

VILLAGE OF FONTANA ON GENEVA LAKE

Walworth County, WI

Lakefront and Harbor Committee

Wednesday, July 26, 2017

(Official Minutes)

The monthly meeting of the Lakefront and Harbor Committee was called to order at 4:30 pm on July 26, 2017 by Chairman Rick Pappas.

Committee Members Present: Trustee Rick Pappas, Ed Snyder, Joel Bikowski, Bob Chanson (arrived at 4:50 pm), Lee Eakright

Committee Members Absent: Don Holst, Steve Beers

Also Present: Bruce Adreani, Pat Buchholtz, Merilee Holst, Bob Janess, Clerk Theresa Loomer, Administrator Dennis Martin, Wes Samuels, Roger Stedronsky

Visitors Heard

None

General Business

Approval of Minutes for Meeting Held May 24, 2017

Snyder/Bikowski 2nd made a MOTION to approve the minutes from May 24, 2017, as presented, and the MOTION carried without negative vote.

Set New Mooring Rates for 2018

Martin stated that staff is recommending a 3 percent increase in mooring rates across the board for 2018 to keep up with the market and maintenance and repair expenses. In comparing the rates to Williams Bay and Lake Geneva a few years ago, Fontana's rates were on the low end and there were no vacancies for any slips or ramps this season.

Snyder/Eakright 2nd made a MOTION to recommend Village Board approval to increase the 2018 Mooring Lease rates by 3 percent across the board. 24-Foot Shore Station Slip Rates would increase to \$2,626.50, 26-Foot Shore station Slip Rates would increase to \$2,842.80, Ramps for Non-Motorized Watercrafts would increase to \$290.98 and Ramps for Motorized Watercrafts would increase to \$576.80. The MOTION carried without negative vote.

Indian Hills Pier Permit Application

An updated Pier Permit application was submitted by Indian Hills Association President Wes Samuels on July 6, 2017, for the Indian Hills Association. The proposal would add six slips to the end of the west side of the lengthened Indian Hills swim pier in exchange for removing six existing buoys. The addition would add 85-feet to the end of the existing pier for a total pier length of 160-feet. The proposed plan would also add a 48-foot long pier that would run east-west from the north/south step and enclose the current deep-water swim area at the north end of the extended pier. The DNR held a public hearing at Village Hall on February 14, 2017, and has since approved the initial application that was scaled back before being filed with the Village. Samuels stated the application that was scaled back from the proposal approved by the DNR that has come to the Lakefront Committee has not yet been approved by the association; however, the association board decided to file it with the Village in order to find out if it is approvable in its amended form, and the entire association membership has been informed of the current application status. Two letters of opposition were submitted to village staff after the required notification was mailed by the Indian Hills Association notifying neighboring property owners of the pier permit application. One letter of opposition was received from Attorney Timm P. Speerschneider who represents the Stedronsky and Janess families, both who are Indian Hills Association residents and riparian owners with property adjacent to the proposed pier addition on the west riparian property line. Speerschneider's letter is on file and provides reasons the project

is contrary to public rights and interferes with riparian rights. Two letters were received from Indian Hills Association property owner Jack Franks who resides at 614 Sauk Trail with regard to the existing pier along the west riparian line portion of the proposal. That portion of the proposal was approved by the DNR but not included in the final plan filed with the Village. Franks' first letter, which is also on file, sites concerns about the western pier extension making it very difficult for his family to utilize their pier and bring their boat in and out of the water in a safe manner. Indian Hills Association resident Bob Janess stated he owns one of the five lakeshore homes in Indian Hills Association and has great views from his dock, which is one of the reasons they purchased the property. He stated if the addition is granted, it will have a negative impact on their dock, waterfront and at the lakefront park which would affect other members of the association. He stated if boat lifts are installed and the boats are raised, that would also have a negative effect. Martin stated that the three proposals for piers to be extended beyond the 100-foot mark that have been approved by the Village in the past were for the Chuck's/Jerry's Marine, Fontana Shores Association and Village of Fontana piers. In those three instances, there were no objections from the neighbors and all mooring buoys were removed and exchanged for pier slips, not just a portion of them as being proposed in the Indian Hills application. Indian Hills Association property owner Roger Stedronsky stated he is opposed to the extension as it would adversely affect the views from his home and from his pier, which is why he purchased his home in the first place. If the proposal is approved, Stedronsky stated that he would also want to extend his pier out to 160-feet to be equal. Stedronsky read a letter submitted to him by Daniel McCarthy who resides at 564 Sauk Trail and could not attend the meeting. The letter is on file and details concerns about the close proximity of the swim area to the private slip immediately to the east and the possibility that kids may swim from the private pier to the association pier causing a dangerous situation. There was discussion about whether approval of the application would set a precedent and Martin explained that Attorney Thorpe has said repeatedly that no precedent is set by Village approvals of past permits and applications as long as fair and impartial consideration is given to each prior to action to approve or deny the items when they are filed; and with proposals to extend a pier beyond the 100-foot pier headline, each application just needs to be reviewed on its own merits. Geneva Lake Conservancy representative and Fontana resident Merilee Holst posed questions on whether the extension would pose a no wake hazard, if the buoys being moved on the west end would swing into the public navigation area or into the neighboring owners riparian area, if approval would be recorded against the property deed and whether it is a variance issue. It was explained that the initial portion of the proposal that called for extending the west pier further along its existing non-conforming location and removing those buoys is not part of the proposal filed with the Village. Snyder made an initial motion that was seconded by Bikowski to deny the application, and amended the motion to include language recommended by staff that was drafted by Village Attorney Thorpe.

Snyder/Bikowski 2nd made a MOTION to recommend Village Board denial of the Indian Hills Pier Permit application as submitted because of the determination that there is an inadequate benefit to the public right to navigable waters based on the inadequate number and location of mooring buoys to be removed, and the MOTION carried without negative vote.

Set Next Meeting Date

The next meeting date was scheduled for Wednesday, August 23, 2017 beginning at 4:00 pm

Adjournment

Bikowski/Snyder 2nd made a MOTION to adjourn the meeting at 5:03 pm, and the MOTION carried without negative vote.

Minutes prepared by: Theresa Loomer, 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: 08/23/17