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Attorneys for Plaintiffs

LINDA MARTICEK and VINCENT
MARTICEK,

Plaintiffs,

v.

VILLAGE OF RIDGEWOOD and NEW
JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, BERGEN COUNTY

Docket No: L-

Civil Action

**VERIFIED COMPLAINT
IN LIEU OF PREROGATIVE WRITS**

Plaintiffs LINDA MARTICEK and VINCENT MARTICEK (“Plaintiffs”), by way of Verified Complaint against Defendants, VILLAGE OF RIDGEWOOD (“Ridgewood”) and the NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (“NJDEP” and, collectively with Ridgewood, the “Defendants”), in lieu of prerogative writs, hereby state as follows:

1. This matter arises out of Ridgewood’s proposal for a development project on and near a parcel of real property in Ridgewood that contains the historic Zabriskie-Schedler House (the “Zabriskie-Schedler Site”).

2. Ridgewood submitted an application concerning its proposed project to the NJDEP Historic Preservation Office (“HPO”).

3. Following meetings in July and August, 2025, the NJDEP Historic Sites Council (“HSC”) issued a 19-page resolution recommending that NJDEP temporarily deny Ridgewood’s request to move forward with the proposed development and setting forth in detail the reasons for its recommendation.

4. On August 27, 2025 – notwithstanding the denial recommendation issued by the HSC – NJDEP Assistant Commissioner Elizabeth Dragon authorized the proposed development with certain enumerated conditions.

5. On September 10, 2025, Ridgewood enacted a resolution accepting Assistant Commissioner Dragon’s August 27, 2025 conditional authorization. Upon Ridgewood’s acceptance, no further action was required from NJDEP.

6. This is an action in lieu of prerogative writ seeking, *inter alia*, injunctive and declaratory relief and final judgment: (a) vacating the August 27, 2025 decision of NJDEP Assistant Commissioner Dragon to conditionally approve Ridgewood’s proposed development; (b) vacating the September 10, 2025 Resolution of the Ridgewood Village Council accepting the conditional authorization; (c) appointing a special master free of any conflict of interest to receive, review, and adjudicate Ridgewood’s HPO Application upon a full and fair opportunity of all interested parties to be heard in a manner that comports with due process; and (d) enjoining and prohibiting any further work or development efforts in connection with the proposed development at or near the Zabriskie-Schedler Site pursuant to the August 27, 2025 conditional authorization or the September 10, 2025 Resolution.

7. As described below, there was no lawful basis for, and no evidence to support, the August 27th NJDEP decision or the September 10th Ridgewood Resolution. Plaintiffs were deprived of due process and the ultimate decisions were arbitrary, capricious and unreasonable,

and were in violation of the New Jersey Register of Historic Places Act, related regulations, and public policy.

THE PARTIES

8. Plaintiff Linda Marticek is an individual residing at 548 Route 17 in Ridgewood, New Jersey.

9. Plaintiff Vincent Marticek is an individual residing at 548 Route 17 in Ridgewood, New Jersey.

10. Plaintiffs' home is located on a parcel adjacent to the Zabriskie-Schedler Site. Accordingly, as neighboring landowners and residents/taxpayers of Ridgewood, Plaintiffs have a genuine, substantial, and legitimate interest in the proposed project and the condition of the Zabriskie-Schedler Site.

11. Defendant Ridgewood is a New Jersey municipality located in Bergen County.

12. Defendant NJDEP is a New Jersey state agency with a principal place of business located at 401 East State Street in Trenton, New Jersey.

JURISDICTION AND VENUE

13. This Court may exercise jurisdiction over this action pursuant to New Jersey Court Rule 4:3-1(a)(5).

14. Venue is properly laid in the County of Bergen, pursuant to New Jersey Court Rule 4:3-2(a)(2), because this is the county in which defendant Ridgewood is located and in which Plaintiffs' cause of action arose.

15. Additionally, the Law Division is the proper venue for Plaintiffs' claims against defendant NJDEP in light of the entire controversy doctrine and due to the need for trial and fact-

finding. *See Hartz Mountain v. NJSEA*, 369 N.J. Super. 175, 187-88 (App. Div.), *certif. denied*, 182 N.J. 147 (2004).

FACTUAL BACKGROUND

The Zabriskie-Schedler Site

16. The historic Zabriskie-Schedler House, located on the Zabriskie-Schedler Site, is a historic building built in or around 1825.

