

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, January 13, 2026
7:30 p.m.
Ridgewood, New Jersey

ZONING BOARD OF ADJUSTMENT MEMBERS:

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

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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 X

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1 LES DANN, LLC - An application for use
2 variance approval, preliminary and final site plan
3 approval and bulk variances related to the
4 consolidation of three existing lots into one
5 property to be developed with a new auto body shop
6 at 246-264 South Broad Street, Block 3905, Lots
7 12, 13, 14, in an R-3 Zone. (Continued from July
8 8, 2025, Carried from October 14, 2025 without
9 further notice)

10
11 CHAIRMAN BROWN: Good evening.

12 MR. SEMERARO: Good evening, Mr. Chairman,
13 members of the Board and Happy New Year.

14 As we left off, public comment was
15 completed and we were just at the point where I
16 was going to provide closing argument.

17 I thought that Mr. Whitaker may have had
18 some desire to have some testimony from the
19 Board's planner or engineer and then it would be
20 my closing statement.

21
22 MR. WHITAKER: Yes, so let me walk the
23 Board through what the procedure, and for the
24 members of the public, what the procedure will be
25 tonight.

1 The public comment has been concluded.
2 John Barree, the Board planner, will provide his
3 planning testimony. His sworn testimony will be
4 based upon his attendance at meetings and review
5 of the transcripts of the meetings he was not here
6 for.

7 After that happens, the attorney will be
8 provided with the ability to give a brief closing
9 summation and then the Board is going to proceed
10 with the discussion and with a vote.

11 When we get to the point of discussion,
12 I'll give you some parameters and some things to
13 review on the basis of what we hear this evening.

14 With that said, I turn this back to Mr.
15 Barree.

16
17 J O H N B A R R E E, having been duly
18 sworn, testified as follows:

19
20 DIRECT EXAMINATION BY MR. WHITAKER:

21 Q Mr. Barree, you've been appointed or have
22 been the Board planner for the Village of Ridgewood.
23 Correct?

24 A Yes.

25 Q And correct to say that you have had the

1 ability to review all of the testimony either being
2 present at the meeting or through all of the testimony
3 done through the transcripts that have been provided to
4 the Board?

5 A Yes, I've been present or reviewed all the
6 transcripts.

7 Q And you reviewed all of the exhibits and
8 you've had through looking at the transcripts the
9 applicant's proposal, the applicant's reports, and all of
10 the comments by members of the public?

11 A Yes.

12 Q And you're very cognizant of the Municipal
13 Land Use Law and what the criteria is for what the
14 applicant is seeking this evening?

15 A Yes.

16 Q I'll ask you to proceed with providing
17 with your opinion.

18 A Okay. So as the Board and everyone is aware, the
19 application that is before us is for preliminary and
20 final site plan approval along with "D"(1) use variance
21 for the middle lot of three, Lot 13, and "D"(2) expansion
22 of nonconforming use variance for the flanking Lots 12
23 and 14.

24 There are also four "C" variances that have been
25 identified through the testimony through the case; an

1 insufficient side yard setback, which is a percentage of
2 the width of the lot; insufficient off-street parking;
3 wall sign area; and the improved coverage on the
4 property.

5 There are also several design waivers related to
6 the width of drive aisles and size of parking stalls and
7 those pertain to the stacked or tandem parking vehicle
8 storage areas in the back of the property that have been
9 described in testimony by the applicant as being used for
10 the storage of vehicles that are being serviced at the
11 site.

12 So with all of that, the applicant's professionals
13 have put on extensive testimony. We've heard questions,
14 comments from the public and from other witnesses and,
15 generally speaking, I'd have to say that the applicant's
16 professional planning testimony that was presented in
17 July is on point with the statutory requirements and the
18 case law related to the use variance requests that are
19 before the Board.

20 Particularly related to the "D"(2) expansion of
21 the nonconforming use, the Burbridge versus Mine Hill
22 case is one of the standards that we looked to that's
23 found that aesthetic improvements to a property can
24 provide grounds for granting relief in that context and
25 certainly the enhancement of the front yard setback in

1 particular with the addition of quite a substantial
2 landscape program relative to what's there today with the
3 buildings much closer to South Broad Street, I think
4 there's ample finding that that's the case, that there
5 will be aesthetic improvements to the site.

6 The enhancement of the setbacks to neighboring
7 properties from what exist today, reduction in impervious
8 coverage, shift from three different site access points
9 to a single driveway, all of those factors speak to
10 advancing purposes of zoning that go toward both the
11 "D"(2) and the "D"(1) use variance for finding that
12 there's special reasons to grant the relief.

13 The applicant's planner referred to purposes A, G
14 and I -- A, G, and C, rather, in direct testimony. And
15 then I think as response to some of the questions and
16 comments from the public ran through several other
17 purposes of zoning.

18 And, generally speaking, I would agree with what
19 was offered in that Purpose A, enhancing, promoting the
20 general welfare through the enhanced setbacks,
21 improvements to stormwater management, traffic access and
22 point consolidations, all of those said to advance
23 Purpose A in my opinion as well.

24 Purpose I as to the aesthetic improvements,
25 cross-referencing back to what I discussed with the

1 "D"(2) variance, I think there's unquestionably an
2 aesthetic improvement to the site that's being proposed.

3 Purpose G, as far as the use of the property, the
4 Board found that the existing auto body use of the lots
5 is a nonconformity that predates the current zoning
6 regulations and will be permitted to continue on the
7 property regardless of what the Board decides this
8 evening. So the use is clearly present and will remain
9 at the site, so it remains suitable for the use in that
10 context.

11 And then aside from the special reasons, there's
12 the site suitability angle to the "D"(1) variance. And
13 since we're dealing with a center third or less than a
14 third of the overall site that has the use grandfathered
15 in and permitted on either side of it, it would seem that
16 that speaks to the appropriateness of consolidating the
17 entire three lots into a single cohesive development as
18 is being proposed here. Speaks to the suitability, not
19 only for this use, but the opposite of not necessarily be
20 remaining suitable for residential use after it's flanked
21 by an auto body operation on either side.

22 To the extent that additional testimony is needed
23 on the "C" variances, I think you could argue that
24 they're subsumed or largely subsumed into the use
25 variance, particularly, the setbacks and the coverage

1 issues.

2 The parking, as was testified to by various
3 experts, the Village's ordinance doesn't necessarily
4 define parking by use, it just has a square footage
5 requirement for commercial uses, so I think that it's
6 fair to subsume the parking relief into the use variance
7 as well.

8 Overall, I think this application has evolved
9 considerably, obviously, since its inception and I think
10 that the plan that is before the Board has scaled the
11 project in such a way that it's limiting the impacts on
12 the area relative to what's happening on the property
13 today.

14 And while the Master Plan talks about maintaining
15 a Village feel, it does also acknowledge the need to
16 modernize and enhance existing uses and sites to keep up
17 with the times and I think that's what's happening here.
18 The push broadly, not just in Ridgewood and in other
19 places, is for more and more commercial sites to be
20 looked at for residential development allowing an
21 existing commercial operation to modernize and remain,
22 helps maintain a balance in the land use in the Village
23 and to the extent that the current R-3 zoning doesn't
24 permit this, it's been here, we all know that it's been
25 here for 75 or more years as was drawn out through

1 extensive testimony and exhibits.

2 So I think with that I would generally confer with
3 the applicant's presentation and the testimony of their
4 professional planner and that there does appear to be a
5 basis for the relief that's being sought.

6 Q Mr. Barree, just as a followup. You
7 referenced, and so we can place it on the record, the
8 Board has already determined that Lots 12 and 14 have a
9 nonconforming use, so you've got that as one of the bases
10 when you're talking about an expansion of the
11 nonconforming use. Correct?

12 A Correct.

13 Q And under Coventry as well as Burbridge,
14 as I understand it, when you have a nonconforming use,
15 the Board has the ability to look at that when we're
16 talking about expansion, the burden of proof, the proofs
17 necessary are less intensive than someone seeking a pure
18 use variance under "D"(1). Correct?

19 A That's correct, yes.

20 Q And on the basis of that, the Board has
21 the ability to determine if the deviations that the
22 applicant's proposing for an expansion, if it's
23 appropriate for the site. Correct?

24 A Yes.

25 Q In your opinion, you believe that, as I

1 understand it, the deviations that are being proposed
2 versus the conditions that the applicant has stipulated
3 to and you've alluded to already is between aesthetics,
4 impervious coverage, access to the site, consolidation,
5 et cetera, that those all are reasons for the Board to
6 have the ability to substantiate and have a foundation
7 for that variance relief for an expansion?

8 A Yes. And another condition that was proffered
9 through the testimony of the applicant and by Counsel
10 about ensuring that the work on the vehicles would be
11 done within a building as opposed to, you know,
12 haphazardly wherever it may be done over the last 70 or
13 80 years, I think that's also another, the operational
14 reason why this represents an improvement.

15 Q It's recognized if the Board, I'm saying
16 if the Board were to grant approval, the law permits a
17 Board to base their approval on a series of conditions
18 that can be imposed for purposes of granting relief?

19 A Yes.

20 MR. WHITAKER: I ask that question so that
21 all board members are cognizant of the fact that
22 when you're reviewing this to make a decision, if
23 your decision is based upon being in a permanent
24 decision only if certain conditions can be
25 imposed, you have the jurisdiction, you have the

1 right to impose conditions, so that's part of what
2 you can have as a discussion.

3 You can also look at this and say
4 notwithstanding the conditions being proposed,
5 that it's still not appropriate for the site.
6 That's within your prerogative.

