

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

MONTHLY MEETING of the VILLAGE OF FONTANA PLAN COMMISSION

Monday, February 25, 2008

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: Chairman Spadoni, Poivey, D'Auria, Lobdell

Pan Commissioners absent: McGreevy, O'Connell, President Pollitt

Also present: Joe Bidwill, Chad and Pam Carper, Administrator Kelly E. Hayden-Staggs, Bill Henry, Rob Ireland, Don, Joseph and Kathleen Ketterhagen, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Ron McCormack, CDA Executive Director Joseph McHugh, Mac Niven, Peter Novak, Building Inspector Ron Nyman, David Rasmussen, Lucy Sandy, Village Attorney Dale Thorpe, Director of Public Works Craig Workman

Visitors Heard

Pam and Chad Carper of GBC Hospitality, Lake Geneva, stated that they wanted to introduce themselves to the Plan Commission because they will be leasing from FairWyn, Ltd. the front unit of the commercial building at the Mill Street Planned Development site. The Capers stated that the state has approved the plans they submitted for a family restaurant, to be called Georgie B's. Pam Carper stated that the restaurant will be open for lunch and dinner. Pheasant Ridge subdivision developer Bill Henry stated that he wants to construct another single-family residence on a 1.5-acre lot in the northwest corner of the subdivision. Attorney David Rasmussen stated that Henry may need to file an amendment to the Precise Implementation Plan for development of the lot because of the existing grade and the proposed walk-out lower level for the new home. Henry stated that the plans for the proposed home would result in the building being 34 feet above the grade in the front of the house, but 43 feet above the grade in the back. The municipal code has a maximum height of 35 feet from the existing grade for buildings. Henry stated that the back elevation of a home constructed on an adjacent lot measures 40-feet-high from the grade. Spadoni stated that Henry should meet with staff to determine the proper approval process for his preliminary proposal.

Announcements

The Little Foot Park Subcommittee will be meeting Tuesday, February 26, 2008 at 5:30 pm; the Lakefront and Harbor Committee will be meeting Wednesday, February 27, 2008 at 4:30 pm; the Finance Committee will be meeting Thursday, February 28, 2008 at 5:00 pm; the monthly meeting of the Village Board will be held Monday, March 3, 2008 at 6:00 pm; the monthly meeting of the CDA will be held Wednesday, March 5, 2008 at 6:00 pm; the Park Commission will be meeting Wednesday, March 19, 2008, at 6:00 pm; Village Hall will be closed for the Easter holiday weekend Friday and Saturday, March 21 and 22, 2008; the annual Easter Egg Hunt at the Duck Pond Recreation Area will be held Saturday, March 22, 2008 at 10:00 am; and the next monthly meeting of the Plan Commission will be held Monday, March 31, 2008 at 5:30 pm.

Approve Minutes

Poivey/Lobdell 2nd made a MOTION to approve the minutes for the meeting held January 28, 2008, and the MOTION carried without negative vote.

Public Hearings

Conditional Use Permit Application Filed by Fontana Corner Market, 286 Valley View Drive

Spadoni opened the public hearing at 5:35 pm. Don Ketterhagen of Fontana Corner Market, Inc., stated that he has concerns with some of the conditions for approval suggested in the Village staff report. The staff report lists the following suggested conditions for approval:

1. Canopy lighting shall be brought into full compliance with the Village of Fontana Municipal Code within 12 months from the date of this approval. The applicant shall be required to submit a photometric plan prior to lighting replacement, which shall be reviewed by the Village Building Inspector for compliance, approval and permit issuance.
2. Twenty-four hour pump service shall not be allowed until canopy lighting is brought into full compliance.
3. Approval for 24-hour pump service shall be granted when canopy lighting is brought into full compliance and with the condition that directional lighting only be used after retail business hours, and all other canopy lights are turned off (from 10:00 pm until start of business the next day).
4. The grease trap shall be repaired or replaced within 30 days from the date of this approval. Documentation shall be submitted to the Director of Public Works for review and approval.
5. The removal and relocation of the described outside storage shall be completed within 30 days from the date of this approval.
6. Deliveries and parking along Porter Court shall be prohibited.
7. A complete submittal for all applicable building, zoning and electrical permits shall be applied for and issued prior to the commencement of construction of, and/or installation of, any signage. CUP approval shall not alleviate the applicant from securing all required permits.
8. Approved signage shall consist of the signage detailed on Attachment 1 and all other conditions herein.
9. All neon signage shall be removed within 30 days from the date of this approval.
10. The two directional signs shall be removed within 30 days from the date of this approval.
11. Message Board signage requires a separate CUP application and further information, and shall not be considered at this time.
12. All illuminated signage and canopy lights shall be extinguished at the close of business conducted within the building or upon the premises to which the sign is attached or located, whichever is earlier.
13. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed.

