

Village of Birchwood
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A Public Hearing and Special Planning Commission Committee meeting
of the Village of Birchwood was held on
Tuesday, July 9th, 2024, immediately following the
Regular Board of Trustee meeting held at 5:30 pm.
at the **Birchwood Village Hall, 101 N Main St, Birchwood, WI 54817.**

MINUTES

Call meeting to order (Meeting is recorded)

Pledge of Allegiance -Previously recited

Roll call by Clerk: Present- R. VanGilder, B. Boatman, B. Darkow, M. Manning, P. Parkos

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

AGENDA ITEMS:

1. Motion by VanGilder 2nd by Parkos to approve current agenda. Carried 5-0.
2. VanGilder -Open Public Hearing
 - a. Hear comments on zoning changes to be included in the Village of Birchwood Comprehensive Plan 2024-2044. VanGilder clarified that the Commission will give their recommendations to the Village Board of Trustees on the following. This public hearing is for the re-zoning.
 - i. Timber Bay requesting to rezone 907 E Highway 48, PID 65-106-2-37-10-25-5 05-002-003010 and 65-106-2-37-10-25-4 01-000-004000 from R-1 Residential to C-1 Commercial. ---No public comments received.
 - ii. Jennifer Linville requesting to rezone 200 W Elm, PID 65-106-2-37-10-25-5 15-577-770000 and 65-106-2-37-10-25-5 15-577-770500 from C-1 Commercial to R-2 Multi-Family Residential. -Jennifer attended via Teams meeting. She is hoping to put 2 small Airbnb cabins on the property. No further public comment received.
 - iii. Linda Zillmer requesting to rezone 302 W Elm Ave, PID 65-106-2-37-10-25-5 15-577-772500 from C-1 Commercial to R-2 Multi-Family Residential. -Zillmer stated that her lot and the lots around her were originally zoned residential but were changed to Commercial during the initial Comprehensive Plan. Zillmer commented that the road can't sustain Commercial traffic due to safety issues with the children living on that street. LZ feels that building homes on these lots would be more beneficial to the Village. She stated that the Committee's action is to approve/disapprove the rezoning requests and she feels that everything on Elm Ave should be re-zoned residential on the future land use map. Beffa received a call from a property owner on Elm that is requesting to remain Commercial. Beffa also received a call from Sally Evitch stating that she would like to remain Commercial too. No further comments made.
 - iv. Gregory Nielsen requesting to rezone PD 65-106-2-37-10-25-5 15-576-750000 from CBD to R-1. Greg stated that he received an email giving him the option to have the

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property re-zoned for free. He would like to put a small shed on the lot. No further comments received.

