

# Lakefront Development Advisory Commission on 2021-05-26 4:00 PM - VIRTUAL MEETING

This meeting will be live-streamed on the County Legislative Information Center:

<https://milwaukeecounty.legistar.com/Calendar.aspx>

Meeting Time: 05-26-21 16:00

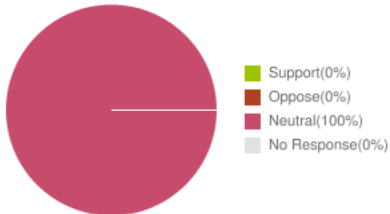
## eComments Report

| Meetings   | Meeting Time      | Agenda Items | Comments | Support | Oppose | Neutral |
|--|-------------------|--------------|----------|---------|--------|---------|
| Lakefront Development Advisory Commission on 2021-05-26 4:00 PM - VIRTUAL MEETING<br>This meeting will be live-streamed on the County Legislative Information Center:<br><a href="https://milwaukeecounty.legistar.com/Calendar.aspx">https://milwaukeecounty.legistar.com/Calendar.aspx</a> | 05-26-21<br>16:00 | 14           | 4        | 0       | 0      | 4       |

### Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



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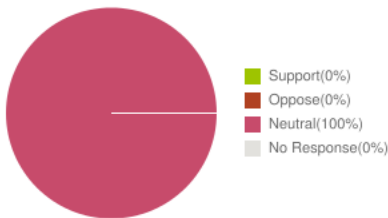
05-26-21 16:00

| Agenda Name   | Comments | Support | Oppose | Neutral |
|---|----------|---------|--------|---------|
| 1 HRA21-161 Public Hearing on the McKinley Park Flushing Channel Rehabilitation Project (PUBLIC HEARING AND ACTION ITEM)  | 1        | 0       | 0      | 1       |
| 3 HRA21-163 Update from Milwaukee County Regarding the Status of The Dock at Bradford Beach in Response to LDAC Recommendations (ACTION MAY BE TAKEN BY THE COMMISSION) | 3        | 0       | 0      | 3       |

## Sentiments for All Agenda Items

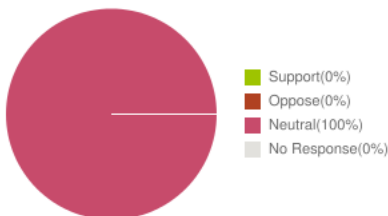
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### Overall Sentiment



### Agenda Item: eComments for 1 HRA21-161 Public Hearing on the McKinley Park Flushing Channel Rehabilitation Project (PUBLIC HEARING AND ACTION ITEM)

### Overall Sentiment



## Dn McCarthy

Location:

Submitted At: 4:25pm 05-26-21

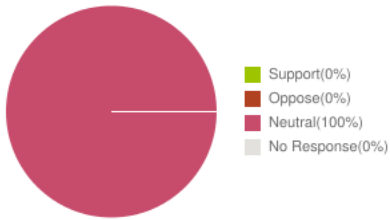
Dear Chair and Commissioners, I appreciate that the engineering firm includes the historic significance of the site as an important consideration in their proposed solutions. I hope that Milwaukee County will request that the firm consult with the State Historic Preservation Office (Wisconsin Historical Society) in order to confirm that the best solution for preserving important historic characteristics is strongly considered as required in State Statutes 61.1111 and 44.45. Historic Preservation specialists at the State (and the City) can help the County choose wisely and prevent potential damage to the site.

There are very often restoration solutions that are both preservation and a long lasting solution.

Dawn McCarthy  
2589 N Lake  
Milwaukee, WI 53211

Agenda Item: eComments for 3 HRA21-163 Update from Milwaukee County Regarding the Status of The Dock at Bradford Beach in Response to LDAC Recommendations (ACTION MAY BE TAKEN BY THE COMMISSION)

Overall Sentiment



**Virginia Small**

Location:  
Submitted At: 3:23pm 05-26-21

What, if any, provisions in this contract will ensure that the vendor is held financially accountable for current and future damage caused by the "unauthorized repair" farming the structure? Why are county engineers not supervising this project involving a historic county building?

**Michael Cain**

Location:  
Submitted At: 8:59am 05-26-21

Thank you for including my comments of May 10, in your packet.

