AGENDA

Village of Chenequa
Monday, August 12, 2019 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, 2019, at the Village Hall, 31275 W County Road K, Chenequa. Legal requirements have been met. The following matters will be discussed, with possible actions, as well as any other matters that may come before the Commission:

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) Chairman’s Report

3) Approval of minutes from the Plan Commission meeting held on July 8, 2019

4) Review and consider application for a patio submitted by Jean-Max & Sandra Dermond of 7191 N STH 83

5) Review and consider landscape and lighting plans for Jeff & Sarah Joerres of 31745 W Muscovy Road

6) Review and consider action on a Certified Survey Map submitted by William & Mary Judge of W284 N7897 Woodrest Drive, being the South 26 feet of Lot 12 and the North 39 feet of Lot 13 of Wein’s Subdivision located in the Southeast ¼ of the Northwest ¼ of Section 20, Town 8 North, Range 18 East, in the Town of Merton, Waukesha County per Village Code 6.19(16) extraterritorial jurisdiction

7) Building Inspector’s Report

8) Administrator’s Report

9) Village Attorney’s Report

10) Adjournment

Respectfully submitted by:
Pamela Ann Little, Village Clerk

It is possible that members of and possibly a quorum of members of the Village Board will be in attendance at the above-stated meeting to gather information. No action will be taken by the Village Board at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Request 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.

NOTICE OF POSTING TO VILLAGE HALL BULLETIN & WEBSITE
Village Clerk posted this agenda on Wednesday, August 7, 2019 before 3:00 PM

Phone 262-367-2239 • www.chenequa.org
The regular monthly meeting of the Plan Commission for the Village of Chenequa was held on Monday, July 8, 2019. The Plan Commission convened at 6:00 p.m. at the Village Hall, 31275 W County Road K, Chenequa, Wisconsin. The following Members were in attendance:

Mr. Keidl / Chairperson – present
Mr. Bellin / Member – present
Ms. Surles / Member – absent
Mr. Grunke / Member - present
Mr. Pranke / Member – present
Mr. Gallagher / Member – present
Mr. Enters / Member – present
Mr. Meerschaert / Building Inspector - present
Mr. Gartner / Village Attorney – present
Mr. Lincoln / Zoning Administrator-Forester - present
Mr. Douglas / Administrator-Police Chief – absent
Mr. Neumer / Police Captain - present
Ms. Little / Village Clerk – present

Call to Order
Pledge of Allegiance

**Public in Attendance**
John & Mary McDaniel, Michael Morrison, Paul Peterson, David Jubelier, Judy Hansen, John Spheeris, Amy & Scott Nunally, Jo Ann Villavicencio, James Larew, Kit Seidel, Carol Manegold, Tim Michels and Brian Link

**Public Comment**
Judy Hansen shared her concerns on the proposed Ruehlow project; specifically, the southwest area abutting the mutual property line which is quite low and as a result is prone to flooding when it rains. Ms. Hansen would like the Village’s support when addressing the drainage issue which exists from the house and surrounding terrain by hiring an independent engineer.

**Chairman’s Report**
None

**Approval of minutes from the joint Plan Commission and Village Board meeting held on June 10, 2019**
Motion (Bellin/Gallagher) to approve the minutes from the Plan Commission meeting held on June 10, 2019. *Motion carried*
Review and consider application for land division of 23.29 acres to be split into four lots submitted by Barkow Limited Partnership (Augie Barkow) of 5124 N Maple Lane

Captain Neumer presented the proposed land division application. The applicants propose to split Lot 1 (CHQV0415996) into 4 lots. Lot 1 approximately 5.34 acres, Lot 2 approximately 6.79 acres, Lot 3 approximately 5.99 acres, with the remaining Lot 4 approximately 5.0 acres. Minimum lot area requirements of at least five acres and an average lot width of 200 ft. meet Village Zoning Code requirements. There are no existing buildings on this lot at this time. A dedicated 66 ft. right-of-way has been designated but will require approval of the County Highway Department.

Mr. McDaniel advised that an email message from Waukesha County was sent to Administrator Douglas advising that they had approved the right-of-way dedication for the subdivision.

