

MINUTES

**TOWN OF YORKVILLE
JOINT TOWN BOARD/PLAN COMMISSION
TOWN BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, FEBRUARY 12, 2018**

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, Robbie Funk and Dan Maurice. Also present were Dan Neider representing County Line KR Investors, LLC, State Representative Robin Vos, Terrence O'Brien representing OBCO, LLC, Greg Reesman representing Reesman's Excavating & Grading, Alan Jasperson, James Maloney representing Lynch & Associates, Yorkville Stormwater Utility District Commission Chair Stephen Nelson, Engineer Mark Madsen, Attorney Tim Pruitt, Clerk-Treasurer Michael McKinney and approximately twenty-five unidentified attendees.

Approval of Minutes

Motion (Gruhn, McMahon) to approve the minutes for the January 11, 2018 Town Board, January 13, 2018 Town Board, January 17, 2018 joint Town Board/Plan Commission, January 22, 2018 joint Town Board/Plan Commission and January 22, 2018 joint Town Board/Plan Commission meetings as presented, Motion Carried (MC).

Approval of Financial Reports

Motion (McMahon, Gruhn) to approve the January 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 \$47,358.97, MC.

Approval of Stormwater Invoices

Hansen noted that no Stormwater invoices were presented for payment.

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

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

Certified survey map application submitted by County Line KR Investors, LLC and Dan Neider for certified survey map approval for the parcel located at 15838 County Line Road (CTH KR) (Parcel ID # 018-03-21-35-025-000) in the A-2 (General Farming and Residential II) Zoning District to permit division of this 73.95-acre parcel into an 8.00-acre parcel and a 65.95-acre remnant parcel

Discussion focused on the insufficient road frontage for the remnant parcel, the lack of wetland delineation data for the remnant parcel and the waivers that must be granted if the Plan Commission and Town Board were to approve this request as presented.

Motion (Fink, Geschke) to recommend approval of the certified survey map submitted by County Line KR Investors, LLC and Dan Neider for certified survey map approval for the parcel located at 15838 County Line Road (CTH KR) (Parcel ID # 018-03-21-35-025-000) in the A-2 (General Farming and Residential II) Zoning District to permit division of this 73.95-acre parcel into an 8.00-acre parcel and a 65.95-acre remnant parcel, with the following conditions:

- ***That the boundaries of both parcels be adjusted so that each parcel has at least 300 feet of road frontage on County Line Road (CTH KR);***
- ***That a wetland delineation be completed prior to July 1, 2018, on the 65.95-acre remnant parcel;***
- ***That soil borings be completed prior to July 1, 2018, on the 65.95-acre remnant parcel;***

and to recommend that waivers be granted for the following sections of the 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;***
- ***Section 28-84(b)(1), which requires that lots be approximately rectangular in shape;***
- ***Section 28-84(e), which requires that side lot lines be at right angles to straight street lines or radial to curved street lines on which the lots face, MC.***

Motion (Gruhn, Hansen) to accept the Plan Commission's recommendation and to approve the certified survey map submitted by County Line KR Investors, LLC and Dan Neider for certified survey map approval for the parcel located at 15838 County Line Road (CTH KR) (Parcel ID # 018-03-21-35-025-000) in the A-2 (General Farming and Residential II) Zoning District to permit division of this 73.95-acre parcel into an 8.00-acre parcel and a 65.95-acre remnant parcel, with no additional conditions or waivers beyond those recommended by the Plan Commission, motion carried with McMahon voting no.

Appearance by State Representative Robin Vos

Vos addressed the Town Board regarding various legislative accomplishments from the 2017-2018 legislative session.

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

Pre-application conference with Dan Neider regarding a proposed subdivision of the 73.95-acre parcel located at 15838 County Line Road (CTH KR) (Parcel ID # 018-03-21-35-025-000)

Discussion focused on a proposed subdivision of this property, which would include a large area of open space in the center of the property surrounded by lots ranging in size from one to three acres, with a woodland restoration area proposed along the East Branch of the Root River Canal. The Town Board and Plan Commission recommended that Neider update this proposal to include larger lots and return to the Town Board and Plan Commission to discuss this proposal further.