Jim Celano, the executive director of the Geneva Lake Conservancy, stated that the conservancy is looking forward to having a new neighbor. Celano asked that the Village and the new owners keep in mind the appearance of the back of the building that faces west toward the GLC building on Mill Street. Celano stated that the previous owner of the gas station used the back area of the building to keep refuse in a very unsightly manner. Don Ketterhagen stated that they plan on improving the entire exterior of the building. Don Ketterhagen stated that he has concerns with the second condition suggested in the staff report, and he thought that the Village staff members were going to suggest a time frame for bringing the lighting into compliance with the Municipal Code while the business would still be allowed to operate the pumps 24 hours a day. Don Ketterhagen stated they can't shut off the pumps at night during the winter months because they will freeze. Thorpe stated that during the staff meeting held last week, it was the unanimous consensus of the staff members that 24-hour service would not be allowed until the nonconforming lights in the canopy are brought into compliance by installing downward shielding fixtures. Thorpe stated that as far as offering 24-hour pay at the pump services with the canopy lights turned off, staff determined that it would not be a safe situation and it could also promote criminal activity. McCarthy stated that staff recommended giving the new owners one year to bring the noncompliant lighting up to the

standards of the Municipal Code, and if the new owners address the lighting before then, they can offer 24-hour pay at the pump service. Thorpe stated that the previous owner was offering pay at the pump services 24 hours a day without the proper approval. Joseph Ketterhagen stated that if they turn the pumps off at night, the equipment will freeze during the winter months. Following discussion, the Plan Commission directed the new owners to leave the pumps turned on over night; however, they have to disable the pay at the pump feature after 10:00 pm. Don Ketterhagen stated that he also has a concern with the ninth condition for approval in the staff report. Don Ketterhagen stated that the beer signs he removed from the window are no longer signs because they are now located 10 feet from the front window and 5 feet from the side window. Don Ketterhagen stated that since the neon beer signs are located inside the building, they are not signs. McCarthy stated that the Municipal Code does not allow for any neon signs, whether they are mounted as window signs or hanging on an interior wall. Don Ketterhagen stated that the neon beer signs are memorabilia not signage. Thorpe stated that the state standard for signage language is very liberal and the neon beer signs constitute signage. Don Ketterhagen stated that he moved the signs out of the exterior windows and he reduced the number of signs hanging on the interior walls. Don Ketterhagen stated that he wanted to bring up the issue to make it part of the record in case the Village receives complaints that the neon signs are still hanging on the interior walls. Don Ketterhagen stated that he also has concerns with the first suggested condition for approval that states the canopy lighting shall be brought into full compliance with the Municipal Code within 12 months. Don Ketterhagen stated that he wants to install molding around the edge of the BP canopy to provide for LED lighting. Thorpe stated that the illuminated canopy is contrary to the standards of the Municipal Code and the Plan Commission cannot approve a variance. Nyman stated that the current canopy lighting at the gas station has no lighting on the sign and the stripe is not illuminated. D'Auria stated that he would like to see the applicants work with the CDA to incorporate gables to the exterior of the building, as called for in the Village Master Plan. Don Ketterhagen stated that he has not yet found an architect who can design gables for the current building, but he thinks that gables would look very nice on the building. Poivey stated that he is very happy that the Ketterhagens are operating the gas station in the Village. Poivey stated that the station being operated in Lake Geneva by the Ketterhagens is a good store and he is confident they will operate a good business in the Village of Fontana. Lobdell stated that she has no concerns with the proposal as submitted or the suggested conditions for approval. Spadoni closed the public hearing at 5:56 pm. Following discussion, the Plan Commission members were in consensus that a 14th condition for approval that addresses D'Auria's concern should be added to the motion to recommend Village Board approval of the CUP application. The 14th condition for approval is that the applicant continues to meet with the CDA to work out a plan to add gables to the exterior of the building.

Poivey/D'Auria 2nd made a MOTION to recommend Village Board approval of the Conditional Use Permit application filed by Fontana Corner Market, 286 Valley View Drive, as submitted with the following 14 conditions: 1. Canopy lighting shall be brought into full compliance with the Village of Fontana Municipal Code within 12 months from the date of this approval. The applicant shall be required to submit a photometric plan prior to lighting replacement, which shall be reviewed by the Village Building Inspector for compliance, approval and permit issuance. 2. Twenty-four hour pump service shall not be allowed until canopy lighting is brought into full compliance. 3. Approval for 24-hour pump service shall be granted when canopy lighting is brought into full compliance and with the condition that directional lighting only be used after retail business hours, and all other canopy lights are turned off from 10:00 pm until start of business the next day. 4. The grease trap shall be repaired or replaced within 30 days from the date of this approval. Documentation shall be submitted to the Director of Public Works for review and approval. 5. The removal and relocation of the described outside storage shall be completed within 30 days from the date of this approval. 6. Deliveries and parking along Porter Court shall be prohibited. 7. A complete submittal for all applicable building, zoning and electrical permits shall be applied for and issued prior to the commencement of construction of, and/or installation of, any signage. CUP approval shall not alleviate the applicant from securing all required permits. 8. Approved signage shall consist of the

signage detailed on Attachment 1 and all other conditions herein. 9. All neon signage shall be removed within 30 days from the date of this approval. 10. The two directional signs shall be removed within 30 days from the date of this approval. 11. Message Board signage requires a separate CUP application and further information, and shall not be considered at this time. 12. All illuminated signage and canopy lights shall be extinguished at the close of business conducted within the building or upon the premises to which the sign is attached or located, whichever is earlier. 13. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed. 14. The applicant shall continue to meet with the CDA to work out a plan to add gables to the exterior of the building. The MOTION carried without negative vote.

Conditional Use Permit Application Filed by All For Ewe, 148 Fontana Boulevard

Spadoni opened the public hearing at 5:58 pm. Lucy Sandy stated that she did not have any concerns with the conditions for approval recommended in the staff report. The staff report recommends approval with the following 11 conditions:

1. One new group sign not to exceed 16-feet-4-inches by 2-feet-9-inches for All For Ewe and Posh Threads shall be allowed, to be located on the balcony railing at the south (front) of the building. Building and zoning permits are required and shall not be issued until all signage ordered removed has been completely and permanently removed.
2. The temporary All For Ewe banner shall be removed prior to the installation of the approved proposed group sign.
3. The on-building Posh Threads sign shall be removed prior to the installation of the approved proposed group sign.
4. Two new “Fire Lane No Parking” signs not to exceed 12-inches-by-18-inches shall be allowed, to be located one on the east building wall and one on the west building wall. Building and zoning permits are required and shall not be issued until all signage ordered removed has been completely and permanently removed.
5. Two existing “Tenant Parking Only” signs shall be relocated from the east side of the building; to be mounted one on the east side of the carport and one on the west side of the carport.
6. In the event that either or both of the two “1-Hour Customer Parking” signs are reinstalled, they shall be installed at an overall height not to exceed 3 feet from grade.
7. Existing window signage of the property (at this time existing window signage is located only at Posh Threads) shall not be increased.
8. CUP signage approval is being sought as a combined agreement between two separate businesses located at 148 Fontana Boulevard. To that end, this CUP approval and all conditions described herein shall pertain to the property as a whole and shall not be considered specific to any one particular business or residential use area.
9. A complete submittal for building and zoning permits shall be applied for and issued prior to the commencement of construction of and/or installation of any and all of the three proposed new signs. CUP approval shall not alleviate the applicant from securing all required permits. Proposed signage shall be made in accordance with the approved CUP.
10. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed.
11. Any future proposed modifications of signage shall require Village of Fontana approval in the form of an amendment to the approved Conditional Use Permit and its conditions.

Spadoni closed the public hearing at 5:59 pm.

