

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, May 13, 2025
7:30 p.m.
Ridgewood, New Jersey

ZONING BOARD OF ADJUSTMENT MEMBERS:

- GREG BROWN, Chairman
- MATTHEW BANDELT, Vice Chairman
- JASON CURRERI **(Absent)**
- DIANA RUHL **(Absent)**
- JONATHAN PAPIETRO
- JAMIE FOX **(Absent)**
- YELENA RAYSTER
- MATTHEW SWAN, Alternate 1
- KHIDIR ABDALLA, Alternate 2

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ALSO PRESENT:

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

CHRIS RUTISHAUSER
Village Engineer

HEYER, GRUEL & ASSOCIATES
BY: JOHN BARREE
Village Planner

NEGLIA ENGINEERING
BY: BRIAN A. INTINDOLA
Village Traffic Engineer

JANE WONDERGEM
Board Secretary

APPEARANCES:

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

I N D E XWITNESSDIRECT**LES DANIEL**

BY MR. SEMERARO 8

ANTHONY GARRETT

BY MR. SEMERARO 82

EXHIBITS

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>
A-88A	Picture of Lot 12 facing South Broad Street	18
A-88B	Photo of office	18
A-89	Rendering of the building	87

1 CHAIRMAN BROWN: Moving on, we have LES
2 Dann, LLC. It's an application for a use variance
3 approval, preliminary and final site plan approval
4 and bulk variances related to the condition of
5 three existing lots into one property to be
6 developed with a new auto body shop.

7 Just reminder for everybody since we have
8 people here, talk close to the mic for the
9 acoustics in here because they're not very good.

10 MR. SEMERARO: Good evening, Chairman and
11 Members of the Board. My name is Mark Semeraro,
12 S-e-m-e-r-a-r-o, law firm of Semeraro & Fahrney on
13 behalf of applicant LES Dann, LLC.

14 This application relates to properties
15 246-264 South Broad Street, Block 3905, Lots 12,
16 13 and 14.

17 This is an assemblage of properties that
18 are approximately 1.7 acres. It's located in an
19 R-3 Zone. My client operates an auto body repair
20 shop on Lots 12 and 14 and as you will recall, we
21 had filed this application quite some time ago,
22 had several hearings where ultimately, this Board
23 granted a certification of preexisting
24 nonconforming use for that auto body use along
25 with internal and external storage on Lots 12 and

1 14 with the limited exception of a location where
2 a former residential structure existed on Lot 14
3 in the property immediately between that house and
4 South Broad Street.

5 My client has, as you know from prior
6 testimony, acquired these properties back in 2021
7 and had begun to upgrade the structures as
8 indicated through testimony and they would prefer
9 to secure site plan approval, which would have a
10 state of the art updated building that would be
11 better situated within the center of the property
12 significantly set back from South Broad Street as
13 opposed to upgrading the existing buildings which
14 are as close as ten and a half feet to either of
15 the north or south property lines of the
16 properties in question.

17 Lot 12 currently has that body shop, as I
18 had indicated, the building is located 20 feet
19 from Broad Street with parking right up to the
20 curb line.

21 Lot 13 is the middle lot of the three and
22 it has a single family house in the front and a
23 garage in the rear that has been used for storage
24 associated with the auto body operations on Lots
25 12 and 14 along with outside storage. It also

1 functions as a pass through from Lots 12 to 14 in
2 the back parking lot.

3 Lot 14, again, is an auto body shop,
4 consists of three buildings and has been found by
5 this Board to be a preexisting body shop with
6 outside storage.

7 We're seeking preliminary and major site
8 plan approval for an expansion of the preexisting
9 nonconforming uses on Lots 12 and 14 and use
10 variance relief for the lot in between the two,
11 Lot 13, so that all three lots could be
12 consolidated by a deed and used for one building
13 functioning as an auto body repair shop.

14 While there are some "C" variance relief,
15 bulk variances, they are all subsumed in the use
16 variance relief secured, or applied for rather,
17 and most of those "C" variance reliefs are
18 actually mitigating nonconforming existing
19 conditions, such as we're seeking a variance for
20 impervious coverage, but impervious coverage is
21 going to be substantially reduced from where it is
22 currently. We need some side yard setback relief,
23 but the side yard setbacks are going to be
24 significantly larger than what they are currently,
25 three and 400 percent larger than what they are

1 currently.

2 And, again, this is for state of the art
3 auto body repair shop and that repair shop has
4 provided testimony previously, repairs any
5 component part of a motor vehicle, anything that
6 would be damaged in a motor vehicle.

7 We had ten prior hearing dates. We had
8 made some new submissions since those past
9 hearings occurred. Site plan, we have two
10 alternative grading, and utility soil erosion
11 plans, some architectural plans, building
12 elevations and we are relying upon our old survey,
13 which was submitted with an affidavit of no change
14 as well as the environmental reports previously
15 supplied.

16 We provided an Affidavit of Proof in
17 Service on May 6th to Miss Wondergem and we've
18 obviously received a number of comment letters
19 which our witnesses will review.

20 Our first witness is going to be Les
21 Daniel. I intend to, for brevity sake, and for
22 comprehension, have Mr. Daniel provide testimony
23 similar to what his son had testified previously,
24 but more in an encapsulating fashion so that we
25 don't have to prolong that unnecessarily.

1 So with that said, I would like to have
2 Les Daniel sworn in.

3
4 L E S D A N I E L, having been duly
5 sworn, testified as follows:

6
7 MR. WHITAKER: Please speak into the
8 microphone.

9 Proceed, Counsel.

10

11 DIRECT EXAMINATION BY MR. SEMERARO:

12

13 Q Good evening, Mr. Daniel. Could you
14 please explain your relationship to LES Dann doing
15 business as Mountain View Auto Body?

16 A Yes. I'm the owner of Mountain View Auto Body. I
17 took over from my father probably about 40 years ago and
18 we had two businesses in Wayne and now this will be the
19 third one.

20 Q Okay. And this is an auto body or
21 automotive collision repair service. Correct?

22 A Correct.

23 Q And you repair any part that would
24 possibly be damaged in any type of accident. Correct?

25 A Yes.

1 Q Okay. And you indicated that you've been
2 in this industry for 40-plus years. What type of changes
3 have occurred in that industry from the time you began
4 until the present date?

5 A Well, it would probably, when we started out it
6 was a lot more crude and repairs in the type of repairs
7 we do. Today the environments and safety with employees
8 and, you know, people coming in and out of the buildings,
9 everything has changed. There's a lot more to consider.

10 The repairs are more changing parts, technical.
11 We use computers, so our environment has to be clean.
12 And also for our customers coming in off the street, has
13 to be a lot better than what it used to be.

14 Q Okay. The processes that are used in
15 repairing motor vehicles today, how would you
16 characterize the noise associated with that compared to
17 what it used to be a couple of decades ago?

18 A Well, as I stated before, the repairs are a lot of
19 different. We do structural repairs that we use fixtures
20 and different type of machines where, as before we used a
21 lot of hammering and noises and cutting. A lot of that's
22 limited, because like I said, we do more parts changing.
23 Parts are taken on and off the car. And, again, it's not
24 intrusive as a lot of repairs before.

25 Q Okay. And what about the odors associated

1 with any sort of fluids that you would use, solvents and
2 paints, how does that compare to what they used to be
3 years ago?

4 A Well, as far as the paints go, our basic paint is
5 a waterborne paint so as much as we can use, we're still
6 using partial solvent paints. But as far as like smells
7 or odors, they're definitely limited to, you know, the
8 paint mixing rooms because each room has its own
9 ventilation systems where the employees are protected by
10 PPF, you know, apparatus. And then all the filters,
11 anything is going out of the building is has to be
12 filtered.

13 So everything is controlled and state and federal
14 regulated today. Any equipment we use has to be
15 certified in what we're using as far as any kind of
16 liquids and fluids or whatever.

17 Q And from an environmental standpoint, I
18 know you touched upon this a moment ago, are these all
19 more regulated than they used to be? Are they safer than
20 they used to be?

21 A Yes, we have to document everything that comes
22 into the building and everything that goes out of the
23 building and the type of fluids that we use and materials
24 we use, for a couple of reasons, also for the fire
25 department and stuff, everything has to be documented so

1 that we have that accessible God forbid anything ever
2 happened.

3 Q Okay. Now, are your facilities including,
4 the one in Ridgewood, actually, specifically, the one in
5 Ridgewood is it certified by any automotive manufactures
6 as an official certified repair facility?

7 A I'll give you a general idea. I mean, we do work
8 for Rivian, Tesla, Mercedes, General Motors. I can go on
9 and on, but...

10 Q Okay. And what about insurance carriers,
11 are you a preferred provider recommended by any insurance
12 carriers?

13 A In general, we probably work for ten or 12
14 different insurance companies.

15 Q Okay. The three properties that are the
16 subject of this application, do you own them?

17 A Yes.

18 Q Okay. And when did you purchase them,
19 approximately?

20 A 2021.

21 Q Okay. And since the date of purchase,
22 have you operated businesses on them?

23 A Yes.

24 Q Okay. And there was extensive testimony
25 as to the nature of the businesses and ultimately this

1 Board granted a certification of a preexisting
2 nonconforming use on Lots 12 and 14. Correct?

3 A Yes.

4 Q And has your use of those properties
5 changed at all since that certificate was issued?

6 A No.

7 Q So you're still continuing the same
8 business?

9 A Correct.

10 Q And you were here when your son provided
11 testimony and various photographs were admitted into
12 evidence. Correct?

13 A Yes.

14 Q And those photographs depicted photographs
15 of the three lots at the time of purchase and also after
16 the time of initial cleanup. Is that correct?

17 A Yes, there was quite a few photos.

18 Q Okay. And all those photos accurately
19 represented the condition of the properties as they were
20 testified to by your son. Correct?

21 A Yes.

22 Q Okay. There were also photographs taken
23 of your Wayne facility and those photographs were
24 proffered to represent the current condition of the Wayne
25 facility. Is that right?

1 A Correct.

2 Q Okay. And those photographs that operated
3 the condition or represent the operation and condition of
4 Wayne would still hold true to form today?

5 A Yes.

6 Q As the ones that were shown about your
7 current operations on Lots 12 and 14?

8 A Yes, they were.

9 Q Okay. There were also some photographs
10 showing the condition of Lot 13 upon your purchase.
11 Correct?

12 A Yes.

13 Q Okay. Lots 12 and 14 have auto body
14 repair operations and inside and outside storage.
15 Correct?

16 A That's correct.

17 Q And both lots are used by Mountain View
18 Auto Body. Correct?

19 A Yes.

20 Q Okay. Now, with respect to Lot 13, is
21 there any storage in the rear of that property that
22 relates to the auto body operations on Lots 12 and 14?

23 A Lot 13 is the middle one, correct?

24 Q Correct.

25 A The rear of Lot 13 we use is kind of like the

1 driveway and then there is a garage that's behind the
2 building that we use for parts, that's used for parts
3 storage.

4 Q Okay. What's the surface of the rear of
5 that property like?

6 A I would classify like Q P stone.

7 Q Okay. Like parking lot material?

8 A Yes.

9 Q And when you acquired that property, was
10 that the condition of the property?

11 A Yes, we didn't change any of that.

12 Q Okay. And when you acquired that
13 property, was there any knowledge about how that property
14 was used with respect to going back and forth between
15 Lots 12 and 14?

16 A No, we just assumed that that's how it was set up.

17 Q Okay. And you were here when Mr. Montick
18 provided testimony about his operations?

19 A Yes.

20 Q Okay. And you heard Mr. Montick testify
21 that since about 2000 he used that parking lot to go back
22 and forth between Lots 12 and 14?

23 A Correct.

24 Q He also confirmed that he also used that
25 lot for storage of auto body repair parts and related

1 items?

2 A Yes.

3 Q Both inside and outside the shed?

4 A Correct.

5 Q Okay. Currently, with respect to Lots 12
6 and 14, do you work on the same cars on both lots?

7 A Yes, they go through a process.

8 Q Okay. So the same car that's worked on
9 Lot 14 would at some point in time in the repair process
10 quite possibly wind up on Lot 12. Correct?

11 A Correct.

12 Q And how do you transport those vehicles
13 from Lot 14 to 12 or vice versa?

14 A Well, as we stated before, we travel behind, you
15 know, behind the buildings through the parking lot that's
16 there.

17 Q Okay. And if you were not permitted to do
18 so, and if the Board were to deny this application, how
19 would you have to transport vehicles from Lots 12 to 14
20 and vice versa?

21 A Obviously, we'd have to go out onto the road.

22 Q Okay. And would you be able to drive all
23 the vehicles that way or would some of the vehicles have
24 to be towed?

25 A Well, the ones that are dismantled would have to

1 be towed, obviously, because we can't go on the road.

2 Q Okay. So if this application was not
3 approved and all three lots could not be used as the same
4 auto body repair facility, it would increase trips from
5 your sites onto South Broad Street?

6 A Correct.

7 Q Okay. Now, I just want to run through a
8 couple of comparisons between the current operations and
9 the proposed plan that's before this Board.

10 Would you agree that the current operations have
11 19 bays and the proposed operation has 23 bays?

12 A Correct.

13 Q Okay. And the current lots consist of six
14 buildings and we're proposing one building?

15 A That would be correct.

16 Q Okay. Now, the bays are the spaces
17 interior to the buildings. Correct?

18 A Yes.

19 Q But even though you may have more bays,
20 you're going to have less garage doors than currently
21 exist on these lots?

22 A Correct, because of the design of the building.

23 Q Okay. Currently you have 19 garage doors
24 between the various buildings and we're proposing only
25 11. Correct?

1 A Correct.

2 Q And if we have less garage doors, would
3 you anticipate more or less or the same number of garage
4 door openings for work related reasons?

5 A Well, due the to size of the building, we should
6 limit that in and out situation.

7 Q Okay. Now, let me just clarify that. Is
8 that because some vehicles were moved from one bay to
9 another internally?

10 A Yes, they'll stay inside the building. Right now
11 it's like individual garages that you're working in, so
12 you're pulling a car in and you're moving it over.
13 There's a lot of movement.

14 Q Okay. Now, out of the 19 existing garage
15 doors that are on your properties, seven of them face
16 Broad Street?

17 A That's correct.

18 Q And how many would face Broad Street if
19 this plan was approved?

20 A There's no garage doors that face the street.

21 Q Okay. And how many driveways currently
22 access the three properties?

23 A There would be three.

24 Q Okay. And how many driveways will exist
25 if this plan is approved?

1 A One.

2 Q Okay. How many paint booths do you have
3 on the current properties?

4 A We have two right now.

5 Q And how many are we proposing?

6 A We're going to have one.

7 Q Okay. And do you have any wall signs on
8 the exterior of the buildings?

9 A Yes.

10 Q And how many do you have?

11 A Currently, I believe it's two.

12

13 (Picture of Lot 12 facing South Broad
14 Street was received and marked Exhibit A-88A for
15 identification.)

16 Q Okay. On the screen is a picture that
17 worry going to label as Exhibit 88A. Could you please
18 explain to me what that picture is of?

19 A That would be the one on Lot 12.

20 Q Okay. And is that facing South Broad
21 Street or is it facing a different side?

22 A Yeah, that's the building. That's about 20 feet
23 roughly or so off the roadway.

24

25 (Photo of office was received and marked

1 Exhibit A-88B for identification.)

2

3 Q Okay. And then I'm going to show you the
4 next picture and we're going to label this as
5 Exhibit 88B. And is that the same building?

6 A Yes, that's the office.

7 Q Okay. That's a different portion of the
8 building, but that also faces South Broad Street.
9 Correct?

10 A Correct.

11 Q Okay. Currently, how far would you
12 estimate your closest building being to the West Bergen
13 Developmental Center, the property to the left of you?

14 A I'm going to say like ten feet, 12 feet, max.

15 Q Okay. And how many feet is the new
16 building proposed to be located from them?

17 A The building, about 35 feet.

18 Q Okay. If I told you 40 feet, would
19 that...

20 A Yeah.

21 Q You wouldn't disagree with that?

22 And then to the south, how close is the closest
23 building to any of the properties to the southern border?

24 A The southern border I know is 35 feet.

25 Q That's the proposed building?

1 A Yes.

2 Q And what's the closest building to it
3 presently? Is that also about ten feet?

4 A Yeah, they're like right on the property line just
5 about.

6 Q Okay. And the closest portion of any of
7 your buildings to South Broad Street, is that Lot 12 and
8 is that about 20 feet?

9 A Correct, that's what I stated, yeah.

10 Q And how far set back is the proposed
11 building from South Broad Street?

12 A The new one?

13 Q Yes.

14 A The new one, the building would be a hundred feet
15 back.

16 Q Okay. And how far back would the parking
17 be set back from South Broad Street?

18 A It would be about 75 feet from the road.

19 Q And it's currently zero. Correct?

20 A Yes.

21 Q Okay. Now, I want to talk about your
22 current operations on the site.

23 How many vehicles do you currently repair on
24 average during any given month?

25 A Between 60, 75.

1 Q Okay. And had your efficiency gone up at
2 all in recent months over the last year?

3 A Not significantly. I mean, maybe a couple of
4 cars. Every month fluctuates.

5 Q Okay. And with respect to the proposed
6 use and the proposed facility, would you anticipate any
7 significant appreciation in the number of vehicles
8 repaired?

9 A Well, our actual goal, I think we stated was
10 probably we do somewhere between say 90 and a hundred
11 cars would be what we were hoping to get out of there.

12 Q Okay. And explain to the Board how it is
13 that you dispose of damaged parts and whether or not you
14 separate them based upon recycle?

15 A Well, right now we have, we have a couple of
16 Dumpsters. So one is for aluminum, one's for steel, and
17 we separate the cardboard and the garbage. So each one
18 is separated and as to present, what we do now is we use
19 30-yard Dumpsters. So we don't have garage trucks coming
20 in and out anymore like a weekly type thing. So
21 depending on what volume we do for the month, we probably
22 do one Dumpster a month. If we're busy, we may do three
23 weeks. But it's on call and as we stated before, we
24 would call during working hours, so they pick it up on
25 that call.

1 Q Okay. And they only come while your
2 business is open?

3 A Correct.

4 Q Okay. And you're going to continue that
5 component similar?

6 A Yeah, we do that at all our facilities. It kind
7 of saves money, so we don't have to have a pick up if we
8 don't need it.

9 Q Okay. Now, your son had provided
10 testimony in prior hearings that you currently are
11 working on vehicles both indoors on the buildings, but
12 also outside in the yards. Is that correct?

13 A Correct.

14 Q And if this application were to be
15 approved, would you still be doing any work outside or
16 would it all work be inside?

17 A No, the cars would be inside.

18 Q So that's a condition you would stipulate
19 that all work would be indoors?

20 A Yes.

21 Q Now, currently, do you ever open any of
22 the garage doors to control temperature?

23 A Right now because if it's hot out you're going to
24 open all the garage doors.

25 Q Is that due the nature of the HVAC system?

1 A Lacking of.

2 Q Okay. And if we were to get this project
3 approved, would there be a need to be opening up the
4 garage doors for temperature control?

5 A No, we're going to try to control the environment.

6 Q So we can anticipate that the garage
7 doors, which are already eight less than what's present
8 would be opened less frequently than the ones that are
9 currently on site?

10 A Yes.

11 Q Okay. Now, I'm going to refer to vehicles
12 that you're working on. Vehicles that are in the process
13 of being repaired or where work is temporarily halted and
14 then it's going to be resumed. If we call those vehicles
15 "work in progress", right now where are they stored?

16 A Well, right now they're stored out anywhere in the
17 yard.

18 Q Okay. And that's both Lots 12 and 14.
19 Correct?

20 A Yes.

21 Q Okay. And if this project were to be
22 approved, where would the vehicles that were in the
23 process of being repaired be stored?

24 A They would be stored behind that closed in fence
25 where we have the parking designated.

1 Q Okay. Now, the Board will hear from our
2 engineer and there is an area where we have tandem
3 parking spaces. Correct?

4 A Correct.

5 Q And that's where you're talking about?

6 A Yes.

7 Q And that's actually behind the building?

8 A Yeah, it wouldn't be in front.

9 Q Okay. And currently, if you have to store
10 parts, new or old parts that are removed, where are they
11 stored on these properties?

12 A Well, generally the parts are in the sheds, but we
13 do store bumpers and stuff outside, because they take up
14 a lot of space. So we have racks outside and those parts
15 are outside which, obviously, would be put inside from
16 now on.

17 Q And I'm sure the Board remembers all the
18 pictures that we showed of prior operations on the site
19 before you purchased the properties and you saw those as
20 well?

21 A Yes.

22 Q So even though you're running your
23 facility cleaner than the past facility, you still have
24 the need for outside storage?

25 A Yes, there's always room improvement.

1 Q Okay. And is that partly due to the
2 limited size of the structures that are on site?

3 A Yes.

4 Q Okay. And if this application were to be
5 approved, would you still be storing any parts, whether
6 they're new or old outside?

7 A No, all the parts are inside, all the disposed of.

8 Q Okay. Currently, fluids that are removed
9 from vehicles that were being worked on, where are they
10 stored?

11 A We have recycling facilities, containers,
12 depending on whether it's oil, anti-freeze, and/or paint
13 and it's picked up on a scheduled pick up.

14 Q But where are those containers stored
15 currently?

16 A Well, they're outside now.

17 Q And where will they be if you end up
18 getting --

19 A They'll be inside.

20 Q Okay. Now, you end up having vehicles
21 that need to be repaired delivered to your site?

22 A Yes.

23 Q And some of those vehicles are actually
24 driven to the site as well. Correct?

25 A Yes.

1 Q What percentage of vehicles at your
2 facility in Ridgewood works on would you estimate are
3 driven into the site?

4 A I would say about 75 percent are drivable.

5 Q Okay. And the balance, the remaining
6 25 percent, are they towed?

7 A Yes.

8 Q And what type of vehicle tows them in?

9 A Usually, a single car carrier.

10 Q Okay.

11 A Or a tow truck.

12 Q Okay. And do you ever have vehicles
13 delivered with a two-car tow truck?

14 A Again, those trucks would be once in awhile.

15 Q Okay. And what about a three-car tow
16 truck?

17 A I'm not going to say it's not there. Once in
18 awhile if they come for salvage vehicle, you know, they
19 might come on a, you know, a random type thing where they
20 pick up, we're they're trying to pick up cars at one
21 time. But that would be maximum would be a three car.

22 Q Okay. And how many times would you
23 estimate that that even happens?

24 A A couple of times a year.

25 Q Okay. So regularly it's a one or a

1 two-car tow truck?

2 A Yes.

3 Q And how many times in a given week or day
4 would you estimate that you have tow trucks delivering
5 vehicles to your site?

6 A Well, it's hard to average it out, but I would
7 say, I mean, maximum we're probably getting one tow car
8 say per day, if you wanted to do it a per day thing. But
9 we can go, you know, two weeks without one.

10 Q Okay. And when those vehicles are towed
11 to your shop, what time of day are they towed?

12 A They have to be dropped off while we're there so
13 we can check the vehicles in.

14 Q Okay. Do you ever allow vehicles to be
15 dropped off after hours?

16 A No.

17 Q Does anyone ever do that?

18 A I mean, on occasion someone can pull in and drop
19 something, but our program is not to be dropped off in
20 the middle of the night. I mean, anything is possible,
21 but I'm going to tell you it's not a regular practice nor
22 would we tell anybody that you could drop off after
23 hours.

24 Q So if someone were to do that, they would
25 do that without permission?

1 A Totally.

2 Q Okay. And when the vehicles are towed to
3 your site, are they towed behind the gate or in the front
4 yard?

5 A Well, right now we only have gates on Lot 12 and
6 they get towed in around the back of the parking lot.

7 Q Okay. And do vehicles ever get towed to
8 Lot 14?

9 A Yes.

10 Q Okay. And they just come in the front?

11 A They just come in the front there, yes.

12 Q And where do they drop the vehicles off?

13 A Right smack in the front right there.

14 Q Okay. Now, if the application was
15 approved, how would or where would tow trucks drop the
16 vehicles off?

17 A Well, as the planner, like you said, they're going
18 to testify, but there's a fenced in area and everything
19 would be done behind the fenced area. Because the way
20 the layout is, and they'll testify to it, is the front
21 parking is customer parking. So they're not going to be
22 allowed to pull in there and take a flatbed and start
23 unloading a car.

24 Q They have to go inside gate?

25 A Especially with me.

1 Q So they're going to have to go inside the
2 gate?

3 A Absolutely.

4 Q Okay. Now, you have parts, car parts
5 delivered to the site?

6 A Yes.

7 Q And how often do you have car parts
8 delivered to the site?

9 A I would say probably have six to eight deliveries
10 a day.

11 Q And what type of vehicle delivers parts?

12 A They're all like vans.

13 Q Okay. Like sprint vans?

14 A Yeah.

15 Q Okay. Do you ever have tractor trailers
16 deliver parts?

17 A Not really, no.

18 Q Okay. And do you ever have car carriers
19 deliver the vehicles to pick vehicles?

20 A No.

21 Q Okay. And the car, if the application is
22 approved, where will the parts be delivered to? Inside
23 the gate or outside the gate?

24 A It will be inside the gate.

25 Q Okay. So we do know that if this

1 application is approved, all work is going to be done
2 inside the buildings where they're now done outside.
3 Right?

4 A Correct.

5 Q And all parts are going to be stored
6 inside the building where some are stored outside now.
7 Correct?

8 A Yes.

9 Q And all deliveries will be beyond the
10 fence, not in the front yard. Correct?

11 A Correct.

12 Q And is that in part part of the reason why
13 you have opted to make this application?

14 A Yeah, as you see in the plans, the parts were to
15 get receivable are located behind that fence. We
16 wouldn't come in any of the front doors.

17 Q Okay. You had discussed at the beginning
18 of your testimony about aesthetics being cleaner or maybe
19 even nicer than what body shops of yesteryear were like.
20 Correct?

21 A That's correct.

22 Q And is that for clients or your employees?

23 A Well, it's for both. It's actually for everyone
24 because your aesthetics is the main part of the thing.
25 As you can see, the building that we are going to present

1 to you is part of the community, as well as the customers
2 are coming in. It's an impression of who you are and
3 that's basically what our company is.

4 Q Okay. And do you generally compete
5 against other auto bodies shops or are you also competing
6 against car dealerships?

7 A Well, you're competing for employees. So we want
8 to have the best environment that you can have so that
9 during the day, a lot of people don't like to leave now,
10 they want to have lunch there. So you'll have a spot for
11 them to have lunch. In the old days you would pull up
12 your lunch pail and you would eat right where you were
13 working. And as we said before, working in a cleaner
14 environment, you'll have like a lunch room right now,
15 like in my shop, we have someone that goes around and
16 cleans up, we have napkins set up, tables for people to
17 have a cup of coffee and not work, be in the environment.

18 Q Okay. So part of this is for employee
19 satisfaction and retention?

20 A Absolutely.

21 Q Okay. Now, with respect to the proposed
22 facility versus what your operations are currently,
23 you're not expecting a large increase in monthly
24 capacity. Is that true?

25 A That's true. I mean, you're only going to capture

1 what's in your area of travel for most people. You're
2 only going to travel so far to go to an auto body repair
3 facility.

4 Q Your son had testified that one of the
5 regulating factors of output is how quickly vehicles
6 could be painted. Is that correct?

7 A That's correct. Most, I would say probably, I'm
8 probably stretching, say between 90 to 95 percent of cars
9 are going to be painted that are being repaired at some
10 point, so they have to go through the paint system. And
11 all the training, like I said, I've been doing this for
12 45 years, it's plated for a two-hour window per vehicle
13 to be painted.

14 Q Okay. And you testified previously that
15 you have one paint booth?

16 A Correct.

17 Q And now one of the comment letters had
18 some questions about the way the booth designations were
19 and they thought that there were three paint booths.
20 Could you explain what the other two booths that were
21 believed to be paint booths are?

22 A Well, one booth is set up, as we use the
23 terminology, Bondo, when you're sanding plastic, that is
24 for doing body repair, plastic repair. That has its own
25 filters and its own room so that the entire shop doesn't

1 get contaminated with all of the, you know, dust from
2 that sanding. So that's a dust room.

3 The other one is a spray booth, which is a spray,
4 you know, spray the booth there, then it goes into the
5 next booth, which looks like a booth, but it's strictly
6 for baking. So what we do is you tape the car, you set
7 it up, you paint it. And in order to move it to the next
8 stage, rather than have it bake inside the booth, it
9 bakes in a separate booth and it's a system. It's kind
10 of like almost like a track system as it moves through,
11 more of a conveyer built system.

12 And, again, like I said, it's try to keep the
13 environment not having all that dust. Obviously, if
14 we're going to keep doors closed and people are going to
15 be inside, you want that environment as clean as
16 possible.

17 Q Okay. I just want to ask some questions
18 regarding what we originally proposed and how the project
19 has been downsized.

20 The new plans, do they push the building back
21 further from South Broad Street than we originally
22 proposed?

23 A Yes.

24 Q And do they reduce the number of bays from
25 what we originally proposed?

1 A Yeah, I think we lost five bays.

2 Q Okay. And was the height of the building
3 was also lowered?

4 A Yes, I believe they tried to get it into the
5 zoning. They'll testify, yeah. I don't want to go out
6 of my realm.

7 Q Okay. With respect to painting, you had
8 indicated that it wasn't as smelly as years gone by. But
9 let me ask you this. Are you able to smell the painting
10 that occurs from outside the building?

11 A Well, to clarify the smell, the smell isn't really
12 what you're smelling, it's the contaminants within. So
13 like I said, we have to control this type of stuff. If
14 somebody walked in that's never been in a body shop
15 environment, if I walked in you could probably smell
16 odors on my clothes because, you know, we're repairing
17 the cars. You're not going to change that.

18 But as far as smells, the odors themselves,
19 everything's controlled. So anything that we're
20 producing inside that shop is controlled. And every,
21 every chemical that comes in there has to be regulated by
22 what we use, by the companies that sell it and we get all
23 the MSD sheets for it. So there's a lot of research that
24 goes into it. But as far as the smells go, no, you won't
25 smell anything.

1 Listen, nobody complained about the body shop
2 before in the spray booth that we took off of 14. We
3 took a spray booth that was being used when we bought it
4 that was literally dumping the stuff right out into the
5 air. There was no filters, nothing on it. Nobody ever
6 complained of smelling paint. So like I said, the system
7 that we're putting in here is miles and miles ahead of
8 what was there.

9 Q Okay. So during the time period that
10 you've operated the body shop now for the last four
11 years, have you received any complaints from neighbors
12 regarding noise or odors?

13 A No.

14 Q Okay. Now, the spray booth and the Bondo
15 booth, do they have redundant filtration systems in them?

16 A Yes, they have a couple of different filters.

17 Q Okay. And the DEP requires contamination
18 not to leave the building. Is that correct?

19 A Yes. You have to have a certain spray booth that
20 proves -- that is capturing the percentage of anything
21 that's going through these ducts.

22 Q Okay. And you also have a ventilation
23 system for the balance of the facility as well. Correct?

24 A That's correct.

25 Q Okay. So do any of the ventilation

1 systems, whether they're associated with baking the cars,
2 ventilating the spray booth, or ventilating the rest of
3 the facility, do any of those systems actively vent
4 outside the building during non-operating hours?

5 A No.

6 Q Okay. So they only work while you're
7 open?

8 A Correct, when they're being used.

9 Q So no one, none of the neighbors are going
10 to hear a ventilation system going on after hours?

11 A No, they're shut off when we leave.

12 Q Okay. Currently, you have some parking
13 lot lights on the lots in question. Correct?

14 A That's correct.

15 Q And could you tell us what the operating
16 hours of those lights currently are?

17 A Right now they're dawn to dusk.

18 Q Okay. And is there a reason for that?

19 A That's what was there when we moved in and it's
20 for security and also safety at night, in the wintertime.
21 So they were just set up that way.

22 Q Okay. And have you received any
23 complaints about lights?

24 A No.

25 Q And do you have any sort of opinion or

1 experience with respect to how those lights may impact
2 crime prevention or deterrence?

3 A Well, from just knowing from when we moved in, I
4 mean, by the lights being on they had trouble with some
5 people coming up over the railroad tracks and stuff going
6 through the cars. But they put the lights on and since
7 then, that was right when we bought it, you know.

8 Q Okay. And you have a proposed monument
9 sign in the front of your facility on South Broad Street.
10 Correct?

11 A Yes.

12 Q And you're proposing to have that lit?

13 A Yes.

14 Q And what are the hours that you would like
15 to have that lit?

16 A From dusk till midnight.

17 Q Okay. Now, with respect to parking space
18 demand, you have other operations, as you had indicated.
19 Correct?

20 A I'm sorry?

21 Q You have other operations in Wayne, for
22 example?

23 A Correct.

24 Q And from your Wayne operations and from
25 the four years that you've been here in Ridgewood, you

1 have some sense as to how much parking you need to have
2 adequate parking for your facility?

