

**BOROUGH OF BOGOTA
PLANNING & ZONING BOARD
REGULAR MEETING
AUGUST 25, 2026 | 7:30 PM**

AGENDA

I. CALL TO ORDER

II. FLAG SALUTE

III. OPEN PUBLIC MEETINGS ACT STATEMENT BY THE CHAIRMAN

In accordance with the Open Public Meetings Act, proper notice of this meeting, including its time, date, and place, has been provided to The Record and The Star-Ledger and posted on the Borough website.

IV. ROLL CALL

Mayor Fede
Arthur Sopelsa
Councilman Mitchell
Corrado Mancini
Yesenia Frias
Rebecca Foster

Daniel Schnipp
Anthony Teresi
Robert Foster
Ryan Mullally, Alt. I
Robert Robbins, Alt. II

Also Present:
Jason Shafron, Attorney
Melissa Baque, Secretary

V. PUBLIC COMMENTS

One (5)-minute time limit per person

VI. PUBLIC HEARINGS / APPLICATIONS (NEW)

None

VII. PUBLIC HEARINGS / APPLICATIONS (CONTINUED)

None

VIII. RESOLUTIONS

- 2026-04 Approval of Application of 151 JPD Realty LLC – 151 West Fort Lee Road, Bogota, NJ – Block 64.01 Lot 11.01 – Use and Other Variance Approval

IX. APPROVAL OF MINUTES

- Regular Meeting Minutes – 07-28-26

X. CORRESPONDENCE

- None

XI. PAYMENT OF BILLS

- Engineer – Invoice no. 23875 – \$1,500.00 – (335 River Rd)
- Planner – Invoice no. 42346 - \$350.00 – (335 River Rd)
- Planner – Invoice no. 42328 – \$656.25 – (151 W. Fort Lee Rd – 2nd App)
- Engineer – Invoice no. 23873 – \$1,800.00 – (151 W. Fort Lee Rd – 2nd App)
- Planner – Invoice no. 42355 – \$962.50 – (24 River Rd)

XII. ADJOURNMENT

Agenda is subject to change.

NEXT MEETING(S):

Second Tuesday	Fourth Tuesday
September 8	September 22
October 13	October 27
November 10	November 24
December 8	December 22

	Aye	Nay	Absent	Abstain	No Vote
Mayor Daniele Fede					
John Mitchell					
Corrado Mancini, Chairperson					
Yesenia Frias, Vice-Chairperson					
Art Sopelsa					
Robert Foster					
Rebecca Foster					
Daniel Schnipp					
Anthony Teresi					
Samuel Harris, Alt. 1					
Robert Robbins, Alt.2					
Vote Total					

DATE: August 25, 2026

RESOLUTION: 2026-4

Motion By:

Seconded By:

**RE: Resolution Regarding Application of 151 JPD Realty LLC
151 West Fort Lee Road, Bogota, New Jersey
Block 64.01 Lot 11.01
Use And Other Variance Approval**

**RESOLUTION 2026-4
PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA**

WHEREAS, 151 JPD Realty LLC, Applicant/Representative Gurpal Singh, has applied to the Planning/Zoning Board of the Borough of Bogota for a Use Variance for modifications to a Delta Gas Station located at 151 West Fort Lee Road, Bogota; the site located in the B-3 Business/Office Zone where an automobile service station is permitted as a conditional use; and

WHEREAS, a public hearing, upon notice to the public required by statutory notice, was held on July 28, 2026, by the Zoning Board configuration of the Zoning/Planning Board of the Borough of Bogota on the application of the Applicant, represented by counsel, David Russo. Esq., of Russo and Russo, Esqs., appearing; and

WHEREAS, during the hearing, and during a prior hearing on a prior application on April 14, 2026, the Applicant presented testimony and/or reports from witnesses who were accepted by the Board as experts in their respective fields, specifically Tyler VanderValk, Civil Engineer of Civilized Engineering, LLC, Steven Koestner, Surveyor and Steve Lydon, Planner of Burgis Associates Inc., testified before the Board; and

WHEREAS, 151 JPD Realty LLC, and Gurpal Singh, the Applicants have applied to the Zoning/Planning Board of the Borough of Bogota for Variance relief pursuant to N.J.S.A.