17. The Zabriskie-Schedler House was added to the National Register of Historic Places on November 22, 2019. Ridgewood itself commissioned historical experts to document the significance of the site, resulting in its inclusion in both the New Jersey and National registers.

18. A true and accurate copy of the United States Department of the Interior, National Park Service, National Register of Historic Places registration form for the Zabriskie-Schedler House is attached hereto as **Exhibit A**.

19. The National Register unambiguously explains that the significance of the Zabriskie-Schedler House is not confined to the house. The surrounding landscape is integral to the site's historical significance.

20. The National Register nomination form identifies the property as "one of the last pieces of historic agricultural land associated with a historic house in Ridgewood."

21. The National Register nomination form also notes that the house "survives as one of few remaining nineteenth-century Dutch frame houses in nearby parts of Bergen County, and one that still retains an acreage large enough to somewhat reflect its historic agricultural setting."

22. The site also has archaeological importance. Upon information and belief, among the thousands of archaeological and historical artifacts that have been found on the Zabriskie-Schedler Site, a British officer's sword from the eighteenth century was found at the site.

23. Beyond its cultural, historic, and archaeological significance, the site also provides an important practical function as a natural barrier protecting residents against noise, pollution, and particulates from nearby Route 17.

24. The Zabriskie-Schedler Site is also located within an Overburdened Community designated by NJDEP in accordance with the New Jersey Environmental Justice Law.

25. The New Jersey Environmental Justice Law provides that overburdened communities, such as the one in which the Zabriskie-Schedler Site is located, “must have a meaningful opportunity to participate in any decision to allow in such communities certain types of facilities which, by the nature of their activity, have the potential to increase environmental and public health stressors.” The statute further provides that “it is in the public interest for the State, where appropriate, to limit the future placement and expansion of such facilities in overburdened communities.”

The Project

26. On May 1, 2025, Ridgewood prepared and submitted to the HPO an Application for Project Authorization Under the New Jersey Register of Historic Places Act (the “HPO Application”) for a project titled “Park Development at Zabriskie-Schedler Property.”

27. A true and accurate copy of Ridgewood’s HPO Application is attached hereto as **EXHIBIT B.**

28. Ridgewood’s HPO Application described the proposed project as including, *inter alia*, a “full-size, multi-sport field designed for soccer, lacrosse, softball, baseball, and football.” The HPO Application described that Ridgewood proposed the use of artificial turf because “[t]he expected heavy use of this field by the community indicates that artificial turf is the best available option for its durability and maintenance.”

29. On May 29, 2025, the HPO issued a determination that the proposed project constituted an encroachment on the Zabriskie-Schedler Site and that the proposed project would damage the Zabriskie-Schedler Site under the criteria set forth in N.J.A.C. § 7:4-7.4 and the Secretary of the Interior's *Standards for Rehabilitation*.

30. A true and accurate copy of the May 29, 2025 HPO determination is attached hereto as **EXHIBIT C**.

31. The May 29, 2025 HPO determination explained that Ridgewood's HPO Application would be reviewed at a meeting of the HSC, which "reviews projects of state, county, and municipal governments (and agencies thereof) which affect properties listed on the New Jersey Register of Historic Places, acting in an advisory capacity to the Commissioner of the Department of Environmental Protection (DEP) for the State of New Jersey."

32. The deadline for applications to be considered at the HSC's June 2025 meeting was April 29, 2025. Therefore, the submission of the HPO Application on May 1 was untimely and the application should not even have been placed on the June Agenda.

33. Notwithstanding the late submission, the HPO nevertheless placed Ridgewood's HPO Application on the agenda for the HSC's June 19, 2025 meeting.

34. Ultimately, the HSC's June 19, 2025 meeting was canceled as a result of the meeting falling on Juneteenth (the holiday being observed traditionally and at the federal level on the 19th, even though the State holiday fell on the following day). Ridgewood's HPO Application was therefore placed on the agenda for the HSC's next meeting on July 21, 2025.

35. The June 16, 2025 letter from the HPO advising that Ridgewood's HPO Application would be heard at the July 21, 2025 HSC meeting stated: "At the HSC meeting, the

Village and/or their consultant(s) will be given an opportunity to present the Application, and interested members of the public will be provided with an opportunity to comment on the project.”

