

Village of Yorkville

925 15th Avenue, Union Grove, Wisconsin 53182

Phone: (262) 878-2123 Website: www.villageofyorkville.com

February 19, 2025

Re: Conditional use request submitted by Matt and Stacey Milkie for 14601 Braun Rd

The purpose of this letter is to notify you of a conditional use request submitted by Matt and Stacey Milkie (with Phillip Kapalczynski as Applicant/Agent) for the parcel located at 14601 Braun Rd (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District. The applicant proposes to “operate a rural home-based business known as Top Notch Thread Rolling”. A copy of the site plan for this proposed use is included for your reference.

The Yorkville Village Board and Plan Commission will hold a public hearing to hear any public comments regarding this application at a joint meeting at 6:00 p.m. on Monday, March 10, 2025, in the Village Board Room at the Union Grove Municipal Center, 925 15th Avenue, Union Grove. All interested parties will be heard. The Yorkville Village Board and Plan Commission may consider action on this application at the conclusion of the public hearing.

Any questions regarding this application should be directed to the Racine County Development Services office, (262) 886-8440, from 8:00 a.m. to 12:00 p.m. and 12:30 p.m. to 4:30 p.m., Monday through Friday. Additional application information can be found on the Village’s website:

<https://villageofyorkville.com/government/government-upcoming-development-activity/> or <https://villageofyorkville.com> → Government → Development Proposals and Public Hearings.

Sincerely,

Janine Carls
Clerk

E-MAIL MEMORANDUM

TO: Michael McKinney (michael@villageofyorkville.com)
Village of Yorkville Administrator

FROM: Shaun T. Maiter
Assistant Development Services Superintendent

SUBJECT: Matthew Milkie and Stacey Piper-Milkie, Owners
Phillip Kapalczynski, Applicant
Parcel Id. No. 194032136004000

March 10, 2025, Conditional Use request to operate a rural home-based business known as Top Notch Thread Rolling.

DATE: March 5, 2025

Overview:

The subject ±21.27-acre site is currently zoned A-2, General Farming and Residential District II, and is serviced by a Private Onsite Wastewater Treatment System and private well. At this time, the applicant is requesting conditional use approval from the Village of Yorkville Board to operate a rural home-based business known as Top Notch Thread Rolling. The proposed rural home-based business will be operated out of two accessory structures along with an office in the residence. The proposed hours of operation are 7:00am to 3:30pm Monday through Thursday, and 7:00am to 12:00pm Friday. Based upon the documentation that the applicant has submitted, the proposed rural home-based business appears to meet the supplemental requirements for a rural home-based business and therefore appears to be allowed through the conditional use process.

If the Village feels that the proposed use is appropriate approval is recommended as:

1. The proposed home-based business is allowed through the conditional use process, and the proposed home-based business meets the supplemental regulations for rural home-based businesses.
2. The proposed home-based business does not appear to be detrimental, harmful, or a nuisance to adjacent properties.

If the Village feels that the proposed use is appropriate approval is recommended subject to
****DRAFT CONDITIONS****:

1. **Zoning Permit.** The applicant must obtain a zoning permit from the Racine County Development Services Office after paying a zoning permit fee of \$250.00. 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.
2. **Home-Based Business Registry.** Prior to the issuance of a zoning permit, the applicant must file a Home-Based Business Registration form with the Village of Yorkville.
3. **Private Onsite Wastewater Treatment System.** Prior to the issuance of a zoning permit, sanitary approval must be obtained from the Racine County Development Services Department. Please contact their office at (262) 886-8440.
4. **Expiration.** This approval will expire nine (9) months from the date of the Village of Yorkville's final approval 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 Village 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.
5. **Substantiated Complaints.** The Village of Yorkville reserves the right to require the owner to appear before the Board to address substantiated complaints involving this operation. The Board may direct the owner to implement possible corrective measures to address the complaints. The Conditional Use Permit could be subject to revocation proceedings if substantiated complaints are not addressed by corrective measures.
6. **Exterior Lighting.** Any changes to the existing exterior lighting on the property shall meet the provisions of Section 20-1065 of Chapter 20, Zoning, Racine County Code of Ordinances, as applicable to the Village of Yorkville. Any exterior lighting installed prior to December 15, 2022, must remain in conformance with the approved exterior lighting plan on record. If any exterior lighting installed prior to December 15, 2022, was not part of an approved exterior lighting plan, the exterior lighting must continue to be arranged, oriented, or shielded in a manner that direct radiation or glare from such source does not penetrate adjacent or nearby parcels or the public right-of-way, and will not endanger the safety of pedestrian or vehicular traffic.

7. **Loading Requirements.** Adequate loading areas shall be provided so that all vehicles loading, maneuvering, or unloading are completely off the public ways and so that all vehicles need not back onto any public way. Reference Section 20-1087, Chapter 20, Zoning, Racine County Code of Ordinances, as applicable to the Village of Yorkville.
8. **Operation Requirements.** The operation shall not locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might run off, seep, percolate, or wash or be harmful to human, animal, plant, or aquatic life. Any oil or other hazardous fluids must be stored in a designated containment area that complies with all Wisconsin Department of Natural Resources (WI-DNR) regulations.
9. **Compliance.** Failure to comply with the terms and conditions stated herein could result in the issuance of citation(s) and/or revocation of this permit.
10. **Binding Effect.** 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.
11. **Plans.** The proposed project shall be located, constructed, and utilized in accordance with the plans and documents received by the Racine County Development Services Office on January 28, 2025, unless otherwise amended herein.
12. **Performance Standards.** The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances, as applicable to the Village of Yorkville (copy attached).
13. **Property Requirements.** This site must be kept neat and orderly at all times, with all refuse dumpsters out of view of passersby. All disposed items must be done in an environmentally safe manner. The continued positive appearance of buildings and property is dependent upon proper maintenance attitudes and procedures. Maintenance programs must be established that include watering, maintaining, and pruning all landscape planting areas; cleaning up litter and emptying trash containers in a timely fashion; sweeping, cleaning, and repairing paved surfaces; replacing broken and vandalized parts; replacing burned out light bulbs; and cleaning, painting, and repairing windows and building facade.
14. **Signs.** Any advertising sign on this property must conform to the Racine County Ordinance standards, as applicable to the Village of Yorkville, and will require a separate zoning permit(s) prior to installation.

15. **Fire Alarm and/or Sprinkler Plan Review.** If this approval is for an activity that requires fire alarm and/or sprinkler system plan review, written confirmation shall be provided to the Village Administrator/Clerk by Fire Safety Consultants, Inc. stating that the applicant and/or agent has submitted acceptable fire alarm and/or sprinkler system plans to Fire Safety Consultants, Inc. for review pursuant to Chapter 26 of the Village of Yorkville Municipal Code. No building or zoning permit shall be issued for this activity until such time as said confirmation is provided. For the purposes of this condition, the term "building permit" shall mean any permit including, but not limited to, site preparation, building, electrical, plumbing, HVAC, and erosion permits. The applicant must first obtain Fire Safety Consultants, Inc. fire alarm and/or sprinkler system plan approval prior to submitting those plans to the State of Wisconsin for state review. Failure to abide by any part of this condition shall not constitute a basis for an appeal to the Village Board of any sprinkler system and/or fire alarm requirements contained within Chapter 26 of the Village of Yorkville Municipal Code. The building inspector may issue a stop work order if, in his/her opinion, construction cannot proceed any further without impeding the installation of the required fire alarm and/or sprinkler systems.
16. **Access.** The applicant must allow any Racine County or Village employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.
17. **Compliance with Law.** The applicant is responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses. The applicant is required to comply with all applicable local, state, and federal regulations.
18. **Amendments to Conditional Use Permit.** No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Village of Yorkville's prior approval. All addition, deletion, and/or change requests must be submitted to the Village of Yorkville or the Racine County Development Services office in writing. A minor change to the conditions of this permit, as deemed by the Zoning Administrator, may be made at a staff level, if authorized by the Zoning Administrator.
19. **Reimburse Village Costs.** Applicant shall reimbursement to the Village all costs incurred by the Village for review of this conditional use including but not limited to engineering, legal and planning review that occurred prior to permit issuance and during the implementation of the plans and construction of the improvements.
20. **Agreement.** 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, Matthew Milkie, Stacey Piper-Milkie, Phillip Kapalczynski, their heirs, successors, and assigns are responsible for full compliance with the above conditions.

Matthew Milkie and Stacey Piper Milkie
Phillip Kapalczynski, Applicant
March 5, 2025
Page 5 of 5

21. **Subsequent Owners.** It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.
22. **Recording.** The Village shall have the resolution approving this request recorded with the Racine County Register of Deeds at the applicant's expense.

c: Tim Pruitt, Eileen Zaffiro, Doug Nelson, Mark Eberle
File

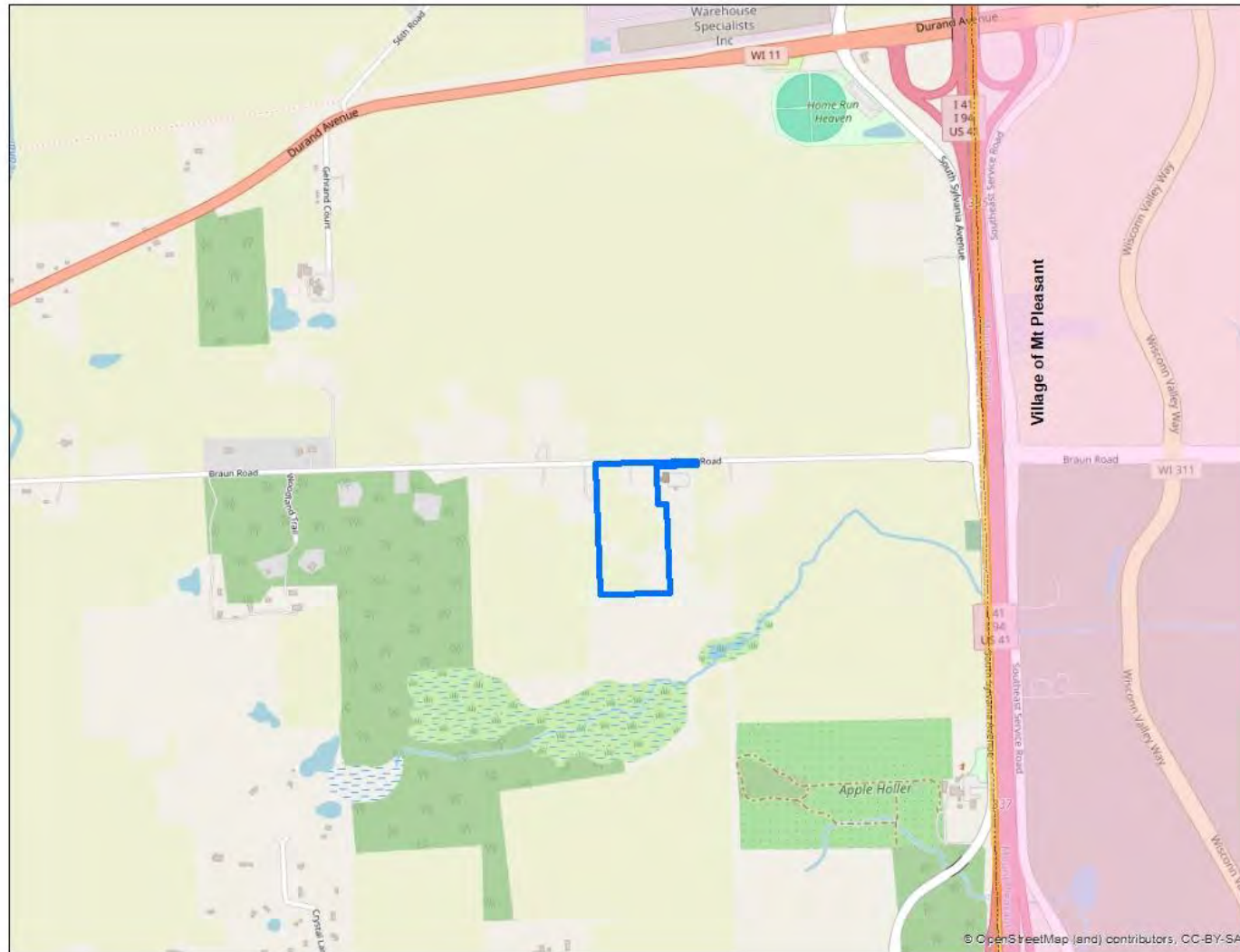
Matthew Milkie & Stacy Piper-Milkie, Owners

Philip Kapalczynski, Applicant

Site Address: 14601 Brown Road

A-2 Conditional Use to operate a Rural Home-Based business known as "Top Notch Thread Rolling"

Location Map



SEC 36 — T3N — R21E

Village of Yorkville

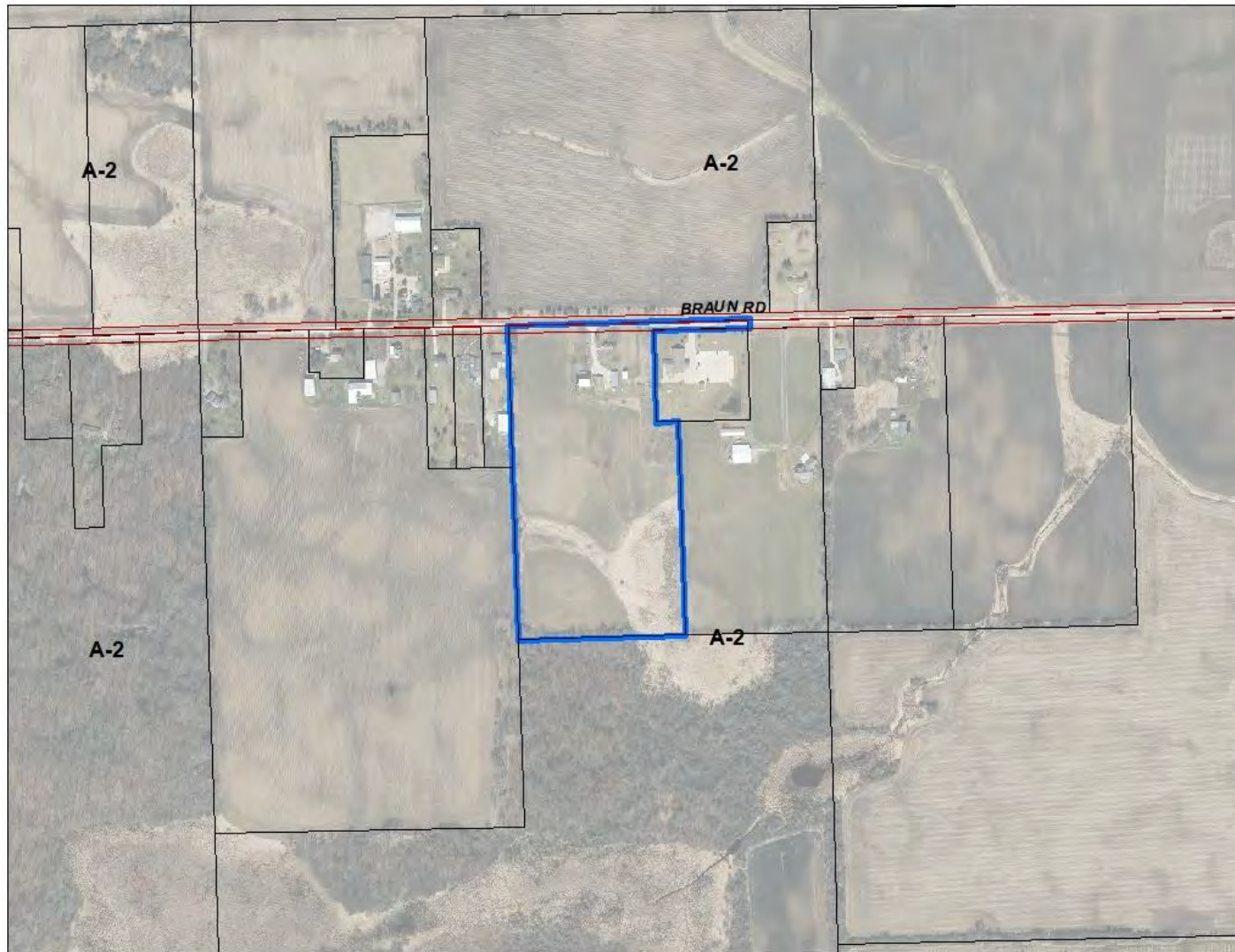
Matthew Milkie & Stacy Piper-Milkie, Owners

Philip Kapalczynski, Applicant

Site Address: 14601 Brown Road

A-2 Conditional Use to operate a Rural Home-Based business known as "Top Notch Thread Rolling"

Zoning Map



SEC 36 — T3N — R21E

Village of Yorkville



Matthew Milkie & Stacy Piper-Milkie, Owners

Philip Kapalczynski, Applicant

Site Address: 14601 Brown Road

A-2 Conditional Use to operate a Rural Home-Based business known as "Top Notch Thread Rolling"

2024 Aerial Wetlands



SEC 36 — T3N — R21E

Village of Yorkville





14601 Braun Rd. Sturtevant, WI 53177

262-425-8030

To the Town of Yorkville:

My name is Phil Kapalczynski. I am writing to you about the property at 14601 Braun Rd (E&R Mfg.). I am asking if there is a way to keep the business going at that location. I live on the property, and I would be interested in purchasing the property and keeping the business the same as it has been, operating the two buildings. 1. Red & White 1950 square feet. 2. Yellow and Red Brick building 1800 square feet.



I am asking for your consideration in keeping the business here in Yorkville.

It has 4 employees, 1 part time 3 full time. One of the employees has even been their 30+ years.

We only operate 7 a.m. to 3:30 p.m. Monday thru Thursday, Fridays we close by Noon, and we are not open on the weekends.

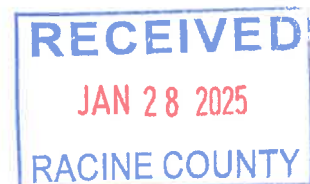
I will keep the property with no expansion from the current buildings on the property.

Unsewered

I will end this letter hoping you will consider letting me keep the business in a town I love being part of, and my employees do too. I get along with all the neighbors and even help some of them at times. When the church has something going on I let them park by me. I am very community orientated and would like to stay part of this community. Thank you for your consideration.

Thank you

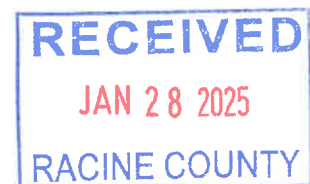
Phil Kapalczynski



Business Operation Description.

Top Notch Threadrolling LLC. Provides a service of adding threads to customers' parts or products.

Threadrolling is where you form a thread with pressure by putting a part or product in between two dies and squeezing it together to form the desired thread. Example: Threads on a bolt.



Supplemental regulations for rural home-based businesses.

1. Rural home-based businesses are allowed only if reviewed and approved in accordance with the conditional use procedures of Chapter 55, Exhibit A, Chapter 20, Article VIII, Division 3.

Answer: Under chapter 55 exhibit A, I feel we meet the guidelines for a home-based business as I have defined below with answers under each question or requirement. Under Chapter 20, Article VIII, I am not looking for changing anything on the property or expanding anything that would change zoning or the current nature of the outlook with my neighborhood.

2. A Maximum of three nonresident employees are allowed with a rural home-based business.

Answer: (Full time). Logan Kapalczynski 320 18th Avenue, Union Grove WI, 53182

(Full time). Steve Clausen 3617-1/2 Graceland Blvd. Racine WI, 53405

(Part time 8to12 hrs week). Mathew Higdon 12600 W Meadow Lane, New Berlin WI, 53151

3. Customer visits are allowed only between the hours of 7:00 a.m. and 7:00 p.m.

Answer: Customer visits are only during operating hours Monday thru Thursday 7:00 a.m. to 3:30 p.m. Fridays 7:00 a.m. until Noon. Closed on Saturday & Sunday's.

4. Rural home-based businesses must be accessory and secondary to the use of a dwelling unit for residential purposes or accessory to any on-site agricultural use. They may not change the character of the property they occupy or adversely affect the character of the surrounding area. Rural home-based businesses may not, for example, produce light, noise, vibration, odor, parking demand, or traffic impacts that are not typical of a rural or semirural area in Yorkville. Rural home-based businesses must be operated so as not to create or cause a nuisance.

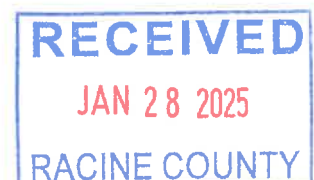
Answer: Two shops used as business (already been there 50 years operating). I live in the house on the property with the shops. See attached Braun Road Survey for highlighted buildings being used and lived in.

5. Rural home-based businesses may be conducted within the principle dwelling unit or within an accessory building.

Answer: I live in the house and work in the shops. I also have an office in the house where I live.

6. Accessory buildings in which rural home-based businesses are conducted must be set back at least 150 feet from any offsite dwelling unit.

Answer: Closest off-site dwelling is approximately 400 feet away from either shop.



7. Any tools or equipment used as part of a rural home-based business must be operated in a manner or sound -proofed so as not to be audible the lot lines of the subject property.

Answer: Both buildings when running are quiet to the neighbors and cannot be heard from the lot lines.

8. No Window display or other public display of any material or merchandise is allowed.

Answer: I do not display any material or merchandise

9. The use of storage of hazardous substances is prohibited, except at the "consumer commodity" level, as that term is defined in 49 CFR 171.8.

Answer: We do not transport, sell or store any hazardous materials with this type of business.

10. As part of the conditional use process, renters will need to obtain written permission from the property owner to carry out the rural home-based business.

Answer: I have a lease and letter from the homeowners allowing me to run the business and live here on the property.

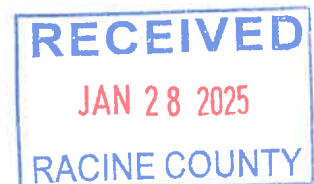
11. Roadside stands, as defined in section 20-1, and permitted as an accessory use in agriculturally zoned districts, are not subject to any of the home-based business provisions set forth in this ordinance.

Answer: No roadside stands pertain to my business.

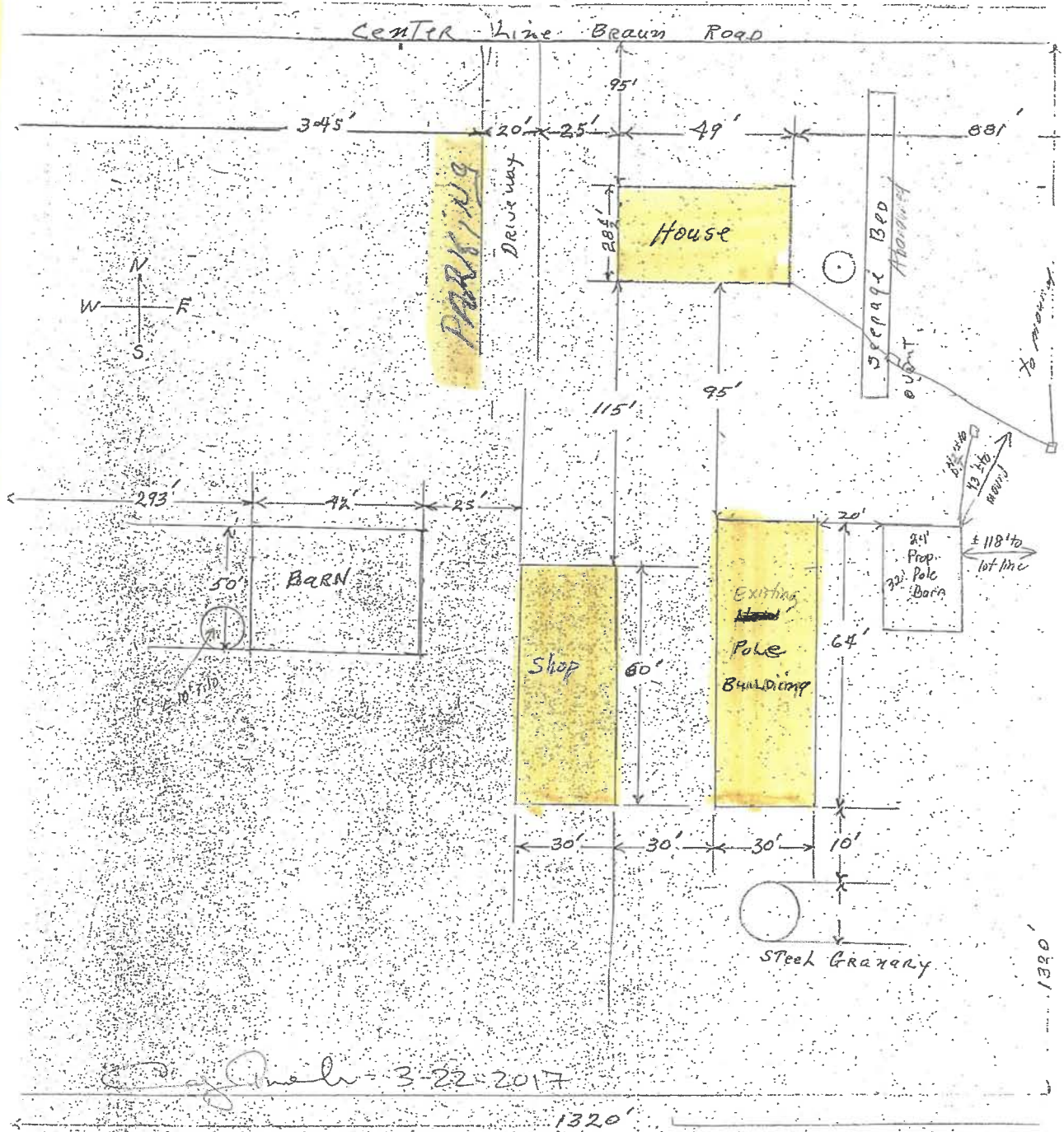
12. The following uses are expressly prohibited as rural home-based businesses:

- I. Any type of motor vehicle repair, except where permitted pursuant to a conditional use permit as a rural home-based business under this ordinance.
- II. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building.

Answer: Neither one of these are what we do for business.



HIGHLIGHTED AREAS
USED FOR BUSINESS



3-22-2017

EARL C. PETERSEN'S FARM IN TOWN OF YORKVILLE
14601 BRAUN ROAD
STURTEVANT, WIS 53147
40 ACRES

$42 \times 50 = 2100$
 $30 \times 66 = 1980$
 $30 \times 64 = 1920$
 $12 = 117$
 $16 = 79$

RECEIVED
 JAN 28 2025
 RACINE COUNTY

CONDITIONAL USE / SITE PLAN REVIEW APPLICATION

Village of Yorkville, Wisconsin

Owner: MAT & STACEY MILKIE

Applicant/Agent: Phillip KAPALCZYNSKI

Municipality: Yorkville

Zoning district(s): A-2

TO THE VILLAGE OF YORKVILLE PLAN COMMISSION:

The undersigned requests a conditional use / site plan review permit to (specify use, project, structure, size, etc.)

Operate a rural home-based business known as Top Notch Thread Rolling

AT (site address): 14601 Braun Road

Subdivision: N/A

Lot(s): N/A

Block: N/A

Parcel # 194032136004000

Section(s) 36

T03 N R21 E

If served by municipal sewer, check here: ☐

Sanitary permit #: 519219

Attached are:

☒ zoning permit application

☒ hearing/review fee (Fees are non-refundable, and re-publication/amendment fees will be charged where applicable.)

☒ 12 SETS:
drawn-to-scale site plan that is based on a survey (10 of the 12 should be sized or folded to 8.5" x 11")

☒ 3 SETS: landscaping/lighting plan
☒ 12 SETS: report/cover letter and operations plan
abutting property owners' names and mailing addresses other

☒ letter of agent status

print name: Phillip KAPALCZYNSKI

e-mail address: PKAPAK@TOPNOTCH-TR.COM

address: 14601 BRAUN RD

telephone #: 414-477-1678

STURTEVANT WI 53177

signed: Phillip KAPALCZYNSKI

STAFF USE ONLY:

BASED ON CURRENT MAPPING, check applicable statement(s) below & underline or circle the word "all" or "partially".

<u>N/A</u>	The property is	<u>all</u> / partially	located in the	<u>N/A</u>	shoreland area.
<u>N/A</u>	The project is	<u>all</u> / partially	located in the	<u>N/A</u>	shoreland area.
<u>N/A</u>	The property is	<u>all</u> / partially	located in the	<u>N/A</u>	floodplain.
<u>N/A</u>	The project is	<u>all</u> / partially	located in the	<u>N/A</u>	floodplain.
<u>N/A</u>	The property is	<u>all</u> / partially	located in the wetland.		
<u>N/A</u>	The project is	<u>all</u> / partially	located in the wetland.		

The applicant is subject to the following Racine County Ordinance provisions (specify article/section):

Article VI Division 24 A-2 General Farming and Residential District 11 and Section 20-1015

Home Based Businesses

Shoreland contract: yes ☐ no ☒

Public hearing date: March 10, 2025

Site plan review meeting date: N/A

Submittal received by: STM

Date petition filed: January 28, 2025

cash ☐ or check #: 1067

amount received: \$ 475.00

APPLICATION FOR ZONING PERMIT
RACINE COUNTY, WISCONSIN (Rev. 02/22)

PERMIT NO. _____
DATE PERMIT ISSUED _____

OWNER Matthew J. Milkie & Stacy Piper Milkie
Address 40572 Glen Ridge Ln.
Boscobel WI 53805
City State Zip

APPLICANT Phillip KAPALCZYNSKI
Address 14601 BRAUN RD.
STURTEVANT WI 53177
City State Zip

Phone 262-497-9177

Phone 414-477-1678

Email Matt.Milkie@gmail.com

Email PKAPAI@TOPNOTCH-TR.COM

Parcel Id. # 194032136004000

Site Address 14601 Braun Road

Municipality Yorkville Section(s) 36 Town 03 North, Range 21 East

Lot — Block — Subdivision Name — CSM # —

Proposed Construction/Use Operate a Rural Home-based Business Known as

Top Notch Thread Rolling

New	<input checked="" type="checkbox"/>	Principal Bldg.	Size (— x —) (— x —) (— x —)
Addition	<input type="checkbox"/>	Accessory	Area (sq ft) (—) (—) (—)
Alteration	<input type="checkbox"/>	Deck	Peak Ht. (ft.) — 100-Yr. Floodplain Elev. —
Conversion	<input type="checkbox"/>	Sign	Eave Ht. (ft.) — Flood Protection Elev. —
Temporary	<input type="checkbox"/>	Other Occupancy	Building Ht.-Avg. (ft.) —

Contractor NONE PREVIOUS	Est. Value w/ Labor \$ 0	ZONING DISTRICT A-2
Existing Nonconforming? N/A	Yes No	Yard Setbacks Proposed OK?
Structure in Shoreland? (per map) N/A	Yes No	Street-1 st Existing
Mitigation or Buffer Needed? N/A	Yes No	Street-2 nd Buildings
Structure in Floodplain? (per map) N/A	*Yes No	Side-1 st
*Structure's Fair Market Value \$ N/A	Cumulative %	Side-2 nd
*>50% of Fair Market Value? N/A	Yes No	Shore
Structure in Wetland? (per map) N/A	Yes No	Rear
Substandard Lot? N/A	Yes No	Total Acc. Structures
BOA Variance Needed? N/A	Yes No	Date of Approval
Conditional Use/Site Plan Needed? N/A	Yes No	Date of Approval
Shoreland Contract Needed? N/A	Yes No	Date of Approval
Additional Zoning Permit Stipulations Listed on Back of this Form? Yes No (If "Yes," see back)		

The applicant hereby acknowledges receipt of notice contained herein and certifies that submitted information/ attachments are true and correct to the best of the knowledge and belief of the signer, and that all construction/ use will be done in accordance with the Zoning Ordinance, applicable stipulations, and Wisconsin laws.

