

DATE OF DECISION: AUGUST 18, 2016

DATE OF MAILING: AUGUST 19, 2016

**BEFORE THE NEW BRITAIN TOWNSHIP
ZONING HEARING BOARD**

**RE: APPLICATION OF WINDHILL REALTY GROUP, L.P.,
FOR THE PROPERTY LOCATED AT 4619 COUNTY LINE ROAD,
NEW BRITAIN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA,
FURTHER IDENTIFIED AS TAX MAP PARCEL NO. 26-1-2**

FINDINGS OF FACT

1. On Wednesday, July 27, 2016 at 7:00 p.m. at the New Britain Township Municipal Building, 207 Park Avenue, Chalfont, New Britain Township, the New Britain Township Zoning Hearing Board ("Board") held a duly noticed hearing on the application of Windhill Realty Group, L.P. (the "Applicant").
2. The Applicant is the record owner of the property located at 4619 County Line Road, New Britain Township, also known as Bucks County Tax Map Parcel No. 26-1-2 (the "Property").
3. Notice of the July 27, 2016 hearing was published in advance of the hearing in the Wednesday, July 13, 2016 and Wednesday, July 20, 2016 editions of The Intelligencer, a newspaper publication of general circulation in New Britain Township.
4. Notice of the hearing was sent by first class mail on July 12, 2016 by Devan Ambron ("Ambron"), the New Britain Township Zoning Officer, to (a) all record owners of properties within New Britain Township surrounding the Property; and (b) to the adjoining municipality for any surrounding properties that are located in that municipality.
5. Ambron posted notice of the hearing on the Property on July 13, 2016 at 9:07 a.m.
6. As record owner of the Property, the Applicant has the requisite standing to prosecute this zoning hearing board application.
7. The Property is located in the IO, Industrial/Office, zoning district under the New Britain Township Zoning Ordinance (the "Zoning Ordinance").
8. The Applicant seeks the following relief from the Zoning Ordinance:
 - a. a variance from §§27-300.a and 27-1800.b to conduct more than one (1) principal use on the property;
 - b. an interpretation of and/or variance from §§27-305.K18 and 27-1801.a to have two separate contracting uses (use K5) be declared and/or designated to be use K18, Flex Space;

- c. a variance from §§27-1802 and 27-1803 to permit the requested multiple principal uses to be conducted on a parcel that is 3.8039 acres, when the minimum tract area is 25 acres where multiple uses and/or buildings are proposed;
- d. a variance from §27-305.L2.b.1 to allow the existing and expanded outdoor storage area to occupy a portion of the Property's front yard;
- e. a variance from §27-305.L2.b.2 to permit the existing outdoor storage area to be expanded to 23,601 square feet, where the total outdoor storage area may not occupy an area greater than one-half of the building coverage; and
- f. alternatively, a special exception pursuant to §27-305.L2.b.4(a) to allow the existing and expanded outdoor storage area to be exempt from the front yard setback and outdoor storage area limitations provided the outdoor storage area does not exceed 25% of the lot area if the uses are deemed to be use K18, Flex Space; or a variance from §27-305.L2.b.4(c) if the uses are separate contracting uses (use K5).

9. Introduced as exhibits at the zoning hearing are the documents identified on Schedule A attached to this decision. Schedule A is incorporated by reference as though fully set forth herein at length.

10. Peter Warner ("Warner") testified on behalf of the Applicant and in support of the application at the hearing. Warner stated, and the Board finds, that he is the sole owner/member the Applicant and its general partner. The Applicant acquired legal title to the Property in 2006.

11. Represented by counsel, New Britain Township (the "Township") appeared at the hearing as an active party opposing the application. Ambron testified on behalf of the Township. The Board notes that by law, the Township is automatically granted party status to participate in this hearing. *See* 53 P.S. §10908(3).

12. One other person appeared at the hearing to comment on the application.

13. Relevant to this application, the Property is the subject of two (2) prior decisions of the Board: a decision dated November 10, 2004 (the "2004 Decision"); and a decision dated October 10, 2005 (the "2005 Decision"). *See* Exhibits B-9, 2004 Decision; and B-10, 2005 Decision.

14. In the 2004 Decision, the Board granted variances requested by Sabia Landscaping, Inc. ("Sabia"), the then-applicant and operator of a landscaping contracting business on the Property. *See* Exhibit B-9, 2004 Decision.

