

Delaware Takes New Look At PMLF Repository Lots Issue

By Lisa Mickles

DINGMANS FERRY — Delaware Township Board of Supervisors might consider the sale of repository lots to adjoining property owners residing in the private community of Pocono Mountain Lake Forest (PMLF), provided certain restrictions are met.

PMLF Attorney Robert Reno approached the board last Wednesday and requested that the supervisors reconsider their stance to permit the sale of 44 repository tax sale lots, which were to remain vacant through a prior agreement with the township, to adjacent property owners. The new provisions, if approved by the supervisors, would require the adjacent properties be combined, building would be restricted to accessory structures only, such as sheds or small garages, and the deeds stipulating the restrictions, be approved by the supervisors.

The issue has been ongoing for several years between the township and PMLF as to whether or not the properties could be resold since the properties were taken off the tax rolls and were to remain as open space or common areas within the community.

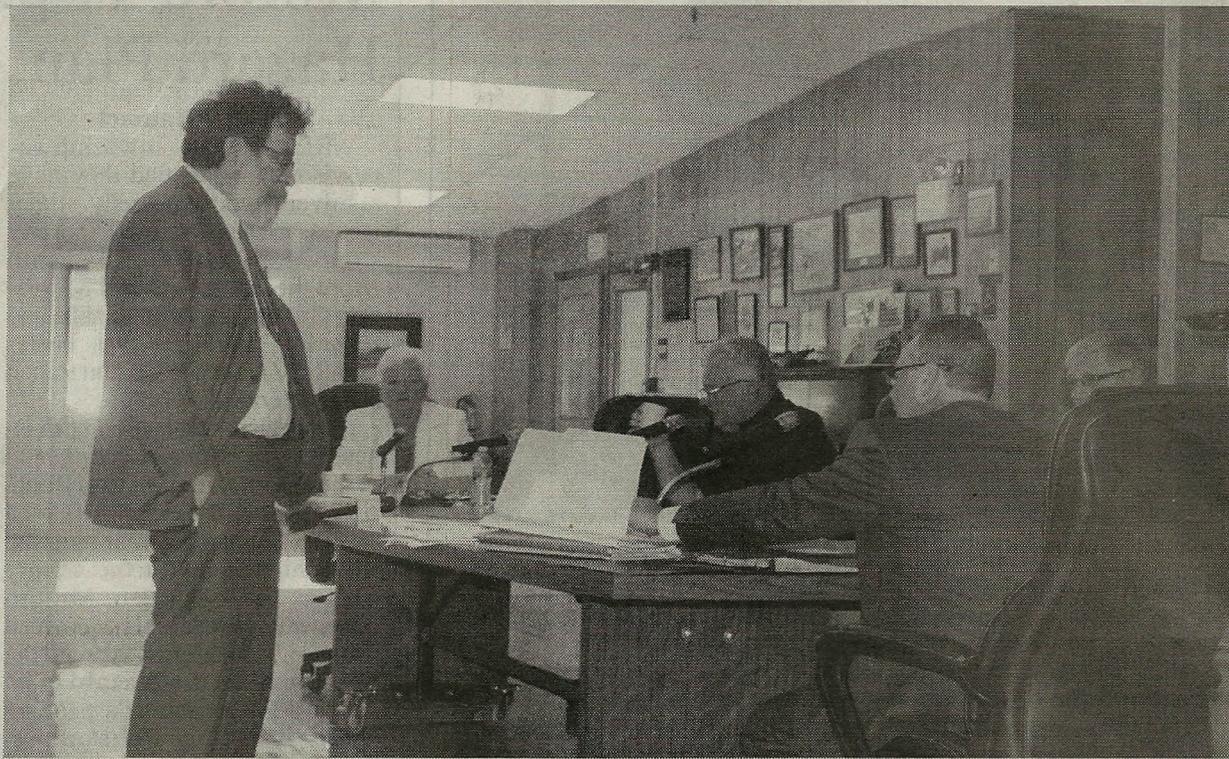
Township Solicitor Tom Farley explained to Reno that he conducted a title search and found two deeds showing 44 lots purchased by PMLF at a reduced rate back in 2001, noting that in regards to those properties, it was understood by the township that they could not be built on.