3 A Yes.

4 Q Okay. Is your Wayne facility bigger than
5 Ridgewood?

6 A Yes.

7 Q And do you have more employees there?

8 A Yes.

9 Q As a matter of fact, how many spray
10 painting booths does Wayne have?

11 A We have two.

12 Q Okay. And how many vehicles do you do in
13 Wayne per month?

14 A We do probably about 130, 140.

15 Q Okay. And how many cars do you have in
16 the lot work in progress, customers, and employees in
17 Wayne?

18 A I'm going to say probably about 70, 75 cars.

19 Q Okay. And how many employees are you
20 proposing to work in Ridgewood?

21 A That we went over, probably like a max of
22 somewhere in the neighborhood of maybe 17 or 18 people.

23 Q Okay. And that's with one employee at
24 every bay stationed there. Correct?

25 A Correct.

1 Q And if you were to change that -- or
2 strike that.

3 Is it common to have one employee work at multiple
4 locations throughout the day?

5 A No, we're giving you a perspective of what a
6 possibility is.

7 Q Okay. So you do think it's going to be 18
8 or less?

9 A Correct.

10 Q Okay. And we're proposing a total of 84
11 spaces on the site?

12 A Yes.

13 Q And do you feel that 84 spaces is enough?

14 A Yes, because a lot of the cars will be inside.

15 Q Okay. So when you're working on vehicles
16 and repairing vehicles, is it common for vehicles to be
17 inside the building and in the bays overnight if they're
18 currently being worked on?

19 A Yes. Most of them are scheduled, so we know
20 they're coming in and once they go into the system,
21 they're pretty much, the smaller repairs just go right on
22 through. They don't really -- they're not going to get
23 taken apart and put on the back burner. A lot of stuff
24 is scheduled, so we kind of know what they are.

25 Q Okay. The delivery of parts, does that

1 occur during normal business hours?

2 A Yes.

3 Q And you proposed to have a gate locked
4 during non-business hours. Correct?

5 A That is correct.

6 Q Okay. And the Dumpsters are within the
7 fenced in gate?

8 A Correct.

9 Q We had requested a Knox Box so the Village
10 emergency vehicles could have access?

11 A Yes, that would be standard.

12 MR. SEMERARO: Okay. I have no other
13 questions from this witness.

14 CHAIRMAN BROWN: Okay. Thank you.
15 We'll open it up to our professionals
16 first, if you guys have any questions.

17 MR. RUTISHAUSER: None from me, thank you.

18 CHAIRMAN BROWN: Thank you.

19 MR. INTINDOLA: None at this time,
20 Chairman.

21 CHAIRMAN BROWN: Thank you.

22 MR. BARREE: Just a quick confirmation,
23 Mr. Daniel. The lights are on today from dusk
24 till dawn? They're on all night?

25 MR. LES DANIEL: That's correct, yeah, in

1 the parking lot.

2 MR. BARREE: Thank you.

3 CHAIRMAN BROWN: Open it up to Board
4 Members for any questions.

5 BOARD MEMBER RAYSTER: So you mentioned
6 there's a lot of contaminant systems for VOCs and
7 fumes and everything? Where is the equipment
8 located?

9 MR. LES DANIEL: I'm having a hard time.

10 BOARD MEMBER RAYSTER: Where is the
11 equipment for handling air located?

12 MR. LES DANIEL: The equipment for any of
13 the chemicals that are mixed -- when you have the
14 spray booth, we have a separate room which has a
15 separate ventilation filtering system that's
16 attached. So those fans are on all the time when
17 we're mixing any kind of chemicals, and all the
18 chemicals are stored in that room. So everything
19 is there. So that stuff isn't like -- there's
20 nothing sprayed out on the floor. Anything that's
21 sprayed, the booth is attached to that room, so it
22 gets mixed and then they have doors on it so
23 everything's contained in there and then we go
24 into the booth.

25 BOARD MEMBER RAYSTER: Okay. Where are

1 the fan located? You are ventilating the area.
2 Right?

3 MR. LES DANIEL: Correct.

4 BOARD MEMBER RAYSTER: So the fans have to
5 be located somewhere? Where are they? Are they
6 inside? Are they outside? Are they on the roof?

7 MR. LES DANIEL: The fans are actually
8 within the ductwork where the filters go and then
9 the clean air would be exhausted through the
10 ceiling. So the fans are inside the building
11 along with the filters and then we change them on
12 a regular basis.

13 BOARD MEMBER RAYSTER: Okay. Do you have
14 any idea how loud they are when you stand outside?

15 MR. LES DANIEL: Well, the fans like I
16 said are in the room, so the people kind of work
17 there all day. I mean, it's not like an
18 exorbitant loud noise. They're small fans, like,
19 kind of like a window fan motor.

20 BOARD MEMBER RAYSTER: Okay.

21 MR. LES DANIEL: The other fans that run
22 the spray booth itself, are also contained within
23 the building those would be more like, to describe
24 it the best way I can, almost like a turbine, but
25 they're inside. Like, they're not up in the

1 ceiling, so you're not hearing that out into the
2 building, it's more internal. Okay.

3 So does that kind of help answer your
4 question?

5 BOARD MEMBER RAYSTER: Yes.

6 So in addition to that, and I don't know
7 what the requirements are, is there any equipment,
8 you know, that is designed to suppress fires or
9 any kind of accidents?

10 MR. LES DANIEL: Well, that's what I was
11 saying. The other people are going to testify,
12 the architect and everybody. All the equipment
13 that we use has to be certified to meet the
14 federal -- as a body shop, we're regulated by the
15 state and federal government. So any of the
16 equipment that we install in there has to meet
17 certain requirements. So, for example --

18 BOARD MEMBER RAYSTER: I get it. I'm just
19 trying to understand where it's located.

20 MR. LES DANIEL: I'm just saying like, we
21 don't just design it. In other words, I'm not
22 just buying something like -- I'm not purchasing
23 it, it has to meet certain requirements.

24 BOARD MEMBER RAYSTER: I'm just trying to
25 understand where is it located. If there's a

1 additional equipment in case of fire suppression,
2 where is it located? It doesn't look like there's
3 anything in the documents we have.

4 MR. LES DANIEL: Fire suppression would be
5 what we have on Lot 12, which is a sprinkler
6 system that's throughout the building and then
7 they have the sprinkler heads in each individual
8 room. They would be in the actual spray booth and
9 then they would be in that mixing room for fire
10 suppression.

11 BOARD MEMBER RAYSTER: Okay, thank you.

12 MR. LES DANIEL: You're welcome.

13 MR. SEMERARO: Let me just, if I may, Mr.
14 Chairman.

15 We are willing to stipulate, and please
16 advise if you agree, that we will comply with all
17 noise regulations that are state, county, town and
18 that the venting that would be done, the exhaust
19 that you're talking about, will be positioned --
20 will be venting out the rear of the building as
21 close to the midline of the building as possible.

22 MR. LES DANIEL: Right, that's what we've
23 stated before. Yes, like I said, we're going to
24 work within the means and try to do anything, you
25 know, if there's a problem with something.

1 Obviously, to answer your question too,
2 there is a spray booth that's there now that we
3 run during the day. It's not really much
4 different, so the noise level would be very
5 similar to what's there.

6 BOARD MEMBER BANDELT: I have just one
7 question.

8 You mentioned that you currently have a
9 Dumpster for steel, a separate Dumpster for
10 aluminum, and one for garbage, if I understand
11 correctly. How do you intend to do this at the,
12 not the new location, but in your new structure?
13 I see two roll off Dumpsters, I was just curious,
14 are you changing the way that you handle material
15 waste or what's your plan?

16 MR. LES DANIEL: Well, the Dumpsters, the
17 actual Dumpsters would remain in, we have a slot
18 in the parking lot where the recycling would go,
19 which they'll show, you know, in the plans.

20 But the recycling itself would be behind
21 the fence and those Dumpsters would be there.
22 They get picked up, like I told you, as we get
23 filled, we'll call them and they'll do a pick up
24 on them, so the steel and aluminum.

25 MR. SEMERARO: I think his question is,

1 you're proposing two Dumpsters and it sounds like
2 you're maybe having more than two Dumpsters
3 currently. That was his question.

4 MR. LES DANIEL: Oh, for the steel and the
5 garbage?

6 BOARD MEMBER BANDELT: Yeah, so it sounded
7 like you typically have three Dumpsters; one for
8 steel, one for aluminum, and one for trash.

9 MR. LES DANIEL: So that's a good
10 question. I'll be honest with you. The one
11 Dumpster's smaller from aluminum, but I guess we
12 would have to look at that. That's a good
13 question.

14 BOARD MEMBER BANDELT: Something to
15 consider because your plans currently show that --

16 MR. LES DANIEL: Listen, we can't think of
17 everything. Better to talk about it now. But
18 that is, we do separate the aluminum and the
19 steel, so you're right. There would be three
20 Dumpsters.

21 BOARD MEMBER BANDELT: Got it, thank you.
22 That's the question I had.

23 MR. LES DANIEL: That's okay. That's why
24 we're here.

25 BOARD MEMBER PAPIETRO: Mr. Daniel, before

1 you moved in and took over the operation of this
2 facility, what was the approximate number of
3 vehicles that were being serviced in the original
4 facility per week? Per month, approximately? How
5 many are being serviced in that original facility?

6 MR. LES DANIEL: It's hard to say because
7 there was multiple things going on when we first
8 took over. It was Barry's Auto Body and --

9 BOARD MEMBER PAPIETRO: Well, narrow it
10 down to --

11 MR. LES DANIEL: I can give you a good
12 answer because we keep a record of cars. I know
13 when we took over in 2021, we took over in June
14 and we repaired, I think it was 49 cars in
15 December -- as of December 2021, I believe I
16 repaired 49 cars. So that would have been from
17 June until December and that was when, you know --
18 I'm sorry, for the month of December in 2021, I
19 did each one in December. Because I did '21, '22,
20 '23 to see what your comparables were, how many
21 cars we're repairing. So December of '21 was 49
22 cars, after the pandemic, that's when we kind of
23 took over. And then December of '22 I think was
24 somewhere in the neighborhood of around 70 cars.

25 BOARD MEMBER PAPIETRO: Say it again?

1 MR. LES DANIEL: In a month, in a month of
2 December. I did each December for the last
3 consecutive three years to see what they were at,
4 to see what our numbers would be. So, in other
5 words, our goal of a hundred cars, as I testified
6 to for January -- I'm sorry -- December '21.
7 December of '22 and '23, it fluctuated. But it
8 went from 49, which I did half, you know, we only
9 did work, so that December was 49 cars. The next
10 year we did about 70. '23 we did somewhere around
11 80. And then last year we were in somewhere
12 around 70. We count how many cars are delivered
13 for the month, you know, by computer, not the
14 repair, like how many delivered from the first of
15 the month to the last day of the month, to help
16 explain it roughly.

17 MR. WHITAKER: So what is the relevancy of
18 the question, Jonathan?

19 BOARD MEMBER PAPIETRO: Just concerned
20 about the volume that existed before the --

21 MR. WHITAKER: Well, that's irrelevant
22 because we've already made a decision that the two
23 facilities that are there now were granted a
24 Certificate of Nonconformity and the resolution
25 doesn't say that they can only fix 49 cars or 80

1 cars or 70 cars. So the number of cars being
2 serviced there is irrelevant to the questions we
3 have before us and that is whether the two
4 nonconformities can be expanded and the lot in
5 between, which is Lot 13, if that can now get a
6 use variance.

7 BOARD MEMBER PAPIETRO: Okay, thank you.

8 The hours of operation are -- the days of
9 operation are six days a week, Monday through
10 Saturday?

11 MR. LES DANIEL: That's what we have right
12 now.

13 BOARD MEMBER PAPIETRO: And so the work
14 that's being performed is consistent for all those
15 days or is there different things going on on the
16 weekends? Workload change or is it the same all
17 six days?

18 MR. LES DANIEL: Generally, you know, the
19 hours, when somebody comes in early, the beginning
20 of the day or the end of day we might be doing
21 maintenance. Saturdays we're not really open to
22 the public, like as far as estimates and all. We
23 do a lot of the maintenance stuff, cleaning and
24 doing stuff like that, limited crew, you know,
25 just to come in and do maintenance and clean.

1 BOARD MEMBER PAPIETRO: Okay. And just
2 one more question about the vehicles delivering
3 damaged cars. Could you be a little more
4 specific, flatbeds that carry one or two?
5 Articulating trailers that carry multiple? I
6 mean, the size of vehicles, the commercial
7 vehicles that are delivering the damaged vehicles
8 and maybe even those that are not repaired that
9 will be moved, can you give some definition of the
10 type of vehicles in a little bit more detail?

11 MR. LES DANIEL: The vehicles that come
12 into the shop generally come in on either
13 conventional, like a flatbed, as we would call it.
14 That would be considered a two-car carrier because
15 you can have a car on the bed and one on the back
16 of it as an attachment, you know, to hook up to
17 the back, so that would be a two car.

18 Generally, that's what they come in,
19 generally. It's usually only one car coming in
20 from an accident.

21 Most of my insurance direct repairs have
22 small vehicles, because it's one and two cars,
23 where they deliver directly to me. So like use
24 State Farm as an example. If a car gets towed to
25 a police yard, it will get picked up and delivered

1 to us and generally it's done on a one-car carrier
2 and it gets delivered right to us.

3 The only time you're going to see that
4 three car, which is what they asked about, is
5 generally if we have any cars that are there that
6 were totaled. In other words, beyond repair, then
7 we would store them for a couple of days until
8 they actually can come pick them up.

9 The insurance company takes them to a
10 salvage yard, so that might end up having a car
11 come and pick up two or on a rare occasion, they
12 would send a three-car carrier. No articulated,
13 no tractor trailers even bringing cars in. We
14 don't have like that high volume type stuff.

15 BOARD MEMBER PAPIETRO: Well, okay. I'm
16 thinking of the articulating type vehicles where a
17 pickup truck will have a 20 or 30-foot drive on or
18 tow on ramp --

19 MR. LES DANIEL: No.

20 BOARD MEMBER PAPIETRO: -- is that what
21 you might use to drop off or pick up cars that are
22 not going to be serviced, taking things off the
23 lot as well as being brought in?

24 MR. LES DANIEL: No, we don't any of that.
25 Even the work we do for Tesla and Rivian, they're

1 picked up by like a single car carrier and a lot
2 of them we drive back and forth. So there's no,
3 you know what I mean -- no. To answer you, no,
4 they're not coming in three car. I get what
5 you're saying, like a pickup truck with a trailer,
6 no.

7 BOARD MEMBER PAPIETRO: Okay, thank you.

8 MR. LES DANIEL: You're welcome.

9 MR. SEMERARO: Mr. Chairman, I had a
10 question that I didn't get out before.

11 Your proposed or your current hours of
12 operation are not proposed to change and they're
13 7:00 a.m. to 6:00 p.m. Monday through Friday;
14 Saturday 8:00 a.m. to 1:00 p.m. Is that correct?

15 MR. LES DANIEL: Correct.

16 MR. SEMERARO: Okay. And all the
17 deliveries that we discussed taking place within
18 normal business operating hours would be within
19 the Monday to Friday 7:00 a.m. to 6:00 p.m.?

20 MR. LES DANIEL: Correct.

21 MR. SEMERARO: Okay.

22 CHAIRMAN BROWN: Thank you.

23 Board Members have any additional
24 questions?

25 Okay, seeing none.

1 Open it up to members of the public to ask
2 any questions. Remember, it's a time for
3 questions of the applicant.

4 MR. WHITAKER: The questions would be of
5 the operational aspect that has been testified to.

6 CHAIRMAN BROWN: Go ahead, just state your
7 name.

8 MR. HENRY THAYER: Yes, my name is Henry
9 Thayer.

10 CHAIRMAN BROWN: And give us your address.

11 MR. HENRY THAYER: 209 South Broad Street.

12 CHAIRMAN BROWN: Thank you.

13 MR. HENRY THAYER: My question is, you're
14 talking about your facility in Wayne. So I live
15 across the street from this place so I know what
16 the neighborhood is like next to this place in
17 Ridgewood. Could you describe the neighborhood
18 that surrounds your facility in Wayne?

19 MR. LES DANIEL: Well, we have two in
20 there. We have one that's in the, what we call
21 the old section of Wayne, which is considered
22 Mountain View. That's in an area where there's
23 two families, a barber shop, used to be a bank
24 next door, now it's an office building. And then
25 there's a couple of two families and then the deli

1 would be down the street.

2 The one on Route 23 is on, accessible from
3 the highway, and it's also kind of in a little
4 mini industrial park.

5 MR. HENRY THAYER: And then another
6 question. So I've been trying to follow this,
7 it's confusing. I think that Lot 14 was only
8 partially approved as -- like, only a portion of
9 it was approved for preexisting use?

10 MR. WHITAKER: It's a little bit beyond
11 his expertise, but he can answer.

12 MR. SEMERARO: Yeah, I can lend clarity.

13 MR. WHITAKER: Have you had the
14 opportunity to review the resolution?

15 MR. HENRY THAYER: Yeah, it's all like
16 really confusing to me, but I tried.

17 MR. SEMERARO: Mr. Whitaker, do you want
18 me to speak to it?

19 MR. WHITAKER: Sure.

20 MR. SEMERARO: So on Lot 14, this Board
21 found that that lot had a preexisting
22 nonconforming use for auto body and outside
23 storage for the entirety of the lot, with the
24 exception of where there used to be a residential
25 house at the front of it, and the property

1 immediately in front of the house itself.

2 So, in other words, that resolution
3 acknowledged that there was a preexisting use for
4 storage and auto body repair going all the way up
5 to South Broad Street along the southern property
6 line, and everything behind where that house was.

7 Now, we do have an exhibit that will come
8 out during our engineer's testimony which will
9 give you a better visual to digest.

10 MR. HENRY THAYER: Okay. So it sounds
11 like it was a part of the lot, but not the whole
12 lot?

13 MR. SEMERARO: Overwhelming majority of
14 it.

15 MR. WHITAKER: Not 13. You asked 14.

16 MR. HENRY THAYER: Lot 14, that's what I'm
17 asking about.

18 MR. SEMERARO: 14, overwhelming majority
19 of the lot.

20 MR. HENRY THAYER: Okay. Not the whole
21 lot. Am I misunderstanding something?

22 Okay. So my question is then Lot 13, the
23 middle lot is not approved for -- is not approved
24 for the preexisting use, non -- whatever that's
25 called, but it's currently being used as part of

1 the operation, but it's not been approved to be
2 used.

3 MR. SEMERARO: Correct.

4 MR. HENRY THAYER: That's correct?

5 MR. SEMERARO: Yes.

6 MR. HENRY THAYER: That's all, thanks.

7 CHAIRMAN BROWN: Thank you.

8 If you have a question, please state your
9 name, give us your address, for the record.

10 MR. CHRISTIAN CLARK: It's Christian
11 Clark. I'm at 269 Woodside Avenue, Ridgewood.

12 Mr. Daniel, I'm just trying to understand
13 kind of the investment pieces for the operations,
14 like all of this effort, all these hearings to go
15 from 60 to 75 cars a month to 100, can you kind of
16 elaborate on that? I just don't -- it doesn't...

17 MR. SEMERARO: I would just, Mr. Whitaker,
18 I don't believe that that's a relevant question
19 for consideration.

20 MR. WHITAKER: It's not a relevant
21 question. The applicant has the right to seek
22 variance relief, whether it's one hearing or six
23 hearings and the economic aspect of it is not
24 something the board takes into consideration.

25 MR. CHRISTIAN CLARK: Well, we were just

1 talking about volume, weren't we?

2 MR. WHITAKER: Yes, so he's testified --

3 MR. CHRISTIAN CLARK: I'd like to hear the
4 explanation --

5 MR. WHITAKER: But the volume doesn't
6 justify variance relief.

7 MR. CHRISTIAN CLARK: No, but we were just
8 talking about volume.

9 MR. WHITAKER: Yes.

10 MR. CHRISTIAN CLARK: And I think it's
11 within the board's competence to figure out
12 whether they find Mr. Daniel credible, isn't it?

13 MR. WHITAKER: Well, that's up to the
14 Board to decide.

15 MR. CHRISTIAN CLARK: Yeah, so I think one
16 aspect probably a lot of people in this room would
17 like to understand is how it's possible all this
18 effort and all this financial investment has a
19 return, when you're talking about an increase from
20 what currently's 70 or 80 cars a month to a
21 hundred, it doesn't add up. In other words, you
22 know, I'd like to understand how that works.

23 MR. WHITAKER: Counsel.

24 MR. SEMERARO: Explain to him why you're
25 going through this effort and what the motivation

1 is.

2 MR. LES DANIEL: I'll try to keep it as
3 limited as I can.

4 Are you in the auto body field? Are you
5 in the auto body field?

6 MR. CHRISTIAN CLARK: I think the
7 questions go from me to you, Mr. Daniel.

8 MR. LES DANIEL: Well, we're clear on
9 that. We're given a little latitude, so that's
10 why I asked.

11 But anyway, to answer your question is the
12 reason for the amount of meetings was because of
13 an objector.

14 We bought this property and,
15 unfortunately, I walked around the property and
16 didn't know the extent of the what the building
17 was. Now, if you've lived here, you possibly may
18 have known what's there and hopefully you know
19 what's on the street up and down, because it's not
20 just that property that should be worrying
21 everyone.

22 But as far as us, we just want to clean it
23 up. So what we come to the conclusion is, we have
24 a body shop on Lot 14 and we have a body shop on
25 Lot 13 -- I'm sorry -- on Lot 12. The house in

1 the middle is probably a hundred years old
2 roughly, so if we combine everything and move this
3 off the street and we're able to make this thing
4 part of the community, as we are in Wayne, I lived
5 there my whole life, and we wanted to be part of
6 this community and repair cars.

7 As far as the number goes, it's a long
8 term. It could be 50, 60 years worth of business.
9 I don't know if that helps you or not.

10 MR. CHRISTIAN CLARK: Your reason for
11 going through all this is to be a "part of the
12 "community? Is that your testimony?

13 MR. LES DANIEL: I already purchased the
14 place, what was I going to do afterwards?

15 I'm just trying to answer your question.
16 I'm giving you my honest answer.

17 MR. CHRISTIAN CLARK: When I asked you
18 about the financial viability of this, you're
19 telling me you want to be a part of the community.
20 The credibility is not going upwards --

21 MR. WHITAKER: It's a time for questions
22 only, not time for comment.

23 MR. LES DANIEL: I think I tried to
24 answer. I don't know what else to...

25 MR. CHRISTIAN CLARK: I want to go back to

1 the question about, I still didn't get an answer,
2 about financial viability --

3 MR. LES DANIEL: Okay.

4 MR. CHRISTIAN CLARK: -- how it is that
5 going from 80 cars now to a hundred cars is worth
6 all this?

7 MR. LES DANIEL: I'm sorry. Again, I
8 respect your opinion.

9 MR. CHRISTIAN CLARK: I'll just note for
10 the record we're not going to get an answer on
11 that.

12 Okay. The other locations in Wayne, and I
13 remember back to earlier hearings, I think I
14 recall, you know, the original plans was to
15 essentially to replicate it and maybe that's been,
16 replicate at least one of the facilities in Wayne
17 and maybe that's been paired back. I've noticed
18 this constant sort of, you know, hemming and
19 hawing about where the locations are. They're
20 both within stone's throw of Route 23, aren't
21 they?

22 MR. LES DANIEL: What's your question?

23 MR. CHRISTIAN CLARK: That's my question.
24 How far is each of your locations in Wayne from
25 Route 23?

1 MR. LES DANIEL: Do you want me to answer?

2 MR. WHITAKER: Yeah, that's a question to
3 be answered.

4 MR. LES DANIEL: Okay. I would say that
5 the Route 23 is probably 150 feet from the high
6 line and on the lower end of it is probably say
7 about the same. It's, you know, down in a
8 different road and, you know, and behind some
9 buildings, but you could probably stone throw,
10 150, 250 feet somewhere in there.

11 MR. CHRISTIAN CLARK: Thanks.

12 Does that community of Route 23 look like
13 the community of Broad Street to you?

14 MR. SEMERARO: Mr. Whitaker, I'm really
15 not sure that that's -- it certainly goes beyond
16 the scope of his testimony.

17 MR. WHITAKER: Well, if he has an opinion.
18 Is the neighborhood in Ridgewood similar to the
19 neighborhood on his two locations?

20 MR. LES DANIEL: I'm going to answer you.
21 Right next to the property on Lot 14, are you
22 aware that there's probably about eight or ten
23 derelict cars that are sitting there rotting away?

24 MR. CHRISTIAN CLARK: I'm aware of your
25 low opinion of our neighborhood. I remember the

1 hearing last year, there were audible gasps from
2 the gallery when you said, I think it was your
3 son actually --

4 MR. SEMERARO: Mr. Whitaker --

5 MR. CHRISTIAN CLARK: Hold on, hold on.

6 Who said that one of your goals was to
7 bring up the level of the community. I don't
8 think you understand this community. It's a
9 historic district. It's a historically black
10 neighborhood --

11 MR. SEMERARO: Mr. Whitaker, this is not a
12 question.

13 MR. WHITAKER: You got to ask a question.

14 CHAIRMAN BROWN: There needs to be a
15 question. There is a time for comments later.

16 MR. CHRISTIAN CLARK: Okay.

17 So do you find, the community of Route 23,
18 your two locations in Wayne, which you previously
19 had wanted to replicate in Ridgewood, 150 feet
20 from Route 23, do you find those neighborhoods
21 similar to Broad Street and downtown Ridgewood?

22 MR. LES DANIEL: Well, first of all, if we
23 insulted you, let me apologize in front of
24 everyone.

25 Secondly, we're only here, again, it's

1 your opinion and my opinion and I know there's
2 latitude here so I'm trying to meet it.

3 MR. CHRISTIAN CLARK: Do you find it --

4 MR. WHITAKER: Let him finish.

5 MR. LES DANIEL: I don't have an opinion,
6 I don't have an opinion that I think my shop is in
7 any way, shape, or form a lower level at all.
8 Okay. I came from nothing, so I don't know where
9 we got off on the wrong foot. I'm here right in
10 front of this Board to try to take something.
11 Both the two properties are going to be a body
12 shop one way or the other. I'm coming to this
13 Board to take these properties that are there and
14 to possibly make this a better look for the
15 community. I'll take all your inputs. Okay. And
16 I give you full credibility.

17 I don't know what the true objection is to
18 the projects. As you yourself stated, we all got
19 off on the wrong foot. I'm here to figure out
20 what we can do, because we all go to get along.
21 So I don't know if that helps you. Again, I
22 apologize if we're off the wrong foot because
23 that's not my goal here. My goal is to be part,
24 with everybody. I don't want to argue. I want to
25 wave to the people out on the street.

1 Now, like you said, I go out on the
2 street, I wave to the people, I know the guy
3 across the street. I'm an open door. Any time
4 you want to come over, you could come over and see
5 the facility. I'll answer your questions. Like
6 he asked about the Dumpsters, I'm human. I don't
7 know if that helps you.

8 MR. CHRISTIAN CLARK: We talked about
9 aesthetics and how aesthetics are important. How
10 would you describe like the aesthetics of downtown
11 Ridgewood?

12 MR. LES DANIEL: I think --

13 MR. SEMERARO: Mr. Whitaker --

14 MR. LES DANIEL: I'll answer that last
15 question.

16 MR. SEMERARO: -- that's completely
17 outside the scope of his testimony.

18 MR. CHRISTIAN CLARK: We talked all about
19 aesthetics. I'd like to hear it.

20 MR. LES DANIEL: I think that it's a very
21 historical old town. Okay. I grew up in Wayne,
22 that doesn't mean I didn't come here. My mother
23 was an antique dealer. We've been in all these
24 stores. We just went to dinner before we came
25 here. We've met a lot of people. We went to the

1 chamber. You know, we met a lot of the people in
2 the community, we want to be part of the
3 community. I don't know if had helps.

4 MR. WHITAKER: That's his answer.

5 MR. CHRISTIAN CLARK: The aesthetics are
6 "I want to be a part of the community"?

7 MR. LES DANIEL: I think they're nice.

8 MR. WHITAKER: You may not agree with his
9 answer, but he's given you an answer. You're not
10 to question his answer at this point, unless you
11 have a next question. No comment. That's the
12 procedure that's used by every land use board in
13 the State of New Jersey.

14 MR. SEMERARO: Additionally, Mr. Whitaker,
15 I would just ask for a cautionary statement.

16 So far as aesthetics are concerned, the
17 Burbridge case is one of the cases that apply to
18 this application and the real question of
19 aesthetics is what the current state of the
20 property is now compared to what he's proposing.
21 And the question took some of the statements that
22 were made previously out of context for maximum
23 impact, but the bottom line was the aesthetics of
24 the property is proposed to be improved from where
25 it is now and to that extent we feel that it's

1 more in tune with the community.

2 MR. WHITAKER: That's their position. As
3 I said you don't have to agree with it.

4 MR. CHRISTIAN CLARK: Okay. So who in
5 Ridgewood is benefitted by your expansion?

6 MR. SEMERARO: That's an irrelevant
7 question.

8 MR. WHITAKER: That's an irrelevant
9 question.

10 MR. CHRISTIAN CLARK: Do you think that
11 your expansion will increase the walkability along
12 Broad Street?

13 MR. SEMERARO: I also do not believe that
14 that is a relevant question. It certainly, goes
15 beyond the scope.

16 MR. WHITAKER: I think it's a question you
17 want to reserve. They're going to have a planner
18 testify to the planning aspects of this. There's
19 a certain criteria they have to meet under the
20 Municipal Land Use Law 40:55D and, you know, that
21 case law to go by also. And this is just the
22 beginning of a series of witnesses I understand
23 that will be presented. So it's a question
24 probably best reserves.

25 MR. CHRISTIAN CLARK: Thank you.

1 CHAIRMAN BROWN: Thank you. Any other
2 members of the public have any questions?

3 Can you just again state your name give us
4 your address and direct your question to the
5 applicant.

6 MR. TERRENCE HIGGINS: My name is Terrence
7 Higgins. I own 206 Woodside. It's very, very
8 close to the auto body shop.

9 MR. WHITAKER: Just spell your last name
10 for me. I didn't get it.

11 MR. TERRENCE HIGGINS: Higgins,
12 H-i-g-g-i-n-s.

13 I have a question. How are you going to
14 remove the fumes from the solvents and the paint
15 from the air and exhaust it out of the building?

16 MR. LES DANIEL: Well, the thing is like
17 we explained to them. If we're going to have
18 spray booths, which is, you know, meets all the
19 codes and that's there. As we said before, this
20 has been here for probably 50, 60 years, there's
21 never been any complaints the way it was, but now
22 there's complaints now. So the thing is, is that
23 we're going to use equipment that's designed in
24 2025. So we're going to build this building for
25 the next 50 or 60 years. So whatever was can only

1 be improved in the technology, which we all know
2 today is going to be better than what we have.

3 As I explained, the one booth that we
4 removed when we got there and realized it had no
5 filtration or anything on it, we took it right
6 out. We did not use it. But it was being used
7 every day. I don't know how long you guys lived
8 here, but it was being used every day.

9 MR. TERRENCE HIGGINS: So I'm concerned
10 that the fumes and the discharge is going to be
11 greater because of the increase in intensity of
12 use and the other way you could probably remove
13 those kinds of things is probably with activated
14 charcoal. Is that part of your system?

15 MR. LES DANIEL: Well, the systems that we
16 have have a filtration system built in. They have
17 a system with three filters. So there's floor
18 filters, then there's a prefilter, and then
19 there's -- there's three filters in the system.

20 MR. TERRENCE HIGGINS: So you're removing
21 particulates, it's different than fumes.

22 MR. LES DANIEL: Well, the way the
23 materials are made up, it's actually removing the
24 contents of the -- you can see it in the thing.
25 Like I said, this is all tested. This isn't me.

1 If you want when we do this, Mr. Whitaker,
2 maybe can get the spray booth person to come in
3 when we decide what booth is going to be there and
4 they can have questions on it.

5 MR. WHITAKER: This is just the beginning
6 of the testimony. I mean, there's going to be --
7 there's state guidelines for these booths too that
8 have to be met.

9 MR. TERRENCE HIGGINS: I'd be surprised,
10 but, okay. Thank you.

11 MR. LES DANIEL: Good question though. I
12 understand.

13 CHAIRMAN BROWN: Thank you.

14 Just state your name, give us your
15 address, and direct your questions to the
16 applicant.

17 MR. JOHN OROS: Sure. John Oros, 128
18 Madison Place in Ridgewood.

19 MR. WHITAKER: Spell your last name,
20 please.

21 MR. JOHN OROS: O-r-o-s.

22 Simple question, just the scope and scale
23 of your business, if it was to be fully optimized,
24 how many cars do you think you could handle, like
25 forget business and everything else, but the

1 amount of days, whatever the average work is,
2 what's the max number that could ever go through
3 was your facility in a month, just to put scope
4 and scale?

5 MR. LES DANIEL: As I stated before, we
6 would hope to repair between 90 and a hundred cars
7 per month.

8 MR. JOHN OROS: I understand what you
9 hope, but I guess, is that like max and you could
10 never fill, let's just assume --

11 MR. LES DANIEL: Well, to give you an
12 example. Like right now, I mean, we're probably
13 doing about 80 cars, 75 to 80 cars right now.
14 There's probably 14 people there right now. It's
15 really not going to change.

16 Like I said, we're talking about bay size.
17 You're asking me a question. Bays don't
18 necessarily mean anything. It's the size of the
19 building, square footage, because you could do a
20 repair on a car that may need three bays to do the
21 repair, you know, at one time.

22 So I'm just saying, in all words, the
23 maximum is based off the spray booth, which is
24 based off many different things. There's two
25 hours per paint job, so if we base that on it,

1 we're going to paint between four and six cars per
2 day on a good day. So if we paint six cars, that
3 would be 30 cars per week, that would give you
4 120.

5 Now, roughly, if it's based off of, if you
6 do calculations, you only have 22 working days in
7 a month. So it would be a little less than that.
8 But it gives you a rough idea.

