

**RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE**

**SUMMARY MINUTES - MONDAY, July 20, 2015 - 6:00 p.m.**

**Ives Grove Office Complex Auditorium  
14200 Washington Avenue, Sturtevant, WI 53177**

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Committee present: Mark Gleason, Tom Pringle, Monte G. Osterman, Bob Grove, Tom Roanhouse  
Committee excuse: Tom Hincz, Mike Dawson  
Youth in Governance  
Representative present: Caleb Celano  
Youth in Governance  
Representative not present: Garrett Williams  
Staff present: Brian Jensen, Development Services Superintendent  
Rhonda McCormick, Staff Secretary

Chairman Gleason called the July 20, 2015 Racine County Economic Development and Land Use Planning Committee Public Hearing and Committee meeting to order at 6:01 p.m. He introduced the Committee and staff and explained public hearing and meeting procedures. Following are the agenda items and the Committee's actions.

**PUBLIC HEARING**

1. Pine Haven Enterprises, LLC, Conditional Use to continue a clay extraction operation and  
6:04 Nick Willkomm, Applicant allow concrete and asphalt recycling; located in the M-4  
7:36 Quarrying District; 17108 Highway KR; Section 33, Town 3  
North, Range 21East, **Town Yorkville**  
(Parcel Id. No. 018032133016010)  
For informational purposes only: The applicant is proposing to  
add concrete, asphalt recycling, and no changes to the existing  
reclamation plan.

Brian Jensen reviewed the petition and public hearing testimony using text and maps. There have been no complaints received about this operation. Nick Willkomm was present and answered questions from the committee.

**STAFF RECOMMENDATION(S)**

Staff recommends approval of the petition, as underlying zoning permits this use and it is consistent with the 2035 Land Use Plan.

**DECISION**

**PRINGLE MOVED, seconded by Grove**, to approve the petition, with standard conditions and staff recommendations and subject to Town approval, as underlying zoning permits this use, the proposed use fits with the uses in the district, and the 2035 Comprehensive Land Use Plan supports this use.

**YOUTH REPRESENTATIVE'S ADVISORY VOTE** - Youth Representative Celano: 5aye

The maker of the motion and the seconder agreed to amend the conditions of approval to include Supervisor Osterman's request to require that the stacked waste oil drums be brought to ground level, contained together, and properly marked to reflect what is stored in the drums.

Motion carried unanimously. VOTE: 5/0

2. Gunderson Grain Farms, Owner      Conditional Use to construct a ±4800 sq.-ft. industrial  
6:09 American Surveying Co., Inc.,      building for the fabrication of sheet metal products for  
7:39 Agent      utilization in the heating and air conditioning industry, with  
future expansion, DBA All-Pro, LLC; located in the M-1 Light  
Industrial & Office District; Section 30, Town 4 North, Range  
21 East, **Town of Raymond**  
(Parcel Id. No. 012042130047060)

Jensen reviewed the petition and public hearing testimony using text and maps. This parcel is zoned M-1 Light Industrial and Office District. The property owner is requesting a conditional use to construct a 60' x 80' building. In accordance with the County ordinance, all fabrication and associated activities must occur inside the building. The proposed plan meets the minimum requirements for the M-1 District.

Pete Bailey was present and answered questions from the committee. He stated that there will be no outside storage and material hauling will be done with vans. He commented that there was strong neighborhood opposition to a request to rezone this property to M-3 five years ago. He noted that the property has been zoned M-1 since the County enacted zoning classifications.

#### SPEAKING IN OPPOSITION

Joe Cannon, Jerry and Sandy Scholzer, Chad Ehnert, Roger Beitzel, Sandra Shuput, Chris Ratzka, and William Batner expressed concerns regarding noise, traffic, air pollution, safety for children living nearby, and property values.

#### COMMUNICATIONS

The Town of Raymond Engineer reviewed the project and identified general construction plan information that needs to be corrected on the site.

A letter from Sandra Shuput stated concerns for an industrial business being located near residential properties.

#### STAFF RECOMMENDATION(S)

Staff recommends approval of the petition, as the site is zoned M-1; this zoning has been in existence for this area since the adoption of county wide zoning by the Town of Raymond in 1971, and, the 2035 Land Use Plan supports this zoning; this use appears to be permitted by underlying zoning; and the use complies with other provisions of Chapter 20, such as lot width, area, and setbacks.

