

Village of Fox Point Tree Commission

Minutes of August 23, 2018

A meeting of the Village of Fox Point Tree Commission was held in the Village Hall Conference Room on Thursday, August 23, 2018, at 4:00 p.m.

1. Roll Call

Present: Trustee Eric Fonstad (Chair), Karen Grube, & Louise Petering (Judy Shirley joined the meeting at 4:30 p.m.)

Absent: Ramsey Radacaivich

Ex Officio: John Gall, Village Forester

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.

Trustee Fonstad called the meeting to order at 4:00 p.m. Also in attendance for the first part of the meeting was Scott Brandmeier, Fox Point Director of Public Works.

Persons Desiring to be Heard: Ms. Kathe Lake, 7471 Beach Court, stated that she was concerned about the health of one of the trees planted along Beach Drive in 2017. She distributed a memorandum and pictures of the tree. Mr. Fonstad suspended the rules and permitted the Village Forester to briefly comment on the condition of the tree. No other persons indicated that they wished to address the Commission. Ms. Lake left the meeting at 4:05 p.m.

Without objection, the following agenda item was taken up out of order:

4. c. Policy Recommendations for Village Board Regarding EAB on Private Property

Mr. Fonstad noted that on June 14, 2018, he met with Mr. Brandmeier and Forester Gall to discuss their concerns about the Village's policies with respect to ash trees on private property that are infested with Emerald Ash Borer (EAB). He briefly reviewed the provisions of Chapter 310 of the Village's ordinances dealing with diseased trees and shrubs which, among other things, requires owners to remove from the Village all debris from infested trees that the Village orders them to take down.

Mr. Brandmeier reported that in the past the Department of Public Works (DPW) has picked up tree waste left by the roadside. He noted that reputable tree contractors working in the Village have been conscientious about cleaning up and removing debris after they take down trees. However, he is now seeing large piles of ash tree debris being left by the roadside. He distributed photographs of recent instances where this has occurred. He is concerned that, as more trees on private property die from EAB, more tree debris will be left by the roadside than the DPW will be able to handle. He asked the members of the Commission for recommendations on ordinance and policy changes or other steps that could be taken to alleviate this problem.

The members of the Commission discussed a number of issues related to this matter, including:

- (i) Mr. Brandmeier reported on the results of a survey he conducted of communities in the area. Most have policies which require the homeowner to remove tree

debris from their properties. Some communities will pick up a limited amount of debris. All communities expressed concern about EAB infested ash trees on private property;

(ii) Mr. Brandmeier reported that he plans to include a paragraph or two about tree removals and EAB in the fall issue of the Fox Point of View magazine. The content will depend on what, if any, policy decisions are made. Information may also be included with the year-end real estate tax mailing;

(iii) the members of the Commission discussed whether DPW should limit the amount of tree debris it picks up, discontinue picking up all tree waste, only discontinue picking up ash tree waste, or only discontinue picking up infested ash tree waste. Forester Gall stated that, in his opinion, all ash trees in the Village are infested with EAB. That would support a policy that states that any ash tree taken down in the Village is presumed to be infected and the property owner should be responsible for removing the debris from the Village. Forester Gall noted that it can be difficult to prove that an ash tree is infested with EAB if the infestation is limited to the crown of the tree;

(iv) it was noted that the current ordinance on diseased trees and shrubs states that its purpose is to protect and preserve property values in the Village. The members of the Tree Commission felt that it would be appropriate to include the preservation of public safety as one of the purposes of the ordinance since deceased ash trees become brittle, large branches can fall, and trees can topple in unpredictable ways that endanger people and property. It may also be appropriate to state that one of the purposes of the ordinance is to protect the health of other trees and shrubs;

(v) the Property Maintenance ordinance (Chapter 681) should also be considered as it relates to EAB;

(vi) if the Village orders the removal of any ash trees on private property, it is recommended that the Village hire private contractors to do the work. Village liability, DPW work load (both field and administrative), and cost reimbursement issues all argue for this policy. Milwaukee County uses contractors to remove ash trees from private property;

(vii) the members of the Tree Commission do not recommend that homeowners be given the option of repaying the Village for ash tree removals over a period of years. Such a policy would give home owners an incentive to force the Village to remove their trees rather than doing it themselves;

(viii) except in cases where DPW determines that a dead tree might fall on public property, the Village should continue to rely on citizen complaints of diseased trees and shrubs rather than taking the initiative to notify property owners to remove diseased trees;

(ix) Mr. Brandmeier noted that Fox Point residents put a high value on the Village's yard waste collection service and that he would be very reluctant to stop providing the service altogether. Having said that, he feels that some limits need to be established to avoid overloading the DPW. One possible limitation would be to say that residents will have to pay for a special pickup if a pile of yard waste exceeds a certain size;

(x) in response to a question, Mr. Brandmeier reported that a second letter has been sent to the owner of a lot on North Beach Drive that has about fifteen dead ash trees;

(xi) Mr. Brandmeier asked the Tree Commission to schedule a special meeting before the October Village Board meeting so that he and the Forester can prepare detailed recommendations which the Tree Commission can consider. He would then present the recommendations to the Village Board. If the recommendations are adopted by the Village Board, he would propose that the new policies be made effective as of January 1, 2019.

Mr. Brandmeier left the meeting at 5:20 p.m.

2. Approval of Minutes.

The minutes of the March 29, 2018, meeting were approved.

3. Old Business

a. Consideration of Minimum Tree Canopy Target

Forester Gall noted that the tree canopy in Fox Point is currently rated at 64%, more than twice the state average and one of the highest in Milwaukee County. Given the high number of ash trees in Fox Point, it is certain that EAB will have an impact on the tree canopy, although the extent of the impact is unknown at this time. He recommends that the Tree Commission defer consideration of setting a tree canopy target until the effects of EAB are better known.

b. Indian Creek Woods - Ash Removal and Replanting

Forester Gall has been working with Village staff on planning for the winter removal of the ash trees in the Indian Creek Woods. All of these ash trees are infested with EAB. He hopes to reduce the budget impact of this removal by using some unused funds from 2018 and additional funds from 2019. He expects to be using "replanting" trees from a local nursery and will be applying for grants to pay for replanting the woods.

c. DNR Forestry Grant or Bay Lakes Replanting Grant

Forester Gall will apply for a Bay Lakes Replanting Grant for the Indian Creek Woods replanting. He will not be applying for a DNR Forestry Grant

d. Stormonth Response to EAB

Forester Gall stated that he met with the Director of Facility Services at Stormonth on July 26, 2018, and that he was pleased to discover that the Director was well informed about EAB. Further, Forester Gall reported that he noticed on his way to the meeting that ash trees were being removed at Stormonth. He has sent a letter to the Director recommending that the school develop a plan to remove the ash trees on their property.

4. New Business

a. 2019 Arbor Day Planning

Forester Gall reported that he has been in contact with Maple Dale School about holding the 2019 Arbor Day Observance at Maple Dale, with the intention of alternating the Arbor Day Observance between Maple Dale and Stormonth schools. He thanked Susan Westergard for her assistance in making these arrangements.

b. Forester's Activities Report

Forester Gall reported that 427 ash trees were treated during the past spring (at a cost of about \$30,000) and that 129 trees were planted (cost about \$21,300). About 370 ash trees on public property in the Village still need to be removed. This will be done over the next three years. Seven of ten London Plane trees that were planted last year died or are dying. They will be replaced by the supplier.

c. Discuss Future Meeting Dates and Topics

The next meeting date is Thursday, September 27, 2018, at 4:00 p.m.

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

No other matters were raised.

The meeting was adjourned at 5:40 p.m.