



AGENDA
Village of Chenequa
Monday, August 11, 2025
31275 W County Road K, Chenequa, WI 53029

This is official notice that the regular monthly meeting of the Village Board of Trustees for the Village of Chenequa will be held immediately following the Plan Commission meeting, on Monday, August 11, 2025, in the Village Board Room and via Zoom Communications. The following matters will be discussed, with possible actions:

Call to Order
Pledge of Allegiance

1. Public comment period: *Public comments on any subject without any action, except possible referral to a governmental body or staff member.*
2. Approval of minutes from the Village Board meeting on July 14, 2025, and comments from August 4, 2025.
3. Approval of Invoices.
4. Discussion with possible action/direction, Ordinance No. 08-11-2025-01, An Ordinance amending and restating Village code section 8.24 care of tree, shrubbery, plant, or ground cover.
5. Report – Forester.
6. Report – Captain.
7. Report – Village Administrator.
8. Report – Village President.
9. Report – Village Attorney.
10. Report – Clerk – Treasurer.
11. Agenda items to be considered for future meetings.
12. Adjournment.

Respectfully submitted by:
Deanna Braunschweig
Village Clerk – Treasurer

To participate via Zoom:

<https://us02web.zoom.us/j/85347730099?pwd=vPzCsjTv9CC4d4tF1S8B1YXqsHDLzs.1>

Meeting ID is 853 4773 0099 and the Passcode is 248892

Or Dial: 646 931 3860 US

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Administrator with as much advance notice as possible. It is possible that members of and possibly a quorum of members of the Village Board or other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any other governmental body except by the governing body noticed above.

NOTICE OF POSTING TO VILLAGE HALL BULLETIN & WEBSITE

Village Clerk posted this agenda on Wednesday, August 6, 2025 by 4:30 PM

VILLAGE BOARD MINUTES
VILLAGE OF CHENEQUA

VILLAGE OF CHENEQUA - VILLAGE BOARD MINUTES
OF MONDAY, July 14, 2025
Unofficial until approved by the Village Board.
Approved as written () or with corrections () on _____.

A meeting of the Village Board of Trustees was held on Monday, July 14, 2025, at 7:01 p.m. utilizing Zoom Communications and in person.

Ms. Villavicencio / Village President – present
Ms. Manegold / Trustee – present
Mr. Pranke / Trustee – present
Ms. Gehl Neumann / Trustee – present
Mr. Grunke / Trustee – present
Ms. Luther / Trustee – present
Mr. Kubick / Trustee – absent
Mr. Gartner/ Village Attorney Representative – present
Mr. Lincoln / Zoning Administrator-Forester - present
Mr. Carney / Administrator-Police Chief – present
Mr. Anderson / Police Captain – absent
Ms. Braunschweig / Village Clerk – present

Call to Order

Pledge of Allegiance

Public in Attendance

Andrew Kissel, Sue Touchett, Tom Touchett, Judy Hansen, Rob Manegold, Ted Rolfs, Heidi von Hagke, Tim Fredman, Ted Davis, Deputy Fire Chief Tony Wasielewski, Pete Feichtweist, George Rolfs, David Moore, Grant Moore, Alan Enters, Julie Rolfs, John Conard, Scott Byron, Jim Angle, Debbie Wheeler, Melissa Myers, Andy Ziegler, Carlene Ziegler, Fred Wilson, Elliot Flaws, Rob Manegold, John Leonard, Dan Geenen, Carol Geenen

Public Comment

President Villavicencio read a prepared statement allowing for public comments of two minutes or less.

George Rolfs reported clear cutting on Hwy 83 of red oaks by uncertified arborists.

Ted Rolfs commented in support of the Ziegler project. He commented to enforce ordinances and for Village Officials to get involved with enforcement.

Ted Rolfs commented against the Village Fire Works Ordinance, insurance requirement, and number of permits per year. He commented that the ordinance does not work for residential property. He commented of those that fired fireworks without a permit.

Debbie Wheeler commented against the Village Fire Works Ordinance, number of permits per year.

Debbie Wheeler commented on dark boat house doors and boat house lights that should be off when not in use. She commented that there is not a boat house ordinance.

Julie Rolfs commented she is upset of the clear cutting. She commented in support of a tree ordinance. She commented concern boat house that is so bright from her pier and showed a picture.

Heidi von Hagke commented on an ordinance review committee. She commented against clear cutting. Heidi von Hagke commented in support of the tree ordinance.

Ted Davis commented against the fireworks. He commented to allow fireworks for one day, from noon-end of day, on fourth of July.

Approval of minutes from the Village Board meeting on June 9, 2025.

Motion (Grunke/Gehl Neumann) to approve the minutes from the Village Board meeting of June 9, 2025, as presented. *Motion carried.*

Approval of Invoices.

Motion (Luther/Manegold) to approve the invoices, as presented. *Motion carried.*

Village President announced to take items out of order and move Item 12 up in the agenda.

Review and consider action on Ordinance 2025-07-14-01, Amending Section 8.27, Regulating Fireworks, specific to fee per application and limiting the number of events.

Police Chief / Administrator Carney commented on the fireworks process and introduced the item.

Deputy Fire Chief Tony Wasielewski reported and advised of the difference between consumer and professional fireworks and reported on professional fire grade fireworks and the regulations to be followed and the permit required with setbacks from structures for safety zones.

Discussion ensued of the requirements of the person storing, displaying, digital map from GIS, list of fireworks, safety zone, consumer fireworks distance as 150 feet distance from a shelter.

There was one professional permit issued to a professional company for Pine Lake fireworks this year. Debbie Wheeler's permit was for three days and these were consumer fireworks.

Discussion ensued to keep residents and property safe. Discussion continued that until the board meets to limit the permit to three days as there was concern for an application for a permit for every day. Discussion ensued of the timeframe of the start of the fireworks and the insurance language.

Discussion ensued for the fee to be per permit/application, not per day. Discussion ensued of the application lead time of fourteen days. Discussion ensued to give notice to adjacent neighbors.

Discussion ensued that cannons are considered fire arms not fireworks.

Discussion ensued of the time frame allowed for fireworks. Discussion ensued that the additional insured covers the Village as a whole.

Attorney Gartner advised that the insurance requirements are consistent with insurance language as additional insured and there are insurances available that are just for that one day. The language is not atypical.

Discussion ensued that to allow fireworks there needs to be an ordinance.

There were no complaints on July 4th, this year.

Discussion ensued of the start time, number of days, additional insurance, and permit fee.

Discussion ensued of the time frame to allow fireworks as, 3 p.m. – 10:30 p.m. Discussion ensued that Independence Day, Holiday, is different and to allow a longer time period. Discussion ensued to allow consumer fireworks from 8 a.m. – 11:00 p.m. Discussion to allow Professional fireworks from 8 a.m. – 11:00 p.m. on Independence Day and from 4:00 p.m. – 11:00 p.m. on non-Independence day events.

Discussion concluded to cap the number days you can have a permit to three days per year, not including Independence Day, and \$100 per application, with special circumstances to be approved by the Village Board.

Attorney Gartner advised he would draft the ordinance with blanks.

Discussion ensued of how to review complaints after the issuance of a permit.

Discussion ensued of the existing insurance language to remain.

There were no motions.

Review and consider action on a proposed landscape plan at 5964 N. Oakland Road submitted by Daniel and Carol Geenen. (Tax Key No. CHQV 0403977002)

The Plan Commission reviewed and recommended approval of the proposed landscape plan at 5964 N. Oakland Road submitted by Daniel and Carol Geenen. (Tax Key No. CHQV 0403977002).

Motion (Pranke/Manegold) to approve proposed landscape plan at 5964 N. Oakland Road submitted by Daniel and Carol Geenen. (Tax Key No. CHQV 0403977002)

Motion carried.

Review and consider action on proposed modifications to an existing single-family dwelling at 4667 N. Pine Meadows Lane submitted by Michael Kelly. (Tax Key No. CHQV 0734993003)

The Plan Commission reviewed and recommended approval of the proposed modifications to an existing single-family dwelling at 4667 N. Pine Meadows Lane submitted by Michael Kelly. (Tax Key No. CHQV 0734993003) conditional that the lighting is compliant with the current ordinance. *Motion carried.*

Motion (Grunke/Pranke) to approve proposed modifications to an existing single-family dwelling at 4667 N. Pine Meadows Lane submitted by Michael Kelly. (Tax Key No. CHQV 0734993003) *Motion carried.*

Review and consider action on a proposed retaining wall reconstruction at 6142 N State Road 83 submitted by WB Lake Properties II LLC. (Tax Key No. CHQV 0397996)

The Plan Commission reviewed and recommended approval of the proposed retaining wall reconstruction at 6142 N State Road 83 submitted by WB Lake Properties II LLC. (Tax Key No. CHQV 0397996)

Discussion ensued of a buffer zone along the sea wall section that addresses the steep drop. Discussion ensued of plantings above that. Discussion ensued of contemplated buffer. Design shows a landscape buffer with mulch and during construction have silt fence as required by ordinance. Attorney Gartner advised the code allows stairs. Discussion ensued to minimize drainage into the lake.

Motion (Pranke/Manegold) to approve proposed retaining wall reconstruction at 6142 N State Road 83 submitted by WB Lake Properties II LLC. (Tax Key No. CHQV 0397996) and minimize drainage into the lake. *Motion carried.*

Review and consider action on a proposed pool house with pool at 31795 W Muscovy Road (Lot 2) submitted by 31795 Muscovy Road LLC. (Tax Key No. CHQV 0398999001 – Lot 2)

The Plan Commission reviewed and recommended approval of the proposed pool house with pool at 31795 W Muscovy Road (Lot 2) submitted by 31795 Muscovy Road LLC. (Tax Key No. CHQV 0398999001 – Lot 2)

Motion (Luther/Grunke) to approve proposed pool house with pool at 31795 W Muscovy Road (Lot 2) submitted by 31795 Muscovy Road LLC. (Tax Key No. CHQV 0398999001 – Lot 2) *Motion carried.*

Review and consider action on a proposed primary dwelling at 31795 W Muscovy Road (Lot 1) submitted by 31795 Muscovy Road LLC. (Tax Key No. CHQV 0398999001 – Lot 1)

The Plan Commission reviewed and recommended approval of the primary dwelling at 31795 W Muscovy Road (Lot 1) submitted by 31795 Muscovy Road LLC. (Tax Key No. CHQV 0398999001 – Lot 1). Discussion ensued of a parking area off the road and on site for the workers.

Motion (Manegold/Grunke) to approve proposed primary dwelling at 31795 W Muscovy Road (Lot 1) submitted by 31795 Muscovy Road LLC. (Tax Key No. CHQV 0398999001 – Lot 1). *Motion carried.*

Review and consider action on Resolution 2025-07-14-01, Authorizing execution of proposed agreement with 31795 Muscovy LLC, regarding Letter of Credit / Bond Agreement.

Motion (Grunke/Gehl Neumann) to approve Resolution 2025-07-14-01, Authorizing execution of proposed agreement with 31795 Muscovy LLC, regarding Letter of Credit / Bond Agreement. *Motion carried.*

Review and consider action on extraterritorial certified survey map to combine two parcels to construct a single-family residence, N56W30946 County Road K & N56W30970 County Road K, as requested by William and Jaclyn Rehm, (Tax Keys MRTT 0395-997 and MRTT 0395-998.

Motion (Manegold/Pranke) to approve proposed extraterritorial certified survey map to combine two parcels to construct a single-family residence, N56W30946 County Road K & N56W30970 County Road K, as requested by William and Jaclyn Rehm, (Tax Keys MRTT 0395-997 and MRTT 0395-998. *Motion carried.*

Review and consider action on proposed Public Works Mutual Assistance Agreement.

Motion (Grunke/Gehl Neumann) to approve Public Works Mutual Assistance Agreement. *Motion carried.*

Review of 8.24 Care of Trees, Shrubberv, Plants, and Ground Cover and redlined amendments.

Director Lincoln introduced the item and there is a red lined document in the packet.

Discussion ensued of holding a public meeting while residents are in the Village, separate from the board meeting, independent from the Village Board Meeting. Discussion ensued of holding a Village Board Presentation and to include clear cutting and oak wilt. Discussion ensued of having public education available. Discussion ensued to include what is proposed to be added in the notice and site where to find the current ordinances. Discussion ensued to email the notice to residents.

Lake Management Committee Presentation of usage of wake boats.

Debbie Wheeler commented that currently there are meetings about Wake Surfing and there are two lawsuits. Town of Scott and Town of Ottawa.

The Wake Boat issue was to post at the launch. There are 54 communities across the state banning wake boating covering over 400 Lakes.

Discussion ensued to wait for the legal landscape to become clearing. Wait until the state and litigation is resolved. Wait for the survey until litigation is resolved.

Discussion ensued could the Village restrict certain areas of the lake based on the depth. Discussion ensued that there are guidelines in place.

Report – Forester. Lake treatments were completed. Working on completion of exterior door.

Report – Captain. No report.

