

**From:** Bob Lake Association  
**Date:** January 30, 2018  
**To:** Minden Hills Council  
**Cc:** Minden Hills Planner, Minden Hills Director of Community Services,  
The Highlander, Minden Times  
**Subject:** Bob Lake Association Response to Report #18-008



Dear Council;

The Bob Lake Association (BLA) has reviewed the Minden Hills report #18-008 posted to the CivicWeb Document Centre on January 25, 2018. Needless to say, we have a significant number of concerns with its content that must be heard by Council. It is unfortunate that major elements of this report were not shared in any form of draft communications with the BLA. Going forward we hope to work in a more collaborative fashion with the township.

The BLA firmly believes, in contrast to many of the conclusions within the report, that our original proposal is the best solution available to restore public boat launch access for Bob Lake. It provides the lowest cost option as it does not require any land acquisition. It's the only option clear of public right-of-way issues, and is by far the most environmentally friendly option given it will avoid the inevitable construction of many future private launches.

The remainder of this document captures our comments, questions, and concerns pertaining to each section of the report.

Dave Roberts

Board of Directors Member  
Bob Lake Association

## Background

It is stated that the township was made aware of land-use issues with the previous boat launch in the spring of 2017. That is incorrect – it was the spring of 2016. We are now approaching our third season without a public boat launch on Bob Lake.

Until the spring of 2016, Minden Hills was operating the previous launch that it believed was on public property - it wasn't a belief shared only by the previous township of Lutterworth.

The statement *"After extensive deliberations, Council decided not to take action regarding opportunities to purchase the property or to pursue the development of an alternative boat launch site."* is, in our view, inaccurate and incomplete. The Municipality also had the option to assert its ownership of the former public boat ramp by virtue of its expenditure of public funds for decades to ensure and maintain public access to the lake. According to our information, the Municipality's right was not abrogated by the amendments to the Municipal Act in 2001. It's unclear to what degree, if any, this option was pursued.

Recognizing that in asserting its right of ownership the municipality would likely have to make a financial commitment, the BLA developed a solution based on the least invasive means available. Many of the report's points seem overtly aimed at blocking this initiative rather than finding ways to respond to *"Council's interest in rectifying the loss in public access on Bob Lake."* We remain convinced that this is a feasible initiative in the most feasible, available site.

## Traffic Safety

Traffic flow is "impeded" every day on cottage roads, just as it is on any road where cars parallel park or make left-hand turns. Traffic flow was "impeded" on Bob Lake Road at the former public boat ramp – there were no complaints or concerns raised. Frequent users of that road understood the infrequent momentary delays. For that matter, many will tell you they rarely encountered any delays whatsoever, drivers and boaters alike. There were no signs, no lights, no portable toilets.

Two members of our BLA boat launch subcommittee live off Claude Brown year-round, so we have real first-hand knowledge of the traffic patterns. There is very little traffic on this road - even during high season, and even less in the spring and fall when boats are typically being launched or hauled out. In the spring, when the water level is high, vehicles will not have to back into the water very far to launch and, as any boater knows, launching is fast. In the fall, when the more complicated process of getting boats onto trailers happens, the water level will be much lower and the vehicles involved will be further down the ramp, with less or no blockage of the travelled road - especially with the expansion of the turnaround we have proposed.

The report suggests that a realignment of Claude Brown would be necessary to facilitate the launch. We do not understand the value that brings or how that would be accomplished. Without further articulation from the planner, we believe any reference to realigning the road to be an unnecessary complexity that brings only added costs with no benefit.

We agree that the original ramp design with concrete slabs covering only 10 feet in width should be increased to allow quicker and easier approaches, thereby minimizing traffic disruption. Rather than increasing this to 16 feet, we propose 14 feet based on [this](#) published Government of BC launch design.

Proper signage alerting vehicles to the conditions ahead is the critical mitigating factor for alerting drivers and preventing accidents as well as limiting liabilities...which in the end is the primary solution to most of the traffic safety concerns raised.

## Encroachments / Parking / Turnaround

The report suggests that the private property portion of the turnaround would have to be expropriated at a total cost of \$110K in order to avoid legal issues associated with increased use due to the launch. We find that to be completely unfounded, amounting to the most costly and complex solution to what is only a perceived problem.

Our proposal does not call for any expansion on private property, and the expansion we've included within the road allowance can more than accommodate a vehicle/boat in waiting. While we can see the potential for a second vehicle/boat in waiting parking momentarily on the private portion of the turnaround, that would be an extremely rare occurrence. The collective experience of BLA directors has at most seen one vehicle/boat in waiting – never two.