36. A true and accurate copy of the June 16, 2025 letter from the HPO is attached hereto as **EXHIBIT D**.

37. In advance of the July 21, 2025 meeting, Ridgewood submitted additional documents and information concerning and supporting its HPO Application to the HPO on June 27, July 11, and July 18, 2025.

38. True and accurate copies of the June 27, July 11, and July 18, 2025 letters from Ridgewood submitting additional information are HPO is attached hereto as **EXHIBIT E**, **EXHIBIT F**, and **EXHIBIT G**.

39. However, the HPO had separately advised Ridgewood residents that submission regarding the HPO Application were required to be submitted on or before July 1, 2025 “in order to give the [HSC] adequate time to review the Application.”

40. The HPO also met with Ridgewood to discuss the presentation and consideration of its HPO Application at the upcoming HSC meeting. When residents requested similar meetings or opportunities for discussion, those requests were denied. The effect of these one-sided pre-meeting discussions was that much of Ridgewood’s Application was not even addressed at any public meeting, having already been discussed and addressed behind the scenes. This severely deprived Plaintiffs and other residents or interested parties from having any opportunity to participate in the discussion or be heard in connection therewith.

41. On July 15, 2025, Ridgewood also wrote separately (via counsel) to Deputy Attorney General Chloe Gogo of the New Jersey Department of Law and Public Safety, Division of Law – counsel to the HSC – to argue in favor of the proposed project and that any

recommendation by the HPO to the NJDEP Commissioner not to approve the HPO Application “would be inappropriate and ... not defensible upon judicial review.”

42. A true and accurate copy of the July 15, 2025 letter from Ridgewood to DAG Gogo is attached hereto as **EXHIBIT H**.

43. The HSC began its hearing of the HPO Application at its July 21, 2025 meeting. However, the hearing of the application was not completed and was tabled. The hearing was scheduled to continue at the next HSC meeting on August 21, 2025.

44. In advance of the July 21, 2025 meeting, residents requested an opportunity to attend in person. The HPO did not provide any response to these requests, and the meeting was held virtually only.

45. Following the July 21, 2025 meeting, residents again requested an opportunity to attend the August meeting in person, particularly in light of various technical issues that arose during the July meeting.

46. Specifically, more than thirty people who experienced technical issues preventing them from speaking at the meeting were told to call a dial-in number to participate via phone. However, even after calling the dial-in number, several people reported that they were still not able to participate because the meeting host was not able to unmute their microphones.

47. It is also not clear that the July 21st meeting even had a quorum.

48. Despite previously advising that hybrid attendance could be arranged, the HPO denied the requests for in-person attendance, advising that the August 21, 2025 meeting would also be held virtually, with no “hybrid” option for in-person attendance. Instead, the HPO offered that those wishing to attend in person would be able to travel to the NJDEP building in Trenton and attend – still virtually – from there.

49. In light of Ridgewood's late submissions, and its several-hours-long presentation, Residents also requested an opportunity to provide additional comments and submissions prior to the August 21, 2025 continued meeting.

50. The HPO responded that "[o]nce the Application is tabled, the contents and details of the Application are frozen, and the applicant cannot make any changes or amendments to the Application before the meeting resumes. However, the public can continue to issue comments in writing until the end of the August 21st meeting, or in person at the meeting if they did not previously comment during the July 21st meeting."

51. A true and accurate copy of the July 2025 email exchange between the HPO and an interested party, George Wright, concerning the requests for additional comments and hybrid attendance is attached hereto as **EXHIBIT I**.

52. Despite the HPO Application being tabled and its contents thereby "frozen," Ridgewood submitted additional materials to the HPO on August 14, 2025 relating to the removal of trees at the Zabriskie-Schedler Site. This submission was not disclosed to the public prior to the August 21, 2025 meeting.

53. A true and accurate copy of Ridgewood's August 14, 2025 supplemental submission is attached hereto as **EXHIBIT J**.

54. On or around August 18, 2025, at the same time that Ridgewood was advancing its proposal at the expense of the Zabriskie-Schedler Site, it was taking the opposite position with respect to an application for a proposed billboard at the edge of the Zabriskie-Schedler Site – acknowledging that such an encroachment was contrary to Ridgewood's Master Plan.

