

## MINUTES

**TOWN OF YORKVILLE  
JOINT TOWN BOARD/PLAN COMMISSION  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, JANUARY 9, 2017**

### Call to Order

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

### Roll Call

The following Town 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 Nathan Skewes. Robert Root was absent. Also present were John Kurt representing Wildwood Holdings, Jeffrey Lucksted, Paul Gyuro, Dan Neider, Yorkville Stormwater Utility District Commission Chair Stephen Nelson, Engineer Mark Madsen, Attorney Tim Pruitt, Clerk-Treasurer Michael McKinney and two other attendees.

### Approval of Minutes

*Motion (McMahon, Gruhn) to approve the December 27, 2016 Town Board meeting minutes as presented, MC.*

### Approval of Financial Reports

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

### Approval of Town Invoices

*Motion (Gruhn, McMahon) to approve payment of Town invoices as presented in the amount of \$42,939.67, MC.*

### Approval of Stormwater Invoices

*Motion (McMahon, Gruhn) to approve payment of Stormwater invoices as presented in the amount of \$148.50, MC.*

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

Special Event Permit application submitted by Julie Minikowski on behalf of the Waterford FFA Alumni for the Waterford FFA Alumni Auction, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), from 7:00 a.m. to 6:00 p.m. on Friday, February 24, Saturday, February 25, and Sunday, February 26, 2017

***Motion (McMahon, Gruhn) to grant a Special Event Permit to Julie Minikowski on behalf of the Waterford FFA Alumni for the Waterford FFA Alumni Auction, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), from 7:00 a.m. to 6:00 p.m. on Friday, February 24, Saturday, February 25, and Sunday, February 26, 2017, with no conditions, MC.***

**Request submitted by Wildwood Holdings, LLC (on behalf of Jimmy Hussion) for occupancy approval for the property located at 20911 White Ash Road, Unit A (Parcel ID # 018-03-21-31-018-014) in the B-3 (Commercial Service) Zoning District to permit occupancy of said unit at this address with office and shop space for “Jimmy’s Transmissions”, which specializes in the rebuilding and repair of automobile transmissions**

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

- Proposed use is occupancy of said unit at this address with office and shop space for “Jimmy’s Transmissions”, which specializes in the rebuilding and repair of classic automobile transmissions
- Operating hours of 6:00 a.m. to 10:00 p.m.
- One employee to work at this facility
- Daily outdoor parking for 1-2 vehicles
- No other outdoor equipment or material storage

***Motion (Fink, Nelson) to recommend approval of the request submitted by Wildwood Holdings, LLC (on behalf of Jimmy Hussion) for occupancy approval for the property located at 20911 White Ash Road, Unit A (Parcel ID # 018-03-21-31-018-014) in the B-3 (Commercial Service) Zoning District to permit occupancy of said unit at this address with office and shop space for “Jimmy’s Transmissions”, which specializes in the rebuilding and repair of classic automobile transmissions, with the condition that no automobile transmissions or parts are to be stored outside, MC.***

***Motion (Gruhn, McMahon) to accept the Plan Commission’s recommendation and to approve the request submitted by Wildwood Holdings, LLC (on behalf of Jimmy Hussion) for occupancy approval for the property located at 20911 White Ash Road, Unit A (Parcel ID # 018-03-21-31-018-014) in the B-3 (Commercial Service) Zoning District to permit occupancy of said unit at this address with office and shop space for “Jimmy’s Transmissions”, which specializes in the rebuilding and repair of classic automobile transmissions, with no additional conditions beyond that recommended by the Plan Commission, MC.***

**Pre-application conference with Jeffrey Lucksted regarding a proposed division of the property located at 14605 2 Mile Road**

Jeffrey Lucksted appeared before the Town Board and Plan Commission to discuss this request. He stated that he proposes to divide the existing six-acre parcel at this address into a 3.44-acre parcel to the west and a 2.56-acre parcel to the east. He added that the 3.44-acre parcel would have 300 feet of road frontage, while the 2.56-acre parcel would have 223 feet of road frontage. He noted that the property currently has two residences on it, adding

that each proposed parcel would include one of those residences on it. He stated that he has been unsuccessful in purchasing enough land from a neighboring property owner to make both of these proposed parcels conform to Town land division ordinances. He noted that Racine County told him that they prefer that each residence be on its own parcel. He stated that the driveway on the property would be shared between the proposed parcels. He noted that the outbuildings would be located on the proposed west parcel. Hansen questioned why it would be good policy to continue to allow two homes on one parcel when each home could be placed on its own parcel. Pruitt noted that both proposed parcels would conform to Racine County's zoning standards. The Town Board and Plan Commission did not raise any objections to this proposal based upon the information provided.

***No formal action was taken by the Town Board on this agenda item.***

**Pre-application conference with Paul Gyuro regarding a proposed division of a vacant 46.78-acre parcel located on 53<sup>rd</sup> Drive and 50<sup>th</sup> Road**

Paul Gyuro appeared before the Town Board and Plan Commission to discuss this request. Gyuro stated that he wishes to divide this parcel into three three-acre lots along 53<sup>rd</sup> Drive with a larger remnant outlot to the west. Pruitt stated that this proposed division would require a subdivision plat. He summarized the waivers that would be required in order to allow this division to proceed as proposed. Madsen added that the state would also need to review and approve any proposed subdivision plat. Pruitt noted that Gyuro can apply to create one parcel now and two more parcels in 2018 via certified survey map, based upon past divisions that were approved for this parcel. Gyuro stated that he would plan to submit a certified survey map application for one parcel now and would look at creating two additional parcels in 2018.