Lobdell/Poivey 2nd made a MOTION to recommend Village Board approval of the Conditional Use Permit application filed by All For Ewe, 148 Fontana Boulevard, as presented, with the following 11 conditions: 1. One new group sign not to exceed 16-feet-4-inches by 2-feet-9-inches for All For Ewe

and Posh Threads shall be allowed, to be located on the balcony railing at the south (front) of the building. Building and zoning permits are required and shall not be issued until all signage ordered removed has been completely and permanently removed. 2. The temporary All For Ewe banner shall be removed prior to the installation of the approved proposed group sign. 3. The on-building Posh Threads sign shall be removed prior to the installation of the approved proposed group sign. 4. Two new "Fire Lane No Parking" signs not to exceed 12-inches-by-18-inches shall be allowed, to be located one on the east building wall and one on the west building wall. Building and zoning permits are required and shall not be issued until all signage ordered removed has been completely and permanently removed. 5. Two existing "Tenant Parking Only" signs shall be relocated from the east side of the building; to be mounted one on the east side of the carport and one on the west side of the carport. 6. In the event that either or both of the two "1-Hour Customer Parking" signs are reinstalled, they shall be installed at an overall height not to exceed 3 feet from grade. 7. Existing window signage of the property (at this time existing window signage is located only at Posh Threads) shall not be increased. 8. CUP signage approval is being sought as a combined agreement between two separate businesses located at 148 Fontana Boulevard. To that end, this CUP approval and all conditions described herein shall pertain to the property as a whole and shall not be considered specific to any one particular business or residential use area. 9. A complete submittal for building and zoning permits shall be applied for and issued prior to the commencement of construction of and/or installation of any and all of the three proposed new signs. CUP approval shall not alleviate the applicant from securing all required permits. Proposed signage shall be made in accordance with the approved CUP. 10. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed. 11. Any future proposed modifications of signage shall require Village of Fontana approval in the form of an amendment to the approved Conditional Use Permit and its conditions. The MOTION carried without negative vote.

General Business

Review Building, Site and Operational Plan Approved July 25, 2005 for Jerry's Marine, 102 W. Main Street

Hayden-Staggs stated that a temporary BSOP was approved for the lot on July 25, 2005. The initial approval was granted through the 2007 season, with the conditions for approval to be reviewed for 2008 and beyond. The 14 conditions for approval established by the Plan Commission are:

1. The approval of the BSOP shall be for the rest of the 2005 season and the entire 2006 and 2007 seasons.
2. The applicant and/or property owner work with the CDA to develop a permanent use for the property.
3. The BSOP becomes null and void at the completion of the approved timeframe, and all use of the property shall cease until a subsequent BSOP proposal has been submitted and approved.
4. The signage be reduced to a maximum of 36 square feet and that it be one-side.
5. The signage be temporary in nature and removed at the completion of each season.
6. No lighting should illuminate the sign.
7. Final approval of the reduced signage is required prior to the issuance of a permit.
8. The use of the property as proposed should be restricted to May 1 through October 31, at which time all boats shall be removed from the property.
9. Sales are restricted to boats only.
10. There shall not be storage of empty boat trailers allowed.
11. A maximum number of 10 boats is allowed.
12. The landscaping plan on the submitted drawing of the proposed sign be completed as proposed.

13. All commercial uses on the property require a 15-foot setback from the lot lines.

14. Business operations are limited to normal daylight hours.

Hayden-Staggs stated that she spoke with Carol Whowell and there has been no movement on establishing a permanent plan for the site. Hayden-Staggs stated that Carol Whowell requested a 12-month extension on the approved BSOP while the Whowells work with the CDA to establish a permanent plan for the site.

Lobdell/Poivey 2nd made a MOTION to recommend Village Board approval of a 12-month extension to the BSOP approved July 25, 2005 for Jerry's Marine, 102 W. Main Street, with the initially established 14 conditions and the MOTION carried without negative vote.

Conditional Use Permit Application for Expansion of Existing Tower on Robert Stewart Property, 202 W. Main Street – Set Public Hearing

Staff recommended moving forward with the CUP approval process by scheduling a public hearing for the next Plan Commission meeting.

D'Auria/Poivey 2nd made a MOTION to schedule a public hearing for Monday, March 31, 2008 beginning at 5:30 pm to consider the Conditional Use Permit application filed by Cricket Communications for the proposed expansion of the existing tower on the Robert Stewart property at 202 W. Main Street, and the MOTION carried without negative vote.

