

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

(Official Minutes)

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION

Monday, September 30, 2019

Deputy Clerk/Treasurer Stephanie Smith called the monthly meeting of the Plan Commission to order at 5:32 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Plan Commissioners present: Roll call: Bob Kirkland, Robert Ahern, F.J. Frazier, Sarah Lobdell

Plan Commissioner Absent: Robert Grant, Trustee Petersen, Trustee Prudden

Also present: Kevin Day, Christina Green, Theresa Loomer, James McAvoy, Jim Origer, Ted Pankau, Ben Rohr, Mike Slavney, Stephanie Smith, Dale Thorpe

Elect Chairman Pro-Tem

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

Visitors Heard

None

Approve Minutes

Commissioner Lobdell/Commissioner Frazier 2nd made a MOTION to approve the minutes from the August 26, 2019 meeting, as presented, and the MOTION carried without negative vote.

General Business

120-126 W. Main Street Updated Concept Review – Tabled 08/26/19

Attorney Christina Green presented an updated concept review based on questions and concerns that were raised when 120-126 W. Main Street was presented to plan commission at the July meeting. The plan commission had asked for a better idea of what the buildings will look like and Green presented an updated, more detailed, rendering. Commissioner Frazier asked what the approximate square footage of the homes would be and the approximate price point. Green said the townhomes would be anywhere from 1,600-2,000 square feet and the price would be in the high \$300,000 range. There was concern about the natural springs on the property and groundwater problems. Engineering firm Farris & Hansen has been hired to address those concerns and Green stated flooding will not a problem and the runoff will be controlled. Trustee Petersen had previously asked about the EPA monitoring well on the property. Green stated she found out that there is a monitoring well on the property, but it has been closed; however, the DNR does have a deed restriction because there is environmental contamination under a portion of the building. The deed restriction states that as long as the building is standing nothing has to be done, but if the building comes down the soil will have to be remediated. The question was raised weather the client currently owns the building and Green responded that the building is currently under contract for purchase and the applicant has asked for an extension until January. Attorney Green said they would like to ask to be placed on the public hearing agenda for the October meeting. Attorney Dale Thorpe said he would recommend waiting until the Master Plan has been voted on and go in the proper order. By placing it on the public hearing agenda before the Master Plan has been voted on the plan commission would be asked to make findings that are not able to be made because the plan would not be master plan compliant. Thorpe said he would recommend placing the items on the public hearing agenda at the end of November so it would be voted on at the December Village Board meeting and at the same time the combined GDP and PIP could be voted on.

Jim Origer Updated Concept Review for Highlands Development

Jim Origer explained the concept plans they are working from are a rework of the proposed development approved in 2007 by John Tracy with the goal of building smaller single-family homes to attract school age children and families. The plans are to keep the lots small at an approximate size of 9,000 square feet to promote more green space throughout the rest of the property. The proposed development is 88 acres and 50 acres would be green space to limit water runoff and provide detention. Origer stated they are going to have pervious walking paths behind the homes with a possible connection to the school and park as opposed to the traditional sidewalks. The current plan has a side-yard setback of seven-and-a-half feet which is intentionally small in order to have narrow lots with less lawn to mow and less roadways. Origer said he would like to place a deed restriction to limit the amount of time a trailer can be parked in a driveway in an effort to make the subdivision look attractive. Near the front entrance to the subdivision there is a proposed community trailer parking lot so homeowners would have a place to park boat trailers. In the northwest corner of the property there is a proposed designated area for club garages and Origer stated he would like to sell pads so others could build their own garages – the idea stemmed from a request by the Water Safety Patrol for a storage area within the development for their equipment. Origer stated that they have an area on the concept plan devoted to a growing initiative which would be a community owned garden. As to the open space on the plan, he said he is looking for ownership suggestions. The ideas mentioned were turning the land over to the Village, having the land owned by the association, or turning it over to the conservancy. Attorney Dale Thorpe said the most common form of ownership for this type of area is fractional ownership, this way there is not just one tax bill, rather there are multiple bills and everyone owns a piece of the pie and the association can then place deed restrictions to control the area. Village Planner Mike Slavney said he is comfortable with the proposed density which is under two homes per acre and the fifteen-foot front yard setbacks for the dwelling, but recommended twenty-foot setbacks for the garages from the right of way to ensure any vehicles parked in the driveway are out of the right of way for the plows during the winter months. With the fifteen-foot setback for the dwelling and the twenty-foot setback for the garage it would ensure the house is set closer to the road than the garage and there is ample parking for larger vehicles and boats. Slavney also recommend the garage door width be less than forty-five percent of the width of the home to avoid the “garage-scape” look. The proposed side yard setback is 7.5-feet and Slavney recommended at least a ten-foot setback but noted the Village’s code requires a minimum 15-foot side yard setback. Slavney stated in his comments that the width separating the trailer parking area from adjacent properties should be a minimum of 50-feet and should be planted with fast growing landscaping to help screen the area. He stated the Water Safety Patrol garage should be well buffered from neighboring properties and screened as well. There was discussion amongst the plan commissioners on placing restrictions on the development to restrict short term rentals and bed and breakfast land uses. Slavney said the next steps would be the amendment to the future land use map as part of the comprehensive plan update and to proceed with the mixed-use development. Frazier had questioned about where the sewer would be connected and why the garages and trailer parking were placed at the main entrance. Origer showed the sewer coming from Brick Church Road and stated that they could possibly look at putting the garages and trailer parking at the back of the development versus the front. In response to a question, Loomer verified that all homes would be in the Fontana school district.

