

COUNTY OF BERGEN
VILLAGE OF RIDGEWOOD

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IN THE MATTER OF THE)	TRANSCRIPT
APPLICATION OF LES)	OF
DANN, LLC,)	PROCEEDINGS
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Tuesday, March 26, 2024
7:30 p.m.
Ridgewood, New Jersey

BOARD MEMBERS:

- GREG BROWN, Chairman
- MATTHEW BANDELT, Vice Chairman
- GARY NEGRYCZ, Chairman Pro Tem
- JASON CURRERI
- DIANA RUHL
- JONATHAN PAPIETRO
- JAMIE FOX
- YELENA RAYSTER (**Absent**)

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ALSO PRESENT:

McDONNELL & WHITAKER, LLC
BY: BRUCE E. WHITAKER, ESQ.
Attorney for the Zoning Board
of Adjustment

CHRIS RUTISHAUSER (**Absent**)
Village Engineer

HEYER, GRUEL & ASSOCIATES
BY: JOHN BARREE
Village Planner

JANE WONDERGEM
Board Secretary

APPEARANCES:

SEMERARO & FAHRNEY, LLC
BY: MARK J. SEMERARO, ESQ.
Attorney for the Applicant, LES Dann, LLC

ROBERT J. INGLIMA, JR., ESQ.
Attorney for Religious Society of Friends,
Ridgewood Friends Meeting, Friends Nursery School

1 CHAIRMAN BROWN: Next up we have LES Dann,
2 LLC, an application for preliminary and final
3 major site plan approval, expansion of a
4 nonconforming use variance approval, and use
5 variance approval for the construction of an auto
6 body shop, which will serve as the principal uses
7 at 246-264 South Broad Street, Block 3905, Lots
8 12, 13 and 14, in an R-3 Zone. This is continued
9 from March 26, 2024.

10 Good evening.

11 MR. SEMERARO: Good evening, Mr. Chairman.
12 It's also for certification of nonconforming use.

13 CHAIRMAN BROWN: Certainly, yes, thank
14 you.

15 MR. SEMERARO: So as we touched upon, we
16 would prefer to break at this point in time
17 because I think that if we were to start it's
18 going to break the cross-examination up in a
19 fashion that I would prefer not to.

20 I know that Mr. Inglema conferred with his
21 witness. I conferred... So on July 9th we're all
22 available on our side. So I do understand that
23 that's a meeting night. So we would ask that this
24 matter be re-listed for then without further
25 notice, but we'd also like to see if we can

1 schedule a Special Meeting. We can see that the
2 Board's very busy and I certainly don't, nor does
3 my client, want to create extra work for anybody,
4 but I think everyone here is aware of the fact
5 that this application has already extended beyond
6 a year and we know that we're looking at several
7 more meetings. So if we could get one or two
8 Special Meetings scheduled for a date after July 9
9 at this point in time it would be greatly
10 appreciated and it would at least give us some
11 confidence about the application and I think it
12 would also give the Board more continuity so that
13 everyone doesn't have to refresh their memory
14 after such a long break.

15 CHAIRMAN BROWN: Mr. Inglima, to take the
16 first part of that, July 9 --

17 MR. INGLIMA: Just for the record, Robert
18 Inglima, Junior, representing the Ridgewood
19 Friends Meeting and the Friends Nursery School,
20 both of which are located on Highwood - sorry,
21 it's late - in Ridgewood, within 200 feet of the
22 site.

23 I have consulted with Mr. Semeraro and Mr.
24 Whitaker and he correctly states that both myself
25 and our expert witness, Peter Steck, are available

1 on July 9th. We realize it's 12 minutes after 10
2 tonight. As much as we'd like to continue, forge
3 head, we understand the needs of the Board, your
4 busy agenda, and schedule. We're willing to bring
5 him back for the July 9th meeting.

6 CHAIRMAN BROWN: Okay.

7 MR. INGLIMA: We would just hope that
8 there would be enough time available to us on that
9 evening that we'd be able to conclude with Mr.
10 Steck.

11 CHAIRMAN BROWN: Yes, I believe we only
12 have one application on that meeting right now, so
13 I think we'd be able to give you a bunch of time.

14 I know we only had one tonight and it went
15 a little longer than expected. I don't think it
16 will be that.

17 So to the first part of it, we'll go ahead
18 and carry this to July 9, 2024, 7:30 p.m., no
19 further notice required.

20 We do have a fifth Tuesday in July, so as
21 a Board we'll look into that and also look into
22 other possible Special Meetings. It is the
23 summer, so it becomes a little complicated, but
24 we'll go ahead and take that and we can come back
25 to you.

1 MR. SEMERARO: Okay.

2 MR. INGLIMA: If I may just ask one
3 question?

4 MR. SEMERARO: Sure.

5 MR. INGLIMA: I assume that the dates that
6 were previously being considered for submission of
7 written argument and oral summations are being
8 pushed off.

9 MR. WHITAKER: August. You might have to
10 do summations the night of the decision. Have
11 your memorandum in advance. It won't be before
12 the July 9th.

13 MR. INGLIMA: Okay, thank you.

14 MR. SEMERARO: Okay.

15 MR. WHITAKER: Memorandum is not expected
16 until the case is closed.

17 MR. SEMERARO: Correct. So it won't be
18 due before July 9th.

19 So I understand that it's not a set
20 commitment yet for the fifth Tuesday in July, but
21 I'm assuming that there's no other matters
22 scheduled for that night, so if there is an
23 agreement to move forward, could we get the first
24 position for that evening?

25 MR. WHITAKER: It's a Special Meeting that

1 the applicant will pay for.

2 MR. SEMERARO: Yes.

3 MR. WHITAKER: We're also looking into,
4 Mondays are available, I understand, which
5 would...

6 BOARD SECRETARY WONDERGEM: Mondays are
7 usually okay in here.

8 MR. WHITAKER: We're going to check
9 Mondays and see everybody's schedule. Our
10 planner's not here July 30th and I may or may not,
11 but it's a fifth Monday, fifth Tuesday, so...

12 MR. SEMERARO: So then I guess I'll be
13 notified by you, Bruce?

14 MR. WHITAKER: You'll hear back after we
15 figure out Board availability.

16 MR. SEMERARO: Okay.

17 MR. WHITAKER: But we're on for the 9th.

18 MR. SEMERARO: Okay. I appreciate that.

19 Thank you.
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C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XI01388, a Certified Court Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the hearing at the time and the date hereinbefore set forth.

I further certify that I am neither attorney nor Counsel for, nor employed by any of the parties to the action in which this hearing was taken.

I further certify that I am not an employee of anyone employed in this case, nor am I financially interested in this action.

LYNANN DRAGONE, CCR
Certified Court Reporter

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