



Whitefish Lake and Lakeshore Committee

AGENDA

Wednesday, November 9, 2016 at 6:00 PM

Meeting to be held at Planning & Building Department,
Conference Room, 510 Railway Street

1. Call to Order
2. Agenda Changes
3. Approval of August 17, 2016 minutes
4. General Public Comment
5. Old Business
6. New Business
 - WLP-16-W22 Dixon
 - Repair Sewer Line
7. Staff Comments
8. Adjournment

Next Scheduled Meeting is December 14, 2016

Principles for Civil Dialogue



- We provide a safe environment where individual perspectives are respected, heard and acknowledged.
- We are responsible for respectful and courteous dialogue and participation.
- We respect diverse opinions as a means to find solutions based on common ground.
- We encourage and value broad community participation.
- We encourage creative approaches to engage public participation.
- We value informed decision-making and take personal responsibility to educate and be educated.
- We believe that respectful public dialogue fosters healthy community relationships, understanding, and problem-solving.
- We acknowledge, consider and respect the natural tensions created by collaboration, change and transition.
- We follow the rules and guidelines established for each meeting.

WHITEFISH LAKESHORE PROTECTION COMMITTEE
MINUTES OF August 17, 2016

The meeting was called to order at 6:00pm by Chairman Herb Peschel.

MEMBERS PRESENT:

- Herb Peschel, Donna Emerson, Koel Abell, and Joe Malletta. Bailey Minnich of the Whitefish Planning Office was also present.

MEMBERS ABSENT: Brian Sullivan and Jim Laidlaw

ADDITIONS/CORRECTIONS TO TONIGHT'S AGENDA: none

APPROVAL OF JUNE MINUTES:

- Koel moved to approve the June 8, 2016 minutes as presented. Donna seconded the motion. All in favor and motion carried.

GENERAL PUBLIC COMMENT: none

Old Business: none

NEW BUSINESS

WLP-16-W17 – Gorder – Retaining Wall

[Present: none]

Discussion:

Staff began with a presentation of the proposed project and draft lakeshore permit report. Discussion was held regarding previous permits which had been issued for the subject property and the different amount of lakeshore frontages used. Further discussion occurred on the applicant's ability in the future to amend their constructed area. Discussion occurred on the proposed conditions of the permit and requirement for riprap along the toe of the retaining wall. Also discussed was the applicant's existing buoy location and recommending the applicant to move the buoy to comply with the 100 feet length from shore regulation.

Motion:

- Joe Malletta moved to approve the permit as presented. Donna Emerson seconded the motion. Motion approved unanimously, 4-0.

BOARD COMMENTS

Koel had some questions regarding the Dunlop property. The owner has removed the cover on the shore station but has not removed the structural canopy. That is not a requirement of the permit, but would make it less likely the canopy would be installed again in the future. Further discussion occurred on lakeshore violations and our process in place to deal with violations of issued permits. Also discussed was how long approved permits are valid, and staff's inspection of completed permits.

STAFF COMMENTS

ADJOURNMENT

The meeting was adjourned at 6:23pm.

NEXT MEETING

**September 14, 2016 * 6:00pm
Whitefish Planning & Building Office
510 Railway Street – Whitefish, MT**

DRAFT

**DAVID & CAROLINE DIXON
WHITEFISH LAKE LAKESHORE PERMIT
STAFF REPORT #WLP-16-W22
NOVEMBER 2, 2016**

Property Owner:	David & Caroline Dixon
Mailing Address:	1819 Polk Street #229 San Francisco, CA 94109
Telephone Number:	406.671.8310
Applicant:	Jason Pohlman
Mailing Address:	118 W. 2 nd Street Whitefish, MT 59937
Telephone Number:	406.249.9492
Property Legal Description:	Lot 23-N2-BLK8 of WFSH TSTE CO 5AC TR ADD1 Subdivision in Section 25, Township 31N, Range 22W
Property Address:	360 Dakota Avenue
Lake:	Whitefish Lake
Lake Frontage:	69'
Project Description:	Repair of existing sewer line

Discussion: The applicant is proposing to repair an existing sewer line located within the Lakeshore Protection Zone. The existing domestic sewer line and municipal sewer line are both non-conforming structures within the Lakeshore Protection Zone. Previously in 2000, under WLP-00-W20, the City approved a lakeshore permit to relocate the existing sewer line to its current location. The applicant submitted an emergency lakeshore application on October 19, 2016 to replace the cracked sewer line. The applicant is replacing the sewer line in the exact same location with a small excavator. The regulations require an approved permit from the Lakeshore Protection Committee and Whitefish City Council to operate machinery with the Lakeshore Protection Zone.