15. Specifically, the Board authorized Sabia to conduct multiple principal contracting uses on the Property, provided (a) the uses must be conducted in two (2) new non-residential buildings to be built along County Line Road; and (b) such uses would then be considered a single Flex Space-type use (Use K18). *See* Exhibit B-9, 2004 Decision.

16. In the 2005 Decision, Sabia appealed an enforcement notice issued by Jo Ann Lapp (“Lapp”), the then-Township zoning officer. Lapp cited Sabia for operating multiple principal uses on the Property – specifically the landscaping use and a repossessed motor vehicle storage use – in outdoor areas and not in the required Flex Space buildings, in violation of the 2004 Decision. *See Exhibit B-10, 2005 Decision.*

17. Rejecting Sabia’s argument that the 2004 Decision authorized the operation of multiple principal contracting uses on the Property irrespective of whether the two (2) non-residential buildings were built, the Board ruled that the 2004 Decision only permitted such multiple principal uses if conducted in the required Flex Space buildings. The Board upheld the enforcement notice. *See Exhibit B-10, 2005 Decision.*

18. Upon a review of the 2004 Decision and 2005 Decision, the Board finds that many of the Findings of Fact made by the Board in those decisions regarding the Property, the existing buildings and the improvements thereon accurately describe the Property’s current conditions.

19. Based upon that finding, the Board incorporates by reference the Findings of Fact from the 2004 Decision and the 2005 Decision as if the same were fully set forth herein at length, except as modified and/or supplemented herein.

20. The Property is an oddly shaped lot, with several sides of varying length. The Property is 3.8039 gross acres (3.6585 net acres, after accounting for the right-of-way of County Line Road). *See Exhibit A-1, Zoning Exhibit Plan.*

21. The Property has 387.94 feet of frontage along County Line Road. The side lot lines are angled, and they converge as they approach the rear lot line. The longest side lot line is the southeastern lot line, which is 735.37 feet long. *See Exhibit A-1, Zoning Exhibit Plan.*

22. The northwestern side lot line appears straight, but it is actually two (2) sections, due to a slight jog in direction. These sections are 336.48 feet and 206.25 feet in length. The rear lot line is also at an angle, and is 185.20 feet long. *See Exhibit A-1, Zoning Exhibit Plan.*

23. The Property is currently improved with two (2) non-residential buildings. A frame building is located roughly in the center of the Property, close to the northwestern side lot line. A block/frame garage is located further toward the Property’s rear lot line, near the northwestern side lot line. *See Exhibit A-1, Zoning Permit Plan.*

24. According to the Zoning Permit Plan, the two (2) buildings have an aggregate impervious surface area of 2,949 square feet. On a 3.8039 acres lot, the Board finds that this produces a building coverage ratio of roughly 7.1%. *See Exhibit A-1, Zoning Permit Plan.*

25. The Property has several paved and stoned outdoor areas. These areas are located mostly in the center of the Property, around the two (2) buildings. A stone/gravel area located in the front yard is surrounded by a wooden fence. *See Exhibit A-1, Zoning Permit Plan.*

26. A long driveway accessing County Line Road runs near and along the Property’s northwestern side lot line. A wooden fence runs along most of the driveway, ending at a stoned area behind the garage. *See Exhibit A-1, Zoning Permit Plan.*

27. A stream bisects the Property at an angle toward the rear yard. The Property's rear yard is entirely wooded. This wooded area runs along the Property's southeastern side lot line, and wraps around into the Property's front yard. *See* Exhibit B-9, 2004 Decision; *see also* Exhibit A-1, Zoning Permit Plan.

28. Warner stated, and the Board finds, that there are currently two (2) businesses operating on the Property: Sabia, and the Split-Rail Fence company ("Split-Rail"). Sabia remains a landscaping contracting business. Split-Rail stores, sells and, through outside contractors, installs split-rail wood fencing all along the East coast.

29. Warner stated, and the Board finds, that he owns and has been operating Split-Rail on the Property since 2006. Fence materials are stored in the Property's front yard, in the large outdoor stone/gravel area surrounded by a 6 feet high wooden stockade fence, until delivered to a job site. *See* Exhibit A-1, Zoning Permit Plan; *see also* Exhibits T-2(4) through (6), Photographs.

