

BROOKLYN BRIDGE PARK DEFENSE FUND, INC.

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*****FOR IMMEDIATE RELEASE*****

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Brooklyn Bridge Park Defense Fund Vows to Fight Appellate Court's OK of Housing In Parks

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The Brooklyn Bridge Park Defense Fund's law suit to prohibit private housing inside Brooklyn Bridge Park was dismissed by the Appellate Division of the New York State Supreme Court in a decision dated April 22, and released April 24.

"This is obviously a sad day for all public parks," said Judi Francis, President of the Brooklyn Bridge Park Defense Fund and one of the individuals who filed the original Article 78 suit. "The judges failed to recognize that the private housing - placed directly within the borders of Brooklyn Bridge Park - will privatize the park and limit public access and enjoyment. Year-round active recreation has already been stripped from the park plan due to its proximity to the proposed housing."

Ms. Francis explained that "the Public Trust doctrine protects dedicated (and to be dedicated) public parks from encroachment by private uses. That is clearly stated in the 1920 decision and has been re-stated over and over again by New York's highest court. The judges did not address this critical issue of private encroachment of residential housing in Brooklyn Bridge Park. We will appeal to the higher court on that basis."

The once active park was redesigned to satisfy the interests of park-dwellers. A 180 berth yachting marina, passive wetlands and floating walkways have replaced the swimming pools, ice-skating rink, baseball diamonds, and year-round sports field house that were in the original park plan, before housing was considered for the park. There are few destinations and limited access to draw people of all ages to the park.

Bob Stone, Treasurer of the BBP Defense Fund and a co-petitioner said, "We worked for decades to create a grand park only to have it designated a "development project" at the 11th hour and handed over to real estate developers for private housing. At stake is the future of all public parks. If a portion of a park can be carved out for housing, then developers will likely want the "park" to be designed in a way that maximizes its appeal to the residents even if that conflicts with the needs of the general public. The Public Trust Doctrine was intended to protect public land not green light residential housing in public parks."

"Public parks are a public amenity that must not be dependent on residential and commercial development within the park," said Ken Baer, past Chair of the New York State Chapter of the Sierra Club, whose organization filed an amicus curiae in support of the Park Defense Fund. "The tragedy of Brooklyn Bridge Park is that, in the community's effort to get a park, it agreed that funds could be derived from park-related activities to help pay for on-going park expenses. It was on that slippery slope of offering to "help pay" for some of the park's expenses that this park was then "required" to pay not only for on-going expenses but for long-term capital expenses. An offer to "help pay" became an edict to pay for everything, in perpetuity. As public amenities, parks must not be required to bear the burden of self-sustainment."

The Brooklyn Bridge Park Defense Fund is a 501 c 3 not for profit, all-volunteer organization dedicated to developing a year-round recreational park along the Brooklyn waterfront that can be accessed and enjoyed by all.