

**CITY OF SHOREWOOD  
JOINT PARK/PLANNING COMMISSION  
WORKSESSION  
TUESDAY, JANUARY 12, 2021**

**5755 COUNTRY CLUB RD  
SHOREWOOD CITY HALL  
7:00 PM**

Due to the Centers for Disease Control's recommendation limiting the number of people present at a meeting, and pursuant to MN Statute §13D.02, the Shorewood Park and Planning Commission meetings will be held by electronic means. For those wishing to listen live to the meeting, please go to [ci.shorewood.mn.us/current meeting](https://ci.shorewood.mn.us/current%20meeting) for the meeting link. Contact the city at 952.960.7900 during regular business hours with questions. For link issues at meeting time, call 952.960.7906.

**AGENDA**

**1. CONVENE JOINT PARK/PLANNING COMMISSION WORKSESSION**

**A. Roll Call**

Mangold \_\_\_\_\_  
Hirner \_\_\_\_\_  
Gallivan \_\_\_\_\_  
Schmid \_\_\_\_\_  
Garske \_\_\_\_\_

MADDY \_\_\_\_\_  
GORHAM \_\_\_\_\_  
EGGENBERGER \_\_\_\_\_  
GAULT \_\_\_\_\_  
RIEDEL \_\_\_\_\_

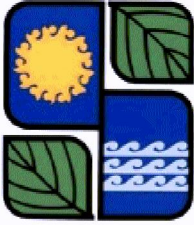
**B. Review Agenda**

**2. DISCUSSION ITEM:**

**A. Fire Lanes - (Att.-#2A)**

**3. ADJOURN**

***Park Commission Liaison for City Council Meeting on January 25 is Commissioner Mangold***



# CITY OF SHOREWOOD

5755 Country Club Road • Shorewood, Minnesota 55331  
952-960-7900 • [www.ci.shorewood.mn.us](http://www.ci.shorewood.mn.us) • [cityhall@ci.shorewood.mn.us](mailto:cityhall@ci.shorewood.mn.us)

To: Parks Commission, Planning Commission and City Council

From: Marie Darling, Planning Director

Memo Date: January 12, 2021

Re: Continued Fire Lane Discussion for Fire Lanes 1, 3-6

Attachments: Memorandum for the November Meetings  
Section 611 - Snowmobile Regulations  
Section 1201.03 Subd. 19  
Zoning Map with Fire Lanes Identified  
Correspondence Received Regarding Fire Lanes

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The information below is an excerpt of the information provided in the September 1, 2020 joint meeting specifically discussing the five remaining fire lanes where the Commissions determined more discussion was needed. Also attached is the memo from the November meetings, with the additional information requested by the Commissions and previously discussed.

## **From the September 1 Report (Excerpted):**

Now that staff and all the commissioners were able to walk each of the 10 fire lanes, the next step is to consider:

- How well does each fire lane serve the public as lake access?
- Are the uses that are currently allowed appropriate in each of the fire lanes?
- Are there other uses that are currently not permitted that could be approved based on the characteristics of each fire lane?
- Should improvements be completed to allow the site to serve as public lake access more effectively?

### Currently allowed Uses:

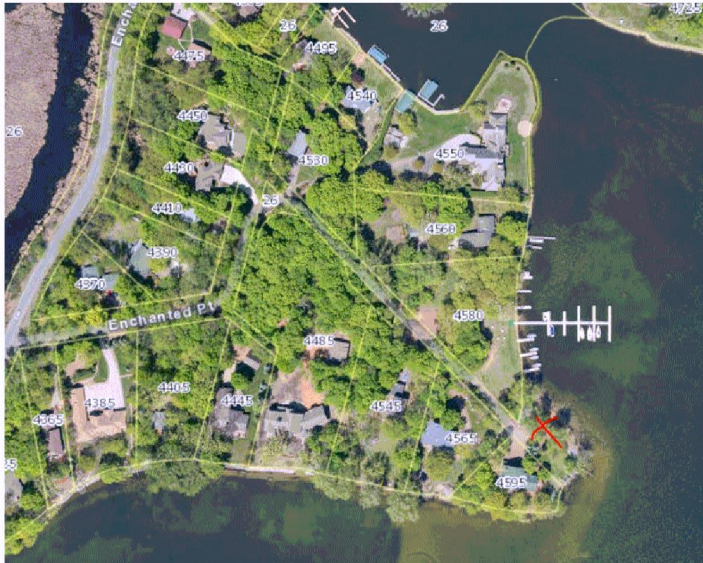
The current allowed uses are divided into three groups, with eight of the fire lanes in the group that allows the most passive uses. The uses are summarized below.

Class 1: Allows pedestrian access to the lake, fishing from the shore, launching canoes and other small boats not requiring a trailer, and cross country skiing.

Class 2: Allows pedestrian access to the lake, launching canoes and other small boats not requiring a trailer, cross country skiing, snowmobile access to the lake, swimming and parking.

Class 3: Allows pedestrian access to the lake, fishing from the shore, launching canoes and other small boats not requiring a trailer, cross country skiing and allows the installation of a dock subject to six specific conditions listed in the regulations (attached).

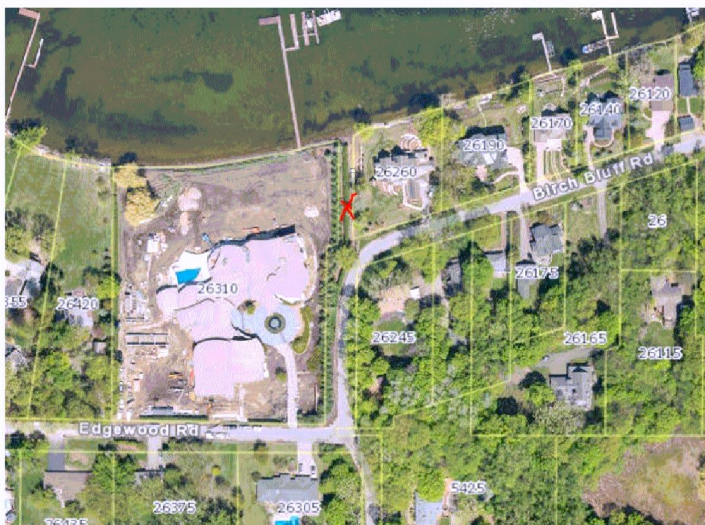
Class	Fire Lanes
1	1, 2, 3, 4, 7, 8, 9, 10
2	6
3	5



The adjacent Yacht Club has indicated that they would be willing to work with the City to provide lockable storage racks for personal watercraft to increase public access to the lake and would be willing to provide maintenance in the area. The boundary between the two parcels was not clearly defined on the original plat.

Private improvements have been placed in the fire lane obstructing public access.

### Fire Lane 1



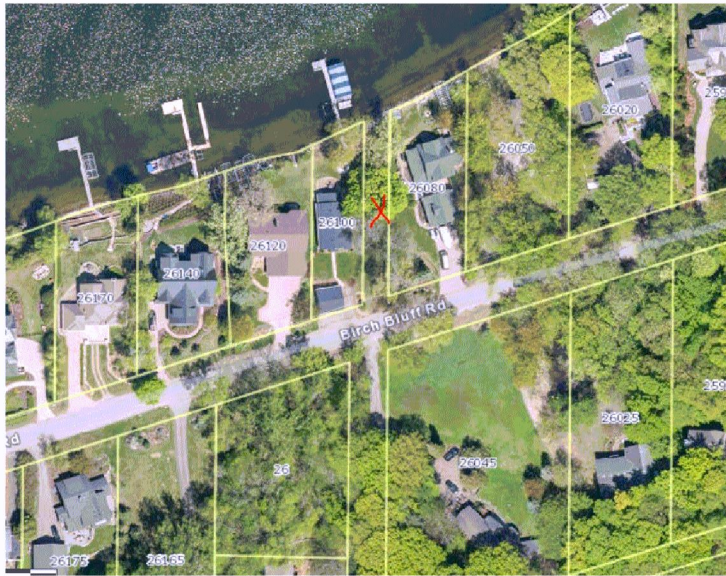
This fire lane provides the most commonly-used public access to the lake in both summer and winter

Private improvements have been installed in the fire lane.

25 feet in width

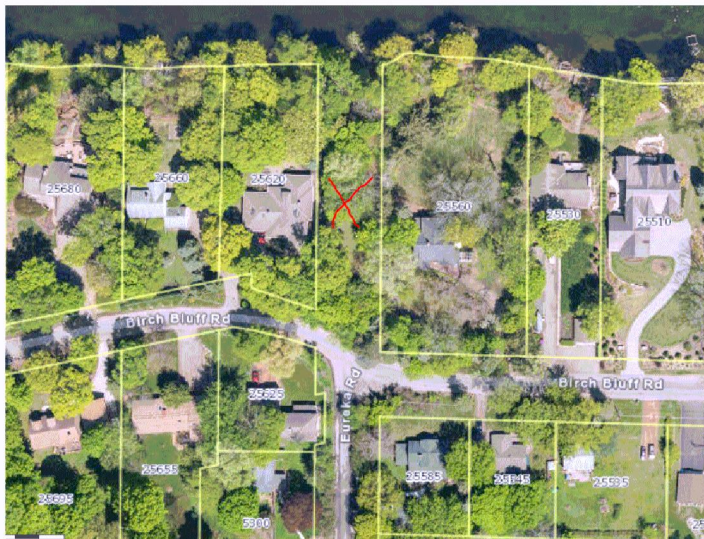
### Fire Lane 3





25 feet wide

## Fire Lane 4



Provides steep access point to the lake.