55. The HPO invited Lieutenant Governor Tahesha Way to attend the resumed meeting on August 21, 2025.

56. DAG Gogo was the first person to speak at the HSC's August 21, 2025 meeting. Despite the prior communication between Ridgewood and DAG Gogo, DAG Gogo stated to the meeting attendees that she was unable to discuss the HPO Application with anybody because she represents the HSC.

57. When the hearing on Ridgewood's HPO Application continued at the August 21, 2025 meeting, at least one member of the HSC reported that she did not even have access to all of the materials that Ridgewood submitted.

58. Additionally, residents and other attendees were told before the August 21, 2025 meeting that they would have the opportunity to submit comments and materials by using the "chat" function during the virtual meeting. However, during the meeting the Chair directed that all attendees stop submitting comments in the meeting chat and disabled the attendees' ability to upload documents and images in the chat.

59. On August 21, 2025, following the meeting, The HSC issued a unanimous resolution recommending that NJDEP temporarily deny Ridgewood's request to move forward with the proposed development

60. A true and accurate copy of Resolution HSC-2025-449 of the New Jersey Historic Sites Council is attached hereto as **Exhibit K**.

61. Ridgewood submitted still more additional materials after the meeting, on August 25th. This additional submission was not released to the public until after NJDEP's decision on August 27th.

62. A true and accurate copy of Ridgewood's August 25, 2025 additional submission to the HPO is attached hereto as **EXHIBIT L**.

63. On August 27th, NJDEP overruled the resolution and recommendation of the HSC, approving Ridgewood's HPO Application and allowing the proposed project to proceed subject to Ridgewood's agreement to certain enumerated conditions.

64. NJDEP's August 27, 2025 decision was rendered by Assistant Commissioner for Community Investment and Economic Revitalization Elizabeth Dragon.

65. A true and accurate copy of NJDEP's August 27, 2025 letter approving the HPO Application is attached hereto as **Exhibit M**.

66. On September 10, 2025, the Ridgewood Village Council enacted Resolution 25-382 accepting the NJDEP conditional authorization issued by Assistant Commissioner Dragon.

67. A true and accurate copy of the September 10, 2025 Ridgewood Village Council Meeting Agenda including Resolution 25-382 ("Authorize Signing of Letter from the Assistant Commissioner for the NJ Department of Environmental Protection Community Investment and Economic Revitalization, Conditionally Approving Park Development at Schedler Property") is attached hereto as **Exhibit N**.

The Decisions Were Arbitrary, Capricious, and Unreasonable

68. However, this decision and that of NJDEP were arbitrary, arbitrary, capricious and unreasonable, and in violation of the New Jersey Register of Historic Places Act and related regulations. There was no lawful basis for these decisions and no evidence to support them. Moreover, the process employed by NJDEP and Ridgewood deprived Plaintiffs and others of due process.

69. NJDEP, for example, failed to comply with requests for records submitted by residents under the Open Public Records Act, refusing to disclose the written public comments that the HPO received and shared with the HSC. This lack of transparency and disclosure unfairly

advantaged Ridgewood and disadvantaged Plaintiffs (and all other residents or interested parties) during the final stages of Ridgewood's HPO Application.

70. Additionally, as described above, there were extensive untimely and behind-the-scenes communications between Ridgewood and the HPO. Plaintiffs and other interested parties were deprived of any opportunity to participate in these discussions and significant subject matter was excluded and diverted from the public meeting and comment process.

71. Upon information and belief, the August 27, 2025 decision was issued by Assistant Commissioner Dragon rather than Commissioner Shawn M. LaTourette because Commissioner LaTourette had a conflict of interest due to his friendship with Ridgewood Village Manager Keith Kazmark.

72. Commissioner LaTourette's designation of his direct subordinate, Assistant Commissioner Dragon, to review and rule on the HPO Application is insufficient to clear the conflict of interest and violates the public trust.

73. Village Manager Kazmark also has a personal friendship with Lieutenant Governor Tahesha Way.

74. Further, NJDEP's acceptance of last-minute submissions relating to purported "mitigation" violated NJDEP's own procedural regulations and the due process rights of Plaintiffs and all other interested parties.

75. NJDEP's decision violates the protection legally afforded to the Zabriskie-Schedler Site by undermining the very characteristics and value described in its National Register application. The decision also provides no rational basis for disregarding the HPO's encroachment finding and the HSC's recommendation. In fact, the ultimate result was predetermined.