#### DECISION

**PRINGLE MOVED, seconded by Grove**, to approve the petition, with standard conditions and staff recommendations and subject to Town approval. Discussion followed regarding the committee's conflict between what the property is zoned and the fact that there are established residences near the property. **Supervisor Pringle withdrew his motion to approve and the seconder agreed. GROVE MOVED, seconded by Pringle**, to deny the petition, as this use is hazardous, harmful, offensive, or otherwise adverse to the environmental quality and property values in the county; and based on the other things going on in the area, the proposed use does not appear to fit with the uses in the district. The overarching concern was neighbor objections to the proposal.

**YOUTH REPRESENTATIVE'S ADVISORY VOTE** - Youth Representative Celano: aye  
**Motion carried unanimously. VOTE: 5/0**

3. Jon & Kay Erickson, Owners                    Amendment of Land Use Plan from the plan designation of  
6:29 Agricultural, Rural Residential, and Open Land to  
8:07 Commercial

Rezone approximately 5.25 acres from A-2 General Farming  
and Residential District II to B-3 Commercial Service District;  
18917 Spring Street; Section 20, Town 3 North, Range 21  
East, **Town of Yorkville**  
(Parcel Id. No. 018032120040000)

Jensen reviewed the petition and public hearing testimony using text and maps. The purpose of this petition is twofold: (1) to amend the Land Use Plan around the existing previously approved areas on the north side of Spring Street and the existing area to the south for which the owners have gained approvals in the past; and (2) to rezone a portion of the area to the south of the previously approved area from A-2 to B-3. Jensen noted that the Development Services Office issued a Notice of Violation and the owners are requesting the amendment and rezoning in an effort to correct the outstanding violations.

Jon Erickson was present and answered questions from the committee.

**SPEAKING IN OPPOSITION**

Michelle Goggins lives south of the Erickson property, was present, and voiced her complaints about the grinder noise. If the grinding is allowed to continue, she asked the committee to restrict the time when grinding may be done.

**COMMUNICATIONS**

A letter dated July 15, 2015, from Tom Czerniak, Chief of the Union Grove Yorkville Fire Department, detailing the results of an attempted inspection of the Erickson property on July 13, 2015. When violations were pointed out by the Fire Department staff to Jon Erickson, the report indicated Erickson became angry and uncooperative.

Chief Czerniak was present and answered questions from the committee.

**STAFF RECOMMENDATION(S)**

Based on the Land Use Comprehensive Plan, testimony and the violations existing on the property, staff recommends approving the Land Use Plan amendment for the previously approved portions of the property. In addition, staff recommends the rezoning and Land Use Plan amendment for the unapproved expansion be denied.

**DECISION**

**PRINGLE MOVED, seconded by Roanhouse**, to deny the petition, as this rezoning is not in the public interest and will adversely affect the surrounding property values. Discussion followed on whether to deny or lay over the request. **Osterman MOVED, seconded by Grove**, to lay over the petition. A roll call vote was taken on the motion to lay over. **Motion to lay over failed. VOTE: 2/3**, with Roanhouse, Pringle, and Gleason dissenting. A roll call vote was taken on the main motion to deny. **Motion to deny carried. VOTE: 4/1**, with Osterman dissenting.

**YOUTH REPRESENTATIVE'S ADVISORY VOTE** - Youth Representative Celano: aye

4. Jon & Kay Erickson, Owners      Conditional Use to amend and expand the existing conditional use for storage of landscape material and operation; 18917 Spring St.; located in the B-3 Commercial District (proposed): Section 20, Town 3 North, Range 21 East, **Town of Yorkville**  
(Parcel Id. No. 018032120040000)  
For informational purposes only: The expansion request is after-the-fact.

Jensen reviewed the petition and public hearing testimony using text and maps. This request pertains to the area to the south of Highway C and south of the pole barn where the business has expanded without approval. It was noted that the grinding of mulch and processing top soil is not allowed in the B-3 zoning district.

Jon and Kay Erickson were present and answered questions from the committee. Mr. Erickson stated that the business expanded to the unapproved portion of the property because the business is growing and more area is needed to hold product. Trees from the Erickson property are the only trees being ground onsite. Once that project is complete, all grinding will be done in Kenosha County on property purchased by the Ericksons.