***No formal action was taken by the Town Board on this agenda item.***

**Pre-application conference with Dan Neider regarding a proposed lot line reconfiguration potentially involving the following: the property located at 2435 53<sup>rd</sup> Drive, and Outlot 2 and Lots 16, 17 and 18 in the Stonecrest Shores subdivision**

Dan Neider appeared before the Town Board and Plan Commission to discuss this request. He stated that he has a potential buyer for Lot 16 that would also like to acquire a portion of the rear of the property located at 2435 53<sup>rd</sup> Drive and merge that land with Lot 16. Neider added that he would plan to relocate the walking trail from behind Lots 16, 17 and 18 to along the reconfigured property line between Lot 16 and the 53<sup>rd</sup> Drive remnant parcel. Pruitt questioned whether this outlot would be reconfigured to include the relocated walking trail. Neider noted that the potential buyers would like to construct a new home on what is Lot 16 and construct an outbuilding on the new portion of Lot 16. Madsen noted that the sanitary sewer and access easement along the rear property lines of Lots 16, 17 and 18 would need to remain, regardless of how property lines would be reconfigured. Neider noted that there are sanitary sewer cleanouts at the corner of every lot. Pruitt stated that the west lot lines of Lots 17 and 18 could be adjusted to the west to include this easement. Neider stated that he does not plan to adjust the rear property lines of Lots 17 and 18. Neider noted that the subdivision's architectural committee has approved outbuildings in the past such as that proposed on Lot 16. Pruitt noted that Neider continues to be the owner of this outlot, since control of it has not transferred to the homeowner's association.

Neider noted that the subdivision's residents have discussed whether it is necessary to keep a walking trail in that area. Madsen questioned whether the walking trail was originally included in the subdivision's conservation plan. Pruitt stated that the Town, the Seno K/RLT Conservancy and Neider would all need to approve of proposed changes before they could take effect. Nelson questioned whether the outbuilding would be used for business purposes. Neider noted that the proposed outbuilding may be used to store fireplaces, adding that the potential buyers would meet with neighbors to make sure that they were made aware of this. Pruitt requested that Neider contact Racine County to determine whether this type of use would be allowed under their zoning code. He added that Neider should also confirm that the subdivision's restrictive covenants would not prohibit this type of use. He stated that Neider would need to purchase the rear of the 53<sup>rd</sup> Drive parcel and sell it to the proposed buyers. The Town Board and Plan Commission did not raise any objections to this proposal based upon the information provided.

***No formal action was taken by the Town Board on this agenda item.***

### **Acceptance of the resignation of Robert Root from the Yorkville Plan Commission and the Yorkville Stormwater Utility District Commission**

***Motion (McMahon, Gruhn) to accept the resignation of Robert Root from the Yorkville Plan Commission and the Yorkville Stormwater Utility District Commission, MC.***

### **Community State Bank Positive Pay service**

McKinney noted that the Town's insurance policy does offer coverage offsetting some losses resulting from counterfeit and fraudulent check transactions.

***Motion (McMahon, Gruhn) to decline enrolling in Community State Bank's Positive Pay service, MC.***

### **Reports**

**Code Enforcement Officer's Report:** The Code Enforcement Officer was not present to provide his report to the Town Board. Pruitt noted that his office is working with the Code Enforcement Officer regarding enforcement of breed-specific dog restrictions as well as a list of alleged code violations on various properties within the Town

**Building Inspector's Report:** The Building Inspector was not present to provide his report to the Town Board.

***Motion (Hansen, Gruhn) to approve and file the Building Inspector's report as presented, MC.***

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

- That bids for this year's repaving of 53<sup>rd</sup> Drive and Braun Road will be opened on February 21
- That he and McKinney met with representatives of the owner of the property located at 19031 Spring Street (CTH C) regarding drainage on that property and on surrounding

properties. He noted that the property owner needs to record an easement for the stormwater basin already on the property and added that the property owner seeks the Town's assistance in establishing a stormwater maintenance agreement with neighboring benefitting property owners.

- The complaint regarding drainage issues affecting several properties on the east side of 51<sup>st</sup> Drive. Hansen stated that he contacted the complainant to advise him to contact Racine County Land Conservation regarding this issue.

**Yorkville Stormwater Utility District Report:** Stephen Nelson noted that he had no information to report to the Town Board.

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

- That only one set of nomination papers was received for each Town Board seat up for election in April
- That there will be a primary election held on Tuesday, February 21 for Superintendent of the Wisconsin Department of Public Instruction

### **Other – Comments, questions and suggestions**

Nelson discussed the intensity of lighting at the facility located at 3030 South Sylvania Avenue. Hansen discussed the equipment stored on the property located at 3014 South Sylvania Avenue. Nelson discussed possible salt storage facilities on the same property.

### **Adjournment**

***Motion (Gruhn, McMahon) to adjourn, MC.*** The meeting was adjourned at 7:19 p.m. The next scheduled Town Board meeting is Monday, January 23, 2017, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*