

**BEFORE THE
NATURAL RESOURCES COMMISSION
OF THE
STATE OF INDIANA**

IN THE MATTER OF:

RANDY PLEW and MARC ROTH)	Administrative Cause
Petitioners,)	Number: 17-054W
)	
vs.)	
)	PL-23034
EPWORTH FOREST FOUNDATION, INC.)	
and DEPARTMENT OF NATURAL)	
RESOURCES,)	
Respondents.)	

NOTICE OF PREHEARING CONFERENCE

The Petitioners, Randy Plew and Marc Roth, have filed a complaint against the Respondents, Epworth Forest Foundation, Inc. and the Department of Natural Resources, with the Natural Resources Commission (“*Commission*”) Division of Hearings. A copy of the complaint, which sets forth the basis of the claim, is attached. The filing of the complaint begins a proceeding that is controlled by IC 4-21.5 and 312 IAC 3-1.

You are notified a Prehearing Conference is scheduled for **June 1, 2017, at 11:00 a.m. EDT (10:00 a.m. CDT) at the Department of Natural Resources’ District 2 Conservation Officer Headquarters, 1353 South Governor’s Drive, Columbia City, Indiana.**

The purpose of the Prehearing Conference is to consider the following matters:

1. Identification of the issues, including applicable statutes, rules, and precedents.
2. Determination of the proper parties.
3. Exploration of settlement possibilities.
4. Mediation as a productive means to resolve all or some of the issues.
5. Identification of witnesses and exhibits.
6. Objections to proffers of evidence.
7. Preparation of stipulations.
8. Presentation of evidence and cross-examination.
9. Issuance of case management deadlines, including dispositive motions, subpoenas, discovery orders, and protective orders.
10. Selection of a date and location for an administrative hearing.
11. Resolution of any other matters to promote the orderly and prompt conduct of an administrative hearing.

The Commission has, under IC 4-21.5-3.5, also approved the use of mediation for dispute resolution as an alternative to litigation. The parties are urged to seriously consider the potential

benefits of mediation in this proceeding. The opportunity for mediation may be discussed during the initial prehearing conference.

Motions and pleadings must be filed with the Commission, at the address shown below, by any of the following methods:

1. In person.
2. By First Class, Certified, Express, or Priority U.S. Mail.
3. By private carrier.
4. By facsimile copy.
5. By email.

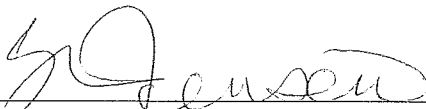
A pleading or document that is described immediately above in (2) or (3) achieves filing when delivery is made to the U.S. Post Office or the private carrier. The person who makes delivery for filing is responsible for establishing the pleading or document was properly addressed, correct postage or fees were included, and the date of delivery to the U.S. Post Office or the private carrier is reflected on the pleading or document. Filing described in (1), (4) or (5) is perfected when the Division of Hearings actually receives the pleading or document. The facsimile number is (317) 233-2977. The email address is NRCAOPA@nrc.in.gov.

A copy of each motion or pleading must be served upon all parties of record or their attorneys. Currently, the parties are the **Petitioners, Randy Plew and Marc Roth and the Respondents, Epworth Forest Foundation, Inc. and the Department of Natural Resources**. Other parties may be joined.

As provided in IC 4-21.5-3-32, an agency is required to index final orders and may rely upon indexed orders as precedent. The Commission has adopted a searchable database, CADDNAR, as its index of final orders rendered since 1978. For information regarding CADDNAR and its search engine, see www.in.gov/nrc/2369.htm.

You are notified in accordance with IC 4-21.5-3-18(d)(8) that a party who fails to attend or participate in a prehearing conference, hearing, or later stage of the proceeding may be held in default or have a proceeding dismissed under IC 4-21.5-3-24 and 312 IAC 3-1-9.

Dated: May 17, 2017



Sandra L. Jensen
Administrative Law Judge
Natural Resources Commission
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, Indiana 46204-2200
(317) 232-4699

A copy of the foregoing was sent to the following:

Randy Plew 1150 West 150 North Columbia City, Indiana 46725	Ihor Boyko Legal Counsel Department of Natural Resources Indiana Government Center South, Room W-295 402 West Washington Street Indianapolis, Indiana 46204
Marc Roth 6483 North 2 nd Trail North Webster, Indiana 46555	Epworth Forest Foundation, Inc. Kara Lusby 12231 Valley View Circle Indianapolis, Indiana 46229

cc: DNR, Division of Water, Lori Schnaith

A copy of this notice and the Petitioners' Complaint, without attachments, has also been served upon the following persons. Any person identified below who wishes to continue receiving courtesy distribution shall advise the administrative law judge not later than May 26, 2017. *The parties need not serve pleadings, motions or other filings upon these persons.*

