

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT
MINUTES
June 19, 2008**

A. Chairperson Fort called the meeting to order at 7:38 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	absent
Mr. Hendrickson	present
Mr. Simon	present
Mr. Stettner	present
Mr. Shepherd	present
Mr. Thompson	present
Mr. Denning	present

**Donald Moore, Esq., Kelleher & Moore
Brent Krasner, Clark*Caton*Hintz**

B. APPROVAL OF MINUTES:

1. May 15, 2008- Mr. Denning made a motion to approve the minutes. Mr. Thompson seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

C. CORRESPONDENCE:

There were no comments with regard to correspondence.

D. TECHNICAL REVIEW COMMITTEE:

**1. Winfield Management Corp.
Preliminary-Final Site Plan &
Use Variance**

Marygrace Flynn stated for the record that the application remains incomplete.

E. VOUCHER APPROVAL:

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.*

F. PUBLIC HEARINGS

**1. Wachovia Bank, N.A.
420 Route 22
Block 8, lots 4, 5, 6 & 7
Variance application Action date: Carried to July 17, 2008**

**2. BLN
Block 53, L. 22
Request for extension to approval**

Steven H. Fleischer stated that he is the attorney for the applicant. In 2003 a resolution was memorialized granting the applicant a use variance for the installation of an accessory apartment to be used as an ag labor unit in an existing barn. There were time frames imposed for the construction which amounted to two (2) years with an additional one year for a total of three (3) years. On November 25, 2003 the resolution was adopted. Hunterdon County was responsible to provide the corrective deed of easement, but it was never completed. On October 20, 2005, a supplementary resolution was adopted extending the time frame from the 2003 resolution. Unfortunately, when the architectural plans were submitted the applicant was beyond the time frame.

The applicant requested a two year extension. Madam Chair stated that one of the conditions that should be imposed is that at the time a permit is issued, the owner must comply with whatever the current COAH obligations and any other governmental regulations that are in effect at that time.

Mr. Denning made a motion to grant the two year extension from the time that building permits are issued. Mr. Thompson seconded the motion.

Roll call

Mr. Denning	aye
Mrs. Flynn	aye
Mr. Hendrickson	aye
Mr. Shepherd	aye
Mr. Stettner	aye
Mr. Thompson	aye
Madam Chair	aye

**2. CharDham Hindu Temple/Readington
Use Variance & Preliminary Site Plan
25A Coddington Road**

PUBLIC COMMENTS:

Savita Saini 6 Tunis Cox Road. She stated that Dr. Barari was supposed to attend this meeting, but unfortunately his mother is very sick and he had to travel to India. Ms. Saini had a copy of a plan showing the parking spaces at the temple in Chicago; and the board of trustee 2006-2007 lists. A copy of an application submitted to Blue Cross and Blue Shield, showing Mr. Bhatt's name was produced. A police report was also submitted.

Lloyd Tubman, attorney for the applicant, stated that she has read the documents submitted by Ms. Saini. However, none of the documents have been authenticated. She stated that none of these documents are relevant. She received a parking plan

for a temple in Chicago, there is a bill for lunch with no one's name on it and it doesn't say who issued it or who it was for, therefore there is no connection between this bill and Mr. Bhatt; there is a Blue Cross and Blue Shield rejection of a claim letter to Mr. Bhatt. She did not see the relevance to this document to a temple in Readington Township. Additionally there is a copy of a \$20,000 check that was referred to at previous hearings. There are lines drawn through it and it shows that the check had been voided. There is a recital at the top of the check showing that Sri Bhatt donated \$20,000 back to the temple. There was testimony that the check was not accepted. On the back of the check is writing indicating received with thanks from typed "No Signature". Ms. Tubman stated that this document has no relevance to the application. Also, there is a Bensonville Police Department report which does not mention Mr. Bhatt. It states that someone grabbed someone's jacket and was yelling at him. The word "husband" is handwritten on this report. This also has no relevance to the application. There is a listing of the board of trustees and executive board members. Mr. Bhatt's name is on that document. It does state the name of the temple. She does not feel that any of these documents can be authenticated.

