

Sea Pines Homeowners Association Newsletter

December 11, 2009

Dear Neighbors,

Please accept my apologies for the nearly 6 months which have passed since the last newsletter. My wife and I are building a new primary home off-Cape and, as expected, it has taken most of our time. I have asked the FMB to find someone to take over this task so that newsletters could be published more frequently. Alas, the anticipated stampede of volunteers has not materialized.

We are entering the very quiet time of year at Sea Pines, in what has been, by and large, a relatively quiet year in terms of FMB activities. The two activities that have kept the FMB busy are the now-completed siding project and the legal issues with our abutter.

The siding project was budgeted at about \$630,000 and ended up about 10% more at \$700,000. \$200,000 of this cost came from the reserves and the remaining \$500,000 is coming from a 6 year unsecured loan from Eastern bank. This loan will be paid back by taking the usual deposit we make every month into the Reserves and redirecting about half of it towards the bank loan. The Project Engineers and Mercantile Management both are pleased with the results.

Our abutter continues to press his legal claims of beachfront dune damage due to our beach kayak storage as well as interference with his beach easement rights due to the same kayaks as well as the boats moored in the water. The claims are against both Sea Pines and the

Brewster Conservation Commission which has thus far approved our kayak storage plans and that decision has been upheld by the State Department of Environmental Protection (DEP). Our abutter is appealing the DEP decision. Unfortunately, this appeals process can be extremely lengthy and, obviously, very expensive to Sea Pines. We have had to significantly overspend our 2009 legal budget in order to defend our beach rights. Legal expenses are not expected to let up next year so we are increasing our 2010 budget for them.

Primarily due to the increased legal expenses, the maintenance fee will be increased by about 3% for 2010. The increase is less than it might have been due to excellent work by our Insurance Committee which managed to limit the increase in insurance cost to \$4,000 instead of the anticipated \$12,000 increase. Even with the 3% maintenance fee increase, we have hard decisions to make about infrastructure repairs which would come out of the reserves but which are depleted by about \$250,000 because of the siding project and having to unexpectedly rebuild or substantially repair several chimneys this year. For instance, several of the roads are well past their expected lifetime such as Sea Pines Drive from around Landing Lane up to 6A and Landing Lane itself has serious problems. Such asphalt repairs would be quite expensive and would strain our remaining reserves, perhaps leaving us with not enough funds to pay for an expensive emergency repair. Yet repairs such as these must be done at some point and become increasingly expensive with each passing year and detract from Sea Pines' appearance. Paying for these unavoidable high cost expenses is likely to result in either increased maintenance fees or special assessments.

Unfortunately, due to health reasons, Larry Huller from Phase 1 had to step down from the FMB. We welcome new owner Karl Fryzel who is filling the remainder of Larry's term.

Friendship and Hollow will be painted this coming year as part of the 5 year paint cycle.

A new recumbent bicycle has been purchased for the exercise room.

I would be happy to consider adding items of general interest to future newsletters or to accept questions. Please feel free to send or email them to me. Since I also maintain the Sea Pines web site, I am also happy to accept your thoughts, comments, ideas and questions about it.

I hope you have a merry Christmas, a happy Hanuukah, a joyous winter solstice or whatever it takes to enjoy the holidays!

For the FMB,

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