Report – Village Administrator. Lighting updates and replacements are complete, new aprons and asphalt is in place, and new roof is installed except for slate. There will be masonry work and maintenance of slate roof.

Report – Village Clerk Treasurer. No report.

Report – Village President. No Report.

Report – Village Attorney. No Report.

Agenda items to be considered for future meetings.

Discussion ensued of the boat house lighting to be dark or shaded. Attorney Gartner advised that if it is the existing zoning code the existing boat houses would be non-conforming.

Attorney Gartner advised that the ordinance would need to be reviewed and reference to the lighting ordinance. Discussion ensued that this is glass doors but cannot make those with existing glass change. The intent is the lights at night. Regulating interior lights are different than exterior lights. Discussion ensued of an ordinance committee.

Adjournment.

Motion (Grunke/Gehl Neumann) to adjourn at 8:45 p.m. *Motion carried.*

Respectfully submitted by:

Deanna Braunschweig
Village Clerk - Treasurer

Approved and Ordered Posted by:

Jo Ann F. Villavicencio
Village President

VILLAGE BOARD MINUTES
VILLAGE OF CHENEQUA

VILLAGE OF CHENEQUA - PUBLIC COMMENTS
OF MONDAY, August 4, 2025

Unofficial until approved by the Village Board.

Approved as written () or with corrections () on _____.

A meeting for residents to provide open comments in regard to the current tree ordinance, 6.9, Removal of Shore Cover and proposed ordinance amendments 8.24, for the Care of Tree, Shrubbery, Plant or Ground Cover was held on August 4, 2025, at 6:30 p.m. in person in the Village Board Room and via zoom.

Ms. Villavicencio / Village President – present
Ms. Manegold / Village Trustee – present
Mr. Pranke / Village Trustee – present
Ms. Gehl Neumann / Village Trustee – present
Mr. Grunke / Village Trustee – present
Ms. Luther / Village Trustee – present
Mr. Kubick / Village Trustee – present
Ms. Surles / Plan Commission Member – absent
Mr. Enters / Plan Commission Member – present
Ms. Benz / Plan Commission Member – present
Mr. Carroll / Plan Commission Member – present
Mr. Kriva / Plan Commission Member – present
Mr. Kesner / Village Attorney Representative – present
Mr. Gartner / Village Attorney Representative – present on-line
Mr. Lincoln / Zoning Administrator-Forester – present
Mr. Hagfors / Highway and Forestry - present
Mr. Carney / Administrator-Police Chief – present
Mr. Anderson / Police Captain - present
Ms. Braunschweig / Village Clerk – present

Call to Order

Pledge of Allegiance

Public in Attendance

Kristin Carroll, Nick Mallinger, Lisa Maas, Tom Touchett, Mark von Hagke, Heidi von Hagke, Avery Nunnally, Scott Brumder, Amy Brumder Nunnally, Bruce Gallagher, Guy Crane, Kathy Crane, Rob Foote, Michael Mitchell, Constance Mitchell, Debbie Wheeler, Julie Rolfs, William Luterbach, Paul Villavicencio, Julie Petri, Mark Petri, Cody Hagfors, Gordon Gunnlaugsson, Scott Harkness, Ted Stark, Amy Stark, Lillie Stark, Ted Rolfs, Melanie Kubick, Genevieve Harkness, Hillary Huscher, Anne Seidel, Bob Fiedler, Judy Hansen, Justin Huscher, Katie Brumder, Rob Manegold, Patrick Gallagher, Tom Van Heule

Public Comment

President Villavicencio read a prepared statement allowing for public comments of five minutes or less.

Residents may provide open comments in regard to the current tree ordinance, 6.9, Removal of Shore Cover and proposed ordinance amendments 8.24, for the Care of Tree, Shrubbery, Plant or Ground Cover.

Debbie Wheeler commented in favor of a tree ordinance. She commented that the proposed ordinance allows for tree cutting and she questioned enforcement. Debbie commented on protecting water quality and that tree canopy preservation should be stressed every year.

Julie Rolfs commented in favor of a tree ordinance. She commented against casual tree removal. She showed a map of the primary environmental corridor designation from 2014 SWRPC and read a portion of the report. She commented on the importance of a tree canopy.

Winn Hollister questioned the consideration of the legislation. He commented this as an example of encroachment of rights. He commented on growing issue of oak wilt and the predominant species is red oak. The best way to address oak wilt is to remove the infected trees. He commented the ordinance is an encroachment on private ownership rights. His property has approximately 52 red oak trees that need to come down due to oak wilt. This is infringement on personal ownership rights for a problem that is non-existent.

Robert Foote commented this is an infringement on property rights to have such a strict ordinance on trees. He commented on the over population of deer. Protect with a different form of removal of the deer. He would like to see better enforcement of the existing ordinance.

Rob Manegold commented that looking across the lake, he can see clear cut properties. What if someone has a large property and wants to farm it. He commented that there are several properties on Maple Lane with Red Oak Trees. He objected to the way the Village notified the residents of the meeting. The meeting was not mentioned in the newsletter.

Judy Hansen agrees with Rob Manegold that something needs to be done to cover the clear cutting and handle the red oak responsibly. All homeowners in the Village of Chenequa have a responsibility.

Tom Van Heule President of Oakland Road association. Spoke in favor of maintaining the tree line. Spoke in favor of maintaining the 75-foot set back and maintaining nature.

Stephanie Benz is looking for clarification of how much clear cutting is happening. There has not been an increase of clear cutting; why make an ordinance if there is not an issue. She commented in favor of additional education that can make an impact. Questioned how to handle additional permits. She would like more of a discussion rather than a formal meeting.

Justin Huscher questioned how the proposed ordinance would impact the budget and the costs involved. He questioned how promptly the permits would be issued.

Ted Rolfs commented overall he does not like ordinances; however, he is in favor of good ordinances and preserving the Village and corridor. He commented in favor of the Forestry Department and getting an expert opinion prior to cutting a tree. He commented in favor of the ordinance and that it needs to be stronger.

Mark Petri commented that the proposed ordinance is counterproductive as anyone that does not want to be regulated will not plant a tree. This will divert talent and advice from the Foresters for shoreline preservation. The ordinance will be significant drain on the Forestry Department. Mequon has a huge public works department. This will cost money. When conservation people discuss water quality; they advise that leaves in the lake will increase the phosphorus levels. He commented that Chenequa historically was a prairie. Who will plant a tree if they cannot cut it down? He commented on the private roads and questioned how to get a permit. He questioned shrubbery on the proposed ordinance and commented on buckthorn. Mark commented the proposed ordinance is gross overreach and not needed.