BOA Conditional Use/Site Plan Pd: \$ 475.00
CC Date/Check#/Cash 1067
Signature of Owner/Applicant Agent Date 1-28-2025

Shoreland Contract Fee Pd: \$
CC Date/Check#/Cash
Matthew J. milkie Stacy Piper milkie
Print Name(s)

Zoning Permit Fee Pd: \$ 250.00
CC Date/Check#/Cash
Notes (revisions, extensions, etc.)

Other: Pd: \$
JTM
(Staff Initials)

✓ ☐ if shoreland erosion review fee is included above Zoning Administrator

Make checks payable to "Racine County Development Services" - Note: ALL FEES ARE NONREFUNDABLE (OVER)

PIN 1940321-36-004000

Staff Use Only

If a private onsite wastewater treatment system (POWTS) serves the property, check here _____ and complete #1-6 below:

- 1) Sanitary Permit # _____ Date issued _____ Year installed _____ Failing? _____
- 2) If zoning permit is for an accessory structure without plumbing, check here _____ and go to #4 below.
- 3a) If a commercial facility, public building, or place of employment, will there be a change in occupancy of the structure; or will the proposed modification affect either the type or number of plumbing appliances, fixtures or devices discharging to the system? Yes* _____ No _____ N/A _____
- 3b) If a dwelling, will the addition/alteration change the number of bedrooms? Yes* _____ No _____ N/A _____
*If "Yes" above, documentation must be submitted per SPS 383.25 (2) (d) to verify system can be used.
- 4) Will construction interfere with the setback requirements to the POWTS per SPS 383.43 (8) (i)? Yes _____ No _____
If "Yes," provide variance approval date: _____
- 5) Has a new sanitary permit been issued to accommodate the structure or proposed modification in wastewater flow or contaminant load and/or County sanitary approval granted? Yes _____ No _____
- 6) Comments _____

POWTS Inspector's Signature: _____ Date: _____

ZONING PERMIT REQUIREMENTS

A Plat of Survey shall be prepared by a Land Surveyor registered in Wisconsin illustrating new principal structure's location on lots less than five (5) acres in size. All zoning permit applications shall be accompanied by plans drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon and any primary and accessory buildings, the lines within which the building shall be erected, altered or moved, the existing and/or intended use of each building or part of a building and the number of families and/or employees the building is intended to accommodate. Include floodplain, wetlands, environmental corridors, easements and such other information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for ordinance enforcement. Adequate driveway access and off-street parking stalls must be provided in accordance with Sec. 20-1088, Racine County Code of Ordinances. In addition, if a private sewage system exists, the location of the tank(s), system and vent shall be shown on the plan with setback distances to the closest part of the proposed construction.

All dimensions shown relating to the location and size of the lot shall be based upon an actual survey. Lot area shall not contain road right-of-way. NOTE: All street yard, side yard, and rear yard setbacks shall be measured from the closest property lines. Shore yard setbacks shall be measured from the closest point of the ordinary highwater mark of a navigable body of water. All elevations shall be provided in mean sea level datum.

All zoning permits issued pursuant to this ordinance are valid for nine (9) months unless substantial construction has commenced and is continuing, otherwise such zoning permits shall become null and void and a new zoning permit is required. It is the responsibility of the applicant to secure all other necessary permits required by any federal, state or local agency. The issuance of a zoning permit is not a guaranty or warranty that the requirements have been met for other necessary permits, or that the site is otherwise suitable for construction.

NOTICE: YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE OR CONTACT A DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER. See DNR web site <http://dnr.wi.gov/wetlands/locating.html> for more information.

ADDITIONAL ZONING PERMIT STIPULATIONS (check all that apply)

- _____ Proposed structure is for owner residential use only and not to be used for human habitation or separate living quarters. No business, commercial or industrial use is allowed.
- _____ All disturbed soils must be reseeded and mulched or sodded immediately upon completion of project.
- _____ Must install the following within 14 days of completion of roof: gutters and downspouts which outlet onto splashblocks or into drain tiles; or a hard surface material that extends at least 16" beyond the dripline of the structure.
- _____ All excess soil not used for backfilling project must be removed from the shoreland area within 10 days of excavation.
- _____ A hard surface material must be placed beneath the deck to prevent soil erosion.
- _____ All existing yard grade elevations will remain unchanged.
- _____ Firmly anchor, no floor < _____'; Buoyant, flammable, explosive or injurious materials/utilities/electric & 1st floor ≥ _____'

WISCONSIN RESIDENTIAL RENTAL AGREEMENT

1 This Agreement for the premises identified below is entered into by and between the Landlord and Tenant (referred to in the singular whether
2 one or more) on the following terms and conditions:

3 **TENANT:** (1 adults and 0 children)

4 Phil Kapalzynski

5 _____

7 **PREMISES:** Building Address

8 14601 Brann Rd

9 Sturtevant WI 53177

10 (city, village, town) (state) (zip)

11 Apartment/room/unit: N/A

12 Other: _____

13 Included furnishings/appliances: refrigerator, range, oven

14 other (list or attach addendum): _____

15 _____

16 _____

17 _____

18 **RENT:** Rent of \$ 1500.00 for Premises and

19 \$ 1800.00 for other (specify 3 out build days)

20 is to be received no later than the 5th day of each month

21 and is payable at direct deposit / check

22 If rent is received after 5th

23 the Tenant shall pay a late fee of \$ 50.00 per day

24 Charges incurred by Landlord for Tenant's returned checks are

25 payable by Tenant. Landlord shall provide a receipt for cash

26 payments of rent. All tenants, if more than one, are jointly and

27 severally liable for the full amount of any payments due

28 under this Agreement. Acceptance of a delinquent payment

29 does not constitute a waiver of that default or any other default

30 under this Agreement. Other Landlord or Tenant obligations:

31 See attached

32 _____

33 _____

34 _____

35 _____

36 _____

LANDLORD: Matt Milkie & Stacey Piper Milkie

Agent for service of process N/A (name) (phone) (address)

(city, village, town) (state) (zip)
Agent for maintenance, management N/A (name) (phone) (address)

(city, village, town) (state) (zip)
Agent for collection of rents N/A (name) (phone) (address)

(city, village, town) (state) (zip)

TERM: (Strike either (a) or (b) enter complete date.)

(a) Month to month beginning on 11-01-2021; or
(b) For a term of _____ months beginning on _____ and ending on _____

NOTE: An Agreement for a fixed term expires without further notice. If tenancy is to be continued beyond this term, parties should make arrangements for this in advance of the expiration.

UTILITIES: Check if paid by:

	Landlord	Tenant
Electricity		<input checked="" type="checkbox"/>
Gas		<input checked="" type="checkbox"/>
Heat		<input checked="" type="checkbox"/>
Air Conditioning		<input checked="" type="checkbox"/>
Sewer/Water	<input checked="" type="checkbox"/>	
Hot Water		<input checked="" type="checkbox"/>
Trash		<input checked="" type="checkbox"/>
Other		

If utilities or services payable by Tenant are not separately metered, tenant's share of payments are allocated as follows:

37 **SECURITY DEPOSIT:** Upon execution of this Agreement, Tenant shall pay a security deposit in the amount of \$ obtained \$3000.00 to be held by
38 Landlord or Landlord's agent. The deposit, less any amounts legally withheld, will be returned to Tenant's last known address within twenty-one
39 (21) days after any event set forth in Wis. Stat. § 704.28(4). If any portion of the deposit is withheld, Landlord must provide Tenant with a written
40 statement accounting for amounts withheld. The statement shall describe each item of physical damage or other claim made against the security
41 deposit, and the amount withheld as reasonable compensation for each item or claim. If repair costs are not known within twenty-one (21) days
42 Landlord may use a good faith estimate in the written accounting. The reasonable cost for tenant damage, waste, or neglect of the premises,
43 normal wear and tear excluded, may be deducted from Tenant's security deposit as well as any amounts set forth in Wis. Stat. § 704.28(1).
44 Tenant may not use the security deposit as payment for the last month's rent without the written permission of Landlord.

45 **DEDUCTIONS FROM PRIOR TENANT'S SECURITY DEPOSIT:** Tenant is hereby notified that Tenant may do any of the following within seven
46 (7) days after the start of their tenancy: (a) inspect the unit and notify Landlord of any pre-existing damages or defects, and (b) request a list of
47 physical damages or defects, if any, charged against the previous Tenant's security deposit. If such a request is made by Tenant, Landlord will
48 supply Tenant with a list of all physical damages or defects charged against the previous tenant's security deposit regardless of whether or not those
49 damages or defects have been repaired. Said list will be provided to Tenant within thirty (30) days from when the request was received or, within
50 seven (7) days after Landlord notifies the previous tenant of the security deposit deductions, whichever occurs later. Landlord need not disclose
51 previous tenant's identity nor the amount deducted from the previous tenant's security deposit. Landlord will provide Tenant with a Check-In /
52 Check-Out sheet. Should Tenant fail to return it to Landlord within seven (7) days after the start of the tenancy, Tenant will be considered to have
53 accepted the Premises without any exceptions.

54 **RULES:** Landlord may make reasonable rules governing the use and occupancy of the Premises and the building in which it is located. Any failure
55 by the Tenant to substantially comply with the rules will be a breach of this Agreement and may result in the eviction of the Tenant. Landlord may
56 amend the rules to provide for newly added amenities or to meet changed circumstances or conditions adversely affecting the property. No such
57 amendments may unreasonably interfere with Tenant's use and enjoyment of the Premises or the property of which it is part. A copy of the rules, if
58 applicable, have been given to Tenant at the time of application and at the time of the signing of this Agreement.

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RACINE COUNTY

59 **NOTICE TO VACATE:** Lease for Term – Before moving out you must give in writing via email or registered mail at least sixty(60) days notice prior
60 to move out at the address listed in line 35 or email address listed in line 36. Your notice will not release you from liability for the full term of the
61 lease. Month to Month Tenancy – Written notice must be received by the other party at least sixty (60) days prior to the ending of a month to
62 month tenancy. A month to month tenancy may only be terminated at the end of a rental period. A rental period runs from the first day of a
63 calendar month through the last day of a calendar month.

64 **CONTROLLING LAW:** Landlord and Tenant understand their rights and obligations under this Agreement and that they are subject to the laws
65 of Wisconsin, including Wis. Stat. ch. 704 and ch. 799, Wis. Admin. Code § ATCP 134, and applicable local ordinances. Both parties shall obey
66 all governmental orders, rules and regulations related to the Premises, including local housing codes.

67 **CONDITION OF PREMISES:** Tenant has had the opportunity to inspect the rental unit and has determined that it will fulfill their needs and
68 acknowledges that the unit is in good and satisfactory condition, except as noted in the Check-In / Check-Out sheet provided to them, prior to
69 taking occupancy. Tenant agrees to maintain the premises during their tenancy and return it to Landlord in the same condition as it was received
70 less normal wear and tear.

71 **POSSESSION AND ABANDONMENT:** Landlord shall give Tenant possession of the Premises as provided. Tenant shall vacate the Premises
72 and return all of Landlord's property promptly upon the expiration of this Agreement, including any extension or renewal, or its termination, in
73 accordance with its terms and the law. A Tenant will be considered to have surrendered the Premises on the last day of the tenancy provided
74 under this Agreement, except that, if the Tenant vacates before the last day of the tenancy, and gives Landlord written notice that Tenant has
75 vacated, surrender occurs when Landlord receives the written notice that Tenant has vacated. If the Tenant mails the notice to Landlord,
76 Landlord is deemed to have received the notice on the second day after mailing. If Tenant vacates the Premises after the last day of the tenancy,
77 surrender occurs when Landlord learns that Tenant has vacated. If Tenant abandons the Premises before expiration or termination of this
78 Agreement or its extension or renewal, or if the tenancy is terminated for Tenant's breach of this Agreement, Landlord shall make reasonable
79 efforts to re-rent the Premises and apply any rent received, less costs of re-renting, toward Tenant's obligations under this Agreement. Tenant
80 shall remain liable for any deficiency. If Tenant is absent from the Premises for two (2) successive weeks without notifying Landlord in writing of
81 this absence, Landlord may deem the Premises abandoned unless rent has been paid for the full period of the absence.

82 **ABANDONED PROPERTY:** If Tenant vacates or is evicted from the premises and leaves personal property, Landlord may presume, in the
83 absence of a written agreement between the Landlord and Tenant to the contrary, that the Tenant has abandoned the personal property and
84 Landlord may dispose of it in any manner that the Landlord, in his sole discretion, determines is appropriate. Landlord will not store any items of
85 personal property that tenant leaves behind when tenant vacates or is evicted from the premises, except for prescription medicine or prescription
86 medical equipment, which will be held for seven (7) days from the date of discovery. If Tenant abandons a manufactured or mobile home or a
87 titled vehicle, Landlord will give Tenant and any other secured party that Landlord is aware of, written notice of intent to dispose of property by
88 personal service, regular mail, or certified mail to Tenant's last known address, prior to disposal.

89 **USE OF PREMISES AND GUESTS:** Tenant shall use the Premises for residential purposes only. *Operating a business or providing child care*
90 for children not listed as occupants in this Agreement is prohibited. Neither party may: (1) make or knowingly permit use of the Premises for any
91 unlawful purpose; (2) engage in activities which unduly disturb neighbors or tenants; and/or (3) do, use, or keep in or about the Premises anything
92 which would adversely affect coverage under a standard fire and extended insurance policy. Tenant may have guests residing temporarily in
93 Premises if their presence does not interfere with the quiet use and enjoyment of other tenants and if the number of guests is not excessive for
94 the size and facilities of the Premises. No guest may remain for more than two (2) weeks without written consent of Landlord which will not be
95 unreasonably withheld. Tenant shall be liable for any property damage, waste, or neglect of the Premises, building, or development in which it is
96 located, that is caused by the negligence or improper use by Tenant or Tenant's guests and invitees.

97 **NON-LIABILITY OF LANDLORD:** Landlord, except for his negligent acts or omissions, shall not be liable for injury, loss, or damage which
98 Tenant may sustain from the following: (a) theft, burglary, or other criminal acts committed by a third party in or about the premises, (b) delay or
99 interruption in any service from any cause whatsoever, (c) fire, water, rain, frost, snow, gas, odors, or fumes from any source whatsoever, (d) injury
100 or damages caused by bursting or leaking pipes or back up of sewer drains and pipes, (e) disrepair or malfunction of the Premises, appliances,
101 and/or equipment unless Landlord was provided with prior written notice by Tenant of the problem. Tenant holds Landlord harmless from any
102 claims or damages resulting from the acts or omissions of Tenant, Tenant's guests or invitees, and any third parties, including other tenants.

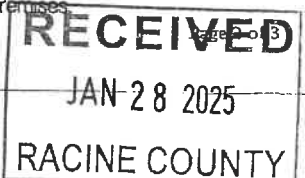
103 **CRIMINAL ACTIVITY PROHIBITED:** Tenant, any member of Tenant's household, guest, or invitee shall not engage in or allow others to
104 engage in any criminal activity, including drug-related criminal activity, in the Premises or on the property. Pursuant to Wis. Stat. § 704.17(3m),
105 Landlord may terminate the tenancy of Tenant, without giving Tenant an opportunity to remedy the default, upon notice requiring Tenant to
106 vacate on or before a date at least five (5) days after the giving of the notice, if Tenant, a member of Tenant's household, or a guest or other
107 invitee of Tenant or of a member of Tenant's household engages in any of the following: (a) criminal activity that threatens the health or safety
108 of, or right to peaceful enjoyment of the Premises by, other tenants, (b) criminal activity that threatens the health or safety of, or right to
109 peaceful enjoyment of their residences by persons residing in the immediate vicinity of the Premises, (c) criminal activity that threatens the
110 health or safety of Landlord or an agent or employee of Landlord, (d) drug-related criminal activity, which includes the manufacture or
111 distribution of a controlled substance, on or near the Premises. The above does not apply to a Tenant who is the victim, as defined in Wis.
112 Stat. § 950.02(4), of the criminal activity. It is not necessary that there have been an arrest or conviction for the criminal activity or drug-related
113 criminal activity.

114 **DANGEROUS ITEMS AND ACTIVITIES PROHIBITED:** Tenant, any member of Tenant's household, guest, or invitee shall not possess or use
115 on the property the following items including, but not limited to, swimming or wading pools, trampolines, slip 'n slides or any other water
116 recreation devices, air, pellet or BB guns/rifles, explosives, fireworks, sparklers, candles, space heaters or any other items that, in the opinion of
117 Landlord, create an unreasonable risk of injury or damage, without the prior written consent of Landlord.

118 **MAINTENANCE:** Pursuant to Wis. Stat. § 704.07, Landlord shall keep the structure of the building in which the Premises are located and those
119 portions of the building and equipment under Landlord's control in a reasonable state of repair. Tenant shall maintain the Premises under Tenant's
120 control in a clean manner and in as good of a general condition as it was at the beginning of the term or as subsequently improved by Landlord,
121 normal wear and tear excluded. Tenant shall not physically alter or redecorate the Premises, cause any contractor's lien to attach to the
122 Premises, commit waste to the Premises or the property of which it is a part, or attach or display anything which substantially affects the exterior
123 appearance of the Premises or the property in which it is located, unless otherwise allowed under the rules or unless Landlord has granted
124 specific written approval. Landlord shall keep heating equipment in a safe and operable condition. Whichever party is obligated to provide heat
125 for the Premises they shall maintain a reasonable level of heat to prevent damage to the Premises and the building in which it is located.

126 **NO MODIFICATIONS TO PREMISES:** Tenant may not make any modifications to the Premises without the prior written consent of Landlord.
127 Modifications include, but are not limited to, removal of any fixtures, painting of any rooms, installation of blinds or other window coverings,
128 drilling of holes, building of any additions, or any modifications that would be attached to the ceiling, floor or walls of the Premises. This restriction
129 does not apply to the hanging of photographs, paintings or related items within reason. If Tenant violates this provision Tenant will be charged the
130 actual costs incurred by Landlord to return the Premises to its original condition. Payment of said costs by Tenant does not waive Landlord's right
131 to terminate Tenant's tenancy for violating this provision.

132 **EXTERMINATION COSTS:** Tenant will be responsible for the costs of extermination or removal of any insects, pests, or rodents that are
133 found on the Premises, and which are the result of the Tenant's (or any member of the Tenant's household, Tenant's guests, or invitees) acts,
134 negligence, failure to keep the Premises clean, failure to remove garbage and waste, and/or improper use of the Premises.



135 **ENTRY BY LANDLORD:** Landlord may enter the Premises occupied by Tenant, with or without Tenant's consent, at reasonable times upon
136 twelve (12) hours advance notice to inspect the Premises, make repairs, show the Premises to prospective tenants or purchasers, or comply with
137 applicable laws or regulations. Landlord may enter without advance notice when a health or safety emergency exists, or if Tenant is absent and
138 Landlord believes entry is necessary to protect the Premises or the building from damage. Neither party shall add or change locks without providing
139 the other party keys. Improper denial of access to the Premises is a breach of this Agreement.

140 **BREACH AND TERMINATION:** Failure of either party to comply substantially with any material provision is a breach of this Agreement. Should
141 Tenant neglect or fail to perform and observe any of the terms of this Agreement, Landlord shall give Tenant written notice of the breach requiring Tenant
142 to remedy the breach or vacate the Premises on or before a date at least five (5) days after the giving of such notice, and if Tenant fails to comply with
143 such notice, Landlord may declare the tenancy terminated and proceed to evict Tenant from the Premises, without limiting the liability of Tenant for the
144 rent due or to become due under this Agreement. If Tenant has been given such notice and remedied the breach or been permitted to remain in the
145 Premises, and within one (1) year of such previous breach, Tenant breaches the same or any other covenant or condition of Tenant's lease, this lease
146 may be terminated if, Landlord gives notice to Tenant to vacate on or before a date at least fourteen (14) days after the giving of the notice as provided
147 in Wis. Stat. § 704.17. The above does not apply to the termination of tenancy pursuant to Wis. Stats. §§ 704.17(3m), 704.17(2)(c), and 704.16(3).
148 These provisions shall apply to any lease for a specific term and do not apply to a month to month tenancy. If Landlord commits a breach, Tenant has
149 all rights, and remedies as set forth under the law, including Wis. Stats. §§ 704.07(4) and 704.45, and Wis. Admin. Code § ATCP 134.

150 **RESPONSIBILITY FOR UTILITIES:** Tenant must maintain utilities for the Premises until the end of the lease term or until the last day that Tenant
151 is responsible for rent. Tenant will be responsible for the cost of all utilities through the end of the lease term or until the last day that Tenant is
152 responsible for rent.

153 **RENT:** All late fees, security deposit, utility charges, or any other monetary amount set forth under this Agreement are to be considered and defined as "rent."

154 **REPAIRS:** Any promise by Landlord, made before execution of this Agreement, to repair, clean, or improve the Premises, including the promised
155 date of completion, will be listed in this Agreement or in a separate addendum to this Agreement. Time being of the essence as to completion of
156 repairs does not apply to any delay beyond Landlord's control. Landlord shall give timely notice of any delay to Tenant.

157 **CODE VIOLATIONS AND ADVERSE CONDITIONS:** There are no code violations or other conditions affecting habitability of the Premises unless
158 indicated otherwise in writing.

159 **RENTERS INSURANCE RECOMMENDED:** Landlord recommends that Tenant purchase Renter's Insurance to protect Tenant's personal property
160 and to protect Tenant from any liabilities while living at the property. Tenant understands that if they do not purchase Renter's Insurance that Tenant
161 may not have any insurance coverage should Tenant's belongings be damaged or should Tenant be held liable to a third party and/or the Landlord.

162 **NOTICE OF DOMESTIC ABUSE PROTECTIONS:**

163 1. As provided in Wis. Stat. § 106.50 (5m) (dm), a tenant has a defense to an eviction action if the tenant can prove that the landlord knew, or
164 should have known, the tenant is a victim of domestic abuse, sexual assault, or stalking and that the eviction action is based on conduct related to
165 domestic abuse, sexual assault, or stalking committed by either of the following: (a) A person who was not the tenant's invited guest, (b) A person
166 who was the tenant's invited guest, but the tenant has done either of the following: (1) Sought an injunction barring the person from the premises,
167 (2) Provided a written statement to the landlord stating that the person will no longer be an invited guest of the tenant and the tenant has not
168 subsequently invited the person to be the tenant's guest.

169 2. A tenant who is a victim of domestic abuse, sexual assault, or stalking may have the right to terminate the rental agreement in certain limited
170 situations, as provided in Wis. Stat. § 704.16. If the tenant has safety concerns, the tenant should contact a local victim service provider or law
171 enforcement agency.

172 3. A tenant is advised that this notice is only a summary of the tenant's rights and the specific language of the statutes governs in all instances.

173 **DAMAGE BY CASUALTY:** If the Premises are damaged by fire or other casualty to a degree which renders them untenantable, Tenant may
174 terminate this Agreement or vacate the Premises and rent shall abate until the Premises are restored to a condition comparable to its condition prior
175 to the casualty. Landlord shall have the option to repair the Premises, and if repairs are not made, this Agreement shall terminate. If the Premises
176 are damaged to a degree which does not render them untenantable, Landlord shall repair the damages as soon as reasonably possible.

177 **CONTINUATION OF AGREEMENT:** If Tenant continues to occupy the Premises after the expiration of this Agreement and makes a timely
178 payment of rent, which is accepted by Landlord, Tenant shall be under a month to month tenancy with the same terms and conditions of the original
179 rental agreement unless other arrangements have been made in writing.

180 **ASSIGNMENT OR SUBLEASE:** Tenant shall not assign this Agreement or sublet the Premises without the written consent of Landlord.

181 **MODIFICATIONS AND TERMINATION:** This Agreement may be terminated or modified by written agreement of Landlord and Tenant. The parties
182 may terminate this Agreement and enter into a new Agreement instead of renewing it, assigning it, or subleasing the Premises.

183 **SEVERABILITY OF RENTAL AGREEMENT PROVISIONS:** The provisions of this rental agreement are severable. If any provision of this rental
184 agreement is found to be void or unenforceable, the unenforceability of that provision does not affect the other provisions that can be given effect
185 without the invalid provisions.

186 **NON-WAIVER:** Any failure to act by Landlord with regard to any specific violation or breach of any term of this Agreement by Tenant shall be
187 considered temporary and does not waive Landlord's right to act on any future violation or breach by Tenant. Landlord, by accepting payment from
188 Tenant for rent or any other amount owed, is not waiving its right to enforce a violation or breach of any term of this Agreement by Tenant.

189 **TIME IS OF THE ESSENCE:** As to delivery of possession of Premises to Tenant, completion of repairs promised in writing in the Agreement or before;
190 vacating of the Premises, return of Landlord's property, payment of rent, performance of any act for which a date is set in this Agreement or by law.
191 Time is of the essence means that a deadline must be strictly followed.

192 **SPECIAL PROVISIONS:** Attached

193

194

195 **RENTAL DOCUMENTS:** Landlord has given Tenant a copy of the Residential Rental Agreement as well as any Rules and Regulations, if applicable,
196 for review prior to entering into this Agreement and prior to accepting any earnest money or security deposit.

197 **Pets and water beds are not permitted unless indicated otherwise in writing.**

198

NOTE: SIGNING OF THIS AGREEMENT CREATES LEGALLY ENFORCEABLE RIGHTS.

199 **OWNER / AGENT OF OWNER**

Signature:

Print Name:

(date)

Signature:

Print Name:

(date)

200

TENANT(S)

Signature:

Print Name:

(date)

Signature:

Print Name:

(date)

Signature:

Print Name:

(date)

Signature:

Print Name:

(date)

Signature:

Print Name:

(date)

Address: 14601 Braun Road , Village of Yorkville, Post office Sturtevant WI

Addendum for month to month rental agreement

Owners Matt Milkie and Stacey Piper Milkie rent the above property to Phil Kapalczynski. Agreement is month to month with a 60 day notice of intent to terminate the rental agreement per both parties.

Tenant, Phil Kapalczynski, is responsible for lawn upkeep and snow removal.

Owners are aware of machine shop operating on the premises, it has been in service the entire length of ownership (2013). Buildings that are operational for the machine shop are maintained on the interior by tenant. Exterior of the buildings by owner.

Tenant lives in the house on the property and uses for personal residence. Phil Kapalczynski has resided on above property since October 15th of 2022.

Tenant must have \$500,000 limited liability insurance.

Owner(s)/Date

Stacey Piper Milkie 10-27-2024
(Stacey Piper Milkie)

Tenant(s)/Date

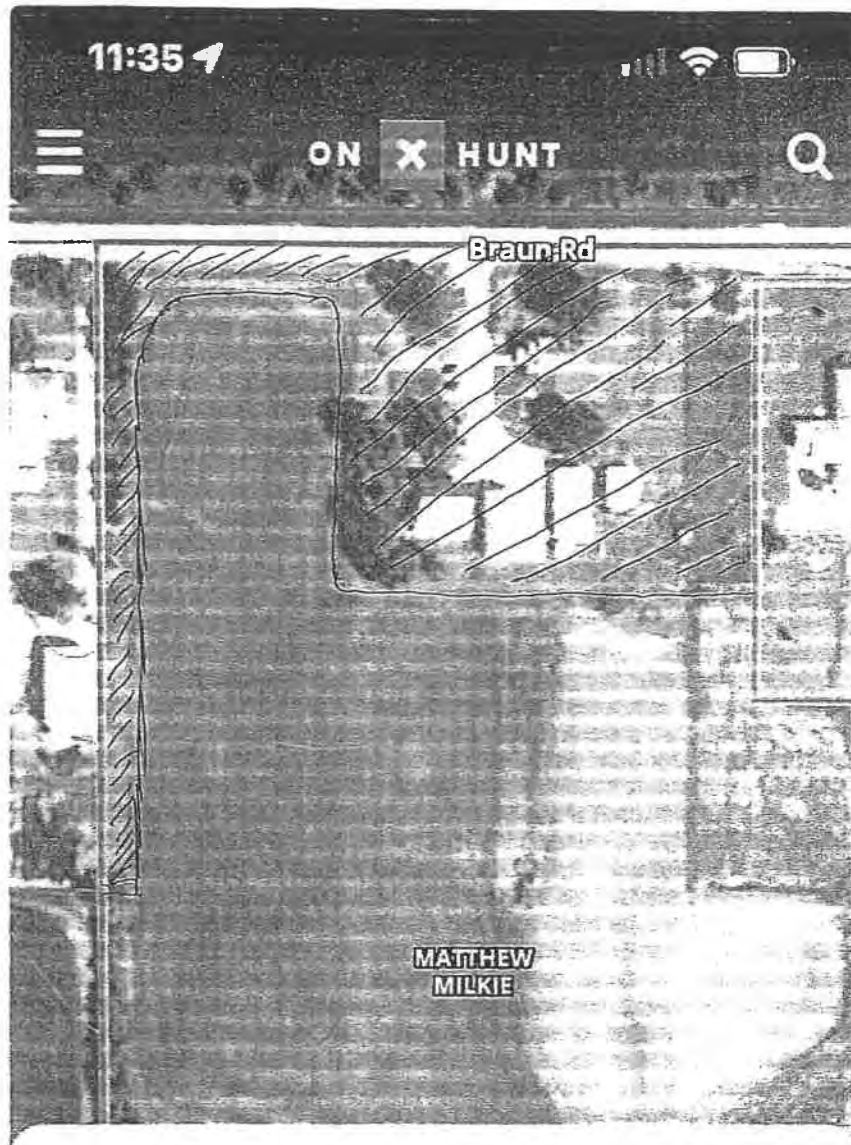
Matt Milkie
MATT MILKIE

10-27-24

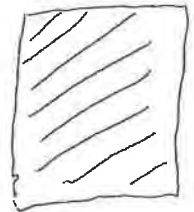
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RACINE COUNTY



Key:



Area to
be
mowed.

