

November 17, 2023

Smithfield Township Planning Commission
1155 Red Fox Road
East Stroudsburg, PA 18301

**SUBJECT: LANDS OF NANCY M. SHUKAITIS ESTATE
CONSERVATION SUBDIVISION – SKETCH PLAN REVIEW NO. 1
SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 2332260R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed a sketch plan review of the above referenced conservation subdivision. The submission consists of the following items.

- Application for Review of a Subdivision or Land Development Plan.
- Correspondence prepared by Alice N. Olenick, Executor, dated October 30, 2023.
- Property Deed, Deed Book 396, Page 1110.
- Sketch Plan for Lands of Nancy M. Shukaitis Estate (1 sheet) prepared by RKR Hess, dated August 18, 2023.

BACKGROUND INFORMATION

The Applicant has submitted a sketch plan for a proposed conservation subdivision of the Lands of the Nancy M. Shukaitis Estate. The project site is located on the southwesterly corner of the intersection of Franklin Hill Road and Hidden Valley Drive. The existing property is located within the R-C, Residential Conservation Zoning District and has an area of 17.58 acres. The existing property consists of two (2) single family residential dwellings; one taking access from Hidden Valley Road and one taking access from Franklin Hill Road, and an existing barn. The existing dwellings are served by on-lot water and on-lot sewage disposal. The remainder of the property consists of a blueberry orchard, woodlands, and wetlands.

The proposed conservation subdivision includes five (5) residential dwelling lots, two (2) open space areas, and a 25-foot-wide road right-of-way. The residential dwelling lots are each proposed having an area of 40,000 square feet. Proposed Lot 1 will consist of the existing single family dwelling taking access from Hidden Valley Drive. Proposed Lots 2 and 3 will consist of proposed single family residential dwellings, Proposed Lot 4 will consist of the existing barn and a proposed single family residential dwelling, and Proposed Lot 5 will consist of the existing single family residential dwelling taking access from Franklin Hill Road. Proposed Lots 2, 3, 4, and 5 will take access from a new proposed 18-foot-wide road having a right-of-way width of 25-feet. The new road will follow the existing driveway that takes access from Franklin Hill Road. The proposed dwellings will be served with on-lot water and on-lot sewage disposal.

The proposed open space areas will include the existing wetlands and a proposed stormwater management area.

The Applicant has requested this Sketch Plan review to determine the materials and design criteria of the proposed road taking access from Franklin Hill Road. Refer to Comments 3, 5, and 6. During our review, we also made comments on other areas of the Zoning Ordinance and Subdivision and Land Development Ordinance that were determined could be beneficial in the preparation of the land development plan.

Based upon our review of the Sketch Plan, we offer the following comments and/or recommendations for your consideration.

ZONING ORDINANCE COMMENTS

1. In accordance with Section 309, Schedule of District Regulations, the required minimum lot depth in the R-C, Residential Conservation Zoning District is 175-feet. Lot Depth is defined as “the average horizontal distance between the front and rear lot lines”. *Proposed Lots 2, 3, 4, and 5 have depths less than 175-feet and shall be revised for compliance with this Section.*
2. In accordance with Section 401.2.D.(1), “where the National Wetlands Inventory Maps indicate wetlands on a site or where a site contains hydric soils or an area with a predominance of wetlands vegetation, an on-site investigation shall be conducted to determine if wetlands are present on the site” *Wetlands exist on the westerly portion of the project site. A wetland study is required and shall be completed per Section 401.3.D.(1)(a) or Section 401.3.D.(1)(b).*

CONSERVATION SUBDIVISION ZONING ORDINANCE COMMENTS

In accordance with Section 501.3, “a conservation subdivision is one where lots or dwelling units are clustered closer together on a tract with the specific objective of creating large usable sections of open space on the remainder of the property and without substantially increasing density for the tract as a whole”.

In accordance with Section 501.3.A, “the Township Board of Supervisors shall be authorized, simultaneously with the approval of plans under the Smithfield Township Subdivision Ordinance [Chapter 22], to modify applicable provisions of this Chapter so as to accommodate conservation subdivision projects. Conservation subdivisions offer flexibility in design, facilitate the economical provision of streets and utilities, and preserve open space. They shall be allowed within any Smithfield Township residential district and be processed pursuant to subdivision plat approval procedures.”