Paul Villavicencio commented that this is a solution looking for a problem. The Village has not had a problem with clear cutting. He commented that trees may be cut for building of a house, and then cutting down buckthorn. People take good care of their properties.

Large municipalities create the tree ordinances for development. The population in Chenequa has decreased and the number of households have decreased. The Village has approximately 2,300 acres of public and private land. Mequon has a large public works department. The Village has two in the Forestry Department.

Wisconsin legislature has strict limits on raising revenue. The Village has a hard time meeting financial obligations. The Village depends on the generosity of residents that donate to the Chenequa Foundation to fix buildings and equipment for the Police Department. He commented that the proposed ordinance is vast overreach. He commented that past pictures show that there was not a forestry years ago. There were farms purchased by the Village and is now all forest.

Bill Luterbach commented on trees that are hollow inside and need cut. He commented against the proposed ordinance and questioned when does it goes beyond to shrubbery, plants, and ground cover. Encouraging to cut because may not get to do it next year. Shrubby, plants and ground cover should be removed.

Spoke in favor of the Forestry Department and for a permit discussion. The proposed ordinance is micromanaging.

Julie Petri commented in favor of Cody Lincoln and Forestry Department. She commented she would not plant another tree.

Avery Nunnally commented no one likes to be told what to do; but this is for the health of environment. She spoke in favor of trees and a tree ordinance. She spoke with concern of the future and what could happen. She commented that sick trees should be cut down.

Hillary Husher commented on trees that she planted that were not seedlings. She commented against the ordinance. Policing where we do not need policing.

Gordon Gunnlaugsson commented against the proposed ordinance. The ordinance is offensive and intrusive and the focus should be on the deer.

Matt Carroll commented that infringing on property rights should be the last resort. Should have education and proactive discussion.

Scott Harkness was a past member of Plan Commission. He does not want to live in an HOA. The spirit of the Village is to communicate between neighbors. The contention years ago was not to see too much of the house. He is against the proposed ordinance. Years ago when there was trouble between neighbors; they talked and worked it out. The ordinance is heavy handed. He commented to defer until November 2026 and place as a referendum.

Ted Davis commented that this is an infringement of personal property rights. He commented on friends that had to get seven approvals to remove trees in a different state and community.

John Fritzke commented on past ordinances that limited your rights. He wanted to see pictures of the landscape in 1800s prior to settlers. John commented in favor of the ordinance. He does not want to wait until there is a problem.

John Paul Mesching commented of different dynamics of Chenequa and non-Chenequa. People are comfortable with the 75-foot setback. The Pine Lake residents seem ok with it. Remember that the trees and nature are there for a reason. He commented on aggressive cutting. He commented on some regulation is good. He commented on bow hunting of deer in the Village. Hunters need to shoot five does prior to the bucks.

Heidi von Hagke spoke in favor of a tree ordinance and in support of a tree ordinance adhoc committee.

Written comments from Nick Turkal were read. He commented with concern of the proposed ordinance. He objected to overly strict guidelines for private trees outside of the shoreline buffer zone and overly strict guidelines for private trees and shrubbery within the shoreline buffer zone.

Written comments from Leslie Barkow were read. She questioned the shrubbery, plants or ground cover and what would be restricted or allowed.

Written comments from Tim Fredman were read. He commented that the proposed ordinance is cumbersome and too restrictive. Questioned if experts were coming in to speak. He commented in support of a tree ordinance adhoc committee.

Written comments from David Varhol were read. He commented against the proposed ordinance and that it is government overreach. He commented in support of the 75' buffer zone. He commented in support of the Village Foresters.

Adjournment.

Motion (Manegold/Kubick) to adjourn at 7:56 p.m. *Motion carried.*

Respectfully submitted by:

Approved and Ordered Posted by:

Deanna Braunschweig
Village Clerk - Treasurer

Jo Ann F. Villavicencio
Village President



Village of Chenequa

Matthew T. Carney
Administrator/Chief

31275 W County Road K
Chenequa, Wisconsin 53029

Summary of Proposed Amendments to Village Tree Cutting Ordinance

Existing Tree Cutting Restrictions Within 75' of Waterways

- Move Village Code Section 6.9 *Removal of Shore Cover* to Section 8.24 *Care of Trees*
 - Existing tree cutting restrictions within 75' of waterways remain unchanged
 - [Link to existing Ordinance 6.9](#)

Proposed Tree Cutting Restrictions Outside 75' Shoreline Buffer Zone

The following tree cutting restrictions would apply to all properties within the Village. Restrictions would only apply to "Specimen Trees" as defined by the Specimen Tree Lists attached at the bottom of this page.

- Annual "specimen tree" cutting limits based on property size and sum total of "specimen tree" diameter inches (defined as "DBH threshold"). *DBH= *tree Diameter at Breast Height (4.5' above the ground)*
 - Lots 0-2 acres may cut up to 50" DBH of "specimen trees" annually without a permit
 - Lots 2-6 acres may cut up to 100" DBH of "specimen trees" annually without a permit
 - Lots over 6 acres may cut up to 150" DBH of "specimen trees" annually without a permit
- Any cutting of "specimen trees" on a given property in excess of the "DBH threshold" would require a permit from the Village
 - No permit would be required for the removal of dead trees
 - No permit would be required for the removal of trees not qualifying as "specimen trees"
- The Village would grant "specimen tree" removal permits for the following reasons:
 - Dying, diseased, or damaged trees
 - Trees posing a significant safety hazard
 - Trees interfering with permissible structures or improvements
 - Silvicultural thinning
 - Creation of new natural areas (other than turf grass lawns, etc.)
- [Link to Proposed Amendments to Ordinance 8.24](#)

Deciduous Specimen Trees

Tree DBH	Species
6" and greater	Ironwood, Redbud, Serviceberry spp., Muscledwood
10" and greater	Oak spp., Maple (red, sugar), Hickory spp., Black walnut, Black cherry, Kentucky coffeetree, Beech spp., Aspen (quaking, bigtooth), Birch spp., Butternut, London planetree, Sycamore, Ginkgo
12" and greater	Basswood, Elm spp., Hackberry

Coniferous Specimen Trees

Tree DBH	Species
12" and greater	Norway spruce
10" and greater	Pine (white, scotch), Tamarack, Hemlock, Fir spp.
8" and greater	Red cedar, White cedar



- (b) Petitions for any change or amendment shall be filed with the Village Clerk and shall describe the proposed amendment, list the reasons justifying the petition and in the event of a proposed amendment to the zoning map, have attached the names and addresses of the owners of all properties lying within two hundred (200) feet of the area affected by the proposed change or amendment, and any additional information required by the Village Administrator or the Village Board.
- (c) The Village Board shall hold a public hearing as provided for in Section 62.23 (7) (d) Wisconsin Statutes. Following such hearing, the Village Board shall make a determination.

6.9 REMOVAL OF SHORE COVER.

(1) **PURPOSE.** The purpose of tree, shrubbery and ground cover cutting regulations applicable to the shoreland area is to protect scenic beauty, control erosion and reduce effluent, sediment and nutrient flow from the shoreland into lakes which are located in or adjacent to the Village. These provisions shall also apply to the removal of storm damaged, dead, diseased or dying trees or shrubbery, but not to silvicultural thinning upon recommendation of the Village Forester. If there is a question as to the condition of any trees or shrubbery, the Village Forester shall be consulted as set forth herein.

(2) **SHORELINE CUTTING.** A Village issued shore cover removal permit is required of anyone attempting to cut/trim or remove any tree or shrubbery within the shoreline buffer zone.

- (a) The Village may allow the removal of trees and shrubs within the shoreline buffer zone to create access/viewing corridors; provided, however, that the combined width of all access/viewing corridors shall be no more than twenty (20) percent of the lake frontage as measured along the ordinary high water mark.
- (b) In the remainder of the shoreline buffer zone, natural shrubbery and herbaceous layer shall be preserved as far as practicable and, where removed, it shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion and preserving natural beauty.
- (c) Any tree six (6) inches in diameter or greater that is cut for any reason, needs to be replaced with a similar tree of two (2) inches in diameter or greater and planted in the shoreline buffer zone.

Exemption: A replacement tree may be planted outside of the shoreline buffer zone if conditions restrict planting within the shoreline buffer zone.



Exemption: The replacement requirement shall be waived if the stump is allowed to sucker and become tree form. If the stump fails to sucker, a two (2) inch replacement tree is required.

- (d) Any grading within shoreline buffer zone requires a grading permit as set forth in this Code.

(3) **PATHS.** Any path or passage within the shoreline buffer zone shall be constructed and surfaced to control erosion effectively.

(4) **CUTTING PLAN.** As an alternative to subsection (2) above, a special cutting plan allowing greater cutting may be approved and a permit issued by the Village Forester. In applying for such a plan, the lot owner shall submit a sketch (plan) of the lot to the Village Forester, including the following information: location of structures and buildings, streets, roads, drives and parking areas, paths and passages, gradient of the land, existing vegetation, proposed cutting, and proposed replanting. The Village Forester may approve such a plan only if the Village Forester finds that such special cutting plan:

- (a) Will not cause undue erosion or destruction of scenic beauty; and
- (b) Will provide substantial shielding of dwellings, accessory structures and parking areas from the lake. Where the plan calls for replacement plantings, the Village Forester may require the submission of a bond which guarantees the performance of the planned tree or shrubbery planting by the lot owner.

(5) **CUTTING MORE THAN SEVENTY-FIVE FEET INLAND.** From the inland edge of the shoreline buffer zone to the outer limits of the shoreland, the cutting of trees and shrubbery shall be allowed when accomplished using accepted forest management practices and sound soil conservation practices which protect water quality. See Section 6.14, Wisconsin DNR "Best Management Practices for Water Quality"- PUB FR-093 2010, and Wisconsin Department of Commerce, Uniform Dwelling Code Section 5.

6.10 VIOLATION, PENALTY.

(1) **FINES.** Any person, firm, or corporation, who violates, disobeys, omits, neglects or refuses to comply with the enforcement of any of the provisions of this Chapter, shall upon conviction thereof forfeit an amount not to exceed Two Thousand Five Hundred Dollars (\$2,500), together with the costs of prosecution. Each offense, and each day that a violation exists shall constitute a separate offense.

(2) **RESTORATION.** In addition to the above stated fines, forfeitures, and costs of prosecution, at the order of the Zoning Administrator, violators of Section 6.9 shall restore the affected



area to its original condition or a condition providing the same erosion control within sixty (60) days of notification of such violation and order. The restoration shall follow these general guidelines:

- (a) In order to restore the functional value of a vegetative area as an erosion buffer, the restoration should consist of a ground cover and a tree canopy; The entire damaged portion of the shoreland buffer area must be revegetated so as to prevent erosion;
- (b) Trees and shrubbery removed in violation of Section 6.9 shall be replaced with other vegetation which will provide the same erosion control and runoff protection;
- (c) The violator must submit a restoration plan for the review and approval of the Village Forester; and
- (d) If a violator owner fails to comply with the restoration order, the Village reserves the right to bring the site into compliance and place a special assessment on the lot. All costs are to be paid by the property owner.

6.11 INTERPRETATION AND PURPOSES.

In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity or general welfare. It is not intended by this Chapter to interfere with or abrogate or annul any existing easements or other agreements between private parties, provided, however, that where this Chapter imposes a greater restriction upon the use of a structure or premises, or upon the height or bulk of a structure, or requires larger open spaces than are imposed or required by other provisions of this Code, rules, regulations or permits, or by easements or agreements, the provisions of this Chapter shall control. Words used in the present tense include the future; words in the singular number include the plural number, and words in the plural number include the singular number.

6.12 ZONING CERTIFICATE AND ENFORCEMENT.

The Zoning Administrator shall issue a zoning certificate upon determining that a proposed project complies with the provisions of this Chapter. The provisions of this Chapter shall be enforced by the Village Administrator. The Village Administrator may delegate any enforcement responsibilities hereunder to any other employee and/or official of the Village.

6.13 APPEALS.

(1) **PROCEDURE.** Appeals from any decision of the Village Administrator or an employee or official to whom the Village Administrator has delegated enforcement responsibility may

Key

Proposed addition to Code

~~Proposed removal from Code~~

Proposed move from Sec. 6.9 to 8.24

Unchanged

Village of Chenequa
ORDINANCE NO. 08-11-2025-01

**AN ORDINANCE AMENDING AND RESTATING VILLAGE CODE SECTION 8.24
CARE OF TREE, SHRUBBERY, PLANT OR GROUND COVER**

WHEREAS, the Village Board finds and determines that the establishment of enhanced ordinance provisions regulating the planting, removal, maintenance and protection of tree, shrubbery, plant or ground cover is necessary and appropriate to further the public health, safety and welfare, to protect the ecology of the Village, and to preserve the rustic character of the Village; and

WHEREAS, the Village Board further finds and determines that it is necessary and appropriate to move Section 6.9 of the Village Code regulating the removal of shore cover to Chapter 8 of the Village Code for inclusion in an amended and restated Section 8.24.

