

Village of Fox Point Tree Commission

Minutes of April 18, 2024

A meeting of the Village of Fox Point Tree Commission was held at the Fox Point Village Hall on Thursday, April 18, 2024, at 4:00 p.m.

1. Roll Call

Present: Trustee Eric Fonstad (Chair), Kim Caviggiola, Jonathan Knopp, & Ramsey Radakovich

Absent: Louise Petering

Ex Officio: John Gall, Village Forester

Also present were Patricia Mousseau, 180 W. Dunwood Road, Director of Public Works, Scott Brandmeier, and Nathan Schettpelz, Consulting Department Manager and Certified Arborist Municipal Specialist with Wachtel Tree Science, Inc.

The meeting notice was mailed to the *North Shore Now* and to all others as required by the State open meeting laws, and posted on the Village website and bulletin boards.

A quorum being present, Mr. Fonstad called the meeting to order at 4:00 p.m.

There was no public comment. Mr. Fonstad noted that at the January meeting of the Tree Commission Ms. Mousseau raised concerns about vegetation blocking the line of sight for drivers at the intersection of Calumet and Santa Monica. In response to a question, Mr. Gall reported that trees at the intersection were trimmed to improve visibility.

2. Approval of Minutes.

Following discussion, the minutes of the January 25, 2024, meeting were approved.

3. Old Business.

a. Discussion of Private Property Tree Retention Alternatives

Forester Gall noted that the Commission has continued to investigate alternatives to the Village's clear cut ordinance which counsel has indicated may not be enforceable. The Commission's initial approach was to draft a tree preservation ordinance similar to ordinances used in other communities. That effort was also discouraged by legal concerns surrounding potential unconstitutional taking of property issues. The Commission's most recent effort focused on using the Villages existing Storm Water Utility to offer incentives to private property owners to preserve and enhance the tree canopy in the Village.

Forester Gall introduced Nathan Schettpelz, Consulting Department Manager and Certified Arborist Municipal Specialist with Wachtel Tree Science, Inc. who presented his report on "Assessment of feasibility implementation Storm Water Credits for Tree Preservation" dated March 27, 2024 and attached to these minutes.

Mr. Schettpelz described how trees are one of many tools available to mitigate stormwater management issues. As outlined in his report, he is not optimistic that a tree credit system would

provide an effective means to preserve trees within the Village and does not recommend implementing a tree credit system in the Village. Instead, he suggested the Village consider a tree preservation ordinance. It was noted that the Commission previously determined that the option of implementing a tree preservation ordinance was not available because of legal concerns.

Mr. Schettpelz reviewed the Village's current stormwater fee system, rebates offered for rain barrels and rain gardens, and the stormwater tree credit system and sample worksheet used by Milwaukee, Oregon. He concluded that implementing a stormwater credit system for trees in the Village would potentially save residents no more than \$30-\$180 annually and the implementation costs would be challenging and require a significant increase in administrative duties.

The members of the Commission discussed this information and Mr. Schettpelz responded to questions. The potential savings to residents mentioned by Mr. Schettpelz assumed a 20% cap on credits which is just a recommendation, not a hard rule. The credits could be higher which could make such a credit system more viable. Actual stormwater cost savings would be too complicated to calculate given all the variables involved.

Mr. Brandmeier noted that the tier system used for stormwater fees is based on roof top square footage and does not take into account driveways and other impervious areas. As such, it is a rough approximation of impervious area. The stormwater impact of existing tree coverage could use a similar rough approximation which would reduce the need for complicated calculations. The Department of Natural Resources ("DNR") at one point offered to inventory the Village's tree canopy using aerial photographs. That would provide a baseline for establishing tree canopy credits. Unfortunately, the Village did not pursue the DNR offer. He does not know whether the DNR will be conducting aerial tree canopy surveys anytime soon.

Mr. Radakovich noted that rough tiers for canopy coverage on private property could be used to determine stormwater tree credits. That would reduce administrative costs.

Mr. Schettpelz noted that whatever the Village puts in place needs to be defensible.

Forester Gall suggested that a portion of stormwater utility fee revenues could be directed to support tree planting by residents. It was the consensus of the Commission that such a program could be used to encourage people to plant trees on private property. Two-thirds of the Village's canopy is on private property.

Mr. Brandmeier noted that work would need to be done on developing recommendations for how much money to offer residents and on what basis. Payments could be made to residents who plant trees, similar to the credits for rain barrels and rain gardens.

Mr. Brandmeier noted that, if trees and driveways were included in the tier structure for the stormwater utility, a homeowner's stormwater fees could be increased if they clear cut trees on their property.

Mr. Radakovich noted that natural tree loss due to age, disease and storm damage would need to be taken into account in any system that links tree coverage to stormwater fees. Mr. Radakovich left the meeting at 5:00 p.m.

Forester Gall reported the Village is preparing a fact sheet about the stormwater benefits of planting trees. The fact sheet should be available for hand out at the Village's June open house event.

Forester Gall and Mr. Schettpelz suggested the Village pursue a program whereby a resident could buy a tree from a list of recommended trees, plant it, have the Village staff inspect it, and receive a rebate from the Village.

b. Marketing the Tree Commission Mission

Forester Gall noted that the Village will again encourage “No Mow May” this spring. Residents who cannot hold off mowing until the end of May will be encouraged to mow less. Waiting until mid-May to mow would enable most pollinating insects to get a good start on the year.

c. Update of Spring 2024 Tree Planting along Beach Drive Revetment Project

Mr. Brandmeier reported that delays in installing new sanitary laterals on three properties along Beach Drive will delay the completion of landscaping, including tree planting, along Beach Drive until at least later in May.

4. New Business

a. Forester’s Activities Update year to date

Forester Gall reported the Village will plant a diverse selection of 104 two inch diameter trees in 2024. An additional 20 five gallon Larch trees will be planted in the Indian Creek Woods by the Garden Club.

Forester Gall reviewed a multi-year comparison of major forestry activities he prepared and distributed prior to the meeting. The members of the Commission discussed the report and thanked Forester Gall for his dedication to the health of Village trees and to assisting Village residents.

Forester Gall noted the re-inventory of Village trees supported by the WDNR Urban Forestry Grant is scheduled to begin in May and to last three or four weeks. Information about this project will be posted on the Village website so residents are aware of the work. The Urban Forestry Grant will also support training sessions for Fox Point employees. Employees of other north shore communities are being invited to attend these sessions.

Forester Gall reviewed plans for celebrating Arbor Day at Stormonth School. An Early Glow Ohio Buckeye will be planted and students will be given young White Pines to plant at home.

5. Any other matters that may come before the Tree Commission (informational only – no action taken).

In response to questions from members of the Commission, Mr. Brandmeier and Forester Gall described trees removed as part of the Bradley Road project and outlined plans for replanting trees on public property along Bradley Road.

The members of the Tree Commission thanked Mr. Schettpelz for his report and for his attendance at the meeting.

The next meeting of the Commission was scheduled for July 11, 2024 at Village Hall at 4:00 p.m.

The meeting was adjourned at 5:25 p.m.