

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT
MINUTES
March 20, 2008**

A. Chairperson Fort called the meeting to order at 7:37 p.m. announcing that all laws governing the Open Public Meetings Act had been met and that the meeting had been duly advertised.

Mrs. Fort	present
Mrs. Flynn	present
Ms. Hendry	present
Mr. Hendrickson	present
Mr. Simon	present
Mr. Stettner	present
Mr. Shepherd	absent
Mr. Thompson	present
Mr. Denning	present

**Donald Moore, Esq., Kelleher & Moore
John Hansen, Ferriero Engineering
Michael Sullivan, Clark*Catton*Hintz**

B. APPROVAL OF MINUTES:

- 1. February 21, 2008 - Mr. Denning made a motion to approve the minutes. Mrs. Flynn seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.***
- 2. February 21, 2008 – Executive Minutes - Mr. Denning made a motion to approve the minutes. Mr. Hendrickson seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.***

C. CORRESPONDENCE:

Mr. Moore referred to the letter from Attorney Anthony Koester regarding the Hunterdon Christian Church. It dealt with whether or not the Hunterdon Christian Church was obligated to contribute to the off site extension of the private water line to the premises. It was reviewed by Mr. Moore and Mr. John Hansen and they both determined that since the Hunterdon Christian Church would be continually serviced by the on site well, they would not force the issue to have the water line extension imposed. The board agreed that Mr. Moore should contact Mr. Koester informing him that this is acceptable to the board.

D. TECHNICAL REVIEW COMMITTEE:

- 1. New Cingular Wireless PCS, LLC
Block 17, Lot 9
384 Route 22,
Variance**

Action date: March 24, 2008

Mrs. Flynn informed the board that the Technical Review Committee recommended that this matter should be deemed complete.

Mr. Denning made a motion to deem the application complete. Mrs. Flynn seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

E. RESOLUTIONS:

1. Report on Variance Applications for 2007

Mr. Denning made a motion to approve the resolution. Mr. Stettner seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

F. VOUCHER APPROVAL: (see attached)

Mrs. Flynn made a motion to approve the vouchers. Mr. Denning seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

G. PUBLIC HEARINGS

**1. CharDham Hindu Temple/Readington
Use Variance & Preliminary Site Plan
25A Coddington Road
Action date: March 20, 2008**

Lloyd Tubman stated that she is the attorney for the applicant.

PUBLIC COMMENT:

Bill Begosh, Tunis Cox Road – Stated that he did not feel it was appropriate to have a church use in the ROM zone that is located on a two lane country road. He stated that if it was located along Route 22 it would be more acceptable. Traffic issues are a primary concern.

Lori Potter, 3 Tunis Cox Road – She stated that an article in the newspaper declared that “off the record” the board was going to approve this application. Ms. Potter asked that the board listen to the public. Additionally, she agrees with her neighbors that are opposing this application.

Joan Pieros, 32 Coddington Road – She stated the reasons she is in opposition to the application including the negative impacts to the community and her property.

Jerry Cook – Evergreen Farm – Stated that many people that he comes in contact with in the community are concerned about the “land use”. He stated that this is the only item that the board can consider when they make their decision.

Arthur Todt – 51 Oakland Drive East – He concurred with the public that have already spoken. He is against approving the variance for this application.

Michael Casey – employed at Minalex Corporation. He stated that his customers that stop by his company voice their comments to him regarding the proposed temple. Additionally, during a meeting that he attended, he felt that the applicant was not truthful.

Jim Casey – Minalex Corporation – stated that the township’s ROM zone has not changed in the 40 years that he has been in business. There must be a good reason for this.

Lisa Savino , 43 Ebersohl Circle – She wanted the board to know that she previously forwarded an email to the board voicing her concerns regarding this application. She pointed out that in other communities where temples reside; the quality of life of the residents has been affected due to the amount of traffic. She was opposed to the application.

Ray Nash, 9 Pearl Street – He stated that he agreed with all of the preceding comments from the public.

Savita Saini 6 Tunis Cox Road stated that Dr. Bharat Barai is present this evening as her witness.

Mr. Moore swore in the witness.

Dr. Barai stated that he was invited by Ms. Saini to testify. Professionally he stated that he is medical oncologist/hematologist. He is the director of cancer center for Methodist Hospital and assistant professor of medicine at the Indiana University Medical School. He is also the chairman of executive committee of the Methodist Hospital at the State level and the medical licensing board for the State of Indiana. He has served as the Chairman Licensing Board for the State of Indiana for 8 years. Socially, he is involved in the community activities and is the chairman of the Board of Trustees of the Manav Seva Mandir located near Chicago’s O’Hare Airport.

Dr. Barai stated that he knows Yogendra Bhatt. Mr. Bhatt performed a katar, which is a religious discourse at his temple. Their first meeting was in 1992 and they met again in 2002, 2003. He stated that Mr. Bhatt came to his temple to act as a temporary priest from February 2007 until November 4, 2007. During Mr. Bhatt’s stay at the temple there was a lot of controversy with reference to his actions. The temple asked Mr. Bhatt to leave on November 4, 2007.

Ms. Saini referred to the transcript of the meeting held on June 2007, wherein Ms. Goodwin had asked Mr. Bhatt if he was working anywhere else and he said no. She asked Dr. Barai if he was aware that Mr. Bhatt had an organization in Quincy Florida. Dr. Barai answered that he knows that Mr. Bhatt does have an association with the temple in Quincy Florida. Ms. Saini stated that Mr. Bhatt in February 08 testified that he does not know who the priest is in Quincy Florida and he is not

related to that priest at this temple. Ms. Saini asked Dr. Barai if he knew who the priest was at Quincy and if he is a relative of Mr. Bhatt. Dr. Barai answered that in October 2007 he learned from an associate in California that Mr. Bhatt had a temple in Quincy Florida. He made a phone call to that temple and found out Yogendra Bhatt was related to this priest.

Ms. Hendry wanted to know if Dr. Barai ever asked Mr. Bhatt if he was related to the priest in Quincy. Dr. Barai answered no.

Mr. Denning wanted to know how many days a week did Mr. Bhatt spend at his temple. Dr. Barai answered everyday except a few days.

Mrs. Fort asked on a normal Sunday, how many people attend his temple. Dr. Barai answered if there are no special celebrations, 250 people. If there is a festival, then 1,000 to 1,500 people will attend.

Marygrace Flynn asked if Dr. Barai had ever heard of a temple that would limit the size of the congregation. He answered no, he is not aware of one.

Dr. Barai stated that during Mr. Bhatt's stay at his temple there were numerous telephone calls made to the temple in Florida.

Mr. Thompson asked if in Dr. Barai's experience, did he feel that Mr. Bhatt told the truth. Dr. Barai answered that he was very disappointed with Mr. Bhatt and he would not want anything to do with any temple that he is associated with.

Ms. Hendry asked if Dr. Barai could give an example in the transcript of where he felt Mr. Bhatt was untruthful. Dr. Barai answered that when he stated that he was visiting his relatives, he was in fact at the temple with a thousand people present.

Ms. Hendry asked if there was another example where Dr. Barai thought that Mr. Bhatt was not being truthful. Dr. Barai stated that he was a full time priest in the CharDham Temple and he was earning a salary of \$2,000 for his services to the temple. But actually he was spending his full time at Manav Seva Mandar Temple.

Mr. Moore asked if Dr. Barai's temple gave Mr. Bhatt a 1099 form since he worked at the temple. Dr. Barai's answered no because he worked at no cost, except for expense reimbursement. A check was issued for Mr. Bhatt, but it was never sent to him.

The board took at break at 9:47 p.m. The board reconvened at 10:02 p.m.

Ms. Saini stated that Mr. Bhatt testified that he is not involved with the Quincy Temple. We have proof today that he is involved with the Quincy Temple. He does know the priest of the Quincy Temple who is his relative. Dr. Barai has phone records that indicate that he is affiliated with the Quincy Temple. In June 2006 Mr. Bhatt was asked if he was affiliated with any other church and Mr. Bhatt's answer was no. This proves that he lied under oath again. Also, he brought a personal

assistant Hasmukh Sadhu that was an illegal alien and asked the management to sponsor for a religious visa. This proves that he has done illegal things.

