

DEEP CREEK DISPATCH

Summer, 2002

Newsletter of the
Property Owners' Association
of Deep Creek Lake, Incorporated

POA General Membership Meeting

The next POA general membership meeting will be **August 24, 2002**, at 8:30 am at the **Garrett Eight Cinema**. The date in the Spring issue of the Dispatch was in error. New directors will be elected.

Summary of the June 22 General Membership Meeting

POA president, Judge Fred Thayer, opened the meeting with an introduction of guests and dignitaries. State Senator Hafer and Delegate Edwards both greeted the membership. The *Dispatch* notes that both are running unopposed this November.

County Commissioner Gregg spoke to the membership about the investment the County was making in the lake area, and wanted us to know that State Park Road and Beckman's Peninsula Road have been recently repaved.

Commissioner Beitzel welcomed the members and noted that the new tax bills will, for the most part, be higher, but that this showed that property owners had made a wise investment in Garrett County lake area property.

Commissioner Holliday invited the members to visit or call with any of their concerns.

President Thayer explained what portion of the County budget is provided by the Lake (Tax District 18). About 35% of the County revenue comes from property taxes, and just over half of that comes from "the Lake." Thus lake properties provide about 18% of Garrett County's total revenue.

Cathy Mateer from the Maryland Department of General Services spoke about the buy-down. She reminded the membership that progress of the buy-down can be found on

the internet at www.dgs.state.md.us. At the home page under the red bar you will find the site.

Some property owners have been concerned that the width of the buy-down is different from the width of their property on the Pennelec line. For example, the survey finds 396 feet between two Pennelec monuments. Within this space there are four "100 foot" lots. The buy down will show the width of each buy-down as 99 feet. This just means that the buy-down is not exactly as wide as your lot.

With regard to Condo and Homeowner Associations, Cathy explained that the State will only deal with a legally organized entity. Condo associations are legal entities. Homeowner Associations need to incorporate in order to participate in the buy-down.

Paul Durham, lake manager for the DNR introduced his new assistant Carolyn Mathews, park manager, who will be handling permits. Sarah Crouse will be working with her.

It has often been suggested that issuance of permits for construction of shoreline erosion prevention devices should be streamlined, with several designs pre-approved for different types of shoreline conditions. Thus applications could be approved locally by the DNR lake management office. The Maryland Department of the Environment and the Army Corps of Engineers were not agreeable. (The Dispatch wonders if any bureaucracy ever gives up authority?) However, Paul agreed to gather data as to the length of the application process.

Paul Durham also noted that if special permission is granted for use of your buy-down (example—septic field) such permission will be recorded in the Garrett County land records.

Barry Weinberg, the Governor's appointee to the P&RB was introduced. After completing the Lake Management Plan required by statute, the P&RB has dealt with other issues. A lake carrying capacity study is anticipated, but not yet funded. The Board also has requested that a shore line erosion study and lake water quality studies get underway.

Currently they are investigating storm water easements. In response to questions Mr. Weinberg noted that the Lake Management Plan is on the Internet at dnr.state.md.us.

POA president Thayer reported that the POA had proposed 29 amendments to the lake zoning ordinance. Of those 16 were adopted. We hope to post the complete text of these changes on the POA web site, www.deepcreekpoa.com.

The POA board approached the County Commissioners to request additional representation from the Deep Creek Watershed (the area covered by lake zoning) to the Planning and Zoning Commission. The Commissioners responded that they would consider our request when there is an opening on the Commission.

Buffer Strip Trees

Over the past two seasons there have been many cases of property owners illegally cutting down trees on the State's buffer strip. Except for grass lawns, the cutting of trees and other vegetation on state property is illegal and subject to criminal charges, the suspension or revocation of your dock permit, and the expensive costs of mitigating the damage to the satisfaction of the DNR. If you cut trees or other vegetation in violation of the conservation easement on the buy-down you are also subject to civil litigation by the State. Our best advice is to call the lake management office (1-301-334-4111) and ask for permission first.