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

Conditional use application submitted by OBCO, LLC (with Terrence O'Brien as applicant/agent) for conditional use approval for the property located at 14520 Braun Road (Parcel ID # 018-03-21-25-015-000) in the M-4 (Quarrying) Zoning District to permit re-establishment of a non-metallic mining operation (clay extraction), including the creation of a pond and a Resource Conservation Area (RCA)

Greg Reesman noted that he provided a report from a hydrogeologist with a cross section showing that the material in this area is clay with no permeability. He stated that the wetland located to the west of this property is not part of the same drainage basin. He noted that 10-15' berms would be placed around the perimeter of the property. He stated that the portion of the site designated as Phase I contains approximately 600,000 cubic yards of clay. He added that the size of the pond would be adjusted based upon the amount of clay removed from the site. He noted that Phase II, which could also be excavated, would include any area outside of Phase I that is still within this site's excavation setback. He stated that he would prefer to have the option to extract clay from the site on Saturdays.

Hansen stated that the access driveway to this site must be located directly across from the church's access driveway on the opposite side of Braun Road. Madsen stated that the Town should consider revising the road bond they have required for this use in the past. Nelson asked whether vehicular traffic from this site would be allowed to use Braun Road west of the site. Reesman stated that a survey could be conducted to determine what tiles are located on the property to ensure that they are not damaged and can be routed to the pond or swale. He noted that berms have always been proposed on the perimeter of the property, but would not ring the entire property. He added that there would not be a dam built on the property.

Reesman stated that the existing slopes above the water line around the proposed pond will be maintained. He noted that an estimated 200 trucks would access the site daily. He stated that the swale draining this property would not be altered at all. McMahan stated that the Town should document the condition of the road before any work begins. Pruitt stated that

the Town could still enforce their non-metallic mining ordinance if this project lasts for more than two years, adding that the any conditions established for an approved conditional use can also be applied to a non-metallic mining permit. Reesman stated that road cleaning will be ongoing during the course of the project.

Motion (Funk, Nelson) to recommend approval of the conditional use application submitted by OBCO, LLC (with Terrence O'Brien as applicant/agent) for conditional use approval for the property located at 14520 Braun Road (Parcel ID # 018-03-21-25-015-000) in the M-4 (Quarrying) Zoning District to permit re-establishment of a non-metallic mining operation (clay extraction), including the creation of a pond and a Resource Conservation Area (RCA), with the following conditions:

- ***The applicant must obtain a zoning permit card from this office (Racine County Development Services Office) after paying the required \$1,720.00 fee. This card must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times until the project has been completed;***
- ***Failure to comply with the terms and conditions stated herein could result in the issuance of citation(s) and/or revocation of this permit;***
- ***These conditions bind and are applicable to the Property Owner, Applicant, and agents of the Property Owner (collectively referred to herein as "Applicant" or "Property Owner") with respect to the uses on the Property;***
- ***This clay extraction activity must be located, operated, and restored in accordance with the plans and documents received in this office on November 10, 2017;***
- ***This approval will expire nine (9) months from the date of the Economic Development and Land Use Planning Committee's approval, or the Town of Yorkville approval, whichever is later, unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not occur unless the EDLUPC and Town of Yorkville grants a written extension. Written extension requests must be submitted to the Racine County Development Services Office thirty (30) days before permit/approval expiration;***
- ***The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances (copy attached);***
- ***This permit is granted for a two-year period, after which a two-year extension may be granted by the Racine County Economic Development and Land Use Planning Committee and the Town of Yorkville upon request of the applicant. However, no such extension or permit renewal will be granted unless this project is in reasonable compliance with the conditions of this approval. An on-site evaluation by this office will determine compliance. In two years, the applicant must re-apply for a site plan review permit and conditional use permit extension or completely restore the quarry in compliance with the submitted restoration plans;***
- ***The restoration bond required by Chapter 12.5 Nonmetallic Mining Reclamation for this operation must continue to be maintained in effect;***
- ***The applicant must submit to this office financial assurance in the amount of \$60,000.00 and written to Racine County prior to the issuance of the County***

zoning permit. This amount is for the open-operation of 20-acres at a time. Note that if the total new open acres exceed 20-acres, a new bond is required in the amount sufficient to cover the open activity of the pit;

- **Restoration of this site is to be a pond and nature conservancy area. It is recommended that the applicant immediately begin to plant seedling trees in the landscape buffer area and elsewhere on site where excavation or quarry activities will not occur. The restoration bond or financial surety required may, after review, be reduced as restoration is finished. Final site restoration and financial surety are subject to compliance with Chapter 12.5, Non-Metallic Mining Reclamation, Racine County Code of Ordinances;**
- **Silt fences must be installed around the downstream side of this proposed excavation and pond development. During the first phase of pond development, the existing drainage swale along the south side of this pond must be maintained in grass. A berm may need to be installed along the north side of the swale to prevent surface water from entering the excavation portion. Silt fences must be installed along the drainage swales prior to any earth disturbance activities to prevent soil from entering or blocking the drainage swale. These silt fences must be maintained until all disturbed soils are protected with vegetation or the grades have changed to direct the water and sediment away from these areas of protection. See the attached Filter Fabric Silt Fence sheet for details on installation and maintenance;**
- **The locations of topsoil north of this pond phase 1, must be placed to prevent any soil erosion or sediment from entering any of the existing drainage swales or leaving this property. Side slopes of these topsoil stockpiles must be 2:1 or flatter and seeded with grasses until restoration is completed. All topsoil must be maintained on this property and must be used on the areas designated for vegetative conditions unless a detailed plan is submitted which quantifies the amount of topsoil available on site and the amount needed to complete final restoration of this project. Any excess established by this analysis may be removed;**
- **The proposed pond shows an outlet for removing the extra water once this pond fills up, but should also have a small tile with a surface inlet to handle the longer duration trickle flow. If this is not provided the continuous wet condition around the outlet and downstream could destroy the vegetation in the existing drainage swales to the east. The applicant shall, at applicant's expense, have all existing subsurface tiles on the property located prior to the start of any work under this permit. All existing subsurface agricultural drainage tiles must be maintained and/or re-routed. Do not block or destroy any agricultural tiles which could impact upstream lands. Any subsurface drainage tiles that are broken as a result of these excavations must be repaired or redirected so that they are kept in an operating condition. If such tiles are found to be carrying sewage, the applicant must immediately contact the Racine County Code Administration Division at (262) 886-8475;**
- **Side slopes of the finished land around the pond area must be 3:1 or flatter and have a minimum of four inches of topsoil on the surface prior to seeding and mulching or landscaping. See the attached WI-CPA-123 seeding sheet for details;**
- **Due to the depth of this pond, a safety ledge is required. It is also recommended that the pond be fenced for security/safety purposes. Warning signs of the**

potential hazard must be placed on the fencing at 50 feet spacing. The landowner is responsible to check with any other local ordinances relating to ponds or posting. The side slopes of the proposed pond must be maintained at 4:1 slope (consistent with the Town of Yorkville's pond ordinance) or flatter except as stated for beach areas. It is recommended that the side slopes for the first five feet of water depth be at least 5:1 or flatter for safety reasons;

- The proposed quarrying and pond must comply with any Wisconsin Department of Natural Resources (DNR), and U.S. Army Corps of Engineers (ACOE) applicable requirements. If the DNR or ACOE have any additional or more restrictive conditions for this site, those conditions will supersede these. All soil erosion control measures must be in place prior to any excavation;**
- As stated above, silt fencing must be installed prior to any activity that results in the disturbance of the soil. All silt fencing must be installed in accordance with the advice of the Wisconsin Construction Site Best Management Practices manual, current edition. Silt fencing must be properly maintained and inspected within 24 hours after each rainfall, or daily during periods of prolonged rainfall. Repair or replacement must be made as soon as practical. Sediment deposits should be removed after each storm event of greater than 10-year occurrence interval or when such deposits reach one-half the height of the fence, whichever occurs first;**
- All areas disturbed by the nonmetallic mineral extraction operations must have a minimum of eight inches of topsoil placed over the subsurface material prior to seeding. All permanent seeding must be mulched and maintained in such fashion as to attain maximum rate of germination as is practical. Each area of the operations must be restored and seeded as soon as practical after final site grades are obtained for the particular area of operations;**
- All seeding must be completed within seven days after final grading of that portion of the phase. Seeding must be completed by September 1st to allow adequate time for the grass to establish itself prior to freeze up;**
- All site dewatering must be treated by directing this water into a temporary sedimentation basin. Do not allow sediment to leave this site. Additional erosion control devices as determined by this office may be required if site conditions warrant;**
- The hours of operation for this activity are 6:30 a.m. to 5:30 p.m., Monday through Friday. Saturday hours (7:00 a.m. to 12:00 Noon) may be approved by the Town of Yorkville upon prior application to the Town Board. No Sunday or holiday operations are permitted. Operation shall be defined to include all activities related to, or associated with starting, stopping, running maintaining, servicing, cleaning, repairing or otherwise utilizing any vehicles or equipment;**
- No sediment or other soil material may be permitted to be transported/carried off this site and spilled/deposited on the public right-of-way or on abutting properties. The applicant is responsible for cleaning up any such material that is spilled or tracked onto the public roadway or abutting properties by the close of the business day or as directed by the jurisdictional highway authority. A sweeper and a grader are to be kept on site during operations for cleaning the highway and area. Street flushing/washing is not permitted. The trucks are to be carefully loaded so that clay does not fall on the highway;**
- All areas not within the limits of the nonmetallic mining extraction operations, including haul roads and those undisturbed areas of future operations shall be**

