



Geneva Lake Conservancy

“PROTECTING THE ENVIRONMENTAL CHARACTER OF THE GENEVA LAKES AREA.”

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Monday, April 19, 2010

HAND DELIVERED

Park Commission
Village of Fontana-on-Geneva Lake
175 Valley View Drive
P.O. Box 200
Fontana, WI 53125

RECEIVED: VILLAGE CLERK
VILLAGE OF FONTANA
ON GENEVA LAKE
FONTANA, WISCONSIN 53125

DATE 4-19-10
TIME 4:20 PM

RECEIVED

APR 19 2010
VILLAGE OF FONTANA

**RE: Tree Permit Application – Park Commission Review Requested
403 North Lake Shore Drive**

Village of Fontana Park Commission:

At the request of one of our local supporters, the Conservancy recently publicized the story of the centuries old Oak Tree on North Shore and its planned removal to build a home. The response to date has been nothing short of remarkable and it is clear that the residents and citizens of Fontana are very passionate on this issue.

Because the result in this case failed to line up with the intended purpose of the Village's Tree Ordinance, as shown below, it is clear that the decision, as well as the process that led up to it, should at least be reviewed.

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Sec. 18-28. Natural resource conservation ordinance.

(a) Purpose. The purpose of this section is to:

3. *Alleviate the negative visual, economic and environmental impact of indiscriminate or excessive removal, clear cutting and destruction of larger, more mature trees and their canopy, while not unduly interfering with the right of village property owners to appropriately remove trees on private property;*

In reference to Sec. 18-28(i) Appeals, as shown below, I am asking that the Village of Fontana Park Commission review the process and the ultimate decision to approve the proposed tree removal.

Sec. 18-28. Natural resource conservation ordinance.

(i) Appeals. Any person desiring to appeal a decision for any reason shall do so in writing to the village park commission. The park commission shall review the requested appeal and make recommendation to the village board for final decision.

The appeal is made for review of two specific elements:

- 1) It has been stated repeatedly that the tree is in poor health and as such should not be preserved. Upon review of the information provided by the Arborist to the Village, it appears that the foregone conclusion regarding the trees pending demise is based primarily on the fact that the construction of the house will surely kill it.
- 2) Considering the size of the property and the location of the tree against the side lot line, it does not seem realistic to assume that the applicant made every reasonable effort to incorporate existing trees into the plan, which is a finding legally required by the ordinance.

Thank you in advance for your efforts and I look forward to your review of this issue.

Sincerely,



Joseph A. McHugh
Executive Director
Geneva Lake Conservancy
Direct Line: 262.203.1541

cc: Martin, Dennis – Village Clerk