Motion (Grunke/Enters) to recommend final approval of the application for land division of 23.29 acres to be split into four lots submitted by Augie Barkow of 5124 N Maple Lane contingent upon confirmation of the right-of-way being approved by Waukesha County. Motion carried

Review and consider an application for a guest house submitted by David Herro and Jay Franke of 6144 Brumder Drive

Mr. Larew presented the proposed guest house application. The applicants propose a single family dwelling which meets setback requirements. Total square footage of the guest house is approximately 3529 sq. ft. Mr. Larew advised there will be porch lights consistent with Code requirements but Mr. Herro and Mr. Frank have no plans to light the exterior of the guest house. No landscape lighting is proposed for this project at this time.

Building Inspector Meerschaert advised the proposed project meets all other requirements of the Village Zoning Code. A preliminary site evaluation is required by Waukesha County prior to permit issuance for sanitary systems.

Motion (Gallagher/Pranke) to recommend final approval of the application for a guest house submitted by David Herro and Jay Franke of 6144 Brumder Drive. Motion carried

Review and consider application for a tennis court submitted by Tim Michels of 6775 N STH 83

Building Inspector Meerschaert presented the proposed application. The applicant proposes to construct a HydroCourt Tennis Court; approximate size 55 ft. x 110 ft. This is a legal conforming residential lot abutting a lake. The proposed project will be constructed within a conforming lot and meets the setback requirements and all other requirements of the Village Zoning Code. Fencing will consist of 42 in. fencing with two 4 ft. x 42 in. walk gates and the layout will include four diagonal California Corners with 4-20 ft. returns at 8 ft. high. A landscape plan and exterior light options have not been submitted and requires approval from the Plan Commission prior to installation.

Mr. Michels advised they do not plan to use the tennis court at night so no lighting is needed.

Motion (Grunke/Gallagher) to recommend final approval of the application for a tennis court submitted by Tim Michels of 6775 N STH 83. Motion carried

Review and consider application for a new residence submitted by Kathy Ruehlow of 32307 W Oakland Road

Building Inspector Meerschaert presented the proposed application. The applicant proposes to erect a new single family dwelling with recreational area and to erect a detached 4-car garage. This is a legal conforming lot and meets requirements for lot abutting lake. The principal structure meets setback requirements. The accessory structure (4-car detached garage) meets setback requirements also.
Specification sheets for outside lighting were submitted for landscaping. Low voltage lighting for steps and walks are downward directed and/or shielded. Exterior lighting on the principal residence have not been submitted for review at this time. The proposed project meets all other requirements of the Village Zoning Code. Mr. Meerschaert also advised he has reached out to the builder for an RFI (Request for Information) on the drainage issue. Ruehlow engineers are working to address the problem area. This issue will be monitored and Ms. Hansen will be kept informed of the progress to address this situation. (Ms. Hansen advised there has been a drainage issue for years in this area.)

Zoning Administrator Lincoln reported that Collaborative Design recommended that the Village retain a separate civil engineer to review the plans and confirm that the Ruehlow civil engineers did in fact correct the drainage issue to the best of their ability. Mr. Lincoln also discussed the drainage problem with the lead architect/project engineer Brian Link.

Mr. Link reassured Committee Members and Ms. Hansen that everything possible will be done to make sure that adjoining owners are not adversely affected, especially on the west side of the lot. He also recommended that the Village retain an independent engineer to review the civil engineering plan once it is completed.

Motion (Pranke/Gallagher) to recommend final approval of the application for a new residence submitted by Kathy Ruehlow of 32037 W Oakland Road subject to the Village retaining an independent civil engineer to confirm the Ruehlow civil engineer did in fact address the drainage issue. Motion carried

**Review and consider application for land division of 10.747 acres to be split into two lots submitted by Lora B Wilson of 5871 N STH 83**

Attorney Gartner addressed this application. One issue that was considered prior to the submission of this proposal was the current lake frontage being less than 150 ft. The Village Code requires that when a property is divided by a Certified Survey Map (CSM) or a subdivision, that a lot that has less than 150 ft. lake frontage cannot be created. Because the 122 ft. lake frontage dimension is currently existing, the determination was that it is non-conforming. It is not changing as the result of the CSM so the 122 ft. lake frontage dimension would remain non-conforming. When looking at the lot sizes for the two lots that are being created and consider them under the zoning code provisions, they are accurate in area so the Village can approve the proposed CSM, the lot will remain non-conforming but only as to the lake frontage dimension which can't be further reduced from the existing 122 ft. dimension. The area of the new lake front lot is consistent with the Village Code. Attorney Gartner reviewed Section 6.5(5) and 6.6 of the Village Code with Committee Members.

The applicant proposes to divide existing lot Tax Key No. CHQV0399995 into two lots. Lot 1 conforms to minimum lot requirements for lot abutting lake; Lot 2 conforms to requirements for lots not abutting lake. An existing 20 ft. wide easement exists for access to both lots. The proposed land division meets all other requirements of the Village Zoning Code.

Motion (Pranke/Enters) to recommend final approval on the application for land division of 10.747 acres to be split into two lots submitted by Lora B Wilson of 5871 N STH 83. Mr. Gallagher sold this property and therefore recused himself. Motion carried

**Building Inspector's Report**

Building Inspector Meerschaert updated Members on the status of recent permits issued.

**Administrator's Report**

No report
Village Attorney's Report
No report

Adjournment
Motion (Grunke/Bellin) to adjourn the meeting of Plan Commission at 7:01 p.m. *Motion carried*

Respectfully submitted by:  
Approved and Ordered Posted by:

Pamela Ann Little  
Village Clerk

Helmut Keidl  
Chairperson
STAFF REVIEW

Date: August 6, 2019    Meeting Date & Time: Monday, August 12, 2019, at 6:00 P.M.

To: Plan Commission, Village of Chenequa

From: Planning Department

Subject: Site Plan Review

Builder: Landworks Landscape Services

Owner: Dermond

Location: 7195 N Hwy 83, Hartland, 53029

Project Description: Lake Patio

Zoning District: Residence District – Lot Abutting Lake

COMMENTS:

1. The applicant proposes to install a flagstone patio of with flagstone path and ironwood risers for slopes to patio.

2. The proposed patio meets setback requirements under Chapter 6 Section 5(4)(a)(i)B between (30) thirty feet and (75) seventy-five feet there may be constructed and maintained uncovered terraces, patio at ground level.

3. A building permit is required from the Building Inspector prior to start of construction.

Gary Meerschaert
Building Official – SAFEbuilt
Chenequa Building Inspector

c: Bob Douglas, Administrator
Pamela Little, Clerk
Flagstone Landscape Design and Contracting, Builder
Barry Belanger, Applicant
Gary Meerschaert, SAFEbuilt
Witchhazel

Musclewood Tree

Hazelnut Shrub
Flagstone Patio and Path

Ironwood Risers for Slopes

Limestone steps to Pier
STAFF REVIEW

Date: August 6, 2019  Meeting Date & Time: Monday, August 12, 2019 at 6:00 P.M.

To: Plan Commission, Village of Chenequa

From: Planning Department

Subject: Site Plan Review

Builder: Deep River Partners

Owner: Jeffrey & Sarah Joerres

Location: 31745 W. Muscovy Rd.

Project Description: New Single Family Dwelling and Detached Garage with Boathouse Remodel

Zoning District: Lot Abutting Lake

COMMENTS:

1. This is a review of the submittals for the lighting of the aforementioned project as required by planning commission.

2. Landscape lighting is 12V AC LED fixtures, step lights are 3 watt and downward facing projecting, G3 fixtures around exterior of dwelling are accent up lights and are exempt under Chapter 5 Section (8) except for the requirements of sub-section (6).

3. Lighting fixtures associated with the exterior of the dwelling are either downward projecting or shielded to provide no glare, light trespass or cast upon property of others. Fixtures as listed with seeded glass shall insure conditions of Chapter 5 Section (5) are met or will be subject to being modified to provide shielding. All exterior fixtures shall meet requirements of Chapter 5 Section (6) for hours of operation.

4. Exterior fixtures for barn are downward projecting and/or shielded as required under Chapter 5 Section (5) of general rules and are subject to requirements of Section (6) for hours of operation.

5. Exterior fixtures for boathouse are downward projecting as required by Chapter 5 Section (5) in addition to low voltage accent lighting exempted by Chapter 5 Section (8). Exterior lighting is subject to requirements of Chapter 5 Section (6) for hours of operation.
6. The lighting plan has been submitted in compliance with Chapter 5 Section (9) sub. a through c.

c: Bob Douglas, Administrator
   Pamela Little, Clerk
   Deep River Partners, Architect or builder
   Jeffrey & Sarah Joerres, Applicant
   Gary Meerschaert, SAFEbuilt
BEING THE SOUTH 26 FEET OF LOT 12 AND THE NORTH 39 FEET OF LOT 13 OF WEIN'S SUBDIVISION LOCATED IN THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 20, TOWN 8 NORTH, RANGE 18 EAST IN THE TOWN OF MERTON, WAUKESHA COUNTY, WISCONSIN.

A Ordinary High Water Mark Elevation (WHT2: NGVD 1929 Datum) was established for this portion of North Lake, based on Certified Survey Map No. 1079, recorded in 2006 for property located at W293099 North Lake Drive.

100 YEAR FLOOD LINE SHOWN PER FIELD DELINEATION ON 07/11/2019. ELEVATION SOURCE: FEMA FIRM MAP NO. 5513520046 EFFECTIVE ON 11/05/2014.

THE ENTIRE PROPERTY LIES WITHIN THE JURISDICTIONAL LIMITS OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE.

ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE 6, SECTION 4, OF THE STATE CONSTITUTION.

THE LOWEST FLOOR OF A PROPOSED PRINCIPAL OR ACCESSORY STRUCTURE, INCLUDING MECHANICALS, PRIVATE SEWAGE SYSTEM AND WELL OPENINGS, SHALL BE PLACED AT OR ABOVE AN ELEVATION OF 900.3 FEET AMSL NAVD88.

VERTICAL DATUM IS NGVD 1929

THE WAUKESHA COUNTY PARK AND PLANNING COMMISSION GRANTED A WAIVER ON JULY 10, 2006 REDUCING THE WIDTH OF THE ESTABLISHED ROAD RIGHT-OF-WAY OF NORTH LAKE DRIVE FROM 66 FT TO 35 FT.

OWNER:

INSTRUMENT DRAFTED BY: MARC C. PASSARELLI DATE: AUGUST 10, 2018 JOB NO. 35296CSM SHEET 1 OF 5
Waukesha County Certified Survey Map No.

Being the South 26 feet of Lot 12 and the North 39 feet of Lot 13 of Wein’s Subdivision located in the Southeast ¼ of the Northwest ¼ of Section 20, Town 8 North, Range 18 East in the Town of Merton, Waukesha County, Wisconsin.

Surveyor’s Certificate
State of Wisconsin
Milwaukee County

I, Marc C. Passarelli, a Professional Land Surveyor do hereby certify:

That I have surveyed, divided and mapped the South 26 feet of Lot 12 and the North 39 feet of Lot 13 of Wein’s Subdivision located in the Southeast ¼ of the Northwest ¼ of Section 20, Town 8 North, Range 18 East in the Town of Merton, Waukesha County, Wisconsin, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest ¼ of Section 20; thence South 89° 32' 52" West along the North line of said Northwest ¼ 1095.00 feet; thence South 12° 45' 55" East, 1948.97 feet to the point of beginning of the lands to be described; thence North 89° 51' 05" East, 278.62 feet to a point on a meander line of North Lake; thence South 18° 42' 42" East along said meander line, 66.91 feet; thence South 89° 51' 05" West, 285.73 feet to the Easterly right-of-way line of North Lake Drive; thence North 12° 45' 55" West along said Easterly line, 65.00 feet to the point of beginning. Including land lying between the meander line and the shoreline of North Lake and between the Northerly and Southerly lot line extended to the shoreline. Containing 19,317 square feet of land, (0.4435 acre) more or less to the shoreline.

That I have made such survey, land division and map by the direction of William M. Judge and Mary E. Judge, owners of said land.

That such map is a correct representation of the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Ordinances of the Town of Merton and Ordinances of Waukesha County in surveying dividing and mapping the same.

Dated this 7th day of August, 2018.

Marc C. Passarelli
Wisconsin Professional Land Surveyor

Conservancy – Floodplain Preservation Restrictions

Those areas of land identified as Floodplain on Page 1 of 5 on this Certified Survey Map shall be subject to the following restrictions:

1. Grading, filling, the removal of topsoil or other earthen materials are prohibited, unless specifically authorized by the municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use-Planning and Zoning Division, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.

2. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that dead, diseased, dying, or invasive vegetation may be removed, at the discretion of the landowner and with approval from the Waukesha County Department of Parks and Land Use-Planning and Zoning Division. Silvicultural thinning, upon the recommendation of a forester or naturalist and the approval from the Waukesha County Department of Parks and Land Use-Planning and Zoning Division, shall also be permitted.

3. Grazing by domesticated animals, i.e., horses, cows, etc., is prohibited.

4. The introduction of plant material not indigenous to the existing environment of the Floodplain Preservation Area is prohibited.