40:33D-70(d)3, N.J.S.A. 40:55D70(c)1 and N.J.S.A. 40:55D-70(c)2, as well as setback and impervious coverage variances and a Preliminary and Final Site Plan approval specifically seeking site and building modifications including: partial demolition of the existing structure, reducing the building to two (2) service bays, replacement of the existing canopy with a larger canopy structure, removal of the three (3) existing pumps and installation of five (5) combined gasoline/diesel pumps, replacement of the two (2) existing underground storage tanks with two (2) new tanks, restriping of the parking area, installation of new site lighting, installation of canopy-mounted signage and installation of landscaping; and

WHEREAS, during the hearings the Applicant presented testimony and/or reports from witnesses each of whom was accepted by the Board as experts in their respective field; and

WHEREAS, during the hearing on April 14, 2026, the following Exhibits were introduced: Site Plan marked as A-1(a); Drainage, Utility and Soil Erosion & Sediment Control Plan marked as A-1(b) and Swept Path and Construction Details marked as A-1(c); and

WHEREAS during the hearing on July 28, 2026, the following exhibits were introduced representing the revised plans and the new application: site plan marked as B-1(a) Drainage, Utility and Soil Erosion & Sediment Control Plan marked as B-1(b) and Swept Path and Construction Details marked as B-1(c); and

WHEREAS, the Board having reviewed the entire record and exhibits and heard and considered the comments, both written and oral of all experts and witnesses; and

WHEREAS, the public was given the opportunity to question each witness and make comments at the conclusion of the testimony; and

WHEREAS, based upon the testimony, stipulations of the Applicant and evidence presented including all exhibits presented and all of the plans, and the comments of the municipal representatives and the public:

1. The site is located within the B-3 Zone and the proposed improvements require variance relief from multiple provisions of the B-3 Zone. A D(3) Variance is required for the modification of the conditional Automobile Service Station and setback and impervious coverage relief is also required; and
2. Attorney Russo stated the following proposals: Replacement of underground fuel tanks; new canopy installation; increase from three pumps to five pumps; addition of diesel fuel service; reduction of auto repair bays from four to two; reduction of building size and site circulation and access improvements; and
3. Tyler VanderValk, Civil Engineer of Civilized Engineering, LLC, presented site plans and revisions marked as Exhibits B-1(a), B-1(b) and B-1(c) providing variance justification which describe layout, circulation improvements, drainage, lighting, reduction of building size and site improvement; He testified that the revised plans had a reduced setback of 3.1 feet and an

increase in impervious coverage to 94.4 percent. He testified the changes from the prior approved plan improved site circulation without changing the parking layout; and

4. Applicant, Gurpal Singh, testified as to the operations, gas station hours, fuel deliveries and agreed as to reasonable delivery timing conditions; and

5. Robert Costa, P.E., the Planning Board Engineer requested the Applicant clarify the parking layout, retaining wall design, the need for construction details, possible screening, circulation concerns and parking feasibility; and

6. Paul Grygiel, the Borough of Bogota's Planner stated the application can be granted subject to the conditions stated; and

7. Steven Koestner, Surveyor, testified regarding utilities, and site conditions. Mr. Koestner addressed sewer depth and feasibility and addressed the retaining wall replacement and grading; and

8. Mr. Barte, the Applicant's tank contractor commented. He estimated the construction would last approximately two months or more, would be fully fenced and closed during construction, with police traffic control if necessary; and

9. The Applicants Planner, Steve Lydon testified the amended plan in the current application represented an improvement over the previously approved design by enhancing circulation, updating the site, improving stormwater management and providing additional landscaping and buffering. He testified that the application was consistent with the Borough's Master Plan and Zoning ordinances.