9 MR. JOHN OROS: Appreciate that. Thank
10 you.

11 MR. LES DANIEL: All right.

12 CHAIRMAN BROWN: Thank you.

13 Again, if you could, state your name and
14 give us your address.

15 MR. DAVID CHRISTIANSEN: Sure, David
16 Christiansen, 224 Highwood. I'm with the Friends.

17 I have question for you, Mr. Daniel, and
18 maybe I misunderstood your testimony. Did you
19 state that deliveries of vehicles and parts would
20 be in the rear of the property behind the fence
21 behind the gates?

22 MR. LES DANIEL: For the proposed
23 building?

24 MR. DAVID CHRISTIANSEN: Yeah.

25 MR. LES DANIEL: Yes.

1 MR. DAVID CHRISTIANSEN: So you have
2 overhead doors proposed for the sides of the
3 building that they would not be used for
4 deliveries of cars and parts?

5 MR. LES DANIEL: Let me just, you want to
6 know if we're going to deliver the parts through
7 the garage doors?

8 MR. DAVID CHRISTIANSEN: My understanding
9 is your testimony was that you're going to deliver
10 cars and parts for the cars to the rear of the
11 building behind the gates, behind the fence?

12 MR. SEMERARO: The testimony that was in
13 the record was behind the gate, it wasn't behind
14 the building.

15 But Les, you can clarify.

16 MR. DAVID CHRISTIANSEN: Thank you.

17 Is that accurate testimony?

18 MR. LES DANIEL: That they would be
19 delivered, correct, behind the fence.

20 MR. DAVID CHRISTIANSEN: So the fence
21 aligns with the rear of the building?

22 MR. LES DANIEL: No, I'm sorry. The fence
23 lines with the front of the building. The
24 building will be a hundred feet.

25 MR. DAVID CHRISTIANSEN: I apologize. I'm

1 looking at a site plan that says otherwise.

2 You're saying that the fence aligns with
3 the front elevation of the building?

4 MR. LES DANIEL: Correct. There is a
5 model over here if you want to take a look.

6 MR. WHITAKER: You'll have testimony from
7 the engineer that designed it as to where the
8 fence is located.

9 MR. DAVID CHRISTIANSEN: I understand.
10 But some... Okay.

11 So you're saying that the fence aligns
12 with the elevation front of the property, the
13 gates are on both the north and south side
14 aligning with the front of the building.

15 MR. LES DANIEL: Correct.

16 MR. DAVID CHRISTIANSEN: And deliveries
17 cars and parts will be behind that?

18 MR. SEMERARO: Let me just clarify.

19 MR. DAVID CHRISTIANSEN: Sure.

20 MR. SEMERARO: On the north side, the gate
21 aligns with the front. On the south side, it's
22 further set back. The gates aren't even with each
23 other.

24 MR. MICHAEL DANIEL: I believe when I
25 testified originally --

1 MR. WHITAKER: You can't.

2 CHAIRMAN BROWN: You can't actually talk,
3 sorry.

4 MR. WHITAKER: You have not been sworn
5 in.

6 MR. SEMERARO: We'll cover that with the
7 architect's testimony and the engineer's.

8 MR. DAVID CHRISTIANSEN: The reason I'm
9 asking it now is, as I was looking at the site
10 plan, obviously, it's not the correct site plan,
11 but his testimony is specifically is with regard
12 to the manner in which deliveries were made.

13 MR. LES DANIEL: Understood. To make one
14 little statement, we have renovated the drawings
15 to try to, we've had meetings with some people and
16 stuff to get different ideas. So we have changed
17 the -- we've upgraded the building, so that's
18 changed a little bit.

19 Like we said, we knocked it down five days
20 from the original plans. But like I said, they're
21 going to testify, right?

22 MR. SEMERARO: Yeah, maybe I can just ask
23 a couple of questions for clarification.

24 The deliveries of vehicles and parts are
25 going to be behind the gate. Correct?

1 MR. LES DANIEL: Correct.

2 MR. SEMERARO: And the garage doors on
3 both sides of the building are within the gated
4 area. Correct?

5 MR. LES DANIEL: Correct, yes.

6 MR. SEMERARO: Okay. And for point of
7 clarity, if you end up having parts delivered or
8 vehicles delivered, would you have those parts and
9 cars delivered alongside the north side of the
10 building or behind the building or both?

11 MR. LES DANIEL: We would be behind the
12 fence and/or both would in the back, but nothing
13 in front of the building.

14 MR. SEMERARO: Okay. So along the north
15 side and the rear of the building?

16 MR. LES DANIEL: Correct.

17 MR. SEMERARO: Okay.

18 MR. DAVID CHRISTIANSEN: Thank you.

19 CHAIRMAN BROWN: Members of the public
20 have any additional questions?

21 MR. HENRY THAYER: Can I ask another
22 question?

23 CHAIRMAN BROWN: Sure. You need to state
24 your name and give us your address again.

25 MR. HENRY THAYER: Henry Thayer, 209 South

1 Broad Street.

2 So I think that I heard you say that
3 you're hoping to do 90 to 100 cars under this new
4 proposal and that last December you did 80. So
5 this whole thing is for ten more cars per month
6 and that just like doesn't sound right to me. Is
7 that correct?

8 CHAIRMAN BROWN: You need to talk into the
9 mic.

10 MR. LES DANIEL: I'll answer it.

11 In the course of a year, the 90 cars could
12 be like the best month for the year, it
13 fluctuates. We keep a record of how many cars we
14 do each month.

15 The thing is is that the purpose of this
16 building is like we explained, you want to attract
17 the right employees. We do fix some high end cars
18 and the working environment that is there right
19 now, yes, we can produce 90 cars, that's what
20 we're saying. We're not going to increase it.
21 But the thing is, is the ease of how to repair the
22 cars and quality of the repair is based on what
23 we're talking about, is the cleanliness, the
24 environment, and what makes -- when you go to
25 work, you want to be happy when you're at work,

1 don't you.

2 MR. HENRY THAYER: Me?

3 MR. LES DANIEL: Yeah, you want a good
4 working environment. It's a rhetorical question.
5 So what I'm saying, what we're trying to appeal to
6 people is that we have to obtain people that want
7 to go into this field. Most people do not want to
8 repair cars. So the best thing we can do is make
9 that environment as pleasant as we can.

10 Does that help?

11 MR. HENRY THAYER: Yeah. I guess my
12 question is like, at the risk of repeating myself.

13 MR. LES DANIEL: Yes.

14 MR. HENRY THAYER: It seems like this is
15 all for ten more cars per month is what you're
16 saying?

17 MR. WHITAKER: He's giving you an answer.
18 You don't have to agree with it, but he's giving
19 you the answer.

20 MR. HENRY THAYER: Okay, thanks.

21 MR. LES DANIEL: You're welcome.

22 MR. SEMERARO: If I could ask a question
23 of my client, Mr. Chairman?

24 CHAIRMAN BROWN: Sure.

25 MR. SEMERARO: So based upon your

1 testimony, are you saying that you're not just
2 doing it for an increase in productivity, but
3 you're also doing it for employee retention?

4 MR. LES DANIEL: Absolutely.

5 MR. SEMERARO: Okay. And is there a
6 constant threat of losing employees to work in the
7 fancier body shops that are contained within car
8 dealerships?

9 MR. LES DANIEL: Again, they tear down old
10 dealerships and they put new ones up, why?

11 MR. SEMERARO: Well, you tell me.

12 MR. LES DANIEL: I'm saying because
13 they're outdated.

14 MR. SEMERARO: Okay. So part of this is
15 to maintain a work style?

16 MR. LES DANIEL: Correct.

17 MR. SEMERARO: And have you had difficulty
18 maintaining a work style of the current existing
19 conditions?

20 MR. LES DANIEL: Every day is difficult
21 hiring people to come into this industry.

22 MR. SEMERARO: Okay. And if you end up
23 having a more up to date, clean facility, will
24 that make that easier?

25 MR. LES DANIEL: I'm definitely sure

1 because the example is our newest facility
2 everybody wants to be working there.

3 MR. SEMERARO: Okay. Thank you.

4 BOARD MEMBER PAPIETRO: Mr. Daniel, how
5 many regular employees will be traveling to and
6 from the facility each day?

7 MR. LES DANIEL: Well, like I said, we got
8 somewhere in the neighborhood of say 12, 13 people
9 there now, maybe 14. We probably have about ten
10 of them that drive in, because a couple of them
11 carpool. I know one of the young kids takes the
12 train in and we have a couple of people around, so
13 as far as cars driving, maybe in the neighborhood
14 of eight, nine cars.

15 BOARD MEMBER PAPIETRO: Is that going to
16 be the same on the weekend, the Saturday where you
17 have less hours?

18 MR. LES DANIEL: No. As we explained it's
19 mostly for cleaning and maintenance. I only have
20 a fraction of people that want to work on
21 Saturdays. It's not like a mandatory thing. So
22 most people if they volunteer to come in, they're
23 cleaning, washing walls, just general maintenance
24 basically.

25 BOARD MEMBER PAPIETRO: Will there be any

1 part-time employees that you would bring in for
2 additional work, busy season, things like that,
3 that are not regular, but still they're employees
4 on a part-time basis during the working week and
5 the weekend?

6 MR. LES DANIEL: In the time I ran the
7 company, I've never had part-time employees.

8 BOARD MEMBER PAPIETRO: Thank you.

9 BOARD MEMBER SWAN: I have a question. I
10 think you provided testimony that the cars that
11 you're working on would be in the building or in
12 the rear. Does your company or at this location
13 would you be providing loaner vehicles and parking
14 them in the parking lot?

15 MR. LES DANIEL: I heard you.

16 We do use Enterprise. We don't have
17 loaner vehicles.

18 So as we stated before, everything is on
19 appointment basis. So if somebody is dropping off
20 a car, generally in front of where the customer
21 parking would be, we may have two or three people
22 at a time, that's about how many parked that
23 you'll have in the front. And then Enterprise is
24 told, hey, So and So is coming in, claim number,
25 and they'll be here at 11:00. So then they come

1 and pick them up and they take them to do
2 paperwork.

3 Does that help?

4 BOARD MEMBER SWAN: Yes, thanks.

5 MR. LES DANIEL: Thanks.

6 CHAIRMAN BROWN: Thank you.

7 Mr. Semeraro, we're going to take five.

8 MR. SEMERARO: Sure.

9 (Recess)

10 CHAIRMAN BROWN: Jane, roll call.

11

12 (Roll call was taken, all Board Members
13 present respond in the affirmative)

14

15 CHAIRMAN BROWN: Okay, Mr. Semeraro, back
16 to you.

17 MR. SEMERARO: Thank you, Mr. Chairman.

18 Mr. Chairman, could we have the public
19 session on my last witness closed out?

20 CHAIRMAN BROWN: Yes.

21 MR. SEMERARO: Yes. Is it closed out?

22 CHAIRMAN BROWN: Yes, it is closed out.

23 MR. SEMERARO: Okay, thank you.

24 Our next witness is our architect, Tony
25 Garrett. I'd like to have him sworn in, please.

1
2 A N T H O N Y G A R R E T T, Billow
3 Garrett Group Architects and Planners, P.C. 161
4 Main Street, Ridgefield Park, New Jersey, having
5 been duly sworn, testified as follows:

6
7 MR. WHITAKER: Please proceed, Counsel.

8 MR. SEMERARO: Thank you.

9
10 DIRECT EXAMINATION BY MR. SEMERARO:

11
12 Q Mr. Garrett, could you please give the
13 board the benefit of your education, licensure, and
14 employment experience?

15 A I'd be happy to.

16 I graduated Rensselaer Polytechnic Institute in
17 1984 with a bachelor's degree in architecture.

18 I became licensed in New York State in 1990,
19 shortly thereafter in New Jersey.

20 I hold, NCARB certified. I hold licenses in ten
21 states right now including, California, Carolina, several
22 other states.

23 I've testified -- my licenses is in good standing
24 in the State of New Jersey as well as the others.

25 And I have testified before numerous boards,

1 although never had the pleasure - I hope it's a pleasure
2 - of appearing before this Board. I testified in
3 Paterson, Wayne, Wyckoff, all around the Village and
4 several municipalities in Bergen County, Morris County,
5 Essex, as far south as Egg Harbor, as far north as
6 Hamburg.

7 And I've been accepted as an expert in the field
8 of architecture.

9 MR. WHITAKER: Any questions by board
10 members or members of public as to the
11 qualifications of the expert witness in the field
12 of architecture?

13 They're being going none, at this point he
14 can testify and provide an opinion in that field.

15 Please proceed, Counsel.

16 MR. SEMERARO: Thank you.

17
18 BY MR. SEMERARO:

19
20 Q So, Mr. Garrett, can you please explain
21 what it is that you were retained to do by the applicant?

22 A I was retained during the process that they were
23 before this Board to essentially redesign the building
24 that was presented before you and that's what we've come
25 up with, with a new design that fits this property. We

1 collaborated with the site engineers, the owners. We're
2 currently working on one of the Wayne facilities.
3 Numerous meetings with the client.

4 I visited the neighborhood. Walked the
5 neighborhood. Got a feel for it. And we put together a
6 revised design for the building, which was reduced in
7 size to a footprint of 17,222 square feet and we've
8 included a total of 4,910 square feet of mezzanine, and
9 that's broken up into 2,235 square feet of employee
10 space. I'll testify to that in a little bit, but it
11 really correlates to what Mr. Daniel was speaking about
12 for his employees.

13 And then there's a parts mezzanine, which is 2,675
14 square feet in the building and that mezzanine area is
15 served by elevator and multiple exits.

16 We were commissioned to come up with an
17 alternative design. I would refer to the screen up there
18 and the rendering behind me.

19 We used a different pallet of materials, different
20 roof lines than what was proposed originally. We believe
21 we've come up with an architectural design that comports
22 well with the vernacular architectural along South Broad
23 Street. There's no definitive architectural style in
24 that area, but we've included, if you look, we have a
25 pyramid roof at the entry, a standing seam metal roof to

1 kind of bring in the sloped roof designs that you see on
2 some of the residential portions. We've included a cast
3 stone material. I have samples of the material we would
4 propose.

5 There's a rustication strip of varying heights
6 along the base of the building. The rustication strip
7 does encompass the entire building, but we really put an
8 effort into the front facade facing Broad Street. And I
9 think it's important to understand that the redesign
10 really provides a lot more respect for the South Broad
11 Street facade.

12 Originally, there were bay doors, there was a
13 pre-engineered building with siding on it facing South
14 Broad Street, which is really the front of this building.
15 The design we came up with incorporates the cast stone
16 base. We also broke up with articulation, bringing that
17 cast stone up vertical features. We've included aluminum
18 and glass fenestration in the building. We have some ins
19 and outs so that it's not one straight facade. So we're
20 breaking up the facade of the building.

21 We also designed the building to meet the zoning
22 requirements for building height. We are at 30 feet to
23 the peak of our entry roof. We wanted to give a sense of
24 entry so that when people come to the building they know
25 this is the front of the building, this is Mountain View

1 Auto.

2 And I guess if you want I could probably sum my
3 entire testimony up in one sentence, which is, this ain't
4 your father's body and fender shop. This is really an
5 aesthetically, in my opinion, a very aesthetically
6 pleasing building.

7 The other materials include an aluminum composite
8 metal panel, which is a pre-finished maintenance-free
9 material in a tan flavor. I also have some samples of
10 that.

11 Q Why don't you show them, if you don't
12 mind.

13 A You show them?

14 Q Yeah.

15 A I thought you said shut up.

16 So just starting with what I just described, this
17 would be the cast stone rustification --

18 CHAIRMAN BROWN: You need to grab the mic.

19 A I'm sorry, I did and I forgot to use it. Okay.

20 Can you hear me?

21 CHAIRMAN BROWN: Yes, thank you.

22 A So what we're looking at here is an Eldorado Cast
23 Stone product. We've use a lot of cast stone products.

24 In my opinion Eldorado is amongst the best of the

25 materials and this is the pallet of the material. Again,

1 and marked Exhibit A-89 for identification.)

2

3 Q So now we have it up on the screen as well
4 as the easel. And is this in scale?

5 A Yes, it is. This accurately depicts the three
6 dimensions of the building and relatively accurate
7 depiction of the landscaping, you know, after a few
8 years' growth.

9 We're not putting in, you know, 30-foot trees on
10 day one, but I will defer to the civil engineer to
11 testify as to the landscaping that's proposed. However,
12 they provided the imagery that we utilized for the
13 landscaping in front of this building.

14 Q So this was the landscaping plan that was
15 part of the submission package?

16 A Yes, it is.

17 Q Thank you.

18 A And then the last material sample, I don't know
19 why I held this one the longest because it really weighs
20 a ton. This is aluminium and glass. It's a black
21 anodized finish. We'd be using a lightly tinted to clear
22 glazing material, insulated glass, thermally broken
23 frames.

24 The building will be extremely energy efficient.
25 We have to meet the energy codes in the State of New

1 Jersey, which we will, and this building -- oh, I'm
2 sorry, I did skip over one other material, two other
3 materials.