5. Ponds may be permitted subject to the approval of the municipality in which they are located and, if applicable, the Waukesha County Department of Parks and Land Use-Planning and Zoning Division, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.

6. The construction of buildings is prohibited.
BASEMENT RESTRICTION - GROUNDWATER

This Certified Survey Map is located in an area with mapped soils known to have seasonal high groundwater. The Waukesha County Shoreland and Floodland Protection Ordinance currently requires that the lowest level of any residence must be at an elevation that is at least one (1) foot higher than the highest seasonal groundwater level, unless a variance from that requirement is obtained from the Waukesha County Board of Adjustment. Therefore, additional soil testing in the vicinity of any proposed residence will be required to ensure compliance with this requirement. If the requirement regarding vertical separation distance from the highest seasonal groundwater level is modified by a future amendment to the Waukesha County Shoreland and Floodland Protection Ordinance, the requirement at the time of construction shall apply. All groundwater separation requirements set forth by the Town of Merton must also be complied with.

OWNER'S CERTIFICATE:

William M. Judge and Mary E. Judge, owners, do hereby certify that they have caused the land described in this document to be surveyed, divided and mapped as represented on this map in accordance with the requirements of Chapter 236 of the Wisconsin Statutes, the ordinances of the Town of Merton and the ordinances of Waukesha County.

Witness the hand and seal of said owners this ___ day of ___________, 2019.

William M. Judge, Owner

Mary E. Judge, Owner

STATE OF WISCONSIN

MILWAUKEE COUNTY)

Personally came before me this ___ day of ________________, 2019, the above named William M. Judge and Mary E. Judge, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My Commission expires ____________________
CONSENT OF MORTGAGEE:

BMO Harris, duly organized and existing under and by virtue of the laws of the United States, mortgagor of the above described land, hereby consent to the surveying, dividing, and mapping of the land described in the foregoing affidavit of Marc C. Passarelli, surveyor and does hereby consent to the above certificate of William M Judge and Mary E. Judge, owners.

In Witness Whereof, BMO Harris, has caused these presents to be signed by _______________, it's Representative, at ___________________________, this __________ day of ___________________________, 2019.

__________________________
BMO Harris

STATE OF WISCONSIN )
COUNTY SS

Personally came before me this ______ day of ___________________________, 2019, the above named ____________________________, of the above named bank, to me known to be the person who executed the foregoing instrument and to me known to be such Representative and acknowledged that he executed the foregoing instrument as such officer as the deed of said bank by its authority.

Notary Public, State of ____________________________
My Commission expires ____________________________

TOWN OF MERTON PLAN COMMISSION APPROVAL

APPROVED by the Plan Commission of the Town of Merton this ______ day of ___________________________, 2019.

Tim Klink, Chairman
Holly Claas, Recording Clerk

TOWN OF MERTON BOARD APPROVAL

APPROVED by the Town Board of the Town of Merton this ______ day of ___________________________, 2019.

Tim Klink, Chairman
Donna Hann, Town Clerk
WAUKESHA COUNTY CERTIFIED SURVEY MAP NO. _____

BEING THE SOUTH 26 FEET OF LOT 12 AND THE NORTH 39 FEET OF LOT 13 OF WEIN'S SUBDIVISION LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, TOWN 8 NORTH, RANGE 18 EAST IN THE TOWN OF MERTON, WAUKESHA COUNTY, WISCONSIN.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

The above, which has been filed for approval as required by Chapter 236 of the Wisconsin State Statutes, is hereby approved on this _____ day of ____________, 2019.

Daia R. Shaver, Director

VILLAGE OF CHENEQUA PLAN COMMISSION EXTRATERRITORIAL APPROVAL

APPROVED by the Village of Chenequa Plan Commission this _____ day of ____________, 2019.

_________________________                     ______________________________

, Chairperson                     Pamela Ann Little, Clerk/Treasurer

VILLAGE OF CHENEQUA BOARD EXTRATERRITORIAL APPROVAL

APPROVED by the Village of Chenequa Plan Commission this _____ day of ____________, 2019.

_________________________                     ______________________________

Jo Ann F. Villavicenco, Chairperson                     Pamela Ann Little, Clerk/Treasurer

Instrument drafted by: Marc C. Passarelli  Job No. 35296 CSM  Sheet 5 of 5