

**VILLAGE OF FONTANA ON GENEVA LAKE**  
**WALWORTH COUNTY, WISCONSIN**  
(Official Minutes)

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION  
**Monday, July 30, 2012**

Chairman George Spadoni called the monthly meeting of the Village of Fontana Plan Commission to order at 5:30 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Plan Commissioners present:** Roll call: Trustee Spadoni, Scott Vilona, Micki O'Connell, President Arvid Petersen, Sarah Lobdell

**Plan Commissioners absent:** Harry Nelson, F.J. Frazier

**Also present:** Jason Bernard, Jade Bolack, Charles Coleman, Administrator/Treasurer Kelly Hayden, Merilee Holts, Bob Klockars, Library Director Nancy Krei, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Eric Nyman, Building Inspector/Zoning Administrator Ron Nyman, John O'Neill, Trustee Rick Pappas, Bob Peryea, Mike Slavney, Scott Timm, Trustee Cindy Wilson, Director of Public Works Craig Workman

**Visitors Heard**

None

**Announcements**

1. Big Foot Recreation Movies on Municipal Beach – Saturdays, August 4 & 18, 2012, Dusk
2. Chapters 17 & 18 Rewrite Project Public Hearing – Monday, August 6, 2012, 6:00 pm
3. Village Board Meeting – Monday, August 6, 2012, 6:00 pm
4. GLLA Board Meeting – Wednesday, August 8, 2012, 10:00 am
5. CDA Board Meeting – Wednesday, August 8, 2012, 6:00 pm
6. 2012 Board of Review – Thursday, August 9, 2012, 2:00 pm
7. Partisan Primary Election – Tuesday, August 14, 2012, 7:00 am to 8:00 pm
8. FW/WPCC Board Meeting – Tuesday, August 14, 2012, 7:30 pm
9. Library Board Meeting – Wednesday, August 15, 2012, 10:00 am
10. Plan Commission Staff Meeting – Wednesday, August 15, 2012, 1:00 pm
11. Park Commission Meeting – Wednesday, August 15, 2012, 6:00 pm
12. Geneva Lake Environmental Agency Board Meeting – Thursday, August 16, 2012, 7:00 pm
13. Lakefront and Harbor Committee Meeting – Wednesday, August 22, 2012, 4:30 pm
14. Finance Committee Meeting – Thursday, August 23, 2012, 6:00 pm
15. Fontana Triathlon – Saturday, August 25, 2012, 7:00 am
16. Plan Commission Monthly Meeting – Monday, August 27, 2012, 5:30 pm

**Approve Minutes**

Commissioner Lobdell/President Petersen 2<sup>nd</sup> made a MOTION to approve the minutes for the meeting held June 25, 2012, and the MOTION carried without negative vote.

**General Business**

**Fontana Mart, 286 Valley View Drive, BSOP Amendment Application for Shell Gas Station**

Hayden stated that the application was filed to authorize a change in the signage at the Fontana Mart to switch from a BP to a Shell gas station. As well as a recommendation by the Plan Commission to the Village Board for final approval consideration, the BSOP application will have to be reviewed by the CDA Board because the property is located in the TID and the project is estimated to cost more than \$10,000. Village Planner Mike Slavney stated that staff reviewed the proposed new signage versus the existing signage and the recommendation is to require compliance with the new zoning code standards and to bring the character of the building more in line with the Master Plan. Slavney

stated that if the applicant agrees to the 14 suggested conditions in the staff report, staff recommends approval. The staff report recommended conditions for approval are:

1. The proposed 32-square-foot illuminated monument sign shall be allowed with the condition that the base is upgraded to a traditional (standard) monument base (as opposed to the existing metal pole) with additional landscaping.
2. A 1.5-square-foot illuminated "OPEN" sign shall be allowed with the condition that the sign be illuminated with LEDs (light-emitting diodes).
3. The proposed 20-square-foot main building "SHELL FONTANA MART" wall sign shall be allowed with the condition that the material used is a wood texture look. This sign may be illuminated by an approved gooseneck-style lighting fixture.
4. The proposed 10-square-foot main building "FOOD MART" wall sign shall be allowed with the condition that the material used is a wood texture look. This sign may be illuminated by an approved gooseneck-style lighting fixture.
5. Proposed main building color bar (yellow and red) shall not be allowed. The area shall be beige or off-white and complimentary to the existing main building.
6. No signage shall be allowed on the accessory structure (canopy).
7. No color bar (yellow and red) shall be allowed on the accessory structure (canopy). The canopy edge shall be beige or off-white and complimentary to the existing main building.
8. On-pump signs and color bars must be less than or equal to 1-square-foot. Anything larger is not permitted.
9. All other external signage (i.e., "PICADILLY PIZZA") shall be removed and shall not be replaced.
10. Temporary signage as allowed through the Village of Fontana Municipal Code (i.e., temporary banners, menu-board signage) shall be applied for prior to installation and use. Application may be made through the Building & Zoning Department and does not require BSOP approval, unless as determined otherwise by the Zoning Administrator.
11. All other permanent signage or modifications to the approvals herein shall require application and approval as described in the Village of Fontana Municipal Code.
12. All building, zoning and electrical permits shall be applied for and obtained prior to the installation of and use of any approved signage. BSOP approval shall not alleviate the applicant from securing all required permits.
13. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building & zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed.
14. Any signage not approved, or without issued proper permits, that are installed or used at any time, whether permanent or temporary in nature, shall be subject to municipal violations and citations as described in the Village of Fontana Municipal Code.

