



# Borough of Midland Park

280 Godwin Avenue • Midland Park, New Jersey 07432  
Tel: 201-445-5720 • Fax: 201-652-6348  
[www.midlandparknj.org](http://www.midlandparknj.org)

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DECEMBER 21, 2020

## PLEASE TAKE NOTE:

ON MONDAY, DECEMBER 21, 2020, THE PLANNING BOARD OF THE BOROUGH OF MIDLAND PARK WILL HOLD A TELE-CONFERENCED MEETING VIA A GO TO MEETING WHICH IS ACCESSIBLE TO THE PUBLIC BY CALLING 1-866-899-4679 (access code 338-123-717).

THE MEETING WILL BEGIN AT 7:30 PM AND INCLUDE A WORKSHOP SESSION, IF NECESSARY.

READING OF THE OPEN PUBLIC MEETINGS ACT  
PLEDGE OF ALLEGIANCE  
ROLL CALL

Approval of Minutes- 11/16/2020

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## ZONING CERTIFICATES:

MIDLAND PARK SELF STORAGE– 80 Greenwood Ave BL 26 LT 4.01 – Self storage -

***Certificates approved by the Zoning Officer or Zoning Board:***

SUSAN ESSERMAN, LCSW, LLC – 24 Godwin Ave- BL 5 LT 24 – Counseling Office

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## RESOLUTION:

John Panariello– 80 West St - BL 33 LT 2 – Amended site plan application

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## COMMUNICATIONS:

ADJOURNMENT

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**BOROUGH OF MIDLAND PARK - PLANNING BOARD MINUTES**  
**NOVEMBER 16, 2020**

PLEASE TAKE NOTE:

ON MONDAY, NOVEMBER 16, 2020, THE PLANNING BOARD OF THE BOROUGH OF MIDLAND PARK HELD A TELE-CONFERENCED MEETING VIA A GO TO MEETING WHICH WAS ACCESSIBLE TO THE PUBLIC BY CALLING 1-866-899-4679.

THE MEETING BEGAN AT 7:30 PM.

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**SUNSHINE LAW STATEMENT:** This meeting is being held in accordance with the Sunshine Law, notice having been published according to law with a copy on file in the Borough Clerk's Office and a copy posted on the bulletin board in the Municipal Building.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Mr. Kent Rigg, Chairman	present	Mrs. Stephanie Pantale	present
Councilman Ken Kruis	excused	Ms. Ester Vierheilig	present
Mayor Harry Shortway, Jr.	present	Alt. #1 Tim Omelianuk	absent
Mr. Michael Rau	present	Alt. #2 Robert Mulder	excused
Mr. David Wostbrock, Vice-chair	present		

D. Siss, board attorney, and E. Boe, board engineer, were present on behalf of the board.

Minutes of 9/21/20 were approved.

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**ZONING CERTIFICATES:**

Hilltop Pro Services, LLC – BL 33 LT 7.01 – Dago Gonzalez & Edgar Acevedo appeared via GOTOmeeting. – Proposed use – Showroom for wholesale commercial floor covering and installation, not opened to public. Motion made by Mayor Shortway to approve; seconded by Ms. Pantale; all voted in favor.

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**PUBLIC HEARING:**

John Panariello– 80 West St - BL 33 LT 2 – Amended site plan application – Notices were in order. Atty. Joseph Russo represented applicant; applicant John Panariello was sworn in and Professional Engineer Robert Weissman was sworn in and accepted as expert. No comments from departments. Mr. Russo stated they are here to set the record straight and to have the current site plan conditions correlate with the site plan on file with the Midland Park building department, 90% of which has been in existence since 1992. Mr. Panariello – owner of property since 1988. A 2 story structure to the rear of the building was approved in 1992 and a CCO was obtained at that time. Dry well improvements were made. A shed was put on side property line with town approval 25+ years ago. There is also a car port and salt bin on site that are temporary structures. There are 6 onsite parking spots, 11 spots if temporary structures were removed. There are also 20 parking spaces across the street that have been leased from railroad since 2004. On site business since 1986 is a swimming pool removal company, there are recycling bins onsite. Board commented on; if there were changes

to driveway, placement of trailer, placement of fuel tanks, accessory structures needing variances. Erik Boe questioned if there was onsite lighting that was adequate, if storm water drainage was a problem and if ADA parking requirements were met; applicant stated neighbors lighting is adequate to light up applicants yard and motion detector lighting is on building for safety, drainage is not an issue as it is a flat lot and there are seepage pits on property, ADA parking is met. A Knox box was requested by the board as well as variances and waivers. Erik Boe reviewed and discussed LAN comment letter dated August 17, 2020. Mr. Russo stated granting of variances and waivers would not be detrimental to the public or neighboring properties. The meeting was opened to public for questions; with none closed. There are structures on property that are not shown on site plan, the vote is to approve the current site conditions. Board questioned if there have been any issues with fuel tanks in past; Mr. Rau stated to his knowledge there have been no issues. – Motion made by Mr. Wostbrock to approve existing conditions site plan as presented with the waivers and variances listed by Erik Boe along with location of trailer, lights, doors, and Knox box; Seconded by Ms. Vierheilig; all voted in favor.

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**COMMUNICATIONS:**

Planning Board 2021 scheduled meeting dates – Motion made by Ms. Pantale to approve; seconded by Mr. Rau; all voted in favor

Meeting was adjourned at 8:18  
Submitted by: Amy Davidson

Zoning Certificate Checklist

1. Is the property located in the I-1 or I-2 Zone? Yes  No
2. If yes, the application must be submitted to the Planning Board pursuant to 34-21.3d.
3. Is the Proposed use permitted? Yes  No
4. If no, application must be made to the Zoning Board of Adjustment.
5. Is there an increase in the parking requirements for the proposed over the previous use? Yes  No
6. If no, skip to question #9.
7. If yes, does the site have enough parking spaces to meet the requirements of the Zoning Ordinance? Yes  No
8. If the answer to question #7 is no, an application must be made to the Zoning Board for a Parking variance.
9. Is there an accurate site plan, existing conditions plan, or an As-Built drawing on file, approved by the Planning Board or Zoning Board? Yes  No

1. If the property is in the I-1 or I-2 zone, the applicant must submit a plan and parking analysis to the Planning Board for approval.
2. If the property is in the B-1, B-2, or B-3 Zone, the zoning officer at his discretion, may approve the plan and parking analysis for the purposes of issuing the Zoning Certificate.

NAME OF APPLICANT MILANA PARIC SELF STORAGE

ADDRESS 80 GREENWOOD AVE BLOCK 26 LOT 4-01 ZONE I-2

PREVIOUS TENANT McGinley PACKAGING PREVIOUS USE PACKAGING

UNIT# 8 AREA Sq. Ft. 4869 PROPOSED USE WAREHOUSE

CHANGES \_\_\_\_\_

RELOCATION? \_\_\_\_\_ PHONE 201-493-0080 EMAIL \_\_\_\_\_

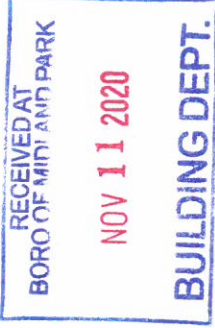
DATE 11/30/20 ZONING OFFICIAL Mal Perry APPROVED-Yes No PBAP? Requires

UCC USE GROUP: PREVIOUS USE F PROPOSED USE S CCO REQUIRED? No

(Previous Use Requires 12 Spaces.  
Proposed Use will Require 2 Spaces.)

**APPLICATION FOR  
ZONING CERTIFICATE  
FOR NON- RESIDENTIAL USE**

280 Godwin Avenue  
Borough of Midland Park, NJ 07432



STREET ADDRESS OF PROPERTY: 80 Greenwood Ave, Midland Park, NJ 07432 ZONE: \* 1-2 BLOCK: 26 LOT: 4.01  
 NAME OF OCCUPANT: \*\* Midland Park Self Storage AREA OF BLDG.-SQ.FT. 72,000 AREA OF OCCUPANT- SQ.FT. 4,869 Add On Suite 8  
 SOLE PURPOSE OF OCCUPANCY: Self Storage

PREVIOUS TENANT, IF APPLICABLE: McGinley Packaging  
 NAME OF APPLICANT / IF A CORPORATION, NAME AND ADDRESS OF INDIVIDUAL MAKING APPLICATION:  
Midland Park Self Storage LLC

APPLICANT'S ADDRESS: 80 Greenwood Ave, Midland Park, NJ 07432  
 APPLICANT'S PHONE: 201-493-0080 SIGNATURE: [Signature]  
 NAME OF OWNER OF BUILDING: Marlow Park LLC ADDRESS OF OWNER: 80 Greenwood Ave. Midland Park, NJ  
 CERTIFICATION THAT ALL CONDITIONS OF SITE PLAN AND BUILDING PERMIT HAVE BEEN MET: [Signature]  
 (Property Owner Signature)

LIST ALL OTHER OCCUPANTS OF BUILDING: Name:	Type of Business:
Wade Odell Wade	Moving
Bergen Community Blood	Blood Donation
Pattman Plumbing	Plumbing

PLANNED USE INCLUDING PRODUCTS OR SERVICES SOLD OR MANUFACTURED:  
Self Storage

Incoming shipments: \_\_\_\_\_ Type Conveyance \_\_\_\_\_ Product \_\_\_\_\_ Comments \_\_\_\_\_  
 Number weekly 0  
 Outgoing shipments: \_\_\_\_\_  
 Number weekly 0  
 NUMBER OF PEOPLE: Start \_\_\_\_\_ Final \_\_\_\_\_ NUMBER DAILY CUSTOMERS OR VISITORS vary WILL YOU DEAL WITH GENERAL PUBLIC? YES NO  
 HOURS OF OPERATION: From 8am To 8pm NUMBER OF DAYS OPEN WEEKLY: See Attached  
 GALS. WATER USED: \_\_\_\_\_ EXTENT OF NOISE Low FUMES OR ODORS N/A OTHER NUISANCES None  
 ANY FLAMMABLES OR EXPLOSIVES USED OR STORED? NO YES, EXPLAIN \_\_\_\_\_  
 PROPOSED PERIOD OF OCCUPANCY: From Dec. To indefinite monthly  
 COMMENTS: \_\_\_\_\_  
 (SPACE BELOW FOR PLANNING BOARD USE)

**NOTE: A SIGN PERMIT IS REQUIRED FOR ANY NEW SIGNS OR SIGN CHANGES---FLAGS AND BANNERS ALSO REQUIRE PERMITS. (Neon signs are prohibited)**

\*\* EACH OCCUPANT MUST HAVE HIS OWN CERTIFICATE OF OCCUPANCY: IF YOU VACATE, SUCCESSOR WILL REQUIRE A NEW CERTIFICATE.

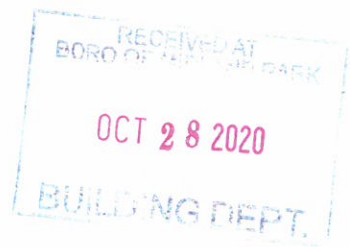
**Table 3.1 - Marlow Park - Existing Conditions & Proposed Parking Analysis**

Block and Lot	Building	General Building Use	Required Parking	Existing Parking
Block 26.00, Lot 4.01	80 Greenwood Avenue	Refer to Individual Building Analysis (Table 3.1a)	63.56	346.00
	445 Godwin Avenue	Refer to Individual Building Analysis (Table 3.1b)	242.07	
	<b>Site Total</b>		<b>305.63</b>	<b>346.00</b>
Block 33.00, Lot 7.01	59 Greenwood Avenue	Refer to Individual Building Analysis (Table 3.1c)	59.71	37.00
	<b>Site Total</b>		<b>59.71</b>	<b>37.00</b>
<b>Combined Lots Parking Analysis</b>			<b>365.34</b>	<b>383.00</b>
Parking Surplus of existing onsite parking			17.66	
<b>Parking Surplus inclusive of 60 Space Variance granted June 17, 2013*</b>			<b>77.66</b>	

\* Planning Board Resolution Dated June 17, 2013, up to 92 stalls on Block 26.00, Lot 4.01 may be shared with Block 33.00, Lot 7.01. 60 stall variance granted for Block 26.00, Lot 4.01

