



December 5, 2025

NYC Board of Standards and Appeals
22 Read Street, 1st floor
New York, NY 10007
via email to submit@bsa.nyc.gov

**Re: Opposition to Zoning Variance Application for 51 Little West 12th Street,
Block 645, Lot 21, Manhattan – BSA Calendar No. 2025-22-BZ, Hearing
date December 9, 2025**

EXECUTIVE DIRECTOR

Andrew Berman

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**232 EAST 11TH STREET
NEW YORK NY 10003
212-475-9585
VILLAGEPRESERVATION.ORG**

Dear Commissioners,

Village Preservation is a community-based non-profit founded in 1980, whose mission is to document, celebrate, and preserve the special architectural and cultural history of Greenwich Village, the East Village, and NoHo. We are the largest membership-based organization in the neighborhoods we serve. We spearheaded the successful campaign for the establishment of the NYC Gansevoort Market Historic District, which is adjacent to this site, and for the designation of the Gansevoort Market State and National Register Historic District, which includes this site. We urge you to reject the application for this zoning variance, which fails to meet the required findings, is based upon false and misleading information, and would negatively and demonstrably impact the character of the surrounding neighborhood.

The applicant has failed to demonstrate the financial hardship, to say nothing of the unique conditions that are not self-imposed which are required as their basis.

The landfill conditions and high water table found on this site can be found throughout this district, as well as others along the Hudson River waterfront. Such bases for claimed hardship have been tried and rejected by prior applicants to the Board of Standards and Appeals. To approve the variance on this basis would make countless sites in this M1-5 zone and throughout the West Side waterfront eligible for zoning variances.

The claim that this being a narrow lot under separate ownership creates unique and burdensome conditions also strains credulity. The lot's dimensions are relatively ordinary for a Manhattan lot, many of which are under individual ownership and of similar dimensions.

Additionally, the claim that the lot being empty is a basis for a hardship also defies logic. This saved the owner the expense connected to demolition, and in spite of the applicant's unsubstantiated claims to the contrary, does not appear to be a condition imposed upon him through no fault of his own. While he claims that the demolition of the building in 2009 was caused by work on the neighboring Standard Hotel, little evidence has been presented to substantiate that claim. On the contrary, much evidence in the city record would seem to indicate that dangerous or unsafe conditions at the building which led to its demolition were the result of unauthorized work and occupancy of the building,

for which the current applicant is responsible. Department of Buildings records show multiple violations issued in the months and years prior to the demolition order for unpermitted construction, failure to maintain the building, and illegal occupancy of and uses in the building which would seem as likely if not more so to have contributed to the unsafe conditions that led to the demolition order. It would be painfully ironic if the applicant were rewarded for those violations by being granted a zoning variance based at least in part upon conditions the applicant himself seems to have created, and even more ironic if the variance allowed uses such as residences which the applicant seemed to have illegally placed in the building previously.

Beyond this, the applicant clearly fails to substantiate the inability to make a reasonable return based upon allowable uses and floor area. The application fails to analyze a scenario which would include a boutique hotel on the site, for which there is clearly a market in this neighborhood.

It also fails to analyze the profitability of gallery or other arts-related spaces, which is particularly odd given the proximity of the site to the Whitney Museum (which plans to add an extension to and entrance on Little West 12th Street) and the other galleries and arts-related uses in the area. Instead, it uses as comparable retail and offices space often located outside the neighborhood in vastly different markets (and in the case of offices, older, often run down spaces that clearly would not command the same prices as new construction in this area). The few “restaurants” analyzed that are located within the Meatpacking District are actually primarily spas and hair salons, rather than the highly profitable and expensive upscale restaurants for which the neighborhood is known.

Office space, gallery space, showroom space, and food related spaces are at a premium in this neighborhood, which has become world-renowned as a destination, and yet the applicant claims to be unable to make a reasonable return with these as-of-right uses. The site is arguably particularly desirable and potentially profitable given its proximity to the Whitney Museum (and its approximately one million annual visitors), the High Line, (and its approximately 8 million annual visitors), Little Island (and its 1.5 million annual visitors), and the Hudson River Park (and its 17 million annual visitors). The site is within less than a five minute walk of Chelsea Market and Pier 57, which attract thousands of visitors daily to their food and commercial space. Most property owners would be envious of the unique assets and profit potential this site affords.

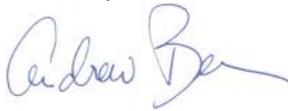
The application also fails to meet the test in terms of not altering the essential character of the surrounding neighborhood. The 7.02 FAR, 203 ft. tall (when including the ornamental top) narrow sliver tower would look and function like nothing in this neighborhood, which is mere feet from the NYC Gansevoort Market Historic District and within the State and National Register Gansevoort Market District. Such towers can be found nowhere in this area, and the proposed FAR is almost entirely unprecedented as well. The applicant cites as a precedent a project across the street called “Gansevoort Square” proposed by a Mayor whose term is about to end, and subject to the approval of an incoming Mayor as well as an as-yet unseated City Council and Borough President who will have to decide its appropriateness, terms, and parameters (and in the case of the new Mayor, whether the project even proceeds as is). It should also be noted that whatever other aspects of that proposal one might debate, its premise and justification is that it’s a way of delivering affordable housing units to this area, which the subject application would not do.

Further, the application makes a series of flawed and inaccurate assertions about residential uses and other conditions in the neighborhood as justification for the requested variance. Various locations are cited as having residential uses which all evidence indicates do not; if they do at all, they are a stray grandfathered unit, legalized loft, or superintendent's residence. This is a far cry from the purpose-built 14-story luxury residential tower proposed here.

Several of the assertions about the floor area ratio of existing nearby buildings appears to be flawed as well, as they are of recently constructed buildings located within the M1-5 zone that did not receive zoning variances and yet they cite as having floor area ratios well in excess of what the existing zoning allows. Similarly, the application asserts that 40-56 Tenth Avenue received a zoning variance for additional floor area, when in fact the only variances it received were for height and setback waivers.

For all of these reasons – the failure to analyze the profitability of all viable as-of-right uses, the failure to establish unique conditions that were not self-imposed as the basis for a hardship, and the clear impact the development would have in altering the essential character of the neighborhood in terms of use and building form – the Board must reject this variance application.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Berman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrew Berman
Executive Director