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Mahopac News

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Neighbors file complaint in effort to halt cell tower

Article 78 lists litany of allegations against town

BY BOB DUMAS
EDITOR

Walton Drive neighbors in Mahopac have filed an Article 78 lawsuit asking the State Supreme Court to block construction of a 140-foot cell tower near their homes.

An Article 78 lawsuit does not seek monetary compensation. Instead, it looks to overturn a decision by a regulatory body like a planning, zoning or town board or a town official if an action was deemed improper or illegal because the decision was "obviously incorrect or unreasonable, or based on an error of law."

The saga at Walton Drive began several years ago when Verizon Wireless and Homeland Towers asked for site-plan approval to build cell towers on residential properties on Croton Falls Road and Dixon Road. In November 2019, the Planning Board denied those applications on several grounds, primarily saying it believed Homeland had not sufficiently proven a need for the towers.

Homeland subsequently took the town to court, where the judge urged the parties to compromise and settle the matter themselves.

Fearing they would lose in court, town officials settled with Homeland in a decision with multiple parts. In one, the Dixon Road tower moved to another location on the resident's property, placating neighbors there. In the second, the Croton Falls Road tower moved to Maple Hill Estates, a housing development on the other side of town. The Maple Hill Estates Homeowners Association had approved the plan.

As part of the settlement, the town agreed that Homeland would not have to resubmit a site plan or go through the rigorous review that such a project would normally require.

However, what some town officials did not realize was that the Maple Hill Estates site chosen for the tower butted up against the Walton Drive neighborhood, putting some homes in very close proximity. Neighbors also complained that their road would be used as a thoroughfare for heavy construction equipment, disrupting

PHOTO COURTESY OF LINDA CEFALONI

Cefalonis celebrate triple baptism

Giulo and Linda Cefaloni of St. John the Evangelist Parish of Mahopac recently received a triple blessing with the birth of three grandchildren in five months.

The parents of the children, the three Cefaloni siblings—Juliet, Sandra and David—with their spouses, christened their newborns at St. John the Evangelist Church in Mahopac on Aug. 30.

Father Francis Amodio (O. Carm.), a close family friend, baptized the three cousins in a beautiful ceremony and Father Philip Caruso, pastor, assisted with details and documentation.

The Cefaloni siblings chose to bring their children into the Christian faith

in the same church where they were baptized and were godparents for each other's children.

Seen here are Juliet Cefaloni Amato and Samuele Amato with son, Giovanni Giulio, born Nov. 23, 2019; Father Amodio; David Cefaloni and Annie Olsevska Cefaloni with daughter, Anastasia Linette, born March 21, 2020; and Sandra Cefaloni Henderson and Michael Henderson with son, Preston Michael, born Feb. 17, 2020 and son, Andrew Giulio, 4 years old.

Due to COVID-19 restrictions, only immediate family was in attendance. At a future date, the family hopes to celebrate with extended family and friends.

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