

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT  
MINUTES  
August 16, 2007**

Chairperson Fort called the meeting to order at 7:34 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
Mrs. Goodwin	present
Ms. Hendry	present
Mr. Hendrickson	absent
Mr. Stettner	present
Mr. Shepherd	absent
Mr. Thompson	present
Mr. Denning	present

Donald Moore, Esq., Kelleher & Moore  
Robert Brightly, Ferriero Engineering  
Brent Krasner, Clark\*Caton\*Hintz

**B. APPROVAL OF MINUTES:**

**1. July 19, 2007**

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

**2. July 19, 2007 – Executive Minutes**

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.*

**C. CORRESPONDENCE:**

The board had no comments regarding the numerous correspondence received by the board from the Hunterdon County Soil Conservation District.

**D. TECHNICAL REVIEW COMMITTEE:**

- 1. Station Center Investors, LLC  
c/o Net Property Management  
547 Route 22  
Variance  
Action date: September 1, 2007**

The TRC recommended that this matter 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. VOUCHER APPROVAL: (see attached)**

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

**F. PUBLIC HEARINGS**

1. Vines, LLC/Readington  
Block 39, lot 59  
3523 Route 22 East  
Site Plan and Variance  
Action date: August 17, 2007

Madam Chair announced that this matter has been carried to September 20, 2007.

2. CharDham Hindu Temple/Readington  
Use Variance & Preliminary Site Plan  
25A Coddington Road  
Action date: August 16, 2007

Lloyd Tubman, Esq., stated that she is with the firm of Archer & Greiner. She informed the board that this is a continued hearing for the temple.

Mr. Bipin Gunvantral Desai and Mr. Yogendra Bhatt who were both previously sworn and remained under oath.

Ms. Tubman stated that at the conclusion of last month's hearing, Madam Chair had requested that at this meeting Mr. Bhatt go through the day to day operations of the temple.

Ms. Tubman asked Mr. Bhatt what occurs on a Sunday when the devotees arrive at the temple. Mr. Bhatt answered through Mr. Desai that they first assemble downstairs, remove their shoes and jackets. The priests arrive at 8:00 a.m. everyday. They change their clothes downstairs, then bathe and afterwards go upstairs to wake up the god. Then the priest will bathe the god and then change the clothes of the god and then food will be offered to god. At 12:00 the god will go to sleep.

This is still taking place on Sunday. The devotees are seated in their places and then they perform rituals. Then there will be spiritual meditation of a god and it will last for approximately 15 minutes before one dham. Then they go to the next dham, and when they are finished praying, they will go to the next dham. Once they are finished, they will come downstairs.

**Madam Chair asked if there would be 4 priests, or does the priest travel with the dham. Mr. Bhatt answered through Mr. Desai that there will be individual priests for each dham.**

**The ceremony will end at approximately 12:00 p.m. After that, the devotees will go home and the god goes to sleep until 4:00 p.m. At that time the priest will come back and open the temple, and will wake up the god again and then the god will be offered flowers and food. The priest will chant the evening prayer.**

**Ms. Tubman asked if visitors can come to the building on Sunday afternoon. Mr. Bhatt answered through Mr. Desai, no.**

**Ms. Tubman asked what takes place during the week. What time does the temple open? Mr. Bhatt answered through Mr. Desai that from Monday through Saturday only priests perform all of the ceremonies in the temple, no devotees.**

**Ms. Tubman asked if a devotee could stop in during the week if for example it was their birthday. Mr. Bhatt answered through Mr. Desai that if he is an ordained member then the priest will perform some religious ceremonies. He will bless him and then he will go home.**

**Ms. Goodwin informed the applicant that the board is only interested in the movement of people on the property. They are trying to get a feel for the amount of traffic. They are not concerned about the religious aspects of it. So on a daily basis how many people would be coming to and from the site? Mr. Bhatt answered through Mr. Desai that only the priest on weekdays.**

**Ms. Tubman asked if the festivals were the anniversaries of the installation of the individual gods. Mr. Bhatt answered through Mr. Desai yes. There will be one annual celebration for each dham. There will be different types of decorations on that day and the clothes that the god will be wearing will be different, the religious verses will be different. Ms. Flynn asked if those anniversaries fall on a weekday. Mr. Bhatt answered through Mr. Desai that no they only take place on a Sunday. Ms. Hendry asked if there were any festivals that do not involve the anniversary of one of the gods. Mr. Bhatt answered through Mr. Desai no.**

**Ms. Hendry asked if there would be any ceremony that would involve more than 250 people. Mr. Bhatt answered through Mr. Desai no.**

**Mr. Thompson wanted to know how this church would be different than the temple in Bridgewater. Mr. Bhatt answered through Mr. Desai that the god that is installed in Bridgewater is not the same god that we have in our temple. Their belief is totally different than our belief.**

**Mr. Thompson wanted clarification as to whether or not Mr. Bhatt can speak English. Ms. Tubman asked Mr. Bhatt if he understood some English. Mr. Bhatt answered through Mr. Desai that he understands a little bit, but that he is not confident about giving answers. Mr. Bhatt answered that when he has articles on line he has help.**

**Ms. Hendry asked who helps him and do they speak the same dialect as Mr. Bhatt. Mr. Bhatt answered through Mr. Desai that board members and volunteers help him. There**

are many languages in India and the language that he speaks Gujarati. They speak the same dialect.

Mrs. Flynn wanted to know if Mr. Bhatt speaks at different functions around the United States. Mr. Bhatt answered through Mr. Desai that if he is invited by people who want to know more about the religion, then he would go.

Ms. Hendry asked how many times he has spoken to groups that were more than 150 people on a non religious matter in the past 4 years. Mr. Bhatt answered through Mr. Desai 5 or 6 times. Ms. Hendry asked if he proposed to give these types of talks in Readington Township. Mr. Bhatt answered through Mr. Desai no because CharDham religion is a deep subject. He would talk to people who are interested in the CharDham religion but he would not go out and start speaking to the general public.

Mr. Thompson stated he has seen an article indicating that Mr. Bhatt spoke before a group of more than 1,000. What is the largest group of people that you have addressed? Mr. Bhatt answered through Mr. Desai that he does not believe that article.

Mrs. Goodwin asked if Mr. Bhatt intended to keep permanent attendance records for his services. Mr. Bhatt answered through Mr. Desai that they have rituals and they will keep a written record.

Ms. Tubman asked if Mr. Bhatt can testify as to how other temples count their attendees. Mr. Bhatt answered through Mr. Desai that he has no idea how other temples keep their records.

Mrs. Flynn asked what would be the process in the future that they would use to keep track of the attendees. Mr. Bhatt answered through Mr. Desai that it will be entered into our book that is especially maintained for attendance.

Mr. Thompson asked how would they control the attendance so tightly, if the 151<sup>st</sup>. person would be turned away? Mr. Bhatt answered through Mr. Desai that the 151<sup>st</sup>. person will be told not today, you will have to come some other time. Mr. Thompson asked is someone will be checking off names. Mr. Bhatt answered through Mr. Desai yes.

#### **PUBLIC COMMENTS:**

Fred Bardon, 9 Tunis Cox Road, wanted to know what type of school Mr. Bhatt attended for training. Mr. Bhatt answered through Mr. Desai that it was like a university. Mr. Bardon asked if Mr. Bhatt was trained in conventional Hindu teaching along with CharDham. Mr. Bhatt answered through Mr. Desai it comes out of Hindu religion. Mr. Bardon asked why Mr. Bhatt participates in activities such as multi day festivals when his beliefs in CharDham are different. Mr. Bhatt answered through Mr. Desai that if he is invited as a guest, he will respect them and attend.

