by Courtney Gross
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Giving the go-ahead to the Museum of Modern Art to add three more floors to its gallery space, the City Council approved an approximately 1,000-foot skyscraper adjacent to the museum in Midtown Wednesday, which will be designed by renowned architect, Jean Nouvel.

The tower, which will be as tall as the iconic Chrysler Building, has its fair share of detractors, including community residents who argue the building is too large and would bring too much traffic to the area.

The council also approved legislation requiring foreclosure consultants to print state regulations on their advertisements and drastically increased fines for those who leave their vehicles unattended and idling.

## A Midtown, Mid-Block Museum

The tower, otherwise known as 53 West 53rd Street, will include a seven-star hotel of less than 100,000 square feet, an additional 75,000 square feet for the MoMA, including gallery and "support space," and approximately 120 luxury condominiums.

The tower's midblock location and its size, which was initially proposed at 1,250 feet tall, was the primary reason for community opposition, said RitaSue Siegel, the vice president of the West 54th-55th Street Block Association and the vice president of the Coalition for Responsible Midtown Development. Both groups oppose the plan, and the local community board voted to reject the proposal.

"We have to live with a Chrysler-size building in the middle of a block," said Siegel following the City Council's vote.

The site, which is in Council Speaker Christine Quinn's district, abuts the landmarked St.

Thomas Church and the University Club, both of which have agreed to sell their air rights to make way for the tower.

"It's going to be an iconic addition to the New York City skyline," said Quinn of the tower .

Opponents of the project argue the tower is three times the size currently allowed under the area's zoning.

The tower, which needed a special permit from the City Council, was approved by a vote of 44 to 3. Council members Charles Barron and Tony Avella voted against the proposal -- both members tend to be anti-development. Councilmember Daniel Garodnick, whose district is a block away from the building, also voted against the plan, citing community opposition.

Following the council's approval, the MoMA released the following statement: "Today's approval of Hines' 53 West 53rd Street proposal represents an important milestone. The Museum of Modern Art appreciates the support of Manhattan Borough President Stringer, the City Planning Commission and the City Council for a project that will contribute significantly to the city's architectural heritage and economy while enabling the museum to show even more of its collection to the public."

In this economy, the financing for such a large project could be in limbo. When Gotham Gazette asked Houston-based Hines , the developer, if financing was secured, a spokesperson said via e-mail, "Because the special permit was just approved today, it is too early to answer your additional questions on financing and construction start."

## Advertising Mortgage Consultants

They are plastered to telephone poles and street signs across the five boroughs, urging homeowners to "Call Now!" They promise to help residents with foreclosure and the personal mortgage crisis spreading across the city.

The City Council, though, says it's a scam .

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As a result of the subprime mortgage crisis, consultants have created a market and made a living off of residents in or threatened with foreclosure. With signs promising help with mortgages and foreclosure proceedings, these consultants often require homeowners to pay in advance for their services, say city officials. Those consultants, they add, then disappear with the already cash-strapped homeowner's money without providing the promised advice.

Last year, the State Legislature approved legislation regulating these consultants for the first time. The state law requires a contract before these consultants can give services and bans consultants from receiving pre-payment.

Although city officials said they would like to ban these consultants in the five boroughs, a decision ultimately left up to the state or Congress, the council unanimously approved legislation ( Intro 1070-A ) that requires consultants put these new state regulations on their advertisements so homeowners know their rights.

If consultants do not comply, they could face fines of between $2,500 and $5,000 for each violation.

Ultimately, said council members, the city urges residents in foreclosure to call the city's constituent hotline, 311, so they can be put in touch with a city-chartered nonprofit that provides foreclosure consulting services gratis.

"When you make this call, most of your problems just get worse," said Councilmember Lewis Fidler of Brooklyn, pointing to a photo of a typical mortgage poster seen on the city's streets. "When you make that call, to 311, your problems can be solved."

The city's nonprofit, the Center for New York City Neighborhoods , was founded in July 2008 and has 70 counselors and attorneys to answer residents' concerns and questions. According to the center, its staff has already counseled 5,700 distressed homeowners.

## Unattended Idling

In February, Middle Village residents Robert Ogle and Alex Paul were fatally struck down by a drunken driver after he stole a car left idling outside a local deli.

In January, an unattended idling van left in reverse ran down two children in Chinatown.

Now the City Council passed legislation drastically increasing fines for leaving a vehicle idling and unattended. Currently, the fine is $5 if you leave a vehicle unattended and idling for more than three minutes. Under the new legislation ( Intro 947-A ) fines will increase to $250 and the time limit will be removed.

The bill was approved by a vote of 46 to 1, with Councilmember Erik Martin Dilan of Brooklyn dissenting.

## A Passenger Bill of Rights

The council also unanimously approved legislation ( Intro 1023 ) that requires passenger vans post a bill of rights in the backseat. The council has passed similar legislation pertaining to yellow and livery cabs.

The bill of rights will let passengers know they have a right to a properly licensed driver, a working seat belt and a smoke-free environment, among others.