WI Private Lands

MATTHEW MILKIE

[Overview](#) [Hunt Unit](#) [Weather](#) [Content](#)



Coordinates 42.6819, -87.96609

Copy

WI Private Lands

Add to Folder

Share

Driving Direction

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RACINE COUNTY

EXHIBIT A

Sec. 20-1015. Home-Based Businesses.

a. Purpose and findings of this section:

- (1) Establishes criteria for operators of home-based businesses in dwelling units within appropriate zoning districts;
- (2) Permits and regulates the conduct of home-based businesses as an accessory use in a dwelling unit, whether owner- or renter-occupied;
- (3) Ensures that such home-based businesses are compatible with, and do not have a deleterious effect on, adjacent and nearby residential properties and uses;
- (4) Ensures that public and private services, such as streets, wastewater, water or storm water systems, are not burdened by the home-based businesses to the extent that usage exceeds that normally associated with residential use;
- (5) Allows residents of the community to use their residences as places to enhance or fulfill personal economic goals, under certain specified standards, conditions and criteria;
- (6) Enables the fair and consistent enforcement of these home-based business regulations; and
- (7) Promotes and protects the public health, safety, and general welfare.

b. This section applies to any occupation, profession, or business activity conducted entirely within a dwelling unit and carried on by a member of the family residing in the dwelling unit, and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for residential purposes and does not change the character of the dwelling unit. A home-based business is an accessory use to a dwelling unit.

No home-based business, except as otherwise provided in this section, may be initiated, established, or maintained in the unit except in conformance with the regulations and performance standards set forth in this section.

c. Types of home-based businesses. Three types of home-based businesses are defined and regulated under this section:

- (1) Type A residential home-based businesses. Type A residential home-based businesses are those in which household residents use the dwelling unit they occupy as a place of work, but no employees come to the site, and customers or clients are by appointment only. **Type A residential home-based businesses do not require a permit or registration.**

- a. Where allowed. Type A residential home-based businesses are permitted by right as an accessory use to a principal dwelling use. Type A residential home-based businesses are subject to the general regulations of this subsection.
- b. Permitted and conditional uses. The home-based business regulations of this section establish regulations and standards for home-based work activities rather than limit the range of work activities to a specific list of occupations or business types. Type A home-based businesses that comply with all applicable regulations of this section are permitted by right unless otherwise expressly stated.
- c. General regulations for Type A residential home-based businesses. All Type A residential home-based businesses are subject to the following general regulations:
 - 1. All individuals engaged in a Type A residential home-based business must reside in the dwelling unit in which the residential home-based business is located as their primary place of residence.
 - 2. Residential home-based businesses must be accessory and secondary to the use of a dwelling unit for residential purposes. They may not change the character of the residential building they occupy or adversely affect the character of the surrounding neighborhood. Residential home-based businesses may not, for example, produce light, noise, vibration, odor, parking demand, or traffic impacts that are not typical of a residential neighborhood in Yorkville. Residential home-based businesses must be operated so as not to create or cause a nuisance.
 - 3. Any tools or equipment used as part of a residential home-based business must be operated in a manner or sound-proofed so as not to be audible beyond the lot lines of the subject property.
 - 4. External structural alterations or site improvements that change the residential character of the lot upon which a residential home-based business is located are prohibited. Examples of such prohibited alterations include construction of parking lots, the addition of commercial-like exterior lighting, or the addition of a separate building entrance that is visible from abutting streets.
 - 5. Residential home-based businesses must be conducted entirely within the dwelling unit. Materials related to the home-based business must be stored entirely within the dwelling unit or an accessory structure.
 - 6. No window display or other public display of any material or

merchandise is allowed.

7. The use or storage of hazardous substances is prohibited, except at the "consumer commodity" level, as that term is defined in 49 CFR 171.8.
 8. Only licensed automobiles, passenger vans and passenger trucks may be used in the conduct of a residential home-based business. No other types of vehicles may be parked or stored on the premises. This provision is not intended to prohibit deliveries and pickups by common carrier delivery vehicles (e.g., postal service, United Parcel Service, Fed Ex, Amazon, et al.) of the type typically used in residential neighborhoods.
 9. No nonresident employees are allowed except for the purposes of student instruction, teaching or tutoring.
 10. Up to four individual client or customer appointments are permitted at any one time. For the purposes of this subsection, each "client or customer" may be accompanied by his/her immediately family.
 11. The area devoted to the conduct of all Type A residential home-based businesses present on the subject property is limited to 33% of the dwelling unit's floor area or 750 square feet, whichever is less.
 12. The following uses are expressly prohibited as Type A residential home-based businesses:
 - i. Any type of assembly, cleaning, maintenance or repair of vehicles, equipment with internal combustion engines, or of large appliances.
 - ii. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations.
 - iii. Equipment supply or equipment rental businesses.
 - iv. Eating or drinking places.
 - v. Funeral or interment services.
 - vi. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building.
- (2) Type B residential home-based businesses. Type B residential home-based businesses are those in which household residents use the dwelling unit they

occupy as a place of work and either one nonresident employee or more than 4 customers/clients come to the site at any one time. **Type B residential home-based businesses require a conditional use permit and registration.**

- a. Where allowed. Type B residential home-based businesses may be approved as an accessory use to a principal dwelling use. Type B residential home-based businesses are subject to all applicable regulations of this subsection.
- b. Permitted and conditional uses. The home-based business regulations of this section establish regulations and standards for home-based work activities rather than limit the range of work activities to a specific list of occupations or business types. **Conditional use permits approved as to Type B Home-based businesses may include conditions that vary from the provisions of this ordinance, depending on the unique characteristics of the home-based business under consideration, in accordance with the provisions governing the issuance of conditional use permits set forth in Chapter 55, Exhibit A, Chapter 20, Article VIII, Division 3.**
- c. General regulations for Type B residential home-based businesses. All Type B residential home-based businesses are subject to the following general regulations:
 1. Type B residential home-based businesses are allowed only if reviewed and approved in accordance with the conditional use procedures of Chapter 55, Exhibit A, Chapter 20, Article VIII, Division 3.
 2. Residential home-based businesses must be accessory and secondary to the use of a dwelling unit for residential purposes. They may not change the character of the residential building they occupy or adversely affect the character of the surrounding neighborhood. Residential home-based businesses may not, for example, produce light, noise, vibration, odor, parking demand, or traffic impacts that are not typical of a residential neighborhood in Yorkville. Residential home-based businesses must be operated so as not to create or cause a nuisance.
 3. One nonresident employee is allowed with a Type B residential home-based business. Residential home-based businesses that have more than 4 clients or customers coming to the site at any one time, may not have nonresident employees. For the purpose of this section, the term "nonresident employee" includes an employee, business partner, co-owner or any other person affiliated with the residential home-based business, who does not live at the site, but who visits the site as part of the residential home-based business.

4. Customer visits are allowed only between the hours of 7:00 a.m. and 7:00 p.m.
5. Any tools or equipment used as part of a residential home-based business must be operated in a manner or sound-proofed so as not to be audible beyond the lot lines of the subject property.
6. External structural alterations or site improvements that change the residential character of the lot upon which a residential home-based business is located are prohibited. Examples of such prohibited alterations include construction of parking lots, the addition of commercial-like exterior lighting, or the addition of a separate building entrance that is visible from abutting streets.
7. Residential home-based businesses must be conducted entirely within the dwelling unit. Materials related to the home-based business must be stored entirely within the dwelling unit or an accessory structure.
8. No window display or other public display of any material or merchandise is allowed.
9. The use or storage of hazardous substances is prohibited, except at the "consumer commodity" level, as that term is defined in 49 CFR 171.8.
10. Only licensed automobiles, passenger vans and passenger trucks may be used in the conduct of a residential home-based business. No other types of vehicles may be parked or stored on the premises. This provision is not intended to prohibit deliveries and pickups by common carrier delivery vehicles (e.g., postal service, United Parcel Service, Fed Ex, Amazon, et al.) of the type typically used in residential neighborhoods.
11. The area devoted to the conduct of all Type B residential home-based businesses present on the subject property is limited to 49% of the dwelling unit's floor area or 1,000 square feet, whichever is less.
12. As part of the conditional use process, renters will need to obtain written permission from the property owner to carry out Type B residential home-based businesses.
13. The following uses are expressly prohibited as Type B residential home-based businesses:
 - i. Any type of assembly, cleaning, maintenance or repair of vehicles, equipment with internal combustion engines, or of large appliances.

- ii. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations.
 - iii. Equipment supply or equipment rental businesses.
 - iv. Eating or drinking places.
 - v. Funeral or interment services.
 - vi. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building.
- d. Home-Based Business Registry.
- 1. Intent and Purpose. The intent and purpose of the Home-Based Business Registry is to quicken response times to home-based businesses needing fire, rescue and/or law enforcement services, and to protect the health, safety, and welfare of residents and those frequenting home-based businesses.
 - 2. Any person receiving a conditional use permit to conduct a Type B home-based business shall file with the Village Administrator/Clerk a Home-Based Business Registration Form. The Home-Based Business Registration Form shall contain the following information:
 - i. Business name and address
 - ii. Business owner and address
 - iii. Property owner name and address
 - iv. Hours of operation
 - v. Whether the business is continuous or seasonal
 - vi. Number of employees
 - vii. Estimated number of customers or clients per day
 - viii. Description of products sold and/or services provided
 - ix. Emergency contact information
 - x. Hazardous chemicals and/or substances kept on site
 - xi. Form of ownership (i.e., sole proprietorship, partnership, corporation, or limited liability company)

3. Changes and updates. The operator of a home-based business shall submit an updated Home-Based Business Registration Form if any information located on the form has changed or is no longer current.
- (3) Rural home-based businesses. Rural home-based businesses are those that do not comply with the Type A or Type B residential home-based business regulations and in which household residents use the dwelling unit they occupy or an accessory building as a place of work. **Rural home-based businesses are permitted in the A-2 General Farming and Residential District II or A-3 General Farming District III and require a conditional use permit and registration.**
- a. Where allowed. Rural home-based businesses may be approved as an accessory use to a principal dwelling use or accessory use to an agricultural use only in the A-2 General Farming and Residential District II or A-3 General Farming District III. Rural home-based businesses are subject to the supplemental regulations of Subsection (c) and all other applicable regulations of this section
 - b. Permitted and conditional uses. The home-based business regulations of this section establish regulations and standards for home-based work activities rather than limit the range of work activities to a specific list of occupations or business types. **Conditional use permits approved as to Rural Home-Based Businesses may include conditions that vary from the provisions of this ordinance, depending on the unique characteristics of the home-based business under consideration, in accordance with the provisions governing the issuance of conditional use permits set forth in Chapter 55, Exhibit A, Chapter 20, Article VIII, Division 3.**
 - c. Supplemental regulations for rural home-based businesses.
 1. Rural home-based businesses are allowed only if reviewed and approved in accordance with the conditional use procedures of Chapter 55, Exhibit A, Chapter 20, Article VIII, Division 3.
 2. A maximum of three nonresident employees are allowed with a rural home-based business.
 3. Customer visits are allowed only between the hours of 7:00 a.m. and 7:00 p.m.
 4. Rural home-based businesses must be accessory and secondary to the use of a dwelling unit for residential purposes or accessory to any on-site agricultural use. They may not change the character of the property they occupy or adversely affect the character of the surrounding area. Rural home-based businesses may not, for example, produce light, noise, vibration,

odor, parking demand, or traffic impacts that are not typical of a rural or semirural area in Yorkville. Rural home-based businesses must be operated so as not to create or cause a nuisance.

5. Rural home-based businesses may be conducted within the principal dwelling unit or within an accessory building,
6. Accessory buildings in which rural home-based businesses are conducted must be set back at least 150 feet from any offsite dwelling unit.
7. Any tools or equipment used as part of a rural home-based business must be operated in a manner or sound-proofed so as not to be audible beyond the lot lines of the subject property.
8. No window display or other public display of any material or merchandise is allowed.
9. The use or storage of hazardous substances is prohibited, except at the "consumer commodity" level, as that term is defined in 49 CFR 171.8.
10. As part of the conditional use process, renters will need to obtain written permission from the property owner to carry out the rural home-based business.
11. Roadside stands, as defined in Section 20-1, and permitted as an accessory use in agriculturally zoned districts, are not subject to any of the home-based business provisions set forth in this ordinance.
12. The following uses are expressly prohibited as rural home-based businesses:
 - i. Any type of motor vehicle repair, except where permitted pursuant to a conditional use permit as a rural home-based business under this ordinance.
 - ii. Any use involving the use or storage of vehicles, products, parts, machinery or similar materials or equipment outside of a completely enclosed building.
13. Home-based agricultural related businesses (HBARB) must comply with the following standards, as set forth in Section 20-1226 (15):
 - i. Allowed as a conditional use approval in all agricultural districts.

- ii. The operator shall reside in a residence on the property.
- iii. The operator shall grow the primary portion of materials or products sold onsite.
- iv. The HBARB must be located on a parcel not less than five (5) acres in area.
- v. Maximum two (2) persons other than members of the immediate family may be employed in the HBARB at any given time.
- vi. Any signage associated with the HBARB must comply with Chapter 55 of this code and will require zoning permit approval.
- vii. Any structure that is utilized at the subject site that is associated with any aspect of the HBARB must meet the principal structure setbacks for the zoning district.
- viii. Any accessory building used in association with the HBARB shall be clearly incidental to the principal use.
- ix. Retail sales of ancillary non-agricultural items is subject to detailed plan approval by the Plan Commission and Village Board.
- x. Proper sanitation approval must be obtained in full compliance with state sanitation codes.
- xi. The HBARB product must consist of farm commodities that are entirely, or the majority of which are, planted or produced on the farm premises, or are agriculturally related.
- xii. Food shall not be served to patrons other than small sample of product produced by the HBARB.
- xiii. Limited outside customer activity may occur on the premises in accordance with Village approval.

d. Home-Based Business Registry.

- 1. Intent and Purpose. The intent and purpose of the Home-Based Business Registry is to quicken response times to home-based businesses needing fire, rescue and/or law enforcement services, and to protect the health, safety, and welfare of residents and those frequenting home-based businesses.
- 2. Any person receiving a conditional use permit to conduct a rural

home-based business shall file with the Village Administrator/Clerk a Home-Based Business Registration Form. The Home-Based Business Registration Form shall contain the following information:

- i. Business name and address
 - ii. Business owner and address
 - iii. Property owner name and address
 - iv. Hours of operation
 - v. Whether the business is continuous or seasonal
 - vi. Number of employees
 - vii. Estimated number of customers or clients per day
 - viii. Description of products sold and/or services provided
 - ix. Emergency contact information
 - x. Hazardous chemicals and/or substances kept on site
 - xi. Form of ownership (i.e., sole proprietorship, partnership, corporation, or limited liability company)
3. Changes and updates. The operator of a home-based business shall submit an updated Home-Based Business Registration Form if any information located on the form has changed or is no longer current.
- e. Unsafe home-based businesses. If any home-based business has become dangerous or unsafe; presents a safety hazard to the public, pedestrians on public sidewalks, or motorists on a public right-of-way; or presents a safety hazard to adjacent or nearby properties, residents, or businesses, the Zoning Administrator, Building Inspector or Code Enforcement Officer shall issue an order to the dwelling owner and/or tenant on the property on which the home-based business is being undertaken, directing that the home-based business immediately be made safe or be terminated. The property owner and/or tenant shall take the necessary corrective steps or measures and notify the official who issued the order of the corrective action taken. In the event of a failure to do so by the owner and/or tenant, after notice and a reasonable period, the Village may take any and all available enforcement actions to render the home-based business and dwelling safe. Costs incurred by the Village if forced to take enforcement actions, shall be borne by the property owner and the failure to take corrective action shall be treated as a zoning violation.

49 CFR 171.8 (up to date as of 4/02/2025)

Definitions and abbreviations.

49 CFR 171.8 (Apr. 2, 2025)

Title 49 - Transportation

Subtitle B - Other Regulations Relating to Transportation

Chapter I - Pipeline and Hazardous Materials Safety
Administration, Department of Transportation

Subchapter C - Hazardous Materials Regulations

Part 171- General Information, Regulations, and
Definitions

Subpart A - Applicability, General
Requirements, and North American
Shipments

§ 171.8 Definitions and abbreviations.

In this subchapter,

Consumer commodity means a material that is packaged and distributed in a form intended or suitable for sale through retail sales agencies or instrumentalities for consumption by individuals for purposes of personal care or household use. This term also includes drugs and medicines.

Supplemental Reg #8 – Hazardous Substances



Supplemental Reg #8 – Hazardous Substances



Supplemental Reg #8 – Hazardous Substances



Machine Shop Photos



Machine Shop Photos



Machine Shop Photos



Michael McKinney

From: Michelle Filz <mfilz@ugyfd.com>
Sent: Wednesday, March 26, 2025 10:55 AM
To: Michael McKinney; Tim Allen
Cc: pkapal@topnoth-tr.com
Subject: 14601 Braun Road
Attachments: IMG_1281.jpeg; IMG_1282.jpeg; IMG_1283.jpeg; IMG_1284.jpeg; IMG_1285.jpeg; IMG_1286.jpeg; IMG_1287.jpeg; IMG_1288.jpeg; FP Inspection 03-25-25, 14601 Braun Road.pdf

Mike,

An inspection was completed yesterday at 14601 Braun Road.
Attached is the inspection form for your records and MSDS sheets provided at the time of inspection.

Please let us know if you need any further information.

Thank you,

Michelle Filz

Admin. Assistant, Clerk

Union Grove – Yorkville Fire Department

700 Main Street, Union Grove, WI 53182

Phone: 262-878-4181

Mobile: 262-930-8713

mfilz@ugyfd.com



Correction Order

Occupancy Name Top Notch Thread Rolling LLC
Address 14601 Braun Rd City Union Grove Zip 53182
Owner's Name Phil Kapalczynski pkapal@topnotch-tr.com
Address _____ City _____ Zip _____

Personal information you provide may be used for secondary purposes [Privacy Law, s.15.04(1)(m)].

Compliance date (Mo/Day/Yr) _____

Violations Explained to

Telephone Number 202 878 4181

Top Notch TR MSDS Information

Product				HMIS Ratings				NFPA Ratings			
Name	Supplier	Code	Use	Health	Flammability	Reactivity	Personal Protection	Health	Flammability	Reactivity	Physical/ Chemical
Anti-Wear HPII 300 Hydraulic Oil UV DYE (also HPII 300 Hydraulic ISO 68 AW[100-1650])	US Lubricants	1650UV	Lubricant	0	1	0	x	0	1	0	-
PETRAULIC 22	AMSOIL		Industrial Lubricant	Unknown				Unknown			
EP Series-8 COMP	AMSOIL		Industrial Lubricant	Unknown				Unknown			
DURA KOOL H	Benz	441030	Metalworking Fluid	2	0	0	x	2	0	0	-
Naphtha 140	EMCO	10013	Metalworking Fluid	1	2	0	x	Unknown			

Top Notch TR Hazardous Substance Data Bank (HSDB) Information

Chemical Name	CAS* Number	Product Name	In HSDB?	Notes
Petroleum distillates, hydrotreated heavy paraffinic	64742-54-7	Anti-Wear HP11 300 Hydraulic Oil UV DYE (also HP11 300 Hydraulic ISO 68 AW[100-1650])	No	
Zinc alkylidithiophosphate	N/A	Anti-Wear HP11 300 Hydraulic Oil UV DYE (also HP11 300 Hydraulic ISO 68 AW[100-1650])	No	
Petroleum distillates, hydrotreated light naphthenic	64742-53-6	Anti-Wear HP11 300 Hydraulic Oil UV DYE (also HP11 300 Hydraulic ISO 68 AW[100-1650])	No	
Petroleum distillates, hydrotreated heavy paraffinic	64742-54-7	PETRAULIC 22	No	
Heavy naphthenic hydrotreated distillates	64742-52-5	EP Series-8 COMP	No	
Paraffin oils (petroleum), catalytic dewaxed heavy	64742-70-7	EP Series-8 COMP	No	
Heavy naphthenic hydrotreated distillates	64742-52-5	DURA KOOL H	No	
Chlorinated paraffin waxes	198840-65-2	DURA KOOL H	No	
Boric acid (H3BO3), reaction products with 2-amino-2-methyl-1-propanol	91696-95-6	DURA KOOL H	No	
Ethoxylated tallow amine	61791-26-2	DURA KOOL H	No	
Nonylphenol, ethoxylated	9016-45-9	DURA KOOL H	Yes	1% - 5% Weight Concentration
Ethoxylated fatty alcohol	9004-98-2	DURA KOOL H	No	
2-amino-2-methyl-1-propanol	124-68-5	DURA KOOL H	No	
1H-Benzotriazole	88477-37-6	DURA KOOL H	No	
Aliphatic hydrocarbon	64742-47-8	Naphtha 140	No	

* - CAS stands for Chemical Abstracts Service (ID Numbers for specific chemical substances)

The CAS number 9016-45-9 refers to **nonylphenol ethoxylate (NPEs)**, a group of nonionic surfactants used in various applications like detergents, emulsifiers, and wetting agents. [1, 2, 3, 4]

Here's a more detailed breakdown: [4, 5]

- **CAS Number:** 9016-45-9 [4, 5]
- **Chemical Name:** Nonylphenol ethoxylate (NPEs) [1, 3, 4]
- **Synonyms:** Nonoxynol, Nonylphenyl Polyethylene Glycol, Lissapol, Synperonic [5, 6]
- **Chemical Formula:** $C_{15}H_{24}O(C_2H_4O)_n$ [5]
- **Applications:** [1, 3]
 - Surfactants [1, 3]
 - Emulsifiers [3, 4]
 - Wetting agents [3, 4]
 - Detergents [3, 4]
 - Industrial and consumer products [3]
 - Coatings [1]
 - Crop solutions [1]
 - Functional fluids [1]
 - Household, industrial, and institutional cleaning [1]
 - Oil and gas [1]
 - Isolating and purifying membrane proteins [5]
- **Toxicity:** Moderately toxic by ingestion and skin contact. Very toxic to aquatic life and very toxic to aquatic life with long lasting effects. [1, 7]
- **Other Names:** Poly(oxy-1,2-ethanediyl), α -(nonylphenyl)- ω -hydroxy-. [7, 8]

[1] https://m.chemicalbook.com/ProductChemicalPropertiesCB1159958_EN.htm

[2] <https://www.parchem.com/chemical-supplier-distributor/nonylphenol-ethoxylate-002257>

[3] <https://www.silverfernchemical.com/chemical-supplier-9016-45-9/nonyl-phenol-ethoxylate-replacements-distributor-37.aspx>

[4] <https://en.wikipedia.org/wiki/NP-40>

[5] <https://www.scbt.com/p/np-40-alternative-9016-45-9>

[6] <https://www.spectrumchemical.com/cas/9016-45-9>

[7] <https://echa.europa.eu/substance-information/-/substanceinfo/100.166.325>

[8] https://www.echemportal.org/echemportal/substance-search?query_term=9016-45-9

Michael McKinney

From: Phil Kapalczynski <PKapal@Topnotch-TR.com>
Sent: Wednesday, April 2, 2025 1:06 PM
To: Michael McKinney
Subject: Re: Checking in
Attachments: Solvent - Naphtha 140.pdf; IMG_2964.jpg; IMG_2965.jpg

1. Anti-wear300 hydraulic is a 55 gallon drum (lasts 1.5 years) only have one on site not full
2. Petraulic 22 is a 5 gallon bucket (lasts 1.5 years) only have 1.5 buckets on site
3. EP Series -8 Comp is a 5 gallon bucket (don't know have never bought it) only have 1.5 buckets on site
4. Dura Kool H is a 5 gallon bucket use (10 gallons a year) only have 1.5 buckets on site
5. Napatha 140 is a 55 gallon drum (lasts 1.5 years) only have one on site not full

Mike I noticed that Michelle did not have the 5 element cover sheet in her pictures but she did have two pictures of the Hydraulic 300. She did have the back sheet with the HMIS ratings it was the first picture. Here is the copy of the whole thing.

We also installed drain pallets that all the product sits on. Pictures enclosed above.

Thank you

Phil Kapalczynski
Top Notch Threadrolling LLC.
14601 Braun Rd
Sturtevant, WI 53177
O: 262-425-8030
M: 414-477-1678

From: Michael McKinney <Michael@villageofyorkville.com>
Sent: Tuesday, April 1, 2025 1:38 PM
To: Phil Kapalczynski <PKapal@Topnotch-TR.com>
Subject: RE: Checking in

Phil,

I think the only other thing I would need is a rough estimate of the quantities (gallons, pounds, barrels, etc.) that you would typically have on site of the following (these were the MSDS that the fire department sent me):

1. Anti-Wear HPII 300 Hydraulic Oil UV DYE (also HPII 300 Hydraulic ISO 68 AW[100-1650])
2. PETRAULIC 22
3. EP Series-8 COMP
4. DURA KOOL H

Mike

SAFETY DATA SHEET

This safety data sheet was created pursuant to the requirements of:
US OSHA Hazard Communication Standard (29 CFR 1910.1200) and Canada WHMIS
2015 which includes the amended Hazardous Products Act (HPA) and the Hazardous
Products Regulation (HPR)



Revision date 06/07/2023

Revision Number 1

1. Identification

Product identifier

Product Name HPII 300 Hydraulic Oil ISO 68 AW

Other means of identification

Product Code(s) 100-1650

Alternate Product Code 405-1650, 455-1650, 409-1650, 433-1650, 100-1650UV, 405-1650UV, 455-1650UV, 409-1650UV, 433-1650UV

Synonyms None

Other information Blend Revision ID 3761

Recommended use of the chemical and restrictions on use

Recommended use Lubricant

Restrictions on use No information available

Details of the supplier of the safety data sheet

Supplier Address

U.S. Lubricants, a Division of U.S. Venture Inc.
425 Better Way
Appleton, WI 54915
800-490-4900

Emergency telephone number

Emergency Telephone 800-490-4900 Chemtrec 1-800-424-9300 (Account# 1016994)

2. Hazard(s) identification

Classification

This product is not considered hazardous by either the US 2012 OSHA Hazard Communication Standard (29 CFR 1910.1200) or the Canadian Workplace Hazardous Material Information System (WHMIS 2015)

Appearance No information available

Physical state Liquid

Odor Mild Petroleum

Label elements

Hazard statements

This product is not considered hazardous by either the US 2012 OSHA Hazard Communication Standard (29 CFR 1910.1200) or the Canadian Workplace Hazardous Material Information System (WHMIS 2015)

Precautionary Statements - Prevention

Wear protective gloves, protective clothing, eye protection and face protection

Precautionary Statements - Response

IF exposed or concerned: Get medical advice/attention

Ingestion

IF SWALLOWED: Call a POISON CENTER or doctor/physician if you feel unwell

Precautionary Statements - Storage

Store locked up

Precautionary Statements - Disposal

Dispose of contents and container to an approved waste disposal plant

Other information

May cause long lasting harmful effects to aquatic life.

3. Composition/information on ingredients

Substance

Not applicable.

Mixture

Chemical name	CAS No	Weight-%	Hazardous Material Information Review Act registry number (HMIRA registry #)	Date HMIRA filed and date exemption granted (if applicable)
Petroleum distillates, hydrotreated heavy paraffinic	64742-54-7	90-99	-	-
Zinc alkyldithiophosphate	-	<1	-	-
Petroleum distillates, hydrotreated light naphthenic	64742-53-6	<1	-	-

4. First-aid measures

Description of first aid measures

Inhalation	Remove to fresh air.
Eye contact	Rinse thoroughly with plenty of water for at least 15 minutes, lifting lower and upper eyelids. Consult a physician.
Skin contact	Wash skin with soap and water.
Ingestion	Rinse mouth.

Most important symptoms and effects, both acute and delayed

Symptoms	No information available.
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Indication of any immediate medical attention and special treatment needed

Note to physicians Treat symptomatically.

5. Fire-fighting measures

Suitable Extinguishing Media	Use extinguishing measures that are appropriate to local circumstances and the surrounding environment.
Large Fire	CAUTION: Use of water spray when fighting fire may be inefficient.
Unsuitable extinguishing media	Water spray jet.
Specific hazards arising from the chemical	No information available.
Hazardous combustion products	Carbon monoxide, carbon dioxide and unburned hydrocarbons (smoke).
Explosion data	
Sensitivity to mechanical impact	None.
Sensitivity to static discharge	None.
Special protective equipment and precautions for fire-fighters	Firefighters should wear self-contained breathing apparatus and full firefighting turnout gear. Use personal protection equipment.

6. Accidental release measures

Personal precautions, protective equipment and emergency procedures

Personal precautions Ensure adequate ventilation.

Methods and material for containment and cleaning up

Methods for containment Prevent further leakage or spillage if safe to do so.

Methods for cleaning up Pick up and transfer to properly labeled containers.

7. Handling and storage

Precautions for safe handling

Advice on safe handling Wear personal protective equipment.

Conditions for safe storage, including any incompatibilities

Storage Conditions Keep containers tightly closed in a dry, cool and well-ventilated place.

8. Exposure controls/personal protection

Control parameters

Exposure Limits

Chemical name	ACGIH TLV	OSHA PEL	NIOSH
Petroleum distillates,	TWA: 5 mg/m ³ inhalable	TWA: 5 mg/m ³	IDLH: 2500 mg/m ³

hydrotreated heavy paraffinic 64742-54-7	particulate matter excluding metal working fluids, highly & severely refined	(vacated) TWA: 5 mg/m ³	TWA: 5 mg/m ³ STEL: 10 mg/m ³	
Chemical name	Alberta	British Columbia	Ontario	Quebec
Petroleum distillates, hydrotreated heavy paraffinic 64742-54-7	TWA: 5 mg/m ³ STEL: 10 mg/m ³	TWA: 0.2 mg/m ³ TWA: 1 mg/m ³	TWA: 5 mg/m ³ TWA:	TWA: 5 mg/m ³ STEL: 10 mg/m ³

Appropriate engineering controls

Engineering controls Showers
 Eyewash stations
 Ventilation systems.

