

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

VIRTUAL MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION
Monday, November 30, 2020

Elect Chairman Pro-Tem

Commissioner Ahern/Commissioner Wilson 2nd made a MOTION to elect Trustee Prudden as the Chairman pro-tem. The MOTION carried without negative vote.

Trustee Prudden called the virtual meeting of the Plan Commission to order at 5:31 pm.

Plan Commissioners present by phone: Trustee Prudden, Cindy Wilson, George Spadoni, Sarah Lobdell, Bob Ahern, Bob Kirkland

Plan Commissioners absent: Trustee Petersen

Also Present: Rick Ackman, Caroline Baird, Craig Henninger, Kevin Day, Karen House, Tim Lynch, Theresa Loomer, Mike Puttrich, Bonnie Schaeffer, Mike Slavney, Stephanie Smith, Nona Sorren, John Strong, John Swider, Dale Thorpe, Randi Wille

Visitors Heard

None

Approve Minutes

October 26, 2020

The minutes from October 26, 2020 meeting were distributed.

Commissioner Kirkland/Commissioner Lobdell 2nd made a MOTION to approve the minutes from the October 26, 2020 meeting, and the MOTION carried without negative vote.

Plan Commission Public Hearing

Conditional Use Permit Application filed by Rick Ackman on behalf of Big Foot Country Club for an expansion of an existing patio for outdoor entertainment at 770 Shabbona Drive

The public hearing was opened at 5:33 pm. Randi Wille, 237 Jensen Drive, stated he lives directly across from the existing patio and during the evening hours the lighting and noise gets to be a lot. Wille stated he would like Big Foot Country Club to consider what type of entertainment they have after 7:00 pm, and if possible, to alter the patio so it would face a different direction. Rick Ackman spoke on behalf of the Big Foot Country Club and stated the country club has been a part of the community since 1924 and currently has 137 members. Ackman stated the current patio is too small and they utilize the grass area off the patio for overfill. They are only looking to change the surface; they would be utilizing the same area, just making the surface more accommodating for the members. The current conditions result in wet grass and uneven surfaces. Loomer stated a letter was submitted via email by five neighbors on Jensen Drive and one neighbor on Shabbona Drive and was forwarded to the members of the Plan Commission for review. Nona Sorren, 209 Jensen Drive, stated she has concerns with the noise level. This past summer the noise level was high, however, she stated she attributed that to more outside events due to COVID. Sorren was concerned with the plans that showed the patio size doubling which would result in double the people. Sorren expressed concern that she was unsure if all neighbors received the notice due to going south for the winter. Sorren hopes that Big Foot Country Club will consider how the resulting noise will affect neighboring property owners. John Strong, 846 Tarrant Drive, stated he had a few questions regarding the patio expansion. He wondered how many times noise complaints were made to the

police and with the increased patio size how many people they are looking to accommodate. The public hearing was closed at 5:44 pm.

Planned Development Amendment Application filed by CALC Holdings LLC for a purchaser option of a second garage space or additional living space for the property located at 120-128 W. Main Street

The public hearing was opened at 6:08 pm. Attorney Dale Thorpe explained this is a recently approved planned development that showed a few units with inline garage parking for two vehicles and the other units with garage parking for one vehicle and a family room. The applicant was under the impression that in earlier approvals they achieved authorization to have the ability to have family rooms and a one-car garage or not have family rooms and offer a two-car garage. The amendment application is to allow the applicants the flexibility they thought they had. Craig Henninger explained this change being requested only applies to two units. Kim Dabertin, on behalf of Neutrino Properties, expressed concern over having the two car garage units to help alleviate on-street parking for the businesses nearby. Thorpe stated parking does comply with the Village Code and there is adequate parking on site. The public hearing was closed at 6:12 pm.

Plan Commission Business

Plan Commission Recommendation on Conditional Use Permit Application filed by Rick Ackman on behalf of Big Foot Country Club for an expansion of an existing patio for outdoor entertainment at 770 Shabbona Drive

Trustee Prudden questioned with the expansion if the country club would be staying within the same footprint of the grass area they had temporarily been using. Ackman stated the expansion would utilize the same size area and just changing the surface. Commissioner Ahern stated in the letter received from neighbors they asked to delay the hearing for 30 days. Attorney Dale Thorpe stated the public hearing required a Class II public hearing notice and was sent out as required by law. Commissioner Spadoni stated the application is not asking for anything more just changing the surface. To address the noise complaints that were stated earlier, sound travels and the noise is not only coming from Big Foot Country Club but from all outdoor entertainment. Commissioner Lobdell stated the application is only looking to change the surface not the use of the area and the noise complaints would be a separate issue. Commissioner Kirkland stated he is going to recuse himself from the vote as he is a member at Big Foot Country Club but stated at past meetings, he has been in favor of allowing businesses to expand their service areas, especially during the time of COVID. Commissioner Wilson expressed some concern that sound does reflect more off a solid surface versus a grass surface and questioned the amount of impervious surface. The concern with impervious surface was addressed in the letter from Village Engineer Terry Tavera. Ackman stated he believes the hours of operation held by Big Foot Country Club are the same as other establishments around the Village. Attorney Dale Thorpe stated the Plan Commission has three options: recommend in favor of the application presented tonight, deny the application based on objective material with defensible reasons for denial, or table for staff to come up with conditions to limit the potential negative effects. Village Planner Mike Slavney stated the Village has noise and lighting limits in the code that need to be adhered to. Slavney explained there would not be a need for staff to create special conditions for this property. Thorpe recapped by stating the code already enforces light and sound and nothing further is needed.

Commissioner Spadoni/Trustee Prudden 2nd made a MOTION to recommend Village Board approval of the conditional use permit application filed by Rick Ackman on behalf of Big Foot Country Club for an expansion of an existing patio for outdoor entertainment at 770 Shabbona Drive, and subject to the following staff conditions:

1. Subject to the plans as presented.
2. Subject to issuance of zoning permit and an erosion control permit prior to project commencement.
3. Subject to approval of a liquor license amendment to include the expansion area.

The MOTION was as follows:

Commissioner Lobdell – Aye

Commissioner Ahern – Aye

Trustee Prudden – Aye

Commissioner Wilson – Aye

Commissioner Spadoni – Aye

The MOTION carried on a 5-0 vote with Trustee Petersen absent and abstention from Commissioner Kirkland.

Plan Commission Recommendation on Planned Development Amendment Application filed by CALC Holdings LLC for a purchaser option of a second garage space or additional living space for the property located at 120-128 W. Main Street

Commissioner Kirkland/Commissioner Lobdell 2nd made a MOTION to recommend Village Board approval of the planned development amendment application filed by CALC Holdings, LLC, for a purchaser option of a second garage space or additional living space for the property located at 120-128 W. Main Street, and subject to the following staff recommendations:

1. Professional Staff recommends approval of the GDP and PIP amendments.

The MOTION carried without negative vote.

Plan Commission Recommendation on Certified Survey Map Application filed by John Bria for the property located at N2058 Hwy 67, Town of Walworth ETZ

Thorpe explained this a land division by way of an easement and the documentation is adequate. The conditions placed by staff require County and Town approval.

Commissioner Spadoni/Commissioner Lobdell 2nd made a MOTION to recommend Village Board approval of the certified survey map application filed by John Bria for the property located at N2058 Hwy 67, Town of Walworth ETZ, and subject to the following staff conditions:

1. Correct page 3 of the CSM signature block for the Town of Walworth
2. Town of Walworth and Walworth County approval.

The MOTION carried without negative vote.

Consider Utility Easement Amendment for the property located at 510 S. Lakeshore Drive

The amended easement is a minor revision to the original easement and modifies the area to include actual placement of the relocated manhole.

Commissioner Lobdell/Commissioner Spadoni 2nd made a MOTION to recommend Village Board approval of the Utility Easement Amendment for the property located at 510 S. Lakeshore Drive, and the MOTION carried without negative vote.

Adjournment Plan Commission

Commissioner Lobdell/Commissioner Kirkland 2nd made a MOTION to adjourn the Plan Commission meeting at 6:18 pm, and the MOTION carried without negative vote.

Minutes prepared by: Stephanie Smith, Deputy Clerk/Treasurer

Note: These minutes are subject to further editing. Once approved by the Plan Commission and Joint ETZ Committee, the official minutes will be on file at the Village Hall.

APPROVED: 01/25/2021