

MINUTES

TOWN OF YORKVILLE JOINT TOWN BOARD/PLAN COMMISSION TOWN BOARD ROOM MONDAY, DECEMBER 9, 2013

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, Barbara Geschke and Robert Root. Douglas Nelson and Nathan Skewes were excused. Also present were Joshua LeVeque representing the Wisconsin Department of Transportation, Amir Akbar representing Creospan, Mindy Ochs representing Endpoint Solutions Corporation, Robert Gleason representing Gleason Redi-Mix, Mike Prosser representing Prosser RV, Jim Durgan representing Naturescape, Jerry Mikulanec, Tina Lotharius representing T*N*T Pawsitive K-9 Training, Marty Christensen representing the Racine County Fair Board, Ron Christensen, Jeff Ehrhart, Dave Blank representing Real Racine, Constable Terrence O'Brien, Engineer Mark Madsen, Attorney Timothy Pruitt, Clerk-Treasurer Michael McKinney and approximately 5 other attendees.

Wisconsin Department of Transportation presentation regarding upcoming road construction work at the State Highway 20 and Interstate 94 interchange

Joshua LeVeque of the Wisconsin Department of Transportation provided a summary of the upcoming road construction work at the State Highway 20 and Interstate 94 interchange. He noted that this project would include reconstruction of the following: 1.25 miles of Interstate 94; entrances to and exits from Interstate 94 at State Highway 20; the Interstate 94 bridge over State Highway 20; and the County Highway C bridge over Interstate 94. He added that this project would tentatively begin on April 1, 2014 and end on November 24, 2015, with no planned ramp or lane closures from November 2014 to March 2015. He provided detailed information on the project construction schedule as well as the detour routes during each stage of the project. He noted that two lanes should be open in each direction during the project but added that there will be a full freeway closure at night for a day or two when the County Highway C bridge is removed.

Approval of Minutes

Motion (McMahon, Gruhn) to approve the November 25, 2013 Town Board meeting minutes as submitted, Motion Carried (MC).

Financial Report

McMahon requested that the Town Board discuss the Town asset balances at a future meeting in 2014.

Motion (McMahon, Gruhn) to approve the November Town financial report, MC.

Approval of Town Invoices

McMahon noted that the shouldering work that had been requested earlier this year on 67th Drive has not been completed.

Motion (Gruhn, McMahon) to approve Town invoices in the amount of \$86,055.74, MC.

Approval of Stormwater Invoices

Motion (Hansen, McMahon) to approve Stormwater Utility District invoices in the amount of \$8,600.00, MC.

Public Hearing – The Town Board and Plan Commission held a joint public hearing to hear public comment on an application for approval of a Conditional Use Permit and Site Plan by AT&T Wireless and Creospan for the property located at 19805 Durand Avenue, Union Grove (Parcel ID # 018-03-21-31-002-000, also known as the Racine County Fairgrounds) to permit construction of a 150' tall monopole communication (cell) tower with twelve antennas, a 20' by 11.5' (230 square foot) equipment shelter and other supporting ground equipment on a 55' by 25' (1,375 square foot) site leased from the Racine County Fairgrounds

Hansen opened the public hearing at 6:20 p.m.

Amir Akbar of Creospan appeared to present this proposal. He noted that no sites existed in the area with the elevation to meet AT&T's coverage needs. He added that Racine County will also use the site for its communications needs. He noted that the antennas on the structure would be spaced four feet apart. He also noted that the proposed tower will offer a coverage radius of six miles and could house up to 36 antennas. He added that the proposed tower will be set back 35 feet from the nearest building and has a fall radius of 40 feet.

Marty Christensen of the Racine County Fair Board, Ron Christensen (3017 County Road V, Franksville) and Jeff Ehrhart (225 South Britton Road, Union Grove) appeared together and spoke in favor of the proposal.

With no other comments forthcoming, Hansen closed the public hearing at 6:29 p.m.

Public Hearing – The Town Board and Plan Commission held a joint public hearing to hear public comment on an application for approval of a Conditional Use Permit and Site Plan by Endpoint Solutions Corporation on behalf of U.S. Venture, Inc. and Ralph and Mary Turnock for the property located at 611 South Sylvania Avenue, Sturtevant (Parcel ID #'s 018-03-21-12-025-010 and 018-03-21-13-001-011, also known as the Citgo Auto Truck Plaza) to permit construction of a fenced-in compressed natural gas fueling system at the northwest corner of the existing on-site semi-truck parking area and installation of two compressed natural gas dispensers immediately to the north of the existing diesel fuel dispensers and canopy

Hansen opened the public hearing at 6:29 p.m.

Mindy Ochs of Endpoint Solutions Corporation appeared to present this proposal. She noted that this upgrade would meet the needs of a fleet of semi-trucks that are being converted to use compressed natural gas (CNG). She added that the fueling equipment at this site will compress this fuel to 2,500 pounds per square inch. She noted that this proposal includes the installation of two fueling stations, three storage spheres, a drier and a dispensing station.

