

# Opponents present their case on Boardwalk

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Despite calls by opponents for a vote, the Whitefish City-County Planning Board unanimously agreed last week to postpone a decision on the Boardwalk at Whitefish project on Wisconsin Ave. until at least Feb. 16.

Joe Malletta summed up the opponents' position after conclusion of their PowerPoint presentation to the board.

"Boardwalk has served a good purpose," he said. "It has galvanized us to stop development in this area. We need to save Monks Bay. We need to save Whitefish Lake."

Developer Bayard Dominick was unable to attend the Dec. 15 meeting, but his battery of consultants were on hand to listen to the opponents present their side of the issue.

Malletta began by pointing to the inconsistency between the master plan and zoning on land between the lake and Wisconsin Ave. He claimed a lawyer advised him neither have precedence — they must be in agreement.

Whitefish Lake Institute executive director Mike Koopal spoke about potential water quality impacts to the lake. Citing a study by Yellow Bay Biological Station director Jack Stanford, Koopal said nutrient loading in Whitefish Lake has accelerated over the past two decades as a result of sediment, nitrogen and phosphorus.

Another study indicated that Viking Creek, which drains the project site east of Wisconsin Ave., is already contaminated by septic, with the potential result of algal blooms in Monks Bay. Phosphorus loading from the creek, however, possibly results from natural sources, he said.

Koopal also addressed motor boat pollution. He said Monks Bay has the highest density of motor boat use in the lake, and the highest levels of volatile organic compounds is found near the outlet of Viking Creek.

Planning board chairman Nick Palmer asked how pollution that originates from upstream residences or motor boats applies to the Boardwalk project.

Amy Chadwick, of Watershed Consulting, spoke about potential hydrologic impacts from the proposed development. She said approving a preliminary plat for Boardwalk before impacts to adjacent lands by fill are understood is "backwards."

She claimed federal wetlands regulations have been weakened, and the "logged and scraped" land east of Wisconsin Ave. could easily "fall through the cracks."

Chadwick also warned about "weed and feed freaks" that might violate homeowner covenants and use pesticides and fertilizers on landscaping.

John Porterfield cited Fish, Wildlife and Parks biologist Tim Their, who called the developer's critical habitat figures "grossly underestimated." Porterfield said the Boardwalk development could lead to more bear-human conflicts.

At the close of their presentation, Palmer asked Malletta what the developer should do with the property if the board denied the project.

"I hope the community could buy the land and preserve it," Malletta said.

A key piece to the Boardwalk at Whitefish development was unanimously approved by the planning board as a separate agenda item prior to discussion of the overall project itself. The developer had requested a conditional-use permit for a guest house on a lakeshore lot just north of the Lodge at Whitefish Lake condominiums.

Speaking for Dominick, consultant Eric Mulcahy explained that the lot in the Barkley tracts was part of an exchange with the Hurleys, of Glasgow, who own the property immediately south of the Averills' lodge. The Hurleys' property is the site for the proposed 75,000-square-foot Lakeside Lodge.

Three people spoke in opposition to the guest house, claiming the site has high ground water and was once part of the natural drainage system east of Wisconsin Ave.

Planning staff recommended the permit with seven conditions. Planner Wendy Compton-Ring noted that the city's new storm water drainage study excluded all lakeshore properties, and that Missoula-based Land and Water Consulting had found no wetlands characteristics at the vacant site.

Whitefish consultant Bruce Boody reminded the board that "if not for the guest house, we wouldn't be here." Because of existing zoning, the developer could build a much larger house instead of two smaller ones without appearing before the board, he said.