

Board of Appeals Meeting Agenda



May 20, 2026 - 5:00 PM
New Berlin City Hall Council Chambers
3805 S. Casper Dr., New Berlin, WI 53151

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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: The Board of Appeals reserves the right to modify the order of business or adjourn the hearing on legal or procedural developments.

Notice of Closed Session: The Board of Appeals may adjourn into closed session from time to time during the meeting, pursuant to Wisconsin Statutes § 19.85(1)(g), for the purpose of conferring with legal counsel regarding litigation or legal strategy concerning its determinations on motions made or other issues arising during the meeting, and/or pursuant to Wisconsin Statutes § 19.85(1)(a) to deliberate concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before the Board of Appeals.

AGENDA

1. **Call to Order, Pledge of Allegiance**
2. **Roll Call**
3. **Procedural Issues**
 - A. Counsel will be provided with an opportunity to raise procedural issues for the Board's consideration, which may include arguments to adjourn the meeting to a later date, and the Board may rule on such matters.
4. **Review of Hearing Procedures**
 - A. The Board of Appeals Chair will provide an 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.
5. **Statement of the Case by the Chair**
 - A. The issue before the Board of Appeals is limited to whether the City of New Berlin Plan Commission erred on December 8, 2025, in finding the use of the subject property by Milwaukee Rescue Mission – New Journey as proposed is a permitted use per applicable laws.
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 whether the City of New Berlin Plan Commission erred on December 8, 2025, in finding the use of the subject property by Milwaukee Rescue Mission – New Journey as proposed is a permitted use per applicable laws.

7. Presentation by Other Parties, Including Plan Commission and Property Owner

- A. Presentation of testimony, witnesses, and submission of 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 City of New Berlin Plan Commission erred on December 8, 2025, in finding the use of the subject property by Milwaukee Rescue Mission – New Journey as proposed is a permitted use per applicable laws.

8. Appellant Rebuttal

- A. The Board of Appeals may allow the Appellants to offer brief non-repetitive rebuttal testimony, strictly limited to issues raised by the testimony provided by other parties.

9. Surrebuttal by Opposition

- A. The Board of Appeals may allow the Plan Commission and/or property owner to offer brief non-repetitive surrebuttal testimony, strictly limited to issues presented by Appellant's rebuttal.

10. Appellant Legal Argument

- A. Legal counsel for the Appellant will be given an opportunity to provide legal argument and/or summation on the issue of whether the City of New Berlin Plan Commission erred on December 8, 2025, in finding the use of the subject property by Milwaukee Rescue Mission – New Journey as proposed is a permitted use per applicable laws.

11. Plan Commission Legal Argument

- A. Legal counsel for the Plan Commission will be given an opportunity to provide legal argument and/or summation on the issue of whether the City of New Berlin Plan Commission erred on December 8, 2025, in finding the use of the subject property by Milwaukee Rescue Mission – New Journey as proposed is a permitted use per applicable laws.

12. Property Owner Legal Argument

- A. Legal counsel for the Property Owner will be given an opportunity to provide legal argument and/or summation on the issue of whether the City of New Berlin Plan Commission erred on December 8, 2025, in finding the use of the subject property by Milwaukee Rescue Mission – New Journey as proposed is a permitted use per applicable laws.

13. Questions from the Board of Appeals

14. Close of Hearing

15. Deliberation by the Board of Appeals in Closed Session - If Necessary

- A. The Board of Appeals may adjourn into closed session pursuant to Wisconsin Statutes § 19.85(1)(g), for the purpose of conferring with legal counsel regarding litigation or legal strategy concerning its determinations of issues arising in the hearing, and/or pursuant to Wisconsin Statutes § 19.85(1)(a) to deliberate concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before the Board of Appeals.

16. Reconvene in Open Session - Possible Action

- 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, which may include rendering a decision in the matter.

17. Adjournment

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.