Individual protection measures, such as personal protective equipment

Eye/face protection No special protective equipment required.

Hand protection If there is a risk of contact: Suitability and durability of a glove is dependent on usage, e.g. frequency and duration of contact, chemical resistance of glove material, dexterity.

Skin and body protection No special protective equipment required.

Respiratory protection No protective equipment is needed under normal use conditions. If exposure limits are exceeded or irritation is experienced, ventilation and evacuation may be required.

General hygiene considerations Handle in accordance with good industrial hygiene and safety practice.

9. Physical and chemical properties**Information on basic physical and chemical properties**

Physical state Liquid

Appearance No information available

Color Light amber or Amber with Green tint

Odor Mild Petroleum

Odor threshold No information available

<u>Property</u>	<u>Values</u>	<u>Remarks • Method</u>
pH	No data available	None known
Melting point / freezing point	No data available	None known
Initial boiling point and boiling range	No data available	None known
Flash point	212.8 °C / 415 °F	
Evaporation rate	No data available	None known
Flammability	No data available	None known
Flammability Limit in Air		None known
Upper flammability or explosive limits	No data available	
Lower flammability or explosive limits	No data available	
Vapor pressure	No data available	None known
Relative vapor density	No data available	None known
Relative density	0.870 (7.25 lb/gal)	
Water solubility	Insoluble in water	
Solubility(ies)	No data available	None known
Partition coefficient	No data available	None known

Autoignition temperature	No data available	None known
Decomposition temperature	No data available	None known
Kinematic viscosity	66 - 70 cSt	@ 40 °C
Dynamic viscosity	No data available	None known

Other information

Explosive properties	No information available
Oxidizing properties	No information available
Softening point	No information available
Molecular weight	No information available
VOC Content (%)	No information available
Liquid Density	No information available
Bulk density	No information available

10. Stability and reactivity

Reactivity	No information available.
Chemical stability	Stable under normal conditions.
Possibility of hazardous reactions	None under normal processing.
Conditions to avoid	None known based on information supplied.
Incompatible materials	None known based on information supplied.
Hazardous decomposition products	None known based on information supplied.

11. Toxicological information**Information on likely routes of exposure**

Inhalation	Specific test data for the substance or mixture is not available.
Eye contact	Specific test data for the substance or mixture is not available.
Skin contact	Specific test data for the substance or mixture is not available.
Ingestion	Specific test data for the substance or mixture is not available.

Symptoms related to the physical, chemical and toxicological characteristics

Symptoms	No information available.
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Acute toxicity**Numerical measures of toxicity**

The following values are calculated based on chapter 3.1 of the GHS document

ATEmix (oral)	15,159.20 mg/kg
ATEmix (dermal)	5,053.10 mg/kg

Component Information

Chemical name	Oral LD50	Dermal LD50	Inhalation LC50
Petroleum distillates, hydrotreated heavy paraffinic 64742-54-7	> 15 g/kg (Rat)	> 5000 mg/kg (Rabbit)	-
Petroleum distillates,	> 5000 mg/kg (Rat)	> 2000 mg/kg (Rabbit)	= 2180 mg/m ³ (Rat) 4 h

hydrotreated light naphthenic 64742-53-6			
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Delayed and immediate effects as well as chronic effects from short and long-term exposure

Skin corrosion/irritation No information available.

Serious eye damage/eye irritation No information available.

Respiratory or skin sensitization No information available.

Germ cell mutagenicity No information available.

Carcinogenicity The classification listed below for the petroleum distillates in this product pertains to those that contain more than 3% DMSO extract as measured by IP 346. The petroleum distillates in this product do not meet that criteria to be classified as carcinogens.

The table below indicates whether each agency has listed any ingredient as a carcinogen.

Chemical name	ACGIH	IARC	NTP	OSHA
Petroleum distillates, hydrotreated heavy paraffinic 64742-54-7	A2	Group 1	Known	X
Petroleum distillates, hydrotreated light naphthenic 64742-53-6	A2	Group 1	Known	X

Legend

ACGIH (American Conference of Governmental Industrial Hygienists)

A2 - Suspected Human Carcinogen

IARC (International Agency for Research on Cancer)

Group 1 - Carcinogenic to Humans

NTP (National Toxicology Program)

Known - Known Carcinogen

OSHA (Occupational Safety and Health Administration of the US Department of Labor)

X - Present

Reproductive toxicity No information available.

STOT - single exposure No information available.

STOT - repeated exposure No information available.

Aspiration hazard No information available.

12. Ecological information**Ecotoxicity**

Chemical name	Algae/aquatic plants	Fish	Toxicity to microorganisms	Crustacea
Petroleum distillates,	-	LC50: >5000mg/L (96h,	-	EC50: >1000mg/L (48h,

hydrotreated heavy paraffinic 64742-54-7		Oncorhynchus mykiss)		Daphnia magna)
Petroleum distillates, hydrotreated light naphthenic 64742-53-6	-	LC50: >5000mg/L (96h, Oncorhynchus mykiss)	-	EC50: >1000mg/L (48h, Daphnia magna)

Persistence and degradability No information available.

Bioaccumulation There is no data for this product.

Mobility in soil No information available.

Other adverse effects No information available.

13. Disposal considerations

Disposal methods

Waste from residues/unused products Dispose of in accordance with local regulations. Dispose of waste in accordance with environmental legislation.

Contaminated packaging Do not reuse empty containers.

14. Transport information

DOT Not regulated

TDG Not regulated

MEX Not regulated

ICAO (air) Not regulated

IATA Not regulated

IMDG Not regulated

RID Not regulated

ADR Not regulated

ADN Not regulated

15. Regulatory information

Safety, health and environmental regulations/legislation specific for the substance or mixture

International Regulations

The Montreal Protocol on Substances that Deplete the Ozone Layer Not applicable

The Stockholm Convention on Persistent Organic Pollutants Not applicable

The Rotterdam Convention Not applicable

International Inventories

TSCA	Contact supplier for inventory compliance status.
DSL/NDSL	Contact supplier for inventory compliance status.
EINECS/ELINCS	Contact supplier for inventory compliance status.
ENCS	Contact supplier for inventory compliance status.
IECSC	Contact supplier for inventory compliance status.
KECL	Contact supplier for inventory compliance status.
PICCS	Contact supplier for inventory compliance status.
AIIC	Contact supplier for inventory compliance status.
NZIoC	Contact supplier for inventory compliance status.

Legend:

TSCA - United States Toxic Substances Control Act Section 8(b) Inventory

DSL/NDSL - Canadian Domestic Substances List/Non-Domestic Substances List

EINECS/ELINCS - European Inventory of Existing Chemical Substances/European List of Notified Chemical Substances

ENCS - Japan Existing and New Chemical Substances

IECSC - China Inventory of Existing Chemical Substances

KECL - Korean Existing and Evaluated Chemical Substances

PICCS - Philippines Inventory of Chemicals and Chemical Substances

AIIC - Australian Inventory of Industrial Chemicals

NZIoC - New Zealand Inventory of Chemicals

US Federal Regulations

SARA 313

Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA). This product does not contain any chemicals which are subject to the reporting requirements of the Act and Title 40 of the Code of Federal Regulations, Part 372.

SARA 311/312 Hazard Categories

Should this product meet EPCRA 311/312 Tier reporting criteria at 40 CFR 370, refer to Section 2 of this SDS for appropriate classifications.

CWA (Clean Water Act)

This product does not contain any substances regulated as pollutants pursuant to the Clean Water Act (40 CFR 122.21 and 40 CFR 122.42).

CERCLA

This material, as supplied, does not contain any substances regulated as hazardous substances under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (40 CFR 302) or the Superfund Amendments and Reauthorization Act (SARA) (40 CFR 355). There may be specific reporting requirements at the local, regional, or state level pertaining to releases of this material.

US State Regulations

California Proposition 65

This product contains the following Proposition 65 chemicals:.

Chemical name	California Proposition 65
Toluene - 108-88-3	Developmental

U.S. State Right-to-Know Regulations

Chemical name	New Jersey	Massachusetts	Pennsylvania
Petroleum distillates, hydrotreated heavy paraffinic 64742-54-7	X	X	X
Petroleum distillates,	-	X	-

hydrotreated light naphthenic 64742-53-6			
Petroleum distillates, hydrotreated heavy naphthenic 64742-52-5	X	X	X
2-Ethylhexanol 104-76-7	X	X	X
Toluene 108-88-3	X	X	X

U.S. EPA Label Information

EPA Pesticide Registration Number Not applicable

16. Other information

NFPA	Health hazards 0	Flammability 1	Instability 0	Special hazards -
HMIS	Health hazards 0	Flammability 1	Physical hazards 0	Personal protection X

Key or legend to abbreviations and acronyms used in the safety data sheet

Legend Section 8: Exposure controls/personal protection

TWA TWA (time-weighted average)

Ceiling Maximum limit value

STEL

*

STEL (Short Term Exposure Limit)

Skin designation

Key literature references and sources for data used to compile the SDS

Agency for Toxic Substances and Disease Registry (ATSDR)

U.S. Environmental Protection Agency ChemView Database

European Food Safety Authority (EFSA)

EPA (Environmental Protection Agency)

Acute Exposure Guideline Level(s) (AEGl(s))

U.S. Environmental Protection Agency Federal Insecticide, Fungicide, and Rodenticide Act

U.S. Environmental Protection Agency High Production Volume Chemicals

Food Research Journal

Hazardous Substance Database

International Uniform Chemical Information Database (IUCLID)

National Institute of Technology and Evaluation (NITE)

Australia National Industrial Chemicals Notification and Assessment Scheme (NICNAS)

NIOSH (National Institute for Occupational Safety and Health)

National Library of Medicine's ChemID Plus (NLM CIP)

National Library of Medicine's PubMed database (NLM PUBMED)

National Toxicology Program (NTP)

New Zealand's Chemical Classification and Information Database (CCID)

Organization for Economic Co-operation and Development Environment, Health, and Safety Publications

Organization for Economic Co-operation and Development High Production Volume Chemicals Program

Organization for Economic Co-operation and Development Screening Information Data Set

World Health Organization

Revision date 06/07/2023

Revision Note Initial Release.

Disclaimer

The information provided in this Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information given is designed only as a guidance for safe handling, use, processing, storage, transportation, disposal and release and is not to be considered a warranty or quality specification. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process, unless specified in the text.

End of Safety Data Sheet



SAFETY DATA SHEET

PETRAULIC 22

According to Appendix D, OSHA Hazard Communication Standard 29 CFR §1910.1200 and WHMIS 2015, in compliance with the Hazardous Product Act (HPA, as amended) and the requirements of the Hazardous Product Regulations (HPR).

Section 1 - Product and Company Identification

Product identifier

Product name PETRAULIC 22

Recommended use of the chemical and restrictions on use

Application Industrial Lubricant

Use advised against Applications other than those intended. For application information see product Technical Data Sheet or consult with a company representative.

Details of the supplier of the safety data sheet

Supplier AMSOIL INC.
2724 W. Hampton Ave.
Milwaukee, WI 53209

Telephone Numbers

During normal business hours call (414)442-2900
Available 24 hours call CHEMTREC (800)424-9300

Email Address

COMPLIANCE@AMSOIL.COM

Section 2 - Hazards Identification

Emergency Overview: In accordance with good industrial hygiene and industrial practices. Airborne exposures should be controlled to the lowest extent possible. Do not ingest. Avoid contact with eyes, skin, and clothing. Use only with adequate ventilation. Wash thoroughly after handling. Keep container closed.

GHS Ratings:

There are no GHS ratings that apply to this product at this time

GHS Hazards

There are no GHS hazards that apply to this product at this time

GHS Precautions

There are no GHS precautions that apply to this product at this time

Section 3 - Composition

Proprietary additive(s) listed only if considered hazardous per OSHA regulations, at a 1% or greater concentration (0.1% for carcinogens)

Chemical Name	CAS number	Weight Concentration %
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PETRAULIC 22

Distillates (petroleum), hydrotreated heavy paraffinic	64742-54-7	90.00% - 100.00%
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Section 4 - First Aid Measures

Inhalation: Remove from further exposure. For those providing assistance, avoid exposure to yourself. Use adequate respiratory protection. If respiratory irritation, dizziness, nausea, or unconsciousness occurs, seek immediate medical assistance. If breathing has stopped, a trained individual should attempt to resuscitate while getting immediate medical aid.

Eye Contact: Flush eyes with water for at least 15 minutes. If irritation occurs, seek medical attention.

Skin Contact: Prolonged or repeated contact may cause irritation. Good hygienic practices should be observed at all times. Wash exposed skin with soap and warm water.

Ingestion: If ingested, seek medical attention. Do not induce vomiting unless directed by a medical personnel.

Section 5 - Fire Fighting Measures

Flash Point: 207 C (405 F)

Extinguishing Media: Carbon Dioxide (CO₂), dry chemical or foam. Do not use a waterjet. Water can be used to cool and protect exposed material.

Unusual Fire Hazards: Pressurized mists may form a flammable mixture.

Products of Combustion: Fumes, smoke, CO_x, SO_x, NO_x, when combusted.

Fire Fighting Instructions: Evacuate area. Prevent runoff from fire control or dilution from entering streams, sewers, or drinking water supply. Fire fighters should use standard protective equipment and in enclosed spaces, self-contained breathing apparatus. Use water supply to cool fire exposed surfaces and to protect personnel.

Section 6 - Accidental Release Measures

Notification Procedures: In the event of a spill or accidental release, notify relevant authorities in accordance with all applicable regulations. US regulations require reporting releases of this material (which exceed the applicable reportable quantity) into the environment, or oil spills which could reach any waterway (including intermittent dry creeks). The National Response Center can be reached at 1-800-424-8802.

Spill Management: Shut off source of leak if it is safe to do so. Dike and contain spill.

Small Spills: While wearing suitable personal protective equipment (PPE), absorb spill with clay, sand or other suitable material. Place in a non-leaking container and seal tightly for proper disposal.

Large Spills: Ventilate the contaminated area. Wearing suitable PPE, pump into salvage vessels. Dispose of collected material according to regulations.

Section 7 - Handling and Storage

Handling: Avoid contact with eyes, skin and clothing. Avoid breathing vapors or mists of this product. Do not take internally. Use this product with adequate ventilation. Launder work clothes frequently.

Storage: Keep properly labeled container tightly closed, and in a cool, well-ventilated place away from incompatible materials. Store away from heat, sparks and other ignition sources. Containers, even those have been emptied, can contain combustible vapors. Do not pressurize, cut, weld, drill or grind on or near containers. Do not reuse empty containers.

Section 8 - Exposure Controls / Personal Protection

Chemical Name / CAS No.	OSHA Exposure Limits	ACGIH Exposure Limits	Other Exposure Limits
Distillates (petroleum), hydrotreated heavy paraffinic 64742-54-7	PEL 5 mg/m ³ (Mist)	TWA 5 mg/m ³ (Inhalable Fraction) STEL 10 mg/m ³	Not Determined

PETRAULIC 22

Ventilation Control: Provide adequate ventilation to control airborne concentrations below the exposure guidelines/limits.

Personal Protection: As prescribed in the OSHA Standard for Personal Protective Equipment (29 CFR 1910.132), employers must perform a Hazard Assessment of all workplaces to determine the need for proper protective equipment for each employee.

Eye Protection: Normal industrial eye protection practices should be employed.

Skin Protection: In accordance with good industrial hygiene practices, precautions should be taken to avoid skin contact.

Respiratory: If airborne concentration limits are not met, a NIOSH approved respirator must be worn.

Contaminated Gear: Soiled work clothing should be laundered or dry-cleaned.

Section 9 - Physical and Chemical Properties

Typical physical and chemical properties are given below. Consult the manufacturer in Section 1 for additional data.

Odor threshold: No Data Available Specific Gravity@60F 0.8577 Freezing point: No Data Available Flash point: 405°F,207°C Flammability: No Data Available Partition coefficient: No Data Available Decomposition temperature: No Data Available Grams VOC less water: No Data Available Odor: Characteristic	Vapor Density: No Data Available Melting point: No Data Available Solubility in Water: Negligible Evaporation rate: No Data Available Explosive Limits: No Data Available Autoignition temperature: No Data Available Viscosity@40C 22 cSt Appearance: Light Amber to Yellow Liquid Vapor Pressure: No Data Available
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Section 10 - Stability and Reactivity

Stability: Material is stable under normal conditions.

Conditions to Avoid: Excessive heat. High energy sources of ignition.

Material to Avoid: Strong oxidizers.

Hazardous Decomposition Products: This material does not decompose at ambient temperatures.

Hazardous Polymerization: Will not occur under normal circumstances.

Section 11 - Toxicological Information

Mixture Toxicity

Component Toxicity

If applicable, the ingredient(s) listed above are considered hazardous per OSHA 1910.1200. Included are the corresponding LD50 ratings, if available. Hazardous ingredients are required to be listed if they are used in the final product at a 1% (0.1% for carcinogens) or greater concentration.

Routes of Entry: Eye contact. Dermal contact. Inhalation. Ingestion.

None

Target Organs: None known

None

Effects of Overexposure

CAS Number
None

Description

% Weight

Carcinogen Rating
None

PETRAULIC 22

Section 12 - Ecological Information

Ecotoxicity: No data available for this product.

Component Ecotoxicity

Section 13 - Disposal Considerations

Disposal Instructions: Refer to the latest US EPA, state and local regulations regarding proper disposal .

Section 14 - Transport Information

<u>Agency</u>	<u>Proper Shipping Name</u>	<u>UN Number</u>	<u>Packing Group</u>	<u>Hazard Class</u>
DOT	Not Regulated	N/A	N/A	N/A

Section 15 - Regulatory Information

Prepared according to US OSHA 29CFR 1910.1200 regulations.

Additional regulatory listings, where applicable.

California Prop 65: The following chemicals are known to the State of California to cause cancer, birth defects, or other reproductive harm.

None

The following chemicals are listed under **SARA 313**:

None

SARA 311/312 Hazardous Chemicals: See Section 2 of SDS for Hazard Identification.

None

<u>Country</u>	<u>Regulation</u>	<u>All Components Listed</u>
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Toxic Substances Control Act (TSCA) Status: All components are listed on the EPA/TSCA Inventory of Chemical Substances.

None

Section 16 - Other Information

AMSOIL has taken all reasonable steps to ensure this data sheet and the information contained in it is accurate as of the date issued. No warranty is made as to the accuracy or completeness of the information in this data sheet. The information stated on this SDS applies only to the intended applications. Do not use this product for any application other than the intended application. Employers are responsible for communicating any hazards and precautions described in this sheet.

Revision Date: 1/24/2024

Print Date: 1/24/2024

Printed: 1/24/2024 at 4:34:40PM



SAFETY DATA SHEET

EP Series-8 COMP

According to Appendix D, OSHA Hazard Communication Standard 29 CFR §1910.1200 and WHMIS 2015, in compliance with the Hazardous Product Act (HPA, as amended) and the requirements of the Hazardous Product Regulations (HPR).

Section 1 - Product and Company Identification

Product identifier

Product name EP Series-8 COMP

Recommended use of the chemical and restrictions on use

Application Industrial Lubricant

Use advised against Applications other than those intended. For application information see product Technical Data Sheet or consult with a company representative.

Details of the supplier of the safety data sheet

Supplier AMSOIL INC.
2724 W. Hampton Ave.
Milwaukee, WI 53209

Telephone Numbers

During normal business hours call (414)442-2900
Available 24 hours call CHEMTREC (800)424-9300

Email Address

compliance@amsoil.com

Section 2 - Hazards Identification

Emergency Overview: In accordance with good industrial hygiene and industrial practices. Airborne exposures should be controlled to the lowest extent possible. Do not ingest. Avoid contact with eyes, skin, and clothing. Use only with adequate ventilation. Wash thoroughly after handling. Keep container closed.

GHS Ratings:

There are no GHS ratings that apply to this product at this time

GHS Hazards

There are no GHS hazards that apply to this product at this time

GHS Precautions

There are no GHS precautions that apply to this product at this time

Section 3 - Composition

Proprietary additive(s) listed only if considered hazardous per OSHA regulations, at a 1% or greater concentration (0.1% for carcinogens)

Chemical Name	CAS number	Weight Concentration %
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EP Series-8 COMP

Heavy Naphthenic Hydrotreated Distillates	64742-52-5	20.00% - 30.00%
Paraffin oils (petroleum), catalytic dewaxed heavy	64742-70-7	20.00% - 30.00%

Section 4 - First Aid Measures

Inhalation: Remove from further exposure. For those providing assistance, avoid exposure to yourself. Use adequate respiratory protection. If respiratory irritation, dizziness, nausea, or unconsciousness occurs, seek immediate medical assistance. If breathing has stopped, a trained individual should attempt to resuscitate while getting immediate medical aid.

Eye Contact: Flush eyes with water for at least 15 minutes. If irritation occurs, seek medical attention.

Skin Contact: Prolonged or repeated contact may cause irritation. Good hygienic practices should be observed at all times. Wash exposed skin with soap and warm water.

Ingestion: If ingested, seek medical attention. Do not induce vomiting unless directed by a medical personnel.

Section 5 - Fire Fighting Measures

Flash Point: 299 C (570 F)

Extinguishing Media: Carbon Dioxide (CO₂), dry chemical or foam. Do not use a waterjet. Water can be used to cool and protect exposed material.

Unusual Fire Hazards: Pressurized mists may form a flammable mixture.

Products of Combustion: Fumes, smoke, CO_x, SO_x, NO_x, when combusted.

Fire Fighting Instructions: Evacuate area. Prevent runoff from fire control or dilution from entering streams, sewers, or drinking water supply. Fire fighters should use standard protective equipment and in enclosed spaces, self-contained breathing apparatus. Use water supply to cool fire exposed surfaces and to protect personnel.

Section 6 - Accidental Release Measures

Notification Procedures: In the event of a spill or accidental release, notify relevant authorities in accordance with all applicable regulations. US regulations require reporting releases of this material (which exceed the applicable reportable quantity) into the environment, or oil spills which could reach any waterway (including intermittent dry creeks). The National Response Center can be reached at 1-800-424-8802.

Spill Management: Shut off source of leak if it is safe to do so. Dike and contain spill.

Small Spills: While wearing suitable personal protective equipment (PPE), absorb spill with clay, sand or other suitable material. Place in a non-leaking container and seal tightly for proper disposal.

Large Spills: Ventilate the contaminated area. Wearing suitable PPE, pump into salvage vessels. Dispose of collected material according to regulations.

Section 7 - Handling and Storage

Handling: Avoid contact with eyes, skin and clothing. Avoid breathing vapors or mists of this product. Do not take internally. Use this product with adequate ventilation. Launder work clothes frequently.

Storage: Keep properly labeled container tightly closed, and in a cool, well-ventilated place away from incompatible materials. Store away from heat, sparks and other ignition sources. Containers, even those have been emptied, can contain combustible vapors. Do not pressurize, cut, weld, drill or grind on or near containers. Do not reuse empty containers.

Section 8 - Exposure Controls / Personal Protection

Chemical Name / CAS No.	OSHA Exposure Limits	ACGIH Exposure Limits	Other Exposure Limits
Heavy Naphthenic Hydrotreated Distillates 64742-52-5	PEL: 5 mg/m ³	TLV: 5 mg/m ³ (Inhalable)	Not Determined

EP Series-8 COMP

Paraffin oils (petroleum), catalytic dewaxed heavy 64742-70-7	PEL: 5mg/m3 (mist)	TWA: 5mg/m3 (Inhalable fraction)	Not Determined
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Ventilation Control: Provide adequate ventilation to control airborne concentrations below the exposure guidelines/limits.

Personal Protection: As prescribed in the OSHA Standard for Personal Protective Equipment (29 CFR 1910.132), employers must perform a Hazard Assessment of all workplaces to determine the need for proper protective equipment for each employee.

Eye Protection: Normal industrial eye protection practices should be employed.

Skin Protection: In accordance with good industrial hygiene practices, precautions should be taken to avoid skin contact.

Respiratory: If airborne concentration limits are not met, a NIOSH approved respirator must be worn.

Contaminated Gear: Soiled work clothing should be laundered or dry-cleaned.

Section 9 - Physical and Chemical Properties

Typical physical and chemical properties are given below. Consult the manufacturer in Section 1 for additional data.

<p>Appearance: Amber Liquid</p> <p>Vapor Pressure: No Data Available</p> <p>Vapor Density: No Data Available</p> <p>Specific Gravity@60F 0.9</p> <p>Freezing point: No Data Available</p> <p>Flash point: 570°F, 299°C</p> <p>Flammability: No Data Available</p> <p>Partition coefficient (n-octanol/water): No Data Available</p> <p>Decomposition temperature: No Data Available</p>	<p>Odor: Characteristic</p> <p>Odor threshold: No Data Available</p> <p>pH: Not Applicable</p> <p>Melting point: No Data Available</p> <p>Solubility: Negligible Solubility in Water</p> <p>Evaporation rate: No Data Available</p> <p>Explosive Limits: No Data Available</p> <p>Autoignition temperature: No Data Available</p> <p>Grams VOC less water: No Data Available</p>
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Section 10 - Stability and Reactivity

Stability: Material is stable under normal conditions.

Conditions to Avoid: Excessive heat. High energy sources of ignition.

Material to Avoid: Strong oxidizers.

Hazardous Decomposition Products: This material does not decompose at ambient temperatures.

Hazardous Polymerization: Will not occur under normal circumstances.

Section 11 - Toxicological Information

Mixture Toxicity

Inhalation Toxicity LC50: 16mg/L

Component Toxicity

64742-52-5 Heavy Naphthenic Hydrotreated Distillates
Dermal LD50: 2,001 mg/kg (Rabbit)

If applicable, the ingredient(s) listed above are considered hazardous per OSHA 1910.1200. Included are the corresponding LD50 ratings, if available. Hazardous ingredients are required to be listed if they are used in the final product at a 1% (0.1% for carcinogens) or greater concentration.

Routes of Entry: Eye contact. Dermal contact. Inhalation. Ingestion.

None

EP Series-8 COMP

Target Organs: None known
None

Effects of Overexposure

CAS Number
None

Description

% Weight

Carcinogen Rating
None

Section 12 - Ecological Information

Ecotoxicity: No data available for this product.

Component Ecotoxicity

Section 13 - Disposal Considerations

Disposal Instructions: Refer to the latest US EPA, state and local regulations regarding proper disposal .

Section 14 - Transport Information

Agency
DOT

Proper Shipping Name
Not Regulated

UN Number
N/A

Packing Group
N/A

Hazard Class
N/A

Section 15 - Regulatory Information

Prepared according to US OSHA 29CFR 1910.1200 regulations.

Additional regulatory listings, where applicable.

California Prop 65: The following chemicals are known to the State of California to cause cancer, birth defects, or other reproductive harm.

None

The following chemicals are listed under **SARA 313**:
None

SARA 311/312 Hazardous Chemicals: See Section 2 of SDS for Hazard Identification.

None

Country

Regulation

All Components Listed

Toxic Substances Control Act (TSCA) Status: All components are listed on the EPA/TSCA Inventory of Chemical Substances.

None

Section 16 - Other Information

AMSOIL has taken all reasonable steps to ensure this data sheet and the information contained in it is accurate as

Revision Date: 8/16/2024

EP Series-8 COMP

of the date issued. No warranty is made as to the accuracy or completeness of the information in this data sheet. The information stated on this SDS applies only to the intended applications. Do not use this product for any application other than the intended application. Employers are responsible for communicating any hazards and precautions described in this sheet.

Revision Date: 8/16/2024

Print Date: 8/16/2024

Printed: 8/16/2024 at 9:11:22AM



SAFETY DATA SHEET

DURA KOOL H

According to Appendix D, OSHA Hazard Communication Standard 29 CFR §1910.1200 and WHMIS 2015, in compliance with the Hazardous Product Act (HPA, as amended) and the requirements of the Hazardous Product Regulations (HPR).

Section 1 - Product and Company Identification

Product identifier

Product name DURA KOOL H

Recommended use of the chemical and restrictions on use

Application Metalworking Fluid

Use advised against Applications other than those intended. For application information see product Technical Data Sheet or consult with a company representative.

Details of the supplier of the safety data sheet

Supplier AMSOIL INC.
2724 W. Hampton Ave.
Milwaukee, WI 53209

Telephone Numbers

During normal business hours call (414)442-2900

Available 24 hours call CHEMTREC (800)424-9300

Email Address

compliance@amsoil.com

Section 2 - Hazards Identification

Emergency Overview: In accordance with good industrial hygiene and industrial practices. Airborne exposures should be controlled to the lowest extent possible. Do not ingest. Avoid contact with eyes, skin, and clothing. Use only with adequate ventilation. Wash thoroughly after handling. Keep container closed.

GHS Ratings:

Skin corrosion/irritation	2	Reversible adverse effects in dermal tissue, Draize score: $\geq 2.3 < 4.0$ or persistent inflammation
Skin sensitization	1	Skin sensitizer

GHS Hazards

H315	Causes skin irritation
H317	May cause an allergic skin reaction

GHS Precautions

P261	Avoid breathing dust/fume/gas/mist/vapours/spray
P264	Wash thoroughly after handling

DURA KOOL H

P272	Contaminated work clothing should not be allowed out of the workplace
P280	Wear protective gloves/protective clothing/eye protection/face protection
P321	Specific treatment (see the first aid section of the SDS)
P362	Take off contaminated clothing and wash before reuse
P363	Wash contaminated clothing before reuse
P302+P352	IF ON SKIN: Wash with soap and water
P332+P313	If skin irritation occurs: Get medical advice/attention
P333+P313	If skin irritation or a rash occurs: Get medical advice/attention
P501	Dispose of contents/container in accordance with appropriate regulations.