7 I want you to be aware that conditions can
8 be imposed.

9

10 BY MR. WHITAKER:

11 Q Conditions, Mr. Barree, could also be
12 imposed, you mentioned the "D"(1) requirement, request?

13 A Yes.

14 Q And your testimony is based on what's been
15 presented here that with a nonconforming lot on either
16 side versus the consolidation that consolidating these
17 lots, that the use of Lot 13 as part of the overall use
18 is better than continuing like this?

19 A Yes, that's my opinion.

20 MR. WHITAKER: That's the only questions I
21 have.

22 Questions by board members?

23 CHAIRMAN BROWN: I do not have any.

24 Any board members have any questions?

25 BOARD MEMBER SWAN: I guess my question,

1 John, would be, those reasons that you outlined,
2 they pertain to public good then, I guess that and
3 impervious coverage access to the site, was that?

4 MR. BARREE: Yes. So as far as advancing
5 those purposes of zoning that were outlined both
6 in the applicant's planner's testimony and that I
7 referenced this evening, by advancing those
8 different purposes through the improved stormwater
9 management design, through the improved
10 landscaping, the enhanced setbacks, the reduction
11 in impervious coverage, the consolidation of the
12 driveways, improved aesthetics, all of those
13 things that are part of the plan that's been
14 presented, in my opinion, represent improvements
15 to the property that will have an overall benefit
16 to the public good.

17 BOARD MEMBER SWAN: Okay, thank you.

18 MR. WHITAKER: Maybe if you can go a
19 little further. You used the term, I know some
20 board members are aware of it, the Burbridge case,
21 just go through the background of that case.

22 MR. BARREE: Sure.

23 So one of the main thrusts of that case
24 was a finding that aesthetic improvements to a
25 nonconforming site could be justification for an

1 expansion of the nonconforming use. So in that
2 context I think that it's very much on point with
3 what we're looking at here, a site that had
4 developed, sort of evolved over time without a lot
5 of strict planning or forethought perhaps and by
6 consolidating, and in some respects expanding the
7 use, and in doing so enhancing the aesthetics of
8 the property along with the other improvements
9 that we talked about, that could be justification
10 for the expansion.

11 MR. WHITAKER: As I recall, it pertains to
12 expansion of an old junkyard.

13 MR. BARREE: It was a junkyard, yeah.

14 BOARD MEMBER BANDELT: John, if the
15 applicant were seeking to keep their operations on
16 Lots 12 and 14 but extend the footprint of those
17 operations within those lots, would you still
18 think that this is a better zoning alternative in
19 the sense that you're reducing like those points
20 of access and those other things, you know, in
21 consolidation in terms of the efficiency of the
22 land?

23 MR. BARREE: Yeah, I think of the idea of
24 bringing everything into one central access point,
25 one building where all of the operations will take

1 place, one lot where the vehicles will be stored
2 as opposed to, even if an enhanced version --

3 BOARD MEMBER BANDELT: Sure.

4 MR. BARREE: -- of what exists today, I
5 think there's a lot of benefits to that, in my
6 opinion. I think we've heard the testimony about
7 the operations from the applicant's perspective,
8 but I think it just, it makes sense that having
9 everything under one clean modern roof is an
10 improvement over what we have now.

11 BOARD MEMBER BANDELT: Thank you.

12 BOARD MEMBER SWAN: I have another
13 question.

14 I know the last meeting I think there was
15 a lot of public concern about children's safety on
16 the sidewalk. I just wandered, like, do you have
17 any thoughts or opinions on that? Does the
18 reduction of the curb cut help that in any regard?

19 MR. BARREE: So I was not present at that
20 meeting, but I read the transcript and I read many
21 of the concerns from neighbors about pedestrian
22 safety and, particularly, for children. And as
23 was discussed at that meeting and I'll sort of
24 echo some of the opinions that were given. Having
25 a driveway is a conflict point. That's a place

1 where cars are coming in and out, they're turning,
2 and any place you have a driveway as opposed to
3 having curb, landscaping, sidewalk is a potential
4 conflict. So reducing the number of those
5 conflict points along this property frontage
6 creates more protected sidewalk and a smaller area
7 where there is potential conflict.

8 Certainly, you know, there are not studies
9 been entered into the record about pedestrian
10 volumes, pedestrian safety, but just from a
11 general planning context, the fewer driveways, the
12 better. And the more sidewalk you have that's
13 uninterrupted by driveways, the safer it is.

14 So from a general context, and this
15 specific application, the idea of reducing the
16 number of conflict points and expanding the
17 continuous amount of sidewalk is a benefit.

18 BOARD MEMBER SWAN: Thank you.

19 And I think there was also concern that
20 like the scale is increasing in the operation and
21 perhaps the vehicles, the car hauling vehicles are
22 going to be larger maybe than what's there. Does
23 that concern you at all?

24 MR. BARREE: So to the extent that there's
25 not any existing restrictions on South Broad

1 Street for any type of vehicle. I mean, tractor
2 trailers come in to deliver food somewhere
3 downtown or anything downtown, you know, yes,
4 there may be larger vehicles that come to this
5 site.

6 We've heard traffic testimony from the
7 applicant. It's been reviewed by the Board's
8 traffic engineer. I didn't get the sense that
9 there was any concern from their professional
10 opinions. And, you know, aside from, you know,
11 people's, you know, rightly being concerned about
12 just what could happen, I didn't get a sense of
13 anything in the record that would point to a
14 specific safety concern.

15 And to the extent, like I said, if there
16 are no restrictions on the surrounding streets or
17 on South Broad that restrict any size vehicle,
18 those trucks or vans or whatever are coming and
19 going from, you know, point A to point B that have
20 nothing to do with this site today, those concerns
21 may exist.

22 And to the extent that there's any
23 increase in that type of volume, I would have to
24 defer to the Board's traffic engineer to, if it
25 was in his opinion a hazard and I haven't heard

1 that.

2 BOARD MEMBER SWAN: Thank you.

3 CHAIRMAN BROWN: Board members have any
4 additional questions for Mr. Barree?

5 Okay, seeing none.

6 MR. WHITAKER: Questions by the public?

7 CHAIRMAN BROWN: Opening up to questions
8 from the public.

9 MR. WHITAKER: The questions will only be
10 limited to the testimony presented this evening.

11 CHAIRMAN BROWN: Okay, seeing none. Move
12 on.

13 Back to you, Mr. Semeraro.

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

15 I have no questions for the Board's
16 planner.

17 MR. WHITAKER: So we would move on to your
18 summation.

19 MR. SEMERARO: Fair enough.

20 MR. WHITAKER: At that point and then
21 we'll go onto deliberations.

22 MR. SEMERARO: Okay. Well, first I'd like
23 to thank the Board for the time and attention that
24 you provided this application. I know it was
25 quite lengthy with a number of hearings and it

1 really involved a lot of effort on your behalf.

2 Briefly, the history of the site. As your
3 planner had aptly noted, on November 26, '24, you
4 did find that there was a lawful, preexisting
5 nonconforming use on Lots 12 and 14 for an auto
6 body shop with storage.

7 As existing currently today and as was put
8 before the Board before that ruling, there are six
9 buildings on the site and those two lots were
10 essentially used in their entirety for outside
11 storage as well as various services that were
12 being performed outside due to the inadequacy of
13 the size of the buildings to accommodate that.

14 More importantly, the inadequacy of the
15 buildings to accommodate storage for the parts
16 also was well accepted by the Board and clearly
17 evident from the facts.

18 Jane, if you could just put up number 1,
19 if you would.

20 So number 1 was Exhibit A-82B and that's
21 an aerial photograph of the site more or less as
22 it exists today showing storage of vehicles. As
23 you know, you saw a couple of these photographs
24 taken at different years and at different points
25 in time. There's obviously different volume of

1 cars and parts that were stored, but that's
2 essentially how the lot looks today.

3 And I think that the significant factors
4 there that I would like the Board to be mindful of
5 are the side yard setbacks on the outer lots. So
6 you have the L-shaped building, which is virtually
7 on the property line for Lot 14. And then on Lot
8 12, if you go to the back of the lot, you'll see
9 that along the railroad tracks in that back left
10 corner - it's difficult to see - but that's a
11 building as well that, again, is right on the
12 property line. Those are things that we are
13 improving upon significantly with respect to this
14 application.

15 As your planner had indicated, we are
16 seeking "D" variance relief as well as "C"
17 variance relief and some waivers. And as
18 indicated and briefed, we believe that, and as
19 your planner had indicated, we believe that the
20 "C" variances and the waivers, which are few, are
21 subsumed by the the "D" variance.

22 So it's un-refuted that the nature of the
23 businesses that exist are permitted to continue
24 and they're permitted to continue in not the most
25 aesthetic fashion. But due to the nature of the

1 fact that they've existed 75 plus or minus years,
2 their right is clearly vested.

3 So I think that when you look at this
4 application, the question before you really is are
5 we proposing a better way to operate and are we
6 proposing a better condition for the Village and I
7 think the evidence before you unequivocally is in
8 the affirmative that we are.

9 This application will give the Board the
10 opportunity to regulate what takes place on that
11 site. You know, that site has run without
12 regulation for 75 plus years and what we are
13 proposing now is a well-regulated aesthetic clean
14 site.

15 So as indicated, with this application we
16 are proposing that all work, unlike today, would
17 be performed inside the buildings. That the
18 storage of parts and fluids, all of it, will be
19 located inside the building.

20 And the setbacks are dramatically
21 improved. The front yard setback, and that's
22 along South Broad Street, is going to increase by
23 500 percent.

