STROUD TOWNSHIP

Application for Waiver or Modification of Riparian Buffer Requirements

Chapter 23, § 23-110 | Submit to Zoning Officer | 1211 North Fifth Street, Stroudsburg PA 18360

INSTRUCTIONS — READ BEFORE COMPLETING

A waiver or modification may be granted only if the Board of Supervisors finds that: (1) enforcement would create an undue hardship due to peculiar physical conditions of the land; (2) the hardship was not created by the applicant; (3) cost alone is not the basis for the request; (4) the waiver is not contrary to the public interest; and (5) the purposes of Chapter 23 and the applicable Act 167 Plan are preserved. Cost or financial burden alone does not constitute hardship.

This application must be submitted concurrently with a Site Plan and Narrative unless the Township authorizes a different sequence. The review clock does not start until the Zoning Officer issues a written completeness determination. All submissions become part of the public record and cannot be returned.

SECTION 1 — CONTACT INFORMATION

Property Owner Name | **Phone** | **Email**

Owner Mailing Address | **State** | **Zip**

Applicant Name (if different from Owner) | **Phone** | **Email**

Applicant Mailing Address | **State** | **Zip**

SECTION 2 — PROPERTY INFORMATION

Property Street Address / Location | **Municipality** Stroud Township

Tax Parcel Number(s) | **Zoning District** | **Lot Area (acres)**

SECTION 3 — PROJECT DESCRIPTION

Briefly describe the proposed regulated activity and its scope:

Total Earth Disturbance (sq ft or acres)	New Impervious Area (sq ft)	Estimated Project Start Date

SECTION 4 — WAIVER OR MODIFICATION REQUESTED

List each ordinance section for which relief is requested. Attach additional sheets if needed.

Ordinance Section	Brief Description of the Requirement	Specific Relief Requested

SECTION 5 — HARDSHIP AND REQUIRED FINDINGS

The Board of Supervisors may grant a waiver only upon making all five findings below. Your attached Statement of Facts must address each finding in detail. Use this checklist to confirm your statement covers all five.

a.	**Peculiar Physical Conditions** Enforcement of the specific requirement would create an undue hardship due to peculiar physical conditions of the land (e.g., soil type, topography, existing drainage patterns, proximity to waterways). Describe the physical condition in detail.	☐ *Addressed in attached statement*
b.	**Hardship Not Self-Created** The hardship arises from the physical characteristics of the land, not from actions taken by the applicant or a predecessor in title.	☐ *Addressed in attached statement*
c.	**Not Based on Cost Alone** Financial burden or increased construction cost is not the sole basis for the request.	☐ *Addressed in attached statement*
d.	**Not Contrary to the Public Interest** Granting the waiver will not be contrary to the public interest and will not create a risk of harm to neighboring properties or downstream areas.	☐ *Addressed in attached statement*
e.	**Purposes of Chapter 23 and Act 167 Plan Preserved** The proposed alternative standard or approach will provide equal or better achievement of the purposes of Chapter 23 and the Brodhead-McMichaels Creek Act 167 Plan.	☐ *Addressed in attached statement*

SECTION 6 — REQUIRED ATTACHMENTS

Initial each item when included. Leave blank if not applicable and explain below.

Initial	Document	Description
	Statement of Facts and Circumstances	Written narrative addressing each of the five findings in Section 5. Reference specific site conditions, physical constraints, and supporting data.
	Site Plan	Complete Site Plan conforming to Riparian Buffer Relief Checklist.

	Engineering Calculations and Studies	Any supporting calculations required for justification.
	Alternatives Analysis	Documentation that alternatives to the waiver were evaluated and found impracticable. Identify each alternative and explain why it was rejected.
	Erosion and Sediment Control Plan	Required where the project constitutes regulated earth disturbance under 25 Pa. Code Chapter 102.
	Other Agency Permits / Applications	Proof of application for any required NPDES permit, DEP joint permit, PennDOT highway occupancy permit, Chapter 105/106 permit, or other applicable approval if necessary.
	Additional Supporting Materials	Describe: _____

SECTION 7 — CERTIFICATION AND SIGNATURES

By signing below, each signatory certifies that all information in this application and all attachments is true, accurate, and complete to the best of their knowledge and belief. Any permit issued based on false, misleading, or erroneous information is void without further proceedings (§ 23-109). The applicant and owner authorize Township staff to conduct inspections between 8:00 a.m. and 5:00 p.m. on business days. All submitted materials become part of the public record.

Applicant Signature **Printed Name and Title** **Date**

Property Owner Signature (if different from Applicant) **Printed Name and Title** **Date**

RAPARIAN BUFFER RELIEF SUBMISSION CHECKLIST

Chapter 23, § 23-303| Initial each item when included. Note "N/A" if not applicable.

Initial	N/A	Item
WRITTEN DESCRIPTION		
		1. General description of the project
		2. Description of permanent stormwater management techniques and construction specifications.
		3. Description of site conditions that prevent compliance with required buffers
		4. Description of alternatives considered for location outside of required buffers.
		5. Description of how proposed project will provide equal or better protection as the Buffer
MAPS (Maps can be created from public sources such as Monroe County GIS or other sources)		
		6. Location map at 1" = 2,000' or less.
		7. Applicant name/address, property address and property Parcel ID.
		8. Plan to Scale
		9. Approximate property boundary
		10. Location of existing structures (Can be aerial photography)
		11. Locations of streams, lakes, ponds, wetlands, and other Waters of the Commonwealth on site.
		12. Required Riparian Buffers with labels and widths
		13. Proposed structures, roads, paved areas, impervious surfaces, buildings, and other land cover.
		14. Topography (can be from public sources)
		15. Limits of earth disturbance; type and amount of impervious area to be added.
		16. Locations of all erosion and sediment control facilities
SUPPLEMENTAL INFORMATION		
		17. Calculations showing the percentage of regulated activity within Buffers.

Incomplete submissions will not be accepted for review and will be returned with written notice of deficiencies. The 30-day review period does not begin until the Zoning Officer issues a written completeness determination (§ 23-110.3). The public hearing fee (if applicable) is due only if the applicant requests a hearing after receiving the Zoning Officer's recommendation (§ 23-110.5).