



AGENDA

Village of Chenequa Plan Commission
Monday, August 12, 2024 at 6:00 p.m.
31275 W. County Road K, Chenequa, WI 53029

This is official notice that a meeting of the Plan Commission for the Village of Chenequa will be held at 6:00 p.m. on Monday, August 12, 2024, 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 Plan Commission meeting held on July 8, 2024.
3. Review and Consider Action on Report from Lake Management Committee of pier sliding scale offset.
4. Review and consider action on Regulation of Trees and in relation to Ordinance 6.9 Removal of Shore Cover.
5. Adjournment.

Respectfully submitted by:

Deanna Braunschweig, Village Clerk - Treasurer

To participate via Zoom:

<https://us02web.zoom.us/j/87450073124?pwd=T35qXDS6B6bGg5IX7JJ8QXlBhkq5kz.1>

Meeting ID is 874 5007 3124 and the Passcode is 792787

Or Dial: 646 558 8656 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 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 Monday, August 5, 2024 by 4:30 PM

VILLAGE OF CHENEQUA

VILLAGE OF CHENEQUA - PLAN COMMISSION MINUTES
OF MONDAY, JULY 8, 2024

Unofficial until approved by the Plan Commission.
Approved as written () or with corrections () on _____.

The regular monthly meeting of the Plan Commission for the Village of Chenequa was held on Monday, July 8, 2024 at 6:00 p.m. utilizing Zoom Communications and in person.

Ms. Villavicencio / Chairperson - present
Ms. Surlles / Member – absent
Mr. Pranke / Member – present On-line
Mr. Enters / Member –present
Ms. Benz / Member – present
Mr. Carroll / Member - present
Mr. Kriva / Member – present
Mr. Gartner / Village Attorney Representative - absent
Mr. Lincoln / Zoning Administrator-Forester – present
Mr. Neumer / Administrator-Police Chief – present
Mr. Carney / Police Captain – present
Ms. Braunschweig / Village Clerk – present

Call to Order.

Pledge of Allegiance

Public in Attendance

JoJo Gehl Neumann, Judy Hansen, Debbie McNear, Ted Rolfs, Julie Rolfs, George Rolfs, Heidi von Hagke, Richard Grunke, Fire Chief Fennig, Carol Manegold, Ted Fredman, E. J. Kubick, Jamie Mallinger, Sue Touchett, Lori Hake, Brian Zimmerman, Peter Yank

Public Comment

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

Debbie McNear reported on the pier ordinance. The ordinance is under review by the DNR. She reported on the setback requirements. Minnetonka has a sliding scale which allows for more flexibility with a sliding scale. The Lake Management Committee will meet in July.

Approval of minutes from the Plan Commission meeting held on June 10, 2024.

Motion (Kriva/Enters) to approve the minutes from the Village Board meeting of June 10, 2024, as presented. *Motion carried.*

Review and consider action on a landscape and outdoor lighting plan for new primary residence at 7149 N. State Road 83 as submitted by Peter and Elizabeth Gottsacker (Tax Key No. CHQV 370-997-001).

Landworks submitted the landscape and lighting plan on behalf of the Gottsacker family. A complete landscape and grading plan were provided in the packet.

Landworks reported on the item. The site plan, grading map, and storm water management were shown.

Proposed landscaping and landscape lighting is currently beyond the 75' setback from the ordinary high-water mark of North Lake. Landscaping includes two patios, driveway court, and retaining walls.

The at grade patio on the lakeside is outside the 75' shoreland buffer setback and is proposed to be constructed from bluestone. The applicant is proposing to construct a firepit structure.

The at grade patio on the North side of the dwelling includes a hot tub and is proposed to be constructed from bluestone.

The proposed driveway court includes bluestone paver walkway and an additional small covered patio shown on the plans near the courtyard. This patio will also be constructed from bluestone. Headed southward from the courtyard, the applicant proposes a bluestone path with gravel infill between the pavers.

The proposed retaining walls include several limestone retaining walls around the perimeter of the structure. These retaining walls are outside of the 75' setback from North Lake. These retaining walls do not encroach on the minimum side yard setback requirements.