maintained to control or eliminate noxious weeds in conformance with the Town of Yorkville Noxious Weeds Ordinance;

- ***This quarrying activity must be conducted in conformance with the State of Wisconsin Air Pollution Control regulations;***
- ***The applicant is responsible for compliance with the provisions of Article VII, Division 4, Performance Standards of Chapter 20 Zoning, Racine County Code of Ordinances. (Please see attached copy);***
- ***Fugitive dust control must be established on all internal haul roads, including watering of haul roads at such a rate and quantity as to simulate a daily rain event of 0.01inches, unless such a rain event or greater occurs. It is the responsibility of the operator to establish and maintain a fugitive dust control plan. Airborne particulate matter of an aerodynamic diameter greater than 10 microns (PM10 or greater) may not exceed Wisconsin State Administrative Code regulations;***
- ***Racine County and the Town of Yorkville reserve the right to require, with 30 working days' notice, a complete set of elevations, including grades at the bottom of the pond. These elevations must be observed and recorded by a registered land surveyor or a professional engineer. This operation may not cause an excavation at an elevation of less than 719 feet as shown on the approved plan documents. The bottom of the pond grades must be monumented and this monumentation maintained throughout extraction operations;***
- ***The applicant must provide the Town of Yorkville and Racine County Planning and Development with an as-built survey when restoration is completed;***
- ***The applicant must allow any Racine County and Town employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance;***
- ***All excavating and phase boundaries must be staked or otherwise marked and may be inspected by the Racine County Development Services Department prior to the commencement of operations under this approval. Stakes must be made of wood, steel, fiberglass, or other suitable material as determined by the Planning and Development Department. Signs warning of the quarry operation must be placed around the boundary every 200 feet. Such signs must be metal on metal posts;***
- ***When excavation/hauling operations occur, "EQUIPMENT/VEHCILES ENTERING" signs (black on orange, four feet square) must be erected approximately 500 feet to 600 feet in advance, both east and west of the access driveway. The applicant must also place flags or flashers on the signs. At all times, adequate warning and safety signs or devices must be used. All road or shoulder damage caused by this operation must be promptly repaired;***
- ***No additions, deletions, or changes may be made to these conditions without the prior approval of the Planning and Development Committee and the Town of Yorkville. Minor changes can be approved utilizing the site plan approval process, without the need for a public hearing if such changes are necessitated or required by any Federal or State agency having authority of the mining;***
- ***No solid waste, trash, junk, or debris may be sorted, processed, or disposed of in the borrow pit or on the property described in the plans. This property must be kept free of any accumulation of such materials;***
- ***The entrance driveway for this operation must be hard surfaced from the edge of the existing Braun Road pavement 300 feet north into the property. A stop sign***

must be placed on this driveway to stop traffic before the traffic enters Braun Road. A truck approach turning lane, subject to Town of Yorkville review and approval, must be installed. Trucks are only allowed to approach from the east and to leave in an easterly direction. No overnight parking of trucks on site is permitted. The project may not begin until the Town of Yorkville's engineer has videotaped Braun Road. Racine County reserves the right for Racine County and the Town to require the installation of a turning lane based upon observed truck traffic impacts to free-flowing traffic on Braun Road;