Mrs. Saini stated that Mr. Bhatt has testified under oath that he has never spoken in front of more than 200 people. In August 2007, he said the last time he spoke before 200 people was in March 2007. Did Mr. Bhatt perform services at Dr. Barai's temple and were there more than 200 people. Dr. Barai answered yes, on many occasions and he has a DVD video as evidence to prove it. Also, it has been proven that Mr. Bhatt does speak English. He had testified under oath that he needs total help to answer his emails. She stated that by Dr. Barai's statement, Mr. Bhatt does not require total help to answer his emails.

Mrs. Saini asked if Manav Seva Mandar is a traditional temple and was Mr. Bhatt the priest at that temple. Dr. Barai answered yes.

Lloyd Tubman stated that she has some questions, because she did not see any of the evidence, therefore she asked Dr. Barai if he had employment records for Mr. Bhatt. Dr. Barai answered that he was not officially employed and he was not in charge of employing him. Ms. Tubman asked when Mr. Bhatt was employed in Chicago. Dr. Barai answered he worked there from February 16, 2007 to November 4, 2007. This is documented in the Manav Seva Mandar issued.

Exhibit Barai-1 – Booklet page #7 dated July 28, 2007

Ms. Tubman asked that on page 7 of Exhibit Barai 1, was there any information as to how many people were present before Mr. Bhatt's speech? Dr. Barai answered no. Ms. Tubman asked if it stated that Mr. Bhatt performed a katar. Dr. Barai answered that there is a picture of Mr. Bhatt.

Mr. Moore recommended entering the exhibit into the record but it should be noted that it might not be definitive as to the number of people in attendance.

Ms. Tubman stated that the record should also show that photographs of the centerfold are not the page 7 that was referred to before.

Exhibit Barai-2 Three DVD's to be ruled upon – March 31, 2007 and July 20 through 29th 2007.

Ms. Hendry asked if Dr. Barai personally observed Mr. Bhatt speaking in a religious sense to a group of people larger than 200. Dr. Barai answered yes, many times. Ms. Hendry noted that the only difference between the testimony and the DVD's is that the DVD's are objective evidence and this is sworn testimony of a person that will be given the weight of credibility.

Ms. Hendry asked if Dr. Barai personally observed Mr. Bhatt in the 1992 to 1994 time frame speak to a group of people that was larger than 200. Dr. Barai answered yes. Ms. Hendry asked the same question but the year being 2007. Dr. Barai answered yes. Ms. Hendry asked that in 2002, did you personally observe Mr. Bhatt

give a religious discourse to a group of people that was more than 200 people. Dr. Barai answered yes.

Mrs. Flynn asked if they perform weddings in the temple. Dr. Barai answered yes. But the weddings are not necessarily performed by the temple priest. The hall is rented out and the parties can get their own priest.

Ms. Hendry confirmed that Ms. Tubman stated that in 2006, Mr. Bhatt made a statement to this board that he had not spoken to this number of people and if the first time that he spoke before this number of people is when he first became affiliated with the temple in Chicago in February 2007, then it could have been a true statement. If on the other hand, he performed a discourse before a large number of people prior to 2006, then that is a different situation. If it is true what Ms. Saini stated that he testified in early 2008 that he hadn't been affiliated with a large group of people, then it could make a difference. Mr. Moore declared that if that was the case, it would be of only a marginal significance and that the board has enough evidence to draw their own conclusions based on the testimony heard to date. The board felt that they did not have to watch the videos.

Dr. Barai entered his resume into the record. It is marked BARAI 3.

Dr. Barai stated that by testifying before the board, he was only trying to provide factual information based upon his own experience and based upon the documents to show the board what happened at his temple.

This matter is carried to April 17, 2008. There will be no further notice.

H. ADJOURNMENT:

Mr. Denning made a motion to adjourn. Mrs. Flynn seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

Respectfully submitted,

Linda Jacukowicz