

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

**(Preliminary Minutes)**

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION  
**Monday, November 25, 2019**

Deputy Clerk/Treasurer Stephanie Smith called the monthly meeting of the Plan Commission to order at 5:57 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, Robert Grant, Trustee Petersen

**Plan Commissioner Absent:** Trustee Prudden

**Also present:** Deb Boornazian, Suzie Brady, Chris Campbell, Bob Chanson, Kim Daberton, Kevin Day, Kimberly Dimaggio, Christina Green, Susan Hill, Theresa Loomer, Susan Olson, Jim Origer, Mike Puttrich, Todd Reschke, Bonnie Schaeffer, Mike Slavney, Stephanie Smith, Bob Stewart, Dale Thorpe

**Elect Chairman Pro-Tem**

Commissioner Frazier/Commissioner Ahern 2<sup>nd</sup> made a MOTION to elect Trustee Petersen as the Chairman pro-tem. The MOTION carried without negative vote.

**Visitors Heard**

Susan Hill stated she lives to the north behind the Cliffs and was wondering if any development was going to be taking place in that area.

**Approve Minutes**

Commissioner Lobdell/Commissioner Frazier 2<sup>nd</sup> made a MOTION to approve the minutes from the October 28, 2019 meeting, as presented, and the MOTION carried without negative vote.

**Plan Commission Public Hearing**

**Rezone from Village Center to Planned Development and General Development Plan Application for the property located at 120 & 126 W. Main Street, Fontana, WI 53125, for Parcel STFV 00176, filed by CALC Holdings LLC, 222 E. Roosevelt Road, Wheaton, IL 60187**

The public hearing was opened at 5:59 pm. Attorney Christina Green from Sweet and Maier was present representing CALC Holdings LLC. Green stated CALC Holdings is looking to build a 5-unit townhouse project on .48 acres located at 120 and 126 W. Main Street. The property currently contains two separate structures which are proposed to be removed. The applicant is requesting a rezone from village center zoning district to plan development. Green stated with the plan development they are requesting a few deviations. The first deviation being requested is land use. Green stated the village center zoning district currently only allows mixed use buildings and they are requesting only residential, no retail. The second deviation is an increase in the gross density. Currently village center zoning district allows five dwelling units per acre and they are requesting 5.2 dwelling units per acre. The last deviation requested is the front yard setback. The maximum front yard setback currently allowed for village center zoning district is 15 feet and they are requesting 30 feet. Green stated that other than the three deviations requested they meet all other village center zoning district requirements. The proposed building height is 34.9 feet, side yard setbacks are ten feet, building coverage is proposed to be 21% and green space is proposed to be 67%. Kimberly Dimaggio, 134 Lake Vista Circle, stated she paid additional for her lot for the view. She is opposed to be new townhome building because she feels it will block her view and she doesn't want to look out at people's porches. She stated with the buildings that are there now she can't see the porches and

the buildings don't block her view. Deb Boornazian, 133 Lake Vista Circle, stated she is opposed to the new development because she feels the lot is very small and feels that it will create big water problems in her back yard. She also expressed concern over the height of the building and that it would block her view. Village Planner Mike Slavney spoke to the concerns of the height of the building. Slavney stated the building complies to the height restrictions as the maximum height allowed is 35 feet and the building is proposed at 34.9 feet. He also stated that he has worked for the village for 30 years and the concerns raised with new buildings blocking the view of the old buildings has always been a challenge. Chris Campbell, 132 Main Street, stated he was concerned what would happen to the very old trees on his property that have been around for generations when they start digging. He stated the trees are taller than the building and located right on the property line, so he is afraid due to the size of the root systems when they start digging that they will hit them and cause damage to the trees. Kim Daberton from Neutrino Properties stated she had concerns over the springs they would run into on the property and what they plan to do with the water. She also had concerns over the deed restrictions and the soil contamination on the property. Attorney Green stated they have hired engineering firm Farris Hansen to address the water issues. They plan to install 10-inch drain tile which will drain into the village storm system and addressed the concern over the deed restriction. She stated that when the building comes down the soils will have to be mediated but they won't know exactly how much remediation is necessary until the buildings have been demolished. She added that the remediation will require DNR approval before moving forward. Susan Olson, 107 Lake Vista Circle, spoke to the concern of the height of the building and the increased density. She stated that Fontana is a quiet little Village and she feels three stories is too much. Suzy Brady, 221 Reid Street, stated as of now she can see the colors of the trees and the lights of The Abbey and a small slice of lake view. She feels the Village needs to tone down the height restrictions and feels it is taking precedence of the look of the Village. Mike Puttrich, 136 Lake Vista Circle, had concerns of what the back side of the townhouses is going to look like. Attorney Green stated the back will have screened porches and balconies and will be built into the hill so only the second and third levels will be visible. Village attorney Dale Thorpe suggested the Village can ask for a deed restriction so the vegetation, trees and the slope will remain untouched. The public hearing was closed at 6:26 pm.

### **Plan Commission Business**

#### **Plan Commission Recommendation on Rezone from Village Center to Planned Development for the property located at 120 & 126 W. Main Street, Fontana, WI 53125, for Parcel STFV 00176, filed by CALC Holdings LLC, 222 E. Roosevelt Road, Wheaton, IL 60187**

Commissioner Frazier asked that Attorney Thorpe explain the deed restriction. Thorpe stated the plan commission can ask for a deed restriction, so the vegetation, trees and slope are left untouched as they are and with the restriction, they have the general power to enforce.

Commissioner Ahern/Commissioner Grant 2<sup>nd</sup> made a MOTION to recommend Village Board approval on the rezone from Village Center to Planned Development for the property located at 120 & 126 W. Main Street, with the conditions that a deed restriction is placed so the vegetation, trees and slope remain untouched, and the MOTION carried without negative vote.

#### **Plan Commission Recommendation on Adoption of General Development Plan Application for the construction of townhouse for property located at 120 & 126 W. Main Street, Fontana, WI 53125, for Parcel STFV 00176, filed by CALC Holdings LLC, 222 E. Roosevelt Road, Wheaton, IL 60187**

Commissioner Lobdell asked how the CDA findings affect the plan commission's recommendation of adoption of the general development plan for the construction of townhouses. Attorney Thorpe explained the CDA is a barrier to authorize construction and no construction can take place until the CDA makes a recommendation in favor or against. There was discussion amongst commission members regarding storm water. Village planner Mike Slavney stated the stormwater management plan will need to be approved by Village engineer, DPW and DNR. Slavney also stated he feels the

applicant has some CDA design standards they can work on, such as the earth tone colors of the exterior and should come back with more details.

Commissioner Frazier/Commissioner Lobdell 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the adoption of General Development Plan application for the construction of townhouse for the property located at 120 & 126 W. Main Street, and the MOTION carried without negative vote.

**Consideration and recommendation of an amendment to the Comprehensive Plan's Future Land Use Map to depict twenty acres on the Zoe Acres property (EW 300008, N2107 HWY 67, Walworth, WI. within the Fontana ETZ) for Community Facilities land use rather than depicting only the currently developed area as now shown**

Slavney stated plan commission needs to make a recommendation to take the amendment to the Village Board.

Commissioner Frazier/Commissioner Lobdell 2<sup>nd</sup> made a MOTION to recommend Village Board approval on an amendment to the comprehensive plan's future land use map to depict twenty acres on the Zoe Acres property for community facilities rather than currently developed as now shown, and the MOTION carried without negative vote.

**Jim Origer Updated Concept Review for Highlands Development**

Jim Origer explained the concept plans presented reflect the changes plan commission suggested at the September meeting. He stated the trailer parking has been moved to the back away from the entrance and the side yard setbacks have been changed to ten feet. Village planner Mike Slavney expressed concerns with the current plan stated he felt that the lot sizes were becoming too large and the plan was moving away from the goal of affordable housing. The typical zoning for lots of the proposed size are just below the 10,000 square foot minimum required for the SR-4 zoning district. Origer stated he has investigated modular homes to help control the cost and not compromise the quality. He described the ideal home for the lots would be an 1800 square foot ranch. Origer explained a ranch that size would meet the price point and would fit into the footprints of the lot size. There was discussion amongst the commission members on the type of homes he was referring to and if they could see pictures of them. Origer stated the company he visited and was referring to was Stratford homes. He stated they have over 35 different types of homes and all homes would have a full basement. Slavney stated he had some concerns with the road width being too narrow to accommodate on-street parking and allow emergency vehicles access. Attorney Thorpe stated the Village does have a road ordinance and Slavney stated the proposed 24-foot-wide road is much narrower than what the ordinance requires. Origer explained with the narrow road width he is looking at less storm water to handle, less disturbed space and saving money. He explained the roads to be rural in nature with the walking paths in the back of homes. Slavney stated the paths would have to be asphalted to accommodate everyone. Origer explained with the layout he does not intend on a lot of traffic, mainly just residents, and with the 20-foot building setback cars could be parked two-wide and two-deep in the driveway and two could be parked in the garage as well. Thorpe stated that as defined by ordinance 17-8 rural has ditches and culverts for storm water and urban has curb and gutter. Slavney stated that without providing additional visitor parking areas the minimum road width for one sided parking is 28-foot-wide and 36 feet for two-sided parking. Bob Stewart, a property owner near the proposed development, expressed concerns over the trail to the school that was depicted on the map. He stated the trail crosses his property and that he is opposed to it. He expressed the need to keep children out of the gravel pit and also stated he does not believe storm water has been properly managed. Thorpe reminded the applicant that the approvals from the initially platted land must be reversed before new approvals can begin.

**Reschedule December meeting date due to the Holidays**

Loomer explained with the holidays the plan commission typically does not hold a December meeting, but asked if they would be willing to hold a special meeting prior to the December 9<sup>th</sup>

village board meeting in order to consider the PIP, Condo Plat and CSM for 120 & 126 W. Main Street.

**Adjournment**

Commissioner Lobdell/Commissioner Grant 2<sup>nd</sup> made a MOTION to adjourn the meeting at 6:58 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: