

**MINUTES OF THE MEETING OF**  
**TOWN OF SHEBOYGAN PLAN COMMISSION & TOWN BOARD**  
**TUESDAY, NOVEMBER 28, 2017 AT 5:15 PM**

A meeting of the Plan Commission and Town Board was held on Tuesday, November 28, 2017, at 5:15 pm. at the Town of Sheboygan Town Hall, 1512 N. 40th St., Sheboygan, WI 53081, Sheboygan County. The following were present: Commission Member/Town Chairperson Dan Hein, Supervisor Dan Olson, Char Gumm and Jim Schwinn, Sanitary District No. 2 Commissioner Dave Griffin, Jim Schultz, Sanitary District No. 3 Commissioner Jerry Hoepfner, Cole Northup, Leslie Rahn, Karen Schulze and Attorney Michael Bauer.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by posting in three (3) different places.

Chairperson Hein opened the meeting and introductions were given.

**PUBLIC HEARING**

Atty. Bauer opened the public hearing for the Conditional Use Permit application of:

**PUBLIC HEARING - Conditional Use Permit**

Petitioner: David Sachse  
2428 No. 3<sup>rd</sup> Street  
Sheboygan, WI 53083

Property Owner: David Sachse dba Landmark North Corp.  
2428 No. 3<sup>rd</sup> Street  
Sheboygan, WI 53083

Property Address: 4325 Industrial Ct.  
Present Zoning: B4A (Planned Business Park Office & Light Industrial: Business Offices)  
Parcel Size: approx. .97 acres  
Parcel Number: 59024343937

Purpose of Petition: The petitioner requests a conditional use permit to use approximately 550 square feet of the existing building to produce gelato.

No one was present from Landmark North Corp. There was no public comment.

**Motion Gumm, second Schwinn to close the public hearing. Motion carried.**

**AGENDA**

- 1) Conditional Use Permit request for 4325 Industrial Court (parcel 59024343937) to use approximately 550 square feet of the existing building to produce gelato. Griffin started the discussion regarding the sanitary issues. The Sanitary District is being told that this will be a small operation with 5-10 gallons of wastewater being used with production. Blashka is concerned about the high wastewater with dairy. The petitioner must be aware of the conditions. Under normal operations, there must be immediate notification to the City treatment plant regarding what they are doing. Sanitary District No.2 needs to be notified and kept in the loop regarding what they are doing. If there is an increase in water use with rinsing tanks and high strength wastewater is being used with bleach caustics and acids for cleaning, they will need a Wastewater Permit from the City. As far as the use of 5-10 gallons of wastewater for production, they will not need a permit. The Town will monitor use and if there is an increase or if they go up over concentrations there will be a charge. 100 gallons of water a day could impact the Towns cost. There could be potential "As needed" charges or a surcharge for the petitioner. The Town will be monitoring the flows and there will be no connection fees. The Conditional Use Permit will be approved based on the following conditions:
  - a.) Compliance with all commercial building inspection codes stated in the letter dated November 20, 2017 from Jane Drager, Commercial Plan Review Inspector for the Town of Sheboygan to Landmark North Corp.
  - b.) The owner, as defined in Chapter 101.01(10), Wisconsin Statutes is responsible for all code requirements. Conditions of approval as follows:
    1. SPS 1013.2 Guards at storage platform shall not be less than 42 inches high. SPS 1013.3 required guardrails shall not allow passage of 4 3/8 inch sphere;

2. The following conditions shall be met prior to occupancy or use: All electrical, building, plumbing and HVAC permits issued from the Town of Sheboygan prior to install. Locate at least one fire extinguisher in work area per IBC 906. This is approved for 5 or less licensed vehicle storage. In the event this building exceeds more than 5 licensed vehicles, make up air required and HVAC plans required per 361.30(3).
  3. In granting approval, the Town of Sheboygan reserves the right to require changes should conditions arise for necessary code compliance. As per State Stats.101.12(2), nothing in this review shall relieve the designer of responsibility for design of reviewed item.
- 2) Town of Sheboygan Sanitary District No.2-Wastewater Conditions stated in a letter dated November 30, 2017 from Town Chairman Daniel Hein:
    - a.) Dairy products, water use and sanitation are sources of high strength wastewater. High BOD, phosphorus and solids tend to drive up strength of wastewater on cost of treatment. The Sanitary District reserved the right to require monitoring and addition of a surcharge to cover added costs to any discharge from the process.
    - b.) The City of Sheboygan Wastewater Treatment Plant requires notification of any added industrial discharge with the possibility of requiring a discharge permit. The facility needs to complete a Notification to the City Wastewater Treatment Plant regarding the added discharge and copy the Town of Sheboygan Sanitary District No. 2 on any communications, permits or monitoring or monitoring requirements.
    - c.) Sanitary District No. 2 requires additional connection fees for new and increased sources of wastewater volume and/or strength that can affect costs. Based on the low flow presented in the application for conditional use of less than five gallons per day, the added connection fees are waived at this time.
    - d.) Sanitary District No. 2 will monitor flows based on quarterly invoicing. Any observed increases over approximately 50 gallons per day will require revisiting the need for added connection fees and possible surcharges for added flow and discharge of high strength wastewater. The Town of Sheboygan Sanitary District No. 2 and City of Sheboygan Wastewater Treatment Plant need to be notified immediately of any expansion of the gelato process.
    - e.) The dairy industry is known for the use of acids, caustics and chlorine (bleach) in the sanitation process. To protect personnel and collection facilities, the Sanitary District needs to be notified immediately regarding any sludge discharge or spills or sanitizers to the sanitary sewer system.

**Motion Hoepfner, second Schulze to approve a letter granting approval of the conditional use permit to use approximately 550 square feet of the existing building located at 4325 Industrial Court to produce gelato with the above following conditions. Motion Schwinn, second Schulze to adjourn the meeting at 5:35 p.m. Motion carried.**

Peggy Fischer, Administrative Assistant

**TOWN OF SHEBOYGAN TOWN BOARD**

---

DANIEL W. HEIN, CHAIRMAN

---

JAMES R. SCHWINN, VICE-CHAIRMAN

---

CHAR GUMM, SUPERVISOR

---

JOHN WAGNER, SUPERVISOR

---

DANIEL OLSON, SUPERVISOR