

DEEP CREEK DISPATCH

Fall 2009

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

POA ELECTS A NEW PRESIDENT

The Property Owners' Association of Deep Creek Lake, Inc., elected a new president at the August General Meeting. Scott Johnson, having served four years as President and citing a wish to spend more time with his family, stepped down, but will remain on the Board of Directors. Lou Battistella of Swanton and Greensburg, PA, was unanimously elected to replace him. Lou began vacationing at Deep Creek in the early 1950's and became a property owner in 1997. He is President of Adam Eidemiller Inc., a commercial and residential developer in Greensburg. He has been on the Board of Directors for seven years and has served as Secretary for the last five of those years. Let us welcome Lou.

MESSAGE FROM THE PRESIDENT

Lou Battistella

This is my first chance to address you, the membership of the Property Owners' Association of Deep Creek Lake, as your new president for 2009-2010. I will represent the POA on the Policy and Review Board as well as the Garrett County Chamber of Commerce. I also serve as a citizen's appointee of the Board of County Commissioners of Garrett County on the Emergency Services Board and I serve as a member of the Garrett County Local Emergency Planning Committee.

The POA has quite a few topics to address in the coming year. The Board of Directors is in the process of improving the way we communicate with you (see next article). Of great importance are the revisions to the three Ordinances (Deep Creek Watershed Zoning Ordinance, Garrett County Subdivision Ordinance and the Garrett County Sensitive Areas Ordinance) for the implementation of the County Comprehensive Plan that was adopted by the County Commissioners in 2008. I attended the public meeting conducted by the Garrett County Planning Commission on October 14, 2009, where an educational overview was presented by the Department of Planning and Land Development. They accepted public comment and responded to a wide variety of questions. As a result of this meeting, the POA has invited John Nelson, director of the county's Department of Planning and Land Development, to attend the November 7th Board Meeting so we can hear his comments

about the proposed revisions. At this meeting, we will discuss what the best course of action the POA should take on behalf of its membership on these ordinances. This action will be based on the public comments and questions that were asked at the October 14th meeting and the comments by John Nelson and our Board at the November 7th meeting. There will be two more public meetings: one in mid-November by the Planning Commission and a public meeting in either mid-December or January 2010, held by the County Commissioners. At this time, the length of the public comment period will be announced. The revisions to these three ordinances will have an effect on all of us. The POA will communicate with its membership on its position before the end of the public comment period and before the County Commissioners move forward for an approval of the revisions.

Some of these revisions will evoke a heated response and may have a great impact. You should review the Comprehensive Plan, the proposed revisions to the ordinances and the proposed mapping at either the Planning and Land Development Office at 203 South Fourth Street, Room 210, Oakland, MD 21550 (planninganddevelopment@garrettcounty.org) or www.garrettcounty.org and click on Revisions to Ordinances. On the county website there is a very informative power point presentation (the same one as presented at the October 14th meeting).

Other issues that are concerning the POA at this time are the Safety Buoy problem at the Glendale Bridge and the Route 219 Bridge. We also have several Board members working with the DNR Water Quality Work Group. The POA is focusing on the proposed regulations concerning the Personal Watercrafts on the lake (these are mentioned under the Notes from the August General Meeting).

Listed in this and every issue of the Dispatch are the names, phone numbers and email addresses of the Board of Directors. If you have any questions or comments, you may call or email us. The POA does not involve itself with individual issues; rather, it is concerned with issues that affect the membership as a whole. We guide our decisions by the following mission statement: "The object and purpose of this organization shall be to bring together the property owners of the Deep Creek Lake area to promote, preserve and protect the quality of life, environment, recreational opportunities, historic sites, and historic areas in, on, and around Deep Creek Lake, Garrett County."

ELECTRONIC DISPATCH: POA NEWSLETTER THE DISPATCH GOES ELECTRONIC

The Board of the Property Owners' Association of Deep Creek Lake, Inc. has made a move to convert to an electronic newsletter. The printed Dispatch will continue to be produced and distributed as we have done in the past, but we will also email an electronic Dispatch with the identical content. Each member will have the option of converting to the new electronic Dispatch for at least one year and the Board plans to review the status of the conversion again next year.

There will be a "sign-up box" on the POA website www.deepcreeklakepoa.com. In addition, since the POA does not have email addresses for all the membership, there will be a mailed letter to those members asking for email addresses and giving them the option of having the Dispatch in either electronic or printed form.

The Board of Directors based the decision on the following:

- Our membership will receive information in a more timely manner.
- The change will allow us to quickly send out additional notices when "hot-button" issues arise and when we need membership input quickly.
- The electronic Dispatch will provide considerable cost savings in printing and postage.

In our decision, we recognized the importance of preserving the privacy of our memberships' email addresses. Our email list will never be given out to anyone or entity for whatever reason and will never be made available for marketing of non-POA interests. We will utilize a professional web service that will handle all of the database management aspects of the process.

Please let your Property Owners Association Board know what you think of the electronic newsletter. You are certainly free to request that the written Dispatch be curtailed in favor of receiving only the electronic Dispatch if you individually prefer.