66 feet wide

## Fire Lane 5

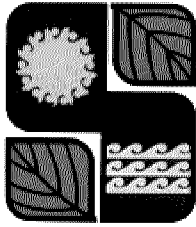


This fire lane provides a widening of Crescent Beach, but the Shorewood side of the fire lane is mostly a ditch to Lake Minnetonka for drainage purposes.

Shorewood side is 33 feet wide

## Fire Lane 6





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To: Park Commission and Planning Commission

From: Marie Darling, Planning Director

Meeting Dates: November 10, 2020 (Park Commission)  
November 17, 2020 (Planning Commission)

Re: Fire Lanes Open Questions

Attachments: DNR Input on Vacation Requests  
Information from Assessor on Tax Impact of Vacation  
Minutes from the September 1, 2020 meeting  
Correspondence Received

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At the joint work session on September 1, 2020, the Commissioners asked for three additional pieces of information:

- How vacations are processed
- The cost to provide additional maintenance
- The tax implications if adjacent property owners receive additional property through vacations

At that same meeting, the commissioners were generally in consensus with the following:

- ✓ They suggested that Fire Lane 2 may have no public park purpose and suggested keeping it as a utility access for lift station maintenance and removing that from the ordinance and zoning map
- ✓ They needed more information to decide on the future of Fire Lanes 3-6
- ✓ They thought Fire Lanes 8-10 would have little public use in the future and should be considered for vacation

## ***THE VACATION PROCESS:***

The process to vacate streets, alleys, public grounds, public ways, etc. is governed by Minnesota Statute 412.851. The statute indicates that vacations may only be undertaken if it is in the public interest to do so.

The City would need to hire a surveyor to prepare a legal description of the property(ies) if a legal description is not currently available.

The City Council must order a public hearing to complete the vacation. Staff would then publish a notice of the meeting twice and post the notices in the entrance to City Hall and on the website at least 10 days before the hearing.

The city is also required to send notice to the Commissioner of the DNR at least 60 days prior to the hearing. Additionally, at least 15 days prior to convening the public hearing, the Council or its designee must consult with the commissioner of natural resources to review the proposed vacation and advise the City on the evaluation based on specific criteria:

1. The proposed vacation and the public benefits to do so.
2. The present and potential use of the land for access to public waters.
3. How the vacation would impact conservation of natural resources.

Staff also consulted with the DNR staff on how they would review the requests and they submitted the attached information.

Additionally, an abutting property owner who suffers lack of access from the vacation of the area may be entitled to compensation.

### ***TAX IMPLICATIONS FOR RECEIVING PROPERTY OWNERS:***

The County Assessor provided information on the tax implications for the adjacent property owners that may receive additional land. The tax implications for the properties adjacent to Lake Minnetonka appear to be greater than the implications for the properties adjacent to Lake William. The Assessor's information is attached.

### ***MAINTENANCE:***

The public works director provided the following information regarding the cost of any additional fire lane maintenance:

The cost to provide a walkway to the shore or top of bluff are not fully known at this time. Staff are still asking for information from contractors, but any spraying that would be needed for noxious weeds would cost approximately \$300-\$400 per fire lane per application due to topography and other constraints. Removal of noxious weeds may require more than one spraying.

The cost to provide signage at the boundaries and one sign stating the allowed uses and hours would cost a minimum of \$120 per sign, plus posts and installation.

Public works staff would not recommend changes to the ditch in Fire Lane 6 to allow for additional access as the ditch is highly important for stormwater purposes. He recommends the winter access be through the beach area instead.

Regarding Fire Lane 2 – Larry Brown, Public Works Director recommends removing this as a fire lane, but the easements would need to remain.

### ***Liability:***

The City Attorney has advised that the liability of Fire Lanes is similar to any park property, whether left as they are or if opened up to encourage greater public access.



## Marie Darling

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**From:** Stewart, Nancy (DNR) <nancy.stewart@state.mn.us>  
**Sent:** Tuesday, September 29, 2020 2:05 PM  
**To:** Marie Darling; Vickery, Martha L (DNR)  
**Cc:** Henzen, Rachel (DNR); Spooner-Mueller, Nancy (DNR)  
**Subject:** RE: Vacations of rights of way to Lake William and Lake Minnetonka in Shorewood

Hi Maria,

DNR staff are instructed to review each proposed vacation on its own merits. DNR staff from every division are asked for comments. The DNR comments on these three topics areas:

- a. Public benefits to doing the vacation, and
- b. Present and future potential public use of the area for recreation, and
- c. How the road vacation would impact the conservation of natural resources, wildlife/fish habitat, and cultural and historic resources in the area

In most road vacation proceedings, the petitioner must prove that these roadways or public areas that abut or lead to public waters have no public value in either present or future sense. One of the DNR's tasks is to articulate the potential (current and future) value these areas might have, because once these lands are vacated they are likely lost to the public forever.

Resolving trespass and encroachment issues from private landowners on the proposed vacated road that abuts public water is not enough of a reason to oppose or be unopposed to the proposed vacation of the road. The trespass/encroachment can be removed and resolved over time.

When the road vacation is part of a comprehensive plan for the lake, and when the town, city, or county that has included an in-depth field and a public review process, as these lands offer access to people who cannot afford lakeshore property. The DNR would like to see that there is:

- Adequate access to public waters during the summer and winter for both motorized and non-motorized activities. These public corridors often afford recreational opportunities such as shore fishing, canoeing, swimming, picnicking, observation and scenic viewing area, ice fishing and/or snowmobiling access.
- No harm to natural resources. These public corridors abutting or terminating at waters often provide an intact riparian shore land zone that affords the ecological functions necessary to sustain fish and wildlife, and protect water quality. Additional shore land development causes major impacts.
- A review if there are historical and cultural resources present, which is common for lakeshore parcels. The DNR strongly encourages these resources be protected.

Hope this helps, please let me know if you have additional questions.

Nancy

Nancy Stewart

Water Recreation Consultant | Division of Parks and Trails

Minnesota Department of Natural Resources

500 Lafayette Road

St. Paul, MN 55155

Phone: 651-259-5616

Email: [nancy.stewart@state.mn.us](mailto:nancy.stewart@state.mn.us)

[mndnr.gov](http://mndnr.gov)

## Marie Darling

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**From:** Michael J Smerdon <Michael.Smerdon@hennepin.us>  
**Sent:** Thursday, September 10, 2020 3:23 PM  
**To:** Marie Darling  
**Subject:** Impact of vacating fire lanes on neighboring properties value

Hi Marie,

As we discussed earlier today, if the City were to vacate the fire lanes and deed them to a neighboring residential property, it may or may not impact that property's assessed value. For those properties on Lake Minnetonka it would increase their lake frontage and therefore increase the assessed value of the property. The impact would be different for every property depending on how much lake shore that property currently has. If it is a lot with a large amount of lakeshore it would have a smaller impact than if it was deeded to a property with a small amount of frontage. The properties on Lake William would be impacted much less, as we value those lots as building sites, and the amount of frontage on Lake William has a much smaller impact on the values of those properties.

If you have any other questions let me know,

Michael Smerdon, SAMA  
Principal Residential Appraiser  
Hennepin County Assessor's Office  
Cell : 612-267-4480  
Office : 952-249-4641

*"Value and Classify Property, Uniformly and Accurately"*

*\*\*Please note, The Hennepin County Assessor's Office public facing locations are currently closed. In support of the health and safety of our taxpayers and employees, we are working remotely. We will get back to you as quickly as possible, and thank you in advance for your patience as we navigate new ways to serve you.*

**Disclaimer:** If you are not the intended recipient of this message, please immediately notify the sender of the transmission error and then promptly delete this message from your computer system.



## CHAPTER 611 SNOWMOBILES

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Section

- 611.01 Definitions
- 611.02 Operation generally
- 611.03 Manner of operation
- 611.04 Equipment
- 611.05 Application of other laws
- 611.06 Persons under certain age
- 611.07 Leaving snowmobile unattended
- 611.08 Chasing animals forbidden
- 611.09 Littering and obstructions
- 611.10 Violations

### 611.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BOULEVARD.** That portion of a street right-of-way not occupied by pavement.

**LRT RIGHT-OF-WAY.** That portion of the Hennepin County Regional Rail Authority right-of-way within the City of Shorewood commencing on the east at the City of Excelsior corporate boundary and extending west to the City of Victoria corporate boundary.

**LRT TRAIL.** That portion of the LRT right-of-way maintained for the use of the public for nonvehicular purposes.

**OPERATE.** To ride in or on and control the operation of a snowmobile.

**OPERATOR.** Every person who operates or is in actual physical control of a snowmobile.

**ORGANIZED EVENT.** An event sponsored and conducted by the Park Commission, the Chamber of Commerce, Jaycees, American Legion or similar Council-recognized civic groups or associations.

**OWNER.** A person, other than a lienholder, having the property in or title to a snowmobile and entitled to the use or possession thereof.

**PERSON.** Includes an individual, partnership, corporation and any body of persons, whether incorporated or not, the State of Minnesota and its agencies and political subdivisions, except this definition does not include police officers or duly authorized and uninformed snow patrol personnel in the performance of their duties.

**PLOW RIDGE.** The bank of snow remaining at the side of the road after the plow has passed.

**RIGHT-OF-WAY.** Any property established for the use of the public for street or highway purposes by any federal, state, county or local government, by dedication, gift or statutory use, whether developed or undeveloped, paved or unpaved.

***SAFETY* or *DEADMAN THROTTLE*.** A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving track.

***SNOWMOBILE*.** A self-propelled vehicle designed for travel on snow or ice or natural terrain steered by skis or runners.

***STREET* or *HIGHWAY*.** The entire width between boundary lines of any right-of-way or place when any part thereof is open to the use of the public, as a matter of right, for the movement of vehicular traffic.

(1987 Code, § 802.01)

## **611.02 OPERATION GENERALLY.**

Subd. 1. A person may operate a snowmobile within the corporate limits of the city in only the following locations:

a. Public waters as permitted by resolution of the LMCD or Shorewood City Council, but not closer than 150 feet to the shoreline except when entering or exiting the public waters traveling in a line perpendicular to the shoreline;

b. On private property with the express permission of the property owner;

c. On a right-of-way subject to the limitations set forth in this section;

d. Such other locations and times as designated by resolution of the City Council for supervised training;

e. A person operating a snowmobile in any part of the City of Shorewood except as provided herein shall be guilty of a misdemeanor.

Subd. 2. No person shall operate a snowmobile upon the roadway of any street or highway except for the purpose of direct travel from the person's home to the closest destination where snowmobiling is permitted by the shortest possible route and then only if travel on the adjacent street or highway right-of-way is restricted because of developed yards or physical barriers.

Subd. 3. Persons may operate a snowmobile on the street side of the plow ridge and avoid obstacles by going into the street, not onto the boulevard. While traveling on streets, snowmobiles shall drive in the direction of traffic.

Subd. 4. No person shall operate a snowmobile on the LRT trail or within the LRT right-of-way.

Subd. 5. A snowmobile may make a direct crossing of a street or highway provided:

a. The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

b. The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway;

c. The operator of the snowmobile must yield the right-of-way to all oncoming traffic;

d. In crossing a divided street or highway, the crossing is made at an intersection of such street or highway with another public street or highway;

e. The crossing is made with both front and rear lights illuminated.

Subd. 6. Where no special hazard exists, the following speeds shall be lawful, and any speeds in excess shall be deemed unlawful:

a. 10 miles per hour on public property within the city;



b. 10 miles per hour when operated on any public waters within the city closer than 150 feet to the shoreline.

Subd. 7. No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians.

Subd. 8. Notwithstanding any prohibition in this chapter, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time when snow upon such thoroughfare renders travel by automobile impractical.

Subd. 9. An operator shall bring the snowmobile to a stop and switch off the engine when flagged by a police officer or duly authorized uniformed snow patrol member.

(1987 Code, § 802.02) (Ord. 358, passed 10-25-1999)

### **611.03 MANNER OF OPERATION.**

Except as otherwise specifically permitted and authorized, it is unlawful for any person to operate a snowmobile within the limits of the city in the following manner:

Subd. 1. At any place while under the influence of intoxicating liquor or narcotics or habit forming drugs;

Subd. 2. At a rate of speed greater than reasonable or proper under all the surrounding circumstances. Racing is prohibited except as may be specifically authorized as part of an organized event, which authorization shall be by permit issued by the City Council. Maximum speed limits shall be set from time to time by Council resolution;

Subd. 3. At any place in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;

Subd. 4. So as to tow any person or thing except through use of a rigid tow bar attached to the rear of the snowmobile;

Subd. 5. When the noise level of the snowmobile exceeds 78 decibels on the A Scale at a distance of 50 feet from the snowmobile;

Subd. 6. At anytime within the city between the hours of 11:00 p.m. and 7:00 a.m. on Friday and Saturday, and between the hours of 10:00 p.m. and 7:00 a.m. on Sunday through Thursday;

Subd. 7. At any time between the first of April and the thirtieth of November;

Subd. 8. Abreast of another snowmobile except when overtaking and passing another snowmobile. No passing shall be allowed if a pedestrian is within 30 feet of the snowmobile;

Subd. 9. On the LRT Trail.

(1987 Code, § 802.03) (Ord. 358, passed 10-25-1999) Penalty, see § 104.01

### **611.04 EQUIPMENT.**

It is unlawful for any person to operate or for the owner to cause or knowingly permit the operation of a snowmobile any place within the limits of the city unless it is equipped with the following:

Subd. 1. Standard mufflers which are properly attached and in constant operation and which reduce the noise of operation of the motor to the minimum necessary for operation. Mufflers shall comply with Minn. Rules part 6100.5700, subp. 5 which certifies that a new

snowmobile complies with the noise limitation requirements of this rule. A manufacturer shall make such a certification based on measurements made in accordance with the SAE Recommended Practice J192(a) as set forth in the Report of the Vehicle Sound Level Committee, as approved by the Society of Automotive Engineers, September 1970 and revised November 1973;

Subd. 2. Brakes adequate to control the movement of and to stop and hold the snowmobile under any conditions of operation;

Subd. 3. A safety or deadman throttle in operating condition;

Subd. 4. At least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. Such head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. The lighting equipment shall be illuminated at all times the vehicle is operated;

Subd. 5. Reflective material at least 16 square inches on each side, forward of the handlebars, so as to reflect or beam light at a 90 degree angle.

(1987 Code, § 802.04) Penalty, see § 104.01

#### **611.05 APPLICATION OF OTHER LAWS.**

City traffic ordinances shall apply to the operation of snowmobiles upon streets and highways and M.S. §§ 84.81 to 84.88 and M.S. Chapter 169, as amended, and except for those provisions relating to required equipment, are adopted by reference.

(1987 Code, § 802.05)

#### **611.06 PERSONS UNDER CERTAIN AGE.**

Subd. 1. It is unlawful for any person under 14 years of age to operate on streets, highways, public lands or frozen water or make a direct crossing of a street or highway as the operator of a snowmobile unless accompanied by a parent or guardian. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets, highway, public lands or frozen waters as permitted under this section and make a direct crossing of a street or highway only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued by the Commissioner of Natural Resources.

Subd. 2. It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this section.

(1987 Code, § 802.06) Penalty, see § 104.01

#### **611.07 LEAVING SNOWMOBILE UNATTENDED.**

Every person leaving a snowmobile in a public place shall lock the ignition and remove the key from the snowmobile.  
(1987 Code, § 802.07)

#### **611.08 CHASING ANIMALS FORBIDDEN.**

It is unlawful to intentionally drive, chase, run over or kill any animal, wild or domestic, with a snowmobile.  
(1987 Code, § 802.08) Penalty, see § 104.01

#### **611.09 LITTERING AND OBSTRUCTIONS.**

- Subd. 1. No person shall deposit paper, litter, rubbish or debris on public or private property or throw paper, litter, rubbish or debris from snowmobiles.
- Subd. 2. No person shall place obstructions, including ice blocks, on publicly-owned lands or frozen waters so as to interfere with the lawful use thereof by the public.
- Subd. 3. All traffic control devices used for routing snowmobile traffic away from private and public property shall be located on the same private or public property and shall be in place no earlier than November 1 and shall be removed on or before April 15.  
(1987 Code, § 802.09)

#### **611.10 VIOLATIONS.**

Any person violating the provisions of this chapter is guilty of a misdemeanor.  
(1987 Code, § 802.10) (Ord. 245, passed 10-28-1991; Ord. 280, passed 10-11-1993; Ord. 296, passed 1-23-1995; Ord. 314, passed 10-14-1996) Penalty, see § 104.01

## Section 1201.03 of the Shorewood Zoning Regulations

### Subd. 19. *Fire lanes.*

a. *Purpose.* Recognizing that all fire lanes are to provide lake access to the public, this subdivision is established to identify, classify and regulate the use thereof based upon their historic use within the city.

b. *Use classifications.* The use of fire lanes in Shorewood shall be restricted to one of the following classifications:

(1) Class I may be used for pedestrian access to the lake, fishing from shore, launching canoes and other small boats not requiring a trailer and cross-country skiing;

(2) Class II may be used for all of the activities as designated in Class I except fishing, as well as snowmobile access during the winter, parking and swimming;

(3) Class III may be used only for pedestrian access to the lake, fishing, launching canoes and other small boats not requiring a trailer. In addition, a single dock may be installed subject to the following:

(a) The person or group of persons installing the dock shall be Shorewood residents and apply for an annual building permit prior to installation of the dock;

(b) The total length of the dock shall not exceed 25 feet;

(c) The dock shall be installed by a professional installer and maintained in a safe and workmanlike manner;

(d) The use of the dock shall be for the general public and shall not be limited to use by those who install it;

(e) Docking of boats shall be limited to daytime hours only between sunrise and sunset;

(f) The dock shall comply with all requirements of the Lake Minnetonka Conservation District.

c. *Designation of fire lanes.* The following fire lanes shall be identified on the Official Zoning Map and shall be classified as follows:

(1) Class I: 1-Enchanted Island, 2-Shady Island, 3-Grant Lorenze, 4-Third Street, 7-Ferncroft, 8-Ivy Lane, 9-Rustic Way South, 10-Rustic Way North;

(2) Class II: 6-Crescent Beach;

(3) Class III: 5-Eureka.

### d. *General regulations.*

(1) Fire lanes shall be used only for the activities provided for in subdivision b above. No sporting activities shall be allowed which involve thrown objects such as catch, softball, baseball, frisbee, volleyball or football.

