



# Village Board & Planning Commission Joint Meeting Minutes

Union Grove Municipal Center 925 15th Avenue

Monday, September 8, 2025

## 1. Call to Order

*Doug Nelson called the meeting to order at 6:00 p.m.*

## 2. Roll Call

Present and constituting a quorum the following Village Board and/or Plan Commission members were present: Doug Nelson, Village President, Robert Funk, Dan Maurice, Steve Nelson, Cory Bartlett, Tim DeGarmo, Aaron Alby, and Barb Geschke. Staff present: Michael McKinney, Administrator, Janine Carls, Clerk, Tim Pruitt, Village Attorney, Mark Eberle, Village Engineer. Also present: Josh Erickson, Sam Erickson, Carrie Loe, Todd Terry, Dan Meier, Dan Oakes, Dave & Vikki Flannery and community members listed in agenda item 4.d.

## 3. Consent Agenda - Any item listed on the consent agenda for approval may be removed at the request of any member of the Board. The request does not require a second, is not discussed, and is not voted upon.

- a. August 25, 2025, Village Board meeting minutes
- b. Village invoices
- c. Stormwater invoices

*Motion (S. Nelson, Bartlett) to approve the Consent Agenda, Motion Carried (MC).*

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

- a. **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 Jon Erickson and Kay Erickson (with Jon and Kay Erickson as applicant/agent) for the parcel located at 18917 Spring Street (CTH C) (Parcel ID # 194-03-21-20-040-000) in the B-3 (Commercial Service) Zoning District to construct seven self-service storage buildings, two climate-controlled commercial buildings, and six commercial business suite buildings

*D. Nelson opened the public hearing at 6:01 p.m. Dan Meier provided brief overview of proposal. No one spoke in favor of or in opposition to and the public hearing was closed at 6:02 p.m.*

- b. Conditional use request submitted by Jon Erickson and Kay Erickson (with Jon Erickson and Kay Erickson as applicant/agent) for the parcel located at 18917 Spring Street (CTH C) (Parcel ID # 194-03-21-20-040-000) in the B-3 (Commercial Service) Zoning District to construct seven self-service storage buildings, two climate-controlled commercial buildings, and six commercial business suite buildings

*Discussed comments provided on engineer's review relating to stormwater, anticipated phases of development, lighting plan, requiring each business to apply for a zoning permit, Fire Department review status, and 24/7 access (not open for business per se, but accessible to owners/lessees).*

- c. Resolution 2025-41 Approving a conditional use request to construct seven self-service storage buildings, two climate-controlled commercial buildings, and six commercial business suite buildings at 18917 Spring Street (CTH C), Sec. 20, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-20-040-000); Jon Erickson and Kay Erickson, Owner; Jon Erickson and Kay Erickson, Applicant/Agent

*Discussed amending condition #3 to require that each future tenant of any of the units in the multi-tenant commercial building at a minimum obtain a zoning permit prior to occupying the unit, with the potential for occupancy of any unit also requiring site plan review approval or conditional use permit approval as deemed necessary by the zoning administrator.*

*Discussed amending condition #11 to include compliance with the ordinance provisions of Chapter 10, Article IX, Erosion Control, and Chapter 10, Article X, Post-construction Storm Water Management*

*Discussed approval subject to owner/agent submission of updated plans to the Village satisfactorily addressing the review comments provided by the Village Engineer (Mark Eberle, Nielsen Madsen & Barber) in a letter dated September 5, 2025. (Adding condition #29 – Village Engineer Final Plan Review and Approval Required.)*

*McKinney stated that the Union Grove-Yorkville Fire Department review was not yet available. Discussed approval subject to final Fire Department review. (Adding condition #30 – Union Grove-Yorkville Fire Department Review.)*