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Michael G Bowers 6683 North 2nd Trail North Webster IN 46555	PL - 23034	JoAnn Tunes Boyer 8393 East Wade Lane North Webster IN 46555	PL - 23034
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<p>Robert Turner 8429 East Wade Lane North Webster IN 46555</p>	<p>PL - 23034</p>	<p>US Army Corps of Engineers Detroit District, Michiana Branch 2422 Viridian Drive, Suite 200 South Bend IN 46628</p>	<p>PL - 23034</p>
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<p>Karla Ward P O Box 644 North Webster IN 46555</p>	<p>PL - 23034</p>	<p>Marvin P Ward PO Box 479 North Webster IN 46555</p>	<p>PL - 23034</p>
<p>Willard Watkins Jr 8712 East Wesley Lane North Webster IN 46555</p>	<p>PL - 23034</p>	<p>Braden Wentworth 8100 East Wade Lane North Webster IN 46555</p>	<p>PL - 23034</p>
<p>Elizabeth L Whitlach 1509 North Kimberly Lane Muncie IN 47304</p>	<p>PL - 23034</p>	<p>William K Wietholter 4331 Tally Ho Dr Zionsville IN 46077</p>	<p>PL - 23034</p>
<p>Larry Wilder 7142 Tarragon Court Indianapolis IN 46237</p>	<p>PL - 23034</p>	<p>Kevin E Williamson 8212 East Wesley Lane North Webster IN 46555</p>	<p>PL - 23034</p>

Taryn Willis
6592 North 9th Trail
North Webster IN 46555

PL - 23034

Carole J Wilson
8720 East Susanna Lane
North Webster IN 46555

PL - 23034

Jerome A Wszolek
8090 East Wade Lane
North Webster IN 46555

PL - 23034

Brian Yahne
18300 DeShane Avenue
Noblesville IN 46060

PL - 23034

Indiana Department of Natural Resources
Division of Law Enforcement
North Region Headquarters
1124 North Mexico Road
Peru IN 46970

PL - 23034

Kosciusko County Area Plan Commission
Court House, 1st Floor, Room 26
100 West Center Street
Warsaw IN 46580-2872

PL - 23034

Kosciusko County Area Plan Commission
Matthew M Sandy
Court House, 3rd floor
100 West Center Street
Warsaw IN 46580-2873

PL - 23034

Kosciusko County Soil and Water Conservation District
217 Bell Drive
Warsaw IN 46580-9362

PL - 23034

May 10, 2017

Administrative Cause
Number: 17-054 W

FILED

MAY 11 2017

Director
Division of Hearings
Indiana Government Center North, Room N501A
100 North Senate Avenue
Indianapolis, Indiana 46204

NATURAL RESOURCES COMMISSION
DIVISION OF HEARINGS

Dear Sir,

Randy Plew and Marc Roth, adjoining property owners to the site of application #: PL – 23034, for a Group pier at the end of 2nd Trail North Webster, Indiana, would like file for an appeal.

To begin, we strongly question the authority of “Epworth Forest Foundation, Inc” to petition for this community pier. In January of 2014, Judge Michael Reed ordered that a pier committee be formed to administer pier assignments and collect fees. It was comprised of five people: Two persons each, representing the “on shore owners”, two representing the “off shore owners” and an outside neutral person. This new organization was formed and called the Epworth Forest Administration Committee. (EFAC) They are the only organization recognized to do this. In searching the State of Indiana’s website, we have found that “Epworth Forest Foundation, Inc.” was established on May 23, 2008, by William R. Kaster and its filing status is listed as Admin Dissolved. Please see attachment #1.

A major concern about this project is safety. We have enclosed a GIS map of the pier location on 2nd trail, see Attachment #2. We have drawn a line showing to where the lengths of all existing piers presently extend. The longest extends 30 feet into the lake. As you can see, we live on a point that extends out into the lake. The petition calls for a community pier that will extend into the lake another 154 feet and will be 60 ft. wide! This poses a hazard to boaters, skiers, fisherman, kayakers and people on stand-up paddle boards. For example, there has been a floating water trampoline in front of Mr. Plew’s property approximately 75 to 100 feet off of the shore and it has been run into frequently enough that it is no longer inflatable.

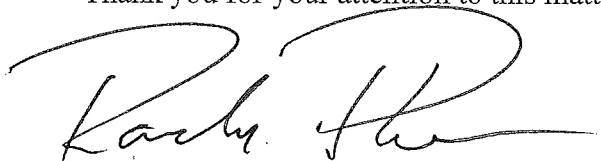
Another major concern is how this is going to affect other Non-Epworth Forest Lake residents and users of our lake. Similar to many other lakes, Webster Lake has a nice gathering area in a cove just southeast of where this pier will be located. On any given summer weekend, it is FULL of boats. This pier will not only be an eye-sore in this area, but it will also make it much more congested and dangerous for boats trying to get to the cove. Further, the proposed location doesn’t make much sense when there are other places within Epworth Forest that smaller piers could be erected that would take up a much smaller footprint and be less intrusive to users of our lake.

Another concern is that this pier will be a collection point for weeds. The normal wind direction is from the west and the pier location and length will trap weeds and debris from moving out of the cove into the main part of the lake. Health concerns are another. See the attached actual picture of a pontoon on another group pier on Webster Lake. This pier will also displace 8 piers

that are located in this area of shoreline and having a 12ft. x 12ft. platform seems to invite more trouble in our neighborhood.

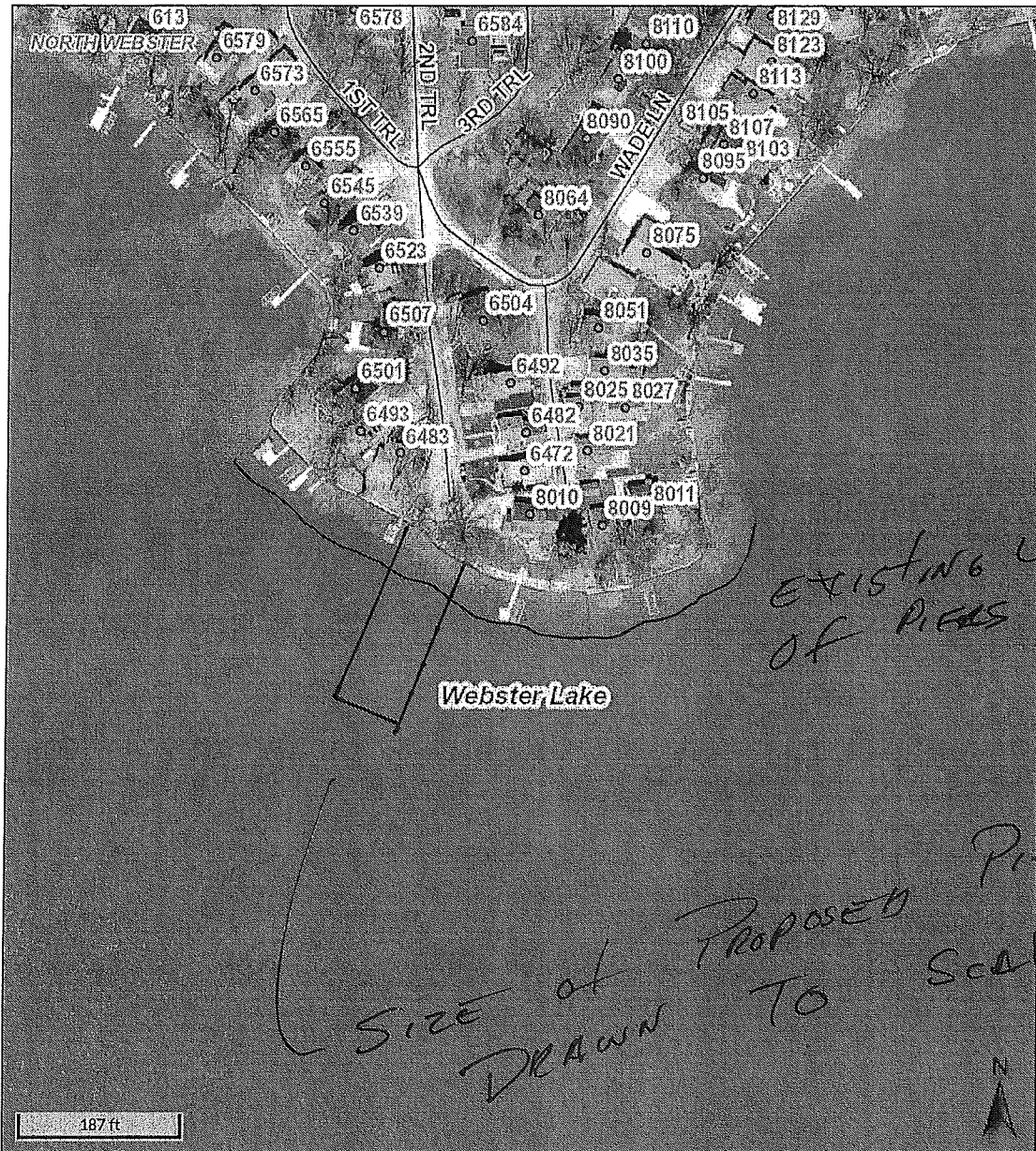
In closing, we feel compelled to include letters from residents of the 2nd trail area. Because of the lack of proper due diligence by the DNR, there are many major concerns that have not been addressed, both on the lake side and on-shore. We have had no problems in this area in the past and because of this approval, problems have and will continue to arise. This DNR approval is beginning to raise these concerns in our neighborhood. We understand that your approval is not contingent on on-shore issues, but we feel that these issues need to be considered regardless. Please see letters from Carrie Gates, Marc Roth, Connie Dragon, Jim Lease, Robert Turner, John Hinsdale and myself.

Thank you for your attention to this matter and we look forward to your reply.

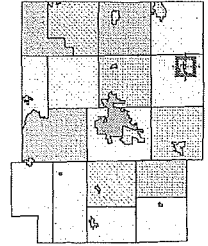
A handwritten signature in black ink, appearing to read "Randy Plew". The signature is fluid and cursive, with a large initial "R" and "P".

Randy Plew
1150W. 150N.
Columbia City, IN 46725






Mark Roth
6483 N 2nd Trail
North Webster, IN 46555




Overview



Legend

-  Cities and Towns (Local)
-  Lakes
-  House Numbers
-  Road Centerlines
-  Railroads

Date created: 5/8/2017
 Last Data Uploaded: 5/18/2016 5:08:10 PM

 Developed by
 The Schneider Corporation

Attachment #2

Epworth Forest Foundation, Inc. is an Indiana Domestic Non-Profit Corporation filed on May 23, 2008 . The company's filing status is listed as Admin Dissolved and its File Number is 2008052700225.

The Registered Agent on file for this company is William R Kaster and is located at 8165 East Wade Lane, North Webster, IN 46555 -. The company's principal address is 8165 East Wade Lane Po Box 395, North Webster, IN 46555.

The company has 2 principals on record. The principals are William Kaster from Plymouth IN and William R Kaster from North Webster IN.

Company Information

Company Name: EPWORTH FOREST FOUNDATION, INC.

File Number: 2008052700225

Filing State: Indiana (IN)