Prior Revisions
4/11/2017
5/9/2017
2/21/2018
6/21/2018
8/30/2018
4/1/2019
9/17/2019
11/13/2019
11/20/2019
1/16/2020
1/27/2020
3/9/2020
4/23/2020
5/29/2020
7/14/2020
<b>Last Revised</b>
<b>10/22/2020</b>

copy



**Table 3.1a - Marlow Park - 80 Greenwood Avenue Building Analysis**

Suite	Principal Use	Tenant Use	Tenant	EXISTING AREA (SF)	Ord. Parking Rate	PARKING REQ.
Suite 1	Office	Office	Marlow Park	1,950	250	7.80
Suite 2	Office	Office	Marlow Park	1,950	250	7.80
Suite 3	Warehouse	Refer to Self Storage	Midland Self Storage	Refer to Self Storage (Warehouse)		
		Demolished Office	Midland Self Storage	Refer to Self Storage (Warehouse)		
Suite 4	Wholesale	Wholesale Establishment	Manning Claim	800	600	1.33
Suite 5	Warehouse	Industrial Manufacturing	Lance Belostock	2,425	400	6.06
		Office Space	Lance Belostock	175	250	0.70
Suite 6	Warehouse	Warehouse Storage	Wade Odell Wade	4,212	employee	4.00
		Office Space	Wade Odell Wade	388	250	1.55
Suite 8	Wholesale	Wholesale Establishment	McGinley Packaging	4,480	600	7.47
		Office Space	McGinley Packaging	1,020	250	4.08
Suite 9	Warehouse	Warehouse Storage	Bergen Comm. Blood	4,250	4	4.00
		Office	Bergen Comm. Blood	750	250	3.00
Suite 10	Warehouse	Warehouse	Pattman Plumbing	4,450	employee	2.00
		Office Space	Pattman Plumbing	350	250	1.40
Suite 11	Warehouse	Warehouse Storage	Certified Refrigeration	875	1	1.00
		Office Space	Certified Refrigeration	125	250	0.50
Suite 12	Wholesale	Warehouse Storage	Edi Abramov	1,040	Employee	2.00
		Office Space	Edi Abramov	160	250	0.64
Suite 14	Manufacturing	Industrial Manufacturing	Custom Designers	1,050	400	2.63
		Office Space	Custom Designers	150	250	0.60
Suite 15	Warehouse	Manufacturing	Level Home Improvements	1,200	Employee	3.00
Midland Park Self Storage	Warehouse	Self Storage (Warehouse)*	Midland Self Storage	41,800	employee	2.00
		Common Area	Industrial	3,330	employee	0.00
				76,930		63.56
*Note: Increase of Midland Park Storage Warehouse by 2,000 SF. reallocation of vacant tenant Techni Service to Midland Park Storage				<b>80 Greenwood Required Parking Spaces</b>		<b>63.56</b>

**Table 3.1b - Marlow Park - 445 Godwin Avenue Building Analysis**

Suite	Principal Use	Tenant Use	Tenant	EXISTING AREA	Ord. Parking Rate	PARKING REQ.
Basement	Storage/ Mechanical	Storage/ Mechanical		11,944	employee	0
Basement (Ba)	Vacant	Vacant	Vacant	2,011	0	0
	Office	Office Space	Common area	470	250	1.88
First Floor (a)	Office	Office Space (variable user occupancies 10,000 sf of total occupied area)	Search Consultants	2,500	250	40.00
			Available	7,500		
			Available	0		
First Floor (b)	Office	Office Space	Sirius Technology, LLC	4,200	250	16.80
First Floor (c)	Office	Office Space	Eastern Insurors	4,513	250	18.05
First Floor (d)	Office	Office Space	Tassle Topper, LLC	600	250	2.40
First Floor (e)	Physical Therapy	Physical Therapy	Kessler Rehab	3,516	50	70.32
First Floor (f)	Office	Office Space	Bevcon Group	1,300	250	5.20
First Floor (g)	Office	Office Space	Classic Septic Insp.	819	250	3.28
First Floor (h)	Office	Office Space	McElrone Sales	2,000	250	8.00
First Floor (i)	Office	Office Space	Carve Systems	276	250	1.10
Second Floor (2a)	Office	Office Space	LAN Associates	15,760	250	63.04
Second Floor (2b)	Office	Office Space	LAN Asspciates	3,000	250	12.00
				60,409		242.07
				445 Godwin Required Parking Spaces		242.07



**Table 3.1c - Marlow Park - 59 Greenwood Avenue Building Analysis**

Suite	Principal Use	Tenant Use	Tenant	EXISTING AREA (SF)	Ord. Parking Rate	PARKING REQ.
Unit 1	Warehouse	Storage/ Warehouse	Hilltop Pro Service	2,153	Employee	4.00
		Office Space	Hilltop Pro Service	593	250	2.37
Unit 2	Warehouse	YMCA Storage	YMCA Storage	2,745	employee	2.00
Unit 3	Wholesale	Wholesale Establishment	Ramapo Wholesaler	7,817	600	13.03
		Office Space	Ramapo Wholesaler	275	250	1.10
Unit 4	Wholesale	Wholesale Establishment	Share Group Invest.	3,895	600	6.49
Unit 4a	Storage & Post Production	Storage/ Warehouse	NB Productions, LLC	479	Employee	2.00
		Office Space	NB Productions, LLC	100	250	0.40
Unit 5	Warehouse	Storage / Warehouse	Bevcon Group, Inc.	19,049	Employee	1.00
		Office Space	Bevcon Group, Inc.	621	250	2.48
Unit 6	Warehouse	Joerns, LLC	Joerns, LLC	3,370	Employee	3.00
		Joerns, LLC	Joerns, LLC	1,405	250	5.62
Unit 7	Warehouse	Joerns, LLC	Joerns, LLC	3,230	Employee	3.00
		Joerns, LLC	Joerns, LLC	120	250	0.48
Unit 8	Warehouse	Storage	RJM Maintenance	3,428	Employee	1.00
Unit 9	Warehouse	Storage	NJ Swingsets	5,355	Employee	2.00
		Office Space	NJ Swingsets	685	250	2.74
Unit 10	Warehouse	Storage	Game Seven	6,292	Employee	4.00
Unit 11	Warehouse	Storage	NJ Swingsets	659	Employee	1.00
						0.00
<b>NET Building Area</b>				62,271		
				<b>Net 59 Greenwood Required Parking Spaces</b>		<b>57.72</b>
Common area		Parking Ratio Varies	Mixed Use	2,146	1,079	1.99
<b>Gross Building Area</b>				64,417		
				<b>Net 59 Greenwood Required Parking Spaces</b>		<b>59.71</b>

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DESIGNED & DRAWN BY: M.E.  
 CHECKED BY: N.T.  
 DATE: DECEMBER 16, 2015  
 SCALE: AS NOTED