*Motion (Alby, Geschke) approve Resolution 2025-41 with amendments to condition #3 and #11, and based upon final Fire Department review and the Nielsen Madsen & Barber letter dated 9/25/2025, MC.*

d. **Public Hearing** - The Village Board and Plan Commission will hold a joint public hearing to hear public comment on a request submitted by Daryl L. Poisl, Sr. Revocable Living Trust (with Dan Oakes/A.W. Oakes & Son, Inc. as applicant/agent) for the following for the parcel located at 14814 County Line Road (CTH KR) (Parcel ID # 194-03-21-36-010-000) in the A-2 (General Farming and Residential II) and B-5 (Highway Business) Zoning Districts:

1. Amendment of the Village of Yorkville’s Comprehensive Plan and Land Use Map as set forth in a document entitled “Village of Yorkville 2020-2050 Comprehensive Plan” for this parcel from the Agricultural, Rural Residential, and Open Land classification to the Industrial classification
2. Rezoning of this parcel from the A-2 (General Farming and Residential II) and B-5 (Highway Business) Zoning Districts to the M-3 (Heavy Industrial) Zoning District
3. Conditional use approval to stockpile and process topsoil, including the outside storage of materials, equipment, and trucks; and the construction of four future industrial buildings associated with A.W. Oakes & Son, Inc.

*D. Nelson recused himself from discussion and voting on this agenda item and asked S. Nelson to present all related agenda items in his place. S. Nelson opened the public hearing at 6:20 p.m.*

*Dan Oakes provided a brief overview of the A.W. Oakes business, plans to expand operations, and proposed land use involving 30 acres (for top-soil stockpiling, pulverization, and future buildings to be used as satellite offices.) Plans would keep the existing tree line, incorporate landscaping, and include a stormwater/retention pond. He is seeking M-3 zoning in order for the proposed use to conform.*

*The following persons spoke in opposition: Dave and Vicki Flannery, owners of Apple Holler (5006 S Sylvania Ave.), John Coughlin (1218 1<sup>st</sup> Street, Town of Paris), Erin (14505 1<sup>st</sup> Street, Town of Paris), Jeff Knuth (14407 Braun Road), Scott Sorce (14705 Braun Road), and Dan Riley (5028 Crystal Lane). In addition, McKinney read a summary letter of objection submitted by the owners of Apple Holler.*

*Concerns/comments included:*

- *Air, noise, and visual pollution*
- *Proximity to residential property and potential effects on property values*
- *Increased traffic creating congestion on KR and the frontage road*
- *Wear and tear on roads from heavy trucks*
- *Amount of dirt and gravel that would be stockpiled/processed*
- *M-3 zoning includes numerous allowable uses that the Village would have limited authority to restrict as a conditional use*
- *The 2050 plan (which sought to protect agricultural land uses in the village) is only 5 years old, too early for changes*
- *Potential to negatively affect Apple Holler’s business*

*S. Nelson closed the public hearing at 6:55 p.m.*

e. Request submitted by Daryl L. Poisl, Sr. Revocable Living Trust (with Dan Oakes/A.W. Oakes & Son, Inc. as applicant/agent) for the following for the parcel located at 14814 County Line Road (CTH KR) (Parcel ID # 194-03-21-36-010-000) in the A-2 (General Farming and Residential II) and B-5 (Highway Business) Zoning Districts:

1. Amendment of the Village of Yorkville's Comprehensive Plan and Land Use Map as set forth in a document entitled "Village of Yorkville 2020-2050 Comprehensive Plan" for this parcel from the Agricultural, Rural Residential, and Open Land and Isolated Natural Resource Area classifications to the Industrial classification
2. Rezoning of this parcel from the A-2 (General Farming and Residential II) and B-5 (Highway Business) Zoning Districts to the M-3 (Heavy Industrial) Zoning District
3. Conditional use approval to stockpile and process topsoil, including the outside storage of materials, equipment, and trucks; and the construction of four future industrial buildings associated with A.W. Oakes & Son, Inc.