30. Warner stated, and the Board finds, that Split-Rail has a small amount of on-site retail activity. Split-Rail has an office in the frame building for two (2) employees. Its hours of operation are 8 a.m. to 4 p.m., Monday through Friday; and 9 a.m. to 1 p.m. on Saturday.

31. Warner stated, and the Board finds, that much of instant relief requested is to permit the existing uses and related conditions on the Property. The only new improvement requiring relief is the proposed expansion of Split-Rail's outdoor storage area in the front yard. *See* Exhibit A-1, Zoning Permit Plan.

32. Warner stated, and the Board finds, that this expanded outdoor storage area will essentially "square off" the front the existing outdoor storage area to be along the same plane as the existing tree line. *See* Exhibit A-1, Zoning Permit Plan.

33. Warner stated, and the Board finds, that he proposes to enclose the expanded outdoor storage area with a 6 feet high wooden privacy fence, to shield views of the stored fence materials from County Line Road and neighboring properties. *See* Exhibit A-1, Zoning Permit Plan.

34. Like the existing outdoor storage area, Warner stated, and the Board finds, that the expanded storage area will be over gravel. Although no dimension is shown on the Zoning Permit Plan, Warner acknowledged that the expanded outdoor storage area will be closer than 50 feet to County Line Road. *See* Exhibit A-1, Zoning Permit Plan.

35. Warner acknowledged that the new buildings authorized and required under the 2004 Decision were never built and are not presently proposed. *See* Exhibit A-1, Zoning Permit Plan.

36. Upon questioning from the Board, Warner could not state the size and dimensions of the existing outdoor storage area. Warner stated, and the Board finds, that Split-Rail's the entire outdoor storage area, following the expansion, will be 23,601 square feet. *See* Exhibit A-1, Zoning Permit Plan.

37. Upon questioning from the Board, Warner conceded that he did not have a use and occupancy permit nor conditional use approval from the Township authorizing the Split-Rail contracting use and the related outside storage accessory use on the Property.

38. Regarding Sabia, Warner stated that the landscaping use has been operating on the Property since 2000. Warner acquired Sabia in 2003, but sold his interest in Sabia in 2009. Warner stated that the Applicant does not have any ownership interest in either Split-Rail or Sabia.

39. Ambron and Warner stated, and the Board finds, that in 2002, the then-Township zoning officer issued correspondence to Sabia confirming its ability to conduct a landscaping contracting use (use K5) on the Property. *See Exhibits T-3 through T-5, Correspondence.*

40. Warner stated, and the Board finds, that Sabia has an office in the frame building. It has two (2) employees on the Property. Sabia's hours of operation are Monday through Friday, 8 a.m. to 4 p.m.

41. Warner stated, and the Board finds, that Split-Rail does not use the block garage. Only Sabia uses the block garage, to fix and repair its various landscaping equipment stored outside on the Property. *See Exhibits T-2(1) through (3), Photographs.*

42. Warner stated that to the best of his belief and based upon his prior ownership interest, Sabia stores mulch and flower products outside on the Property for limited durations. Warner stated that he does not believe Sabia conducts retail sales on the Property.

43. Upon questioning from the Township, Warner stated that he had no knowledge regarding the pool design or arborist services that Sabia advertises on its website. Warner stated that he had no knowledge as to whether any materials for such activities are stored on the Property. *See Exhibit T-1, Sabia Landscaping Website Page.*

44. Warner acknowledged, and the Board finds, that many vehicles are stored outside on the Property. Warner stated that only three (3) of those vehicles are used by Split-Rail. The remaining vehicles are used by or are the property of Sabia. *See Exhibit T-2(1) – (3), Aerial Photographs.*

45. Warner admitted that he believed that when the Applicant acquired the Property in 2006, multiple principal non-residential uses were permitted on the Property under the Zoning Ordinance and the related Board decisions.

46. Warner did not state whether the he or anyone else, on behalf of the Applicant, inquired of the zoning officer or anyone at New Britain Township of the number of uses permitted on the Property, and the required related conditions prior to the Applicant's acquisition of the Property.

