

# Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING  
MINUTES OF MONDAY, MARCH 13, 2006  
Unofficial until approved by the Village Board  
Approved as written ( ) or with corrections ( ) on

A public hearing to hear comments regarding the proposed revisions to Building and Zoning Code Section 5.10 Unsafe and Blighted Buildings; Section 5.20 Swimming Pool Regulations; Section 5.22 Lighting Ordinance; Section 6.02 Intent; and Section 6.05 Residence District Regulations was called to order at 7:00 p.m.

President Styza gave a brief overview of how the proposed changes came to light and the time and manner in which the committee was formed to study the aforementioned codes and possible revisions.

Attorney Krutz then gave a summary of each of the proposed code changes:

Section 5.10 – The change is to give both the Village Administrator and Building Inspector authority in this issue.

Section 5.20 – sub 2 (a –d) are new sections and sub 5 (drainage is new)

Section 5.22 – new ordinance on lighting

Section 6.02 – change is to expand on intent (sub 10), what's new is last 2 ½ lines of sub 10

Section 6.05 – Two major changes: regulation of larger homes (over 13,000 sq ft) side yard set backs and lot area requirements.

There was some discussion to clarify some of the lighting issues, and members of the public, as well as some of the board members felt that a separate ordinance should be written to address above ground pools. Trustee Harkness asked that going forward all changes should be presented alongside the original language of the ordinance in order to more clearly view the changes. There being no further comment from interested citizens present, the Public Hearing was closed at 7:50 p.m.

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:50 p.m. on Monday, March 13, 2006, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media were met. The following were in attendance:

Mr. Styza / President – present

Mr. Foote / Trustee – present

Ms. Villavicencio / Trustee – present

Mr. Gehl / Trustee – present

Mr. Harkness / Trustee – present

Dr. Tyre / Trustee – present

Ms. Seidel / Trustee – absent

Mr. Krutz / Village Attorney – present

Mr. Douglas / Administrator -Police Chief – present

Ms. Zimdars / Clerk-Treasurer – present

## **Attendance**

Tom Rolfs

Brian Nahey

Lisa Yewer

Dick Seaman

Paul Villavicencio

**Chenequa Foundation Board to address the Village of Chenequa Board of Trustees.**

Mr. Seaman came before the board and presented an overview of the Chenequa Foundation. He asked for help from the Board in finding worthy projects that would excite donors.

**Public comment period.**

None.

**Consider approval of proposed ordinances:**

**Section 5.10 Unsafe and Blighted Buildings.** President Styza suggested the Board could either vote on the ordinance changes that evening, or move them to next month for further consideration. Motion (Tyre, Gehl) to adopt ordinance 5.10 as presented by the Building Zoning Ad-Hoc Committee, *Carried Unanimously*.

**Section 5.20 Swimming Pool Regulations.** Trustee Foote asked that this ordinance be sent back to the committee to be cleared up. Attorney Krutz questioned Brian Nahey if he had clear direction of where they should be doing the revising. Mr. Nahey responded that he sees above ground pools as a totally different issue. Committee member Rolfs agreed. It was then suggested that the 5.20 code be re-titled to indicate it was for in-ground pools only. President Styza then clarified that the committee would like the present code voted on as is, and will review a separate section for above ground pools. Trustee Harkness stated he was against the ordinance based on principles, and thought the existing ordinance was just fine as it was. Trustee Tyre said he was against any kind of language that restricted the type of pool to be built. Mr. Nahey then said that the issues that were addressed by the committee were only the issues told to the committee. He noted that screening was the biggest issue. The committee worked on clarification of screening and discharge from the pool. Trustee Foote asked Trustee Harkness to comment on why the ordinance contradicts his idea of principle. Trustee Gehl then suggested the main question was if we want pool fences screened. Trustee Tyre said we have no business telling people what they can and cannot do, and in principle he was opposed to overly restrictive rules. Trustee Villavicencio said she didn't feel it was overly restrictive, and that housing should be required to help quiet the noise of pool motors, and store pool equipment. She also clarified that only items 2 & 5 are new, and all the rest is existing language in the code. President Styza then told the board the swimming pool ordinance would be held over until the next meeting.

**Section 5.22 Lighting Ordinance.** Trustee Tyre moved for this to go back to committee. Trustee Villavicencio suggested that the 15 foot cone needed clarification as well as the issue of light trespassing. Trustee Foote said he was very much in favor of the notion of a nuisance, and that he thought a 15 foot cone was too restrictive. Trustee Gehl said this ordinance was the best to date, and that everything should be scratched after the word pier in line 2 of the proposed ordinance. He felt items 1 and 3 were fine as written.

