

Memo:

FAX. 1

11/25/2022

To: Smithfield Township Supervisors

From: Russell D. Scott III

P.O. Box 1067

Marshalls Creek, Pa. 18335

CP- 570-369—6352

Email [rdsiii@ptd.net](mailto:rdsiii@ptd.net)

RE: Mountain Manor Redevelopment

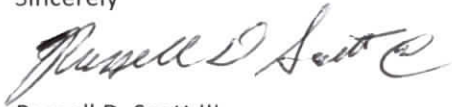
Good Morning:

I am writing to you as a last ditch effort to make sure all the information is understood about the "ED Zone" change request is understood. As I see it, the Township of Smithfield has a once in a life time opportunity, which will never come again.

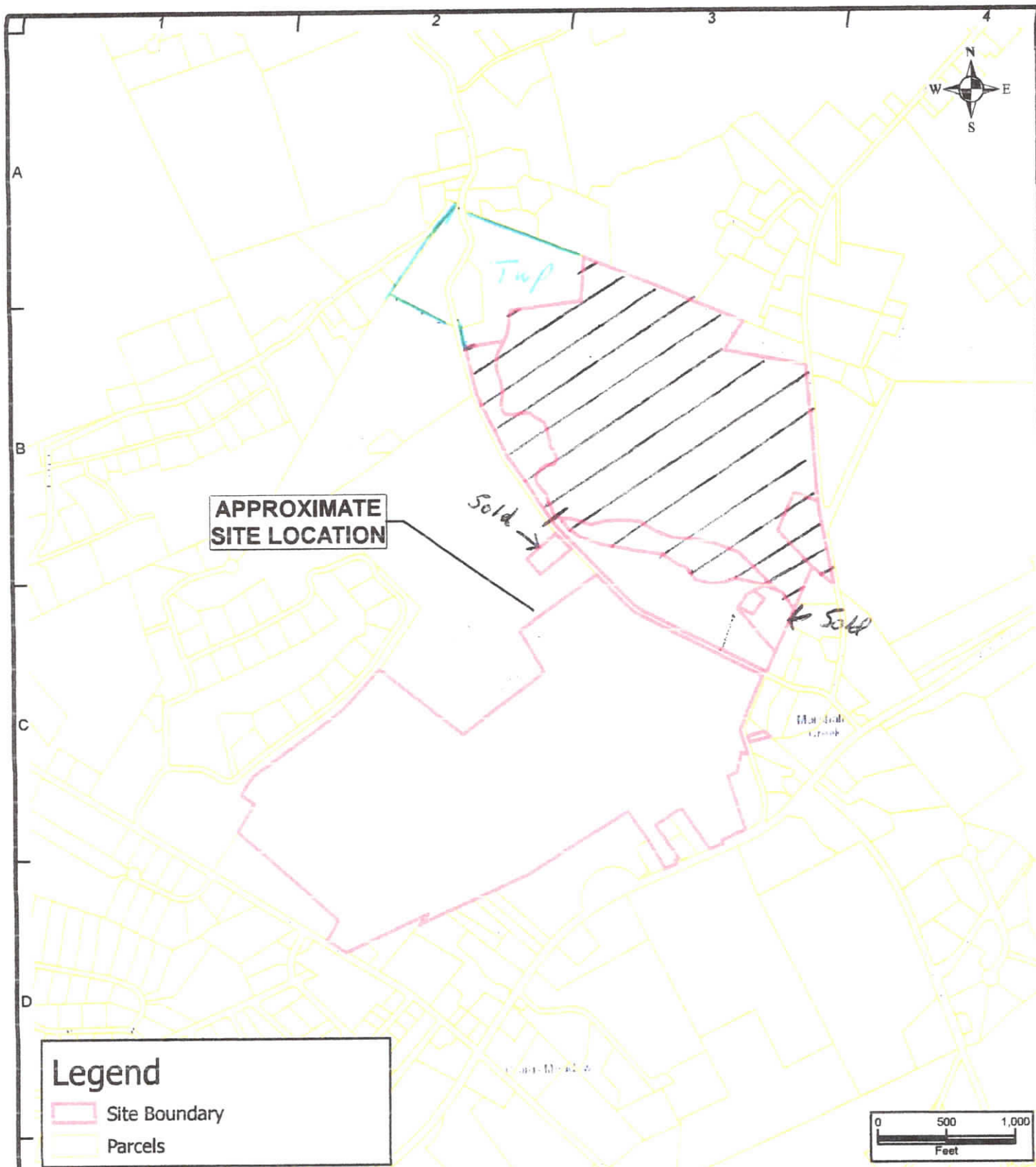
This is because the alternative to a large warehouse 1/8 mile off Business 209, is 856 home PRD permitted use project, with 2.5 children per house hold @ \$16,000 per child. This has a negative impact on the tax payer.