47. Ambron stated that while she has not entered the Property, she has viewed its multiple uses and many existing conditions from County Line Road and through aerial photographs. *See Exhibits T-2(4) through (6), Photographs.*

48. Ambron stated, and the Board finds, that both Sabia and Split-Rail are considered contracting uses (Use K5) under the Zoning Ordinance. Use K5 is permitted by right in the IO, Industrial/Office, zoning district. *See Zoning Ordinance §27-1801.a.*

49. Ambron stated, and the Board finds, that the outdoor storage areas for both contracting uses are considered an outdoor storage or display accessory use (Use L2). Subject to certain limitations, an outdoor storage or display accessory use is permitted upon conditional use approval in the IO, Industrial/Office, zoning district. *See Zoning Ordinance §27-1801.c.*

50. Ambron stated that based upon her observations, several violations of the Zoning Ordinance and the various use approvals may exist on the Property. Such conditions include unscreened outdoor storage areas and multiple unregistered vehicles.

51. Ambron acknowledged that she has not undertaken any enforcement actions in connection with these observed conditions. Other than to describe certain undisputed existing conditions of the Property, as an enforcement action is not presently before the Board, the Board makes no corresponding findings or conclusions.

52. On each side, the Property abuts lots that are in the IO, Industrial/Office, zoning district. To its rear, the Property is adjacent to two (2) lots that are located in the RR, Residential, zoning district. *See Zoning Ordinance and Map.*

53. To its immediate northwest is a property improved with a single-family detached dwelling. To its southeast is a large undeveloped tract. These parcels are located in the IO, Industrial/Office, zoning district. *See Zoning Ordinance and Map; see also Exhibit A-1, Zoning Permit Plan.*

54. Warner stated that to the best of his belief, the parcels to the Property's rear in the RR, Residential, zoning district are improved with a dwelling and a cornfield. *See Zoning Ordinance and Map; see also Exhibit A-1, Zoning Permit Plan.*

55. Across County Line Road from the Property are parcels located in Montgomery County. These parcels are improved with various non-residential uses.

56. As the Property is presently being reasonably used as zoned for a single contracting use, and has a specific approval from the Board in the form of the 2004 Decision to conduct a second contracting use on the Property, the Property is free of any hardship that would allow the second principal contracting use and related outdoor storage area on the Property.

57. As the application requests more than the minimum deviation from the terms of the Zoning Ordinance to permit a reasonable use of the Property, the application does not satisfy all the relevant criteria that must be shown to permit the Board to grant the requested variances.

CONCLUSIONS OF LAW

1. Required public notice of the hearing was made by sufficient publication, posting and mailing to affected property owners.

2. In order to show entitlement to a variance, use or dimensional, an applicant must demonstrate all the following elements:

a. an unnecessary hardship stemming from unique physical characteristics or conditions will result if the variance is denied;

b. because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and a variance is necessary to enable the reasonable use of the property;

c. the hardship has not been created by the applicant;

d. granting the variance will not alter the essential character of the neighborhood nor be detrimental to the public welfare; and

e. the variance sought is the minimum that will afford relief.

3. The Board concludes that the Applicant's requests for relief seek both dimensional and use variances. The requests to conduct a second contracting use, to conduct multiple principal uses in the outside areas on the Property, and to have the multiple contracting uses be declared a single Flex Space use are requests for use variances.

4. A use variance arises in situations where the proposal is to use the property in a manner that is wholly outside a Zoning Ordinance regulation. *See Hertzberg v. Zoning Board of Adjustment of Pittsburgh*, 721 A.2d 43 (Pa. 1998).

5. The Board concludes that the Applicant's request to conduct an existing and expanded outdoor storage or display accessory use in the front yard in an area that exceeds one-half the existing building coverage, on a tract that is less than 25 acres, are requests for dimensional variances.

6. A dimensional variance arises in situations where the Zoning Ordinance permits or requires a certain dimension and that requirement or allowance is sought to be varied by degree. *See Constantino v. ZHB of Forest Hills Borough*, 636 A.2d 1266 (Pa. Commw. 1994).

7. Whether dimensional or use, the reasons for granting a variance must be substantial, serious and compelling. The party seeking the variance bears the burden of proving that (a) unnecessary hardship will result if the variance is denied; and (b) the proposed use will not be contrary to the public interest. *See Wilson v. Plumstead Township Zoning Hearing Board*, 936 A.2d 1061 (Pa. 2007).

8. An applicant can demonstrate "unnecessary hardship" for a use or dimensional variance by showing that a property's physical characteristics are such that the property cannot be used for any permitted purpose, or can only conform to a permitted purpose at prohibitive expense; or that the property has either no value or only distress value for any permitted purpose. *See Hertzberg, supra*.

