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Norwalk officials acknowledge Department of Justice is reviewing mosque denial

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Moccia: Mosque rejection had to do with density, size, traffic

Israel Herskwitz makes a point to a friend while listening to the Zoning Commission make the decision to deny Al-Madany Islamic Center of Norwalk's plan for 27,000-square-foot mosque/community center at 127 Fallow St during a meeting inside City Hall Wednesday afternoon.

Hour Photo / Danielle Robinson



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Mosque debate

Since 2011, off and on, Norwalk zoning has been debating the possible construction of a Mosque on Fallow Street.

Posted: Tuesday, December 11, 2012 6:05 pm | Updated: 3:19 pm, Wed Dec 12, 2012.

By **ROBERT KOCH**
Hour Staff Writer | 7 comments

NORWALK -- The U.S. Department of Justice is delving into city Zoning commissioners' rejection of Al-Madany Islamic Center of Norwalk's plan to build a mosque in West Norwalk, according to city officials.

"It's not really an investigation. It's an inquiry," said Mayor Richard A. Moccia. "But it is obvious that somebody made a complaint, which disturbs me because there is no bigotry (by) the Zoning (Commission) or the city."

In June, Al-Madany Islamic Center sued the city after the commission earlier that month rejected on a 4-3 vote the plan to build a 27,000-square-foot mosque and multi-purpose hall at 127 Fallow St.

Neighbors maintained the proposed construction was too large for the parcel. Al-Madany says the plan complied with all zoning regulations; the lawsuit alleges that discrimination played a role.

Robert F. Maslan, Jr., head of the city's law department, declined to release the correspondence from the Department of Justice to the city, saying it pertains to pending litigation and is exempt from the Freedom of Information Act.

Maslan did indicate that the city is cooperating with the department.

"We are working with the Justice Department and are confident that the Justice Department will find that our zoning regulation application and review process complies with federal law," Maslan said.

Asked if the Department of Justice had opened an investigation of the mosque rejection, department spokeswoman Dena W. Iverson responded, "We cannot confirm or deny the existence of an investigation."

Last month, followed an executive session meeting, Zoning commissioners approved a motion setting the stage for a possible settlement of the lawsuit.

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"It's not a done deal. There's a lot of negotiation that has to go on," Moccia said. "It may be that there might not be a settlement that can be worked out, but that's why we're in the courts and that's why we're meeting."

Said Maslan: "As is the case in all litigation, settlement discussions occur. In this case, we look forward to a decision on the neighboring condominium association's motion to intervene."

This month, Stonegate Condominium Association, 130 Fillow St., asked U.S. District Court for permission to intervene as a defendant in the Al-Madany lawsuit against the city.

The Al-Madany lawsuit, filed with the court on June 28, rebutted the nine reasons given by the commission for rejecting the plan and alleges that religious discrimination played a role.

"Federal law protects the right of all religious traditions, mainstream or minority, to a place where congregants can pray, worship together and teach their children," said Roman P. Storzer, the attorney representing Al-Madany Islamic Center, at the time the lawsuit was filed.

As of June, the Department of Justice had opened 28 cases nationwide involving local denials of mosque construction applications since 2000, according to a department official.

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Posted in [Norwalk](#) on *Tuesday, December 11, 2012 6:05 pm*. *Updated: 3:19 pm*. | Tags: [Us Department Of Justice](#), [Mosque](#), [Al-madany Center Of Norwalk](#), [Norwalk Zoning Commission](#), [Mayor Richard A Moccia](#), [Robert F Maslan, Jr](#), [Dena W Iverson](#), [Stonegate Condominium Association](#), [Us District Court](#), [Roman P Storzer](#)

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7 comments:

[Frau Blucher](#) posted at 1:11 pm on Wed, Dec 12, 2012.



Posts: 538

Why don't they just put this mosque where the old Methodist Church is on West Avenue? Seems there's plenty of space THERE, since it already held a large church.

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[Jack Rhodes](#) posted at 11:38 am on Wed, Dec 12, 2012.



Posts: 9

The right place to build is a location with the appropriate amount of space, roads able to accommodate the additional traffic without becoming highly dangerous, and a neighbor in a commercial area or an area that will not be destroyed by the structure. There are plenty of locations like that in Norwalk. Plenty. Anyone who says differently hasn't driven around Norwalk in the past year.

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[Milly X](#) posted at 11:10 am on Wed, Dec 12, 2012.



Posts: 19

Where is the suitable location for this mosque? It seems the main problem is all the cars and therefore traffic this mosque will cause - so where is the lucky neighborhood everyone seems to think should have to deal with this? Won't those people not want it in their backyard - and won't they also be right?

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[wurm90125](#) posted at 10:59 am on Wed, Dec 12, 2012.



Posts: 116

At what point does this become a waste of time and money? With all the money the Al Madany folks have spent to buy the land, design the building, and now litigate this. Why are they SOOOO determined to build in this location? The city should work with them to divest the Fillow Street parcel and then to expedite the construction at a more suitable location. They're saying that it's discrimination and insensitivity. Maybe they're insensitive to the residents of that neighborhood that don't want to contend with the

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Should the city accept or fight the mosque settlement?

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additional noise and traffic? They don't care about the city, or the neighborhood. Just their oversized mosque.

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reillyc1972 posted at 9:46 pm on Tue, Dec 11, 2012.



Posts: 9

Lucky for the Norwalk taxpayer that the town gets tough on Spinnaker to keep the Grand List from growing yet rolls over for the Mosque to shrink it. I understand each is an independent event, but both belie practical sense.

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Laura Bien posted at 7:49 pm on Tue, Dec 11, 2012.



Posts: 4

Is it out of the question that the city assist Al-Madany in selling the Fillow St. property and then further assist in their obtaining a more suitable parcel within Norwalk? Many such parcels exist. The standing decision was, indeed, for density/traffic issues, and to pretend otherwise is foolish.

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Jack Rhodes posted at 6:31 pm on Tue, Dec 11, 2012.



Posts: 9

I guess all it really takes to get your way and cost taxpayers a bundle of money is to play the old race card. Nothing else, such as the enormous planned structure on the comically-small piece of land or the unanimous objections of the neighboring community, really seems to matter. Great job, Norwalk.

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