

**ZONING HEARING BOARD OF WARWICK TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA**

Docket No. 21-01

Applicants: Gasper Landscapes LLC
316 Tanyard Road
Richboro, PA 18954

Owner: Same.

Subject Property: Tax Parcel Nos. 51-13-62-4 which is known as Lot 4, Mearns Road,
Business Campus

Requested Relief: The Applicant received zoning relief through a Decision circulated March 3, 2021. The Applicant seeks an extension of the relief granted to avoid lapse of the relief under §195-117.C of the Warwick Township Zoning Ordinance (“Ordinance”)

Hearing History: The application was filed in Warwick Township on June 24, 2022. The hearing was held on August 2, 2022 at the Warwick Township Administration Building.

Appearances: None

Parties: None

Mailing Date: September 6, 2022

DECISION

FINDINGS OF FACT:

1. The Zoning Hearing Board of Warwick Township met the requirements of the Zoning Ordinance, the Municipalities Planning Code, and other relevant statutes as to legal notice of the hearing held.

2. The Applicant is the Owner of the Subject Property and therefore possessed of the requisite standing to make application to this Board.

3. The following exhibits were marked and admitted during the August 2, 2022 hearing:

Board Exhibits:

B-1 Letter from Nate Fox, Esquire with attachments received by Warwick Township on June 24, 2022

B-2 Proof of Publication from the Intelligencer for advertising notice on July 19, 2022 and July 26, 2022. Public Notice advertising hearing scheduled August 2, 2022 at 7:15 pm and confirmation from the Intelligencer

B-3 Letter dated July 12, 2022 to Nate Fox, Esquire from Vicki L. Kushto, Esquire advising of the hearing date

B-4 Resident mailing certification dated July 18, 2022 sent by Kristen Beach, Warwick Township Zoning Officer and copy of list of property owners.

B-5 Property Posting Certification by Kristen Beach, Zoning Officer dated July 18, 2022

Applicant Exhibits:

None

4. The Subject Property is located in the LI Limited Industrial Zoning District.

5. Only two members of the Zoning Hearing Board were present for the hearing. Applicant was provided the option of proceeding with a two member board or with one of the members serving as a hearing officer. Applicant agreed to proceed with a two member board.

6. Mr. Gleason provided a history of the Subject Property leading up to the Zoning Hearing Board Application.

The Zoning Hearing Board granted variances for the Subject Property in its initial Decision dated March 3, 2021. Since the Decision, the Applicant has proceeded through the land development process. The Applicant is currently in the process of negotiating and executing the land development agreements required by the Township. The Applicant has provided record plans to the Township that are in the process of being executed by the Planning Commission and the Township Engineer. The Applicant has received approval of its grading permit and the stormwater has been approved.

Applicant requested that the extension be made retroactive to March 3, 2022 and extend to July 31, 2023.

7. No members of the public were present for the Application and no one requested party status.

8. The Township did not take a position regarding the Application.

CONCLUSIONS OF LAW:

1. The credible evidence presented by the Applicant indicates that the Applicant has been diligently pursuing land development approval for the Subject Property with the Board of Supervisors.

2. Accordingly, the Warwick Township Zoning Hearing Board determined, unanimously, to grant the Applicant's request for relief.

ORDER

Upon consideration and after hearing, the Zoning Hearing Board of Warwick Township hereby GRANTS a one year extension of the relief granted and memorialized through Decision and Order dated March 3, 2021, retroactive to March 3, 2022 so that the relief granted does not lapse, under §195-117.C of the Warwick Township Zoning Ordinance, until July 31, 2023, unless additional extensions are requested and received.

ZONING HEARING BOARD OF
WARWICK TOWNSHIP

By: /s/ Kevin Wolf
Kevin Wolf, Chairman

/s/ Lorraine Sciuto-Ballasy
Lorraine Sciuto-Ballasy

NOTICE TO APPLICANT

You have the right to appeal this Decision to the Court of Common Pleas of Bucks County. Such an appeal must be taken within thirty (30) days of the date the Decision was issued and mailed to you as stated above.