9. Under Pennsylvania law, a dimensional variance is subject to a lesser standard of proof to establish unnecessary hardship than a use variance. *See Hertzberg v. Zoning Board of Adjustment of City of Pittsburgh*, 721 A.2d 43 (Pa. 1998) (when seeking a dimensional variance

within a permitted use, the owner is asking only for a *reasonable adjustment* of the zoning regulations. The grant of a dimensional variance is of lesser moment than the grant of a use variance, since the latter involves a proposal to use the property in a manner that is wholly outside the zoning regulation).

10. When deciding whether a hardship has been established in dimensional variance cases, the *Hertzberg* rationale authorizes the Board to consider multiple factors, including the characteristics of the surrounding neighborhood. *See Hertzberg, supra*, at 47.

11. Reviewed against the background of the prior decisions of the Board and the foregoing Findings of Fact, the Board concludes that the Applicant's instant requests essentially seek permission to conduct similar activity that was found in the 2005 Decision to violate the Zoning Ordinance and the relief granted in the 2004 Decision.

12. Similar to the reasons set forth in the 2004 Decision, the Board concludes that the Applicant is not entitled to variances from Zoning Ordinance §§27-300.a and 27-1800.b to conduct a second principal contracting use (use K5) in the outdoor areas of the Property.

13. A "Contracting" use under the Zoning Ordinance is defined as "[c]ontractor offices and shops such as building, electrical, heating, masonry, painting and roofing contractors." *See* Zoning Ordinance §27-305.K5(a).

14. The Board concludes that both Sabia and Split-Rail constitute a Contracting use under the Zoning Ordinance. Sabia is permitted as such. Split-Rail's activities are similar to the examples provided in the Zoning Ordinance definition.

15. Zoning Ordinance §27-300.a prohibits a property from being occupied by more than one (1) principal use except where specifically authorized. A "principal use" is defined as the "primary or predominant use of any lot or parcel." *See* Zoning Ordinance §27-201.

16. The Board concludes that the Property and its existing two (2) commercial buildings and related facilities have, by the Applicant's own admission, been used by Sabia as a permitted principal landscaping contracting use (use K5) under the Zoning Ordinance for a primary principal use since 2002. *See* Exhibits T-3, T-4 and T-5, Correspondence.

17. By commencing operation of Split-Rail on the Property in 2006, the Applicant essentially ignored and/or flouted the 2005 Decision. As found previously, the 2005 Decision found that operating two (2) principal non-residential uses in outdoor areas without building the proposed two (2) non-residential buildings violated the 2004 Decision. *See* Exhibits B-9, 2004 Decision, and B-10, 2005 Decision.

18. The Applicant has not, and does not, propose to construct the buildings required by the 2004 Decision. As such, the Board sees no reason to disturb its finding from 2005 that the only principal use authorized on the Property is Sabia.

19. The Board concludes that the remaining items of requested relief all essentially flow and stem from the Applicant's request to authorize multiple principal contracting uses on the Property.

20. Specifically, the Board concludes that the Applicant is not entitled to interpretive and/or variance relief to declare the multiple contracting uses as a single Flex Space use (use K18). As previously found and concluded, only by constructing the buildings authorized by the 2004 Decision can the Applicant achieve such a designation. *See* Zoning Ordinance §§27-305.K18 and 27-1801.a

21. The Board concludes that the Applicant is not entitled to conduct two (2) principal contracting uses in outdoor areas on a 3.8039 acres parcel, which is significantly less than the required 25 acres.

22. As found by the Board in the 2004 Decision, such a variance is only justified if “permitting multiple buildings with multiple uses.” *See* Exhibit B-9, 2004 Decision; *see also* Zoning Ordinance §§27-1802 and 27-1803.

23. Lastly, the Board concludes that variances are not warranted from any subsection of Zoning Ordinance §27-305.L2 regarding the outdoor storage or display accessory use (use L2).

24. As a threshold matter, the Board notes that Split-Rail has been operating in this fashion since 2006 without (a) a conditional use approval (as required for an L2 use in the IO zoning district); and (b) without a use and occupancy permit.

25. Split Rail’s contracting use operates primarily in the outdoor storage area in the front yard. If expanded to 23,601 square feet, Split-Rail’s outdoor storage area will be 16 times as large as one-half the existing building coverage (1,474.50 square feet). *See* Exhibit A-1, Zoning Permit Plan.

26. As the Board has concluded that multiple principal contracting uses, as conducted in outdoor storage areas on the Property, are prohibited and are not considered to be a single K18 use, the Board further concludes that the Applicant is not entitled to any relief from the front yard setback and area limitations sizes on outdoor storage areas set forth in Zoning Ordinance §27-305.L2.b.4(a) and (c).

27. The Board finds that the Property and its structures, by the Applicant’s own admission, have been used as permitted under the Zoning Ordinance prior to conducting the Split-Rail contracting use and accessory use activities.

28. The Board finds that the Property is devoid of any unique physical characteristics that prohibit its use for any permitted purpose except at prohibitive expense, nor does the Property lack any value when used as zoned. The Property does not suffer from any unnecessary hardship.

DECISION

AND NOW, this 18th day of August, 2016, upon consideration of the foregoing Findings of Fact and Conclusions of Law, the New Britain Township Zoning Hearing Board hereby **DENIES** each and all the Applicant’s requests for relief from the Zoning Ordinance, specifically (a) a variance from §§27-300.a and 27-1800.b to conduct more than one (1) principal use on the property; (b) an interpretation of and/or variance from §§27-305.K18 and

27-1801.a to have two separate contracting uses (use K5) be declared and/or designated to be use K18, Flex Space; (c) a variance from §§27-1802 and 27-1803 to permit the requested multiple principal uses to be conducted on a parcel that is 3.8039 acres, when the minimum tract area is 25 acres where multiple uses and/or buildings are proposed; (d) a variance from §27-305.L2.b.1 to allow the existing and expanded outdoor storage area to occupy a portion of the Property's front yard; (e) a variance from §27-305.L2.b.2 to permit the existing outdoor storage area to be expanded to 23,601 square feet, where the total outdoor storage area may not occupy an area greater than one-half of the building coverage; and (f) a special exception pursuant to §27-305.L2.b.4(a) to allow the existing and expanded outdoor storage area to be exempt from the front yard setback and outdoor storage area limitations provided the outdoor storage area does not exceed 25% of the lot area if the uses are deemed to be use K18, Flex Space; or a variance from §27-305.L2.b.4(c) if the uses are separate contracting uses (use K5).

NEW BRITAIN TOWNSHIP
ZONING HEARING BOARD

DATE: 8/18/2016



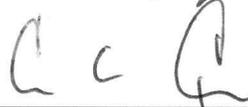
Catherine B. Basilio, Chair

DATE: 8/18/2016



William Clarke, Member

DATE: 8/18/2016



Chuck Coxhead, Member

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SCHEDULE A – TABLE OF EXHIBITS

Exhibit	Description
B-1	Zoning Hearing Board application (received by Township on 6/3/16). Attachments to the Application: <ul style="list-style-type: none">• Deed to property dated February 22, 2006• Addendum outlining relief requested• Zoning Exhibit Plan, dated 9/11/15, consisting of 1 sheet• Zoning Officer letter, dated 5/9/16
B-2	Letter to The Intelligencer dated 6/30/16 forwarding Public Notice of 7/27/16 hearing for advertisement
B-3	Public Notice of the hearing on 7/27/16
B-4	Proof of publication of public notice in 7/13/16 and 7/20/16 editions of The Intelligencer
B-5	Letter to the Applicant and attorney dated 6/30/16 providing notice of the hearing
B-6	List of property owners of record surrounding the property subject to the application
B-7	Affidavit of mailing to property owners – notice mailed on 7/12/16 by Devan Ambron, zoning officer
B-8	Affidavit of posting of public notice at property – notice posted on 7/13/16 at 9:07 a.m. by Devan Ambron, zoning officer
B-9	ZHB Decision dated 11/10/2004
B-10	ZHB Decision dated 10/12/2005
A-1	Zoning Exhibit Plan, dated 9/11/15, consisting of 1 sheet (enlarged version of plan submitted with application)
T-1	Printout from Sabia Landscaping website
T-2	6 Photographs of property
T-3	4/23/2002 correspondence from zoning officer
T-4	4/30/2002 correspondence from zoning officer

Exhibit	Description
T-5	9/25/2002 correspondence from zoning officer
T-6	Transcript and exhibits from 9/14/2005 ZHB hearing
T-7	3/20/2014 correspondence from zoning officer
T-8	Zoning permit application dated 3/18/2016
T-9	Denial of zoning permit application dated 5/9/16

B – Zoning Hearing Board

A – Applicant

T – Township