3. In accordance with Section 501.3.C, “conservation subdivisions provide for single and multi-family dwelling units wherein dwelling units are grouped in sections in order to maximize the amount of common open space and to preserve the natural features. Proposed developments shall be processed in the same manner as a major subdivision and in accordance with the standards below.” *The proposed conservation subdivision shall be processed as a major subdivision, or a modification will be required.*

4. In accordance with Section 501.3.H, no more than 50% of the permanent open space may consist of wetlands, floodplains, slopes of 25% or more, water bodies and other undevelopable areas unless the same have been incorporated into the open space in such a manner as to make substantial practical use of these areas for trails, other active recreational uses (e.g., ballfields, golf courses and ski slopes) or similar development features, including use for stormwater detention and sewage treatment (see Subsection 3K). Such determination shall, however, be solely in the discretion of the Township Board of Supervisors. The Township may also require open space linkages with adjoining properties, set-asides of active recreation area for residents and fronting of up to 50% of lots on open spaces. All open space dedicated to such recreational use shall be accessible by all residents of the conservation subdivision. *It appears the proposed westerly open space area consists of more than 50% of the existing wetland and steep slope areas. The proposed stormwater management area is included in this open space area. The Applicant shall address whether the remaining area will be utilized for trails or other recreational uses. The Board of Supervisors should determine if the proposed use of the open space area is acceptable. Open space areas shall also meet the requirements of Part 12 of the Subdivision and Land Development Ordinance.*

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

5. In accordance with Section 503.G, “after preparing the Existing Resource/Site Analysis (ER/SA) Plan but prior to the Planning Commission meeting in which the plan is to be reviewed, the applicant/developer is strongly encouraged to arrange for a site visit with the Planning Commission and other municipal officials and professionals and shall provide sufficient copies of the ERSA Plan to distribute to all municipal officials attending the site visit. Applicant/developers, their site designers and the landowner are encouraged to accompany the Planning Commission. The purpose of the site visit is to familiarize local officials with the property’s existing conditions and special features, to identify potential site design issues and to provide an informal opportunity to discuss site design concepts, including the general layout of common open space (Greenway land) (if applicable) and potential locations for proposed buildings and street alignments.” *A site visit should be arranged at the Township’s discretion.*
6. In accordance with Section 1006.6, “Stub streets greater in length than one lot depth shall be provided with a temporary turnaround to the standards required for cul-de-sacs or shall be paved to the full width of the right-of-way for the last 75 feet of their length”.

In accordance with Section 1013.2, “cul-de-sacs shall have at the closed end, a turnaround with a right-of-way having a minimum outside radius of not less than 50 feet and shall be paved to a radius of not less than 40 feet”. However, per Section 1013.5, “other varieties of turnarounds such as T style turnarounds or tear drop configurations will be considered on an individual basis”. *The plan proposes a T style turnaround. The Applicant shall provide turning templates for a fire truck to demonstrate maneuverability at the T turnaround. The Applicant shall discuss with the Township whether a T turnaround will be considered.*
7. In accordance with Section 1006.11.C, “a private access drive may be utilized solely to provide access to not more than four lots of single-family residential or agricultural use in a minor subdivision, which do not abut or have frontage on a public or approved road. Private access drives shall not be permitted in any approved, or proposed, major subdivision.”

A Minor Subdivision is defined as “a division of any part, parcel, or area of land:

- (1) That results in only four new additional single family detached residential lots, or only four new additional lots of more than 10 acres with an agricultural use, in addition to one pre-existing lot; and,
- (2) Which does not involve an extension or new segment of a street (other than what was previously approved); and,
- (3) Creates no public or private community facilities or municipal facilities, such as but not limited to stormwater control facilities, a central water supply, a central sewerage disposal system, or streets, except as defined above; and,
- (4) Which has not received final subdivision approval of four or more new lots from the same parent tract.”

An 18-foot-wide gravel private access drive having a right-of-way width of 25-feet is proposed. The first 50-feet will be paved as required by Appendix B.

The proposed road provides access to only four (4) single family residential dwelling lots which would permit the use of a private access street, and the proposed conservation subdivision proposes only four (4) new single family residential lots, however the subdivision does not fully meet the definition of a minor subdivision:

- a. *A new road is proposed.*
- b. *A stormwater management area is proposed.*

Therefore, the proposed conservation subdivision plan cannot be considered a minor subdivision. In addition, Section 501.C of the Zoning Ordinance states that proposed conservation subdivisions “shall be processed in the same manner as a major subdivision”. Refer to Comment 3.

