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ZONING BOARD OF APPEALS TOWN OF CLARKSTOWN

JEWISH THEOLOGICAL SEMINARY OF AMERICA CAMP RAMAH

MODIFICATION OF SPECIAL PERMIT CONDITIONS Tax Lots 59.12-1-11 and 59.16-1-2

This is an application to modify certain conditions of a special permit previously granted to the applicant to operate a day camp.

In Appeal No. 3700, this Board amended the applicant's existing special permit to operate a day camp on its site, but limited the operation to the period from April 1 through November 1 of each year. As part of the same application, this Board granted an FAR variance to allow construction of a new dormitory. A copy of the special permit resolution is attached as Exhibit A.

At the time of that application, the applicant sought to use the camp premises "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 summer camp season."¹ It also sought the new dormitory to conform with Health Department regulations regarding temporary housing. The housing was primarily for camp staff, but would also serve out of season retreat guests.

The applicant seeks to remove this restriction from the special permit, and wishes to operate the 72-bed dormitory and supporting facilities year-round.²

Background and history

From 1894 through 1961, the Christian Herald Children's Home ran a year-round camp, making use of the entire facility. The Jewish Theological Seminary of

¹ ZBA Resolution in Appeal No. 3700, dated March 9, 2009, p. 5, Findings Paragraph "TWELFTH".

² The applicant is aware of recent changes to the Zoning Code relating dormitories. After conferring with the Town Attorney, the applicant was advised that, since the special permit was granted prior to these changes, the subject dormitory and special permit are "grandfathered" and this Board retains jurisdiction over the special permit.

America acquired the property in 1961. Since that time, they have operated a day camp at the premises known as Camp Ramah (the "Camp"). The Camp primarily operates during the summer months. During the summer, approximately 650 children attend the Camp.³

In 1962, shortly after acquiring the site, the National Ramah Commission obtained a special permit for the "erection, maintenance and use of a camp staff house. (For occupancy by camp staff for a maximum period of nine weeks per annum)."⁴ This was a new building to be built for Ramah. The new "camp staff house" was to consist of "12 rooms and 6 related bath rooms."⁵ Ramah now refers to this building as the "Motel".

The Motel is **not** the dormitory that was subsequently approved in appeal no. 3700 (March 2009).

In 2007, the Rockland County Health Department changed its regulations, and changed the use category of the dormitory buildings. As a result, Ramah needed to add an additional dormitory in order to comply with these new requirements. It therefore applied to the land use boards of the Town for permission to build the new dormitory. These permissions included site plan approval from the Planning Board and a Floor Area Ratio ("FAR") variance from this Board. At the same time, Ramah sought an amendment to its special permit to allow use of the new dormitory beyond the Summer camping season "for weekend retreats and for synagogue family and Jewish youth group functions."⁶

In appeal no. 3700, Ramah obtained the needed FAR variance to build the new dormitory and **also** obtained relief from the 1962 special permit condition limiting "occupancy by camp staff for a maximum period of nine weeks per annum". The condition was changed to: "permit Applicant's use of the camp from April 1 through November 1."⁷

Thus, appeal no. 3700 granted two changes to the original condition from 1962: (1) it extended the time frame from "nine weeks per annum" to "April 1 through November 1", and (2) it eliminated the limitation on "occupancy by camp staff" and permitted "Applicant's use of the camp" for the affected period of time.

The 2009 Resolution also directed the Applicant to return to the Clarkstown Planning Board for preliminary and final site plan review. This was done, and the

³ An extensive history of the camp was presented in the Supplemental Narrative dated July 5, 2018 in Appeal No. 4106. That Supplemental Narrative is expressly incorporated into this application by reference.

⁴ Decision in Appeal No. 371, January 3, 1962.

⁵ *Id.*

⁶ Appeal No. 3700, Findings of Fact, ¶ TWELFTH. Appeal No. 3700 is annexed as Exhibit A.

⁷ Appeal No. 3700, Conclusions, ¶ THIRD.

Chair of the Planning Board confirmed final site plan approval by signing the site plan on January 7, 2010. The Camp has continued to operate since that time and the proposed dormitory was constructed.

In 2012, Ramah agreed to lease the new dormitory to the Rockland Country Day School to house the school's international students. As a result of a fire in March 2013, the Clarkstown Fire Inspector determined that the use of the dormitory outside the April – November time period violated the special permit restrictions. Ramah thereafter sought to amend the special permit to allow the dormitory to be used year-round to house students from nearby schools and colleges, in addition to the permitted synagogue and youth group usage during the warmer months.

This Board denied that application in Appeal No. 4106, dated July 16, 2018.⁸ At the time of denial, the Chairman noted that Ramah could seek a different expansion of the special permit.

As a result of the decision in Appeal No. 4106, Rockland Country Day School found alternative accommodations for its students. In addition, Ramah decided that it would no longer seek to house students in the dormitory, but would seek to modify the special permit to expand the time frame of its current special permit.

Request for Modification

A review of the 2009 Resolution reveals that the time limits were not imposed to mitigate the impacts of using the Camp beyond the ten week Summer session. Rather, the limits were self-imposed by the Camp. There was no determination by this Board that the camp use and dormitory use needed to be limited in time in order to alleviate some harm. The Board simply granted the applicant's request: to be allowed to operate between April 1 and November 1.

The applicant now asks to modify its request, and be allowed to operate the dormitory and supporting facilities such as the kitchen, dining hall, synagogue, and recreation facilities, year-round.

The occupancy of the dormitory would be limited to short-term uses by synagogue family and youth groups and similar functions throughout the year. Only the new dormitory would be used for overnight accommodations.⁹ Thus, the number of attendees would be limited to the 72-bed capacity of the dormitory. The kitchen,

⁸ As of this writing, the applicant has not yet received a written copy of the decision.