The warehouse would be in the middle of a 147 acre track of land. I am including data regarding the 90 +/- acres gift, which includes the paved parking lot off the Marshalls Creek Road with a grandfathered HOP, needed for the Marshalls Falls. My agreement with the buyer is up November 1<sup>st</sup>, if there is no positive thinking, we are done with the effort to help the Township acquire a \$2 million gift to extend their park footprint, which include future ballfields, existing paved walking trails, ½ mile of high quality trout stream, and access to the south side of the Marshalls Falls.

Sincerely



Russell D. Scott III



## Legend

- Site Boundary
- Parcels

ReportAll, State of New Jersey, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, METI/NASA, EPA, USDA, © Real Estate Portal USA, LLC 2016

# LANGAN

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Project

**Mt Manor  
Redevelopment**

SMITHFIELD TOWNSHIP

MONROE COUNTY PENNSYLVANIA

Drawing Title

**NATIONAL TAX MAP**

Project No.

100988801

Date

3/10/2022

Scale

1:1,000

Drawn By

Site Analyzer

Submission Date

03/10/2022

Figure

1

Sheet 1 of 1

*December 13, 2020*

**Marshall's Falls Park. (by Robert Lovenheim)**

I guess I should say, let's start with why there is no Marshall's Falls Park (yet). When I took office in 2015, this park was already in the planning stage and a master plan was posted on the Township website. Why is it that in five years almost nothing has happened?

Last summer this popular swimming hole had to be closed and patrolled by guards because it had been overwhelmed with people and garbage. Last summer also marked the fourth year since the Township had received two state grants to cover trails, amenities, disabled access so that the park could be fully developed and opened as a safe, clean, manageable area where all could enjoy it. We had all the money, what was the hold up?

The problem with opening the park was not money, but parking. The original plan depended on a nearby landowner allowing us to use an existing lot for parking. It never happened. Time and again we heard promises, but no action. State grants only last so long before the State revokes them if you don't use them. We were already on extension of one grant. In an effort to find alternative parking we cut a new entrance into the woods from the highway. The plan was to build a small parking lot for a few cars as a temporary measure in hopes the owners of the big lot would come around and let us use theirs (they never did).

Building a "road cut" onto a State highway is no simple matter. PennDot must approve it. In this case we were first told it was okay, and then told it was not. The driveway of a neighboring house was too close to our new proposed driveway, and even if we could use the neighboring driveway as our shared entrance, it was too close to a dangerous curve to be approved for public safety.

By last June things had reached an impasse. No road cut permission, not driveway. No parking, no park. To make matters worse, we had just been informed that PennDot arbitrarily revoked a \$650,000 grant to put in new traffic light system on 209 because of Pandemic funding shortages. We were very worried the same thing could happen with our park grants and I felt we had to move quickly.

That is when the engineering firm designing the park, working alongside us, came up with the only workable idea: buy the adjoining house, tear it down to make room for an adequate parking lot, and close their existing driveway so PennDot would approve our new driveway. (theirs was near a blind curve and ours was on a straight section of Marshall's Creek Road that would be much safer).

- We had to try and get a spade in the ground, starting the park, before either the State revoked our grants or PennDot revoked our application for the road cut. In June, I made the motion to buy the house, Mr. Pride seconded it.

The couple who owned the house were beset with illness and financial questions. The first thing we needed was someone to represent their interests, either an independent lawyer or a real estate agent. It was apparent they could not afford either. A municipality is not like a speculator who can try to take advantage of people by manipulating a sale for his own enrichment. We can't run the risk of cheating someone and/or being taken to court. Someone reputable and honest must represent the seller, and get fair terms and a fair price. So a realtor was engaged who was familiar with the property because he had appraised it for us two years before. The price the buyer wanted turned out to be more than the appraised price and it also turned out the higher price had been suggested at some point earlier by either information or misinformation provided from someone at the Township. And the same time we learned that one of the couple was very ill, there were many difficulties in moving out quickly including moving, storage, assisted living arrangements and so forth.

So we decided to settle on a formula that would pay our appraised fair market price plus a very generous payment for expenses relating to meeting our need for speed (to close the deal quickly to preserve our grants and preserve (and finalize) our application with PennDot).

I know this sounds complicated. With a municipality, I guess it always is. We couldn't pay more than \$125,000 for the house per the appraisal (municipalities are not allowed to go above appraised prices). But we could offer a generous relocation allowance. (up to \$10,000). Adding in realtor fees and closing fees, the total house, barn, and about two acres of what will be more parkland came to \$148,140.18.

Mr. Pride and I decided to finance the purchase with a bank loan of \$125,000. Even though we had ample money to pay this price from our general fund, in this year of COVID-19, it seemed prudent to hold on to our funds. Especially since we got a five year loan at about 2.5%, repayable at any time.