Zoning District and/or Map Amendment Application Filed by James McAvoy to Rezone a 7.09-acre project area from A3 to A4 and to Rezone Remaining 27.72 acres from A3 to A2 for Parcel EW 100005, located at W6060 Willow Bend Road in the ETZ- Set Public Hearing

James McAvoy was in attendance and explained that they are looking to build boat storage buildings on his 35-acre property in the Town of Walworth.

Commissioner Frazier/Commissioner Kirkland 2nd made a MOTION to schedule a public hearing for the zoning district and/or map amendment application filed by James McAvoy to rezone 7.09-acres from A-3 to A-4 and to rezone 27.72 acres from A-3 to A-2 at W6060 Willow Bend Road at

the next Plan Commission meeting scheduled for Monday October 28, 2019 at 5:30 pm. The MOTION carried without negative vote.

Conditional Use Permit Application Filed by James McAvoy for Boat Storage at W6060 Willow Bend Road in the ETZ– Set Public Hearing

Commissioner Ahern/Commissioner Frazier 2nd made a MOTION to schedule a public hearing for the conditional use permit application filed by James McAvoy, for W6060 Willow Bend Road for boat storage at the next Plan Commission meeting scheduled for Monday, October 28, 2019 at 5:30 pm. The MOTION carried without negative vote.

Repeal and Recreate Ordinance Section 18-40 (IV.)(d)(3) of the Municipal Code Regarding Abbey Harbor Marina Zoning Sub-District located at 271 Fontana Boulevard – Set Public Hearing

Commissioner Kirkland/Commissioner Frazier 2nd made a MOTION to schedule a public hearing for the text ordinance amendment for section 18-40 (IV.)(d)(3) regarding Abbey Harbor Marina zoning sub-district, at the next Plan Commission meeting scheduled for Monday, October 28, 2019 at 5:30 pm. The MOTION carried without negative vote.

Conditional Use Permit Application Filed by Abbey Harbor Condominium Association for Outdoor Pavilion at 271 Fontana Boulevard– Set Public Hearing

Commissioner Kirkland/Commissioner Ahern 2nd made a MOTION to schedule a public hearing for the conditional use permit application filed by Abbey Harbor Condominium Association for an outdoor pavilion at the next Plan Commission meeting scheduled for Monday, October 28, 2019 at 5:30 pm. The MOTION carried without negative vote.

Presentation of Comprehensive Plan Update First Draft- Set Public Hearing

Ben Rohr explained the project timeline, the issues and opportunities that were identified, possible adjustments to the future land use map, new implementation action items and addressed policy questions from staff review. The next steps are to incorporate all edits and changes into a second draft, provide a thirty day public notice and host the joint plan commission and village board public hearing and adoption at the November 4, 2019 meeting. It was determined that the village board votes to set the public hearing for the comprehensive plan update. The village board will vote on setting the public hearing at the meeting on October 2, 2019.

Amend Zoning Code Section 18-13, regarding Definition of Accessory Structure Or Use- Set Public Hearing

Commissioner Kirkland/Commissioner Ahern 2nd made a MOTION to schedule a public hearing for an amendment to zoning code section 18-13 regarding definition of accessory structure or use, at the next Plan Commission meeting scheduled for Monday, October 28, 2019 at 5:30 pm. The MOTION carried without negative vote.

Repeal and Recreate Ordinance Section 18-253(e), regarding Public Hearings and Section 18-253(f), regarding Variances of the Municipal Code -Set Public Hearing

Commissioner Frazier/Commissioner Ahern 2nd made a MOTION to schedule a public hearing for an amendment to zoning code section 18-253(e), regarding public hearings, and section 18-253(f), regarding Review and action by the zoning board of appeals, at the next Plan Commission meeting scheduled for Monday, October 28, 2019 at 5:30 pm. The MOTION carried without negative vote.

Adjournment

Commissioner Kirkland/Commissioner Ahern 2nd made a MOTION to adjourn the meeting at 6:50 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, the official minutes will be on file at the Village Hall.

APPROVED: 10/28/2019