The proposal includes stormwater management. A gravel maintenance strip with perforated PVC pipe to capture storm water will be installed around the perimeter of the home. This is in replacement to a traditional gutter system.

The landscape plan also proposes 40 fully shielded pathway lights around the property. A spec sheet for the proposed landscape light is provided in the packet. The proposed lumen output per fixture is 90; the color temperature of these fixtures is 2700K per fixture.

The applicant also proposes to install six under coping lights around the lakeside patio. These lights will be built into the masonry and downward facing with total lumen output per fixture is 52; the color temperature of these fixtures is 2700K per fixture.

Motion (Benz/Carroll) recommend approval of landscape and outdoor lighting plan for new primary residence at 7149 N. State Road 83 as submitted by Peter and Elizabeth Gottsacker (Tax Key No. CHQV 370-997-001). *Motion carried.*

Adjournment

Motion (Kriva/Enters) to adjourn the Plan Commission meeting at 6:09 p.m. *Motion carried.*

Respectfully submitted by:

Approved and Ordered Posted by:

Deanna Braunschweig, Village Clerk

Jo Ann F. Villavicencio, Chairperson



RESIDENTIAL DOCKS, STRUCTURES, & Lake Minnetonka

Lake Minnetonka is a great natural resource and the Lake Minnetonka Conservation District (LMCD) manages lake use to preserve the Lake, promote safety, and enhance the experience of all Lake enthusiasts. A summary of the regulations regarding docks, structures and watercraft is provided as a guide for residents, realtors, and installers. Following these standards will minimize the negative impact to the lake and shoreline, while promoting positive neighbor relations. Please view the complete LMCD codes or contact the LMCD for information about unique situations.

Additional Resources

Land Use

Cities may have additional regulations.

Shoreline Improvements & Dredging

Minnehaha Creek Watershed MCWD regulates shoreline stabilization, landscaping, wetlands, and dredging. www.minnehahacreek.org

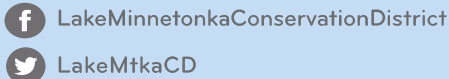
Aquatic Plant Management

MN Department Natural Resources regulates and permits mechanical or chemical aquatic plant management. www.dnr.state.mn.us/apm

Minnesota Water Stewards

Freshwater Society certifies citizens equipped to help optimize your shoreline to improve the health of the water. www.freshwater.org

Lake Minnetonka Conservation District
5341 Maywood Rd, Mound, MN 55364
lmcd.org | 952-745-0789 | lmcd@lmcd.org



FINDING THE LINES

929.4 Ft Ordinary High Water Line (OHW). The 929.4 OHW may be different from the shoreline depending on the water level in the lake. When a site survey is required, the 929.4 OHW measurement should be specifically requested. This is the basis of dock and storage requirements. The Lake water level can be found at www.minnehahacreek.org.

Extended Side Property Lines. First, be sure you own or have rights to the shoreline. When needed, a property survey will indicate the side property lines. If a survey is not available, property markers/stakes may exist and can be used to determine the side property line. The extended side property line is when the side property line on land is extended into the lake. This is important in determining the required setbacks from adjacent properties. In cases where the property is curved or unusual, the LMCD will help determine the extended side property lines.



PERMITS / LICENSES

Annual permits/licenses are generally not required for single family residential properties. However, there are some situations where a permit or license is required as listed below:

- License to store five or more watercraft, under certain circumstances allowed by code. Examples include residential properties with or sharing 226 feet or more of 929.4 OHW shoreline, homeowner associations, shared docks, etc.
- Permit for installation of permanent docks, installed using machine driven pilings.
- Permit for dock extension during declared Low Water Conditions
- Nonconforming use permit for docks/moorings in existence since 05/03/1978



VARIANCES

A variance from the code may be requested by a property owner if a practical difficulty exists such as conflicting dock use areas or shallow water. Variances should be registered with the County property records since they are conditions on the property. In many situations, property owners work with each other to adjust side setbacks and avoid the need for variances. (LMCD code 6-5.01.)

