

**BOROUGH OF WESTWOOD
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES
October 4, 2010**

APPROVED 11/4/10

1. OPENING OF THE MEETING

The meeting was called to order at approximately 8:00 p.m.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a Regular Meeting of the Westwood Zoning Board.

Notices have been filed with our local official newspapers and posted on the municipal bulletin board.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL:

PRESENT: Eric Oakes
Michael Bieri (8:05 pm)
Raymond Arroyo, Vice-Chairman
William Martin, Chairman
Guy Hartman
Robert Bicocchi
Christopher Owens
Vernon McCoy (Alt #1)
Matthew Ceplo (Alt #2)

ALSO PRESENT: David Rutherford, Esq., Board Attorney
Louis Raimondi, Brooker Engineering,
Board Engineer
Steve Lydon, Burgis Associates,
Board Planner

ABSENT: Vernon McKoy (excused absence)

4. MINUTES: The Minutes of 9/13/10 were approved as amended on motion made by Mr. Arroyo, seconded by Mr. Oakes, and carried on roll call vote.

5. CORRESPONDENCE:

1. Memorandum from Burgis Associates dated 9/14/10 RE;

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Go Green Car Wash, 22 Kinderkamack Road;

2. Letter from Preferred Design & Construction Inc., dated 9/24/10 RE: Sidler, 131 Langner Place;

3. Letter from Brooker Engineering dated 9/24/10 RE: Go Green Car Wash, 22 Kinderkamack Road;

6. **VOUCHERS:** A motion to approve vouchers totaling \$8,613.76 was made by Mr. Arroyo, seconded by Mr. Oakes, and carried unanimously on roll call vote.

7. **RESOLUTIONS:**

1. **Kim - 663 Ackerman - Variance** - Attorney Rutherford read the Resolution of approval into the record. The survey was submitted in compliance with the condition. Mr. Raimondi was satisfied that it contained the information requested. There were no further discussions. A motion for approval of the Resolution was made by Mr. Owens and seconded by Mr. Oakes. On roll call vote, and Mr. Bicocchi, Mr. Bieri, Mr. Arroyo, Mr. Oakes, Mr. Owens, Mr. Ceplo, and Mr. Martin voted yes. Mr. Hartman was not eligible to vote.

2. **Heid, 27 Hurlbut Street, Block 1605, Lot 5 - Application for Expansion - "C" Variance** - Attorney Rutherford read the Resolution of approval into the record. There were no further discussions. A motion for approval of the Resolution was made by Mr. Arroyo and seconded by Mr. Bieri. On roll call vote, and Mr. Bieri, Mr. Arroyo, Mr. Hartman, Mr. Oakes, Mr. Ceplo, and Mr. Martin voted yes. Mr. Bicocchi and Mr. Owens were not eligible to vote.

8. **PENDING NEW BUSINESS:** None

9. **VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS, INTERPRETTIONS:**

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS
The Board Professionals were sworn in

1. **New St. Mark AME Zion Church, 100 Palisade Avenue - Minor Site Plan application** - Adjourned to 11/1/10 per letter of Mr. Berkoben, applicant's attorney, who is also required to renotice and republish.

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2. Fahie - 60 Westwood Boulevard - Application for Certification of Non-Conforming Use - Carried to 11/1/10 at the request of the applicant, as applicant was still in discussions with the Borough Council;

3. Retro Fitness - 25 Sullivan Street - Variance - Adjourned to 11/1/10 at the request of the applicant due to notice issue, not being able to give notice in a timely fashion;

4. Pourquoi Pas - 31 Westwood Ave. - Appeal/Variance Application - Scheduled for 11/1/10 (Steve Lydon, Board Planner, recused)

5. Sidler, 131 Langner Avenue, Block 1105, Lot 3 - Application for Pool and "C" Variance - Mr. Rutherford advised, as requested at the last meeting, a new site plan was submitted to verify the accuracy of the noted dimensions on the plan. Mr. Raimondi stated we have all the information requested. The pool is located 15' from the property line. Mr. Martin noted there was no variance for the pool, just one for impervious coverage. Mr. Lydon concurred. Mr. Raimondi commented there was an additional seepage pit to handle the runoff and it was satisfactory. There were no questions from the Board or the public. Mr. Arroyo commented the addition of the seepage pit seemed to address the runoff. Mr. Oakes commented it was a great improvement. Mr. Martin agreed. A motion for approval and to prepare a Resolution was made by Mr. Arroyo and seconded by Mr. Oakes. There were no further questions, comments or discussions. On roll call vote, Mr. Bieri, Mr. Arroyo, Mr. Hartman, Mr. Oakes, Mr. Ceplo, and Mr. Martin voted yes.

6 Go Green Car Wash, LLC, 22 Kinderkamack Road, Block 1608, Lot 14 - Mr. Rutherford reviewed the publication documents and found them to be in order. Nancy Saccente, Esq. represented the applicant. Salvatore, Barrera, of City Place, Edgewater, NJ, the owner of the business, was sworn in. The property was located in the LB-3 Zone, and was vacant. The type of car wash they intend to operate on the site is a waterless car wash. This technique uses a 100% bio-degradable, eco-friendly product that contains many different ingredients including wetting agents, lubricants and protectants. There is a type of product that is applied and wiped off with a cloth. It is a green business. The difference between this car wash and a

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traditional car wash, is that the traditional uses 40 gallons of water, and waterless uses 4 ounces. Additionally about 100 gallons are used in a homeowner's driveway, with the soap seeping into the ground. One product in this concept will wash and wax the car at the same time. The entrance will be in the back of the building and the exit in the front.

