



**Greenwich  
Village  
Society for  
Historic  
Preservation**

---

*Founded in 1980, the  
Society fights to protect  
the architectural heritage  
and cultural history  
of the Village.*

---

252 East 11th Street  
New York, New York  
10003

(212) 475-9585  
fax: (212) 475-9582

gvshp@gvshp.org  
www.gvshp.org

---

*Executive Director*  
Andrew Berman

*President of the Board*  
Elizabeth Ely

*Vice Presidents*  
Mary Ann Arisman  
Arthur Levin

*Secretary/Treasurer*  
Katherine Schoonover

*Trustees*  
Penelope Bateau  
Meredith Bergmann  
Jo Hamilton  
Leslie S. Mason  
Robin J. H. Maxwell  
Ruth McCoy  
Florent Morellet  
Peter Mullan  
Andrew S. Paul  
Jonathan Russo  
Judith Stonehill  
Arbie Thalacker  
George Vellonakis  
Fred Wistow  
Linda Yowell  
E. Anthony Zunino III

January 6, 2006

Hon. Patricia J. Lancaster, AIA  
Commissioner, New York City Department of Buildings  
280 Broadway  
New York, NY 10007

**Re: Lifting of Stop Work Order for 360 West 11<sup>th</sup> Street, Manhattan**

Dear Commissioner Lancaster:

On behalf of the Greenwich Village Society for Historic Preservation and its several thousand members, I am writing to express my strenuous objections to the Department of Buildings' lifting of the stop work order for 360 West 11<sup>th</sup> Street, Manhattan, and to urge the Department to reverse itself and reinstate the order immediately.

After speaking with DOB staff regularly about this case over the last several months, meeting with the Department about it along with Councilmember Quinn and the offices of State Senator Tom Duane and Assemblymember Deborah Glick, and most recently today participating in a conference call with Borough Commissioner Osorio and staff and the office of Council Speaker Christine Quinn about it, I am completely shocked by the Department's actions. The Department's explanation that it lifted the stop work order because of new information the owner provided substantiating that his foundations were completed at the time of the area's zoning change plainly contradicts prior communications between my office and the Department about how this case was being considered; in fact, it was our understanding from the beginning that the Department had ruled the owner's foundations completed, so it remains a mystery to me as to why new information should have resulted in the lifting of the stop work order.

By contrast, our contention has always been that the Department of Buildings should not allow the owner to complete his work **regardless of whether or not his foundations were completed**, based upon the fact that numerous neighbors independently reported illegal after-hours work that regularly took place on the site, and that such illegal work should not assist the owner. These reports of illegal work came in the form of multiple sworn affidavits, as well as numerous complaints to 311. While the Department claims that none of these complaints ever resulted in violations issued for illegal after-hours work, the Department also acknowledges that most complaints were not acted upon until several days or even weeks later, thus entirely missing the alleged illegal work. The fact is that neighbors and those who cared about ensuring that the law was fairly and equally enforced here did their due diligence in reporting this illegal activity to the City; unfortunately, it was the City, and the Department in particular, which

dropped the ball by not investigating these complaints in a timely manner, and is now using this lack of responsiveness as justification for allowing this owner's work to continue in violation of the newly enacted, hard-fought-for rezoning of the area.

This creates a Catch-22 that inherently rewards law-breakers and makes it virtually impossible for the public to prove law-breaking to the Department's satisfaction, no matter how frequent and blatant it was, as numerous neighbors contend in this case.

To rescind this stop-work order on this basis reflects quite poorly upon the Department, and reveals a systemic flaw in the Department's procedures which fails to safeguard the integrity of local zoning, undermines the legitimate complaints of neighbors, and fundamentally advantages the interests of law-breaking developers in this process over those of the general public. To leave this uncorrected can only foster the impression that the Department does not provide a fair and equal playing field for the interests of all New Yorkers.

I thus strongly urge the Department to reinstate the stop work order at 360 West 11<sup>th</sup> Street based upon the numerous allegations of illegal work, and to correct it's system for responding to such complaints so that in the future it can confirm all such allegations.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Berman", with a long horizontal line extending to the right.

Andrew Berman  
Executive Director

Cc: Mayor Michael Bloomberg  
City Council Speaker Christine Quinn  
City Planning Chair Amanda Burden  
Manhattan Borough President Scott Stringer  
State Senator Tom Duane  
Assemblymember Deborah Glick