(2) Fire lanes shall be subject to the rules and regulations contained in Shorewood Ordinance 140, as may be amended, (Chapter 902) pertaining to the use of city parks, including, but not limited to, use of intoxicating beverages.

(3) Maintenance and improvements of fire lanes shall be the sole responsibility of the city. No one shall maintain or make improvements, except as modified herein, without the approval of the City Administrator/Clerk or his or her agent.

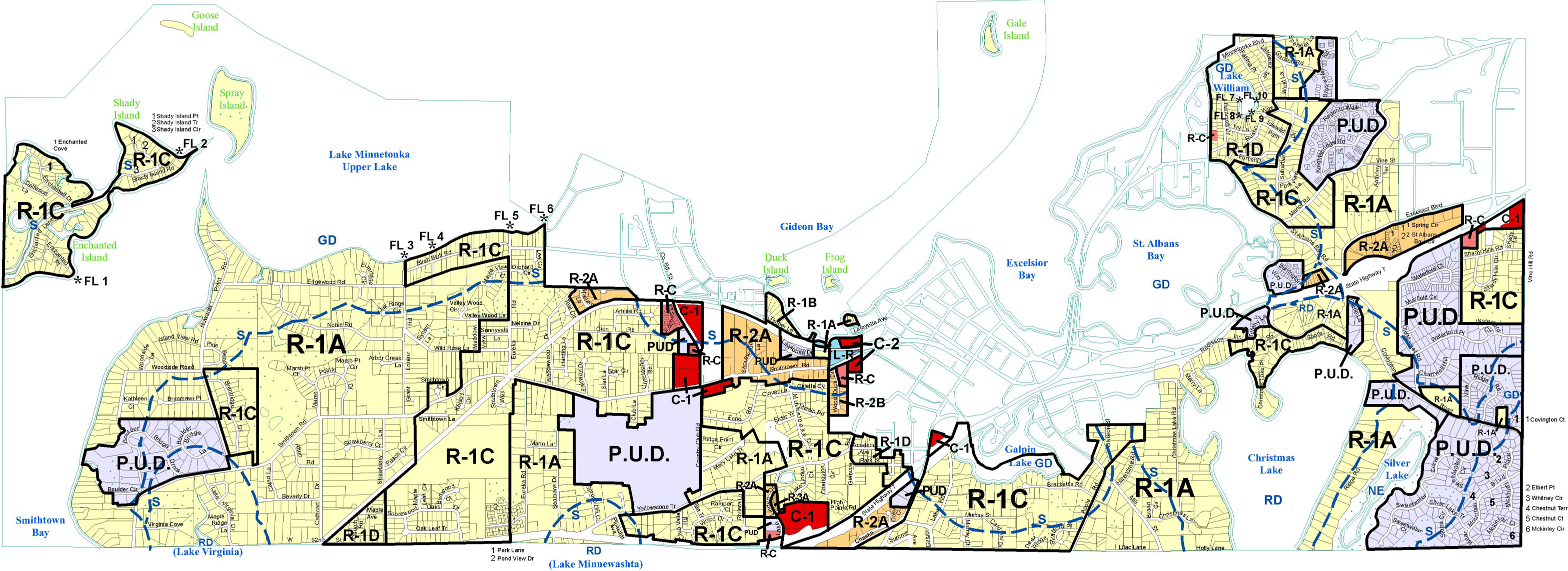
(4) Except in Class II fire lanes, there shall be no parking of automobiles, boat trailers or snowmobiles on or adjacent to any of the fire lanes identified herein.

(5) Except for snowmobiles in Class II fire lanes, motorized vehicles shall be prohibited on fire lanes.

(6) Lots with side yards abutting fire lanes shall provide a total of 30 feet of side yard setback with no one side being less than ten feet.



# CITY OF SHOREWOOD



## RESIDENTIAL DISTRICTS

R-1A	Single-Family (40,000 sq. ft.)	R-2A	Single/Two-Family (20,000/30,000 sq. ft.)
R-1B	Single-Family (30,000 sq. ft.)	R-2B	Single/Two-Family (15,000/20,000 sq. ft.)
R-1C	Single-Family (20,000 sq. ft.)	R-2C	Single/Two-Family (10,000/15,000 sq. ft.)
R-1D	Single-Family (10,000 sq. ft.)	R-3A	Two-Family/Multiple (20,000/30,000 sq. ft.)
		R-3B	Two-Family/Multiple (15,000/20,000 sq. ft.)
		R-C	Residential/Commercial

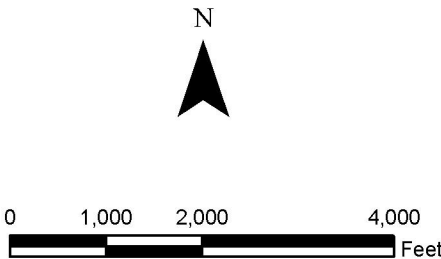
## COMMERCIAL DISTRICTS

C-1	General Commercial
C-2	Service Commercial

## SPECIAL DISTRICTS

L-R	Lakeshore-Recreational
PUD	Planned Unit Development
S	Shoreland
GD	General Development
RD	Recreational Development
NE	Natural Environment
* FL	Fire Lane

## Zoning Districts



## Marie Darling

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**From:** Melia Liester <tmliester@mchsi.com>  
**Sent:** Monday, January 4, 2021 8:12 PM  
**To:** Marie Darling  
**Subject:** Fire Lane Study (Birch Bluff Road Fire Lane #3)

Dear Members of Shorewood City  
Council and Planning and Park  
Commissioners

This email is regarding the upcoming planning commission meeting on 1/12/21 and the fire lane study. I've attended the last two planning commission meetings where this topic has been discussed, and I will be attending on 1/12 as well, but I wanted to provide the council some context as to where I, and several other Shorewood/Birch Bluff/Grant Lorenz/Oak Ridge Circle/Noble Road residents, are on this topic.

What I/we would like to convey is that the residents of Shorewood involved in this matter represent the voice of many vs. the voice of a few who are unhappy with fire lane #3. We have all had access, by snowmobile, or ATV, for as long as we all have lived here, and the majority of us have lived here over 25 years. Basically, there is one party who is asking to have this fire lane restricted to foot traffic only, as you know. Ultimately, we propose that the fire lane #3 be amended to a Class II Firelane continuing the access we've for over the past 25+ years.

Last year, the city blocked the fire lane, while they assessed the situation. We propose a trial option for the winter of 2021; that being limited hour access to snowmobiles and ATVs and posted speed limits, similar to what Tonka Bay allows. Please see the attached photo taken at the Bay Road access near Manitou road.



Everyone is sensitive to the fact that there are two homes that border this fire lane, and that it is reasonable to ask for some restrictions. But to completely change what's been allowed for several years based on the request of one resident, without considering viable options implemented in neighboring lake communities, seems unreasonable.

We all live in Shorewood for various reasons, but a primary reason is the small town feel, the sense of community and access to Lake Minnetonka! We want to be able to use the "shore" and the "woods" as we've been accustomed to for so many years. We seek a reasonable solution that provides reasonable access to the states top recreational lakes.

I appreciate the City of Shorewood and staff's time and consideration.

Tim Liester  
26355 Oak Ridge Circle

## Marie Darling

---

**From:** Melia Liester <tmliester@mchsi.com>  
**Sent:** Monday, January 4, 2021 8:14 PM  
**To:** Marie Darling  
**Subject:** Photo of fire lane in Tonka Bay per email just sent

Hi Marie,

I couldn't attach this photo for some reason, so here's the fire lane photo referenced in the email we just sent. Thanks!

Tim Liester







Michael S. Rosenberg MD  
Sagit V. Rosenberg MD  
4595 Enchanted Point  
Shorewood, Minnesota 55331

September 17, 2020

City of Shorewood  
Planning and Park Commissioners  
Greg Lerud, City Administrator  
Marie Darling, Planning Director  
Shorewood City Hall  
5755 Country Club Road  
Shorewood, Minnesota 55331

RE: Fire lane 1

Dear Commissioners, Administrator, and Director:

We are the property owners of 4595 Enchanted Point (hereafter, "4595") adjacent to Fire lane 1 in the City of Shorewood and would like to include comments regarding the uses allowed in that fire lane.

Thank you for directing us to the packet on the City website in preparation for the Planning Commission meeting held on September 1, 2020 at 7:00 pm. In the packet, made first available on Friday, August 28, 2020, we reviewed the letter sent by the Commodore of the Upper Minnetonka Yacht Club Marina, John E. Grzybek, dated January 15, 2019.

In Mr. Grzybek's letter, there are a number of misstatements of fact regarding the adjacent fire lane that we wish to clarify.

First, we moved into the adjacent property over 17 years ago and have since been regularly cleaning and maintaining the area of the fire lane. This has involved cleaning pre-existing trash including an old wheelbarrow, dock pieces, an old hose, and cinderblocks. Since our ownership of 4595 in May 2003, we have also performed regular maintenance of the grounds such as watering with the pre-existing underground sprinklers, fall and spring clean-up, mowing the lawn and cleaning up storm debris. The landscaping boulders and pine trees in the fire lane existed prior to our purchase of this property.