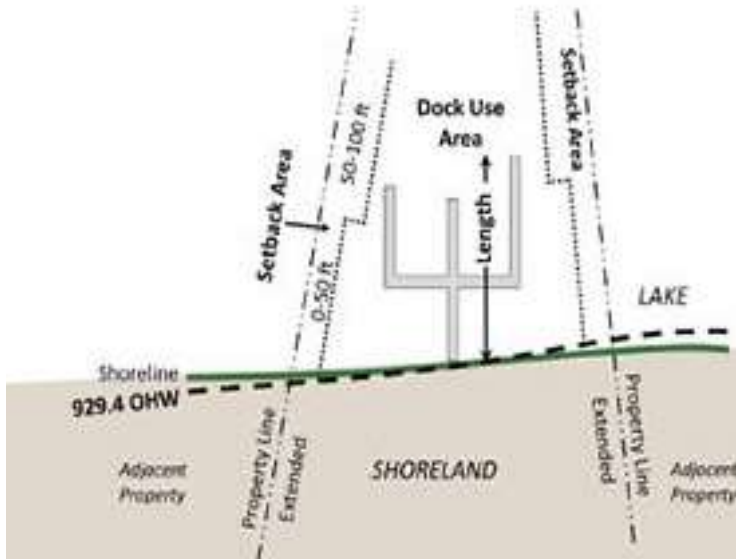
DOCKS, DECKS, AND PLATFORMS

Docks, decks, and platforms may exceed 8 feet in length or width, but not both. Ex. 8 ft x 12 ft, but not 9 ft by 12 ft. Docks moved between lakes or waterbodies must be dried out for 21 days to help prevent the spread of aquatic invasive species. Permits are required. Visit the MN DNR website for more information.

RESIDENTIAL DOCKS, STRUCTURES, & WATERCRAFT, CONT.

LOCATION (AUTHORIZED DOCK USE AREA)

Docks, structures, watercraft and other items must be located within an authorized Dock Use Area, determined by setbacks from the extended side property lines and length into the lake. The *Dock Use Area Illustration* provides an example of a typical dock use area. A neighboring property owner may allow the dock/watercraft to encroach into the side setbacks under certain conditions. Some uses are allowed if property/site has not been replatted, subdivided, combined or otherwise changed since a certain date. Lakeshore characteristics vary; for unusual lots or shoreline, contact the LMCD.



Dock Length

Shoreline	Feet
Equal to shoreline	Up to 100 ft
40 to 60 ft and in existence on 02/05/1970	60 ft
40 ft or less and in existence on 02/05/1970	First reach to 4 ft water depth, max 60 ft

Condition	Feet
Dock length 0-50 ft	10 ft
Dock length 50-100 ft	15 ft
Shoreline 50 ft or less; if in existence on 02/02/1970	5 ft, if neighbor access not impaired
Canopy fabric exceeding 30 inches vertically	20 ft
Slip opens into adjacent property (side opening)	Depth of slip/ min. 20 ft opening)

WATERCRAFT TYPES & DENSITY

The number of watercraft (called restricted) that can be stored at a property is based on the measurement of the shoreline at the 929.4 OHW. This includes personal watercraft, runabouts, cruisers, pontoons, fishing boats and similar. The following watercraft (unrestricted) are not included in watercraft density calculations if not stored on or above the water such as a lift:

- 16 ft or less in length without a motor
- 16 ft or less with a motor 10 hp or less (manufacturer specs and regardless if operational)
- 20 ft or less without a motor and propelled solely by human power. Ex. Canoe, kayak, paddleboard



WATERCRAFT DENSITY CALCULATIONS

The maximum number of watercraft that can be stored at a property site is determined as follows, and depends on the site's characteristics and only if all other code requirements can be met:

1. 1 watercraft per 50 feet of continuous shoreline regardless of ownership (1:50 ft Rule), or
2. 2 if the site was in existence on 08/30/1978 regardless of ownership (more if allowed by the 1:50 ft Rule), or
3. Any property may have up to 4 if all the following conditions are met:
 - i) single family residence, legally subdivided and adjoined to shoreline property,
 - ii) exclusive dockage use by site's owner,
 - iii) all restricted watercraft owned by and registered to persons living on site, and
 - iv) all applicable code requirements met, or
4. 5 or more by obtaining a license

BOAT LIFTS

Boat lifts may be used as long as they fit within the authorized dock use area and meet any existing variances. An overhead, fabric cover that is an integral part of a boat lift is not a canopy if the vertical height of the fabric cover does not exceed 30 inches.

Lake Minnetonka Conservation District
5341 Maywood Rd, Mound, MN 55364

lmcd.org | 952-745-0789 | lmcd@lmcd.org

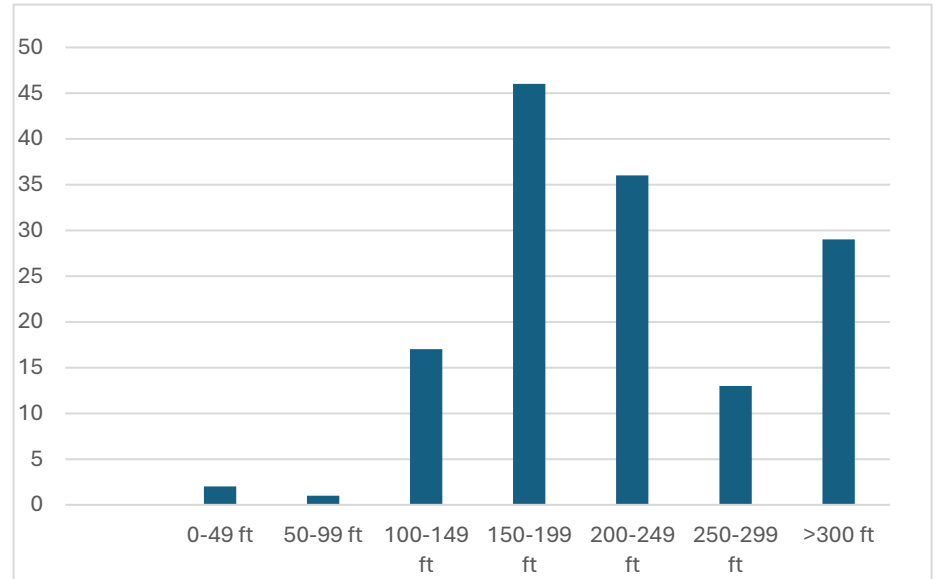
LakeMinnetonkaConservationDistrict

LakeMnkaCD

Distribution of Pine Lake Frontage per lot

Frontage Feet	#
0-49 ft	2
50-99 ft	1
100-149 ft	17
150-199 ft	46
200-249 ft	36
250-299 ft	13
>300 ft	29

N=144



Nonconforming=<150 ft- 20 so 14%

Given this, Lake Management Committee recommends sliding scale offset:

0-49 feet frontage: 2 foot property line offset

50-99 feet frontage: 10 foot property line offset

>100 feet: 15 foot property line offset

To: Village Board of Trustee's

From: Cody Lincoln; Village Forester

Date: August 1st, 2024

Subject: Tree Preservation Ordinance Options for Village Board Considerations

Dear Village Board of Trustees,

During the July 8th meeting, the Village Board expressed interest in continued discussion on the increased regulation of tree removal. In preparation for the August 12th meeting Cody Hagfors and I have put together our recommendation of what a "specimen" tree list might look like for Chenequa. Additionally, based on direction from the Village Board, we have put together a few possible options that should be considered if the board wishes to pursue increased regulation on tree cutting.

Village of Chenequa Specimen Tree List

Deciduous Trees	
Tree Diameter	Species
6" and greater	Ironwood, Redbud, Serviceberry spp., Musclewood
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 Trees	
Tree Diameter	Species
12" and greater	Norway spruce
10" and greater	Pine (white, scotch), Tamarack, Hemlock, Fir spp.
8" and greater	Red cedar, White cedar

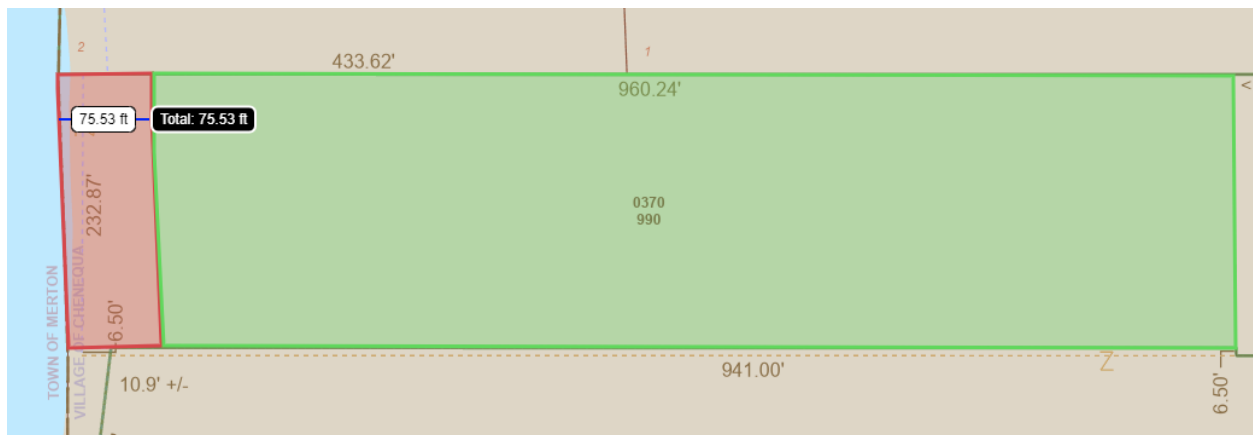
-permits granted for:

- dying, diseased, damaged trees
- trees posing a significant safety hazard
- trees lying in 20% viewing corridor
- trees interfering with permissible structures/improvements
- to alleviate unreasonable hardship
- silvicultural thinning

-replanting of trees will be required, as far as practicable, if:

- trees were removed unlawfully
- trees were damaged by non-natural causes
- trees removed for permissible structures/improvements
- trees removed to alleviate unreasonable hardship

Option 2 – Two Regulatory Zones



0 to 75' from the lake:

-Maintain existing ordinance 6.09

75' and greater from the lake

-permit required if removing greater than a sum total of 100" (diameter) of specimen trees in a calendar year in this area

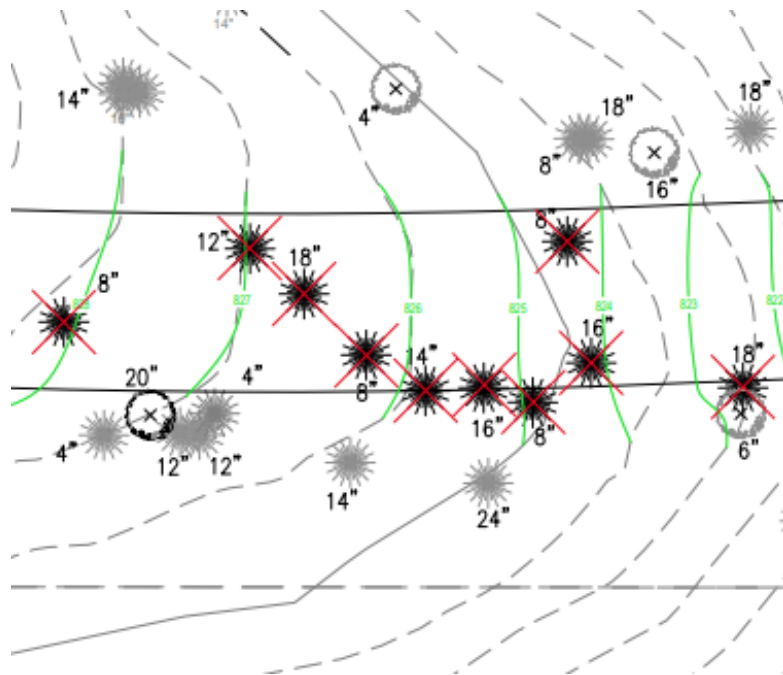
-exception: no permit required for dead trees

-permits granted for:

- dying, diseased, damaged trees
 - trees posing a significant safety hazard
 - trees lying in 20% viewing corridor
 - trees interfering with permissible structures/improvements
 - to alleviate unreasonable hardship
 - silvicultural thinning
- replanting of trees will be required, as far as practicable, if:
- trees were removed unlawfully
 - trees were damaged by non-natural causes
 - trees removed for permissible structures/improvements
 - trees removed to alleviate unreasonable hardship

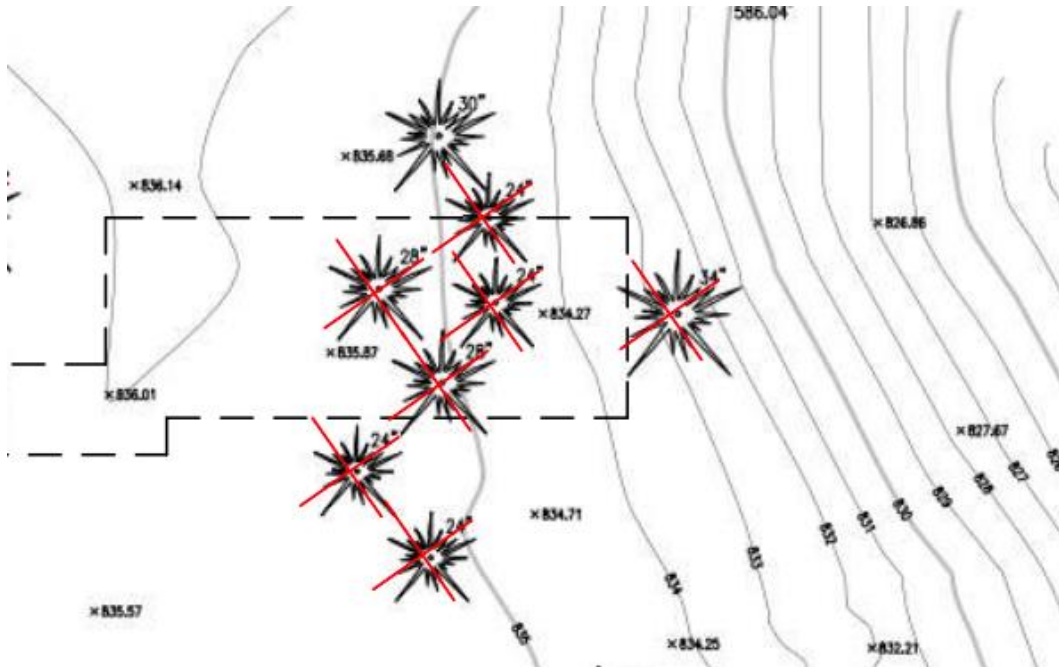
How to calculate “sum total of diameter inches of specimen trees”

Example 1:



Sum total diameter inches of specimen trees removed = **126"**

Example 2:



Sum total diameter inches of specimen trees removed = **186"**

Additional Comments for Board Consideration

-Any new regulations enacted should promote tree preservation while being easily understandable for homeowners and enforceable with existing Village resources.

-Sum total of diameter inches of specimen trees allowed annually without a permit should be reviewed by the Village Board, in order to regulate large-scale cutting operations without overburdening landowners with permits for smaller-scale tree work/maintenance operations

-Specimen Tree List should be reviewed by Village Board for species and diameters the Board desires to define as "specimen trees"

-Consideration should be given for reasons permits are granted in each regulatory zone vs. reasons permits would not be granted

-Example: permits may be granted for tree removal to allow placement of permissible structures, while permits may not be granted for tree removal to drastically increase lawn space.

-Consideration should be given for when replanting is required vs. when replanting is not required

-Example: replanting would be required if trees were removed unlawfully, while replanting would not be required if trees are removed for silvicultural thinning.

