

**VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN**

(Final Minutes)

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION

Monday, June 26, 2023

Chairman Petersen called the monthly meeting of the Plan Commission to order at 5:00 pm on June 27, 2023 in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Plan Commissioners present: Chairman Trustee Pete Petersen, Trustee Rick Pappas, Cindy Wilson, Sarah Lobdell, Tara Ramljak, Bob Ahern

Plan Commissioners absent: Lisa Laing

Also Present: Suzy Brady, Chief Cates, Mary Constable (Geneva Lake Conservancy), Pete Davis, Kevin Day, Kevin Day (Lowell Custom Homes), Rick Donner, Dan Fina, Nicholas Jayne, Cary Kerger, Sonja Kruesel, Theresa Loomer, Scott Lowell, Drew Lussow, Rick Manthy, Joe Michaels, Erik Olsen, Kathy Perkins, Julie Runzel, Allison Schwark, Dale Thorpe

Visitors Heard

None

Approve Minutes May 30 and June 15, 2023

The minutes from the May 30, and June 15, 2023 meetings were distributed.

Commissioner Trustee Pappas/Commissioner Wilson 2nd made a MOTION to table the meeting minutes to further review them and bring them back at the next meeting for approval, and the MOTION carried without negative vote.

Plan Commission Public Hearing

Planned Development Rezone Application Filed by Abbey Provident Venture LLC, at 1776 S. Naperville Road, #204B, Wheaton, IL 60189 for Rezone from Village Center Zoning to Planned Development Zoning for a Condominium Development (Residences on Geneva Lake) Including Residential and Commercial Uses Located on Tax Parcels SOP 00039, SOP 00041, SOP 00042, & SOP 00043

The public hearing was then opened at 5:03 pm. Village Attorney Dale Thorpe asked if Developer for the Abbey, Scott Lowell would like to go over the additional pages that were submitted to address the overhang that was brought up at the Special Plan Commission meeting on June 15, 2023. Scott Lowell agreed and stated that in the updated site plans that were submitted to the Plan Commissioners and the Village they will notice that the overhang that was correctly caught by Trustee Pappas has been corrected and has been removed to bring that section of the project into compliance with the setbacks for that area. In addition, Scott Lowell asked to have three letters that were prepared by residents in support of the Abbey Project entered into the record. Attorney Thorpe stated the letters have already been submitted to the Village and the Plan Commissioners have already reviewed these letters in the previously submitted meeting packet but did allow Mr. Lowell to have them entered on the record. Attorney Thorpe then asked the Plan Commissioners if they would like to hear one more time from the Village Planner Sonja Kruesel. The Plan Commissioners stated they would like to hear Village Planner Kruesel's expert opinion on the matter and turned it over to her to present her findings. Village Planner Kruesel gave a brief summary of the project up to this point. She stated that the current submittal is a request for a planned development which contains 17 residential and two commercial units in the project. The applicant plans on completing a certified survey map to combine the parcels they acquired for the proposed planned development and as such would allow them some flexibility when it comes to zoning standards. Village Planner Kruesel also stated that based on their proposal there would be a total of five separate buildings with three being completely residential in nature and the two closest to Fontana Boulevard containing one unit of

commercial space each. Village Planner Kruesel elaborated that the Village's Comprehensive Master Plan states that the zoning for this area is listed as central mixed use and encourages if there is residential it is reserved for the upper story while the bottom/first floor is reserved for commercial. Village Planner Kruesel also stated that this encourages offices, pedestrian traffic, commercial spaces, all to enhance the Village's downtown district which is the intention of Village Center zoning. Village Planner Kruesel also stated that the current project supports about 57 proposed parking spaces with 23 of those spaces being surface parking. She lastly added that the density of the proposed application is about 12.9 dwelling units per acre which is above what the Village allows so the applicant is seeking some flexibility on that. Ultimately, she stated that while the applicant has a right to ask for certain flexibilities with the project it is up to the Village if they want to allow them and try and stick as closely and consistently as possible to the Comprehensive Master Plan. Attorney Thorpe then asked Village Planner Kruesel if Vandewall had a recommendation as a whole for the project. Village Planner Kruesel stated that based on her review of the project and staff from Vandewalle that they would give a recommendation of approval for the project however there are certain aspects of the project they would like to have seen addressed better such as the height of the retaining wall. Chairman Trustee Petersen then asked if the public had any questions for or against what is being proposed and a few residents spoke up. The first was Mary Constable on behalf of the Geneva Lake Conservancy. Constable brought up issues of increase of density due to the project along with potential issues of pollutants running off into the lake that could harm wildlife and the lake itself. She also had questions about how the stormwater would be handled for the project. At the end of her presentation, she asked that her letter she prepared also be incorporated into the record. The next resident to speak was Dan Fina, 749 Odsila Way, he had a question about the conservancy's statement and asked how there would be stormwater issues and runoff problems when those issues were already addressed by the engineers of both the Abbey and Village. Chairman Trustee Petersen then asked that all residents who wish to speak make sure they are addressing the Plan Commission and not each other. Chairman Trustee Petersen then asked if anyone else had anything in addition to add. Julie Runzel, N1596 Shore Haven, made a comment expressing her concern of the size of the project and thought there would have to be some sort of compromise that could be reached between everyone to still allow for some residential and commercial but also at a smaller size to not disrupt the peacefulness of Fontana Boulevard. Resident Kathy Perkins, 834 S. Lakeshore, also made a comment following up and agreeing but ultimately stated that the Village desperately needs more commercial and that if you asked any other of the business owners in the area, they would say they are doing well and that is because the community supports their local businesses well. Lastly, resident Suzy Brady, 240 Reid St., made some comments about her views on the project. She stated that she had concerns about the height and density of the project but also agreed with Mary Constable and believes this project will bring more traffic and boats on the lake which could cause more pollutants and more congestion on the waterways and in the Village. She then stated her concerns with the lack of commercial space and read off a list of names of local businesses that are thriving in the area. She said all these business owners took a chance and have found ways to make their businesses work in the Village and believes that if the Abbey allowed for more spaces, they would definitely attract business who would be interested in coming here. She lastly asked that a few letters containing 12 pages of signatures that were submitted and signed by all the residents opposed to the project be made into the record.

Plan Commission General Business

Plan Commission Recommendation on Planned Development Rezone Application Filed by Abbey Provident Venture LLC, at 1776 S. Naperville Road, #204B, Wheaton, IL 60189 for Rezone from Village Center Zoning to Planned Development Zoning for a Condominium Development (Residences on Geneva Lake) Including Residential and Commercial Uses Located on Tax Parcels SOP 00039, SOP 00041, SOP 00042, & SOP 00043

Commissioner Trustee Pappas/Commissioner Lobdell 2nd made a MOTION to deny the planned development rezone application filed by Abbey Provident Venture LLC based on the negative

finding on criteria number two from Section 18-247(e), as presented. The roll call vote was as follows:

Commission Member Ramljak – Aye

Commission Trustee Pappas – Aye

Commission Member Wilson – Aye

Commission Member Ahern – Aye

Commission Chairman Trustee Petersen – Aye

Commission Member Lobdell – Aye

The MOTION carried on a 6-0 vote with Commissioner Laing absent.

Commissioner Trustee Pappas / Commissioner Wilson 2nd made a MOTION to adopt resolution 062623-01 confirming the denial of the Abbey Provident Planned Development Rezone Application, as presented and read by Attorney Thorpe. The roll call vote was as follows:

Commission Chairman Trustee Petersen – Aye

Commission Trustee Pappas – Aye

Commission Member Ramljak – Aye

Commission Member Wilson – Aye

Commission Member Ahern – Aye

Commission Member Lobdell – Aye

The MOTION carried on a 6-0 with Commissioner Laing absent.

Plan Commission Recommendation on Precise Implementation Plan Filed by Abbey Provident Venture LLC, at 1776 S. Naperville Road, #204B, Wheaton, IL 60189 for Tax Parcels SOP 00039, SOP 00041, SOP 00042, & SOP 00043

Commissioner Ramljak/Commissioner Wilson 2nd made a MOTION to deny the Precise Implementation Plan filed by the Abbey Provident Venture LLC based on the denial of the Planned Development Rezone Application and negative findings on criteria number two from Section 18-247(e), as presented. The roll call vote was as follows:

Commission Chairman Trustee Petersen – Aye

Commission Trustee Pappas – Aye

Commission Member Ramljak – Aye

Commission Member Wilson – Aye

Commission Member Ahern – Aye

Commission Member Lobdell – Aye

The MOTION carried on a 6-0 with Commissioner Laing absent.

Plan Commission to Consider Action on Certified Survey Map Application Filed by Abbey Provident Venture LLC, at 1776 S. Naperville Road, #204B, Wheaton, IL 60189 for Tax Parcels SOP 00039, SOP 00041, SOP 00042, & SOP 00043

Commissioner Trustee Pappas/Commissioner Ahern 2nd made a MOTION to approve the Certified Survey Map Application filed by the Abbey Provident Venture LLC, as presented. The roll call vote was as follows:

Commission Chairman Trustee Petersen – Aye

Commission Trustee Pappas – Aye

Commission Member Ramljak – Aye

Commission Member Wilson – Aye

Commission Member Ahern – Aye

Commission Member Lobdell – Aye

The MOTION carried on a 6-0 with Commissioner Laing absent.

Plan Commission Recommendation on Condominium Plat Application Filed by Abbey Provident Venture LLC, at 1776 S. Naperville Road, #204B, Wheaton, IL 60189 for Tax Parcels SOP 00039, SOP 00041, SOP 00042, & SOP 00043

Commissioner Ramljak/Commissioner Lobdell 2nd made a MOTION to deny the Condominium Plat Application filed by Abbey Provident Venture LLC based on the negative finding on criteria number two from Section 18-247(e) and consistency with the denial of the Planned Development Rezone Application, as presented. The roll call vote was as follows:

Commission Chairman Trustee Petersen – Aye

Commission Trustee Pappas – Aye

Commission Member Ramljak – Aye

Commission Member Wilson – Aye

Commission Member Ahern – Aye

Commission Member Lobdell – Aye

The MOTION succeeds 6-0 with Commissioner Laing absent.

Discussion or Action on Village of Fontana’s Annual Comprehensive Plan Amendment Process

Village Planner Sonja Kruesel informed the Plan Commission members that the annual Comprehensive Plan Amendment cycle is underway, and the public has until August 1st to submit any proposed amendments. Village Planner Kruesel also distributed a proposed schedule and application form that can be used. Village Planner Kruesel explained the notification process and steps required by both the Village Board and Plan Commission including the PPP, notification and publication process, and required meetings of the Village Board and Plan Commission.

Adjournment

Commissioner Lobdell/Commissioner Wilson 2nd made a MOTION to adjourn the meeting at 6:04 pm, and the MOTION carried without negative vote.

Minutes prepared by: Drew Lussow/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: 09/25/2023