

SEA PINES HOMEOWNERS
NEWSLETTER
April 17, 2007

Dear Neighbors,

I apologize for not having written to you this year. June and I have spent much of this year to date traveling while I am on a sabbatical from Boston College. And my two replacements who wrote this missive for past years also have been out of the orbit: Frank Pease has successfully rehabilitated his leg after knee replacement while Richard and Susan Rose completed the search for, and purchase of, a home in Sarasota to replace their residence in Framingham.

Reports.

(1) Our Treasurer has reported that expenditures have remained at budget levels.

(2) Trimming on the Bluff is expected to be finished this month under the current Order of Conditions (OOC); the weather has impeded the progress of trimming that was to begin on April 9th.

(3) The Bluff Committee worked with a team to prepare a Notice of Intent (NOI) required by the Brewster Conservation Commission (CC) for any work on the Bluff after the current OOC expires this June. The team worked with an engineer, a botanist and a wildlife expert, in addition to the CC's Administrator. Our Committee made two formal appearances before the CC. Bob Wiesel appeared alone in February before a difficult audience. In early April, Bob again walked the plank but this time John Reilly of Bennett and Reilly was able to ride "Shot Gun" while another committee person watched his back. At this point we do not have a new formal OOC but at the second meeting it "appeared" that the CC voted to issue a new OOC for Sea Pines. At this point our Committee reports that we will have the same conditions that we had for the last four years plus some clearance of the gully next to the beach path and the permission for a second cutting that we gained two years ago. In addition, at the April meeting the CC approved the proposed modifications to the former OOC as follows¹:

- Adding a view corridor for the Lessers/Vandercar units that was missed in the filing 4 years ago
- Modifying modestly the view corridor in front of the Alhart/Dalton/Marden units to offset the view lost because the CC's agent will not allow trimming of trees in their view corridor.
- Adding 2 areas of Heathland community in front of the Houghton and Wiesel units to address the unique areas where the existing topography rises up eliminating the views when the 4 foot minimum pruning height is applied. This again should have been addressed in the filing 4 years ago. This concept was proposed by Keith Johnson, the CC's former Administrator, during one of our walking tours last Autumn. (The installation of the Heathland communities will be paid for by the home owners with no cost to Sea Pines.)

¹ The Bluff Committee's initial NOI contained recommendations for modifications to numerous other view corridors with tradeoffs such that there would have been no change in the total square footage of view corridors. The CC did not view these proposals with a kindly eye.

- Removal of 2 Locust trees in the "Gully" adjacent to the Donahue unit. The State has now classified Locust trees as invasive species and the CC supports their removal.
- Removal of 5 Locust trees in front of the Clayman unit and removal of the large Willow tree in front of the Spiegleman unit. All of these trees are outside of the 100 foot buffer zone over which the CC has authority, but they were informed of our intent to remove them as a gesture of cooperation. (The CC appreciated our open communication actually, and remarked that their former Administrator had acknowledged the genuine efforts of Sea Pines to work with the CC.) The removal of these trees will require the approval of the grounds committee (variance being prepared) and will be paid for by the aforementioned home owners.

(4) The Grounds Committee works continuously throughout the year, regularly touring the grounds and meeting twice a month. The following represents some of the more demanding matters that the committee has addressed lately.

- Condominium I is now ready for power washing and painting.
- Ground landscaping will commence as weather permits. In addition, the last year of the five-year landscaping program is beginning. The current effort is aimed at Grove Lane and the area around the Clubhouse. The cycle begins anew in 2008 with a return to Landing Lane; expenditures should decline in proportion to the success of the initial program.
- Efforts continue regarding finding a contractor with whom the FMB can work to generate an updated evaluation of the long term program for the capital reserve fund at Sea Pines. The objective is to determine not only what we want by what point in time, but also to obtain an estimate of related costs.
- An architect, Wayne Tavares of Taveras Land Design, proposed at our invitation, substantial renovations to the areas inside the pool area. His proposal will be modified by the Grounds Committee given budget constraints. Whichever architect is selected, he would work with the various contractors who would be performing the concrete, electrical, lighting and landscaping work. Given time constraints, the FMB voted to begin the project in September so as to allow the pool to open on time.
- Two unit owners submitted a request for a variance to build dormers on their units that abut each other. The committee considered this issue too important for the committee itself and turned it over to the FMB. After a long discussion, the FMB asked the Grounds Committee and Craig to collect facts. This matter will be addressed again at the April meeting. In addition, strong consideration is being given to presenting this matter for discussion to the body of owners attending the Annual Meeting. The owners requesting the variance then withdrew their request until such time as when the FMB gains a clearer perspective of what the community wants.^{2 3}

² For examples, see the few dormers that exist in Sea Pines: 18 and 20 Duneward Lane, and 277, 279, 213 and 215 Sea Pines Drive. The first four dormers were built by the developer and the last two units had dormers built before the current owners purchased at Sea Pines.

(5) There is no new information regarding the various legal matters other than the matter involving beach rights. Regarding the latter matter, Land Court held its last hearing on April 5-6 in Boston. I sat beside *El Presidente* Terry Milligan during the proceedings. The defendant put on its final two witnesses for direct and cross examination. At noon on Good Friday the 6th, the Court adjourned, noting that what remained were submissions of briefs and reply briefs on facts and law that should be completed by the respective parties sometime in June. The Court did not give a date as to when it anticipated rendering a final decision as to who owned the rights to the western-most 400 feet of the 1,100 feet of beach.

Reminders and Other Information.

(1) The meeting dates of the FMB are the last Saturday of each month and they begin promptly at 8:30am; these meetings are well attended. The FMB has scheduled meetings for April 28 and May 26. The annual meeting will be held on May 27, at a time and place to be announced. The succeeding dates for meetings will be set when the new Board meets after elections at the Annual meeting.

(2) By now you should have received an announcement from the President of your condominium soliciting nominations for the election of one person to serve on the Board of Managers and the FMB. If interested, please contact your president by May 2 either by telephone, letter or email. (Or you could nominate a good candidate and not reveal your sneak attack to that person as I did for George Pierce this year.)

(3) If there are key matters that affect the well being of Sea Pines, then please let me know and I will announce them here. Of course, I remain the sole arbiter of what is relevant. For example, I noted at the outset certain facts about Messers Pease and Rose and I pointed to the scars on Mr. Wiesel. I have only limited access to other relevant information and I need you to provide relevant data. But keep submissions to facts that affect our sense of community. For example, Steve Koppel completed the Boston Marathon yesterday. Why is that relevant? Steve generated over \$35,000.00 in donations for cancer research! As to what would be *irrelevant* consider that my seventeen-month-old grandchild took only 16 minutes to finish the crossword puzzle in last *Sunday's New York Times*. Email me at jdalton7@comcast.net or call me at 781-642-1460.

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For the FMB,
Jim Dalton

³ The Board discussed various concerns if dormers were permitted, including the impact on septic systems and insurance costs for Sea pines, and architectural compatibility. After much discussion the main issue appears to be architectural compatibility.