4 The back of the building, which is the corrugated
5 metal siding would be a white finish. It's kind of -- it
6 replicates a board and batten type of finish, so we felt
7 that was an appropriate material. You can see it in the
8 rendering along the side of the building here.

9 And then lastly, we have some decorative elements
10 of an accent, ACM panel. We have that here, which really
11 balances out well with the other side where we have the
12 signage identifying the property as Mountain View Auto.

13 So we tried to develop a rhythm and appropriate
14 sizing and massing of the facade that identifies the
15 property and works well with the, in our opinion, with
16 the environment.

17 It's a variety along South Broad Street. You have
18 some Tudor structures as you get closer or in the
19 northerly directions towards the center of the town.
20 Right next to us is a three story multi-family that has
21 clapboard siding, a masonry rustication strip. We didn't
22 want to just replicate it identically, but we wanted to
23 use kind of that same flavor; rustication strip, varying
24 heights, different articulation and some sloped roofs on
25 there.

1 I guess I can role into the floor plans as well at
2 this point.

3 Q Sure.

4 A Unless you have specific plans on the elevations.

5 Q Well, we're calling that up, let me just
6 ask you this.

7 So you put obviously thought into developing this
8 facility to match the neighborhood as best you could?

9 A I would say fit in with the neighborhood as I see
10 appropriate.

11 Q Fair enough.

12 And do you think that this particular project
13 "fits in" with the neighborhood better than what's
14 currently there on the site?

15 A Yes, I do.

16 No offense to my client, but he didn't create it
17 so I guess he shouldn't find offense. It's a little
18 ramshackle, in my opinion, the way it exists today.
19 There's not, you know, it occurred organically, but in my
20 opinion not in a very well thought put together manner.

21 I did fail to mention something extremely
22 important. If you look at that front facade, there are
23 no overhead doors facing South Broad Street and that was
24 a conscious decision that we made during the planning
25 stages. We really wanted to present a facade that the

1 neighbors would be happy to look at and we didn't think
2 having overhead doors on the front of the building made
3 the most sense to do that.

4 So I'm going to flip over my board. Just walk
5 through the floor plans of the building. Okay.

6 Q Okay. Now, these plans are plans that we
7 had submitted with the application. Could you please
8 just state the name of the plan and the date?

9 A Yeah, I'm referring to Ground Floor Plan ASK-100
10 dated 29, October 2024. These were part of the original
11 package, so I don't think we need to mark them as
12 exhibits.

13 Q Okay.

14 A So the bottom of the sheet, which is, we called it
15 really east. We have plan north going to the right side
16 of the sheet. Broad Street being along the eastern
17 portion of the site would be here in front of the
18 building. I don't want to get too out of my lane with
19 the site plan, but there's a parking field and
20 landscaping and the building is set back, I believe,
21 there was testimony about a hundred feet off of South
22 Broad Street.

23 You can see here the ins and outs of the
24 articulation I mentioned. We have a series of tall
25 vertical windows to bring daylight into the building.

1 They are up high, so you're not going to be looking at
2 the workers and the tools and the toolboxes. They're at
3 about seven feet off the ground.

4 And then we also have some high windows, clear
5 story windows which kind of bring a rhythm across the
6 entire facade in our opinion.

7 So you enter a building, you have an air lock or
8 vestibule, double glass door. You come into an atrium,
9 so it's a very welcoming atmosphere for the customers.
10 There's an atrium, so it's a two-story space for walk
11 around on the second floor, customers feeding up front.
12 A small coffee bar, few work stations toward the back,
13 some, I like to them call "hoteling stations", if
14 somebody has a laptop they want to plug in, do a little
15 work, they can sit back there and do it. We have toilet
16 room and then the requisite utility space in here. And
17 we show a large TV along one of the walls so that you can
18 watch whatever you want to watch when you're there.

19 In the back here are the 19 bays. You heard
20 testimony by Mr. Daniel about the three rooms. I would
21 like to touch on those. That's the body building primer
22 room, the painting and drying room, and the spray booth.
23 I know there were particular questions pertaining to
24 that.

25 With the spray booth, that is a system that's

1 purchased. There are interval fans that are mounted
2 above the spray booth, but inside the building. There
3 are a series of filters that will filter the air before
4 it's discharged into the atmosphere.

5 This building will be subject to registering for
6 emissions permits with the State of New Jersey, so it's
7 not like we just putting a fan in the window and blowing
8 stuff out that shouldn't go there.

9 Spray booths are regulated by NFPA, that's the
10 National Fire Protection Association. They're regulated
11 by the International Fire Code and the International
12 Mechanical Code has very specific requirements about
13 filtration and we can control the odors inside the
14 building. They will not be getting discharged without
15 going through filtration. So there will be the
16 combination of the enhanced ventilation systems
17 associated with spraying and painting as well as the,
18 much of the work being confined inside the building,
19 limiting the number of times that the overhead doors have
20 to go up and down. This would, I would characterize this
21 as an innocuous use in terms of smells, odors, and
22 emissions going through the atmosphere.

23 You know, body and fender shops kind of evolved
24 over the years. They started out this way and they went
25 this way and that way and there wasn't a whole lot of

1 regulation. This is an opportunity to really get a
2 facility that meets the requirements stipulated in the
3 building codes as well as the emissions levels and
4 permits that would be required by NJDEP. So I look at
5 this as a real opportunity to make an improvement to this
6 site on an aesthetic level of various aesthetic levels.

7 I think the building is more attractive. I think
8 it's set back farther. There's enhanced landscaping. I
9 think the control of emissions will be superior. This
10 will have a state of the art fire protection system.
11 These facilities are regulated, again, by the fire code
12 and National Fire Protection Association. It will be a
13 safe environment.

14 And we do have a number of doors to the rear. If
15 the majority of the deliveries occur towards the back
16 behind the fence of the building, parts can be brought
17 through those doors. There are four large overhead doors
18 that will also be used to bring vehicles in. There are
19 three smaller overhead doors on the south side and one
20 large one. And there are three overhead doors on the
21 north side as well.

22 That really provides very good circulation inside
23 the building. So vehicles will not have to be backing
24 out and pulling in and doing this and that. You drive
25 in, it's a through pull. There's a lot of thought and

1 we worked with the spray booth people as well as the
2 Mountain View folks to come up with a plan that will be
3 very efficient for their operation.

4 I refer to the second floor plan here. It shows
5 the evaluated atrium space. There's two executive
6 offices and a conference room, a couple of toilet rooms,
7 a small informal sitting area for employees as well as a
8 lunchroom in the back here. These spaces will be fully
9 air conditioned.

10 The main body shop will have heat and ventilation
11 as well as CO detection in those systems so that if there
12 is an evaluated amount of carbon monoxide in the building
13 for whatever reason, it shuts down the air, it shuts
14 everything down, alarms go off and it gets fixed. That
15 doesn't exist right now in the existing facility.

16 So, again, these are all requirements that we've
17 had to implement in other service facilities. We've done
18 a lot of work in the automobile industry; service bays,
19 body shop, sales, et cetera. So we're particularly
20 familiar with the operations here.

21 We do show an elevator which accesses the parts
22 storage area. That elevator would be a hospital type
23 elevator, not that we expect to have gurneys in here, but
24 it's more robust and will allow us to quickly bring
25 product up from the ground floor for storage on the

1 mezzanine. It's actually a two sided elevator, enters
2 here on the west side and then exits on the east side at
3 the parts storage area and it also provides barrier free
4 accessibility to the building.

5 I think there were a couple of -- oh, before I get
6 to the comment letters.

7 Again, I've been to the other Mountain View
8 facilities. These offices and customer -- the offices,
9 the customer service areas and the employee support
10 spaces are really done very nicely in terms of interior
11 finishes, so there is a commitment by the client not only
12 to serve their customers well, but to keep and retain
13 their employees.

14 We do, it's a little bit of a side track, we do a
15 lot of BMW dealerships or have over the years. They,
16 like Mountain View, bend over backwards to make their
17 employees happy because it's very hard to retain those
18 qualified technicians to do this kind of work. So that's
19 not just -- that's an accurate statement, in my opinion,
20 that Mr. Daniel's made about really stressing how to keep
21 employees happy and working at this facility.

22 The rest of my drawings are the flat elevations.
23 We kind of started with those. I will go to the
24 elevation for a second.

25 There was testimony about the signage -- oh, this

1 is ASK-200. This was submitted after. So this is -- do
2 we have it up on the screen?

3 This has the signage on there showing a new wall
4 mounted sign 7 foot 4 by 27 feet. This is an R-3 Zone,
5 so there's very little guidelines in terms of what to
6 follow in terms of signage because it's a use variance
7 and any signage would be a use subsumed under that "D"
8 variance. But, again, we're showing pin mounted letters
9 and gooseneck lights in keeping with the kind of historic
10 styling that's in Ridgewood. It's not an illuminated
11 sign that is internally illuminated and shooting white
12 light out. It would be a very subdued lighting on the
13 sign. The size of it is 198 square feet. It's very
14 sizable, but it really worked well in terms of balancing
15 out the sign with the decorative composite metal panel
16 that we had shown on the other side of the building, so
17 it's not perfect the symmetrical, but it's well balanced.
18 We really tried to maintain a rhythm with the whole
19 facade design.

20 Q Do you feel that that was important
21 for aesthetics?

22 A Yes, it's very important that this be a very
23 balanced facade.

24 Q Did the size of that sign have anything to
25 do with how far back the building was set back from South

1 Broad Street?

2 A It is. The building's a hundred feet back, so we
3 need something demonstrative that people will be able to
4 identify this building as Mountain View Auto. So that
5 was the other reason we proposed the size that we did.

6 The existing signs, there are two existing signs
7 and they total, I believe, adding them up, they come to
8 about a hundred, just over 101 square feet of signage on
9 the existing buildings. Those facades are much smaller
10 than what we're proposing here.

11 We did look at the C-3 Zone which had some
12 regulations in terms of wall signage, not that we're in
13 the C-3 Zone, but this sign would comport based on the
14 size of the facade with what's outlined in your C-3
15 commercial zone signage.

16 There's also a monument sign proposed. Again, we
17 integrated the same stonework on the base, we put the
18 base up at two feet.

19 Q Which area are you referring to?

20 A I'm still on this ASK-200 exhibit, which what was
21 the exhibit number?

22 Q No, that was submitted.

23 A Oh, we submitted it, I'm sorry.

24 Q What's the date of the plan?

25 A This is 28 April, 2028.

1 Q Thank you.

2 A You're right, it should be in the packet.

3 So we have two timber posts on top of a masonry
4 stanchion. The masonry stanchion will act as a ballast
5 to hold the sign down. It's designed to resist wind
6 loads. And then it would be the same thing with pin
7 mounted letters, two colors, two colors on the signs, so
8 it's not a multicolored sign. And that would be five
9 feet off the property line and it is 30-square feet,
10 which if this were an institutional use, I believe you
11 are allowed to have a 30-square foot monument sign in
12 front of it. We're not an institutional use, but we kind
13 of respected what was in your zoning ordinance to try and
14 maintain the proper sizing for that sign.

15 And, again, because the building's so far set
16 back, it's kind of hidden because of the properties
17 adjoining it, we feel that a monument sign is important
18 for safety. It tends to promote free flow of traffic
19 because you kind of identify where you're going. It also
20 serves the emergency responders. They know if there's
21 something happening here, easy to find the property.

22 I would say the combination of the materials, the
23 massing, the different roof lines, in our opinion, we
24 tried to really create what we would consider a
25 desirable, visual environment for this site.

1 And that would conclude that testimony.

2 There were a couple of comments, letters, I should
3 say. The Building Department wanted to make sure that
4 the bathrooms were barrier free accessible, they are. We
5 actually have a 67-inch turning radius shown in there.
6 They'll be outfitted with the proper sinks, water
7 closets, grab bars, et cetera.

8 I keep referring to it as a mezzanine, a mezzanine
9 has to be less than one third the size of the footprint.
10 I carefully identified those areas. The 4,910 square
11 feet represents 28 percent of the 17,722 square foot
12 footprint, so this really is a mezzanine.

13 Different second floors require different design
14 elements. This would be a Type 2 D non-combustible
15 structure. We're using, there's no wood structure in
16 here. This would be steel and concrete. But I will
17 mention that around the spray booth and around the
18 painting area, we probably will have fire rated
19 construction which would be comprised of drywall and give
20 us a one hour fire separation.

21 And as you heard testimony earlier, any of the
22 combustibles or flammable paints would be stored in
23 each one of those fire rated rooms.

24 Lastly, we recommended to the owner, he was in
25 agreement, we would probably depress the entire floor

1 slab in the service bay area about a half inch this way
2 any inadvertent spillage inside the building would be
3 contained within the building so it wouldn't flow out to
4 the building. A half inch over that footprint generates
5 about 700 gallons of storage, so it's pretty adequate.

6 This is, you know, it's not our first rodeo with
7 this. We've kind of learned these lessons over the
8 years.

9 We talked about the paint spray, the NFPA. There
10 will be drains for the wash bay. There are a couple of
11 wash facilities in here. Those drains would be tied to
12 an oil/water separator, which would pull out any
13 pollutants before they ever got discharged to the sewage
14 system. So I think I covered it. Anything I missed?

15 Q What about the downspouts on the southern
16 side?

17 A Oh, yeah, the downspouts, we would agree that they
18 should be hard piped to the stormwater management system.
19 It's a better design.

20 That concludes my direct unless you have
21 questions, Mark.

22 Q I don't think so. I'm just running
23 through my notes real quick.

24 MR. SEMERARO: Okay. No, I have no
25 further questions.

1 MR. WHITAKER: What is the square footage
2 of the footprint of the building?

3 MR. GARRETT: I just want to make sure I
4 get it right. 17,222 square feet. I think I
5 inadvertently said 722, but it's 17,222.

6 MR. WHITAKER: And mechanicals, anything
7 on the roof?

8 MR. GARRETT: There will be rooftop,
9 package rooftop units for air conditioning. The
10 noise emitted from those units would be during
11 optimum times when the building's occupied for the
12 most part, and we would meet the performance
13 standards indicated by the State of New Jersey,
14 which I believe is 55 dB at the property lines
15 during the evening and 65 during the day. And
16 there might be, you know, they'll be some small
17 exhaust fans for toilet rooms, but the exhaust
18 associated with the paint spray, the body paint,
19 the fans would be what we call "utility" fans
20 inside the building, inside the ductwork. They
21 would suck the air and then blow it up and we
22 would have some goosenecks and they would be
23 screened, the locations of those would be screened
24 so they're not visible from the street.

25 MR. WHITAKER: Will the mechanicals

1 visually be screened from anyone standing on the
2 street or around the building?

3 MR. GARRETT: Yes, we will specify an
4 integral screening system that's mounted right to
5 the RTU.

6 MR. WHITAKER: Is that shown on the plan
7 now?

8 MR. GARRETT: It is not, but we haven't
9 designed the HVAC yet, but I will stipulate to
10 that.

11 MR. WHITAKER: You're stipulating though
12 that the mechanicals on the roof will not be seen
13 visually from any side of the building?

14 MR. GARRETT: Yes.

15 MR. WHITAKER: Thank you.

16 CHAIRMAN BROWN: Okay. I'll open it up to
17 our professionals to ask any questions.

18 MR. INTINDOLA: Just for the access into
19 the garage, is that a remote, the employees have
20 it and how do the garage bays operate on the
21 doors?

22 MR. GARRETT: They would be electrified
23 doors. I would think that we would have some sort
24 of fob system to get in and out of those doors.

25 MR. INTINDOLA: Okay. And would there be

1 operationally for a safety point of view, does the
2 code to that door need to set a tone or a flasher
3 to have employees be aware that a car may be, or
4 may or may not be, I know it's enough it opens,
5 but I wasn't sure from traffic perspective if
6 that's needed.

7 MR. GARRETT: I'm not sure the code would
8 regulate that. However, OSHA requirements may
9 regulate some sort of safety eye of those doors.

10 MR. INTINDOLA: Right, okay. Thank you.

11 MR. GARRETT: And we would stipulate that
12 it's not really a stipulation, we have to meet all
13 the codes that are in affect.

14 MR. INTINDOLA: That's my... Thank you.

15 And the right side gate looking, is that
16 going to be an electric gate or will that be
17 manually operated?

18 MR. GARRETT: You're talking about the
19 fence gate?

20 MR. INTINDOLA: The fence gate, yes.

21 MR. GARRETT: I'm going to defer to the
22 civil engineer.

23 MR. INTINDOLA: Oh, okay. No problem.
24 Those are my questions for now, Chairman.

25 CHAIRMAN BROWN: Thank you.

1 MR. BARREE: Good evening. Just a couple
2 of questions.

3 You mentioned the barrier free access to
4 the mezzanine and I'm not an expert on the code,
5 is access required for the conference room, lunch
6 room, office suites, and so forth?

