

## MINUTES

**TOWN OF YORKVILLE  
JOINT TOWN BOARD/PLAN COMMISSION  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, NOVEMBER 13, 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 Robbie Funk. Nathan Skewes was absent. Also present were Jason Haubrich, Rachel Haubrich, Mark Patzke, Dawn Patzke, George Seater, Jr., Alan Jaspersen, Douglas Lorey, Deborah Hintz, Raymond Petry, Stephanie McCready, Gary Rossman, Julie Rossman, Charles Jacobson, Jerry Braunsdorf, Mary Braunsdorf, Jim Fox, Dan Minton, Jeffrey Lee, Dennis Lee, Christina Lieffring representing the Racine Journal Times, Jennifer Ditscheit representing the Greater Union Grove Area Chamber of Commerce, Yorkville Stormwater Utility District Commission Chair Stephen Nelson, Engineer Mark Madsen, Attorney Tim Pruitt and Clerk-Treasurer Michael McKinney.

### Approval of Minutes

***Motion (McMahon, Gruhn) to approve the October 23, 2017 Town Board meeting minutes as presented, Motion Carried (MC).***

### Approval of Financial Reports

***Motion (Gruhn, McMahon) to approve the October 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 \$60,064.91, MC.***

### Approval of Stormwater Invoices

***Motion (McMahon, Gruhn) to approve payment of Stormwater Invoices as presented in the amount of \$2,459.00, MC.***

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

**Resolution No. 2017-10 To initiate procedure for incorporating the Town of Yorkville as a village by providing for a referendum on April 3, 2018**

Hansen stated that this resolution was amended to reflect the fact that the Town Board cannot move forward with approval of a final resolution to begin the incorporation process until January 1, 2018. The Town Board discussed whether they could schedule the referendum on a different date. Pruitt recommended that language be added to this resolution providing the option for the Town Board to schedule a referendum on a date other than April 3, 2018. The Town Board discussed holding informational meetings in January to provide more information to residents on the incorporation process and the impacts of incorporation. McMahon questioned whether there was any interest in incorporating as a city instead of a village.

***Motion (McMahon, Gruhn) to adopt Resolution No. 2017-10 as amended with language included allowing the Town Board to schedule an incorporation referendum on a date other than April 3, 2018, MC.***

**Certified survey map application submitted by Jason and Rachel Haubrich for the parcels located at 2430 Queens Brook Lane, 2435 53<sup>rd</sup> Drive and Outlot 2 of the Stonecrest Shores subdivision (Parcel ID #'s 018-03-21-02-016-160 and 018-03-21-02-015-000) in the A-2 (General Farming and Residential II) and C-2 (Upland Resource Conservation) zoning districts to permit reconfiguration of the parcel located at 2430 Queens Brook Lane (Lot 16 of the Stonecrest Shores subdivision) by attaching a portion of the rear of the parcel located at 2435 53<sup>rd</sup> Drive and a portion of Outlot 2 of the Stonecrest Shores subdivision to said parcel to increase the size of said parcel from 1.12 acres to 4.67 acres, and which includes a request to waive the following:**

- **Town of Yorkville Code of Ordinances Section 28-225(a), which requires that all parcels created by certified survey map, including the remnant parcel, be depicted on the certified survey map**
- **Town of Yorkville Code of Ordinances Section 28-84(d)(3), which does not allow the length of the side lot lines of a parcel to exceed the width of the parcel at the right-of-way line by more than a factor of 2.5:1**
- **Town of Yorkville Code of Ordinances Section 28-84(b)(1), which requires that lots be approximately rectangular in shape**
- **Town of Yorkville Code of Ordinances Section 28-226(9), which requires that wetland areas be depicted on a certified survey map**

Pruitt noted that this proposed certified survey map was updated to include language stating that the entire updated parcel located at 2430 Queens Brook Lane would be subject to the same rules and regulations as every other parcel within the Stonecrest Shores subdivision. He recommended that updated copies of the subdivision's conservation easement and restrictive covenants be recorded with the Racine County Register of Deeds at the same time as this certified survey map, but stated that the Town Board could allow the certified survey map to be filed first, followed afterwards at some future date by the restrictive covenants and conservation easement.

**Motion (Fink, Nelson) to recommend approval of the certified survey map submitted by Jason and Rachel Haubrich for the parcels located at 2430 Queens Brook Lane, 2435 53<sup>rd</sup> Drive and Outlot 2 of the Stonecrest Shores subdivision (Parcel ID #'s 018-03-21-02-016-160 and 018-03-21-02-015-000) in the A-2 (General Farming and Residential II) and C-2 (Upland Resource Conservation) zoning districts to permit reconfiguration of the parcel located at 2430 Queens Brook Lane (Lot 16 of the Stonecrest Shores subdivision) by attaching a portion of the rear of the parcel located at 2435 53<sup>rd</sup> Drive and a portion of Outlot 2 of the Stonecrest Shores subdivision to said parcel to increase the size of said parcel from 1.12 acres to 4.67 acres, and to recommend that waivers be granted for the following sections of the Town of Yorkville Code of Ordinances:**

