

Carter Ledyard Wins Common Law Appeal for Additional Time to Complete Construction of Hotel

November 30, 2022

In December of 2018, the New York City Council adopted a text amendment to the Zoning Resolution that would require zoning Special Permits for new hotels in manufacturing districts. The amendment allowed hotels with existing approvals two years from the effective date of the amendment to complete construction. When those two years expired, Carter Ledyard client 25c LLC had expended over \$6 million in construction costs and completed almost 80% of the foundation for a 9-story, 96,000 square foot, \$36 million hotel in Bushwick, Brooklyn. Without additional time to complete construction, our client would have incurred substantial losses.

New York State law establishes a common law right to complete a project that has already begun where substantial expenditures and substantial construction have occurred. Carter Ledyard, led by land use lawyer Paul J. Proulx, assembled the evidence required, filed, and then prosecuted a Board of Standards and Appeals application to win 25c four additional years to complete construction.

Upon completion, the hotel will be the first in the City to be powered by geothermal wells.

[City's first geothermal powered hotel to rise in Bushwick • Brooklyn Paper](#)
