

MINUTES

**TOWN OF YORKVILLE
JOINT TOWN BOARD/PLAN COMMISSION
TOWN BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, JANUARY 12, 2015**

Call to Order

Town Board Chair Peter Hansen called the meeting to order at 6:00 p.m.

Roll Call

The following Board members were present: Peter Hansen, Sherry Gruhn and Terrence McMahon. The following Plan Commission members were present: Peter Hansen, Sherry Gruhn, Gary Fink, Douglas Nelson, Barbara Geschke and Robert Root. Nathan Skewes was absent. Also present were John Kurt representing Wildwood Holdings, Rafael Vargas II representing Echo Consulting and Associates, Luis Arenas, Dan Oakes, Scott Litwin, Yorkville Stormwater District Commission Chair Stephen Nelson, Building Inspector James DeLuca, Engineer Mark Madsen, Attorney Timothy Pruitt, Clerk-Treasurer Michael McKinney and three other attendees.

Approval of Minutes

Motion (McMahon, Gruhn) to approve the December 22, 2014 Town Board meeting minutes as submitted, Motion Carried (MC).

Approval of Financial Reports

Motion (McMahon, Gruhn) to approve the December Town and Stormwater financial reports as submitted, MC.

Approval of Town Invoices

Motion (Gruhn, McMahon) to approve payment of Town invoices in the amount of \$36,138.02, MC.

Approval of Stormwater Invoices

Motion (Gruhn, McMahon) to approve payment of Stormwater invoices in the amount of \$135.00, MC.

New and Unfinished Business – Discussion and possible action on all of the following:

Request submitted by Wildwood Holdings, LLC (with Sebaski Enterprises/Joe Sebaski as applicant) for occupancy approval for the property located at 20911 White Ash Road (Parcel ID # 018-03-21-31-018-014) in the B-3 (Commercial Service) Zoning District to permit occupancy of Unit D at this address with an automotive/hobby restoration shop for personal and occasional sales use called “Sebaski Enterprises”

John Kurt of Wildwood Holdings appeared before the Town Board and Plan Commission to discuss this application. Kurt provided the following information on the application:

- Proposed activity would be a light-duty automotive/hobby restoration shop for personal and occasional sales use called “Sebaski Enterprises”
- Use of up to four parking stalls for temporary storage of vehicles in transit, with no disassembly of vehicles outside the building
- Use of two spaces for tenant/employee parking
- Proposed daily operating hours of 7:00 a.m. to 9:00 p.m.
- No heavy mechanical work or body work on the premises
- No paint booth or automotive painting allowed on the premises

Motion (Fink, Nelson) to recommend approval of the request submitted by Wildwood Holdings, LLC (with Sebaski Enterprises/Joe Sebaski as applicant) for the property located at 20911 White Ash Road (Parcel ID # 018-03-21-31-018-014) in the B-3 (Commercial Service) Zoning District for occupancy of Unit D at this address with an automotive/hobby restoration shop for personal and occasional sales use called “Sebaski Enterprises”, with no conditions, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission’s recommendation and to approve the request submitted by Wildwood Holdings, LLC (with Sebaski Enterprises/Joe Sebaski as applicant) for the property located at 20911 White Ash Road (Parcel ID # 018-03-21-31-018-014) in the B-3 (Commercial Service) Zoning District for occupancy of Unit D at this address with an automotive/hobby restoration shop for personal and occasional sales use called “Sebaski Enterprises”, with no conditions, MC.

Application consideration and neighbor notification policies for items generally considered by the Town of Yorkville Plan Commission

McKinney noted that, for occupancy applications, he sends a letter to neighbors within 300 feet making them aware of the application. He added that the application deadline for occupancy requests is eleven days before the meeting where they are considered. John Kurt requested clarification of the application deadline and the policy of notifying neighbors of these requests in circumstances where the occupancy may only last a month or two or where an occupancy request requires expedited approval. Kurt suggested that the Town allow the applicant to contact each neighbor directly to make them aware of the application.

Motion (McMahon, Hansen) to table this agenda item until the next joint Town Board/Plan Commission meeting scheduled for Monday, February 9, 2015, at 6:00 p.m., MC.

Request submitted by Luis Arenas (with Echo Consulting and Associates, LLC as agent) for conditional use approval for the property located at 15230 Ives Grove Road (Parcel ID # 018-03-21-11-002-000) in the A-2 (General Farming and Residential II) Zoning District to permit a commercial horse boarding and training operation for up to 27 horses in the existing facilities at the site

Rafael Vargas II of Echo Consulting and Associates appeared before the Town Board and Plan Commission on behalf of the applicant to discuss this application. Vargas and/or the Town Board and Plan Commission discussed the following issues:

- Communication from the Building Inspector regarding a large number of building code violations he found on the property during his recent inspection there. Vargas noted that he is working with an architectural professor at UW-Parkside to put together structural blueprints. He added that the applicant plans to hire a general contractor to address the

code violations on the property and stated that the contractor will meet with the Building Inspector to discuss these issues.