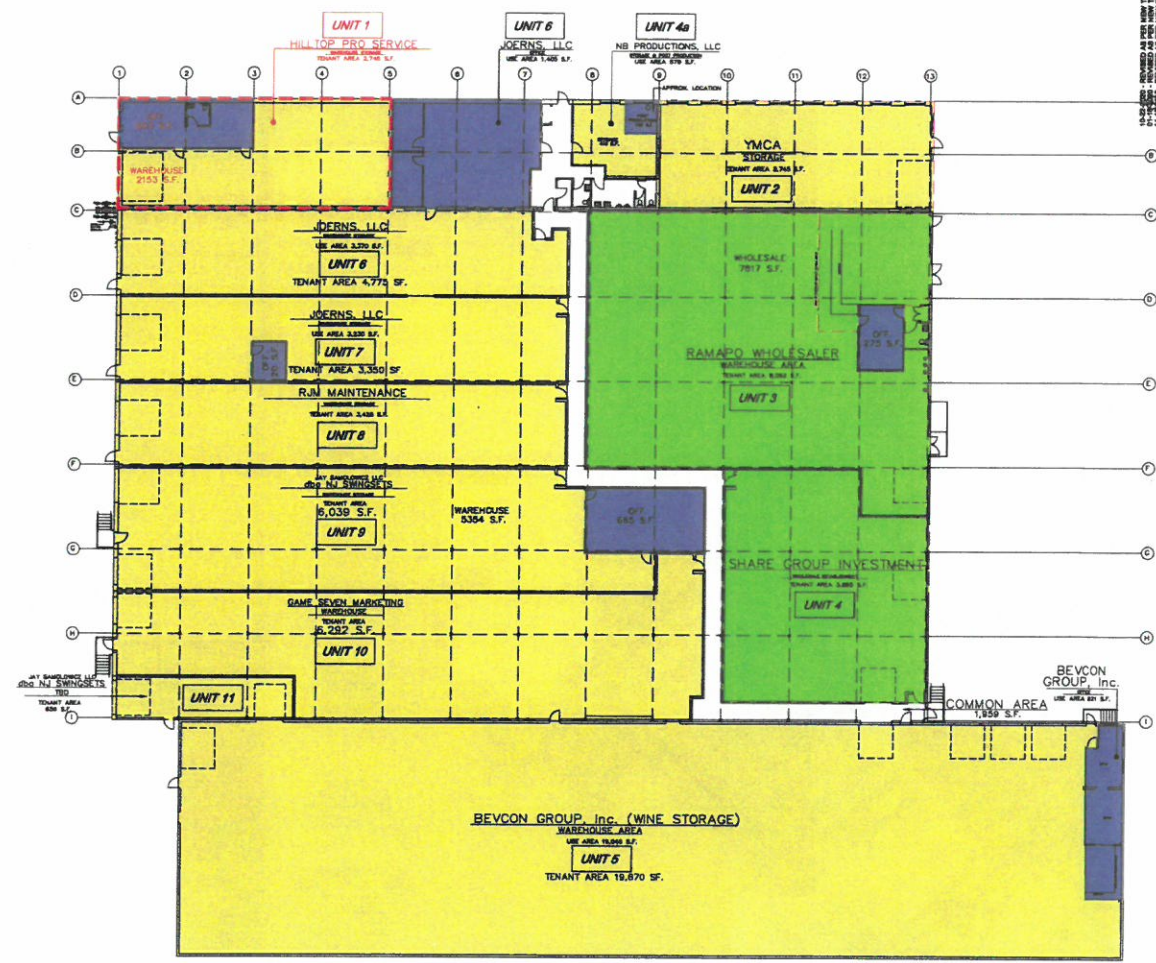
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 Architects - Engineers  
 10 W. KEY SQUARE  
 PHOENIX, AZ 85016  
 Phone: (602) 442-7044 Fax: 442-4074  
 119 FIRST AVENUE S. SUITE 470  
 SEATTLE, WA 98101  
 Phone: (206) 326-7972

PROPOSED INTERIOR IMPROVEMENT  
 MARLOW PARK, L.L.C.  
 LOT 741 BLOCK 343 MIDLAND PARK, NJ  
 59 GREENWOOD  
 USE DIAGRAM

JOB NUMBER  
 0431203  
 DRAWING NUMBER  
 PA-3

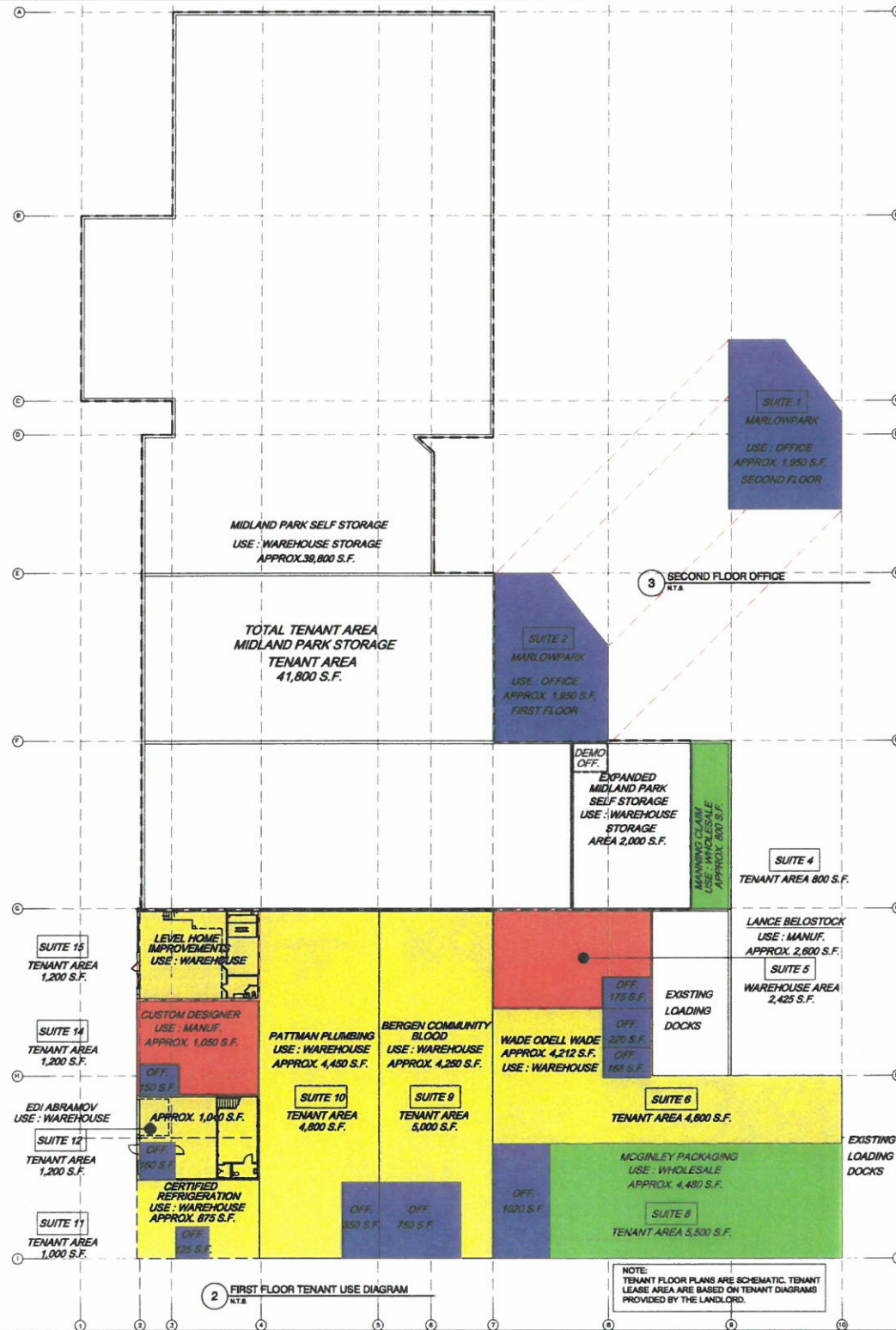
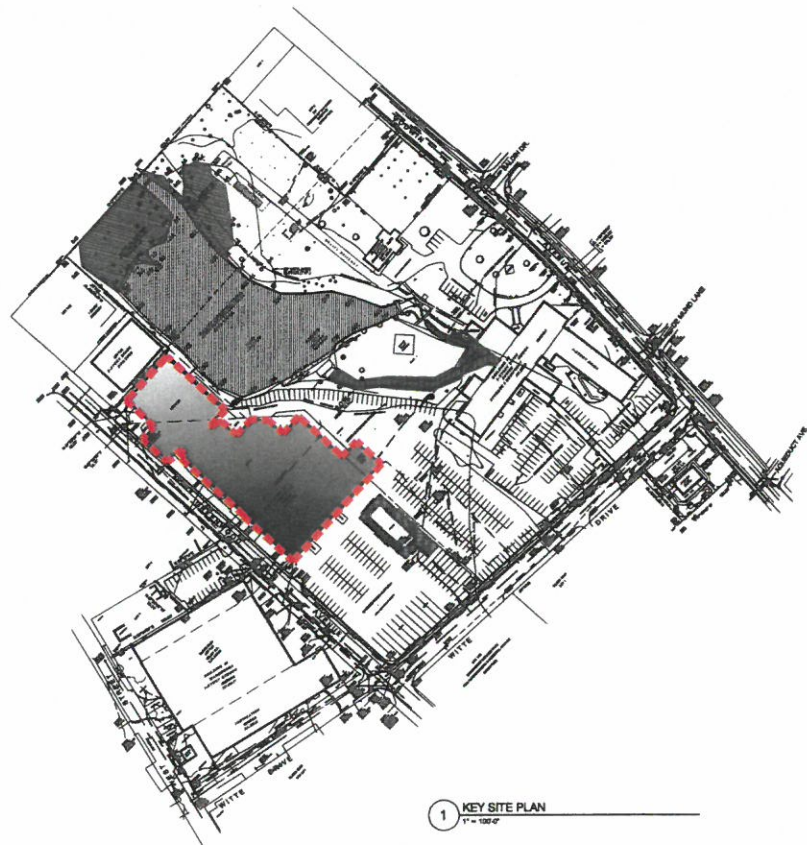


1 KEY SITE PLAN  
 1" = 100'



2 FIRST FLOOR TENANT USE DIAGRAM  
 N.T.S.

NOTE:  
 TENANT FLOOR PLANS ARE SCHEMATIC. TENANT LEASE AREA ARE BASED ON TENANT DIAGRAMS PROVIDED BY THE LANDLORD.



DESIGNED & DRAWN BY: M.S. N.T.  
CHECKED BY: N.T.  
DATE: DECEMBER 16, 2013  
SCALE: 1" = 8'-0"

DESIGNED & DRAWN BY: M.S. N.T.  
CHECKED BY: N.T.  
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NICK TRAPATONIS P.E. N.Y.  
N.Y. License No. 01818  
N.Y. Engineer Lic. 2648  
N.Y. Engineer Lic. 8721

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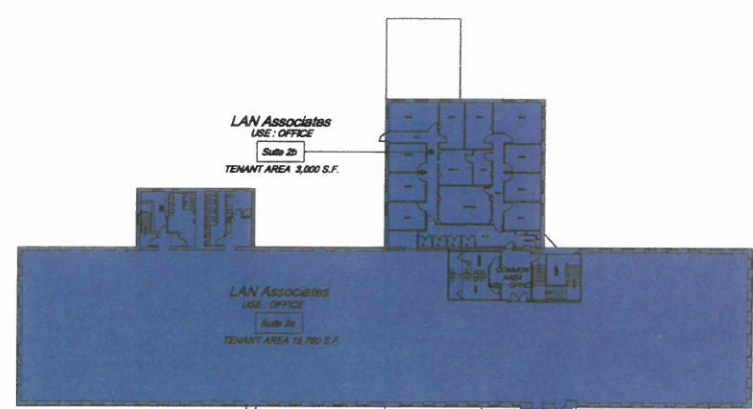
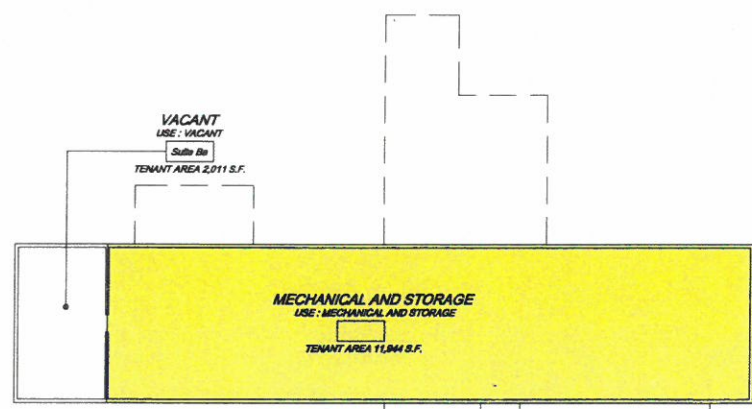
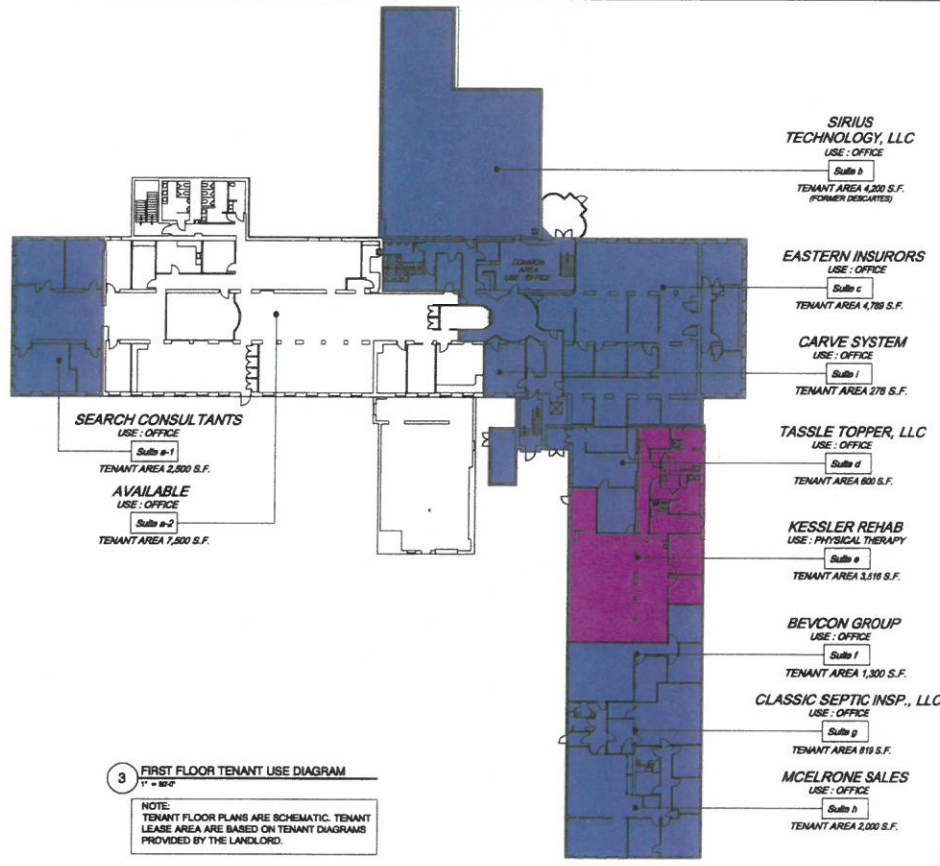
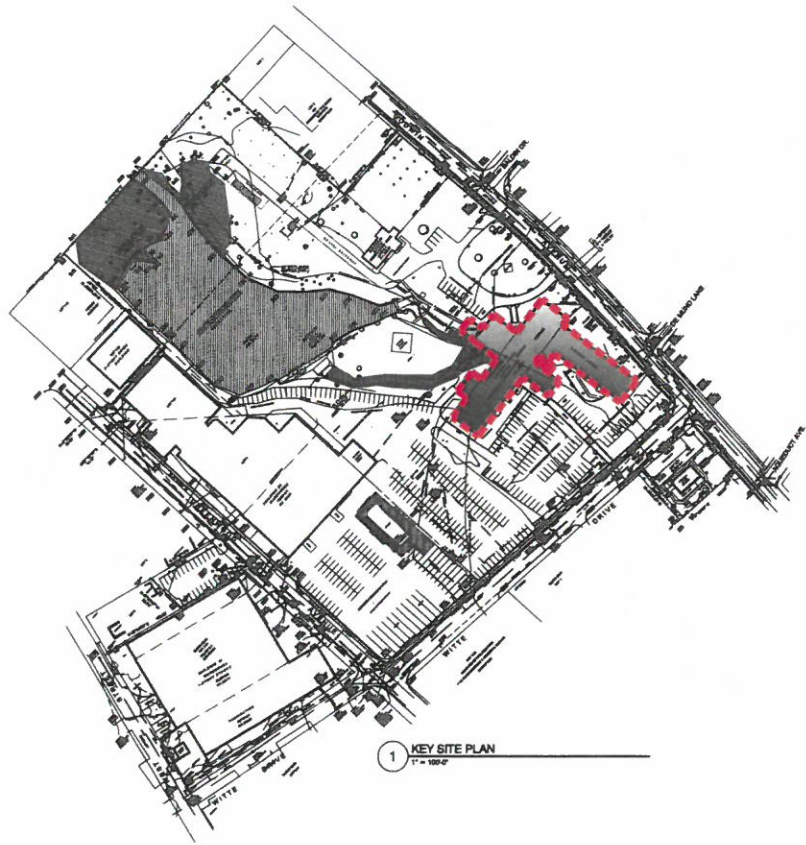
NICK TRAPATONIS P.E. N.Y.  
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N.Y. Engineer Lic. 2648  
N.Y. Engineer Lic. 8721

Nick Tsapatsaris & Associates  
Architects - Engineers  
10 WILSEY SQUARE  
MIDLAND PARK, NJ  
Phone: (201) 447-7044 Fax: 447-6074  
119 FIRST AVENUE S. SUITE 407  
SEASIDE, NJ 08086  
Phone: (201) 635-7972

PROPOSED INTERIOR IMPROVEMENT  
MARLOW PARK, L.L.C.  
LOT 7.01 BLOCK 30.0 MIDLAND PARK, NJ  
80 GREENWOOD  
USE DIAGRAM

JOB NUMBER  
0431203  
DRAWING NUMBER  
PA-1



NICK TRAPATZIS P.E. & P.A.  
N.J. License No. 13108  
N.Y. License No. 20448  
N.Y. License No. 07291

