



# DEEP CREEK DISPATCH



## Summer 2012

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



### MESSAGE FROM THE PRESIDENT

I hope that you are enjoying this summer at Deep Creek Lake. The weather has been kind to us boaters except that the low rainfall accumulation and lax enforcement of water release rules are likely to curtail water access in some of the coves early this year. The MDE has been advised of this situation, but has not responded to the request for attention.

This issue has articles on several issues of concern to the members, one of which was sent out as an E-blast, but those of you who do not receive email did not receive it. Therefore, it is being repeated here. This E-blast presents the POA concern about the process used in granting a mini-marina permit on Deep Creek Lake. Representatives of the Planning and Land Development Department and the Board of County Commissioners will attend the next POA Board meeting on August 18<sup>th</sup> to discuss this process.

Also, please note the article on rainscaping. The POA Board has requested that the County Commissioners consider a tax incentive for

implementing compliant rainscaping on properties within the Lake watershed. Rainscaping could reduce pollution and sedimentation of the lake. The Commissioners have agreed to consider this proposal with the POA board participation. It should be noted that such an incentive could also offset a potential "impervious surface" tax. Garrett County is currently exempt from this assessment, but there is a definite potential for a future imposition of such a tax.

Please note that Bob Hoffmann has assumed the responsibility for pulling together the information in the *Dispatch*. Many thanks, Bob, for taking on this important function.

I am looking forward to seeing many of you at the next General Meeting of the POA membership on August 25<sup>th</sup>. The meeting will be at the Garrett Eight Cinemas at 8:00 am for coffee, fruit and pastries and the formal meeting starting at 8:30 am. We will try to keep the meeting moving efficiently and to this end, I remind everyone that the handing out of materials inside the theater where the meeting is being held is not permitted. Materials can be distributed in the theater lobby or outside of the theater.

*Troy Ellington, President, POA of DCL, Inc.*

### SUMMARY OF POLICY AND REVIEW BOARD MEETING, 23 JULY 2012

At the Deep Creek Lake Policy and Review Board quarterly meeting on July 23, Bruce Michael, Director, Resource Assessment Service, Maryland Department of Natural Resources (DNR), reported that the depth

and content of the lake have been profiled so far in Phase II of their Sediment Study, data has been collected that will give a workable understanding of the lake bottom. This data will be posted on the DNR web site even as work proceeds on the study. This is the study to which the Deep Creek Property Owners Association recently contributed \$20,000.

Michael also presented preliminary data, which will be posted on the web site, on the type and distribution of submerged aquatic vegetation (SAV) in the lake, as a precursor to determining what the approach to the SAV should be. He said DNR is very much aware that this is of concern to many of our members. And he described several places on the lake where DNR is gathering water quality information to provide base line data to compare conditions before and after Marcellus Shale drilling begins in Maryland, whenever that may happen.

A sub-committee of the PRB is working with DNR to produce an easy-to-use manual that will gather in one place all of the Maryland regulations and laws affecting Deep Creek Lake. This should be of great benefit to all POA members in understanding what the rules are that apply to the lake, and in dealing with DNR.

*Barry Weinberg*

### LOW LAKE WATER LEVEL ALERT

We have experienced less than average rainfall this year yet the outflow from the lake has been on schedule creating a situation that for many property owners bears careful watching. We encourage you to keep an eye on the lake level where it most impacts you to insure adequate water to safely operate your boat and remove it when the time is right for your circumstances. Water levels are regularly reported at [www.deepcreekhydro.com](http://www.deepcreekhydro.com) should you know at what level you need to consider removing your boat from the lake.

*Bob Hoffmann*

### TRIVIA

We have a few more vintage photographs of early Deep Creek landmarks and activities which we will continue to share this treasure with our readers until they are exhausted or until you tell us "enough already." We've had several positive responses to the landmark photo in the previous issue of the *Dispatch*, so here is one that our sailing members may be able to provide some information to us that can be shared in the fall *Dispatch*.

Who knows the date of the photo, the type of sail boat, etc? Please share your knowledge with us via email, [rahoffmann93@gmail.com](mailto:rahoffmann93@gmail.com).

*Scott Johnson*





## RAINSCAPING

Storm water management techniques, also known as RainScaping practices, improve water quality, restore habitat, and add beauty to the landscape. Additional significant benefits are increased property values and a reduction in a community's carbon footprint.

Over time, people and development have changed the landscape of the Deep Creek Lake Watershed. Before these changes the landscape absorbed much of the rainfall and this natural process filtered out pollutants, recharged groundwater, and reduced the likelihood of erosion. Now, however, hard coverings such as paved roads and parking lots, roofs and other impervious

surfaces have replaced what were once open fields and forests. RainScaping practices can protect our Lake by infiltrating and filtering storm water runoff.

