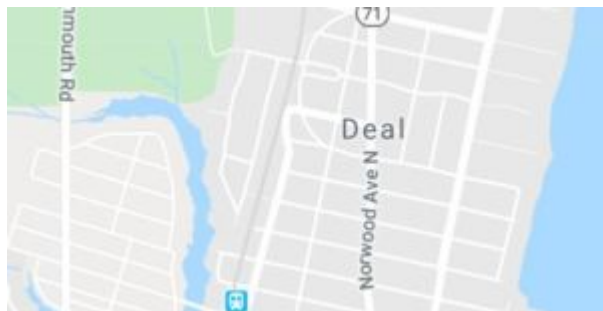


An Ideal Outcome in Deal

November 21, 2019



A burgeoning frum community was spared a costly and protracted legal battle thanks to the intervention of Agudath Israel's New Jersey Office and its vast network of land use attorneys. The saga started when Rabbi Mechael Semah, a son of the esteemed Sephardic Rav, Rabbi Rueven Semah of Deal, New Jersey opened a new Kollel this past Elul zman to be housed in the beautiful Deal Synagogue. Rabbi Semah and eight avreichim purchased homes in the more affordable West Long Branch, a few minute drive from the Deal Orthodox Jewish enclave. During the week the Kollel members would drive to the Deal Synagogue, and spend the day engaged in Torah study. Shabbos arrangements though, were not as idyllic. They were too small of a community to afford a Shul building, and so the nine men would invite a guest every week to ensure a minyan and then gather in different homes for davening. The Police Department, though, was none too happy with the makeshift provisions and issued a 'cease and desist' order to the home-made synagogue. When he received the order Rabbi Semah was - in his own words - lost. "I simply had no idea where to turn," he said.

Rabbi Semah called Rabbi Avi Schnall, Director of Agudah's New Jersey Office. Unfortunately, zoning laws seeking to undermine Orthodox Jewish attempts to expand into new neighborhoods had become all too familiar to Rabbi Schnall, turning him into expert on the applicable laws. He thus had a hunch that the Deal Police Department's cease and desist order was issued out of a mixture of ignorance and animosity and that in reality, the law was safely on the side of Rabbi Semah and his Kollel members. "If 20 people can gather in a house to watch a football game together, 10 men can surely gather to pray together," says Rabbi Schnall.

Rabbi Schnall connected Rabbi Semah with Ms. Donna Jennings, a land use attorney Agudah has extensive dealings with through their pending lawsuit against Jackson Township. Ms. Jennings confirmed Rabbi Schnall's instinct that the Kollel's current arrangements were perfectly legal and agreed to represent Rabbi Semah in court to fight the order. With Agudah's encouragement Ms. Jennings reached out to the town's attorney, aggressively arguing her position. After much discussion, and in an unexpected but welcome turn of events, the Town realized the legal basis for their case was flawed. The town's attorney went so much as to admit this to the presiding judge. The judge concurred with the argument, and praised the Town's attorney for "making a wise move" in not pursuing the case further.

A relieved and very grateful Rabbi Semah thanked Rabbi Schnall effusively for his help in ensuring his fledging community continue to grow. For his part, Rabbi Schnall noted that the victory is more than just a victory for the Deal community. He explained that as religious land use issues crop up throughout the country in general, and specifically in the tristate area, municipalities will often look to see how other townships are dealing with these questions. "When you have an official court document stating that there is nothing illegal with men gathering in a private home to pray, that carries a lot of weight with government officials well beyond Deal, and throughout New Jersey."