

January 22, 2010



Greenwich
Village
Society for
Historic
Preservation

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Hon. Robert LiMandri, Commissioner
NYC Department of Buildings
280 Broadway, 7th floor
New York, NY 10007
Via fax to 212/566-5575

Re: 178 Bleecker Street, Manhattan

Dear Commissioner LiMandri:

Following up on multiple conversations with Department staff, I would like to thank the Department for the close attention it has paid to the application for an 8-story building at 178 Bleecker Street, and for issuing the notice of intention to revoke the approvals the Department had previously given for this development.

It was deeply gratifying to see that in its January 7th letter notifying the owner of the failure of the application of its audit and the intention to revoke approvals in 15 days, the Department cited the applicability of the Sliver Law and its limitation of new construction of this sort on Bleecker Street to no more than 60 feet in height. As you know, the Greenwich Village Society for Historic Preservation has contended from the beginning that the Sliver Law is applicable here and must be enforced, and that the applicant's claim that this development was exempted because the existing building already exceeded 60 feet in height or because of a merger of zoning lots with neighboring buildings was false. While we were disappointed in October when the Department initially approved the plans indicating that it did not believe that the Sliver Law was applicable here, we are glad that the Department has currently changed its position and has, as we requested, conducted an independent survey to confirm that the original building did not in fact exceed 60 feet in height.

It is our understanding that the applicant is now meeting with the Department to respond to the objections in the audit, as is his right. I strongly urge the Department to hold firm to its position that the Sliver Law is applicable in these circumstances, and that no plans are approved and no permits are issued for any development which exceeds the 60 foot height limit.

On a related note, it is our understanding that the applicant is seeking approval for plans that would include the additional floor area that is afforded a development which includes a 'community facility,' and may be seeking full lot coverage on the ground floor on this basis as well. While the zoning may allow this, we have seen many applicants, such as the nearby 159 Bleecker Street, make similar claims in their applications of the inclusion of community facilities in order the access this additional bulk or waivers from lot coverage requirements, only to find after the building is constructed that there is in fact no

community facility to occupy the space (five years after its completion, it is my understanding that 159 Bleecker Street still has no community facility). I strongly urge the Department not to approve plans that would grant additional floor area or lot coverage exemptions based upon the purported inclusion of a community facility without proof that a legally defined community facility will in fact occupy that space.

Thank you again for your attention to this matter.

Sincerely,



Andrew Berman
Executive Director

Cc: Borough President Scott Stringer
State Senator Tom Duane
Assemblymember Deborah Glick
City Councilmember Christine Quinn
Donald Ranshte, Department of Buildings
Leah Donaldson, Department of Buildings