At a minimum, the proposed road shall meet the requirements of a Local Road/Minor Street. Per Appendix B, a local road/minor street shall be paved to a width of 26-feet wide and have a right-of-way width of 50-feet. A local road/minor street may or may not be dedicated.

8. A landscape plan in accordance with Part 11 shall be provided with the subdivision plan submission.
9. In accordance with Section 1202.A, “in conformance with the Pennsylvania Municipalities Planning Code, this Section requires the public dedication of land suitable for park land, non-commercial recreational uses, preserved open space, and the construction of recreational facilities. Upon agreement of the Board of Supervisors, any of the following alternatives may be approved by the Board of Supervisors in lieu of public dedication of land, as specified in this Section:
 1. Payment of recreation fees.
 2. Construction of recreation facilities.

3. Dedication of recreation land or preserved open space to the Township or its designee.
4. A combination of these alternatives.”

Open space and recreation facilities and/or a fee in-lieu-of shall be provided.

STORMWATER MANAGEMENT ORDINANCE COMMENTS

10. In accordance with Section 223-1.1.(1)(d)(1), Wetlands and Vernal Ponds, “Inner buffer - measured perpendicular to and horizontally from the edge of the delineated wetland or vernal pond, for a distance of 50 feet.
 - a) Permitted activities/development stormwater conveyance required by the Township, buffer maintenance and restoration, the correction of hazardous conditions, stream crossings permitted by DEP and passive unpaved stable trails shall be permitted. No other earth disturbance, grading, filling, buildings, structures, new construction, or development shall be permitted.
 - b) The area of the inner buffer altered by activities permitted in accord with § 26-223, Subsection 11(1)(d)1), shall be minimized to the greatest extent practicable.

The inner buffer extends into the designated stormwater management area. Any disturbance of the inner buffer shall be minimized to the greatest extent practicable.

11. In accordance with Section 223-1.1.(1)(d)(2), Wetlands and Vernal Ponds, “Outer buffer - measured perpendicular to and horizontally from the outer edge of the inner buffer for a distance of 100 feet resulting in a total buffer of 150 feet.
 - a) Permitted activities/development -stormwater conveyance required by the Township, buffer maintenance and restoration, the correction of hazardous conditions, stream crossings permitted by DEP, roads constructed to existing grade, unpaved trails, and limited forestry activities that do not clear cut the buffer (e.g., selective regeneration harvest) in accord with a forestry management plan shall be permitted provided no buildings are involved, and those activities permitted under § 26-223, Subsections 11(5) and 11(6).
 - b) No more than 20% of the cumulative outer buffer on the subject parcel shall be altered by the activities permitted in accord with § 26-223, Subsection 11(2)(d)2).

The outer buffer extends into the designated stormwater management area and into Proposed Lots 4 and 5. Any disturbance of the outer buffer shall be 20% or less of the total outer buffer area.

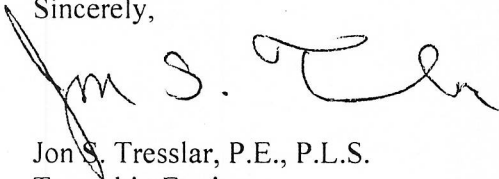
The above comments represent a thorough and comprehensive review of the limited information submitted with the intent of giving the Township the best direction possible. However, due to the nature of the comments in this review, the receipt of new information may generate new comments.”

In order to facilitate an efficient re-review of revised plans, the Engineer shall provide a letter, addressing item by item, their action in response to each of our comments.

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If you should have any questions regarding the above comments, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon S. Tresslar". The signature is written in a cursive style with a large initial "J" and "S".

Jon S. Tresslar, P.E., P.L.S.
Township Engineer

JST/meh/tms

cc: Ronold J. Karasek, Esquire, Smithfield Township Solicitor
Ken Wolf, Smithfield Township Zoning Officer
Mark Buckvalt, P.E., T and M Associates – Applicant's Engineer
Alice Olenick, Executor – Applicant
Melissa E. Hutchison, P.E., LVL Engineering Group

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