



**MINUTES OF THE PARK AND PLANNING COMMISSION MEETING  
OCTOBER 25, 2023**

1. **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.
2. **Roll Call** – Members present: Chairman Dave Klug, Vice Chairman Arlyn Johnson, John Bales, Dave Behringer, Andy Jones, Bob Traska, Dennis Bell, Marcy Bishop, and Chad Johnson. Also, Present was Zoning Administrator Jim Micech, Attorney Tim Andringa, and Clerk Bob Eichner.
3. **Approval of the Agenda** – Motion by Bales, seconded by Bell, to approve the agenda as presented. Motion carried, 9-0.
4. **Approval of the minutes of the August Meeting** – Motion by Bishop, seconded by Bell, to approve the minutes of the August 30, 2023, Parks, and Planning meeting. Motion carried, 9-0.
5. **Any Town Resident to comment on any agenda item** – Several residents spoke to items 10 and 11, the land use and zoning amendments for B & L Properties at CTH NN and Maple Road. Jeremy Deck, Theresa Miller, and James & Susan Jens are all opposed to the change from agriculture/rural residential to Business. Reduction to the rural feel of the area, increased traffic on Maple Road which already has some sight issues, and impact to Evergreen Creek that flows through the sight were the primary issues these residents listed for their opposition.  
  
Commissioner Behringer recused himself.
6. **Parks and Planning Commission – Public Hearing – David Behringer - 3575 Church Road - T7-0581-00C - Conditional Use Permit to install an exterior wood burner/boiler in the rear yard.**
  - A. **Open Public Hearing** – Motion by Jones, second by Traska, to open the Public Hearing. Motion carried. 8-0.  
Administrator Micech read the notice of Public Hearing. Behringer presented a list of neighbors who had signed off on the project  
*Howard Hetzel*, 3590 Lusan Ln, asked several questions. Where will the burner be placed? Answer: Placed at the NW corner of the house in the side yard. How often will it be used? Answer: Used from October to May as a supplemental heat source. What fuel will be used? Answer: wood from the property, 15 acre wooded lot with a lot of dead ash trees. Hetzel is also concerned about air quality from the burner as his wife is on oxygen.  
*Dave Lenarduzzi*, 3578 Lusan Ln, stated that he was changing his original yes to a no as he has lung issues as well.  
*Gene Kannenberg*, 3571 Church Rd is the closest neighbor to Behringer and has no objection. He does not understand why people are concerned about this but enjoy sitting around a campfire or in front of their fireplace.  
*Scott Locallo*, 3564 Lusan Ln, stated he is also against this. He read statistics about the pollutants in woodsmoke and is also concerned about the health issues as he live directly behind Behringer on the west.  
*Jennifer Passig*, 1363 Sandy Ln. Micech read a letter from Ms. Passig, against this project for many of the reasons previously stated. She is also concerned about potential resale value of her home due to the wood smoke.

Behringer spoke to some of the concerns. This system is not a fireplace. It is a wood fueled boiler for hot water to flow through pipes under the house slab, which are already installed, to act as supplementary heat. It is about a 2010 model that was used. It will be installed by a qualified contractor and will have all required EPA pollution control devices installed.

**B. Close Public Hearing** – motion by Bales, second by Jones to close the public hearing. Motion carried 8-0.

7. **David Behringer - 3575 Church Road - T7-0581-00C - Conditional Use Permit Discussion and possible action for a Conditional Use Permit – Request to install an exterior wood burner/boiler in the rear yard per Title X Chapter 4.10(D). Discussion and possible action.** Motion by C. Johnson, seconded by Jones to approve the CUP. Motion carried 8-0.

Behringer returned.

8. **Parks and Planning Commission – Public Hearing - James & Sue Jens - 4823 Maple Road - T7-0089 - Conditional Use Permit to install a ground-mounted solar panel array in the front yard.**

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

Administrator Micech read the Notice of Public Hearing. Mr. Jens read a letter stating reasons for placement in the front yard.

*Mary Jo Witte*, CTH NN, no concerns with placement in the front yard.

*Theresa Miller*, 4826 Maple Road, no concerns with placement in the front yard.

*Jeremy Deck and Rachael Kellar*, 4851 Maple Road, no concerns with placement in the front yard.

**B. Close Public Hearing** – Motion by Bales, second by Bell, to close the public hearing. Motion carried 9-0.

9. **James & Sue Jens - 4823 Maple Road - T7-0089 – Conditional Use Permit to install a ground-mounted solar panel array in the front yard at 4823 Maple Road for per Title X Chapter 4.10(B) – Discussion and possible action.** Motion by Jones, second by Behringer, to approve the Conditional Use permit, on the condition that the Board of Appeals grants a variance for placement in the front yard setback. Motion carried 9-0
10. **B & L Properties d.b.a. Bob’s Main Street Auto & Towing – 2085 CTH NN – Petition request to Amend the 2050 Town of Jackson Comprehensive Plan Map for Tax Parcel T7-0073-00B from M-1 (northern portion) and A-1 (southern portion) to M-2 (northern portion) and B-2 (southern portion). Discussion and possible action.** This item previously acted on by the Commission. No further action was taken.
11. **B & L Properties d.b.a. Bob’s Main Street Auto & Towing – 2085 CTH NN – Petition request to Rezone Tax Parcel T7-0073-00B from M-1 Limited Manufacturing (northern portion) and A-1 Agriculture / Rural Residential (southern portion) to M-2 General Manufacturing (northwestern portion) and B-2 Highway Business (northeastern portion and southern portion). Review Written Recommendation for rezoning of the property. Discussion and possible action.** Motion by Bales, second by C. Johnson, to table any action on this item until after the public hearing for this item at a Joint Park & Plan Commission and Town Board meeting on November 9, 2023. Motion carried 9-0.
12. **Zoning Administrator’s Report** KCI is continuing the wetland restoration on the old Behm property on STH 60. Phase 1 is complete, and they are beginning Phase 2. Micech has been dealing with a rash of work without permits. ANR Pipeline has submitted erosion control plans for their 2024-2025 pipeline replacement project.
13. **Correspondence and announcement** – none



**14. Adjournment of Parks and Planning Commission** – Motion by Bales, seconded by Jones to adjourn at 8:33 pm. Motion carried, 9-0.

Respectfully submitted,

*Robert M Eichner*

Robert M Eichner, Town Clerk

*Jim Micech*

Jim Micech, Zoning Administrator

Approved: January 31, 2024