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**For immediate release**

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**Federal lawsuit filed against Bedminster Township for violating Religious Land Use Act**  
*Township prevents church growth even after numerous concessions made*

The Church of the Hills today served Bedminster Township with a lawsuit filed in the federal district court for the District of New Jersey, charging violations of state law as well as the U.S. and New Jersey Constitutions and the federal Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”). The lawsuit appeals the Township’s denial of the Church’s application for a variance to permit it to expand its religious facilities on Route 206.

The Church, represented by Stephen E. Barcan of the law firm Wilentz, Goldman & Spitzer P.A., first applied for the variance in March 2002 in order to accommodate its growing ministries, which include Sunday school, adult education, a library, prayer rooms, educational facilities, and a choir room. It has also been forced to hold two Sunday services instead of one against its beliefs, as its faith dictates that the congregation worship together as one body. Three years and approximately thirty public hearings and Board discussions later, the Township denied the application outright, even though it decided that “not any one factor” of the application constituted “substantial detriment to the public good.” The Township also failed to abide by state law by refusing to apply conditions to the variance that would mitigate any potential negative effect.

Attempting to work with the Township, the Church had agreed to eliminate, limit and reduce many aspects of its application, including eliminating outdoor recreational facilities, a guard shack, a public bookstore, decreasing the number of signs, reducing the total parking spaces by one-third, eliminating a prayer pavilion, eliminating a gazebo, lowering the steeple, eliminating any increase in the church’s religious school capacity, and reducing the building size significantly. However, the Church alleges that the Township was predisposed to deny the Church’s application for a variance—which it has granted to other churches within Bedminster—regardless of its good faith efforts to satisfy the Township’s interests.

Throughout its long effort to gain zoning approval, the Church has faced serious animosity from a handful of local residents, according to the complaint, which states that “[t]he Church’s neighbors . . . are intolerant of the Church’s presence on the Premises.” Among comments made by neighbors against the Church were that the Church’s worship was “offensive” and that they “despised hymns.”

RLUIPA was passed by Congress five years ago to prevent discrimination against churches in land use applications, and forbids government action that “imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution is in furtherance of a compelling governmental interest, and is the least restrictive means of furthering that compelling interest.”

The Church of the Hills is also being represented in this lawsuit by Roman P. Storzer, who represented the first successful church under RLUIPA in Grand Haven, Michigan, as well as dozens of other churches, temples, schools and other religious institutions across the nation.