

New Jersey Town Must Pay \$3.25M to Settle Mosque Lawsuit

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ISBR president Mohammed Ali Chaudry. Photo courtesy of NPR.[/caption]

Summary: After being hit with two discrimination lawsuits, a New Jersey city must pay \$3.25 million and allow a mosque to be built in town.

After a years-long fight, Bernards Township must pay a settlement of \$3.25 million and allow a Muslim group to build a mosque. The New Jersey town was hit with two separate federal lawsuits because they had previously tried to stop the construction, and the \$3.25 million will go towards both cases, according to *NPR*.

"[We are] very pleased by this resolution and hope to receive prompt approval to build our mosque. ... We look forward to welcoming people of all faiths and backgrounds to our mosque," Mohammed Ali Chaudry, president of the Islamic Society of Basking Ridge, said to *NJ.com*.

The Islamic Society of Basking Ridge (ISBR) had tried to build a mosque in Bernards Township, but the town had denied their request. They sued the city for discrimination, and later the Department of Justice filed a separate complaint. Both complaints said that Bernards Township violated the Religious Land Use and Institutionalized Persons Act.

"Federal law requires towns to treat religious land use applications like any other land use application," acting U.S. Attorney of the District of New Jersey William Fitzpatrick said. "Bernards Township made decisions that treated the Islamic Society of Basking Ridge differently than other houses of worship."

The Religious Land Use and Institutionalized Persons Act protects individuals and religious institutions from discrimination in zoning and landmarking laws. The two lawsuits said that Bernards Township had treated their building application differently because they were Muslim.

In 2011, the Islamic group had purchased a home in a residential area with the intention of tearing it down and building a mosque. At the time, the zoning district was approved to have places of worship, but the ISBR's plan was protested by locals. The group filed for site approval in 2012, and they were subjected to an unusual amount of public hearings--39--and their approval process spanned over three years.

In 2013, the town enacted a new ordinance that said places of worship would be allowed on the residential lot only on a provisional basis. It also set new rules that places of worship must be on lots of at least six acres. The lot that the ISBR had purchased was only four acres.

The Planning Board formally rejected the ISBR's application in 2015 because they said the group did not have enough parking spaces.

A spokesman for Bernards Township, Michael Turner, said that the Planning Board's rejection was based on legitimate land use and safety concerns. He denied any discrimination and said that the town was "diverse" and "inclusive."

"The settlement agreement addresses the land use concerns of the planning board and incorporates conditions previously agreed upon by the ISBR and the planning board during the application process and deliberations," Turner said. "Bernards Township is a diverse and inclusive community, where for years the ISBR congregation have practiced their religion along with their neighbors unimpeded, using township facilities at the Bernards Township Community Center and at Dunham Park."

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Source: *NPR*

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