

April 20, 1992

Dear Neighbors:

Sea Pines was warm and wet at the end of March. March indeed "went out like a lamb". Surely Spring is here on the Cape. Speaking of Spring, you might be interested in knowing that Sea Pines has Brewster's only protected vernal pool.

A vernal pool is a temporary body of fresh water that is the habitat for several vertebrate and many invertebrate species. The word "vernal" means Spring and each Spring, our vernal pool fills with water from snow melt and rain. It is quite small and is located in the wetland area at the end of the lower tennis courts.

The pool is protected by Massachusetts laws as many species of wildlife are totally dependent on the pool for survival. The absence of fish predation allows amphibian eggs and larvae to breed. Pools like ours support wood frogs, mole salamanders, toads, and newts. Some species like fairy shrimp spend their entire lives there. Although we have no rare species indicated in the registration documents for this pool, we may have an endangered species of dragonfly, so I am told.

Spring cleanup and pruning is continuing with most of the damage from the Fall storms corrected. We have a new lower noise tennis backboard. Hopefully Sea Pines will be in it's usual great condition for the annual meeting in May. Speaking of the annual meeting, please send your Phase nominations to your Phase Presidents or Mercantile.

The March 28th meeting was predominantly focused on the sprinkler system proposal. The Board discussed and reviewed the differences between the Board and one of the homeowners, Mr. Lipson, whose attorney suggested there might be breach of fiduciary responsibility by the Board, individually and collectively, in dealing with the interests of the minority group at Sea Pines.

The discussion reached an impasse with Mr. Lipson, so we ended the conversation, and at the end of the meeting, went to closed session. Since that time, the Board has reviewed the scope of the job and asked our attorney, Mr. Minor, to review the Board's consensus that this issue is a repair and maintenance matter and not an improvement. Our attorney's sense is that it is an improvement. Thus, the sprinkler portion of the proposal would need at least a 51% affirmative vote at the annual meeting to be implemented, with the cost borne by that 51%. A 75% vote at the annual meeting would allow Sea Pines to install the system. However, any individual in the 15% minority could then ask the courts to have Sea Pines purchase their unit at fair market value.

Although the Board will meet in April to discuss the issue, my subjective feeling is that sprinkler systems are a dead issue, regardless of the cost benefits of implementing them.

However, the issue of using well water to water the grass and fill the pool is probably a repair and maintenance issue and will benefit all at Sea Pines, sprinklered or not. Five wells tied into existing systems could save Sea Pines \$8,000 per year with an initial cost to replace town water with well water of \$15,000. A worthwhile change! As usual, please write or call me on this issue or better yet come to the April 25th meeting to participate in the discussion.

See you then

Jim Fowler, Chairman
Facilities Management Board