NOW THEREFORE, BE IT ORDAINED, that Section 8.24 of the Village Code is hereby amended and restated as follows:

8.1 ~~“8.24~~ CARE OF ~~TREES~~ TREE, SHRUBBERY, PLANT OR GROUND COVER.

1) ~~(1)~~ **INTENT AND PURPOSE.** It is hereby declared to be the intent of the Village to regulate and control the planting, removal, maintenance and protection of ~~trees, plants and shrubs~~ tree, shrubbery, plant or ground cover in or upon public and private areas of the Village in order to:

- (a) Avoid dangerous conditions which may result in injury to persons using the public highways and other public areas.
- (b) Promote and enhance the aesthetics and general welfare of the Village.
- (c) Prohibit the undesirable and unsafe planting, removal, treatment and maintenance of ~~trees and shrubs~~ tree, shrubbery, plant or ground cover located in ~~the~~ public, private and shoreline buffer zone areas.
- (d) Protect ~~all trees and shrubs~~ tree, shrubbery, plant or ground cover, both public and private, within the Village against the spread of disease, insects or pests.
- (e) Within the shoreline buffer zone, to protect scenic beauty, control erosion and reduce effluent, sediment and nutrient flow from the shoreland into lakes which are located in or adjacent to the Village. These provisions shall also apply to the removal of storm damaged, dead, diseased or dying tree, shrubbery, plant or ground cover located in the shoreline buffer zone.

2) ~~(2)~~ **DEFINITIONS.** For the purpose of this Section, certain terms and words are defined as follows:

- (a) **Diameter Breast Height (DBH)** – Tree trunk diameter measured in inches with a calipers at six inches from grade in the case of trees measuring four inches or less in diameter and at a height of 4 ½ feet above grade when the tree trunk is larger than four inches.
- (b) **DBH Threshold:** The sum total of fifty (50) DBH inches of specimen trees on lots from zero (0) to two (2) acres, the sum total of one hundred DBH inches of specimen trees on lots between two (2) and six (6) acres and the sum total of one hundred fifty (150) DBH inches of specimen trees on lots greater than six (6) acres.
- (c) **Forest Management Plan:** A sketch (plan) of the lot, including the following information: location of structures and buildings, streets, roads, drives and parking areas, paths and passages, gradient of the land, existing vegetation, proposed cutting, and proposed replanting.
- (d) **Private Tree, Shrubbery, Plant or Ground Cover:** All tree, shrubbery, plant or ground cover located or to be planted in or upon privately owned areas.
- (e) ~~(a) **Public Trees, Plants and Shrubs:** All trees, plants and shrubs~~ **Tree, Shrubbery, Plant or Ground Cover:** All tree, shrubbery, plant or ground cover located or to be planted in or upon public areas.
- (f) ~~(b) **Public Areas:**~~ All public rights of way or lands owned or controlled by the Village.
- (g) **Silvicultural Thinning:** A selective removal of trees in order to maintain or improve forest health, and shall be performed using accepted forest management practices and sound soil conservation practices which protect water quality, with the intent of preserving native forest ecosystems.
- (h) **Shoreline Buffer Zone.** Shall have the definition set forth in Chapter 6.
- (i) **Specimen Trees:** All trees listed in the following Village of Chenequa specimen tree list.

Village of Chenequa Specimen Tree List

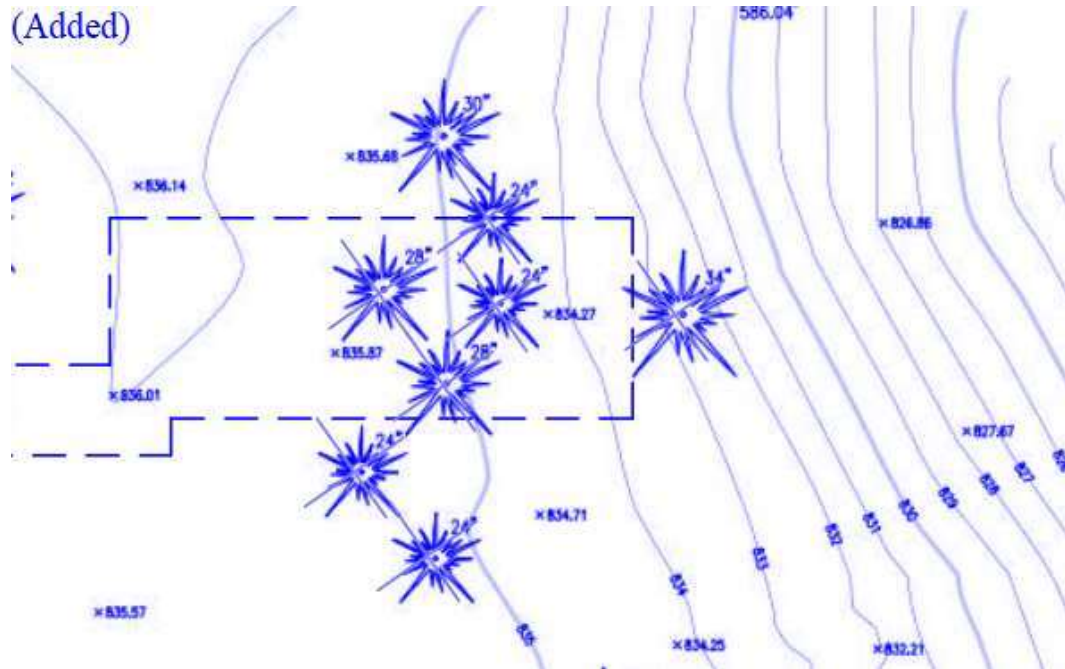
<u>Deciduous Trees</u>	
<u>Tree DBH</u>	<u>Species</u>
<u>6" and greater</u>	<u>Ironwood, Redbud, Serviceberry spp., Musclewood</u>
<u>10" and greater</u>	<u>Oak spp., Maple (red, sugar), Hickory spp., Black walnut, Black cherry, Kentucky coffeetree, Beech spp., Aspen (quaking, bigtooth), Birch spp., Butternut, London planetree, Sycamore, Ginkgo</u>
<u>12" and greater</u>	<u>Basswood, Elm spp., Hackberry</u>

<u>Coniferous Trees</u>	
<u>Tree DBH</u>	<u>Species</u>
<u>12" and greater</u>	<u>Norway spruce</u>
<u>10" and greater</u>	<u>Pine (white, scotch), Tamarack, Hemlock, Fir spp.</u>
<u>8" and greater</u>	<u>Red cedar, White cedar</u>

- (j) Sum Total of DBH Inches of Specimen Trees: The sum total of DBH inches calculated in accordance with the following diagrams.

