



For immediate release -- December 21, 2018

### **Official Statement Regarding RLUIPA Litigation by Central UTA\***

The Village Administration is required to fulfill its obligation to enforce Village laws and codes, equally and fairly, to protect the well-being of all residents, especially our children. The Village does not tolerate discrimination, and it did not discriminate against Central UTA.

In 2001, the Village Planning Board issued an amended site plan approval to allow two new modular buildings on the property, to be used as a school for no more than 167 students. At that time, the remainder of the property was used as a summer camp.

Airmont Village Code, as in almost every jurisdiction, mandates that no land “shall be used except in conformity with an approved site development plan” (Section 210-72).

The site plan has not been amended and no certificate of occupancy has been issued for more than 167 students to be enrolled in the two buildings.

After Central UTA stated during a public meeting in 2017 that it had 300-400 students enrolled, and questions were raised about the certificate of occupancy, the building inspector pulled the records on file with the Village, and discovered that the property had site plan approval to operate a school in the two buildings for only 167 students. Because Central UTA had publicly revealed that they were operating a school with more than double that number of students, in violation of the existing certificate of occupancy, a violation was issued.

Despite this outstanding violation, the Village has not stopped Central UTA from operating its school, and has tried to work with the school to come into compliance, in order to ensure that the students are safe.

Central UTA also cites the building moratorium adopted by the Village in their complaint, however, before the moratorium was adopted, the Village confirmed to Central UTA that its application was among the completed applications exempt from the moratorium. *Nothing has stopped Central UTA from seeking an amendment of the site plan to expand its enrollment and come into compliance. Instead, Central UTA has asserted that it does not need any approvals from the Village. This is incorrect.*

The Village of Airmont will defend itself against this baseless lawsuit, and will continue to enforce our laws, to ensure the safety and well-being of every child in every school in the Village.

*\*The Village of Airmont was not formally served with the complaint relating to code violations issued to Central UTA until December 21, 2018. Prior to that date, copies of the lawsuit were aggressively circulated to local media outlets via press releases put forth by a [controversial](#) Texas-based [organization](#) working with Central UTA.*