76. Several financial circumstances also raise ethical “pay to play” concerns, compromising the integrity of the process. Again, Plaintiffs and others were placed at a disadvantage and deprived of their due process rights of notice and opportunity to be heard.

77. Additionally, the Chair of the Village Open Space Committee has actively solicited cash contributions in exchange for development influence over the Zabriskie-Schedler Site for several years.

78. In issuing her August 27, 2025 decision, Assistant Commissioner Dragon acknowledged her “obligation to consider: (1) the public benefit of the proposed project; (2) whether there are feasible and prudent alternatives to the preferred alternative; and (3) whether sufficient measures could be taken to avoid, reduce, or mitigate impacts of the proposed encroachment, pursuant to N.J.A.C. 7:4-7.2(e)(6).”

79. Upon information and belief, Assistant Commissioner Dragon was away from the office from at least August 18th until August 25th, but purportedly completed the required analysis and issued her seven-page decision within forty-eight hours of returning to the office.

80. However, all three factors warrant denial of Ridgewood’s HPO Application.

81. First, the purported finding of need and “public benefit” was based entirely on input from local sports organizations such as the Ridgewood Baseball and Softball Association and the Maroons Soccer Club that have contributed significant sums toward Ridgewood’s development efforts.

82. No consideration was given to the detrimental effects of the proposed development, or to the overwhelming public benefit for the Zabriskie-Schedler Site to remain as an open space providing historic, cultural, ecological, recreational, and noise/traffic dampening benefits to the

public. Residents submitted thousands of pages describing these benefits but NJDEP considered only the potential benefit of the proposed sports facility.

83. Second, the determination that there were not feasible and prudent alternatives was baseless. Assistant Commissioner Dragon stated that other fields were located in floodplains, but this is not accurate. In fact, there are other feasible alternatives in dry locations with no flooding that can be expanded and converted into sports fields. Again, NJDEP failed to consider information in the record.

84. Several reports commissioned and paid for by Ridgewood itself – including a report by CMX Engineering and a 2025 Feasibility Study prepared by Gianforcaro Architects, Engineers, Planners for the Ridgewood Board of Education – note the existence of open space locations that could be expanded or improved to meet this purported need. In fact, in October 2025, Ridgewood advertised in a mailer that Citizen Park was being expanded.

85. Ridgewood, however, disclosed presented only the fields with flooding issues to the NJDEP in order to secure a finding of no feasible alternative. This was a one-sided determination that could not have been issued upon due consideration of the information provided by the public.

86. In contrast, the Zabriskie-Schedler Site is itself located above a flood-prone area approximately a quarter of a mile from the Saddle River. Ridgewood had also already been advised that artificial turf fields, like the one proposed for the Zabriskie-Schedler Site, and other impervious surfaces exacerbate flood risks.

87. Third, the determination that “sufficient measures could be taken to avoid, reduce, or mitigate impacts of the proposed encroachment” was without basis and entirely arbitrary. Ridgewood and the HPO received approximately five hundred petitions from residents describing

the impacts that the proposed project would have, and NJDEP directed Ridgewood to determine the extent of those impacts, but that study was never done (or, if it was, it was never disclosed to the public).

88. Thus, the determination that Ridgewood's HPO Application sufficiently mitigated the impacts of the proposed development could not possibly have been made with any proper basis because the impacts to be mitigated were never even ascertained. NJDEP cannot have determined that Ridgewood will satisfactorily mitigate the impacts when it does not know what the impacts are.

89. The mitigation determination also ignored voluminous submissions voicing concerns related to the growing body of evidence of the negative environmental and health effects of artificial turf – particularly with respect to residents who live and have private water wells on adjacent parcels.

90. In fact, no “mitigation” would be possible in any event because the proposed development would affect the vast majority of the Zabriskie-Schedler Site and would destroy the precise features that provide the site its historic and cultural value.

91. Additionally, the NJDEP decision was inconsistent with the Secretary of the Interior's *Standards for Rehabilitation*. Specifically, the decision was inconsistent with Standard 1 (“A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.”), Standard 2 (“The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.”), and Standard 9 (“New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The

new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.”). The NJDEP decision was inconsistent with the showing of economic feasibility required by the Secretary of the Interior’s *Standards*. Given the scope of widespread contamination, extensive excavation, tree removal, land grading, multiple mitigation measures, costly development and long-term maintenance, the project represents a significant departure from these Standards.