PROPOSED INTERIOR IMPROVEMENT  
MARLOW PARK, L.L.C.  
LOT 121 BLOCK 33.0 MEADOW PARK, NJ  
445 GODWIN AVENUE  
SATTLIE WA 98104  
Phone: (206) 535-7872

DESIGNED & DRAWN BY: M.S.  
CHECKED BY: N.T.  
DATE: DECEMBER 16, 2013  
SCALE: 1" = 30'-0"

DESIGNED & DRAWN BY: M.S.  
CHECKED BY: N.T.  
DATE: DECEMBER 16, 2013  
SCALE: 1" = 30'-0"

PROPOSED INTERIOR IMPROVEMENT  
MARLOW PARK, L.L.C.  
LOT 121 BLOCK 33.0 MEADOW PARK, NJ  
445 GODWIN AVENUE  
SATTLIE WA 98104  
Phone: (206) 535-7872

JOB NUMBER  
0431203  
DRAWING NUMBER  
PA-2

## Zoning Certificate Checklist

1. Is the property located in the I-1 or I-2 Zone? Yes  No .
2. If yes, the application must be submitted to the Planning Board pursuant to 34-21.3d.
3. Is the Proposed use permitted? Yes  No .
4. If no, application must be made to the Zoning Board of Adjustment.
5. Is there an increase in the parking requirements for the proposed over the previous use? Yes  No .
6. If no, skip to question #9.
7. If yes, does the site have enough parking spaces to meet the requirements of the Zoning Ordinance? Yes  No .
8. If the answer to question #7 is no, an application must be made to the Zoning Board for a Parking variance.
9. Is there an accurate site plan, existing conditions plan, or an As-Built drawing on file, approved by the Planning Board or Zoning Board? Yes  No .

