

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

(Final Minutes)

JOINT MEETING of the VILLAGE OF FONTANA PLAN COMMISSION & VILLAGE OF
FONTANA VILLAGE BOARD OF TRUSTEES

Monday, October 30, 2023

Village Clerk Lussow called the monthly meeting of the Plan Commission to order at 5:00 pm on September 25, 2023 in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

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

Village Board Members Present: President Pat Kenny, Trustee Marek, Trustee O'Neill, Trustee Livingston

Plan Commissioners absent: Chairman Trustee Pete Petersen, Trustee Rick Pappas,

Village Board Members Absent: Trustee Petersen, Trustee Pappas, Trustee McGreevy

Also Present: Steve Beers, Kevin Day, Christina Green, Sonja Kruesel, Theresa Loomer, Drew Lussow, Chad Pollard, Allison Schwark, Kristi Tarantino, Dale Thorpe

Visitors Heard

None

Elect Chairperson Pro-Tem

Due to the absence of Chairman Trustee Petersen a chairperson pro-tem was appointed for the meeting. Village Clerk Lussow asked for one of the Plan Commissioners to make a motion to appoint a chairperson pro-tem.

Commissioner Ahern/Commissioner Wilson 2nd made a MOTION to appoint Commissioner Lobdell as Chairperson Pro-Tem for the meeting, and the MOTION carried without negative vote.

Approve Minutes September 25, 2023

The minutes from the September 25, 2023, meeting was distributed.

Commissioner Laing/Commissioner Ramljak 2nd made a MOTION to approve the meeting minutes for the September 25, 2023 meeting, as presented, and the MOTION carried without negative vote.

Plan Commission Public Hearing

Village of Fontana Amendment to the Comprehensive Plan – Regarding Future Land Use Map

The public hearing opened at 5:01 pm. Village Planner Sonja Kruesel stated that the proposed amendments to the Village's Comprehensive Plan are sponsored this year by the Village and act as a "clean-up" amendment to designate future land uses to the map since there are currently areas on the map that haven't been designated for any future use. Village Planner Kruesel explained that of the 30-34 parcels affected, they looked at these areas on the map and kept them consistent with what the zoning was surrounding these affected areas and parcels. Village Planner Kruesel mentioned it is important to designate these future land uses to ensure what kind of future projects can take place in these zoned areas going forward. Commissioner Laing asked if any of the proposed amendments would affect current zoned parcels in the Village. Village Planner Kruesel stated that none of the amendments would affect any current zoned parcels and it is only for the future land use designations. Commissioner Lobdell then asked if any other person had anything to say about the proposed amendments either for or against it. Attorney Chad Pollard on behalf of his client the Shodeen Family / Dave Patzelt spoke against the proposed changes since he mentioned some of the land effected was his client's and the proposed zoning changes wouldn't allow them to currently proceed how they would like to use the land for a proposed project they are working on. Village Planner Kruesel mentioned she had spoken with Attorney Pollard before and stated that when it comes time for their project to be presented to the Village, they could always ask for a zoning map change and file the

required paperwork and the Plan Commission could review it at that time. There was no one else speaking for or against the topic at this time and the public hearing was then closed at 5:11 pm.

Ordinance Amendment Creating Sections 18-211(n) Amending Sections 18-27(m), 18-28(m), 18-29(m), 18-30(m), 18-31(m), 18-32(m), 18-33(m), 18-34(m), 18-35(m), 18-36(m), 18-37(m), 18-38(m), 18-39(m), 18-41(m), and 18-42(m) – Regarding Sidewalk Setbacks

The public hearing opened at 5:15 pm. Village Planner Sonja Kruesel stated that the proposed ordinance was prepared by Vandewalle and Associates and it is to address how private sidewalks are handled in the Village. Planner Kruesel mentioned that the ordinance allows for private sidewalks to be addressed with width limitations and setbacks like driveways and other pathways. In addition, it also allows for changes in code for sidewalks to cross property lines and meet the streetway when necessary. Commissioner Lobdell asked if anyone in attendance had anything else to say for or against this proposed ordinance and no one spoke for or against it at that time and the public hearing was closed at 5:18 pm.

Conditional Use Permit Filed by Kenneth Harkness for Accessory Dwelling Unit for the Property Located at 443 N Lakeshore Dr

The public hearing opened at 5:19 pm. Zoning Administrator Schwark stated that this application is a request by Kenneth Harkness for an accessory dwelling unit at the property located at 443 N. Lakeshore Drive. Zoning Administrator Schwark mentioned that in her staff report that has been included in the meeting packet that there are 10 conditions that need to be followed in order for the CUP to be approved and after reviewing the application the applicant has met all required conditions. Attorney Christina Green on behalf of her client, Kenneth Harkness, then stated that the current application calls for the accessory dwelling unit to be attached to the new property that is being proposed to be built and will go through the proper building and zoning permits when that time comes. Commission Wilson asked how the property is currently situated, and Green mentioned that the current garage is detached from the property which is the reason they are bringing this application forward. Attorney Green also mentioned that there are three letters of support of the application from neighboring property owners who believe the proposed application and changes would be a good thing for the neighborhood. Attorney Thorpe raised a question about including a fourth provision along with the conditions needed for approval that the existing structure be torn down within one year to make sure the project stays on track. Attorney Green had no issues with the request and Zoning Administrator Schwark said she would add an updated version of her staff report. No one else spoke for or against the topic, the public hearing was closed at 5:25 pm.

Plan Commission General Business

Plan Commission's Adoption of Resolution Recommending for Village of Fontana Amendment to the Comprehensive Plan – Regarding Future Land Use Map

Commissioner Laing/Commissioner Wilson 2nd made a MOTION to approve Resolution 103023-01 for Amendments to the Comprehensive Plan Regarding Future Land Use Map, as presented, and the MOTION carried without negative vote.

Recommendation on Ordinance Amendment Creating Sections 18-211(n) Amending Sections 18-27(m), 18-28(m), 18-29(m), 18-30(m), 18-31(m), 18-32(m), 18-33(m), 18-34(m), 18-35(m), 18-36(m), 18-37(m), 18-38(m), 18-39(m), 18-41(m), and 18-42(m) – Regarding Sidewalk Setbacks

Commissioner Laing/Commissioner Ramljak 2nd made a MOTION to recommend Village Board approval of the Ordinance Amendment Creating Sections 18-211(n) and Amending Sections 18-27(m), 18-28(m), 18-29(m), 18-30(m), 18-31(m), 18-32(m), 18-33(m), 18-34(m), 18-35(m), 18-36(m), 18-37(m), 18-38(m), 18-39(m), 18-41(m), and 18-42(m) Regarding Sidewalk Setbacks, as presented, and the MOTION carried without negative vote.

Recommendation on Conditional Use Permit Filed by Kenneth Harkness for Accessory Dwelling Unit for the Property Located at 443 N Lakeshore Dr

Commissioner Ramljak/Commissioner Laing 2nd made a MOTION to recommend Village Board approval of the Conditional Use Permit filed by Kenneth Harkness for Accessory Dwelling Unit for the property located at 443 N. Lakeshore Drive, as presented, and the MOTION carried without negative vote.

Discussion or Action on CSM Application filed by Kristi Tarantino for Property Located at 490 S. Lakeshore Dr

Zoning Administrator Allison Schwark mentioned that this is a request for a Certified Survey Map (CSM) application submitted by Kristi Tarantino for her property at 490 S. Lakeshore Drive. In her application she is requesting to combine the lots of the two parcels she owns. The first parcel is currently vacant, while the other currently has an existing home that she hopes to have torn down and rebuilt once the two lots are combined. Applicant Tarantino then stated that the reason for doing this is to allow for a bigger home but to also bring her property into compliance with the Village code since the older property was not and wouldn't be able to without combining the lots. Zoning Administrator Schwark stated staff has reviewed the application and worked with the applicant to ensure that the application is complete and that they have no issues with what is being asked.

Commissioner Wilson/Commissioner Laing 2nd made a MOTION to approve the Certified Survey Map (CSM) Application filed by Kristi Tarantino for Property Located at 490 S. Lakeshore Drive, as presented, and the MOTION carried without negative vote.

Update on Letter Directed by Plan Commission to Village Board Pertaining to Plan Commission Procedures

Attorney Thorpe stated that the Village Board review and read the letter at their last Village Board meeting. He stated that the Village Board agreed with what the Plan Commission brought forth in their letter and seemed amenable to conducting their business with them as they proposed going forward with the policies and procedures they suggested. Administrator Loomer stated that going forward any public hearing on larger projects or any applicants who ask to directly be placed on a Village Board agenda will then have the Plan Commission members invited to those meetings so that both the Board and Plan Commission are seeing any documents or initial plans presented at the same time and can offer each other feedback throughout the process.

Village Board General Business

Village Board's Adoption of Ordinance Approving Village of Fontana Amendment to the Comprehensive Plan – Regarding Future Land Use Map

Trustee O'Neill/Trustee Marek 2nd made a MOTION to approve Ordinance 103023-01 Approving Amendments to the Village of Fontana's Comprehensive Plan Regarding Future Land Use Map, as presented, and the MOTION carried without negative vote.

Adjournment Village Board

Trustee O'Neill/Trustee Marek 2nd made a MOTION to adjourn the meeting at 5:34 pm, and the MOTION carried without negative vote.

Adjournment Plan Commission

Commissioner Ahern/Commissioner Ramljak 2nd made a MOTION to adjourn the meeting at 5:35 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: 12/18/2023