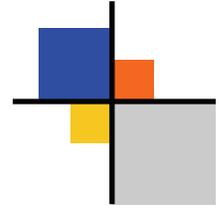




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# Moen Lake Chain Association Newsletter



## FROM THE PRESIDENT

ALL shoreline landowners on the Moen Chain of the North Pelican Lakes have been added to our address data base. Welcome to all those who have not received our Newsletter in the past. To all addressees who are not now a member of the Association, please consider joining so that you can have a voice in the Association and aid in the preservation and enjoyment of your lake. To join, simply send your home mailing address and \$20.00 to Bob Wilkins, 3786 Port Aurora Road, Rhinelander, WI 54501. If you would like information about our group, contact me. We look forward to meeting you at our next Annual Meeting on July 8<sup>th</sup>. The time and place will be announced in the spring Newsletter.

Jerry and Linda Peterson of the Moonlight Resort report that the Town of Pine Lake will repair the Moen Lake public boat launch site next spring. They evidently have found a company that can provide the concrete slabs which are in dire need of replacing.

To date, our chain of lakes is free of any invasive animal or vegetative species. Many lakes around us are experiencing problems and any boat from another location can infect our chain. To prevent that from happening, we need to staff the launch sites with volunteer inspectors on busy launch days. We have a small cadre of volunteers (17 to be exact) and need many, many more. Whether or not you are a member of the Association, please contact Victoria Houston or Linda Wilkins about becoming a volunteer or.....? If we can assemble enough people, it would mean only an hour or two per person each summer season. Please help, sign up as a Moen Chain Lake Association "Clean Boats/Clean Water" volunteer inspector. Get an identifying T-shirt, cap and more. We need to keep our lake free of these noxious vegetations and water creatures. It's your lake!

Our Board of Directors met in November to discuss the possibility of applying for state (and/or private grants) to enable us to perform what our Association's Mission Statement says: "...to protect, maintain and enhance environmental and recreational values on the Moen Lake Chain....to obtain, and provide to it's members, information of concern, to represent its members with other organizations and public officials....." and more. In order for us to seek monetary (grants) assistance from the state, some minor changes in the bylaws must be made. These changes will be presented to the membership for approval at the next Annual Meeting On July 8<sup>th</sup>, 2006. Be there!

The NR115 public hearings have been completed. From 10 locations and the US Mail Service, 12,000 comments were received. There was both support and opposition. As you recall from past Newsletters, the shoreline ordinances haven't been revised since 1968. The comments will be compiled, some minor changes made to the proposed regulation, approval by the DNR board and then on to the legislature for their concurrence. In view of the recent development of the Northwoods and especially that of lake shore property, plus the new scientific understanding of lakes and lakeshore ecology, the new regulation, and the help of landowners will help keep our lakes healthy.

For the first time storm water runoff and the vegetative buffer along the shoreline will take on an importance that was lacking in the past. Also for the first time repair and rebuilding of structures (read cottages/homes) within established setbacks will be allowed. This DNR regulation appears to protect the shoreline land owners as well as our lakes for future generations.

NEWS (From the Lakeland Times, Oct. 5, 2005)  
The first citation by a conservation warden for invasive weeds found on a boat trailer was issued by warden Jim Jung of Rhinelander to a Pelican Lake property owner. The individual ticketed refused to remove weeds identified by a lake association volunteer boat landing inspector. Barb Krause, the launch monitoring chairman, said the weeds were on the trailer of a personal water craft. She said, "He told the volunteer 'I don't care'". State law mandates weed removal prior to launching a boat in any Wisconsin lake. Fines can run as high as \$250.00. For the past several years there has been a statewide education campaign in progress. Currently there is a move in the legislature to increase the penalty. There may be a change in the future to more stringent policing and penalties in conjunction with education.



**DID YOU KNOW? (or want to?)**

- That the total forest land in Wisconsin measures about 16 million acres or about 46% of the total Wisconsin land area?
- That our chain of lakes has 233 shoreland property owners?
- That the watershed of the North Pelican River is approximately 400 Square miles?
- That the 1908 Model T Ford got 13 mpg city & 21 highway. The 2006 Ford Explorer gets 15 mpg City and 21 highway!

**PROTECTING OUR LAKES**

A recent article in the Rhinelander Daily News dealt with piers and the new revisions we've been talking about here in the recent past. Let's look at piers.

Shoreline structures are usually either a pier or a wharf. On some navigable lakes and waterways, additional structures, on or attached to one of the above may be present. Many of the latter are and will be illegal.

A pier extends from the shoreline into a waterway for watercraft berthing, loading and unloading passengers and materials. A wharf, in the other hand, runs parallel to the shoreline and is attached to it and is for the same purposes. According to Wisconsin law, shoreline structures must meet two basic criteria. First, the construction and use of the pier or wharf must be "reasonable" in respect to neighboring properties. Second, since waterfront property owners do not own the water next to the shoreline, the pier or wharf must not interfere with the public rights under the public rights doctrine. The waterfront property owner has rights also:

1. Water access
2. Water consumption for domestic and agricultural purposes,
3. Water to access the owners land
4. The right to construct piers and wharfs.

First, what is "reasonable use?" The shoreline characteristics determine the degree and type of use allowed. For example, if the shoreline is straight, the property lines are simply extended into the waterway to determine the owners riparian zone or right. (Figure I). If the shoreline is curved (concave or convex), the adjoining property owners high water marks are joined by a straight line and at that those points the angles are bisected and the bisecting line is extended into the lake determining the riparian zone. (Figure II). This latter is called the extended property line or the "coterminous riparian rights line". In either case, the lines extending into the lake determine the land owners riparian zone rights and determine the space in which shoreline structures can be located. The pier or wharf must fall within the line of navigation (Figure I –II).

