

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

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION  
**Monday, February 22, 2010**

Chairman Spadoni called the monthly meeting of the Village of Fontana Plan Commission to order at 5:30 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Plan Commissioners present:** Roll call: Micki O'Connell, President Arvid Petersen, Sarah Lobdell, Chairman George Spadoni, Mike Poivey, Derek D'Auria

**Plan Commissioner absent:** Sharon O'Brien

**Also present:** Steve Beers, Skip Bliss, Renee Cerny, Administrator/Treasurer Kelly Hayden, Rob Ireland, Todd Kabelka, Mike and Paulette Kawski, Alex Koldeway, Library Director Nancy Krei, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Joseph McHugh, Building Inspector Ron Nyman, Village Attorney Dale Thorpe, Director of Public Works Craig Workman

**Visitors Heard**

None

**Announcements**

1. Village Board Monthly Meeting Featuring Appearance by Charter Communications Representative – **Monday, March 1, 2010, 6:00 pm**
2. CDA Board Monthly Meeting – **Wednesday, March 3, 2010, 6:00 pm**
3. Protection Committee Meeting – **Monday, March 17, 2010, 4:00 pm**
4. Plan Commission Staff Meeting – **Wednesday, March 17, 2010, 1:00 pm**
5. Library Board Meeting – **Wednesday, March 17, 2010, 10:00 am**
6. Park Commission Meeting – **Wednesday, March 17, 2010, 6:00 pm**
7. Finance Committee Meeting – **Thursday, March 18, 2010, 5:00 pm**
8. Plan Commission Monthly Meeting – **Monday, March 29, 2010, 6:00 pm**

**Approve Minutes**

Commissioner O'Connell/Commissioner Poivey 2<sup>nd</sup> made a MOTION to approve the minutes for the meeting held January 25, 2010 as presented, and the MOTION carried without negative vote.

**Public Hearing**

**Conditional Use Permit Application Filed by Lowell Management Services, Inc. for Three-Car Garage & Upper Level Guest Quarters at 289 Stearns Road**

Chairman Spadoni opened the public hearing at 5:31 pm. Nyman stated that the application was filed to authorize the construction of a 27-foot-high, 3-car garage with an accessory living quarters located on the upper level. Accessory structures in excess of 15 feet and accessory living quarters are allowed in the RS-1 Zoning District through the CUP process. Nyman stated that the staff report recommends approval with the following four conditions:

1. All findings from the Ruckert-Mielke correspondence dated January 12, 2010 shall be complied with.
2. A complete submittal for building and zoning permits shall be applied for.
3. All outstanding cost recovery fees billed to date shall be paid prior to the issuance of any permits.
4. An as-built foundation and height surveys shall be submitted as required by the Municipal Code.

Spadoni closed the public hearing at 5:32 pm. In response to a question from O'Connell, Nyman stated that the proposed accessory structure with living quarters meets the standards of the zoning code. Thorpe stated that the subject lot is actually large enough to accommodate three single-family homes.

Commissioner D'Auria/Commissioner Poivey 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the Conditional Use Permit application as filed by Lowell Management Services, Inc., for the construction of a three-car garage and upper level guest quarters at 289 Stearns Road, with the following four conditions:

1. All findings from the Ruckert-Mielke correspondence dated January 12, 2010 shall be complied with.
2. A complete submittal for building and zoning permits shall be applied for.
3. All outstanding cost recovery fees billed to date shall be paid prior to the issuance of any permits.
4. An as-built foundation and height surveys shall be submitted as required by the Municipal Code.

The MOTION carried without negative vote.

### **General Business**

#### **Building, Site and Operational Plan & Conditional Use Permit Filed for Frontier Flowers, 531 Valley View Drive – Set Public Hearing**

The BSOP application was filed by Renee Cerny to authorize the relocation of her Frontier Flowers business from 104 W. Main Street to the existing commercial building at 531 Valley View Drive. Cerny is seeking approval for an extensive exterior remodeling project for the entry facing Highway 67 as well as an addition to the rear portion of the building facing Mill Street. Since the property is located in the TIF District and the project cost will exceed \$10,000, it required approval by the CDA. The CDA Board reviewed the proposal at its February 3, 2010 meeting and approved a motion to approve the renovation/addition proposal as submitted. President Petersen stated that the CDA approved the proposal, but they requested Cerny to put more emphasis on making the rear of the building more attractive. The staff report states that because the property is located in the C-2 zoning district, a permitted use by right is allowed subject upon the approval of a BSOP. The staff report recommends approval of the BSOP application as submitted with the following seven conditions:

1. Signage shall be approved as follows: One 6-foot-by-4-foot on-building sign, to be located at the "peak" of the proposed canopy, lit: 24-square-foot maximum; One LED "Open" sign, provided it meets the requirements of Section 18-254(b)(14) of the Municipal Code.
2. A complete submittal for building, zoning and mechanical permits for building alterations and signage shall be applied for.
3. A Conditional Use Permit shall be applied for and obtained for any additional signage.
4. All outstanding cost recovery fees billed to date shall be paid prior to the issuance of any permits.
5. Building and Zoning permits shall not be issued prior to the issuance of all applicable and necessary permits for the primary structure on this lot.
6. Any changes or modifications to the above shall be applied for and approved by the Village Board through a Building, Site and Operational Plan amendment.
7. All findings from the Ruckert-Mielke correspondence dated February 5, 2010 shall be complied with.

The Conditional Use Permit application was filed to authorize additional signage, and staff recommended scheduling a public hearing for the next monthly meeting on Monday, March 29, 2010 beginning at 5:30 pm.

Commissioner Lobdell/Commissioner Poivey 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the Building, Site and Operational Plan application as submitted by Renee Cerny for Frontier Flowers, 531 Valley View Drive, with the following seven conditions:

1. Signage shall be approved as follows: One 6-foot-by-4-foot on-building sign, to be located at

- the “peak” of the proposed canopy, lit: 24-square-foot maximum; One LED “Open” sign, provided it meets the requirements of Section 18-254(b)(14) of the Municipal Code.
2. A complete submittal for building, zoning and mechanical permits for building alterations and signage shall be applied for.
  3. A Conditional Use Permit shall be applied for and obtained for any additional signage.
  4. All outstanding cost recovery fees billed to date shall be paid prior to the issuance of any permits.
  5. Building and Zoning permits shall not be issued prior to the issuance of all applicable and necessary permits for the primary structure on this lot.
  6. Any changes or modifications to the above shall be applied for and approved by the Village Board through a Building, Site and Operational Plan amendment.
  7. All findings from the Ruckert-Mielke correspondence dated February 5, 2010 shall be complied with.

The MOTION carried without negative vote.

President Petersen/Commissioner O’Connell 2<sup>nd</sup> made a MOTION to schedule a public hearing for Monday, March 29, 2010 beginning at 5:30 pm to consider the Conditional Use Permit application filed by Renee Cerny for Frontier Flowers, 531 Valley View Drive, to authorize additional signage, and the MOTION carried without negative vote.

**Building, Site and Operational Plan filed for Catering Kitchen, 106 W. Main Street**

The BSOP was filed to authorize a new business, “Thyme on Geneva Lake,” to operate from the commercial building at 106 W. Main Street. Mike Kawski stated that the business will require minor interior modifications to install a catering kitchen. The staff report states that because the property is located in the C-2 zoning district, a permitted use by right is allowed subject upon the approval of a BSOP. The staff report recommends approval of the BSOP with the following six conditions:

1. Signage for “Thyme on Geneva Lake” shall be approved as follows:
  - a. One on-building sign on East wall: Maximum 30-square-feet.
  - b. One on-building sign on South wall: Maximum 8-square-feet
  - c. One monument sign not to exceed 12-square-feet (and 6 feet in height)
2. A complete submittal for building, zoning and electric permits for interior alterations and signage shall be applied for.
3. Permits shall be obtained for the monument sign at such time the applicant is ready to install. However, if the monument signage is for a different business, that business owner shall apply for signage and business approval through the BSOP process.
4. All outstanding cost recovery fees billed to date shall be paid prior to the issuance of any permits.
5. Building and Zoning permits shall not be issued prior to the issuance of all applicable and necessary permits for the primary structure on this lot.
6. Any changes or modifications to the above shall be applied for and approved by the Village Board through a Building, Site and Operational Plan amendment.