Mr. Moore stated that he agreed with Ms. Tubman. He felt that Dr. Barai's oral testimony speaks for itself. The board felt that if this new information was going to be submitted into the record, Dr. Barai would have to be present.

Charlotte Lacroix, 24 Coddington Road wanted to know why the information that was presented by Savita Saini was not going to be submitted into the record. The board answered that since Dr. Barai is not present, the board cannot submit the information.

Laurie Potter 3 Tunis Cox Road wanted the board to know the severe impact that will occur on the neighborhood if this application is approved.

Susan Serraino 30 Coddington Road wanted to know if the access to the site was only going to be on Coddington Road.

Savita Saini 6 Tunis Cox Road wanted to know if she could ask Mr. Bhatt some questions. Ms. Tubman stated that his testimony is closed.

Bill Begosh 10 Tunis Cox Road wanted the board to visit the site.

Lynn Sergant - Pearl Street wanted to know what their guarantee would be that Coddington Road would not place a financial burden on the taxpayers to widen the road.

Michele Jaunarajs 101 Pulaski Road wanted to thank the board for their work.

Jerry Cook, Evergreen Farm, Railroad Lane he stated that according to counsel, the board has strayed. Getting back to Readington Township, he wanted to leave the board with two words, "land use."

Ms. Tubman stated that the applicant has been before the board since February 2006 on an application for a CharDham Temple devoted to four particular gods and a building modeled on four temples in India. Mr. Bhatt has testified at great length that he has a particular set of beliefs that he wants to establish in this temple that will be devoted to those four gods. Mr. Bhatt's projection is that over the next 5 to 10 years there will be 100 to 150 members in his temple. Ms. Tubman stated that the building is designed for 150 attendees. She stated that there has been a great concern voiced about excessive attendance. The testimony has been that the ground floor will be used for assembly, two quadrants at a time will be used, one Sunday service for a maximum of 150 people. There was a question early on about 300 attendees and would that require a variance for the parking. They submitted a plan that proved that they can install 300 parking spaces, but neither the board nor the applicant wants the additional parking. Mr. Bhatt consistently testified that there will be no outside festivals or outside activities. There will be 4 holy days representing the birthdays of the 4 gods that will be celebrated on the anniversaries of the idols installation. In which case there would be special clothes and prayers, but not festivals. There will be no weddings held in the temple; no meals will be prepared in the facility, and there will be no priest residences in the temple. This application is an inherently beneficial use which is a different church. The property is zoned ROM-2. It is a property that is uniquely situated. It is heavily treed and it is environmentally constrained. The applicant meets all of the constraints and all of the bulk standards of the ordinance. They can provide the parking that is necessary. Due to a transitional averaging plan, they will deed restrict the balance of the property, therefore the applicant could never build a community center that could potentially generate much greater attendance than the temple itself could generate. They have requested a variance for the height of the steeple and for a sign that is 44 feet from the edge of pavement for visibility purposes rather than 50 feet from the right-of-way. She stated that the board heard testimony about temples in Florida and Chicago. That testimony was not relevant to this application. The board has to look at the use that is proposed and the magnitude of the use. The board must apply the tests for an inherently beneficial use. Ms. Tubman stated that the applicant will anticipate a vote at the next meeting. Mrs. Fort agreed stating that that was her expectation too.

The applicant signed an extension and is carried to July 17, 2008. The only matter left regarding this application is the board's vote.

Catherine Petrakis wanted to know if the board would deliberate in front of the public. Mrs. Fort answered yes.

G. ADJOURNMENT:

Mrs. Flynn made a motion to adjourn at 8:56 p.m. Mr. Shepherd seconded the motion.

Respectfully submitted,

Linda A. Jacukowicz