

NORTH BRUNSWICK TOWNSHIP ZONING BOARD OF ADJUSTMENT

RESOLUTION

File #2577

Extension pursuant to N.J.S.A. 40:55D-52

Applicant: Sai Pariwar, Inc.

WHEREAS, the Zoning Board of Adjustment of the Township of North Brunswick is a duly constituted body as authorized by statute with the responsibility to supervise and to be concerned with the orderly development and planning of the Township as authorized by the statutes and ordinances made and provided; and

WHEREAS, the Applicant, Sai Pariwar, Inc. received a Preliminary and Final Major Site Plan with Use and Bulk Variance approval from the Zoning Board of Adjustment of the Township of North Brunswick on September 17, 2019 which was memorialized by Resolution dated December 3, 2019; and

WHEREAS, the Applicant, Sai Pariwar, Inc. now requests an extension of said Preliminary and Final Major Site Plan with Use and Bulk Variance approval for a period of one (1) year pursuant to NJSA 40:55D-52 until December 3, 2024; and

WHEREAS, the Applicant, Sai Pariwar, Inc. has indicated that it was prevented from proceeding forward with the approval due to the COVID-19 pandemic and its consequential effect on fund raising. Said explanation was contained in a letter dated May 19, 2023 from Peter U. Lanfrit, Esq., counsel for the Applicant to the Board's Secretary; and

WHEREAS, the Zoning Board of Adjustment of the Township of North Brunswick was satisfied that the Applicant, Sai Pariwar ,Inc., has established sufficient cause to receive a one (1) year extension of its Preliminary and Final Major Site Plan with Use Variance and Bulk Variance approval pursuant to N.J.S.A. 40:55D-52 until December 3, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of North Brunswick, this 20th of June, 2023 that the Board hereby confirms by this Resolution the action taken by the Board June 20, 2023 granting the Applicant, Sai Pariwar, Inc. a one (1) year extension of its Preliminary and Final Major Site Plan with Use and Bulk Variance approval pursuant to N.J.S.A. 40:55D-52 until December 3 , 2024.

Moved by:

Seconded:

Ayes:

Opposed: None

Abstain: None

Absent:

The following Resolution was memorialized on June 20, 2023 by the following vote:

Moved by:

Seconded:

Ayes:

Opposed: None

Abstain: None

Absent:

I certify that the foregoing is a true copy of a Resolution approved by the Zoning Board of Adjustment of the Township of North Brunswick on June 20, 2023 and memorialized on June 20, 2023.

Kristen Olscvay

SECRETARY OF THE ZONING BOARD OF ADJUSTMENT
OF THE TOWNSHIP OF NORTH BRUNSWICK



OF LEGAL SERVICES FOR
CENTRAL NEW JERSEY

PETER U. LANFRIT, ESQ.
E-MAIL: peter@borrus.com

**BORRUS, GOLDIN, FOLEY
VIGNUOLO, HYMAN & STAHL**

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

2875 US HIGHWAY #1
ROUTE 1 & FINNEGANS LANE
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JACK BORRUS
(1962-2021)

MARTIN S. GOLDIN
(1962-2002)

File #
2577

May 19, 2023

**Via E-mail
and Federal Express**

Kristen Olcsvay, Secretary
Township of North Brunswick
Department of Community Development
710 Hermann Road
North Brunswick, New Jersey 08902

Re: **Sai Pariwar, Inc.**
File No.: 2577

Dear Ms. Olcsvay:

As you are aware, this office represented the applicant in an application for Use Variance, Bulk Variance and Preliminary & Final Major Site Plan to construct a 13,980 square foot house of worship. This matter was approved by the Zoning Board of Adjustment on September 17, 2019 and the Resolution of Approval was adopted on December 3, 2019. Our approval is due to expire on December 3, 2023.