7 MR. GARRETT: Technically, it's not
8 because it's under 3,000 square feet. However,
9 you picked up my red herring. There should have
10 been a door connecting the two. We have the
11 elevator, there's no reason not to make that
12 accessible. We would stipulate that we will add a
13 man door meeting barrier free requirements to
14 provide access to that elevator.

15 MR. BARREE: Okay. Great, thank you.

16 You mentioned in the signage comparison,
17 you referenced the C-3 zone. Ridgewood doesn't
18 have a C-3 Zone.

19 MR. GARRETT: Maybe it was just a C zone
20 and maybe it was paragraph C3, but we did look in
21 the commercial zone for the references to the
22 signage.

23 MR. BARREE: I just wanted to cross
24 reference that.

25 And then you mentioned, and I think it was

1 in response to the engineering review, the wash
2 bays. I didn't see them identified on the floor
3 plan. Are they going to be identified in a
4 specific location?

5 MR. GARRETT: They will be, yes.

6 MR. BARREE: Okay. And you mentioned that
7 they would have the oil separator in whichever
8 location they will be.

9 MR. GARRETT: Yes.

10 MR. BARREE: Do the wash bays, are they
11 multi-functional in that they serve only as a wash
12 bay or can they be used as a different type of
13 repair bay?

14 MR. GARRETT: I would imagine that they
15 could be used for some other function as opposed
16 to just washing. This is not like a car wash,
17 this would just be a wash bay for some detailing
18 operations. So, yeah, I think it would be a
19 multi-use, a multi-use bay.

20 MR. BARREE: Okay. I'm just trying to
21 understand the count of the bays, because we had
22 19, but if one or more are dedicated to a wash
23 bay, do we still have 19 in terms of?

24 MR. GARRETT: Yes, I don't think it would
25 be specifically dedicated to a wash bay.

1 MR. BARREE: Okay. Great, thank you.

2 MR. RUTISHAUSER: Thank you, Mr. Chairman.

3 Just a few questions.

4 Is your building going to be LEED
5 certified?

6 MR. GARRETT: No, it is not.

7 MR. RUTISHAUSER: Any consideration for
8 it?

9 MR. GARRETT: We did talk about it early
10 on in the project and based on the use, we didn't
11 feel that there was an adequate return on
12 investment for integrating the LEED, the LEED
13 design parameters.

14 I am a lead accredited professional and I
15 have done LEED certified buildings. Again, in
16 terms of ROI and capital investment - I'm sorry -
17 it didn't make sense at this time to pursue LEED
18 certification.

19 MR. RUTISHAUSER: Okay. Is the building
20 known to be sprinklered?

21 MR. GARRETT: Yes, it is.

22 MR. RUTISHAUSER: Both the mezzanine and
23 the --

24 MR. GARRETT: Yes.

25 MR. RUTISHAUSER: For the wash bays, do

1 they have a means of collecting the runoff water
2 liquid and where will it be directed?

3 MR. GARRETT: We would slope the floor
4 slab down to the floor drains. Again, it would be
5 a minimal slope, probably a quarter of an inch per
6 foot and that would, you know, create -- we'd have
7 a little sump around the floor drain. That would
8 go through the oil/water separator and then
9 discharge into the municipal sewer system.

10 MR. RUTISHAUSER: After the oil/water
11 separator comes into our sanitary sewer system?

12 MR. GARRETT: Yes.

13 MR. RUTISHAUSER: Okay. That's good.

14 MR. GARRETT: Did I say water system? I
15 meant sanitary. We're not discharging the dirty
16 water to your water system.

17 MR. RUTISHAUSER: I don't care. I run the
18 shit plan, not the water system.

19 And I don't want it to go into the
20 stormwater system, which you already just
21 confirmed.

22 MR. GARRETT: No, it would not go into the
23 stormwater system.

24 MR. RUTISHAUSER: Is the applicant going
25 to be considering an emergency generator for the

1 site?

2 MR. GARRETT: Not at this time.

3 MR. RUTISHAUSER: Okay. Nothing further.

4 Thank you.

5 MR. WHITAKER: The square footage of the
6 sign, you gave us the square footage of what
7 exists on the current building, what's the square
8 footage the facade side?

9 MR. GARRETT: 198 square feet.

10 MR. WHITAKER: And it's 101 now,
11 approximately?

12 MR. GARRETT: Yes.

13 MR. WHITAKER: The new one 109?

14 MR. GARRETT: I'm sorry?

15 MR. WHITAKER: 109 square feet is the
16 proposed?

17 MR. GARRETT: 198.

18 MR. WHITAKER: Thank you.

19 CHAIRMAN BROWN: I'll open it up to the
20 Board Members for questions.

21 BOARD MEMBER BANDELT: I have a question.
22 I'm not sure if you mentioned you looked into
23 this.

24 MR. GARRETT: I'm sorry.

25 BOARD MEMBER BANDELT: It's okay.

1 Did you look at what the allowable square
2 footage of the sign would be in the B2 district?

3 MR. GARRETT: I did not.

4 BOARD MEMBER BANDELT: Okay. Mr. Barree,
5 do you happen to know what that is?

6 MR. BARREE: I'm looking for it right now.

7 BOARD MEMBER BANDELT: Okay. The reason
8 why I'm asking is that's the closest business
9 related district geographically to the site, so I
10 think that might be a nice comparison.

11 MR. GARRETT: I looked at the commercial
12 because I thought this was more of a commercial
13 type of operation. And it's a variance
14 nonetheless, so.

15 And I would just like to clarify some
16 testimony. When I testified about the number of
17 bays, I did not include the spray booth, the paint
18 booth, and the drying booth. So the number that
19 you heard testified earlier is the number of bays
20 in the building, which is 23.

21 BOARD MEMBER BANDELT: Thank you.

22 That's the only question I have.

23 BOARD MEMBER RAYSTER: So you testified
24 earlier there's going to some air conditioning on
25 the roof that's going to get screened and

1 everything.

2 MR. GARRETT: I'm really having a hard
3 time understanding the question. I'm sorry.
4 Could you speak up?

5 CHAIRMAN BROWN: Just speak a little
6 louder into the mic.

7 BOARD MEMBER RAYSTER: Sure.

8 MR. GARRETT: Yell at me.

9 BOARD MEMBER RAYSTER: Sure.
10 You testified earlier that there's going
11 to be some air conditioning and some other energy
12 mounted on the roof with whatever the screening
13 might be. Some of the areas of this new proposed
14 building are going to contain highly flammable
15 materials. So are there going to be any dampers,
16 anything that, you know, is designed to suppress
17 fire besides sprinklers.

18 MR. GARRETT: No, we would not include
19 dampers in the air conditioning systems. The air
20 conditioning systems are really --

21 BOARD MEMBER RAYSTER: I'm not asking
22 about air conditioning system. I'm asking, in
23 addition to that, you have -- you are handling
24 flammable materials in the building. Are there
25 any other fire suppression systems besides

1 sprinklers that might include MEP components?

2 MR. GARRETT: They're not required because
3 we have three fire rated spaces in the room, they
4 are known as control areas. You're allowed a
5 certain amount of material to be stored in a
6 control area in a sprinkled building in a
7 fireproof cabinet without providing enhanced fire
8 protection system. Those amounts are, they vary
9 for the type of materials. We're talking about
10 more combustibles. There may be some flammables.

11 Class 1 -- 1B and 1C are considered
12 flammables per NFPA. Based upon storage in a
13 flammable storage cabinet in a sprinkled building
14 you're allowed 120 gallons per control area and we
15 have three control areas and the combustibles.
16 Again, that's 660 gallons of those materials in
17 combination with the Class 1 flammables.

18 And then most of the paint that they is
19 aqueous based, which is not a flammable material.

20 So I would say we have adequate fire
21 barriers to meet the code, to meet the
22 International Building Code for the storage of
23 materials in this building.

24 BOARD MEMBER RAYSTER: Okay. So another
25 question. You testified earlier that the exterior

1 design of the building was selected to best suit
2 your understanding of the neighborhood. I don't
3 have the exact words.

4 MR. GARRETT: Comport, I think the word I
5 used was comport, because I love that word.

6 BOARD MEMBER RAYSTER: All right, thank
7 you.

8 So none of the renderings, even that
9 pretty model that you have in there, none of them
10 really show any of the adjacent buildings to show
11 how does it really fit in the neighborhood. So
12 usually when --

13 MR. GARRETT: Unfortunately, when we added
14 the landscaping --

15 CHAIRMAN BROWN: You got to grab the mic.

16 MR. GARRETT: Oh, I'm sorry.

17 Unfortunately, when we added the
18 landscaping, it kind of screened that three-story
19 multi-story building to the north of the site,
20 which has similar lines, similar massing, and
21 similar types of materials.

22 I just want to... I may have something in
23 my bag of tricks.

24 It's not going to help.

25 We show the adjoining building, but we

1 don't get the definition that I was hoping for on
2 this rendering, so.

3 What I would say is the property to the
4 north does have similar features and I would defer
5 to the planner's testimony because he's going to,
6 you know, provide more detailed description of the
7 environments surrounding the property.

8 BOARD MEMBER RAYSTER: Thank you.

9 MR. GARRETT: You're welcome.

10 CHAIRMAN BROWN: Can we just go back to
11 the sign real quick?

12 MR. BARREE: So in response to Mr.
13 Bandelt's question, the B-2 Zone regulates signage
14 based on the width of the building facade. So
15 maximum height -- so we're really in the B-2
16 context the sign ordinance is thinking about bans
17 on downtown buildings basically, so it allows for
18 24-inch maximum height, so two-foot height. And
19 it allows the width to be 75 percent of the
20 building facade. So in this case the building's a
21 173 feet long, so it could be about 129 75 by 2
22 feet so you'll have a very long narrow sign that's
23 259 square feet under the B-2 rules which would be
24 very silly sign, but yeah.

25 MR. GARRETT: And I just would add that's

1 the similar criteria to the commercial zone as
2 well. Because it was, yeah, based on the width,
3 75 percent of the width of the facade. We
4 exceeded the height certainly, but, again, the
5 area permitted would be 259 square feet.

6 BOARD MEMBER SWAN: I have Question. Is
7 there a reason on the side yard setback could not
8 be conforming with the design?

9 MR. WHITAKER: That's beyond -- that will
10 the engineer to testify and the planner.

11 BOARD MEMBER PAPIETRO: Mr. Garrett, in
12 your design work on this building, did you take
13 into account or give any consideration to
14 emergency access for emergency medical teams that
15 would show up?

16 This building is a litany of hazardous
17 materials along with power equipment, various
18 vehicles in different states of repair or
19 disrepair, so the potential for injury is daily.
20 And I ask because fortunately Ridgewood, we have
21 professional 24/7 availability, but it comes as a
22 team of people. So I'm wondering if you took that
23 into consideration when you designed door
24 openings, stairway widths?

25 And it looks like on your mezzanine or

1 actually the ground floor and mezzanine plan, it
2 looks like this is an elevator here by the stairs.
3 Is that an elevator?

4 MR. GARRETT: Yes.

5 BOARD MEMBER PAPIETRO: Is that a person
6 elevator or just for equipment or parts?

7 MR. GARRETT: It's both. I testified it's
8 a hospital elevator, which is a little bit more
9 robust, a little bit larger cab. But it's
10 designed to have people go up and down the
11 elevator for barrier-free accessibility. It's not
12 on a generator, it's not being used for emergency
13 access.

14 What I would say is, the stairwells and
15 the number of exits are designed in accordance
16 with the International Building Code for this type
17 of occupancy and in my opinion, this building has
18 adequate ingress and egress doors to get EMT
19 personnel in and out of the building and an
20 injured person out of the building.

21 BOARD MEMBER PAPIETRO: Well, the first
22 floor is not so much an issue, there's multiple
23 doors and when the teams arrive they can walk in
24 and one of the critical items they bring along, of
25 course, is an ambulance stretcher. That's about

1 six feet plus in width, a couple feet of wide. So
2 getting into the first floor is not so much an
3 issue, but on your mezzanine you have several
4 rooms where there will be people there on each
5 day.

6 And on this parts area, is that parts area
7 sealed off or is that going to be a low wall that
8 looks into the downstairs.

9 MR. GARRETT: Yes, it will be a low --
10 yes.

11 BOARD MEMBER PAPIETRO: Not a full wall --

12 MR. GARRETT: Not a full wall. It's a low
13 wall with visual acuity down to the floor below.

14 But, actually, a hospital elevator will
15 accommodate a gurney. The cab is large enough to
16 do that. That's not why we picked it, but it
17 would suffice to serve the need to get a gurney or
18 a stretcher up and down to that second floor.

19 And we do have two means of egress off the
20 second floor. There are two stairwells. There's
21 one right from the custody employee area, which,
22 quite frankly, only needs one exit up to 5,000
23 square feet, doesn't require two exits. We're
24 actually providing more than what's required by
25 the code because we have another stair at the

1 north end of the building which exits or egresses
2 directly to the exterior.

3 BOARD MEMBER PAPIETRO: Thank you, Mr.
4 Garrett. I'm aware of what is required. I
5 responded to emergency calls for 30 years. And
6 when there's no access to roll equipment up, we
7 have alternate means, we can carry it. But even
8 carrying is an issue if the stairways meet code
9 and that's it. Now, there's code and there's
10 variations. So I'm just curious if you gave any
11 thought to it. I'm not asking you to do it. I'm
12 just saying it's going to be an issue if they need
13 to get to the second floor getting to the
14 location. The address, that's easy. But when you
15 get there, the time it takes to get to where the
16 actual patient is, that's another matter. So I
17 was curious if you gave that any forethought or
18 not, if not, be so informed.

19 MR. GARRETT: We will certainly take that
20 under consideration, but we did size the stairs
21 with an 8-foot width wherein technically we're
22 8-foot for both runs of stairs, which gives us a
23 3'8" wide stair, not a 36 inch wide stair. We
24 also have a chimney in there, so the fire
25 department can drag hoses. A chimney being the

1 space between the stringers. So they would be
2 able to get a hose up there.

3 Every design I do, I'm particularly
4 sensitive to the emergency responders, especially,
5 the firemen. And I'm not denigrating other EMTs,
6 but, again, if I'm in a fire situation, I don't
7 want to have to serpentine a hose around a stair
8 if I have to carry that up in my gear, so I do
9 give consideration to that.

10 BOARD MEMBER PAPIETRO: Very good. Thank
11 you.

12 MR. WHITAKER: And so the Board is aware
13 and the public's aware, the Zoning Board does not
14 have jurisdiction to deviate from building codes,
15 so any applicant that comes whether it be for an
16 addition on a home or whether it's a commercial
17 building, have to meet all the building code
18 standards, that's a given. The Board can't insist
19 on something beyond that. The Avalon case states
20 that the Board doesn't have jurisdiction over
21 modifying a building code or requiring something
22 beyond what the building code requires.

23 CHAIRMAN BROWN: Board Members have any
24 additional questions?

25 Okay. Seeing none, we can open it up to

1 questions from the public. Again, it's time for
2 members of the public to ask any questions they
3 might have of the applicant's witness, the
4 architect.

5 Yes, if you can just come forward. Please
6 give us your name and your address.

7 MR. TODD ALLIEVI: It's Todd Allievi,
8 A-l-l-e-i-v as in Victor, i, Boyce Place in
9 Ridgewood.

10 My first question regarding -- is there a
11 way we can put the picture with the landscaping up
12 on the TV? Is that possible?

13 CHAIRMAN BROWN: Yep, just give us one
14 second.

15 MR. TODD ALLIEVI: Sure.

16 CHAIRMAN BROWN: That one?

17 MR. TODD ALLIEVI: Yes, thank you.

18 It seems to be a very generous green space
19 area, landscaping I must say. My question is
20 going to be, and I'm not sure if it's to the
21 architect or is it to the Board because I don't
22 know the process here. Is this part of the
23 submission and it's stipulated that that's what's
24 going to be provided?

25 MR. GARRETT: Yes, the rendering is based

1 upon the landscape plan prepared by the civil
2 engineering firm. Those plants are the plants
3 that are depicted on the site plan. Those trees
4 are the species that are depicted on the site
5 plan. They provide an imagery of the landscaping
6 that we integrated into our rendering.

7 MR. TODD ALLIEVI: Right. I'm also
8 referring to all the shrubs, not just the trees.

9 MR. GARRETT: The shrubs as well, yes.

10 MR. TODD ALLIEVI: Right. And the whole
11 size that you're depicting here?

12 MR. WHITAKER: So the land use law in New
13 Jersey states that when a land use board grants an
14 approval, they're granting an approval based upon
15 the plans that were submitted. An applicant
16 cannot deviate from those plans.

17 Now, if we have a rendering like this, you
18 may not have the trees along the street and was
19 actually testified to, they may not be that height
20 in the planting. But we're going to hear
21 testimony from an engineer, we always do, that
22 will talk about the caliber of what's going to be
23 planted. The distance between spacing of the
24 landscaping at the time of planting.

25 But in answer to I think your question is

1 that if an applicant receives an approval, they
2 can't deviate from the plan unless they come back
3 to the Board and it notice to the public again.