92. Moreover, Ridgewood’s proposed development would be built on soil that has already been contaminated by the dumping of contaminated fill to construct the berm along the edge of the property. The contamination of the soil at the site has been documented by NJDEP, which has advised Ridgewood of its obligation to remediate. Completion of all remediation is required by May 14, 2030.

93. A true and accurate copy of the May 29, 2024 letter from NJDEP to Ridgewood is attached hereto as **Exhibit O**.

94. Ridgewood maintains public information concerning the soil contamination on its website, located at <https://www.ridgewoodnj.net/262/Zabriskie-Schedler-House-Property>.

95. The HPO Application is also in violation of a November 20, 2009 Conservation Easement held by Bergen County. Specifically, the HPO Application would violate Section 5(B) (“No activity shall be permitted on the Property that would be detrimental to drainage, flood control, water conservation, erosion control, or soil conservation.”), Section 5(D) (“No topsoil, sand, gravel, loam, rock or other mineral shall be deposited on, excavated, dredged or removed from the Property except to the extent necessary for use of the Property for the Permitted Uses.”), and Section 5(E) (“No dumping or placing of trash, garbage, waste material, leaf composting or

unsightly or offensive materials shall be permitted on the Property. No sludge derived products may be used on the Property.”).

96. A true and accurate copy of the November 20, 2009 Deed of Conservation Easement is attached hereto as **Exhibit P**.

97. The HPO Application and its approval are also directly contrary to the public policy of New Jersey as articulated in the Environmental Justice Law.

98. In 2023, several residents submitted an Environmental Justice Petition to NJDEP. Shortly after submission, NJDEP removed the petition from their website and closed the matter.

The Irreparable Destruction of the Zabriskie-Schedler Property Has Begun

99. Following NJDEP’s approval of the HPO Application and Ridgewood’s acceptance of the conditional approval, Ridgewood wasted no time in commencing work that has already caused and will continue to cause irreparable harm to the Zabriskie-Schedler Site.

100. On or about October 8th, work crews began removing trees from the property.

101. True and accurate photographs, taken October 9th, of tree removal work and the work authorization issued by Ridgewood are attached hereto as **Exhibit Q**.

**COUNT ONE
(Actions in lieu of Prerogative Writ)**

102. Plaintiff repeats the allegations set forth in each of the foregoing paragraphs as if set forth at length herein.

103. As described above, the August 27, 2025 decision of NJDEP conditionally approving Ridgewood’s HPO Application and proposed development was arbitrary, capricious and unreasonable and that the decision violated the procedural and substantive due process rights of Plaintiffs.

104. As described above, the September 10, 2025 Resolution of the Ridgewood Village Council accepting the conditional authorization was arbitrary, capricious and unreasonable and that the decision violated the procedural and substantive due process rights of Plaintiffs.

105. The August 27, 2025 decision of NJDEP and the September 10, 2025 Resolution of the Ridgewood Village Council also violated the New Jersey Register of Historic Places Act and related regulations.

106. The August 27, 2025 decision of NJDEP and the September 10, 2025 Resolution of the Ridgewood Village Council were also contrary to New Jersey public policy.

107. As a result of Defendants' actions, Plaintiffs have suffered and will continue to suffer significant damage and irreparable harm.

108. Plaintiffs are without alternative relief, administrative or otherwise, and therefore must resort to requesting the intervention of this Court.

WHEREFORE, Plaintiffs demand judgment in their favor and against Defendants, jointly and severally, as follows:

- A. Declaring that the August 27, 2025 decision of NJDEP conditionally approving Ridgewood's HPO Application and proposed development was arbitrary, capricious and unreasonable and that the decision violated the procedural and substantive due process rights of Plaintiffs;
- B. Vacating the August 27, 2025 decision of NJDEP conditionally approving Ridgewood's HPO Application and proposed development;
- C. Declaring that the September 10, 2025 Resolution of the Ridgewood Village Council accepting the conditional authorization was arbitrary, capricious and unreasonable and that the decision violated the procedural and substantive due process rights of Plaintiffs;
- D. Vacating the September 10, 2025 Resolution of the Ridgewood Village Council accepting the conditional authorization;
- E. Appointing a special master free of any conflict of interest to receive, review, and adjudicate Ridgewood's HPO Application upon a full and fair

opportunity of all interested parties to be heard in a manner that comports with due process;

