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## Rockland asks Congress to revisit religious land-use law

BY AKIKO MATSUDA • THE JOURNAL NEWS • MARCH 19, 2008

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With some last-minute changes last night, the Rockland County Legislature unanimously adopted a resolution to ask Congress to review a religious land-use law.

The Religious Land Use and Institutionalized Persons Act of 2000, known as RLUIPA, has been a source of contention in the county, and several land-use lawsuits have been filed against municipalities.

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Legislator Joseph Meyers, D-Airmont, who has been voicing concerns about the local impact of RLUIPA since he was an Airmont village trustee, introduced the resolution right after he took the county office in January.

One of the land-use lawsuits was filed by Congregation Rabbinical College of Tartikov against Pomona. Tartikov argued that the village's land-use regulations and conduct prohibited the congregation from building and operating a college with housing - for at least 250 students and their family members - on a 130-acre site off routes 202 and 306.

Before last night's vote, during the public-comment session, three attorneys representing Tartikov spoke against the resolution.

Roman Storz, an attorney based in Washington, D.C., and Paul Savad, a Nanuet lawyer, said RLUIPA was necessary because zoning laws had been used to discriminate against certain religious groups.

"It is a good law, and it is an important law. So I think what you do tonight is very important," Storz said.

Attorney John G. Stepanovich of Virginia, also representing Tartikov, urged the Legislature not to pass the resolution, saying that it would have no benefit to residents of the county.

"This resolution is nothing more than a publicity stunt designed to appease a certain segment of this county," Stepanovich said. "The real effect will be more division and polarization of your citizens."

Residents, such as Robert Romanowski of Monsey, spoke in support of the resolution so Congress would revisit the law.

"Although well-intentioned when it was passed, this law has been used as an excuse to override local zoning laws," Romanowski said. "It can be used to force developments by religious groups in areas that don't have the infrastructure, water, sewer and road capacity to handle such developments."

Meyers' resolution asks Congress to hold hearings on the religious land-use law and to explore whether the law should be amended to clarify and provide balance between religious and municipal needs.

When the proposal came to a vote, Legislator Ilan Schoenberger, D-Wesley Hills, spoke up to amend Meyers' resolution, adding a paragraph to request Congress to "obtain testimony from individuals and religious institutions, especially those located in Rockland County that may have been targeted based on their religious status and may have been unduly burdened by land-use regulation."

Reach Akiko Matsuda at [amatsuda@lohud.com](mailto:amatsuda@lohud.com) or 845-578-2431.

### in your voice

READ REACTIONS TO THIS STORY

 [stlowrentsmustbejailed](#) wrote:  
 This is good news for the tax paying majority. A simple formula to weigh votes against taxes paid (thus, greatly diminishing the block, would be a Utopian dream, eh? I believe the block is grossly overstated and good old fashioned election fraud by st. lowrents and his henchmen is the real story behind the scenes. By the way, Journal, what ever happened to the sign stealing caper and the tax evasion by st. lowrents? Isn't it curious how some stories just seem to go away?  
 3/19/2008 2:17:06 PM  
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 [rirhodes](#) wrote:  
 New York, like many states and the United States already have constitutional protections for freedom of religion. In fact, in New York an application for the right to build a house of worship or a school can only be turned down if based on health and safety concerns. RLUIPA goes much further and threatens any municipality that turns down a "religious activity" with the responsibility to pay the legal fees of a plaintiff if it loses its case in court. This is a draconian threat that forces municipalities to cave in rather than go to court to protect responsible zoning laws. Congratulations Joe Meyers, Ilan Schoenberger has once again demonstrated that his political survival rests in the hands of just one of the many ethnic and religious groups that live in his election district. His tendentious amendment to the resolution was unnecessary. Read the resolution Ilan. Robert I. Rhodes, Ph.D., Chairman, Preserve Ramapo, www.PreserveRamapo.org  
 3/19/2008 1:37:46 PM  
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 [MrLee23](#) wrote:  
 This is a group of people using religion to avoid having to obey the zoning laws. It is this same group of people who have used religion to avoid paying real estate taxes. This proposed "college" is nothing more than a way to build another New Square. This college will be built with taxpayer money, NO real estate taxes will be paid because of it's Religious nature. 250 students will 10,000 family members. This group contributes nothing to Rockland and takes advantage of every religious loop hole there is. It is not fair to the taxpayers of Rockland.

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3/19/2008 12:23:34 PM

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**lipwak wrote:**

Bravo. Let's hope for the best.

3/19/2008 11:52:47 AM

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**BEN66 wrote:**

Keep religion out of the voting booth?! You mean like they do in China? Or like the Soviets use to do? Politicians' didn't have a choice? What does that mean? How exactly do you propose to "keep religion out of the voting booth"? What people have to wake up; The NON RELIGIOUS people? They have to "Wake up and do what? You ARE aware of the Bill of rights? Even Religious people have the right to assemble, speak out, protest, publish and practice their beliefs without interference from the government. And so they do, whether it's the Christian Right, or Hasidic community. Are you suggesting that the government take action to stop that? By the way the Bill of Rights also works for you. You organize your non religious block vote and tell the politicians that you have more people and that you wont vote for them if they don't vote the way you like. Fair enough. Then there is a document called the Constitution (you may want to reread at least the beginning), it's the equalizer. At the end of the day something is either Constitutional or NON constitutional. Then it doesn't matter who has the majority or how the politicians vote. By the way neopatra I am pretty sure your suggestion to keep religion out of the voting booth would fall under Non constitutional.

3/19/2008 11:13:50 AM

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**BEN66 wrote:**

This is a democracy and it IS a wonderful country to live in. Yes, block votes; get a group together and politically advocate for yourselves, that's the American way. The one with the biggest block vote wins. No need for bloodshed, just put a bunch of lawyers in a courtroom and let them have at it. But it gets better, even the minority has recourse to the law. Our forefathers set up a wonderful system; it all has to be constitutional. KRS has the smart argument, you can cry about block votes all you want but at the end of the day the question then becomes is it constitutional. I have no idea of what the Clintons have to do with any of this but what the heck Freedom of Speech, another wonderful reason to LOVE this country.

3/19/2008 10:47:57 AM

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**NEOPTERA wrote:**

We are all responsible for RLUIPA. Politicians had no choice but to vote for it. To NOT vote for it ( or to even question it) would be seen as anti-religious. -very dangerous for a politician in America to be seen as not supporting religion. Maybe now, people will wake up and realize that it is important to keep religion out of the voting booth.

3/19/2008 10:37:18 AM

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**marysand wrote:**

This religious group owns Rockland & Orange counties . Block vote ,and if that doesn't work there is always a law suit . Isn't it a wonderful world we live in . Only one group of people benefit from this law . We can all thank Bill Clinton for this . This is why we must not let Hillary become our next president . It will be more of the same .

3/19/2008 7:40:08 AM

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**KeepRamapoSecular wrote:**

Not to mention RLUIPA is completely unconstitutional because it allows the federal government to DEFINE a religion.

3/19/2008 5:48:04 AM

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