I am a citizen of WI who lives in Madison and who enjoys periodic use of the public trust lands which form a large part of Milwaukee's park system and waterfront. I was an Attorney at WI DNR for 34 years and worked regularly with entities around the State of WI, including Milwaukee County, to assure that these public trust lands were not commercialized and remained available to all citizens of the State. During my career dealing with these public trust issues, we averaged approximately 1 proposal a month, around the State, to try to commercialize public trust lands for restaurants, etc.

As I expressed in my May 10 comments, contacts from citizens in Milwaukee expressing concerns about limitations on public use of public trust lakebed by vendors at Bradford (The Dock) and at South Shore and Grant Parks, indicates that more work needs to be done by the State of WI and Milwaukee County to assure that concessionaires such as "The Dock" recognize the public nature of these properties and the rights of citizens to use these properties. As I stated on May 10th, "The documents you sent do not provide any definitive promises for the operation of The Dock facilities. It is my understanding that WI DNR will be reviewing these issues and requiring specific contract language. From the information I have received... it will be imperative that the final contract language require specific operational requirements, explicit signage, and a system for enforcement by Milwaukee County Parks."

As the WI Attorney General stated in 1987, when declaring the Pieces of Eight restaurant an inappropriate commercial use of public trust lands, "a hot dog stand adjacent to a beach and open to all members of the public could be justified as a use" of public trust lands but that a restaurant facility on lakebed "violates the terms of the lakebed grant." The Attorney General concluded the opinion by stating "potential developers invariably argue the economic benefits...of their proposals. It must not be forgotten, however, that lakebed is premium real estate granted free of charge to municipalities. It is only reasonable to insist that public trust purposes be preserved so

that all citizens of this state can enjoy equal access to the lakes which the state holds in trust for its people. I have talked to Legal Counsel at WI DNR and to the Secretary of the Board of Commissioners of Public Lands this past week about these issues. They are aware of the public concerns and it appears they are taking steps to assure that the park concession facilities are operated as ancillary facilities supporting the public's enjoyment of the lakefront. Milwaukee County needs to assure that it does not abdicate its responsibility under the lakebed grants by allowing vendors such as The Dock to privatize the Pavilion and portions of the beach near the Tiki Huts by limiting the public's ability to enjoy this public trust property without the purchase of food or beverage from the vendor. It appears that work also remains on other public trust properties the County is involved in managing at South Shore and Grant Parks.

Milwaukee County, and the Lakeshore Development Advisory Commission, need to recognize their responsibility to the citizens of the State in assuring that the management of these valuable public trust lands is done in a way which serves all of the public. Vendors such as The Dock are given the privilege to provide concession service to the public on these valuable public lands, but it must be done in a way which assures that the public knows they are welcome to use the lakebed, areas are not "roped off" for exclusive use to those who purchase food or drink from the concession, and, in the words of the Attorney General, steps be taken to assure "that all citizens of the state can enjoy equal access to the lakes which the state holds in trust for its people."

Thank you for the opportunity to comment.

**Jeremy Ebersole**

Location:

Submitted At: 5:23pm 05-25-21

The Milwaukee Preservation Alliance has a number of concerns about recent news outlining work that has been done and is in the planning stages at the Bradford Beach Pavilion.

The May 20 Shepherd Express article included in this file references an April 23 report by Pierce Engineering which notes that a coating applied to the upper deck of the Pavilion last year is causing considerable damage to the building, trapping water, corroding structural reinforcement, creating trip hazards, and more. The combined effect is a danger to the long term health of the building. As a contributing property within the locally designated North Point North Historic District, exterior work on the property should have received a Certificate of Appropriateness (COA) from the Historic Preservation Commission (HPC). However, it does not appear that a COA was ever applied for, and the result has already caused damage to the historic property.

In addition, an Urban Milwaukee article from May 20 ("Bradford Beach Pavilion Badly Water Damaged") indicates that the Parks Department is already working with a contractor to do "initial immediate repairs." This work is also subject to a COA to ensure that "fixing" the problem does not in the end create even more problems. Here again, however, it does not appear that a COA has been applied for.

Equally concerning are publicly available plans indicating that the proposed shipping container bar would be anchored to the existing Pavilion structure via a galvanized threaded rod through the concrete slab. This connection mechanism is not permitted in the existing COA governing the addition of the bar and should be reviewed by the City HPC before any permits are issued allowing work to begin.

We urge the committee to see that all work completed on the site is in the long term interest of the Pavilion and follows the statutes and ordinances established to ensure this is the case. As a treasured and protected historic site, it is critical that regulations be followed in order to ensure the Bradford Beach Pavilion remains a vibrant part of our community for many years to come.