- Vargas noted that he found a separate facility for training horses in Illinois
- Whether the application should be withdrawn by the applicant or denied by the Plan Commission and the Board
- Whether the proposed activity is private or public in nature
- Whether the proposed activity is or is not a commercial enterprise
- Whether the proposed activity is an appropriate use of the property

Motion (Fink, Root) to recommend denial of the request submitted by Luis Arenas (with Echo Consulting and Associates, LLC as agent) for the property located at 15230 Ives Grove Road (Parcel ID # 018-03-21-11-002-000) in the A-2 (General Farming and Residential II) Zoning District for conditional use approval to permit a commercial horse boarding and training operation for up to 27 horses in the existing facilities at the site, based upon the rationale that the area and configuration of the subject parcel are not conducive to the proposed use, that the use is not compatible with the residential nature of the surrounding area, that the narrow driveway easement, which also serves nearby residential properties, will not safely support the amount and type of traffic that would be generated by the subject use, and that the proposed space for parking is inadequate, with no conditions, MC.

Motion (Gruhn, McMahon) to accept the Plan Commission's recommendation and to deny the request submitted by Luis Arenas (with Echo Consulting and Associates, LLC as agent) for the property located at 15230 Ives Grove Road (Parcel ID # 018-03-21-11-002-000) in the A-2 (General Farming and Residential II) Zoning District for conditional use approval to permit a commercial horse boarding and training operation for up to 27 horses in the existing facilities at the site, based upon the rationale that the area and configuration of the subject parcel are not conducive to the proposed use, that the use is not compatible with the residential nature of the surrounding area, that the narrow driveway easement, which also serves nearby residential properties, will not safely support the amount and type of traffic that would be generated by the subject use, and that the proposed space for parking is inadequate, with no conditions, MC.

McMahon reiterated that Arenas can continue to keep and train his own horses on the property. Hansen reiterated that Arenas must resolve all building code violations.

Application for a 2014-2015 annual Operator's License submitted by Jennifer Lunceford

Pruitt and the Board reviewed the applicant's background check results. Pruitt advised the Board that they could only consider the criminal history of an applicant if that history had a substantial relationship to the activities permitted by possession of an operator's license.

Motion (McMahon, Gruhn) to grant a 2014-2015 annual Operator's License to Jennifer Lunceford, MC.

Reports

Code Enforcement Officer's Report: The Code Enforcement Officer was not present to provide his report to the Board. The Board requested that McKinney contact the Code Enforcement Officer to request that he conduct a site visit at 2118 North Sylvania Avenue to investigate whether an excess number of operational vehicles are being stored on that property.

Building Inspector's Report: The Building Inspector was not present to provide his report to the

Board.

Motion (McMahon, Gruhn) to accept the Building Inspector's report as submitted, MC.

Engineer's Report: Madsen reported to the Board on the following:

- Plans to bid out the 2015 reconstruction of 69th Drive and 59th Drive in February
- Whether the Board would object if Madsen wished to become involved in the development of subdivision plans in the Town for a private developer in the future or if the Board would prefer that he continue his current role of representing the Town by reviewing those plans on the Town's behalf

Motion (McMahon, Hansen) to retain the Town Engineer in his current role of representing the Town in subdivision applications by having him review subdivision plans on the Town's behalf, MC.

Yorkville Stormwater Utility District Report: Stephen Nelson reported that work would begin on the remaining quarter of the canal obstruction clearing project later this week.

Clerk's Report: McKinney reported to the Board on the following:

- That no primary election will be held in February
- That the Central Racine County Health Department Board of Health meets the third Thursday of every month. The Board discussed attendance of those meetings and chose to rotate attendance of those meetings in the following order: Gruhn, Hansen and McMahon.
- The impending sale of the restaurant at 904 South Sylvania Avenue and the hotel at 910 South Sylvania Avenue.

Other – Comments, questions and suggestions

Dan Oakes appeared before the Board and Plan Commission to discuss upcoming development plans for the property located at 2036 North Sylvania Avenue. He noted that the property's Phase I environmental work is complete. He stated that he plans to remove one building and will conduct cleanup work on the property. He added that he plans to use the existing drainage on the property. He stated that he also plans to construct a fence on the property. Hansen requested that Oakes maintain a tree buffer between his property and the property immediately to the west.

Adjournment

Motion (McMahon, Nelson) to adjourn, MC. The meeting was adjourned at 7:32 p.m. The next scheduled Town Board meeting is Monday, January 26, 2015, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer