

DEEP CREEK DISPATCH

Summer, 2003

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

Mini Hotels Limited

On August 5 the Garrett County Commissioners voted unanimously to adopt, without change, the recommendations of the ad hoc committee. Thus the so-called mini hotels will be limited to areas zoned Town Center, Town Residential, Commercial Resort 2, and Rural Development. They will no longer be allowed as rental properties in lake areas zoned Lake Residential (which is most of the lake). These recommendations were printed in the Spring 2003 issue of the *Dispatch* which may be viewed on line at www.deepcreeklakepoa.com. The Commissioners also directed the county attorney, Mike Getty, to draft a new rental property licensing ordinance. Such an ordinance had been recommended by the ad hoc committee. The Commissioners plan to hire a consultant to review the entire lake watershed zoning ordinance. Such a review has been recommended by your POA.

It couldn't have happened without your help. The Commissioners received almost 200 letters, with 65% in favor of the ad hoc committee recommendations. Your letters and support made the difference. For your information, the ad hoc committee was made up of: POA President and retired Circuit Court Judge, Fred Thayer, Realtor and POA Board member Ed King, Hugh Umbel, businessman (Foodland Fresh & Perkins) and developer of Waterfront Greens, and George Collins of McHenry Beverage Center. For the record, Mr. Umbel was not in favor of many of the recommendations of the committee.

Opposition to most of the recommendations was led by The Garrett County Chamber of Commerce and Nancy Railey of Railey Mtn. Lake Vacations. Accord-

ing to the *Cumberland Times-News*, Nancy Railey does not think that the ad hoc committee was representative of the community, that regulations should be enforced for everyone and that a lake patrol is needed. She worked with Ruth Seib of Coldwell Banker Deep Creek Realty Rental Department to offer an alternative to the zoning changes recommended by the ad hoc committee. Basically they recommended that a lake patrol be established to help control noise whether by rental properties or owner occupied homes, bear proof trash containers everywhere, and enforcement of existing parking laws. Since rentals are usually Sunday to Sunday or Saturday to Saturday, they also requested that the County dump be open on Sundays with extended hours on Saturdays so that garbage would not be out most of the weekend until pick up on Monday or Tuesday. These are all good ideas, but their proposal had of lot of try this first, and then if there is still a problem do such and such. Meanwhile more mini hotels could be built. It had been generally known around the County for several weeks that the Commissioners were going to take action. We suspect that those who were anxious to build large rental properties may have obtained the necessary permits, although an interpretation of the existing zoning limited construction to eight bedrooms.

POA Supports Lake Watershed Zoning Review

At its meeting last Saturday, the POA board agreed to pay one half, but not more than \$50,000, for a compre-

hensive review of the lake watershed zoning ordinance. Although this might normally be considered to be totally a government expense, the board recognizes that such a study is needed and will benefit all lake area property owners. It should also be recognized that the adoption of the mini hotel regulations is really a band aid. Those of you who may not have agreed with the details of those changes should realize that they may change as a result of the study. The POA attaches no strings to the money other than it be used for a comprehensive review of the zoning ordinance. We view our donation as a catalyst to get the ball rolling. I suspect that the County would welcome a donation from the Board of Realtors or the Chamber of Commerce.

If you don't think that changes are needed, remember that by special exception a saw mill, mine or quarry, mobile home park, commercial beach, boat launch ramp, gun clubs with outdoor target range, or camp ground can be built in areas zoned lake residential. Also, be advised that because of various legal precedents, special exceptions are difficult to deny.

Summary of POA June Membership Meeting

It was announced by Barry Weinberg, chairman of the P&RB, that ERM (Environmental Resources Management) is conducting the lake carrying capacity study. One third of the questionnaires should have gone out. Unfortunately if you are on a community dock or condominium, or some other type of shared dock, there will only be one questionnaire for your entire group.

Kathy Mateer, of the Maryland Department of General Services, who handles the buy down for the State reported about 85% acceptance. You may reach Kathy at Kathy.Mateer@dgs.state.md.us or 410-767-5764. She reminded folks that for those who have more than 200 feet of waterfront, there is an extra \$175 cost for an additional monument.

Sheriff's Deputy Corley reported that they will only respond to noise complaints after 11 PM. You can reach the Sheriff at 301-334-1911.

John Williams, spokesman for the Wildlife Conservation Fund, thanked the POA for our donation of funds

for cell phones for the DNR officers who patrol Deep Creek Lake.

An editorial comment by the *Dispatch*: If you have a motor boat registered in Maryland, printed on the registration card you will find: "The DNR Police monitor VHF Channel 19". That's true on the Chesapeake, but not Deep Creek Lake. Does Annapolis know we are here?

POA Board member Katheryn Gemberling, reviewed the POA mission statement, and gave a Power Point presentation. General topics were: (1) Growth and Development and the changing nature of Deep Creek from a family to commercial resort, (2) Lake capacity including crowding, safety, and noise, (3) Infrastructure including roads, loss of lake front commercial properties, water quality, both drinking & lake, sewage treatment, (4) Community & Government Relations. The complete presentation may be viewed on line at www.deepcreeklakepoa.com.

Bill Nickles, POA Board member, reported that the streamlined procedures to obtain a sea wall permit are in place, and one should be able to get a permit in about six weeks. Apply now, so work can be done in Oct./Nov. when the lake level is down. Details may be found in the Spring 2003 issue of the *Dispatch*.

