

VILLAGE OF FONTANA ON GENEVA LAKE
Walworth County, WI

Lakefront and Harbor Committee
Wednesday, August 26, 2009
(Official Minutes)

The monthly meeting of the Lakefront and Harbor Committee was called to order at 4:30 pm on August 26, 2009 by Chairperson Micki O'Connell.

Roll Call: Trustee Micki O'Connell, Robert Chanson, Ed Snyder, Rick Pappas, Joel Bikowski

Absent: Lee Eakright, Steve Beers

Also Present: Bruce Adreani, Daryl Fredrick, Village Clerk Dennis Martin, Jerry Oglesby, Larry Quist, David Rasmussen, Eddie Snyder, Tom Whowell

Visitors Heard

None

General Business

Approval of Minutes – July 29, 2009

Pappas/Chanson 2nd made a MOTION to approve the July 29, 2009 minutes as submitted, and the MOTION carried without negative vote.

Bruce Adreani Pier Situation

O'Connell stated that the Village received complaints that the pier has two boats and two wave runners moored on the pier, or a total of four. The property has 82 feet of lakefront footage, so they are only allowed two moorings. Also, a boat lift was installed on the west side of the pier that may be located within the 12.5-foot required setback. Last month, the committee directed Martin to contact Bruce Adreani and notify him that he will be getting a noncompliance letter from the Village and to ask Adreani to think about what can be done to bring the pier into compliance. Adreani stated that one of the two wave runners that were moored on the pier has been removed. In response to a question from Adreani, Pappas stated that wave runners and jet skis count toward the total moorings even if they are moored on a shore station. Adreani stated that he did not realize that shore stations counted in determining the total number of moorings and he asked if the committee was going to review all of the piers in the Village. O'Connell stated that the Village received a complaint regarding the Adreani pier, so the committee is investigating the matter. O'Connell stated that the committee is charged with investigating all complaints received regarding piers and designated mooring areas. Also, the committee has been charged by the Village Board to review and codify all of the designated mooring areas in the Village. Adreani stated that there are a lot of other property owners that probably have too many moorings. Adreani stated that he will remove one of the three current moorings. Following discussion, the committee members were in consensus that the moorings can be left for the remainder of this season, but only two should be installed next spring. Daryl Fredrick of Austin Pier Service asked for clarification on the 12.5-foot setback requirement and if it is measured from the lake crib or from the structure. Martin was directed to check with the Village Building and Zoning Department and provide the answer to Fredrick and Adreani. Adreani stated that he has a survey that depicts the location of the lift that was installed this season and the survey shows that the setback requirement has been met.

Chanson/Pappas 2nd made a MOTION to direct Bruce Adreani to reduce the total number of moorings on his pier to two for the 2010 season, and the MOTION carried without negative vote.

Complaint Received Regarding Club Unique Swim Raft Moored in Adreani Riparian Area

Adreani stated that the Club Unique swim raft that was installed this season by Gage Marine is located in the riparian area for his property. Club Unique has seven slips and seven buoys, which matches what has been approved; however, the exact location of the swim raft in relation to the riparian lines could not be determined without a certified survey that also depicts the riparian lines.

Chanson/Pappas 2nd made a MOTION to table the item, and the MOTION carried without negative vote.

Brian Porter/Randy McNally Pier Configuration Change

Larry Quist of Pier Docktots stated that the DNR has conditionally approved the application as submitted, with the mandatory review period scheduled to be completed August 27, 2009. There were no concerns voiced by the committee members with the proposal as submitted.

Pappas/Chanson 2nd made a MOTION to recommend Village Board approval of the pier permit application as filed, subject to final approval by the Wisconsin Department of Natural Resources, and the MOTION carried without negative vote.

Abbey Harbor Gas Tank Relocation Proposal

The gas tank relocation proposal is currently being considered by the Plan Commission as a site plan amendment for the Abbey Harbor. The proposed location is at the east end of the Harbor by the willow tree, adjacent to the channel that runs into Geneva Lake. The committee members were in consensus following discussion that they should not take any action until after a Plan Commission determination is made. If necessary, the item will be put back on the agenda for a future committee meeting. Eddie Snyder showed the committee two devices that can be used by boaters to prevent the back flow of gasoline into the lake. One of the devices is a small ring that is mounted on the boat engine, and the other is an over-flow collection device that is mounted on the boat's overflow air vent. Eddie Snyder stated that the devices can be used when gasoline is being dispensed and they will prevent any gas from over-flowing into the lake. Ed Snyder stated that the Geneva Lake Environmental Agency should look into having the over-flow devices made mandatory for all gasoline providers on the lake. Ed Snyder stated that the Abbey Harbor will continue to work with the Village and the Geneva Lake Environmental Agency to earn approval for the gas tank with the goal of having it installed next season.

