

LAW OFFICES OF GERALD MULLER, P.C.

707 State Road, Suite 212
Princeton, New Jersey 08540

Gerald J. Muller, Esq., *Member*
Martina Baillie, Esq., *Associate*

Telephone: (609) 257-2424
mbaillie@geraldmullerlaw.com

March 16, 2021

Via email

Peter U. Lanfrit, Esq.
Borrus, Goldin, Foley, Vignuolo, Hyman & Stahl, P.C.
2875 US Highway #1
Route 1 & Finnegans Lane
North Brunswick, NJ 08902

Re: Dada Bhagwan Vignan Institute
ZBA 19-00040

Dear Peter:

I am in receipt of your letter of February 12, 2021 to Christine Woodbury listing the site plan revisions and points of agreement reached among your client and my clients, Ray and John Snyder, and Mary Ellen Warwick, now represented by Jennifer Knarich, who recently took over from Greg Asadurian (who moved to a different firm). Both I and Mr. Asadurian pointed out to you and expressed concern that your list was not complete and consistent with our discussions, and so, for ease of reference for the Board and to assure my clients and the Warwicks of our agreement, I ask that, in your presentation to the Board at the next hearing, you please refer to the following list of site plan revisions and points of agreement:

1. Addition of a 10-foot-high berm with 8-foot pine trees (2 rows) at rear property line to provide a screen of the proposed building from the Snyder farm.
2. Addition of a fence along the rear property line on two sides adjoining the building, per the Snyders' request, to keep people from wandering onto the Snyder farm fields and thereby increase safety.
3. The House of worship will meet the 75-foot side yard setback requirement and be shifted to be 130 feet from the rear property line (from the original proposed 50 feet).

4. The trees shown in the plans shall remain in the area specified at the house of worship / Snyder property line, and a note shall be added to the plans reflecting the same. An updated tree removal plan will be provided.
5. The applicant will abide by any federal standards regarding tree clearing limitations for time of year as they may apply to this site and the protection of its wildlife.
6. The side and rear facades of the proposed temple will be beige or earth tones (we note that the applicant declined to do the same for the front façade although we requested that also).
7. The applicant agrees to maintain the trees and buffer screening to ensure their long-term health and survival for at least five years and notwithstanding the expiration of any required bond for such maintenance.
8. The addition of planted evergreen hedge at the parking lot towards the Warwick's property on South Middlebush Road to further block the view of the cars and any headlight impact.
9. Removal of the current driveway to the property along with the pipe at the street. The driveway is to be over 300 feet from the Warwick's property line and it will be posted for no parking.
10. Provision of additional plantings agreed to where the existing driveway will be removed.
11. Proposed street trees will be setback to ensure adequate site distance along South Middlebush Road at the proposed driveway. A site distance line is also shown from the Snyders' driveway to confirm that these trees don't obstruct their view.
12. Only the proposed driveway will be used as the construction entrance.
13. The proposed parking lot lights shall be on a timer and separate circuits so that they will be lit only when necessary.
14. Access to the existing house will now be from the proposed parking area closest to the house of worship.
15. The proposed parking lot closest to the Warwick's property will be relocated to be at least 100' from their property line.
16. All existing trees along the Warwick's property line are to be left and 6'-8' evergreens will be planted where there are gaps in between the existing trees.
17. It was requested that the applicant limit the use of the parking lot closest to the Warwick's property to 6 times a year, which you indicated was the applicant's intention, but you declined to agree to such as a condition of approval.

Sincerely,

A handwritten signature in cursive script that reads "Martina Baillie".

Martina Baillie, Esq.

Cc: Christine Woodbury, Zoning Board Secretary
John Snyder, *via email*
Ray Snyder, *via email*
Jennifer M. Knarich, Esq., *via email*
Mary Ellen Warwick, *via email*