Frontage and allowable constructed area: The subject property has 69 feet of lakeshore frontage, and is eligible for 552 square feet of constructed area.

Existing constructed area: There is an existing non-conforming dock located on the property, approximately 795 square feet (per previous permits). In 2013, under WLP-13-W24, the gangway was permitted to be replaced. Additionally, the applicant has indicated that there are existing stone stairs approximately 16 square feet and a fire pit on the property. However, no permits are on file for either structure.

Conclusion: The proposed work complies with all requirements, most specifically Section 13-3-1, Design and Construction Standards of the Whitefish Lake and Lakeshore Regulations.

Recommendation: Staff recommends that the Whitefish Lakeshore Protection Committee recommend approval of the requested lakeshore construction permit to the Whitefish City Council subject to the following conditions.

Recommended Conditions of Approval:

1. This permit is valid for a period of one year from the date of issuance. Upon completion of the work, please contact the Planning Department at 406-863-2410 for final inspection.
2. The Lakeshore Protection Zone shall be defined as the lake, lakeshore and all land within 20 horizontal feet of the average high water line at elevation 3,000.79’.
3. The proposed project dimensions specified on the application project drawing shall not be exceeded unless modified by conditions of the approved permit. Changes or modifications to increase any dimension or change configuration must be approved through a permit amendment.
4. Temporary storage of vehicles, trailers, equipment, or construction materials in the lakeshore protection zone is prohibited.
5. The natural protective armament of the lakeshore and lakebed must be preserved whenever possible. Following installation, the lakeshore and lakebed shall be returned to its condition prior to construction.
6. Prior to the start of any construction activity, an effective siltation barrier shall be installed at the lakeshore protection zone boundary. The barrier shall be designed and constructed to prevent silt and other debris from the construction site entering the lakeshore protection zone, and shall be maintained until such a time as permanent erosion control and site stabilization are established on the property.
7. All work shall be done when the lake is at low pool and the construction site is dry.
8. Any existing or disturbed areas inside the lakeshore zone may be revegetated. New plants shall be native to the Flathead Valley or cultivars whose form, color, texture, and character approximates that of natives. A resource file on native plants is available at the City of Whitefish Planning Department. Application of fertilizer is permitted only in minimal amounts to establish new plantings.
9. The use of mechanical equipment within the lakeshore protection zone is permitted only if the equipment does not come in contact with the lake, expose silts or fine materials, or gouge, rut, or otherwise damage the lakeshore.
10. The lakeshore shall be immediately restored to its condition prior to construction. All equipment tracks shall be raked or otherwise removed by hand.

Report by Bailey Minnich



City of Whitefish
 Planning & Building Department
 PO Box 158
 510 Railway Street
 Whitefish, MT 59937
 Phone: 406-863-2410 Fax: 406-863-2409

File #: WLP-110-W77
 Date: 10/19/16
 Intake Staff: BM
 Date Complete: _____

LAKESHORE CONSTRUCTION PERMIT APPLICATION

WHITEFISH or LOST COON LAKE

FEE ATTACHED \$ 350⁰⁰

A permit is required for any work, construction, demolition, dock/shorestation/buoy installation, and landscaping or shoreline modification in the lake and lakeshore protection zone – an area extending 20 horizontal feet landward from mean high water of:

- 3,000.79' msl (NAVD 1988) for Whitefish Lake
- 3,104' msl (NAVD 1988) for Lost Coon Lake

INSTRUCTIONS:

- Submit the application fee, completed application and appropriate attachments to the Whitefish Planning & Building Department a minimum of **three (3) weeks prior** to the Lakeshore Protection Committee meeting at which this application will be heard.
- The regularly scheduled meeting of the Lakeshore Protection Committee is the second Wednesday of each month at 6:00 PM in the Planning & Building Department Meeting Room.
- After the Lakeshore Protection Committee meeting, the application will be forwarded along with the Committee's recommendation to the next available City Council meeting for final action, unless it is a committee approved permit.
- All work will be inspected for conformity with permit. Permits are valid for one year from date of approval and can be renewed by the governing body upon request.

