

THE ULMSTEAD

Weathervane



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www.ulmstead.org

From the President

In just a few days, most of the neighborhood will come together at the beach park to celebrate our nation's 240th birthday, play some games, have a few cold drinks, and maybe even stick around to watch the fireworks over Gibson Island. A schedule of events is in this issue. Thank you to Andy Vernick for coordinating this event. If past years are any indication, a good time will be had by all, but remember, you are not permitted to augment that good time by launching your own fireworks from the beach or anywhere else in the community. That is explicitly prohibited by UCI bylaws.

While you are at the beach park, take a moment to look at the bulkhead. Our bulkhead was installed around 1979, several years after Hurricane Agnes washed out the portion of the park that once extended out to the green navigational marker. But after doing its job for more than 35 years, the condition of the bulkhead walls is now judged by a professional review to range from fair to poor. The primary concern is that there are a number of areas where sections of the aluminum bulkhead are leaning. Leaning occurs when the pressure of the material being held in place by the bulkhead is sufficient to cause the wall to shift away from the vertical. We've been told that once a bulkhead starts to lean, it is at risk of failing and must be replaced. The significant erosion behind the wall in some places is another sign that it is at risk of failing.

Sure, we could perhaps get more years of use out of the existing bulkhead. But we are also concerned that a single major storm could wash out sections of the bulkhead and we could lose significant land area. The existing bulkhead was installed after one storm. If another storm takes out the bulkhead and we lose land, we will never be permitted to replace that land. A Maryland Department of the Environment (MDE) representative who met with the Board this past month told us that, as long as the bulkhead remains functional, we have the most options available to us. The options are reduced if we wait until it fails.

We had a community meeting on April 14 to discuss options with an engineer: Sapehr Baharlou of Bayland Consultants and Designers. He knows Ulmstead and our shoreline; he did the engineering work for the Dock II replacement. He spoke at the meeting in favor of a stone revetment given the depth of the water, prevailing winds, the wave action, and the ability to use the existing bulkhead to reinforce the new structure. He noted that a living shoreline in that location would probably be more

expensive than a stone revetment, and would not be as certain to succeed and last. Also, stone revetments need very little maintenance. For living shorelines, post-construction maintenance includes scientific monitoring of the restored habitat to gather information on the success of the project, debris removal, replanting vegetation, adding additional sand fill, and ensuring that the organic and structural materials remain in place and continue to stabilize the shoreline. The sense I got from the members in attendance was that they would prefer a long-lasting solution, even if it cost the community more money up front.

The natural resources manager from MDE reminded us, however, that any solution guaranteed to resist a strong hurricane cannot get MDE approval. It would simply be too big, too strong, and too detrimental to the health of the bay. In general, MDE favors a living shoreline and thinks one could be successful at our location given the strong sandbar and the west-to-east flow of sand around the point. But their manager also noted that it is unlikely MDE would give us resistance if we choose to go with a stone revetment instead. She said MDE tends to be cautious, and all of the reasons that Mr. Baharlou mentioned may raise uncertainties with a living shoreline. A hydrographic survey, subsurface soil borings, and other info is needed to better know the risks of a living shoreline. To balance the risks, she noted that the environmental benefits are numerous, from improving the marine habitat to enhancing water quality. A living shoreline could also shift the mean high water line 20 feet or more, giving UCI more land with a natural attractive wetland appearance (if we can keep geese from eating the grasses — a common problem, we're told).

More than advocating any one solution, the MDE manager emphasized that the most thoughtful approaches yield the best results. Failed projects are most often due to bad information on the front end and rushed planning. A comprehensive alternatives analysis was recommended. Of course, we also need to understand financing options. On top of all this, the permitting process will be longer than anticipated because our bulkhead is more than 500 feet in length. A Wetland License from the Maryland Board of Public Works may be needed, with public hearings and an estimated turnaround time of 240-320 days.

So when you take a moment to look at the bulkhead, please say a little prayer that it continues to hold. We need it for at least another year or two. Meanwhile, your Board will continue its efforts with the outstanding help and leadership of Pat Shay, Beach Park Manager. We are contracting with Bayland to begin the engineering studies. And of course, all of the details will be presented to the community prior to making final decisions.

