

Sea Pines Homeowners Association
Monthly News

June 27, 2006

Dear Neighbor,

This newsletter follows the last letter only by 16 days. Do not view this short lapse of time as indicative of my lust for letter writing. Rather, the last letter was sent later than I had intended and there is more news to report at this time given that the FMB met on the 24th. Vera Fields provides the minutes of meetings in a way more timely than this publisher operates.

Many owners have been saddened by the passing of Betty Ann Liddle, a long-time resident of Sea Pines. This former Dean at Wheelock College employed her sense of humor in various ways, including her service as Chair of the FMB.

Craig McGowan provided an eloquent report on the financials, such eloquence being attributable mainly to the fact that we are on budget for the year to date.

Joanne Keuch's clipboard reported that all planting under the "5-Year Plan" is finished for the year and that the budget is exhausted. Phase II owners are asked to provide ideas for future re-plantings to the Grounds and Maintenance Committee during July. The on-going work on several chimneys will be completed as soon as the weather provides several days for drying; final surface coatings will resume when there are fewer residents who would suffer interference. The painters will finish the touch-up work on Grove Lane when that aforementioned drying period presents itself.

Dave Sullivan used his nice baritone to deliver the report from the Bluff Committee, a group encompassing Dave, Bob Wiesel, Steve Koppel and me. The Committee is working to develop the structure for the Notice of Intent (NOI) that will be sent to the Conservation Commission; Sea Pines will need a new Order of Conditions next year in order to prune the Bluff and Beach Path. Our committee will ask the Conservation Commission to discuss various aspects of the Commission's program in order to assist Sea Pines in the preparation of its NOI. The second cutting along the Bluff will commence on July 5th, at which time invasive species and the poison ivy beside the beach path will be further assaulted.

The pool is open. Residents and their guests are expected to sign the binder for the Pool Attendant and provide the name and Sea Pine's address of the relevant owner. Similar information will be sought by volunteers who will monitor access to the beach for the Security Committee. Note that the Pool Attendant is not a life guard.

John Phelan reported as Chairman for the Insurance Committee that Travelers will continue in business on the Cape for the next year. John is working toward renewal of our policy and opined that Sea Pines is probably underinsured.

Litigation Corner¹. (1) The Matter of the Beach Rights: Trial in Land Court remains on schedule for November 6-7. The abutters filed counterclaims and amendments to their arguments which have been answered. (2) The Matter of the Garage: Defendant has filed paper and argues that the FMB of Sea Pines does not have the authority to regulate anything under the old and the new by-laws. Defendant also argues that the action regulating his garage is harassment. Finally, the Court has not ruled on Sea Pines' motion for Summary Judgment. (3) Challenge to the new by-laws: Plaintiff had sought a preliminary injunction to prevent Phase III from operating under the new by-laws. The request for preliminary injunction was denied and a hearing is expected later this summer with respect to the request for a permanent injunction. The FMB is working with the company that handles our Directors and Officers Liability insurance in order to determine whether Sea Pines will have to pay a portion of the costs of this litigation.

The Annual 4th of July Parade is scheduled for that day. Details are published at different places, including the bulletin board in the Clubhouse. Note, however, that large fire trucks are prohibited this year per order of the guard stationed in the barracks situated at the entrance into Sea Pines.

I will remain in this post at least for the next month. One person pointed to an error in the last newsletter when I incorrectly identified Duneward Lane, the street on which I reside. Her polite delivery and smiling countenance did not cause me to cry.

Jim Dalton
For the FMB

¹ Please know that the writer of this "rag" is not a lawyer and attests that his spouse frequently points to his fallibility.