A. LEGAL DESCRIPTION OF PROPERTY:

Street Address 360 Dakota Ave
 How many feet of the lake frontage do you own? 69
 Assessor's Tract No.(s) 0534250 Lot No(s) N 1/2 of Lot 23
 Block # 8 Subdivision Name 1st Addition to Whitefish Townsite Company's 5 Acre Tracts
 1/4 Sec _____ Section 25 Township 31N Range 22W

I hereby certify that the information contained or accompanied in this application is true and correct to the best of my knowledge. The signing of this application signifies approval for the Whitefish Staff to be present on the property for routine monitoring and inspection during the approval and development process.

 Owner's Signature¹

 Date

 Print Name

¹ May be signed by the applicant or representative, authorization letter from owner must be attached. If there are multiple owners, a letter authorizing one owner to be the authorized representative for all must be included

OCT 19 2016

Applicant's Signature _____

Date _____

Print Name _____



10/19/16

Representative's Signature _____

Date _____

Jason Pohlman

Print Name _____

APPLICATION CONTENTS:

Attached ALL ITEMS MUST BE INCLUDED - INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

- Lakeshore Construction Permit Application
- Written description how the project meets the criteria in Sections C-F
- Site Plan drawn to scale
- Project Drawing that is drawn to scale
- Vicinity Map
- Minimum of three (3) photos: 1 photo of property from lake; 2 photos showing lakeshore protection zoning from property boundary toward the other property boundary (e.g., from the north property line across property to the south) and photos of each existing structure or constructed area within the lakeshore protection zone (dock, boathouse, stairs, etc.)

B. OWNER(S) OF RECORD:

Name: David and Caroline Dixon Phone: _____

Mailing Address: 1819 Polk St #229

City, State, Zip: San Francisco CA 94109

Email: _____

APPLICANT (if different than above):

Name: Jason Pohlman Phone: 249-9492

Mailing Address: 118 W. 2nd St

City, State, Zip: Whitefish, MT 59937

Email: jason@mindfuldesignsinc.com

CONTRACTOR:

Name: applicant Phone: _____

Mailing Address: _____

City, State, Zip: _____

Email: _____

C. NATURE OF THE PROPOSED WORK: (describe what you propose to build, demolish or install. Give dimensions, material and list heavy equipment, if any to be used.)

Plan to replace failed sewer line from the house to the main. We will use schedule 40 pipe and dig with a small excavator. When crossing the 20' lakeshore protection zone, we will extend the erosion control around our dig area. After repair, we will rehabilitate disturbed area to original condition.

D. Describe any Environmental Impacts (e.g. impacts on water quality or fish and wildlife habitat, increased sedimentation, etc.). Explain what measures will be taken to alleviate these impacts.

Our erosion control is a steel backed silt fence trenched into the ground with straw waddle. These measures should alleviate any environmental impacts.

E. Describe existing improvements on the property within the lakeshore protection zone along with the square footage of each such as an existing dock, stairs, deck or patio and when they were constructed, if known, or the permit number.

Property is old, but new to current owners. These items were existing and look like they've been there a very long time...

Dock- approx 40sf
Stone steps- ~16 sf
Firepit ~10sf

F. If a variance is requested in addition to this permit, specify the reasons or conditions which require or warrant the variance on a separate variance form. An additional fee is required for a variance request. What is the variance proposal?

n/a

Bailey Minnich

From: Jason Pohlman <jason@mindfuldesignsinc.com>
Sent: Wednesday, October 19, 2016 3:48 PM
To: Bailey Minnich
Subject: Fwd: Sewer line repair to 360 Dakota

Authorization for Permit at 360 Dakota Ave

Hi Jason,

This provides our authorization for you as our representative to submit the permit to the Whitefish City Lakeshore committee to replace the sewer line at 360 Dakota.

