



REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 P.M. WHITE BEAR CITY HALL
MINUTES of March 16, 2010

APPROVAL DATE: 4/20/10

1. CALL TO ORDER The March meeting of the White Bear Lake Conservation District was convened by Chair Mike Stawnychy at 7:03 pm.

2. ROLL CALL Present were: Chair Mike Stawnychy, Vice Chair Luke Michaud, Directors Mike Parenteau, Doug Danks, Mike Stawnychy, John Steinworth, George St. Germain, Diane Longville, Sue Cernohous. A quorum was present. Absent was Yale Norwick (excused). Recording secretary was Julie Yoho.

3. AGENDA

Add item 8c1 Lake clean up recap

MOTION #1 (Parenteau/Michaud) Move to approve agenda. All aye, passed.

4. APPROVAL OF MINUTES

MOTION # 2 (Michaud/Parenteau) move to approve minutes of February. All aye, passed.

5. PUBLIC COMMENT TIME

Dick Galena

Would like to welcome to Joe, new representative from Birchwood.

Regarding Ordinance 5, will there be comment time on that?

Stawnychy – yes

Galena – attended luc meeting, two residents did not receive notification in the Park Ave dispute. Recommend not moving forward without having all parties notified. McCartney estates, Sissy Walker.

6. NEW BUSINESS

6a. Ordinance 5

Michaud – change words in draft to “boat house and canopy” as discussed at February meeting.

Parenteau – should change to “boat house with canopy”

Michaud – “no boat house with canopy is allowed....”

Stawnychy – where is definition of canopy?

Michaud – subd 18

Kantrud – “boat house” means something different to me - a wooden style garage. If defining differently from historical use of term.....
Michaud – change to “boat house shall mean”.....?
Kantrud – just be clear for all, must be clear to public
Steinworth – since our authority ends at land, is it more clear how the boat house we define still seems confusing to general public even in separating land and water. These new structures are using that term.
Kantrud – could state “For purpose of this ordinance... boat house shall not mean structure attached to land”
Parenteau – this is “boat house with canopy”
Steinworth – what about boat house without canopy?

Public comment

Gene Altstatt, 67 Wildwood Beach Rd, Mahtomedi
Why is this being discussed?
Stawnychy – board heard complaints about multi-user docks with canopies, asked board to discuss
Michaud – also from conversations with LMCD and some of the abuses that lake was seeing. Board thought it was important to look at.
Altstatt – so anyone who doesn’t have 50’ lot can’t have one ?
Michaud – gets tight for that type of structure
Altstatt – in the definition of adua is not clear what east/west boundary is. Consider ohm 926.27 as starting point for lot lines going out would resolve
Stawnychy –please keep to canopy discussion
Altstatt – it all ties in
Michaud – adua is in public park
Altstatt – 20’ setback is from where? Confusion over lot lines. Also color definition question.
Michaud – trying to avoid bright orange, logos,
Altstatt – color restriction should apply to shore stations and everything, all matter of opinion on what is offensive to look at. Not in favor of ordinance
Stawnychy – assuming frontage is determined by plat map

Dick Galena, Birchwood

Trouble with term “boat house”. In common terminology has meant structure on land where you store your boat. Find another term. “Boat shelter”, then define. What was reason for 20’ setback?
Michaud – further drop of sides creates more of visual impediment
Galena – LUC stated owners are not entitled to a view. Seem to want to regulate due to view, yet say not entitled to a view, can’t regulate, what is purpose?
St Germain – called common sense
Galena – so basis of 20’ is for view? Have to have rational basis for an ordinance. Multiple shore lifts and canopies on a dock block more of a view than the objects of this new ordinance. Has handed out photo before of 10 boats in row and how it blocks his view. If board is now concerned about view, then ask board to regulate canopy on public dock. What is drop of 30”? Is it side coming down?

Stawnychy – bottom of skirt to top of canopy
Galena- doesn't state in language. Needs to be more specific. Will be prohibiting this type structure on 50' lot, have to decide if that is what you want to regulate. Also "natural colored" words are not what you think. Natural color can be anything. State colors that are acceptable and are they available? Think about...in historical districts color for example...
Does not appear to regulate any structure other than fabric canopy, so what about wood? Difficult to regulate things
Stawnychy – will be ongoing discussion, likely not passing anything tonight
Michaud – replace "boat house" with "boat shelter" no problem with changing that term.
Parenteau – if smaller lot wanted to put one up, could apply for variance and go thru process and working with neighbors
Allaben – question over how to measure? Is it peak to skirt? Shore stations?
Michaud – 27" – 28" standard drop on side. LMCD measures from where skirt goes vertical
Allaben – subd 4 addresses single boat, can be locations where there are more than one?
Michaud – if you want to do something larger, variance would be required

Steve Schulz --58 park ave
Height could be problem if someone does a curve top structure airport hanger style. Measure from top?

Kantrud – "neutral" color better than "natural", along with some examples. "Neutral color designed not to conflict with surrounding area"....
Stawnychy – who wants to tackle changes?
Steinworth – these were good ideas
Kantrud – will incorporate changes with Julie
Galena – what other materials can be used? This draft only states "fabric"
What about aluminum?
Kantrud – "material"
Parenteau – strike "fabric" use "material"
Stawnychy – Kantrud will provide draft for next meeting

7. UNFINISHED BUSINESS

8. REPORTS/ACTION ITEMS

8a. Lake Quality Committee

8a1. LQC meeting

Committee met 3/9 but not full committee. Will be meeting next Tuesday and weekly as needed. Next month will be info in packet. Spoke with DNR's Chip Welling, grant program is coming, same or similar as last years program.

8b. Lake Utilization Committee

8b1. Manitou Sprint Triathlon permit app

***MOTION # 3 (Michaud/St Germain) Move to approve permit for 2010 triathlon.
All aye, passed***

8b2. WBYC racing schedule

***MOTION # 4 (Michaud / Cernohous) Move to approve permit for 2010 WBYC
racing schedule. All aye, passed***

8b3. Redpath water ski course
minimal complaints last year

***MOTION #5 (Michaud/St Germain) Move to approve permit for Redpath ski
course.***

Discussion

Galena – John has stated he would not put course between Ash beach and
Nicholson’s house

Michaud – agreement between those 2, not a condition of the permit

Danks – has gotten calls regarding hours of use at 6am even though permit
says 7am. People gather prior to using course. Respect start time of 7am

Steinworth – should note and let permit holder know

Parenteau – permit holder is not person out there at 6am

Allaben – boats stay in 1 area should concern of people gathering be on
permit?

Stawnychy - Julie note early gathering in letter with permit.

All aye, passed.

8b4. Sampair Co Inc. dock

Same as last year, moved some boats out further due to water level

***MOTION # 6 (Michaud/Cernohous) Move to approve permit for Sampair Co. Inc.
All aye, passed.***

8b5. Park Ave Dock placement dispute

2 parties identified did not receive packet. Julie will send notification out
to them. Our hope is everyone affected will be notified prior to ice out and
see the direction of board. Vote on order next month, any comments to
Luke.

Parenteau – question on Sampair dock - 6 rentals, 4 tie along for public
day use?

Michaud – yes

Roxanne Hodgson 1161 Park Mahtomedi

We also discussed getting measurements from ohm if this proposal won’t
work. LMCD sets parameters from ohm

8c. Lake Education Committee

8c1. 7th annual clean up was March 6. Jim Shuster organized 3 boy scout troops from Mahtomedi. 80 + volunteers removed 335lbs trash. Thank you to the scouts and to Joe Allaben for assisting and organizing.
Parenteau – add 150 lbs removed from commercial bay

8d. Treasurers report

8d1. March treasurers report

***MOTION # 7 (Longville/Parenteau) Move to approve and pay checks 3968 – 3970.
All aye passed***

8d2. Resolution to designate depository

MOTION # 8 (Longville/Allaben) Move to accept resolution designating depository

Steinworth – able to vote this year.

8 aye, 1 no (Steinworth) Passed.

St Germain – Have we received money from city of WBL, or DWB from 2009? Do we want to take action?

Michaud – no applications from them yet

Parenteau – should send letter from attorney

St Germain – they will not get permits without payment

Michaud – they can't put boats in until we get payment

Stawnychy – Kantrud can you send letter ?

Kantrud - yes

8e. Board Counsel Report

Summary judgment was supposed to be this week, delayed to April 12.

8f. Administrative Staff Report

Items included in packet this month:

- Agenda
- Feb draft minutes
- Feb LUC draft notes
- Permit applications – 3
- Dock applications - 1
- Ordinance 5 draft with new canopy language from February
- Resolution to designate depository for 2010

9. CONSENT AGENDA

MOTION # 9 (Michaud/Parenteau) Move to approve, all aye, passed.

10. ANNOUNCEMENTS

Welcome to Joe Allaben

11. ADJOURNMENT

MOTION # 10 (Michaud/St Germain) Move to adjourn. all aye, passed.

Meeting adjourned at 8:25 pm.

ATTEST:

Administrative Secretary

Date

APPROVED:

Board Chairperson

Date