Supervisor Robert Luciano clarified saying it was his understanding that they were to remain vacant unless there was a need for new sewage treatment system due to any system malfunctions.

Reno questioned if the restrictions also related to properties that were donated to the community by the developer. Farley responded by saying only repository lots were in question.

Farley then went on to explain that there are three types of tax sales, with the first being properties purchased with liens. The second would be a judicial sale in which someone purchases the property and the liens are removed, with the final tax sale being repository sales in which the highest bids, usually at a reduced rate, are accepted, also free and clear of any liens.

All repository lot sales are reviewed by the township supervisors and must be approved by the board through a request from the county once the properties are taken off the tax rolls. Most lots that hit the final stage of tax sale are usually considered unbuildable since most do not meet building and/or sewage



(Photo by Lisa Mickles)

Pocono Mountain Lake Forest Attorney Robert Reno requests that Delaware Township Supervisors reconsider allowing the private community to sell off some of their repository lots to adjoining property owners to construct accessory structures such as sheds and garages. Pictured from left to right are Reno, Office Manager Barbara Foos, Supervisors Tom Ryan, Thaddeus Parsell and township attorney Tom Farley.

Since it was determined by the county five or six years ago that some properties were being resold after they were purchased at the discounted rate through repository tax sales, the county began stipulating on the deeds that the properties were to remain free and clear of any building structures.

Since the lots in question were prior to the county's new policy, Reno questioned how the supervisors could enforce the restrictions especially since he is still waiting for documentation outlining the restrictive language.

"I still have yet to find anything from the township which placed building restrictions on the lots," he said while adding, "What exists are deeds with no restrictions on them and unless the township produces the document on what the restrictions are, it is unenforceable."

Chairman Tom Ryan said that although he had seen the documentation, he might be willing to consider allowing the properties to be sold to adjoining property owners. Luciano also agreed provided the restrictions were met. Supervisor Thaddeus Parsell said he was not in favor since he believed the properties should remain free and clear of any building structures.

Farley requested that Reno draft a contract agreement, signed by both parties, stipulating the new requirements. That way, if the board approves the repository lot sales, there are no problems in the future, and both the community association and the township are

The supervisors approved four bids for miscellaneous office items, which consisted mostly of outdated computer towers and file cabinets after the municipal offices were recently updated. The township held an advertised silent auction at Camp Akenac where interested bidders could submit bids in sealed envelopes to be opened at a workshop meeting and announced at the following supervisors meeting. Since the response was minimal, the board agreed to donate any remaining items to non-profit organizations that service the township. Luciano abstained from voting since his wife purchased several items.

The board approved the lot combination for O'Connell, located off Route 739 behind Failte's Irish Pub and Steakhouse, which will allow for the installation of a new septic system.

The board approved advertising for a public hearing regarding the township's new sewage maintenance ordinance, which will require septic systems be pumped every three years depending on the oc-

cupancy level since some homes with low usage could be precluded by going through a sludge judge test. The ordinance can be viewed at the township municipal building as well as the township's new operational website at www.delawaretownship.pa.gov.

The following events are scheduled for Akenac Park; Saturday, July 7, the township will hold a family picnic day. On Saturday, July 14 beginning at 8 p.m. movie night featuring the Dreamwork's production of "Puss in Boots." On Saturday, July 27, a historical movie presentation, produced and directed by NY film producer Dennis Lee, will highlight the history of Dingmans Ferry before the Tocks Island Dam project. All events are open to the public and are free of charge.

The next board of supervisors meeting will be held on Wednesday, July 11 at 6 p.m. at the municipal building located off Wilson Hill Road. The supervisors will also hold their next workshop meeting prior to the board meeting beginning at 5 p.m.