

From: [Justin Eshelman](#)
To: [Lissa Wentner](#)
Subject: RE: Response to Encroachment no. L-96-S-2571
Date: Tuesday, March 31, 2020 10:56:00 AM

Lissa,

I received the written objection and have saved the documentation to the file. When you have a minute to discuss, please give me a call at 208-263-5104. I would like to talk about the next steps and the timeline I will need to follow for the contested case hearing based on Idaho Code. This will likely need to be more flexible with the current travel restrictions.

Thanks and have a great day,
Justin

Justin Eshelman
208-263-5104

From: Lissa Wentner <lissawent@yahoo.com>
Sent: Tuesday, March 31, 2020 10:48 AM
To: Justin Eshelman <jeshelman@idl.idaho.gov>
Subject: Response to Encroachment no. L-96-S-2571

Justin,

We spoke last summer about the possibility of our neighbors requesting a permit to build a dock. I recently received the Courtesy Notification of Application for Encroachment. I am attaching my written objection as well as an additional letter written by William Felton to me regarding this Encroachment. Given the current situation with COVID 19 and the shelter in place, I would prefer not to go to a post office or other location to mail or fax this response. Our neighbors, Elena and Jack Siele spoke with you and said that an email would suffice under the circumstances. Please let me know that you received this and if I need to do anything else.

Thank you,

Lissa Wentner
Wentner Family LLC
5415 Bottle Bay Rd
Sagle

March 28, 2020

Re: Courtesy Notification of Application for Encroachment
Encroachment Number: L-96-S-2571 Applicant: Shaffer/ Felton

To Idaho Department of Lands:

I am writing in response to the Application for Encroachment requested by Ron Shaffer and William Felton. We strongly oppose the encroachment of any structure, including a boat lift, that would exist within the 10 ft setbacks from our property line. We oppose the construction/encroachment of the proposed dock and associated boat lift for the following reasons:

1. This stretch of waterfront is already extremely congested and has already exceeded its capacity, both in terms of safe navigation and aesthetic beauty. It would be the 8th dock within a distance spanning about 420 ft. There are simply too many people, boats, dogs, etc in a relatively small space to safely navigate the area. When we spoke with Amidy Fuson at the Dept. of Lands two years ago about this dock proposal, she mentioned that given the existing congestion of docks in this area, a permit would likely not be approved for any new dock construction.
2. It is dangerous to introduce more power boats to this crowded area where children are playing and swimming in the water. Boats come around the point at high speeds en route from Sandpoint to Bottle Bay. Additional power boats coming in and out of the area increases the risks to swimmers, paddlers, etc.
3. It will significantly reduce the value of our property. Given the curvature of the shoreline, any dock within the legal setbacks would come diagonally out from their parcel in front of our house, degrading the view, reducing our privacy, and limiting beach access. Any additional encroachment would exacerbate this problem. The value of our property is derived from our access to and view of the lake. The proposed dock will reduce the value as both a residence and as a rental property.
4. A 60 ft dock will obstruct boat access to our dock. According to the submitted plans, there will be a 69' corridor between the proposed boat lift and our existing dock. This is not even 3 boat lengths and will make it more challenging and dangerous to gain access to the inside of our dock.
5. Construction of a dock will disrupt the aquatic life as well as the two large cedar trees whose roots are in the proposed construction area. These trees provide the only privacy barrier between our house and the existing gazebo and proposed dock.
6. Additionally, William Felton has compromised the integrity of this process by threatening to block our vacation rental permit if we do not comply with the encroachment. (See attached letter)

This dock/boat lift proposal would have significant negative impacts on the ability of neighbors on both sides to safely navigate the waters, recreate in our own waterfront, and would degrade the aesthetic beauty of the surrounding properties.

Sincerely,



Lissa Wentner, Wentner Family LLC
lissawent@yahoo.com
(510) 928-0486

Bill Felten
5480 Bottle Bay Road
Sagle, ID 83860

SEPTEMBER 8, 2019

Dear Lissa and Pete

As I have no reason to believe you are not still concerned with a tree on our shared property line I offer the following proposal.

Withdraw your objection to our dock/boat lift in writing and I will remove said tree at my expense.

In addition, we will offer no objection to your vacation rental when your license comes up for renewal.

Sincerely,

A handwritten signature in black ink that reads "Bill Felten" with a long horizontal line extending to the right.

Bill Felten