Signal Word: Warning**Section 3 - Composition**

Proprietary additive(s) listed only if considered hazardous per OSHA regulations, at a 1% or greater concentration (0.1% for carcinogens)

Chemical Name	CAS number	Weight Concentration %
Heavy Naphthenic Hydrotreated Distillates	64742-52-5	20.00% - 30.00%
Chlorinated paraffin waxes	198840-65-2	10.00% - 20.00%
Boric acid (H ₃ BO ₃), reaction products with 2-amino-2-methyl-1-propanol	91696-95-6	5.00% - 10.00%
Ethoxylated tallow amine	61791-26-2	1.00% - 5.00%
Nonylphenol, ethoxylated	9016-45-9	1.00% - 5.00%
Ethoxylated fatty alcohol	9004-98-2	1.00% - 5.00%
2-amino-2-methyl-1-propanol	124-68-5	1.00% - 5.00%
1H-Benzotriazole	88477-37-6	0.10% - 1.00%

Section 4 - First Aid Measures

Inhalation: Remove from further exposure. For those providing assistance, avoid exposure to yourself. Use adequate respiratory protection. If respiratory irritation, dizziness, nausea, or unconsciousness occurs, seek immediate medical assistance. If breathing has stopped, a trained individual should attempt to resuscitate while getting immediate medical aid.

Eye Contact: Flush eyes with water for 15 minutes. If irritation persists, get medical attention.

Skin Contact: Prolonged or repeated contact may cause irritation. Good hygienic practices should be observed at all times. Wash exposed skin with soap and warm water.

Ingestion: Do not induce vomiting. Seek medical attention.

Section 5 - Fire Fighting Measures

Flash Point: N/A

Extinguishing Media: Carbon Dioxide (CO₂), dry chemical or foam. Water can be used to cool and protect exposed material.

Unusual Fire Hazards: Flashpoint is not determined due to the water content of this product. Extreme exposure conditions may render this product combustible.

DURA KOOL H

Products of Combustion: Fumes, smoke, COx, SOx, NOx, when combusted.

Fire Fighting Instructions: Evacuate area. Prevent runoff from fire control or dilution from entering streams, sewers, or drinking water supply. Fire fighters should use standard protective equipment and in enclosed spaces, self-contained breathing apparatus. Use water supply to cool fire exposed surfaces and to protect personnel.

Section 6 - Accidental Release Measures

Notification Procedures: In the event of a spill or accidental release, notify relevant authorities in accordance with all applicable regulations. US regulations require reporting releases of this material to the environment which exceeds the applicable reportable quantity or oil spills which could reach any waterway including intermittent dry creeks. The National Response Center can be reached at 1-800-424-8802.

Spill Management: Shut off source of leak if it is safe to do so. Dike and contain spill.

Small Spills: While wearing suitable personal protective equipment (PPE), absorb spill with suitable material. Place in a non-leaking container and seal tightly for proper disposal.

Large Spills: Ventilate the contaminated area. Wearing suitable PPE, pump into salvage vessels. Dispose of collected material according to regulations.

Section 7 - Handling and Storage

Handling: Avoid contact with eyes, skin and clothing. Avoid breathing vapors or mists of this product. Do not take internally. For industrial use only. Use this product with adequate ventilation. Launder work clothes frequently. Always use good personal hygiene practices. Bring product to room temperature before use.

Storage: Keep properly labeled container tightly closed, and in a cool, well-ventilated place away from incompatible materials. Store away from heat, sparks and other ignition sources. Containers, even those have been emptied, can contain explosive vapors. Do not pressurize, cut, weld, drill or grind on or near containers. Do not reuse empty containers.

Section 8 - Exposure Controls / Personal Protection

Chemical Name / CAS No.	OSHA Exposure Limits	ACGIH Exposure Limits	Other Exposure Limits
Heavy Naphthenic Hydrotreated Distillates 64742-52-5	PEL: 5 mg/m3	TLV: 5 mg/m3 (Inhalable)	Not Determined
Chlorinated paraffin waxes 198840-65-2	Not Determined	Not Determined	Not Determined
Boric acid (H3BO3), reaction products with 2- amino-2-methyl-1-propanol 91696-95-6	Not Determined	Not Determined	Not Determined
Ethoxylated tallow amine 61791-26-2	Not Determined	Not Determined	Not Determined
Nonylphenol, ethoxylated 9016-45-9	Not Determined	Not Determined	Not Determined
Ethoxylated fatty alcohol 9004-98-2	Not Determined	Not Determined	Not Determined
2-amino-2-methyl-1-propanol 124-68-5	Not Determined	Not Determined	Not Determined
1H-Benzotriazole 88477-37-6	Not Determined	Not Determined	Not Determined

Ventilation Control: Provide adequate ventilation to control airborne concentrations below the exposure

DURA KOOL H

guidelines/limits.

Personal Protection: As prescribed in the OSHA Standard for Personal Protective Equipment (29CFR 1910.132), employers must perform a Hazard Assessment of all workplaces to determine the need for proper protective equipment for each employee.

Eye Protection: Normal industrial eye protection practices should be employed.

Skin Protection: In accordance with good industrial hygiene practices, precautions should be taken to avoid skin contact.

Respiratory: If airborne concentration limits are not met, an approved respirator must be worn.

Contaminated Gear: Soiled work clothing should be laundered or dry-cleaned.

Section 9 - Physical and Chemical Properties

Typical physical and chemical properties are given below. Consult the manufacturer in Section 1 for additional data.

Odor threshold: No Data Available Specific Gravity@60F 1.0018 Freezing point: No Data Available Flash point: N/A Flammability: No Data Available Partition coefficient: No Data Available Decomposition temperature: No Data Available Appearance: Yellow Vapor Pressure: No Data Available	Vapor Density: No Data Available Melting point: No Data Available Solubility in Water: Miscible Evaporation rate: No Data Available Explosive Limits: No Data Available Autoignition temperature: No Data Available Grams VOC less water: No Data Available Odor: Slight Amine
--	---

Section 10 - Stability and Reactivity

Stability: Material is stable under normal conditions.

Conditions to Avoid: Excessive heat. High energy sources of ignition.

Material to Avoid: Strong oxidizers. Because this product may contain alkanolamines, do not add nitrites.

Hazardous Decomposition Products: This material does not decompose at ambient temperatures.

Hazardous Polymerization: Will not occur.

Section 11 - Toxicological Information

Mixture Toxicity

Inhalation Toxicity LC50: 666mg/L

Component Toxicity

64742-52-5	Heavy Naphthenic Hydrotreated Distillates Dermal LD50: 2,001 mg/kg (Rabbit)
9004-98-2	Ethoxylated fatty alcohol Oral LD50: 301 mg/kg (Rat) Dermal LD50: 1,001 mg/kg (Rabbit)
124-68-5	2-amino-2-methyl-1-propanol Oral LD50: 2,900 mg/kg (Rat) Dermal LD50: 2,001 mg/kg (Rabbit)

If applicable, the ingredient(s) listed above are considered hazardous per OSHA 1910.1200. Included are the corresponding LD50 ratings, if available. Hazardous ingredients are required to be listed if they are used in the final product at a 1% (0.1% for carcinogens) or greater concentration.

Routes of Entry: Eye contact. Dermal contact. Inhalation. Ingestion.

Target Organs: None known

Effects of Overexposure

DURA KOOL H

CAS NumberDescription% WeightCarcinogen Rating**Section 12 - Ecological Information**

Ecotoxicity: No data available for this product.

Component Ecotoxicity

Section 13 - Disposal Considerations

Disposal Instructions: Refer to the latest US EPA, state and local regulations regarding proper disposal .

Section 14 - Transport InformationAgency

DOT

Proper Shipping Name

Not Regulated

UN Number

N/A

Packing Group

N/A

Hazard Class

N/A

Section 15 - Regulatory Information

Prepared according to US OSHA 29CFR 1910.1200 regulations.

Additional regulatory listings, where applicable.

California Prop 65: The following chemicals are known to the State of California to cause cancer, birth defects, or other reproductive harm.

Ethylene oxide

SARA 311/312 Hazardous Chemicals: See Section 2 of SDS for Hazard Identification.

124-68-5 2-amino-2-methyl-1-propanol

CountryRegulationAll Components Listed

Toxic Substances Control Act (TSCA) Status:

All components are listed on the EPA/TSCA Inventory of Chemical Substances .

9004-98-2 Ethoxylated fatty alcohol 1.0 - 5%

Section 16 - Other Information

AMSOIL has taken all reasonable steps to insure this data sheet and the information contained in it is accurate as of the date issued. No warranty is made as to the accuracy or completeness of the information in this data sheet. The information stated on this SDS applies only to the intended applications. Do not use this product for any application other than the intended application. Employers are responsible for communicating any hazards and precautions described in this sheet.

Revision Date: 6/24/2024

DURA KOOL H

Revision Date: 6/24/2024

Print Date: 6/24/2024

Printed: 6/24/2024 at 10:43:23AM

Safety Data Sheet

according to OSHA Hazard Communication
29 CFR Part 1910.1200



SECTION 1. Identification

Product Code 10013

Product Name: Naphtha 140

Supplied by: EMCO Chemical Distributors, Inc.
8601 95th Street
Pleasant Prairie, Wisconsin 53158
(262) 427-0400
E-Mail: information@emcochem.com

24 hr. Emergency:

CHEMTREC: 1-800-424-9300

International: +1-703-527-3887

NOTE: CHEMTREC emergency numbers to be used only in the event of chemical emergencies involving a spill, leak, fire, exposure or accident involving chemicals

SECTION 2. Hazard(s) Identification

*** EMERGENCY OVERVIEW ***: Combustible liquid and vapor. May be fatal if swallowed and enters airway.

GHS Classification

Asp. Tox. 1, Flam. Liq. 4, STOT SE 3 NE

Symbol(s) of Product



Signal Word

Danger

GHS HAZARD STATEMENTS

Flammable liquid, category 4

Aspiration Hazard, category 1

STOT, single exposure, category 3, NE

H227

Combustible liquid

H304

May be fatal if swallowed and enters airways.

H336

May cause drowsiness or dizziness.

GHS PRECAUTIONARY STATEMENTS

P210

Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. No smoking.

P261

Avoid breathing dust/fume/gas/mist/vapors/spray.

P271

Use only outdoors or in a well-ventilated area.

P280

Wear protective gloves/protective clothing/eye protection/face protection.

P301+P310

IF SWALLOWED: Immediately call a POISON CENTER/doctor/physician

P304+P340

IF INHALED: Remove person to fresh air and keep comfortable for breathing.

P312

Call a POISON CENTER/doctor/physician if you feel unwell.

P331

Do NOT induce vomiting.

P370+P378

In case of fire: Use appropriate method to extinguish.

P403+P233

Store in a well-ventilated place. Keep container tightly closed.

P403+P235

Store in a well-ventilated place. Keep cool.

P405

Store locked up.

P501

Dispose of contents/container in accordance with local/regional/national/international regulations.

SECTION 3. Composition/Information on Ingredients

<u>Chemical Name</u>	<u>CAS-No.</u>	<u>Wt. %</u>	<u>GHS Symbols</u>	<u>GHS Statements</u>
Aliphatic hydrocarbon	64742-47-8	75-100	GHS07-GHS08	H227-304-336

Any concentration shown as a range is to protect confidentiality or is due to batch variation.

SECTION 4. First-Aid Measures



FIRST AID - EYE CONTACT: Immediately flush eyes with water. Flush eyes with water for a minimum of 15 minutes, occasionally lifting and lowering upper lids. Get medical attention promptly. Remove contact lenses if worn.

FIRST AID - SKIN CONTACT: Immediately wash with soap and water. Get medical attention promptly if irritation develops or persists. Remove contaminated shoes and clothes and clean before reuse.

FIRST AID - INHALATION: Rescuers should put on appropriate protective gear. Remove from area of exposure. If not breathing, give artificial respiration. If breathing is difficult, give oxygen. Keep victim warm. Get immediate medical attention. If unconscious, place in recovery position and get medical attention immediately. Maintain an open airway. Loosen tight clothing such as a collar, tie, belt or waistband.

FIRST AID - INGESTION: Small amounts which accidentally enter mouth should be rinsed out until taste of it is gone. DO NOT induce vomiting. Never give anything by mouth to an unconscious person. Consult a physician. To prevent aspiration, keep head below knees. If unconscious, place in recovery position and get medical attention immediately. Maintain an open airway. Loosen tight clothing such as collar, tie, belt or waistband.

SECTION 5. Fire-Fighting Measures

UNUSUAL FIRE AND EXPLOSION HAZARDS: Combustible liquid and vapor. Vapors/dust may cause flash fire or explosion. Vapors can travel to a source of ignition and flash back. Vapors are heavier than air and may spread along floors. Vapors can accumulate in low areas. Empty containers retain product residue (liquid and/or vapor) and can be dangerous. DO NOT pressurize, cut, weld, braze, solder, drill, grind, or expose such containers to heat, flame, sparks, static electricity, or other sources of ignition. Also, do not reuse container without commercial cleaning or reconditioning. Closed container may explode under extreme heat.

SPECIAL FIREFIGHTING PROCEDURES: As in any fire, wear self-contained breathing apparatus pressure-demand (MSHA/NIOSH approved or equivalent) and full protective gear. Use water spray to knock down vapors. Do not use water jet (frothing possible). Water spray to cool containers or protect personnel. Use with caution. Water spray and foam must be applied carefully to avoid frothing. Water runoff can cause environmental damage. Dike and collect water used to fight fire.

EXTINGUISHING MEDIA: Carbon Dioxide, Dry Chemical, Foam, Water Fog

SECTION 6. Accidental Release Measures

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED: Wear appropriate personal protective equipment. (See Exposure Controls / Personal Protection Section.) Eliminate all ignition sources. Prevent additional discharge of material if able to do so safely. Do not touch or walk through spilled material. Avoid runoff into storm sewers and ditches which lead to waterways. Ventilate spill area. Stay upwind of spill. Collect spilled materials for disposal. Use only non-combustible material for clean-up. Use clean, non-sparking tools to collect absorbed materials. Absorb spill with inert material (e.g. dry sand or earth), then place in a chemical waste container.

SECTION 7. Handling and Storage



HANDLING: Use only in a well ventilated area. Avoid breathing vapor, fumes or mist. Avoid contact with eyes, skin, and clothing. Ground and bond containers when transferring material. Use spark-proof tools and explosion proof equipment. Always open containers slowly to allow any excess pressure to vent. Follow all MSDS/label precautions even after containers are emptied because they may retain product residues.

STORAGE: Keep away from heat, sparks, and flame. Store containers in a cool, well ventilated place. Keep container closed when not in use. Static Discharge, materials can accumulate static charges which can cause an incendiary electrical discharge. Material is a static accumulator which has the potential of forming ignitable vapor-air mixtures in storage tanks.

SECTION 8. Exposure Controls/Personal Protection

Ingredients with Occupational Exposure Limits

<u>Chemical Name</u>	<u>ACGIH TLV-TWA</u>	<u>ACGIH-TLV STEL</u>	<u>OSHA PEL-TWA</u>	<u>OSHA PEL-CEILING</u>
Aliphatic hydrocarbon	179 ppm	N.D.	N.D.	N.D.

Personal Protection



RESPIRATORY PROTECTION: A NIOSH/MSHA approved air purifying respirator with an organic vapor cartridge or canister may be permissible under certain circumstances where airborne concentrations are expected to exceed exposure limits.



SKIN PROTECTION: Wear impervious protective gloves. Wear protective gear as needed - apron, suit, boots. Where contact is likely, wear chemical resistant gloves, a chemical suit, rubber boots, and chemical safety goggles plus a face shield.



EYE PROTECTION: Wear safety glasses with side shields (or goggles) and a face shield.



OTHER PROTECTIVE EQUIPMENT: Facilities storing or utilizing this material should be equipped with an eyewash facility and a safety shower.



HYGENIC PRACTICES: Do not eat, drink, or smoke in areas where this material is used. Avoid breathing vapors. Remove contaminated clothing and wash before reuse. Wash thoroughly after handling. Wash hands before eating.

SECTION 9. Physical and Chemical Properties

Appearance:	Clear Colorless liquid	Physical State:	Liquid
Odor:	Typical	Odor Threshold:	N.D.
Density, g/cm3:	0.801	pH:	N.D.
Freeze Point, °F:	N.D.	Viscosity:	N.D.
Solubility in Water:	1.5 g/l	Explosive Limits, vol%:	0.8 - 6.0
Boiling Range, °F:	378 - 401	Flash Point, °F:	147.2
Evaporation Rate:		Auto-ignition Temp., °F:	N.D.
Vapor Density:	Lighter than air	Vapor Pressure:	0.067 kPa (0.5 mm Hg) @ 68F

(See "Other information" Section for abbreviation legend)

SECTION 10. Stability and Reactivity

STABILITY: No Information

CONDITIONS TO AVOID: Avoid impact, friction, heat, sparks, flame and source of ignition.

INCOMPATIBILITY: Prevent contact with oxidizing materials.

HAZARDOUS DECOMPOSITION PRODUCTS: During combustion carbon monoxide may be formed. During combustion carbon dioxide may be formed.

HAZARDOUS POLYMERIZATION: No Information

SECTION 11. Toxicological Information**Information on Toxicological Effects****Primary Route(s) of Entry: Eye Contact, Ingestion, Inhalation, Skin Contact**

EFFECTS OF OVEREXPOSURE - INHALATION: May cause central nervous system depression. Adverse symptoms may include the following: nausea or vomiting, headache, drowsiness/fatigue, dizziness/vertigo, unconsciousness. The symptoms can include the loss of memory, the loss of intellectual capacity and the loss of coordination.

EFFECTS OF OVEREXPOSURE - SKIN CONTACT: Causes mild skin irritation. Causes defatting of the skin. May cause skin dryness and irritation. May cause skin cracking. Personnel with pre-existing skin disorders should avoid contact with this product. Prolonged or repeated contact can result in defatting and drying of the skin which may result in skin irritation and dermatitis (rash).

EFFECTS OF OVEREXPOSURE - EYE CONTACT: No significant health hazard identified.

EFFECTS OF OVEREXPOSURE - INGESTION: Corrosive to the digestive tract. Causes burns. May be fatal if swallowed and enters airway. May cause central nervous system depression. May cause nausea and vomiting. May cause stomach pains.

EFFECTS OF OVEREXPOSURE - CHRONIC HAZARDS: Small amounts of liquid aspirated into the lungs during ingestion or from vomiting may cause chemical pneumonitis or pulmonary edema. Prolonged or repeated contact can defat the skin and lead to irritation, cracking and/or dermatitis. Repeated or prolonged overexposure to solvents can cause brain or other nervous system damage. Prolonged or repeated breathing of high concentrations may cause symptoms of central nervous system depression.

Carcinogenicity

<u>CAS-No.</u>	<u>Name</u>	<u>IARC</u>	<u>NTP</u>
64742-47-8	Aliphatic hydrocarbon	3- Not classifiable as to its carcinogenicity to humans.	Not Listed

Acute Toxicity Values

The acute effects of this product have not been tested. Data on individual components are tabulated below:

<u>CAS-No.</u>	<u>Name</u>	<u>Oral LD50, mg/kg</u>	<u>Dermal LD50, mg/kg</u>	<u>Vapor LC50, mg/L</u>
64742-47-8	Aliphatic hydrocarbon	>5000	>5000	>20

SECTION 12. Ecological Information

ECOLOGICAL INFORMATION: No Information

SECTION 13. Disposal Considerations

For more guidance and information contact our Waste Services Division at (262) 658-4000.

Always dispose of any waste in accordance with all local, state, and federal regulations.

DISPOSAL METHOD: Dispose of waste in accordance with all local, state and federal regulations.

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASE OR SPILLED: Wear appropriate personal protective equipment. (See Exposure Controls / Personal Protection Section.) Eliminate all ignition sources. Prevent additional discharge of material if able to do so safely. Do not touch or walk through spilled material. Avoid runoff into storm sewers and ditches which lead to waterways. Ventilate spill area. Stay upwind of spill. Collect spilled materials for disposal. Use only non-combustible material for clean-up. Use clean, non-sparking tools to collect absorbed materials. Absorb spill with inert material (e.g. dry sand or earth), then place in a chemical waste container.

SECTION 14. Transport Information

DOT Proper Shipping Name:

Combustible Liquid, n.o.s. (petroleum distillates)

Packing Group:

III

DOT Hazard Class:

Comb

Hazard SubClass:

No Information

DOT UN/NA Number:

NA1993

Resp. Guide Page:

128

SECTION 15. Regulatory Information

U.S. Federal Regulations:

CERCLA - SARA Hazard Category

This product has been reviewed according to the EPA 'Hazard Categories' promulgated under Sections 311 and 312 of the Superfund Amendment and Reauthorization Act of 1986 (SARA Title III) and is considered, under applicable definitions, to meet the following categories:

Fire Hazard, Acute Health Hazard, Chronic Health Hazard

SARA SECTION 313:

This product contains the following substances subject to the reporting requirements of Section 313 of Title III of the Superfund Amendment and Reauthorization Act of 1986 and 40 CFR part 372:

No Sara 313 components exist in this product.

TOXIC SUBSTANCES CONTROL ACT:

This product contains the following chemical substances subject to the reporting requirements of TSCA 12(B) if exported from the United States:

No TSCA components exist in this product.

U.S. State Regulations:

NEW JERSEY RIGHT-TO-KNOW:

The following materials are non-hazardous, but are among the top five components in this product.

No NJ Right-To-Know components exist in this product.

PENNSYLVANIA RIGHT-TO-KNOW

The following non-hazardous ingredients are present in the product at greater than 3%.

No PA Right-To-Know components exist in this product.

CALIFORNIA PROPOSITION 65 CARCINOGENS

Warning: The following ingredients present in the product are known to the state of California to cause Cancer.

No Proposition 65 Carcinogens exist in this product.

CALIFORNIA PROPOSITION 65 REPRODUCTIVE TOXINS

Warning: The following ingredients present in the product are known to the state of California to cause birth defects, or other reproductive hazards.

No Proposition 65 Reproductive Toxins exist in this product.

International Regulations: As follows -

CANADIAN WHMIS:

This SDS has been prepared in compliance with Controlled Product Regulations except for the use of the 16 headings.

WHMIS Class:

No Information

SECTION 16. Other Information

Revision Date: 9/30/2024 **Supersedes Date:** 1/19/2023

Datasheet produced by: EH&S - Regulatory Department

HMIS Ratings:

Health:	1	Flammability:	2	Reactivity:	0	Personal Protection:	X
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Volatile Organic Compounds, gr/ltr: 799

DISCLAIMER: THE VOLATILE ORGANIC COMPOUND (VOC) CONTENT REPORTED HEREIN, IF ANY, IS BASED ON A MATERIAL VOC CALCULATION. NOTE THAT SEVERAL METHODS ARE USED FOR CALCULATING VOC CONTENT AND THAT STANDARDS/ REQUIREMENTS REGARDING VOC CONTENT VARY BY LOCATION/JURISDICTION. ACCORDINGLY, EMCO MAKES NO REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, REGARDING THIS MATERIAL'S COMPLIANCE WITH VOC STANDARDS/ REQUIREMENTS APPLICABLE IN LOCATIONS/JURISDICTIONS WHERE THIS MATERIAL MAY BE SOLD OR USED.

Text for GHS Hazard Statements shown in Section 3 describing each ingredient:

H227 Combustible liquid
H304 May be fatal if swallowed and enters airways.
H336 May cause drowsiness or dizziness.

Icons for GHS Pictograms shown in Section 3 describing each ingredient:

GHS07



GHS08



Legend: N.A. - Not Applicable, N.E. - Not Established, N.D. - Not Determined, N.I. - No Information

The information on this SDS was obtained from sources which we believe to be reliable. However, the information provided is without any warranty, expressed or implied, regarding its correctness. Some information presented and conclusions drawn herein are from sources other than direct test data on the product itself. The information and recommendations are offered for the user's consideration and examination and should be used to make an independent determination of the methods to safeguard workers and the environment. The conditions or methods of handling, storage, use and disposal of the product are beyond our control and may be beyond our knowledge. For these reasons we do not assume responsibility and expressly disclaim any liability for loss, damage, or expense arising out of or in any way connected with handling, storage, use, or disposal of this product. If the product is used as a component in another product, this SDS may not be applicable. It is the responsibility of the user to comply with all Federal, State, and Local laws and regulations.



WASTE
OIL

Benz

PETRAULIC 22

SAFETY DATA SHEET
Hazardous Waste

Folgers
Mug

Fire Extinguisher



From: **Stacey Piper Milkie** marvinsgarden2017@icloud.com
Subject: **Request of Extention**
Date: **Oct 1, 2021 at 2:21:52 PM**
To: **sarah.reed@racinecounty.com**
Cc: **Michael McKinney** Michael@villageofyorkville.com,
jhenke4737@gmail.com

Matthew Milkie and Stacey Piper Milkie, property owners of 14601 Braun Road

(Parcel ID # 194032136004000), request an extention be granted of 180 days (April 1st).

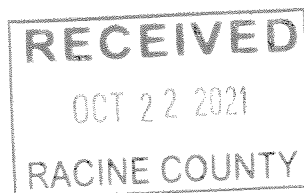
We ask for this time to allow the owner of E and R Manufacturing, Mr. Peter Petersen, to close his doors properly on his 49 year old business and enjoy his retirement. Pete is in the midst of a sale of his contracts and equipment pending financial capability of the buyers. Meanwhile he does have work to fulfill for some local companies.

We wholeheartedly believe that he will cease activity before April 1st, we are just allowing for unforeseen incidents that may arise during his transaction. We appreciate your time and careful thought in this matter.

Sincerely,

Matt Milkie and Stacey Piper Milkie

Sent from my iPa



From: **Stacey Piper Milkie** marvinsgarden2017@icloud.com
Subject: **Re: Request of Extention**
Date: **Oct 4, 2021 at 1:33:47 PM**
To: **Reed, Sarah** Sarah.Reed@racinecounty.com
Cc: **xx- Michael Village of Yorkville**
michael@villageofyorkville.com, jhenke4737@gmail.com

I also wanted to add that Pete Petersen was mistaken in the year that the machine shop was built. He put a penny, dated the year 1967, when they constructed it. The village has no record of this. The year would allow his business to be grandfathered in, according to Wisconsin state statute.

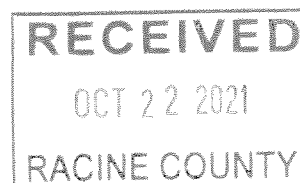
Sent from my iPad

On Oct 4, 2021, at 1:28 PM, Reed, Sarah
<Sarah.Reed@racinecounty.com> wrote:

Stacy,

I wanted to make sure you knew that this office received and it is in the process of being reviewed.

Thank you kindly,
Sarah Reed
Development Services Specialist
Racine County Development Services
14200 Washington Avenue
Sturtevant, WI 53177
Office: 262.886.8440 Ext. 3



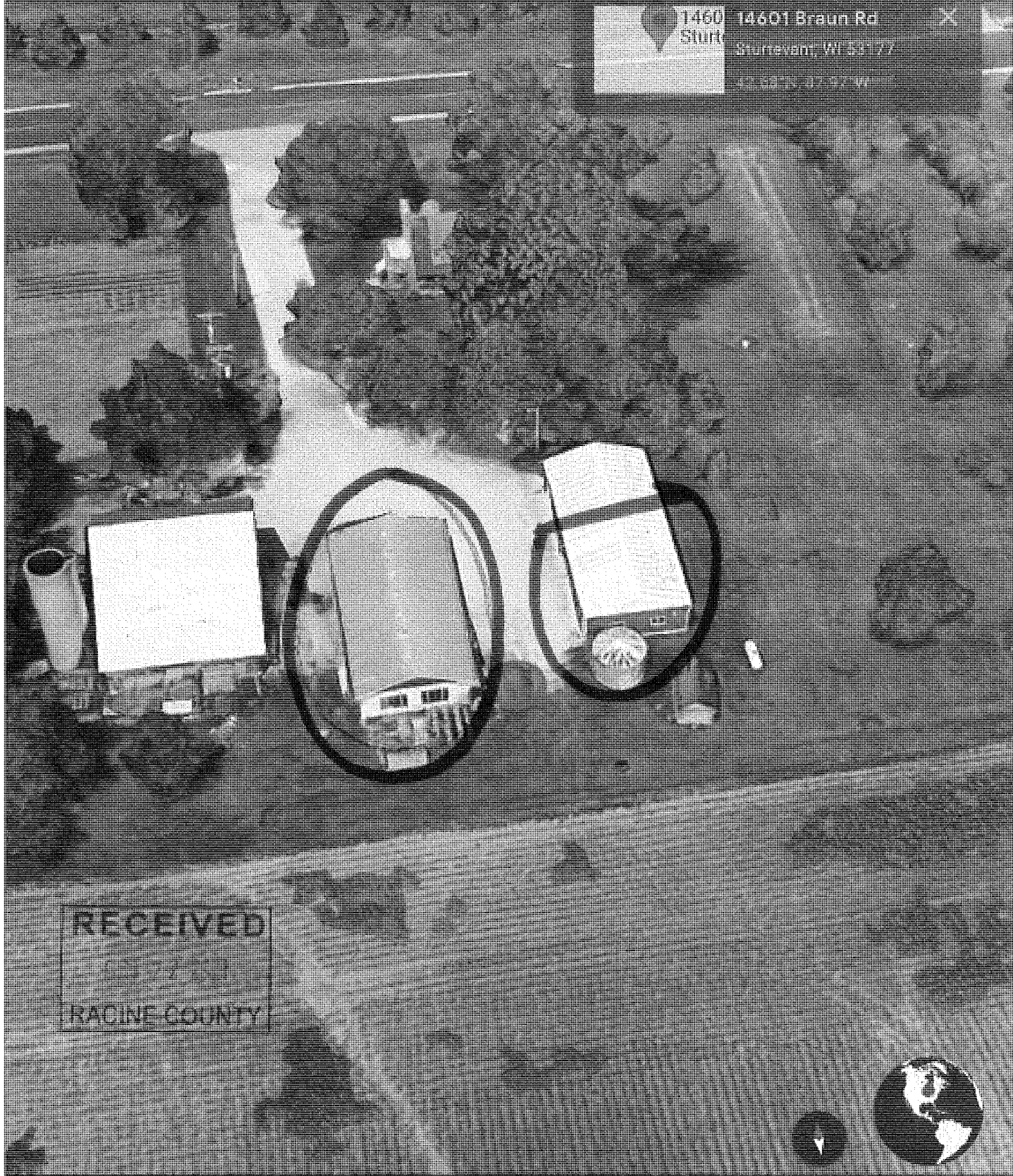
You are currently running an experimental version of Earth.