**Section 6.02 Intent, and Section 6.05 Residence District Regulations.** President Styza said we know we can't keep churches, schools, etc., from coming into the village, but if they do desire to come in there should be specific guidelines. These recommended requirements are requirements they can work through. Trustee Tyre said he was troubled with references made with criteria not known and arbitrarily imposing height restrictions for steeple height. He said he felt steeple height should be what is usual and customary. He felt the environmental concerns were legitimate. Attorney Krutz explained he drew on other communities to come up with some of the language in these ordinances. He pointed out that page 4 instructs applicants to come in early to hold preliminary discussions with the Village Zoning Administrator and the Village Building Inspector as to the application process, and agree to conditions of that process. Trustee Foote said that this was not intended to restrict any one from coming into the village but rather how can they be constrained so they aren't inconsistent with the philosophy of the village. Attorney Krutz pointed out that this situation is unique because there is only 1 zoning code that covers the entire village. Trustee Gehl said he felt the regulations as proposed are straight forward, simple, and reasonable, and that is not always the case with other communities. Trustee

Foote questioned how this conditional use would affect access to the lake, and pointed out that if a church wants to put a ramp and have every church member use the ramp to go to Pine Lake, we have nothing preventing that. There is nothing that prevents the Chenequa Country Club from putting in a ramp from a village standpoint, so then the decision would be left to the DNR to regulate. It was suggested that further discussion in the future should be had regarding lake access from potential conditional use applicants in the future. Motion (Harkness, Villavicencio) to adopt section 6.02, Intent, and section 6.05 Residence District Regulations to the village code, Carried Unanimously.

**Approve Minutes of the February 13, 2006 Board Meeting**

Motion (Harkness/Foote) to accept the minutes of the February 13, 2006 Board Meeting. Carried Unanimously.

**Clerk/Treasurer – Present Invoices for approval; report on investment activity.**

Motion (Harkness/Villavicencio) to approve payments as presented, Carried Unanimously. Investment activity was reviewed by the Board, and no action was required.

**Committee Reports**

*Public Safety* – No report

*Operations* – No report

*Plan Commission* – No report

*Open Space* – No report

*Board of Appeals* – No report

*Personnel Committee* – No report

*Hwy 83 Task Force* – Administrator Douglas got a verbal this week that Chenequa's section of Highway 83 will not be done in 2006 - it has now been pushed out to 2007. He also reported that the study of the Hwy 83 corridor is complete, and no communities have signed on to contribute matching funds as the state has requested.

*Emergency Government Committee* – Administrator Douglas said the County Director has retired, and the new director will likely impose new policies/procedures.

*Internet Ad Hoc Committee* – Administrator Douglas informed the Board that Netwurx is up and operational. Trustee Foote noted that he can't pick it up yet.

*Building Zoning Ad Hoc Committee* – Meeting scheduled for March 22nd

**Closed Session**

Motion (Harkness/Foote) to adjourn to closed session at 9:00 p.m. pursuant to Wis. Stat. 19.85(1)(g) to confer with Village Attorney regarding strategy and options for litigation in which the Village is likely to become involved as they relate to the proposed well at Hwy 83 and Hwy 16. Voice Vote: Gehl (aye) Tyre (aye), Foote (aye), Villavicencio (aye), Styza (aye), Harkness (aye). Carried Unanimously.

**Reconvene into open session for the purpose of taking any and all action necessary, arising out of the closed session.** Motion (Foote, Villavicencio) to reconvene into open session at 9:15 p.m., Carried Unanimously.

The village is anxiously awaiting information from the City of Delafield as requested due to our ongoing concern regarding the integrity of our lakes.

**Review and consider resolution to apply for grant from Wisconsin Waterway Commission for funds required for repairs to Pine Lake Boat Launch.**

Motion (Harkness/Gehl) to approve this resolution, *Carried Unanimously*.

President Styza then asked if it would be appropriate to ask the Chenequa Foundation to fund the repairs to the launch. He also stated he had asked Attorney Kurtz to draft instructions to Ruekert-Mielke. Attorney Krutz said the draft put a cap on the project costs, and also requested a definition of the scope of services offered in this agreement.

**Review and Consider additional appointment to the Board of Election Inspectors.**

**Nevin Van Antwerpen.** Motion (Tyre/Villavicencio) to add the name of Nevin Van Antwerpen to the list of Election Inspectors for the Village, *Carried Unanimously*.

**Report of Village Administrator**

Village Administrator Douglas reported there are currently maintenance issues with the old copper gutter system on the village hall. He stated that rubber patching had been done ten years ago, and there may be soffit damage. The village is currently getting bids from contractors for the repair work that needs to be done. He also reported that a total of 53 deer had been taken so far this year and there a few weeks left this session and the stands are being moved to new locations.

**Report of Village President**

None.

**Report of the Village Attorney**

None.

**Any new business.**

None

**Adjournment**

President Styza adjourned the meeting at 9:22 p.m.

Respectfully submitted by:

Approved and Ordered Posted by:

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Bonita Zimdars  
Clerk/Treasurer

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Bryce Styza  
Chenequa Village President