



"The Bluegill Capitol of Wisconsin"

The Village of Birchwood
Plan Commission Meeting was held on
August 3rd, 2023 at 5:30 pm at the Village Hall
101 N Main Street, Birchwood, WI 54817

MINUTES

Chairperson call meeting to order - Meeting will be recorded.

Pledge of Allegiance: Recited

Roll call: Present-R. VanGilder, B. Boatman, S. Milligan, B. Hayes, and C. Gargulak. Absent: M. Manning

Public Notice: Posted at the Birchwood Post Office, Village Hall, Gary's Grocery and Village Website.

Correspondence – Public Comments (limit 3 minutes) Linda Zillmer voiced concern over the agenda posting, information in the packets, land description, Board decision on easement and legal fees, Board member possibly benefitting from decision, investigation of alternatives so she doesn't think the Plan Commission should act on this at this time. Zillmer also doesn't feel the Village has done any outreach on the Comprehensive Plan.

Discussion/Action Items

1. Current agenda
 - a. Motion by Boatman 2nd by Milligan to approve current Planning Commission Committee agenda.
Carried 5-0

2. Access Easement

Discussion and possible action to recommend the Village Board of Trustees to grant a 30-foot-wide access easement from State Highway 48 over Parcels A & B to Parcels B, C, and D (PID 65-106-2-37-10-25-5 05-002-001010, 008-9373-02-202, 008-9373-02-206, 008-9373-02-401, 008-9373-03-101, 65-106-2-37-10-25-4 01-000-006000, 008-9373-03-202). This easement shall run with the land and bind all future owners of all parcels of land. Parties to not obstruct or block the easement area. –

VanGilder informed the public and committee that the Village is not paying anything for this easement. All fees are being billed to Vinopal and being paid by the party requesting the easement. The property owner would like to sell the property and needs an easement granted for access in order to do so. A map showing the property was available for discussion. The property is on the Sawyer County and Washburn County line. There is already a public road through this area that the Village maintains. The easement request is for the corner of the property to the county line. Currently, this is a grassy trail that is approximately 600 feet. Beffa stated that the Plan Commission's job is to review this information and see whether it is in the best interest of the Village to send the recommendation to the Board of Trustees for final approval. Beffa stated she received an email for the request from VanGilder-which was drafted

The meeting is open to the public and is handicapped accessible.

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by Vinopal. Beffa reached out to our Zoning Administrator-who recommended we contact our attorney. Vinopal and the Village attorney worked together on the easement-which was then drafted by Vinopal's attorney. Beffa then used the information she received from the attorney to draft her public notice. Beffa stated that she was told by a Village citizen that the information she put on the notice was incorrect. Beffa verified with the Village attorney that the information was indeed correct. The property is partially in Sawyer County, so the Parcel IDs in question are not on the Washburn County GIS system.

Beffa also addressed the concern that the public notices are coming late to a citizen's email-basically the next morning after being posted on the Village website. This meeting notice was posted by Melissa Warner- on August 1st, 2023, at 8:07a.m.- which is more than 48 hours in advance. If this complaint continues to be a problem-Beffa stated she plans to respectfully request that this feature of our website be discontinued. Residents will then need to go onto the Village website to obtain their information. The Village office staff puts out a public folder for review prior to meetings. This is done as a courtesy and is not required. Information is never taken out of the packet, but it may be added to as information becomes available. We cannot provide a document until it exists. The information available at the time of the meeting is the same information that is in the Board members' packets. Beffa also feels the comments that are being made towards the Clerk, Village, and VanGilder are unfair and are a form of harassment.

Beffa reiterated that the Board is allowed to make a recommendation on this, it was posted correctly, and everything was reviewed and drafted by the attorney. All expenses have been billed to Vinopal, the Village is not paying for any of this.

B. Hayes stated he looked through the surveys, etc. and they all were legal. He stated that he had a hard time understanding some of the information and feels residents would probably not understand it as well. Beffa stated she referred any questions to VanGilder. Hayes stated he didn't know where the property was and asked about a 66-foot easement if the Village makes it a street. VanGilder stated that the Village has no plans on making this a road, it is a path. Beffa reiterated that the lines are the same as the existing map- nothing is being changed on this. VanGilder stated that the property owner needs an easement in order to sell it because it is landlocked. Milligan stated without access you can't get financing. VanGilder reassured the Board that it is still Village property, and it can't be modified. If the Village sells the property, the easement goes with it. Hayes stated that the Village is giving away ½ acre of property. Beffa clarified that it is just an easement for access, and it is still the Village's property. The farmer who leases the field does not use the path. Boatman asked about the 30-foot easement that is already there. VanGilder clarified that there is already a 30-foot easement. Milligan asked if the easement was already in the certified survey map and if this was just to confirm that all parties agree. VanGilder confirmed yes. VanGilder stated he is abstaining from any vote. Motion by Boatman, 2nd by Milligan to approve sending this to the BOT for approval. Carried 3-1. Boatman, Milligan, and Gargulak voted yes. Hayes voted no. VanGilder abstained from voting. This will be given to the BOT at the August 8th, 2023 meeting.

Hayes voiced concern about the packets that were emailed. Beffa stated the only items that were added were a map and a copy of the bill showing the Village wasn't paying for this.

3. Comprehensive Plan Updates-NW Regional Planning-Emily
 - a. Action Plan Review-Review and edit actions/objectives for housing, transportation, utilities and facilities, natural, agricultural, and cultural resources, economic development, intergovernmental cooperation, and land use. Timeframes were adjusted accordingly. Boatman asked about the Block Grant-NW Regional Planning administers this program.

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Transportation-Add Washburn County ADRC to groups for elderly transportation to appointments-ongoing. Streets & Parks is now Public Works committee.
Utilities and Community Facilities-BFCESD now has their own facility. Boatman requested to have something added regarding replacing the Village Hall within the next 20 years.
Natural, Agricultural, and Cultural Resources-change to weed control on Birch Lakes (add Lake Association)-Add NW Regional to beautification efforts of Hwy 48/Main Street-Add discussion on No Wake Zone on Little Birch.
Economic Development- Remove Hwy 48 illumination. Remove BALA.
Intergovernmental Cooperation-Remove request for flashing light on Hwy 48.
Land use-Add NWRPC in key group.

- b. Next Steps and Adoption Process Overview-Next meeting will be in September to review and finalize full draft. October 2023-Plan Commission meeting to approve resolution by majority vote. Village Board will receive Plan Commission resolution and set public hearing date for the BOT to adopt Plan by ordinance. Notice of Comprehensive Plan update to be sent to Washburn County, local government units adjacent to the Village of Birchwood and email the WI Dept of Administration notice of the update.
4. Adjourn -Motion by Boatman 2nd by Milligan to adjourn. Carried 5-0

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