Architectural Plans, prepared by Lorenzo Franchina, Architects & Associates, were dated 8/24/10 and revised. He was not planning to do much with the interior except paint. There are two doors in back, a small office in front and two bathroom stalls, which could be used by the public. There were no other changes. The proposed lighting was described.

This concept has never before been done except in other countries and states, such as Florida. Because of droughts and water restrictions, you won't have car washes with water in the future and driveway washing could be banned as well. This type of car wash promotes water conservation and saves energy.

Mr. Barrera explained he has spaces for 17 cars to queue or stack. A single person can clean one car in 20 minutes. There will be four employees and himself during the week and five on the weekends. They can wash two cars in ten minutes. Hours of operation will be 8:00 am to 4:00 pm in Winter and until 6pm in Summer. He is proposing to put in greenery and planters. Mr. Martin stated it will be necessary to bring in witnesses, such as an architect and planner, so they should not have any testimony as to the plans or the variances, as they would only be duplicating same.

Board questions followed. Mr. Arroyo asked about cars coming in with snow covering. Dirt is picked up by the magnetic micro-fiber towel. Other municipalities are currently operating green, waterless car washes. Presently he is mobile, but in Winter he would like to have an interior space. Mr. Bieri asked if there would also be vacuuming and window cleaning, and the response was yes. There would be an all inclusive price, or a price for just exterior. Mr. Arroyo asked how the cloths are cleaned, and where they were stored. Mr. Barrera said they are washed in the washing machine and stored in laundry baskets. Presently he has someone doing the laundry. Mr. Bicocchi asked, and Mr. Barrera stated they use an eco-friendly cleaning polish. Mr. Owens asked about detailing. Mr. Barrera explained it is how

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much you take care of a car, which may be more detailed cleaning. The actual procedure is the same, except for the product being used.

Mr. Raimondi prepared a report dated 9/24/10 and inquired about how many cars he would clean in an hour and where the employees would park. Mr. Martin noted the architect would answer the latter. Ms. Saccente indicated they do not know how many employees would drive, because they haven't hired them yet. Mr. Martin commented the County would have to review this and may have comments on where the cars are coming in and going out. Currently, Mr. Barrera added, he has a smart car which he operates out of and takes the vehicle back to his office every day.

Mr. Lydon asked if the prices were all separate. Mr. Barrera said they would be three prices: exterior only; interior and exterior; and interior, exterior with the wax. Mr. Lydon asked how the customers would know the prices, and Mr. Barrera explained he would have a price list. Various questions were posed as to how the cars would exit if they changed their mind, how the prices would be displayed. Mr. Martin noted this is a substantial variance he was requesting, a "D" variance. Mr. Lydon suggested a buffer along the residential property line.

Mr. Martin questioned the applicant and suggested more consideration be given to removing larger sections of the macadam so some of the ground could be repaired to absorb the water. Also any fence buffer would have to be shown on the plan. Mr. Martin expressed concern about the noise generated by the vacuum. The concept of a green, environmentally sensitive car wash is interesting; however we have much more testimony to hear.

Mr. Martin opened the matter to the public for questions of the business owner. Jennifer Gordon, Lester Avenue, the neighbor immediately behind the site, came forward and asked where the entrance to the car wash would be. Mr. Barrera answered Kinderkamack Road. Mr. Lydon commented there is a curb cut on Lester Avenue and we have not heard any testimony as such. Mr. Martin advised she would have to come back to hear more testimony. Ms. Gordon was concerned about spillage of cars onto Lester Avenue and block her driveway. Mr. Barrera said his operation would not block her driveway. Ms. Gordon asked about

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lighting. Mr. Barrera stated the lights on the poles do not work and would be taken down. There would be safety lights on the corner to project downward. She also had a concern about vacuuming. There are no coin-operated vacuums, and they are not outside - only inside, operated by the employees.

The Board took a recess from 9:35 until 9:45 p.m.

Seta Nassif, Northvale, NJ, owner of the property, was sworn in. Ms. Saccente questioned the witness. Her family has owned the property since 1972, and it has been vacant since July, 2009, when the car dealership left. They had it listed with a realtor. Currently they are in negotiations with the lease. The condition of the macadam is that it was last paved in 2004. There is a fence on the property. Ms. Saccente commented it was the Board's request to remove some of the macadam. Ms. Nassif stated this property generates the main source of income for her aging parents, but she understood. Further, oil tanks were removed in 1993-1994 and passed the EPA testing. Reports are on file and were distributed to the Town and State. There are no monitoring wells on the site. There were no questions for the owner. That concluded the witnesses for the evening.

The matter was carried to 11/1/10 with no further notice.

10. DISCUSSION:

1. Land Use Symposium at Bergen Community College - All were urged to attend this event. Mr. Rutherford was acting as a Co-Chair of the event this year. Members needing to take the Certification class had signed up.

2. Deficient escrows were noted by the Chairman. The Resolutions were subject to satisfaction of the escrow deficiencies - \$26.25 for Kim and \$135.00 for Heid. Mr. Rutherford advised in the matter of Kim, the Survey was submitted and Mr. Raimondi indicated it was satisfied that it contained the information requested.

3. LB Zone - Mr. Martin explained the Planning Board was currently reviewing uses in the LB Zone.

ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 10:00 p.m.

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Respectfully submitted,

**MARY R. VERDUCCI, Paralegal
Zoning Board Secretary**