Commissioner O’Connell/Commissioner D’Auria 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the Building, Site and Operational Plan application as filed for Thyme on Geneva Lake to operate at 106 W. Main Street, with the following six conditions:

1. Signage for “Thyme on Geneva Lake” shall be approved as follows:
  - a. One on-building sign on East wall: Maximum 30-square-feet.
  - b. One on-building sign on South wall: Maximum 8-square-feet
  - c. One monument sign not to exceed 12-square-feet (and 6 feet in height)
2. A complete submittal for building, zoning and electric permits for interior alterations and signage shall be applied for.
3. Permits shall be obtained for the monument sign at such time the applicant is ready to install. However, if the monument signage is for a different business, that business owner shall apply for signage and business approval through the BSOP process.

4. All outstanding cost recovery fees billed to date shall be paid prior to the issuance of any permits.
5. Building and Zoning permits shall not be issued prior to the issuance of all applicable and necessary permits for the primary structure on this lot.
6. Any changes or modifications to the above shall be applied for and approved by the Village Board through a Building, Site and Operational Plan amendment.

The MOTION carried without negative vote.

### **Park Commission Recommendation for Additional Elements in Updated Park and Open Space Plan – Set Public Hearing**

Lobdell stated that the Park Commission approved a motion at its last monthly meeting to recommend the revised updated Park and Open Space to the Plan Commission for a public hearing, with the conditions that the pedestrian paths are corrected on the Existing Facilities map exhibit and that the two potential future projects are incorporated into the plan. Lobdell stated that the updated Park and Open Space was amended by Jessica Schmiedicke of Vandewalle and Associates to include an inventory of the existing parks, future park facilities and recommendations, and preliminary impact fee calculations. O'Connell stated that she would like two other areas added to the plan as sites for potential projects in the future. O'Connell stated that the three vacant lots on Mesita Road, and three lots at the end of Geneva Lane that are currently for sale and those areas should be added to the open space plan as potential sites for storm water management projects. O'Connell stated that there are no plans for the lots at this time, but there might be something that comes up in the future. Hayden stated that two other additional areas that the Park Commission recommended be added to the open space plan are located at Indian Hills Road and South Lakeshore Drive and at the Duck Pond Recreation Area. Hayden stated that by including the potential project sites in the plan, they could qualify for possible grant funding if they are pursued by the Village in the future. Commissioner Poivey/Commissioner Lobdell 2<sup>nd</sup> made a MOTION to schedule a public hearing for Monday, March 29, 2010 beginning at 4:30 pm to consider the additional elements for the updated Park and Open Space Plan as recommended by the Park Commission, with the condition that the pedestrian paths are corrected on the Existing Facilities map exhibit and that four potential future project areas are incorporated into the open space plan, including the three lots on Mesita Road, the three lots at the end of Geneva Lane, the lot at Indian Hills Road and South Lakeshore Drive, and an area at the Duck Pond Recreation Area. The MOTION carried without negative vote.

### **Proposal to Rewrite Chapters 17 and 18 of Municipal Code**

Spadoni stated that Village Planner Mike Slavney was requested to submit a cost estimate for rewriting Chapters 17 and 18 of the Municipal Code. The estimated cost for the project is \$48,720. Spadoni stated that he supports the proposal, but there are no funds in this year's budget for the project. Hayden stated that the quote is quite expensive. Hayden stated that staff will review the proposal and the two chapters and revisit the proposal later in the year.

### **Adjournment**

Commissioner Lobdell/Commissioner D'Auria 2<sup>nd</sup> made a MOTION to adjourn the Plan Commission meeting at 5:45 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, 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: 3/29/10