The Board of Directors of the
Property Owners Association of
Deep Creek Lake, Inc.

NOTES FROM THE AUGUST 22ND GENERAL MEETING

A number of issues were discussed at the well-attended General Meeting of the Deep Creek Property Owners Association on August 22nd. After President Scott Johnson introduced the VIP's (Senator George Edwards, Delegate Wendell Beitzel, County Commissioners Denny Glotfelty and Fred Holliday), DNR Lake Manager Carolyn Mathews spoke on the progress of the PWC regulation changes. There are two proposed regulation changes involving personal watercraft. The public comment period began on October 9, 2009, and will conclude on November 9th. Also, a letter was mailed to all Deep Creek Lake Buffer Strip Use Permit holders of record concerning these proposed changes. To re-

view the proposed regulations and to register comments, go to www.dnr.state.md.us/publiclands/dcregs.html. The POA will also have links on their website at www.deepcreeklakepoa.com.

The first regulation change regards uses permitted with a Buffer Strip Use Permit for Type A docks.

- Keep not more than 4 boats on the lake, including boats that are docked and those that are moored.
- Keep not more than 3 power boats on lake.
- Beached boats or vessels that are not more than 500 lbs. (including power source).

Examples:

2 power vessels and one PWC with a \$100 PWC permit and 1 non-power vessel

OR

1 power vessel, 1 PWC and 1 additional PWC with a \$100 permit and

1 non-power vessel.

OR

3 PWC's with a \$100 permit and 1 non-power vessel.

The second regulation would allow PWC's to be tied up at the back of common docks, but not add slips to the allocation of slips. The permit holder would apply for permission (Buffer Strip Use Permit) to tie up PWC's.

- May apply for up to 1/3 the number of slips allocated at the permit site
- \$100.00 per PWC annually
- The PWC charge will be on the Buffer Strip Use Permit each year unless the permit holder calls and advises the Lake Management office that they are not going to have extra vessel(s) tied up that season.

Sergeant Dave Marple of the Region 7 Natural Resources Police listened to concerns from the Glendale Shores Condominium Owners Association (located at the Glendale Bridge) and the Lakewood Home Owners Association (located at the 219 Bridge). Both spoke on safety concerns and the lack of safety buoys at their Association docks. Considerable discussion ensued and the distinction was made between mooring buoys and safety buoys. The membership was reminded that simply placing a mooring buoy in front of a dock to be utilized as a safety buoy is not permitted. It became clear that further discussions between the DNR, NRP, and the Lake Policy and Review Board need to occur to clearly define who is responsible for placing and maintaining safety buoys that will address the safety concerns of these two areas. The POA will continue to monitor this issue.

The main speaker at the August General Meeting was John Wilson, Director of Land Acquisition and Planning from the Department of Natural Resources. He gave an overview of the current status of the Water Quality Study that is being conducted at the lake. Mr. Wilson emphasized that the water quality monitoring is in the early stages and there are no definitive conclusions at this point. The information gathered will be very valuable on what is happening as the lake ages. The study also receives information from the Friends of Deep Creek Lake (a volunteer group). All information received will greatly help in the decisions that the Lake Management makes to improve the conditions of the lake. His

power point summary will be made available to everyone on the DNR (Lake Management) website.

There were questions asked regarding harvesting and dredging. An individual property owner may petition for approval to dredge or harvest SAV (Submerged Aquatic Vegetation) around his/her dock. However, the cost will be the responsibility of the property owner and it is expensive.

After the meeting, Scott Johnson (outgoing POA President) and Lou Battistella (new POA President) spent some time with Wilson discussing the following points. Deep Creek Lake is an 85 year-old man-made lake. Deep Creek Lake wants to be a creek again and is filling itself in. According to Wilson, it is starting with siltation deposits and the creation of wet lands.

If dredging or harvesting is done, the results obtained will only be short term. SAV (Submerged Aquatic Vegetation) is cyclical and is affected and controlled by periods of winter/seasonal deep freezes. The SAV is enhanced by shallower water and induced nutrients.

Another point Wilson made is that many people do not understand the effects of dredging. Dredging removes necessary ecological microbes and the material that is dredged creates problems in that, when dredged, a very low pH (acid) substance is created that nothing will grow in and when oxygenated, creates a hydrogen sulfide gas that is hazardous. It is extremely important that corrective action be carefully considered in order to not cause an imbalance in the very delicate ecological system of the lake.

Because the first results of the water quality study group are not yet complete and the draft report has not yet been given to the Policy and Review Board, that Board has decided to delay making any informed decision about what the best practices may be for actions affecting Deep Creek Lake. The Policy and Review Board released this statement in the light of several people expressing their concern that the quality of the water at the lake may be degrading and their concern about the amount of grasses and weeds in the lake. Since the POA is represented on the Policy and Review Board, a detailed summary of the results of the water quality study group will appear in the winter issue of the Dispatch when there is more accurate information available.

PROPOSED NEW LIFE PRESERVER LAW

Martin O'Malley, Maryland's Governor, has directed the Department of Natural Resources (DNR) to draft a bill for the 2010 General Assembly to require any child under the age of 13 to wear a personal flotation device (PFD). The current age is 7. The law now states that any child under the age of 7 must wear a PFD on a recreational boat 21 feet or smaller, unless the boat is moored or anchored or the child is below deck in an enclosed cabin. If the General Assembly passes this legislation, it will become effective July 10, 2010.

As a reminder, Maryland law also states that anyone born on or after July 1, 1972, must have a Boating Safety Certificate in order to operate a mechanically-propelled vessel on Maryland waters. The Natural Resources Police (NRP) offer both classroom and on-line boating safety courses. Information can be obtained at: www.dnr.date.md.us/boating/safety/basiccourse.html.

GARRETT COUNTY TO HAVE A COMMUNITY ATHLETIC AND RECREATION CENTER (CARC)

After years of debates, delays and funding issues, the people of Garrett County will be getting a Community Athletic and Recreation Center to be built on the Garrett College campus in McHenry. The supporters of the Center had earlier presented a petition to the County Commissioners with 2,500 names supporting the Center. The POA strongly supported the Center with President Lou Battistella writing a letter to the Commissioners urging them to support the project.

The proposed center will include a 32,000 square foot aquatics and fitness facility, plus a 27,500 square foot gymnasium and field house. The aquatics center will consist of a six-lane competition pool with spectator seating, a recreation/therapy pool, a fitness and exercise center, a hospital-run physical therapy unit and several multipurpose rooms for classes and community services. The gymnasium/field house will include three courts (two practice and a competition court), seating for 1500-2000 spectators, locker rooms, etc.

Construction of the aquatic center is expected to begin in the spring of 2010 and will be open in 2011. Construction of the gym/field house will begin in 2011 and will be completed in 2012. The Center will be smaller than the initial plans presented, thus enabling the county to afford it. CARC will be owned, operated and managed by Garrett College. The facilities will be available to local residents and visitors on a membership or day-pass basis. The estimated cost is approximately 24 million dollars. The county's share will be limited to just under 1/3 of the total cost and will be spread over four fiscal years (2010-2013). The balance will be funded predominately by the state, who has recently allocated 15.3 million for the project. Garrett College will be responsible for the operational and maintenance expenses associated with the Center.

LAST BOARD MEETING FOR 2009

The last Board meeting for 2009 will be held on November 7th at Uno's at 8:30 AM. The tentative dates for 2010 are:

BOARD MEETINGS: UNO'S 8:30 AM

APRIL 10; JUNE 12;

AUGUST 7; NOVEMBER 6

GENERAL MEETING: GARRETT CINEMAS COFFEE SOCIAL IS AT 8:00 AM AND THE MEETING IS AT 8:30 AM.

JUNE 26; AUGUST 21

Lou Battistella, President '10 301-387-2094
Lbatt859@aol.com

Susan Crawford '10

Troy Ellington '11 301-387-9232
troyellington@hughes.net

Katheryn Gemberling '10 301-384-2850
 VP Planning kgember@aol.com

Scott Johnson '12 301-387-8547
scott.johnson@coldwellbanker.com

Jonathan Kessler '12 301-387-6229
Smiley@smileysfunzone.com

Ed King '11 301-387-5702
ed.king@longandfoster.com

Marge Mahood '10 301-387-5885
 VP Membership amahood@verizon.net

Krista McGowan '11 301-788-2159
 Secretary mcgowan@milestockbridge.com

Shelley Missimer '11 301-387-2009
smissimer@lai-arc.com

W. Tom Myers, Treasurer '11 301-387-9162
tom@mountaineerlog.com

Jeff Nelson '10 301-387-0033
jnpnelson@verizon.net

Chris Nichols '12 301-387-5134
Chris_nichols@verizon.net

Nancy Railey '12 .. 301-387-2124 Ext 205
nancyr@deepcreek.com

Gary Shafer '12 301-616-9940
rxshafer@gmail.com

Robert Sutton '11 301-387-4957
rasutton166@comcast.net

Roger Titus '10 301-344-0052
 Senior VP rwtitus@hotmail.com

Barry Weinberg '12 301-493-5343
weinutr@verizon.net

COMMUNITY NOTEBOARD

The Dove Center's 2nd annual Festival of Trees kicks off on Wednesday, November 25th and runs through Saturday, November 28th. The colorful festival will be held at the Oakland Community Center (formally the Oakland Armory). Trees, both live and artificial, will be decorated in very unique ways by individuals and businesses in Garrett County. In addition other holiday decorations will be on sale. On Wednesday, November 25th, many of the trees

will be auctioned off before the public sees them. This is a great way to get a head start on the holidays and help a worthy organization. Information on locations of ticket sales and the entire schedule may be viewed at www.fotgc.com.

October is Fire Prevention Month: Remember to change your batteries in your smoke and carbon monoxide detectors when you turn the clocks back November 1st. A detailed article on volunteer fire fighters will appear in the winter issue of the Dispatch.

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

**DEEP
 CREEK
 DISPATCH**

PRESORTED
 FIRST-CLASS MAIL
 U.S. POSTAGE
PAID
 Terra Alta, WV
 Permit 101