



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

February 19, 2026

Tegeler Residence

Present: Commissioners Steve Tegeler, Jeremy Laws, Steve Miller

Staff: Deputy Clerk Addie Tych, and Clerk Treasurer Amy Myhre

Guests: Councilmember Tom Stowe

Commissioner Tegeler called the meeting to order at 7:05 pm.

PUBLIC COMMENT

None.

MINUTES

MOTION: Commissioner Laws moved to approve the January 15, 2026, minutes. Commissioner Miller seconded. Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

COUNCIL UPDATE

Councilmember Stowe gave the Council update. The Department of Commerce has determined that the Town's adopted Comprehensive Plan is inconsistent with state planning requirements and has selected the Town for the Housing Accountability Act Selected Review Program. The Town is one of eight jurisdictions selected for this review. Mayor Howes, Councilmember Stowe, Town Attorney Linehan, Town Engineer Schroeder, Clerk Myhre and Deputy Clerk Tych met with two representatives from the Department of Commerce to discuss the Town's Comprehensive Plan.

Town Engineer Schroeder re-sent the Town's Comprehensive Plan to Commerce, and Commerce will respond with their specific requests in the upcoming weeks.

Tree Code – *for discussion*

The Planning Commission continued its targeted review of the Tree Code at the direction of the Town Council. The Council requested that the Commission focus on specific topics rather than pursue a full code rewrite. This meeting focused on fines and penalties for tree removal and associated mitigation requirements.

Fines and Penalties for Unpermitted Tree Removal

Commissioners reviewed whether fines for private trees should remain tied to permit approval or shift to a standard structure. Options discussed included a minimum fine of \$10,000 plus \$1,000 per inch of diameter for each protected tree removed without a permit, with no maximum cap. Public tree fines could follow a similar formula with a higher multiplier, proposed

at 1.5.

The Commissioners also considered how fines for tree removals should scale with size, species, or significance. Defining protected trees by species and size may require input from the Town Arborist. Commissioners discussed whether all public tree removals should be fined or if a minimum threshold, such as six inches in diameter, should apply. Clarification will be sought from Councilmember Dix on how and when public trees are designated and tagged, including any size or point-of-establishment criteria.

Commissioners confirmed that mitigation should be required for all unpermitted removals, with requirements doubled when a tree is removed without a permit. Replacement calculations will use tree units, and larger replacements may be required for landmark trees. The Town Arborist may be able to provide guidance on practical considerations for replacement tree sizes.

The Commission also noted the desire to examine tree removals in recent construction projects to understand recent trends and identify potential incentives for tree retention. Staff will review building permits where trees were removed and provide them to the Commissioners for review at a future meeting. Follow-up will also include clarification from Councilmember Dix regarding how Town trees are tracked, including tagging frequency and any minimum size requirements.

Mitigation Requirements and Processes

Commissioners discussed whether mitigation should vary by tree type (private, hazardous, dead, ROW/Town) and agreed that mitigation should be required for private, hazardous, and ROW/Town trees. No mitigation is needed for dead trees.

Commissioners reviewed whether offsite planting should be permitted, and agreed that it should not be permitted.

Discussion was held over who should be responsible for mitigation survival of Town trees, and there was debate over requiring a bond to ensure mitigation trees' survival or possibly placing a lien on a home if a mitigation tree dies and the owner does not replace it. More research on bond implementation needs to be done, and the Town may reach out to WABA to see how they have dealt with Bonds. The Town Attorney may be a resource for the feasibility of placing a lien on a home.

Commissioners also considered how inspections on mitigated trees should be tracked and enforced, including if trees die or ownership changes. There was consensus that enforcement needs to be realistic and feasible for the Town and staff, and suggestions of putting the mitigated tree on the site plan, recording tree bonds on the home's title, and having staff, the Councilmember in charge of trees, or the landscape contractor follow up on mitigated trees were considered.

Additional discussion of fines and mitigation will continue at the next meeting, as well as the topics of ROW/Town trees, and dead trees.

Adjourn: Commissioner Tegeler moved to adjourn the meeting at 8:51 pm. Commissioner Laws seconded. Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

Next Meeting: The next meeting is scheduled for March 19th.

Respectfully submitted,

Amy Myhre, Clerk/Treasurer
Town of Beaux Arts Village