[Learn more](#)

[Send feedback](#)



14601 Braun Rd
Sturtevant, WI 53177
42°52'N, 87°57'W



RECEIVED
FEB 28 2011
TRACINE COUNTY



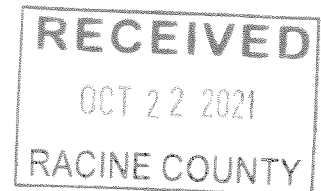
Google Earth

20 m

Camera: 369 m 42°40'59"N 87°58'00"W 233 m

14707 W. Crystal Ct.
Surprise, AZ 85374

October 13, 2021



To whom it may concern:

My name is Eugene Bohenski and I now live in Arizona. I used to live in Wisconsin before moving to Arizona in September 2002.

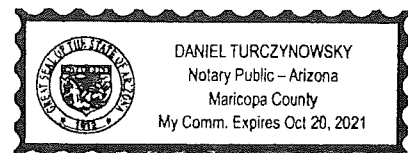
I am writing to testify that I built a 30' X 60' cement block building for Earl C. Petersen, in 1967. It was built on his farm located on 14601 Braun Road in Sturtevant, Wisconsin in 1967. (At that time, the address was Route 1, Box 373, Sturtevant, Wisconsin) It was built for his business, a small machine shop which he started in 1944. The company is E & R Manufacturing, which up to 1967 was located in Racine, Wisconsin. Earl and his family had moved to the address on Braun Road in 1954. It was the homestead of Earl's wife's parents. In 1967 he decided to move E & R Mfg. to the farm. He obtained all the necessary building permits before building. Since this took place over 50 years ago, there are no copies of such permits available today. Therefore, I am testifying that the block building housing E & R Manufacturing was built in 1967.

I hope this letter clears up any concerns of whether or not E & R continued its operation on Braun Road in 1967. If you have any questions, please feel free to call me at 602-770-3573.

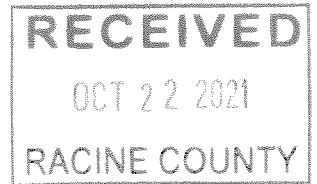
Sincerely,

Eugene Bohenski

Daniel Turczynowsky
D. Turczynowsky



Kevin Whitley
4209 57th Drive
Sturtevant, WI 53177
Nov. 19, 2021

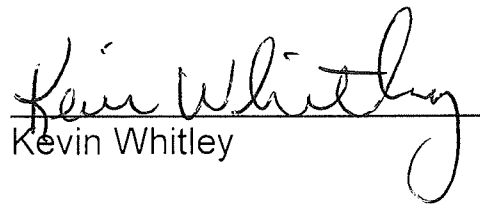


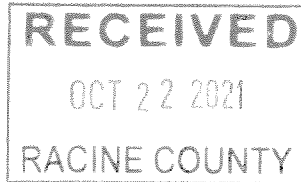
To whom it may concern:

My name is Kevin Whitley. I am writing to testify that I was aware of the existence of E & R Manufacturing located at 14601 Braun Road, which is just a mile or so from my home on 57th Drive. I knew of this business on Braun Road since the late 60's. My uncle, Tom Whitley can also testify to the existence of E & R Manufacturing on Braun Road.

I hope this letter clears up any concerns of whether or not E & R has been operating on Braun Road since the late 60's. If you have any questions, please feel free to call me at 262-770-8621.

Sincerely,


Kevin Whitley




Jack Petersen
703 S. Raynor Ave.
Union Grove, WI 53182
Nov. 20, 2021

To whom it may concern:

My name is Jack Petersen. I am writing to verify that E & R Manufacturing moved from Racine to its present location at 14601 Braun Road in 1967. E & R was started 1944. My father, Raymond and his brother Earl, my uncle, started E & R. After a year or so, my father left the business and went back to farming. Earl continued the business which was located in Lake Park in Racine. In 1967 Earl built a shop on Braun Road, on his farm, and moved the business there. I have many fond memories of going to the shop and having my uncle make things for me on his lathe.

I sincerely hope this information is helpful in establishing that E & R was in operation on Braun Road since 1967. If you have any questions feel free to call me at 262-878-2308.

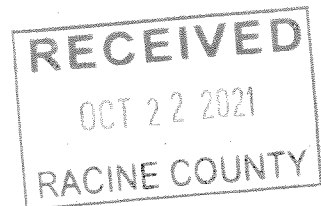
Sincerely,


Jack Petersen

Richard C. Gorton
2819 Village Green East
Racine, WI. 53406

October 18, 2021

Mr. Peter Peterson
3137 91st Street
Sturtevant, WI 53177



Re: E&R Manufacturing shop location

Peter,

Gormac Products was a customer of E&R in the 1960's when I started at Gormac in 1963. While there are no corporate records remaining from that era, E&R provided a considerable amount of threat rolling services to us over many years.

I remember personally delivering parts to, and picking them up from, your shop located on Braun Road (west of the Interstate) in the late 1960's while we were still located at our old facility at 933 12th Street in Racine.

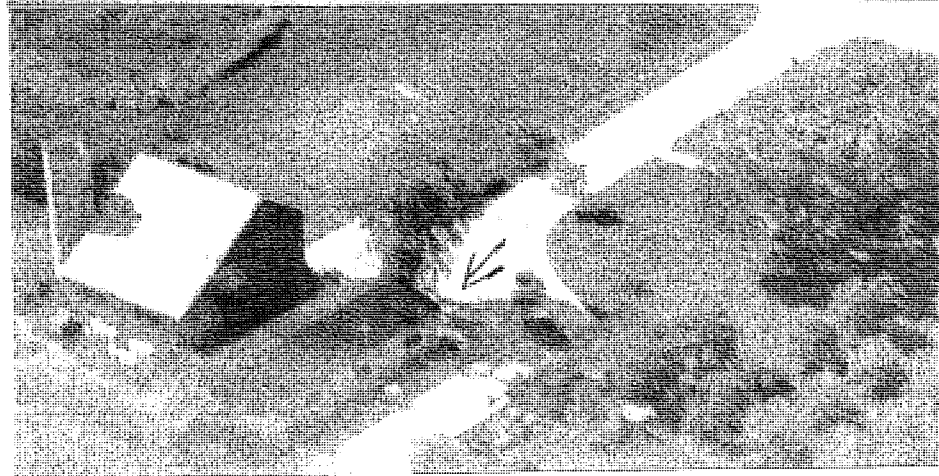
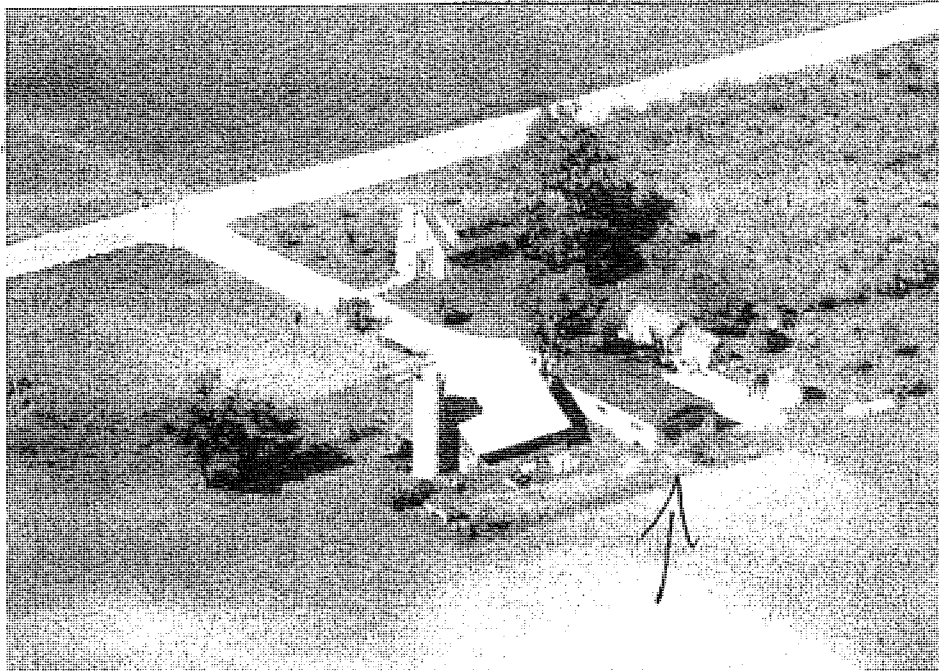
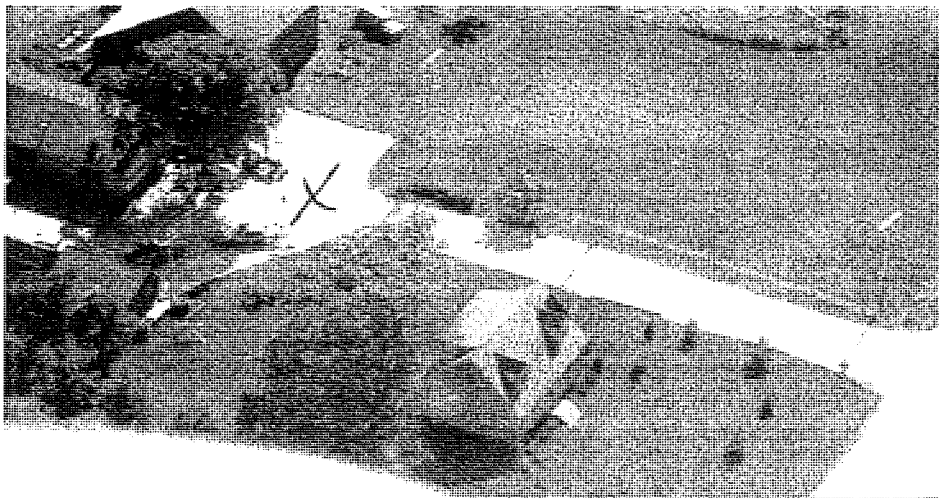
That Gormac facility was located on the second floor of a rented building, and getting parts up and down was sometimes a challenge, especially if there was a quantity of larger parts involved.

The logistics of operating on a second floor was a significant factor in our decision to build a new plant, which we did, and moved into it in June of 1970. Thus I can say with certainty that E&R was operating in the Braun Road location well before 1970.

I became President of Gormac Products, Inc. in 1978 after becoming the Assistant General Manager of the company in 1965. Please let me know if you need any additional information.

Sincerely yours,

Richard C. Gorton



RECEIVED
OCT 22 2021
RACINE COUNTY

AERIAL VIEW
TAKE IN 1968

Hi Standard Machining Co.

2621 Eaton Ln Racine WI 53404

Ph.262-632-8744 Fax 262-632-4974

www.hi-standard.net

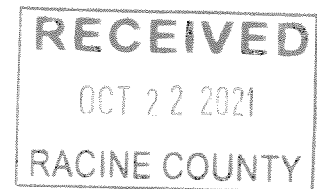
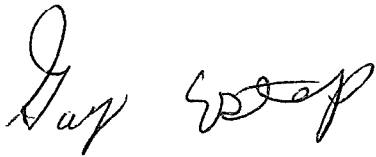
10/18/2021

To Whom it may concern

Hi Standard Machining Co has been doing business with E & R MFG at location 14601 Braun Road Sturtevant WI 53177 since 1967. If you need any further information, please call us at 262-632-8744

Thank you, Gary Estep

Owner/President of Hi Standard Machining Co.



PACKING LIST

MACHINERY & FACTORY EQUIPMENT CO.

INDUSTRIAL MACHINERY, MILL & WELDING SUPPLIES

1215-19 DOUGLAS AVE. P.O. BOX 309 RACINE, WIS. 53401

INVOICE NUMBER 422

RACINE: 634-3381

KENOSHA: 654-1702

E & R MFG CO

DATE 1 29 73 E

Your Order No.

Shipped To

Sold To

E & R MFG CO

RT 1 BOX 373

STURTEVANT WIS 53177

Bal

Back Gear

341-012

341-011

VIA

TERMS: 2% 10 Days 30 Day
12% Annual Interest There

Item	QUANTITY			DESCRIPTION	UNIT COST	TOTAL COST
	BO	Ordered	Shipped			
1		24	24	STB-484 Slide IC-2 Wear		
2				Blk 12		
3				Causing 12"		
4				Model 5460		
5				Serial No. 001959		
6						
7						
8						
9						
10						
11						
12						

RECEIVED

OCT 22 2021

RACINE COUNTY

Received By

Any must be returned with returned goods
to be returned without permission

Seller represents that with respect to the production of the articles and/or performance of the services covered by this invoice, it has fully complied section 12 (a) of the Fair Labor Act of 1938, as amended.

I FOUND THIS WHICH ONLY GOES BACK TO 1973, BUT E&R WAS DOING BUSINESS WITH MYF BEFORE 1960 AND CONTINUED DOING SO AFTER MOVING TO 14601 BRAND RD AND CONTINUED TO UNTIL THEY WENT OUT OF BUSINESS.

Wisconsin Department of Revenue
Manufacturing & Utility Bureau
819 N 6th St Rm 530
Milwaukee, WI 53203-1606

Wisconsin Department of Revenue / Manufacturing & Utility Bureau
2018 Notice of Personal Property Assessment

Notice date Jun 11, 2018
State ID no. 77-51-018-P000017837
County of 77-51 Racine
Taxation district 018 T of Yorkville
DOR account no. 000017837
Site description
Site address 14601 Braun Rd
School code 516748/515852
Special districts

003459
E & R MANUFACTURING CO
14601 BRAUN RD
STURTEVANT WI 53177-3015

Boats & watercraft	\$	0
Machinery & equipment		1,600
Furniture & fixtures		500
All other		100
Buildings on leased land		0
Total	\$	2,200

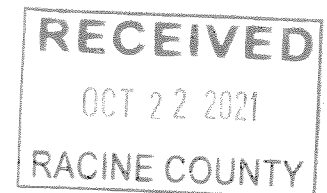
See other side for appeal procedures

Contact Information

If you have any questions, contact the Manufacturing & Utility Bureau District
Office in your area at mfgtel77@wisconsin.gov or (414) 227-4456.

MFGAA105WI (R. 03-18)

Wisconsin Department of Revenue / Manufacturing & Utility Bureau



Contact Information

If you have any questions, contact the Manufacturing & Utility Bureau District
Office in your area.

MFGAA105WI (R. 03-18)

Wisconsin Department of Revenue / Manufacturing & Utility Bureau

Contact Information

If you have any questions, contact the Manufacturing & Utility Bureau District
Office in your area.

MFGAA105WI (R. 03-18)

See other side for appeal procedures

DH ASSESSMENTS, llc

4036 Wickford Place, Racine, WI 53405
Phone: (262) 498-7473 (Cell)
Email: jhenke4737@gmail.com

October 18, 2021

Mr. & Mrs. Matthew Milkie
14601 Braun Road
Sturtevant, WI 53177

Re: Property Address: 14601 Braun Road
Parcel No. 194-03-21-36-004-000

Re: **Notice of Zoning Violation (Ref. # 2021-42) – Machine Operation**

Dear Mr. & Mrs. Milkie:

Following our earlier discussions, by copy of this letter there are no assessment records for a Machine Operation being performed on your property. If this indeed would be Manufacturing (personal property), the Department of Revenue would handle the personal property assessment.

It is my understanding that the operation started by the current operator on his mother and father's farm, plus 45 plus years ago. You purchased the property from the operator's parents approximately 9 years ago and there was a continuation of the operation.

In addition, it is my understanding that a chief elected official knew of the operation and never stressed any serious concerns with the operation, due to noise or excess traffic, or a possible zoning violation under the previous Town government.

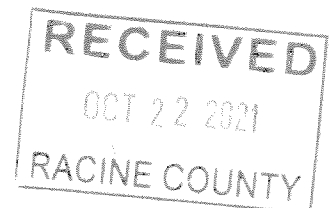
In my opinion, since the operation has been in existence for the plus 45 years adequate time needs to be awarded for a proper phase out of the machining operation considering all factors.

In summary, I hope this letter adds further clarification for the Village Board and Plan Commission in developing a remedy to the status of this pending zoning violation.

Sincerely,

Jim Henke

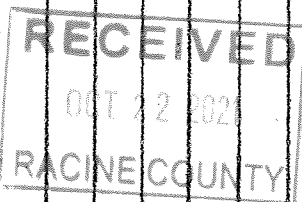
Jim Henke – Assessor
Village of Yorkville



Property Parcel Number

Name of Owner

Build. Type	Type Code	Construction	Yr. Built/Remod	L x W x H	S.F.	Mod. Code	Sp. Mod. Code
1. Barn	AB 2	Frame	1906	32X41.5X12	1328	1	—
2. Silo	AS 2	Cement	1935	12X44	480	no loader	no unloader
3. Lean-to	AL 1	Frame	1906	42X17	714	—	—
4. Work shed	—	block	1971	30X60	1800	—	—
5. Grain bin	AG 1	Steel	1956	14X7	98	—	—
6. Shed	—	Frame	1935	16X10	160	—	—
7. Shed	—	Frame	1935	24X18.5	444	—	—
8.							
9.							
10.							
11.							
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23.							
24.							
25.							



All of the above data was personally collected by:

The signed data collectors obtained the above

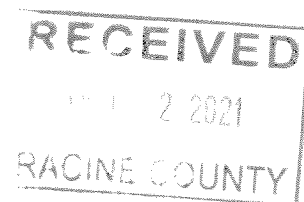
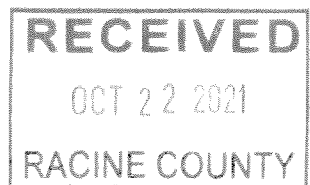
and

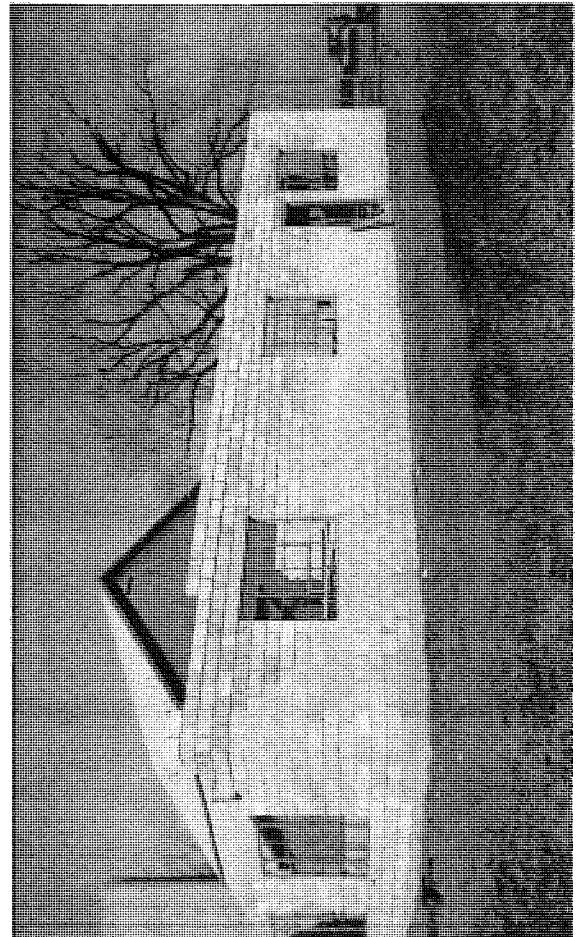
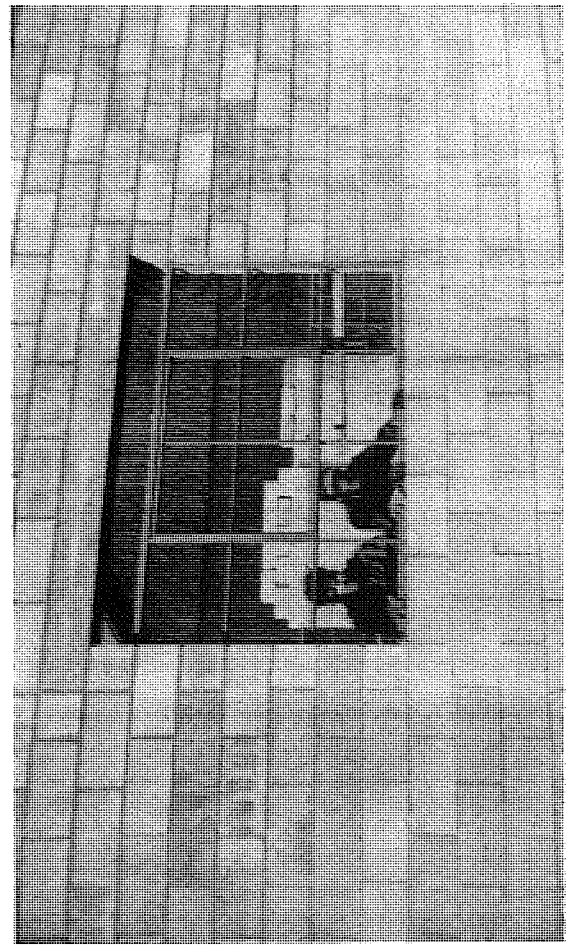
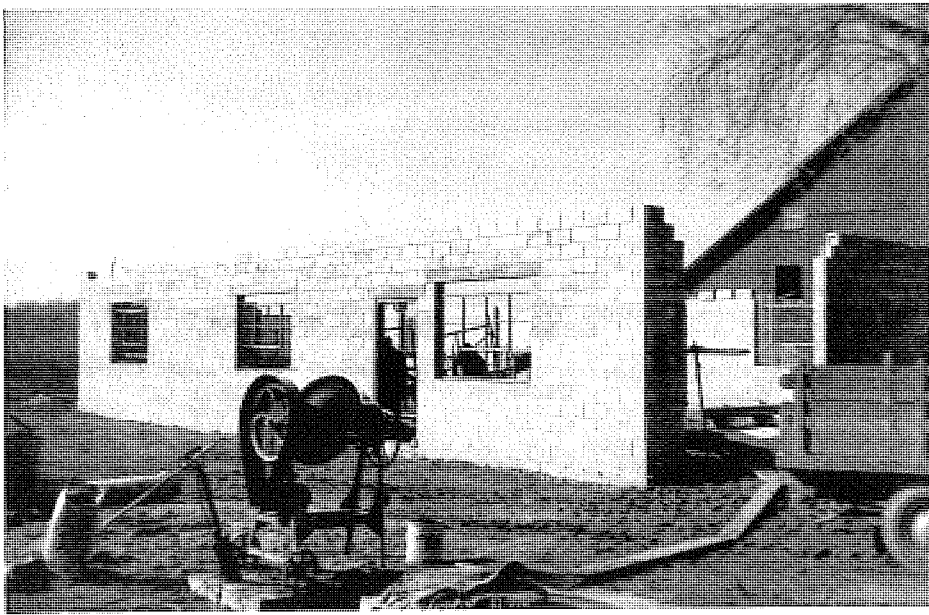
information by actual inspection of the

on June 28, 1983

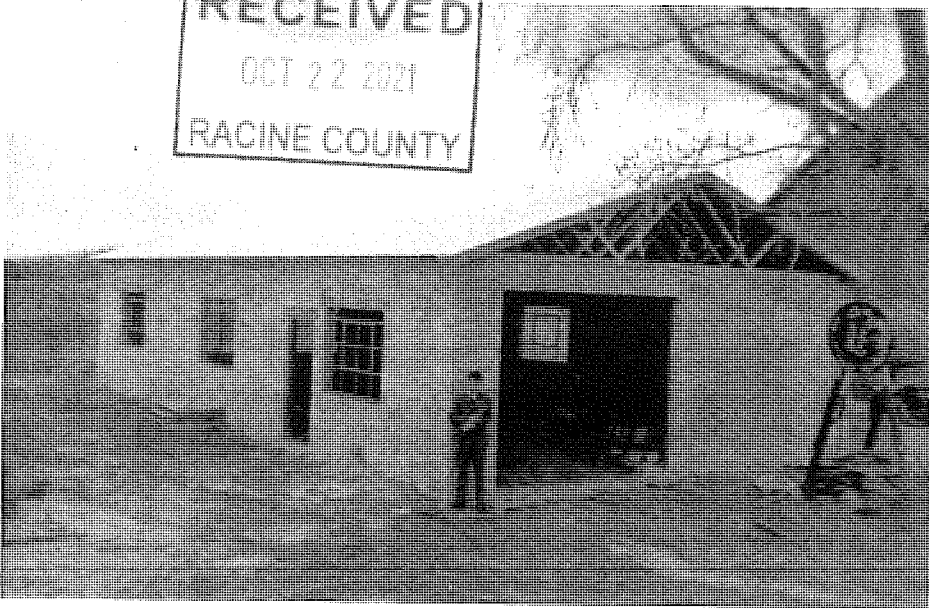
property. Carol C. Pollock Owner/Occupant

The work shop is a machine shop that is a business.
It has testing, insulation, large electrical supply.





RECEIVED
OCT 22 2021
RACINE COUNTY



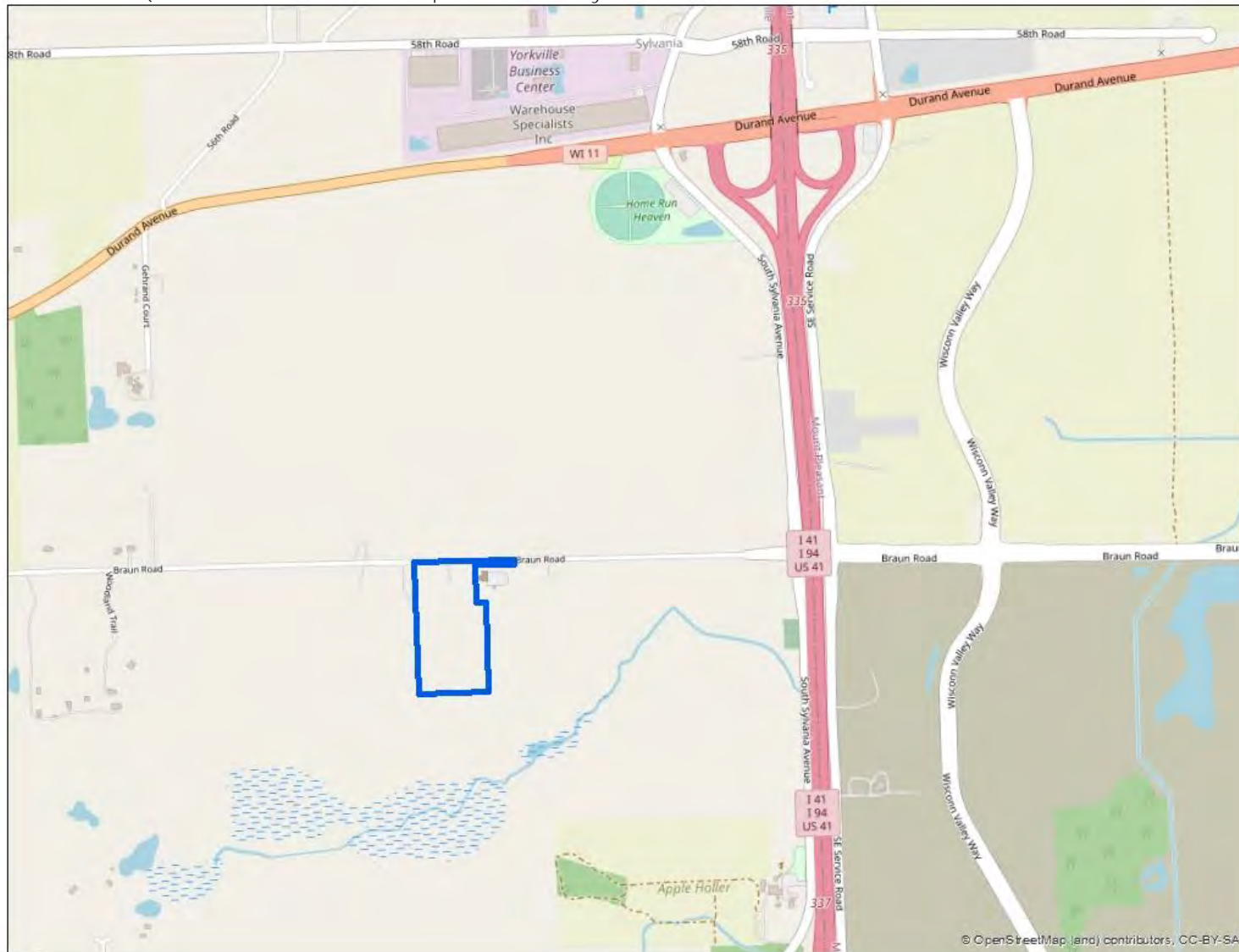


Matthew & Stacie Piper-Milkie, Owners

Site Address: 14601 Braun Road

Notice of Violation (Nov 2021-42 Extension Request for 180 days / Zoned A-2

Location Map



SEC 36 – T3N – R21E

Village of Yorkville

Matthew & Stacie Piper-Milkie, Owners
Site Address: 14601 Braun Road
Notice of Violation (Nov 2021-42) Extension Request for 180 days / Zoned A-2