Happy Independence Day!

Stephen Blumberg, UCI President
president@ulmstead.org

From the Board

UCI is still actively looking for someone to take over the Secretary and Treasurer positions. Please consider volunteering for these important roles in your community. For questions, contact any of the UCI Board members, or for Secretary contact Hannah Goldstein (secretary@ulmstead.org), or for Treasurer contact Mary Grund (treasurer@ulmstead.org).

The Board also wants to issue a big **Thank You to Brian Gugerty** for all his work in coordinating the *Ulmstead Community Yard Sale* last month. The rain held off, and it was a great event. Thank you!

Update on the Lawsuit

The lawsuit filed by the Plaintiffs, Don Ray Thompson, Johanna Maria Thompson, and Ashley Thompson, against Ulmstead Club, Inc. is still proceeding in the Circuit Court for Anne Arundel County. As you may recall, this lawsuit was filed on May 15, 2015. The lawsuit concerns Lot 99A, also known as 918 Lynch Drive, which was created in 2000 by family conveyance through re-subdivision of Lot 99, also known as 632 Basin Way. The re-subdivision occurred without the knowledge or approval of UCI. The issues in this case concern whether the Covenants are enforceable, whether Lot 99A is a buildable lot, and whether UCI tortiously interfered in Ashley Thompson's 2014 effort to sell the lot.

Lot 99 is in Section IV of Ulmstead Estates. On the plat establishing this section in 1974, the developer included the following language: "any lot transferred will have a minimum width and area substantially the same as those shown herein, and only one principal building per lot." The Covenants established for Section IV state in part that all numbered lots "shall be used for single-family residential purposes and are designated residential lots" and that prior approval for building is needed. The lawsuit seeks, among other things, a declaratory judgment that the Covenants are vague, ambiguous, unenforceable, and void against public policy, and that these Covenants do not prohibit construction of a residential dwelling on Lot 99A.

Extensive discovery has been exchanged between the parties. Depositions have been taken. Efforts at mediation as required by the Court were unsuccessful. Both sides filed extensive Motions for Summary Judgment. Motions for Summary Judgment request that the Court rule as a matter of law in favor of the party filing the Motion. Our Motion was based upon technical grounds of standing regarding the right of the Plaintiffs to proceed. After oral argument in May, both Motions were denied by Judge Caroom, who found that there were sufficient factual disputes that the Court could only resolve by trial. Although the Court denied our motion, the judge specifically noted that the Court did not find ambiguity in the plat notation, and on that basis, might have granted UCI's request for summary judgment and concluded the case. However, the plaintiffs further argued that there are existing violations of the plat note and covenants that would lead a reasonable person to believe that the plat note and covenants have been abandoned and are no longer enforceable. The Court has to make a factual determination based on the evidence presented at trial, with the burden of proof on the plaintiffs. This trial is scheduled to begin October 26, 2016.

Meanwhile, on or about June 1, 2016, construction-related activity began on Lot 99A. Ashley Thompson's attorneys did not respond to multiple inquiries seeking to determine or confirm whether he was indeed acting on an existing building permit and beginning construction of a residential dwelling. Because the issues in this lawsuit are still outstanding and unresolved, UCI was left no choice but to file a counterclaim seeking injunctive relief and damages, including a halt to all construction work on that lot.

The Board believes that UCI's position is sound and will continue to defend the case.

UCI DEPARTMENTS AND ACTIVITIES

NAUTICAL

The 2016 Ulmstead Estates Dock Party - Sunday, July 3 at 7pm

- ❖ Usher in the holiday weekend in style.
- ❖ Watch the sunset over the beautiful Magothy River.
- ❖ Enjoy the music of ELLIS and the fascinating conversation of your neighbors.
- ❖ What could be better? Free Beer? Got that too!
- ❖ Don't like beer? We got you covered with red and white wine.

Have your "DD" take you and your adult friends to Blue Heron Court, have your yacht take you to 39° 3.801' N latitude, 76° 29.137' W longitude, or have your legs take you to Dock 2.

All adult UCI members and their guests are welcome to attend free of charge. Bring an appetizer to share.