I signed the closing papers in mid-November, just as PennDot notified us that they were going to nullify our application for the road cut within 30 days if we did not proceed. We made it in the nick of time. The house is now ours. By spring it will be gone. By mid-summer (we hope) we will have a brand new park.

Was the price for the house or the moving allowance or engaging a realtor too much? The Face-book critics who live in a perfect world might cry that it was. But what is the alternative they offered? I consider it a good bargain, even if driven by our pressing deadlines.

My belief is you must deal with the circumstances at the time, not the theory of what might have been. Smithfield's budget is in the millions every year. Paying what we did for expediency in moving forward is just the necessity that any business or municipality faces every day.

And by the way, it turned out that our decision to finance was a good one. Because of an error in the time frame allowed to advertise for bids, we could not use some State funds set aside for paving Tott's Gap Road this year, so we had to dip into the general fund to make up the difference (we'll get a credit next year). Our \$125,000 loan for the house and acreage proved to be a good idea.

We all look forward to the new Marshalls Falls Park. It will be clean, planted, maintained, and accessible to everyone. If you've never been up there — wait until it opens and be inspired by this beautiful grotto and surrounding trails.

Smithfield Township PA

Sent from my iPad



# Campaign to protect local streams announced

## 80 percent of 'Exceptional Value' waters are in Poconos

Staff Report

**MOUNT POCONO** — A unified coalition of local groups launched a campaign to preserve threatened streams in the Poconos.

PennFuture, along with other organizations, community members and businesses announced the "Our Pocono Waters" campaign Tuesday. The campaign is a regional movement aimed at unifying the community while educating people from all walks of life about exceptional value streams.

The Pennsylvania Department of Environmental Protection defines an exceptional value, or EV, stream as having high quality water. The quality of such waters are to be maintained, and the state mandates that EV waters and streams are to be protected at their present quality, according to the state DEP.

According to PennFuture,

some EV waters are under threat in our area due to groups of business owners and developers challenging such protections.

The Our Pocono Waters campaign utilizes both billboard and digital advertisements to spread awareness and engage citizens to highlight the ways clean streams and economic development coexist in the Poconos.

"Our Poconos region is at a crossroads," Jacquelyn Bonomo, president and CEO of PennFuture said in a press release Tuesday. "Our most exceptional streams are now at risk as some would prefer to pollute (the streams) rather than invest in the time engineering and technology needed to protect streams from stormwater runoff and industrial pollution.

"We look forward to working with our neighbors and businesses in the Poconos to protect our truly exceptional and pristine streams so that we can continue a legacy for the region in which businesses and nature go hand-in-hand."

Only two percent of streams in Pa. are classified as EV



**Pocono Creek in Tannersville on Sunday, April 15, 2018.** [POCONO RECORD FILE PHOTO]

streams, and 80 percent of those are in the Poconos — primarily in Monroe, Pike and Wayne counties.

The campaign is calling on the public to sign a petition available online at [www.our-poconowaters.org](http://www.our-poconowaters.org) that will be sent to elected officials. A list of participating groups is also available on the website.

**Marshall's  
Creek  
Falls  
tumble  
down a  
rock face  
on Friday,  
April 7,  
2017.**

[POCONO  
RECORD  
FILE  
PHOTO]



10/13/2022

Discuss additional information related to ED Zone.

Property Purchase: Expanded to Route 402.

How many of you have visited the Marshalls Fall?

Hand out 1<sup>st</sup> Map. Discuss

Hand out 2<sup>nd</sup> Email. Discuss

Mr. Herman agreed to purchase all the 237 acers & gift the 90+/- acers, between Route 402 & the Marshalls Creek. This is more than a gift.  $\frac{3}{4}$  of the property have been impacted which is significant as it would wave the pre-storm water requirements. Land has been impacted: cleared, filled, graded, drained & seeded. The Township would control  $\frac{1}{4}$  to  $\frac{1}{2}$  a mile of the Marshalls Creek which is an exceptional quality cold water fishery. The Township has adopted regulations to preserve & protect the water quality in the Township.

Hand out 3<sup>rd</sup> pictures. Discuss

Hand out 4<sup>th</sup> water quality. Discuss

09/03/2019 Smithfield Township

## Marshall's Falls Expansion Project

Project Expansion Needs:

- Paved parking (with grandfathered Highway Occupancy Permit)
- Safe access walking trails to water fall

- Expanded activity area with 8 foot paved cart paths

- The activity turf areas, are within the 150 foot non disturbance rule (would not be allowed today) are finished & would be mowed for public

- Allow handicap accessible to two, concrete & steel golf cart bridge, meets 100 year storm event

- High quality trout stream

- Add Gazebo to relax & permit weddings

**Discuss overall project:**

Present permitted use would allow 856 residences which calculates to 2 children per home at a cost of \$10,000 / child & 2 cars per home.

Property tax is the Bain of all the small resorts being out of business.