24 So, again, if you look at the lot to the
25 top of 3, it's virtually on top of South Broad

1 Street.

2 I'm going to show you very few exhibits
3 here today, but the final exhibit will show you
4 exactly what the setback is and what the front
5 yard looks like. I think that when you look at
6 those lots, it's clear there is no front yard and
7 to the extent that the residential neighborhood is
8 across the street, they have front yards, they
9 have lawns and what we're proposing is to provide
10 just that.

11 The combined side yard that's just taking
12 the two outside lots is going to increase
13 260 percent from what it is currently. And if you
14 look at the individual side yards, because you
15 have two levels of different regulations, we're
16 increasing them by 300 and 400 percent
17 respectfully. We're reducing the amount of
18 impervious coverage on the site by 25 percent and
19 you also have another regulation, which is how
20 much impervious coverage that you have in the
21 front yard for the first 140 feet and in that
22 particular case we're reducing it by 32 percent.
23 So that enables us to give us the green space that
24 we feel provides such a tremendous benefit to the
25 Village, but it also enhances stormwater.

1 Could we go to the next exhibit?

2 This chart was an exhibit to the legal
3 memorandum that I had submitted outlining the law
4 and how we satisfy the criteria.

5 I appreciate that, Jane. Thank you.

6 And that is emphasizing the percentages
7 that I had indicated to you.

8 So in addition to those bulk standards
9 that are increasing substantially in many cases by
10 a few hundred percent, we're reducing the number
11 of garage doors. As I had indicated before,
12 currently, there's six buildings on the site.
13 Those six buildings have a total of 19 garage
14 doors. Our new building only proposes to have a
15 11. More importantly than the gross number of
16 garage doors, currently, there are seven garage
17 doors that are facing South Broad Street. Not one
18 of the garage doors that we are proposing will
19 face South Broad Street. So we are really
20 shielding the public's, whatever the observational
21 impacts of this building would be, are greatly,
22 greatly reduced.

23 We're reducing the number of buildings
24 from six down to one.

25 As your planner had indicated, we're

1 reducing the driveways from three to one.

2 It is un-rebutted that our traffic
3 engineer had provided testimony that the fewer
4 conflict points, the safer it is. Now, I know the
5 public came before you and they expressed concerns
6 about children having safe access to the sidewalks
7 and we couldn't agree more, but our site just does
8 that. There's only one driveway that they have to
9 worry about navigating instead of three as it
10 currently exists. And, again, that testimony was
11 provided by our traffic engineer and there's no
12 expert that provided contradictory testimony to
13 that effect.

14 Our traffic engineer also indicated that
15 the really dim minimus increase in any sort of
16 production is not going to be posing any
17 significant impact at all with respect to traffic
18 safety. And your planner had articulated why, you
19 know, that's the case as well.

20 In addition to those core benefits, my
21 client has agreed to a number of stipulations.
22 Stipulated that there will not be any deliveries
23 involving tractor trailers to the site. Parts are
24 being delivered by Sprint van. And car carriers
25 don't deliver vehicles to the site. We propose

1 that the largest vehicle that would deliver
2 vehicles to the site would be a tow truck that
3 carries three vehicles.

4 I know that you heard some testimony from
5 witnesses saying that they saw a car carrier on an
6 adjacent street. I'm sure you'll also recall that
7 there was no proof that the car carrier had
8 anything to do with my client's site. My client
9 hasn't used car carriers like that. And,
10 certainly, is willing to stipulate that no such
11 vehicles will be permitted to the site.

12 We've stipulated that all the vehicles
13 that would be delivered to the site, all the parts
14 that would be delivered to the site, and any
15 garbage removal would occur during operating
16 hours. They wouldn't be before we open or after
17 we close and that will all take place behind the
18 gate. So it will actually be shielded from the
19 public's site even when it does occur, but it
20 wouldn't be occurring at a time that is disturbing
21 to any individual.

22 Again, we're stipulating that there would
23 be outside storage of parts or fluids and the
24 vehicles that are being worked on, which we refer
25 to as "work in progress", those vehicles will be

1 stored behind the building in those tandem parking
2 spaces. So, again, they will be out of visual
3 observation from people along South Broad Street
4 or the neighbors.

5 Now, the tandem sites had raised a couple
6 of design waivers, but those design waivers, which
7 were higher width, because there was an issue as
8 to whether or not a drive aisle should bifurcate
9 that parking field with the stacked parking
10 spaces, it would be counterproductive. It would
11 end up necessitating the building to be moved
12 closer to South Broad Street to obtain the same
13 storage. It would necessitate greater impervious
14 coverage. It would necessitate less landscaping.
15 So for a number of reasons the storage of vehicles
16 are being worked on, it's more appropriate for
17 them to be stacked. And as our traffic engineer
18 provided testimony as well as our client, that's
19 not uncommon for uses of this nature because
20 you're not dealing with high frequency in and out
21 of those particular vehicles. They're stored in a
22 way where they reduce the number of movements my
23 client would have to do to move the vehicles to
24 work.

25 We've also agreed, if the Board were

1 desirable of this, to increase the driveway mouth
2 pursuant to plans that were submitted to the Board
3 on June 20th, 2025, if you wanted the extra wide
4 driveway mouth. That's certainly up to the Board
5 if you want that or if you prefer the original
6 driveway mouth.

7 We're stipulating that all the venting
8 would be through the roof and closest to the
9 center point of the roof line as possible to
10 minimize any sort of impact. And all the rooftop
11 mechanicals would be screened.

12 Obviously, we would comply with all
13 applicable noise regulations and we're proposing
14 that the venting and the spray booth would be no
15 worse than what's presently there, keeping in mind
16 there are no complaints about noise or venting or
17 odors, but it would certainly, we would stipulate,
18 it wouldn't get worse, it would be at the bear
19 minimum equal to and most likely greater than what
20 it is currently.

21 We also stipulated that we would use a
22 water/oil separator for the wastewater.

23 And that we would insert an interior door
24 to have barrier-free access to the elevator
25 inside.

1 That the bathrooms would be ADA compliant.

2 That the parking in front of the building
3 would be for customer use and that the 51 tandem
4 spaces in the back would be used only for work
5 product.

6 So just to run through the relief. As Mr.
7 Barree had indicated, the "D"(2) is the Coventry
8 standard and you have to show a special reason,
9 not multiple special reasons, "a" special reason.
10 And the case law is clear that aesthetics,
11 improving the visible nature of the property in
12 and of itself is a legitimate basis upon which to
13 provide the expansion, or the "D"(2) variance.
14 And the visual nature is enhanced because of the
15 setbacks, the fact that the building is further
16 away from residents and the public.

17 Jane, could we go to the next exhibit,
18 please?

19 Actually, let's leave that one up for a
20 second if you don't mind.

21 So that exhibit was something that we had
22 provided testimony at the last hearing and that
23 exhibit shows the existing buildings on the site
24 with the exception of that building that was on
25 the left-hand lower corner, that was a structure

1 that was previously removed. But the remaining
2 six structures are on that site currently and you
3 could see there's a rectangle in the middle more
4 towards the rear, towards the middle of the three
5 sites collectively, which shows the footprint of
6 the existing building. The point being, if you
7 ended up aggregating the square footage of all
8 those buildings, the distinction between the
9 aggregate square footage of the footprint isn't
10 significantly different than what we are proposing
11 here. And, obviously, our building is set back a
12 lot further away from the neighbors as well as
13 South Broad Street.

14 Could we go to the next picture, if you
15 will?

16 I appreciate that, Jane. Thank you.

17 Okay. And this was an exhibit that was
18 proffered at the last hearing too and you can see
19 all the green space that we are proposing. The
20 green space gives a front yard to this building to
21 the point where the only way that you actually see
22 the building is through this driveway entrance and
23 the extent of that front yard is meaningful when
24 you look at the residence that's to the left of
25 our site, it's a front yard that's actually the

1 size of that lot practically. And we give
2 substantial buffering all the way down along the
3 property lines.

4 I would respectfully suggest that there's
5 a reason why we haven't heard objectors from the
6 next door neighbors and that's because I think
7 that they understand that the aesthetics of this
8 project really enhanced their quality of life and
9 they don't have an exception to it.

10 A special reason that you could make the
11 decision on alone is the fact that stormwater
12 management has greatly improved under this site.
13 And you heard our engineer provide testimony to it
14 and you see all the green space, which in part, in
15 large part, is an explanation as to why there's a
16 reduction in stormwater runoff. Obviously, the
17 placement is less likely. It has to reduce by
18 operation of common sense, the likelihood of
19 hearing anything from the site.

20 So, again, any one of those reasons that I
21 had just indicated could be enough for the Board
22 to justify their decision and you have all those
23 in addition to it.

24 The long and short of it is, when you look
25 at the Burbridge case, the goal of Burbridge is

1 that you have to take a look as to how the site
2 operates in itself and whether or not the site
3 lends greater harmony with the neighborhood. And,
4 you know, if you look at this on paper and you try
5 to make an argument based upon mathematics and
6 building size, that's not a fair way to really
7 look at all the benefits that this project
8 provides. When you do that, I think that you look
9 at that site, it's inarguable that this site as
10 proposed is going to be much more in harmony with
11 the adjacent neighbors than what it is currently
12 there today.

13 If the project is proposed the way that
14 it's approved, the way that we propose it, it's
15 also going to reduce vehicles traveling on-site
16 and if this application was not approved, we would
17 be in a situation where we have two body shops
18 operating on either side and if vehicles can't go
19 back and forth across Lot 13, as they have for the
20 last 20 plus years, that means that vehicles are
21 going to have to be towed from one lot onto South
22 Broad Street to the other lot necessitating a
23 greater number of enters and exits from the site,
24 so that would be a down side if the application
25 wasn't approved.

