

**TOWNSHIP OF FRANKLIN  
ZONING BOARD OF ADJUSTMENT  
COUNTY OF SOMERSET, NEW JERSEY**

**VIRTUAL MEETING  
April 15, 2021**

This Regular Meeting of the Township of Franklin Zoning Board of Adjustment was held virtually at 475 DeMott Lane, Somerset, New Jersey and was called to order by Vice Chairman Shepherd at 7:30 p.m. The Sunshine Law was read, and the roll was called as follows:

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**PRESENT:** Bruce McCracken, Joel Reiss, Alan Rich, Gary Rosenthal, Richard Procanik, Vaseem Firdaus, and Robert Thomas

**ABSENT:** Cheryl Bethea, Robert Shepherd, and Kunal Lakhia

**ALSO PRESENT:** Daniel Lagana, Board Attorney, Mark Healey, Planning Director, and Christine Woodbury, Planning & Zoning Secretary

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**MEETINGS:**

- **Regular Meeting – March 4, 2021**

Mr. Reiss made a motion to approve the Minutes, as submitted. The motion was seconded by Mr. Rosenthal, and the roll was called as follows:

**FOR:** Mr. McCracken, Mr. Reiss, Mr. Rich, Mr. Rosenthal, Mr. Procanik, Ms. Firdaus and Chairman Thomas

**AGAINST:** None

**HEARINGS:**

- **CEDAR HILL HOLDINGS, LLC / ZBA-19-00041**

Applicant was seeking a D Variance to allow the operation of a summer day camp and Site Plan approval to install a soccer field and running track at 152 Cedar Grove Lane, Somerset; Block 424.12, Lot 6.03, in an R-40 Zone - **CARRIED TO A DATE TO BE DETERMINED – with further notification required.**

- **SAURABH & ABHISHA DESAI / ZBA-21-00006**

Mr. Jared Pape, Esq., Attorney, appeared before the Board on behalf of the Applicant, Saurabh & Abhisha Desai. Mr. Pape indicated that they were before the Board that evening to obtain a “C” Variance in which the Applicant wanted to construct an in-ground pool at 3 Corwen Court, Somerset; Block 424.11, Lot 10, in the C-R Zone.

Mr. Pape confirmed with Board Secretary, Christine Woodbury, that the night’s hearing was noticed properly.

According to the Technical Review Committee’s report, dated April 1, 2021, the following variances were required:

- Front Yard Setback: 35 ft. required – 20.2 ft. proposed (pool) and 11 ft. (equipment)
- Side Yard Setback (south): 15 ft. required – 9.8 ft. proposed
- Side Yard Setback (west): 15 ft. required – 14.1 ft. proposed

Mr. Pape indicated that the Desai family were long-time Franklin Township residents, living at the subject residence for approximately 20 years. He then told the Board and public that their children have expressed an interest in swimming, both competitively and recreationally. He went on to explain that the swimming pool was designed to also include a standard-length swim lane, with a dimension of 75 ft. Mr. Pape then explained that the property was a pre-existing lot, that includes a single-family residence, within an established subdivision, and located at the corner of Corwen Court and Alton Drive. He added that the Township ordinance created a front yard status for what was functionally a side yard. Mr. Pape then told the Board that the Applicant had and maintained a six (6)-ft. vinyl fence that ran around the entire perimeter of the yard. He then explained that the visual barrier to the proposed pool was already in place and was planned to be kept in place.

Mr. Chester DiLorenzo, Engineer/Planner, came forward and was sworn in. The Board accepted his qualifications. Mr. DiLorenzo then described the existing conditions on the property, noting that the corner lot was comprised of approximately 16,000 sq. ft. He reiterated some of Mr. Pape’s testimony and indicated that the Desai’s wanted to install a pool that was 25 yards long (75 ft.) by 8 ft. wide for athletic purposes, as their sons were both competitive swimmers. In discussing the variances required, Mr. DiLorenzo indicated that they would be able to shift the location of the pool in order to eliminate the Side Yard Setback to the west of approximately 1 ft. to make a cleaner Application. He then also explained that the variance that was required for the pool equipment could be deemed a “garden shed” but would still require a variance for its location. Mr. DiLorenzo added that it could be relocated but felt that the current location was the best place to put it on the property as it would be easier to be maintained and serviced. He also stated that it would be shielded from view from the surrounding neighbors by the already existing fencing. Because of the increase in impervious coverage due to the patio, they had already done soil samples and know that the ground would accommodate an underground re-charge basin to the south side of the property. He added that they had designed it in such a way that they would avoid encroachment into the side yard setback and would not require a design waiver for the basin. Mr. DiLorenzo indicated that no trees would have to be removed from the property in order to construct the proposed pool.