10. The Board finds the application meets the requirements for special reasons required for a D-3 use variance as the site is uniquely situated for this use. The variance can be granted "without substantial detriment to the public good" and "without substantial impairment to the intent and purpose of the zone plan and zoning ordinance". The principles of the positive criteria have been met in that this is a unique use which generates limited traffic which promotes the general welfare, and the use is suitable in size and configuration for the site; and

11. The negative criteria have been met in that there is no detriment to the public good and there is no impairment by the use to the zone plan; and

12. The Zoning Board configuration of the Planning/Zoning Board of the Borough of Bogota has determined the Applicant has presented evidence that establish the positive criteria for granting the use variance relief under N.J.S.A. 40:55D-70(d)3 as well as N.J.S.A. 40:55D-70(c) 1 and 2 and evidence to grant the setback and impervious coverage variances; and

NOW THEREFORE BE IT RESOLVED, the Zoning Board of the Borough of Bogota, hereby grants Applicant's application as presented. This approval is subject to the following conditions:

1. This approval is specifically granted based upon the testimony of the Applicant, the experts, the exhibits presented by the experts and the application submitted to the Zoning Board configuration of the Planning/Zoning Board of the Borough of Bogota, all of which have been relied upon by the Board.

2. The Applicant shall comply with all stipulations made on the record to the Board.

3. The relief granted to the Applicant is specifically made subject to any and all conditions referred to herein and stipulated on the record. In the event any condition is held to be invalid, unenforceable or unlawful, the approval shall be unenforceable. It is the intent of the Board that the application shall not be approved if any conditions are invalid and that the conditions are not severable from any relief granted herein.

Conditions are:

- a. No outdoor vehicle repairs;
- b. No vehicle storage outside;
- c. No painting of vehicles (indoors or outdoors);
- d. Landscaping to be installed and maintained;
- e. Signage limited to plans and non-essential signage removed;
- f. Lighting to be shielded and directed downward;
- g. Deliveries to avoid peak school hours where possible;
- h. Striping and traffic flow improvements required;
- i. Replacement of the existing deteriorated fence and installation of a solid privacy fence of a minimum of six (6) feet height, with the final height and location subject to compliance with applicable regulations and sight distance requirements;
- j. Compliance with prior approval conditions.

4. The Applicant shall obtain all required approvals from outside agencies in order to construct the proposed development; including but not limited to the following:

- a. Bergen County Soil Conservation District;
- b. Bergen County Planning Board;
- c. New Jersey Department of Transportation;
- d. New Jersey Department of Environmental Protection.

5. Construction activities may only be conducted during hours stipulated by Borough Ordinance.

6. Any adjacent structure, retaining wall, landscaping, curb, piping, pavement, fencing, etc., damaged during construction must be repaired or replaced.

7. The Applicant must provide a minimum of forty-eight (48) hours' notice of any inspections.

8. The Applicant shall replace existing sidewalk along West Fort Lee Road and River Road. Sidewalk shall also be installed across the driveway apron along West Fort Lee Road. All sidewalks shall comply with the latest ADA Standards.

9. Any violation of these conditions would result in a rescission of the approval and result in the revocation of any certificate of occupancy for the subject site.

10. The Applicant shall pay all professional fees incurred by the Board as a result of this application. In the event a professional escrow of the applicant has been exhausted, said escrow shall be replenished prior to the issuance of any certificates of occupancy.

PLANNING/ZONING BOARD OF THE
BOROUGH OF BOGOTA

Corrado Mancini, Chairperson

Melissa Baque, Secretary

I certify the foregoing to be a true copy of a
Resolution adopted by the Planning/Zoning
Board of the Borough of Bogota at a meeting
held on

ATTEST: _____
Melissa Baque
Clerk of the Board