Thank you,
Caroline and David Dixon

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Jason Pohlman

Mindful Designs

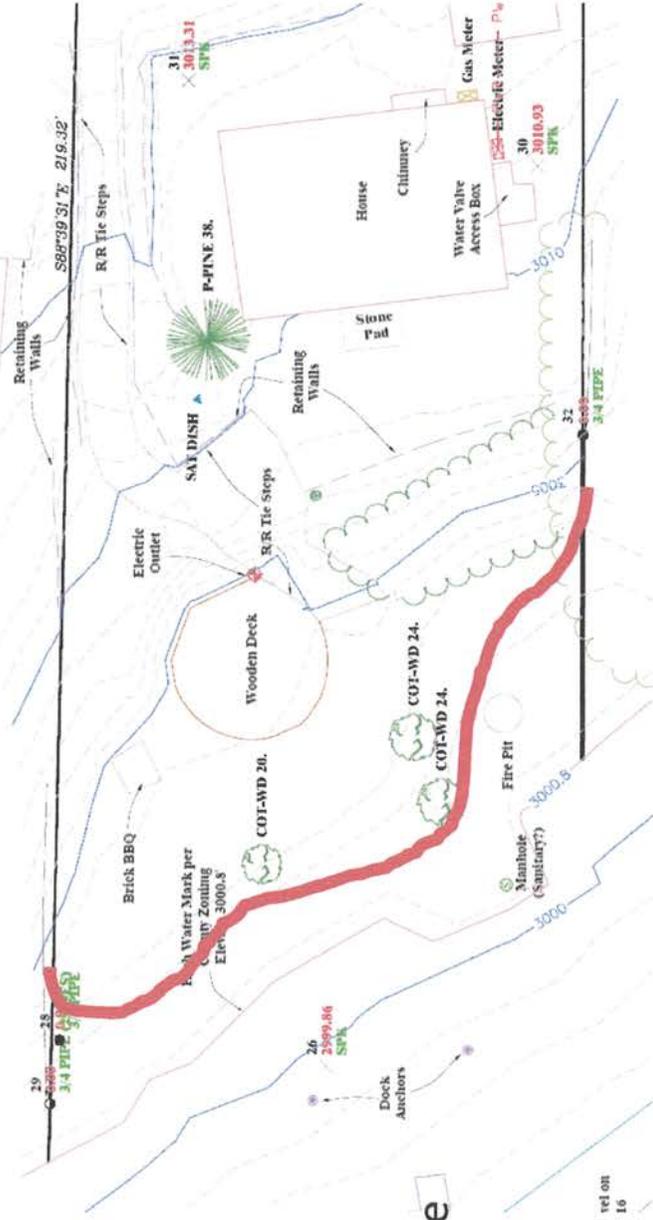
c. 406.249.9492

o. 406.863.9177

www.MindfulDesignsInc.com

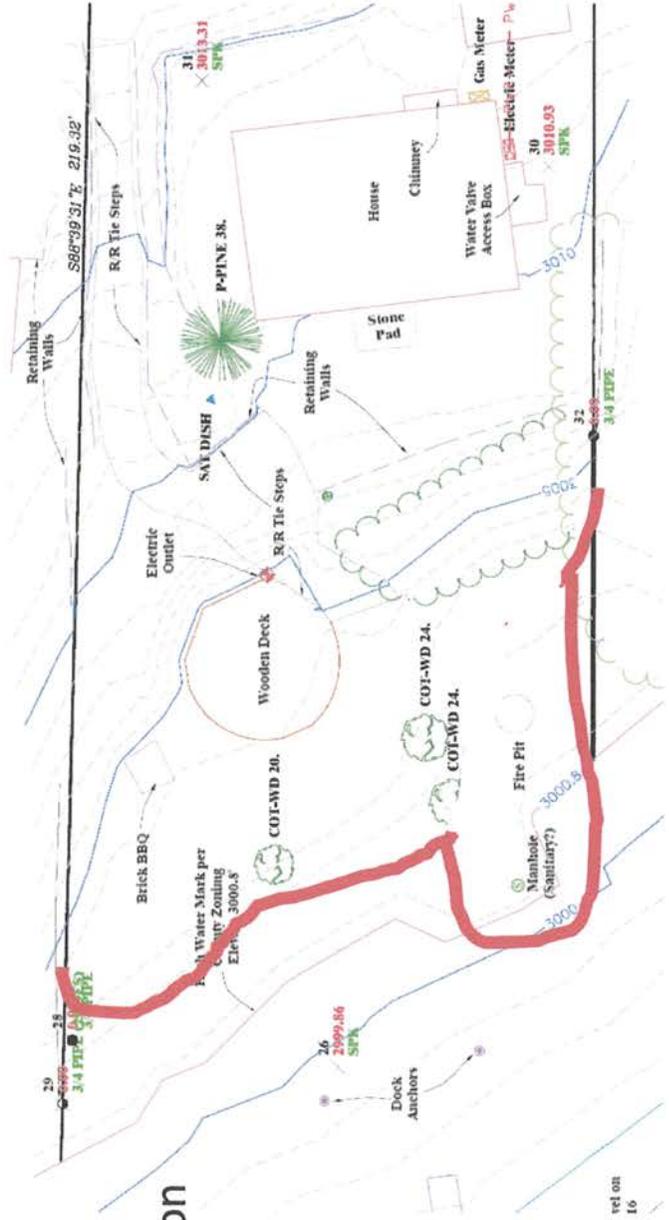
EXPERIENCE THE EFFICIENCY OF IN HOUSE
DESIGN | BUDGET | BUILD

Existing erosion control plan with silt fence and straw waddle

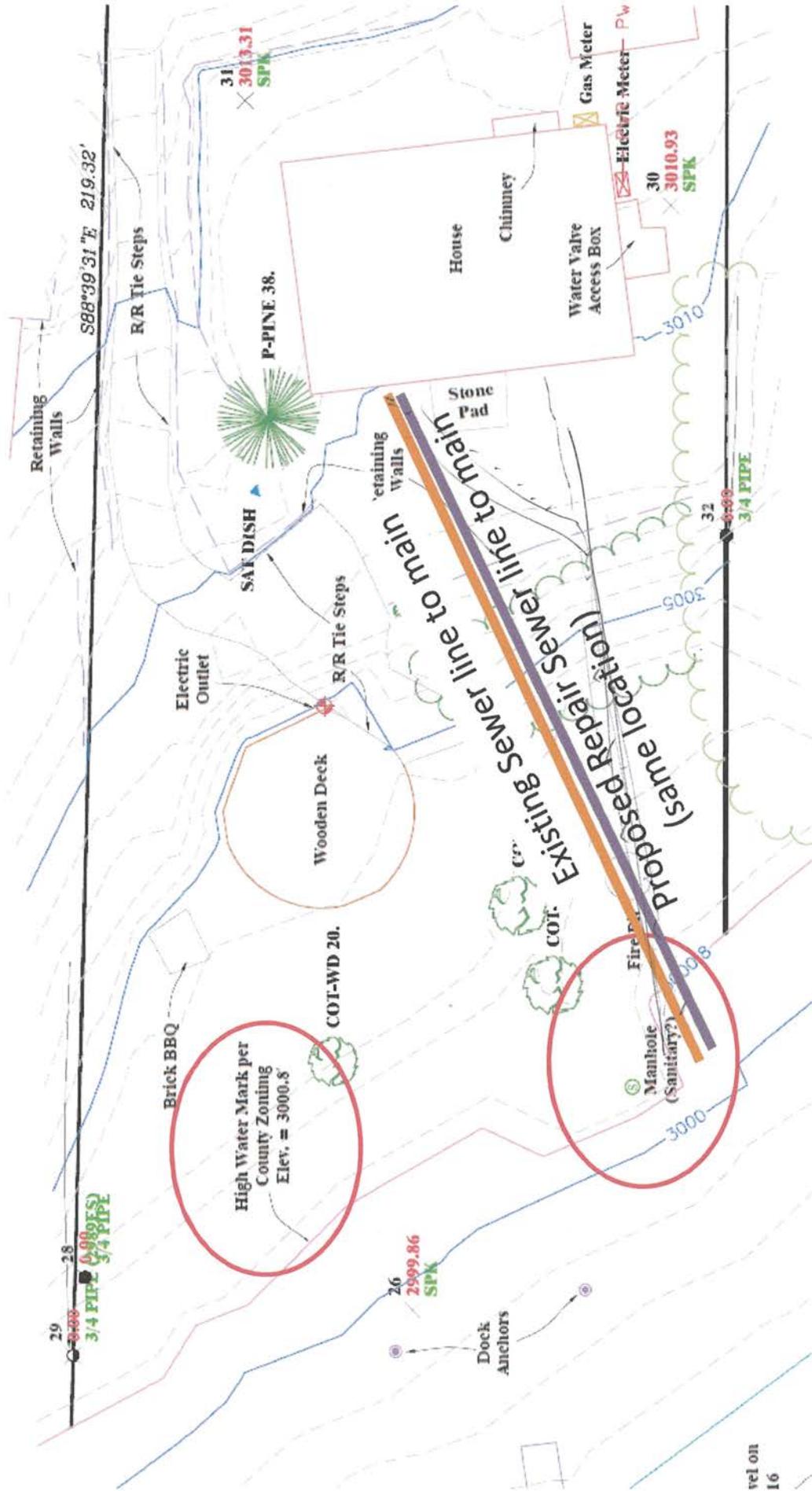


rel on 16

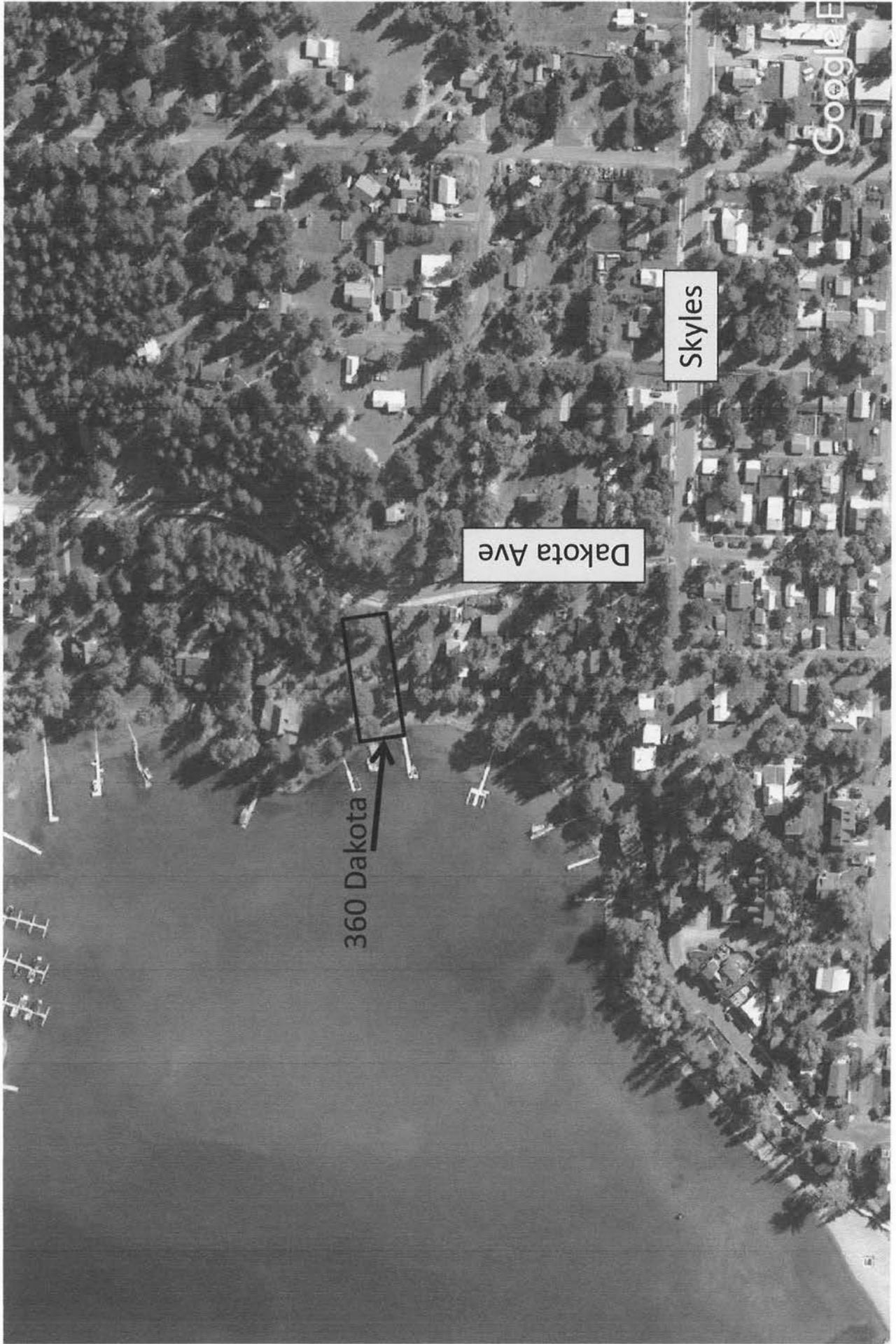
Proposed temporary erosion control location for sewer repair connection



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Vicinity Map





Man hole to sewer main located just outside high water

High water designation by Sands Surveying, Sept '16