

**BOROUGH OF MIDLAND PARK – ZONING BOARD OF ADJUSTMENT MINUTES**

**December 13, 2023**

PLEASE TAKE NOTE:

ON WEDNESDAY, OCTOBER 11, 2023, THE ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF MIDLAND PARK HELD A REGULAR MEETING IN THE MIDLAND PARK COUNCIL CHAMBERS, 280 GODWIN AVE., MIDLAND PARK, NJ. THE FORMAL MEETING BEGAN AT 7:30 P.M

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FORMAL MEETING

READING OF THE OPEN PUBLIC MEETINGS ACT

PLEDGE OF ALLEGIANCE

ROLL CALL:

Mr. Les Andersen	present	Mr. Mark Divak	present
Mr. David Zuidema	present	Mr. William Placier	present
Mr. Richard Formicola	absent	Mr. David Barlow	present
Mr. Nick Papapietro	present	Mr. Joseph Eliya, Alt #1	present
		Mr. James Capalbo, Alt #2	present

Attendance by Board Professionals: L. Herlihy, Esq., Attorney; R. Wostbrock, Engineer

Minutes of the 10/11/23 meeting – approved

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**RESOLUTIONS:**

**MHF Midland Park LLC/Taco Bell – 80 Godwin Avenue – BL 6 LT 17.02** – Motion to approve the resolution made by Mr. Papapietro. Seconded by Mr. Placier; all eligible members voted in favor.

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**COMMUNICATIONS:**

**Return of Unused Escrow** – Motion to recommend the release of the following unused escrow to Borough Council made by Mr. Barlow. Seconded by Mr. Zuidema; all voted in favor.

Termini, Kelly & Gaetano – 54 Cedar Street – BL 10.13 LT 2 - \$34.50

**Memo from Mark Berninger** – Zoning Official Mark Berninger sent a memo to the Board advising of the status of the unfinished portions of the 80 Godwin Avenue/CVS site. Chairman Andersen read the memo into the record; a copy of the memo is attached.

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Meeting opened to the public for questions or comments; with none, meeting closed to the public.

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Meeting Adjourned – 7:43 PM

Jessica Harmon

## Jessica Harmon

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**From:** Mark Berninger Sr.  
**Sent:** Wednesday, December 6, 2023 10:52 AM  
**To:** Jessica Harmon  
**Cc:** Amy Davidson  
**Subject:** 80 Godwin Memo

I know there has been some concern as to what's transpiring at the 80 Godwin Avenue Site.

I have been monitoring the situation along with property maintenance for some time now.

The property was a mess and the project appeared to be stalled.

After following all of the guidelines provided me in the Uniform Construction Code, I revoked the permits for the construction project next to CVS. The project is shut down.

I also informed the owner of the property to remove all the of the construction materials, tools, equipment and trash from the site.

No work is permitted to be done on this building until new permits and plans are submitted. New permit fees will also be charged.

We will continue to monitor the site for compliance.

We are still awaiting the new permit applications.

Additionally, the old Columbia Bank building was being used for a non-profit business. I had them vacate the premises.

That's where everything stands at the moment.

Mark Berninger  
Construction/Zoning Official