More About Trees

We are sure that those of you who have been at the lake for many years have noticed the change in the hill tops surrounding Deep Creek Lake. As undeveloped lake front disappears to development, view lots on the mountain tops become an attractive alternative to developers and people looking for a vacation or retirement home. This is not unique to the Deep Creek Lake area.

Recently the *Dispatch* came across a series of articles and editorials (both pro and con) from various publications from the Adirondack region of New York.

We quote from Joseph Rota, executive director of the Adirondack Park Local Government Review Board. "I concede that, in the eyes of most people, the view of an undeveloped mountainside is more pleasing than the view of one with a house. But the right to an unspoiled view does not trump the rights of the landowner. Private property is the hallmark of the Constitution and one of the foundations of our country." We also note that 90% of privately owned land in the Adirondack area is governed by Adirondack Park Agency rules that require that homes have either 42.7 acre lots or 8.5 acres in Rural Use lands.

We also quote from Peter Bauer, the executive director of the Residents' Committee to Protect the Adirondacks. "Mountain top development is a fact of life in the Catskills, the Berkshires, and throughout Vermont and New Hampshire. It has uglified the Western landscape and is creeping into the Adirondacks. . . . It seems to me that the best architecture is in harmony with the land. A house protruding from a mountain doesn't belong."

Obviously the lake watershed is not large enough to require 40 acre or even 8 acre lots. But one of the many charms of Deep Creek Lake is the wooded shore line and hill tops. We can only urge developers and mountain top property owners to save as many trees as possible, to build unobtrusive homes that blend with the landscape and still provide a spectacular view for their owners. Many area mountain side and mountain top homes meet this objective, some do not.

Free Class for Lakeside Property Owners

Deep Creek Lake Natural Resource Management Area staff will conduct an informative class about the special permit required any time a property owner requests to alter the publicly owned buffer strip property. The final class of this season will be Saturday, August 24, 2002. The presentation will begin at 9 am and will be held downstairs in the Discovery Room at the DCL Discovery Center. Lake Resource Specialist Sarah Crouse will discuss guidelines for special permits with topics including structures, paths, play areas, electrical improvements, vegetation removal, and shoreline erosion control. Information about lake permits is available at www.dnr.state.md.us/publiclands/western/deepcreeklake.html. For more information call the Lake management office at 301-387-4111.

Bears

According to the *Cumberland Times-News*, Maryland wildlife biologists who attended a meeting of the Maryland Black Bear Task Force told members that hunters could kill 25% of the bears and still not keep the bear population from expanding in the far western portion of the State.

The State has refused to authorize a bear hunting season. For the record, in 2001, 21 bear carcasses were recovered along Garrett County highways, and seven in the next two counties to the east.

Back in June, the *Cumberland Times-News* reported that a bear killed a pet goat in Clear Spring, MD. Those of you from the Baltimore/Washington area will recognize Clear Spring as a small town just west of Hagerstown along I-70. The family is afraid to use their yard.

Bears can be dangerous. Be careful. If you put out garbage

for collection, please get a bear proof container. Steel bear proof containers can be purchased from Deep Creek Refuse. Strong wooden units which will hold one or more standard garbage cans are available from Perry's Solid Waste Disposal. If bears have been getting in your garbage, please take action before someone gets hurt.

County United Way

Our dues notice in the winter issue of the Dispatch, included a mailer and envelope for the County United Way. Our members contributed over \$7,000 which is greatly appreciated.

Membership

POA membership reached a new high of 1,315 members as of June 15, 2002. Thank you for your continued support.

Fire & Rescue Boat

The McHenry Volunteer Fire Department has operated a fire and rescue boat for a number of years. However, the boat has reached an age and condition where it is no longer usable. Your POA has been working with the lake manager, the P&RB, the County Commissioners, The McHenry Volunteer Fire Department and the Garrett County Chamber of Commerce to obtain a new boat. One important function that a new fire and rescue boat would provide is the ability to pump lake water to a shore based truck to effectively fight fires along the lake shore. This includes brush, boats, docks, dwellings, and other buildings. Watch the *Dispatch* for further developments.