The "weeds" on the fire lane, which the Commodore is referring to, was a wall of natural beauty with yellow and lavender hollyhocks, sumac and wild grape vines that were unilaterally mowed down and killed with Round Up by the Yacht Club under the direction of the current Commodore over the last 2 or 3 years leaving thorns, thistles and poison ivy (Exhibit A and B). This was apparently for the purpose of exerting some self-serving claim that they have

maintained that property for potential territorial gain when in actuality their actions have been to the detriment of the neighborhood and the general public.

At our meeting with Marie Darling, Greg Lerud, and Katriona Filipovitich Molasky regarding the adjacent fire lane, on January 22, 2020, we showed photos of the natural greenery and flowers as well as the landscaping which was present in the fire lane prior to the purchase of our property in May 2003.

Approximately 3 years ago, erosion of the shoreline and subsequent flooding extending from the fire lane into our property carried with it large amounts of debris and dead fish. We repaired the extensive damage to the area. This included replacing some of the destroyed sod in the fire lane that pre-dated the purchase of our property, added a small area of rip rap and sand to preserve the shoreline and prevent further erosion and flooding, and continued to mow the lawn in order to make the area more safe and accessible.

We were further dismayed by the Commodore's letter noting "[we have] explored selling [our] home, using photographs of the improvements [we] made on City property, as what appears to be an incentive for potential purchasers." Neither we nor our professional real estate agent have ever misrepresented the boundaries of our property to potential buyers and there are appropriate disclosures regarding the fire lane. This calls into question the Commodore's integrity and the general veracity of his statements--especially when considering his prior disbarment from the State of Minnesota for numerous instances of unethical, dishonest and inappropriate behavior, including misappropriation of client funds and failure to follow court orders.

It is our belief that the Yacht Club, which started off as a sailing club, has repeatedly tried to change our quiet residential neighborhood by expanding their commercial business. Over the years, they have challenged their conditional use permit, expanding it from "sailboats" to "boats" allowing the addition of several moored power boats transforming their sailing club to a marina. This altered the character of the area from a quiet residential neighborhood to a busy commercial entity. This impact on the adjacent neighbors was significant enough to pursue repeated legal action (see Upper Minnetonka Yacht Club v. City of Shorewood in MN Court of Appeals in July 2009). In his letter, the Commodore references a letter sent 2 years prior expressing their desire to "lease or purchase" what they called the "wasted property" of the fire lane as it would "add to the City's tax base". Now, they are offering to provide lockable storage racks for "personal watercraft" which further exemplifies the Yacht Club's ambition to manipulate this land for the expansion of their own commercial goals, contrary to current residential zoning. It is reasonable to assume that the use of the storage racks, and for that matter the fire lane land in general, will be primarily for the benefit of their own patrons.

We wish to make the following points clear:

1. We would like our neighborhood to remain a quiet residential neighborhood as it is currently zoned. We respectfully request to continue the classification of Fire Lane 1 as



Class 1 and NOT expand commercial use of the adjacent Yacht Club to include more motor boat noise, especially with the addition of personal watercraft.

2. If the fire lane land adjacent to our property is abandoned by the City, is for lease or for sale, then we should have equal access to any transaction as we would be interested in acquiring the property as well.

Finally, we are attaching copies of our email to the City and the City's response following our meeting regarding the adjacent fire lane, at the City Hall on January 22, 2020 demonstrating our cooperation with the City's requests (Exhibit C). At that meeting, we also offered to remove at our own expense 1 or 2 of the boulders that pre-date our purchase of 4595 in order to allow public access through the landscaped portion of the fire lane. The City instructed us to await further recommendation of the Planning Committee and City Council. We remain ready and willing to continue to cooperate with the City. Incidentally, contrary to our compliance, the Yacht Club continues to store a boat lift on the fire lane property (please see Exhibit D).

We appreciate City of Shorewood support in preserving current Fire Lane 1 classification and appeal to the Yacht Club to also respect the residential nature of our neighborhood.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Rosenberg". The signature is fluid and cursive, with a large, prominent "M" and "R".

Dr. Michael S. Rosenberg, MD, FSIR, FACR

A handwritten signature in black ink, appearing to read "Sagit V. Rosenberg MD". The signature is cursive, with "Sagit" and "Rosenberg" being more legible than the middle initials "V.". The "MD" is written at the end of the signature.

Dr. Sagit V. Rosenberg, MD

EXHIBIT A



Natural wild flowers and vegetation in fire lane prior to Yacht Club "maintenance"

EXHIBIT B



After Yacht Club destroyed natural vegetation in fire lane

## EXHIBIT C

Monday, August 31, 2020 at 20:34:14 Central Daylight Time

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**Subject:** RE: Follow up to our 1/22/20 meeting  
**Date:** Monday, January 27, 2020 at 8:08:53 AM Central Standard Time  
**From:** Greg Lerud  
**To:** Michael Rosenberg, Marie Darling, Katriona Molasky  
**Attachments:** image002.jpg

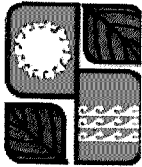
Mr. and Mrs. Rosenberg,

Thank you for your email. Your email arrived before I was able to complete a summary letter, and your email accurately summarizes our meeting. We will let you know as soon as we are able to schedule a site visit for the parks and planning commission, which we anticipate will be in April. Following that meeting we will have some direction about the future plans for the city-owned property.

Regards,

Greg

**Greg Lerud**, City Administrator  
City of Shorewood  
5755 Country Club Road  
Shorewood, MN 55331  
p: 952-960-7905



**From:** Michael Rosenberg <michaelsagit.rosenberg@comcast.net>  
**Sent:** Monday, January 27, 2020 12:45 AM  
**To:** Marie Darling <MDarling@ci.shorewood.mn.us>; Greg Lerud <GLerud@ci.shorewood.mn.us>; Katriona Molasky <KMolasky@ci.shorewood.mn.us>  
**Subject:** Follow up to our 1/22/20 meeting

Dear Marie, Greg and Katriona:

Thank you for meeting with us on Wednesday, January 22, 2020 regarding clarification of City of Shorewood requirements with respect to the fire lane bordering our property on 4595 Enchanted Point.

As you requested, we will proceed with moving the underground sprinklers and the two boat lifts in the spring, once the weather permits.

In addition, as we agreed and per your suggestion, we look forward to meeting with City of Shorewood



EXHIBIT C (Cont)

representatives on site to discuss any further requested modifications to the grounds within the context of the City's future plans for that area. We kindly appreciate advanced notice of the anticipated date and time of the site visit so we can coordinate.

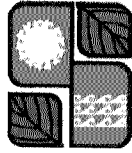
Please send any future correspondence regarding this or other matters to our home address in Eagan listed below.

Sincerely,

Michael and Sagit Rosenberg  
4187 Amberleaf Trail  
Eagan, MN 55123

Cell: 651-387-3566

EXHIBIT C (Cont)



**CITY OF SHOREWOOD**

5755 Country Club Road • Shorewood, Minnesota 55331  
952.960.7900 \* [www.ci.shorewood.mn.us](http://www.ci.shorewood.mn.us)

January 23, 2020

Michael and Sagit Rosenberg  
4595 Enchanted Point  
Shorewood, MN 55331

Mr. and Ms. Rosenberg,

Thank you for taking the time to come to City Hall and meet with us regarding the fire lane next to your property at 4595 Enchanted Point. It was valuable to have everyone together to discuss the situation as it stands and next steps in the process.

You will be required to relocate the boat lift and any personal items within the fire lane property to your personal property. This can be done any time between now and May 1, 2020.

You will also be required to cap the sprinkler system at the property line. Currently the sprinkler system extends into the fire lane and the line must be terminated at the property line. This work must be completed by June 1, 2020.