MEMBERSHIP

We are excited to welcome The Dupcak Family Owl Court. The Dupcaks have come to Ulmstead from Bay Hills and before then, Annapolis. Both Mark & Courtney were born and raised in Annapolis. Mark is a model train enthusiast and Courtney likes long walks on the beach.

Also, please welcome Scott and Kendra Burnam to Placid Court. They have come to Ulmstead from Belvedere Beach. They work in sales and enjoy lacrosse and running.

SOCIAL

Children's Playgroup - 12pm at the Barn 7/6 & 7/23

Let's PLAY! First Wednesday and third Thursday each month. Meet at the barn at 12pm. Babies, toddlers and siblings welcome. Feel free to bring lunch or snacks. Any questions contact: Michelle Mahan e-mail: michellemahan@comcast.net, Candice Cukor e-mail: candicecukor@gmail.com or Molly Wood e-mail: freitag02@yahoo.com

Boy Scouts

Would you like to go camping, learn new skills, make new friends, and have fun? Our troop meets every Thursday evening at 7 PM at the Ulmstead Barn and goes camping one weekend every month. Come check us out! Also, we are still collecting worn out flags for a patriotic flag retirement ceremony. You can join even if you were never a Cub Scout. Contact Mike Allen.

Savvy Seniors

We are planning an **old fashioned picnic** at our Ulmstead beach for Wednesday, July 20th from 5pm–7pm. Each of us will bring our own meat to grill, our beverages and a side dish to share. We suggest bringing beach type chairs for comfort if you wish.

We are suggesting those with last name initials from A – M bring some sort of small salad, e.g. potato salad, pasta salad, coleslaw, tossed salad, etc. Those with initials from N – Z bring sides such as deviled eggs, chips & dip, baked beans, vegetable platter, etc.

We will supply condiments, plates, utensils, napkins, charcoal, table cloths, trash bags, ice, & glasses.

For the safety of our members, if inclement weather is imminent, we will change our venue to the Ulmstead Barn.

DON'T HESITATE TO PUT THIS ON YOUR CALENDARS ASAP FOR AN EVENING OF FUN, SAILBOAT RACES ON THE MAGOTHY, CAMARADERIE, AND GOOD FOOD.

Questions: Irene Godoy, Diane Kozel, Chris Rockwell



Ulmstead Annual Fourth of July Celebration

In a few days, we will be celebrating the birth of our nation. Come out and play, party, and eat on July 4th with your Ulmstead friends and neighbors.

Schedule of Events:

10:00 am Softball Game: Adults vs. Ungrateful & Currently Debt-Free Children

2:30 pm Annual Ulmstead Parade

Starting at the intersection of Magothy View and Placid

Ending at the Beach (for popsicles)

NOTE: Please coordinate with your neighbors and Club floats or other entries in the parade. Get together with your street and have a "street" entry. We are a creative neighborhood.

3:15 pm Turtle Race

3:30 pm Frog Jumping (If no frogs, Kid jumping contest)

3:45 pm Foot Races (6 and under, 7-9, 10-12)

4:05 pm Sack Races

4:25 pm Bubble Gum Blowing: All Ages

4:45 pm Three Legged Races

5:00 pm Egg Toss

5:30 pm Barbecue

2016 Ulmstead Triathlon

Date: September 5th (Labor Day) **Kids** 8:30AM **Adults** 9:30AM

Location: Ulmstead Pool

Details: This is a short course Triathlon, designed for first-time triathletes through experienced racers. Everyone is welcome, so please join us for the fun. The intention is to encourage life-long exercise for all. UCI members or Ulmstead Pool members in good standing are welcome to participate.

KIDS Triathlon: 8-14 years of age and older, individual and teams. Consists of 4 laps in the Ulmstead Pool (200 yards), approximately 3-mile bike through Ulmstead, 1 mile run from the pool to the beach and back.

ADULT Triathlon: individual and teams. Consists of 10 laps (500 yards) in the Ulmstead pool, a 9-mile bike through Ulmstead (3 laps), and a 3-mile run (1 lap of the bicycle course). New this year is an over-50 division. For those only wanting to complete one segment, sign up under the team category, and we will match you up with other racers to form a team.

