



**MINUTES OF THE PARK AND PLANNING COMMISSION MEETING  
FEBRUARY 28, 2024**

**Call meeting to order, Pledge of Allegiance, and confirmation of meeting notice.** The meeting was called to order, with the reciting of the Pledge of Allegiance, at 7:00pm by Chairman Dave Klug. Clerk Eichner confirmed proper notice of the meeting.

**Roll Call** – Members present: Chairman Dave Klug, Vice Chairman Arlyn Johnson, John Bales, Andy Jones, Chad Johnson, Dave Behringer, Bob Traska, Dennis Bell, and Marcy Bishop. Also, Present was Zoning Administrator Jim Micech, Attorney Tim Andringa, Town Engineer Matt Clementi, and Clerk Bob Eichner.

**Approval of the Agenda** – Motion by Bell, seconded by Bishop, to approve the agenda as presented. Motion carried, 9-0.

**Approval of the minutes** – Motion by Bales, seconded by Jones, to approve the minutes of the January 31, 2024 Parks and Planning meeting. Motion carried, 9-0.

**Any Town Resident to comment on any agenda item** – Ron Eickstedt, 3689 Johnson Lane, spoke in favor of trying to get a safe entrance to KMLHS off Sherman Road to relieve the traffic on Division Road. There were no other public comments.

**Parks and Planning Commission – Public Hearing – OneEnergy Development, LLC. – 1040 Sherman Road (solar power generating facility address is 1080 Sherman Road) – Conditional Use Permit Amendment to transfer ownership from OneEnergy Development, LLC. to Wisconsin Electric Power Company – T7-0621 & -0622.**

**Open Public Hearing** - Motion by Jones, second by Behringer, to open the public hearing. Motion carried 9-0.

There were no comments from the public.

**Close Public Hearing** – Motion by C. Johnson, second by Jones, to close the public hearing. Motion carried 9-0.

**OneEnergy Development, LLC. – 1040 Sherman Road (solar power generating facility address is 1080 Sherman Road) – Conditional Use Permit Amendment to transfer ownership from OneEnergy Development, LLC. to Wisconsin Electric Power Company** – Motion by Bishop, second by Traska, to approve the amended Conditional Use Permit as presented. Motion carried 9-0.

**Parks and Planning Commission – Public Hearing – Lannon Stone Products, Inc. – 645 Pleasant Valley Road - 03-007- 06-000.00, 03-007-10-000.00, T7-0302, - 0303, -0303-00A, -0303-00B, -0304, -0305, -0327, - 0327-00A, -0328, & -0329 –Conditional Use Permit Amendment to include two (2) Town of Cedarburg properties in the Reclamation Plan and Memo of Understanding.**

**Open Public Hearing** – Motion by Bales, second by Jones, to open the public hearing. Motion carried 9-0

**Comments:** Attorney Andringa explained the purpose and the scope of this hearing. Through a memorandum of understanding with the Town of Cedarburg and Ozaukee County, the proposed stockpile in the Town of Cedarburg will be added to the reclamation plan which falls under the oversight of the Town of Jackson.

Nathan Swinton, representing Lannon Stone Products presented the proposed work in the Town of Cedarburg.

**Ron Eickstedt**, 3689 Johnson Lane, asked how the drainage will work, and he is concerned with the public travelling down Wasaukee Road. Answer: the west half of the road right of way in Jackson is abandoned. The ROW in Cedarburg has not been abandoned.

**Jeff Kazmarski**, 1977 Elm Drive, TOC, expressed concern about the Chain of command. Who do they speak to with concerns during the building of the berm. He is also concerned about dust during construction. Are there measures in place to make certain the work gets done and that there is no delay in the plantings on the berm. What is the berm being made of. Mr. Kazmarski is also concerned with the other portion of the Cedarburg property. Is this the first step to quarrying in the Town of Cedarburg?

**Ed Thomas**, 4495 Wasaukee Rd, Jackson, stated that his main concern is what is being done with the proposed berm on the west and south sides of his property adjacent to the quarry. He has discussed this with Lannon and is satisfied and is fine with the rest of the project.

**Allan Schmitt**, 11930 Pleasant Valley Road, Cedarburg, farms north and west of the quarry, and is asking why they are moving into Ozaukee County and doing all this; why aren't they putting all the fill in the property LSP just purchased on CTH M?