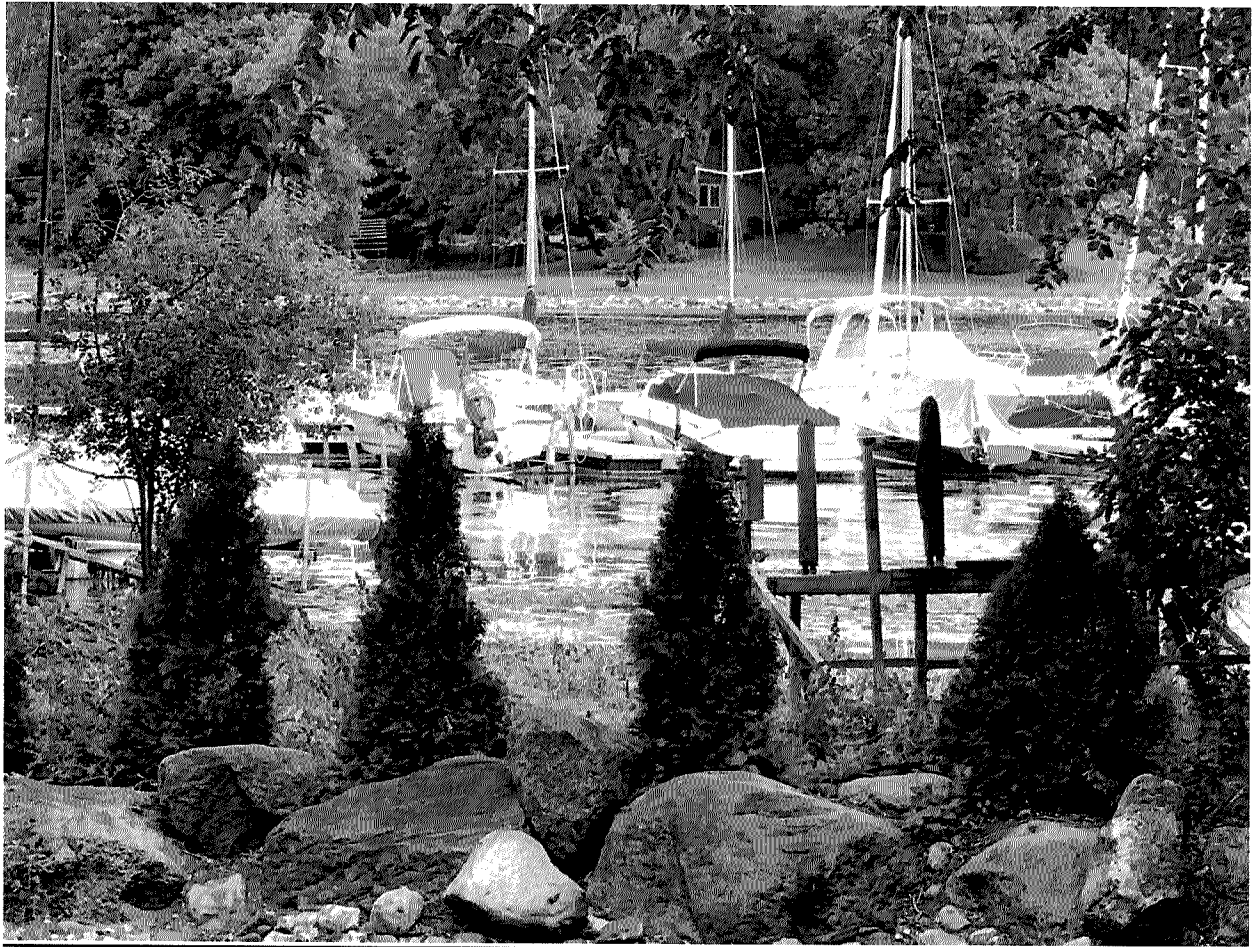
The City will be doing visits to all of the fire lanes in April with the Park and Planning Commissions. These meetings will be public and you are welcome to attend. They will be visiting the fire lane next to your property and will discuss next steps in regards to the use and necessary landscaping. Next steps in regards to landscaping will be determined after this visit. These discussions may result in new orders to move other private improvements.

At the meeting it was also discussed that you are selling this property. You must disclose the improvement the property line to any new buyer.

If there is anything in this letter that you feel does not represent your understanding of what was discussed at the meeting, please let us know so we can clarify to make sure we are all on the same page with this matter moving forward.

Katriona Filipovitch Molasky  
Planning Technician

EXHIBIT D



Yacht Club boat lift in fire lane

## Marie Darling

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**From:** Michael Blomquist <mike@mikeydidit.com>  
**Sent:** Tuesday, January 15, 2019 10:06 AM  
**To:** Planning  
**Cc:** Michael Blomquist  
**Subject:** Fire Lane At Grant Lorenz and Birch bluff

I would like to ask that this fire lane be reclassified to a Class II allowing vehicles such as snowmobiles and 4-wheeler to access the lake in winter. I believe the fire lane is currently being misused by the homeowner who lives next to the fire lane. This is the same homeowner who posted signs on the fire lane last winter trying to block others from using the fire lane. Throughout the year, this homeowner uses the fire lane to park vehicles. I am attaching images of many different instances of this occurring. I am not interested in getting in a fight with neighbors, but this homeowner yelled at me last winter for trying to access the lake on a 4-wheeler, which is something that I and many others have always done. At the same time, he has no problem with others parking in the fire lane. The fire lane access to the lake is one of the reasons I moved to this area. I use the lake all year long, boating in summer and ice fishing in winter. I do not want to see this fire lane closed off from it's traditional use because of one resident.

Thank you for your time and consideration of this issue.

Thank you,  
Mike Blomquist







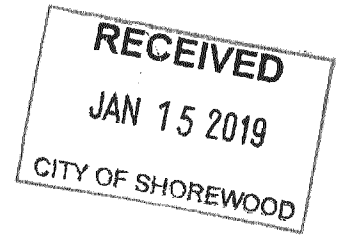




The best little sailing and boating  
Club on Lake Minnetonka.

John E. Grzybek  
Commodore, Upper Minnetonka Yacht Club  
730 Winslow Avenue  
Saint Paul, Minnesota 55107  
(651) 592-0945 (cell phone)

15 January Tuesday 2019



Via E-Mail

City of Shorewood  
Planning and Park Commissioners  
Through Greg Lerud, City Administrator  
Shorewood City Hall  
5755 Country Club Road  
Shorewood, Minnesota

Re: Fire Lanes as Abandoned Property; Upper Minnetonka Yacht Club Comments;  
Upper Minnetonka Yacht Club Marina, 4580 Enchanted Point

Dear Commissioners:

### **Introduction**

I am the Commodore of the Upper Minnetonka Yacht Club ("UMYC"). I understand that you are taking comments regarding fire lane properties within the City of Shorewood. I am submitting this letter as the UMYC's public comment. Unfortunately, because of an out-of-town conflict I am unable to appear personally before you. However, if you have any follow-up questions I will be more than happy to respond either in writing or in person.

I am grateful that you are evaluating fire lane property and what the City could do with it. I recognize that the UMYC's request about two years ago to explore acquiring or leasing the vacated fire lane property located at our marina may have started this process, thus, my comments are related to our self-interests. I do not know the extent of the

amount of fire lane property the City of Shorewood may have in its possession, but to evaluate what the City has in its inventory and what should become of that property as a matter of public policy is a wise decision.

### **General Policy Suggestion; Next Best Use of Abandoned, Wasted City Property**

As a matter of general policy, I would suggest that once existing fire lane property is evaluated, and determined to be of no use to the City for positive public use and has essentially been abandoned by the City, it is “wasted” property and should be made available for its next best use, if any. The property could be leased or purchased. This would include use by private parties who could prevent any further “waste” to its value. It would also decrease the City’s liability exposure related to the City’s abandonment of that property. The fire lane property adjacent to our marina is a case in point.

### **UMYC Experience With Fire Lane Property at its Marina**

The UMYC marina is located at 4580 Enchanted Point. At the southern most point of our property, is fire lane property that extends to the Upper Minnetonka Lake. See **Exhibit A** attached. Approximately two years ago, I approached the City of Shorewood to explore the possibility of acquiring that small and narrow piece of fire lane property located immediately south of our marina property. For all tends and purposes, it has been “wasted” by the City and abandoned.

On the City fire lane property we inquired about, the UMYC has spent hundreds of dollars to clean that land because it had become wasted by the City. Neighbors (witnessed) had throw debris—leaves, tires, cut branches, a swing set, hose, concrete, and the like, that had accumulated for years. Because the overgrowth became so untenably to the UMYC and a potential hazard, I directed the cleanup at our expense. I was shocked at what we found. Countless volunteer hours were spent to clean up the abandoned, vacate property and now continue efforts to control the overgrowth. We continue to cut the weeds and gather dead-wood and debris, now only occasionally found, throughout our sailing and boating season, again, at our expense. Regardless, this property was long been forgotten by the City—abandoned, vacated, and wasted—and of no use to the City.

Why is it of no use? Because this particular piece of fire lane property is narrow and can not be converted to any feasible public use. For instance, placing a public ramp for access to the lake is not practicable because there is too limited an area to park cars or trailers. Even if converted to a public park, it is limited to the amount of vehicles that could park. Moreover, to do a conversion of use would cause grave concerns about safety and security issues to the residential neighborhood and the marina.

At the present time, the fire lane itself, although reaching to the lake, physically ends at the driveway of another private party's property located at 4595 Enchanted Lane. Although everything to the northeast and east of the lane is "fire lane property" and therefore City property, the owners of 4595 Enchanted Lane have significantly encroached on that City property. The owners have planted grass, created a sand beach, and have—without a permit—placed rip-rap on the shoreline. Five years ago, the UMYC stopped the owner from placing rip-rap all along the shoreline to the southern boundary of our marina property, and has abandoned that course of action. The owner had no permit of any kind.

While I understand the owners do improvements on City property at their own risk, I find the treatment of the City to these property owners and our desire to acquire or lease the fire lane property places us at a distinct disadvantage. We've been working with City officials through proper channels while that owner has used the fire lane as his own. With that, the property owner has explored selling his home, using photographs of the improvements he made on City property, as what appears to be an incentive for potential purchasers. See **Exhibit B** attached.

#### **Policy, Lease or Purchase of Abandoned Fire Lane Property**

The City should consider that if the lands are of no public use because of their configuration and are abandoned and determines the vacated lands of no use, it should allow interested parties to acquire those lands or lease the property. It would help the City. With the UMYC for instance, we have taken it upon ourselves to service the land by keeping it from further becoming a hazard and dumping grounds others created. Hence, by our actions, City liability has been minimized. However, the UMYC is under no obligation to continue this generosity. If leased, an agreement could be crafted to ensure the lands are not wasted and kept in good order. If allowed to purchase, at a reasonable price, it would add to the City's tax base.

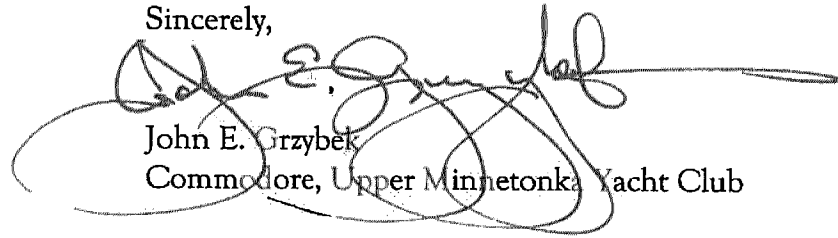
#### **Invitation to Visit UMYC Marina and Fire Lane Property**

If you have any questions regarding my statements, please contact me. Further, if you would like to visit our marina and physically see the fire lane property at issue, I would be happy to escort any City official through the site.

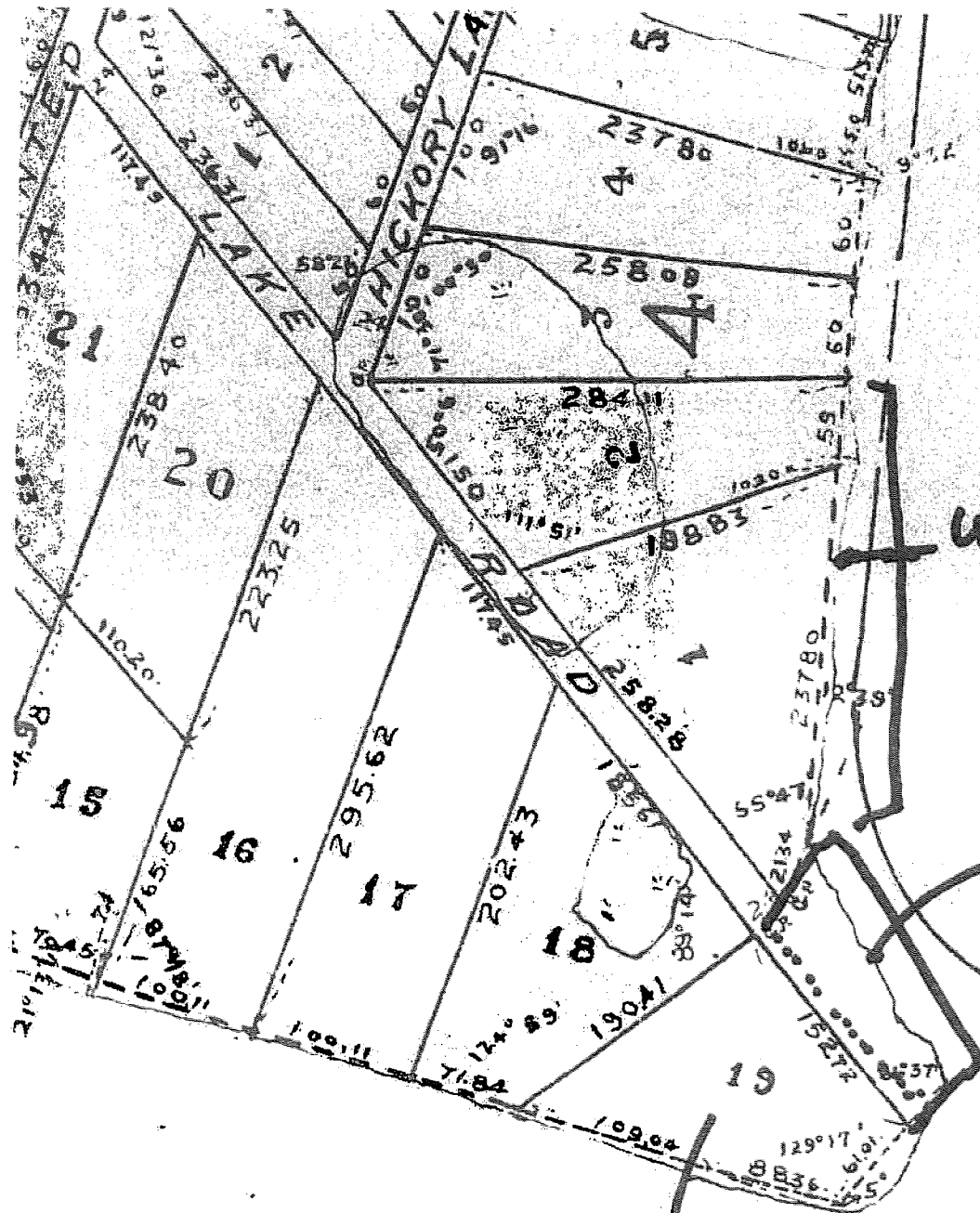
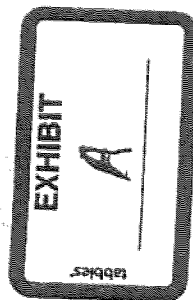
Thank you for allowing me to offer this statement. I hope to attend any future

public hearing on this matter, if future hearings are scheduled.

Sincerely,

A handwritten signature in dark ink, appearing to read "John E. Grzybek", is written over the typed name and title. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John E. Grzybek  
Commodore, Upper Minnetonka Yacht Club



UMYC Marina Property  
4580 Enchanted Point

I as  
been  
of the  
designate  
said place

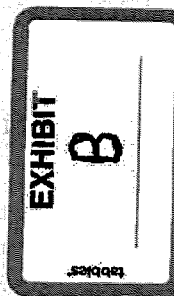
"Fire Lane  
Property"

State of Minn  
County of the

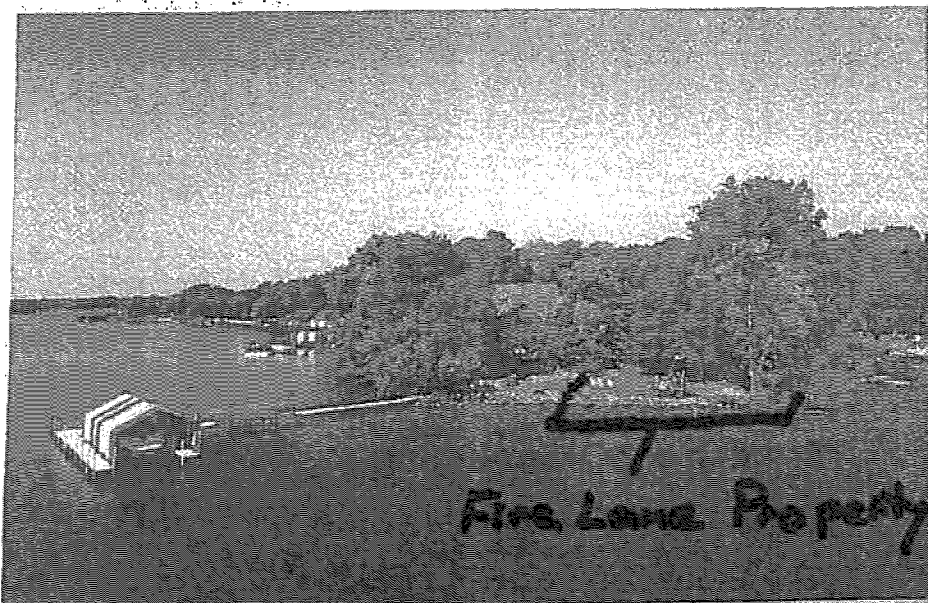
My commission  
This plat approved  
regular meeting  
Attest

4595 Enchanted Point





## GREATER LAKE MINNETONKA



### 4595 ENCHANTED POINT | SHOREWOOD

3 BD | 4 BA | 3,492 SF | .39 AC

**\$1,950,000**

Incomparable and secluded setting on the end of Lake Minnetonka's Enchanted Point! The lakefront walk-out on .39 acres is encircled by 254 feet sandy and crystal clear lakeshore. Relaxing views and abundance of sunlight blur the distinction between the exterior and interior's open floor plan.

### 560 KOKESH FARMS RD | ORONO

5 BD | 5 BA | 7,010 SF | 6.5 AC

**\$1,750,000**

Gorgeously situated on over 5 acres, this 2004 constructed home offers great outdoor spaces with its oversized patio, pool area, 3 season porch, and front stoop. The kitchen has recently been remodeled with marble countertops, custom cabinets, & Viking/Sub-Zero appliances. Elegant master suite with two additional bedrooms on upper level. Library and office on main floor, formal dining room steps from the living room, 2 laundry rooms, 4 car garage with storage above.



January 15, 2019

Ms. Marie Darling  
City of Shorewood  
5755 Country Club Road  
Shorewood, MN. 55331

Re: Fire lane access to lakes.

Dear Marie,

I am writing to express my concern regarding fire lane access to lakes. I am a resident of Shorewood and use the Class II fire lanes for snowmobile access to access the lake. Snowmobiling is currently allowed on city streets currently and our only access to the lake is the Class II fire lane.

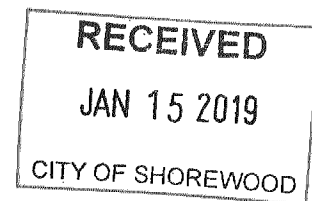
I am against altering the city code regarding use of the fire lanes for vehicle access. Please keep me updated on city staff recommendations and any proposed changes to Subd. 19. Fire lanes.

Sincerely,



Martin Woody

26405 Smithtown Rd  
Shorewood, MN 55331



## Marie Darling

---

**From:** Robert Milstein <robert@milstein.com> on behalf of connieandrob@milstein.com  
**Sent:** Tuesday, January 15, 2019 5:41 PM  
**To:** Planning  
**Subject:** RE: Workshop on Fire Lanes January 15

Planning & Parks Commissions,

We are unable to attend the workshop tonight, but learned of this discussion and how it relates to the fire lane at the lake end of Grant Lorenz Rd (nearest our house).

