

**TESTIMONY OF JUSTIN PASCONE  
DIRECTOR OF POLICY AND RESEARCH  
NEW YORK BUILDING CONGRESS  
Board of Standard of Appeals  
Hearing – July 17, 2018**

Good morning, members of the BSA.

My name is Justin Pascone, Director of Policy and Research for the New York Building Congress. On behalf of the Building Congress, I urge you to deny the appeal to revoke the building permit for the as-of-right development already under construction at 180 East 88<sup>th</sup> street by DDG.

The New York Building Congress is a nearly one-hundred-year-old organization working to encourage the growth and success of the New York City building industry, and the vibrancy of the City at large. We represent more than 500 constituent organizations employing over a quarter million professionals and tradespeople.

The action under consideration would be unprecedented and clearly stifle current and future investment, not just in this one instance, but potentially citywide.

DDG's project underwent extensive and exceptional review by DOB and the City — both prior to breaking ground and over the two subsequent years — and has consistently been proven to be in full compliance with applicable zoning laws. Projects like this one, which are in compliance with all zoning laws, should be protected by the City to ensure the predictability and confidence of the regulatory system for investors and businesses.

If as-of-right projects like East 88th Street can have their lawfully-permitted project upended at the BSA, it will have far-reaching negative consequences on all of NYC development. Over the long-term, such a determination will discourage other reasonable construction activity and risk taking, regardless of the time and the economic conditions of the city. The outcome will depress housing production and threaten economic expansion more generally.

Investor confidence in the New York real estate community would plummet and put at risk this significant stream of investment in the city, as well as the large numbers of jobs tied to the industry, from construction workers to engineers. Therefore, on behalf of the New York Building we therefore urge the Board to expedite dismissal of the appeal.

Thank you for the time to be heard on this important matter.