- **The permittee must notify Racine County Planning and Development and the Town of Yorkville in writing at least 15 working days prior to initial extraction operations at this site and at least 30 working days prior to the anticipated date of final completion of site reclamation;**
- **No haul trucks are to be parked or stopped on Braun Road in anticipation of entering the site during hauling operations. The applicant is responsible for insuring that all truck drivers strictly obey all posted speed limits and all traffic laws. This includes coming to a full stop before entering the public roadway. Should this office receive substantial complaints that such laws are being broken, the Planning and Development Committee reserves the right to revoke this permit for noncompliance;**
- **The applicant is responsible for obtaining all necessary federal, state and local permits, approvals and licenses, and for abiding by all applicable codes and regulations. A written biennial report must be provided to the Town of Yorkville Board by the permittee. This report must detail the progress of the operation;**
- **At the conclusion of the quarry operation, the applicant must petition Racine County for a rezoning of this site to an appropriate zoning district;**
- **No additions, deletions, or changes may be made to the project, site plan, or these conditions without EDLUPC and Town prior approval. All addition, deletion, and/or change requests must be submitted to the Development Services Office in writing. A minor change to the conditions of this permit, as deemed by the Development Services Office, may be made at a staff level, if authorized by the Development Services staff;**
- **Racine County does not warrant that the plans for this project are functionally and/or structurally adequate. Racine County does not certify that the design is adequate for this site and Racine County accepts no liability through this approval;**
- **Your accepting the conditional use approval/zoning permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, the OBCO, LLC; Terrance O'Brien, his heirs, successors, and assigns are responsible for full compliance with the above conditions;**
- **It is the property owner's responsibility to inform any subsequent owner or operator of these conditions;**
- **The applicant shall apply for and obtain a non-metallic mining permit from the Town of Yorkville, pursuant to Chapter 14, Article XVI of the Town of Yorkville Code of Ordinances;**
- **Prior to the commencement of any hauling operations, OBCO shall post a letter of credit or cash deposit with the Town in an amount to be determined by the Town Engineer to secure the costs of repair and maintenance to Braun Road while its hauling operations are on-going and also to guaranty the restoration of**

the after the hauling operation is complete. The Town Engineer shall have sole discretion to determine allocation of repair and maintenance costs attributable to hauling operations. The form of the letter of credit must be approved by the Town Attorney;

- ***Storm water retention restrictions on the site shall meet the requirements of Planning Report Number 44, A Comprehensive Plan for the Des Plaines River Watershed, as published by the Southeastern Wisconsin Regional Planning Commission, and an agreement by contractor that any pond or ponds on the site may be utilized for the storage and controlled release of upstream storm water flow;***
- ***Reasonable restrictions, acceptable to the Town, on hours of operation, engine breaking, tailgate banging, and other operational issues, designed to minimize the operation's disruption of and inconvenience to neighboring property owners. OBCO must secure Town Board approval of such restrictions prior to the commencement of any hauling operations, MC.***

Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the conditional use application submitted by OBCO, LLC (with Terrence O'Brien as applicant/agent) for conditional use approval for the property located at 14520 Braun Road (Parcel ID # 018-03-21-25-015-000) in the M-4 (Quarrying) Zoning District to permit re-establishment of a non-metallic mining operation (clay extraction), including the creation of a pond and a Resource Conservation Area (RCA), with no additional conditions beyond those recommended by the Plan Commission, MC.

Preliminary plat 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

Alan Jasperson stated that the Wisconsin Department of Natural Resources is requiring two ponds within this subdivision. He noted that this subdivision will not have a homeowner's association or common area. He stated that he would have drain tiles placed in the ditches on either side of the proposed road into the subdivision to reduce the amount of water on the roadway. James Maloney stated that comments provided by the Wisconsin Department of Transportation are included on the plat. Jasperson stated that he planned to have a wetland delineation done on the property.

Jasperson, Madsen and the Town Board discussed the proposed roadway, including an appropriate thickness of asphalt for the road and the cul-de-sac, and how long to allow the road to remain as gravel before requiring the first course of asphalt. Pruitt noted that a bond or letter of credit for the roadway could only be held for up to 14 months after the binder course of asphalt is complete. He stated that the Town would not be responsible for maintenance of this roadway while the surface is still gravel.

Discussion focused on whether the Town should be responsible for maintenance of the two ponds in the subdivision, with the consensus being that the Town should not be responsible for such maintenance. Meeting attendees raised concerns over tile damage, disposal of horse waste and well protection. Jasperson stated that the tiles could be routed into the proposed detention ponds. Discussion also focused on whether the Town's comprehensive plan would need to be amended to permit a residential use on the parcel closest to the North Colony Avenue (USH 45) and Washington Avenue (STH 20) roundabout. Jasperson stated that he would consider selling this lot for a commercial use. The Town Board and Plan Commission opted to not require that the land use plan be amended as a condition of the approval of this preliminary plat.

Motion (Fink, Maurice) to recommend approval of the preliminary plat 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 to permit reconfiguration of these seven parcels into eleven residential parcels ranging in size from 3.00 to 4.92 acres, and to recommend that waivers be granted for the following sections of the Town of Yorkville Code of Ordinances:

- ***Sections 28-4 and 28-121, which require that all subdivisions be developed as conservation subdivisions;***
- ***Section 28-43(a), which requires that the developer install streets in accordance with Town Ordinances;***
- ***Section 28-43(b), which requires that the developer install 4½ inches of binder course and 1½ inches of surface course pavement;***
- ***Section 28-87, which requires that the developer design drainage improvements for the subdivision such that the drainage from the subdivision does not exceed the equivalent runoff from a ten-year storm occurrence from undeveloped and at that site and which requires that the storage for water must be designed such that the permitted rate of runoff will not be exceeded during a storm occurrence of up to a 100-year storm, assuming that the subdivision has been fully developed;***
- ***Sections 28-122(a)(2) and 28-125(a), which require a development yield analysis;***
- ***Section 28-125, which establishes conservation subdivision design standards;***
- ***Section 28-125(c)(2), which requires that areas not served by public sanitary sewer have a net density of one dwelling unit per five acres;***
- ***Section 28-125(c)(2), which requires that areas not served by public sanitary sewer be zoned for a C-2 Conditional Use;***
- ***Section 28-125(e), which requires common open space be designated as part of the subdivision, MC.***

Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the preliminary plat 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 to permit reconfiguration of these seven parcels into eleven residential parcels ranging in size from 3.00 to 4.92 acres, with no conditions and no additional waivers beyond those recommended by the Plan Commission, MC.

19031 Spring Street (CTH C) storm water management, storm sewer easement, storm basin easement, and access easement agreement

Pruitt stated that the Yorkville Stormwater Utility District expressed concerns over their inclusion as a signatory on this agreement. Stephen Nelson noted that the district's concerns related to the utility's lack of funds for performing these repairs, the absence of language within this agreement providing for utility reimbursement for maintenance expenses, that past agreements of a similar nature only included the Town as a signatory and that utility was not able to have any input on this project. Pruitt noted that the Town's ordinance regarding stormwater was very broadly written, allowing for the Town to perform stormwater-related improvements through the utility.

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

Midwest Computer Recycling, Inc. recycling event services agreement

McKinney stated that this agreement is for the annual electronics recycling event held by the Village of Union Grove at their wastewater treatment plant, which will be held on Saturday, May 5. He noted that it would cost attendees \$20.00 to dispose of a television at this event, while disposal of a computer monitor would cost attendees \$10.00. He added that there is no charge for this event unless it needs to be cancelled.

Motion (Hansen, McMahon) to approve the recycling event services agreement submitted by Midwest Computer Recycling, Inc. as presented, MC.

Application for a 2017-2018 annual Operator License submitted by Tracy Drews

Motion (Hansen, Gruhn) to grant a 2017-2018 annual Operator License submitted by Tracy Drews, with no conditions, MC.

Wisconsin Towns Association Town Advocacy Council invoice

McKinney noted that this invoice was not paid as in prior years due to the Town's incorporation referendum in April.

Motion (McMahon, Gruhn) to authorize payment of the Wisconsin Towns Association Town Advocacy Council invoice in the amount of \$772.75, 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 stated that this year's road projects for 65th Court and 59th Drive will be advertised for bid in March and added that this year's road project for 61st Drive will not be advertised for bid until August.

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 the Dover Town Board is interviewing a candidate on Wednesday to fill the vacant judge position for the joint Dover-Yorkville Municipal Court
- That the following requests will likely appear on the March 12 joint Town Board/Plan Commission meeting agenda:
 - 1300 Grandview Parkway conditional use application
 - 2 Mile Road vacant lot conditional use application
 - 17808 58th Road land division

Other – Comments, questions and suggestions

No comments, questions or suggestions were provided.

Adjournment

Motion (Gruhn, McMahon) to adjourn, MC. The meeting was adjourned at 9:31 p.m. The next scheduled Town Board meeting is Monday, February 26, 2018, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer