



BOARD OF APPEALS

10 MAPLE AVE.
NEW CITY, NY 10956/5099
(845) 639-2066
FAX (845) 639-2071

March 28, 2019

Ira M. Emanuel
Ira M. Emanuel, P.C.
4 Laurel Road
New City, NY 10956



RE: Ramah Day Camp Residence Hall
303-403 & 320 Christian Herald Road
Valley Cottage, NY 10989
Appeal #4133
Map No. 59.12-1-11 & 59.16-1-2
f/k/a Map 136-C-10.01 & 7

NOTICE OF DECISION

(Sent via mail and ira@emanuellaw.com)

Dear Mr. Emanuel,

Attached please find the Clarkstown Board of Appeals decision in the above matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin Hobbs".

Kevin Hobbs
Chairman

KH/cc
Attachment (1)

cc: Clarkstown Town Clerk
Clarkstown Building Inspector
Clarkstown Department of Environmental Control
Clarkstown Planning Department
Clarkstown Town Attorney
Peter Bradley, Liaison Councilman
Clarkstown Assessor

Tax Map
ZBA File
Rockland County Planning (email)
Rockland County Health (email)
Rockland County Sewer District #1(email)
NYS Department of Transportation (email)
Valley Cottage Fire Department

BOARD OF APPEALS

TOWN OF CLARKSTOWN, COUNTY OF ROCKLAND

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Application of **RAMAH DAY CAMP RESIDENCE HALL** of 303 Christian Herald Road Valley Cottage, NY, for a modification of the special permit use condition previously granted to remove the restriction on date and time of operations and allow the camp, residence hall and ancillary facilities to be utilized year round. The premises affected are situate at 303-403 & 320 Christian Herald Road, Valley Cottage, NY in an R-160 zoning district and further identified on the Clarkstown Tax Roll as Map 59.12-1-11 & 59.16-1-2 f/k/a 136-C-10.01 & 7.

APPEAL #4133

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The Applicant, RAMAH DAY CAMP, having been denied a building permit by the Building Inspector and having been previously granted a special permit use condition, seek a modification of the special permit use condition previously granted to remove the restriction on date and time of operations and allow the camp, residence hall and ancillary facilities to be utilized year round and the Board of Appeals having held public hearings on October 29, 2018, November 19, 2018, January 14, 2019 and February 11, 2019.

On October 29, 2018, November 19, 2018 the following members of the Board were present and constituted a quorum; Kevin F. Hobbs, Chair, Mark Maraia, Brian Metcalf, Edward Mistretta, and Thomas Heim, Darcy Casteleiro, and Ryan Sheridan

On January 14, 2019 the following members of the Board were present and constituted a quorum; Mr. Kevin Hobbs, Chairman, Mr. Brian Metcalf, Ms. Darcy Casteleiro, Mr. Edward Mistretta, Mr. Thomas Heim and Mr. Ryan Sheridan. Mr. Mark Maraia was absent.

On February 11, 2019 the following members of the Board were present and constituted a quorum; Mr. Kevin Hobbs, Chairman, Mr. Brian Metcalf, Ms. Darcy Casteleiro, Mr. Thomas Heim, Mr. Mark Maraia and Mr. Ryan Sheridan. Mr. Edward Mistretta was absent.

Deputy Town Leslie Kahn and Deputy Building Inspector Lawrence Kay were in attendance on October 29, 2018, November 19, 2018, January 14, 2019 and February 11, 2019.

Now upon said hearing and the evidence presented, it is hereby found and determined:

FINDINGS OF FACT

FIRST: Applicant, JEWISH THEOLOGICAL SEMINARY OF AMERICA, owns the property which is the subject of this appeal.

SECOND: The Applicant's property is located at 303-403 & 320 Christian Herald Road, Valley Cottage, NY and further identified on the Clarkstown Tax Roll as Map 59.12-1-11 & 59.16-1-2 f/k/a 136-C-10.01 & 7.

THIRD: The Applicant seeks a modification of the special permit condition previously granted to remove the restriction on date and time of operations to allow the residence hall/dormitory and ancillary facilities to be utilized year round. The current special permit allows the dormitory to be utilized from April 1 to November 1 to house Camp staff and to allow use of the Camp for weekend retreats and for synagogue family and Jewish youth group functions during the periods in the Spring and Fall before and following the regular camp season.