Mr. DiLorenzo then gave his Planning testimony regarding a C(1) Hardship variance as well as a flexible C(2) variance, where the benefits outweigh the detriments. Mr. DiLorenzo then indicated that if the pool had been situated on any other lot in the neighborhood other than a corner lot, they would have 15 ft. side yard setbacks, and the pool would fit perfectly. He noted that it fell under a hardship within the Municipal Land Use Law (MLUL). Mr. DiLorenzo then addressed the criteria of the C(2) hardship because he felt the benefits exceeded any detriments, particularly for the benefits of two (2) Township residents who were currently dealing with drive times to Bridgewater for some three (3)-hour practices and wanted to be able to have availability for 5 months out of the year. With his explanations, and the fact that the pool would not be seen by anyone due to the already installed fencing, Mr. DiLorenzo felt that the benefits clearly outweighed any detriments.

Mr. Reiss asked whether the Applicant had spoken with their neighbors, and Mr. Pape indicated that the Applicant spoke to both adjoining neighbors who did not express any objections to the proposal.

Mr. Healey asked for clarification as to whether the Applicant was eliminating the variance for the Side Yard Setback to the west, and Mr. DiLorenzo answered in the affirmative. He also added that he planned to rotate the underground basin to eliminate the need for a Design Waiver.

Chairman Thomas then opened the meeting to the public. Seeing no one coming forward, the Chairman then closed the meeting to the public.

Mr. Pape gave his closing summation.

Mr. Reiss made a motion to approve the Application. Mr. McCracken seconded the motion, and the roll was called as follows:

FOR: Mr. McCracken, Mr. Reiss, Mr. Rich, Mr. Rosenthal, Mr. Procanik, Ms. Firdaus and Chairman Thomas

AGAINST: None

- **JAMES R. & SUSAN A. MORANO / ZBA-20-00016**

Mr. Peter U. Lanfrit, Esq., Attorney, appeared before the Board on behalf of the Applicant, James R. & Susan A. Morano. The Applicant was seeking a "C" Variance in which they proposed to construct a single-family house at 730 South Middlebush Road, Somerset; Block 37.03, Lot 44.01, in the Natural Resource Protection Cluster (NRPC) Zone.

According to the Technical Review Committee (TRC) report, the following variances would be required:

- Lot Area: 6 acres required – 3.12 acres existing/proposed.
- Lot Frontage: 400 ft. minimum required – 330 ft. existing/proposed (South Middlebush Road) and 36.20 ft. (Mattawang Drive).
- Rear Yard Setback: 200 ft. required – 105 ft. proposed
- Through-Lot (frontage on parallel streets): not permitted – existing/proposed conditions; Applicant proposing to add second driveway onto Mattawang Drive.

Ms. Susan A. Morano, Co-Applicant, came forward and was sworn in. She testified that she and her husband were 37-year residents of Somerset. Ms. Morano indicated that she and her husband purchased the property at 730 South Middlebush Road in November of 2019 for their primary residence. She then indicated that there was an old farmhouse that had burned and an old barn in the back of the property, a large metal building and a carport as well as a large windmill. Ms. Morano then stated that the property was approximately 3 acres in size, with frontages on both South Middlebush Road and Mattawang Drive. She told the Board that they were interested in having driveways with access to both roadways. Ms. Morano indicated that she suffers with multiple sclerosis (MS) and is mostly in a wheelchair; however, she testified that she does drive to work each day and was fearful of having to exit her property onto South Middlebush Rd. She then indicated that by utilizing a driveway onto Mattawang Drive, she could access South Middlebush Rd. from Claremont Rd. at a traffic light as well as Rte. 27 at a traffic light, which she felt would be safer. In maintaining the South Middlebush Rd. driveway, it would be utilized for guests who might visit and any deliveries that might come to the home.

Ms. Morano addressed why they wanted to set the newly proposed home back further onto the property, creating the need for a Rear Yard Setback. She stated that the reason was due to the noise that South Middlebush Rd. generated, specifically during certain times of day. She also added that they were moving to the subject property for the peace and quiet and told the Board that there was Open Space property across the street in that location.

Mr. Daniel Doran, Engineer/Land Surveyor/Planner, employed with William Doran and Sons, came forward and was sworn in. The Board accepted his qualifications. Mr. Doran then drew the Board's attention to the Variance Plan that was submitted with the Applications. In orienting the Board with the Plan shown, he noted that Mattawang Drive was located at the southeasterly corner of the property. Mr. Doran then described the existing conditions on the property, including the fact that the 3.12-acre site had been in existence for quite some time. He reiterated Ms. Morano's testimony regarding what was currently located on the property and stating that the proposed home would be built in the area of the existing barn structure. Mr. Doran indicated that all of the improvements that were existing on the property were removed by the former owner prior to the Morano's taking possession of the site. He showed the area that was earmarked for dedication to Somerset County for the proposed widening of South Middlebush Rd. along the entire length of the property itself (approximately 19.37 ft. in width). Mr. Doran then told the Board that the proposed home would be approximately 218 ft. from the proposed right-of-way line along South Middlebush Rd. He then noted that the existing driveway out to South Middlebush Rd. would be expanded and improved in order to maintain the access to that roadway and to provide access to the proposed dwelling. The Applicant was proposing a second driveway on the south side of the house out to the

southeast corner of the property onto Mattawang Drive. He then told the Board that the subject property was the only property on the east side of South Middlebush Rd. from Claremont Drive to Lenape Drive that was in the Agricultural (A) Zone. He noted that all of the residential properties in the surrounding area were created as subdivisions in 1997 in the NRPC Zone. He noted that most of the surrounding lots were 2-to-2.5-acre properties, which were smaller than the subject property. He also noted that the frontage of the surrounding properties ranged anywhere from 200 ft. to 225 ft., which was also smaller than the subject property. He then discussed the required variances that were enumerated in the TRC report. Mr. Doran explained that all of the surrounding properties were already developed, with no available land to purchase to make the subject property more conforming to the zone requirements. He then discussed the setbacks of the surrounding properties and how they compared with the subject property, all with less setbacks. Mr. Doran was utilizing the C(2) criteria to substantiate the granting of the variances, whereby the Applicant had to demonstrate that the purposes of zoning would be promoted as a result of granting the variance. He discussed purpose "C", providing light, air, and open space on the property and between the adjacent lot (Lot 25).

Mr. Doran then drew the Board's attention to the request for providing a second driveway out to Mattawang Drive. Even though he indicated that the Township did not allow through-lots, Mr. Doran told the Board that he thought it was important to note that the existing driveway that provided access to the property from South Middlebush Rd. was not connected to the proposed driveway that would be accessing Mattawang Drive. He also indicated that the address was on South Middlebush Rd, and, therefore, any deliveries or anyone coming to the property would access it from that main driveway, with the Applicant being the only one to use the driveway out to Mattawang Drive. He then spoke about purpose "J", which discussed utilizing existing infrastructure; however, because that would create a safety issue for the Applicant, he felt that including the second driveway would support that purpose. Mr. Doran explained that he did not feel that granting the Rear Yard Setback variance and the addition of the second driveway would create any substantial detriment to the zone plan, the zone ordinance or the public good.

Mr. Doran testified that they had received approval from the Application from the Somerset Soil Conservation District, and conditional approvals from the Somerset County Planning Board and the Delaware & Raritan Canal Commission (DRCC) that included the storm water management plan for the site.

Mr. Doran then discussed the need to remove some trees from the vegetative area to construct the additional driveway to Mattawang Drive. He noted that much of the area of construction was not covered in any vegetation of any kind, but in the areas that were, they would do their best to limit the number of trees to be removed. He added that they would also supplement those trees and vegetation along the entire easterly border of the property. Mr. Doran also told the Board that they would be replacing as many trees as possible directly on the site.

In addressing the TRC report, dated March 3, 2021, Mr. Doran testified that they would be able to comply with all comments in the report. He added that they would also be providing a storm water management system.

Chairman Thomas then opened a discussion regarding the need for a second driveway out onto Mattawang Drive, considering that the main driveway onto South Middlebush Rd. was out to a long, straight stretch of road with particularly good visibility. A discussion ensued regarding the rush hour periods of time for safety concerns due to Ms. Morano's disabilities. Ms. Morano also testified that she would have to make a left turn onto South Middlebush Rd. during rush hour and that her business was on Jersey Avenue.

A suggestion was made by the Chairman to close off the South Middlebush Rd. driveway and utilize Mattawang Drive for the main access and orient the proposed home to face in that direction. Mr. Lanfrit indicated that they only had approximately 36 ft. of frontage on Mattawang Drive and that Ms. Morano purchase the property in order to have a view of the Preserved farmland across South Middlebush Rd.

Chairman Thomas then opened the meeting to the public.

Mr. John Lee, 37 Mattawang Drive, Somerset, NJ came forward. He stated that the place where they wanted to build the secondary driveway onto Mattawang Drive was on a corner and that many cars drive faster than the posted 15 mph for that road in that area. Mr. Lee suggested that they utilize a "hidden driveway" sign and/or speed bumps on the roadway there for safety purposes. Mr. Lilly also did not like the fact that there would now be another roadway accessing the Town & Country Estates. He indicated he was happy to hear that all guests and deliveries would utilize the South Middlebush Rd. driveway.

Ms. Danielle Hanley, 115 Almond Drive, Somerset, NJ, came forward. Ms. Hanley just wanted to verify the location of the subject property as it related to Snyder's Farm on South Middlebush Rd.

Mr. Rao, resident, indicated that he agreed with Mr. Lee regarding the curve on Mattawang Drive in the area of the proposed driveway not being very safe. He also wanted to know if they were proposing a single-family home, and Mr. Lanfrit testified that it was and that the zone only allowed single-family homes.

Mr. Jahan, 2 Lenape Drive, Somerset, NJ, came forward. Mr. Jahan reiterated Mr. Lee's concerns that they did not intend when they were building the development.

Seeing no one further coming forward, Chairman Thomas then closed the meeting to the public.

The Chairman then asked the Board Attorney if there was a way to deed restrict the second driveway use. The Board Attorney indicated that the Board could condition any approval that the second driveway only be used for the residents of the property for ingress and egress.

Mr. Procanik asked whether the Applicant's Engineer performed any sight line testing to assure that the second driveway would be safe in the proposed location. Mr. Doran stated that with the posted speed limits, there was adequate sight distance at the proposed location of the second driveway out to Mattawang Drive. A discussion ensued regarding whether there was a homeowner's association involved for the residential development called Town & Country.

Mr. Lanfrit then gave his closing summation. He did suggest that the Board refer to the TRC report that had an aerial photograph as well as plans for the home and driveways to help them decide. He indicated that they would agree to a condition of the use for the second driveway to the resident's use in any approval. He said he would also agree to sign the second driveway indicating no entry for visitors/deliveries.

Mr. Healey asked Mr. Doran for a description of the nature of the proposed screening at the second driveway. Mr. Doran explained that the Morano's had agreed to maintain any existing vegetation there and that they had supplemented with additional deciduous and evergreen trees on the entire easterly border of the property in order to create an adequate buffer between the rear of the property and Mattawang Drive. A discussion ensued, and Mr. Healey suggested language in any approval/Resolution that included the replication of the vegetative screen that currently existed on the property.

Chairman Thomas also mentioned that he felt that the Resolution should also include language that stated that the front driveway should never be able to be connected to the rear driveway. Mr. Lanfrit agreed to any deed restriction related to the elimination of ever allowing the driveways to be connected as well as the one referenced earlier regarding the use of the driveway for the residents only.

Mr. Rich made a motion to approve the Application, with the following conditions: the rear driveway to be used only by the homeowners, and the two (2) driveways would never be connected in any way, with landscape buffering to be maintained or supplemented. Additionally, signage should be placed at the second driveway notifying passing motorists that it was a private driveway and that the second driveway be eliminated so that it could not be used by any future owners of the property. Mr. Reiss seconded the motion, and the roll was called as follows:

FOR: Mr. McCracken, Mr. Reiss, Mr. Rich, Mr. Rosenthal, Ms. Firdaus and Chairman Thomas

AGAINST: Mr. Procanik

Chairman Thomas allowed a 5-minute recess for the attorney to set up for the next hearing.

- **DADA BHAGWAN VIGNAN INSTITUTE / ZBA-19-00040**

Mr. Peter U. Lanfrit, Esq., Attorney, appeared before the Board on behalf of the Applicant, Dada Bhagwan Vignan Institute. D(3) Conditional Use Variance, "C" Variance and Site Plan in which the Applicant was asking to construct a 21,083 sq. ft. place of worship with parking lot and 5' monument sign at 630 South Middlebush Road, Somerset; Block 37.02, Lot 46.03, in the Agricultural (A) Zone – **CARRIED FROM MARCH 18, 2021, with no notification required.**

Mr. Lanfrit gave a summary of what testimony had already been given in the previous hearings, including the architectural testimony at the first hearing and Engineering testimony at that past three (3) hearings. He added that they presented a conceptual plan at the last hearing with certain revisions that were arrived at as a result of some extensive negotiations between the Applicant and the adjoining property owners, their attorneys and Mr. Ardman, the Applicant's Engineer.

Mr. Bhupendra Patel, Member of Board of Trustees and Congregation Member, Dada Bhagwan Vignan Institute, a 501-3C nonprofit operating a house of worship, and currently located at 630 South Middlebush Rd, Somerset, NJ, came forward and was sworn in. Mr. Patel stated that they currently operated at a different location to conduct religious services, in New Jersey as well as in India. He also stated that their priest was also in India. Prior to the pandemic, Mr. Patel indicated that they met together in Edison, NJ, for about two (2) to three (3) years, with 75-100 members locally in Central Jersey. Mr. Patel then shared a chart on the screen that detailed the attendance at the Edison, NJ site, and entered it into the records as Exhibit A-1, with today's date.

Mr. Patel testified that they had services on Saturdays and Sundays at the Edison site, and there were no services conducted Mondays-Fridays. At the proposed South Middlebush Rd. site, he indicated that they would have services on Saturdays and Sundays, and would not have services Mondays – Fridays, except when the priest would come from India where there would be a three-day program (Friday-Saturday-Sunday) twice a year (Spring/Fall). He then noted that on Saturdays, the facility would normally be open from 11 a.m. to 8 p.m., with the exception of the two (2) Saturdays when it would be open from 9 a.m. to 9 p.m. when the visiting priest would visit. Additionally, Mr. Patel stated that the facility would be open on Sundays from 10 a.m. to 2 p.m. He noted that the above days/hours are the current days/times that they had services/worship at the Edison facility. Mr. Patel then told the Board and public that on he two Fridays per year when the spiritual leader would visit from India, the facility would be open from 6 p.m. to 10 p.m. Mr. Patel testified that the proposed building would be used for religious and cultural activities and would not be rented out to third parties to use the facility or for weddings/funerals of their members. He also told the Board and public that all of their activities would be held inside the building, with the exception of a religious procession into the building on high holy days twice a year. He added that there would be no carnivals, picnics or other social events held outdoors on the property.

Mr. Patel then discussed the attendance at the temple services, noting that the 75-100 (Saturdays) and 50-75 (Sundays) with 125-140 (specific Sunday) had been fairly constant prior to the pandemic. He told the Board that there are no specific worship hours and that the building was open during the specified hours for people to worship on their own throughout



the day and have fellowship with the other congregants there as well as various cultural programs for the children.

Mr. Patel indicated that there was a stage within the building, as testified to by Mr. Mistry, the Applicant's architect, where they would store their deities. He added that there were areas with chairs and other areas where they would worship on the floor. He told the Board that there was also a fellowship area with chairs and tables set up.

Mr. Patel then gave details about the twice-yearly spiritual leader's visit and how many people come to hear him speak and then stay to discuss what was talked about. He indicated that the priest stays in the house on the site during that three (3)-day visit. He then testified that the spiritual leader would come to the United States for a month or so but visits other locations of their sect throughout the country.

Mr. Rich then opened a discussion regarding clarification on the proposed facility of their particular sect being the first in New Jersey. Mr. Patel stated that they have been in Edison, NJ for two (2) – three (3) years where they rent space and wanted to be able to have their own space where they would have their deities by building the Franklin Township location. He did add that other areas of New Jersey have groups of people of the same sect renting spaces to worship.

Chairman Thomas then asked Mr. Patel if he had any idea how many people in New Jersey would be considered part of his particular sect, so to speak. Mr. Patel told the Chairman that there were about 200 people in the state who practice their religion with their same sect. When asked, Mr. Patel indicated that when the priest visits from India there could be people coming from surrounding states to participate. A discussion ensued.

Ms. Jennifer Knarich, Attorney representing the Warwicks, came forward. Ms. Knarich asked where on the property the procession into the building would occur when the priest visits twice a year. Mr. Patel indicated that the procession was usually from the parking lot to the building. She then asked if there would be accompanying music during the procession, and Mr. Patel answered in the affirmative. Ms. Knarich asked him to describe how loud the music would be, and Mr. Patel indicated that it was not very loud or a big production. She then asked if their religious sect was the same as the facility that was proposed for the other side of South Middlebush Rd., and Mr. Patel answered in the negative. Ms. Knarich then discussed the plays and programs that might occur on the stage and the use of the changing room. She then asked various questions about the different rooms shown on the architectural plans and then inquired about whether food and alcohol would be served since there was a kitchen show. Mr. Patel said no alcohol would be served, but there would be food served. They then discussed the catered food that would be delivered by box truck and warmed up in the warming kitchen for lunch and dinner.

Ms. Knarich then drew the Board's attention to what kind of classes or programs would be available. She then asked what size the location in Edison was compared to what was proposed, and Mr. Patel stated that it was a much smaller area that was a rented space. Ms. Knarich then asked if there would be any staff on-site, and Mr. Patel answered in the negative. Ms. Knarich then asked what the maximum number of people would be on-site at any one time, and Mr. Patel indicated that there might be 25-30 people maximum on-site at any one time. A discussion ensued regarding the need for registering for events, and Mr.

Patel stated that they know who comes at particular times and can anticipate them, as noted in the chart. Ms. Knarich then asked if there would ever be a maximum number of members allowed in the congregation. Mr. Patel stated that they only attract those in the Central NJ area and would close the Edison, NJ facility if the Application were approved and the temple could be built in Franklin Township.

Ms. Martina Bailey, Attorney representing the Snyders, came forward. Ms. Bailey asked if their institution would include people from different sects. Mr. Patel indicated that it was a group of non-sectarian followers. Mr. Patel stated that they were not intending to grow beyond what they were seeing now. Ms. Bailey then asked why they were proposing such a large facility (over 21,000 sq. ft.) with a large worship space (over 7,000 sq. ft.) if they did not intend to grow their member rolls. Mr. Lanfrit objected to the tone of the questioning and told Ms. Bailey that the facility met all of the requirements of the zone. Ms. Bailey rephrased her question by asking what the rationale was in deciding upon a certain size structure and worship space given that he was only expecting 75-100 people at the most in any given day. Mr. Patel indicated that he testified that they might have up to 200 people on the three (3) – day weekends twice a year when the priest comes from India. He continued by stating that there was dancing in front of the deities and that they needed space in order to accomplish that. Ms. Bailey then asked whether the proposed height of the structure (35 ft.) to accommodate the deities or for some other reason. Mr. Patel indicated that when people were dancing and the larger number were congregating, they needed some space to be comfortable.

Ms. Bailey brought up an incident from a 2015 that was reported in the news that caused a situation where there were in excess of 300 people at an event, which was much larger than the testimony that was given that evening. She asked what had changed since that event that would bring Mr. Patel to describe a lower number of attendees. Mr. Patel testified that he was giving the current information. A discussion ensued.