Abbey Springs PIP Amendment Proposal for Boathouse Renovation (Tabled 12/18/06, 1/29/07)

Architect Ron McCormack stated that the Abbey Springs Association received preliminary approval for an amendment to the Precise Implementation Plan about a year and half ago. The current proposal is for an alteration and remodeling plan to the existing boathouse. The construction plan includes two main components: the first being interior remodeling only of the existing boathouse, the second being the construction of a detached 11-by-16-foot accessory structure to serve as the Harbor Master's office. The initial staff report recommends six conditions for approval:

1. The structure shall be constructed as depicted on the submitted construction plans. There shall be no modification of the construction plans, to include but shall not be limited to, overall size and height of the approved structure.
2. The structures shall not include any signage until a signage plan has been submitted, reviewed and approved by the Village of Fontana.
3. Approval of the PIP amendment shall not alleviate the requirements of any other plans or documentation required for building and zoning permit issuance.
4. A complete submittal for building and zoning permits shall be applied for and issued prior to the commencement of construction. PIP Amendment approval shall not alleviate the applicant from securing all required permits.
5. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed.
6. All outstanding fees (i.e. re-inspection, cost recovery) shall be paid in full prior to occupancy permit issuance of each related construction stage.

Niven stated that the applicants have no concerns with the suggested conditions for approval.

Nyman stated that the plan calls for the building to be lower in total height than the existing building.

Thorpe stated that a seventh condition for approval should be that the Plan Commission directs the village attorney to draft the required documentation to approve the amendment to the PIP.

D'Auria/Lobdell 2nd made a MOTION to recommend Village Board approval of the Precise Implementation Plan amendment for the renovation of the existing boathouse at the Abbey Springs with the following seven conditions: 1. The structure shall be constructed as depicted on the submitted construction plans. There shall be no modification of the construction plans, to include but shall not be limited to, overall size and height of the approved structure. 2. The structures shall not include any signage until a signage plan has been submitted, reviewed and approved by the

Village of Fontana. 3. Approval of the PIP amendment shall not alleviate the requirements of any other plans or documentation required for building and zoning permit issuance. 4. A complete submittal for building and zoning permits shall be applied for and issued prior to the commencement of construction. PIP Amendment approval shall not alleviate the applicant from securing all required permits. 5. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed. 6. All outstanding fees (i.e. re-inspection, cost recovery) shall be paid in full prior to occupancy permit issuance of each related construction stage. 7. The Village attorney shall draft the required documents for the Village Board to approve the PIP Amendment as proposed. The MOTION carried without negative vote.

Lakefront Zoning Ordinance Amendment Proposal Finalize Draft A Amendments for April 28, 2008 Public Hearing

Thorpe stated that the proposed code amendments to the lakefront zoning ordinance in Draft A are ready for the public hearing unless one of the Plan Commission members still has a concern. Thorpe stated that the amendments proposed in the Draft A close existing loopholes in the lakefront zoning ordinance and address caretaker's quarters. Thorpe stated that the seven sections included in the Draft A amendments will update the lakefront zoning ordinance and they will not place any additional limitations on lakefront lots. D'Auria stated that he has concerns with the last sentence of Section 5 of the proposed Draft A amendments that addresses quarters for household employees or caretakers. The last sentence states, "Said quarters shall be no larger than 50 percent of the square footage of the primary residential structure on the property or 1,500 square feet, whichever is smaller." D'Auria stated that the last sentence of Section 5 should be amended to increase the 1,500 square foot figure. Spadoni stated that the provision regarding the caretaker's quarters was suggested by Trustee Bill Turner and the Village Board. Hayden-Staggs stated that the Plan Commission may want to consider holding the public hearing for the proposed Draft A amendments at the March 31, 2008 meeting instead of waiting until April 28, 2008. Hayden-Staggs stated that the objectionable items have been removed from the Draft A amendments so it may not be necessary to wait until later in the spring to hold the public hearing. Spadoni stated that the owners of lakefront property should still be contacted prior to the public hearing and he still is in favor of holding the public hearing in June or July, so the hearing should not be moved up to the March meeting – it should remain scheduled for Monday, April 28, 2008. Following discussion, it was clarified that the proposed Draft A amendments will not prevent lakefront property owners from developing a second residence on their parcel if they meet the density requirements that are in the current code. Only the development of quarters for household employees or caretakers is addressed in the proposed Draft A amendments.

Draft B Amendments – Tabled 12/17/2007 and 1/28/2008

Thorpe stated that the proposed code amendments to the lakefront zoning ordinance in Draft B have proven more problematic and staff feels that there does not seem to be a lot of Village Board support for the proposed amendments. Thorpe stated that there is some contention that the lakefront zoning code is working fine as written with regard to the area regulations that dictate the residential density factor, the minimum lot area and the minimum average lot width; and the measuring method for determining the minimum average lot width per dwelling unit for lakefront properties. Thorpe stated that the staff members recommended that the Plan Commission refer the proposed Draft B amendments back to the Village Board for fundamental direction. Thorpe stated that the Village Board members could provide guidance on what they would like to see in the Draft B amendments, or if the Draft B amendments could be dropped from consideration at this time. Poivey/Lobdell 2nd made a MOTION to refer the proposed Draft B amendments to the Village Board for additional guidance, and the MOTION carried without negative vote.

Revised Concept Presentation for 158 Fontana Boulevard – Joe Bidwill

Bidwill stated that he met with Village staff and after learning about the density standards of the zoning ordinance, he reduced his preliminary concept down from eight condominium units to four units on the parcel. Bidwill stated that the zoning ordinance standards allow for 3.75 units on the parcel, so he would need a variance in order to develop four units. Thorpe stated that the Zoning Board of Appeals has jurisdiction over petitions for variances to the zoning ordinance. Bidwill stated that as well as reducing the size of the residential buildings on the preliminary concept plan, he increased the proposed parking on the site to 12 stalls, or three stalls per unit. Bidwill stated that the extra undeveloped area would be green space. D’Auria stated that the preliminary plan looks good, and he knows that retail businesses and restaurants have struggled in the area. D’Auria stated that the updated preliminary plan looks better than the initial preliminary plan that called for eight residential units on the site and only one parking stall per unit. Spadoni stated that the preliminary plan would look nicer with a courtyard or deck in the front of the building, instead of parking stalls. Lobdell stated that her initial thought on the updated preliminary concept is that the parking areas should be broken up. Hayden-Staggs stated that she would like to see the parcel remain a mixed use development, with residential and business units. Hayden-Staggs stated that the Village of Fontana Master Plan calls for mixed use along Fontana Boulevard, but she realizes the whole strip of parcels is up for sale at this time. Spadoni stated that it has been proven during recent years that the Village of Fontana will not support retail or commercial businesses on Fontana Boulevard. Spadoni stated that if the CDA wants to support successful business operations, TIF funds should be committed for the development of new retail spaces, with private developers given the option to construct residential units on upper level floors over the business units. McHugh stated that the CDA has not yet been introduced to the residential development concept being pursued by Bidwill. McHugh stated that the only role the CDA would serve in the approval process for the Bidwill residential proposal would be to review Performance Standards. Thorpe stated that state statutes prohibit the spending of TIF funds for residential developments. Lobdell stated that she is concerned if Novak’s Deli closes and the parcel is developed into a residential-only-site, it may cause a domino effect and all of the businesses along Fontana Boulevard could be lost. Hayden-Staggs stated that the Village formed the TIF District in order to help promote the development of businesses in the center of the Village. Spadoni stated that more business have been moved out of the Village than have been moved in since the CDA was established and the TIF District created. Following discussion, the Plan Commission was in consensus that it favors the preliminary concept for four residential units on the parcel if a variance is approved by the Zoning Board of Appeals. Thorpe stated that according to state statutes, Bidwill can petition directly for a variance; a permit does not have to first be applied for and denied. Bidwill stated that he will pursue a variance for four residential units on the site.

Pending Items for Future Agendas

1. Mill Street Condominium Association PIP Amendment – Signage Proposal (Tabled 8/27/07 and 9/24/07)
2. Brick Church Hotel and Spa BSOP Proposal

Adjournment

Lobdell/D’Auria 2nd made a MOTION to adjourn at 6:31 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: 03/31/08