

Muslims appeal lawsuit loss against Yonkers over mansion mosque

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(Photo: Mark Vergari/The Journal News)

A Muslim group filed an appeal Tuesday seeking to reverse a federal judge's decision against them over the landmarking of a Yonkers mosque.

The Islamic Community Center for Mid-Westchester asked the U.S. Court of Appeals to reconsider a judge's dismissal of a civil rights lawsuit against Yonkers and the Yonkers Landmarks Preservation Board.

Last month, Judge Vincent L. Briccetti ruled the Muslim group's legal conclusions in its September 2016 lawsuit were weak and did not meet a standard of plausibility, among other legal deficiencies he cited.

The freedom-of-religion lawsuit stemmed from a May 2016 vote to designate the house at 2 Grandview Blvd. a landmark under the city's historic preservation rules.

The Muslim group alleged in its court papers that the landmark designation "arbitrarily" targeted them, even though the landmark designation doesn't prevent them from using the mansion for worship.

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However, the designation does require the mansion's owners to come before the landmarks board when they want to make any renovations or changes to the outside of the building.

The Islamic Community Center of Mid-Westchester bought the house for \$750,000 and its goal was to turn the medieval-revival home into a house of worship. The center's website has sought donations for a mosque at the site.

After the Muslim group made its intention to build a mosque known, the Colonial Heights Association of Taxpayers submitted a landmarks application to the landmarks board indicating the mansion was the first house built in the neighborhood around 1908.

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