Ms. Bailey noted that she would like to request after the hearing to have an exhibit marked and entered into the record which was a news item from the Franklin Township Reporter from September 14, 2020. She noted that the individual that she was referring to was Suresh Patel, a former Franklin Township resident. Mr. Lanfrit asked Ms. Bailey to provide the exhibit in advance so that he could review it if it were going to be part of the record.

Ms. Bailey then continued the discussion regarding the possible growth in membership since there was a large Indian community in both Central and North NJ. She then asked Mr. Patel how they would accommodate an increase in membership with only 157 parking spaces. Mr. Patel again stated that they did not anticipate growth because there are many rented spaces for members throughout the state and there has been no change in their membership in the past five (5) years.

Ms. Bailey drew Mr. Patel's attention to the existing dwelling and asking him how long the spiritual leader would be occupying the home, considering he visits only twice per year. Mr. Lanfrit objected to the questioning. A discussion ensued between Ms. Bailey and Mr. Lanfrit regarding the location of the existing home and the location of the proposed temple on the property. Ms. Bailey then asked Mr. Patel to clarify whether the house on the property would be vacant when the spiritual leader was not staying on the property, and he answered in the affirmative.

Ms. Bailey then questioned Mr. Patel about the 501-3C status as a non-profit house of worship, considering his description of their practice was not religious, but spiritual. Mr. Patel indicated that Hinduism is a religion, however, they were focusing more on the spiritual aspect rather than rituals.

Ms. Bailey then asked Mr. Patel for more information regarding the cultural events they planned to have. Mr. Patel described something called Gurba, a cultural dance and children's readings and singing songs related to the deities.

Mr. Greg Foster, 39 Lebed Drive, Somerset, NJ, came forward. Ms. Foster asked Mr. Patel if it would be possible that members of other locations may come to the Franklin Township location since it is a larger and owned facility. Mr. Lanfrit stated that people from other areas could come to visit if they wanted to participate in a particular event and those from the subject property could visit other locations as well. Mr. Foster asked the question again why they needed a 35 ft. roof height for a one-story building, and Mr. Lanfrit indicated that it met all zoning requirements and was allowed.

Ms. Barbara Lawrence, South Middlebush Rd. resident, came forward and was sworn in. Ms. Lawrence asked if people from nearby counties be inclined to join the subject congregation permanently because of what it has to offer (quality of facility as opposed to a hotel room) as the first and only owned facility. Mr. Patel did not anticipate that happening since there were other facilities nearer to people's homes.

Ms. Carol Crowe, long-time Township resident, came forward. Ms. Crowe stated that she admired what Mr. Patel was trying to do with the new facility, but she did not think they could compare the past five (5) years to what could be offered at the new facility. She reminded him that he stated they wanted to offer more dance and more activities than they had ever been able to offer in a rental space. She asked if he could guarantee that he would not allow his congregation to go above a certain number of people that these added activities and offerings would draw from the area and have people deciding to move closer to the new facility to avail themselves of things they cannot do at their current location. She added that would include adequate parking spaces, etc. Mr. Lanfrit reminded the Board and public the maximum number of people that would be attracted on high holy days, and if there were to be growth, he indicated that there was room for some growth at the location. He added that they were limited by the parking because they had 157 spaces. Ms. Crowe still expressed her concern for the heavy traffic a special event would bring that occurred at a specific time and would completely shut down South Middlebush Rd. Chairman Thomas indicated that the topic needed to wait for when the Traffic Consultant gave their testimony.

Seeing no one coming forward, Chairman Thomas closed the public portion.

Chairman Thomas then asked for a future date to continue the hearing. Mr. Lanfrit asked that the matter be **CARRIED TO MAY 06, 2021 – with no further notification required.**

DL – 6/30/2021

**MEETING ADJOURNED:**

The Chairman made a motion to adjourn the meeting at 10:20 p.m. The motion was seconded, and all were in favor.

Respectfully submitted,

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Kathleen Murphy, Recording Secretary  
May 13, 2021