⁹ Although there are sleeping accommodations on the campus other than the dormitory (*see*, Supplemental Narrative in Appeal No. 4106), those accommodations are not winterized. The use of those facilities beyond the April-November period would be contrary to the New York State Building Code.

dining hall, and other facilities would act as accessory uses to the overnight accommodations.

Religious Nature of the Use

Camp Ramah in Nyack is part of the National Ramah Commission, “the camping arm of Conservative Judaism.” It operates under the educational and religious supervision of The Jewish Theological Seminary (“JTS”). JTS is an educational institution that trains clergy for ordination and service in the Conservative Jewish tradition. It also offers degrees of doctor of Hebrew literature and Jewish education, amongst other bachelor and master degrees. The land on which Camp Ramah in Nyack operates is owned by JTS.

The mission of Ramah is to “create and sustain excellent summer camps and Israel programs that inspire commitment to Jewish life, and develop the next generation of Jewish leaders.”

Camp Ramah in Nyack is a fundamental and integral part of the Ramah Camping Movement.

In furtherance of Ramah’s mission, there is a daily educational and religious component to the Camp curriculum. Each camp day starts with morning prayer. There is a daily class about Jewish traditions. Class offerings include: Learn to Read Torah, Sculpt a Golem, Famous Jewish Women, and Hebrew Ulpan (conversational Hebrew).¹⁰ Signs are printed in Hebrew and English. A Hebrew language immersion program is offered. All food is Kosher.

The use of the camp grounds during periods beyond April 1 through November 1 will allow Ramah to sustain and expand its religious offerings throughout the year to those who cannot attend the Summer programs. In addition, it will allow Ramah to provide its programs to attendees as a family unit (parents/children/grandparents), thus emphasizing the importance of the family unit in Jewish theology and culture.

Proposed Year-Round Programs at Camp Ramah in Nyack

Nationwide, there are nine overnight Ramah camps and four Ramah day camps (including Nyack). Ramah also runs camping and summer programs in Canada, Israel, Ukraine and Argentina.

Ramah camps around the country host a variety of Jewish and secular living and learning experiences throughout the year. Jewish year-round programs and retreats will bring generations (children/parents/grandparents) of people together to

¹⁰ Sample curricula were attached to the Supplemental Narrative in Appeal No. 4106 as Exhibit 13.

learn skills for a life committed to God, Torah, Israel, and *tikkun olam* (acts of kindness performed to perfect or repair the world.) Such opportunities support and strengthen Jewish identity and experiences fostered in the home and at the synagogue. Ramah camps also host weekend and day retreats offered by other not-for-profit organizations and congregations. Ramah believes that exposing non-Jewish groups to information about Judaism will foster greater tolerance and understanding in those groups and beyond. This is especially important given the rise in anti-Semitic activities over the past two years.

Ramah's national retreat programs are described on its website:

Ramah's retreat programs embody a powerful combination of educational and Jewish characteristics:

- Spiritual exploration of, and engagement with, traditional Jewish texts, prayers, practice, and values
- Participatory Judaism that fosters and nourishes ever-increasing Jewish confidence, skill, observance, Hebrew ability and a sense of joyous Jewish living
- Passionate commitment to, and connection with, the renewal of the Jewish people in Israel and throughout the worlds
- Caring, encouraging approach to person growth and individual religious experience which interact to form a Jewish identity
- Religious obligation to social justice and the ecological welfare of the world
- Immersion in a totally Jewish environment of Jewish arts and culture, sports and daily living to discover and develop personal commitments and paths to God

Among current and prospective off-season Ramah programs are:

Passover Retreat – this is an all-inclusive opportunity for multi-generational families to spend the holiday together learning and exploring Jewish life, culture, texts, and history with communal Seders. Throughout the week individuals may choose from hundreds of programs, trips, activities, and lectures, including everything from woodworking and ceramics to hikes and campfires.

Jewish Women's Getaways – this women-only (age 18 or older) retreat will have everything needed to relax the mind, rejuvenate the body, and fill the spirit. It will combine creativity, text study and friendships with the joyous celebration of Shabbat. It will encourage creativity through art and engage the body on a ropes course, indulge in relaxation with yoga, and massages, and much more.

Family-Friendly Shabbats – each program is designed for families with children. Retreats will include age-specific special programs, story time, scavenger hunts, nature hikes, music, and kid-friendly Shabbat services. From rock climbing

to parents-only porch activities this would be a unique opportunity for the whole family.

Father and Son weekends, *for Dad, Grandpas, Uncles and boys in grades K-8*. In addition to the family-friendly Shabbat activities, the men will spend time exploring the challenges and joys of raising boys to be strong young men, and mensches (a person of honor and integrity).

Teen Weekends - programs designed to instill a sense of joy, compassion and pride in being Jewish while nurturing a young person's innate desire to make a difference in the world around them. The goal for each teen is to be inspired to develop the skills that they need to be successful today and in the future.

Solar Eclipse Shabbat - a family-friendly cosmic weekend learning about and preparing for a solar eclipse, complete with a Shabbat celebration, solar art projects, stargazing, and Jewish and scientific learning sessions and activities.

Camp Ramah in Nyack wishes to replicate these national programs. Overnight programs at the Nyack campus will be limited to the 72-bed capacity of the dormitory building.

Relief Requested

Ramah therefore asks that the special permit be amended to allow, in addition to the regular day camp use, use of the Camp for retreats and for synagogue, Jewish youth group, and similar functions throughout the year, with overnight occupancy limited to 72 beds.

Dated: August 27, 2018
New City, New York



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