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NY's highest court to decide if Ramapo can tax a religious day camp

BY STEVE LIEBERMAN • SLIEBERM@LOHUD.COM • AUGUST 31, 2010

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New York's highest court agreed today to hear Ramapo's argument that a religious congregation can be taxed on its operation of a summer day camp.



The Court of Appeals will consider an Appellate Division ruling in May that Congregation Rabbinical College of Tartikov remains tax exempt for its camp amid 130 acres off Routes 203 and 306.

The Appellate Division panel overruled a state Supreme Court justice who sided with Ramapo's decision to tax the congregation because the summer camp is a profit-making enterprise.

Ramapo Town Board voted to appeal.

Tartikov's lawyers argue the summer camp financially supports the congregation and remains within the institution's religious exemption. The lawyers argue the camp is no different than a religious institution's catering business or bingo event.

The town has six months to perfect its appeal. Both sides will file papers with the Court of Appeals, which will host oral arguments in the case.

The camp is located on property in Pomona where Tartikov wants to build a rabbinical college,

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complete with dormitories for 250 students and their families. The students in the 15-year program would live on campus.

The congregation bought the land for \$13 million in 2005 from the Yeshiva of Spring Valley in Monsey.

Tartikov has not filed development plans for a college, pending a decision in its federal lawsuit against Pomona. The congregation sued Pomona in July 2007, arguing the village's land-use regulation and conduct prohibited Tartikov from building and operating the college and housing for students on the 130-acre site.

The judge, Kenneth Karas, is deciding on the village's motion to dismiss Tartikov's legal action.

The proposed dormitory school is one of several major developments for the area.

The Ramapo Town Board approved a zoning change allowing nearly 500 units — multiple family, single family and apartments — on 208 acres of the former Patrick Farm. The Planning Board is scheduled to review the Patrick Farm development plans on Sept. 7.

The town has also given the go-ahead to a religious school with dormitories on Babcock Lane and another school nearby on Route 306.

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