

Dan Weiss
Councilman, West Windsor Township

Prepared remarks regarding Ordinance 2026-02

March 9, 2026

Good evening.

I want to explain the basis for my opposition to Ordinance 2026-02, which proposes to amend the B-2A Neighborhood Center zoning district to allow a car wash as a permitted principal use.

Under the New Jersey Municipal Land Use Law, zoning ordinances are intended to implement the policies expressed in a municipality's Master Plan. When a zoning change is proposed, the Planning Board is required to review it and advise the governing body as to whether the ordinance is substantially consistent with that plan.

The Planning Board has adopted a resolution stating that this ordinance is substantially consistent with the Master Plan. However, after reviewing both the ordinance and the Planning Board discussion, I remain concerned that the key issue of Master Plan consistency was not meaningfully addressed.

The Master Plan is quite specific on this point. In the description of the B-2A Neighborhood Center district, it states that car washes are recommended only as an accessory use to a gasoline service station. In zoning, accessory use has a well-established meaning. It refers to a use that is subordinate and incidental to a principal use.

The ordinance before us does something materially different. It would add car washes as a permitted principal use in the district. That is not a minor adjustment. It is a clear expansion beyond what the Master Plan envisioned.

Equally important is the overall intent of the B-2A district itself. The Master Plan describes it as a Neighborhood Center designed to support small-scale retail and service businesses that serve the surrounding community. The concept is oriented toward neighborhood-serving establishments and people-focused services. A stand-alone automated car wash, with stacking lanes, high vehicle turnover, and supporting equipment such as vacuum stations, is fundamentally a vehicle-oriented commercial use.

Those differences go directly to the planning intent of the district.

At the Planning Board meeting, questions were raised as to how this change could be considered substantially consistent with the Master Plan. However, the Board's discussion did not provide a clear planning rationale explaining why elevating car washes from accessory use to principal use remains consistent with the adopted land use vision. Furthermore, no rationale was provided to address how a car wash is consistent with a neighborhood business center.

While substantial consistency does allow some flexibility, it does not mean that clear and explicit language in the Master Plan can simply be disregarded without explanation.

If the Township believes that the land use vision for this area should change, there is a straightforward and transparent way to do that. The Township can amend the Master Plan to reflect that new policy direction. That process allows for a full planning analysis and a public discussion about how the change fits within the Township's long-term land use goals.

Making a zoning change that appears to contradict the Master Plan without first updating the plan itself risks undermining the integrity of the planning process. It also increases the potential for legal challenge based on inconsistency with the framework established under the Municipal Land Use Law.

For these reasons, I believe this ordinance represents a substantial departure from the Master Plan and should not be adopted in its current form without first updating the Master Plan.

Accordingly, I will be voting no.

Thank you.