1. If the property is in the I-1 or I-2 zone, the applicant must submit a plan and parking analysis to the Planning Board for approval.
2. If the property is in the B-1, B-2, or B-3 Zone, the zoning officer at his discretion, may approve the plan and parking analysis for the purposes of issuing the Zoning Certificate.

NAME OF APPLICANT MICHELLE M. JENKINS

ADDRESS 24 GODWIN AVE BLOCK 5 LOT 24 ZONE B-3

PREVIOUS TENANT SUSAN ESSERMAN PREVIOUS USE Psycho therapy

UNIT# B-7 AREA Sq. Ft. 120 PROPOSED USE PSYCHOTHERAPY

CHANGES ---

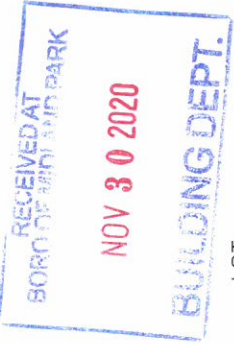
RELOCATION? --- PHONE 301-704-4114 EMAIL ---

DATE 11/30/20 ZONING OFFICIAL Mal Rump APPROVED-Yes  No

UCC USE GROUP: PREVIOUS USE B PROPOSED USE B CCO REQUIRED? No!

**APPLICATION FOR  
ZONING CERTIFICATE  
FOR NON- RESIDENTIAL USE**

280 Godwin Avenue  
Borough of Midland Park, NJ 07432



STREET ADDRESS OF PROPERTY: 24 Godwin Ave, Midland Park, NJ ZONE: \* B-3 BLOCK: 5 LOT: 24  
 NAME OF OCCUPANT: \*\* Michele M. Jenkins AREA OF BLDG.-SQ.FT. 7,812 sq. ft. AREA OF OCCUPANT- SQ.FT. 120 SECTION OF BLDG. Basement

SOLE PURPOSE OF OCCUPANCY:  
Consultation with patients

PREVIOUS TENANT, IF APPLICABLE: Susan Esserman

NAME OF APPLICANT / IF A CORPORATION, NAME AND ADDRESS OF INDIVIDUAL MAKING APPLICATION:

Michele Jenkins, LCSW

APPLICANT'S ADDRESS: 6 Garden Ct, Ho-Ho-Kus, NJ, 07423

APPLICANT'S PHONE: (301) 704-4114 SIGNATURE: Michele Jenkins

NAME OF OWNER OF BUILDING: Jochart Inc ADDRESS OF OWNER: 287 Barnstable Dr., Wyckoff NJ 07481

CERTIFICATION THAT ALL CONDITIONS OF SITE PLAN AND BUILDING PERMIT HAVE BEEN MET: Arthur Messines

dotloop verified  
11/16/20 1:24 PM  
ES  
H0PJJ5JLJF-DEFS

LIST ALL OTHER OCCUPANTS OF BUILDING: Name:	Type of Business:
<u>Kent Rigg</u>	<u>Professional Engineer</u>
<u>Susan Esserman, MSW, LCSW, LLC</u>	<u>Patient Consultation</u>
<u>C &amp; W Painting, LLC</u>	<u>Business Office</u>

PLANNED USE INCLUDING PRODUCTS OR SERVICES SOLD OR MANUFACTURED:

Professional Mental Health Services / Psychotherapy

Incoming shipments: \_\_\_\_\_ Type Conveyance \_\_\_\_\_ Product \_\_\_\_\_ Comments \_\_\_\_\_  
 Number weekly 0  
 Outgoing shipments: 0  
 Number weekly \_\_\_\_\_  
 NUMBER OF PEOPLE: Start 2 Final \_\_\_\_\_ NUMBER DAILY CUSTOMERS OR VISITORS 5 WILL YOU DEAL WITH GENERAL PUBLIC? YES  NO   
 HOURS OF OPERATION: From 9am To 9pm NUMBER OF DAYS OPEN WEEKLY: 6  
 GALS. WATER USED: 0 EXTENT OF NOISE None FUMES OR ODORS None OTHER NUISANCES None  
 ANY FLAMMABLES OR EXPLOSIVES USED OR STORED? NO  YES-EXPLAIN None  
 PROPOSED PERIOD OF OCCUPANCY: From 12/1/2020 To 8/31/2021  
 COMMENTS: \_\_\_\_\_  
 (SPACE BELOW FOR PLANNING BOARD USE)

**NOTE: A SIGN PERMIT IS REQUIRED FOR ANY NEW SIGNS OR SIGN CHANGES---FLAGS AND BANNERS ALSO REQUIRE PERMITS. (Neon signs are prohibited)**

\* If application is for an Industrial or "I" Zone - an original plus 11 copies must be submitted and an appearance before the Planning Board is required.

\*\* EACH OCCUPANT MUST HAVE HIS OWN CERTIFICATE OF OCCUPANCY: IF YOU VACATE, SUCCESSOR WILL REQUIRE A NEW CERTIFICATE

**BOROUGH OF MIDLAND PARK  
COUNTY OF BERGEN  
PLANNING BOARD**

**RESOLUTION GRANTING SITE PLAN AND VARIANCE APPROVAL FOR  
PREMISES KNOWN AS BLOCK 23, LOT 2,  
KNOWN AS 80 WEST STREET, BOROUGH OF MIDLAND PARK  
COUNTY OF BERGEN, STATE OF NEW JERSEY**

**WHEREAS**, an application has been submitted to the Borough of Midland Park Planning Board by John Panariello for amended site plan and variance approval for the existing improvements on premises known as Block 23, Lot 2 on the current tax assessment map of the Borough of Midland Park; and

**WHEREAS**, a public hearing of the Planning Board was held on Monday, November 16, 2020 (in which due notice was given) and during which the Planning Board heard testimony by the applicant and its consultants, representatives, and experts, and the Planning Board reviewed and considered all correspondence, maps, plats, reports and public input, if any, on the application, as well as a presentation by the applicant's attorney, Joseph Russo, Esq., together with all exhibits submitted as evidence; and

**WHEREAS**, along with the application, the applicant submitted the following:

Plan prepared by Robert J. Weissman, PE & LS of Weissman Engineering Co. PC dated November 11, 2019, entitled "Site Plan" consisting of one sheet; and

**WHEREAS**, the submissions by Applicant have been reviewed by the Planning Board engineers, LAN Associates, Inc., and their comments and recommendations are set forth in their letter to the Planning Board dated April 3, 2020 and updated to August 1, 2020; and

**WHEREAS**, the application submitted by the applicant requests the following relief:

Variances

Section 34-11.2c      Principal building side yard setback – 14.1 feet proposed where 15 feet is required.