The Garrett Information Enterprise Center

The Garrett Information Enterprise Center (GIEC) is officially open. The 20,000 sq. ft. building is adjacent to the Garrett College on Mosser Rd. It is designed to incubate up to 20 small businesses at below market rental rates, and to provide technical assistance and support services. These services include linkage to high speed Internet, maintenance, digital photocopying, FAX, and free counseling. A mentoring program is being created for tenants, and the staff will be looking for **volunteers**. Garrett County is designated a HUB Zone (Historically Underutilized Business area)—which gives businesses here an added advantage of preferential consideration on bids for Federal contracts.

Although just newly opened, the GIEC already has six companies as tenants: Cohesion Marketing, developer of web-enabled, channel marketing programs, GMA Engineering Inc., an environmental remediation firm, Radiant Technologies, a network environment developer, Reliable

Office Technologies, the local Xerox agency, Shoup Design LLC, an advertising and web graphics firm, and Sycamore Associates, a custom software company.

GIEC would love to have some **lake area people volunteer** their business experience. If you are interested, call 301-387-6167.

An Open House of the facility is scheduled for Sept. 10, 2002 at 4:00 p.m. For further information visit the website: www.giecworks.com.

Noise Pollution at Deep Creek Lake

The current noise regulation is 90 decibels, measured at a point near the exhaust **at idle**. As noted in the last issue of the *Dispatch*, hearing damage may begin at 85 or 90db. The regulations also require boats manufactured after 1990 to be equipped with a muffler device or system. The regulation apparently does not require such systems to be used. Hence the use of "captain's choice" which we discussed in an earlier edition of the *Dispatch*. Captain's choice is basically a muffler cut-out available on some I/O boats at Deep Creek Lake. Such devices used to be popular on cars when your *Dispatch* editor was a teenager.

While reviewing the noise regulations, we came across an older edition of *Maryland State and Federal Requirements for Recreational Vessels*. The earlier edition published during the Shaeffer administration quoted 75 db measured from shore. We have been attempting to learn how, why, and by whom this regulation was changed. We'll keep you posted.

The P&RB is planning to discuss the noise issue at its January meeting.

News from the Policy & Review Board

Some members are concerned that developers will buy up all the boat rental slips for people who buy access lots. If that happens there soon will be no boats for the general public to rent. The P&RB asked lake manager Paul Durham to draft policy, and have it reviewed by the Maryland Attorney General's Office, for presentation to the Board at its next meeting.

The Board was informed that funding for the long anticipated carrying capacity study has not yet been made available, but it could be forthcoming very soon.

P&RB meetings are open to the public. The next meeting will be Wednesday Oct. 23 at the Deep Creek Lake Discovery Center.

Senators, Delegates, & Commissioners

If you wish to contact any of these gentlemen here are addresses and phone numbers.

Senator John Hafer, 58 Frost Ave., Frostburg, MD 21532, Phone 301-689-4666

Delegate George Edwards, P.O. Box 658, Grantsville, MD 21536, Phone 301-895-5720

Commissioner Wendell Beitzel, 2287 Rock Lodge Rd., Accident, MD 21520, Phone 301-387-6950

Commissioner Ernest Gregg, 1510 Pittsburgh Ave., Mt. Lake Park, MD 21550, Phone 301-334-8617

Commissioner Frederick Holliday, P.O. Box 177 Grantsville, MD 21536, Phone 301-687-0304

POA Board Members

Lou Battistella	724-832-8731
Michael Belmonte	301-387-6371
Katheryn Gemberling	301-384-2850
T.R. Janes	301-334-2118
Scott Johnson	301-387-8547
Jonathan Kessler	301-387-6229
Ed King	301-387-5702
W. Tom Myers, Treasurer	301-387-9162
William Nickles	301-387-2506
Carole Perez, Secretary	301-387-5406
Ed Peters	301-797-7824
Ted Rissell, VP, Membership	301-387-6463
Mark Rothman	301-229-7992
Jack Seelig	703-323-7076
Robert Sutton	301-387-4957
Fred Thayer, President	301-387-9439
Roger Titus, Vice President	301-365-2930
Frank Wolffe	703-356-7604

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