While our proposal emphasizes no parking and encourages signage to that effect, the reality is that the entire turnaround has been used for parking since its inception – almost exclusively by ice fishers in the winter. This notwithstanding, our expansion of the turnaround within the road allowance will likely eliminate occurrences of parking on the private property portion of the turnaround that is happening today.

Our current proposal of “enlarging” the road allowance should eliminate the traffic and private property issues raised in this report. If this does not satisfy the township, and there remains an unacceptable risk of a trespass situation with our proposed launch design, then we suggest a far less costly alternative to expropriation. This alternative solution moves the turnaround west so that it is contained almost entirely within the unopened road allowance. This will add some additional expenses for brush-clearing, grading, gravel, and relocating of the hydro pole. However, these additional expenses would represent a small fraction compared to the cost of expropriation. The BLA stresses however that our current design, as proposed, is the best solution for the community and that it adequately addresses any encroachment issues raised. This alternative design should only be considered if Council remains concerned with the potential legal exposures from our proposed design. It also illustrates that a solution without the extreme costs or measures of expropriation is possible.

This alternative design addresses further any traffic safety, parking, and private property concerns through an even larger opening of the road allowance. It could also resolve a pre-existing situation, as we understand the property owner of 1348 Claude Brown is not pleased with the current turnaround arrangement – the private property portion of the turnaround can largely be returned back to the owner for their normal use. An illustration of this alternative design has been included at the end of this document (also showing the wider ramp).

## Surrounding Land Uses

The property immediately to the west of the road allowance is well buffered from the launch site by trees that are growing both on the allowance and on that property. There are also many trees and the encroaching shed which buffer the property to the east. We maintain that the impact of increased traffic and accompanying “noise” will be moderate at most, and seasonal in nature. As for lighting it was unnecessary for decades, and still is. Boat launches should not be accommodated at dark. In the interest of maintaining a dark sky environment on Bob Lake, we are opposed to any area lighting.

## Environmental

The report describes the inevitable environmental impact, albeit very modest given the extremely small amount of existing vegetation throughout that entire stretch of shoreline. The report fails however to state a most critical fact - this public launch obviates the need for a proliferation of private launches around the lake. Failing to mention this is a grave injustice to the environmental cause.

Furthermore, the area that we propose to be levelled and topped with gravel is no larger than the footprint of any new or existing cottage construction on the lake. The existing turnaround area has no vegetation barrier and, because Claude Brown abuts the shoreline for several hundred feet in the surrounding area, there is no natural vegetation to either side of the proposed launch site. Some of the trees at the proposed site will have to be removed but it should be possible to preserve many of them. We are not proposing a clear-cut situation. It would take little effort and money to improve the existing natural buffer which would surround the expanded turnaround, and which could be utilized to accept run-off from the gravelled area before being carried by culvert to the lake.

The only part of our proposed design that is impervious is the concrete ramp area itself, which is at or in the water and therefore does not create any flow across Claude Brown Road. The new graded areas are proposed to be gravel and therefore not impervious.

## Costs & Construction

The following is a list of concerns with the cost estimate breakdown in the report:

- \$4000 for excavation to lower the turnaround elevation by 18". There is no reason cited for this measure and we do not see the need for it.
- \$2500 for the installation of a light on the hydro pole. That is completely unnecessary. The report cites concerns of traffic, noise, and lighting impacts – area lighting only adds to the impact.
- \$3500 for a "possible culvert installation". First that's extremely expensive – we are very familiar with the cost of culverts and this should come in at less than \$1000 installed. Secondly, we don't understand why the launch construction should be burdened with the cost of a replacement culvert.
- \$1200 for "Roadway Realignment Delineation" – as noted above we see no need for this measure.
- \$29,000 for concrete pads to widen the ramp from 10' to 16' is extremely over-estimated. The cost of four 4'x16' pads in our quote totaled \$6K – doubling that to double the width would add up to only \$12K – more than doubling this again seems unreasonable.
- As denoted previously, the combined \$110K for expropriation of private land in the pre-existing turnaround is completely unjustified.

This section also states that the originally proposed ramp had a slope of 21 degrees for its entire length. That is not correct. The original design called for a 12-degree slope for its entire length (as noted in the Hawk River quote). 21 degrees is far too steep and exceeds the recommend 12-15 degree guideline for boat launches.

With respect to the wider ramp, we have reached out to both Hawk River and Prentice for updated quotes. These will be provided to Council for their review.

## Alternative Ramp Design

The following illustrates the alternative design, as previously discussed, that moves the turnaround almost entirely into the unopened road allowance – eliminating the risk of a trespass situation without the costs of expropriation. As stressed earlier, we believe our current design is the best option and adequately addresses any legal or encroachment points stated in the report. This alternative design should only be considered if Council needs a solution that provides further mitigation of legal exposure surrounding the encroachment concerns raised.