Section 34-13.1b      Shed located in front yard where not allowed.

Section 34-13 1b1      Shed located 6.5 feet from the side lot line where 15 feet is required.

Section 34-13 1b1      Fuel tank, which is an accessory structure, located 2.9 feet from side lot line where 15 feet is required.

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- Section 34-13 1b3 Shed located 19.7 feet from the right of way where 25 feet is required.
- Section 34-15.2 Buffer zone less than 5 feet in width.
- Section 34-15.2 Parking and structures located within required buffer zone.
- Section 34-16.2 Parking located within required front yard.
- Section 34-16.2 Parking located within 6 feet of side lot line.
- Section 34-13.1b1 Storage trailer located 5 feet from side lot line where 15 feet required.

Design Waivers

- Section 32-6.1e Site lighting not provided.
- Section 32-6.2b2 Parking within the required front yard.
- Section 32-6.2b2 Parking within 6 feet of side lot line.
- Section 32-6.2b3 Parking within a required buffer zone.
- Section 32-6.2g1 Portion of parking gravel where pavement required.
- Section 32-6.2h3 Buffer strip less than 5 feet as required.
- Section 32-6.2h3a Buffer strips not protected by curbing or other barrier as required.

Testimony

**WHEREAS**, The Planning Board heard testimony from the applicant's representatives as follows:

Joseph Russo, Esq. represented the applicant. He advised the Board that there were no changes proposed to the site and all the improvements shown on the Plan are existing. The purpose of this application is to obtain site plan approval from the Board for conditions that may or may not have been previously approved.

John Panariello, the applicant, testified and provided a history of the site. He purchased the property in 1988 and at that time there was one building located in front of the property. In 1991 he obtained site plan approval to construct a 20 foot by 32-foot, two-story addition and a 5 foot by 18-foot accessory shed. Those improvements are shown on the current site plan. Since that time the additional improvements, including a trailer, carport and salt bin have been added. It was noted that the storage trailer is not shown on the Plan and the applicant agreed to revise



the Plans to show the trailer. He estimates that the trailer is 4 feet off of the side property line which requires an additional variance.

He has a lease for 20 parking spaces located across the street on property owned by the railroad. That lease was with the previous owner and he assumed it. His employees park in those spaces.

Robert Weissman testified on behalf of the applicant. Mr. Weissman was accepted by the Board as an expert in the field of engineering. He testified that the site exists as shown on the plans and all of the variances requested are for existing conditions. There are six parking spaces shown on the plans which meet the ordinance requirements. As sufficient parking is located across the street, these parking spaces have not been striped but are shown on the plans for the purpose of indicating that sufficient parking could be provided if necessary. There is no lighting on the premises except for security lighting and sufficient lighting is provided from adjoining properties. As the business operating on the property closes approximately at 5:00 and there is no one on site after dark, there is no need for site lighting. The storage trailer that is not shown on the plans is located approximately 4 feet off the side lot line. He testified generally as to the seepage pits located on the property and testified that there is no run-off onto adjoining properties.

### **Public Comment and Questions**

**WHEREAS**, the matter was open to the public for questions of the witness and comments to the application. No one from the public appeared.

### **Findings of Fact and Conclusions of Law**

**WHEREAS**, the Planning Board makes the following findings of fact/conclusions of law:

1. The property is located in the I-2 zone and the existing use of the property is a permitted use.
2. The Board accepts the testimony of the applicant and his engineer that all improvements currently exist and there are no improvements proposed as part of this application. In 1991, this Board, by resolution, granted site plan approval for the construction of a 20 foot by 32-foot addition and a 5 foot by 18-foot accessory shed. That resolution granted a variance for the principal structure to be 14.13 feet from the side lot line where 15 feet is required, and the storage shed to be 3 feet from the side lot line where 15 feet is required.
3. In 2011 the applicant appeared before this Board at a workshop to discuss the installation of seepage pits for the drainage issues on the property. The Board determined that site plan approval was not required subject to the review and approval of the system by the Board's engineer.
4. In 2018 the applicant appeared before the Board at a workshop concerning replacement of curb at the entranceway and to change the driveway from macadem to concrete.

The Board found the site plan approval was not required.

5. The improvements on the site, including the conditions requiring variances, all exist and have existed for some time. The set-back variance for the shed was previously approved. It cannot be determined whether the previous site plans approved or considered the other variance conditions. As the site has been used in its current condition without any negative impact on the adjoining properties or the public in general no purpose would be served by requiring the site to meet all of the zoning conditions.

**WHEREAS**, the Planning Board has considered the request by the applicant for the variances and waivers set forth above. In considering the overall application to be in accordance with sound and proven zoning and planning principles, the Planning Board has determined that, based on the above mentioned facts and the testimony of the witnesses, the requested variances can be granted without causing a substantial detriment to the public good, nor substantially impairing the intent and purpose of the Midland Park Zoning and Land Use Ordinance.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board that based upon the above findings of fact and conclusions of law that the application of John Panariello for Amended Site Plan approval for those premises known as Block 23, Lot 2, 80 West Street, along with the waivers and variances set forth herein in accordance with the plans is hereby granted; and

**BE IT FURTHER RESOLVED** that the approvals set forth above are subject to the following conditions:

1. That the granting of the application is subject to the approval of the Bergen County Planning Board, if necessary.
  2. To the extent not set forth above, the applicant shall comply with any and all applicable requirements of the Federal Americans with Disabilities Act.
  3. This approval is subject to all of the representations made by the applicant and its' experts.
  4. The applicant shall revise the Plans to indicate the storage trailer and the distance from the lot line to the trailer.
  5. The Plans shall be revised to indicate the location of all access doors to the buildings.
  6. The Plans shall be revised to show the location of all security lighting.
  7. The applicant shall install a Knox Box on the building at a location acceptable to the fire official.
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8. In the event that the lease for the parking spaces on the adjoining property terminates and applicant no longer has the right to use the spaces for parking, the applicant must stripe the spaces on the Property as shown on the Plans.

**BE IT FURTHER RESOLVED** that the Chairman and the Secretary of the Board are hereby authorized to affix their signatures to this resolution granting approval for preliminary and final site plan and variances. The Secretary of the Board is hereby authorized to advertise the action taken by way of this resolution in the local newspaper and furthermore send certified copies of this resolution to the Borough tax assessor, construction code enforcement official, building sub-code official, zoning official, the borough attorney, and the applicant's attorney.

Approved: December 21, 2020  
**Planning Board of the Borough of Midland Park**

By: \_\_\_\_\_  
JANET GIARDINO, *Secretary*

By: \_\_\_\_\_  
KENT RIGG, *Chairman*

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