

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)

SPECIAL JOINT WORKSHOP OF THE VILLAGE BOARD OF TRUSTEES
with the PLAN COMMISSION and PARK COMMISSION

Wednesday, January 9, 2007

Park Commission Chairman Rick Treptow called the Special Joint Workshop Meeting to order at 5:34 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees present: Pollitt, O'Connell, Bidwill

Trustees Absent: Turner, Bromfield, Petersen, President Whowell

Plan Commissioners present: O'Connell, D'Auria, Treptow

Plan Commissioners absent: Spadoni, Poivey, McGreevy, President Whowell

Park Commissioners present: Chairman Treptow, O'Brien, Larson, Wegner, Horvath, Sammons

Park Commissioner absent: Lobdell

Also present: Village Administrator Kelly Hayden-Staggs, Lou Loenneke, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Building Inspector/Zoning Administrator Ron Nyman, Bob Stewart

Visitors Heard

Prior to the workshop, Hayden-Staggs stated that she wanted to take the opportunity when all three groups were together to present a plaque of appreciation to Park Commissioner Laurie Larson for her years of service to the Village. Larson recently resigned from her Plan Commission position and also served as a Village Trustee from February 2005 to April 2006. Treptow also announced that the Park Commission has been receiving donations for the Mill House Pavilion project and Gordy's Boat House will host a fund-raising event to benefit the project on Sunday, January 14, 2007, from 11:00 am to 9:00 pm.

Joint Session Business

Natural Resources Conservation Ordinance (Tree Ordinance) Amendments

Treptow introduced the topic for the workshop and read the goals stated in the ordinance. Treptow stated that the ordinance is a good document in its current form and it "doesn't leave too much unanswered;" however, after considering the comments the Village has received since the implementation of the new ordinance, it could use a little tweaking. Specific areas of the ordinance that have been criticized are the fine schedule, the tree replacement provisions, and the inclusion of nuisance trees and the ETZ District. Nyman explained the permitting process and the inspection requirements of the ordinance in its current form. Nyman stated that the permitting process can be quite lengthy, with multiple consultations with the applicants and multiple site inspections a norm. And the follow-up inspection requirements that span a three-year period have not yet been fully realized with regard to the amount of time that they will require. Nyman also stated that he thinks nuisance trees should not be included in the ordinance, and that the permitting process is getting less hectic with local tree service companies starting to get comfortable with the requirements. The group then discussed possible amendments that would help lessen the amount of inspection time required

to complete the permitting process. Bob Stewart stated that the Tree Ordinance is too cumbersome and it drives up construction costs. Stewart stated that the residential lots in Fontana are not lacking trees and such a strict ordinance is not necessary. Stewart stated that Condon Construction came into the Village and destroyed four lots, and now the longtime developers in the Village are “paying for it.” Following discussion, the group was in consensus that the current tree replacement requirements are too onerous and that the inclusion of nuisance trees in the ordinance needs to be addressed. Trustee Pollitt stated that the Village should place some trust back in homeowners regarding the tree replacements requirements of the ordinance as a means to lessen the time impact the follow-up inspections place on the Building and Zoning Department. McCarthy stated that if the ordinance was amended to eliminate the follow-up inspection requirements, it would greatly streamline the tree permitting process and make it less of a time demand on the Building and Zoning Department. McCarthy suggested that homeowners could be required to provide proof that replacement trees have been planted and are surviving in lieu of a site inspection. During a discussion on whether the Building Inspector could simply be given more leeway to allow for flexibility in the replacement requirements, McCarthy stated that would make the ordinance unenforceable. McCarthy suggested establishing “if-then” percentages as a way to incorporate flexibility into the ordinance. The group recommended that the ordinance should be amended to provide the opportunity for property owners to have the tree replacement requirements waived by appeal to the Tree Board; that nuisance trees should be removed from the ordinance; that provisions should be made to alleviate the time constraints required for tree mitigation inspections; and that the three-year follow-up period should be eliminated. Stewart stated that he would like to see the ordinance amended to provide for a 90-day waiver on the tree drip-line requirements for excavated materials at residential construction sites. McCarthy stated that the Building Department also needs the amendments to include the creation of a Replacement Tree List. The Park Commission will work on the proposed amendment language and bring it back the first week of February at another workshop meeting with the Plan Commission and Village Board. Treptow stated that the Park Commission will form a subcommittee to work on the proposed amendments.

Adjournment

The workshop meeting was adjourned at 7:07 pm.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the Village Board, Plan Commission and Park Commission the official minutes will be on file at the Village Hall.

APPROVED: Park Commission: 01/17/07
Plan Commission: 01/30/07
Village Board: 02/05/07