Post-Race Party: After the event please join racers, families and volunteers for a pool party and barbecue, including hotdogs, burgers, chips, drinks, and paper products.

Registration: Please sign up early; it helps the volunteers and coordinators.

Entry fee \$25 per person includes T-shirt, race, kids medal and post race pool party. For shirts to be available, register by August 19th. Any additional proceeds will go to the Ulmstead Swim Team.

For registration and payment: ulmsteadswimteam.org/triathlon

Volunteers Needed: Timers, course safety personnel, transition help, and food preparation.

To Volunteer or Questions: Please contact Rob Wallace 443-756-0921



NOTICES

CHARITY NOTICES

Gigi's Playhouse of Annapolis, a nonprofit Down syndrome achievement center that will provide educational and therapeutic programs at no charge to families, is having its inaugural fundraising event on July 23rd. For more information or to donate, see <http://gigisplayhouse.org/annapolis>. (Posted by Florence August, Mallard Circle)

FOR SALE

Tartan 27 Sailboat: Presently at Dock One. Call Tom Kozel at 410-626-7830 for information.

Golf Cart: 2008 Yamaha E-Z-GO 48-volt electric golf cart. Hunter green, tan top and utility "pickup truck" backend. New batteries 2 years ago. Garage kept. \$2,500.
Contact Chase at 410-703-1995/wchase3@gavh.com

RENTAL PROPERTIES

Florida Keys Condo for weekly and monthly rentals. Marathon, (Florida Keys) #118 Ocean Isles Fishing Village Studio-sized condo with full kitchen, queen Murphy bed and twin trundle bed, huge pool overlooking Atlantic. Great fishing from the dock. An hour-long drive from Key West, 2.5 hr. drive from Ft. Lauderdale or fly into Marathon and it's a mile away. Available for weekly and monthly rentals, see it www.KeysRentalsOnline.com or call Colleen at 410-703-1468.

Ocean City Vacation Rental - Oceanfront getaway - Would you like a family getaway in north Ocean City? With its 4 private bedrooms (sleeps 12-14), 4 bathrooms, 2 living areas, and 3 decks overlooking the ocean, there is plenty of room to gather as a group. Off-season weeks/weekends available. For more information, call Gwyn or Al Tober at 410-757-8388 or go to <http://www.gwyntober.com/beach> to view pictures.

Deep Creek Lake Townhouse for Rent: Right across the street from Wisp Ski Resort and access to Deep Creek Lake on the property. It sleeps eight (2 Doubles, 1 Queen, 1 Queen sleep sofa). Fully equipped kitchen, fireplace in LR, jetted tub, washer/dryer. Walk to slopes, golf course, tennis court, dock, mountain coaster and white water rafting. Call Tim or Elizabeth Parker at 410-571-5315.

Outer Banks, NC Beach House Rental - Kill Devil Hills, MP 7. Walk to the beach from this 4 bedroom, 2 bath family beach house. Sleeps eight (1 King, 1 queen, 2 twins and 1 twin bunk bed set). Fully equipped kitchen, 2 living areas, 3 levels of decks, washer and dryer. Near Wright Brother's Memorial, mini-golf, movie theater, grocery store, restaurants and shopping. Two blocks from the ocean, one mile from the sound. Call Jeff or Ann Young 410-757-5805.

UCI OFFICERS AND VOLUNTEERS

www.ulmstead.org

UCI Board of Directors
and liaison roles

Stephen Blumberg – President, Capital Improvements
Nancy Kennerly – Membership, Social
Jason Dowell – Nautical
Kevin Stone – Beach, Scenic
Mike Murphy – Security, Pool
Mike Slavin – Tennis, Equestrian, Ball Field, Barn Recreation Rooms
Vacant
Hannah Goldstein
Mary Grund