FOURTH: The following documents were presented:

1. Letter from Elizabeth Mello, P.E., Senior Public Health Engineer, Rockland County Center for Environmental Health dated October 15, 2018
2. Inter-Office Memorandum from James Creighton, Senior Planner for the Town of Clarkstown dated October 18, 2018
3. Letter from Douglas J. Schuetz, Acting Commissioner, Rockland County Department of Planning dated October 23, 2018
4. Letter from Joseph LaFiandra, Engineer II, Rockland County Sewer District No. 1 dated October 18, 2018
5. Zoning Board of Appeals letter to Ira Emanuel, attorney for the applicant dated November 9, 2018 requesting additional information from the applicant.
6. Applicant's response to the Board's information request – Letter from Ira Emanuel dated November 19, 2018
7. Letter from Chief Robert Johnson, Jr. of the Valley Cottage Fire District dated November 21, 2018

8. Applicant's response to the Board's information request – Letter from Ira Emanuel's dated January 7, 2019 which includes Traffic Study dated January 3, 2018

9. Exhibit "A" – printout of Ramah Day Camp website dated May 21, 2018 entered into the record at the January 14, 2019 meeting

10. Email from Ira M. Emanuel responding to email from Peggy Freeman regarding "Bim Bat Shabbat" dated January 15, 2019

11. Letter from Michael Edelstein to Kevin Hobbs, Zoning Board Chairman dated January 28, 2019

12. Letter from Jilliana Sinnott, Secretary to the Village of Upper Nyack Planning Board dated February 11, 2019.

13. Emails between Ramah Day Day and Nyack High School regarding parking dated July 5, 2017, May 23, 2018, June 18, 2018, July 9, 2018, October 12, 2018 and October 19, 2018

Prior Appeal Documents including but not limited to:

1. Appeal #371 – Decision dated January 18, 1982

2. Appeal #3700 – Building Permit Application dated October 10, 2008, Memo from Jeff Millman, Zoning Administrator to Jose Simoes, Principal Planner dated July 3, 2008, Certificate of Occupancy dated July 1, 2011, Legal Notice dated February 11, 2009, Decision dated March 13, 2009

3. Appeal #4106 – Application and Narratives submitted by applicant, Decision dated September 18, 2018

Correspondence in Opposition to the Application:

1. Petitions

2. Email from Rick Tannenbaum dated October 21, 2018

3. Letter from Veronica Gorman dated October 20, 2018

4. Email from Rosemarie Servillo dated January 12, 2019

5. Email from Eleanor E. Berk dated January 11, 2019

6. Email with attachments regarding "Bim Bat Shabbat" from Peggy Freeman dated January 14, 2019

FIFTH: Kevin F. Hobbs motioned for the Board to adopt a negative declaration as this application is considered an unlisted action under SEQRA and will not result in any significant adverse environmental impact which was seconded and carried unanimously.

SIXTH: Ira Emanuel, attorney for the applicant stated that Ramah Day Camp currently has a special permit to use and operate the camp from April 1 to November 1 for weekend retreats and for synagogue family and Jewish youth group functions. Mr. Emanuel stated the applicant is now requesting a modification to the existing special permit to allow the use of the camp for retreats and for synagogue and Jewish youth groups and similar functions throughout the year in addition to the regular summer day camp use. Mr. Emanuel provided a history of the site. The site has been used as a camp or a children's home continuously since 1894. Mr. Emanuel acknowledged in 2013 there was a fire which led to the discovery that students from Rockland Country Day School (RCDS) were residing in the dormitory. This was not permitted by the camp's special permit. The camp then requested a special permit modification (Appeal #4106) to allow Rockland Country Day School to continue to rent the premises from the Applicant to house their international students, which was denied by the ZBA. That use has ceased and will not be continued. Mr. Emanuel stated this appeal is a less intensive use than what was proposed in Appeal #4106. He described Ramah as a religious organization with a mission to educate and stimulate Jewish thought and foster Jewish culture in youth and adults in a less formal environment. Year round activities would allow Ramah to continue their mission for those who can't avail themselves of summer camp activities. Year round programs held by the National Ramah Commission camps include Passover Seders, religious retreats, retreats for women and father/son, teen weekends, interfaith activities to combat anti-Semitism as well as other "life cycle events". Mr. Emanuel stated the proposed use of the buildings is to continue the use of the camp from April 1 to November 1 and to expand the use of the dormitory and ancillary facilities to service those individuals occupying the dorm for year round use. The ancillary facilities include the kitchen, dining room, synagogue and recreational facilities. The overnight occupancy of the dormitory would be limited to 72. Only the dormitory and ancillary facilities are to be used year round. Currently, programs occurring at Camp Ramah in the spring and fall are limited in time, usually weekends and limited to one group. Each group would have the whole camp to themselves. There will be no increase in size or occupancy of the other buildings on the campus. Ramah would comply with all applicable regulations and codes. The applicant is not proposing any new construction or parking lots. The traffic generated by this proposal will be small and the majority of attendees will be transported via bus. Mr. Emanuel stated it would be hard to quantify the number of people attending events but not staying overnight. There is a reciprocal agreement