After the Plan Commission voted unanimously to approve a motion to recommend Village Board approval of the application subject to the 14 conditions listed in the staff report, project applicant Scott Timm of Colortech of Wisconsin, Inc., stated that he was representing the property owners and he has concerns with the staff report conditions numbers 6 and 7. Timm stated that he also would like clarification on staff condition number 8. Spadoni stated that the Plan Commission already had voted to recommend approval of all 14 staff recommended conditions; however, he encouraged Timm and the property owner to meet with staff prior to the Village Board meeting on August 6, 2012 and the CDA Board meeting on August 8, 2012.

President Petersen/Commissioner O'Connell 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the Building, Site and Operational Plan amendment application as filed, with the following 14 conditions:

1. The proposed 32-square-foot illuminated monument sign shall be allowed with the condition that the base is upgraded to a traditional (standard) monument base (as opposed to the existing metal pole) with additional landscaping.

2. A 1.5-square-foot illuminated "OPEN" sign shall be allowed with the condition that the sign be illuminated with LEDs (light-emitting diodes).
3. The proposed 20-square-foot main building "SHELL FONTANA MART" wall sign shall be allowed with the condition that the material used is a wood texture look. This sign may be illuminated by an approved gooseneck-style lighting fixture.
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6. No signage shall be allowed on the accessory structure (canopy).
7. No color bar (yellow and red) shall be allowed on the accessory structure (canopy). The canopy edge shall be beige or off-white and complimentary to the existing main building.
8. On-pump signs and color bars must be less than or equal to 1-square-foot. Anything larger is not permitted.
9. All other external signage (i.e., "PICADILLY PIZZA") shall be removed and shall not be replaced.
10. Temporary signage as allowed through the Village of Fontana Municipal Code (i.e., temporary banners, menu-board signage) shall be applied for prior to installation and use. Application may be made through the Building & Zoning Department and does not require BSOP approval, unless as determined otherwise by the Zoning Administrator.
11. All other permanent signage or modifications to the approvals herein shall require application and approval as described in the Village of Fontana Municipal Code.
12. All building, zoning and electrical permits shall be applied for and obtained prior to the installation of and use of any approved signage. BSOP approval shall not alleviate the applicant from securing all required permits.
13. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building & zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed.
14. Any signage not approved, or without issued proper permits, that are installed or used at any time, whether permanent or temporary in nature, shall be subject to municipal violations and citations as described in the Village of Fontana Municipal Code.

The MOTION carried without negative vote.

### **Charter Communications Request for Wild Duck Road Easement**

Spadoni asked why a representative from Charter was not at the meeting to present the request. Workman stated that the proposed access easement was filed by Charter Communications at the request of AT&T to place a fiber optic line that needs to be brought to the existing cellular tower site at the DPW. Workman stated that the existing easement to the tower runs up the driveway, and if approved, the new easement will allow for the new line to be buried underground along the existing fence line, and the parking lot pavement will not have to be torn up and resurfaced for the project. Spadoni asked what Charter was offering to the Village residents and property owners in exchange for approving the easement; and he suggested that some sort of discount be established for cable television subscription fees or that Charter provides a guarantee that no more channels will be eliminated. Workman stated that Charter offered to install fiber optic cable to the shop, but nothing else has been discussed. O'Connell asked if the fiber optic line will benefit AT&T subscribers, and Workman replied that he does not know. Petersen suggested that Charter write a letter or provide more information to the Village Board that outlines the advantages of approving the easement request. Workman stated that Charter currently has an approved easement that would allow them to install the fiber optic line right up the middle of the existing driveway. Lobdell stated that the Village should be sure that the easement does not call cutting down some trees and shrubs similar to a recent situation with an easement with Wisconsin Power and Light.

Commissioner O'Connell/Commissioner Lobdell 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the Wild Duck Road easement request as presented, and the Roll Call vote was as follows:

Commissioner Vilona – Aye

Commissioner O'Connell – Aye

President Petersen – Aye

Commissioner Lobdell – Aye

Chairman Spadoni – No

The MOTION carried on a 4-1 vote, with Commissioners Nelson and Frazier absent.

**Chapters 17 and 18 Rewrite Proposal Public Hearing – Monday, August 6, 2012, 6:00 pm**

Spadoni stated that the public hearing has been scheduled and notices have been posted and mailed out to property owners. Slavney stated that he and Brandy Howe at Vandewalle and Associates have been tracking all the calls they have received, and the callers have been satisfied with the explanation and information they have received. Hayden stated that she and Village Attorney Dale Thorpe met earlier in the day with representatives of the Geneva Lake Conservancy and the lakefront business owners and there was headway made on the commercial definition in the anti-pyramiding ordinance language.

**Adjournment**

President Petersen/Commissioner Vilona 2<sup>nd</sup> made a MOTION to adjourn the Plan Commission meeting at 5:50 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 Plan Commission, the official minutes will be on file at the Village Hall.

APPROVED: 9/4/12