Executive Vice President
Secretary
Treasurer

DEPARTMENTS & ACTIVITIES

Ball Field	Bob Svehlak
Barn Recreation Rooms	
Manager	Lynne Andrews
Maintenance	Brian Poole
Beach & Shore	
Reservations	Ginny Vernick
Maintenance	Pat Shay
Beach Camp	Lisa Gattie
Capital Improvements	George Collis
Equestrian	Suzanne Vaaler
Nautical	Bryan Templeton
Scenic Control	Vacant
Beautification	Michelle Mahan
Security	Al Homans
Social	
Senior Activities	B. Myers/N. Kennerly
Adult/Family Events	
Mothers' Day Brunch	George/Shepard
July 4th Parade & Picnic	Andy Vernick
Dock Party	Nautical Department
Fishing Tournament	Mike Sawyer
Ladies Wine & Cheese	Stacy Glubke
New Year's Eve Party	Vacant
Fall Camp-out	Grigon/Hays
Guy's Beer & Brats	Scott Glubke
Wings, Chili, Homebrew	Suzy Sundius
Children	
Weekly Playgroup	Mahan/Cukor
Spring Party	Tracy Seybert
Autumn Party	Beth Rue
Christmas	Kathy Vavrina
Tennis	Kathy Jacob
Maintenance	Mark Overton
Membership	Kathy Pruissen / Renee Kardash
Bumper Stickers	Lynne Andrews
Welcoming	Sherry Sherwood, Mary Jo Powers, Gillian Duvall, Ann Albrecht, Rina Dowell
Webmaster	EG Gipple
Community E-mails	Meaghan Rosso
Weathervane Editor	Stephanie Collier
Weathervane Distribution	Mike Allen (manager), August, Daly, Davis, Deller, McKees, Fierstein, Wentworth, Konrad, Kardash, Cooley, McCoun, Blumberg, Weiss, Root

INDEPENDENT ORGANIZATIONS

2016 ULMSTEAD SWIM CLUB

<https://sites.google.com/a/ulmstead.org/ulmstead-pool/>

President	Brad Snodgrass
Vice President	Sharman Devaney
Secretary	Hannah Goldstein
Membership	Lisa Gattie
Treasurer	Julie Parks
Maintenance	Scott Glubke
Social	Ann Harrison
Member at Large	Nicole Roberts
UCI Board Liaison	Mike Murphy
Swim Team Liaisons	Suzanne Vaaler & Jenne Dunne

SWIM CLUB QUICK LINKS

pool@ulmstead.org

SWIM TEAM

www.UlmsteadSwimTeam.org

Director	Suzanne Vaaler
Merchandise	Susie Smargissi
Concessions	Katy Kelley
GASL League Rep	Jerilyn Deitch
Meet Manager (IT)	Liz Norton
Treasurer	Rob Wallace
Team Webmaster	Hannah Goldstein
Volunteers Coordinators	J. Grignon / C. Sawyer
Head Coach	Colleen Winans
Assistant Coach	Matt Swensen
Special Events	Harrison/Woltersdorf

BOY SCOUT TROOP 835

Scoutmaster Mike Allen

EMAIL QUICK LINKS

Board@ulmstead.org	Treasurer@ulmstead.org	Barn@ulmstead.org	News@ulmstead.org
President@ulmstead.org	Security@ulmstead.org	Social@ulmstead.org	Weathervane@ulmstead.org
Secretary@ulmstead.org	DockMaster@ulmstead.org	Membership@ulmstead.org	Tennis@ulmstead.org

Ulmstead Calendar – July 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3 Dock Party 7pm	4 Ulmstead Community 4 th of July Celebration! (See notice for event times and details.)	5	6 Children's Playgroup @ Barn 12:00 PM UCI Board meeting 7:00PM at the barn (note new time)	7 Boy Scouts @ Barn 7-8 PM	8	9
10	11	12	13	14 Boy Scouts @ Barn 7-8 PM	15	16
17	18	19	20 Savvy Seniors picnic at the beach park 5-7 (see notice for details and rain info)	21 Boy Scouts @ Barn 7-8 PM Children's Playgroup @ Barn 12:00 PM	22	23
24	25	26	27	28 Boy Scouts @ Barn 7-8 PM	29	30

Reminder: We do not publish an August Weathervane. September submissions are due by August 25. Email: weathervane@ulmstead.org
Save the DATES: Board meetings are the first Wednesday of the month. September 5th Ulmstead Triathlon.