2020 Aerial



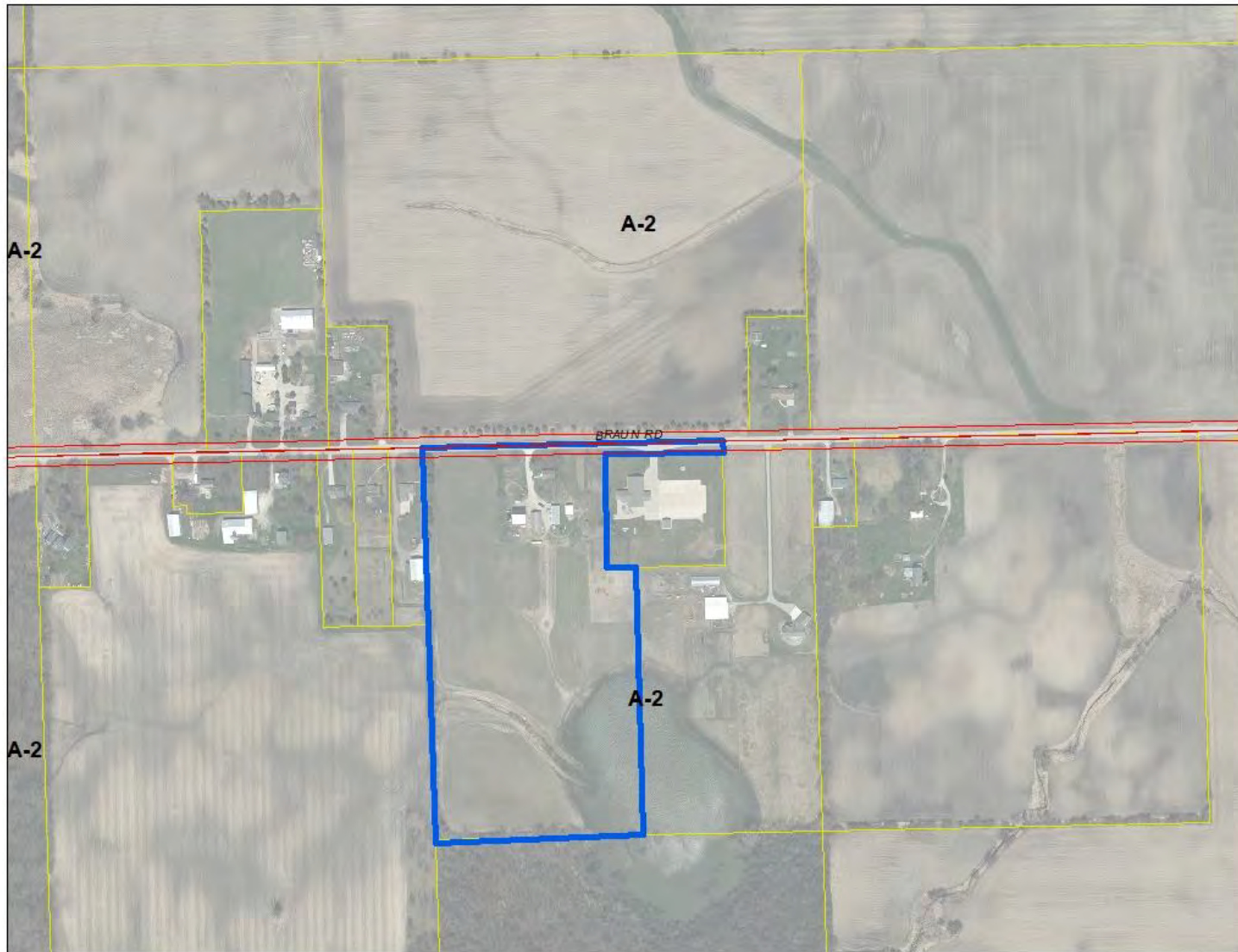
SEC 36 — T3N — R21E

Village of Yorkville



Matthew & Stacie Piper-Milkie, Owners
Site Address: 14601 Braun Road
Notice of Violation (Nov 2021-42) Extension Request for 180 days / Zoned A-2

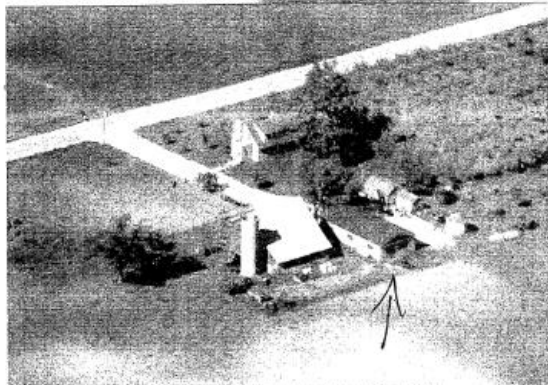
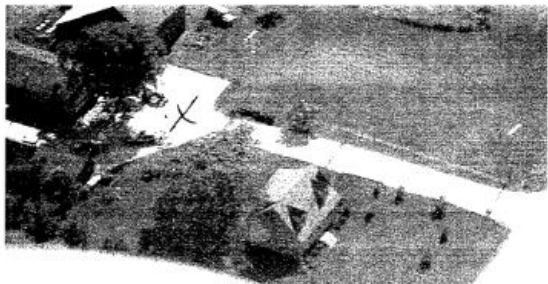
Zoning Map



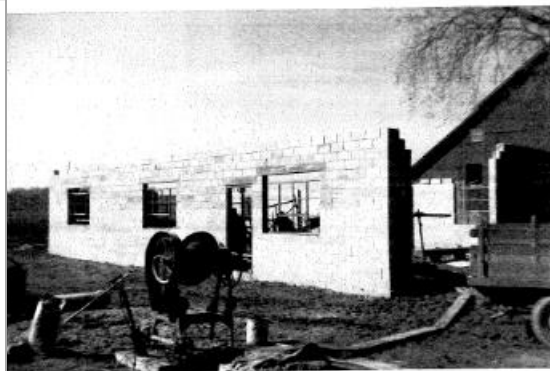
SEC 36 — T3N — R21E

Village of Yorkville





AERIAL VIEW
TAKE IN 1968





Public Works & Development Services

14200 Washington Avenue
Sturtevant, WI 53177
262-886-8440
fax: 262-886-8480

October 08, 2021

Matthew Milkie & Stacy Piper-Milkie
14601 Braun Road
Sturtevant, WI 53177

RE: Village of Yorkville Zoning Violation # 2021-42
Address: 14601 Braun Road
Parcel Id. # 194032136004000
Village of Yorkville

Dear Mr. & Mrs. Milkie:

In response to your requests received on October 1, and October 4, 2021, the Racine County Development Services office, in review with the Village Attorney, require you to provide the burden of proof of proper legal documentation that this manufacturing operation pre-dates the original Town (now Village) adoption of the Chapter 20 Zoning Ordinance which occurred on December 14, 1970. Please see the attached zoning code provisions related to non-conforming uses. This may be in the form of assessment information from the local assessor, business taxing documentation, or other corroborating evidence. It is the understanding of this office that you are requesting, as a part of the communication received, an extension of 180 days (April 1, 2022) to allow the "wind-down" of the current business operation, allowing the business owner to sell his contracts and equipment, pending the financial capabilities of the buyers, and to be removed from the property. This extension request shall be heard by the Village Planning Commission and Village Board on the November 8, 2021, non-public hearing agenda for whether that timeline would be approved or denied.

To be placed on the November 8, 2021, non-public hearing agenda, you must submit 12 copies of the extension request, corroborating evidence, and site plan of property shall be submitted no later than noon on October 22, 2021.

I would like to take this opportunity to thank you for your continued cooperation in resolving this matter. Should you have any further questions or comments, please contact our office.

Sincerely,

Sarah Reed
Development Services Specialist

smr

c: D. Nelson, Village President
M. McKinney, Village Administrator/Clerk
S. Maier, Sup. Dist. # 16
S. Piper-Milkie, marvinsgarden2017@icloud.com
File



Public Works & Development Services

14200 Washington Avenue
Sturtevant, WI 53177
262-886-8440
fax: 262-886-8480

VILLAGE OF YORKVILLE NOTICE OF ZONING VIOLATION

Ref. # 2021-42

Certified Mail – Return Receipt Requested (# 7019 0160 0000 8226 7641)

TO: Matthew Milkie & Stacy Piper-Milkie
14601 Braun Road
Sturtevant, WI 53177

DATE: September 24, 2021

VILLAGE: Yorkville

RE: 14601 Braun Road
Parcel Id. # 194032136004000

ZONING: A-2, General Farming and
Residential District II

Dear Mr. & Mrs. Milkie:

It has come to the attention of this office that there is a violation of the Racine County Zoning Ordinance, adopted by the Village of Yorkville, for the above referenced property. Upon investigation, it was found that a commercial/industrial activity (E & R Manufacturing Co.) is being conducted on the above referenced property. This is not a permitted use in the A-2 zoning district.

You are hereby notified by this letter that you are in violation of: Section 20-10 Compliance; Sec. 20-11 Violations; and Sec. 20-1007 Principal Uses, found in Chapter 20 (Zoning) of the Racine County Code of Ordinances, as applicable to the Village of Yorkville.

PLEASE CORRECT THIS VIOLATION WITHIN 15 DAYS FROM RECEIPT OF THIS NOTICE OR A CITATION MAY BE ISSUED BY THIS OFFICE. EACH DAY A VIOLATION EXISTS IS CONSIDERED A SEPARATE VIOLATION AND A CITATION MAY BE ISSUED FOR EACH SEPARATE VIOLATION.

You may correct this violation by immediately discontinuing and removing the commercial/industrial activity (E & R Manufacturing Co.) from the above referenced property, keeping it off the property, and restricting the property to those uses permitted in the A-2 zoning district. This would include removing all advertising for this commercial/industrial activity relative to 14601 Braun Road from the internet.

In order to avoid loss of time and expense, as well as court costs, may I suggest you contact the Development Services office within the time listed above, so we can be of help to you and answer any questions you may have. Thank you for your immediate attention.

Sincerely,

A handwritten signature in blue ink that reads "Sarah Reed".

Sarah Reed

Development Services Specialist

Smr

c: D. Nelson, Village President
M. McKinney, Village Administrator/Clerk
S. Maier, Sup. Dist. # 16, File

Michael McKinney

From: Jim Henke <jhenke4737@gmail.com>
Sent: Tuesday, September 14, 2021 1:30 PM
To: Michael McKinney
Subject: 14106 Braun Road

Mike, I think we have an issue with the above property.

Owner -- Matthew Milkie

Neighbor called me yesterday and I think he called you as well. Property is for sale and the broker is advertising the property as Industrial zoning ?

The parcel is zoned A-2.

I think the property owner was also going to call Racine County Planning and Zoning to see if a Conditional Use Permit was ever issued. I really don't believe any Conditional Use was ever applied for.

I never knew a manufacturing operation (E&R Manufacturing) was renting old farm buildings to perform a screw shop manufacturing operation. Neighbor mentioned that semi's come in and out.

We can discuss, but I think the Village needs to put them on notice that the property is not zoned as Industrial?

Jim Henke - Assessor

Michael McKinney

From: Timothy J. Pruitt <tpruitt@peglawfirm.com>
Sent: Thursday, October 7, 2021 10:47 AM
To: Michael McKinney
Subject: Mielke NOV; 14601 Braun Road
Attachments: Yorkville - Excerpt on Nonconforming Uses.pdf; Yorkville - Board of Zoning Appeals.pdf

Mike: Given the fact that the property owner has raised a question as to whether the property's manufacturing use is grandfathered, I recommend that the Village Zoning Administrator provide copies of the zoning code provisions related to nonconforming uses (see enclosed) and request that the owner and/or its tenant provide documentation that its manufacturing use pre-dated County-Town zoning (December of 1970, I believe you stated?). The underlying request for an extension of time to allow the wind-down of the current business matter should, I recommend, be taken up by the Plan Commission and Village Board at the November meeting to allow for more information to be exchanged. In the meantime, hopefully the Zoning Administrator can make a determination based upon what is submitted as to whether a legal, nonconforming use exists. If the Zoning Administrator determines that there is a valid nonconforming use, the NOV should be withdrawn. If the Zoning Administrator determines otherwise, and the property owner disagrees with the Zoning Administrator's determination, an appeal could be made to the Village's Zoning Board of Appeals (see enclosed). As for the extension request, it would be helpful to have both the owner and a representative from E and R Manufacturing, Inc. present at the November meeting to answer any questions the Plan Commission and Village Board members may have. Tim

Timothy J. Pruitt
Pruitt, Ekes & Geary, S.C.
Main Place
245 Main Street, Suite 404
Racine, WI 53403
(262) 456-1216
(262) 456-2086 (fax)
tpruitt@peglawfirm.com
Visit us on the Web at www.peglawfirm.com.

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Michael McKinney

From: Timothy J. Pruitt <tpruitt@peglawfirm.com>
Sent: Monday, October 25, 2021 10:53 AM
To: Michael McKinney
Subject: Re: Request for extension

Mike: I think the first step is for the Zoning Administrator to make a determination on whether the manufacturing use is grandfathered (frankly, I think the property owner and tenant have come up with a substantial amount of information that would support such a claim). There should not be a public hearing on the issue of whether there is a grandfathered use. Rather, there *could* be a public hearing before the Zoning Board of Appeals if the Zoning Administrator makes a determination that there is no grandfathered use and the owner/tenant appeal. Here is my advice from a prior email:

The underlying request for an extension of time to allow the wind-down of the current business matter should, I recommend, be taken up by the Plan Commission and Village Board at the November meeting to allow for more information to be exchanged. In the meantime, hopefully the Zoning Administrator can make a determination based upon what is submitted as to whether a legal, nonconforming use exists. If the Zoning Administrator determines that there is a valid nonconforming use, the NOV should be withdrawn. If the Zoning Administrator determines otherwise, and the property owner disagrees with the Zoning Administrator's determination, an appeal could be made to the Village's Zoning Board of Appeals (see enclosed). As for the extension request, it would be helpful to have both the owner and a representative from E and R Manufacturing, Inc. present at the November meeting to answer any questions the Plan Commission and Village Board members may have.

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Pruitt, Ekes & Geary, S.C.
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245 Main Street, Suite 404
Racine, WI 53403
(262) 456-1216
(262) 456-2086 (fax)
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From: Michael McKinney <Michael@villageofyorkville.com>
Date: Monday, October 25, 2021 at 10:36 AM
To: Timothy J. Pruitt <tpruitt@peglawfirm.com>
Subject: FW: Request for extension

Tim,

What are your thoughts about this? Should I notify neighbors or schedule a public hearing?

Mike

Michael McKinney
Administrator/Clerk
Village of Yorkville
2021 Population: 3,185
925 15th Avenue
Union Grove, Wisconsin 53182
Phone: 262-878-2123
Fax: 262-878-1680
michael@villageofyorkville.com
www.villageofyorkville.com
Facebook: YorkvilleWisconsin

From: Reed, Sarah <Sarah.Reed@racinecounty.com>
Sent: Friday, October 22, 2021 2:29 PM
To: Timothy J. Pruitt <tpruitt@peglawfirm.com>; Michael McKinney <Michael@villageofyorkville.com>; Elaine Sutton Ekes <esekes@peglawfirm.com>
Cc: Douglas Nelson <dnelson@villageofyorkville.com>; Maiter, Shaun T. <Shaun.Maiter@racinecounty.com>
Subject: RE: Request for extension

Good Afternoon All,

Please see the attached submitted paperwork received by this office for the Milkie Extension Request at 14601 Braun Road for NOV 2021-42. This office will continue processing the information, but I wanted to make sure that you were aware that the submittal was made. This will be placed on the 11/8/2021 PC and VB meeting.

Thank you kindly,

Sarah Reed

Development Services Specialist
Racine County Development Services
14200 Washington Avenue
Sturtevant, WI 53177
Office: 262.886.8440 Ext. 3



From: Timothy J. Pruitt <tpruitt@peglawfirm.com>
Sent: Thursday, October 7, 2021 10:54 AM
To: Reed, Sarah <Sarah.Reed@racinecounty.com>; xx- Michael Village of Yorkville <michael@villageofyorkville.com>; Elaine Sutton Ekes <esekes@peglawfirm.com>
Cc: HOG- Douglas Nelson <dnelson@villageofyorkville.com>
Subject: Re: Request for extension

PLEASE NOTE: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sarah: I just sent the following recommendation to Mike McKinney:

Mike: Given the fact that the property owner has raised a question as to whether the property's manufacturing use is grandfathered, I recommend that the Village Zoning Administrator provide copies of the zoning code provisions related to nonconforming uses (see enclosed) and request that the owner and/or its tenant provide documentation that its manufacturing use pre-dated County-Town zoning (December of 1970, I believe you stated?). The underlying request for an extension of time to allow the wind-down of the current business matter should, I recommend, be taken up by the Plan Commission and Village Board at the November meeting to allow for more information to be exchanged. In the meantime, hopefully the Zoning Administrator can make a determination based upon what is submitted as to whether a legal, nonconforming use exists. If the Zoning Administrator determines that there is a valid nonconforming use, the NOV should be withdrawn. If the Zoning Administrator determines otherwise, and the property owner disagrees with the Zoning Administrator's determination, an appeal could be made to the Village's Zoning Board of Appeals (see enclosed). As for the extension request, it would be helpful to have both the owner and a representative from E and R Manufacturing, Inc. present at the November meeting to answer any questions the Plan Commission and Village Board members may have. Tim

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Pruitt, Ekes & Geary, S.C.
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From: Reed, Sarah <Sarah.Reed@racinecounty.com>
Date: Thursday, October 7, 2021 at 10:48 AM
To: Timothy J. Pruitt <tpruitt@peglawfirm.com>, xx- Michael Village of Yorkville <Michael@villageofyorkville.com>, Elaine Sutton Ekes <esekes@peglawfirm.com>
Cc: HOG- Douglas Nelson <dnelson@villageofyorkville.com>
Subject: RE: Request for extension

Good Morning Tim,

Are there any additional thoughts on the request? I would like to make sure this gets addressed. I know that this office would need more information that could substantiate that grandfathering timeline other than a penny being placed within this building that could have been placed at any time. That would be in the form of an assessment record or business record showing the business being operated from that side to corroborate that date that is being alleged by the property owner.

Thank you kindly,

Sarah Reed

Development Services Specialist
Racine County Development Services
14200 Washington Avenue
Sturtevant, WI 53177
Office: 262.886.8440 Ext. 3



From: Timothy J. Pruitt <tpruitt@peglawfirm.com>
Sent: Monday, October 4, 2021 3:53 PM
To: Reed, Sarah <Sarah.Reed@racinecounty.com>; xx- Michael Village of Yorkville <michael@villageofyorkville.com>; Elaine Sutton Ekes <esekes@peglawfirm.com>
Cc: HOG- Douglas Nelson <dnelson@villageofyorkville.com>
Subject: Re: Request for extension

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Thank you, Sarah. That's helpful.

Timothy J. Pruitt
Pruitt, Ekes & Geary, S.C.
Main Place
245 Main Street, Suite 404
Racine, WI 53403
(262) 456-1216
(262) 456-2086 (fax)
tpruitt@peglawfirm.com
Visit us on the Web at www.peglawfirm.com.

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From: Reed, Sarah <Sarah.Reed@racinecounty.com>
Date: Monday, October 4, 2021 at 3:46 PM
To: Timothy J. Pruitt <tpruitt@peglawfirm.com>, xx- Michael Village of Yorkville <Michael@villageofyorkville.com>, Elaine Sutton Ekes <esekes@peglawfirm.com>
Cc: HOG- Douglas Nelson <dnelson@villageofyorkville.com>
Subject: RE: Request for extension

Tim,

In Ascent, I was able to find that there is a newer MD system permitted in 2008, a permit for a pole barn in 1986 and a pole barn permitted in 2017. In the hand drawing in the 1986 permit for the pole barn there is a note about a shop, but I that does not give information that a business was being run out of it or if that was not for personal use. I was not able to find any historic conditional use approval, or board of adjustment approval in the databases. It is the responsibility of the property owner to submit that proof for review. Additionally, with the email used for the compliant, it does not appear that there is any assessment information that would also assist in that verification unless the assessor has been able to find any additional information.

Thank you kindly,

Sarah Reed

Development Services Specialist
Racine County Development Services
14200 Washington Avenue
Sturtevant, WI 53177
Office: 262.886.8440 Ext. 3



From: Timothy J. Pruitt <tpruitt@peglawfirm.com>
Sent: Monday, October 4, 2021 3:15 PM
To: Reed, Sarah <Sarah.Reed@racinecounty.com>; xx- Michael Village of Yorkville <michael@villageofyorkville.com>; Elaine Sutton Ekes <esekes@peglawfirm.com>
Cc: HOG- Douglas Nelson <dnelson@villageofyorkville.com>
Subject: Re: Request for extension

PLEASE NOTE: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Sarah, for the update. I don't suppose that Racine County has any historical files on this property? Tim

Timothy J. Pruitt
Pruitt, Ekes & Geary, S.C.
Main Place
245 Main Street, Suite 404
Racine, WI 53403
(262) 456-1216
(262) 456-2086 (fax)
tpruitt@peglawfirm.com
Visit us on the Web at www.peglawfirm.com.

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From: Reed, Sarah <Sarah.Reed@racinecounty.com>
Date: Monday, October 4, 2021 at 2:54 PM
To: xx- Michael Village of Yorkville <Michael@villageofyorkville.com>, Timothy J. Pruitt <tpruitt@peglawfirm.com>, Elaine Sutton Ekes <esekes@peglawfirm.com>
Cc: HOG- Douglas Nelson <dnelson@villageofyorkville.com>
Subject: RE: Request for extension

Tim and Elaine,

Please see the attached correspondence that the property owner has sent as a reply to letting them know that the request is being reviewed. I just wanted to make sure that you were updated. Let me know if there are any additional questions you may have.

Thank you kindly,

Sarah Reed

Development Services Specialist
Racine County Development Services
14200 Washington Avenue
Sturtevant, WI 53177
Office: 262.886.8440 Ext. 3



From: Michael McKinney <Michael@villageofyorkville.com>
Sent: Monday, October 4, 2021 9:35 AM
To: Timothy J. Pruitt <tpruitt@peglawfirm.com>; Elaine Ekes (<esekes@peglawfirm.com>) <esekes@peglawfirm.com>
Cc: Reed, Sarah <Sarah.Reed@racinecounty.com>; HOG- Douglas Nelson <dnelson@villageofyorkville.com>
Subject: Request for extension

PLEASE NOTE: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tim and Elaine – see attached. This is an NOV sent out late last month for a manufacturing-type use on an agriculturally-zoned property and a request from the property owner for an extension to April 1 to allow the business operator to sell and for the business to be relocated (the business was supposedly up for sale before the NOV was sent). Can you let me know your thoughts on this?

Mike

Michael McKinney
Administrator/Clerk
Village of Yorkville
2021 Population: 3,185
925 15th Avenue

Union Grove, Wisconsin 53182
Phone: 262-878-2123
Fax: 262-878-1680
michael@villageofyorkville.com
www.villageofyorkville.com
Facebook: YorkvilleWisconsin



Public Works & Development Services

14200 Washington Avenue
Sturtevant, WI 53177
262-886-8440
fax: 262-886-8480

E-MAIL MEMORANDUM

TO: Michael McKinney (michael@villageofyorkville.com)
Village of Yorkville Administrator/Clerk

FROM: Shaun Maiter
Development Services Specialist

SUBJECT: Matthew Milkie and Stacy Piper Milkie, Owners
Matthew Milkie and Stacy Piper Milkie, Applicant
Parcel Id. No. 194032136004000

November 8, 2021 Notice of Violation 2021-42 180-day extension request to allow an commercial/industrial business known as "E and R Manufacturing" to cease business activity at 14601 Braun Road.

DATE: November 1, 2021

Overview:

The subject 21.27-acre property is zoned A-2 General Farming and Residential District II. On September 24, 2021, this office sent Notice of Zoning Violation 2021-42 to the property owners because it was found that a commercial/industrial activity (E&R Manufacturing Co.) is being conducted on the above referenced property. The aforementioned use is not an allowed use in the A-2, General Farming and Residential District II. At this time, the applicant is requesting a 180-day extension to allow a commercial/industrial business known as "E and R Manufacturing" to cease business activity at 14601 Braun Road. If the Village feels this request is appropriate, this office does not object to the 180-day extension request. If approved, all activities related to the commercial/industrial business known as "E and R Manufacturing" must be ceased by April 1st, 2021, which includes any advertising.

c: Tim Pruitt, Eileen Zaffiro, Doug Nelson, Mark Madsen, File

Memorandum

From: Michael McKinney, Administrator/Clerk

Date: November 5, 2021

Subject: Notice of violation enforcement postponement request submitted by Stacey Piper-Milkie for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." for a period of 180 days

Description:

I received an e-mail from Assessor Jim Henke on September 14 making me aware of a phone call he received from a resident regarding some type of commercial activity taking place on the property located at 14601 Braun Road. I forwarded Henke's e-mail to the Racine County Development Services Department for their review, who investigated the matter further and determined that a manufacturing operation (E&R Manufacturing Co.) is taking place on the property.

The Racine County Development Services Department sent a notice of violation to the property owner on September 24 regarding this use. The property owner followed up on this notice of violation with a request to postpone enforcement of it for 180 days, which would afford the business operator the time necessary to sell the business and its assets (the operator was in the process of selling the business prior to this issue being brought to our attention).

Documents for Review:

14601 Braun Road notice of violation enforcement postponement request packet.

Financial Impact:

Unknown at this time - we have incurred several hundred dollars in unreimbursed legal expenses related to this request.

Other Considerations:

I reviewed the records for E&R and found that they have paid personal property tax for taxable property since at least 2008. The Racine County Development Services Department did not provide a determination as to whether this use is grandfathered (precedes the adoption of County zoning in December 1970). When I contacted the Racine County Development Services Department about this, I was informed that this determination was not provided as no request was submitted for such a determination; the only request was for the 180-day notice of violation enforcement postponement.

Questions to Resolve/Consider:

1. Should the notice of violation enforcement postponement request be approved?
2. If yes to Question #1, how long should enforcement be postponed?
3. Should the applicant be directed to apply to the Racine County Development Services Department requesting a determination on whether the manufacturing use is grandfathered?

Recommendation:

Approve the notice of violation enforcement postponement request submitted by Stacey Piper-Milkie for the parcel located at 14601 Braun Road to allow for the continuation of an existing unpermitted business operating as “E&R Manufacturing Co.” for a period of 180 days.

MINUTES

VILLAGE OF YORKVILLE JOINT VILLAGE BOARD/PLAN COMMISSION VILLAGE BOARD ROOM UNION GROVE MUNICIPAL CENTER MONDAY, NOVEMBER 8, 2021

Call to Order

Village Board President Douglas Nelson called the meeting to order at 6:06 p.m.

Roll Call

The following Village Board members were present: Douglas Nelson, Daniel Maurice, Steve Nelson and Cory Bartlett. Robert Funk was absent. The following Plan Commission members were present: Douglas Nelson, Cory Bartlett, Barbara Geschke, Aaron Alby and Timothy DeGarmo. Also present were Brian Lilly representing Arch Stanton, Stacey Piper-Milkie, Matthew Milkie, Peter Petersen, Alan Jaspersen, George Kusak, Joseph Bergs, Jo Ann Halladay, James Svehla, Racine County Economic Development Corporation Deputy Director Laura Million, Attorney Tim Pruitt, Administrator/Clerk Michael McKinney and approximately five unidentified attendees.

Approval of Minutes

Motion (S. Nelson, Bartlett) to approve the October 11, 2021 joint Village Board/Plan Commission and October 25, 2021 Village Board meeting minutes as presented, Motion Carried (MC).

Approval of Financial Reports

Motion (Maurice, S. Nelson) to approve the October Village and Stormwater financial reports as presented, MC.

Approval of Village Invoices

Motion (S. Nelson, Bartlett) to approve payment of Village invoices as presented in the amount of \$69,005.52, MC.

Approval of Stormwater Invoices

Motion (S. Nelson, Maurice) to approve payment of Stormwater invoices as presented in the amount of \$1,394.00, MC.

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

Public Hearing - The Village Board and Plan Commission held a joint public hearing to hear public comment on a rezoning application submitted by Arch Stanton LLC (with Brian Lilly as

Plan Commission Resolution 2021-04 Recommending approval of an ordinance amending the Racine County Code of Ordinances as adopted by the Village of Yorkville under Section 55-1(a) of the Code of Ordinances of the Village of Yorkville relating to the rezoning of ±40.0 acres of land from the A-2 (General Farming and Residential II) Zoning District to the M-3 (Heavy Industrial) Zoning District, NE¼ of NW¼ of Sec. 24, T3N, R21E, for the parcel located at 2025 51st Drive (Parcel ID # 194-03-21-24-005-000); Arch Stanton LLC, Owner; Brian Lilly, Applicant

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

Ordinance 2021-11 Amending the Racine County Code of Ordinances as adopted by the Village of Yorkville under Section 55-1(a) of the Code of Ordinances of the Village of Yorkville relating to the rezoning of ±40.0 acres of land from the A-2 (General Farming and Residential II) Zoning District to the M-3 (Heavy Industrial) Zoning District, NE¼ of NW¼ of Sec. 24, T3N, R21E, for the parcel located at 2025 51st Drive (Parcel ID # 194-03-21-24-005-000); Arch Stanton LLC, Owner; Brian Lilly, Applicant

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

Notice of violation enforcement postponement request submitted by Stacey Piper-Milkie for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as “E&R Manufacturing Co.” for a period of 180 days

Discussion focused on the timing of when this business was established as well as the business operator’s planned sale of the business. Pruitt stated that non-conforming uses will eventually expire when discontinued for a set time frame.

Motion (Alby, DeGarmo) to recommend approval of the notice of violation enforcement postponement request submitted by Stacey Piper-Milkie for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as “E&R Manufacturing Co.” for a period of 365 days, MC.

Motion (Maurice, S. Nelson) to accept the Plan Commission’s recommendation and to approve the notice of violation enforcement postponement request submitted by Stacey Piper-Milkie for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as “E&R Manufacturing Co.” for a period of 365 days, MC.

Proposed parameters for a Yorkville Meadows Court/Washington Avenue (STH 20) intersection agreement/Irrevocable Standby Letter of Credit No. 910009945, as amended, to secure obligations related to implementation of the Yorkville Meadows subdivision development agreement/Yorkville Meadows subdivision development agreement

McKinney stated that he participated in a meeting on October 13 to discuss the status of the Yorkville Meadows Court/Washington Avenue (STH 20) intersection, and to try to resolve the



Public Works & Development Services

14200 Washington Avenue
Sturtevant, WI 53177
262-886-8440
fax: 262-886-8480

November 11, 2021

Matthew Milkie & Stacy Piper-Milkie
14601 Braun Road
Sturtevant, WI 53177

RE: Village of Yorkville Zoning Violation # 2021-42
Address: 14601 Braun Road
Parcel Id. # 194032136004000
Village of Yorkville

Dear Mr. & Mrs. Milkie:

The Village of Yorkville Planning Commission and Village Board on November 8, 2021, approved a 365-day extension from the date of the Plan Commission meeting. This time will allow for the commercial/industrial activity (E&R Manufacturing Co.) to "wind down" and allow the business owner to sell his contracts and equipment, and to be removed from the property.

No further extensions will be granted for this violation. Failure to comply with the timetable mentioned above could result in this matter being forwarded to the Village of Yorkville for enforcement action.

I would like to take this opportunity to thank you for your continued cooperation in resolving this matter. Should you have any further questions or comments, please contact our office.

Sincerely,


Sarah Reed
Development Services Specialist

smr

c: D. Nelson, Village President
M. McKinney, Village Administrator/Clerk
T. Pruitt, Village Attorney
S. Maier, Sup. Dist. # 16
S. Piper-Milkie, marvisgarden2017@icloud.com
File

Michael McKinney

From: Jurgens, Nicole <Nicole.Jurgens@racinecounty.com>
Sent: Friday, January 28, 2022 4:40 PM
To: marvinsgarden2017@icloud.com
Subject: RE: Public Records Request - Stacy Piper-Milkie - Village of Yorkville Notice of Zoning
Attachments: 10-04-2021 Email.PDF; Response Letter - Piper-Milkie, Stacy.pdf; Yorkville Complaints and NOVs.pdf

Ms. Piper-Milkie,

Attached please find our formal response letter and the records responsive to your request.



Nicole Jurgens
Corporation Counsel – Legal Coordinator
730 Wisconsin Avenue, Racine, WI 53403
262.636.3525

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From: Jurgens, Nicole
Sent: Wednesday, September 29, 2021 4:47 PM
To: marvinsgarden2017@icloud.com
Subject: RE: Public Records Request - Stacy Piper-Milkie - Village of Yorkville Notice of Zoning

Dear Ms. Piper Milkie:

I am in receipt of a public records request dated September 29, 2021 wherein you seek records concerning violations in the Village of Yorkville similar to your Notice of Violation 2021-42; be advised that your request was received on this date. Please be advised that I am not the custodian of records for the Racine County Public Works and Development Services Department and that I am writing only in my capacity as Legal Coordinator for the Office of Corporation Counsel for Racine County. We are in the process of locating records that may be responsive to your request. A response to your request will be provided as soon as practicable and without delay. In the meantime, please feel free to contact me if you have any questions or concerns.



Nicole Jurgens
Corporation Counsel – Legal Coordinator
730 Wisconsin Avenue, Racine, WI 53403
262.636.3525

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From: Stacey Piper Milkie <marvinsgarden2017@icloud.com>

Sent: Wednesday, September 29, 2021 2:39 PM

To: Jurgens, Nicole <Nicole.Jurgens@racinecounty.com>

Subject: [BULK] Village of Yorkville notice of zoning

Importance: Low

PLEASE NOTE: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Nicole,

You spoke to me about the zoning, I was informed by Eric Worden of the Village of Yorkville that his administrator had told him that Yorkville had done a entire village investigation on properties with businesses that are not properly zoned. I am asking for others with similar violations, and how many people were affected.

Thank you for your help in this matter, it is greatly appreciated.

Stacey Piper Milkie

262-995-8209



Racine County

W I S C O N S I N

VILLAGE OF YORKVILLE NOTICE OF ZONING VIOLATION

Certified Mail – Return Receipt Requested (# 70

TO: Matthew Milkie & Stacy Piper-Milkie
14601 Braun Road
Sturtevant, WI 53177

DA

VI

RE: 14601 Braun Road
Parcel Id. # 194032136004000

ZO

Dear Mr. & Mrs. Milkie:

It has come to the attention of this office that there is a violation adopted by the Village of Yorkville, for the above referenced property. A commercial/industrial activity (E & R Manufacturing Co.) is being conducted. This is not a permitted use in the A-2 zoning district.

You are hereby notified by this letter that you are in violation of the Village of Yorkville Zoning Ordinance, specifically Sections 20-1007 Principal Uses, found in Chapter 20-1007 Ordinances, as applicable to the Village of Yorkville.

PLEASE CORRECT THIS VIOLATION WITHIN 15 DAYS FROM THE DATE OF THIS CITATION. A CITATION MAY BE ISSUED BY THIS OFFICE. EACH DAY OF VIOLATION IS A SEPARATE VIOLATION AND A CITATION MAY BE ISSUED FOR EACH VIOLATION.

You may correct this violation by immediately discontinuing and removing the commercial/industrial activity (E & R Manufacturing Co.) from the above referenced property, keeping the property to those uses permitted in the A-2 zoning district. This would require the removal of the commercial/industrial activity relative to 14601 Braun Road from the property.

In order to avoid loss of time and expense, as well as court costs, please contact the Planning & Zoning Services office within the time listed above, so we can be of help to you. Thank you for your immediate attention.

Sincerely,

Sent from my iPad



John P. Serketich

Principal Assistant Corporation Counsel
730 Wisconsin Avenue
Racine, WI 53403
262-636-3758
fax: 262-636-3549
John.Serketich@RacineCounty.com

January 28, 2022

Stacy Piper-Milkie
14601 Braun Road
Sturtevant, WI 53177

Sent via email only to: marvinsgarden2017@icloud.com

Dear Ms. Piper-Milkie:

This is in response to your public records requests, dated September 29 and 30, 2021, wherein you request records related to emails related to and a list of zoning violations in the Town of Yorkville similar to your own Notice of Violation. Please be advised that I am not the custodian of records for the Racine County Information Technology Department nor the Public Works and Development Services department and that I am writing only in my capacity as counsel for Racine County. Enclosed please find all known records responsive to your request. As the cost of production does not exceed \$5.00, the fees are waived.

Sincerely,

John P. Serketich
Principal Assistant Corporation Counsel

Enc.

E & R MANUFACTURING CO., INC.

"Thread Rolling Our Specialty Since 1944"

14601 Braun Road
Sturtevant, WI 53177
Telephone: 262.878.1700

August 3, 2022

Village of Yorkville
925 15th Ave.
Union Grove, WI 53182

Gentlemen:

I am writing the board in reverence to the meeting held on November 8, 2021. At that meeting, the board agreed that E & R Mfg. could continue doing business at 14601 Braun Road for a period of 365 days, allowing E & R to sell the business. Unfortunately at this point, I have not been able to do so. I have had several people interested, but nothing materialized. The present economy has been rough on so many businesses. At that meeting on November 8th, the board agreed that if I needed more time to sell my business, the board would do so. At this time I am requesting another 365 days to sell my business. Hopefully the economy will improve soon so I can finally retire. I'm now 77 and need to start enjoying life more.

Please consider my request and let me know your decision as soon as possible. Thank you in advance for hopefully helping me out in this area.

Sincerely,



Peter E Petersen/Owner of E & R Mfg. Co.

MINUTES
VILLAGE OF YORKVILLE
JOINT VILLAGE BOARD/PLAN COMMISSION
VILLAGE BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, SEPTEMBER 12, 2022

Call to Order

Village Board President Douglas Nelson called the meeting to order at 6:00 p.m.

Roll Call

The following Village Board members were present: Douglas Nelson, Robert Funk, Daniel Maurice, Steve Nelson, and Cory Bartlett. The following Plan Commission members were present: Douglas Nelson, Cory Bartlett, Barbara Geschke, and Aaron Alby. Timothy DeGarmo was absent. Also present were Janine Carls, Peter Petersen on behalf of E&R Manufacturing Co., Thomas Disch on behalf of Handi Products, Chad Ishman on behalf of 2730 Sylvania Ave, LLC, Michael Fincutter on behalf of McLane Foodservice, Inc., Marcelino Maldonado on behalf of Stewart and Sons Construction, LLC, Jenny Waldron on behalf of the Raymond School PTO, Vicki Funk, Code Enforcement Officer Terrence O'Brien, Engineer Mark Madsen, Attorney Tim Pruitt, and Administrator/Clerk Michael McKinney.

Approval of Minutes

Motion (S. Nelson, Bartlett) to approve the August 22, 2022, Village Board meeting minutes as presented, Motion Carried (MC).

Approval of Financial Reports

Motion (Maurice, Funk) to approve the August Village and Stormwater financial reports as presented, MC.

Approval of Village Invoices

Motion (Maurice, Bartlett) to approve payment of Village invoices as presented in the amount of \$180,188.47, MC.

Approval of Stormwater Invoices

McKinney stated that no Stormwater invoices were presented for payment.

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

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

Deputy Clerk-Treasurer appointment

McKinney introduced Janine Carls to the Village Board, stating that his recommendation is to appoint Carls as the Village Deputy Clerk-Treasurer, with an annual starting salary of

\$46,000.00, one week of vacation for the remainder of 2022, and three weeks of vacation starting January 1, 2023. Carls stated that she would like to begin working for the Village on Wednesday, October 5.

Motion (Bartlett, Funk) to accept the Administrator/Clerk's recommendation and to appoint Janine Carls as the Village's Deputy Clerk-Treasurer, with an official start date of Wednesday, October 5, an annual starting salary of \$46,000.00, one week of vacation for the remainder of 2022, and three weeks of vacation starting January 1, 2023, MC.

Class B weight restriction exemption renewal request related to the conditional use application approved on September 9, 2019, for the parcel located at 2505 65th Drive (Parcel ID # 194-03-21-04-046-020) for the parking and storage of a semi-tractor, flatbed trailer and dump trailer for a business known as JV Trucking, LLC

McKinney stated that he is not aware of any complaints related to this weight limit exemption.

Motion (Maurice, S. Nelson) to approve a one-year Class B weight restriction exemption related to the conditional use application approved on September 9, 2019, for the parcel located at 2505 65th Drive (Parcel ID # 194-03-21-04-046-020) for the parking and storage of a semi-tractor, flatbed trailer and dump trailer for a business known as JV Trucking, LLC, MC.

Notice of violation enforcement postponement extension request submitted by E&R Manufacturing Co. for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." for a period of 365 days

Peter Petersen stated that he has been unable to sell this business.

Motion (Geschke, Alby) to recommend approval of the notice of violation enforcement postponement request submitted by E&R Manufacturing Co. for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." for a period of 365 days to November 8, 2023, MC.

Motion (S. Nelson, Maurice) to accept the Plan Commission's recommendation and to approve the notice of violation enforcement postponement request submitted by E&R Manufacturing Co. for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." for a period of 365 days to November 8, 2023, MC.

Public Hearing - The Village Board and Plan Commission held a joint public hearing to hear public comment on a conditional use application submitted by 2730 Sylvania Ave, LLC (with Handi Products/Thomas Disch as applicant/agent) for the parcel located at 2730 South Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-24-021-001) in the B-3 (Commercial

E & R MANUFACTURING CO., INC.

"Thread Rolling Our Specialty Since 1944"

14601 Braun Road

Sturtevant, WI 53177

Telephone: 262.878.1700

September 18, 2023

RECEIVED

SEP 21 2023

VILLAGE OF YORKVILLE

Village of Yorkville
925 15th Ave.
Union Grove, WI 53182

Gentlemen:

I am writing the board in reverence to the meeting held on September 12, 2022.. At that meeting, the board agreed that E & R Mfg. could continue doing business at 14601 Braun Road for a period of 365 days, allowing E & R to sell the business. At this time I have a buyer who has signed a contract to purchase my business on a land contract. The final payment is due on October 15, 2025. Until that date I am still the official owner. The eventual new owner is Phil Kapalczynski. We would like to have an extension hopefully until he makes his final payment. If the board grants this extension, Phil will have enough time to relocate the business. In the meantime he has no plans to expand the business at this location.

Therefore, please put Phil and I on the agenda for the October 9, 2023 board meeting.

Thank you very much.

Sincerely,



Peter E Petersen/Owner of E & R Mfg. Co.

E & R MANUFACTURING CO., INC.
"Thread Rolling Our Specially Since 1944"
14601 Braun Road
Sturtevant, WI 53177
Telephone: 262.878.1700

September 7, 2023

Racine County Public Works & Development Services
14200 Washington Avenue
Sturtevant, WI 53177

Attn: Shawn Maider/Development Services Specialist

Dear Shawn,

First of all, thank you for taking the time to speak with me today.

As you stated during our conversation, your department never received any evidence that E & R Mfg. has been operating on 14601 Braun under the Grandfather Clause.

Therefore I am enclosing such documents as promised, establishing that E & R has been operation on Braun Road before December 14, 1970 as required according to Chapter 20 of the Zoning Ordinance.

Included are letters from longtime customers of E & R and others establishing the fact that we have had our business at the Braun Road location since 1967. I have included copies of photos taken by my mother during the construction of the shop. She put the date on the back of the photos, "spring of 1967". Also there is a photo of a 1967 penny that I personally put in the cement floor as a memory of when the shop was built. (Photo of such enclosed)

I also made a diligent effort to obtain other information such as business taxing documents, bank statements, paid bills from WE energies, (even the permit my father had to get for WE Energies to install 3 phase power for the machines & permits for putting up the building) but to no avail. Even the town of Yorkville has no records dating that far back. The difficulty in finding records could be the fact that when my father built the shop, the address was not 14601 Braun Road, but Route 1 Box 373 Sturtevant, Wisconsin. (See enclosed copy of Machinery & Factory Equip. packing slip showing old address).

I sincerely hope that this is sufficient evidence that E & R can legally remain in operation at our current location under the Chapter 20 Zoning Ordinance section 20-188. Please acknowledge receipt of this letter and that this is sufficient evidence. If you have questions please feel to call Peter Petersen at 262-497-1877. Thank you in advance for handling this situation.

Sincerely,



Peter E Petersen/Owner of E & R Mfg. Co., Inc.





September 11, 2023

Matthew Milkie & Stacy Piper-Milkie
ATTN: Peter Petersen
14601 Braun Road
Sturtevant, WI 53177

RE: Village of Yorkville Zoning Violation # 2021-42
Address: 14601 Braun Road
Parcel Id. # 194032136004000
Village of Yorkville

Dear Mr. & Mrs. Milkie and Mr. Petersen:

On September 7, 2023, Peter Petersen contacted our office to request a determination regarding the "grandfathering" of the non-conforming commercial business known as E&R Manufacturing Co. On September 11, 2023, this office received a letter and documentation from Peter Petersen, which formally requested the determination regarding the "grandfathering" of the non-conforming commercial business known as E&R Manufacturing Co. According to our records, the documentation submitted to this office on September 11, 2023, was the same documentation received by this office on October 22, 2021. It had been previously determined that the documents received by this office on October 22, 2021, were not conclusive to determine that the commercial business known as E&R Manufacturing Co. was "grandfathered" as an existing non-conforming commercial business.

The letter from Peter Petersen dated September 7, 2023, received by this office on September 11, 2023, states the following:

"Included are letters from longtime customers of E & R and others establishing the fact that we have had our business at the Braun Road location since 1967. I have included copies of photos taken by my mother during the construction of the shop. She put the date on the back of the photos, "spring of 1967". Also there is a photo of a 1967 penny that I personally put in the cement as a memory of when the shop was built."

County records indicate a zoning permit was issued to Earl Petersen on November 2, 1966, for a tool shed, for the accessory structure located on the property where the commercial business known as E&R Manufacturing Co. is currently operating. The zoning classification at the time of permit issuance on November 2, 1966, was "Agriculture". Per the Racine County Zoning Ordinance adopted June 28, 1949, revised September 1, 1965, a commercial machine shop was not a permitted use on properties zoned agriculture. Additionally, Section 7.020 (12) of the Racine County Zoning Ordinance in effect at the time of zoning permit issuance identifies, "sheet metal works, machine shops, and assembly plants" listed as allowed uses in the Commercial District "B" zoning district. It is the determination of this office that the commercial business

known as E&R Manufacturing Co. was not permitted to be operating within the accessory structure permitted by the zoning permit issued November 2, 1966, as commercial machine shops were not an allowed use on properties zoned "Agriculture".

In addition to the zoning permit for the tool shed issued on November 2, 1966, two other zoning permits have been issued for accessory structures on the above referenced property. A zoning permit was issued on November 25, 1986, for a pole barn for personal use only. Another zoning permit was issued on March 22, 2017, for an additional pole barn, which was for personal use only. No business, commercial, or industrial uses were permitted for either of the pole barns permitted by this office November 25, 1986, or March 22, 2017. Please see the aerial photo below, which labels the aforementioned accessory structures by the date of zoning permit issuance.



The Racine County Development Services zoning permit and zoning ordinance records indicate that the commercial business known as E&R Manufacturing Co. was not a permitted use at the time of the business beginning operation at the site in 1967. Since the commercial business known as E&R Manufacturing Co. was not an approved use on the above referenced property in 1967, the commercial business known as E&R Manufacturing Co. is not considered to be a "grandfathered" non-conforming use.

The September 12, 2022, Village of Yorkville Board violation enforcement postponement approval expires on November 8, 2023. This office will not grant any further extension, and the commercial business known as E&R Manufacturing Co. must be removed from the property by November 8, 2023. Failure to comply with the timetable mentioned above will result in this matter being forwarded to the Village of Yorkville for enforcement action.

Should you have any questions regarding this letter, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shaun T. Maiter', with a long horizontal line extending to the right.

Shaun T. Maiter
Senior Development Services Specialist

stm

c: D. Nelson, Village President
M. McKinney, Village Administrator/Clerk
T. Pruitt, Village Attorney
S. Maier, Sup. Dist. # 16
File

Wisconsin Department of Financial Institutions

Strengthening Wisconsin's Financial Future

Search for:

top notch thread

Search Records

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Corporate Records

Result of lookup for **T099229** (at 10/5/2023 4:04 PM)

TOP NOTCH THREADROLLING, LLC

You can: [File an Annual Report](#) - [Request a Certificate of Status](#) - [File a Registered Agent/Office Update Form](#)

Vital Statistics

Entity ID	T099229
Registered Effective Date	09/23/2022
Period of Existence	PER
Status	Organized Request a Certificate of Status
Status Date	09/23/2022
Entity Type	Domestic Limited Liability Company
Annual Report Requirements	Limited Liability Companies are required to file an Annual Report under s. 183.0212, WI Statutes.

Addresses

Registered Agent Office	PHILLIP R KAPALCZYNSKI 14601 BRAUN ROAD STURTEVANT , WI 53177 File a Registered Agent/Office Update Form
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Principal Office

Historical Information

Annual Reports	None
Certificates of Newly-elected Officers/Directors	None
Old Names	None

Chronology

Effective Date	Transaction	Filed Date	Description
09/23/2022	Organized	09/23/2022	E-Form

[Order a Document Copy](#)



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TOP NOTCH THREADROLLING, LLC

Wisconsin Department Of Financial Institutions Business Registration · Updated 9/29/2022

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Upgrade

Claim

[TOP NOTCH THREADROLLING, LLC](#) is a Wisconsin Domestic Limited-Liability Company filed on September 23, 2022. The company's filing status is listed as Organized and its File Number is [T099229](#).

The Registered Agent on file for this company is Phillip R Kapalczynski and is located at 14601 Braun Road, Sturtevant, WI 53177.

The company has 1 contact on record. The contact is Phillip R Kapalczynski from Sturtevant WI.

Like 33K

Company Information

Company Name: [TOP NOTCH THREADROLLING, LLC](#)
Entity Type: WISCONSIN DOMESTIC LIMITED-LIABILITY COMPANY
File Number: [T099229](#)
Filing State: Wisconsin (WI)
Filing Status: Organized
Filing Date: September 23, 2022
Company Age: 1 Year 1 Month
Registered Agent: Phillip R Kapalczynski
14601 Braun Road
Sturtevant, WI 53177
Governing Agency: Wisconsin Department of Financial Institutions

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Temu

Company Contacts

[PHILLIP R KAPALCZYNSKI](#)

Agent



14601 Braun Road
Sturtevant, WI 53177

Reviews

Write Review

There are no reviews yet for this company.

Questions

Post Question

There are no questions yet for this company.



Village Board & Planning Commission Joint Meeting Minutes

Union Grove Municipal Center, 925 15th Avenue
Monday, October 9, 2023

1. **Call to Order** - Douglas Nelson, Village Board President, called the meeting to order at 6:00 p.m.

2. **Roll Call**

President - Douglas Nelson. Trustees/Commissioners - Robert Funk, Daniel Maurice, Steve Nelson, Barb Geschke, Aaron Alby, and Tim DeGarmo. Absent: Cory Bartlett. Staff Present - Michael McKinney (Administrator Clerk), and Janine Carls (Deputy Clerk/Treasurer). Others Present – Rebecca Shepro (Attorney), Nick Carriker (Public Works Manager), Peter Petersen, and Todd Dombrowski.

3. **Consent Agenda**

- a. September 25, 2023, Village Board meeting minutes
- b. Financial reports
- c. Village invoices in the amount of \$160,701.46
- d. Stormwater invoices in the amount of \$80.00
- e. Issuance of a 2023-2024 annual Operator License to Samantha Serak
- f. Building Inspector's Report
- g. Code Enforcement Officer's Report

Motion (Maurice, S. Nelson) to approve the Consent Agenda items as presented, Motion Carried (MC).

4. **Business - Discussion and possible action on the following:**

- a. **Resolution 2023-26 Setting forth the amended Relocation Order of the Village of Yorkville affecting certain property located at 1520 Grandview Parkway (Parcel ID # 194-03-21-13-029-016) in the Village of Yorkville, Racine County, Wisconsin**

McKinney noted that this resolution corrects Resolution 2023-16, adopted in June 2023, to include a walking trail construction easement.

Motion (S. Nelson, Funk) to adopt Resolution 2023-26 as amended, MC.

- b. **Wirth + Baynard 17806 Spring Street (CTH C) property maintenance legal services engagement letter**

McKinney reminded the Village Board of their motion made in open session on August 28, 2023, to retain Joseph Wirth's firm for ongoing legal counsel regarding this property and noted the associated fees.

Motion (Maurice, S. Nelson) to approve the Wirth + Baynard 17806 Spring Street (CTH C) property maintenance legal services engagement letter as presented, MC.

- c. **2024 Wisconsin Humane Society stray and impound animal shelter services agreement**

McKinney noted an increase for 2024 of \$480: contract costs are based on the number of shelter days.

Motion (S. Nelson, Maurice) to approve the 2024 Wisconsin Humane Society stray and impound animal shelter services agreement as presented, MC.

- d. **Racine County 2050 Comprehensive Land Use Plan update**

Discussed interest in participation. McKinney will send our Yorkville 2050 Land Use Plan to Racine County for their information.

No formal action taken on this agenda item.

- e. **2024 General Fund and Tax Incremental District Fund annual budgets**

McKinney highlighted updates to the budget draft and noted the TID Fund is still an estimate. Discussed the potential for reduction in planning/zoning revenues and 49th RD paving request. Plan to discuss Badger Book information at the next meeting.

No formal action taken on this agenda item.

5. **Reports**

a. **Engineer's Report** | No report.

b. **Stormwater Utility District Report**

S. Nelson noted the next meeting will be Wed. Oct 18th. Drainage Commission meets on Oct. 24th.

c. **Roads/Public Works Committee Report** | No report.

d. **Village President's Report** | No report.

e. **Administrator/Clerk's Report**

McKinney noted that Racine County staff (Behm, Pritzlaff, and Gallagher) may attend the Oct 23rd Village Board Meeting to discuss construction of and funding for a roundabout at Hwy 45 and Hwy A. Flood Plain Zoning ordinance updates to be discussed at the November Village Board & Plan Commission meeting. Other upcoming items include discussing stormwater project funding and reviewing Yorkshire Highlands' agreements. Asphalt Contractors are still finishing work at Yorkville Meadows to meet DOT requirements.

6. **Public Comments, Questions, and Suggestions** | No public comments.

7. **Business - Discussion and possible action on the following**

a. **Closed Session:** The Village Board may entertain a motion to go into CLOSED SESSION pursuant to Wisconsin Statutes Section 19.85(1)(g)* to discuss the notice of violation enforcement postponement request approved by the Village Board on September 12, 2022, for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." for a period of 365 days to expire on November 8, 2023, and issues related thereto; and pursuant to Wisconsin Statutes Section 19.85(1)(e)** to discuss the Two Ski Services grass mowing services agreement and equipment purchase assistance request, and issues related thereto

Motion (S. Nelson, Maurice) to go into CLOSED SESSION at 6:23 p.m. Roll Call – Funk, Yes; Maurice, Yes; D. Nelson, Yes; S. Nelson, Yes. Motion Carried. Also remaining in the closed session were DeGarmo, Alby, Geschke, and Carriker.

Discussed the following with legal counsel:

- Notice of violation enforcement postponement request approved by the Village Board on September 12, 2022, for the parcel located at 14601 Braun Road in the A-2 Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." for a period of 365 days to expire on November 8, 2023
- Two Ski Services grass mowing services agreement and equipment purchase assistance request

b. **Reconvene into open session:** The Village Board shall RECONVENE INTO OPEN SESSION reserving the right to take action on the matters discussed in CLOSED SESSION and to move to the remaining meeting agenda as posted.

Motion (S. Nelson, Maurice) to reconvene into open session at 7:09 p.m., MC.

Motion (DeGarmo, Geschke) to recommend approval of the notice of violation enforcement postponement request submitted by E&R Manufacturing Co. for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." to October 15, 2025, MC.

Motion (Maurice, S. Nelson) to accept the Plan Commission's recommendation and to approve the notice of violation enforcement postponement request submitted by E&R Manufacturing Co. for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." to October 15, 2025, MC.

The Village Board asked Dombrowski to provide an updated annual mowing cost that includes an accurate accounting of Dombrowski's cost of providing mowing services to the Village.

8. **Adjournment**

Motion (Maurice, S. Nelson) to adjourn the meeting at 7:12 p.m., MC. The next scheduled Village Board meeting is October 23, 2023, at 6:00 p.m.



Village Board & Planning Commission Joint Meeting Minutes

Union Grove Municipal Center 925 15th Avenue

Monday, March 10, 2025

1. Call to Order

Doug Nelson called the meeting to order at 6:15 pm

2. Roll Call

Present: Village President: Doug Nelson; Village Trustees: Robert Funk, Dan Maurice, Steve Nelson, Cory Bartlett; Planning Commission: Aaron Alby, Tim DeGarmo, and Barb Geschke. A quorum of the board and commission was present.

Also present: Michael McKinney, Administrator; Janine Carls, Clerk; Nick Carriker, Public Works Manager; Rebecca Shepro, A.T.T.Y.; Ray Stibeck, Phillip Kapalczynski, Thomas Hribar, Mike Rivecca, and Jeff Knuth.

3. Consent Agenda

- a. Feb. 10, 2025, joint Village Board/Plan Commission and Feb. 24, 2025, Village Board meeting minutes
- b. Financial reports
- c. Village invoices
- d. Stormwater invoices
- e. Building Inspector's Report - report on building permits issued and other activity
- f. Code Enforcement Officer's Report - report on activities and issues
- g. 2024-2025 Class B dance hall license application for Blue Badger Bar and Grill, 717 South Sylvania Avenue

Motion (S. Nelson, Bartlett) to approve the Consent Agenda items as presented, Motion Carried (MC).

4. Business - Discussion and possible action on the following:

- a. Final certified survey map request submitted by Stephen Nelson and Susan Nelson (with Lynch & Associates Engineering Consultants, LLC/Ritchie Wenzel as agent) for the parcel located at 2404 59th Drive (Parcel ID # 194-03-21-22-009-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the division of this parcel into a 3.00-acre parcel and a 56.71-acre parcel

McKinney stated that all comments on the CSM had been resolved.

- b. Resolution 2025-08 Approving a final certified survey map to allow for the division of the parcel located at 2404 59th Drive into a 3.00-acre parcel and a 56.71-acre parcel, Sec. 22, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-22-009-000); Stephen Nelson and Susan Nelson, Owner; Lynch & Associates Engineering Consultants, LLC/Ritchie Wenzel, Applicant/Agent

S. Nelson declared a conflict of interest and recused himself from the discussion and vote due to his ownership of the parcel being discussed.

Motion (Geschke, Alby) to recommend adoption of Resolution 2025-08 as presented, MC.

Motion (Maurice, Funk) to adopt Resolution 2025-08, approving a certified survey map for the division of the parcel located at 2404 59th DR, as recommended by the Plan Commission, MC.

- c. Site plan request submitted by RSKM, LLC (with Raymond Stibeck as applicant/agent) for the parcel located at 14001 Washington Avenue (STH 20) (Parcel ID # 194-03-21-13-010-020) in the B-3 (Commercial Service) Zoning District to construct a ±1,612-square-foot addition to an existing commercial building

Stibeck stated that this previously approved plan had been postponed, and he wants to complete the project at this time. No changes have been made to the plans to add an addition and bump parking out on the north side of the building and property. Shepro noted that easements should be verified.

- d. Resolution 2025-09 Approving a site plan request to construct a ±1,612-square-foot addition to an existing commercial building at 14001 Washington Avenue (STH 20), Sec. 13, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-13-010-020); RSKM, LLC, Owner; Raymond Stibeck, Applicant/Agent

D. Nelson declared a conflict of interest and recused himself from the discussion and vote due to his position on the Visit Racine County Board.

Motion (Alby, DeGarmo) to recommend adoption of Resolution 2025-09 as presented, MC.

Motion (Maurice, S. Nelson) to adopt Resolution 2025-09, approving a site plan request to add onto a commercial building at 14001 Washington Avenue, as recommended by the Plan Commission, MC.

- e. **Public Hearing** - The Village Board and Plan Commission will hold a joint public hearing to hear public comment on a conditional use request submitted by Matthew Milkie and Stacey Piper-Milkie (with Phillip Kapalczynski/Top Notch Threadrolling, LLC as applicant/agent) for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to operate a rural home-based business known as "Top Notch Threadrolling"

Kapalczynski stated that he is operating the business the same as it had been operating in previous years and noted the hours of operation. He stated that truck traffic is minimal.

D. Nelson opened the Public Hearing at 6:24 p.m. Speaking in opposition, Jeff Knuth expressed concerns about hazardous materials including barrels of lubricants and solvents. the absence of drip trays under equipment, and the unsealed concrete floor. D. Nelson closed the hearing at 6:27 p.m.

Maurice reported that he had received a call from a neighbor who had concerns about an M-3 operation in an A-2 district. Shepro noted that this could fall under a rural Home-Based Business conditional use, but further review of the hazardous materials on site may disqualify it. Kapalczynski stated he would work with the Fire Department to obtain Safety Data Sheets and have the DNR complete a perc test.

- f. Conditional use request submitted by Matthew Milkie and Stacey Piper-Milkie (with Phillip Kapalczynski/Top Notch Threadrolling, LLC as applicant/agent) for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to a rural home-based business known as "Top Notch Threadrolling"

Motion (DeGarmo, Alby) to table this item pending more information and to continue the Public Hearing at the next Village Board/Plan Commission meeting, MC.

Motion (Maurice, S. Nelson) to table this item pending more information and to continue the Public Hearing at the next Village Board/Plan Commission meeting, MC.

- g. Resolution 2025-10 Approving a conditional use request to operate a rural home-based business known as "Top Notch Threadrolling" at 14601 Braun Road, Sec. 36, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-36-004-000); Matthew Milkie and Stacey Piper-Milkie, Owner; Phillip Kapalczynski/Top Notch Threadrolling, LLC, Applicant/Agent

No action taken on this agenda item.