Wisconsin courts have ruled that piers can be extended into a waterway to the navigable water depth. This depth has been determined to be three feet or greater for a particular watercraft or the length of the boat using the pier or wharf. The greater of these three establishes the "line of navigation" This is called the "pier headline" and is subject to DNR review (Figure III). In the Spring Newsletter I will try to define further what

"reasonable use", the Public Trust and the need for (or not) pier permits, particularly in relation to the revised NRI 15 rules.

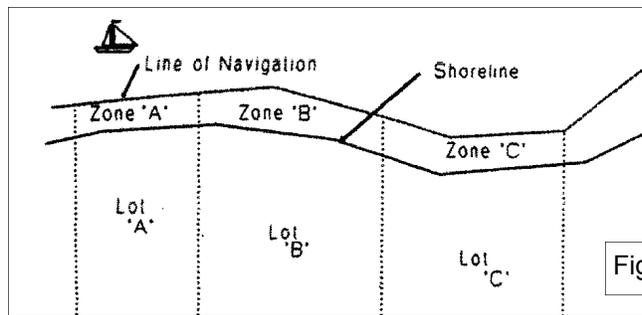


Figure I

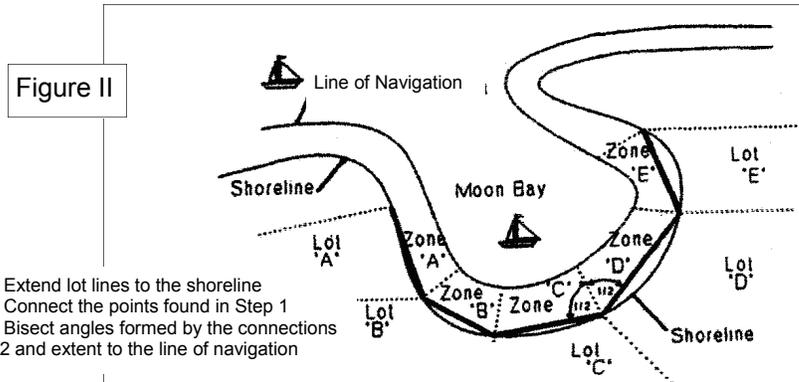


Figure II

Step 1: Extend lot lines to the shoreline  
 Step 2: Connect the points found in Step 1  
 Step 3: Bisect angles formed by the connections in step 2 and extent to the line of navigation

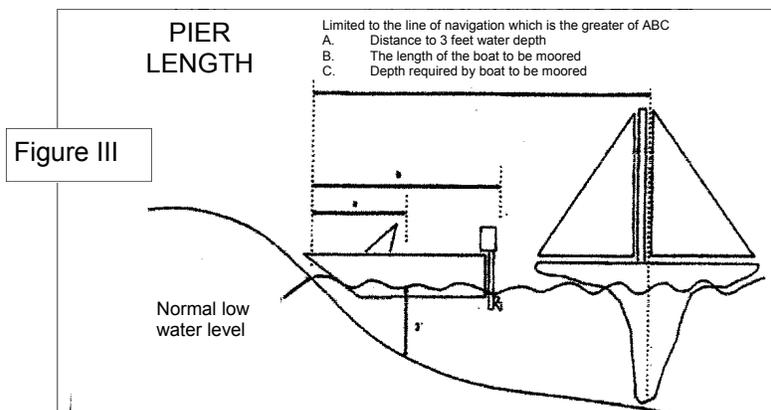


Figure III

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## TROLLING FOR HISTORY

John and Ann Huhn relate the history of their family cottage on “Fifth Lake”.

Alvin and Alice Baer were the original owners of The Three Baers’ stone cottage located in the south east corner of 5<sup>th</sup> lake. The name for the cottage was creatively given to them by a family friend who did wonderful wood carvings and designed the cottage sign that is still used today. His work was inspired by his time at the cottage with Al, Alice and their only child Jann (hence the 3 Baers). Alice survived her husband, and as a lifetime resident of Rhinelander, passed away last year at 90 years old. She grew up in town, the daughter of the Oneida County Sheriff who had years of chasing the Chicago Dillinger gang when they came to the Northwoods.

Alice and Al married in the early 1930s. Al, a Rhinelander Paper Mill worker, purchased the lake lot from Chik, who, at that time, owned all of the land on the lake that now is associated with Maple Road. The price of the land was modest by any standard, except for the agreement that Al construct Maple Road, which included cutting trees and blasting boulders and stumps with dynamite. The cottage was the first one built on that road by Al, his brother and friends. It was constructed with one foot thick fieldstone walls and a timber roof. The construction of the cottage included milled paneling, custom cabinetry and furniture. It is all still in use today. The work was completed in 1947.

Al was an avid hunter, fisherman and outdoorsman with a great sense of humor. He hid inscriptions in inconspicuous places during the building process. They were found only upon the construction of an addition in 1999. Alice’s earliest cottage records, kept for every visit, began in June, 1951 wherein pieces of history can be found. The Three Baer’s cottage is now owned by Al’s grandson John and wife Ann. Ann is the daughter of Terry and Adrienne Birkholz. After their family’s cottage, also on Fifth Lake of thirty years, was turned into a year round home, Adrienne retired there. There are many stories and memories between the two families, and a well worn path exists between the two cottages.

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### MLCA OFFICERS

#### YOUR MLCA OFFICERS

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Victoria Houston—369-4535  
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Sue Ohman—369-1480  
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#### WORMY THOUGHTS TO FISH BY

-Always read stuff that will make you look good if you die in the middle of it.

-Birthdays are good for you. The more you have, the longer you live!

-A truly happy person is one who can enjoy the scenery on a detour.

-Must you always be first? The second mouse always gets the cheese.

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Walt Gager  
President

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