



Whitefish Lake and Lakeshore Committee

AGENDA

Wednesday, December 14, 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 November 9, 2016 minutes
4. General Public Comment
5. Old Business
6. New Business
 - WLP-16-W24 Panteluck
 - Remove concrete stairs, install stone steps, gravel placement, and relocated boulder in lake
7. Staff Comments
8. Adjournment

Next Scheduled Meeting is January 11, 2017

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 November 9, 2016

The meeting was called to order at 5:59pm by Chairman Herb Peschel.

MEMBERS PRESENT:

- Herb Peschel, Jim Laidlaw, Koel Abell, and Joe Malletta (via phone). Bailey Minnich of the Whitefish Planning Office was also present.

MEMBERS ABSENT: Brian Sullivan and Donna Emerson

ADDITIONS/CORRECTIONS TO TONIGHT'S AGENDA: none

APPROVAL OF JUNE MINUTES:

- Koel Abell moved to approve the August 17, 2016 minutes as presented. Joe Malletta seconded the motion. All in favor and motion carried.

GENERAL PUBLIC COMMENT: none

Old Business: none

NEW BUSINESS

WLP-16-W22 – Dixon – Repair Sewer Line

[Present: none]

Discussion:

Staff began with a presentation of the proposed project and draft lakeshore permit report. Discussion was held regarding the location of the sewer line and emergency authorization notice. Also discussed was the reason for the Committee and Council to approve the permit and why it could not be approved administratively. Staff explained that only certain activities can be approved administratively, and requiring machinery in the Lakeshore Protection Zone is not one of them.

Motion:

- Jim Laidlaw moved to approve the permit as presented. Koel Abell seconded the motion. Motion approved unanimously, 4-0.

BOARD COMMENTS: none

STAFF COMMENTS none

ADJOURNMENT

The meeting was adjourned at 6:07pm.

NEXT MEETING

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

**KELLY & JO-ANN PANTELUCK
WHITEFISH LAKE LAKESHORE PERMIT
STAFF REPORT #WLP-16-W24
DECEMBER 7, 2016**

Property Owner:	Kelly & Jo-Ann Panteluck	
Mailing Address:	1310 Barbash Bay Estavan, SK S4A 2S5 Canada	
Applicant:	White Cloud Design	
Mailing Address:	P.O. Box 67 Whitefish, MT 59937	
Telephone Number:	406.863.2828	
Contractor:	Valley Earthscapes, Inc.	Whitefish Lake Services
Mailing Address:	335 Spokane Avenue Whitefish, MT 59937	P.O. Box 5521 Whitefish, MT 59937
Telephone Number:	406.261.2564	406.471.5723
Property Legal Description:	Lot B of Lake Park Add to Whitefish No 2 in Section 26, Township 31 North, Range 22 West	
Property Address:	1428 W. Lakeshore Drive	
Lake:	Whitefish Lake	
Lake Frontage:	80.4' per Amended Plat	
Project Description:	Remove concrete steps, relocate boulder on lake bed, extend stone steps, and a gravel application within the Lakeshore Protection Zone.	

Proposal: The applicant is proposing multiple projects within the Lake and Lakeshore Protection Zone. The first activity is the removal of existing concrete steps. The steps are located near the northwestern side property line. The second activity is the addition of four (4) new stepping stones to extend an existing stone path to the existing dock. The new stones will add approximately 16 square feet to the constructed area. The third activity is the placement of approximately 9.75 cubic yards of gravel to the existing gravel beach. Based on staff research, it appears this would be the first request for gravel placement for this property. The requested amount of gravel is within the allowable amount based on the linear feet of lakeshore frontage. The final activity is the relocation of an existing boulder within the lake further out into deeper water. The boulder is located adjacent to the existing dock and creates a safety hazard. The applicant is proposing to have Whitefish Lake Services move the boulder with a crane attached to their boat. The boulder will be moved further out into deeper water. Previously in 2007 the applicant was granted an approval by the City Council to remove a boulder from the lake and lakeshore protection zone with heavy machinery. The only difference with this request is that the boulder would be left within the lake.

The total amount of proposed impervious constructed area, including the existing dock and existing stone stairs, is approximately 440.1 square feet.

Frontage and allowable constructed area: The subject property has 80.4 feet of lakeshore frontage, and is eligible for 643.2 square feet of constructed area.

Existing Constructed Area: There is an existing dock on the property approved under WLP-06-W30 that is 400.1 square feet of constructed area. This was verified in 2008 when the applicants were approved for additional stone steps under WLP-08-W03, which added 24 square feet of constructed area. The final permit approved for the property was WLP-07-W14 which approved the use of heavy machinery to remove an existing boulder within the lake. The total amount of existing constructed area is approximately 424.1 square feet.

Conclusion: The proposed work complies with all requirements, most specifically Section 13-3-1, General 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. All material which is excavated from the Lakeshore Protection Zone shall be removed entirely from the lakeshore protection zone and deposited in such a manner as to prohibit reentry into the lake.

Stone Stairs

10. The stone stairs shall have a maximum width of four feet (4') and shall be designed to provide access only.
11. The stone stairs shall be located as shown on the application project drawing. The stone/rock used shall be free of silts, sands or fines.
12. Stairways and walkways constructed of impervious material, including dry laid stone, are subject to the maximum allowable constructed area.
13. Cultured or natural stone or rock shall be used for the proposed work within the lakeshore protection zone. The stones or rock to be used shall be dry set.
14. Rock may be handpicked from the immediate lakeshore but removal of said rock shall only be allowed if a solid armament of rock remains in place. The removal of any rock which exposes silts, sands or fines is prohibited.

Gravel Placement

15. Application of gravel is allowed only where the predominant existing surface is gravel.
16. All fill shall be clean, washed gravel of three-fourths inch ($\frac{3}{4}$ "") to one and one-half ($1 \frac{1}{2}$ "") diameter, free of silts, sands and fine materials. Gravel type and color shall approximate that existing on the adjacent lakeshore.
17. Maximum fill depth is four inches (4"") to six inches (6"").
18. The volume of fill shall not exceed one (1) cubic yard per eight (8) linear feet of lake frontage.
19. Placement of gravel directly into the lake is prohibited.
20. Any fill/gravel material over the approved amount shall be completely removed from the lakeshore protection zone.

Boulder Removal

21. The lake bed shall be preserved in its natural condition to the greatest extent possible, in order to protect water quality, aquatic wildlife habitat, and the aesthetic value of the natural shoreline.
22. Sedimentation in the lake shall be minimized to the greatest extent possible.
23. The proposed activity shall not cause, directly or indirectly, increased sedimentation, an increase in suspended sediments, or an increase discharge of nutrients into the lake either during its construction or utilization.
24. The boulder shall be relocated to an area which it will have minimal impacts as a safety or navigational hazard.

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-10-W24
 Date: 12/2/10
 Intake Staff: BM
 Date Complete: _____

LAKESHORE CONSTRUCTION PERMIT APPLICATION

WHITEFISH or LOST COON LAKE

FEE ATTACHED \$ \$770.00

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 1428 West Lakeshore Drive

How many feet of the lake frontage do you own? 78' 4.4"

Assessor's Tract No.(s) 3 Lot No(s) 8 & 9

Block # 7 Subdivision Name Lake Park Add

1/4 Sec _____ Section 26 Township 31 N Range 22 W

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.

John Pantelwik
 Owner's Signature¹

Nov 30, 2016
 Date

To-Ann Pantelwik
 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

DEC 02 2016

Applicant's Signature

Date

Print Name

Representative's Signature

Date

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: Kelly & Jo-Ann Panteluck Phone: 306 - 421 - 6612

Mailing Address: 1310 Barbash Bay

City, State, Zip: Estavan SK CAN S4A 2S5

Email: Kelly.Panteluk@kpcl.ca , Jo-Ann.Panteluk@kpcl.ca

APPLICANT (if different than above):

Name: White Cloud Design Phone: 406-863-2828

Mailing Address: P.O. Box 67

City, State, Zip: Whitiefish, MT 59937

Email: info@whiteclouddesign.com

CONTRACTOR FOR BOULDER RELOCATION:

Name: Whitiefish Lake Services Phone: 406-471-5723

Mailing Address: P.O. Box 5521

City, State, Zip: Whitiefish, MT 59937

Email: dave@whitiefishlakeservices.com

CONTRACTOR:

Name: Valley Earthscapes, Inc. Phone: 406-261-2564

Mailing Address: P.O. Box 4447

City, State, Zip: Whitiefish, MT 59937

Email: valleyearth@montanasky.us

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.)