**Mary Budiak**, 1977 Elm Drive, Cedarburg, reiterated Mr. Schmitt's concerns. She also asked, that if there is no quarrying allowed in the TOC, why is there a future berm shown around the Schuetz property at 12033 Pleasant Valley Road? And why does schedule B of the plan show future expansion toward the Town of Cedarburg. Ms. Budiak is against this amendment, but if it does move forward, there should be, deadlines to insure the project is completed in as quickly as possible.

**Patti Farrell**, 1639 Washington Ave, Cedarburg, is appearing as a good neighbor and friend to the TOC residents in attendance. She asked if anyone other than Barry Sullivan participated in the MOU writing. Ms. Farrell doesn't believe this falls under his authority. Answer: those individuals from Ozaukee County that needed to be involved in the process have signed off on the MOU. Ms. Farrell is concerned that there is more going on here than what is being presented.

**Andy Schuetz**, 12033 Pleasant Valley Road. Asked why nobody was notified prior to just a letter in the mail a few days before the hearing. Answer: the notice was published in the Daily News and News Graphic 14 and 7 days before the hearing. Neighbors were notified in letters sent 10 days before the hearing. Mr. Schuetz thinks this is all being done under the table. The neighbors should have been notified from the very beginning of this process.

**Ed Thomas** spoke again saying he was concerned by the short notice too.

**Close Public Hearing** – Motion by C. Johnson, second Jones, to close the public hearing. Motion carried 9-0.

**9. Lannon Stone Products, Inc. – 645 Pleasant Valley Road – Conditional Use Permit Amendment to include two (2) Town of Cedarburg properties in the Reclamation Plan and Memo of Understanding per Title X Chapter 3.12 – Discussion and possible action.** Micech stated that the only change to the amended CUP is the MOU Map exhibit. LSP has provided a map that now matches the legal description of the area in the Town of Cedarburg. Hans Dawson, owner stated that they have incentives in the construction contract to assure the work is completed as quickly as possible. The material in the outer berm will be stripped overburden and natural soils, the bowl will be filled with tailings and residual material from the crushing operation, which will be a years-long process. When the fill is complete the site will be capped off with natural soils and planted. Most of the drainage is by sheet flow across cultivated land. Drainage within the bowl will be sent back to the quarry. The drainage along the east side of Wasaukee Rd will flow north and the into the field to the south. The bowl should be constructed within 10 weeks, depending on weather. Plantings should be complete within 2 months as well. If a problem arises during construction residents should contact their respective local government officials first.

Motion by C. Johnson, second by Jones, to approve the amended Conditional use permit to include the properties in the Town of Jackson as shown on the amended Reclamation Plan and the Memorandum of Understanding for Town of Jackson oversight with the Town of Cedarburg and Ozaukee County. Motion carried 9-0.



**Kettle Moraine Lutheran High School Federation – 3999 Division Road – Site Plan review consisting of a Fieldhouse expansion to the existing building, second floor classrooms, new fire lane, pedestrian way, stormwater pond modifications/improvements and driveway installation on Sherman Road – Discussion and possible action.** After a presentation by Kettle Moraine Lutheran High School and discussion by the Commission, Motion by A. Johnson, second by Bales to table a decision on the site plan until the March Park & Planning meeting, so that the School and their engineers can present a clearer proposed design for the new driveway intersection on Sherman Road. Motion carried 9-0.

**Zoning Administrator’s Report** – The Solar farm is now generating. The monitoring modules still need to be installed and the final landscaping completed this Spring. Micech was contacted by a business that was looking to construct at the NE corner of STH 60 and Eagle Drive, that Family Dollar was looking at last year. When it was explained that the company would likely be annexed by the village, they inquired about developing further east on STH 60 near the John Goll property. May come in with a concept in March. Cedar Jack’s (formerly Doman’s) still has a lot of rehabilitation remodeling to do. They are looking to open the bar only in May.

**Correspondence and announcement** – none

**Adjournment of Parks and Planning Commission** – Motion by Bales, seconded by Jones to adjourn at 9:15 pm. Motion carried, 9-0.

Respectfully submitted,

*Robert M Eichner*

Robert M Eichner, Town Clerk

*Jim Micech*

Jim Micech, Zoning Administrator

Approved: March 27, 2024