She added that this equipment meets local and federal safety standards and includes concrete bollards to protect the fueling stations, emergency shut off apparatus, video monitoring and a 6' chain link fence topped with barbed wire to protect the CNG storage spheres. She noted that the new fueling stations will not have a canopy. She added that anyone using the new fueling stations will be trained to use them.

With no other comments forthcoming, Hansen closed the public hearing at 6:38 p.m.

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

Application for approval of a Conditional Use Permit and Site Plan by AT&T Wireless and Creospan for the property located at 19805 Durand Avenue, Union Grove (Parcel ID # 018-03-21-31-002-000, also known as the Racine County Fairgrounds) to permit construction of a 150' tall monopole communication (cell) tower with twelve antennas, a 20' by 11.5' (230 square foot) equipment shelter and other supporting ground equipment on a 55' by 25' (1,375 square foot) site leased from the Racine County Fairgrounds

Motion (Fink, Geschke) to approve the Conditional Use Permit and Site Plan application by AT&T Wireless and Creospan for the property located at 19805 Durand Avenue, Union Grove (Parcel ID # 018-03-21-31-002-000, also known as the Racine County Fairgrounds) to permit construction of a 150' tall monopole communication (cell) tower with twelve antennas, a 20' by 11.5' (230 square foot) equipment shelter and other supporting ground equipment on a 55' by 25' (1,375 square foot) site leased from the Racine County Fairgrounds, with no conditions, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation regarding Conditional Use Permit and Site Plan application by AT&T Wireless and Creospan for the property located at 19805 Durand Avenue, Union Grove, with no conditions, MC.

Application for approval of a Conditional Use Permit and Site Plan by Endpoint Solutions Corporation on behalf of U.S. Venture, Inc. and Ralph and Mary Turnock for the property located at 611 South Sylvania Avenue, Sturtevant (Parcel ID #'s 018-03-21-12-025-010 and 018-03-21-13-001-011, also known as the Citgo Auto Truck Plaza) to permit construction of a fenced-in compressed natural gas fueling system at the northwest corner of the existing on-site semi-truck parking area and installation of two compressed natural gas dispensers immediately to the north of the existing diesel fuel dispensers and canopy

Motion (Geschke, Root) to approve the Conditional Use Permit and Site Plan application by Endpoint Solutions Corporation on behalf of U.S. Venture, Inc. and Ralph and Mary Turnock for the property located at 611 South Sylvania Avenue, Sturtevant (Parcel ID #'s 018-03-21-12-025-010 and 018-03-21-13-001-011, also known as the Citgo Auto Truck Plaza) to permit construction of a fenced-in compressed natural gas fueling system at the northwest corner of the existing on-site semi-truck parking area and installation of two compressed natural gas dispensers immediately to the north of the existing diesel fuel dispensers and canopy, with no conditions, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation regarding the Conditional Use Permit and Site Plan application by Endpoint Solutions Corporation on behalf of U.S. Venture, Inc. and Ralph and Mary Turnock for the property located at 611 South Sylvania Avenue, Sturtevant, with no conditions, MC.

Application for approval of a Site Plan amendment by Gleason Redi-Mix, Inc. for the property located at 13815 Leetsbir Road, Sturtevant (Parcel ID 018-03-21-24-002-110) to increase the number of recreational vehicles and campers displayed for sale on the northeast corner of the site from 30 to 50

Mike Prosser of Prosser RV and Robert Gleason of Gleason Redi-Mix appeared to present this proposal. Prosser noted that approval of this request, which would include a new driveway and graveled area that will be completed in early 2014, would allow him to expand his business footprint to the west. He added that swales will be installed next to the driveway, which will feed into a catch basin. Hansen requested that Prosser and Gleason consider improving the appearance of this site with landscaping or signage. Gleason noted that he plans to install signage for this business.

Motion (Fink, Geschke) to approve the Site Plan amendment application by Gleason Redi-Mix, Inc. for the property located at 13815 Leetsbir Road, Sturtevant (Parcel ID 018-03-21-24-002-110) to increase the number of recreational vehicles and campers displayed for sale on the northeast corner of the site from 30 to 50 and to install a new driveway on the site, with no conditions, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation regarding the Site Plan amendment application submitted by Gleason Redi-Mix, Inc. for the property located at 13815 Leetsbir Road, Sturtevant, with the condition that Gleason Redi-Mix be allowed to keep up to six semi-trucks on the site with the restriction that these six vehicles be counted towards the overall 50-vehicle limit granted to the applicant, MC.

Application for approval of a Site Plan by Gleason Redi-Mix, Inc. on behalf of Naturescape for the property located at 13815 Leetsbir Road, Sturtevant (Parcel ID # 018-03-21-24-002-110) to permit occupancy of an existing 8,500 square foot commercial building at the site with a lawn care and landscape maintenance business

Jim Durgan of Naturescape appeared to present this proposal. He noted that Naturescape has outgrown its facility on South Sylvania Avenue, where it has occupied since 2007, and would like to relocate to a larger facility. He added that Naturescape will have very little traffic on-site as they mainly provide off-site fertilizer application. He noted that all company equipment and materials will be stored inside. He noted that Naturescape would occupy the entire building and would provide landscape improvements around the building.

Motion (Fink, Geschke) to approve the Site Plan application submitted by Gleason Redi-Mix, Inc. on behalf of Naturescape for the property located at 13815 Leetsbir Road, Sturtevant (Parcel ID # 018-03-21-24-002-110) to permit occupancy of an existing 8,500 square foot commercial building at the site with a lawn care and landscape maintenance business, with no conditions, MC.

Motion (Gruhn, McMahon) to accept the Plan Commission's recommendation regarding the Site Plan application submitted by Gleason Redi-Mix, Inc. on behalf of

Naturescape for the property located at 13815 Leetsbir Road, Sturtevant, with no conditions, MC.

Application for approval of a Site Plan by Fox Structures, Inc. on behalf of Pomp's Tire, Inc. for the property located at 202 South Sylvania Avenue, Sturtevant (Parcel ID # 018-03-21-12-024-010) to permit construction a 60' by 90' (5,400 square feet) wood-framed accessory building with a gold metal panel exterior at the west end of the site for tire storage

Hansen noted that the applicant discovered that the proposed building would be located on a utility easement and requested that their application be withdrawn from consideration until such time as this issue could be resolved.

Motion (Hansen, McMahon) to table the application for approval of a Site Plan by Fox Structures, Inc. on behalf of Pomp's Tire, Inc. for the property located at 202 South Sylvania Avenue, Sturtevant (Parcel ID # 018-03-21-12-024-010) to permit construction a 60' by 90' (5,400 square feet) wood-framed accessory building until such time as Fox Structures is prepared to move forward with the application, MC.

Proposal from Canadian Pacific Railway to abandon the existing railroad spur between Kansasville and Sturtevant

Hansen noted that he spoke to Julie Anderson at the Racine County Public Works Department, who informed him that she plans to investigate the process involved in turning this railroad spur into a recreational trail. He also noted that Anderson would plan to keep the 67th Drive railroad bridge open as part of the recreational trail.

Motion (McMahon, Gruhn) to have the Town of Yorkville issue a letter of support for the Racine County Public Works Department's proposal to convert the existing railroad spur between Kansasville to Sturtevant into a recreational trail, MC.

Policy regarding issuance of Kennel Licenses

McKinney noted that current ordinances allow property owners to keep up to three dogs but added that applicants can exceed that number with a kennel license. He added that kennel license applicants must be located on a minimum of 24 acres of land and have the kennel area at least 500 feet from the nearest property line. He noted that there are currently five kennel license holders but added that none of them meet both of these standards. Pruitt noted that the Town should consider reviewing the area limitation in the ordinances and should establish a waiver process for applicants that do not meet these restrictions. The Board asked Pruitt to draft an update to the Town's ordinances that would include a waiver process and an update to the area restrictions for kennel licenses. Pruitt noted that he could have an update for the Board to review in the next month.

Jerry Mikulanec (2140 65th Drive, Union Grove) appeared before the Board regarding this agenda item. He noted that he has received an offer to purchase his 9.3-acre property that was contingent upon the buyer obtaining a kennel license and conditional use permit allowing operation of a dog day care and boarding facility.

Tina Lotharius of T*N*T Pawsitive K-9 Training appeared before the Board and provided more information on the proposed dog day care and boarding facility. She noted that she

planned to provide accommodations for up to 25 dogs in the two accessory buildings on the property and would establish outdoor facilities for the dogs to use. She added that she plans to apply for a conditional use permit from Racine County to permit this use. She noted that she would have separate facilities for large and small dogs. She added that dog training classes would also be held at the property. She noted that typical operating hours are from 6:30 a.m. to 6:30 p.m., Monday through Friday. The Board and Plan Commission did not provide any objections to the request but added that they could not approve it either. The Board advised Lotharius to speak with neighboring property owners to determine if any of them would oppose such a proposal.

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

Resolution 04-2013 Appointing 2014-2015 Election Inspectors

Motion (Hansen, McMahon) to approve Resolution 04-2013 as submitted, MC.

Cancellation or rescheduling of December 23, 2013 Town Board Meeting

Motion (McMahon, Hansen) to reschedule the December 23, 2013 Town Board Meeting from 6:00 p.m. to 9:00 a.m. that day, MC.

Reports

Constable's Report: O'Brien provided his report to the Board. He noted that he planned to hold off on any further enforcement action regarding issues related to the Jenkins property at 17806 Spring Street, as it is likely that property ownership will change through foreclosure. He updated the Board on an ongoing dispute between two neighbors on Old Yorkville Road. He also noted that he has not received any complaints from residents regarding kennels.

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

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

Engineer's Report: Madsen provided his report to the Board. He informed the Board that his office is working on plans for the proposed 2014 road projects on 50th Road and Braun Road.

Clerk's Report: McKinney provided his report to the Board. He informed the Board that property tax bills were mailed late last week.

Other – Comments, questions and suggestions

No comments, questions or suggestions were provided.

Adjournment

Motion (McMahon, Gruhn) to adjourn, MC. The meeting was adjourned at 7:44 p.m. The next regularly scheduled Town Board meeting is Monday, January 13, 2014, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer