

**APPROVED MINUTES
WATER RESOURCES & ADVISORY BOARD**

A meeting of the Water Resources & Advisory Board held on **Tuesday, April 5, 2022 at 7:00 p.m.** in the Geer Conference Room at City Hall, 27600 Jefferson Circle Drive, St. Clair Shores, Michigan.

PRESENT

Chairman: Joe Claycomb

Commissioners:
Ronald Dest
Robert Krompatic
Alex Lince
Robert Michielutti, Jr.
Michael Monaghan

ABSENT

Warren Danford, excused

ALSO PRESENT

Jim Osterhout, Building Official
Glenn Sexton, Building Official
Ross T. Kogel, 14008 Harbor Place Drive
Paul Kerby, Paul Kerby Contracting on behalf of Great Lakes Yacht Club, 23900 Jefferson
Don Fiander, Great Lakes Yacht Club, 23900 Jefferson
Tim Porter, Great Lakes Yacht Club, 23900 Jefferson
Larry Tarnacki, 30816 Jefferson
Matt Figurski, 30830 Jefferson
Richard Best, 12001 Harbor Place Dr.
Veronica Black, Recording Secretary

1. CALL TO ORDER

Claycomb called the meeting to order at 7:00 p.m.

2. ROLL CALL

Monaghan made a motion, supported by Lince to excuse Warren Danford from the meeting.

**AYES: All
NAYS: None
ABSENT: Warren Danford, excused
MOTION: Passed**

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by those in attendance.

4. APPROVAL OF MARCH 1, 2022 MEETING MINUTES

Krompatic made a motion, supported by Monaghan to approve the March 1, 2022 Meeting Minutes.

AYES: All
NAYS: None
ABSENT: Warren Danford, excused
MOTION: Passed

5. **Canal Case #02-2022 – Huron Pointe Excavating on behalf of James and Kimberly Dainty – 22525 Benjamin – Install 51 feet of seawall within 12 inches of the existing seawall. Backfill as needed from an upland source.**

Contractor withdrew the case from this meeting; plans to do the project in 2023. Will reapply when they are ready to proceed.

Monaghan made a motion, supported by Krompatic to table Canal Case #02-2022 – Huron Pointe Excavating on behalf of James and Kimberly Dainty – 22525 Benjamin – Install 51 feet of seawall within 12 inches of the existing seawall. Backfill as needed from an upland source.

AYES: All
NAYS: None
ABSENT: Warren Danford, excused
MOTION: Passed

6. **Lake Case #03-2022 – Paul Kerby Contracting Corp. on behalf of Great Lakes Yacht Club – 23900 Jefferson – Remove rebar extruding from broken concrete in existing gabion baskets above the ordinary high-water mark (OHWM). Excavate 288.78 cubic yards landward of the existing gabion seawall. Install 210.37 cubic yards of precast concrete blocks. Backfill with 279.50 cubic yards of the on-site excavated material**

Paul Kerby, Paul Kerby Contracting. Don Fiander and Tim Porter, Great Lakes Yacht Club (GLYC).

Claycomb stated that he and the Board members attempted to gain access to the property but were unsuccessful. No gate code was given and calls to the phone number listed on the Water Resources application were not returned. Dest was the only Commissioner to see the property. Claycomb stated gate codes should be provided by petitioners upon application in order for Board members to access properties prior to meetings.

Fiander advised that the GLYC gate is locked for security reasons. The GLYC is a member-ran club and the Club's office administrator is a part-time position during this time of year. Fiander advised that he will provide the Board with his personal cell phone number, which can unlock the gate from anywhere.

Krompatic stated that the description on the Water Resources application should be descriptive of the project rather than refer to the EGLE and Army Corps permits. The application must be revised before the case is approved. Porter explained that there were engineered drawings and reports submitted with the application, and that the application space did not allow for a detailed description. Michielutti stated that the description on the Water Resources agenda should be on the application. Kerby agreed to edit the Water Resources application to reflect a complete description.

Lince asked if this request is within the Water Resource Board jurisdiction of what they can approve. Sexton confirmed yes, this is a matter that should be heard before the Board.

Kerby confirmed the project start date is June 1, 2022.

A discussion occurred on the need for all Board members to gain property access.

Kerby explained that he and the GLYC representatives sat with the City Engineer and discussed the project at length.

Dest stated that drawings are done well, but he is concerned with the nearby boat wells. Porter stated the wells are not the property of the GLYC. Porter explained that there is no seawall there currently, and explained that the land is eroding due to the high-water levels. Dest stated that the City does not allow for exposed land; that it must be enclosed with a seawall constructed of steel or cast-in-place concrete.

The Board expressed concerned with soil erosion control measures near the south property line. Michielutti expressed concern on the proposed concrete blocks effectiveness at preventing erosion, specifically in the winter.

Porter confirmed that the concrete-block wall will prevent erosion by creating a barrier between the property terrain and the rip rap. The blocks would sit two courses high on a subterrain limestone base on the south property line and on top of soil / fill on the east property line. The blocks have a keyway in them to lock them together. The blocks are 2' x 2' x 6' and are 3,700 lbs. each; similar to what would be found in a landscape supply yard. Gravity will hold the blocks down. The eastern part of property bordering the lake - rather than southern part of property bordering the condo harbor - will take the brunt of water damage. Porter explained that, on the eastern part of the property, the proposed concrete block wall would be inside an existing gabion basket. The rip rap currently there has been there for many years and is prone to wash away. A concrete-block wall would not wash away.

Claycomb thanked the contractor and GLYC representatives for the information and explanation, but the fact remains that the majority of the Board members haven't seen the property in-person.