1 With respect to the "D"(1) variance with
2 regard to the middle lot. The middle lot has been
3 used right, wrong, or indifferently for, you know,
4 a couple of decades now to facilitate the
5 operations on the two neighboring lots. It was
6 used for storage. It was used for transportation
7 back and forth. And we did hear some people pose
8 some objection to that. We're not saying that
9 that is a basis for the Board to determine that
10 there was a pre-existing nonconforming use on that
11 site, but what we are saying, and there is case
12 law that supports this, that even when the use
13 isn't permitted, if a lot was functioning in that
14 capacity, that could be evidence to you, as the
15 Board, that the site is particularly suited for
16 the use. And I would submit to you the fact that
17 it did facilitate the ease of operations on the
18 two adjoining sites and the fact that two thirds
19 of the proposed site already has this use as a
20 permitted use does make the site particularly
21 suited for this use and that is a reason why the
22 relief for that middle lot can be granted.

23 Your planner had agreed with our planner's
24 explanation as to the Master Plan goals that are
25 satisfied by this application and the purposes of

1 the MLUL that were satisfied. It's noteworthy
2 that there are only two planners that came before
3 the board, one of them being yours, that provided
4 testimony in this application and they both agreed
5 that the standards applicable to grant all of the
6 relief that's sought here today were met and I
7 think that that is very, very significant and
8 noteworthy.

9 For these reasons we respectfully request
10 that this Board grant preliminary and final site
11 plan approval and grant all of the relief that's
12 sought by way of variances.

13 We are clearly beautifying the area.
14 We're providing a front yard where none exist at
15 this point in time. We're pushing the intensity
16 back towards a railroad away from any neighbors
17 and away from the public at large.

18 The uses on Lots 12 and 14 really aren't
19 going anywhere and the Board has acknowledged the
20 fact that they have existed there long enough to
21 vest the lawful right to continue engaging in that
22 business into the future.

23 I end my conclusion the same way that I
24 started it. The issue truly before you is does
25 this Board want to have a say in the way

1 operations are continued on that site and is this
2 a better way for the site to function. And I
3 think by every unit of measurement and no matter
4 what angle you want to look at it from, that is
5 exactly what's happening here. The application
6 provides a better way for this site to operate.
7 It provides tremendous benefits to anybody that
8 looks at the existing condition and the proposed
9 condition. And I really don't think that there is
10 any objective way anybody could conclude that the
11 proposed application isn't better for Ridgewood
12 than what the existing conditions are. And it is
13 your opportunity now to finally participate in
14 this site plan review that will enhance the
15 neighborhood from a condition that maybe the
16 borough wasn't thrilled with for the last 50, 70
17 plus years.

18 For that reason, I respectfully request
19 that the Board grant the application and I thank
20 you for your time.

21 CHAIRMAN BROWN: Thank you.

22 At this time I'll close the meeting and
23 proceed to deliberations by the Board.

24 At this time I'd also entertain a motion
25 to either approve or deny the application which

1 may contain conditions the applicant would be
2 required to satisfy.

3 MR. WHITAKER: Let me just place on the
4 record, Jane, each of the seven members here are
5 qualified to vote this evening by review, either
6 attendance at the meeting or reading the
7 transcripts. Correct?

8 BOARD SECRETARY WONDERGEM: Yes, they are.

9 MR. WHITAKER: Thank you.

10 Board Members, you also had an outline
11 that I provided to you in connection with your
12 review and deliberations. If you'd like to go
13 through it, provide a reference speaking about
14 certain type conditions for or against to cite the
15 various testimony by the objectors as well as the
16 applicant.

17 So with that, deliberations can commence.

18 CHAIRMAN BROWN: Great. Thank you, Mr.
19 Whitaker.

20 I'll go ahead and start. First off, I
21 just want to say thank you to the applicant, LES
22 Dann; their legal counsel, Mr. Semeraro; all of
23 their professionals and witnesses; as well as all
24 of our professionals witnesses; and especially to
25 everyone from the public who has come out to

1 attend these last meetings.

2 For myself, after evaluating the testimony
3 and evidence presented across this, I'm voting in
4 favor of the application. My support is rooted in
5 the special reasons required under New Jersey
6 Municipal Land Use Law, our local planning goals
7 and the applicant's specific responses to the
8 public safety and environmental concerns raised by
9 our residents.

10 The application requires a "D"(2) variance
11 for the expansion of nonconforming use, Lots 12
12 and 14. And a "D"(1) use variance for Lot 13.

13 Per the Burbridge versus Mine Hill
14 standard, the burden for an expansion would show
15 that the site is particularly suited to the use,
16 that aesthetic improvements can be a justification
17 for the expansion of a nonconforming use.

18 Lots 12 and 14 are already certified auto
19 body sites. Lot 13 is functioned as an interval
20 industrial pass through for over 20 years.
21 Consolidating these into a single lot promotes an
22 efficient use of land.

23 The proposal replaces six aging haphazard
24 buildings with a single modern facility set back a
25 hundred feet from the street. This significantly

1 furthers Municipal Land Use Purpose A by improving
2 the safety and visual environment of South Broad
3 Street.

4 The applicant also seeks "C" bulk
5 variances for sign dimensions, impervious
6 coverage, side yard setbacks and parking. I find
7 these requests to be legally justified under the
8 flexible "C" or "C"(2) criteria where the benefits
9 of the deviation outweigh any detriment.

10 As our planning experts noted because we
11 are applying residential zone standards to
12 preexisting commercial use, bulk "C" variances are
13 inevitable and often subsumed into the "D"
14 variance relief.

15 While a variance is required, the project
16 actually reduces impervious coverage from
17 91 percent to 68 percent.

18 Granting this variance allows the
19 installation of an advanced underground stormwater
20 system that will reduce runoff from storms by
21 57 percent. It's clearly a "C"(2) benefit to the
22 community.

23 The request for 85 spaces versus 89 and
24 tandem parking stall size waivers is specifically
25 for vehicles under repair. By allowing these

1 variances, we ensure that the applicant has a
2 capacity to keep all "work in progress" vehicles
3 off the public streets and tucked away internally
4 directly addressing neighbors' concerns about on
5 street congestion.

6 Granting these variances we must find no
7 substantial detriment to the public good. The
8 applicant has turned potential detriments into
9 public benefits.

10 Looking at testimony regarding children
11 walking to and from Orchard Street, the applicant
12 consolidated the three driveways into one, thus
13 reducing conflict points on the sidewalks.

14 25-foot driveway radius and depressed curb
15 allowed car haulers to enter the site without
16 crossing the center line of South Broad Street, a
17 major safety upgrade over current conditions.

18 I believe the benefit of this better civic
19 design far outweigh the detriments. However, to
20 ensure the negative criteria remain satisfied over
21 the long term, my support is contingent with the
22 following conditions:

23 All the repair work, parts, storage, and
24 vehicle staging must occur within the building or
25 behind the approved privacy screening.

1 You should have strict adherence to the
2 waterborne paint and redundant filtration system
3 described in the testimony.

4 I would suggest a deed restriction to
5 require the upkeep of the plantings along the
6 buffer along the front of the building on North
7 Broad.

8 I would request a -- I would suggest a
9 restriction on the 18-wheel tractor trailers from
10 being able to deliver or pick up from the
11 property.

12 And then I have a question for Bruce or
13 Chris, granted to continue public safety, there's
14 a crosswalk there on North Broad. Are we able to
15 require the applicant to pay for the installation
16 of flashing crosswalk signs?

17 MR. RUTISHAUSER: Would that be the
18 measured activated crosswalk signs?

19 CHAIRMAN BROWN: Yes.

20 MR. RUTISHAUSER: That's something that we
21 can discuss with the applicant's counsel. It
22 could work over there.

23 The police report on that crosswalk in
24 particular did note in 2023, I believe, that the
25 directional streetlight could be beneficial to

1 that location.

2 For those who may not be familiar with
3 those, we, the police department and Engineering
4 installed a number of those in the essential
5 business district primarily along Franklin Avenue
6 at those crosswalks. It would be very successful.
7 They really help. Make night and dark and poor
8 weather conditions visible to the motorists. And
9 if I recall correctly, we hadn't had a pedestrian
10 motor vehicle accident on that corner. So those
11 are the two options for that crosswalk.

12 Pedestrian activated warning lights, while
13 they're wonderful, they do require one major act
14 by the pedestrian, they have to push the button.
15 We have seen enumerable times pedestrians when
16 they cross at a crosswalk with those warning
17 lights and they just don't push the button.

18 The directional lighting that I mentioned,
19 that works all the time in nighttime condition.
20 It doesn't require any input from the pedestrian.

21 CHAIRMAN BROWN: Come back to it.

22 Jason, for deliberations.

23 BOARD MEMBER CURRERI: I'd incorporate by
24 reference everything that you had mentioned.

25 I would add that, you know, I also

1 reviewed the case law too, I thought that the
2 application of Coventry made sense. That even
3 under Medici it would also pass because of the
4 enhanced safety. And in the Master Plan the
5 acknowledgement of existing uses within the
6 Village.

7 The only one that I had any kind of
8 negative apprehension about was the signage
9 variance understanding that that could be subsumed
10 by the "D", but the testimony that we had
11 initially was that how this particular applicant
12 was going to use the property, specifically, with
13 commercial clients, they weren't looking, didn't
14 seek to use individuals that would be looking for
15 the sign, but people would be using a GPS to just
16 go to a business, so I didn't see particularly a
17 strong case to go and grab that particular "C" one
18 other than just "D" to potentially sustain the
19 "C".

20 That was it.

21 BOARD MEMBER RUHL: I'm similar to Jason
22 on the signs. I don't find those subsumed in the
23 "D"(1) and the "D"(2). I mean, I don't think they
24 should ask for a sign variance.

25 A couple of other things. In his

1 testimony you mentioned three vehicle tow trucks
2 or hauling. Those can be huge, from what I'm
3 looking, they could be 50-feet long. There is no
4 testimony on trucks that long coming in. What
5 they show was something coming in and out of the
6 roll offs which are 34.5 feet.

7 MR. SEMERARO: We actually had an exhibit
8 that showed a picture of the three vehicle tow
9 truck.

10 BOARD MEMBER RUHL: Can you find that for
11 me so I know exactly what. The one I have does
12 not have it.

13 MR. SEMERARO: I apologize, they're with
14 my binder of exhibits is on my desk.

15 I'm looking to see if I have it with me.
16 Bear with me one second, please.

17 MR. INTINDOLA: Standard parking 9 by 18.

18 BOARD MEMBER RUHL: That's okay. How's it
19 different than -- it's no different.

20 MR. WHITAKER: My recommendation would be
21 if the Board's considering the size of the truck,
22 that they actually vote by virtue of the size of
23 the truck, not by the --

24 BOARD MEMBER RUHL: Well, the reason --

25 MR. WHITAKER: In the past we've had

1 applications where we had concerns of the length
2 of the truck.

3 BOARD MEMBER RUHL: Well, that's it, when
4 he said three, is it three back to back or is it
5 one on top and two.

6 MR. WHITAKER: Well, you don't have to
7 talk about it, whatever it is the Board can impose
8 the condition --

9 BOARD MEMBER RUHL: That's what --

10 MR. WHITAKER: -- as to what dimension
11 they want.

12 BOARD MEMBER RUHL: And to me, I would
13 like to impose a length on. Because the
14 impression I had was this is a local neighborhood.
15 Cars in the neighborhood, a large --

16 MR. WHITAKER: You can impose a condition
17 if you're concerned about the type of trucks.

18 BOARD MEMBER RUHL: Yes. So on that, I
19 would like to impose a length restriction on
20 what's coming in and out. I mean, what they
21 showed in the thing of roll off is 34.5; the car
22 hauler 34.5.

23 BOARD MEMBER BANDELT: Does it show a fire
24 truck?

25 BOARD MEMBER RUHL: A fire truck is 46.

1 BOARD MEMBER BANDELT: I'm trying to get a
2 sense of what that length is versus the other,
3 that's all.

4 BOARD MEMBER RUHL: Because, again, this
5 is zoned residential that one lot. I understand
6 the other two have variances. I'm trying to
7 balance the residential slash commercial and I
8 would like some sort of size limitation on what
9 hauler could come in and out, not just saying a
10 tractor trailer, because the definition could be
11 dated on that.

12 MR. BARREE: I think, Diana, to your
13 point, unless I'm missing an exhibit, which I
14 don't believe I am, but Mr. Semeraro can correct
15 me if he's listening.

16 MR. SEMERARO: I'm just getting some
17 information from my client.

18 MR. INTINDOLA: The prior turning ranges
19 that we reviewed was I think one was the local
20 fire truck?

21 BOARD MEMBER RUHL: Yeah, that was 45.

22 MR. INTINDOLA: Right, I think it was, you
23 know, fire truck is only one, of course, but the
24 three car carrier with my familiarity is basically
25 it is a carrier that is almost the same size as

1 the flatbed, but it has maybe another eight foot.
2 So then for the -- so there it is. It's a flatbed
3 with a topper, exactly what I was going to say.

4 MR. SEMERARO: So it's two cars with a
5 wheel lift.

6 And I do think that it's noteworthy that
7 that's what's been delivering vehicles to the site
8 without instance.

9 MR. BARREE: So may I ask, the turning
10 template that's been provided, and we had several
11 conversions of it, but the roll off truck that's
12 shown is 34.5 feet. Is the applicant's
13 stipulation that that will be the largest vehicle
14 delivering to the site?

15 MR. DANIEL: This isn't normal. That's
16 the maximum. We do 34, that only comes with total
17 losses. Only on a rare occasion that would come.

18 MR. SEMERARO: So that would be the truck.

19 MR. BARREE: Once a hundred times, I just
20 want to make sure that the turning template that
21 we saw and that's in the record represents the
22 largest delivery vehicle and I think that's...

23 MR. RUTISHAUSER: Point of clarification.
24 That is straight job. It's not an articulated
25 vehicle because it does not have a hinge in it.

1 So if the Board would like to be very specific on
2 what vehicles they would be comfortable with,
3 that's something you should take into
4 consideration.

5 CHAIRMAN BROWN: It's not a trailer
6 because it has no hinge, right?

7 MR. RUTISHAUSER: It doesn't have a hinge
8 in the middle.

9 MR. SEMERARO: We're fine with that, yes.

10 CHAIRMAN BROWN: Are you --

11 BOARD MEMBER RUHL: I'm trying to
12 understand the fact that it's articulated or not
13 articulated. I mean, that means the front part's
14 separate from the trailer when you say
15 articulated, right?

16 MR. RUTISHAUSER: Yeah, there's a hinge.
17 What a hinge does, allow generally, and the
18 applicant's attorney and professional team can
19 correct me if I misstate this, it allows the
20 vehicle to turn sometimes in a tighter radius than
21 a straight job.

22 BOARD MEMBER RUHL: All right.

23 CHAIRMAN BROWN: Do we know how long that
24 vehicle is?

25 MR. RUTISHAUSER: I think, John, you were

1 saying 34?

2 MR. BARREE: Well, I don't know how long
3 the vehicle is. All I'm saying is the turning
4 templates they provided, the vehicle they showed
5 was 34 and a half feet.

6 BOARD MEMBER RUHL: Yes.

7 MR. BARREE: So if that is 34 and a half
8 feet or less, than what I'm saying is let's go by
9 the template that was provided.

10 BOARD MEMBER RUHL: Yeah, let's do the
11 34.5 that they submitted, which would be two cars
12 in the back and one on the top max.

13 MR. BARREE: It will be 34 and a half
14 feet.

15 BOARD MEMBER RUHL: But the total length,
16 34.5, so that means it's a trailer with a car.
17 The whole thing can't be more than 34.5.

18 MR. SEMERARO: No, that's the truck body
19 itself isn't longer, but there is a jacket, the
20 bottom where you can tow on the vehicle. That's
21 how it's three. It's one on top, one on the
22 flatbed, and one in the rear.

23 BOARD MEMBER RUHL: But the total length
24 from the front bumper to the end of the thing is
25 34.5.

1 MR. SEMERARO: From the front bumper to
2 the end of the truck itself.

3 BOARD MEMBER RUHL: The bed, yeah, the
4 bed, 34.5. Okay. Just wanted to articulate that.

5 There's going to be no loading, unloading
6 on Broad. Right?

7 MR. SEMERARO: Correct.

8 BOARD MEMBER RUHL: Just want to make
9 sure.

10 MR. SEMERARO: All loading and unloading
11 is on the side of the building behind the gate.

12 BOARD MEMBER RUHL: There's nobody parking
13 on there to go get a cup of coffee and come out?

14 MR. SEMERARO: Correct.

15 BOARD MEMBER RUHL: Just double checking.

16 Hours of operation, did we ever get that
17 articulated exactly what those are so that it's in
18 that resolution?

19 MR. SEMERARO: Monday through Friday
20 7:00 a.m. to 6:00 p.m. and Saturday 8:00 a.m. to
21 1:00 p.m.

22 BOARD MEMBER RUHL: So all deliveries,
23 anything would only be happening during those
24 hours?

25 MR. SEMERARO: Correct. No deliveries of

1 parts of anything, not even garbage pickup will
2 take place outside of those hours.

3 BOARD MEMBER RUHL: So if someone has an
4 accident at 2:00 a.m. in the morning and they need
5 their car towed.

6 MR. SEMERARO: They don't run that type of
7 business.

8 BOARD MEMBER RUHL: So it's not coming. I
9 just want to make sure we articulate --

10 MR. SEMERARO: Understood.

11 BOARD MEMBER RUHL: So we know exactly.

12 Just another thing for me, guys. Besides,
13 from the landscape plan, maybe just something
14 taller than two-foot bushes. It is more
15 industrial. On your right-hand side you have
16 apartment buildings. I'd like arborvitae trees or
17 something. Just something that's going to protect
18 that.

19 MR. SEMERARO: There is a combination of
20 that. We do have our --

21 BOARD MEMBER RUHL: Yeah, I just have a
22 hard time, maybe we can have a final site plan
23 review.

24 MR. WHITAKER: You can make it a landscape
25 plan reviewed by the site plan committee.

1 BOARD MEMBER RUHL: Yeah, if that's okay.

2 CHAIRMAN BROWN: Yeah, Mr. Semeraro, we
3 would just make the landscape plan reviewed by the
4 site plan committee.

5 MR. SEMERARO: That's fine.

6 CHAIRMAN BROWN: Okay.

7 BOARD MEMBER RUHL: That's all for me.

8 MR. WHITAKER: What are we doing with the
9 signage?

10 BOARD MEMBER RUHL: I'm a no on the
11 signage.

12 MR. SEMERARO: Mr. Chairman, can I be
13 heard on that?

14 CHAIRMAN BROWN: Wait until we finish.

15 MR. WHITAKER: We're in deliberations.

16 CHAIRMAN BROWN: Go ahead, Jonathan.

17 BOARD MEMBER PAPIETRO: Okay. Mr.
18 Semeraro, this application has come a very long
19 way and it had a considerable amount of material
20 which was presented, reviewed, and evaluated. And
21 as you just heard, there's an increasing litany of
22 issues, details on the way that this type of
23 operation that would be difficult to evaluate, to
24 enforce, let alone ensure that will take place.

