

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

**Applicant:** Augustus Russo  
111 Jericho Valley Road  
Wrightstown, PA 18940

**Owners:** Same.

**Subject  
Property:** Tax Parcel No. 53-002-103-011, which is located at the address of the Applicants set forth above.

**Requested  
Relief:** Applicant seeks to further improve the subject property with an in-ground swimming pool, accessory patio areas and a small accessory structure (96 sf shed). Post improvement impervious surface coverage is 19.1%. §402.B, Table of Performance Regulations of the Joint Municipal Zoning Ordinance permits a maximum of 18% impervious. Applicant seeks a variance accordingly.

**Hearing  
History:** The application was filed in Wrightstown Township on September 10, 2025. The first hearing was held on October 29, 2025. A second hearing was held on November 12, 2025, at the Wrightstown Township Building, 2203 Second Street Pike, Wrightstown, PA 18940.

**Appearances:** Applicant by: Bryce H. McGuigan, Esq.  
Begley, Carlin & Mandio, LLP  
680 Middletown Boulevard  
Langhorne, PA 19047

**Mailing Date:** December 26, 2025

## DECISION

### FINDINGS OF FACT:

1. The Zoning Hearing Board of Wrightstown 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 Subject Property is located in the CR-1, Country Residential Zoning District of Wrightstown Township. The lot area is 43,560 square feet. The property accommodates the Applicant's single-family dwelling with customary residential improvements.

4. Applicant has recently improved the Subject Property with an in-ground swimming pool, accessory patio areas and a small accessory structure (96 sf shed). Post improvement impervious surface coverage is 19.1%. §402.B, Table of Performance Regulations of the Joint Municipal Zoning Ordinance permits a maximum of 18% impervious. Applicant seeks a variance accordingly.

5. As part of the improvements, Applicant has designed and constructed an oversized raingarden to address the increase in impervious surface coverage.

6. The initial improvement plan was not to exceed the allowable 18% impervious surface coverage, but the Post-Construction As-Built Plan reflected an impervious surface coverage ratio of 18.9% rather than the 18% permitted. Applicant then seeks to add a storage shed not to exceed 96 square feet, which brings the impervious surface coverage to 19.1%.

7. As indicated, as part of the permitted improvements, Applicant did design a raingarden on site to address impervious surface coverage up to 24%. Applicant has addressed the impervious surface coverage, improvements, and sufficiency of the raingarden, with the Planning Commission and the Board of Supervisors. Applicant has experienced no stormwater management problems on site.

8. The property is extensively landscaped on both sides and the rear with a combination of Green Giants and Skip Laurels.

9. Despite the above, following the first hearing held, the Zoning Hearing Board was concerned with regard to the potential flow or volume of stormwater due to the increased impervious surface coverage as well as the water quality.

10. Applicant emphasized that the raingarden as designed was more than sufficient to address all issues raised, and further that the modest sized shed was necessary for appropriate use of the Subject Property.

11. The matter was continued to permit Applicant to address the concerns raised by the Zoning Hearing Board with regard to the impact of the increase in impervious surface coverage.

12. Applicant returned during the second hearing with Professional Engineer Vincent Fioravanti, Fioravanti, Inc. Mr. Fioravanti addressed a Survey Plan, prepared by Cavanaugh's Surveying Services, dated July 23, 2025, which included raingarden calculations. Mr. Fioravanti then incorporated a color rendering with annotations regarding the existing raingarden, with photographs of the existing site, including the aforementioned plantings. Mr. Fioravanti also discussed a Tax Map with topographical indicators, and annotations illustrating stormwater flow. Mr. Fioravanti emphasized that the Green Giants (evergreen trees) planted after the pool was constructed, alongside the raingarden, represent nonstructural "BMPs" (Best Management Practices), for addressing stormwater management. Further, Mr. Fioravanti emphasized that the raingarden has been over designed to control all impervious surface flows and that the surrounding areas have been graded and stabilized to address any stormwater management concerns.

13. No one spoke in opposition to the application. Multiple neighboring property owners did confirm the lack of any stormwater management problems on site or in the immediate area, and expressed support for Applicant's proposal.

14. Wrightstown Township remained neutral with regard to the merits of the application, but did request certain conditions in the event that relief was granted.

### **CONCLUSIONS OF LAW:**

1. The Subject Property has been developed and used consistent with the requirements of the Ordinance, but for the inadvertent increase in impervious surface coverage above the 18% permitted to 18.9%, and the request to further increase the impervious surface coverage to 19.1%.

2. In that the variance relief speaks to impervious surface coverage and may impact the Township MS4 Plan and other issues within the Jericho Watershed, the Zoning Hearing Board took additional steps to assess the impact of the present request for increased impervious surface coverage on this residential property, and the sufficiency of the stormwater management BMPs in place.

3. Based upon the additional information made available by Applicant through its professionals, the Zoning Hearing Board does conclude as follows.

4. The competent evidence presented leads the Board to conclude that, if the variance relief is granted, there will be no negative impacts upon surrounding properties or uses.

5. The evidence establishes that the relief sought by the Applicant is the minimum variance necessary.

6. The variance sought will not alter the essential character of the neighborhood or district in which the Subject Property is located.

7. The Applicant has presented evidence of sufficient factors to warrant the grant of the dimensional variance requested under the relaxed variance standard applicable to dimensional variance cases, as articulated by the Pennsylvania Supreme Court, in Hertzberg v. Zoning Board of Adjustment of the City of Pittsburgh, 554 Pa. 249, 721 A.2d. 43 (1998).

8. Accordingly, the Wrightstown Township Zoning Hearing Board determined, by a 2-0 vote, to GRANT the Applicant's request for relief, as is set forth hereafter.

## **ORDER**

Upon consideration and after hearing, the Zoning Hearing Board of Wrightstown Township hereby GRANTS a variance from §402.B, Table of Performance Regulations of the Newtown Area Joint Municipal Zoning Ordinance to further improve the subject property with an in-ground swimming pool, accessory patio areas and a small accessory structure (96 sf shed) resulting in an impervious surface coverage is 19.1%, where a maximum of 18% is permitted.

The relief granted is subject to the following conditions:

1. The additional accessory structure is not to exceed 96 square feet in area; and,
2. Applicant must execute a Stormwater Operation and Maintenance Agreement for the rain garden presently installed on the subject property. The Stormwater Operation and Maintenance Agreement will be recorded with the Recorder of Deeds by Wrightstown Township at Applicant's expense.

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### **ZONING HEARING BOARD OF WRIGHTSTOWN TOWNSHIP**

/s/ Steve Marcell

Steve Marcell

/s/ Allen Masenheimer

Allen Masenheimer