*Discussed conflicts with the 2050 Comprehensive Plan, concerns that this would be "spot zoning", and concerns that once rezoned, the property could be used for anything allowed under M-3 zoning 5 years from now. Bartlett referred to the Conditional Use Permit standards worksheet noting the proposal does not meet these standards:*

- *Proposed use will not be detrimental to the use or enjoyment of other property in the immediate vicinity or the community as a whole.*
- *The proposed use is not hazardous, harmful, offensive or otherwise adverse to the environmental quality, water quality, shoreland cover or property values in the community.*
- *The proposed use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the surrounding area.*

*Bartlett noted the M-3 zoning creates potential for hazardous/offensive material processing and that 34' high dirt piles create visual hills on otherwise flat land.*

f. Plan Commission Resolution 2025-04 Recommending adoption of an ordinance amending the Village of Yorkville's Comprehensive Plan and Land Use Map as set forth in a document entitled "Village of Yorkville 2020-2050 Comprehensive Plan", as it pertains to ±52.43 acres comprising Parcel ID # 194-03-21-36-010-000, located at 14814 County Line Road (CTH KR), in the S½ of the SE¼ of Sec. 36, T3N, R21E, Village of Yorkville, Racine County, Wisconsin, from the Agricultural, Rural Residential, and Open Land and Isolated Natural Resource Area classifications to the Industrial classification

*Motion (Alby, DeGarmo) to deny Plan Commission Resolution 2024-04, MC (4 ayes, 0 nays, 1 abstention).*

g. Ordinance 2025-13 Amending the Village of Yorkville's Comprehensive Plan and Land Use Map as set forth in a document entitled "Village of Yorkville 2020-2050 Comprehensive Plan", as it pertains to ±52.43 acres comprising Parcel ID # 194-03-21-36-010-000, located at 14814 County Line Road (CTH KR), in the S½ of the SE¼ of Sec. 36, T3N, R21E, Village of Yorkville, Racine County, Wisconsin, from the Agricultural, Rural Residential, and Open Land and Isolated Natural Resource Area classifications to the Industrial classification

*Agenda item no longer applicable due to the denial of agenda item 4. f. No action taken.*

h. Plan Commission Resolution 2025-05 Recommending adoption 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 proposed rezoning of ±52.43 acres of land located

at 14814 County Line Road (CTH KR) (Parcel ID # 194-03-21-36-010-000), in the S½ of the SE¼ of Sec. 36, T3N, R21E, Village of Yorkville, Racine County, Wisconsin, from the A-2 (General Farming and Residential II) and B-5 (Highway Business) Zoning Districts to the M-3 (Heavy Industrial) Zoning District; Daryl L. Poisl, Sr. Revocable Living Trust, Owner; Dan Oakes/A.W. Oakes & Son, Inc., Applicant/Agent

*Agenda item no longer applicable due to the denial of agenda item 4. f. No action taken.*

- i. Ordinance 2025-14 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 proposed rezoning of ±52.43 acres of land located at 14814 County Line Road (CTH KR) (Parcel ID # 194-03-21-36-010-000), in the S½ of the SE¼ of Sec. 36, T3N, R21E, Village of Yorkville, Racine County, Wisconsin, from the A-2 (General Farming and Residential II) and B-5 (Highway Business) Zoning Districts to the M-3 (Heavy Industrial) Zoning District; Daryl L. Poisl, Sr. Revocable Living Trust, Owner; Dan Oakes/A.W. Oakes & Son, Inc., Applicant/Agent

*Agenda item no longer applicable due to the denial of agenda item 4. f. No action taken.*

- j. Resolution 2025-42 Approving a conditional use request to stockpile and process topsoil, including the outside storage of materials, equipment, and trucks; and the construction of four future industrial buildings associated with A.W. Oakes & Son, Inc. at 14814 County Line Road (CTH KR), Sec. 36, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-36-010-000); Daryl L. Poisl, Sr. Revocable Living Trust, Owner; Dan Oakes/A.W. Oakes & Son, Inc., Applicant/Agent