The House of Worship is a non-profit organization which depends upon donations from their Congregants and the Community for support. The COVID-19 Coronavirus pandemic forced Applicant to close the House of Worship. Despite reopening, the resulting fear of the general population, including Congregants of the House of Worship, to return to normal group activities has greatly affected attendance. The House of Worship depends upon donations from their Congregants and the Community for support, low attendance and the rate of inflation has caused a great financial hardship for the Applicant and they have been unable to finalize their approvals.

In view of the foregoing, I hereby respectfully request a two (2) year extension of the site plan approval which would extend our approval until December 3, 2025.

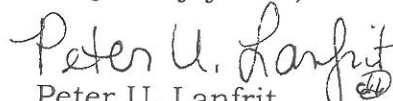
Enclosed herewith please find the following in that regard:

1. Check number 1082 in the amount of \$300.00 to cover your application fee for the extension;
2. Check number 1081 in the amount of \$500.00 to cover your escrow fee for the extension.

At your earliest convenience, kindly advise me as to when this matter will be scheduled for a hearing.

Should you have any questions, please do not hesitate to contact this office.

Very truly yours,


Peter U. Lanfrit

PUL/db
Enclosures

cc: Sai Pariwar, Inc. (via e-mail only)



TOWNSHIP OF NORTH BRUNSWICK

710 HERMANN ROAD
NORTH BRUNSWICK, NJ 08902

Tel.: (732) 247-0922 x440

Fax: (732)-289.3822

Website: WWW.NORTHBRUNSWICKNJ.GOV

DEPARTMENT OF COMMUNITY DEVELOPMENT

August 27, 2019

Borrus, Goldin, Foley,
Vignuolo, Hyman & Stahl
c/o Peter U. Lanfrit, Esq.
2875 US Highway #1
P.O. Box 7463
North Brunswick, NJ 08902

*RE: Block 148, Lots 108, 109 & 110
2351, 2353 and 2355 US Highway 130
Sai Pariwar Temple*

Dear Mr. Lanfrit, Esq.,

This is to confirm receipt and preliminary zoning review of the following:

1. Kimley Horn, response to review comments letter dated August 8, 2019 (13 pages).
2. "Sai Pariwar Temple prepared for Sai Pariwar, Inc. 2351, 2353, 2355 US Highway 130, Block 148, Lots 108, 109 & 110, North Brunswick Township" by Kimley-Horn and Associates, Inc. dated revision 1, 08/02/19.
3. "Proposed Temple for Sai Pariwar Inc., North Brunswick" by Kishor Y. Joshi, Architect – Planner dated 11-12-17 consisting of 6 sheets of floor plans and elevation plans and received August 13, 2019.

The following documents were also submitted:

1. 1 copy – Review letters received from the Township
2. 1 copy – Freshwater Wetlands LOI: Line Verification with full size plan
3. 1 copy – Flood Hazard Area Verification approval with full size plan
4. 1 copy – NJDOT Review Letter
5. 1 copy – Solid Waste Management Plan
6. 5 copies – Response Letter
7. 5 copies – SWM Report
8. 5 copies – O&M Manual

9. 15 copies – Traffic Memo prepared by Kimley-Horn dated 02/16/2018
10. 15 copies – Architectural Plans prepared by Kishor Y. Joshi dated 11/12/2017 (11"x17")
11. 5 copies – Sewer Demand calculations
12. 5 copies – Water Demand calculations
13. 10 copies – reduced size (11"x17") – Architectural Plans (Color)
14. 10 copies – full size and 20 copies reduced size (11"x17") – Site Plan

This proposal is to demolish all existing dwellings and accessory structures on the above properties and to construct a two level with a basement, 14,000 square feet building, housing a prayer hall, dining room library and study rooms, meditation area, warm up kitchen and a lobby area. The above referenced properties are located in the G-O General Office Zone and front on US Highway 130 on one side and the PUDII Zone (Residential element) to the rear.