25 In my evaluation of all of this, and in

1 the interest of full disclosure, my working career
2 was the automobile industry and I'm well familiar
3 with auto body shops and the number of vehicles
4 that have been presented, I recognize that. So I
5 look at them for what they are.

6 Two things concern me the most when we
7 look through this material. The intent and the
8 intensity.

9 What is the intent for this property?
10 That's the been long since established, 47 years
11 ago, 1978, the governing body of Ridgewood
12 designated this area's use as residential. And
13 since then, during my tenure on this Board,
14 there's been multiple applications from South
15 Broad and adjacent streets expanding, navigating
16 new residential construction. So the area is
17 suited for residential and it was rezoned to do
18 that and it is now.

19 So this application can be categorized as
20 an expansion of nonconformity, but in reality of
21 it, it is substantially more, substantially more.
22 Complete transformation from what it is.

23 And you mentioned that there is two thirds
24 coverage on the three properties. That's a
25 generous assumption because the first property,

1 12, has been always a body shop, but then previous
2 owners unilaterally spread that out. The middle
3 property has never had any structures dedicated to
4 auto body. It's been used arbitrarily for
5 displaced material, vehicles, been a pathway to go
6 around. And then the third property, there's only
7 one building on there. Also arbitrarily used
8 previously; multiple buildings, multiple tenants.
9 Whether anything was ever presented to the Village
10 and plans issued and approved and inspected was
11 never qualified, but only one building has been
12 designated as having auto body, one small building
13 in the front, not the entire rest of the property.

14 So the intent here from the applicant's
15 perspective is to now eliminate everything and
16 establish a very large, very large, 17,000-square
17 foot building that's going to cover all of the
18 property. That's going to take away any use of
19 residential operation forever, as long as it's
20 there if it's approved. So that's a complete
21 change to what that area has been seen for the
22 history of the Village; 125 years and 47 recent
23 for the ones that are there now.

24 Now, there's also been new development
25 directly on the right-hand side of the property

1 there, directly north side of the property.
2 That's a recent development, the last several
3 years, large residential property.

4 So the intent here is different. Looking
5 at the applicant's plans, we had multiple plans
6 submitted to us. The first series of plans,
7 overall picture. Large building, big front
8 facades, thousands of square feet facing the
9 street, and the side clearly going to be visible.

10 Second set of plans there was an update.
11 The interior work space was increased 20 percent.
12 The Board asked why. Well, we're going to do
13 this, we're going to do that, I'm going to need
14 space here. But in the testimony for the plans
15 that we received the first time and the second, we
16 were given information that a limiting factor to
17 any body shop is the paint spray area, because
18 most every car needs to have something painted and
19 sprayed.

20 Now, perhaps by some coincidence, the
21 third set of plans we received expanded the paint
22 spray from one, that was original, to three.
23 That's an expansion substantial to what that
24 operation can be. So now we have a 17,000-foot
25 plus building. We have interior space expanded

1 for use and the limiting fact as stated by the
2 applicant, paint booth also expanded.

3 Then there was the issue of intensity.
4 Testimony was given that before the property was
5 purchased, the average number of vehicles that
6 were serviced and repaired there was about 30 per
7 month. Since the applicant has taken over, that's
8 gone up quite a bit, 60; 50 to 60. The potential
9 plan is 100 to 120. That's a three to fourfold
10 increase in the volume of what that property has
11 been doing.

12 And then as already been mentioned, what
13 type of vehicles. Well, there's a litany of
14 vehicles that can be used by independent companies
15 which the applicant will have little control, if
16 any, over and those can be simple tow trucks that
17 lift one axle and have the other in the ground
18 towed in. They can be flatbeds that can carry two
19 or three and be 30, 35 feet or more. There's also
20 articulating trucks, pickup trucks, for the fifth
21 wheel and towing a 20 or 30-foot or longer
22 drive-on tow-on ramp that vehicles can be put on.
23 And then we have what was also mentioned, larger
24 articulating trucks. So the litany of vehicles
25 that can be used to pick up, drop off and they're

1 all going to be going through Ridgewood surfaced
2 streets.

3 So the intensity here as clearly indicated
4 by all material you've given is to increase the
5 volume substantially and that intensity is the
6 issue that brings this litany of how many
7 vehicles, what type of vehicles, and how many cars
8 are coming, how many will come in and out. Those
9 are questions that will be a variable every day of
10 the week, every month of the year. But those
11 conditions do not exist now, because the volume
12 that this property can do now, that this primary
13 area, Lot 12, can do, is substantially less as it
14 is.

15 So the intensity and the intent seem to be
16 diverging here between what the Ridgewood
17 governing body has designated and has been in
18 place for 47 years and what the applicant would
19 like to do with this new property.

20 There's another term that has been lifted
21 and it's included in the outlines we were given
22 and that's the appropriate site. Is this an
23 appropriate site. Well, if we can go back 40 or
24 50 years, pre-'78 into the '60s, we need a crystal
25 ball. But the Village of Ridgewood has always

1 been from its inception, 125 years and counting, a
2 residential community. And it has a central
3 business district, but it's modest by size. So
4 residential properties are the predominant
5 properties.

6 So everything to date that has been given
7 to this Board has simply said that auto body of
8 some type was there, it is here now, and not only
9 should it continue, but it should continue
10 exponentially expanded; 17,000 plus square feet,
11 120 plus cars a month, and all the intended issues
12 that go along with that, not just bringing and
13 picking up cars, but the displaced material, the
14 solid waste, the automotive displaced parts, the
15 hazardous material waste that's going to be there.
16 All of that is going to be an issue. Vehicles
17 coming to and from.

18 So for an appropriate place for Ridgewood
19 is a suburban community and it's totally
20 surrounded by suburban communities. There are no
21 highways, no direct access highways coming into
22 Ridgewood to offset some of this traffic. So all
23 of the vehicles are going to be going through the
24 Ridgewood surface streets and the contiguous towns
25 to Ridgewood.

1 So now that intensity was evaluated. We
2 have professional traffic engineers. The
3 applicant employed one; Village of Ridgewood has
4 one. I read them completely. They're quite
5 interesting. Though both use the same
6 methodology, but it's curious that the traffic
7 engineer from Ridgewood came up with a different
8 number, a different potential. In fact, it was
9 about 24 percent more trips. So there's a
10 difference in their opinion. Perhaps that's to be
11 expected, but it's another variable that's going
12 to happen every day of the working week.

13 Now what do we do with that? That's
14 something else that someone has to consider. How
15 can you do anything with it? I don't know.
16 That's a business activity and this is a
17 residential area. So these are all subliminal
18 issues, all collateral issues that will be
19 happening day in and day out.

20 Now we get to the point where substantial
21 impairment. Another term in the material we were
22 given to review. Is there no substantial
23 impairment to the intent and purpose of the zoning
24 board? Mr. Semeraro, the zoning law is clear for
25 47 years it's residential. These plans go

1 diametrically in the opposite direction. They're
2 eliminating any residential use. So these plans,
3 as nice as they may be and any change that happens
4 to this property can be viewed as better because
5 it has been arbitrarily used in a very erratic
6 way, even though it has been zoned as residential
7 by previous property owners and our Board, so now
8 how does this property fit that description? No
9 substantial impairment.

10 Well, it doesn't advance the zoning
11 requirements because the zoning requirements are
12 clear. It's just the opposite, it reverses the
13 zoning requirements. Those requirements that have
14 been in place for 47 years are now gone, because
15 it is a substantial large building and it begins
16 to overpower the property. Tall buildings, tall
17 front facade, side facades, all of that. These
18 are conditions that are not there now. But if
19 this is approved, they will be there and the
20 residents who have not had to deal with all of
21 this will have to work with that.

22 The safety issues that were brought up.
23 Pedestrians walk up and down that street. There's
24 residential properties there. There's a school, a
25 church. So there's any number of people. Maybe

1 if not the most walked area, but it is a
2 residential area where residents walk up and down.

3 So all this variety of commercial
4 vehicles, all this work that's going on in there,
5 six days a week actually, half day maybe on
6 Saturday till 1:00 or so, but it's still a working
7 day. And all of that is going to be there
8 continuously for the neighboring community, for
9 the pedestrians, for the residents, for the
10 residents who developed their property in that
11 area and expected it to be 47 years residential,
12 we expect it to stay residential, not anymore.
13 So...

14 And it doesn't stop here, Mr. Semeraro, it
15 doesn't. There's the issue of the expansion.
16 It's substantial. It's not just an expansion,
17 it's a complete change. And it's going to
18 overburden the property completely.

19 The ingress and egress; one way in and one
20 way out as it states. Well, are you sure that all
21 of the different vehicles that are coming there
22 are going to follow that route or is there going
23 to be one vehicle that can't do that? The driver
24 cannot, the vehicle cannot, or are they going to
25 say I want to go in a different way.

1 So all of this is something that doesn't
2 exist now given the scope of what's there. If
3 this plan is approved, that will change like night
4 and day.

