

**VILLAGE OF FONTANA ON GENEVA LAKE**  
Walworth County, WI

**Lakefront and Harbor Committee**  
Wednesday, May 26, 2010  
(Official Minutes)

The monthly meeting of the Lakefront and Harbor Committee was called to order at 4:30 pm on May 26, 2010 by Chairperson Micki O'Connell.

**Roll Call:** Trustee Micki O'Connell, Rick Pappas, Ed Snyder, Lee Eakright, Robert Chanson, Steve Beers, Joel Bikowski

**Also Present:** Administrator/Treasurer Kelly Hayden, Village Clerk Dennis Martin, Eddie Snyder, Tom Whowell

**Visitors Heard**

Eddie Snyder stated that the Abbey Harbor Condominium Association had the channel to Geneva Lake dredged last week Monday and Tuesday.

**General Business**

**Approval of Minutes for Meetings Held April 28 and May 13, 2010**

Snyder/Beers 2<sup>nd</sup> made a MOTION to approve the April 28, 2010 and May 13, 2010 minutes as submitted, and the MOTION carried without negative vote.

**Fontana Shores Request for Financial Assistance on Lakefront Stairs Repair Project**

None of the property that has the stairs is public property. Following discussion, the committee members reached a consensus that if financial assistance was approved for Fontana Shores, the Village would have to provide assistance for all requests, whether they were for private and/or public property.

Trustee O'Connell/Pappas 2<sup>nd</sup> made a MOTION to deny the request, and the MOTION carried without negative vote.

**Fueling Regulations and Portable Gas Containers Ordinance – Referred to Village Attorney**

Village Attorney Dale Thorpe submitted a letter to the committee earlier that day that states the establishment of local fueling regulations would not violate state statutes if they do not relate to the equipment, use or operation of a boat on an inland lake; and if they pertain to municipally owned piers in the Village, not boats. Also, Department of Commerce regulations with regard to storage of flammable liquids would not pertain to portable gas containers. Thorpe's letter states that pier regulations and rules, as stated in the state statutes, do not limit Wisconsin municipalities from enacting ordinances with regard to piers and do not require that lake-wide cities and villages must all have identical ordinances with regard to their piers. Thorpe's letter states that the Village could consider an ordinance regarding portable gas container regulations and may also wish to address these same requirements in the Village's ramp, slip and buoy lease contract. Pappas stated that the committee wanted to have Thorpe present a draft ordinance for consideration at the meeting, not just an opinion on whether or not the Village can adopt such an ordinance and if it can be enforced on the public and private piers. The committee also discussed a letter being distributed on the lake from "CC's Premier Boat Service Membership Club," which offers gas delivery service, jump start assistance, basic boat cleaning, and free covering and uncovering of boats. The committee members were in consensus after discussing the letter that was not on the agenda that portable gas service would not be allowed in Fontana Bay, and that the Village does not have any regulatory authority regarding the rest of the lake. Ed Snyder stated that the Abbey

Resort and Gordy's Marine have their gas fueling operations inspected by the state, and that CC's Premier Boat Service also should be subject to state regulations. O'Connell stated that with regard to the agenda item, the committee should direct Thorpe to draft a preliminary ordinance for review. Ed Snyder stated that the Village should recommend its ordinance to the Geneva Lake Use Committee for a recommendation to be adopted by all the lake municipalities. Pappas stated that once the Village has an ordinance adopted, it can be recommended to the other lake municipalities. Pappas stated that boat fueling operations should be prohibited unless the business is state licensed and there is an approved operational plan, and gas container storage should be prohibited on all piers. Chanson stated that Village staff should try to locate a draft of another municipal ordinance and use it to draft a preliminary proposal for the Village of Fontana. Chanson stated that municipalities such as Green Lake and Madison may have adequate ordinances that encompass all the boat fueling issues. Howell suggested that the ordinance include a minimum quantity of gas that may be stored on piers for small boats and fishing boats, and that an exception should be included for official vehicles.

Snyder/Beers 2<sup>nd</sup> made a MOTION to direct Village staff to research gas container ordinances adopted by other lake municipalities and to present a preliminary draft to subcommittee members Rick Pappas, Joel Bikowski, Ed Snyder and Eddie Snyder for a recommendation to the Lakefront and Harbor Committee at its next monthly meeting. The MOTION carried without negative vote.

**Pier Permit Application Filed by Steve Lombardo for Property Located at 1100 S. Lakeshore Drive – Tabled 4/28/10**

Only the notice of application has been received by the Village, not a copy of the actual application. O'Connell stated that the property is part of a Planned Development and the pier application will require several layers of approval if it is pursued. Hayden stated that the Planned Development has been approved for four piers, with each pier limited to two slips. Hayden stated that one of the piers already has more than two slips, and it will have to be brought back into compliance. Hayden stated that if the proposed pier permit application is pursued, the subdivision will have to file an amendment proposal for the Planned Development Precise Implementation Plan to be considered by the Plan Commission and Village Board.

Trustee O'Connell/Snyder 2<sup>nd</sup> made a MOTION to table the item until it is ready for a recommendation by the Lakefront and Harbor Committee, and the MOTION carried without negative vote.

**Sea Wall Clean Up – Update on Blackstone Contract and Community Service Hours**

O'Connell stated that the current contract with Blackstone Landscape, Inc., includes up to 100 man hours of donated time to be used at the discretion of the Village. Hayden stated that the plan is to use the man hours for sea wall cleaning services, and there is also 40 hours of community service work that will be allocated to the sea wall throughout the season.

**DMA Reviews – Schedule Remaining Reviews**

Pappas stated that Pam Schense of the Wisconsin Department of Natural Resources indicated that Designated Mooring Areas only establish the area boundaries of mooring areas, not the total number of piers, slips and buoys. The committee then discussed the April 1, 2011 registration deadline set by the Wisconsin DNR for owners with piers that qualify for grandfathering rules. To register a pier or for more information, pier owners should go to the DNR website at [www.dnr.wi.gov](http://www.dnr.wi.gov). Hayden stated that the committee review of the Village's DMA still needs to be completed and codified for the Village's permanent record. Hayden stated that the Village Building and Zoning Department needs clear information on what moorings have been approved. The committee will continue its reviews next month with Glenwood Springs Association and if time permits, the Harvard Club.

**Set Next Meeting Date**

The next meeting date is Wednesday, June 23, 2010 at 4:30 pm.

**Adjournment**

Chanson/Snyder 2<sup>nd</sup> made a MOTION to adjourn the meeting at 5:11 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the Lakefront and Harbor Committee, the official minutes will be kept on file at the Village Hall.

APPROVED: 6/23/10