The proposal requires use variance and bulk variance approvals and site plan approvals from the North Brunswick Zoning Board of Adjustment. More specifically the following zoning ordinances do not conform with the proposal as follows.

Chapter 205. Land Use
Article IV – General Regulations
Section 205-9. Conformity required.

No building shall hereafter be erected and no existing building shall be moved, structurally altered, added to, enlarged or rebuilt, nor shall any land be designed, used or intended to be used for any purpose other than those included among the uses listed as permitted uses in each zone, nor shall any open space contiguous to any building be encroached upon or reduced in any manner, except in conformity with the yard, lot area, building location, percentage of lot coverage, off-street parking space and such other regulations designated in this chapter for the zone in which such building or space is located. In the event of any such unlawful encroachment or reduction, such building shall be deemed to be in violation of the provisions of this chapter, and no certificate of occupancy shall be issued therefor.

Churches or house of worship

Article XV. G-O General Office District
Section 205-69. Permitted uses.

The following uses are permitted in G-O General Office Districts:

A. Permitted principal uses. –

- (1) Administrative, executive and editorial offices.
- (2) Banks and financial offices.
- (3) Medical and dental offices and clinics.
- (4) Professional offices.

- (5) Real estate and other general business offices.

Churches or houses of worship are not a permitted use.

Section 205-70. Development standards.

A. Office buildings shall not exceed a floor area ratio of 1.0. The maximum floor area ratio of 1.0 shall be permitted only if the proposed project is designed to accommodate all required off-street parking spaces.

B. Where a proposed office development abuts a residential zone or a lot developed for residential uses, an additional thirty-foot buffer strip, designed in accordance with the requirements of Article XXVI, shall be added to any required rear or side yard which abuts said residential use.

1. Distance from residential PUDII property line to 27 rear parking spaces is only 20 feet. – *30 feet required.*
2. Also, that is a rear yard not side so 30 foot buffer and 40 foot rear building setback = *70 feet required.*

*Only 43 feet provided to Northwest corner of proposed building
(Article II, Section 205-4.1.A. G-O Zone, Table 2 – Rear Yard Setback)*

Article XXIV. Off Street Parking and Loading

Section 205-100. Off-street parking for non-residential uses.

The following off-street parking spaces are required for nonresidential uses:

B. Commercial, retail, general office and other nonresidential uses.

(13) Auditoriums, churches, exhibition halls, assembly halls, union halls, community centers and similar places of public and quasi-public assembly not having fixed seating facilities: one parking space for every four persons who may legally be admitted therein at one time under state fire protection laws.

(14) Auditoriums and similar place of public assembly having fixed seating facilities: one parking space for every four seats.

Parking spaces required 86 – Provided 70

For these reasons you are will be required to seek use variance development standard and parking variance approval by submitting the enclosed applications, application fees and technical review escrow deposits.

Article XXXVI – Section 205-139.
Fees and Escrow Deposits

B. (3) Land Use Application Fees:

(f) Informal Review (plan submitted 8/2/19):	\$	200.00
(j) C Variance (building rear setback reduced to 43')		<u>200.00</u>
TOTAL:	\$	400.00

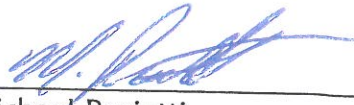
C. Technical Review Escrow Deposit:

(6) Informal Review:		200.00
(9) (b) C Variances:		<u>300.00</u>
TOTAL:	\$	500.00

Please remit two separate checks in the above total amounts. Also please remit additional reduced sets of architectural plans, only ten received.

If you have any questions, you may contact Kristen Olcsvay, Secretary to the Zoning Board of Adjustment at 732-247-0922, extension 440.

Sincerely,



Michael Proietti
Administrative / Zoning Officer

cc: Mayor and Council
Kathryn Monzo, Business Administrator
Michael Hritz, Director of Community Development
Tom Vigna, Planner
Zoning Board of Adjustment

MP/ko