5 And this driveway, one driveway in and one
6 driveway out, sure, it sounds good, but it happens
7 to be directly adjacent to the newest residential
8 property entrance driveway directly on the right
9 side. So everyone coming out of that residential
10 property now has to look not just for pedestrian
11 traffic and local traffic, but any variety of
12 commercial that can be coming to and from or out
13 of that driveway.

14 These are issues that concern me. I'm a
15 resident here. I've been here for more than 35
16 years. And I've looked at all these plans and I
17 kept asking, where is the benefit for the Village
18 of Ridgewood? How can this property, expanded and
19 modified as these plans suggest, actually be a
20 benefit to the community. And I simply don't see
21 it. The size and scope is extremely large. The
22 character and fabric of the community is going to
23 be affected by the commercial work that's done
24 here. It doesn't fit, doesn't fit at all.

25 Well, I can go on. But those are the

1 serious conditions, the bullet points, and the
2 intent and the intensity. The Village intent is
3 clear; the intent from the applicant goes in a
4 different direction, it's their business. The
5 intensity is undenied and the intensity of that
6 expansion cannot be diminished by the variety and
7 details and aesthetic values of the expansion.
8 They don't diminish the negative characteristics,
9 they're still there.

10 And the plantings that have been
11 suggested, they're very nice, of course. But
12 they'd be very nice anywhere they're put. They
13 don't screen anything, Mr. Semeraro. They try to
14 hide an enormous building that will stand up and
15 do and does tower over the plantings. You're not
16 going to plant a forest there so that passersby
17 and residents don't see the building, don't hear
18 the activity. Even if the noise conditions stay
19 within guidelines, it's a different and a larger
20 condition that is going to be ongoing.

21 So I'm compelled to say that this
22 application and my evaluation does not come close
23 to meeting the burden of proof for variance
24 relief. The litany of details that are already
25 being discussed and the conditions, they're just

1 Band-Aids, statistical Band-Aids to address issues
2 that do not exist and this Board is being asked to
3 put all those issues in there, for whom? For
4 whom? For the benefit of the applicant who owns
5 the property, not for the benefit of the residents
6 of Ridgewood.

7 In fact, if a Ridgewood resident was to
8 benefit, they'd have to have a motor vehicle
9 accident. Not a happy experience. Responsible
10 drivers, defensive driving promoted by the state,
11 Department of Motor Vehicle, drive safe, be
12 careful, don't have accidents.

13 So what is going to be the benefit for the
14 residents unless they happen to have a serious
15 accident. And on that subject, no information has
16 been provided to the Board that there's any delays
17 in having automotive work done for the Ridgewood
18 residents. There's no indication or material that
19 has suggested that there's some deficit that the
20 residents they're living with that could be
21 addressed.

22 So, again, the intent and the intensity.
23 The intent from the Village is clear; the intent
24 from the applicant goes in a different direction.
25 And the intensity that will continually be there

1 is just going to change the fabric of that
2 community.

3 Thank you, sir.

4 Thank you, Mr. Chairman.

5 CHAIRMAN BROWN: Thanks, Jonathan.

6 Do you guys?

7 BOARD MEMBER SWAN: Yeah, just something
8 I'm troubling with, the testimony of the public.
9 I didn't get a sense that they recognize the
10 aesthetic value that's coming from this proposal
11 and it seemed like there was even a preference
12 with the current operations as it was. I think
13 there was mention of like even the prior owners
14 about Christmas lights on their property and were
15 engaging the community and it felt like a small,
16 smaller operation. So I'm not sure, maybe, like,
17 in the face of this public testimony with the
18 Burbridge, we can all agree, I think it looks
19 better, right, the proposal, compared to what it
20 is now. Aesthetically, it does look better. It
21 has the landscaping elements. But if the public,
22 the direct neighbors that live there don't value
23 that, are we compelled to accept that? That's
24 just an open question to my fellow board members
25 and maybe to the planner.

1 MR. BARREE: I'm sorry, I couldn't really
2 hear most of... Were you asking me to respond?

3 BOARD MEMBER SWAN: Yeah, just like the
4 aesthetic component, right, with the Burbridge
5 case that was cited, if the public has provided
6 their own testimony didn't agree that that was a
7 compelling argument, like, who are we to say that
8 it's superior, right, that this is a superior
9 aesthetic value compared to what they are
10 currently living with and are okay to continue
11 with?

12 MR. WHITAKER: I'll answer that.

13 You've been appointed as a board member
14 here to make that decision. You weigh the
15 testimony of the public, you weigh the testimony
16 of the applicant, and you make the decision. Case
17 law says that if a hundred people come to the
18 Board and all oppose it, that does not necessarily
19 mean that the Board has to deny an application.
20 Numbers don't count. It's what you have to
21 evaluate. That's why you sit here. You have to
22 evaluate what was said out there on both sides and
23 you make the decision. You don't render a
24 decision by saying, well, the applicant has one
25 position and six public people in the public

1 disagree, so the six prevail over one. That's not
2 the way it is. It's not for the public to vote on
3 this. It's for the members of the board to vote
4 on it.

5 BOARD MEMBER Swan: So I guess the
6 response with the Burbridge case that's been
7 cited, if we as a Board recognize the aesthetic
8 value improvement, that's sufficient?

9 MR. WHITAKER: Certainly is. In the
10 Burbridge case not everyone agreed.

11 BOARD MEMBER SWAN: Thank you.

12 MR. WHITAKER: The Board recognized it.

13 BOARD MEMBER SWAN: Thank you.

14 BOARD MEMBER RAYSTER: I tend to agree
15 with Jonathan on the subject. A lot of points
16 that Jonathan has pointed out were the same points
17 I was going to make. So with that respect, I
18 really don't have much more to add than what he
19 has already mentioned.

20 BOARD MEMBER BANDELT: I tend to agree
21 with what the chairman began with at the
22 beginning. I think the site is particularly well
23 suited given the operations that have happened on
24 Lots 12 and 14. That's where I am.

25 BOARD MEMBER CURRERI: If I could add?

1 Just, you know, in, was it November 2024
2 when we made our first findings on the preexisting
3 nonconforming use. Obviously, I think a lot of
4 the points that were raised there can also address
5 some of the Jonathan ones, right. We've seen, as
6 the Village evolved, there was a residential and a
7 commercial use on the same spot. We've made the
8 findings already with respect to the two lots.
9 The applicant didn't, for the middle lot, the one
10 was residential intentional, that was not part of
11 that portion of our deliberation. Those findings
12 have already been made by the Board. I think
13 there was still there at that time, we didn't all
14 agree. We had a decision on that.

15 So I think it's important to bear in mind
16 on this application that portion has already been
17 resolved.

18 That's my only comment.

19 Oh, and maybe, Bruce, just, since we had a
20 question about the fundamentals of the
21 deliberation, could you kind of just discuss the
22 preponderance of the evidence standards and like
23 the applicant's burden?

24 MR. WHITAKER: The applicant has the
25 burden of proof in any variance application, so

1 that's the standard.

2 CHAIRMAN BROWN: Board members have any
3 other comments?

4 MR. SEMERARO: Mr. Chairman, if I may ask
5 just a question of you?

6 CHAIRMAN BROWN: One second.

7 BOARD MEMBER BANDELT: One or two
8 lingering things that are still in my mind.

9 MR. WHITAKER: Width, signage?

10 BOARD MEMBER BANDELT: Yeah, those are the
11 two issues.

12 So I don't know where we are in terms of a
13 final driveway width. I know there's a set of
14 plans that were presented to us. I think there
15 was an option given to us to widen the entrance
16 and exit. Obviously, that would depend on how the
17 Board, whether the Board votes in favor or not,
18 but just understand where we stand with that as
19 well as the signage.

20 MR. WHITAKER: I would recommend that
21 someone makes a motion, votes in the affirmative
22 and make that a condition of what they want.

23 BOARD MEMBER BANDELT: Sure.

24 MR. WHITAKER: And the signage is still an
25 issue. John has some comments on that.

1 MR. BARREE: Yeah, I just want to clarify
2 the Board's thinking on this. There are two signs
3 proposed. There's a wall sign on the building and
4 a freestanding sign near the mouth of the
5 driveway.

6 Diana, were you concerned about both or
7 one or the other or just?

8 BOARD MEMBER RUHL: People coming down the
9 street should know... They're there for a
10 specific purpose of dropping off a car. We're not
11 advertising.

12 MR. BARREE: Right. You weren't concerned
13 about the freestanding sign as it was proposed?

14 BOARD MEMBER RUHL: I did not want two
15 signs.

16 MR. BARREE: Understood.

17 BOARD MEMBER RUHL: That was me
18 personally.

19 BOARD MEMBER CURRERI: That was mine as
20 well given what their testimony of what their use
21 was going to be.

22 MR. BARREE: Thank you for clarifying
23 that. I wasn't sure.

24 BOARD MEMBER RUHL: How does that work
25 from a planning perspective?

1 MR. BARREE: I think that the sign at the
2 driveway entrance is critical for site
3 identification. You don't want somebody who is
4 confused about where they're going.

5 BOARD MEMBER RUHL: Yes.

6 MR. BARREE: If there were a desire to
7 bring the height of that down, for instance, maybe
8 there's a compromise option there.

9 BOARD MEMBER RUHL: Do we have a picture
10 of what it is? For some reason I don't have that.

11 CHAIRMAN BROWN: Sorry, Jane, do we have a
12 picture? Can we pull up the a picture of the
13 sign, signage for the front and also the building?