**SPEAKING IN OPPOSITION**

Terry McMahon serves on the Union Grove Yorkville Fire Commission and the Town of Yorkville Board. Both the town and the fire department have a history with Jon Erickson as being difficult. Mr. McMahon suggested the committee lay over this matter until Jon Erickson can demonstrate his willingness to correct the violations and to cooperate with the town, county, and fire department.

**DECISION**

The Committee denied the land use plan amendment and rezoning petitions, which consequently invalidates this proposed conditional use petition to amend and expand the exiting conditional use for storage of landscape material and operation.

**COMMITTEE MEETING**

***PLEASE NOTE: While the following agenda items are up for discussion and action before the Committee and the Committee may ask questions of the petitioners or affected neighbors, this portion of the agenda is a committee meeting and not a public hearing, and public hearing testimony may not be taken. All are welcome to attend.***

1. Decision on preceding petitions
2. Review, discussion & possible approval of the June 15, 2015, summary minutes  
8:10

**DECISION**

**PRINGLE MOVED, seconded by Osterman, to approve the June 15, 2015, summary minutes.  
Motion carried unanimously. VOTE: 5/0**

3. Michael & Jane Kasprzyk, Owners  
8:10 DBA One Sorce Properties, LLC.  
American Surveying Co. Inc.,  
Agent
- Site Plan Review to occupy an existing building for office space and a trash dumpster repair/maintenance dumpster business, including outside storage; located in the M-3 Heavy Industrial District; 7535 Nordale Avenue; Section 12, Town 4 North, Range 20 East, **Town of Norway** (Parcel Id. No. 010042012035168)  
For informational purposes only: This will be an expansion of One Sorce Properties, LLC, currently operating on the adjoining parcel to the north.

Jensen reviewed the petition using text and maps. This property is located in the Norway Industrial Park.

STAFF RECOMMENDATION(S)

Staff recommends approval of the petition, with conditions consistent with their previous approval of operations adjacent to the north.

DECISION

**PRINGLE MOVED, seconded by Osterman**, to approve the site plan, with staff recommendations and standard conditions and subject to Town approval, as the proposed occupancy of an existing building is compatible with the area; underlying zoning permits it; based on the other things going on in the area, the proposed use fits with the uses in the district; and the proposed use is in accordance with the purpose and intent of Chapter 20 and public health, safety, and welfare.

**YOUTH REPRESENTATIVE'S ADVISORY VOTE** - Youth Representative Celano: aye  
**Motion carried unanimously. VOTE: 5/0**

4. Keith George, Owner  
8:11 Gina Landreman, Applicant
- Site Plan Review to occupy a portion of an existing hanger with a café style restaurant; located in the M-2 General Industrial District; 13851 56<sup>th</sup> Road; Section 24, Town 3 North, Range 21 East, **Town of Yorkville** (Parcel Id. No. 018032124018000)

Jensen reviewed the petition using text and maps. The cafe will be located in the Midwest Skydiving Building on the property. Sanitation concerns have been reviewed and the holding tank on site appears to be sufficient for the proposed use. This use was approved a few years ago, but never materialized.

STAFF RECOMMENDATION(S)

Staff recommends approval of the petition.

DECISION

**PRINGLE MOVED, seconded by Osterman**, to approve the site plan.

**YOUTH REPRESENTATIVE'S ADVISORY VOTE** - Youth Representative Celano: aye  
**Motion carried unanimously. VOTE: 5/0**

5. Burlington Conservation Club, Site Plan Review to construct a 30' x 54' & 10' x 54', cold-  
813 Owner storage building associated with the youth shooting team  
John A. Coshun, President, activities; located in the C-1 Resource Conservation District;  
Agent 6065 Brever Road; Section 3, Town 2 North, Range 19 East,  
**Town of Burlington**  
(Parcel Id. No. 002021903013000)

Jensen reviewed the petition using text and maps. This is a 14-acre site and the proposed building will be used for storage of items related to the youth shooting program. The Youth Shooting Team consists of 165 students from the Burlington and Waterford High Schools.

STAFF RECOMMENDATION(S)

Staff recommends approval of the petition.

DECISION

**OSTERMAN MOVED, seconded by Pringle**, to approve the site plan, with staff recommendations and standard conditions and subject to Town approval.