- Remove all concrete steps in lakeshore protection zone
- Relocate boulder on lake bed surface in shallow water via crane on boat to deeper location. Boulder poses navigational hazard.
- Extend existing stepping stone path by 4 to meet dock gangway
- Gravel application to existing gravel beach; approx. 525 SF at 6" depth gravel, 9.75 CY.

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.

None.

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.

- Installation of stepping stone path, approx. 24 SF. March 2008, Permit #WLP-08-W03
- Removal of boulder in lakeshore protection zone with heavy equipment. April 2007, #WLP-07-W14
- Installation of dock and jet ski port, approx. 410 SF. June 2006, #WLP-06-W30

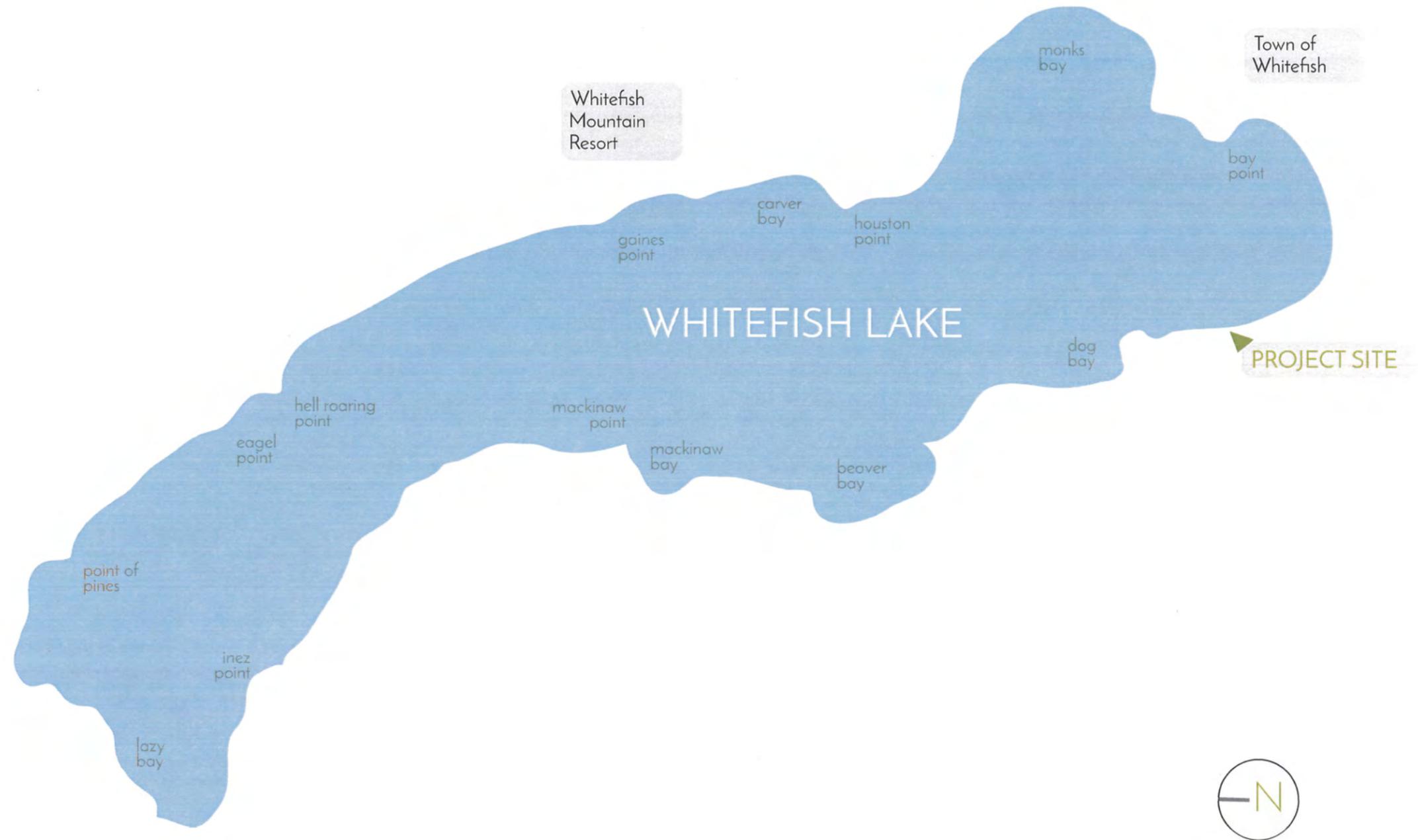
F. If a variance is requested in addition to this permit, specify the reasons or conditions which require or warrant the variance on a separate variance form. An additional fee is required for a variance request. What is the variance proposal?

None.



Index of Sheets

- 1 Site Plan
- 2 Site Plan Zoomed In
- 3 Section
- 4 Section
- 5 Site Photos



Lakeshore Construction Permit Application

11.30.16



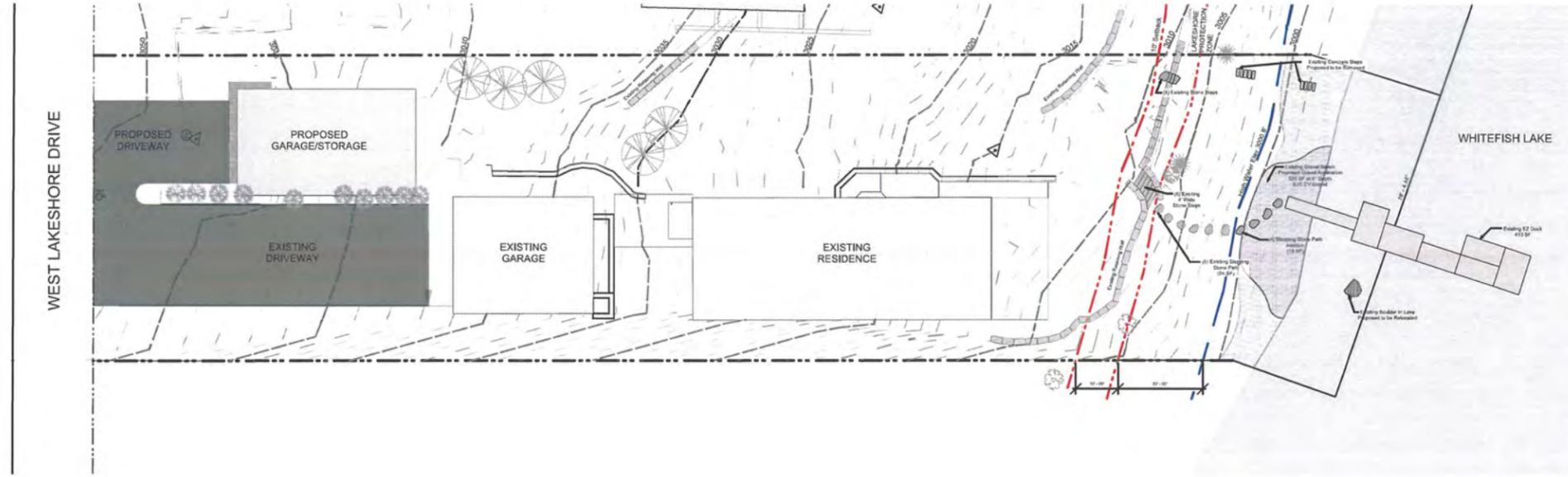
White
Cloud
LANDSCAPE DESIGN

Panteluk Residence
1428 W Lakeshore Dr
Whitefish, MT



Lakeshore Protection | Site Plan

Scale: 1" = 30'



PANTELUK RESIDENCE
Whitefish, MT
2016

Johnny McDonald
P.O. Box 67 | 150 Railway St
Whitefish, MT 59937
Office: 406.863.2828
Cell: 406.863.2827

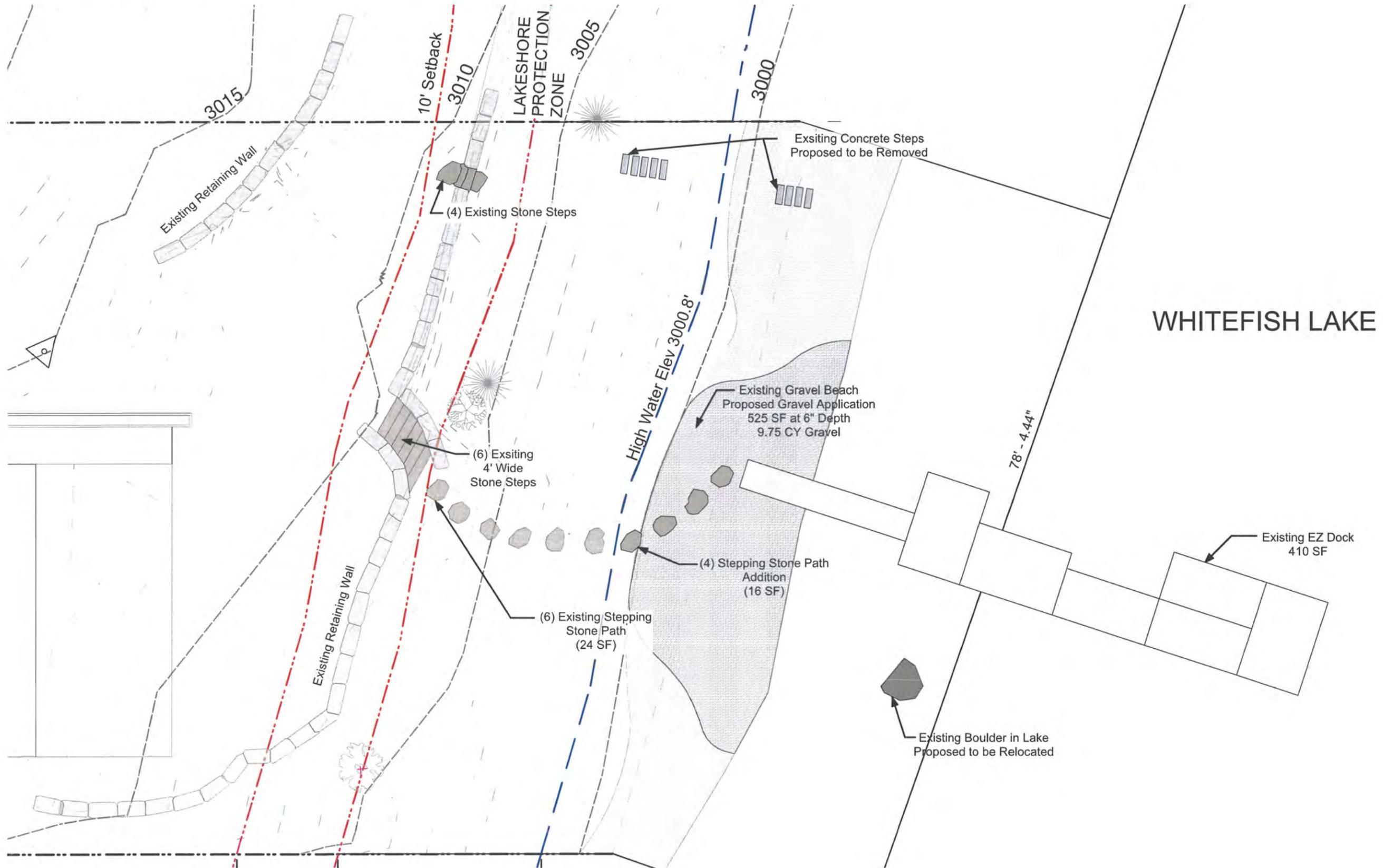


SITE PLAN



Lakeshore Protection | Site Plan Zoomed In

Scale: 1 = 10



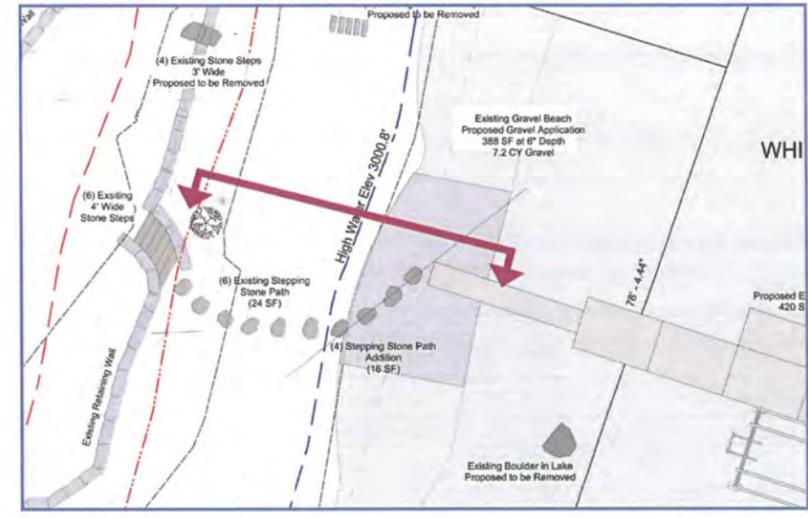
PANTELUK RESIDENCE
Whitefish, MT 2016

Johnny McDonald
PO Box 67 | 150 Railway St
Whitefish, MT 59937
Office: 406.863.2828
Cell: 406.863.2827

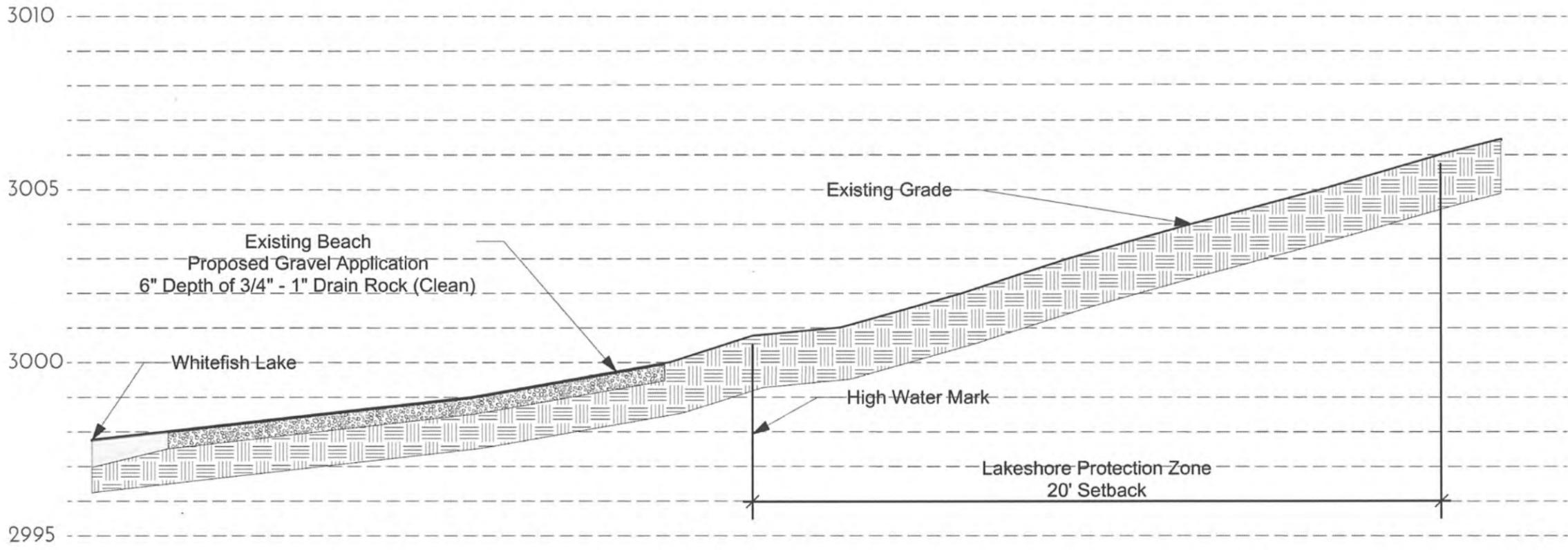


SITE PLAN

Lakeshore Protection | Section



section cut



Lakeshore Section | East to West
 Scale: 1/4" = 1'-0"



PANTELUK RESIDENCE
 Whitefish, MT 2016

Johnny McDonald
 P.O. Box 671150 Railway St
 Whitefish, MT 59937
 Office: 406.863.2828
 Cell: 406.863.2827



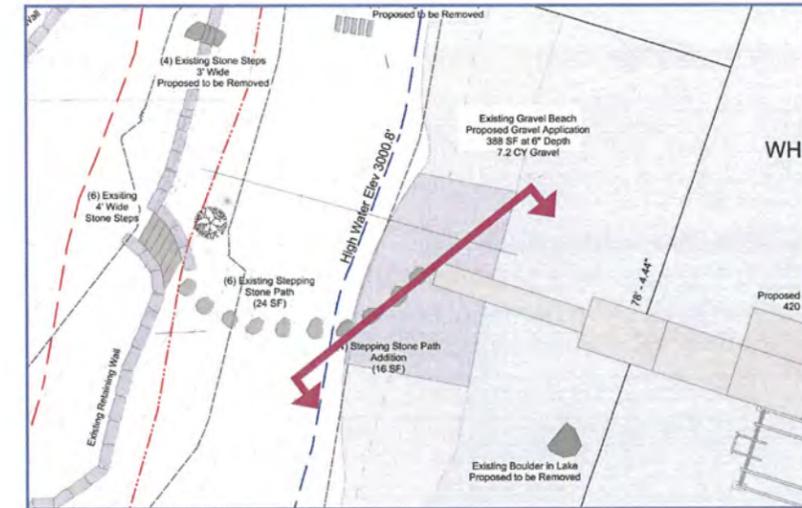
SECTION



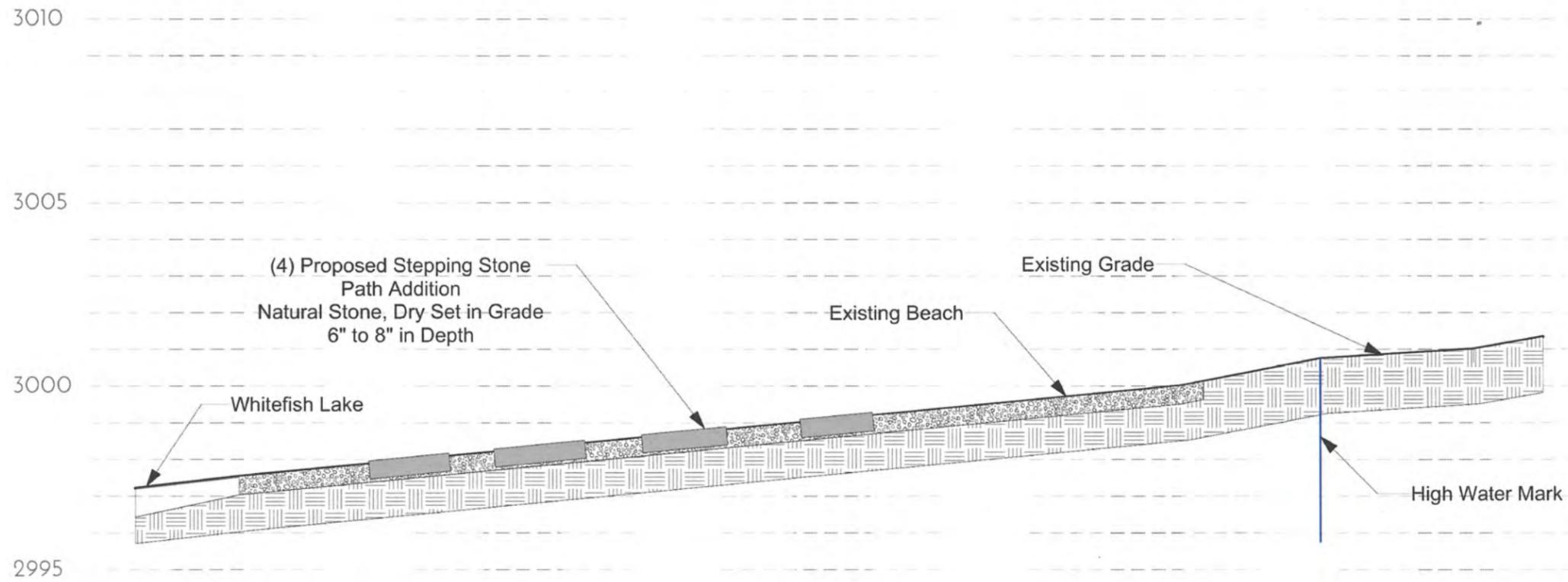
3



Lakeshore Protection | Section



section cut



Lakeshore section | Northeast to Southwest
Scale: 1/4" = 1'-0"



PANTELUK RESIDENCE
Whitefish, MT
2016

Johnny McDonald
P.O. Box 671150 Railway St
Whitefish, MT 59937
Office: 406.863.2828
Cell: 406.863.2827



SECTION





Lakeshore Protection | Existing Site Photos



looking west towards property from lakeshore



looking north on shore at neighboring property



looking south on shore at neighboring property



dock on existing gravel beach



existing stone path in lakeshore protection zone to remain



existing concrete steps in lakeshore protection zone to be removed

PANTELUK RESIDENCE
Whitefish, MT
2016

Johnny McDonald
P.O. Box 67 | 150 Railway St
Whitefish, MT 59937
Office: 406.863.2828
Cell: 406.863.2827

White Cloud
LANDSCAPE DESIGN



EXISTING SITE PHOTOS