Ms. Hendry asked if the speech the Mr. Bhatt performs is for fund raising purposes. Mr. Bhatt answered through Mr. Desai that it has never been his intention to raise funds, but if the people who organize those talks, if it is their intention to do that he does not have anything to do with that.

Mr. Bardon proceeded to ask questions about other temples in other parts of the country. Ms. Tubman stated that Mr. Bhatt should be asked questions about his testimony only. The comment period should be reserved for the comment period.

Mr. Bardon wanted to know why Mr. Bhatt participated in a fundraising activity in August 2005 for a community center when it was stated that this has been eliminated from the plan. Mr. Bhatt answered through Mr. Desai that he is not involved in the community center matter. Mr. Bardon referred to a newspaper article concerning a fundraiser for a community center that Mr. Bhatt participated in. Mr. Desai translated the article to Mr. Bhatt. Mr. Bhatt answered through Mr. Desai that he was there, but the way the article was presented he did not agree with the contents.

Mrs. Goodwin asked if there were ever plans for a community center. Mr. Bhatt answered through Mr. Desai no. However, Ms. Tubman corrected the record. She stated that before the applicant retained Thomas L. Yager and Associates and the documents were presented as an exhibit, there was a community center conceptually placed in the wetlands and wetlands buffer. It was placed on the website for the engineering firm. It could not be built and it has never been on these plans or before this board.

Mr. Desai asked if Mr. Bhatt remembers the prior law firm and the prior engineering firm and the conceptual layout. Mr. Bhatt answered through Mr. Desai yes. Ms. Tubman asked if that plan showed a community center in the rear of the property. Mr. Bhatt answered through Mr. Desai yes.

Mrs. Goodwin asked if any portion of the temple would be used for a community center. Mr. Bhatt answered through Mr. Desai no.

Mr. Moore wanted to state on the record that it is his understanding that this group of the public is represented by counsel, namely Mark Wetter. Mr. Moore stated that he is in constant contact with Mr. Wetter. Why is it if this group has retained counsel, who could simplify the meetings, does he never appear? Mr. Bardon stated that he does not represent him. Mr. Moore asked if anyone in the audience was represented by Mr. Wetter. No one responded.

Rakesh Saini – 6 Tunis Cox Road- stated that he is a Hindu too. He has visited more than 1000 temples. He stated that he has never been denied entry into any temple. Have you ever been denied entry into a temple? Mr. Bhatt answered through Mr. Desai no.

Savita Saini – She wanted to know why he didn't remember attending a function the end of July. He stated that he went to the function in his personal capacity.

Ms. Goodwin asked at any of these speeches is Mr. Bhatt raising money for the building of this temple. Mr. Bhatt answered through Mr. Desai no.

Mrs. Tubman signed an extension to September 20, 2007. Madam Chair announced that the hearing will be second on the agenda and will begin at approximately 9:00 p.m.

**G. EXECUTIVE SESSION:**

**RESOLUTION**

**(Open Public Meetings Act – Executive Session)**

**WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and**

**WHEREAS, this public body is of the opinion that such circumstances presently exist: NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township of Readington, County of Hunterdon, State of New Jersey, as follows:**

**The public shall be excluded from discussion of the hereinafter specified subject matters.**

**The general nature of the subject matter to be discussed is as follows:**

**1. Pending and potential litigation**

**2. It is anticipated at this time that the contents of the above discussions will remain confidential because of imminent or ongoing litigation.**

**This Resolution shall take effect immediately.**

**Certified to be a true copy of a Resolution adopted on August 16, 2007.**

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**Linda Jacukowicz, Coordinator**

**Mrs. Flynn made a motion to enter into executive session. Ms. Hendry seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.***

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

**Mrs. Flynn made a motion to take an appeal concerning the litigation that was discussed in closed session. Mrs. Goodwin seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.***

**H. ADJOURNMENT:**

**A motion was made by Mrs. Flynn to adjourn the meeting at 10:44 p.m. Ms. Hendry seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.***

**Respectfully submitted,**

**Linda Jacukowicz**