

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

(Official Minutes)

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION

Monday, August 29, 2022

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

Plan Commissioners present: Cindy Wilson, Sarah Lobdell, Chairman Petersen, Lisa Laing, Tara Ramljak, Bob Ahern

Plan Commissioners absent:

Also Present: Kevin Day, Cary Kerger, Sonja Kruesel, Theresa Loomer, Scott Lowell, Drew Lussow, Martin Murphy, Kathy Perkins, Bonnie Schaeffer, Dale Thorpe

Visitors Heard

None

Approve Minutes

June 27, 2022

The minutes from the June 27, 2022 Plan Commission and Joint ETZ meeting were distributed. Commissioner Lobdell/Commissioner Ramljak 2nd made a MOTION to approve the minutes from the June 27, 2022 Plan Commission and Joint ETZ meeting, and the MOTION carried without negative vote.

Public Hearing

Chapter 18-177 Revised Tree Preservation Ordinance

Chairman Petersen opened the public hearing at 5:03 pm. Village Attorney Dale Thorpe gave a brief description of the comprehensive amendments to the tree preservation ordinance. Attorney Thorpe stated the main points he addressed were the elimination of an arborist opinion and making it at the Village's discretion, next he added language to allow access by Village staff to inspect the property, third to offer more flexibility and leniency to the required survey of the property, and lastly the major change was the dead tree replacement requirement being removed unless the tree was negligently or intentionally harmed. Attorney Thorpe stated these changes will allow the Village to better describe the work that is being undertaken out in the filed by Village staff and allow for more compliance. No one spoke for or against the ordinance amendment. The public hearing was closed at 5:05 pm.

Chapter 18-227(b) Revised Noise Standards Ordinance

Chairman Petersen opened the second public hearing of the night at 5:06 pm. Attorney Thorpe outlined the need for the revised ordinance to better help regulate noise and issues stemming from short-term rentals. Police Chief Cates spoke and expressed his and his staff's frustration in the growing amount of noise complaints they are receiving from the public regarding the short-term rentals. Attorney Thorpe explained this ordinance change will allow both the renters, owners, and even property management companies to be cited for the complaints. Commissioner Ahern asked if there were ways to track down the management companies who are allowing such improper rentals and Administrator Loomer stated the Village has the information for all licensed properties, but it is typically the ones who are not registered or licensed that are creating the issues. No one else spoke for or against the proposed ordinance change. The public hearing was then closed at 5:09 pm.

Plan Commission General Business

Chapter 18-177 Revised Tree Preservation Ordinance

Commissioner Wilson/Commissioner Ahern 2nd made a MOTION to recommend Village Board approval of the proposed amendments to Chapter 18-177 tree preservation ordinance, and the MOTION carried without negative vote.

Chapter 18-227(b) Revised Noise Standards Ordinance

Commissioner Laing/Commissioner Lobdell 2nd made a MOTION to recommend Village Board approval of the amendments to chapter 18-227(b) noise standards ordinance, and the MOTION carried without negative vote.

569 Mill Street Planned Development Concept Review

Property owner Martin Murphy presented his concept review plans for the 569 Mill Street property. He stated that based on the documents he has provided to the Commission that the current plans would be to construct an apartment building with underground parking for the site. He also stated he is working with the state DOT to obtain access to the right-of-way to use the existing driveway off the highway for proposed residents to turn in on as a second access point in addition to turning in from Mill Street. Village Planner Kruesel and Zoning Administrator Schaeffer expressed concerns about the high density of the unit per acre, stormwater runoff and calculations for green space. All information would need to be provided moving forward. Attorney Thorpe stated the concept plans is missing details regarding setbacks for the proposed project, side yards, the area of the whole project, and how the land is ultimately being developed. Attorney Thorpe also would like to see resolution on whether the right-of-way area is something the applicant can gain access to or if an agreement can be reached between the applicant and the state. The Commission thanked Mr. Murphy for his time and Mr. Murphy appreciated the feedback and will provide additional information once available.

Abbey Resort Townhomes Planned Development Concept Review

Attorney Dale Thorpe asked Village Planner Sonja Kruesel to briefly summarize the concept review planned development that has been submitted by the Abbey Provident. Planner Kruesel explained that the application for the planned development filed by Abbey Provident is for the building and development of townhomes. She also explained that the property is currently zoned as central mixed-use which is inconsistent with the comprehensive plan. A comprehensive plan amendment application has been filed in conjunction with the planned development application. Scott Lowell, on behalf of Abbey Provident, then presented his concept review plans for the intended planned development. He stated that currently the space is being used as a parking lot for employee parking and a dilapidated home that sits on the north lot. They are looking to demolish the home and transition the extra parking lot space into townhomes on the boulevard. The townhomes would be 3-4 bedrooms for a total of 19 units and include parking. Owner of the Abbey Provident, Cary Kerger, spoke in favor of the project and stated he and Lowell have been working hard together to bring this project to the Village and he believes it will be beneficial to both parties. Scott Lowell stated that he would like to have a potential meeting with the Village Engineer to discuss sewer and water plans for the structure. Attorney Thorpe explained they should contact him soon so that those plans could be brought to the Commission for review as well. Commissioner Wilson voiced her opinion against the proposed build and referenced that we have enough living spaces currently in the area and that the space should be reserved for retail opportunities that will attract more people to the Village and offer something for residents to do rather than keep inviting more short-term rentals or seasonal guests. Commissioner Laing stated if the proposed townhomes are approved, it is likely that it will never go back to being mixed use. Mr. Kerger said he would bring more data that backs up the decision to pursue residential over retail in this area. Chairmen Petersen and the Commission thanked them for their presentation.

Abbey Resort Comprehensive Plan Amendment Process Review

Village Planner Sonja Kruesel described to the Commission that only one plan amendment was filed for the Village this year and it was done so by the Abbey Resort. Their application which was filed properly seeks to amend the text in the land use category of the planned development. Both applications have been filed concurrently.

Plan Commission Adoption of Public Participation Plan

Village Planner Sonja Kruesel explained that the Public Participation Plan is a plan that is adopted annually by the Village. It outlines the plan amendment process for the public and explains what options are available to the public as well as dates and deadlines for the plan amendment.

Commissioner Ramljak/Commissioner Lobdell 2nd made a MOTION to approve the adoption of the Public Participation Plan on behalf of the Village of Fontana's Plan Commission, as presented, and the MOTION carried without negative vote.

Adjournment

Commissioner Lobdell/Commissioner Ramljak 2nd made a MOTION to adjourn the meeting at 6:05 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: 09/26/2022