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After long legal battle, Hindu temple in Bridgewater wins expansion approval

by David Giambusso/ The Star-Ledger
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After a five-year battle with the Bridgewater zoning board, the Sri Venkateswara Hindu Temple has won approval for a major expansion of its facility, despite resistance from the township and neighboring residents.

In 2004, temple officials approached the township seeking approval for a large-scale expansion of their cultural center on Route 202, as well as additional housing for priests, and a parking garage.

Neighbors of the 20.5 acre site complained the expansion would encroach on their property and cause increased traffic. Bridgewater denied the expansion three times -- in January 2005, December 2005, and May 2006 -- prompting the temple to file state and federal lawsuits against the township.

After scaling back the project to a size acceptable to zoning officials, the temple was granted variances and site plan approval Tuesday.

"We're quite happy that finally it is over," said Madhusudhan Rao Chava, temple chairman. "In the beginning, we were very disappointed."

The original plan had been to build a 38,000-square-foot cultural center -- nearly four times the size of the current center -- which would have hosted Hindu religious rites, Vedic heritage classes, dance and music performances, and religious education classes for the 1200-member temple.

Neighbors argued the site was negatively affecting residents who lived nearby.

"They're going to continue to buy up property," said Diane Mine, who lives near the temple on Cedarbrook Road. "The lights from the temple, the poor drainage, the parking they want to put in -- that impacts our property value."

Mine said when she bought her home 20 years ago the temple was a small church, but since then it has expanded into a major complex that does not serve the people of Bridgewater.

"If you go in the parking lot, it's people from Connecticut, from Massachusetts, from all over the place," Mine said.

The Sri Venkateswara Temple retained Storz & Greene -- a high-profile, Washington law firm that specializes in religious land-use cases throughout the United States -- and filed a lawsuit in 2007.

The suit asserts that by denying approval for the expansion, Bridgewater had violated state and federal constitutions -- specifically the federal Religious Land Use and Institutionalized Persons Act of 2000, which forbids government action that "imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution."

The lawsuit will be dropped now that the township has approved the project, according to Chava.

Alicia Giacchino, whose home on Cedarbrook Road abuts the temple property, said her objections had nothing to do with religion.

"I'm Catholic. If it was St. Paul's Cathedral in my backyard, I wouldn't want it," Giacchino said.

Like others, Giacchino cited noise, light pollution, traffic and flooding as her major concerns. She feels that a complex of this size shouldn't be in a residentially zoned area.

"I'm going to have a banquet hall in my backyard," Giacchino said adding that if she were in the market for a home today, "I probably never would have bought here."

Giacchino also disagrees that Bridgewater was preventing temple-goers from freely exercising their religion and characterized the religious argument

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employed by temple lawyers as little more than a "baragaining chip."

"Leniency is one thing," said Giachhino. "I think they're taking advantage of that leniency."

As part of the deal, the temple has agreed to a ten-year moratorium on all new expansion projects. It will also be limited to holding five events a year that require offsite parking. The temple's largest event, the Indian-American festival was moved to the 4-H fairgrounds at North Branch Park last year.

Zoning board attorney, Lawrence Vastola called the deal "a rational resolution," but neighbors argued they were still unhappy with the outcome, saying that the current size of the temple -- 28,300 square feet -- was sufficient to satisfy the needs of the local Hindu community.

Roman Storzer, of Storzer and Greene, cast the deal as a first amendment victory.

"This is an important day for religious freedom," Storzer said in a prepared statement. "The efforts of both the Temple and the township have led to a result that works for everyone."

David Giambusso may be reached at dgiambusso@starledger.com

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