3. Motion by VanGilder 2nd by Manning to Close Public Hearing. Carried 5-0.
4. Comprehensive Plan Update-Recommendations to the BOT.
 - a. Plan Commission recommendations on said above zoning changes to be included or excluded in the Village Comprehensive Plan 2024-2044.-
 - TimberBay is asking for a re-zone, so they don't have to do a Conditional Use in order to use the property for their intended purpose. A re-zone would make it consistent with the other properties in this area. Motion by VanGilder, 2nd by Parkos to make the change in the Plan Commission Comprehensive Plan for all Timber Bay property to be re-zoned as C-1 Commercial. Carried 5-0.
 - Linville-Darkow asked about the minimum lot size for building. Darkow asked if the plan is for 2 separate cabins and how this aligns with Residential zoning requirements. Beffa commented that she didn't think it would be wide enough for 2 cabins. VanGilder suggested the lots be combined. Manning commented that separately -they are non-buildable lots. Darkow asked if Jen could put 2 cabins on the lot if they are combined. Linville was told to contact Atwood for further clarification. Motion by Manning 2nd by VanGilder to make a recommendation not to re-zone from C-1 to R-2 on the 2 lots at this time. Carried 5-0. VanGilder stated that the BOT can change it after clarification from Joe Atwood and combination of the lots.
 - Zillmer-Beffa stated that this property would be within the Residential guidelines to build. Motion by Darkow, 2nd by Manning to make the recommendation to allow Zillmer-302 W Elm Ave to be changed from C-1 Commercial to R-2 Multi-Family Residential. Carried 5-0.
 - Nielsen-Beffa stated that this is a buildable lot. As a CBD a small business building could be built on it. CBD does allow for a Conditional Use to be given for a personal shed for storage. Beffa explained that there is a \$300 fee for the Conditional Use application. Manning commented that if you rezone- it would be an unbuildable lot. Motion by Manning 2nd by Boatman to make a recommendation to leave the lot as a CBD and to recommend not changing it to a R-1. Carried 5-0.
5. Industrial Park
 - a. Further discussion on future goals for the development of the industrial park.
 - i. Review MSA estimate of water and sewer infrastructure. VanGilder stated that Teresa (MSA) commented that the \$300,000 estimate from L&L was just for putting in the water line. VanGilder added that he feels this will end up being a million-dollar project. After the sale of land (Drost), the Village has around 6 acres available. Jen Linville stated that she has a couple of developers that are interested in the land, but they need some direction of what the Village's ideas are. Linville voiced her opinion about what she felt could be constructed in the Park. Linville added that a shortage of housing has caused a problem with workers in the Village. Parkos agreed but has reservations about spending that much money for water and sewer. Darkow commented that the taxpayers are already struggling and pretty soon they won't be able to pay their taxes. She added that developers used to come in and pay for the water and sewer to be installed and pass the cost onto the home buyer. VanGilder voiced concern about where we would get the

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money from and how we would pay it off. He added that the residents are already stretched too thin. Darkow commented that the small business owners can't afford to pay workers enough to be able to afford those homes. VanGilder stated that if we put in water/sewer and can't get it developed in 5-7 years, how would we pay for it. Darkow gave an example of the East Hills and how that was handled in the past. VanGilder added that we already have 2 TIDS-he feels that these cost the taxpayers money and doesn't want to get into that situation again. Discussion on local income vs housing costs. VanGilder stated he would like to see affordable apartments constructed. Darkow added that after the TID closes out in 2025, we can make changes at that point. Eric Barclay (MSA) stated that the Village doesn't own the land that would be needed to get utilities in. He suggested the Village contact Timber Bay to see about obtaining an easement or possibly purchasing some of their land. Barclay stated- land would be needed in order to connect and loop the water/sewer infrastructure. Darkow stated that we should contact Timber Bay now to see about an easement. Barclay discussed the process that needs to occur prior to installing utilities. VanGilder suggested adding the following to the Comprehensive Plan- purchasing of the land/easement, installing sewer and water and then determining if it is residential or industrial.

6. Vacate Right-of-Way

- a. Motion by VanGilder, 2nd by Parkos to approve Resolution 253-24 – and recommend it back to the Village Board. Carried 5-0
 - i. Public way to be discontinued is the right-of-way lying to the north of the road known as East Chetac Avenue between Lot 1 of Block 15 of the Original Plat of the Village of Birchwood, Wisconsin, and Lot 2 of Block 20 of the Original Plat of the Village of Birchwood all in the Southeast quarter of the Southwest quarter of Section 25 in Township 37N, Range 10W, Village of Birchwood, Washburn County, Wisconsin. The discontinued public way will be vacated, and the land awarded to Barry VanGilder and Chetac Haven, LLC.- Each get 33 feet.
- b. Motion by VanGilder 2nd by Parkos to approve Resolution 254-24-and recommend the resolution introduced by the Village Board to discontinue a portion of a public way declaring that since the public interest requires it, a public way is vacated and discontinued. Carried 5-0.
 - i. Public way to be discontinued is the right-of-way lying between Lots 7 through 12 of Block 22 of the Original Plat of the Village of Birchwood, Wisconsin and Block 23 of the Original Plat of the Village of Birchwood all in the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 25 in Township 37N, Range 10W, Village of Birchwood, Washburn County, Wisconsin. The discontinued public way will be vacated, and the land awarded to the School District of Birchwood.

7. Adjourn-Motion by Parkos 2nd by Boatman to adjourn. Carried 5-0.

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