How to calculate "sum total of DBH inches of specimen trees"

Example 2:



4

3) ~~(3)~~ PERMIT TO PLANT PUBLIC TREE, SHRUBBERY, PLANT OR GROUND COVER. It shall be unlawful for any person to plant any tree, shrubbery, plant or shrubground cover or authorize any person to do so, in or upon any public area of the Village without first obtaining from the Village Forester a written permit to do so, and without complying with the conditions set forth in the written permit and with the provisions of this Section. Permits may be granted only after the Village Forester receives a written application and after inspection and approval of the proposed planting site and planting material. The Village Forester may request a detailed, scaled drawing of the landscape planting plans before any permit shall be issued. All planting plans shall show accurately:

- (a) The proposed location, species/variety and size of all planting material together with the location, species and size of all existing trees.
- (b) The proximity to any proposed or existing highway, driveway or parking areas.
- (c) The nature of the soil in the planting space to a depth of three (3) feet and the location of existing or altered drainage patterns. Permits shall expire one (1) year after the date of permit.

4) ~~(4)~~ PERMIT TO REMOVE, TRIM OR MAINTAIN PUBLIC TREE, SHRUBBERY, PLANT, OR GROUND COVER. Except upon order of the Village Forester, it shall be unlawful for any person without a permit from the Village Forester to remove, destroy, cut, do surgery, treat, alter or injure any public tree, shrubbery, plant, or shrubground cover or portion thereof above or below ground or to cause or authorize or procure any person to do so. An application to the Village Forester for such permit must state the number and kind of trees to be trimmed, removed or treated and the kind and condition of nearest trees upon the adjoining property. If in the judgment of the Village Forester the desired removal, cutting, pruning, treatment or trimming shall appear necessary and the proposed method and workmanship thereof shall be such as the Village Forester approves, the Village Forester may thereupon issue a permit in writing for such work. Any work done under such written permit must be performed in strict accordance with the terms thereof and the provisions of this Section and under the supervision and direction of the Village Forester or the Village Forester's duly authorized representative.

5) ~~(5) INJURY TO PUBLIC TREES, PLANTS AND SHRUBTREE,~~
SHRUBBERY, PLANT OR GROUND COVER.

- (a) No person shall, without a written permit from the Village Forester in the case of a public tree, shrubby, plant or shrub, ground cover do or cause to be done by others any of the following acts:
- (i) Secure, fasten, or run any rope, chain, wire, sign, unprotected electrical installation or other device or material to, around, or through a public tree, shrubby, plant, or shrub, ground cover.
 - (ii) Break, injure, mutilate, deface, kill or destroy any public tree, shrubby, plant, or shrub, ground cover or permit any fire to burn where it will injure any public tree, shrubby, plant or shrub, ground cover.
 - (iii) Permit any toxic chemical, gas, smoke, salt brine, oil, or other injurious substance to seep, drain or be emptied upon or about or onto any road, pavement or gutter at a point whence such substance may injure any public tree, shrubby, plant or shrub, ground cover.
 - (iv) Remove any guard, stake, or other device or material intended for the protection of a public tree, shrubby, plant or shrub, ground cover.
 - (v) Place any stone, cement, asphalt or other impervious material or substance in such a manner as to obstruct the free access of air and water to the roots of any public tree, shrubby, plant or shrub, ground cover.
 - (vi) Excavate any ditch, tunnel or trench or lay any drive within a radius of eight (8) feet from any tree, shrubby, plant or shrub, ground cover, unless authorized by permit to construct, maintain or repair utilities. Whenever a permit is required under this Section for new work to be done by a public utility, or contractor within a public area, the Village Forester may limit the work to be done to the actual necessities of the permittee, and may assign an inspector to supervise the work to be done under the provisions of the permit.
 - (vii) Erect, alter, repair, raze or excavate without placing sufficient guards or protectors as shall prevent injury to public ~~trees, plants and shrubtree,~~ shrubby, plant or ground cover by such operations. All moving of public ~~trees, plants, and shrubtree,~~ shrubby, plant or ground cover made necessary by the moving of a building or structure, or for any other purpose shall be done by

the Village Forester or under the Village Forester's supervision at the expense of the applicant. Should such moving or replanting cause the death of such tree, shrubbery, plant or ~~shrub~~ground cover, the applicant shall replace the same at the applicant's expense.

- (b) Any public utility and/or contractor planning underground work within or adjacent to a public area shall submit a drawing of the project area to the Village Forester and shall identify the location of the proposed installation and its overall dimensions and depth from ground surface, its anticipated date of installation; and in addition shall indicate on such drawing all public trees located along the project route within eight (8) feet of any proposed excavation. Such drawings shall be submitted fifteen (15) days prior to the start of any construction or excavation.

6) PRIVATE TREES OUTSIDE OF THE SHORELINE BUFFER ZONE. A Village issued tree removal permit is required to cut or remove private trees outside of the shoreline buffer zone where the sum total of DBH inches of specimen trees removed is equal to or greater than the DBH threshold or greater in any calendar year; provided, however, that no permit shall be required for dead trees. Permits may be granted for:

- (a) Dying, diseased and damaged trees, as determined by the Village Forester.
- (b) Trees posing a significant safety hazard, as determined by the Village Forester.
- (c) Trees interfering with permissible structures/improvements.
- (d) Silvicultural thinning where the sum total of DBH inches of specimen trees removed is greater than the DBH threshold in any calendar year.
- (e) The creation of new natural areas, other than turf grass lawns, including, without limitation prairies and oak savannas.

The Village Forester may approve a tree removal permit for one (1) or more of the reasons stated above only if the Village Forester finds that implementation of such forest management plan:

- (i) Will not cause erosion or destruction of scenic beauty; and
- (ii) Will provide substantial shielding of dwellings, accessory structures and parking areas from adjoining property. Where the forest management plan calls for replacement plantings, the Village Forester may require the submission of a bond which guarantees the performance of the planned tree or shrubbery planting by the lot owner.