Contact information was exchanged between Sexton and representatives from the GLYC. Sexton will coordinate between the GLYC and the Board members to assure everyone is given a chance to view the property. Claycomb advised that the Board should go to the property in groups rather than all together. He does not want a quorum to be present at one location; Claycomb said the Board members should all be given a chance to form their own opinions. Sexton agreed.

Porter stated that, beginning 4/16/22, there will be a Facilities Manager Ron on-site six days per week.

Lince made a motion, supported by Krompatic to table Lake Case #03-2022 – Paul Kerby Contracting Corp. on behalf of Great Lakes Yacht Club – 23900 Jefferson – Remove rebar extruding from broken concrete in existing gabion baskets above the ordinary high-water mark (OHWM). Excavate 288.78 cubic yards landward of the existing gabion seawall. Install 210.37 cubic yards of precast concrete blocks. Backfill with 279.50 cubic yards of the on-site excavated material. Case tabled until the Board can gain access to the property.

**AYES: All
NAYS: None
ABSENT: Warren Danford, excused
MOTION: Passed**

- 7. Lake Case #04-2022 – Mathew Figurski on behalf of Mathew and Kimberly Figurski – 30830 Jefferson – Remove existing damaged dock and dispose of materials in accordance with all local, state, and federal regulations. Install 118 feet of seawall at or above the ordinary high-water mark of Lake St Clair; an elevation above sea level of 575.3 international Great Lake datum of 1985 (IGLD85). Place 38 cubic yards of riprap at waterward toe of seawall once seawall is installed and prior to placing any backfill. Construct one dock 4 feet wide and 75 feet long perpendicular to the shoreline. Construct one hoist, 15 feet by 15 feet, at terminal end of new dock.**

Matt Figurski, homeowner and contractor, present.

Claycomb said several Board members have been to the site. Claycomb expressed concern that the Water Resources application states that the homeowner has three contractors to consider. Claycomb said we need to speak directly to contractor to get questions answered.

Figurski explained that he obtained three contractor's prices but many of them have availability issues. As a solution, Figurski signed himself up as marine contractor. He is going to act as general contractor, and subcontract portions of the work. Figurski said he is a licensed builder, has been doing construction for years, and worked with the County as inspector.

Figurski said he provided information in EGLE and Army Corps permits. Claycomb stated the Board needs a property survey to determine lot lines; dimensions do not mean much if we don't know where lot lines are.

Figurski said the seawall will connect to neighboring properties. Dock is connected to pilings. The dock was permitted when it was installed, and was installed 10' off of property line. Figurski submitted before the Board a stake survey from property next door to the south (30816 Jefferson). Michielutti reiterated the need for a survey of Figurski's property of 30830 Jefferson. Based on the stake survey of the property immediately to the south, it appears that the neighbor's seawall is two-feet short of the property line.

Figurski explained that the high-water levels caused erosion on the shoreline of his property. Covid and material availability were factors in getting the project underway.

Dest expressed concern over property in lake. Figurski said that there is enough property there, approximately 42' lake frontage. Figurski explained that his new dock will be placed where the old dock was located; 10' off the property line.

Krompatic explained that, once a structure is removed, it is no longer pre-existing construction; now it has to fall within current codes. He expressed that he doesn't want to approve something that is outside of current codes.

Michielutti pointed out that the property is pie-shaped; narrower at the lake front than at the street. The board advised that they are concerned with the actual property line not the land-portion of the property itself.

Glenn stated that motion can stipulate that survey is required.

The Board stated that local surveyors Kem-Tec Land Surveyors or George Jerome & Co. are two options.

Krompatic made a motion, supported by Monaghan to approve Lake Case #04-2022 – Mathew Figurski on behalf of Mathew and Kimberly Figurski – 30830 Jefferson – Remove existing damaged dock and dispose of materials in accordance with all local, state, and federal regulations. Install 118 feet of seawall at or above the ordinary high-water mark of Lake St Clair; an elevation above sea level of 575.3 international Great Lake datum of 1985 (IGLD85). Place 38 cubic yards of riprap at waterward toe of seawall once seawall is installed and prior to placing any backfill. Construct one dock 4 feet wide and 75 feet long perpendicular to the shoreline. Construct one hoist, 15 feet by 15 feet, at terminal end of new dock. Approval with the following stipulations: Hold harmless to be signed, Property survey to be conducted and submitted to the Board, and upon completion all construction must comply with current City codes and ordinances including setbacks.

AYES: All

NAYS: None

ABSENT: Warren Danford, excused

MOTION: Passed

A note was made that, if the property survey does not show what is shown before the Board tonight, the petitioner will have to re-appear before the Board for approval. Sexton advised that this is implied within every motion made by the Water Resources Board.

Claycomb asked Figurski to inform the Board when the survey is completed. He may get it to Veronica, who will get it to the Board.

8. ANY OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

Claycomb thanked Denise Pike for Robert's Rules of Order books for Commissioners.

Claycomb stated that the Water Resources Board has a potential new member, Kyle McKee. He has interviewed and may be sworn in.

9. AUDIENCE PARTICIPATION – none

10. ADJOURNMENT

Monaghan made a motion, supported by Lince to adjourn the meeting.

AYES: All

NAYS: None

ABSENT: Warren Danford, excused

MOTION: Passed

Meeting adjourned at 7:57 p.m.

[THE PRECEDING MINUTES ARE A SYNOPSIS OF A WATER RESOURCES & ADVISORY BOARD MEETING AND DO NOT REPRESENT A VERBATIM RECORD.]