Traditional drainage systems concentrate runoff from these surfaces and remove it as quickly as possible by a system of gutters, curbs, pipes, sewers, and channels. The result is large amounts of fast-moving and sometimes highly polluted water discharging into the Lake and its tributaries, causing erosion, flooding, and unstable stream channels. Pollutants can include litter, pet waste, vehicle fluids, and fertilizers and pesticides applied to lawns.

Studies show that significant impairment of waterways often occurs when just 10% of the land in the watershed is covered with parking lots and rooftops. However, if these areas exceed 25% of the land, severe ecosystem and water quality impairment occurs.

Recently the Board of Directors of the Deep Creek Lake Property Owners' Association wrote to the Garrett County Commissioners urging them to take the necessary steps to adopt a storm water management real property tax credit for property owners living in the Deep Creek Lake Watershed who undertake approved methods to reduce storm water runoff and prevent it from reaching or polluting the lake. Some proven rainscaping methods

## GARRETT MENTORS, INC.

The Executive Director of this not-for-profit organization is Tricia Cheesman who completed a lengthy career in nursing before responding to an ad for mentors in the Big Brothers & Big Sisters (BB&BS) organization. Why the transition from nurse to being a mentor? The answer is simple enough. She loves kids and values education!

She mentored a young girl for five years in Garrett County (GC) but grew to question whether the organization met the needs of the children living in the largely rural GC. After filling a part time position with BB&BS, Tricia continued to question whether the largely social focused program could be improved for GC elementary school children to better meet their unique needs. After talking with several folks and sharing her vision for a mentor organization with a different focus, as well as a lot of work and support, Garrett Mentors, Inc. (GMI), was born in late 2008.

The first school year, 2008-2009, saw 20 mentors providing one on one support to 20 kids spread through four GC elementary schools. Tricia personally met with school principals to explain the program which was readily welcomed and seen as beneficial for all children who qualified.

Since its beginning in 2008, GMI has remained true to its mission statement which reads, "We are committed to the elementary school children of Garrett County by providing them with a mentor who will have weekly contact with them. Our mentors will be a friend, a good listener, and provide school support where needed."

Currently, GMI mentors 106 children in nearly all GC elementary schools but still has 30 more children identified by their teachers, counselors, and principals as kids who would benefit from a volunteer mentor. Tricia reaffirms her goal that GMI provide mentoring services to all elementary school children identified as needing this support—she just needs more volunteers!

The children currently in the mentor program are all bright, enthusiastic children but tend to have family and school challenges. Those in the program need mentor support either academically, socially, or both which is

## PERFORMING ARTS

As summer is drawing to a close, now would be a good time to savor the season by enjoying some of the remaining performing arts events presented by GLAF, Music at Penn Alps, and Little Yough Music Festival:

**GLAF presents:** (<http://www.artsandentertainment.org>)—**Johnny Staats & the Delivery Boys—Saturday, August 11th**—Garrett College Auditorium—7:30PM

**Little Yough Summer Music Festival presents:** (no website, see them on Facebook)—**Hillbilly Gypsies—Friday, August 17<sup>th</sup>**

**Sam Lamont—Friday, August 24<sup>th</sup>**

**The Remedy—Friday, August 31<sup>st</sup>**

All Little Yough events are held at Oakland Town Parking Lot Pavilion—7PM

**Music at Penn Alps presents:** (<http://www.musicatpennalps.org>)—**Cobham Consort (Runaway String Band)—Saturday, August 18<sup>th</sup>**

**Dixon/Fiedlerova Piano 4 Hands—Saturday, August 25<sup>th</sup>**

All Penn Alps events are held in the Great Hall at Penn Alps in Grantsville—7:30PM

*Scott Johnson*

include, planting native plants and rain gardens, using rain barrels, and installing permeable pavers and pavement.

Anne Arundel County government has adopted a credit toward real property taxes for the implementation of qualified storm water management techniques to protect the Chesapeake Bay. The value of the Anne Arundel County credit is 10% of the cost of materials and installation per year for five years with a maximum total amount of \$10,000.00 over the five years. The Anne Arundel County Office of Planning and Zoning determines what qualifies as a physical improvement subject to a tax credit. The credit may not be combined with other tax credits.

The POA has urged the Garrett County Commissioners to adopt a similar real property tax credit to encourage responsible property owners to take steps to protect Deep Creek Lake. We believe it is time for all interested parties to work together to preserve our county's most valuable natural resource—Deep Creek Lake.

*Susie Crawford*

For more information, visit [www.rainscaping.org](http://www.rainscaping.org)

designed to enhance what is taught in school and at home. Matches between kids and mentors is done by Tricia based upon shared interests with gender a key factor. Male mentors are only matched with boys whereas women may be matched with girls or boys consistent with needs. About 50% of mentors work full time while the remaining 50% are retired. All mentors help their "Study Buddy" with a variety of academic projects both inside and outside the classroom which span all academic subjects taught. Many mentors are also involved with projects involving woodworking, nature related activities, or other efforts that interest and challenge the kids.

Mentors meet their kids once a week during lunch and recess which totals about one hour. This may not seem like much time but the annual evaluations completed by the teachers with children in the program consistently highlight the positive difference a mentor makes both academically and socially in a child's life. Teachers report school attendance improves 95% when a child is assigned a mentor.

Although weekly contact between mentors and their children ceases once school is out for the summer, there are a variety of summer activities designed to maintain and strengthen the bond between mentor and child including a fishing derby, trip to Fun Land, summer picnic, and Garrett Lakes Arts Festival sponsored event which is especially designed for the kids.

This outstanding program has become Tricia's passion and it is shared by the 100 volunteers who mentor some of GC's elementary school children. Tricia says kids have different wishes depending upon their age in GC. Unfortunately, many kids in GC look forward to reaching the age of 16 just so they can quit school. Tricia and her team of dedicated mentors are determined to change that wish to a wish to finish high school and, possibly, go on to higher education. And how do these mentors intend to change that current attitude—one child at a time!

*Bob Hoffmann*

For further information about Garrett Mentors, Inc., please contact Tricia Cheesman at 301-334-1783 or at [triciacheesman@comcast.net](mailto:triciacheesman@comcast.net).

# COUNTY COMMISSIONERS AMEND DCL WATERSHED ZONING ORDINANCE

On June 5, 2012 by a vote of 2-1 the Board of Garrett County Commissioners adopted a text amendment to the Deep Creek Lake Watershed Zoning Ordinance to establish a new use category of "Boat Rental As A Separate Service Business" on the lake.

The Board of County Commissioners accepted and approved their Finding of Facts in support of the text amendment on June 28, 2012. The text amendment authorizes a new use as follows:

"157.024(C)23—Boat rental including boat rides and/or boat tours as a separate service business and not offering any other services associated with a marina."

"Boat rental" includes rental of Personal Water Craft or PWCs. This new use is permitted in Town Center and Commercial zoning districts, and permitted by special exception in Town Residential and Commercial Resort 1 and 2 zoning districts.

This means that permits will be granted in the Town Center and Commercial zoning districts as a matter of right, and permitted only after special exception application and public hearing in the Town Residential and Commercial Resort 1 and 2 zoning districts.

A marina is required to have a minimum of 2 acres of land, while the new use requires a minimum of 10,000 square feet of land. Both uses require a commercial dock permit from the Department of Natural Resources. To date one permit to operate a PWC rental and boat ride business has been granted under this amendment in the Town Center zoning district to an applicant who proposed the amendment.

Legal actions have been filed by some marina owners challenging this amendment. The POA is not a party to those legal actions.

Last week, the Board of Directors of the Deep Creek Property Associa-

tion (POA) designated a Board member to meet with the county's Director of Planning and Land Development and the DNR Lake Manager about this matter. Then we held a special conference call meeting to discuss it. Based on our information so far, it appears that the legal requirements as to public notice and hearing were followed, and we are confident that all involved acted in good faith.

However, some members of the POA, and some members of the Board of Directors, have concerns about the process used in adopting this amendment to the DCL Watershed Zoning Ordinance, including (1) that the speed with which the ordinance was amended did not allow the sufficient time to consider the potential impact upon the lake, and therefore the scope and impact of the amendment is unknown, (2) that there should have been more coordination between local officials and state officials responsible for the management of the lake, and (3) that while land use regulations are designed to cover land matters, in this case what happens on the land has an impact on the waters of Deep Creek Lake.

Therefore, we are going to invite the 3 County Commissioners, Director of Planning and Land Development, and the DNR Lake Manager to attend our August 18, 2012 Board of Directors meeting to explain and discuss this matter further.

Through a series of workshops and meetings over the past year and a half the POA Board of Directors has been working diligently to bring together all local and state agencies responsible for Deep Creek Lake so that lake management can be conducted in a more comprehensive fashion. We are trying to end the multi-fractured approach to addressing issues that impact on the lake. We hope to take a positive and constructive step toward this goal at our August 18 Board meeting.

## REAL ESTATE REPORT

The following report is based on lakefront properties on Deep Creek Lake that have Type 'A' Docks. The data came from the Metropolitan Regional Information System (M.R.I.S.) database.

The number of properties that have sold over the past 6 years has varied some, but has been fairly constant at an average of 40 homes per year. The past year had 49 properties sold or at about 4 per month absorption rate. Currently, there are 74 active listings translating to

approximately 18 months of inventory.

The average days on market for the sold properties has increased every year for the last 6 years and are 96, 148, 172, 204, 194, and 235 respectively.

The most dramatic change in the lakefront market is the average price of the sold properties. The table below displays the sold prices for the past 6 years.

Year	2006	2007	2008	2009	2010	2011
# Homes Sold	45	45	29	31	41	48
Low Price	\$ 279,900	\$ 389,000	\$ 250,000	\$ 447,700	\$ 248,800	\$ 320,000
High Price	\$1,825,000	\$1,775,000	\$1,650,000	\$2,250,000	\$2,500,000	\$1,849,000
Average Price	\$ 952,698	\$ 981,200	\$ 907,051	\$ 889,000	\$ 984,855	\$ 687,462
*Foreclosures	0	0	1	0	0	2
*Short Sales	0	0	0	0	1	1

\*Note: Foreclosures and short sales are believed to be correct. However, this information is data input and disclosed by the listing agent and is not a required field in M.R.I.S.

### Summary

The demand for recreational property is strong. However, because of the economy, buyers are uncomfortable obtaining a mortgage or dipping into their savings to purchase property, especially for a second or possibly third home. This situation has created a strong buyer's market with very low offers and extensive repair requests. The trend for the buyer's market has been most pronounced in the past year and a half or two. The average sold price, as a percent of the original list price, are as follows for the past 6 years. 93.36%, 90.76%, 87.94%, 84.73%, 82.20%, and 84.28%.

The activity has been above average for the past year, with 48 lakefront homes sold. Values are of the most significance. In the Metropolitan Residential area (Baltimore, D.C., Northern Virginia, and the surrounding area) all indications point to the market turning around. Builders are

starting to build spec homes again, sales are picking up, and there are even occasional multiple bids on homes. This is extremely encouraging if this trend continues. In the past, the second home market generally follows the residential market by approximately 1 year. We hope this is true in the current market and that we will see that trend here at Deep Creek Lake soon.

### Other Deep Creek Markets

The above statistics are for lakefront properties with Type 'A' docks. Rather than saturate you with volumes of data and statistics, I recommend contacting your Realtor® for similar data on different markets. I.E. lake access homes with dock slips, condominiums with dock slips, ski in/ski out properties, golf course properties, and land in the above categories.

*Ed King, Associate Broker, GRI; Long & Foster Realtors, Inc.*

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## SHALE DRILLING UPDATE

The Deep Creek Lake Property Owners Association (POA) has designated a subcommittee to participate in the process and review the ongoing discussion of shale gas development in Maryland. The specific goals for the POA Marcellus Subcommittee are to inform POA members about meetings as the discussion proceeds, represent general POA member interests in the discussion, and report the results of the shale gas discussion and regulatory review including meetings of Governor O'Malley's Marcellus Shale Safe Drilling Initiative.

The official policy position expressed by the POA Board states, "In the event Marcellus Shale Drilling is permitted in Garrett County, the regulators should take all reasonable steps to minimize adverse impact on the wellbeing of Deep Creek Lake and its environs." The board went on to name Jonathan "Smiley" Kessler, John Quilty, and Chris Nichols as a subcommittee to study the Marcellus Shale issue and keep the board and membership informed. The POA Marcellus Subcommittee will next meet at 5:00 PM on October 10, 2012 at Smiley's B&G. All members are welcome to attend these meetings so please watch [www.deepcreeklakepoa.com](http://www.deepcreeklakepoa.com) for future meeting notices. The POA will post some of the major publications on our web site.

Though no drilling in the Marcellus Shale geologic layer has started in Garrett County, the state has received permit applications so there is industry interest. The county presents information and meeting notices on their web site <http://marcellus.shale.garrettcountry.org/> to help residents,

visitors and businesses understand the development of the industry and how it may affect our county and state.

Know that your POA board members are involved in the shale gas development discussions and we invite our membership to engage and take an active role in the process during all stages.

*Smiley Kessler*

## ON-LINE BOATING SAFETY CLASSES

The Maryland Basic Boating Course is now available on-line. Study at home, on your own schedule, and at your own pace. When you pass the on-line exam by scoring 80% or greater, you will immediately be able to print out a temporary certificate that is valid for 30 days. You will receive your Maryland Basic Boating Safety Education Certificate in the mail within 5-7 business days.

2 online course options: choose the one that's right for you! [www.boat-ed.com/md](http://www.boat-ed.com/md) (I am using this one. It is good!). [www.BOATERexam.com/usa/maryland](http://www.BOATERexam.com/usa/maryland)

Taking one of these courses is a very smart and safe thing to do. And if you have guests coming to our lovely lake area and they intend to rent a boat or use your boat without an experienced operator, encourage them to take the course before they come!

*Lou Battistella*

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 Property Owner's Association of

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