7) PRIVATE TREES AND SHRUBBERY WITHIN THE SHORELINE BUFFER ZONE. A Village issued tree or shrubbery removal permit is required to cut or remove any tree or shrubbery within the shoreline buffer zone; including dead trees. Permits may be granted for:

- (a) The removal of trees and shrubbery within the shoreline buffer zone to create access/viewing corridors; provided, however, that the combined width of all access/viewing corridors shall be no more than twenty (20) percent of the lake frontage as measured along the ordinary high water mark. Any path or passage constructed within access/viewing corridors within the shoreline buffer zone shall be constructed and surfaced to control erosion effectively.
- (b) In the remainder of the shoreline buffer zone, natural tree, shrubbery, plants or ground cover shall be preserved as far as practicable and where cut or removed, it shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion and preserving natural beauty.
- (c) As an alternative to subsection (b) above, a forest management plan allowing greater cutting may be approved and a permit issued by the Village Forester. The Village Forester may approve such a permit only if the Village Forester finds that implementation of the forest management plan:

 - (i) Will not cause undue erosion or destruction of scenic beauty; and
 - (ii) Will provide substantial shielding of dwellings, accessory structures and parking areas from adjoining property and the lake. Where the forest management plan calls for replacement plantings, the Village Forester may require the submission of a bond which guarantees the performance of the planned tree or shrubbery planting by the lot owner.

8) REPLANTING. Replanting of trees shall be required as follows:

- (a) Replanting of trees shall be required, as far as practicable, where specimen trees are cut or removed in violation of this Section or damaged by non-natural causes. Trees must be replaced with specimen trees of two (2) DBH inches or greater.
- (b) Within the shoreline buffer zone, any tree six (6) DBH inches or greater that is cut for any reason, must be replaced with a specimen tree of two (2) DBH inches or greater and planted in the shoreline buffer zone; provided, however, that a replacement tree may be planted outside of the shoreline buffer zone if conditions restrict planting within the shoreline buffer zone.

9) ~~(6)~~ NOTICE TO ABATE PUBLIC NUISANCES. Any tree or part thereof, whether alive or dead, which is infected or hazardous so as to endanger the public or other ~~trees;~~ ~~plants or shrubs~~ tree, shrubbery, plant or ground cover growing, whether growing upon public or private premises is hereby declared to be a public nuisance. No person shall permit any such public nuisance to remain on any premises owned or controlled by such person.

If the Village Forester determines that there exists a public nuisance or threat to the public health, safety and welfare, the Village Forester shall report such public nuisance to the Village Board. The Village Board shall, at the next regular Village Board meeting, consider any action to be taken as a result of the identification of the public nuisance. The Village Forester shall serve notice personally or by registered mail upon the owner or occupant of the premises where such nuisance is located of the date and time of the meeting. Such notice shall describe the tree, plant or shrub determined to be a public nuisance or which otherwise represents a threat to the public health, safety and welfare; including the specific location of the tree, plant or shrub; and further describe the general nature of the contemplated changes or improvements required to abate, remove and/or destroy such public nuisance.

If the Village Board agrees that there exists a public nuisance, the Village Forester shall notify the owner or occupant of the premises where such nuisance is located that such public nuisance exists. Such notice shall direct the owner or occupant of the premises to abate, remove and destroy such nuisance within fourteen (14) days and shall state that unless such nuisance is so abated, removed and destroyed, the Village may cause the same to be abated and ~~will~~ charge the cost thereof to the owner as a special charge; provided, that upon written application of the owner or occupant of the premises to the Village President or the Village Forester, the Village President or the Village Forester may grant an extension of time (but in no event beyond the next succeeding first day of March) to so abate, remove and destroy such nuisance for good cause shown.

Failure to abate, remove or destroy any nuisance within the time provided, or as so extended, shall be a violation of this ~~Section~~ Subsection. Any person who violates any of the provisions of this ~~Section~~ Subsection shall, upon conviction, be subject to a forfeiture of not less than Twenty Five Dollars (\$25) or more than One Thousand Dollars (\$1,000) and the costs of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned until such forfeiture and costs of prosecution are paid, such imprisonment not exceeding ninety (90) days. Each day of violation of this ~~Section~~ Subsection shall constitute a separate offense.

In addition to the foregoing, if the nuisance is not abated, removed and destroyed within the time provided or as so extended or if the owner or occupant cannot be found, the Village Forester may, subject to the direction of the Village Board, proceed under Section 27.09 Wisconsin Statutes, to cause the abatement or removal of such public nuisance. The entire cost of abating, removing and destroying such public nuisance shall be billed to and collected from the owner of the property where the nuisance was located and if said costs are not paid within thirty (30) days after billing, then the cost shall be reported to the Village Clerk who shall cause such cost to be assessed against the real estate as a special charge for current services pursuant to the procedure set forth in Section 66.0627 Wisconsin Statutes and the same shall be collected in all respects like other Village taxes upon real estate.

10) ~~(7)~~ **INTERFERENCE WITH VILLAGE FORESTER OR EMPLOYEES.** It shall be unlawful for any person, firm or corporation to prevent, delay or interfere or cause or authorize or procure any interference or delay with the Village Forester or any of the Village Forester's employees, agents or servants while they are engaged in and about the work herein specified.

11) **VIOLATION, PENALTY.**

- (a) Any person, firm, or corporation, who violates, disobeys, omits, neglects or refuses to comply with the enforcement of any of the provisions of this Section, other than Subsection (9), shall upon conviction thereof forfeit an amount not to exceed Two Thousand Five Hundred Dollars (\$2,500), together with the costs of prosecution. Each offense, and each day that a violation exists shall constitute a separate offense.

12) **RESTORATION.** In addition to the above stated fines, forfeitures, and costs of prosecution, at the order of the Zoning Administrator, violators of Section 8.24 shall restore the affected area to its original condition or a condition providing the same erosion control within sixty (60) days of notification of such violation and order. The restoration shall follow these general guidelines:

- (a) In order to restore the functional value of a vegetative area as an erosion buffer, the restoration should consist of a ground cover and a tree canopy. The entire damaged portion of the shoreland buffer zone shall be revegetated so as to prevent erosion.
- (b) Trees and shrubbery removed in violation of Section 8.24 shall be replaced with other vegetation which will provide the same erosion control and runoff protection.
- (c) The violator shall submit a restoration plan for the review and approval of the Village Forester.
- (d) If a violator owner fails to comply with a restoration order, the Village reserves the right to bring the site into compliance and place a special charge on the Property. All costs are to be paid by the property owner."

AND, BE IT FURTHER ORDAINED, that Section 6.9 of the Village Code shall be moved to Section 8.24 of the Village Code and that the Village Clerk Treasurer is hereby authorized and directed to renumber Chapter 6 of the Village Code accordingly.

Adopted this _____ day of _____, 2025.

VILLAGE OF CHENEQUA

BY: _____
Jo Ann Villavicencio
Village President

ATTEST:

Deanna Braunschweig
Village Clerk - Treasurer

Date Adopted:
Date Published:
Effective Date:

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