Filing Status: Admin Dissolved

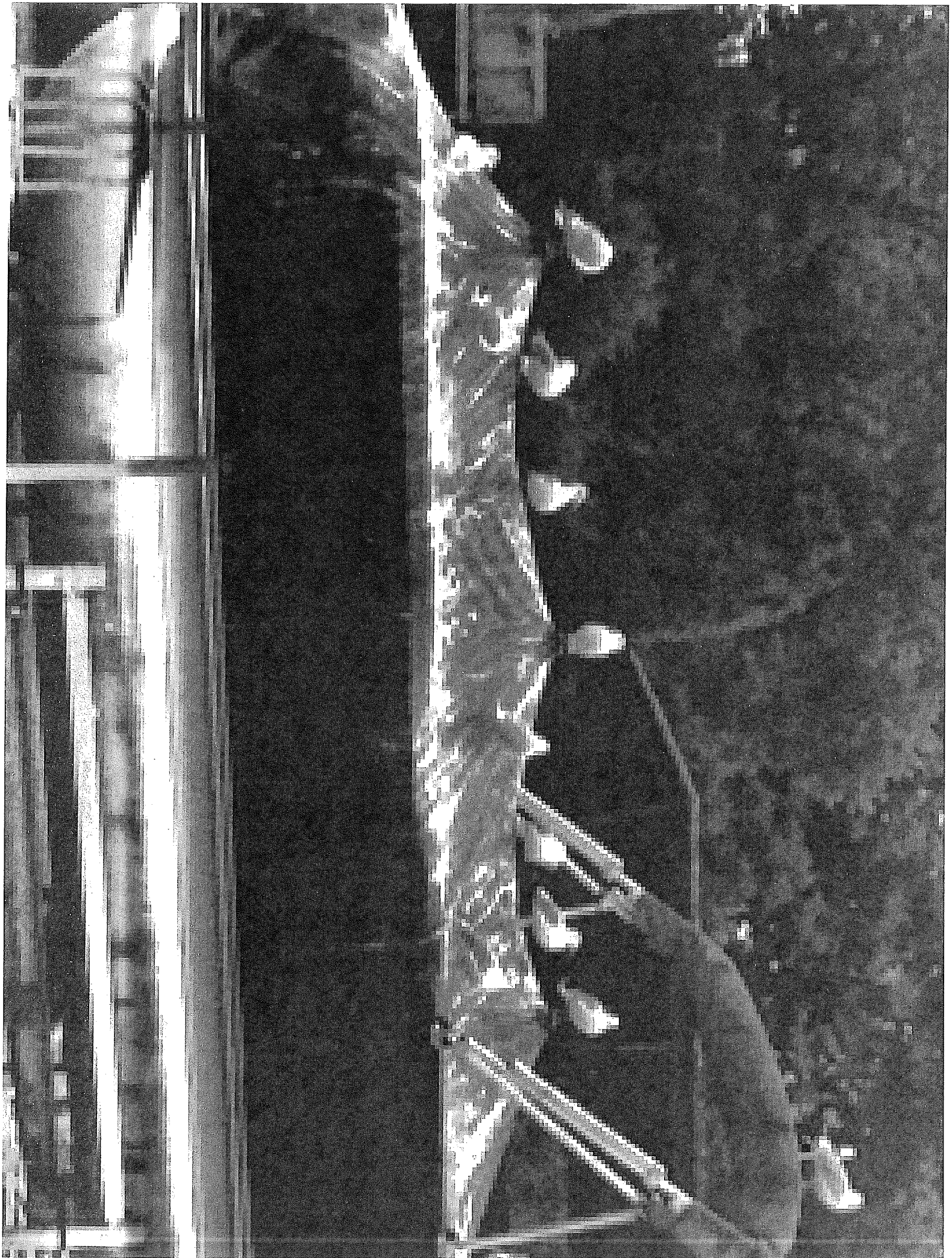
Filing Date: May 23, 2008

Company Age: 8 Years, 11 Months

Registered Agent:  William R Kaster
8165 East Wade Lane
North Webster, IN 46555 -

Principal Address:  8165 East Wade Lane
Po Box 395
North Webster, IN 46555

Attachment #1



Fwd: Webster Lake group pier

Carrie Gates <gatescarrie59@gmail.com>

Wed 5/3/2017 3:07 PM

To: Randy Plew <plewrandy@hotmail.com>;

I sent him the documents.

----- Forwarded message -----

From: ROBERT M <barberbob@centurylink.net>

Date: Wed, May 3, 2017 at 7:19 AM

Subject: Re: Webster Lake group pier

To: Carrie Gates <gatescarrie59@gmail.com>

Carrie Gates:

Thank you for your letter of 5/2 this is the first I've heard about this issue, typically when the d.n.r. issues a permit for a pier that is final because they have done the review and looked at the location conducted interviews and had a final hearing before issuing a permit. however i will talk to area plan director and find out what is going on. Thanks for your inquiry.

Cordially:

Robert M. (Bob) Conley

Kosciusko county commissioner

Warsaw, In.

From: "Carrie Gates" <gatescarrie59@gmail.com>

To: barberbob@centurylink.net, sandersrg@embarqmail.com

Sent: Tuesday, May 2, 2017 10:17:20 PM

Subject: Webster Lake group pier

Gentlemen-

It is my understanding you are the lead commissioner and county council contact individuals for the K County Plan Commission. As I KNOW you are aware a recent petition by the Epworth Forest Administrative Committee was accepted by the Indiana Department of Natural Resources, Water Division, to place a group pier at the end of 2nd Trail on Webster Lake. The DNR only considers lake and water resources as the focal when considering applicants. As property owners, we rely on the planning commission and board of zoning appeals to consider land tolerances and property representation when consideration of the application is processed. The local board has the authority to review and dispute the state action. The current proposal contains numerous safety, including fire lanes, quality of life, property devaluation and includes questionable classification of property usage issues. In addition, a recent court order of removing the church control of the property seems greatly over looked.

As the elected and appointed representatives of this area, it is your responsibility to completely review this approval and work with the constituents who are appealing the decision..An attempt to make contact with officials to this point has been disappointing, and today we were told the county will not get involved. Without reason, this is not acceptable and raises numerous questions which I am willing to look into.

We have a short window of appeal, only 18 days and 4 days have since passed. As a community of tax paying individuals, wanting to make an area of your county better and prosper, you should be willing to listen & work with us.

I hope to hear from you & thank you for your time.

Carrie A. Gates
8090 E. Wade Lane
North Webster IN 46555

--

Carrie A. Gates

Carrie A. Gates

thoughts on location

Carrie Gates <gatescarrie59@gmail.com>

Mon 5/8/2017 3:10 PM

To: Randy Plew <plewrandy@hotmail.com>;

(My directions may be off)

Location-

Location of pier will create boater and swimmer safety. The cove is located on the SW corner of Lake Webster, which is the location of the pier. The cove is a popular spot for boats to anchor to allow swimming. This can at times include 40 + boats and fills the entire cove area. Any boat exiting the channel (off of Kline Island) makes access to the lake along the shore line to avoid the swimmers. The placement of this pier will create boats to blindly enter the open lake. In addition this is the only direct access to the lake for residents living in the NW corner of the lake and channel. Boats approaching from the point of the E corner as a fast speed could easily collide with any boat coming from this area as the view could be blocked.

--

Carrie A. Gates

Fwd: Epworth Forest Marina~

Connie Dragan

Thu 5/4/2017 2:21 PM

To: Za Papa Tony <tony.dragan@gmail.com>; Molly Personal <mehunter1996@gmail.com>; Randy Plew <plewrandy@hotmail.com>; Carrie Gates <gatescarrie59@gmail.com>; Scott Bolenbaugh <direwolf33_98@yahoo.com>; Marvin&Susie <leftyandbabe@embarqmail.com>;

----- Forwarded message -----

From: Connie Dragan <connie.dragan72410@gmail.com>
Date: Thu, May 4, 2017 at 10:19 AM
Subject: Re: Epworth Forest Marina~
To: ROBERT M <barberbob@centurylink.net>

Mr. Conley~

Your reply to my email is greatly appreciated! Thank you for doing so, so quickly.

To be clear, it is not a matter of 'we didn't see this coming' it is that we were told that we had an 18 day window to petition against it if and when the DNR approved it. We had to wait for that decision first and then proceed with the petition. That is now what we are doing.

It appears there is now little recourse which is disheartening because we felt we were proceeding in a rightful manner.

Again, thank you for your reply. If there is any further updates or information about this issue please inform me of such.

Regards,

Connie Dragan

On Thu, May 4, 2017 at 7:51 AM, ROBERT M <barberbob@centurylink.net> wrote:

Connie Dragan:

Thank you for your concern...however I'm concerned that the petition was approved by the D.N.R. after due process and public hearing and a time frame for remonstrants... that you didn't see this coming however i will be in touch with our area plan director and see if there is anything we can do to assist you with your concerns.

Cordially:

Robert M. (Bob) Conley
Kosciusko County Commissioner

From: "Connie Dragan" <connie.dragan72410@gmail.com>

To: barberbob@centurylink.net

Sent: Wednesday, May 3, 2017 9:42:55 PM

Subject: Epworth Forest Marina~

Sir~

This is in regards to the proposed marina at the end of 2nd Trail in Epworth Forest, North Webster, IN.

It appears that the DNR has given permission to the Epworth Forest Administrative Committee to place this marina at the end of our street. 2nd Trail is a dead end road! It is at the end of a Kosciusko County road. It is maintained by the county with both repairs and snow removal. There is little room for the snow plows to remove snow and place it in the off road area and make their way back out. The proposed marina with 24 boat slips/piers that may be stored in an area, that is already minimal, would be difficult for the County truck and snowplows to maneuver. The increased traffic and parking to accommodate 24 pier slips would impact our neighborhood in a very negative way. The entire dead end County road has signage that was placed by our North Webster Fire Department. It is a fire lane. There is No Parking for emergency personal and vehicles and it has served us well for many years. I have owned my home here on 2nd Trail for nearly 50 years. This neighborhood is a serene area with elderly, young families with small children and we have the honor of a disabled military veteran!

Unfortunately, we on 2nd Trail were not consoled~asked opinions~ given the chance to discuss any of these plans for the marina. It was simply dumped on us!

Needless to say, I am one that asks you and your members to review this proposed marina. A marina that will jut in to the lake 154 feet~ in a cove area~ with 24 boat slips attached. It is putting undue burden on all of us in this neighborhood and I ask that it be denied.

I would appreciate your response.

Thank you,

Connie Dragan
6472 N. 2nd Trail
North Webster, IN 46555

Fwd: Epworth Forest Community Pier Issue

Marc Roth

Thu 5/4/2017 5:15 PM

To: plewrandy@hotmail.com <plewrandy@hotmail.com>; Carrie Gates <gatescarrie59@gmail.com>;

FYI

----- Forwarded message -----

From: Marc Roth <mwroth16@gmail.com>
Date: Thu, May 4, 2017 at 1:14 PM
Subject: Epworth Forest Community Pier Issue
To: barberbob@centurylink.net, sandersrg@embargmail.com

Good Afternoon,

I wanted to send a quick email regarding the community pier that was recently approved by DNR to be placed at the end of 2nd Trail in Epworth Forest. If you take a quick drive to our neighborhood, you'll notice from the signs that there are a lot of residents strongly against having a pier at the end of our street. As a resident who lives right at the end of 2nd Trail, I am certainly concerned and here are a few reasons why:

1. Increased vehicle traffic at a dead end/point of turn-around
2. Limited parking space (the end of the street is labled as a fire lane). Inevitably, people WILL attempt to park here.
3. Risk of crime, vandalism, loitering, loud noice etc. that will go along with increased vehicle and foot traffic in this area
4. Safety/liability concerns, both on-shore and on-water. (We are on a point already and this pier is supposed to stretch 154 ft out into a very busy section of the lake!? This deosn't seem like a good idea...and I would imagine that other boaters, fisherman, skiiers, etc. around Webster Lake are not going to like this.)
5. Devaluation of real estate.
6. Quality of life for those of us at the end of the street having to deal with this.

Hoping that it is not too late for the Kosciusko County Plan Commission to get involved with this matter as we attempt to appeal the decison of the DNR in this case.

Your attention to this is certainly appreciated.

Thanks for your time.

Marc Roth
6483 N. 2nd Trail
North Webster, IN 46555

Re: Appeal

rwluv@yahoo.com

Tue 5/2/2017 10:43 PM

To: Randy Plew <plewrandy@hotmail.com>;

Increased people traffic means increased unmanaged litter, is area properly zoned commercial, decrease in water quality of lake due to self/fill gas, distance of pier into lake will provide much restricted access to cocktail cove and therefore possible increasing accidents, distance extend into lake allowed by DNR, sound pollution to nearby residents, hours of operation...

This is being sent from my cell phone:

_____ *Live your dream!* _____

Robert W. Turner
AXA Advisors
9465 Counselors Row, Suite 120
Indianapolis, IN 46240

Office 317.558.3602 Cell/Home 317.374.8597 Fax 317.578.0075
robert.turner@axa-advisors.com

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On May 2, 2017, at 1:51 PM, Jim Lease <Jim.Lease@jbsunited.com> wrote:

Inreased traffic, limited parking space, dead end turnaround for fire trucks, law patrol and emergency personnell!
Added crime with increased vehicle and foot traffic. Decreased real estate value.
Overall safety for a dead end county road ending at waters edge!
My thoughts in short.
Thanks,
Jim

Jim Lease
Business Development Manager
Prairie Systems
317.627.5637

On May 2, 2017, at 1:28 PM, Randy Plew <plewrandy@hotmail.com> wrote:

Please send me or Mark your concerns so that we may get the appeal going...

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of

the mailing date of this notice. The petition should be addressed to:

Director

Division of Hearings

Indiana Government Center North, Room N501A

100 North Senate Avenue

Indianapolis, Indiana 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the permit

to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission

following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural

Resources will be represented by legal counsel.

Community pier proposal

Jim Lease <Jim.Lease@jbsunited.com>

Thu 5/4/2017 9:19 PM

To: barberbob@centurylink.net <barberbob@centurylink.net>;

Cc: sandersrg@embarqmail.com <sandersrg@embarqmail.com>; Jim Lease <jim.lease@prairiesystems.com>; Randy Plew <plewrandy@hotmail.com>; mwroth16@gmail.com <mwroth16@gmail.com>; leftyandbabe@embarqmail.com <leftyandbabe@embarqmail.com>; gatescarrie59@gmail.com <gatescarrie59@gmail.com>;

Folks,

I know others have written to you about the proposed community pier at Lake Webster, (PL 23034-0) They have mentioned the DNR approval, I am sure. Probably they have also mentioned that this is to be built at the end of Second Trail which dead ends on the hill leading into the lake. I assume you may have some authority to look at the impact on the community and the safety of the public. I'll not bore you with concerns of the already limited parking or the children that live in permanent residential homes on Second trail. You have heard from others on the limited turning space and tight quarters between homes that have limited parking spots as well. Some others may have harped about the decreased property value, they have a great point.

Rather, let me focus your attention to the safety concerns that added people and vehicular traffic would impose. I'm sure by now you have driven to the proposed site and can see this is at the bottom of a pretty big hill next to the lake. You also saw that the drive in was down a pretty good descent and that, after the recent rains, has really taxed the already poor drainage situation on Second trail, as it does each Spring and Summer. Do you know how difficult it is to get county highway attention here? Then taking a close look at the roadbed condition of Second trail would show that it is not ready for the additional traffic that would take place with potentially 24 more boaters and families in the summer months.

The piers you now see at the bottom of the hill belong to residents that live on Second trail and they are able to walk down to their own spot. Today only a handful of boaters use this spot on the lake. Just think of potentially 24 or more! Will they want to drive and try to park in the limited space?

We know the DNR has a right to make decisions to what takes place on the water. They are not responsible to plan above the bank of the lake, are they? Don't you have the right to question what takes place above the waters edge? Are you looking into the safety factors closely? We haven't had a car over the side yet, but that would present another situation with additional traffic at the bottom of a pretty good sloped roadway. Nothing to stop that possibility now!

Of course I am concerned about access by fire and emergency personnel and know this is already limited on Second Trail, but additional traffic from 24 new boaters would only add additional safety concerns. There are several retired permanent residents on Second trail that might need an ambulance on occasion. Access is already limited, as is the case on most lakeside roadways.

I just plead that you will take this into your hands and vote this safety hazard to cease. Access to the lake is one thing, safety of the community is quite a bit more important. There is no written right or rule that guarantees a community pier to the residents of Epworth Forrest.

Let me repeat that, " There is no written right or rule that guarantees a community pier to the residents of Epworth Forrest! " You are not obligated to allow that the wishes of a few individuals can take place. But, I believe you might

be thinking of actions you should now take for the safety of this community for years to come.

Thanks in advance for your help. Drive down and turn around at the end of Second Trail, but watch out for the big pothole on the right side of the road. It's full of water today.

Jim Lease
6501 North Second Trail

Sent from my iPad

Group pier petition

Randy Plew

Mon 4/24/2017 2:08 PM

To: Taitano, Mary E <MTaitano@dnr.IN.gov>;

1 attachments (48 KB)

Epworth petition DNR 001.tif;

Good Morning Mary,

Here is a petition being circulated in the neighborhood. People are preparing in case the DNR would allow it.

These names were collected yesterday afternoon in less than an hour. We had only 1 person per household sign. So it could have been at least doubled.

I was also contacted by an attorney friend of the Hilbish family that has owned the house on Governor's Island.

They have some concerns of erosion to the island because of pushing speeding boats closer to them. Part the island owned by the conference was rebuild by the Lake association a year ago.

I have also included a picture of " it didn't do it justice" of a large "patch of weeds floating out of the bay into the main lake. If the pier was there it would have held them there.

Again I want to say thanks to all of you guys for your help. Everyone has been very friendly and helpful. I realize is is not easy to please everyone.

Thanks again
Randy

Indiana Department of Natural Resources:

Regarding the proposal to place a group pier at the end of 2nd trail in North Webster, we are VERY apposed to this action. This was proposed about 20 years ago and decided it was not feasible for the following reasons.

- 1, The end of 2nd trail is a fire lane for North Webster and traffic would obstruct the fire trucks.
2. A pier with 24 slips would require parking for 24 cars. This would cause the whole road to be congested and disrupt parking for the people that live on 2nd trl. Yards would possibly become parking lots.
3. Prevailing winds that far out are strong and would cause possible damage to boats parked on the left side of the pier.
4. A pier at that location would be very deep water and would be very difficult to stabilize because of the winds and boats going around it. Also it would curtail fish reproduction.
5. A large pier at that location would delete the existing piers now at that location. Some of the piers, including ours, have been at that location for more than 20 years. They should not be taken out for the convenience of a group pier. This would be a total lack of consideration for people who have existing piers at that location. Our pier on the lake was a selling point for us when we purchased our property over 20 years ago and I know there are others who are the same. A group pier at the end of 2nd trl. Would devalue all of property on this road.
6. We are required to have liability insurance on our pier. Has there been a consideration as to the insurance on such a large pier. Also there would have to be considerable amount of lighting for that number of boats in that location.

Signed by the owners of pier#12D
George, Donna & John Hinsdale
6658 N 2nd trl North Webster, In.