

Village of Birchwood
101 N. Main Street
PO Box 6
Birchwood, WI 54817



Ashley Beffa
ashley@birchwoodvillagewi.com
Phone: 715-354-3300
Fax: 715-354-7500

The **Public Hearing and Plan Commission Committee** of the Village of Birchwood
Was held on **April 27th, 2026, 2026 at 6:00 pm**
at the **Birchwood Village Hall, 101 N Main St, Birchwood, WI 54817**

MINUTES

Pledge of Allegiance-Recited

Roll call: **Present:** B. Darkow, P. Parkos, S. Roppe- **Absent:** B. Boatman, and G. Hayes

Public Notice: Posted at the Birchwood Post Office, Village Hall, Pioneer Market & Deli and Village Website

Public Comments – Limit 3 minutes (on agenda items only) Linda Zillmer requested the Zoning Administer to identify residential properties in the Village that are allowing camping. Zillmer commented that the older Conditional Use and list of notified neighbors within 10 ft of the property line was not included in the packet. She added that the Ordinance requirement was not met because the neighbors were notified by mail and she suggested rescheduling the meeting. Atwood stated to his knowledge the ordinance on Muni Code states a Class 2 notice needs to be given and the Village **could** supplement the Ordinance requiring neighbors to be notified.

AGENDA ITEMS:

1. Motion by Parkos, 2nd by Roppe to approve current agenda. Carried 3-0.
2. Darkow called the Public Hearing to Order –
3. 2023-2024 Comprehensive Plan Zoning Map Correction
The correction concerns Parcel ID 29579, located at 102 N Wilson St, which is currently shown as R1 on the Comprehensive Plan map. The adopted 2002 Comprehensive Plan designates the property as C1 (Commercial). The proposed action corrects this mapping error and does not change land use policy or zoning-
 - a. Public Comments on Correction to 2023-2043 Comprehensive Plan Zoning Map-No public comment noted.
 - b. Motion by Darkow 2nd by Roppe to recommend approval of the zoning map correction changing the property from R1 to C1 to the Village Board. Carried 3-0.
4. Conditional Use – 700 N Knapmiller
(Jeff & Lynn Brewer / Dave Cecil Builders, Inc.)
Proposed conditional use permit for razing an existing structure and constructing a new single-family residence with an attached garage, including review of filling and grading activities subject to Village zoning requirements.
 - a. Presentation of request by property owner or representative-Lynn Brewer explained that they bought the property in 2021 and the house is inhabitable. They want to tear it down and build a single-family home so they can retire to Birchwood.
 - b. Public comments regarding the conditional use application- Zillmer commented that they need to follow all the rules without needing a variance. Village utilities need to also be accessible to Public Works.

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

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- c. Motion by Roppe, 2nd by Parkos to approve the Conditional Use request from Jeff & Lynn Brewer. Carried 3-0.
5. Conditional Use – Birch Lakes RV Park
(Birch Lakes RV Park – 100 & 102 N Wilson St)
Proposed conditional use permit amendments related to campground facilities and accessory structures, including screened porches, sheds, and individual fire pits.
 - a. Bob Longacre explained that Birch Lakes Resort is changing their campground to condos which may result in new campers in the Village. Currently, the decks can be 8 ft wide and set-back 3 ft from the end- unless there is an escape door. Bob would like to have the same conditions as Birch Creek RV Park. Bob would also like to be approved for fire rings- in case they want to install them in the future. His sheds are currently 7x7 and he'd like to go to 10 x 10.
 - b. Public Comments on Conditional Use-Zillmer voiced her objection to this hearing due to lack of notice to neighbors. She commented that the Conditional Use already specifies a size deck. She is against multiple fire pits in a residential area because of smoke.
 - c. Darkow commented that Birch Creek RV Park is larger than Birch Lakes. Discussion on fire ring size. Darkow stated that the conditions will be the same as Birch Creek. Screened porches are not attached and don't need a permit. Darkow explained that the set conditions can be appealed and the BOT can also deny the recommendations. Motion by Darkow, 2nd by Parkos to recommend approval or denial on amendments on individual fire pits, 10 x 10 sheds, and screened porches to the Village Board. Carried 3-0.
6. Conditional Use – Birch Creek RV Park
(Birch Creek RV Park - 501 Wise Road)
Proposed conditional use permit amendments related to campground facilities and accessory structures, including shower house, storage sheds, and screened porch features. Previous conditional use permit request expired.
 - a. Owner to present to public-Dulian asked Longacre to speak on his behalf. Plans were given with the dimensions, etc.
 - b. Public Comments on Conditional Use-Linda Zillmer reiterated her objection to the Village not following Ordinances by notifying neighbors in writing. Zillmer argued that the campgrounds should follow the rules of the original Conditional Use and have no Screened porches. Zillmer voiced concern over the shower house because it was originally going to be a utility building. Darkow explained that it is a storm shelter/storage/and rental unit combined.
 - c. Plan Commission discussion and motion to recommend approval, approval with conditions, or denial of the conditional use permit amendments to the Village Board. Darkow explained that per Atwood, it follows all setbacks and building permits. He is requesting 10 x 10 sheds. Motion by Roppe, 2nd by Parkos to recommend approval to the Board for the shower house and Conditional Use for the 10 x 10 sheds and screened in porches on the decks. Carried 3-0
7. Motion by Roppe, 2nd by Parkos to close the Public Hearing. Carried 3-0.
8. Darkow called the Plan Commission Committee Meeting to order at 6:35.
9. Birch Creek RV Park-Darkow stated nothing needs to be done with 9. No action.
 - a. Plan Commission to review and to approve or deny Land Use application for shower house.