4 MR. TODD ALLIEVI: Right. I'm not holding
5 you this to a T. The general image you have up
6 here is basically -- I'll let him finish with his
7 plans here. It's distracting.

8 Thank you.

9 I'll start again.

10 What you're depicting here, is there,
11 basically what you said, I'm not holding it to the
12 T on this, this is exactly, I'm not counting the
13 shrubs, each individual ones, I just want to make
14 sure that this does look like a very generous
15 green area and I just wanted to make sure that
16 upon the approval it's going to look very similar
17 to this and is that what you're saying, Board
18 Attorney?

19 MR. WHITAKER: Every resolution that a
20 land use board grants is based upon the specific
21 plan that's made an exhibit during the course of
22 this. That's why we're up to 90 already. Okay.
23 And the building material that's been testified
24 to, that is what would have to be used.

25 MR. TODD ALLIEVI: Right, I didn't see all

1 the plans and if you could answer this, again, I'm
2 not holding you specifically, is that generally
3 what the plans look like?

4 MR. GARRETT: In general, yes. We use the
5 landscaping plan provided to us by the engineer to
6 generate that imagery.

7 MR. WHITAKER: That's a good question to
8 ask again when the engineer testifies.

9 MR. TODD ALLIEVI: Okay. I'm not sure if
10 that's going to happen tonight or not. I don't
11 know if I'm going to be here for the next one, so
12 I figured I'd ask the architect.

13 One other area. You're familiar with
14 what's there presently. Right? And I'm going on
15 memory on your testimony because it was kind of
16 long. You referred to it, we have the Mountain
17 View present site and we have a couple of other
18 buildings and then you have another, I think you
19 referred to it as, was it ramshackle or something
20 like that?

21 MR. GARRETT: I was referring to the
22 Mountain View site specifically because there is a
23 number of buildings on that site.

24 MR. TODD ALLIEVI: Right, but then, again,
25 excuse how I'm trying to describe this. You have

1 the Mountain View, if you're looking at it across
2 the street on the right side, then you have I
3 think maybe a house, and then you had another auto
4 body place that they purchased the property. I
5 think it was called Dan's, I'm not sure. Do you
6 know which one I'm talking about?

7 MR. GARRETT: I don't know what it was
8 previously called.

9 MR. TODD ALLIEVI: But it was another auto
10 body shop?

11 MR. GARRETT: I believe that's what was
12 testified to, yeah.

13 MR. TODD ALLIEVI: Right. And that side
14 there, were you referring to that as kind of old
15 and I don't know if you said, was it ramshackle?

16 MR. GARRETT: I said ramshackle.

17 MR. TODD ALLIEVI: Okay. You did say
18 ramshackle. My memory isn't --

19 MR. GARRETT: I'm not backing off what I
20 said.

21 MR. TODD ALLIEVI: So basically you're
22 saying you wanted to take the old auto body shop,
23 the ramshackle or it's like a mom-and-pop auto
24 shop, an older one on the left side?

25 MR. GARRETT: Um hm.

1 MR. TODD ALLIEVI: Yes?

2 MR. GARRETT: I'm not sure what your
3 question is. We want to replace the existing.

4 MR. TODD ALLIEVI: I don't want to ask you
5 a compound question, so I'm going step by step.
6 If you want me to ask compound, I will.

7 MR. GARRETT: Okay. My answer would be,
8 my answer, and it may be a compound answer is, we
9 plan on raising the existing structures because
10 we, for a number of reasons, don't believe they
11 are laid out in a particularly conducive manner to
12 the operations on the site and replace it with
13 what we think is a single structure with proper
14 circulation that will allow the operations to be
15 contained within a building.

16 MR. TODD ALLIEVI: Okay. I appreciate
17 that. But what I'm saying is on the one side you
18 have more a, Mountain View is more of a modern
19 building and then you have other and lots and then
20 the old mom-and-pop auto body shop that's
21 ramshackle and kind of old. Right?

22 MR. GARRETT: Okay. It was the
23 combination of another building, a house, the old
24 mom-and-pop area that in my mind I characterized
25 that as not particularly well planned.

1 MR. TODD ALLIEVI: Right. I'm just --

2 MR. GARRETT: Okay.

3 MR. TODD ALLIEVI: I'm in agreement.

4 Different properties. I don't know all the lots,
5 I'm not going there. I'm just going very general.

6 Last question I have is -- well, actually,
7 before that.

8 You're familiar with this, across the
9 street the residential area it's referred to as
10 the Historic Section of Ridgewood, you agree.

11 MR. GARRETT: Yeah, I'm familiar with
12 looking at it, but I didn't review the historic
13 preservation.

14 MR. TODD ALLIEVI: I'm not saying
15 preservation. Just in general it's referred to in
16 Ridgewood as the historic area. I don't know if
17 you've been there, all the houses were built at
18 the turn of the century around 1900. You agree?
19 Are you familiar with it?

20 MR. GARRETT: Yeah, I think --

21 MR. TODD ALLIEVI: Across the street some
22 of the houses were built --

23 MR. GARRETT: I have no reason to doubt
24 what you said.

25 MR. TODD ALLIEVI: Okay. Some of the

1 houses were built in the 1800s. I don't know if
2 you realize that. Across the street from Mountain
3 View, a couple of the houses were --

4 MR. GARRETT: No, I wouldn't know that.
5 Thank you.

6 MR. TODD ALLIEVI: They were built like
7 the 1870s, 1880s. You could take a look. They
8 have plaques on them.

9 My question is, if I remember your
10 testimony right, you're saying this project would
11 comport better with the neighborhood. I know you
12 didn't like the word fitting. Did you say you
13 liked the word "comport" better?

14 MR. GARRETT: Sure, that's a great word.

15 MR. TODD ALLIEVI: Okay. I remembered
16 right. You had a lot to say so I'm just making
17 sure I'm saying the right words.

18 MR. GARRETT: I think the elements, the
19 articulation, the use of stone materials, which
20 were in, you know, that's kind of a historic
21 vernacular. We're not putting something that is
22 just corrugated metal around the whole facility
23 and packing something onto it, we integrated the
24 peak throughs, the change in materials, the use of
25 the materials that we thought made sense for the

1 area.

2 MR. TODD ALLIEVI: Okay.

3 MR. GARRETT: We're not saying that this
4 is a historic building.

5 MR. TODD ALLIEVI: No, I'm not -- I'm not
6 saying you are. But, in your opinion, you believe
7 replacing an old mom-and-pop auto shop comports
8 better in a historic area than what you present to
9 build now modern?

10 MR. GARRETT: Well, it's interesting
11 because you're picking on a very specific item and
12 in my opinion when you take the whole list of view
13 of what we're proposing, it's significantly better
14 for the neighborhood and I believe the
15 architecture relates to the period architecture in
16 the area.

17 We could have put up a steel building with
18 a half inch on 12 sloped metal roof, you know, a
19 Butler style building. That's not what we're
20 doing here.

21 MR. TODD ALLIEVI: No, but my question
22 was, you're placing an old mop and pop --

23 MR. GARRETT: Yes, we are.

24 MR. TODD ALLIEVI: -- auto body shop --

25 MR. GARRETT: If that's the answer you're

1 looking for, yes, we're replacing that.

2 MR. TODD ALLIEVI: I'm not looking for a
3 specific answer. I'm trying to finish my
4 question, if I may.

5 MR. SEMERARO: Well, that's one of the
6 things he's referring to.

7 MR. TODD ALLIEVI: If I can finish my
8 question. Okay. I'll repeat it.

9 Excuse me, sir. The sighing and looking
10 away from me is quite rude and unprofessional.
11 Okay. The least you could do is look at me when
12 I'm asking a question. I didn't appreciate that.
13 I've treated you with the utmost respect.

14 MR. GARRETT: You absolutely have.

15 MR. TODD ALLIEVI: Okay. So looking away
16 and --

17 MR. GARRETT: But you've asked me --

18 MR. TODD ALLIEVI: -- sighing is not really
19 appropriate. Okay.

20 MR. GARRETT: Okay.

21 MR. TODD ALLIEVI: I have one more
22 question. I'm trying to finish.

23 MR. GARRETT: Okay.

24 MR. TODD ALLIEVI: It's your opinion that
25 replacing -- let me rephrase that.

1 We have a mom-and-pop auto body shop there
2 presently, was there for years before Mountain
3 View purchased it. And now you're saying putting
4 this new project comports better in a historic
5 section of Ridgewood than a present mom-and-pop
6 auto body shop that's been there for decades?

7 MR. GARRETT: Yes. The short answer is
8 yes, I think it does.

9 MR. TODD ALLIEVI: And would you agree
10 with me that mom-and-pop auto body shop or just
11 the phrase "mom and pop" would be considered or
12 comport better with the word "historic"?

13 MR. SEMERARO: Mr. Whitaker, I think
14 you're allowing this to go on --

15 MR. WHITAKER: He's answered the question,
16 I believe.

17 MR. TODD ALLIEVI: I don't think he
18 answered this one. This is my last one, Counsel.

19 MR. WHITAKER: Well, I don't understand
20 the second question.

21 MR. TODD ALLIEVI: I can repeat it.

22 MR. WHITAKER: Go ahead.

23 MR. TODD ALLIEVI: I can repeat it. Maybe
24 I didn't phrase it properly. You want me to
25 rephrase it?

1 MR. WHITAKER: Do whatever you like. Do
2 whatever you like.

3 MR. TODD ALLIEVI: Did you understand the
4 question?

5 MR. GARRETT: Yes, I did. And yes, I
6 think the building we're proposing fits better to
7 the neighborhood than the mom-and-pop auto body.

8 MR. TODD ALLIEVI: That wasn't my last
9 question, but I'll repeat it.

10 MR. GARRETT: Okay. I'm sorry, I
11 misunderstood.

12 MR. TODD ALLIEVI: That's okay. It
13 could've been the way I phrased it, it happens.

14 CHAIRMAN BROWN: Can you repeat the
15 question for him?

16 MR. TODD ALLIEVI: I was about to.

17 MR. SEMERARO: Actually, before he does
18 that. I just want to preserve the record.

19 It's clear that this project is replacing
20 six different buildings, it's not just replacing a
21 - quote/unquote - mom-and-pop auto body shop. And
22 the record has been clear prior to today that the
23 body shop on Lot 14 consisted of more than one
24 building and that's in large part why the
25 Certificate of Nonconforming use was granted.

1 So the question itself is misleading
2 because it's making it seem like, first off, a mom
3 and pop has never been defined by anybody within
4 the context of this hearing.

5 But secondly, it also gives the inference
6 that it's one structure when there's in fact three
7 on that one building and there's two other
8 structures in the middle lot and then another
9 building on the first lot. So it's just not
10 replacing one structure.

11 MR. TODD ALLIEVI: Okay. And I believe
12 what Counsel just stated mischaracterizes
13 everything I just asked. It's not my fault that
14 -- I won't give my opinion on that.

15 MR. SEMERARO: I'm not saying it's fault.
16 I just preserved the record. Please ask your
17 question.

18 MR. TODD ALLIEVI: I'm preserving the
19 record that I think it mischaracterized everything
20 I asked because I did incorporate more than one
21 parcel. I even spelled out each one. I even said
22 I wasn't going to say each lot. I was very
23 specific and very detailed, Counsel.

24 MR. SEMERARO: The record will speak for
25 itself.

1 MR. TODD ALLIEVI: Yes.

2 I will try and ask the question that I was
3 asked to rephrase five minutes ago.

4 Would you agree -- well, actually, let me
5 ask it again. The phrase "mom and pop", is that
6 fitting or does that comport with the term
7 "historic"?

8 MR. GARRETT: No.

9 MR. TODD ALLIEVI: No?

10 MR. GARRETT: No.

11 MR. TODD ALLIEVI: Okay. Can you please
12 explain the difference then?

13 MR. GARRETT: I have never used "mom and
14 pop" as a description of architecture in my
15 30-year career as an architect, okay.

16 MR. TODD ALLIEVI: But you just agreed
17 with me earlier that is a mom-and-pop auto body
18 shop, did you not?

19 MR. GARRETT: I did not agree to anything.
20 You're calling it a mom-and-pop auto body shop.

21 MR. WHITAKER: I think the problem we have
22 --

23 MR. GARRETT: Okay. It's an old building.

24 MR. WHITAKER: The problem we have is --

25 MR. TODD ALLIEVI: Only one can speak at a

1 time for the court reporter.

2 MR. WHITAKER: The problem we have is that
3 he doesn't understand or have we had defined what
4 "mom and pop" - quote - use is. I think that's
5 where the problem is. Lots of people can define
6 it as lots of different things.

7 MR. TODD ALLIEVI: I respectfully
8 disagree.

9 You went to college. Correct?

10 MR. GARRETT: Yes.

11 MR. TODD ALLIEVI: Extensively. I think
12 mom and pop is very well accepted in almost every
13 vocabulary. It's very well defined.

14 MR. GARRETT: I think this building is --

15 MR. TODD ALLIEVI: I'm sorry, I can't hear
16 you. Can you speak into the microphone, please?

17 MR. GARRETT: I believe this building is
18 more appropriate in this neighborhood on this lot
19 than the six buildings that occupy the lots
20 currently, which include what you described as a
21 "mom and pop", which I think you are alluding to a
22 smaller structure that was run by a couple of
23 people. That's the only way I could define a
24 mom-and-pop operation. Okay.

25 MR. TODD ALLIEVI: So you do know what

1 "mom and pop" refers to.

2 MR. GARRETT: Not from an architectural
3 standpoint, I'm sorry.

4 MR. TODD ALLIEVI: I think most everybody
5 else can.

6 MR. GARRETT: Okay.

7 MR. TODD ALLIEVI: But I appreciate your
8 time and would like to say that the green space is
9 rather impressive.

10 MR. GARRETT: And I apologize for looking
11 away.

12 MR. TODD ALLIEVI: It's a long night. I
13 completely understand. I did my best from a
14 layman's.

15 MR. GARRETT: Thank you.

16 MR. TODD ALLIEVI: Thank you.

17 CHAIRMAN BROWN: Thank you.

18 Members of the public have any additional
19 questions?

20 Please state your name and give us your
21 address.

22 MR. HENRY THAYER: Hi, Henry Thayer, 209
23 South Broad Street.

24 Have you guys talked about what you would
25 do if you don't get the permission you're seeking?

1 MR. SEMERARO: That's not for his
2 testimony.

3 CHAIRMAN BROWN: That's not a question for
4 the architect.

5 MR. WHITAKER: That's not within the realm
6 of what the Board has to consider.

7 CHAIRMAN BROWN: Members of the public
8 have any additional questions?

9 Okay. Seeing none, we'll close that
10 public portion.

11 Back to you, Mr. Semeraro.

12 MR. SEMERARO: Thank you, Mr. Chairman.

13 I know that you wanted to break at 10:30,
14 so I don't think I can get engineering done in two
15 minutes.

16 CHAIRMAN BROWN: Probably not.

17 You need a new date?

18 MR. SEMERARO: So I would ask that it be
19 carried to a date certain.

20 CHAIRMAN BROWN: June 10th? How's that
21 date work?

22 MR. SEMERARO: If you can just give me a
23 moment?

24 CHAIRMAN BROWN: Yes, of course, go ahead.

25 MR. SEMERARO: Thank you.

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(Brief pause)

CHAIRMAN BROWN: June 10 doesn't work?

MR. SEMERARO: Well, are you actually having a meeting that night? That's the primary, election night.

CHAIRMAN BROWN: Yeah, we meet. We sure do.

MR. SEMERARO: You still meet.

(Brief pause)

MR. SEMERARO: Yes, we'll take June 10th.

CHAIRMAN BROWN: Okay, great. So we're going to carry till June 10, 2025, 7:30 p.m., no further notice required.

We just have one question for you real quick.

BOARD MEMBER RAYSTER: For the purposes of the discussion, do you think it's possible to extend the rendering to include some of the structures on the other side?

MR. SEMERARO: To extend the what?

BOARD MEMBER RAYSTER: The rendering

1 that's on the screen.

2 MR. SEMERARO: They're awfully expensive.
3 Let me consult with my client about that.

4 We'll certainly provide actual photographs
5 of the area which, you know, are certainly,
6 there's no artistic justification, you know,
7 modification to it. Would that suffice your?

8 CHAIRMAN BROWN: I mean, you could provide
9 what you want to provide. Okay.

10 MR. SEMERARO: Okay. I'll certainly bring
11 it up.

12 MR. WHITAKER: It's a request, it's not a
13 requirement.

14 CHAIRMAN BROWN: It's a request, that's
15 all.

16 MR. SEMERARO: No, I understand. On both
17 sides of the building or one side of the building?

18 BOARD MEMBER RAYSTER: If you're trying to
19 show how it fits into the neighborhood, it helps
20 to see both sides.

21 CHAIRMAN BROWN: Thank you.

22

23 (Whereupon, the proceedings concluded at
24 10:31 p.m.)

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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
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