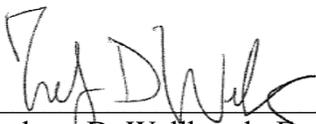
- F. Enjoining, restraining, and prohibiting Defendants from conducting or causing to be conducted any further work or development efforts in connection with the proposed development at or near the Zabriskie-Schedler Site in connection with Ridgewood's HPO Application, the August 27, 2025 conditional authorization, or the September 10, 2025 Resolution;
- G. Awarding Plaintiffs compensatory damages;
- H. Awarding Plaintiffs costs of suit and reasonable attorneys' fees;
- I. Awarding Plaintiffs pre-judgment and post-judgment interest;
- J. Granting Plaintiffs such other relief as the Court shall deem just and equitable.

DESIGNATION OF TRIAL COUNSEL

In accordance with Rules 4:5-1 and 4:25-4, notice is hereby given that Zachary D. Wellbrock, Esq. is designated as trial counsel for Plaintiffs in this matter.

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973-635-6300
Attorneys for Plaintiffs

Dated: October 14, 2025

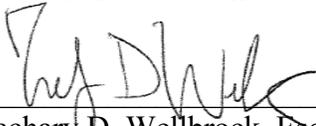
By: 
Zachary D. Wellbrock, Esq.

CERTIFICATION PURSUANT TO RULE 4:69-4

I HEREBY CERTIFY, pursuant to Rule 4:69-4 of the Rules Governing the Courts of the State of New Jersey that all necessary transcripts of local agency proceedings have been ordered.

I FURTHER CERTIFY that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

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973-635-6300
Attorneys for Plaintiffs

By: 
Zachary D. Wellbrock, Esq.

Dated: October 14, 2025

CERTIFICATIONS PURSUANT TO RULES 4:5-1 AND 1:38-7(b)

I HEREBY CERTIFY, pursuant to Rule 4:5-1 of the Rules Governing the Courts of the State of New Jersey that the above-entitled matter in controversy is not the subject of any other action pending in any court or arbitration proceeding, with the exception of: (1) *In the Matter of Village of Ridgewood Park Development at the Zabriskie-Schedler Property, Application for Project Authorization, New Jersey Register of Historic Places Act Review*, currently pending before the Superior Court of New Jersey, Appellate Division (Appellant: Friends of Historic Zabriskie-Schedler House, Inc., Docket No.: unknown); and (2) *In the Matter of Application of*

Village of Ridgewood HPO Project #20-0608-35, filed by Plaintiffs and currently pending before the Superior Court of New Jersey, Appellate Division (Docket No.: A-000542-25).

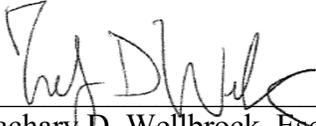
I FURTHER CERTIFY that Plaintiffs do not contemplate any such court or arbitration proceeding at this time, with the exception of the above-noted parallel proceeding in the Appellate Division should the Law Division not accept venue of Plaintiffs' claims against NJDEP.

I FURTHER CERTIFY that no party known to Plaintiffs be joined in this action at this time.

I FURTHER CERTIFY that, in accordance with Rule 1:38-7(b), confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future.

I FURTHER CERTIFY that the foregoing statements made by me are true to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

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Attorneys for Plaintiffs

By: 
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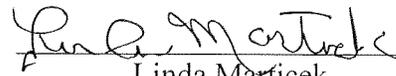
Dated: October 14, 2025

VERIFICATION

I, LINDA MARTICEK, of full age, hereby certify as follows pursuant to Rule 1:4-7:

1. I am a Plaintiff in this action and am personally familiar with the facts of this matter.
2. I have read the foregoing Verified Complaint. The facts set forth therein are true and correct to the best of my knowledge. With respect to any facts alleged upon information and belief, I believe those facts to be true.
3. I certify that the above statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: October 14, 2025


Linda Marticek

VERIFICATION

I, VINCENT MARTICEK, of full age, hereby certify as follows pursuant to Rule 1:4-7:

1. I am a Plaintiff in this action and am personally familiar with the facts of this matter.

2. I have read the foregoing Verified Complaint. The facts set forth therein are true and correct to the best of my knowledge. With respect to any facts alleged upon information and belief, I believe those facts to be true.

3. I certify that the above statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: October 14, 2025



Vincent Marticek