14 MR. BARREE: Jane, I think it's -- I'm
15 just looking at the website and it's called East
16 and West Building Elevations and Signs April 28,
17 2025 I think is the, the most recent one I see. I
18 don't think it was an exhibit, I think it was a
19 submission, maybe.

20 MR. SEMERARO: Correct.

21 MR. BARREE: Correct.

22 So on the right side there's the detail of
23 the freestanding sign. It's got 10 feet tall to
24 the top.

25 So for reference, and I think the

1 applicant took the standards that are in the
2 Village ordinance for residential zones, but
3 institutional uses in residential zones, so a
4 school. And that standard permanence a 10-foot
5 tall sign, 30 square feet in area, which is what
6 they got here. I assume that was their point of
7 reference. But I think if you --

8 BOARD MEMBER RUHL: Is this from a driving
9 perspective, is it 10 feet looking up or -- I'm
10 asking.

11 MR. BARREE: You see it from further away,
12 but if you were right on top it, you wouldn't.

13 There may be a design that makes it more
14 of a monument so that it doesn't have the pylons.

15 I would also want to make sure that the
16 engineers take a look at that for site triangle
17 purposes and we don't want to create an
18 obstruction. So one of the benefits to a taller
19 sign that has this type of plans, you could see
20 between the base and the sign there's an opening.
21 If you bring it down and create a solid mass, that
22 may be less intrusive, but we just want to make
23 sure that there's no site interruption.

24 BOARD MEMBER RUHL: Thank you.

25 MR. SEMERARO: Mr. Chairman, we also maybe

1 consider two separate votes. Maybe there will be
2 a motion to consider the application with the
3 monument sign and have a second vote for the
4 facade sign, if you're inclined to do it that way.

5 BOARD MEMBER BANDELT: I would suggest if
6 you were going to bifurcate the application, we
7 should remove the concept of a sign completely and
8 then vote on a sign separately.

9 MR. WHITAKER: You could do, make a motion
10 and do the sign issue separately.

11 BOARD MEMBER BANDELT: Yeah, yeah.

12 BOARD MEMBER RUHL: Why would we just drag
13 it out?

14 BOARD MEMBER BANDELT: I'm not trying --
15 if --

16 MR. WHITAKER: The situation here in your
17 overall vote is that seven members, majority of
18 five. So what I'm suggesting is that if you don't
19 have an agreement on the sign, per se, first round
20 to discuss, the second was you could have your
21 whole case premised upon the signs, which is dim
22 minus in passing.

23 Mr. Chairman, there's further comment.

24 CHAIRMAN BROWN: Jonathan.

25 BOARD MEMBER PAPIETRO: Yes, Mr. Chairman.

1 Mr. Semeraro, one more thing which may be
2 considered a little bit offline. When I was
3 reading all of this material and taking it all in
4 on face value as was presented and is presented, I
5 was reminded of an age-old aphorism that I read
6 when I was in grade school. I'd like to share it
7 with the Board.

8 "We never know how high we are until we
9 are called to stand."

10 On this day, at this time, this Board is
11 called to stand for the residents of Ridgewood and
12 the entire Village of Ridgewood.

13 Mr. Chairman, I make a motion to deny this
14 application on the basis of the conditions and
15 reasons I have stated, that it does not meet the
16 burden of proof in numerous areas that have been
17 given to us to assess and evaluate this
18 application and I respectfully wait for a call for
19 a second on my motion.

20 BOARD MEMBER RAYSTER: Second.

21 MR. WHITAKER: A yes vote would be a vote
22 to deny it.

23 Roll call, Jane.

24 MS. WONDERGEM: Greg Brown?

25 CHAIRMAN BROWN: No.

1 MS. WONDERGEM: Matthew Bandelt?

2 BOARD MEMBER BANDELT: No.

3 MS. WONDERGEM: Diana Ruhl?

4 BOARD MEMBER RUHL: No.

5 MS. WONDERGEM: Jonathan Papietro?

6 BOARD MEMBER PAPIETRO: Yes.

7 BOARD SECRETARY WONDERGEM: Jason Curreri?

8 BOARD MEMBER CURRERI: No.

9 MS. WONDERGEM: Yelena Rayster?

10 BOARD MEMBER RAYSTER: Yes.

11 BOARD SECRETARY WONDERGEM: Matthew Swan.

12 BOARD MEMBER SWAN: I struggled with, but
13 I think looking at the elements of the Master
14 Plan, the location does further that. I do want
15 to see this be a residential property, but I would
16 have to say that my vote at this time is no.

17 MR. WHITAKER: The no votes I have, Jane,
18 is five?

19 CHAIRMAN BROWN: Yes.

20 MR. WHITAKER: So the motion fails.

21 The second motion will be the sign.

22 MR. SEMERARO: Mr. Chairman, my client has
23 indicated that they will withdraw the facade sign
24 from consideration.

25 BOARD MEMBER SWAN: So another thing that

1 was requested I know from the community was a
2 berm.

3 MR. WHITAKER: I can't hear.

4 BOARD MEMBER SWAN: I'm sorry.

5 I think in the prior testimony there was a
6 request from the community for a berm. I don't
7 know if that is something that as a Board we would
8 want to consider to increase the buffer.

9 BOARD MEMBER RUHL: And that's what I was
10 going to bring to you. My concern too is to make
11 it look as residential as possible. In light of
12 the fact that those two lots are already
13 preexisting nonconforming use, if we say no to the
14 whole -- if we say, Jonathan, keep it residential,
15 those two can still operate, what swayed me to
16 saying, to not agreeing with Jonathan whatever
17 that would be. But I would hope to make it look
18 as residential as possible to keep and to take
19 into consideration the neighbors' concern.

20 I don't know if a berm would be the right
21 thing that would help or just do a landscape plan
22 that makes it -- keeps it green.

23 I'm with you on the how can we make it as
24 residential in appearance and to the best of the
25 ability, because if not, they can still operate

1 both of those lots as commercial entities.

2 MR. WHITAKER: My suggestion would be, if
3 you have a concern about the landscape aspect,
4 we've done this before, we could condition that
5 approval. That's the motion made, subject to a
6 further review of a revised landscape plan to be
7 reviewed by the site plan committee and brought
8 back to the whole Board with a vote at a
9 subsequent future meeting.

10 You could also, at the same time, impose a
11 condition as far as the monument sign, to have
12 that also reviewed as far as height and location
13 and with that get the input from the Village
14 engineer.

15 Not for the Board decide it, if the Board
16 has a concern about the signage and landscaping,
17 it's something that could be held in abeyance
18 until a revised plan is submitted by the
19 applicant. Just a suggestion.

20 That may incorporate a berm, it may not.
21 The engineer may say a berm is inappropriate.
22 Something else for consideration. Nothing we know
23 tonight, nothing that would be solved.

24 I'm just putting it out there to the Board
25 members.

1 CHAIRMAN BROWN: I mean, I'm fine. I'm
2 good with that alternative. I like the
3 alternative to bring it back to site plan and
4 having it be in front of the whole Board, so I'm
5 going to make a motion to approve the application
6 based on what I outlined earlier with Mr.
7 Whitaker's suggestion that anything to do with the
8 landscape is going to come back to the site plan
9 committee, will come in front of the entire Board
10 for a vote.

11 I'd also want to continue to add that deed
12 restriction, Mr. Whitaker, that --

13 MR. WHITAKER: I already --

14 CHAIRMAN BROWN: Okay. So I don't need to
15 go over stuff --

16 MR. WHITAKER: And signage.

17 CHAIRMAN BROWN: And the signage.

18 BOARD MEMBER RUHL: Size of vehicle.

19 MR. WHITAKER: Yes.

20 CHAIRMAN BROWN: And then --

21 MR. WHITAKER: All the conditions that
22 have been stipulated to.

23 BOARD MEMBER RUHL: Hours of operation.

24 MR. WHITAKER: You've outlined them
25 tonight and have them on the record.

1 BOARD MEMBER BANDELT: Second.

2 BOARD SECRETARY WONDERGEM: Greg Brown?

3 CHAIRMAN BROWN: Yes.

4 BOARD SECRETARY WONDERGEM: Matthew

5 Bandelt?

6 BOARD MEMBER BANDELT: Yes.

7 BOARD SECRETARY WONDERGEM: Diana Ruhl?

8 BOARD MEMBER RUHL: Yes.

9 BOARD SECRETARY WONDERGEM: Jonathan

10 Papietro?

11 BOARD MEMBER PAPIETRO: No.

12 BOARD SECRETARY WONDERGEM: Jason Curreri?

13 BOARD MEMBER CURRERI: Yes.

14 BOARD SECRETARY WONDERGEM: Yelena

15 Rayster?

16 BOARD MEMBER RAYSTER: No.

17 BOARD SECRETARY WONDERGEM: Matthew Swan.

18 BOARD MEMBER SWAN: Yes.

19 CHAIRMAN BROWN: Okay. Mr. Semeraro,

20 you're approved. There's a lot of work still to

21 be done, so.

22 MR. SEMERARO: Understood. We'll be happy

23 to work with the committee.

24 Thank you everybody for your thoughtful

25 consideration on this application.

1 CHAIRMAN BROWN: Thank you.

2 MR. WHITAKER: What I would suggest, I'll
3 draft a resolution after I receive the transcript.

4 MR. SEMERARO: Okay, fair enough.

5 MR. WHITAKER: If you want to expedite
6 that, that's your prerogative. You know I have 45
7 days.

8 MR. SEMERARO: Thank you.

9
10 (Whereupon, the proceedings concluded at
11 9:40 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

LYNANN DRAGONE, CCR
Certified Court Reporter

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