

Special Board of Appeals Hearing



April 16, 2026 - 4:00 PM
New Berlin City Hall
Council Chambers
3805 S. Casper Dr.

Posted this 11th day of April 2026

NOTICE OF HEARING

**Re: Milwaukee Rescue Mission - New Journey Building Proposal
Board of Appeals Application filed by NEW BERLIN NEIGHBORS UNITED, U.A.
(also referenced in filings as New Berlin Citizens United, U.A.)**

Please note: This hearing is limited solely to the issue of whether the appellant qualifies as an aggrieved person with standing to proceed with the appeal. As described below, testimony and evidence will be received; however, all testimony must be relevant to that issue. Testimony regarding the merits of the underlying proposal will not be considered.

The Board of Appeals reserves the right to modify the order of business or adjourn the hearing based on legal or procedural developments, including any pending court action.

- 1. CALL TO ORDER, PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. PROCEDURAL ISSUES**
 - A.** Counsel will be provided an opportunity to raise procedural issues for the Board's consideration, which may include arguments to adjourn to a later date, and the Board may rule on such matters.
- 4. REVIEW OF HEARING PROCEDURES**
 - A.** Explanation of the quasi-judicial nature of the proceeding, including testimony procedures, rules of evidence, expectations for conduct, and the process for submission and consideration of exhibits.

All testimony and evidence must be relevant to the issue of standing. The Chair may limit or exclude testimony that is not relevant to this issue. The Chair may impose reasonable time limits to ensure an orderly and efficient proceeding.
- 5. STATEMENT OF THE CASE BY THE CHAIR**
 - A.** Summary of the appeal and clarification that the issue before the Board is limited to standing/aggrieved person status.
- 6. APPELLANT'S CASE-IN-CHIEF**

- A. Presentation by New Berlin Neighbors United, U.A. (also referenced as New Berlin Citizens United, U.A.), including testimony, witnesses, and submission of evidence relevant to the issue of whether the appellant has standing/aggrieved person status.
- 7. PRESENTATION BY OTHER PARTIES, INCLUDING PLAN COMMISSION AND PROPERTY OWNER**
- A. Presentation of testimony, witnesses, and evidence by other parties to the appeal, including the Plan Commission and/or property owner, in accordance with established procedures and relevant to the issue of whether the appellant has standing/aggrieved person status.
- 8. APPELLANT REBUTTAL**
- 9. REBUTTAL BY OPPOSITION**
- 10. QUESTIONS FROM THE BOARD OF APPEALS**
- 11. CLOSE OF EVIDENTIARY PORTION OF HEARING**
- 12. DELIBERATION BY THE BOARD OF APPEALS IN CLOSED SESSION - IF NECESSARY**
- A. The Board of Appeals may convene in closed session pursuant to Wis. Stat. §19.85(1)(g), for the purpose of conferring with legal counsel regarding litigation or legal strategy concerning its determination on preliminary procedural issues.
- 13. RECONVENE IN OPEN SESSION - IF APPLICABLE**
- A. The Board of Appeals will reconvene in open session and may take such action as it deems appropriate on the matters discussed in closed session.
- 14. ACTION**
- A. Discussion and possible determination regarding whether the appellant meets the legal standard as an aggrieved person with standing to proceed with the appeal.
- 15. RECORD FOR PURPOSES OF APPEAL**
- A. If applicable, legal counsel for the Appellant, Plan Commission, and Property Owner will be provided an opportunity to speak concerning the record for purposes of appeal, and the Board may make a determination.
- 16. ADJOURN**

Additional Information

- The agenda packet, including supplemental information related to agenda items, is available online at www.NewBerlinWI.gov. Once finalized by the governing body, approved meeting minutes will also be posted online.
- Agenda items may be taken out of order at the governing body's discretion.
- Members, and possibly a quorum, of other municipal governmental bodies may attend this meeting to gather information. However, no action will be taken by any governmental body other than the one referenced in this notice.
- Accommodations will be provided under the Americans with Disabilities Act (ADA) to meet the needs of individuals with disabilities. If you require assistance or appropriate aids and services, please contact the Office of the City Clerk at (262) 786-8610 with reasonable notice.