Lighting Violations on Fontana Bay

Chanson stated that there are five or six properties on the Fontana Bay lakefront that have very bright lighting at night, including the Village of Fontana beach house. Chanson stated that as well as producing a large volume, the lights at the beach house are unnecessarily kept on after 11:00 pm. Chanson stated that the Village piers also are lit from end to end, which makes them stand out at night. Larry Quist asked if the Village would consider installing channel marker buoys on the lake that have lights on them, for nighttime navigation. Following discussion, the committee asked Tom Howell to provide a cost estimate for replacing the current channel marker buoys, which are installed and maintained for the Village by Gordy's. The committee directed Martin to relay the lighting concerns to the Building and Zoning Department.

Pier Addition Application Filed With DNR by Austin Pier Service for Willow Bend Marine, Inc. (Jerry's Marine) Pier – Tabled 3/25/09, 4/29/09, 5/27/09 & 7/29/09

Fredrick stated that the DNR will not require a new pier permit application to be filed for the project. The initial application was conditionally approved by the DNR; however, the Lakefront and Harbor Committee members did not support the proposal to erect overhead supports for the catwalks. A motion to recommend approval of the amended plan was approved by the committee at its June 24, 2009 meeting; however, it was not certain if the DNR would require another

application for the project. The application will be forwarded to the Village Board for consideration at its next monthly meeting on Tuesday, September 8, 2009 beginning at 6:00 pm.

Willow Bend Marine Barge Situation

At last month's meeting during the DMA review of the Willow Bend Marine area, a concern was discussed on whether the Jerry's Marine barge is a boat or a structure. Pappas stated that the barge is registered as a boat, but it is hard-wired to the shore. Oglesby stated that by law, the barge is a boat, but it is located on its own shore station. Pappas stated that Pam Schense at the Wisconsin DNR informed him that if the barge can be used to navigate on the water, it is a boat. Oglesby stated that there is no steering or motor currently mounted on the barge. Oglesby stated that he could mount a motor on the barge if necessary to make it more of a barge than a structure. A structure would not be allowed to be erected in the mooring area, but a boat or a barge would be allowed. Chanson stated that the Village should have Schense provide a ruling on what Oglesby needs to do to make the barge a boat instead of a structure. Following discussion, the committee members were in consensus that the barge can be left as is for the rest of the season, but Oglesby should adhere to the DNR's direction when the barge is put in next spring.

DMA Reviews - Village of Fontana, Indian Hills, Brookwood

O'Connell stated that with the resolution of the Jerry's Marine barge situation, the Willow Bend Marine DMA conforms to what has been approved. Other DMAs that were reviewed last month and are in conformance are the four Gordy's areas, the Fontana Shores and the Audino areas and the Cavanaugh/Sullivan pier. The Village of Fontana and the Indian Hills and Brookwood associations were scheduled for review at the August meeting. Approval records still have to be located for the Glenwood Springs, Buena Vista and Belvidere Park associations. Pappas stated that the Village of Fontana approvals were not checked, and the Indian Hills approval has not been reviewed with the current counts. Pappas stated that the Brookwood Association has 16 buoys approved, but currently only have 13 installed; and the association has 24 slips approved on its piers, but there are currently 29 slips installed. The committee members directed Martin to contact the Brookwood Association to have a representative attend next month's meeting to discuss the situation. After the reviews are completed, the committee will be recommending the adoption of an updated and unified DMA ordinance that covers the entire Village.

Summer Status Report

A financial status report for the beach admission, beach concessions and boat launch operations was prepared by Village Administrator/Treasurer Kelly Hayden. The total revenues are about \$7,212 lower than the budgeted amount; however, expenses are also about \$24,795 lower than budgeted. There still are about two weeks worth of beach salaries and about six weeks of launch salaries to be factored into the final report.

Set Next Meeting Date

The next meeting date is Wednesday, September 30, 2009 at 4:30 pm.

Adjournment

Chanson/Pappas 2nd made a MOTION to adjourn the meeting at 5:43 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: 9/30/09