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10. Raze Building - Follow Up-Darkow explained that the Board prioritized the houses that needed to be taken care of first.
 - a. 119 E Park Ave-J. Atwood explained that this property is down to foundation. Due to road bans and rain, the excavator will come back to finish the foundation with fill. Atwood is following. Joe explained that if the property owner tears the house down, no asbestos testing is needed.
 - b. 309 W Cedar Ave- Atwood explained that the property owner is cleaning out the house to prepare for demo. Atwood explained that there is a process that is being followed to ensure continued progress. Atwood explained that we are waiting on the attorney to discuss timeline and letter to be sent.
11. Vacant Housing Program- The Plan Commission discussed the draft vacant building registration ordinance intended to address safety, maintenance, and accountability for vacant buildings. Darkow explained that there is a process that needs to be followed with ordinances and resolutions to enforce the program. She added that Atwood needs permission from the owner to inspect the property or will need to go to court to gain a special inspection. Atwood will determine if the house needs to be razed or can be repaired. Darkow explained the different categories of abandoned, vacant or seasonal homes. Joe Felt voiced concern over the fact that he complained about this over a year ago and he doesn't feel like any progress is being made. He presented a policy that is used by the city of St. Paul to charge an annual fee for vacant properties. Felt commented that the Village can't afford to raze houses because they aren't charging anything to people who have abandoned homes. Felt stated that he has an abandoned property on each side of his property. Darkow commented that the Village is trying to start this program, but there is a legal process that needs to be followed. The Village can't just go into properties without permission. Felt continued to voice concerns on this matter. Darkow explained that the Village can't afford to just raze a bunch of properties. Felt feels like the property owners should pay a fee for these vacant/abandoned properties. Darkow stated that the attorney informed the Village that \$2000 is not a reasonable fee. Atwood stated that Balsam Lake charges \$2500/year and suggested the Village contact the attorney again. Parkos added that all communities have vacant homes. Roppe suggested revisiting the annual fee for abandoned/vacant properties. Felt stated that it is easy to determine a vacant vs a seasonal property. Darkow stated that the Village will come up with a fee schedule that is fair and approved by our attorney. Felt voiced concern over Jim Schmitz's buildings and the sale of the Lion's Club property. Roppe inquired if there are different rules for people that buy houses to rent and then don't follow through. Parkos added that the Village is moving forward with the process, but it needs to be legal. Darkow read Plan Commission Resolution No. 282-26. Motion by Darkow 2nd by Parkos to approve Plan Commission Resolution- No 282-26 and present it to the Board. Carried 3-0.
12. Plan Commission Resolution – 281-26 Relating to Animal Feces and Animal Littering
 - a. Discussion and recommendation on possible amendment to Animal Waste Ordinance (Sec. 4-123) to determine whether amendments are needed to address waste deposited on public roadways, including waste generated by animal-drawn vehicles. Darkow tabled until more information and clarification is obtained.
13. Darkow brought back the Conditional Use permit for fire pits. Zillmer commented that Birch Creek is not in town and has a larger campground. She added that neighbors did not want smoke from fire pits in town. Joe Atwood interjected that the meeting was laid out wrong. The Public Hearing should have been opened and closed. The regular meeting should have been open after that. The Committee made the

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decisions during the public hearing instead of during the meeting. Darkow stated that the Board makes the final decision. Discussion on meeting structure. Zillmer commented that there is flow chart for the meetings.

14. Adjournment-Motion by Roppe 2nd by Parkos to adjourn. Carried 3-0.

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