**YOUTH REPRESENTATIVE'S ADVISORY VOTE** - Youth Representative Celano: aye

**Motion carried unanimously. VOTE: 5/0**

6. Review, discussion & possible recommendation the following revised subdivision plat:  
8:14 Dover Ridge - Revised Preliminary Plat  
Section 7, Town 3 North, Range 20 East, **Town of Dover**

Jensen reviewed the petition using text and maps. This is a 77-acre parcel located on the south side of Highway 20. The property is zoned A-2 General Farming and Residential Farming District II. The developer is requesting preliminary plat approval for a 16-lot subdivision in order to move forward to the final plat review and approval.

STAFF RECOMMENDATION(S)

Staff recommends approval of the preliminary plat subject to WisDOT removing its objection to the plat and to Town approval. Additional items will be needed to be added to the final plat. In addition, soil tests will need to be done for each lot to identify and secure an area for the Private Onsite Wastewater Treatment System.

DECISION

**PRINGLE MOVED, seconded by Roanhouse**, to approve the revised subdivision plat.

**YOUTH REPRESENTATIVE'S ADVISORY VOTE** - Youth Representative Celano: aye

**Motion carried unanimously. VOTE: 5/0**

7. Maria Vargas, Owner  
8:16 Israel Vargas, Applicant
- Site Plan Review to allow up to 12 outdoor events for the current calendar year; located in the B-5, Highway Business District; 3400 S. Sylvania Avenue; Section 25, Town 3 North, Range 21 East, **Town of Yorkville** (Parcel Id. No. 018032125007010)

Jensen reviewed the petition using text and maps. The Town of Yorkville approved 12 events to run from May 16, 2015 through May 16, 2016. In June of 2015, the Town amended some of their conditions for the approval.

Israel Vargas was present and answered questions from the committee.

Captain Tom Lamke from the Racine County Sheriff's Office was present and spoke to the committee about safety concerns at the events. Captain Lamke recommended that uniformed officers be hired for the events.

Tom Czerniak, Chief of the Union Grove-Yorkville Fire Department, was present and stated that the fire department has not been informed of the proposed events.

**STAFF RECOMMENDATION(S)**

Staff does not object to the outdoor events. If approved, staff recommends adherence to all established Town conditions and amended conditions. A security plan must be submitted to the Racine County Development Services Office prior and a zoning permit must be obtained prior to each event.

**DECISION**

**PRINGLE MOVED, seconded by Pringle**, to approve the site plan, with staff recommendations and standard conditions.

**YOUTH REPRESENTATIVE'S ADVISORY VOTE - Youth Representative Celano: aye**

Discussion followed regarding requiring approval for each individual event prior to its occurrence. Supervisor Osterman suggested requiring the applicant to apply for a zoning permit prior to each event. In addition, a security plan, and the name of a contact person and telephone number must be submitted at the time of the zoning permit application for each event. The opinion of the Committee is that the issuance of a zoning permit for each event will enable the County to track the events.

**Motion carried unanimously. VOTE: 5/0**

8. Review, discussion & possible action on referrals from the Racine County Board of Supervisors  
8:54

**GROVE MOVED, seconded by Pringle** to receive and file the following referrals:

1. a notice from the WDNR of intent to reissue a Wisconsin Pollutant Discharge Elimination System for Western Racine County Sewerage District on North River Road in Rochester;
2. a memorandum from the Wisconsin Regional Planning Commission regarding the *Adopted Park and Open Space Plan for the Village of Mount Pleasant*;

3. a copy of a letter from Ehlers & Associates regarding a Notice of Public Hearing for the proposed creation of tax incremental District No. 4 within the Village of Mount Pleasant; and
4. A copy of the Southeastern Wisconsin Regional Planning Commission 2016 budget.

**Motion carried unanimously. VOTE: 5/0**

9. Other business as authorized by law  
8:56

There will not be a meeting on August 3, 2015. If the need arises, a special meeting may be scheduled on a date to be determined. The August 17, 2015, Economic Development and Land Use Planning Committee public hearing/meeting will remain as scheduled.

Supervisor Gleason suggested that discussion of a possible ordinance amendment(s) concerning special events be included on a future EDLUPC agenda with the intent of strengthening and clarifying existing ordinance language. He recommended the presence of Corporation Counsel at the scheduled meeting.

10. Adjourn  
8:57

There being no further business, **PRINGLE MOVED, seconded by Grove**, to adjourn at 8:57 p.m.

**Motion carried unanimously. VOTE: 5/0**