- **Section 28-225(a), which requires that all parcels created by certified survey map, including the remnant parcel, be depicted on the certified survey map;**
- **Section 28-84(d)(3), which does not allow the length of the side lot lines of a parcel to exceed the width of the parcel at the right-of-way line by more than a factor of 2.5:1;**
- **Section 28-84(b)(1), which requires that lots be approximately rectangular in shape;**
- **Section 28-226(9), which requires that wetland areas be depicted on a certified survey map;**

**with the condition that the Stonecrest Shores subdivision's Declaration of Restrictions and Grant of Conservation Easement be updated to include the changes contained within this certified survey map and be filed with the Racine County Register of Deeds, MC.**

**Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the certified survey map submitted by Jason and Rachel Haubrich for the parcels located at 2430 Queens Brook Lane, 2435 53<sup>rd</sup> Drive and Outlot 2 of the Stonecrest Shores subdivision (Parcel ID #'s 018-03-21-02-016-160 and 018-03-21-02-015-000) in the A-2 (General Farming and Residential II) and C-2 (Upland Resource Conservation) zoning districts to permit reconfiguration of the parcel located at 2430 Queens Brook Lane (Lot 16 of the Stonecrest Shores subdivision) by attaching a portion of the rear of the parcel located at 2435 53<sup>rd</sup> Drive and a portion of Outlot 2 of the Stonecrest Shores subdivision to said parcel to increase the size of said parcel from 1.12 acres to 4.67 acres, with no additional waivers or conditions necessary beyond those recommended by the Plan Commission, MC.**

**Pre-application conference with George Seater, Jr. regarding proposed development of a vacant 15.06-acre parcel located on Spring Street (CTH C) near North Sylvania Avenue (Parcel ID # 018-03-21-12-021-010)**

George Seater, Jr. appeared before the Town Board and Plan Commission to discuss this proposal. He stated that he has submitted an offer to purchase this property and has plans to establish a subdivision on this property similar to that proposed approximately ten years ago. He noted that he understands that there are wetlands on the property that must be delineated and added that he will meet with the property owners adjoining this property to discuss drainage-related issues with them. Madsen stated that he was not sure if an updated

tree survey would be required as part of a new subdivision request. Hansen noted that this subdivision could not be served by municipal water and added that drainage- and wetland-related issues are the most significant issues facing this proposal. Seater discussed access for this proposed subdivision, noting that residents on Alexandra Drive do not want the traffic from this subdivision coming onto that road. The Town Board and Plan Commission did not have any objections to this proposal based upon this discussion.

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

**Concept plan submitted by Alan and Lyle Jasperson for seven parcels at the southeast corner of the North Colony Avenue (USH 45) and Washington Avenue (STH 20) roundabout (Parcel ID #'s 018-03-21-08-012-110, 018-03-21-08-012-120, 018-03-21-08-012-130, 018-03-21-08-012-100, 018-03-21-08-012-090, 018-03-21-08-012-080 and 018-03-21-08-012-070) in the A-2 (General Farming and Residential II) zoning district for reconfiguration of these seven parcels into eleven residential parcels ranging in size from 3.00 to 4.92 acres. Access is proposed to be provided to eight parcels by way of a new street connecting with Washington Avenue (STH 20), while access is proposed to be provided to three parcels by way of a shared access driveway connecting with North Colony Avenue (USH 45)**

Alan Jasperson appeared before the Town Board and Plan Commission to discuss this concept plan. He stated that the proposed road in this subdivision will no longer be required to include an "S" curve, as originally requested by the Wisconsin Department of Transportation. Hansen noted that this road would be dedicated to the Town and must be built to Town standards. Jasperson stated that another parcel to the south is being incorporated into this proposal to allow for eleven total lots instead of nine, as was originally proposed. Neighboring property owners and other residents addressed the Town Board and Plan Commission regarding this concept plan. Comments were focused on the following:

- Whether curb and gutter would be installed along the proposed road accessing the subdivision from Washington Avenue (STH 20). Jasperson stated that this road will have a rural cross section with ditches.
- Where surface runoff within the proposed subdivision is proposed to drain and how this subdivision would impact adjacent low-lying areas. Jasperson stated that most of the runoff within this subdivision, including that along the proposed road, will go to the south, while a small portion of this subdivision would drain towards Washington Avenue (STH 20). Madsen noted that the high point of the proposed road will be close to Washington Avenue (STH 20).
- Whether a grading and elevation plan would be established for this proposed subdivision. Madsen stated that such a plan would need to be established for this subdivision. McMahon stated that the Town must ensure that this plan is followed.
- What the minimum lot size would be for lots in such a subdivision
- Whether well sampling will be required for each proposed parcel
- That the proposed access driveway to North Colony Avenue (USH 45) will impact the existing residential access on the other side of that road. Jasperson stated that this access point is the only one the Wisconsin Department of Transportation would approve onto North Colony Avenue (USH 45).

- Whether any restrictive covenants will be required for this proposed subdivision. Hansen stated that a homeowner's association could be created later that would govern this.
- Whether the proposed access driveway to North Colony Avenue (USH 45) should be of a certain width to accommodate emergency vehicles
- What width the proposed road accessing the subdivision from Washington Avenue (STH 20) will have. Madsen stated that this road will have a pavement width of 24 feet with two-foot shoulders on each side of the road.
- Whether the trees in the wetland area along the south end of the proposed subdivision will be allowed to remain. Jasperson stated that those trees would not be removed.
- Whether any requirements are in place to ensure that the home on each proposed parcel will be of a similar size
- Whether the proposed parcels will need to be rezoned to a residential zoning district. Jasperson stated that he would oppose such a rezoning.
- Whether any amendment to the Town's land use plan would be required to permit a home to be built on the proposed parcel nearest to the intersection of North Colony Avenue (USH 45) and Washington Avenue (STH 20)

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

**Pre-application conference with Alan Jasperson regarding a proposed division of the property located at 15516 Ives Grove Road**

Alan Jasperson appeared before the Town Board and Plan Commission to discuss this request. He stated that the property owner wants to split the existing 12.73-acre parcel at this address into three parcels, with two parcels having frontage along 53<sup>rd</sup> Drive and one parcel having frontage along Ives Grove Road. He noted that waivers of the Town's land division ordinances would be required for all three proposed parcels. Hansen noted that there should be some attempt to make this parcel more rectangular and uniformly shaped by transferring the jagged portions of it to the parcels to the south. Gruhn requested that the smallest proposed lot, at the corner of Ives Grove Road and 53<sup>rd</sup> Drive, receive more frontage along 53<sup>rd</sup> Drive than what is currently proposed. The Town Board and Plan Commission did not have any objections to this proposal based upon this discussion.

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

**Proposal and agreement submitted by the Racine County Economic Development Corporation for 2018 economic development technical assistance**

Hansen noted that there is no change in the annual cost of this agreement.

***Motion (McMahon, Gruhn) to approve the proposal and agreement submitted by the Racine County Economic Development Corporation for 2018 economic development technical assistance as presented, MC.***

**58<sup>th</sup> Road/67<sup>th</sup> Drive vision triangle issues**

The Town Board discussed a request from the Racine County Traffic Safety Commission to investigate whether the vision triangle at the southwest corner of 58<sup>th</sup> Road and 67<sup>th</sup> Drive is

being impacted by trees along 58<sup>th</sup> Road near that intersection. Hansen requested that Madsen confirm whether the trees are located within the 58<sup>th</sup> Road right-of-way before taking any additional action.

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

### **Request for “Horse on Road” signs on 67<sup>th</sup> Drive between Spring Street (CTH C) and Plank Road (CTH A)**

McKinney stated that he received a request from a resident to place “Horse on Road” signs on 67<sup>th</sup> Drive to warn drivers of the horse traffic on that road between Spring Street (CTH C) and Plank Road (CTH A). Pruitt noted that horse riders do have the right to use the roadway and recommended that it would be a good idea to put signs up if a problem exists with horse riders on that road. The Town Board opted to not place any signs on that road.

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

### **Update on potential development affecting the Town of Yorkville**

Hansen stated that the Town is going to apply for a diversion application to allow the portions of the Town not within the Great Lakes watershed to have access to water from Lake Michigan. He added that the Town would need to update its land use plan as part of this diversion request. Pruitt stated that he is still working with Racine County on the Town’s request for Racine County reimbursement of the Town’s expenses related to this diversion request.

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

### **Resolution No. 2017-11 Removing a sitting Yorkville Plan Commissioner and Designating and Appointing a resident to the Yorkville Plan Commission**

***Motion (Hansen, Gruhn) to adopt Resolution No. 2017-11 as amended with the addition of Dan Maurice as Plan Commissioner, MC.***

### **Reports**

**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 the Storage Authority (19031 Spring Street (CTH C)) drainage basin modifications are nearing completion
- That final restoration of the ditches on Maurice Drive will be completed next spring
- That recent improvements on the property located at 3014 South Sylvania Avenue exceeded what was permitted by the Town and may require a Notice of Intent be filed

with the Wisconsin Department of Natural Resources

- That his office will begin working on engineering plans for next year's road projects

**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 he received a certified survey map application for 2626 49<sup>th</sup> Drive
- That he received a petition to annex the property located at 5025 69<sup>th</sup> Drive into the Village of Union Grove
- That he was made aware of a site plan request that was submitted to the Racine County Development Services Department for 2118 North Sylvania Avenue. He noted that this request may include some grading and stormwater improvements to the site. Madsen stated that erosion or stormwater plans would not need to be submitted with this application if the work on this site only includes grading or graveling. Nelson stated that it appears that work has already begun on this site.

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

Fink requested that the Town perform more ditch mowing; Dan Minton added that the ditches should be mowed along 67<sup>th</sup> Drive. Hansen stated that Colony Avenue (USH 45) should be reopened by December 1. Dan Minton questioned why Jim Fox was not considered for the vacant Plan Commission seat.

#### **Adjournment**

***Motion (Nelson, Gruhn) to adjourn, MC.*** The meeting was adjourned at 8:10 p.m. The next scheduled Town Board meeting is Monday, November 27, 2017, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*