*Agenda item no longer applicable due to the denial of agenda item 4. f. No action taken.*

- k. 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 this exemption is subject to annual considerations. No reports of concern.*

*Motion (S. Nelson, Bartlett) to approve the exemption renewal request, MC.*

- l. Draft mobile home-related ordinance updates

*Discussed concerns with setting a precedent by allowing this use to continue either through the conditional use or variance process, as well as the likelihood that this situation would be deemed an improper "use variance" if granted by the Zoning Board of Appeals. Discussed the complexity and cost associated with amending the zoning code and permitting ordinance for this purpose and the lack of existing ordinances in other Wisconsin municipalities dealing with similar circumstances. To allow ample time, the conclusion was to allow Harvest View MHC until September 8, 2026, to cease its use of the three existing recreational vehicle spaces within the mobile home park.*

*Motion (s. Nelson, Maurice) to give the Mobile Home Park (Harvest View MHC, LLC) 365 days to end the RV slots, MC.*

- m. Request for early release of the right-of-way occupancy permit bond held for the repaving of an existing parking lot, the construction of a new access driveway, and the installation of new green space in the Village's right-of-way at 17645 Old Yorkville Road (Yorkville United Methodist Church)

*Eberle did not have any concerns related to the work in the right-of-way.*

*Motion (S. Nelson, Bartlett) to approve the early release of the bond, MC.*

- n. Wisconsin Electric Power Company underground electric distribution easement for the Union Grove-Yorkville Fire Department fire station project

*Motion (S. Nelson, Maurice) to approve the easement, MC.*

- o. Union Grove-Yorkville Fire Commission fire station project reimbursement from Series 2025A general obligation promissory notes proceeds and Village General Fund balance

*Motion (S. Nelson, Funk) to approve project reimbursement from Series 2025A general obligation promissory notes proceeds and Village General Fund balance, MC.*

- p. Authorization to draft a resolution to participate in the National Opioid Settlements for the Purdue Direct Settlement (CL-1738648)

*Motion (Bartlett, S. Nelson) that we do not pursue the Purdue Direct Settlement CL-1738648, MC.*

- q. Authorization to draft a resolution to participate in the National Opioid Settlements for Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, Zydus (CL-1770335)

*Motion (Bartlett, Funk) that we do not participate in the opioid settlement CL-1770335, MC.*

## 5. Reports

- a. Engineer's Report – Mark Eberle

*Attended meeting regarding 67<sup>th</sup> Drive construction project with Union Grove. Sign and culvert inventory coming soon. Budget information for road estimates also coming soon. Meeting with WI Sportsman's Association on September 9<sup>th</sup> regarding land disturbance plans.*

- b. Yorkville Stormwater Utility District Report – No report

- c. Roads/Public Works Committee Report – Rob Funk

*Mowing started.*

- d. Village President's Report – No report

- e. Public Works Report – No report

- f. Clerk's Report – Janine Carls

*Potential amendments to the Private and Public Event ordinances related to what information to send in notification letters coming. Christine Smith still has concerns about Echo Lake noise. Carls will check on progress of new fans and verify current management contacts. Noted new activity at 232 S Colony Ave. will confirm whether a Conditional Use Permit is on file for the activity.*

- g. Administrator's Report – Michael McKinney

*September 22 agenda items will include budget discussion (waiting for Fire Department numbers) and a special event application for Sifuentes on Spring St.*

## 6. Public Comments, Questions and Suggestions

*Barb Geschke stated concerns with parking on both sides of Frontage Road by Apple Holler and recommended further discussion.*

## 7. Adjournment

*Motion (Bartlett, Maurice) to adjourn at 7:50 p.m.*

Respectfully submitted,

Janine Carls, Village Clerk

*Village Board Meetings are normally held on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month. Schedules and agendas are available at [villageofyorkville.com](http://villageofyorkville.com).*