, the Piers Committee, Bland unfortunately had to step back from this civic commitment when in November 1987 the P.A., reaching for a credible counter to the BHA's previously published planning study, engaged Jack Beyer and his firm to assist on a set of development criteria and guidelines for Piers 1-6.⁷

Ted Liebman was another whose contributions were invaluable. An architect with the Liebman Melting Partnership, Liebman had been Chief of Architecture for the New York Urban Development Corp. and by virtue of his talent as well as personal demeanor had achieved both the professional reputation and broad network of relationships that from the outset of the BHA's confrontation with the P.A. at the end of 1985 afforded it an immediate credibility and legitimacy that repeatedly enabled a critical outreach to the world of planning and architecture.⁸ Liebman officially joined the BHA Waterfront Committee in May 1986, was elected a BHA governor in February 1987, served throughout 1988 as the BHA representative on the Piers

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and reporting the recreational needs of the local schools, athletic organizations and the like for which facilities on Piers 1-6 could afford the solution. Additionally, as a member of CB2's Planning and District Development Committee and its Subcommittee on the Redevelopment of Brooklyn Piers 1-6, Janner assumed responsibility for creating the detailed minutes of the Subcommittee's 10 crucial meetings throughout 1988 that constituted the record for CB2's unanimous 12/14/88 recommendation of Harbor Park and repudiation of the PA's development proposal.

⁷ 11/19/87, The Phoenix, Port Authority Moves To Open Pier Area for Development.

⁸ Three examples of this outreach are Liebman's role in recruiting luminaries to the BHA's February 1986 Piers Panel that checked the initial momentum of the governmental development strategy, his role in the BHA's Spring and Summer 1986 request for planning proposals that enabled the community to seize the initiative, and his introduction of landscape architect Terry Schnadelbach, his longtime colleague, whose May 1988 images of Harbor Park indelibly impressed upon Piers 1-6 the vision of a glorious park.

Subcommittee of CB2's Committee on Planning and District Development, became chair of the BHA's reorganized Piers Committee in January 1989, and subsequently BHA President.

John H. Watts III, a founder of fixed income manager, Fischer Francis Trees & Watts ("FFTW"), completed the senior BHA group that came together to meet the piers development challenge. The owner of a remarkable house directly overlooking Piers 1-6, Watts was immediately involved, becoming in May 1986 a member of the BHA Waterfront Committee. Not only was his wealth of financial expertise of immense practical value both in internal strategizing and outside presentation (particularly in support of the Harbor Park concept⁹) but his stature in the City's financial community afforded the BHA a credibility on the economics that simply could not be ignored. As a natural corollary, FFTW became for critical meetings with the P.A. a gracious venue acceptable on both sides, yet "on BHA turf."¹⁰

⁹ 8/3/88, Minutes of Meeting of the Community Board 2 Subcommittee on Piers 1-6; 11/28/88, Minutes of the Meeting of the Planning and District Development Committee of Community Board No. 2.

¹⁰ The P.A. as principal owner of Piers 1-6 (upland at Pier 4 was owned privately, and Pier 6, owned by the City, was leased to the PA) was the principal actor on the government side with which the BHA engaged. While others now and again played cameo roles, the three P.A. officials with whom the BHA had major on-going contact were, in order of seniority, Phil LaRocco, Director, World Trade and Economic Development, Eileen M. Daly, General Manager, New York Projects, and Rita Schwartz, public relations spokesperson. LaRocca, with whom Piers Committee leadership met a few times in 1986-87 to explore the prospects for a common path, was in charge. Daly, LaRocco's senior deputy on Piers 1-6, led the government case during the ten 1988 meetings of the Piers Subcommittee set up by CB2 to arrive at a community consensus, as well as the P.A.'s final failing effort to stave off unanimous repudiation by CB2's Planning and District Development Committee and ultimately by CB2 itself. Schwartz, a Heights resident known to many in the BHA ranks, had to bear the unenviable brunt of carrying the P.A. message locally.

For the City, Alair Townsend, deputy mayor for finance and public development, was in overall charge of Mayor Koch's broad-based waterfront development policy and, indeed, signed off for the City on the Brooklyn Piers 1-6: A Framework for Discussion, officially released February 18, 1986, that was one of the two initial documents with which the P.A. and City launched the nearly three-decade long piers saga. But neither Townsend nor James P. Stuckey, president of the city's Public Development Corp. ("PDC"), which in December 1985 the Mayor designated as the principal agency dealing with waterfront development, interacted directly with the BHA on the piers except for occasional comment in the press. From the outset it was clear that the P.A. intended development of its piers property by private developers through an RFP

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While one might always wish to feel better prepared, given the major challenges already on its plate the BHA was perhaps surprisingly ready to respond when at the end of October 1985 the P.A. and its allied City agencies elected to disclose to the Heights and neighboring communities their ambitions for a dense, privately constructed development of Piers 1-6, not through forthright communication with the BHA with which they had opened channels of communication a couple of years earlier, but through contact with the New York Times and various local media.¹¹ And respond the BHA did. Its series of initiatives culminated almost exactly three years later in CB2's climactic repudiation of the dense development schemes spelled out by the P.A. and City and its unanimous embrace of the BHA's vision of Harbor Park.

In summary, from 1986 through 1988 the BHA lost no time in mounting three major initiatives of widely varying breadth and duration, while all the while maintaining close liaison with a generally supportive press. The first of these was to convene for its February 25, 1986 Annual Meeting an outstanding panel (the "Piers Panel") of prestigious urban planning and architecture practitioners and critics to consider the proposed development. None of the panelists had the slightest ax to grind, so their blunt, no-holds-barred critiques, centering in part

Footnote continued from previous page

process, not by the PDC. So the City's interests were represented primarily by the City Planning Department, which in any case would need to arrange any needed zoning changes, such as to allow residential development, before an RFP might be issued to developers. While City Planning chairperson Sylvia Deutch did enter the fray personally on one occasion, the 9/23/87 forum of the state Senate Democratic Task Force on Waterfront Development chaired by Senator Martin Connor (10/3-9/87, Brooklyn Paper Publication, Hearing Debates Waterfront Planning), the heavy lifting was delegated to Wilbur Woods, director of City Planning's Brooklyn office, and his colleague, Karen Burkhardt.

¹¹ 10/19-25/85, The Brooklyn Heights Paper, Mammoth waterfront development might connect with Montague St.; 10/27/85, NYT, In Brooklyn Heights, a Spotlight on 87 Neglected Acres; 10/31/85, Heights Press & Cobble Hill News, Will Waterfront Development Block Our Promenade View?; 10/31/85, BHP, A Hotel on the Piers? Not a Good Idea; Access to the Piers: The Next Controversy.

The P.A. and City did not turn over their operative documents to the BHA until just days before its 2/25/86 Annual Meeting, when the expert panel tore them apart.

on the absurdity of relying on a marketing consultant instead of undertaking a serious planning study, proved surprisingly successful in sucking the wind from the P.A. and City sails.¹²

Next, the BHA filled the vacuum by commissioning its own planning study, retaining through a detailed RFP process initiated in May 1986 the noted planning firm, Buckhurst Fish Hutton Katz (“BFHK”), which provided through partner-in-charge Ernest Hutton an extensive preliminary presentation at the BHA’s February 24, 1987 Annual Meeting and published its final 99 page report, The Future of the Piers, Planning and Design Criteria For Brooklyn Piers 1-6 (“BFHK Report”), that June.¹³ This report offered as one of four optional development scenarios the very first vision of the entire site as a grand public park,¹⁴ going so far as to suggest that “the

¹² 3/6/86, Phoenix, Piers Panel Throws Cold Water on Halcyon Port Authority Study, And Opts For Housing; 2/25/86, Excerpt of Minutes, 76th Annual Meeting of the Brooklyn Heights Association.

¹³ 7/--/86, Newsday, Battle Over City’s Waterfront; 7/24/86, Brooklyn Heights Press, City Announces Timetable for Piers Below Promenade; 10/24/86, NYT, Group To Study Brooklyn Piers; 11/6/86, Brooklyn Heights Press, BHA To Do Own Study and Design For Piers; Committee On The Redevelopment Of The Piers; 11/6/86, The Phoenix, Editorial: A Voice In The Future of the Waterfront; 11/11/86, NYT, Brooklyn Heights Striving for Ideal Water Project; 11/8-14/86, The Brooklyn Heights Paper, Heights group acts to seize role in pier plan; Solarz fears PA may destroy scenic view; 11/27/86, Brooklyn Heights Press, Cold Storage Warehouse Said To Consider Move From Piers; 2/5/87, Brooklyn Heights Press, Pier Project Rallies BHA On Substantial Community Issue; Redevelopment Committee To Reveal Plans on February 24th; 2/26/87, Brooklyn Heights Press, BHA Pier Study Revealed Before Audience of 400; 3/5/87, Brooklyn Heights Press, Cobble Hill News, Brooklyn Heights Pier Study: A View From The South; 3/7-13/87, The Brooklyn Heights Paper, BHA meeting hears pier talk; 4/87 BHA Newsletter/Spring 1987, Piers Study is Subject of BHA Annual Meeting; 8/8-14/87, The Brooklyn Heights Paper, Heights group rips PA and city on pier plans; 9/19-25/87, A Brooklyn Paper Publication, Brooklyn’s waterfront comes back: project-by-project report.

¹⁴ That the BFHK study posited the option of a park, however discomfiting for the PA and City, proved “something of a surprise” elsewhere. In his 7/9/87 Brooklyn Heights Press article Report On Heights Piers Offers A Hidden Surprise, Henrick Krogus wrote:

“There is something of a surprise hidden in the planning report on Piers 1-6 commissioned by the Brooklyn Heights Association. The thought is raised that the entire area below the Promenade could be turned into a park.”

Calling this aspect of the BFHK study “its single most provocative and far-reaching suggestion,” Krogus noted that precedent for the idea could be found in a suggestion by BHA representative Paul Windels to Robert Moses during the decisive hearing on the Promenade, and went on to declare:

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opportunity to create a large and continuous regional waterfront park could be enhanced by joining this site to the Empire Fulton Ferry State Park directly to the north.”¹⁵

Concomitant with its RFP activity on the planning study, the BHA undertook two key related steps. In furtherance of its goal of establishing firm support for the positions it would take in the development debate, the Waterfront Committee, while as a practical matter retaining a compact working group, reached out to recruit an influential cross-section of the Heights’ leadership (including before long more than 50 men and women), as well as an Advisory Committee of local and citywide leaders from outside the Heights. By mid-summer, as earlier noted, this enlarged Heights group received its new, more focused name suggested by Tony Manheim (the “Committee on the Redevelopment of Brooklyn Piers 1-6”), soon, because it was such a mouthful, to be shortened colloquially to the “Piers Committee.”¹⁶ And, as might be

Footnote continued from previous page

“Just as the Promenade was the surprising and unexpected by-product of conflict between the Heights and Moses over the route and design of the Brooklyn-Queens Expressway, so a park along the piers may now be the obvious resolution that neither side had anticipated to differences between the Heights, on one side, and the Port Authority and the city’s Public Development Corporation, on the other, over the future of the piers site.

“While the public agencies have favored maximum feasible development and the Heights has favored minimum, curiously enough the resolution may lie in no development at all. xxx”

¹⁵ BFHK Report, p. 78. A decade later BHA Governor Marianna Koval, afterwards Director of the Brooklyn Bridge Park Coalition, led the ultimately successful drive to add this and more to the original Piers 1-6 site considered by BFHK. Koval recalls that a major privatization effort on the part of a local developer galvanized the local communities and citywide civic organizations in a successful fight over the “interbridge area” that proved a major turning point in BBP’s development. Properties north of the piers were added to the park plan, including Empire-Fulton Ferry State Park and five city-owned parcels. Most important was the added park funding. The City moved first with \$63.5 million in June 2000. Then, not to be outdone, Governor Pataki committed an additional \$85 million in State funds in January 2001. The Giuliani administration quickly spent \$5 million of the first \$63.5 million, breaking ground on July 26, 2001, and opening a maritime themed playground in the first section of Brooklyn Bridge Park on December 27, 2001.

¹⁶ A complete list of the Piers Committee members and the Advisory Committee as set forth on the last page of the 6/87 BFHK Report is provided below at p. 52.

expected, the second of these key related steps was the essential matter of fundraising. Not only would the planning study be costly but, predictably, the Piers Committee would require additional experts (two, as it turned out, the Schnadelbach Partnership, designer of Harbor Park, and Berle, Kass and Case, litigation counsel retained “just in case”). So the Piers Committee got right at it, and by January 1987 Scott Hand was able to report to the BHA Board that by that time not only did the Piers Committee have 45 members but that \$130,000 had already been raised.¹⁷

Finally, the crowning initiative of these three turn-around years, 1986-88, was of course the conception and presentation of Harbor Park. This came about as the centerpiece of the BHA’s riposte to an elaborate stratagem on the part of the P.A. and City to seek community acceptance of their development ambitions while end-running the BFHK Report and direct discussion with the Piers Committee of its features, including its emphasis on park and recreation. As it unfolded in October and November 1987, what this stratagem essentially entailed was arranging the establishment by CB2 of a special piers subcommittee (the “CB2 Piers Subcommittee” or “Piers Subcommittee” or simply “Subcommittee”) of its Planning and District Development Committee, consisting of representatives from the several nearby communities, which the P.A. optimistically envisioned would hear the testimony of its witnesses including Beyer Blinder Belle and then, within the limited space of three months, would simply rubber stamp proposed development criteria for inclusion in its RFP to private developers.¹⁸

¹⁷ 1/13/87, Excerpt of BHA Board Minutes.

¹⁸ 10/24-30/87, Brooklyn Paper Publication, Port Authority pier planning action angers Heights group (“Scott Hand, chair of the BHA’s Committee on the Development of Brooklyn Piers 1-6 charged that the PA was ‘trying to control the process as best they can’ by seeking to avoid dealing directly with the BHA. xxx They are trying to end-run us. xxx Otis Pearsall, a member of BHA’s piers committee, agreed with Hand. ‘To the extent that the Port Authority thinks that by promoting CB2’s involvement on the issue they are going to be able to ignore the concerns of the Brooklyn Heights community, they are wrong.’”; 11/19/87, The Phoenix, Port Authority Moves To Open Pier Area for Development; 1/11/88, Minutes of Meeting of the Community Board 2 Subcommittee On Piers 1-6 (first meeting).

However clever this gambit may have seemed to the P.A. and City as a way to sidestep the BHA and its Piers Committee, it proved a massive miscalculation, backfiring almost from the start. The CB2 Piers Subcommittee (which included Piers Committee representatives Hand and Pearsall and BHA representative Liebman)¹⁹ consisted in the main of urban pioneers at work on building the new Brooklyn in their respective downtown neighborhoods who were just not the sort simply to do as they were told, and when. Accepting its assignment with utmost sobriety, the Piers Subcommittee questioned the P.A. and City witnesses vigorously and in detail, extending its proceedings for 10 meetings from January through November 1988, and laying bare a plan to cash out the PA asset by allowing 3,000,000 square feet (2,600 units) of privately developed housing while affording only five acres of active recreation (two of which on garage roofs), sacrificing world famous views, and risking the fragile fabric of historic Brooklyn Heights.

But the Subcommittee's epic contribution of historic importance was to occasion the BHA's invention of what it then elected to call "Harbor Park." To the BHA advocates immersed in the heat of the Subcommittee process, it was obvious that to beat the P.A. and City at their own game it was mandatory not simply to criticize the glaring deficiencies of their development approach but to offer a stark alternative of unmistakable power. As witnessed by BFHK's illustrative scheme of a "Major Public Park,"²⁰ there could be no doubt that this concept would

¹⁹ 11/10/87, Excerpt of BHA Board Minutes. Also serving on the CB2 Piers Subcommittee were BHA Governors Carol Bellamy, Irene Janner and Mary Ellen ("Mickey") Murphy, although not serving in that capacity on the CB2 Subcommittee, as well as prominent Heights veterinarian Bernard Wasserman.

²⁰ "One hundred years from now, looking back at the decisions made, it will have been important to have fully examined this opportunity [for a major public park]: an area of this size already recognized and protected by zoning legislation because of its unsurpassed view, could provide for the long-term benefit of future New Yorkers and visitors a regional resource containing both active and passive open space, comparable to such other large waterfront open spaces as Riverside Park, the open space adjacent to the Belt Parkway, or Liberty State Park in

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best serve the BHA's goals of protecting the views and providing the needed recreational facilities identified by its special "Subcommittee For The Recreational Development of Piers 1-6": the only question had been the practicality of striving for such a bold achievement in the face of the collective power of the P.A. and the City. But this was no time for shilly-shallying by the faint of heart.

Opportunely, in Ted Liebman's colleague, Terry R. Schnadelbach of The Schnadelbach Partnership, Landscape Architects, the BHA found just the creative talent the moment demanded and Schnadelbach, catching the enthusiasm of the Piers Committee leadership, embraced the assignment with palpable excitement. By May the resulting teamwork yielded three remarkable color images of "Harbor Park, A Maritime and Public Use Development on the Brooklyn Piers," offering in vivid contrast to the P.A. and City a panorama of possibilities from Atlantic Avenue to the Brooklyn Bridge that could hardly help but fire the imagination.

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New Jersey. This type of use would provide the large Brooklyn-based population with needed recreation space and facilities. Furthermore, the opportunity to create a large and continuous regional waterfront park could be enhanced by joining this site to the Empire Fulton Ferry State Park directly to the north.

"In this development possibility, the pier area would be developed for active open space: large open play areas, tennis courts, tot lots and passive open space. The ends of each pier, looking west towards the view of Manhattan and the bay, would contain a park/plaza area for strolling, sitting or picnicking. Consideration could be given to enclosed recreation structures for year-round use. Water-related uses could include a boat basin for berthing of both work and pleasure craft along the existing piers, as well as sites for facilities such as a restaurant or floating swimming pool which was recently proposed by the Parks Council.

"On the upland areas, additional tennis courts, basketball courts, or other recreational facilities could be provided, as well as a skating rink and more informally designed passive open space. xxx" 6/87 BFHK Report, pp. 78-81 (Ernest Hutton, principal author).

On July 27, 1988 the P.A. and City presented to the CB2 Piers Subcommittee the detail of their plan -- as one observer put it, four options but just one plan, housing.²¹ And the following week, on August 3rd, the day that should properly be considered Brooklyn Bridge Park's first birthday, the BHA presented Harbor Park, Scott Hand with the background of the challenge, Ted Liebman with the concept overview, Terry Schnadelbach with the vision, and John Watts with an elaborate economic rationale.²²

²¹ 7/28/88, City Express, article by Henrik Krogius, Port Authority Plan Would Turn Heights Into "Thoroughfare"; No Vision, Only Profit Motive; Port Authority Serves Its Ledgers More Faithfully Than It Serves The Public:

"The worst fears of Brooklyn Heights are realized in the planned development of the piers below the Promenade by the Port Authority and New York City.

"Short of openly violating the zoning viewplane, which protects the major part of the view from the Promenade, and short of filling in the water between the piers, they have wrung virtually every bit of buildable space out of that limited area, even to the extent of building condominiums out on the piers themselves.

"The presenters xxx made no secret of the fact that the dollar return to the Port Authority has been the guiding factor in their planning efforts. They referred to the view plane as a 'constraint' on what they could do, and they proposed view-blocking buildings both north and south of the Promenade, immediately outside the view plane zone.

"In addition, their plans would breach the Promenade at Montague Street, extending that street as a pedestrian way to the development below. xxx"

7/27/88, Minutes of Meeting of the Community Board 2 Subcommittee on Piers 1-6; 1/23-29/88, The Brooklyn Paper, PA in Port Biz for Bucks?; 8/4/88, Brooklyn Heights Press, BHA Shuns Port Authority Pier Plan; 8/4/88, The Phoenix, Some Alternative Plans Begin To Emerge For Waterfront Area Below The Heights; 8/6-12/88, Brooklyn Paper, PA Rejects Pier Park Plan.

²² 8/19/88, NYT, by David W. Dunlap, Brooklyn's Waterfront: Two Visions of a Compelling Vista.

"xxx [A]n old and influential neighborhood group, the Brooklyn Heights Association, has already devised a counterproposal, 'Harbor Park,' which would turn the piers into a 43-acre park dotted with restaurants, hotels, skating rinks and marine showrooms and stores.

"'We wanted to be proactive, rather than reactive,' said Otis Pratt Pearsall of the Brooklyn Heights Association. A colleague, Anthony A. Manheim, added: 'This isn't baby carriages on the runway. The commercial facilities could support the operating cost of the park.' xxx

"Scott M. Hand, another association member, said, 'What it requires is the city, state and Port Authority to look at this site and say, "This is what should be," and put the capital money in.'"

8/3/88, Minutes of Meeting of the Community Board 2 Subcommittee on Piers 1-6; 8/4/88, Brooklyn Heights Press, by Henrik Krogius, 'American Landscape' Plan is Unveiled For Piers Here; 8/4/88, Brooklyn Heights Press, BHA Gives Details Of Piers Plan; 8/11/88, The Phoenix,

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While the BHA representatives certainly had reason to believe that Harbor Park was well-received both within the Subcommittee and among the many watchful civics beyond, neither they nor the PA and City rested a moment on their laurels as the endgame ground ever closer and tension mounted. Through a series of letter presentations and an extensive “Q&A” with the Subcommittee,²³ the P.A. sought to persuade the members that only the Beyer Blinder Belle plan offered an economically responsible path forward, while the BHA achieved on-going positive reinforcement of its Harbor Park message through an impressive array of some 19 supporting letters²⁴ from public officials and local and citywide organizations eloquently demonstrating that, whatever the P.A. and City might think, the BHA’s approach was strongly endorsed not just throughout Downtown Brooklyn but across the City.

The triumph of Harbor Park, when it came, was so complete and decisive, especially after the P.A. and City had invested so much political capital in their year-long CB2 stratagem which they themselves had invented, that whatever further maneuvering the future might hold the park idea at that moment seemed simply too right, too powerful not eventually to prevail. And the impact of the triumph was amplified by the fact that it did not occur all at once but, rather, built in three successive steps to its ultimate outcome.

The first of these steps was, of course, the final November 14, 1988 meeting of the CB2 Pier Subcommittee. After Otis Pearsall summed the case for Harbor Park and against the P.A.’s

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Heights Plan For East River Piers Calls For Park and Maritime Uses; 8/13-19/88, Brooklyn Paper, Heights Group Declares War on Port Authority Plan.

²³ 9/8/88, Minutes of Meeting of the Community Board 2 Subcommittee On Piers 1-6; 8/15/88, letter, P.A. by Jose E. Iglesias, to Ethel Purnell and Subcommittee members; 9/6/88, letter, P.A. by Eileen M. Daly, to Ethel Purnell, Chairperson, and Subcommittee members; 10/11/88, letter, P.A. by Jose Iglesias, to Ethel Purnell, Chairperson, and Subcommittee members, attaching letter, Jack H. Beyer to Ethel Purnell.

²⁴ See the list at footnote 101 below and Irene Janner’s binder of “Letters of Support.”

housing plan, Irene Janner reported for the BHA's Subcommittee for the Recreational Use of the Brooklyn Piers 1-6, and other park supporters not previously recorded weighed in, Scott Hand's motion, seconded by Maria Favuzzi of Community Board 6, recommending to the Planning and District Development Committee disapproval of the P.A.'s plan and approval of an open space plan featuring active and passive recreation, was carried 12 to 0 with one abstention (Shirley "Joe" Payne of the Atlantic Avenue LDC).

Understandably, the P.A. reserved its last stand not for the Subcommittee but for the different personnel of the full Planning and District Development Committee, which met at length two weeks later on November 28, 1988. Following a thorough presentation of Harbor Park by Messrs. Manheim, Schnadelbach and Watts providing, respectively, its background, design description, and financial analysis, the P.A.'s Eileen Daly took over to describe to this new group the intensive development plan, with its 3,000,000 square feet of residential housing, relentlessly pushed by the P.A. and City for the past year. Interestingly, the P.A., having sponsored the entire CB2 process but now belatedly recognizing how disastrously this had backfired, futilely sought to backtrack at the last moment by arguing on various grounds that an up or down vote by the Standing Committee was inappropriate after all, a view firmly rejected by CB2 Chair Jerry Renzini.

In the end, Committeewoman Julia Stanton introduced a motion inviting Otis Pearsall to read the detailed resolution he had crafted with the acquiescence of Committee Chairperson Ethel Purnell to lay out the case for Harbor Park and against the development plan proposed by the P.A. and City, which was unanimously carried by a vote of 12-0-0.

No one could claim that over the course of 1988 the future of Brooklyn Piers 1-6 had not been thoroughly vetted. The P.A. and City had deployed on behalf of their proposed

development the full power and authority of government. Many officials and other witnesses had been heard on their behalf for hours upon hours, in meeting after meeting. And now on December 14th the full CB2 would reach its verdict, if only advisory, on a sharp-edged choice between a plan that would privatize virtually the entire site, destroy some of the world's most spectacular views, and afford the region a mere five acres of new active recreation space (two of which on garage roofs), on the one hand, and Harbor Park, which represented essentially opposite outcomes, on the other.

For the P.A. Eileen Daly made her final, similarly futile, plea that no vote be taken on the piers proposal. Speaking for Harbor Park at this memorable moment, the record reflects Ursula Hahn, Vernon Williams (for Councilman Gerges), Anthony Manheim (for the Coalition for Harbor Park), Irene Janner and Otis Pearsall. On the resolution "recommending the Harbor Park concept instead of the proposal from the Port Authority," so moved by the same Mr. Payne of the Atlantic Avenue LDC who had abstained at the Subcommittee, the vote was yes-31, no-0 and abstentions-0. And so with this unanimous endorsement of the BHA's Harbor Park a most remarkable saga in the annals of CB2 was at an end.

Such a sweeping community repudiation could not but deflate the expectations of the P.A. and City which, of course, depended upon the political process allowing a zoning change to accommodate residential housing. At that time there was still a Board of Estimate, giving Borough President Golden decisive clout on such matters which he had only just exercised on September 29th to defeat the Watchtower's proposed 34-story (in the end reduced to 20 stories) Columbia Heights project. And we had word that he was similarly ill-disposed toward the P.A.

and City on their piers proposal.²⁵ Added to all this was the important fact that at the end of 1988 real estate development throughout the City was in a nose dive.

In these circumstances of possible stalemate, Hand and Pearsall, both lawyers experienced in the world of negotiation and settlement, recognized that there now existed a legitimate potential for compromise and settlement on the future of the piers, a potential that for months they had anticipated could well transpire should the CB2 outcome work out as they'd hoped. But, as the result of a fundamental policy difference within the Piers Committee leadership that by common consent had remained out of view since February, the negotiating flexibility required to exploit any such potential, should it exist, was unavailable.

Simply put, Hand and Pearsall believed that the fourth illustrative scenario considered in the June 1987 BFHK report, which contemplated the possible addition of 750 units of housing to the Park mix, might suggest a possible basis for a negotiated compromise while providing stronger economic support for a major park.²⁶ But Vice Chair Tony Manheim, who in working with BFHK on illustrative development options had seemed open to the practical utility of some housing, by the outset of 1988 had adopted a determined "pure-park" approach that, despite the on-going arguments of his colleagues Hand and Pearsall as the CB2 Subcommittee process

²⁵ 11/8/88, Excerpt of Minutes of BHA Board of Governors Meeting: "xxx Otis Pearsall indicated that the PA's original plan was to have RFP's out by December 31st. He believes we have delayed that timetable and that a stalemate presently exists, although he's seen no evidence that the P.A. is ready to compromise. There may well be several years of stalemate during which we must keep up political pressure and gain wide-ranging support for the concept that Harbor Park is good for the City and the entire region. Although the Borough President may not have liked our plan particularly, he was strongly opposed to the PA's vision for the site, and the PA cannot move forward without his support."

10/19/88, Judy Stanton Memo to Hand, Liebman, Pearsall, Murphy, Janner and Manheim.

²⁶ Hand and Pearsall had three principal reasons for advocating this flexibility: (1) housing could help finance the Park; (2) housing in that somewhat edgier era would provide useful "eyes on the Park"; and (3) flexibility on housing might well allow a settlement that could make the Park happen.

progressed, remained utterly unshakeable. Along the way he acquired the strong support of John Watts, and firming their resolve was a wave of “pure-park correctness” that had swept through the BHA Piers Committee at large and, indeed, the BHA Board.

Anticipating success in the CB2 process but acknowledging that they would not be permitted to pursue the course of prudent negotiation they felt essential to achieve the realization of Harbor Park any time in the foreseeable future, Hand and Pearsall determined that following the CB2 vote they would withdraw as quietly as possible to allow the “pure-park” advocates an unfettered opportunity to work as best they might for an ideal outcome. Since it was abundantly clear that neither Manheim nor Watts would bend, the only alternative to this “quiet retirement” scenario that seemed available would have been to reargue their strategic viewpoint within a broader BHA or community context. But that course was entirely impractical for the two reasons, first, that the leadership split would surely have become known to the P.A. and City with untold resulting harm to the shared opposition efforts of the past three years and, second, that the “pure-park” credo had apparently so captured the imagination of their colleagues it seemed likely to Hand and Pearsall that their strategic insight would not have prevailed anyway.

However, they both had been greatly impressed by the CB2 Piers Subcommittee’s success in constructively uniting so many downtown groups²⁷ around the common cause and believed that going forward just such a broad-based committee, or coalition, would be best situated to assume from the BHA’s Piers Committee the laboring oar of dealing with the P.A. and City on the future of Piers 1-6. In their estimation, the CB2 Piers Subcommittee, itself, in

²⁷ On the CB2 Piers Subcommittee were represented the following neighborhood groups: Boerum Hill Association; Brooklyn Heights Association; Cobble Hill Association; Vinegar Hill Association; Farragut Houses Tenants; Pratt Area Community Council; Atlantic Avenue Association LDC; Community Board 6; Concord Village; Clinton Hill; and Ingersoll Houses Tenants.

fact represented an already-existing nucleus of a successor “Coalition for Harbor Park,” and so before all had disbanded at the conclusion of the Subcommittee’s final November 14th meeting they hastened to touch base on the idea with a few of the members and received all the encouragement they needed.

Since they, themselves, were not to remain on the scene to provide future leadership for this incipient Coalition, Hand and Pearsall put their heads together and decided that the best hope for balance going forward would be to enlist three Co-Chairs whom they immediately presumed to recruit: Tony Manheim who ,by reason of all the history and his evident need for a leadership role, was a natural; Maria Favuzzi, a Cobble Hill resident and member of CB6, who had displayed sound judgment, cool demeanor and appropriate aggressiveness as a member of the CB2 Piers Subcommittee; and Tom Fox, Executive Director of the Neighborhood Open Space Coalition, and former president of the Hudson River Park Conservancy, who was serving as a member of the BHA Piers Committee’s Advisory Committee and possessed a world of helpful experience, sound judgment and a bit of objectivity and detachment as a non-resident of Brooklyn. Hand undertook to explain the Coalition idea to Manheim and solicit his participation as Co-Chair, while Pearsall did the same with Favuzzi and Fox. All graciously accepted. And, as a minor footnote to history, it is interesting that almost certainly the first public act of this nascent enterprise was Tony Manheim’s appearance at CB2’s momentous December 14, 1988 meeting representing the “Coalition for Harbor Park.”

BHA President Denise Clayton reported the changing of the guard to her Board at the January 10, 1989 Governors Meeting: Scott Hand and Otis Pearsall are stepping down as Chair and Vice Chair of the Piers Committee (with no explanation given); Ted Liebman is to be the new Chair, with Tony Manheim and John Watts as Vice Chairmen. And in terms implicitly

recognizing that not only had the Piers Committee's leadership changed but its very function was essentially being taken over, the meeting minutes reflected organization of the Coalition thusly:

“Additionally, Tony Manheim, Tom Fox (executive director of Neighborhood Open Space Coalition) and Maria Favuzzi (CB6) are to head a broad coalition of community and other civic groups interested in sensitive waterfront development. With both CB2 and CB6 having rejected the PA's plan and having supported the Harbor Park concept, the coalition can now resume a 'pro-active' stance to promote the plan at all levels of government and to refute the accusation that Harbor Park is economically unfeasible.”²⁸

At the next BHA Board meeting on February 14th, Ted Liebman was able to report that “the first official coalition meeting chaired by Maria Favuzzi was very well run and widely attended by groups from all over Brooklyn and Manhattan.” He added that “the ‘back seat’ role now played by the BHA is a very important element, doing away with the idea of parochial view protection, which is associated with the BHA direction of Harbor Park.”²⁹

Scott Hand upon resigning as Piers Committee Chair wisely cut his ties cold turkey. Pearsall, on the other hand, agreed to remain a member of the Committee, in the futile hope that perhaps he might be a moderating influence going forward against what he saw as a doctrinaire mindset of the “pure-park” advocates. But it took just one meeting early in the new year to change his mind. Manheim and Watts flatly rejected any notion of compromise as an acceptable negotiating objective, and Pearsall concluded it would be the better part of valor to decline further participation in the Park for well over a decade.

History, it is true, cannot be redone. But given that a quarter century later we are anticipating considerably more housing than the 750 units contemplated by BFHK, some might

²⁸ 1/10/89, Excerpt of BHA Board Minutes.

²⁹ 2/14/89, Excerpt of BHA Board Minutes.

wonder whether had there been the flexibility to negotiate housing in 1989 perhaps years might have been erased from our long wait for Brooklyn Bridge Park.

II. The P.A. And City Go Public on Piers Development

It was the sudden barrage of unsettling headlines in late October 1985 that first awakened most residents of Brooklyn Heights and neighboring communities to the unwelcome - indeed, alarming - reality that the P.A. and City were intent on unleashing the densest imaginable development on the upland and piers below the Promenade.³⁰

The immediate instigation of these headlines was the public entities' dissemination to the press of draft materials from at least two documents, their collaboratively authored Brooklyn Piers 1-6: A Framework for Discussion (the "Framework") and a marketing study prepared by the P.A.'s consultant, Halcyon Ltd., entitled Development Concepts for the Brooklyn Piers (the "Halcyon Report"). These documents, not publicly released until February 18, 1986, just days before the BHA Annual Meeting at which they were to be critiqued by a panel of distinguished experts, had been in the works for the better part of a year, ever since the P.A. and City made common cause based on the convergence of their distinctly separate but entirely compatible economic circumstances and goals.

When in approximately 1983 containerization supplanted break-bulk as the principal method of cargo handling, Piers 1-6 had become essentially obsolete because there was insufficient upland west of the Brooklyn-Queens Expressway to support the use of containers. As a result, the P.A. hoped to cash out of what was now an unproductive asset by disposing of the piers to private developers through a request-for-proposals ("RFP") bidding process, which

³⁰ E.g., 10/31/85, Brooklyn Heights Press, Will Waterfront Development Block Our Promenade View?; Access to the Piers: The Next Controversy; 10/19-25/85, The Brooklyn Heights Paper, Mammoth waterfront development might connect with Montague St.; 10/27/85, NYT, Brooklyn Heights, a Spotlight on 87 Neglected Acres.

as a practical matter would require the City's cooperation in providing a zoning change to allow residential development. This the City was more than willing to accommodate because to grow the City's economy the Koch Administration had itself focused on accelerating waterfront development. To this end Mayor Koch in December 1985 designated the Public Development Corporation ("PDC") under the 33-year-old James P. Stuckey, with whom the BHA was already tangling on the Morgan Stanley building, as lead agency for waterfront development in place of the Department of Ports and Terminals, and in relatively short order it was announced that at least 14 waterfront projects were in the works, of which Piers 1-6 was one.³¹

While the October 1985 press reports commenced to focus the community-at-large on the potential risks posed by the threatened piers development, the BHA had been "on" the matter at least since President Manheim appointed his new Ad Hoc Waterfront Development Committee under Scott Hand two years earlier. And the pace of its concern only accelerated when in 1984 the P.A. initiated the appearance of community outreach through meetings with members of the Committee.³²

Although there certainly were additional points, the four on which the Committee principally focused in these meetings with the P.A.'s Rita Schwartz and others were: safeguarding the world-famous views from the Promenade; maximizing park and recreation; avoiding a direct link through Montague Street to anticipated Downtown development that might

³¹ 7/11/86, Newsday, 14 Projects to Change Waterfront; 7/___/86, Newsday, Battle Over City's Waterfront; 7/24/86, Brooklyn Heights Press, City Announces Timetable For Piers Below Promenade; 5/87, Avenue, Round-Up, by June Rogoznica, pp. 113, 134. As previously noted, given the particular circumstances of Piers 1-6, City Planning's Wilbur Woods rather Stuckey's PDC took the lead here for the City.

³² Two such meetings, reported to the BHA Board on May 10, 1984 and February 5, 1985, were attended, respectively, by Committee members Tony Manheim, Earl Weiner, Joyce Curll, and Pat Coady, and by Tony, Earl, Joyce and Fred Bland. Excerpts of 5/10/84 and 2/5/85 BHA Board Minutes. There was at least one other dinner meeting that Bland and Pearsall recall at a restaurant on Clark at Hicks Street.

endanger our fragile historic district; and promoting maritime activities and facilities such as the docking, repair, and servicing of tug, fire and police boats and other water craft.³³

As to the famous views, with the help of our local architects we understood full well that the vaunted SV-1 Brooklyn Heights Scenic View District, enshrined in the City's Zoning Resolution since October 1974, constituted no guarantee at all that such views must be saved. Protections the City had provided it could of course withdraw, either by an outright change in the law or by granting variances. And perhaps still more disturbing, we were hearing that the P.A., as an entity created by the States of New York and New Jersey, might just be free to ignore the SV-1 Special District altogether.

But even assuming the Special District were enforced according to its terms, its protection was at best subject to two crucial limitations. First, the fact that it would permit construction of up to five stories at Furman Street, four at the bulkhead line, and two at the pierhead line meant that while it would protect views of the lower Manhattan skyline, the Statue of Liberty and Governor's Island, allowable construction could blot out much of the East River and its traffic, reducing the view to a mere sliver of space between the new rooflines and the Manhattan shoreline. This was a prospect that made it all the more important to concentrate low-lying athletic fields below the Promenade.

The second critical limitation of the SV-1 Special District was that its fan-like shape projecting westward from the promenade entirely excluded from protection substantial triangles

³³ Waterfront Committee member Joyce Curll, Assistant Dean of Admissions at NYU Law School and later Dean of Admissions at Harvard Law School, and her husband Dan Curll, President of the New York Towboat and Harbor Carriers Association and later Vice President of Transportation, N.Y. Chamber of Commerce and Industry, were especially forceful in the BHA's strong support of on-going maritime uses. And this goal received a powerful boost from 2/25/86 BHA Piers Panelist Roger Starr of the New York Times editorial board. Indeed, continued and enhanced maritime use of Piers 1-6 was the first illustrative scheme set forth in the BHA's BFHK Report.

at the northern and southern ends of the piers site. High-rise construction on the exposed portion of Pier 1, for example, could simply wipe out all-important views not only of the Brooklyn Bridge and its east tower, but of the Empire State and Chrysler Buildings beyond. Accordingly, concern for the protection of these triangles, discussed repeatedly in Board meetings, eventually became a significant element of the BHA argument on safe-guarding the views.³⁴

And certainly of equal prominence as protecting the views in these early discussions, internally and with the P.A., was the community's pressing need for park and recreation. But at that time the BHA's use of the term "park" by no means connoted a grand sweep from Atlantic Avenue to the Brooklyn Bridge: that ambition would not begin to evolve until the provocative discussions of a Piers Committee working group got under way with planning consultant BFHK in the Fall of 1986, out of which developed the illustrative scheme of a Major Public Park first presented to a crowd of 400 at the February 24, 1987 BHA Annual Meeting. No, at the beginning our thinking focused simply on athletic fields and the like, as ample as might be negotiated, melded together with softer features of park-like elements.

It would be November 1986 before the BHA organized its special "Subcommittee For The Recreational Use of The Brooklyn Piers 1-6" under Chair Irene Janner ("Janner Committee") to survey the outdoor recreation requirements of the local schools and organizations.³⁵ But in 1985 no survey was necessary for the Waterfront Committee to be thoroughly familiar with their dire, often desperate, needs, and it pressed the P.A. accordingly.³⁶

³⁴ E.g., 12/11/84, 2/5/85 Excerpts of BHA Board Minutes.

³⁵ The survey work of the Janner Committee is described at pp. 37-38 of the BFHK Report.

³⁶ For example, in an early BHA Board discussion of points for the P.A., "Otis Pearsall suggested that recreation uses be an important component", 2/5/85, Excerpt of BHA Board Minutes.

In October 1985, however, as the uncompromising positions taken by the PA and City in their Framework and the Halcyon Report seeped into the public domain,³⁷ it became clear that for all the pains of the Waterfront Committee members in urging their points, they might just as well have saved their breath. Pure and simple, what the agencies wanted was development with a capital “D”. Taken together the two position papers espoused a mix of, among other things, office development, low- and high-rise housing, conference and exhibition centers, and retail support, organized through “aggressive but carefully programmed development [to] create an ‘international city’ which takes full advantage of the unique assembly of land and waterfront.”³⁸

The Framework purported to set forth the “Criteria for Development” but apart from the Halcyon Report’s single enigmatic reference to “public spaces,” neither document contained the slightest reference to park or recreation.³⁹ As for safeguarding views within the ambit of the Special Scenic View District, Halcyon made crystal clear the P.A.’s intent to build to the allowable limit regardless of trashing the East River views. And concerning the unprotected northeast and southeast corners of the piers site, Halcyon telegraphed the P.A.’s intent by highlighting the excellent views to be had by “high-rise residents at the north end” where such development would be certain to obscure the Brooklyn Bridge.⁴⁰ Finally, after recounting the

³⁷ Although these documents were not officially released in final until 2/18/86, drafts reached the media and hence some of the public in October 1985. See, e.g., 10/19-25/85, The Brooklyn Heights Paper, Mammoth waterfront development might connect with Montague St., explicitly referencing the informal release.

³⁸ Halcyon Report, p.3.

³⁹ Halcyon Report, p.3. The 10/27/85 NYT article In Brooklyn Heights, a Spotlight on 87 Neglected Acres, which referenced a detailed interview with P.A. official Theodore D. Kleiner and not incorrectly might be viewed as the unofficial public launch of the lengthy struggle for Piers 1-6, mentioned without elaboration the words “parkland” and “athletic fields.” But if such mentions were intended to soften the severity of the launch, the failure of the 2/18/86 final documents four months later to offer any official follow-through wholly vitiated the effort.

⁴⁰ The 10/31/85 Heights Press article, Will Waterfront Development Block Our Promenade View? reported: “Port Authority spokesperson Rita Schwartz stressed over and over again that the

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important priority of many Downtown Brooklyn development projects then in the works, the Framework posited the desirability of re-uniting the piers with the surrounding areas by means of what it called the Montague Street commercial “corridor.”⁴¹

When in preparation for its October 27, 1985 article the New York Times asked prominent Heights resident Norman Mailer for comment, Mailer offered this trenchant and thereafter much quoted prediction:

“My guess is that the real-estate developers will do anything to raise the height restrictions for the property. Disposal of the site could be a political scam that would generate an enormous sense of outrage. But if they try to do something against the interest of the area, the opposition here will make the fight over Westway look like All Souls Night.”

Mailer certainly sounded the right note, so far as it went. The Waterfront Committee knew the points it felt were “against the interest of the area,” and it didn’t at all like what it was hearing about the potpourri of Halcyon’s “International City.” But what other than athletic fields (and perhaps some working maritime elements) was it affirmatively for? What, apart from certain preliminary preferences of individual members, was the Committee’s plan? As yet it simply didn’t have one.

This comes across clearly enough in the comments of Committee leaders collected in this same Times article. BHA President Earl Weiner wanted “the site to take advantage of its wonderful location and its uniqueness and [suggested that] whatever is done needs to be carefully considered.” Otis Pearsall warned that there was “disillusionment with city officials

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agency does not plan to block views which are protected by the Scenic View District. Yet she refused to comment on the possibility that the Port Authority is considering a project which would place a highrise building just outside the Scenic View District.”

⁴¹ Earl Weiner characterized “access from the piers through Montague Street” as unacceptable. 10/31/85 BHP, Access to the Piers: The Next Controversy.

because of the Morgan Stanley building.” And Tony Manheim, after citing a list of his own preferences including athletic fields, made clear just how far we were at that point from our ultimate Harbor Park concept by stating “that ‘some fraction’ of the parcel should be devoted to public use, adding, however, that it would be unrealistic to put 87 acres out as public parkland.”

But the Committee, of course, was not confused about the juggernaut heading directly for the Heights. The power of the landowner in combination with the backing of the City was daunting. Unless an effective strategy could be found to level the playing field, and fast, the agencies’ stated intention to reach out next to the private development community would soon mean the game was over. Luckily for history the BHA now found just such a strategy that both checked the agencies’ momentum and pointed the way for it to seize the initiative.

III. Counterattack: The BHA Piers Panel Takes No Prisoners

While it was one thing for the BHA Board and its Waterfront Committee to agree among themselves that the proposals of the P.A. and City were ill-conceived, incompatible with the community’s interests and unacceptable, it was quite another to expect the agency proponents to respect what they would inevitably dismiss as mere nimbyism. But if indeed these proposals were as deeply flawed as the BHA believed, shouldn’t it be possible to secure the support of independent experts so eminent and respected that the P.A. and City could ignore them only at their peril? This, in essence, was our thinking in October 1985.

And so, as early as the BHA’s November 12th board meeting the concept of mounting an expert panel on Piers 1-6 development at the February 1986 Annual Meeting began to take shape. The original idea was to include a P.A. representative to make a presentation on the Halcyon Report, but when this was run by P.A. spokesperson Rita Schwartz she was negative, so the upshot at the December board meeting was to proceed without P.A. participation.

Tony Manheim went to work with Otis Pearsall and Ted Liebman to recruit an all-star panel consisting of Kent Barwick, President of the Municipal Art Society, who would serve as Moderator, Robert Campbell, architecture critic for the Boston Globe and later a Pulitzer Prize winner, David M. Childs, partner with the architecture firm of Skidmore, Owings & Merrill and former Chairman of the National Capital Planning Commission, Barbara J. Fife, former waterfront committee chair of the Parks Council and later Deputy Mayor for Planning and Development under New York City Mayor David N. Dinkins, Edward J. Logue, former President of the New York Urban Development Corporation, Roger Starr, member of the New York Times editorial board and former NYC Housing and Development Administrator as well as executive director of the Citizens' Housing and Planning Council, and Michael H. Zisser, Chair of Pratt Institute's Department of City and Regional Planning and president of the New York Metropolitan chapter of the American Planning Association.

By virtue of their unimpeachable stature and qualifications these individuals certainly filled the bill of a panel whose views and judgment would be impossible for the City and P.A. to ignore. Perhaps we should have paused to consider how devastating it would have been to the community's chance of mounting an effective opposition if the panel or, really, any of its prestigious participants, had offered the City and P.A. support. But the truth is that we never gave this possibility a thought, so certain were we that objective experts having no axe to grind would surely agree on a variety of grounds that the government agencies were seriously off-base. In this expectation we were not wrong and, in fact, the panel's criticism was a good deal harsher than even we had anticipated. The net result was that the agencies' intention to solicit proposals from private developers within three to six months, of which we were advised in a meeting with

the P.A. on February 13th, just days before the Piers Panel spoke, was effectively just blown away.⁴²

The February 25, 1986 BHA Annual Meeting convened at 7:00 p.m. at St. Ann's Church on Clinton and Montague Streets, after the panelists had gathered while still daylight in the handsome parlor floor apartment of Nina and Ted Liebman at 3 Pierrepont Place, from which they had a birds-eye view of the evening's subject, Piers 1-6. While each brought differing perspectives and insights, when it came their turn to hold forth these seven urban planning and architecture critics all agreed that the City and P.A. had offered nothing at all in the way of planning but only a marketing study and a bad one at that.

The Phoenix reported the panel's excoriation in detail:

“Calling the Port Authority's ‘Framework for Discussion’ everything from ‘ridiculous’ to ‘embarrassing’, the panel told the BHA that what is needed is a planning study, not a marketing pitch.

* * *

“‘There has been no plan,’ said Pratt Institute's Zisser bluntly. ‘What is needed is a planning study. You need to start from scratch and look at the impacts of several ideas. I reject the notion that you would do a marketing study first.’”

As the Phoenix observed, perhaps most critical of the Halcyon Report was Ed Logue,

“calling the Halcyon suggestion that the piers be used as a center for international trade and research ‘incompetent.’ He added that the P.A.'s next planned step of contacting private developers to gain their insight into uses for the 87-acre site was equally ridiculous. ‘A comprehensive planning study has not been done,’ he said. ‘Asking developers what they want is most inappropriate.’”

⁴² 3/6/86, Phoenix, Piers Panel Throws Cold Water On Halcyon Port Authority Study, And Opts For Housing; 2/25/86, Excerpt of BHA Annual Meeting Minutes; 2/14/86, Memorandum from Anthony A. Manheim, BHA Annual Meeting Chair, to Panelists Edward J. Logue, Roger Starr, Michael Zisser, David M. Childs, Robert Campbell, Barbara Fife, and Moderator Kent Barwick, re Panel Discussion, Tuesday, February 25, 1986, “The Redevelopment of Brooklyn Piers 1-6: A Planning Overview.”

Robert Campbell, who had lived in the Heights in the early '60's, joined the other panelists in echoing Logue's sentiments. According to the Phoenix,

“Campbell said that Ed Logue had been remarkably kind to the consultant's report, and wondered why the City agencies were not embarrassed to duplicate and distribute it.”

On specific points, the critics offered varying emphasis. Campbell, for example, rejected the suggestion of access to the piers from the Promenade, and was at pains to point out that even the low-rise buildings allowed by the scenic view plane could obstruct the view of the water. But in response to a suggestion from the audience, he pronounced the idea that the piers become strictly parkland “boring.”

Robert Starr spoke up for one more big push to resuscitate maritime uses, while Barbara Fife of the Parks Council, supported by David Childs, argued that some of the site should indeed become parkland.⁴³ At bottom, however, the Phoenix reported that “all agreed that a loud message should be sent to both the City and the P.A. that they must go back to the drawing board and commission a planning study of the 87-acre site. Meeting with private developers at this time is totally irresponsible.”

As for the BHA, the panel advised that it maintain a standing committee on piers development and hunker down for the long haul, while Logue warned that the Heights

⁴³ In what amounted to an apology for the tone of Halcyon Vice President Carl Geupel's letter to Ed Logue protesting the latter's views expressed during the Piers Panel, Halcyon's President Michael P. Buckley nicely reflected the sense of the Panel audience favorable to use of the piers as parkland, as follows:

“I doubt that we would have achieved consensus on any disposition of the Brooklyn Piers site, beyond that of recreation and park land. Clearly you recognize that we were not charged to develop a park plan, but to advise on development uses.” 4/4/86 letter, Michael P. Buckley, President, Halcyon Ltd. to Edward J. Logue.

community must take an aggressive role in the planning process, rallying around its own vision for this abutting property.

These, of course, were the BHA's own sentiments, but these proved not to be the last words on the piers panel process. Halcyon not surprisingly was stung by the blunt criticism of its work and a vice president, Carl Geupel, directed letters of complaint both to Robert Campbell and, as already noted, to Ed Logue.⁴⁴

Campbell's response first noted, again, that

"I think the point of our criticism was that marketing, which is indeed important, seemed entirely to have supplanted planning and urban design in the mind of the owner. The lack of planning suggested to me and, I think, Ed Logue that the public agencies were simply touching a couple of bases before handing the whole thing over to private enterprise."

Campbell then sounded this clarion note that we took as intended as much to inspire the BHA onward as to offer a comeupance to Halcyon, the P.A. and the City:

"Let me conclude by offering the proposition that your letter suggests that the fears of the Brooklyn Heights community are well founded. When you speak of the panel 'pandering to a privileged audience,' when you speak of the neighborhood's 'last-one-in-slam-the-door attitude,' and when you say that your program 'scrupulously observes a very restrictive view plane even though a compelling case can be made that it significantly reduces the value of a resource held by the citizens of the States of New York and New Jersey to the benefit of a small but well-connected and influential neighborhood,' you are to my mind simply saying that the neighborhood had better watch out. The citizens of the States of New York and New Jersey are an abstraction. Brooklyn Heights is a community. The willingness and success of communities in fighting for their right to survival and self-determination has been the healthiest force in American urbanism of recent years, and has counteracted to some extent the incredible deprivations so often wrought, in the name of some social or economic abstraction, by architects, bureaucrats and developers.

⁴⁴ 3/31/86, Robert Campbell to Carl Geupel, Vice President, Halcyon Ltd., copies to Earl Weiner, Ted Liebman, Ed Logue, Kent Barwick.

“I appreciate your taking the trouble to write xxx.”

The BHA was indeed inspired by the entire Piers Panel process, including Mr. Campbell’s remarkable letter, and had good reason to believe that its prompt initiative was responsible in large degree for deferring the government agencies’ outreach to the private developers, which afforded the BHA a crucial opportunity to organize its multifaceted push-back. The Phoenix quoted the P.A.’s Rita Schwartz, who attended the Piers Panel along with colleague Ted Kleiner, as stating she had found the exchange very informative and that the P.A. would “continue to be mindful of all community input.” The BHA, however, while appreciative of the P.A.’s attention, elected to take steps rather than hold its breath.

IV. Planning Consultant, New Piers Committee, and Fundraising:
The BHA Organizes Its Pushback

In the wake of its successful Piers Panel, the BHA’s greatest and most immediate concern was deterring the P.A. from proceeding to dispose of the piers to private developers. None in the BHA camp would disagree with the thrust of Mailer’s warning in the October 27, 1985 New York Times concerning the developers’ likely proclivities,⁴⁵ nor with Barbara Fife’s caution at the Piers Panel, as reported in the March 6, 1986 Phoenix,

“that greed motivated the building industry, and private developers would seek maximum dollar potential from this land. ‘You must demand vision in planning,’ she said. ‘The City looks for short range dollars,’ that may impede or obliterate the romance of this area.”

While the Waterfront Committee’s leadership shared a strong sense that the devastating criticism leveled at the P.A. and City by the Piers Panel would surely delay their recourse to the

⁴⁵ See p. 27 above.

development community, any such reprieve could not realistically prove other than temporary.⁴⁶ For the Committee, however, the central thrust of this criticism - that the government agencies should have led off with a serious planning study instead of a marketing report - revealed with sudden, unmistakable clarity a strategy option that offered not only the prospect of delaying such recourse still further but also the distinct possibility of suggesting an affirmative development alternative that the BHA might genuinely endorse.

Hardly had the BHA's Annual Meeting and Piers Panel concluded before the Waterfront Committee had resolved to fill the planning vacuum itself by retaining a prestigious consultant and mounting a thorough study that would be recognized as such and impossible to ignore. Nothing in our experience thus far suggested that the government agencies, even if they were so disposed, should be trusted with this undertaking. So, notwithstanding the certainty of great cost both in money and volunteer effort, the Waterfront Committee simply stepped up to a challenge that in the end consumed well in excess of both a year's time and \$100,000.

⁴⁶ While the Committee was optimistic that its initiatives would succeed in deterring the P.A. from a Request for Proposals to private developers, there could, of course, be no guarantee. Accordingly, in an interesting development entirely separate from the Committee's activities, John Watts early in April 1986 advised the Committee that he and Calvin Cray, a neighbor who also owned a splendid house overlooking the piers site, proposed to prepare for the worst by organizing a Brooklyn Heights-based development company that would be positioned to participate in the process should the P.A. decide after all to go forward with its RFP strategy. Watts provided the Committee, which he was in the process of joining, with a list of more than fifty Heights residents identified as prospective stockholders, including designees for an executive committee. Since this list included many of the same individuals the Committee would soon be asking to fund its forthcoming planning study, it is perhaps just as well that this ambitious plan for the defense of the Heights was shelved in light of the Committee's concomitant steps. 4/7/86, Pier Development Corporation draft, and 4/9/86 Agenda for Waterfront Development Company Breakfast Meeting at Bear Stearns; 5/22/86, Memorandum, Scott M. Hand to Otis Pratt Pearsall, cc: Earl Weiner, re [Watts Call Yesterday] on Port Authority Piers.

By April 24th Ted Liebman had provided a draft Scope of Proposed Services for the planning study⁴⁷ and some three weeks later, on May 16th, Scott Hand launched the project that would ultimately yield the June 1987 BFHK report with its Illustrative Scheme B, Development of a Major Public Park, by mailing a Request for Proposals to ten consulting firms, setting forth his Committee's task to come up with a recommended development plan

“which would be acceptable not only to Brooklyn Heights and the surrounding communities but also a plan which would be a credit to the City for years to come.”⁴⁸

In promptly reporting this Committee action to the P.A.'s Phillip LaRocco, including its intention to solicit the views of such interested organizations as the New York Landmarks Conservancy and the Municipal Art Society, Hand requested in aid of the proposed work all of the relevant background information in the P.A.'s possession, including data provided to or received from Halcyon, but this bid for constructive cooperation proved of no avail.⁴⁹

After a second round of invitations designed to reach additional planning firms, there were a total of nine respondents who in late August were interviewed in the Hughes Hubbard & Reed library by a selection committee consisting of Scott Hand, Otis Pearsall, Tony Manheim, Fred Bland, Ted Liebman and Michael Zisser.⁵⁰ The successful consultant, as announced at the

⁴⁷ 4/24/86, letter, Theodore Liebman to Scott Hand, Chairman, and Otis Pearsall.

⁴⁸ 5/16/86, Memorandum, from Scott M. Hand to Earl Weiner, copies to Otis Pratt Pearsall and Anthony Manheim, jumpstarting the Waterfront Committee's pushback against the agencies' development scheme, by attaching his letters soliciting bids for the planning study, a draft letter to Heights residents soliciting significant funds to defray consulting costs, lists of current and prospective Waterfront Committee members, and a draft letter to the P.A.'s Phillip LaRocco.

⁴⁹ 5/30/86, Memorandum, Scott M. Hand to Otis Pratt Pearsall, Anthony Manheim, Earl Weiner, attaching final 5/30/86 letter, Scott Hand to Philip LaRocco, Director, Economic Development, Port Authority.

⁵⁰ 9/8/86, Excerpt of BHA Board Minutes.

BHA's September 8th board meeting, was the prestigious planning and design firm of Buckhurst Fish Hutton Katz, lead by founding partner, Ernest W. Hutton, Jr.

With the die thus cast for a BHA-sponsored planning study, constituting a major escalation in response to a threat ever more broadly recognized as potentially calamitous, the Waterfront Committee took action to greatly expand community involvement in its initiatives to push back. It was definitely time to mobilize the vaunted "influence" of the neighborhood as well as to assemble a robust platform for serious fund-raising.

The initial idea on how to expand neighborhood involvement was simply to enlarge the Waterfront Committee and as a stab in this direction Hand attached to his May 16th jump-start memo to BHA President Earl Weiner lists of the Committee's current membership and of several additions either just recruited or proposed. Hand also attached the draft of a stirring fundraising appeal designed to raise the substantial sums needed to pay for the study. But it wasn't long before the inherent mismatch in these two efforts became apparent. The Waterfront Committee, which had functioned as a small, hands-on operating unit since its appointment by then-President Manheim in 1983, hardly lent itself to infinite enlargement. On the other hand, the necessary fundraising must interest and involve a significant share of the committed leadership of the Heights.

What in these circumstances seemed clearly needed was a new committee, specific to the challenge of the piers redevelopment, managed by the leaders of the old Waterfront Committee, but broadly embracing the many Heights residents who would pay the bill and from time to time meet together as a committee of the whole to receive updates and offer suggestions. Such a committee, with this particular focus, could also serve as the nucleus for an already growing

group of advisory organizations across the City for which the announced development plans were an anathema.

As previously noted, Tony Manheim came up with an appropriate name, President Weiner appointed Scott Hand as chair with Tony Manheim and Otis Pearsall as vice-chairs, and by mid-summer 1986 the Committee on the Redevelopment of the Brooklyn Piers 1-6 (known colloquially as the “Piers Committee”) was in full sway, enrolling members and raising significant funds.⁵¹ It was an idea the situation demanded, was embraced at once by a concerned community, and doubtless accorded the BHA the credibility it would need to succeed in the crucial toe-to-toe policy debate that lay ahead in 1988.⁵²

While the Waterfront Committee was mainly concerned over the Summer of 1986 with its three objectives of securing a worthy planning consultant, transitioning to the new, community-based Piers Committee, and fundraising, it also sought to engage the P.A. and City, hoping to draw them closer to the Committee’s upcoming planning process, to the end of encouraging delay of any RFP to the development community. In his late May letter to the P.A.’s Phillip LaRocco informing him of the Committee’s intention to retain a planning consultant, Hand concluded by suggesting that a meeting might prove helpful, which resulted a

⁵¹ 7/28/86, letter, Anthony A. Manheim to Scott M. Hand and Otis P. Pearsall re Committee for the Redevelopment of the Brooklyn Heights Piers; 7/31/86, letter, Anthony A. Manheim to Carol Bellamy, re Committee on the Redevelopment of the Brooklyn Heights Piers; 9/8/86, Excerpt of BHA Board Minutes; 9/23/86, sample letter, Brooklyn Heights Association by Scott M. Hand to Mr. and Mrs. Robert H. Rodgers, Jr.

⁵² 7/25/86, Memorandum, Scott M. Hand to Members of the BHA Piers Redevelopment Committee, providing background and materials to the new committee, and calling the initial meeting for 8/19; 8/19/86 Meeting Agenda, attaching list of members. But, enlisting the collective support of this broad cross-section of the Heights leadership came at a price. In the occasional “town meeting” gatherings of the full Piers Committee it very much assumed the role of a participatory democracy. And if, as occurred at its February 8, 1988 meeting, its impulse of the moment, in the context of necessarily limited perspective, undercut the experiential judgment of its leadership majority (Hand and Pearsall), and circumscribed its options, there would be consequences for better or worse that would endure.

few weeks later in a gathering with LaRocco and other P.A. representatives, as well as similar meetings later on.

These meetings, involving discussion of the Committee's anticipated study as well as its concerns with the direction of the Halcyon Report and the Framework,⁵³ took place in the pressured context of the agencies' posturing about a timetable for Piers 1-6 development, as well as media attention to the Committee's initiatives.⁵⁴ According to the Brooklyn Heights Press,

“The New York City Public Development Corporation (“PDC”) has set a timetable for redeveloping Piers 1 through 6 below Brooklyn Heights. Under the PDC's timetable, a development plan will be selected within one year and a developer will be selected by the summer of 1988.”⁵⁵

And the Press caught the palpable community consternation this threat precipitated, as expressed in the Committee's sharp reaction voiced by Otis Pearsall:

“Otis Pearsall, xxx part of a BHA committee that is studying the waterfront and formulating its own ideas for redevelopment, said that the project could be a ‘life and death issue’ for the future of Brooklyn Heights.”

“‘The potential for disaster is there. I’m not saying it will happen’, Mr. Pearsall noted. In a worst case scenario he said the neighborhood could find their waterfront ringed by 20-story developments. While he cautioned that it was unlikely that the city would violate the Scenic View Plane that protects views from the promenade, he stressed that it is essential that the community take

⁵³ On July 23, 1986 Manheim forwarded to Hand and Pearsall a thoughtful “Working Paper” recapitulating in comprehensive form the Waterfront/Piers Committee's concerns about protecting the views, including the “freely buildable ‘triangles’ North and South”, limiting links between the piers and the Heights, encouraging water-dependent uses, and providing substantial passive and active recreation space.

⁵⁴ 7/11/86, Newsday, 14 Projects to Change Waterfront; 7/86, Newsday, Battle Over City's Waterfront; 7/24/86, Brooklyn Heights Press, City Announces Timetable For Piers Below Promenade; 9/8/86, Excerpt of BHA Board Minutes.

⁵⁵ According to the Heights Press, additional timetable detail provided by PDC included anticipation that the Environmental Impact Study would be finished by the Fall of 1987, ULURP approval would occur by that summer, design of the infrastructure could start in the Fall of 1988 with actual construction starting that summer.

an active role in selecting a development that would complement the neighborhood.’”

The Press went on to report that the BHA would begin its own planning study in the fall, and would be seeking input from the community as well as asking for money to finance the consulting costs.

While it is difficult to assess the extent to which the BHA’s efforts through meetings and letters to share its thinking and activities with the public entities⁵⁶ may have contributed to deferral of the RFP process, what is entirely clear is that they did nothing to ease any of the community’s specific concerns. Indeed, it was not long before the P.A. seemed actually to go out of its way to stir up what was then clearly the major concern, protecting the view from the promenade.

On August 30, 1986 the New York Times published an Op-Ed by Henrik Krogus, then an NBC News producer and later the distinguished long-serving editor of the Brooklyn Heights Press, entitled “Will Brooklyn Heights Lose Sight of Manhattan’s Skyline?” Pointing out that the Special Scenic View District did not provide bullet-proof protection, Krogus warned:

“The community fears that the City and Port Authority may seek zoning variances (the Halcyon proposal would be difficult to fit within the view plane restrictions). Even currently allowable buildings could block out most of the East River and its traffic and limit views of the Statue of Liberty and Brooklyn Bridge.”

Alarmed by the Krogus report, West Brooklyn Congressman Stephen J. Solarz sought flat assurances from P.A. officials that no construction would obscure the view of Manhattan from

⁵⁶ For example, on 8/28/86 Hand sent LaRocco a four page letter (with copies to Wilbur Woods and James Stuckey), reporting on retention of Buckhurst Fish, expansion of the Piers Committee and other activities, offering positive reassurance on expectations for a cooperative endeavor, but clearly noting amid a four-point list of BHA concerns shared with BFHK its desire for “substantial public access and public use through the dedication of a significant portion of total acreage to passive and active park and recreation space to support the private and public residential and commercial redevelopment movement in Downtown Brooklyn and the surrounding brownstone residential crescent.”

the Promenade and, receiving none, reported this disturbing news to the October 29, 1986 annual meeting of the Cobble Hill Association. Worse still, a Port Authority attorney attending the meeting, Ann Barcher, declared that while the City did have a scenic view protection law, it was not applicable to Port Authority projects.

The Phoenix editorialized against the threat thus revealed, noting this was another reason to welcome “the news last week that the Brooklyn Heights Association has organized a broad-based 45-member local committee to address the future re-development of the piers and has retained a New York City planning firm to give the group expert advice on the subject and its own point of view about possible future uses.” Other press jumped in, Solarz issued a Special Report, and it was not until President Earl Weiner was able to announce at the February 24, 1987 BHA Annual Meeting that the P.A. Executive Director, Steve Berger, had committed to Representative Solarz to respect the view plane in any development that this particular bruhaha abated.⁵⁷

This, then, was the charged atmosphere in which the Piers Committee and BFHK began the crucial consultation that in remarkably short order would lead to the initial iteration of what has now - some 26 years later - become the realization of Brooklyn Bridge Park (sometimes “BBP”).

⁵⁷ 11/6/86, The Phoenix, Sight Line May Not Be Protected in Piers Project; 11/6/86, The Phoenix, Editorial, A Voice In The Future of the Waterfront; 11/8-14/86, The Brooklyn Heights Paper, Heights Group Acts To Seize Role in Pier Plan; Solarz Fears P.A. May Destroy Scenic View; 11/14/86, Congressman Stephen Solarz, Special Report on the Promenade: Development - Yes! Destroy the View - No!; 3/7-13/87, The Brooklyn Heights Paper, “BHA Meeting Hears Piers Talk”; 4/87 BHA Newsletter/Spring, Piers Study is Subject of BHA Annual Meeting.

V. BFHK and The Piers Committee Cross-Fertilize To Envision A Major Public Park for Piers 1-6

Earl Weiner's formal announcement on October 22, 1986 of both formation of the Piers Committee and retention of BFHK to conduct the planning study excited considerable notice⁵⁸, and without further ado a Committee working group consisting of Scott Hand, Fred Bland, Otis Pearsall, Tony Manheim, Earl Weiner, Ted Liebman and Cal Crary ("Working Group")⁵⁹ initiated with Ernie Hutton and his team an intensive series of meetings. The hope was that the BFHK work would be far enough along to enable its presentation at the February 24, 1987 BHA Annual Meeting. With hard work on everyone's part, especially Hutton's, this was a goal successfully achieved, leaving much writing and polishing but little change of substance before the BFHK Report would be ready for publication in June.

What is now especially interesting is the seachange that collaborative deliberation brought about in just two or three months regarding the BHA's perspective on a park. In what might fairly be viewed as a statement of the Waterfront Committee's thinking as recently as the previous July, Tony Manheim had argued in his working paper addressed to Hand and Pearsall.

"Public access and public uses are concerns that can command a broad 'good citizen' constituency. Our natural allies in the Parks Council, Audubon Society, Cobble Hill, the City Club, Citizens

⁵⁸ 10/24/86, NYT, Group to Study Brooklyn Piers; 11/6/86, Brooklyn Heights Press, BHA To Do Own Study and Design for Piers 1-6; Committee On The Redevelopment Of The Piers, "BHA president Earl Weiner [stated] the shape and type of development on the piers is the most significant challenge the neighborhood has faced since the 'the construction of the BQE' and Robert Moses' plans to run the expressway directly through the Heights down Hicks Street"; Chair Scott Hand stressed "We are interested not only in the impact on Brooklyn Heights, but also what is important from a city and regional context"; Hand added "Losing the Scenic View Plane would be like Brooklyn losing the Brooklyn Dodgers."; "Pearsall said the committee was interested in exploring the possibility of providing a park for the public and recreational space that could be used by school children."; 11/11/86, NYT, Brooklyn Heights Striving for Ideal Water Project ("'[Piers redevelopment] is too important to be left to the interests of the development community,' said Otis P. Pearsall."); 11/8-14/86, The Brooklyn Heights Paper, Heights group acts to seize role in pier plan.

⁵⁹ 1/13/87, Excerpt of BHA Minutes.

Union, Municipal Art Society, etc., can be counted on to support up to a third of the site being used for passive, and possibly active, recreation. The local schools, public and private, are crying out for nearby recreation space. (Emphasis added.)⁶⁰

Yet, just months later, out of our enlightening discussions with Ernie Hutton and his team leading up to the Annual Meeting there emerged a consensus among both the planners and the Working Group that the circumstances taken as a whole justified designating the entire site, not just a third of it, as a major public park.⁶¹

BFHK's planning analysis, as laid out in Hutton's thorough presentation at the Annual Meeting⁶² and detailed in its subsequent 99 page Report,⁶³ was comprehensive. The meticulous care with which the study was carried out certainly befitted the solemn responsibility to Brooklyn Heights, the neighboring communities and, indeed, the entire City that the BHA assumed in undertaking it. And President Weiner's June 1, 1987 letter presenting the finished work, its Illustrative Scheme of a Major Public Park, and the Acknowledgements listing the BFHK team, the Piers Committee, and its adjunct Advisory Committee, (inserted together here

⁶⁰ 7/23/86, Anthony A. Manheim to Scott M. Hand, Otis Pratt Pearsall, "BHA-PONYA Piers 1-6 Working Paper"

⁶¹ Also pushing in this direction were the early results of the BHA's Janner Committee (Subcommittee For The Recreational Use Of The Brooklyn Piers 1 Through 6). The BFHK Report at pp. 37-38 later summarized this Committee's final results, reflecting, *inter alia*, the recreational needs of Brooklyn Friends School, Packer Collegiate Institute, St. Charles Borromeo School, St. Francis College, St. Ann's School, Long Island University/Brooklyn Campus, Brooklyn YMCA, American Youth Soccer Organization, PS 8, PS 29, and Community School Districts 13 & 15; 11/11/86, Excerpt of BHA Board Minutes; 2/22/88, letter, Irene E. Janner to Edith Purnell, Chair, Planning & District Development Committee, Community Board No. 2, enclosing the Janner Committee's 1987 results, supporting letters and other materials.

⁶² 2/26/87, Brooklyn Heights Press, BHA Pier Study Revealed Before Audience of 400; 3/5/87, Brooklyn Heights Press, Cobble Hill News & Views: Brooklyn Heights Pier Study: A View from The South; 3/7-13/87, The Brooklyn Heights Paper, BHA meeting hears pier talk; Spring 1987, BHA Newsletter, Piers Study is Subject of BHA Annual Meeting. Although the BFHK planning study was very much the focus of the Annual Meeting, not overlooked was President Weiner's meaningful disclosure, noted in the Brooklyn Heights Paper article, that the BHA had retained the environmental law firm of Berle, Kass and Case.

⁶³ 7/9/87, Brooklyn Heights Press, Report on Heights Piers Offers Hidden Surprise; 8/8-14/87, The Brooklyn Heights Paper, Heights group rips PA and city on pier plans

immediately following this page), seem to convey a genuine sense of history in the making.

Indeed, Weiner's concluding paragraph now appears little short of prescient:

“Piers One Through Six are an invaluable and irreplaceable public asset that must not be wasted. If short-term profit motives are made subservient to more important social, aesthetic and long-term planning values, we can leave future generations a legacy of which we all can be proud.”

The BFHK Report's bottom line consisted of four Illustrative Schemes based on development criteria emerging from the planning analysis. The first scheme discussed (“A”) was the idea of an enhanced working waterfront responding to a perceived need for replacement space for maritime support services displaced by recent development (BFHK Report, pp. 50-52, 74-77). While certainly a sentimental favorite in some quarters, few in the Working Group felt that this maritime option would be taken seriously.⁶⁴ But it was discussed first anyway for the reasons that it was qualitatively separate from the other three, that it most closely reflected what physically was already there, and that if afforded a lesser priority seemed likely to be ignored entirely.

The remaining three schemes, a “pure park” base case (“B”) with two income-producing variants (“C” & “D”), taken together should be recognizable as the “first draft” of Brooklyn Bridge Park now under construction. While the pure park base case, reproduced below at page 48, represented an aspirational ideal, the Working Group leadership was in clear agreement as the Illustrative Schemes were taking shape that if it ultimately proved possible to

⁶⁴ Joyce Curll at the 1/13/87 BHA Board meeting continued to urge “that we should not give up too much too soon, and marine uses should be stressed.”

The Future of the Piers



PLANNING AND DESIGN CRITERIA FOR BROOKLYN PIERS 1-6

PREPARED FOR
BROOKLYN HEIGHTS ASSOCIATION
BUCKHURST FISH HUTTON KATZ
JUNE 1987



BROOKLYN HEIGHTS ASSOCIATION, INC.

55 Pierrepont Street, Brooklyn, New York 11201 (718) 858-9193

organized 1910

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Brevard K. Titter
Jane P. Weld
Nancy Wolf

June 1, 1987

Ladies and Gentlemen:

Piers One through Six, directly below the world-famous Brooklyn Heights Promenade, were once the site of thriving commercial maritime activity. With the advent of containerized shipping, they have fallen generally into disuse and are now under active consideration for redevelopment by the Port Authority and the City. The BHA and others throughout the City have suggested that there is no need to rush to development and have urged that any development of this magnificent and unique publicly-owned regional resource be carried out only after a carefully considered plan for the overall development of the site has been prepared and exposed to the public. Nevertheless, as this letter is being written, the issuance of a request for proposals to develop a portion of the site as a marina appears imminent. And, incredibly and sadly, this action, whatever its specific merits may be, is proposed without any comprehensive plan for the site having been prepared, or at least made public.

Concern for such a planning void and for the impact of inappropriate development prompted the BHA to form its Committee on the Redevelopment of Brooklyn Piers 1 - 6 more than a year ago under the chairmanship of Scott M. Hand and his vice-chairmen, Anthony A. Manheim and Otis Pratt Pearsall. The 65 members of the Committee and its adjunct Advisory Committee consist not only of representatives of Brooklyn Heights and its neighboring Landmark Districts but also numerous representatives of other Brooklyn and City-wide civic organizations.

The BHA commissioned Buckhurst Fish Hutton Katz, a highly regarded planning firm, to undertake the study summarized in the following report to provide to all interested parties an objective and comprehensive professional analysis of the site. They were asked, as independent consultants, to develop planning and design criteria as prerequisites to any development of the site that would reflect both legitimate community concerns and


City and regional considerations. In view of the significance of the site as a public resource, it was recognized that many competing uses, ranging from totally subsidized recreational and park use to mixed maritime, recreational and low-density residential and commercial uses, could be justified; and BHFK was not asked to, and did not, develop any specific plan for the site.

BHFK's preliminary conclusions were presented in February 1987 at the BHA's well-attended annual public meeting and to representatives of the Port Authority and interested City agencies both in private presentations and at the Annual Meeting, which they also attended. Public response was considered in the formulation of the following final report of BHFK, which will be presented to the BHA for its endorsement.

The extensive work leading to the BHFK report involved the efforts of many dedicated people and entailed significant expense to the community. The BHA undertook this task in the hope that the preparation and wide dissemination of overall planning and design criteria developed by a prominent and respected independent planning firm would help to foster a cooperative rather than an adversarial approach to any redevelopment program. We hope that the Port Authority and the City will review the report carefully in conjunction with their formulation of a comprehensive plan for the development of the site.

Piers One through Six are an invaluable and irreplaceable public asset that must not be wasted. If short-term profit motives are made subservient to more important social, aesthetic and long-term planning values, we can leave future generations a legacy of which we all can be proud.

Sincerely,



Earl D. Weiner
President

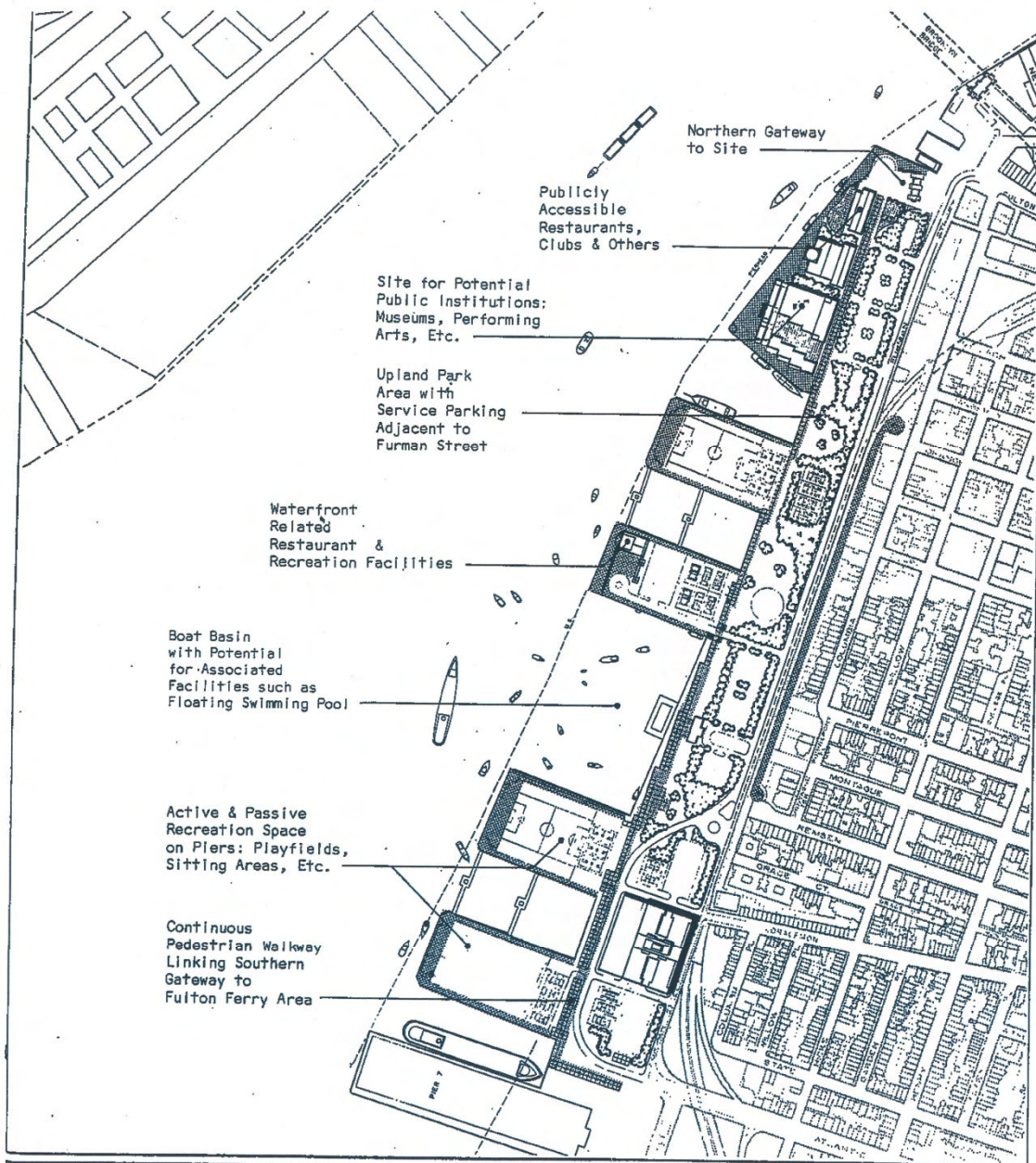
4.0 Illustrative Schemes within the Development Criteria

B) Development of a Major Public Park

The second illustrative possibility is the designation of the entire site as a public park, including both the piers and upland portions of the site, but subtracting areas for roadway, parking or built facilities. This scenario could result in an open space area of approximately 35 acres.

The impetus for such development is the unique nature of the site. One hundred years from now, looking back at decisions made, it will have been important to have fully examined this opportunity: an area of this size, already recognized and protected by zoning legislation because of its unsurpassed view, could provide for the long-term benefit of future New Yorkers and visitors a regional resource containing both active and passive open space, comparable to such other large waterfront open spaces as Riverside Park, the open space adjacent to the Belt Parkway, or Liberty State Park in New Jersey. This type of use would provide the large Brooklyn-based population with needed recreation space and facilities. Furthermore, the opportunity to create a large and continuous regional waterfront park could be enhanced by joining this site to the Empire Fulton Ferry State Park directly to the north.

In this development possibility, the pier area would be developed for active open space: large open play areas, tennis courts, tot lots and passive open space. The ends of each pier, looking west towards the view of Manhattan and the bay, would contain a park/plaza area for strolling, sitting, or picnicking. Consideration could be given to enclosed recreation structures for year-round use. Water-related uses could include a boat basin for berthing of both working and pleasure craft along the existing piers, as well as sites for facilities such as a restaurant or a floating swimming pool which was recently proposed by the Parks Council.



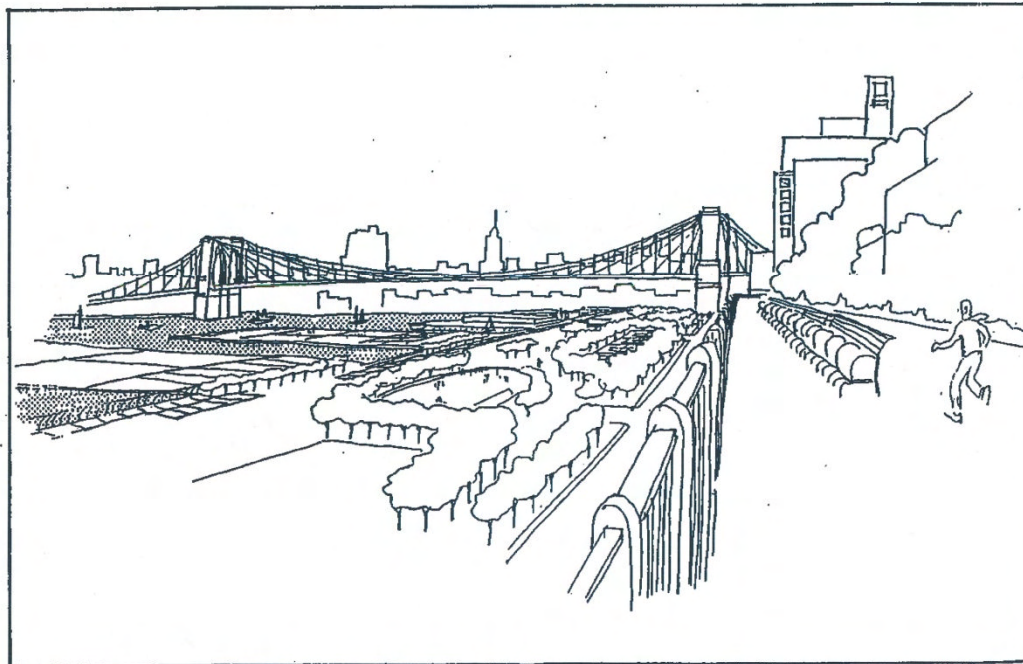
Brooklyn Piers, 1-6

20. Illustrative Scheme B: Major Public Park

Brooklyn Heights Association
Buckhurst Fish Hutton Katz



PROGRAM	B Park
Marina	-
Marina Support	-
Maritime Industry	-
Recreation/Park	40 A
Hotel/Conf. Center	-
Office	-
Retail	-
Residential	-



21. This sketch of Alternative B- a regional park and recreation facilities- indicates that the removal of structures from the piers will open the view and create a public asset for the region.

Buckhurst Fish Hutton Katz

On the upland areas, additional tennis courts, basketball courts, or other recreational facilities could be provided, as well as a skating rink and more informally designed passive open space. Along Furman Street a series of surface parking lots would create a buffer as well as parking for the various facilities. The entire site would be tied together by a public walkway/bicycle path supplementing (but by no means replacing) the Promenade above. This pedestrian walkway would stretch from the southern Atlantic Avenue entry north to the Fulton Ferry area. At the Pier 1 end of the site, additional publicly-oriented facilities could be provided to complement the Fulton Ferry area: transportation or nautical museums; sheltered, large performance space for dance theatre or music; recreation facilities such as a health club or skating academy; and restaurants, outdoor cafes, or other tourist magnets to take advantage of this unique view and location.

A waterfront park of this size on this site would require a major capital investment, as well as ongoing maintenance costs which will require major infusions of public or private funds. With the exception of boat basin or restaurant uses, there would be no immediately adjacent residential or commercial uses on the site itself to provide adjacent activity. These would be important factors for supervision and safety of a large primarily recreational open space.

As indicated above, this type of option would require large capital and on-going operating costs as well as involve other planning and development issues. However, justification for a major public park should obviously evaluate the significance and quantity of long term public benefits derived from this type of development.

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attract the P.A. to a negotiation, the availability of realistic income potential would be essential to any deal.⁶⁵

Thus, for example, on January 13, 1987 Scott Hand advised the BHA Board that while many would probably opt for only maritime uses, “we must be realistic, as well as firm, and work in some economic return since surely the Port Authority thrust will be for major if not maximum return.” Similarly, Tony Manheim at the same meeting, after listing acceptable goals and uses, struck essentially the same note:

“Some of these uses are non-remunerative; the residential housing element and commercial marine use is what produces a definite income per square foot to pay for the public amenities.”⁶⁶

And the February 5th Brooklyn Heights Press, interviewing Otis Pearsall on the anticipated Annual Meeting presentation, reported:

“Another very important part of the report calls for a recreational area. Otis Pearsall, the Vice President of the committee, put this criteria high on the list. ‘Schools and institutions in this area really have almost no practical playing space,’ he said. Mr. Pearsall hopes that the final plans will include areas for both active and passive sports. On the practical side the BHA recognizes that there needs to be a way to fund such facilities and they are looking at options such as low rise housing and a conference center to offset costs.” (Emphasis added.)⁶⁷

Not greatly different from BBP, BFHK’s Scheme B proposed, among other things, large open play fields, passive open space, tot lots, and sitting and picnicking areas for Piers 2, 5 and 6. Scheme C added a hotel/conference center in the approximate location of BBP’s hotel, while

⁶⁵ Since Piers 1-6 were already publicly owned, our working assumption was that one way or another the proposed park site would be gifted; construction capital and future maintenance costs, however, were another matter, and to finance possibly the former and almost certainly the latter revenue streams would be needed.

⁶⁶ 1/13/87, Excerpt of BHA Board minutes.

⁶⁷ 2/5/87, Brooklyn Heights Press, Pier Project Rallies BHA On Substantial Community Issue, Redevelopment Committee To Reveal Plans on February 24th

Scheme D added 750 units of housing, substantially less than the 939 units (including One Brooklyn Bridge Park (“360 Furman”)) that as it now turns out some 26 years later will in the end be built south of the Bridge.

Scheme D located a 250 unit medium-rise [residential] structure south of the 360 Furman building approximately where BBP expects to provide 430 units, and proposed the possibility of an indeterminate number of “corporate condominiums” in approximately the same Pier 1 upland area where BBP will build 159 units. But the principal difference between the BFHK and BBP housing approaches, arising largely from the need of the Heights to maintain a united front with its allied communities to the north and south, was the BFHK distribution of roughly two-thirds of the Scheme D housing units among low-rise structures below the Promenade, rather than at the south near Cobble Hill or near Fulton Ferry to the north. While many in the Heights viewed such a use of this narrow stretch of upland as questionable, in 1987 the political imperative, at least for the present, trumped what some considered common sense.

While of course having not a clue as to how a negotiation with the P.A. and City might actually evolve, the Working Group leadership was nonetheless hopeful that the Major Public Park scheme (B) in some combination with either or both of the hotel and housing enhancements (schemes C & D) could suggest practical pathways to compromise and prompt the productive initiation of talks. Unfortunately, however, the public entities were having none of it. At each opportunity following revelation of the BFHK approach they steadfastly reiterated their intention to cash out through an RFP process with the private development community.

The P.A.’s Phil LaRocco, who attended the February 24, 1987 BHA Annual Meeting, was reported by one newspaper as stating that “his agency is ‘heavily leaning’ to the issuance of an RFP that would set out development guidelines and allow private developers to make

proposals for the piers”⁶⁸ and by another as expecting to present the agency’s final proposals “before this summer.”⁶⁹ But in August and September various PA and PDC spokespersons estimated that it would yet be several months before the issuance of an overall RFP.⁷⁰

While the BHA’s year-long initiative to fill the planning vacuum by means of its massive investment of time and treasure in the BFHK study may have failed to make demonstrative headway with the P.A. and City on the merits, what is entirely clear, however, is its major success in throwing the public entities off-balance and aborting their headlong rush to private development of Halcyon’s “International city.” Indeed, what this initiative accomplished was no less than precipitate their desperate scheme to end-run the BHA that, backfiring, resulted in Community Board 2’s unanimous repudiation of their plans and endorsement of Harbor Park by year-end 1988.

VI. The Public Entities Unveil Their Audacious Scheme To End-Run the BHA And Its BFHK Report By Resort to A Special CB2 Piers Subcommittee

As the Summer of 1987 blended into Fall without the slightest sign that the BFHK Report might spark a productive dialogue with the public entities, out of the blue there appeared a wholly unanticipated development that suggested to the Piers Committee leadership the possibility of focusing a useful spotlight on these entities’ recalcitrance.

⁶⁸ 3/7-13/87, The Brooklyn Heights Paper, BHA meeting hears piers talk.

⁶⁹ 2/26/87, Brooklyn Heights Press, BHA Pier Study Revealed Before Audience of 400. At a May 20, 1987 public meeting of the Planning and District Development Committee of Community Board 2, the P.A. discussed the possibility of proceeding with an RFP for a marina only, before its overall RFP was ready, but in early August following objections by the BHA and others the PA’s Board of Commissioners halted this piecemeal approach in favor of pursuing a comprehensive plan, 8/6/87, Brooklyn Heights Press, Port Authority Board Squashes Marina Plan; 5/14/87, Brooklyn Heights Press, Pier Pressure: Public Status Report Set For 87 Acres Below the Promenade.

⁷⁰ 8/4-14/87, The Brooklyn Heights Paper, Heights group rips PA and City on pier plans; 9/19-25/87, Brooklyn Paper Publications, Brooklyn’s waterfront comes back: project-by-project report: Port Authority Piers 1-6.

The New York State Senate Democratic Task Force on Waterfront Development, chaired by Senator Martin Connor of Brooklyn Heights and two of his colleagues, announced a public hearing for September 23rd on the P.A.'s plans for Piers 1-6 and one or two other projects; and this provided the Piers Committee's Otis Pearsall the opportunity to detail in a comprehensive statement both the important features of the BFHK Report⁷¹ and the community's intense frustration with the public entities' shameful disregard of its interests.

Given the State's important role with the P.A., this sudden interest of Senator Connor's Task Force, together with the fact that City Planning Chairperson Sylvia Deutch and Brooklyn Borough President Howard Golden (who was reportedly dissatisfied with the P.A.'s treatment of

⁷¹ On the issue of parks, the Piers Committee's statement argued:

“Brooklyn has a far lower percentage of its area devoted to parkland than other boroughs, and as the most populous borough, has far less parkland than the others on a per capita basis. And much of what it does have is located in the southeastern portions of the borough, far away from burgeoning downtown Brooklyn, surrounded by its rapidly revitalizing crescent of brownstone residential neighborhoods. Given the already existing needs, demonstrated by our survey of downtown institutions, for active recreational space, the demands that will be generated by the anticipated expansion and revitalization of the downtown commercial center, and the fact the piers site offers the only opportunity for significant additional park space within useable proximity of downtown Brooklyn, certainly we will be condemned from the perspective of hindsight years hence if this last chance is lost. Indeed, there is a strong case to be made that this spectacular harborside site should be devoted 100% to active and passive recreation since, with its ownership already in public hands and at least morally subject to the public trust, there should be no requirement here for a private development that must pay its own way. But what is the position of the public authorities on the parks issue? No one knows.

p. 10, Statement of the Brooklyn Heights Association's Committee on the Redevelopment of Brooklyn Piers 1-6, Before The New York State Senate Democratic Task Force on Waterfront Development, On September 23, 1987.

his office) both planned to appear and testify, suggested that we should take full advantage of this unexpected chance to push.⁷² The media cooperated in highlighting our case.⁷³ But the stonewall persisted. And, of course, as it turned out, it was just weeks before the P.A. would disclose its strategy to trump the BHA and its prestigious consultant, and thereby clear a possible path to its wished-for RFP.

The initial element of this strategy was to secure a consultant of stature comparable to BFHK to convey the P.A.'s message of intensive development. Up to now, apart from Halcyon's marketing study, all the public entities' development analysis had seemingly been performed in-house. But given the stakes, the conspicuous success of the BFHK Report in filling the vacant planning space, and the need for confidence within the private development community that the required zoning amendments would be forthcoming, the P.A. in August (as

⁷² Senator Connor was later to play a major role in facilitating Brooklyn Bridge Park, but this was his debut.

⁷³ 10/3-9/87, Brooklyn Paper Publication, Hearing debates waterfront planning.

"The Public Development Corporation, the city's real estate development arm, was criticized by Brooklyn Heights Association vice chairman Otis Pearsall for not involving the BHA in its planning. 'In our opinion, if there was ever a site that demanded the ultimate in planning vision, the Piers 1-6 site is it,' he testified. 'Given its unique location and geography, it is a site that cries out for imaginative planning and, indeed, for redevelopment uses that literally can go nowhere else.'"

"'We've been treated shamefully (by the PDC),' said Pearsall in a later interview, 'and we've done everything possible to bring the planning process out of darkness and into the light of day.' He said the PDC had not told the BHA 'a single thing about what they are up to yet clearly they are at work on a plan.' He said the BHA 'had not heard a peep from them' since July, when the BHA presented PDC with a pier planning study the Heights group had commissioned from Buckhurst Fish Hutton."

the Piers Committee leadership subsequently learned) put together a Request for Consulting Services (“8/13/87 Draft Request”) in which the Scope of Services called

“for the Consultant to prepare development criteria for inclusion in an RFP to be issued by the Port Authority towards the end of 1987 based on a conceptual Land Use Plan with associated parcel subdivisions for the Piers 1-6 property developed jointly by the City of New York and the Port Authority of New York and New Jersey.”

In November the P.A. announced selection of the highly regarded architectural firm of Beyer Blinder Belle (“BBB”) to assist with criteria and guidelines for the RFP process which it was now hoping to complete by the Spring of 1988.⁷⁴ But whatever the details of any such criteria and guidelines, BBB’s assignment was in no sense a planning study. The P.A. already had its plan -- intensive development -- imposed like a straight-jacket on BBB by the 8/13/87 Draft Request, which mandated the “economically feasible density” of 3,000,000 square feet of housing, projected by the P.A. as yielding some 2,500-2,600 units, and further admonished that “in areas where the Scenic View does not apply, full advantage of allowable FARs should be realized.”⁷⁵ This latter instruction, as it turned out, meant 15 story buildings in the unprotected triangles at the north and south ends of the site. Not surprisingly, in the face of the P.A.’s unrelenting density demand, the Piers Committee saw whatever design flexibility might remain to BBB as the equivalent of rearranging deck chairs on the Titanic.

⁷⁴ 11/19/87, The Phoenix, Port Authority Moves To Open Pier Area for Development.

⁷⁵ Strictly speaking, the 8/13/87 Request mandated a total of 3,000,000 sq. ft. of development density consisting of 2,300,000 sq. ft. of housing and 700,000 sq. ft. of commercial, with the proviso that the Consultant might substitute residential for commercial density up to the full 700,000 sq. ft. But as the process went on, this nicety was dropped in favor of simply requiring 3,000,000 sq. ft. of housing, plus or minus 10%. 7/27/88, Minutes of Meeting of the Community Board 2 Subcommittee on Piers 1-6; 8/15/88, letter, Jose E. Iglesias, (P.A.) Manager, Brooklyn Piers Redevelopment to Ethel Purnell, Chairperson, CB2 Piers Subcommittee. The P.A. frequently equated the 3,000,000 sq. ft. of housing with 2,500-2,600 units. See, e.g., Eileen Daly’s statement reported in the 9/8/88 Minutes of the CB2 Piers Subcommittee.

Of far greater practical significance was the second element of the P.A.'s Fall strategy initiative, its imaginative scheme to by-pass, or at least mute, the BHA's dominance of the piers development conversation. Because from the outset the BHA's determined opposition to the P.A.'s intensive development ambitions, including its affirmative actions already recounted here and its generally friendly reception by the media, had stood as a formidable obstacle to a successful RFP, it should perhaps have been no surprise to the BHA that the P.A. would attempt to diminish its role. But when P.A. spokesperson Rita Schwartz announced at CB2's 10/14/87 regular monthly meeting that the P.A. had requested CB2 to "form a coordinating committee to act as a sounding board for our ideas," the term "surprise" would have proved a material understatement.

The October 24-30, 1987 Brooklyn Paper caught the sense of the situation in its headline, Port Authority pier planning action angers Heights group. Decrying the obvious attempt at an end-run, Scott Hand offered this measured assessment:

"I think it's regrettable that the Port Authority is so reluctant to meet and have meaningful discussions with representatives of our committee. We've been trying to maintain a dialogue but they don't seem to want to have one.

And after warning that the P.A. would be wrong if it thought it could ignore the Heights community's concerns by involving CB2, Otis Pearsall added,

"We have had no response from the Port Authority. At the same time we are being greeted by a stone wall we see the Port Authority actively seeking to pursue an apparent community participation in another forum."

The P.A. predictably sought to deny the obvious, urging that it was merely seeking an efficient mechanism for dealing with multiple groups.⁷⁶ But, regardless of the P.A.'s game, the BHA responded with alacrity. Following up Rita Schwartz's suggestion that the BHA appoint members to the proposed CB2 Piers Subcommittee (technically a subcommittee of CB2's Planning and District Development Committee, both chaired by Ethel Purnell), Denise Clayton, Earl Weiner's successor as BHA president, conducted a bang-up negotiation with CB2 chair Jerry Renzini, placing 6 of her Governors and Advisory Committee members on the 19 member CB2 Piers Subcommittee.⁷⁷ While the success of President Clayton's negotiation was initially reassuring, in the end, a year later, it proved satisfyingly unnecessary to the outcome.

The BHA team took as a given that the public entities, in designing this strategic thrust, must have been assuming that, free of BHA dominance, the diverse representatives of the various downtown communities would naturally rally to a 3,000,000 square foot development proposal that entailed some 2,500-2,600 housing units, mostly if not entirely luxury, and as little as five acres of active recreation space. In retrospect, it is difficult to imagine just what "cool aid" the P.A., City Planning and the PDC had been drinking. But in the beginning, when the

⁷⁶ 10/24-30/87, Brooklyn Paper, Port Authority pier planning action angers Heights group, "Schwartz denied that the P.A. was trying to avoid meeting with the BHA. 'We want the community board to develop an appropriate mechanism for community input. xxx I can't continue to meet with every community group.'"

⁷⁷ In addition to the BHA and Piers Committee representatives identified above at page 12 and the BHA Governors identified at footnote 19, the CB2 Piers Subcommittee initially included: CB2 Board Member Edith Purnell serving as chair; Donna Cambas, Boerum Hill Association; Dan Clark, Vinegar Hill Association; Bernard Wasserman, veterinarian and Heights resident; Jeannett Wright and Debbie Stewart, Farragut Houses tenant association; Earl Johnson, Pratt Area Community Council; Shirley Joe Payne, Atlantic Avenue Association Local Development Corp; Dorothy Berry, Farragut Houses resident; Maria Favuzzi, Community Board Six; Ursula Hahn, Concord Village; Maurice Ambrose, Clinton Hill resident; and Luis Castro, Ingersoll Houses tenant association. After the initial list was promulgated, there were a few additions including, prominently, Roy Sloane of the Cobble Hill Association.

Subcommittee members, who after 10 meetings were destined to become colleagues were still for the most part utter strangers, who was to know?

The initial meeting of the CB2 Piers Subcommittee was convened on January 11, 1988.

As part of their overview, the P.A. representatives foresaw for the Subcommittee process

“a three month timeframe with its end being the establishment of development criteria for the site. Such criteria would enable the P.A. to issue an RFP to the development community.”⁷⁸

If this proposed timeframe for the Subcommittee’s consideration of such a complex project (which in fact continued through November 14, 1988) suggested the P.A.’s expectation of a rubber-stamp, it must have been sorely disappointed when in the question period Subcommittee members challenged “The propriety of calling for 3 million square feet of housing prior to any community input,” “asked if the preconditions could be eliminated so as to allow the consultants to engage in a ‘real planning process’ by not having such detailed constraints,” and inquired “if the 3/28/88 timeframe could be extended if the work so warrants it.” The spirit of independence evinced around the table was from the beginning more than enough to prompt optimism among the BHA representatives that this Subcommittee would prove no rubberstamp.

The January 23-29, 1988 press report of the hearing, PA in port biz for bucks, Pier panel quizzes agency reps on “profit” motive,⁷⁹ caught the contrasting perspectives of the participants that would remain a constant to the end. As voiced by its senior project officer, this was the P.A.’s take:

“Financial return is a factor in this project,” said Phil LaRocco, the P.A.’s director of world trade and economic development.

⁷⁸ 1/11/88, CB2 Piers Subcommittee minutes.

⁷⁹ 1/23-29/88, Brooklyn Paper.

“Asked whether the P.A. would consider spending more money to create recreational space, LaRocco said: ‘Additional outlays by the Port Authority? No way. We would not want to find ourselves in that position.’”

“The public good, said LaRocco, is determined not only by recreational space, but by the creation of jobs through the development of commercial establishments. The P.A. will pursue a ‘matrix of possibilities’ to balance different interests, he said.”

Then, answering, here was the BHA take:

“‘The BHA favors recreational uses for the piers, said Pearsall.

“‘The Port Authority is not a private landlord,’ he said. ‘The Port Authority is a public body.

“‘What is the amount the Port Authority expects to derive from this? Is it necessary to start from these assumptions? I’d like to ask, can we start the planning process with a more flexible approach?

“‘We’ll be stuck with this for a 100 years,’ Pearsall said, suggesting that planning for the site should be ‘not for a one-time extraction of funds but for the long-term public good.’”

The contrasting positions, of course, would not change. The question was, which view would the CB2 Piers Subcommittee, and by extension CB2 itself, in the end support?

VII. Negotiating Flexibility Be Damned, The BHA Wants a “Pure Park”.

After Phil LaRocca got his initial presentation to the CB2 Piers Subcommittee out of the way on January 11, 1988, the P.A. was at last ready to accept Scott Hand’s invitation to address the BHA Piers Committee directly, so a meeting for the purpose was called for February 8th. It took just that first Subcommittee meeting for Hand and Pearsall, the Piers Committee’s representatives on the Subcommittee, to recognize that at some point we would need to make our own pitch to the Subcommittee. And since the P.A. was talking, however unrealistically, about

having their RFP criteria approved and ready to go by the end of March, it seemed to make sense for us to use this February 8th meeting to secure confirmation of our own direction as well.

As perhaps as many as 25 or more of the Piers Committee members -- all, it should be emphasized, friends and neighbors -- assembled in the Undercroft of the Unitarian Church, Hand and Pearsall, at least, were confident of the most promising course forward and, if asked at that moment, would have expressed certainty that the third member of their threesome, Tony Manheim, was also on the same page. That course, based on all the work and analysis they had performed together in connection with the BFHK Report, was simply to follow through with the Report's last three Illustrative Schemes, the "pure park" base case (Scheme B), enhanced by the hotel/conference center added by Scheme C and some portion of the 750 units of housing added by Scheme D (although not necessarily in the same locations as depicted in the Report), with perhaps a nod to the maritime uses contemplated by Scheme A. With all the intellectual effort invested over the past year and a half in advancing the Committee's thinking this far, Hand and Pearsall might have been forgiven for believing that the course forward was both soundly conceived and clear. But as to the last point, unfortunately, they would have been proved wrong.

The P.A. offered nothing new, either in their presentation or during the question and answer period and, after their representatives departed, the meeting focused on the Piers Committee's position to be taken both before CB2 and its committees and, although entirely premature at this stage, in any advocacy that might follow.

It was, of course, agreed at once that the views must be maintained, including expansion of the protected view plane to the unprotected triangles north and south, and that additional linkages between the piers and the Heights must be avoided. Thereafter, there being no minutes,

on the question of income-producing enhancements of the enthusiastically supported park and recreation the exact sequence of discussion becomes hazy.

The stand-out memory is the passionately heartfelt and eloquent speech, characterized by one source as “effective and persuasive,” by Ben Crane (who up to that point had played no known role in the piers controversy except as a loyal Committee member attending meetings and receiving reports)⁸⁰ in support of park and recreation and against the addition of any housing. This was met with voices of enthusiastic approval, and while Hand and Pearsall persisted in making their three points in support of including a modest element of housing, it is unclear that anyone took notice.

Their three points, in brief, were:

- (1) to have any realistic hope of striking a deal with this determined landowner and supportive City, it would be necessary to generate some tangible bargaining chips, the 750 housing units proposed by BFHK were a drop-in-the-bucket compared to the 2,500-2,600 units sought by the P.A.⁸¹ and as a negotiating tactic we would not be putting all 750 units on the table initially anyway;
- (2) to finance the park it would be imperative to provide the robust revenue stream most obviously available from housing; and
- (3) at that edgier time in the 1980’s it would be wise to provide “eyes on the park.”

A big surprise in all this (apart from how casually the judgment of two of the Committee’s principal leaders actually responsible for stopping the inertial drive of the P.A. and City was dismissed), was the alacrity and enthusiasm with which Tony Manheim, long so closely aligned with Hand and Pearsall on virtually everything including the housing issue, jumped to

⁸⁰ 2/9/88, Excerpt of BHA Executive Committee minutes.

⁸¹ The 750 units proposed by BFHK were, as noted earlier, substantially fewer than the 939 units (including 400 at 360 Furman) now destined some 26 years later to be constructed south of the Bridge. From the vantage point of 2014, it is certainly interesting to speculate whether, had the policy outcome been different on that fateful February 8th evening, BBP might have bloomed years earlier.

Ben Crane's support. While no actual vote was taken, it was clear enough from the voices of those who spoke out that housing was a dead letter not only for the purposes of a Piers Committee presentation to the CB2 Piers Subcommittee but also, unless reversed by the BHA Board, as a matter of BHA strategic policy going forward.

As it happened, neither Hand nor Pearsall were available for the BHA Board meetings the day following the Piers Committee meeting or in March. But given the almost palpable wave of anti-housing "correctness," it seems virtually certain that their attendance would have made no difference. Manheim attended both meetings, reporting on February 9th, according to the minutes, that "The [Piers] Committee strongly endorsed the concept of public benefit/public use as opposed to housing which, notwithstanding its financial benefits, is too exclusive." And at the March meeting, arguing that the time had come for the Board to endorse the Piers Committee action to go beyond the BFKH Report, Manheim proposed a motion supporting "the Piers Committee's focus on a public use development plan [with no housing]", which passed with 14 in favor, 1 opposed, and 2 abstaining. Betsy Rodgers, brand new to the Board but possessed of substantial relevant background and experience from her days with the Rouse Co. dealing with the South Street Seaport, argued forcefully that businesses on the piers would be unable to support the park and also that some housing was both inevitable on the economics and desirable to enhance safety, but she was ignored. With her actual knowledge, Betsy was probably better qualified to articulate the difficulties presented by the BHA's abrupt policy pivot than Hand or Pearsall would have been had they been present, and presumably accounted for the single negative vote.⁸²

⁸² 2/9/88, Excerpt of BHA Board Minutes; 3/8/88, Excerpt of BHA Board Minutes.

In any case, because the flexibility to include some income-generating housing seemed to Hand and Pearsall so crucial to the BHA's realistic ability to deliver the park, they made one last futile effort to turn the situation around. While Ben Crane's oratory had launched the anti-housing fervor, Manheim, at essentially the very same moment, somehow became the on-going engine of anti-housing policy. Sensing that at least part of Manheim's concern would be BFHK's positioning of some of its 750 housing units on the upland below the Promenade where its claimed exclusivity impact on the park might be greatest, Hand and Pearsall persuaded Manheim to accompany them towards the end of February on a walk along the entire length of the piers site in the hope of identifying more innocuous housing locations. The best such alternative seemed to be to nestle additional housing immediate north and south of 360 Furman (which at that time seemed likely to remain in the Witnesses' hands), and pressed this potential on Manheim, who on completion of the trek remained wholly unmoved.

While Hand and Pearsall were deeply skeptical that the BHA's adoption of a doctrinaire anti-housing policy offering no flexibility for compromise made sense longer term⁸³, the immediate task was to frustrate the public entities' drive for CB2 Piers Subcommittee approval of criteria for an RFP. If the Subcommittee blessed the P.A.'s proposed criteria, which would be benefitted before the Subcommittee by Beyer Blinder Belle's formidable reputation and credibility, an RFP to the private development community would surely issue and it would be "game over." At all costs the P.A. and City had to be stopped in CB2 and its committees, and to this imperative a united Piers Committee leadership now successfully attended.

⁸³ There was no specific eureka moment, no explicit agreement, but over the ensuing months Hand and Pearsall reached a shared understanding that if the Piers Subcommittee process could just be resolved in a manner that did not facilitate criteria for an RFP, then they would step aside at an appropriate time rather than attempt to prosecute a doctrinaire no-housing policy they deemed ill-conceived to achieve the park.

VIII. The BHA Triumphs: CB2, 31-O, Approves Harbor Park, Rejects Intensive Development Pushed By P.A. And City.

In announcing formation of the CB2 Piers Subcommittee, P.A. spokesperson Rita Schwartz was quoted in the media as saying that the “panel would help with the formulation of ‘urban design guidelines’ for the overall development plan.”⁸⁴ But based on the P.A.’s determined stone-walling over the past two years, those members drawn from the BHA, certainly, plus others from the nearby neighborhoods who had been following developments,⁸⁵ had ample reason for skepticism that the Subcommittee would really be allowed in any meaningful way to help formulate the development guidelines. And, this skepticism was reinforced at the outset through distribution to the panel of both the “Framework For Discussion” and the RFP governing Beyer Blinder Belle’s retainer which had mandated 3,000,000 square feet of housing and that full utilization of allowable FARs should be realized in the unprotected triangles north and south.

Unfortunately, the skepticism proved fully justified. While the Subcommittee held five lengthy meetings during the initial three month period through March 1988 that the P.A. predicted would be required to produce the anticipated criteria, never was it asked to consider the policy choices that might be expected in a legitimate exploration of alternative development scenarios. Instead, the Subcommittee was confronted meeting after meeting with largely vacuous observations lacking policy significance or mind-numbing, frequently technical, detail offered by engineering, traffic and other witnesses, having no comprehensible relevance to the larger choices it understood it had been organized to weigh.⁸⁶

⁸⁴ 10/24-30/87, Brooklyn Paper Publication, Port Authority pier planning action angers Heights group.

⁸⁵ Epitomizing the vigorous support of members from beyond the Heights were the standout performances of Community Board 6’s Maria Favuzzi and Concord Village’s Ursula Hahn.

⁸⁶ Minutes of Meetings of the Community Board 2 Subcommittee On Piers 1-6, held on January 11 & 25, February 11, and March 10 & 30, 1988. Against the risk that some of the quieter

Footnote continued on next page

In hopes of grappling with the pros and cons of substantive options, finding potential openings in seemingly aimless presentations and, above all, avoiding the risk of having no choice but to rubber stamp a massive housing development, members of the Subcommittee sought time and again to steer the meetings to productive debate. To this end, at its very first meeting, the Subcommittee protested the imposition of an extreme mandated density and sought relief from predetermined planning constraints. At the next it voiced concern about overdevelopment in the unprotected triangles and the danger that maximizing development of high priced apartments would reduce open space and restrict public access. And thereafter, in similar vein, members complained that housing, said to be the most exclusionary type of land use, would lock the public out from this unique regional site, and posited that “The big policy issue is whether or not this land should be public or private.”⁸⁷

Finally, on March 30, 1988, when the P.A.’s Ms. Daly, who under the watchful eye of Chairperson Ethel Purnell was in practical charge of these meetings, advised both that the P.A. could choose to go ahead with its development without reaching consensus with the Subcommittee, and that the P.A. could not promise to expand the Subcommittee’s purview, the result was open rebellion, with the Minutes reporting as follows:

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members might suffer boredom, Pearsall kept in his office desk a still-extant list of the members which he used in advance of each meeting to rally interest and encourage attendance.

⁸⁷ 2/11/88, CB2 Piers Subcommittee Minutes

“A vote was taken of the subcommittee members present:

“If the purpose of bringing together this subcommittee was to get input that would be used in determining the nature of the RFP to be issued, so [to inform] the mandated reviews and processes to come in obtaining the required zoning changes for developing the site, then the subcommittee needs more data than can be expected from the preliminary planning studies now being conducted. A show of hands was requested of members present to signify how many wanted to extend the subcommittee’s work and request a study of larger scope.

“The vote in favor of an extended study was 11 yes -- 0 no -- 0 abstentions.”⁸⁸

The Minutes went on to report that the next meeting was “expected to be in mid-April, about three weeks from now.” But the April meeting never transpired. The P.A. and City, apparently shaken by the Subcommittee’s threatened independence and not about to sanction its exploration of development alternatives other than the prescribed intensive development scheme, did not permit another meeting until July 27th when it had no choice but to present the intensive scheme it had intended all along because now the BHA had produced, and was primed to present as an alternative, its own inspirational plan -- “Harbor Park (A Maritime and Public Use Development On The Brooklyn Piers).”

That first January 11th 1988 CB2 Piers Subcommittee meeting was all that the BHA and Piers Committee representatives, Hand, Pearsall and Liebman, needed to recognize that, unpalatable as the public entities’ intensive housing approach might be, it would still be necessary to provide the Subcommittee with a concrete alternative, which meant both an inspirational vision and a persuasive witness to present it. If there was ever a case where a picture would be worth a thousand words, this was surely it. And once the decision to exclude housing altogether was reached there was genuine urgency to get started.

⁸⁸ 3/30/88, CB2 Piers Subcommittee Minutes.

Happily, the well-connected Ted Liebman had worked with the ideal colleague for this crucial assignment, the award-winning landscape architect and Frederick Law Olmsted scholar, Terry Schnadelbach of The Schnadelbach Partnership. Schnadelbach was not only available but enthusiastic about the prospect of designing a world-class park in this spectacular harbor location and in February he committed to the project's design phase for the public-spirited fee of only \$6,500.00

The Piers Committee coordinating group for this undertaking, Liebman, Hand, Pearsall, Manheim, and Watts, with President Clayton serving ex officio, got right to work with Schnadelbach, meeting with him repeatedly at his Manhattan studio to work through the challenge of providing a beautiful, yet financially defensible, mix of park, recreation and income-producing commercial facilities, with an emphasis on maritime uses. The big idea here was that, unlike the public entities' plan to dispose of the piers to the private development community, the project would remain 100% public space, with the commercial facilities provided by lessees. And matching the brazen audacity of this concept was the bold grandeur of its chosen name, "Harbor Park". While "Brooklyn Bridge Park" was a candidate name seriously considered, the Bridge at that time was just at the northern edge, while the lengthy frontage of the Park seemed to reach out in greeting to the entire Harbor.

By May the design had gelled. Schnadelbach, of course, had the benefit of building on Ernie Hutton's Illustrative Schemes B and C in the BFHK Report, just as Michael Van Valkenburgh and Matt Urbanski later have had the advantage of building on the BFHK Report and Schnadelbach. But Schnadelbach, while attentive to the need to include various income-producing uses, brought to his design much of his own creativity, influenced by both Olmsted and Robert Moses. His two perspectives, and his plan with identified uses, each of which is

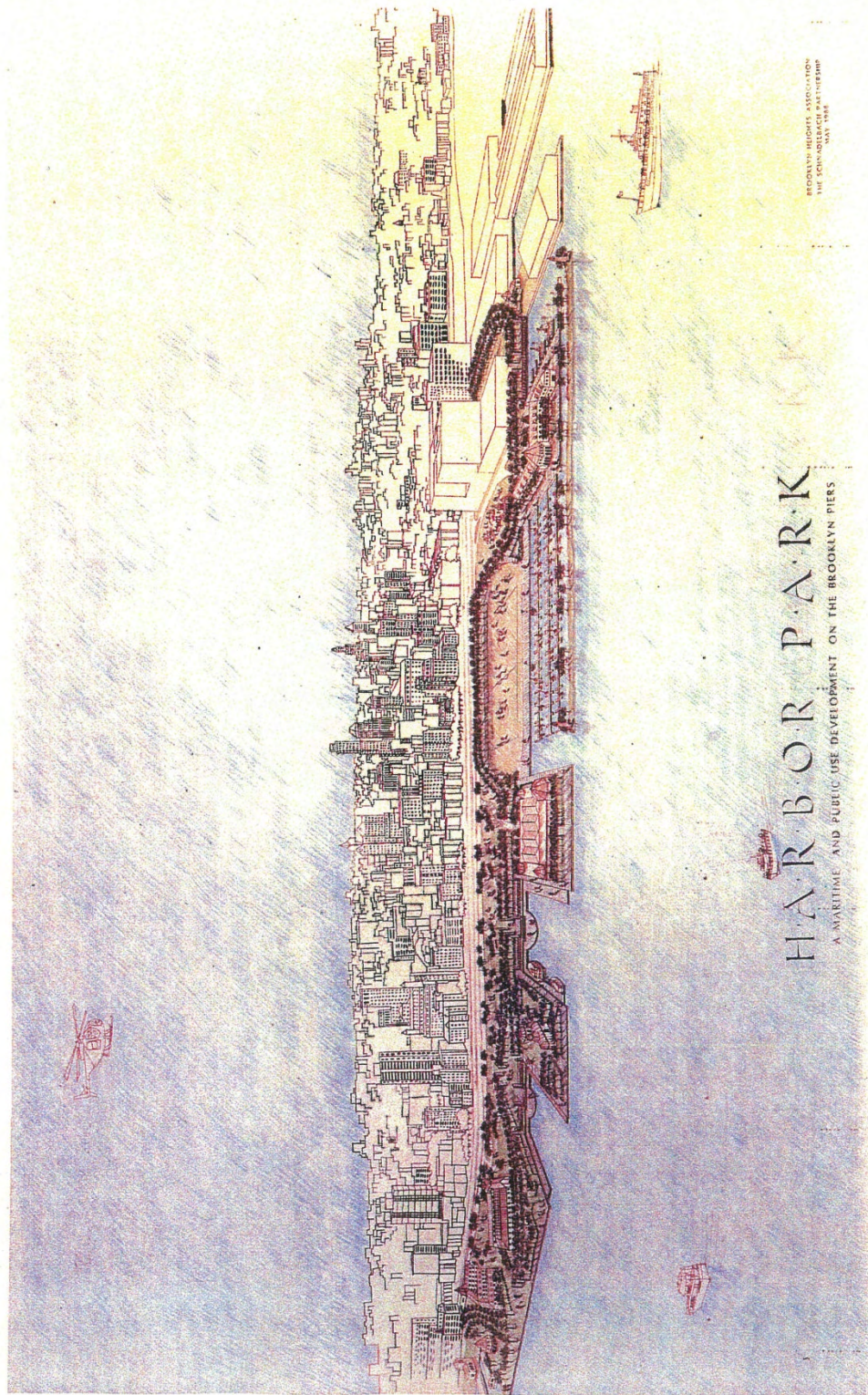
included here on the following pages, were just what the doctor ordered when it came time to convey to the CB2 Piers Subcommittee a vivid sense of the extraordinary opportunity for public betterment potentially achievable in lieu of the unvarnished exploitation pressed by the P.A. and City.

Promptly after completion of the Harbor Park plan, Scott Hand presented it to the P.A., advising ever hopefully that the BHA Piers Committee would be glad to meet at any time.⁸⁹ Whether or not it was as the result of this initiative, the public entities' scheduled June 23rd appearance before the CB2 Piers Subcommittee to present their development plan was put off yet another month to July 27th. But from the Piers Committee's perspective the interim was hardly wasted. Not only did it afford an opportunity to refine the means of financing Schnadelbach's vision but Tony Manheim made effective use of this "lull before the storm" to launch the hugely successful campaign for support from the many concerned organizations beyond the Heights which by the time of the crucial Subcommittee, Committee, and CB2 votes in the months ahead had registered in the strongest terms their enthusiastic approval of the BHA's Harbor Park.⁹⁰

The dramatic face-off that now occurred at successive CB2 Piers Subcommittee meetings on July 27th and August 3rd between the public entities' intensive housing plan and the BHA's Harbor Park provided the defining clash of alternative visions for the Piers site that would irreversibly determine its direction. When the P.A. and City manipulated creation of the Piers Subcommittee to end-run the BHA, and then declined to entertain any vision other than their

⁸⁹ 6/14/88, Excerpt of BHA Board Minutes.

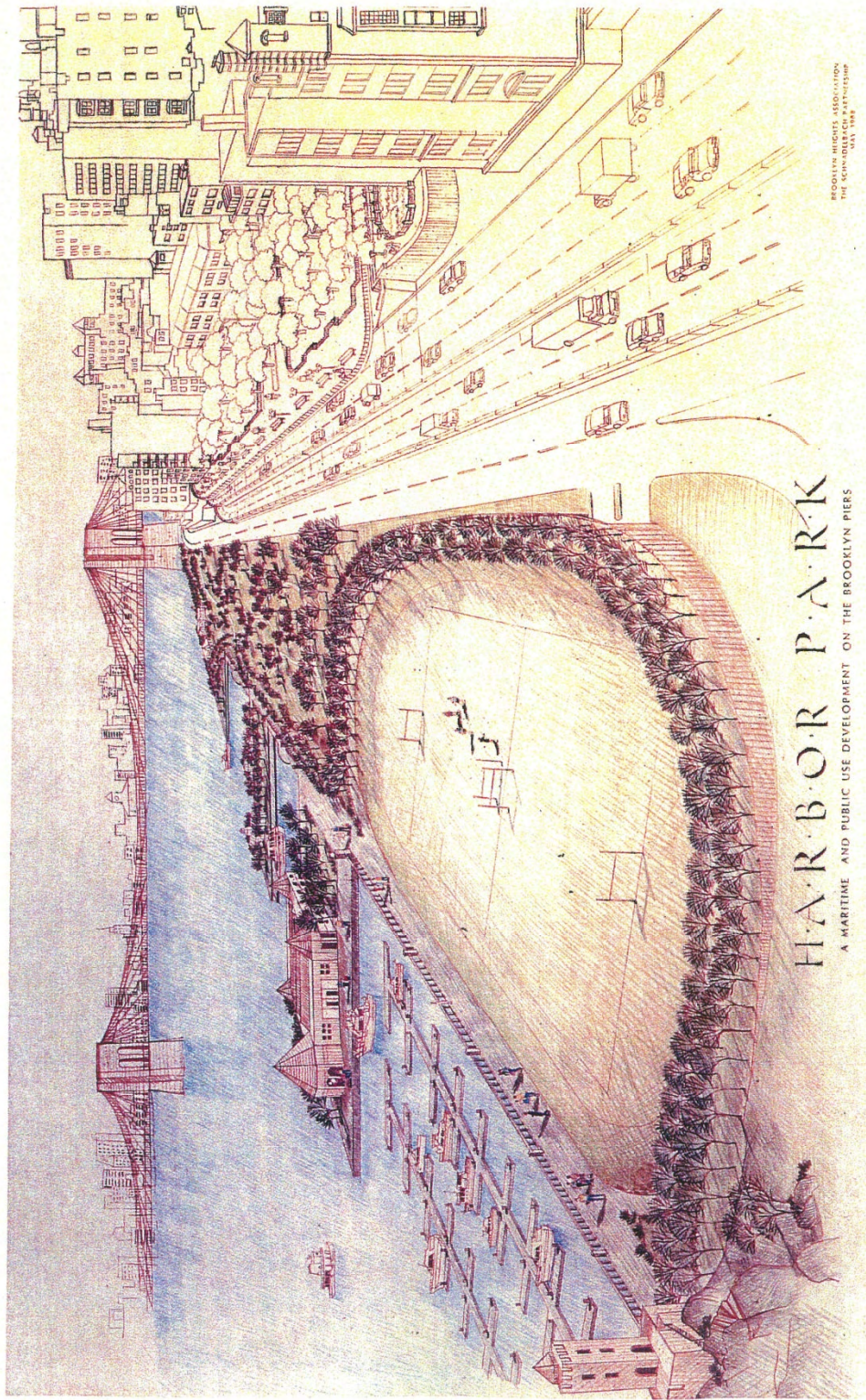
⁹⁰ 7/12/88, Excerpt of BHA Board Minutes. See Irene Janner's binder, "Letters of Support."

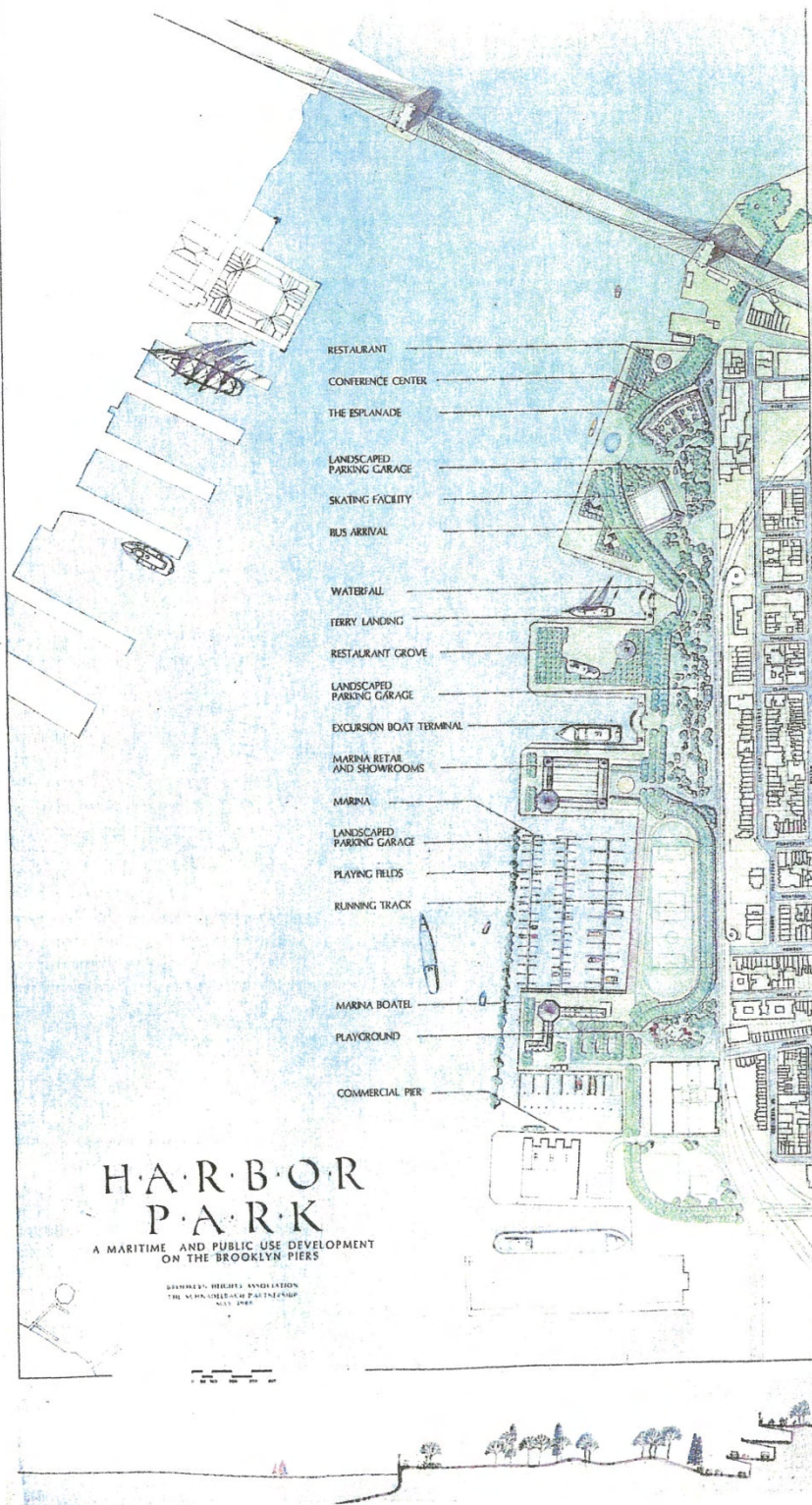


HARBOR PARK

A MARITIME AND PUBLIC USE DEVELOPMENT ON THE BROOKLYN PIERS

BROOKLYN HARBOUR ASSOCIATION
THE SCHMIDTKE PARTNERSHIP
MAY 1988





housing plan, they were apparently unable to foresee, despite the BFHK Report, that the BHA would respond with an alternative concept so appropriate that, once aired, must in some form

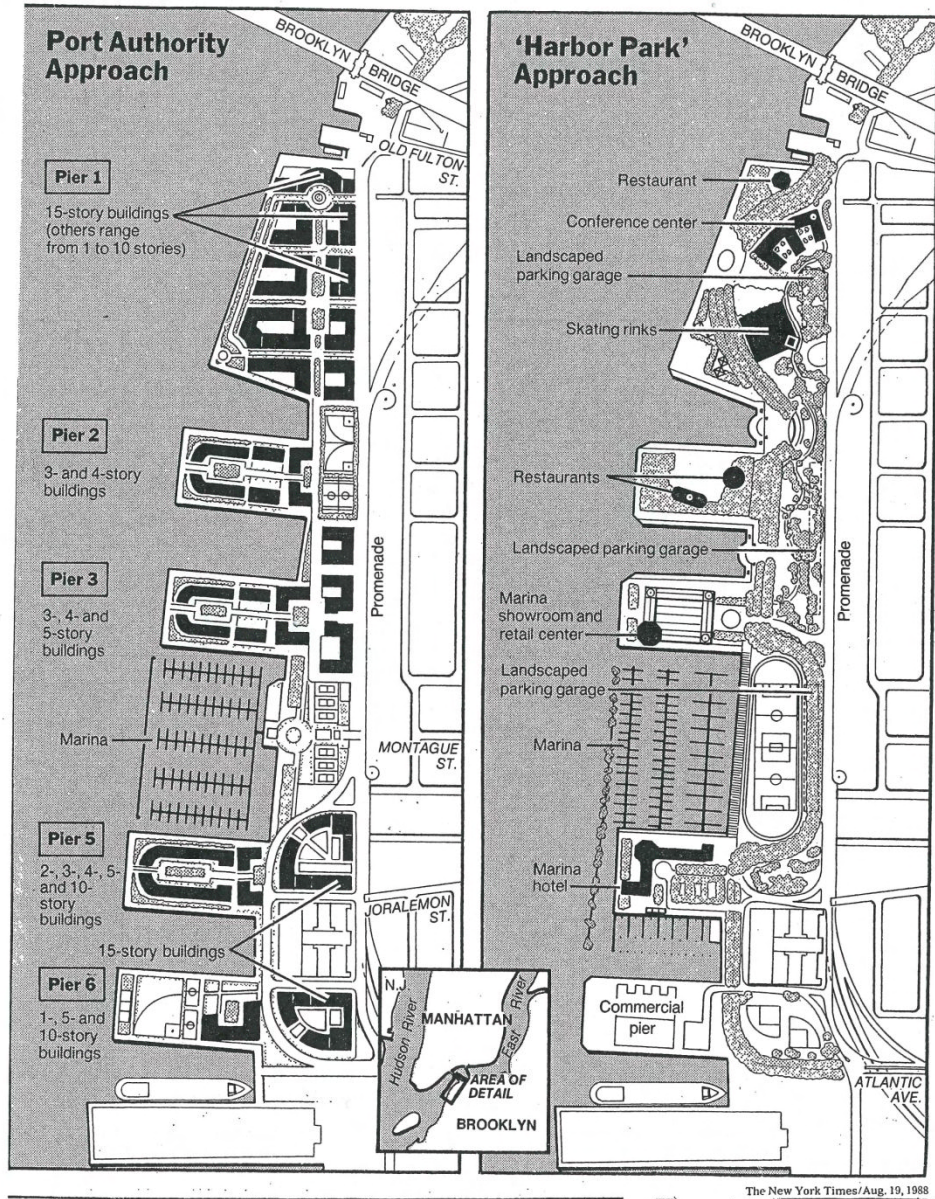
become inevitable. Yet this is precisely what an instrumentality of their own making now forced the public entities to confront.

On July 27, 1988, with some forty members of the general public in the audience in addition to the P.A.'s consultants, numerous BHA members, and reporters, the P.A. and City presented their plan to the CB2 Piers Subcommittee.⁹¹ Perhaps portentously, while the plan was said to be prepared by Beyer Blinder Belle, the P.A.'s Ms. Daly instead introduced Bill Woods, Director of the City Planning Department's Brooklyn Office, who with his colleague, Karen Burkhardt, actually held forth.⁹²

Woods and Burkhardt offered four variations on a single scheme, each of which contained 3 million square feet (+ or - 10%) of residential space, or about 2,500-2,600 apartment units. As one of the subcommittee members correctly observed during the comment period, these were not four options but a single plan -- housing. In summary, the public entities' preferred scheme envisioned three 15 story buildings, plus others up to 10, entirely filling Pier 1, two additional 15 story complexes north and south of 360 Furman Street, 3 and 4 story buildings entirely filling Piers 2 and 3, with additional 5 story buildings below the Promenade, buildings from 2 to 10 stories entirely filling Pier 5, and additional buildings up to 10 stories sharing the Pier 6 area. Along with five acres of active recreation space (which included tennis courts on top

⁹¹ David W. Dunlap's 8/19/88 NY Times article, Brooklyn's Waterfront: Two Visions of a Compelling Vista, which appeared following the P.A. and BHA presentations on 7/27 and 8/3, respectively, before the CB2 Piers Subcommittee, included side by side on a single page the plans of the P.A.'s preferred development option and the BHA's Harbor Park. For ready comparison this page is reproduced here as the next page.

⁹² 7/27/88, CB2 Piers Subcommittee Minutes; it would be difficult to provide a more accurate or succinct description of this presentation than offered by Henrik Krogus in his 7/28/88 City Express report, Port Authority's Pier Plan Would Turn Heights Into "Thoroughfare", No Vision, Only Profit Motive; Port Authority Serves Its Ledgers More Faithfully Than It Serves The Public, quoted at fn. 21 above.



of garages), this scheme included the controversial link to the Promenade at Montague Street on which the public entities had insisted since the beginning. And, of course, the proposed housing

would block the famous views from the Promenade of the Brooklyn half of the Great Bridge and northward to the Empire State and Chrysler buildings, of the East River except for a thin slice at the Manhattan shore, and of the Harbor looking southward.

The P.A.'s Ms. Daly was at pains to make clear that from the P.A.'s perspective an all-public use plan was just not economically feasible, prompting one of the subcommittee members to observe in conclusion that "once the land [passes] to the private sector, it's gone forever." This, in a single phrase, might have summed the BHA's unremitting frustration as it had sought for two and a half years to persuade the power brokers to consider for this truly unique site, not simply immediate financial return, but the public's long-term good. Looking back, one might think remarkable the BHA's unflinching resolve to go to the mat with the P.A. and City, but backed by a committed Heights community and the support of both surrounding neighborhoods and so many City-wide organizations, the plain fact is that the BHA in these years never once thought to shrug and back off.

A week later, on August 3rd, it was the BHA Piers Committee's turn to put up or shut up and, at Congregation Mt. Sinai, Cadman Plaza West, before an audience of about 50, it was ready.⁹³ Committee Chair Scott Hand led off with the history, beginning with the panel discussion at the 1986 BHA Annual Meeting and the BHA's consequent resolution to seek a long-term plan rather than short-term gain, continuing through the BFHK study and its Report already distributed to the Subcommittee members and, then with the benefit of Citywide input, culminating in the plan called Harbor Park. Ted Liebman then provided an overview, emphasizing that Harbor Park would be totally public space and its significance for the City's most important emerging development phenomenon in Downtown Brooklyn. That, in turn, set

⁹³ 8/3/88, CB2 Piers Subcommittee Meeting Minutes

the stage for the BHA's consultant, Landscape Architect Terry Schnadelbach, creator of Harbor Park.

Using large boards, Schnadelbach described his inspirational sources in the work of Olmsted and Moses, and then detailed the plan's principal features including: an esplanade linking to Empire-Fulton Ferry State Park, a major walkway winding through the site to link the elements, shaded sitting areas and interactive waterfalls, playing fields on the upland between Piers 3 and 5 and at Atlantic Avenue, a year round ice skating pavilion, a conference center/hotel on Pier 1 and a boatel on Pier 5 to serve the marina, plus marine facilities such as a showroom,. public docking space for boats like the Clearwater, and a service yard for police and fire boats.

Next, John Watts presented a detailed cost and funding analysis demonstrating that, with the support of the commercial lessees, a bond issue, and Federal, State and City capital funds, the public use agenda could be financed. Watts projected that, all-told, jobs created would total 200, and that tourism would produce 150-200,000 new visitors annually, concluding that since the land is already in public hands, the asset should simply pass from one public agency's books to another's.

Finally, Tom Fox, Executive Director of the Neighborhood Open Space Coalition, representing 123 organizations ranging from the "old-guard" such as the Municipal Art Society to the new like the Green Guerillas, validated the city-wide support for Harbor Park by endorsing the concept that the public value of this site should prevail over the private.⁹⁴

⁹⁴ As might be expected, the juxtaposition of the BHA's Harbor Park design with the public entities' pitch for 3,000,000 square feet of housing comprising some 2,500-2,600 units generated considerable media attention, e.g.: 8/4/88, Brooklyn Heights Press, by Henrik Krogius, 'American Landscape' Plan Is Unveiled For Piers Here; 8/4/88, Brooklyn Heights Press, BHA gives Details Of Piers Plan; 8/6-12/88, Brooklyn Paper Publication, PA rejects pier park plan; 8/11/88, Phoenix, Heights Plan for East River Piers Calls for Park and Maritime Uses; 8/13-19/88, Brooklyn Paper Publication, Heights group declares war on Port Authority pier plan; 8/19/88, NY Times, by David W. Dunlap, Brooklyn's Waterfront: Two Visions of a Compelling

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The next Subcommittee meeting was scheduled after Labor Day for September 8th. Because the atmospherics of July 27th and August 3rd meetings strongly signaled that the independent-minded Subcommittee would seriously consider the BHA-sponsored Harbor Park alternative, the pressure and tension attending its proceedings abruptly intensified. And the context was supercharged by the potentially precedent-setting action of the City Planning Commission on August 8th to approve the Watchtower's request for a zoning change, supported by the Planning Department's Brooklyn Office (meaning Wilbur Woods, co-author of the P.A.'s piers development plan), allowing a 20 story dormitory on Columbia Heights. This development thrust the Watchtower project, understood not only as an enormous threat in itself to the northward view of the Bridge but also a proxy for the 15 story buildings proposed for Pier 1, into the Board of Estimate for decision on September 29th, where Borough President Howard Golden's position would be pivotal.

On September 6th, just two days before the next scheduled CB2 Piers Subcommittee meeting, the P.A.'s Eileen Daly sent a 7-page letter to the Subcommittee members rearguing in detail the P.A.'s development proposal and critiquing the BHA's August 3rd financial presentation. Amid much else, Daly appeared to take particular umbrage with the BHA

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Vista. Dunlap's NY Times story referenced the important August 11, 1988 letter from Hector M. Aponte, Acting Regional Director of the N.Y. State Office of Parks, Recreation and Historic Preservation, to Jerry Renzini, Chair, Community Board #2, which read in part as follows:

“In the opinion of State Parks, the waterfront with its views of the Brooklyn and Manhattan Bridges and the New York Skyline is a treasure that should be preserved and maintained for public access. It is our hope that in your consideration of the plans being presented to you for the Pier 1-6 area, you keep the public and its access to this unique property as one of your highest priorities. The use of the piers and the adjacent land as a park which will allow the citizenry continued access to the waterfront is an appropriate use of these lands.”

argument that “Acquisition cost to the public is net zero, since it is simply a transfer between public agencies.”

Daly’s letter added fuel to the fire when the Piers Subcommittee met on September 8th before an audience of about 40 to debate the merits of the competing presentations.⁹⁵ The give and take was not gentle. With LaRocca present to back up Daly, the P.A. suffered complaints that, among other things, it was attempting to misuse the Subcommittee as a rubber stamp.⁹⁶ On the other hand, the BHA found itself having to defend its financial analysis.⁹⁷ Ultimately, when it appeared that the members might be stalemated by the conflicting numbers, Scott Hand suggested that Borough President Golden and Governor Cuomo might be asked to appoint an impartial panel to evaluate not only the financial merits of the respective plans but also to determine the correct use for this valuable public resource.⁹⁸ The idea here was to project BHA confidence in its financial presentation and possibly, if push came to shove, to intrigue and involve the Governor who was really the only one in a position to bring the P.A. to heel. Happily, as events unfolded, there was no need at this juncture to reach out to the Governor. The meeting ended with Chairperson Purnell committing to seek a third party to assess the numbers,

⁹⁵ 9/8/88, CB2 Piers Subcommittee Minutes; 9/14/88, Brooklyn Paper Publication, Fresh conflict over PA piers; 9/15/88, Brooklyn Heights Press, Piers’ Fate Is A Matter Of Money.

⁹⁶ For example, the Brooklyn Heights Press reported one committeewoman’s disgust thusly: “Debbie Stuart of the Farragut Housing Project accused the Port Authority of deciding to include housing in the final plan even before the meetings. ‘What was the purpose of coming to these meetings if the decision was already made for housing?’ she said.” 9/15/88, Brooklyn Heights Press.

⁹⁷ When, for example, a committee member pointed to the P.A.’s projections of tax revenue to be generated by its plan and asked what tax revenues the BHA plan would generate, Pearsall responded: “The Harbor Park plan will assist in the revitalization of Downtown Brooklyn, and it is from this revitalization that the revenues are generated.” 9/8/88 Minutes, p.3; 9/15/88, Brooklyn Heights Press, Piers’ Fate Is A Matter Of Money.

⁹⁸ 9/8/88 Minutes, p.3; 9/14/88, Brooklyn Paper Publication, Fresh conflict over PA piers.

and to bring the outcome to the next meeting on October 13th. But by then unexpected circumstances had changed the landscape.

In advance of the September 29th Board of Estimate vote on the zoning change to allow the Watchtower's proposed 20-story tower at 30 Columbia Heights, a potential precedent to which the Framework had pointed, Borough President Golden had encouraged Earl Weiner and his BHA colleagues on the Watchtower team but, in accordance with his usual practice, did not disclose the position he would take. So it was news to the Piers Committee leadership when it learned that Golden had rallied his fellow Borough Presidents to vote against the zoning change, 9 votes to the Mayor's 2 votes, in part out of explicit concern for its precedent-setting implications for the Piers.⁹⁹

What communications, if any, there may have been in light of this action between some combination of Golden and Renzini, and Renzini and Purnell, concerning the direction of the Piers Subcommittee is a matter of conjecture but when on October 13th the Subcommittee convened once again, Purnell's guidance to the Subcommittee and hence its atmospherics had materially shifted.¹⁰⁰ First, Purnell observed that the Subcommittee had become bogged down with the numbers rather than deciding what kind of development was desired on the site. And second, she reported that she could not obtain the concurrence of CB2 Chair Jerry Renzini to the idea, brought up at the last meeting, of obtaining an independent third party opinion on the cost

⁹⁹ 10/11/88, Excerpt of BHA Board Minutes. 10/19/88, Memo, Judy Stanton to Scott Hand, Ted Liebman, Otis Pearsall, Mickey Murphy, Irene Janner and Tony Manheim re Telephone Call from Jerry Renzini. Stanton reported: "He asked that I convey the message that 'we should incorporate some very strong recommendations from the Subcommittee, such as we did for the Watchtower issue, to the standing committee and full Community Board. He said that in view of the Borough President's strong statement at the Board of Estimate hearing on the Watchtower building's precedent-setting implications for the Piers, the Sub-Committee should state its position very strongly before any ULURP process gets started on something the Community doesn't want.'"

¹⁰⁰ 10/13/88, Piers Subcommittee Minutes.

figures. A Subcommittee member then stated that no outside group could make the Subcommittee's recommendation for it, and Scott Hand clarified that it had never been the intention to substitute an outsider's judgment for the Subcommittee's recommendation as to the feasibility and political will to make public use of the site.

Whether or not, Purnell's points resulted from someone's (Golden's?) determination to take the numbers confusion off the table and allow the Subcommittee to focus simply on the correct public policy outcome for the site, they had that effect. In a trice, the P.A.'s financial quibbling was swept aside and the Subcommittee was free to express its will on the merits. On Pearsall's motion, seconded by Maria Favuzzi, the Subcommittee resolved (9 yea, 0 nay, 1 abstention) to vote at its next meeting on the recommendation to be made to the full Planning and District Development Committee.

Almost certainly the Subcommittee would in any case have reached the same result, but once the differing perspectives on finances were put aside there seemed no doubt what these 19 representatives of so many Downtown constituencies would decide. Taking at face value Chairman Renzini's injunction that the Subcommittee should issue "very strong recommendations," Pearsall set to work preparing a six-page resolution summarizing the Subcommittee's work over the past 10 months, detailing the incurable deficiencies of the public entities' approach, and recommending with a full account of its advantages the Harbor Park plan for adoption by the full standing committee and by CB2. With thoughtful letters attached from supportive organizations outside the Heights, on November 11th the proposed resolution was distributed to Chairperson Purnell and the Subcommittee members for their consideration in

advance of their final meeting on November 14th.¹⁰¹ And now began the deliberate progression of three official actions that would culminate in CB2's unanimous repudiation of the public entities housing plan and approval of Harbor Park. While the BHA and Piers Committee leadership believed it could predict the outcome of each of these three necessary steps, in the words of Yogi Berra "it ain't over until it's over", the public entities were not about to quit, and tensions remained acute.

Before an audience of about 30, including representatives of the elected officials, community organizations and members of the local press, the tenth and last meeting of the Piers Subcommittee convened on November 14, 1988, again at Congregation Mount Sinai, 250 Cadman Plaza West. Its job was to make history.¹⁰²

After statements were read on behalf of absent committee members Ursula Hahn for the Concord Village owners and Donna Cambas for the Boerum Hill Association, endorsing the concepts of public open space and recreational/parkland development of the site, Pearsall was invited to read his proposed resolution, summarized at length in the Minutes. But when upon completion of this task he reiterated that this was intended as a Subcommittee resolution, Chairperson Purnell (who seemed not to have received the same Renzini instruction as to "very strong recommendations" as were delivered to the BHA's Judy Stanton) signaled some unspoken

¹⁰¹ 11/11/88 Memorandum, Otis Pearsall to Chairperson Ethel Purnell and Subcommittee members, attaching a proposed resolution and letters from: the American Society of Landscape Architects, New York Chapter, by Fred J. Correale, President; Environmental Action Coalition, by Nancy A. Wolf, Executive Director; Environmental Policy Forum, by Eugenia M. Flatow; Friends of Prospect Park, by Bill Novak, Chairman; Green Guerillas, by Tessa Huxley, Waterfront Committee; Hudson River Sloop Clearwater, by Bridget Barklay, Environmental Director; Neighborhood Open Space Coalition, by Tom Fox, Executive Director; New York State Office of Parks, Recreation and Historic Preservation, by Hector M. Aponte, Acting Regional Director; Project for Public Spaces, by Kathleen M. Madden, Vice President; and Sierra Club, by Jack Hoyt, Executive Comm., Board of Governance.

¹⁰² 11/14/88, Piers Subcommittee Minutes.

reservation as to where all this might be heading by stating it would be considered simply a “presentation”.

Other members were then given the floor and presented in favor of public open space and parkland/recreational development, Irene Janner on behalf of the Subcommittee for the Recreational Use of the Brooklyn Piers 1-6 and its many endorsing schools, colleges and other organizations,¹⁰³ Roy Sloane for the Cobble Hill Association, Allen Swerdloe for the Fulton Ferry Association (despite some concerns regarding access), and Maria Favuzzi for Community Board 6. A representative of State Senator Velmanette Montgomery similarly spoke in favor of public uses development. And when the Chair now asked if there were any speakers in favor of the P.A.’s housing plan, there was no response. The public entities having already done their best with the Piers Subcommittee were understandably absent, saving their final plea for the full Planning and District Development Committee (“Standing Committee”).

At this point the Chair’s plan finally surfaced. Asking for a motion to forward all of the statements of position to the Standing Committee, she disclosed her intention, despite CB2 Chair Renzini’s strategy (and Borough President Golden’s?) expressed to the BHA’s Stanton, to sidestep a direct Subcommittee recommendation. This prompted an uproar, with many members strenuously insisting that the Subcommittee as a body cast a public vote providing its

¹⁰³ 11/25/88, letter, Irene E. Janner to Jerry Renzini, President, Community Board No. 2, for the Subcommittee for the Recreational Development of the Piers 1-6; 2/22/88, letter, Irene E. Janner to Ethel Purnell, Chairperson, Planning & District Development Committee, and enclosures. See Janner’s binder entitled “Letters of Support” containing endorsements of the Recreational Subcommittees’ May 1987 position statement from American Youth Soccer Organization, Brooklyn Central YMCA, Brooklyn Friends School, Brooklyn Heights Playground Committee, Cobble Hill Association, Community School Board, Dist. #13, Cranberry Street Association, Environmental Action Coalition, Long Island University, Neighborhood Open Space Coalition, New York City Technical College, Packer Collegiate Institute, Parents & Teachers Association of Public School 8K (Dist. 13), Parents Association of Public School 29 (Dist. 15), Prospect Park Environmental Center, St. Ann’s School, St. Charles Borromeo School, and St. Francis College.

recommendation to the Standing Committee. And after assurances to the Chair that the members understood their vote would not bind the Standing Committee, this course of action prevailed.

A barebones resolution concluding the Subcommittee's ten-month saga was what the situation suddenly called for, and that is what Scott Hand came up with:

“Resolved, that the Piers Subcommittee recommend to the Planning and District Development Committee that the Port Authority's proposal for a redevelopment plan for Piers 1-6 involving predominantly housing be disapproved;

“That a mixed public use plan involving predominantly open space devoted to active and passive recreation and other uses open to the public be approved;

“And that the various proposals and positions discussed at, or presented to the Subcommittee be forwarded to the Planning and District Development Committee of Community Board 2 for their consideration.”

The motion was seconded by Maria Favuzzi of Community Board 6, and was carried by 12 yeas, 0 nay, and 1 abstention (Shirley “Joe” Payne of the Atlantic Avenue LDC)

Anticlimactic as this outcome may have seemed at the time, what an accomplishment it represented! A Subcommittee, of a Committee, of CB2, consisting of 19 lay persons from the many Downtown neighborhoods, had absorbed whatever the P.A. and City could throw its way and, in the end, had exercised determined independence, standing in the face of overwhelming power for a park.¹⁰⁴

The deck was now clear for action by Ethel Purnell's Planning and District Development Committee, frequently referred to as the “Standing Committee,” and it met to address the piers just two weeks later, on November 28th. There were formal endorsements of Harbor Park from

¹⁰⁴ As described in the Overview, it was to replace this disbanding CB2 Piers Subcommittee, which had so successfully coalesced the views and efforts of Brooklyn's many Downtown neighborhoods, that Hand and Pearsall initiated organization of the Coalition for Harbor Park which, renamed the Brooklyn Bridge Park Coalition, has now become the Conservancy.

the relevant committees of CB6 to the south, from the Cobble Hill Association (except that it disapproved any separate development of Pier 6), and from the Subcommittee for the Recreational Development of Piers 1-6. And then it was time for a final run-through of Harbor Park.

Tony Manheim, for the Piers Committee, took the lead, explaining the BHA initiative to raise private funds for the BFHK planning study when the P.A.'s intent to auction off the piers became uncontrovertibly clear, and its further initiative to commission the Schnadelbach Landscape Architects to produce the plan embodying the BFHK criteria now known as Harbor Park. Terry Schnadelbach, the designer, was next on hand to detail the now familiar elements of Harbor Park encompassing 80% recreational space and 20% commercial and marine uses, with 100% of the land in the public domain and all views protected. And, finally, John Watts reviewed the elements of cost, revenue and capital funding that supported the conclusion that Harbor Park could be successfully financed.

Capping the case for Harbor Park was the statement of much respected Assemblywoman Eileen Dugan, who after offering praise for its open space and recreational facilities, spoke for many as follows:

“As for the Port Authority’s plan, it would only serve to increase the overcrowding and congestion that is already reaching intolerable proportions. The placement of residential buildings at both ends of the site would serve to take away the precious view of the Brooklyn Bridge from the Promenade that is not only a treasure to the people who live in the Heights, but to all New Yorkers as well. Just as we successfully fought an unwise development scheme put forward by the Watchtower, so too I have every

confidence that we can implement a plan for the Piers which serves our community and our City.¹⁰⁵

Then, after a reading of the Piers Subcommittee's recommendations to the Standing Committee as previously set out, the P.A.'s Eileen Daly was invited to respond, and that she did.

First, having initiated the whole procedure and vigorously prosecuting it for the better part of a year, the P.A. now questioned the appropriateness of a Standing Committee vote. But CB2 Chair Jerry Renzini stood his ground uncompromisingly, stating

“that the meetings of the Piers Subcommittee are an official function of the Community Board and that it is a proper function of that Subcommittee to have made a recommendation to the full Standing Committee based on its study and deliberations of the presentations and materials it received.”

Ms. Daly proceeded to make for this new committee the public entities' usual points in support of their proposal for 3,000,000 square feet of residential housing and in criticism of the BHA's financial analysis, arguing with particular emphasis that “The P.A. does not accept the concept that the P.A. and the City should donate their land.” But Manheim fired back on finances, and one committee member minced no words in nailing the problem:

“the P.A. has been stubborn in not considering any alternatives to the plan it had at the inception of the meetings with the Subcommittee despite 10 months of discussion and input from the community.”

At length, the BHA's Julia Stanton, a member of the Standing Committee, introduced a motion, seconded by Committeewoman Elizabeth O'Brien, to adopt a resolution to be read by Subcommittee member Otis Pearsall. This was, of course, the same seven page resolution (in slightly tweaked form) detailing the deficiencies of the public entities' housing approach and the

¹⁰⁵ 11/16/88, letter to Denise Clayton, President, Brooklyn Heights Association. After the meeting was over Councilman Abraham Gerges delivered a letter in support of Harbor Park. 11/28/88, letter, Abraham G. Gerges to Ethel Purnell. See Janner's binder of “Letters in Support.”

advantages of Harbor Park that Ms. Purnell on November 14 had characterized as a “presentation” rather than a resolution. Now, however, after minor fix-ups, it carried unanimously (12-0-0), bestowing on Piers 1-6, subject to CB2 confirmation, an enduring identity as prospective parkland.¹⁰⁶

Confirmation came just two weeks later at CB2’s December 14, 1988 Monthly Board Meeting held before a large audience in the Brooklyn Union Gas Company’s auditorium at 195 Montague Street, the same venue where exactly a year and two months earlier the P.A.’s Rita Schwartz had announced its request for appointment of the Piers Subcommittee. Jerry Renzini, the CB2 Chair with whom Schwartz had arranged the Subcommittee and who had closely followed its work, presided.

Eileen Daly of the Port Authority led off with her practiced, if unsuccessful, plea that no vote be taken on its Piers proposal. Thereupon Ursula Hahn of Concord Village, Vernon Williams for Councilman Gerges, Tony Manheim representing the Coalition for Harbor Park in its very first public outing, Irene Janner of the Subcommittee For The Recreational Use of the Brooklyn Piers 1 Through 6, and Otis Pearsall for the BHA Piers Committee, all spoke in favor of the Piers Subcommittee Report and the “Resolution of the Planning and District Development Committee regarding the redevelopment of Piers 1-6 recommending the Harbor Park concept instead of the proposal from the Port Authority.” On the motion by Shirley “Joe” Payne of the

¹⁰⁶ 11/28/88, Minutes of Meeting of the Planning and District Development Committee of CB2; 11/28/88, Action Report, Brooklyn Community Board Two, Resolution of the Planning and District Development Committee, CB2, for Adoption on November 28, 1988; 11/30/88, letter, Geraldine M. Mesa (Pearsall’s assistant) to Ethel Purnell, attaching the resolution revised to clean up typos. Ms. Purnell thereafter made a few minor word changes, such as substituting “make private” for “privatize.”

Atlantic Avenue LDC, seconded by Ms. Golde, the vote was: Yes - 31; No - 0; Abstentions - 0.¹⁰⁷

This for the P.A. and City had to have been a devastating repudiation. The sheer fact of the vote, itself, was bad enough. But considering that for the better part of a year these power players had invested so much thought and effort in attempting to sell this small group of locals, and through them their electeds including the Borough President (with his seat on the Board of Estimate), on the merits of their plan, and had not only come away with nothing but now, in addition, had to contend with the strong appeal of Harbor Park, the outcome could not have been other than a heavy blow to confidence in their plan's ultimate success.

At the November 8, 1988 BHA Board Meeting, when the approaching outcome was readily foreseeable, Pearsall advised that he believed "that a stalemate exists, although he's seen no evidence that the P.A. is ready to compromise." He added that "Although the Borough President may not have liked our plan particularly, he was strongly opposed to the P.A.'s vision for the site, and the P.A. cannot move forward without his support."¹⁰⁸ Pearsall, in candor, might also have added that neither had he seen any evidence that the BHA and its allies were ready to compromise on housing. Given the CB2 outcome, and the context of evident stalemate, one might have thought the circumstances propitious to try to move toward a compromise deal. But that would have required some disposition to compromise and, on the housing question, the mood of the BHA and its allies had, if anything, hardened.

It was now time for Hand and Pearsall to implement their resolve to step aside -- quietly, without fanfare, lest the team's differences give "comfort to the enemy." Not only had the CB2

¹⁰⁷ Record of the CB#2 Monthly Board Meeting, Brooklyn Union Gas Company, 195 Montague Street, December 14, 1988, 6 p.m.

¹⁰⁸ 11/8/88, Excerpt of BHA Board Minutes.

Piers Subcommittee process failed to achieve its intended goal of validating the public entities' development criteria for a fateful RFP, but by backfiring so dramatically it seemed at that moment, at least, to have severely crimped their options. Certainly it had thrust front and center the singular utility of Piers 1-6 for park and recreation. So, just how far-fetched actually is it to wonder along with these authors whether, absent the doctrinaire no-housing policy adopted in 1988, Brooklyn Bridge Park might have happened well short of the additional quarter-century the community was made to wait?

INDEX

Page numbers in italics refer to terms that appear in footnotes.

- Ambrose, Maurice, 60
- American Society of Landscape Architects, 83
- American Youth Soccer Organization, 42, 84
- Aponte, Hector M., 79, 83
- Atlantic Avenue Association LDC, 16, 17, 19, 60, 85, 89
- Audubon Society, 41
- Barcher, Ann, 40
- Barklay, Bridget, 83
- Barwick, Kent, 29, 30, 32
- Berger, Steve, 40
- Berle, Kass and Case, 11, 42
- Berry, Dorothy, 60
- Beyer Blinder Belle, 6, 11, 15, 58, 66, 67, 75
- Beyer, Jack, 6, 15
- BFHK. *See* Buckhurst Fish Hutton Katz
- BHA. *See* Brooklyn Heights Association
- Bland, Frederick, 3, 5, 23, 35, 41
- Board of Estimate, 3, 4, 17, 79, 81
- Boerum Hill Association, 19, 60, 83
- Brooklyn Borough President, 18, 81, 89. *See also* Golden, Howard
- Brooklyn Bridge Park
 - comparison to BFHK schemes, 53–54, 64
 - expansion and development of, 10
 - hotel in, 53
 - housing in, 22, 53
 - origins of design for, 40, 43
 - time to realization, 10, 22, 90
- Brooklyn Bridge Park Coalition, 10, 85. *See also* Coalition for Harbor Park
- Brooklyn Bridge Park Conservancy, 85
- Brooklyn Central YMCA, 42, 84
- Brooklyn Friends School, 42, 84
- Brooklyn Heights Association. *See also* Committee on the Redevelopment of Brooklyn Piers 1–6.
 - annual meeting of, 8, 22, 25, 28, 30, 42
 - board meetings of, 25, 28, 36, 43, 53, 65, 89
 - leadership of, 2–7
 - lobbying efforts, 15, 25, 38, 39, 82
 - objectives of, 23, 42, 77
 - Piers Committee. *See* Committee on the Redevelopment of Brooklyn Piers 1–6
 - Piers Panel, 6, 8, 28–33
 - retains consultant, 34–36
 - Subcommittee for the Recreational Use of the Brooklyn Piers 1–6, 5, 16, 25, 42, 84, 86, 88
 - summary of initiatives, 8–11
 - Waterfront Committee, 3, 23, 33–38
- Brooklyn Heights Playground Committee, 84
- Brooklyn Piers 1–6
 - obsolescence of, 22
 - ownership of, 22, 56, 70, 78, 80
 - proposals for. *See* Brooklyn Piers 1–6: A Framework for Discussion, Buckhurst Fish Hutton Katz, Halcyon Ltd., Harbor Park plan, and Port Authority of New York and New Jersey
- Brooklyn Piers 1–6: A Framework for Discussion*, 7, 22, 26–27, 30, 67
- Buckhurst Fish Hutton Katz
 - hotel recommendations, 53
 - housing recommendations, 18, 54, 64
 - Major Public Park scheme, 12, 25, 35, 42, 54
 - maritime use recommendations, 24, 43
 - park recommendations, 9, 13, 43, 53
 - personnel, 42
 - report of, 9, 12–13, 41–55, 57, 63, 70, 86
 - retained by BHA, 9, 36
 - success of report, 15, 55
- Buckley, Michael P., 31
- Burkhardt, Karen, 8, 75
- Cambas, Donna, 60, 83
- Campbell, Robert, 29, 31, 32

- Carey, Hugh L., 1
 Carey, Oliver, 1, 4
 Carsen, Deirdre, 3
 Castro, Luis, 60
 Childs, David M., 29, 31
 Citizens Union, 42
 City Club, 41
 City Planning Commission, 79
 City Planning, department of, 5, 60, 75, 79
 Clark, Dan, 60
 Clayton, Denise C., 5, 20, 60, 70
 Clinton Hill, 19
 Coady, Pat, 3, 23
 Coalition for Harbor Park, 20, 85, 88. *See also* Brooklyn Bridge Park Coalition
 Cobble Hill Association, 19, 40, 60, 84, 86
 Committee on the Redevelopment of
 Brooklyn Piers 1–6
 Advisory Committee, 10, 42
 early discussions of, 23–25
 formation of, 10, 36–37
 fundraising, 11, 36, 86
 lobbying efforts, 56
 meetings of, 37, 62–65, 77
 membership of, 52
 policy differences within, 18–19, 63
 proposals endorsed by BHA board, 65
 Community Board 2, 2, 17, 88–89. *See also*
 Planning and District Development
 Committee *and* Subcommittee on the
 Redevelopment of Brooklyn Piers 1–6
 Community Board 6, 16, 19, 21, 67, 84, 86
 Community School District 13, 42, 84
 Community School District 15, 42
 Concord Village, 19, 60, 67, 83, 88
 Connor, Martin, 8, 56
 Consolidated Edison, 1
 Correale, Fred J., 83
 Cranberry Street Association, 84
 Crane, Ben, 64, 66
 Crary, Calvin, 34, 41
 Cuomo, Mario, 80
 Curll, Dan, 24
 Curll, Joyce, 3, 23, 43
 Daly, Eileen M., 7, 15, 16, 17, 68, 77, 79, 87,
 88
 Deutch, Sylvia, 8, 56
 Dugan, Eileen, 86
 Dunlap, David W., 14, 75, 78
 Empire Stores and Tobacco Warehouse. *See*
 Tobacco Warehouse and Empire Stores
 Empire–Fulton Ferry State Park, 1, 10, 78
 Environmental Action Coalition, 83, 84
 Environmental Policy Forum, 83
 Farragut Houses, 19, 60, 80
 Favuzzi, Maria, 16, 20, 21, 60, 67, 82, 84,
 85
 Fife, Barbara J., 29, 31, 33
 Fischer Francis Trees & Watts, 7
 Flatow, Eugenia M., 83
 Fox, Tom, 20, 21, 78, 83
 Framework. *See* Brooklyn Piers 1–6: A
 Framework for Discussion
 Friends of Prospect Park, 83
 Fulton Ferry Association, 84
 Fulton Ferry Historic District, 4
 Fulton Ferry State Park. *See* Empire—
 Fulton Ferry State Park
 Gerges, Abraham, 17, 87, 88
 Geupel, Carl, 31, 32
 Giuliani administration, 10
 Golden, Howard, 3, 17, 56, 79, 80, 81, 84.
 See also Brooklyn Borough President
 Green Guerillas, 78, 83
 Hahn, Ursula, 17, 60, 67, 83, 88
 Halcyon Ltd., 22
 criticism of report, 30
 International City scheme, 26, 27, 55
 reaction to criticism, 31, 32
 report of, 22, 26
 Hand, Scott M.
 proposes housing compromise, 18, 64–66
 quoted in media, 11, 14, 41, 59
 role on BHA Piers Committee, 11, 35, 37,
 39, 41, 53, 70, 77
 role on BHA Waterfront Committee, 23,
 35
 role on CB2 Piers Subcommittee, 14, 16,
 18–19, 62, 80, 82, 85
 steps down from BHA Piers Committee,
 19–21, 66, 89
 summary of involvement, 3–4

Harbor Park plan
 financial analysis of, 78, 82
 inception of, 11, 12
 naming of, 70
 preparation of, 69–71
 presentation of, 14, 71, 77–78, 86
 support for, 15, 71, 82
 votes on, 84–85, 87–89
 Henderson, Tracy, 3
 Hotel Margaret, 4
 housing, 12, 18, 21, 53, 54, 58, 60, 64–66, 75, 89
 Hoyt, Jack, 83
 Hudson River Sloop Clearwater, 83
 Hutton, Ernest, 9, 13, 36, 41, 42, 70
 Huxley, Tessa, 83
 Iglesias, Jose E., 15, 58
 Ingersoll Houses, 19, 60
 International City scheme. *See* Halcyon Ltd.
 Janner Committee. *See* Brooklyn Heights Association: Subcommittee for the Recreational Development of the Brooklyn Piers 1–6
 Janner, Irene, 5, 12, 15, 16, 17, 25, 42, 71, 84, 88
 Johnson, Earl, 60
 Kingsbury, Peggy, 3
 Kleiner, Ted, 26, 33
 Koch Administration, 1, 3, 23
 Koval, Marianna, 10
 Krogius, Henrik, 3, 9, 14, 39, 75, 78
 LaRocco, Phillip, 7, 35, 37, 54, 61, 80
 Lehman, Orin, 1
 Liebman, Ted, 3, 6, 12, 14, 20, 21, 29, 35, 41, 70, 77
 Liebman, Ted and Nina, 30
 Logue, Edward J., 29, 30, 31
 Long Island University, 42, 84
 Madden, Kathleen M., 83
 Mailer, Norman, 27, 33
 Major Public Park scheme. *See under* Buckhurst Fish Hutton Katz
 Manheim, Tony
 and BHA Piers Panel, 29
 as BHA Annual Meeting chair, 30
 as BHA president, 23
 builds support for Harbor Park Plan, 71
 favors "pure park" scheme, 21, 64–66
 quoted in media, 14, 28
 role in Coalition for Harbor Park, 17, 20, 88
 role on BHA Piers Committee, 10, 16, 18, 37, 41, 53, 65, 70, 86
 role on BHA Waterfront Committee, 3, 23, 35
 summary of involvement, 4
 working paper prepared by, 38, 41
 Manning, James P., 1
 maritime uses, 24, 43
 Mesa, Geraldine M., 88
 Montague Street connection proposal, 14, 27, 76
 Montgomery, Valmanette, 84
 Morgan Stanley Building, 3, 23
 Morton, David, 1
 Moses, Robert, 9, 41
 Municipal Art Society, 5, 29, 35, 42, 78
 Murphy, Mary Ellen "Mickey", 3, 12
 Neighborhood Open Space Coalition, 20, 78, 83, 84
 New York City Technical College, 84
 New York Landmarks Conservancy, 35
 New York State Office of Parks, Recreation and Historic Preservation, 79, 83
 New York State Senate Democratic Task Force on Waterfront Development, 56
 Novak, Bill, 83
 Packer Collegiate Institute, 42, 84
 Parks Council, 31, 41
 parks, recreation and open space
 BHA proposals for, 9, 12, 14, 39, 43, 53, 62, 64–66, 86
 need for, 25, 42, 56, 79
 Port Authority proposals for, 12, 17, 60
 Pataki, George, 10
 Payne, Shirley "Joe", 16, 17, 60, 85, 88
 PDC. *See* Public Development Corporation
 Pearsall, Otis Pratt
 and BHA Piers Panel, 29
 proposes housing compromise, 18, 64–66
 quoted in media, 5, 11, 14, 27, 38, 41, 53, 57, 59, 62, 80

role at BHA board, 89
 role on BHA Piers Committee, 37, 41, 56, 70, 88
 role on BHA Waterfront Committee, 3, 35
 role on CB2 Piers Subcommittee, 15, 16, 17, 18–19, 18, 62, 68, 82, 83, 87
 steps down from BHA Piers Committee, 19–21, 66, 89
 summary of involvement, 4–5
 Piers Committee. *See* Committee on the Redevelopment of Brooklyn Piers 1–6
 Piers Panel. *See under* Brooklyn Heights Association
 Piers Subcommittee. *See* Subcommittee on the Redevelopment of Brooklyn Piers 1–6
 Planning and District Development Committee, 7, 16, 42, 55, 84, 85–88. *See also* Subcommittee on the Redevelopment of Brooklyn Piers 1–6
 Port Authority of New York and New Jersey at BHA Piers Committee meeting, 63
 at CB2 Piers Subcommittee meetings, 14, 68, 69, 71, 75, 80
 at CB2 Planning and District Development Committee meeting, 16, 87
 at Community Board 2 meeting, 17, 88
 development proposals of, 12, 58, 60, 75. *See also* Brooklyn Piers 1–6: A Framework for Discussion *and* Halcyon Ltd.
 list of officials, 7
 objectives of, 7, 12, 22, 26, 58, 61
 opposition to, 1, 18, 30, 32, 33, 61, 62, 68, 86, 87, 89
 relations with BHA officials, 30, 35, 38
 relations with community, 23, 40, 59
 request for proposals process, 23, 34, 39, 54, 58, 67
 response to BFHK report, 57–62
 Pratt Area Community Council, 19, 60
 Project for Public Spaces, 83
 Prospect Park Environmental Center, 84
 Public Development Corporation, 5, 7, 8, 10, 23, 38, 57, 60
 Public School 29, 42, 84

Public School 8, 42, 84
 Purnell, Ethel, 16, 58, 60, 68, 80, 81, 83, 85, 88
 Renzini, Jerry, 16, 60, 81, 82, 83, 84, 87, 88
 Rodgers, Betsy, 65
 Scenic View District, 24–25, 26, 27, 38, 39, 40, 58
 Schnadelbach Partnership, 11, 13, 70
 Schnadelbach, Terry, 6, 13, 14, 16, 70, 78, 86. *See also* Harbor Park plan
 Schwartz, Rita, 7, 23, 26, 28, 33, 59, 60, 67, 88
 Sierra Club, 83
 Sloane, Roy, 60, 84
 Solarz, Stephen J., 9, 39, 40
 St. Ann's School, 42, 84
 St. Charles Borromeo School, 42, 84
 St. Francis College, 42, 84
 Standing Committee. *See* Planning and District Development Committee
 Stanton, Judy, 16, 18, 81, 83, 87
 Starr, Roger, 24, 29, 31
 Stewart [Stuart], Debbie, 60, 80
 Stuckey, James P., 7, 23
 Subcommittee for the Recreational Development of the Brooklyn Piers 1–6. *See under* Brooklyn Heights Association
 Subcommittee on the Redevelopment of Brooklyn Piers 1–6
 BHA presentation to, 14, 77–78
 formation of, 11, 59, 60
 meetings of, 6, 7, 12, 14, 15, 61, 62, 67–70, 71–77, 80, 83–85
 membership of, 11, 19, 60
 opposition to Port Authority proposals, 61, 68
 Port Authority presentations to, 14, 62, 67, 75
 purpose of, 11, 61, 67
 votes, 3, 69, 82, 84–85
 Swerdloe, Allen, 84
 Tobacco Warehouse and Empire Stores, 1, 4, 5
 Townsend, Alair, 7
 Urbanski, Matt, 70
 Van Valkenburgh, Michael, 70

Vinegar Hill Association, 19, 60
Wasserman, Bernard, 12, 60
Watchtower dormitory proposal, 3, 4, 17, 79,
81
Watts, John H. III, 3, 7, 14, 16, 19, 20, 34,
70, 78
Weiner, Earl D., 2–3, 4, 5, 23, 27, 36, 37, 40,
41, 42, 81
Williams, Vernon, 17, 88
Windels, Paul, 9
Wolf, Nancy A., 83
Woods, Wilbur, 8, 23, 75, 79
Wright, Jeannett, 60
Yancey, Mary Ann, 3
Zisser, Michael H., 29, 30, 35
zoning, 17, 23, 57, 69, 79, 81. *See also*
Scenic View District