

VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN

**(Final Minutes)**

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN  
COMMISSION And JOINT SESSION with VILLAGE OF FONTANA BOARD  
OF TRUSTEES

**Monday, September 29, 2025**

Trustee Chairman Petersen called the monthly meeting of the Plan Commission and Joint Session with the Village of Fontana Board of Trustees to order at 5:00pm on Monday, September 29, 2025 in the Village Hall Meeting Room, 175 Valley View Drive, Fontana, Wisconsin 53125.

**Plan Commissioners present:** Chairman Trustee Petersen, Trustee Pappas, Commissioner Sarah Lobdell, Commissioner Bob Ahern, Commissioner Lael Vandenburg, Commissioner Jim Kelly,

**Plan Commissioners Absent:** Commissioner Wilson

Village Board Members present: President Kenny, Trustee Petersen, Trustee Pappas, Trustee Marek, Trustee Vilonia, Trustee O'Neill (5:18pm)

**Village Board Members Absent:** Trustee Rowe

**Also Present:** Administrator Loomer, Clerk Liptak, Zoning Administrator Schwark, Planning Administrator Mich, Attorney Thorpe, Citizen Janice Lyon: 1025 S LAKESHORE DR, Citizen Maryann Bruss, Citizen Sidney "Skip" Bliss, Citizen John Ozsvath, Citizen Tom Freytag, Citizen John Tracy, Citizen Brian Bruss, Citizen Kim Davertin, Citizen Terry Clarke, Citizen Alan Brecher, Representative of Residences of Geneva Lake (RGL) Scott Lowell and RGL Attorney Donner

**Pledge of Allegiance**

All gathered recited the Pledge of Allegiance

**Visitors Heard**

None

**Approval of Minutes**

The minutes from the August 25, 2025, meeting were distributed.

Commissioner Lobdell /Commissioner Kelly 2<sup>nd</sup> made a MOTION to approve the meeting minutes for the August 25, 2025 meeting, as presented, and the MOTION carried without negative vote.

**Village Board Public Hearings – Patrick Kenny**

President Kenny opened the Public Hearing at 5:02 pm. Chapter 6 of the Comprehensive Plan was distributed along with the staff report and the application for the comp plan amendment. Village Planner Mich presented an overview of the reason for the Public Hearing and how the proceedings will be carried out. The Village of Fontana holds a Comprehensive Plan Amendment Cycle each year to consider applications to amend the Comprehensive Plan. The process is fairly lengthy and involved because it is the same process used to adopt the Comprehensive Plan. Because the Village had been receiving numerous requests throughout the year to amend the Comprehensive Plan, and it became burdensome to the Village Board and Staff, so the determination was made to limit the accepting of applications to an annual cycle.

The Village announced the 2025 amendment cycle in July and accepted applications through August 1st and applications that were considered complete were moved forward. Two applications were received during the application window. One of those applications was withdrawn, it was for the property formerly known as the Majestic Ski Hill, so it will not be on the agenda. One application

remains on the agenda regarding the Central Mixed Use Future Land Use Category.

Per the Agenda there is a multi-step process that is closely aligned with state statutes. State Law requires the Village Board to hold the Public Hearing, which is somewhat unusual for development review, typically that is at the Plan Commission. Per state statutes, the Village Board cannot amend the Comprehensive Plan against the recommendation of the Plan Commission. Thus, if the Plan Commission does not recommend approval of the resolution, then the proposed amendment will not be considered by the Village Board. Following, the Plan Commission will consider action, namely approval or denial of a resolution concerning the proposed Comprehensive Plan amendment.

Mich explained the process is a little bit different than another application, like a Conditional Use Permit or a Rezoning. For a Conditional Use Permit an application would be brought to the Plan Commission for recommendation to the Village Board to approve or deny the request. In this case the Plan Commission has an important role. If the Plan Commission recommends approval of the resolution, then the Village Board will consider an ordinance to adopt the proposed amendment. However, if the Plan Commission recommends denial of the proposed amendment, the item dies there. Mich recommended that Plan Commissioners keep that in mind that theirs could be the last vote on this item

The proposed amendment application is for a Text amendment. Mich stated that most commonly they see land use map changes for land use. In this case they are looking for a change to the text, specifically to Chapter 6 to the land use chapter, which includes the description of the Central Mixed Use Future Land Use Category. A future land use map is essentially the Village's vision for the future use of the land throughout the Village. The Future land use map is not the same as a zoning map and so does not necessarily align with what the zoning and land use are today, because it is designed to reflect the values of the Village and how the Village will develop and how parcels will be developed in the future. All future zoning changes, including rezoning or PUDs need to be consistent with the Village's Comprehensive Plan. The Village can consider rezoning only after going through the Comprehensive Plan Amendment Process first. By creating a chain of approvals this process values the Comprehensive Plan and preserves and protects the Village's vision for the development of the Village.

The application being considered is a request from Residences of Geneva Lake for a text amendment to page 58 of Chapter 6: Land Use to accommodate exclusively residential projects within the "Central Mixed Use" future land use category. The Central Mixed-Use area is a small area between 3<sup>rd</sup> Ave, Fontana Blvd, Hwy 67 and Reid street. Planner Mich presented that the future land use map is to be utilized for decision making on future land use and does not necessarily represent what the current use of land use is or the current zoning and that the map is intended to inform future land use decisions and how those decisions and approvals are made by the Village.

Scott Lowell was invited to present his application, and his attorney Rick Donner accompanied him. Lowell stated that he was looking for a text amendment that would benefit the Village down the road by adding language to the comp plan. Lowell stated that he has had potential commercial owners who would buy the whole building and use the apartments for key staff, and both have walked away from the project because of a lack of parking. Lowell stated that the Village has a responsibility to the Village to provide more parking. Attorney Donner stated that they are asking the Village to add language allowing the Village flexibility to consider allowing a strictly residential property within the central mixed-use district as long as the project complies with certain criteria. 1. If the project is consistent with the goals and policies of the central mixed-use district and 2. If the Village thinks it's within the best interest of the Village to do so. Attorney Donner states that the Comprehensive plan fails to recognize certain existing conditions like the seasonal nature of the Village, the high construction costs, the rents that would have to be charged or the on-street parking problems that exist. Donner stated that the Comprehensive Plan

is restricting how private property is used and that the dependency on street parking that the Village is not providing. Donner asked if the Plan Commission is not going to support the text amendment change, how will the Village support the parking needs for the Central Mixed-Use District. No questions were asked to the applicant by the Plan Commission or the Village Board.

Several Members of the audience spoke out with comments about where the project is taking place. Citizen Maryann Bruss 167 Third Ave, former business owner of a thriving business for 13 years downtown, commented that while parking is at times tight, it is not generally a problem, even in the summer, there are places people can park. Additionally, she stated that when RGL began developing their project the parking was essentially the same as it was back then and that nothing has changed, including parking. Citizen Sidney “Skip” Bliss 644 S Lakeshore Dr, stated that the RGL project has changed since it started and the Plan Commission reviewed this project when it started and spent a lot of time considering it and the Plan Commission voted against the RGL project, and then after the Plan Commission the project went to the Village Board who approved the project. In addition, Bliss stated he does not have an issue with parking in the Village and asked the Plan Commission to remember that there is a peak season and an off season and there is opportunity for small space retail in the Village. Citizen John Ozsvath 520 Pheasant Ridge Ln stated that the decision is also tied to the Public Safety Building and concerns for parking and implementing future plans. Citizen Tom Freytag: 533 N Lakeshore Dr asked if the Plan Commission is looking to build a “Lake Geneva West” and create more congested Fontana and increase traffic problems. Planner Mich stated that the Central Mixed-Use area pertains to essentially three blocks and so it can’t be compared to Lake Geneva. Lobdell stated that narrowly defined issue at present is to consider a strictly residential development in the Central Mixed-Use area, and the Plan Commission is not considering expanding the retail and mixed-use areas at this time. Freytag requested more information about the comments made by Bliss that the Plan Commission voted unanimously against this project. Thorpe stated that the application at that time was for zoning changes and there are no zoning applications being considered here.

Citizen John Tracy 278 Third Ave stated that retail and parking go hand in hand and parking is needed. He asked the Board to listen to the community that agrees we need more parking. Citizen Brian Bruss 167 Third Ave, stated that he is looking for places to go out and do something within the community, and does not have to drive far to places like Lucy’s breakfast restaurant used to be, he wants somewhere to eat. Citizen Kim Daberton 148 Fontana Blvd stated that by going to single use residences has not created the traffic problems, it is a matter of density and the VRBOs that are in the Village. At one location the VRBO may have 5 cars going to one parking spot, which creates problems. She thinks density is the problem and the planning is the problem; we need better planning.

Chairmen Petersen asked Planner Mich to summarize the comments so far. Mich stated what she has heard concerns about parking and how the PUD was handled in the past and the Public Safety Building, even though those things are not at issue tonight, though they are related to parking. People are looking for places to go, not just parking lots or condos. Even if the issue tonight was resolved it would not solve parking issues. Citizen Terry Clarke 452 Hillcrest Dr. stated that what is at issue is whether the Village sticks with the comprehensive plan or changes it to benefit the developer. The Comprehensive Plan was developed and considered, and a lot of time and effort and money went into the comprehensive plan and to consider changing it now is way outside of bounds of what the plan was intended to do. Citizen Alan Brecher: 1025 S Lakeshore Dr, stated that there are parking solutions that could be used like building up and on pylons and have parking underneath the building, which could solve the parking issue. There was no one else speaking for or against the topic at this time and the public hearing. At 5:44 pm President Pat Kenny closed the Public Hearing.

**Plan Commission General Business – Arvid Petersen**

**Consider Action on Resolution Recommending Text amendment to Chapter 6 to accommodate exclusively residential projects within the “Central Mixed Use” future land use category.**

Attorney Thorpe stated that according to the state statute 66.1001 if the Plan Commission doesn't recommend in favor, then the Village Board is stripped of the right to vote on anything. If the Plan Commission votes in favor of the amendment, then it goes to the Village Board to vote on it, so it is an important vote. Pappas inquired the impact on the Village Board's discretion going forward on approving projects in Central Mixed Use considering when they approved the RGL project, less than 10% of those units were 1<sup>st</sup> floor commercial. The way Pappas reads the comprehensive plan is that the 1<sup>st</sup> floor is supposed to be all commercial, and in the past the Board was able to allow less than 10% be used for commercial. In the past the Board did that, but would they still be able to do that in the future? Thorpe stated that it is hard to answer hypothetical questions with certainty because each application is different and there is not an application in front of him to consider that kind of zoning change. Thorpe stated that in fairness to the applicant the only question to answer is whether to approve the language change to this text for the Central Mixed Use. Thorpe stated that statute says the Village Board may not adopt any ordinances that are inconsistent with the Comprehensive Plan, a rezoning or rezoning amendment would require an ordinance – which would be the second step, if they were ever to get there. The only question is whether to add the language to Central Mixed Use. Pappas stated that there are three buildings within the Central Mixed-Use district that are purely residential since the properties were split up by the Board, so why not put it in writing that the Board can have that authority to make one off decisions. Lobdell stated because there is a comprehensive plan that reflects the values of the Village and it is worth staying true to the Plan, and it is a very small area in the downtown to protect. Pappas stated that we have veered away from the Master Plan since it was adopted. Lobdell stated that if the language is loosened then other problems could be created down the road. Commissioner Kelly agreed that it is important to stick to the Comprehensive Plan and noted that in comments received via email, others who have developed successfully in the Central Mixed Use District abided by the demands of the Comprehensive Plan.

Commissioner Lobdell/Commissioner Vandenburg 2<sup>nd</sup> made a MOTION to deny the proposed amendment to Chapter 6 of the Comprehensive Plan to accommodate exclusively residential projects within the “Central Mixed Use” future land use category incorporating the Planner Analysis and Recommendations set forth in the Staff Report, and the roll call vote was as follows:

Trustee Chairperson Petersen, Nay

Commissioner Kelly, Aye

Commissioner Ahern, Aye

Trustee Pappas, Nay

Commissioner Vandenburg, Aye

Commissioner Lobdell, Aye

The MOTION carried on a 4-2 vote with Commissioners Petersen and Pappas, opposed.

#### **Village Board General Business – Patrick Kenny**

##### **Consider Action on Ordinance adopting Text amendment to Chapter 6 to accommodate exclusively residential projects within the “Central Mixed Use” future land use category.**

Attorney Thorpe stated for purposes of the record, that Plan Commission voted against the Amendment to the Comprehensive Plan, and that the Village Board is stripped of the jurisdiction to vote on this item and no action is needed.

#### **Adjournment Village Board of Trustees**

Trustee Marek /Trustee Pappas, 2<sup>nd</sup> made a MOTION to Adjourn at 5:53 pm and the MOTION carried without a negative vote.

#### **Plan Commission General Business – Arvid Petersen**

##### **Discussion or Action on ISSC 00030 South Shore Condo Plat Amendment Chad Pollard**

The Plat Amendment application and staff report were distributed. Attorney Chad Pollard on behalf of Gullo Property LLC has a request to shift a buildable footprint by 3-feet. The Plan Commission has Platt review jurisdiction over this property which lies within the Extraterritorial Jurisdiction. For this

application all the approvals needed for this change have been obtained. For this application the homeowner would like to shift the buildable footprint only slightly, 3 feet from where it sits now. All requirements have been met, and approval is recommended by the Zoning Administrator.

Commissioner Lobdell/ Commissioner Vandenburg made a MOTION to approve the ISSC 00030 South Shore Condo Plat Amendment Chad Pollard, and the MOTION carried without a negative vote.

**Discussion or Action on 848 Geneva Lane CSM application**

The CSM application and staff report were distributed. Schwark stated that the applicant wants to combine four lots into one so that they can complete a construction project and meet the setback requirements. Staff recommend approval of the proposed parcel combination CSM with the condition that all engineering comments be adequately addressed.

Trustee Pappas / Commissioner Kelly made a MOTION to approve the 848 Geneva Lane CSM application, and the MOTION carried without a negative vote.

**Adjournment Plan Commission**

Trustee Pappas / Commissioner Ahern, 2<sup>nd</sup> made a MOTION to Adjourn at 6:02pm and the MOTION carried without a negative vote.

Minutes prepared by: Bonnie Liptak, Village Clerk

Note: These minutes are subject to further editing. Once approved by the Village Board, the official minutes will be kept on file at the Village Hall.

APPROVED: 11/10/2025