Ed King, POA member, reported on recent P&RB meetings. Reliant Energy ran both turbines for 17 days straight to hold the lake level within the upper rule band. The lake was a bit too high for a few days, but Reliant did all they could considering the amount of rain we have received. A rain gauge at the *Dispatch* recorded 11.06 inches of rain in May, 5.42 inches in June, and 8.14 in July. During July, the lake level has been at, or just under, the upper rule band.

There is consideration of a possible noise regulation for Deep Creek Lake only. As an editorial comment, we note that the present maximum allowable limit of 90 decibels measured at idle a few feet from the exhaust may be suitable for a tanker coming up the Chesapeake, but is clearly too loud for Deep Creek Lake.

POA Membership Meeting

The next POA membership meeting will be Saturday,

August 23 at 8:30 AM at the Garrett Eight Cinema. Please plan to attend. New POA board members will be elected. As usual various government officials will be present to address the group.

Bears

A first. Many of you may have seen the article in *The Republican* that earlier this summer the DNR euthanized a bear. The bear had been living in the Beckman's Peninsula area, had no fear of humans, and often displayed menacing behavior. The bear had been "conditioned" (DNR speak for shooting the bear with rubber bullets, firecrackers etc.) at least four times without effect. For bear lovers, we point out that Maryland is too small a state for removal to another county to be effective.

Questionnaire

Environmental Resources Management (ERM) will be sending out questionnaires in three groups during July, August and September. These are being sent to holders of dock permits only. If you have a community dock or condominium situation, your group will only receive one questionnaire. The *Dispatch* is working to resolve this problem. A boat kept on a community dock may or may not spend more time on the waters of Deep Creek Lake than a boat kept at a Class A dock.

If you live in a lake access community with dock slips, please contact the *Dispatch* with the following information: Name of association, number of dock slips, and a contact name of someone who can supply a list of members and their addresses. Send to: tedriss@earthlink.net, or mail to Ted Rissell, 365 Back Bay Rd., Swanton, MD 21561.

We are reminded of the *Literary Digest* prediction of the 1936 presidential race. They sent post cards to people who had telephones and cars. They predicted Republican Alf Landon over FDR. Of course Roosevelt won by a landslide. And who could afford telephones and cars in the middle of the depression?

A case of invalid sampling.

At any rate we urge you to respond promptly and thoughtfully to the questionnaire from ERM.

The *Dispatch* is planning its own questionnaire, which will be included with a *Dispatch* later this year.

Windmills

Windclipper expects to start construction of their Garrett County windmills this fall. Details of this project were reported in the Fall 2002 *Dispatch*, with updates in 2003 editions.

Headlines earlier this summer reported bird deaths at a wind power site in nearby West Virginia. This was the same foggy day that resulted in the massive 70+ car pile up on I-68 near Finzel. The birds did not hit spinning blades, but the tower. They were attracted to a very bright sodium vapor light on a nearby transformer station.

Fire & Rescue Boat

For 17 years the McHenry Volunteer Fire Department operated a fire and rescue boat on Deep Creek Lake. The boat was owned by Garrett County Commissioners. Last year, the 17 year old boat was scrapped as being too old to repair. The DNR obtained a used boat from the Chesapeake Bay. This boat is 16 years old, although it had not been used for several years. It was brought to Deep Creek in July, but is not yet in the water, nor has it been turned over to the local fire company pending "paper work," and additional training. According to the McHenry fire chief, Mike Phillippi, the boat is not terribly well suited to their needs but we guess it is better than no boat. A fireboat is needed to fight boat fires and to pump lake water to an on-shore tanker/pumper to fight a fire on shore.

Garrett County Arts Council

The Arts Council would like to remind you of their Gallery at 206 E. Alder Street. It is open from 10 to 4 Monday through Saturday. Juried artwork and crafts from local artists is on display.

POA Board Members

Name & e-mail	Term	phone
Lou Battistella	'04	301-387-2094 Lbatt859@aol.com
Michael Belmonte	'03	301-387-6371
Katheryn Gemberling	'04	301-384-2850 kgember@aol.com
T.R. Janes	'05	301-334-2118
Scott Johnson	'03	301-387-8547 scottjohnson@coldwellbanker.com
Jonathan Kessler	'03	301-387-6229 smiley@smileysfunzone.com
Ed King	'05	301-387-5702 ed.king@longandfoster.com
W. Tom Myers, Treasurer	'05	301-387-9162 tom@mountaineerlog.com
William Nickles	'04	301-387-2506 bnickles@gcnetmail.net
Carole Perez, Secretary	'05	301-387-5406 clperez@mindspring.com

Name & e-mail	Term	phone
Ed Peters	'03	301-797-7824 barmusic01@hotmail.com
Ted Rissell, VP, Membership	'05	301-387-6463 tedriss@earthlink.net
Mark Rothman	'03	301-229-7992 mrothman@paleyrothman.com
Jack Seelig	'03	703-323-7076 jwseelig@hotmail.com
Robert Sutton	'05	301-387-4957
Fred Thayer, President	'04	301-387-9439 fthayer@mindspring.com
Roger Titus, Vice President ..	'04	301-365-2930 rwtitus@venable.com
Frank Wolffe	'04	703-356-7604 wolffe@bannerwitcoff.com

Property Owner's Association of
Deep Creek Lake, Inc.
P. O. Box 816, McHenry, MD 21541



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