Despite living in Shorewood for just five years, we were well aware of this convenient public lake access. Further, we were aware that it was the primary access to the lake for snowmobilers in our area, and we were very surprised when we learned that snowmobile access through that fire lane is prohibited by the city.

Because of this, we wanted to share a few short thoughts:

- Safety First: Fire lanes should by nature never be blocked, which rules out any consideration of use for parking or storage at any time.
- Maintenance Second: Any use of the fire lanes that would cause an unacceptable maintenance expense deserves careful review – we're talking about taxes here.
- Reasonable Use Third: For ALL of the fire lanes, especially the one on Grant Lorenz, reasonable use should be strongly considered (bearing in mind the above two points). Clearly, reasonable use includes walking in/out, including portage. In addition, history has shown that reasonable use has apparently also always included snowmobile access.

With regard to officially permitting snowmobile access, this is a situation where:

- There are no signs about it (so it's no surprise no one knew it was prohibited)
- No one we have discussed this with is aware of anyone ever having been confronted in the past (by neighbors nor the City) (so history has supported this use)
- It's during a season when windows are closed (so noise from the snow mobiles wouldn't be an issue)
- The ground is frozen (so maintenance costs for this use do not exist)
- And it's public land

It's hard to imagine why it would come up for discussion to start enforcing the rule, but given history and the notes above, we strongly support an update that allows snowmobile access to the lake through the fire lane at least on Grant Lorenz.

Best,  
Robert & Connie Milstein

## Marie Darling

---

**From:** Jeff Wyatt <wyattjeffreya@gmail.com>  
**Sent:** Tuesday, January 15, 2019 6:28 PM  
**To:** Planning  
**Subject:** Fire lane access in Shorewood

Please rezone the Grant Lorenz Road fire lane to officially allow snowmobile access to Lake Minnetonka.

Crescent Beach access is not sufficient as sole access as there is a conflict between the City of Shorewood and the City of Tonka Bay ordinances. While snowmobiles are allowed to access Lake Minnetonka from Crescent Beach on the City of Shorewood side of the beach, they are prohibited from accessing the lake on the City of Tonka Bay side of the beach. This nuance could make it confusing and difficult for snowmobile operators to follow the law and requires duplicative enforcement efforts.

The Grant Lorenz Road is a safe access for riders. Grant Lorenz Road is a long and straight road with two bright streetlights, one right before the fire lane. The access at Crescent Beach requires riders to go up and down several hills and around several corners on public roadway if they have to bypass Grant Lorenz Road. In particular, the corner at Grant Lorenz Road and Birch Bluff road is a blind corner and having more snowmobiles rounding this corner is a safety hazard. The Grant Lorenz Road fire lane is wide enough for riders as well.

The fire lane at Grant Lorenz Road has traditionally been used as a snowmobile access for many years without incident and has created a reasonable expectation

The homeowner adjacent to the Grant Lorenz Road fire access has been posting home-made signs on the fire lane saying that motorized vehicles are not allowed. However, all throughout the year, there are often vehicles parked in this fire lane related to either his or other construction projects occurring nearby. By trying to restrict some traffic from using the fire lane and simultaneously using the fire lane as a personal parking spot, this homeowner is trying to make the fire lane part of his personal property. This is not fair to the public who pay for the use of this fire lane as residents of the City of Shorewood and sets a dangerous precedent.

While there are actually two other fire lanes between Grant Lorenz Road and Crescent Beach, one at the end of Eureka Road and one about six houses down from Grant Lorenz Road at what appears to be called "Third Street" on some maps, neither of these fire lanes is maintained and cannot be located easily from the road. Neither would be a reasonable option for snowmobile access.

For all of these reasons, the fire lane at Grant Lorenz Road should be rezoned to officially allow snowmobile access during the winter.

Respectfully submitted,

Jeff Wyatt  
5335 Eureka Rd  
Shorewood, MN

**Marie Darling**

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**From:** John Arnst <john@arnst.net>  
**Sent:** Sunday, January 13, 2019 6:50 PM  
**To:** Marie Darling  
**Cc:** sdavis@ci.shorewood.mn.us  
**Subject:** Fire Lane Comments

## FIRE LANES JOINT WORK SESSION COMMENTS FOR CONSIDERATION:

Fire Lanes Should be Pedestrian/Passive use Only. ( No  
Motorized Use )

Examples of such use: Canoe, Kayak, Paddle Board,  
Shoreline Fishing,  
Swimming, Pedestrian access to ice

Neighboring encroachment Issues should be addressed and  
monitored

All Fire Lane Boundaries should be Identified with Markers  
and Signage, Identifying them as such.

Fire lanes should be treated as “linear parks” operating  
under the same rules and ordinances

as the city parks ( No alcohol, loud music, curfew, no  
motorized vehicles, leash laws etc. )  
with appropriate signage for enforcement.

10 January 2019

To: City of Shorewood

From: Mark Bongard  
26260 Birch Bluff Road

Re: Fire Lane Access – Birch Bluff/Grant Lorenz

To Whom It May Concern:

I am the homeowner directly adjacent to the west of the Birch Bluff and Grant Lorenz Fire Lane. We are a fairly new resident, building the home and moving into that location in August 2017. Prior to acquiring the property, we spoke with the previous homeowner, the real estate agent and the City of Shorewood in person to learn and discuss the Fire Lane. It was expressed to me that it is a non-motorized access point for the public for members of the community to access Lake Minnetonka for Canoeing, paddle boarding, swimming, shore fishing and the like. It was said by all the parties we spoke with that it is quite a quiet and low usage location. And if we experience any abuse by motorized vehicles, we can contact the city or local police and they would work to eliminate the problems. So, we went forward with the purchase of the property in 2015.

It took two years to design and build the current residence. During that time, we had seen and experienced many signs that people were driving motorized vehicles down the fire lane both winter and summer. We chalked it up to the fact no one was living on the property during the construction phase and we made no mind of the activity and made no complaints assuming upon our occupancy, people would take heed and discontinue their inappropriate usage.

After moving into the home, to our dismay, the activity did not stop. Since it was late summer and the activity really only occurred during the day, we let it go. Once winter began and the ice was safe, we had a huge increase in usage by motor vehicles: Snowmobiles, ATV's, trucks, jeeps, trailered fish houses and motor cycles with spiked tires. Here in lies the difficulty for us, the usage happens all hours of the day and night. Engines revving, lights flashing into our home. As the winter progressed, the access became rutted and heaved from ice shifts and users would have to use more power to get over the humps or out of the ruts. Our home layout is such that our bedrooms are all on the western end of the property nearest the fire lane. The noise and lights become very loud and bright while you try to sleep. We are awakened several times a night and several nights a week. It has become very annoying and difficult to get restful sleep along with the frustration that individuals know they are using the fire lane inappropriately and without concern as to the impact on our lives.

I realize this is a democratic process and all sides must get their time and chance to express their wants and wishes for the use of public property, but in consideration, you should be



concerned for those most negatively affected by these types of decisions. For our family, shifting the use from a pedestrian usage to a limited use motorized access point is and will be a hardship for us. Not only will it continue to negatively impact our enjoyment of the lake, but also our health and well-being. Not to mention, it may also have consequence to us on an economic level, should this lane shift to allowing motorized usage, it will likely have repercussions to us in the future marketability and de-valuation of the sale of our property. As for us doing our Due Diligence prior to purchasing, we certainly would not have bought or built a home on this site, and at the very least, we would not have designed the home with sleeping quarters nearest the access knowing what we now have experienced.

Thank you for your time and service effort into this matter.

Mark Bongard

## Marie Darling

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**From:** Susan Anacker <anackerjohnson@gmail.com>  
**Sent:** Monday, January 7, 2019 10:01 AM  
**To:** Planning  
**Subject:** Comments on Fire Lanes

Thanks for addressing the question of fire lanes!

I use the fire lane at the end of Grant Lorenz Road. It must be Fire Lane 3. Also FL 6 next to Cresant Beach. I use the fire lane for access to walk, bike, swim, kayak, canoe, ice skate. I'd like to continue to do this. It is part of what makes Shorewood such a great place to live! I don't snowmobile but I believe this is a good use of fire lanes .

I was concerned when a new owner took control of the property bordering the firelane. Signs were posted about limiting access for snowmobiles. I was confused as these didn't appear to be City signs but private. (were they? Does the city permit snowmobiles? )

This new neighbor also has much vegetation right on the trail .. I worry his arborvitae will block the trail.

It would also help if fire lanes were marked, so we know that it is OK to access the lake at these points. Some are obvious some are not.

Thanks for the help!  
Susan Anacker  
26915 Noble Rd

## Marie Darling

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**From:** Gillian Blomquist <gillian@wbfamilylaw.com>  
**Sent:** Monday, January 14, 2019 8:36 PM  
**To:** Planning  
**Subject:** Fire Lane Ordinances

Dear Planning Commission:

I am writing to you regarding the issue of the reclassification of fire lanes in the City of Shorewood. Last year, my husband and I had cause to consider this issue when our use of the fire lane at the end of Grant Lorenz Road was questioned by a new homeowner whose property is adjacent to the fire lane. As long as we have resided here, that fire lane had been used for snowmobile and 4-wheeler access in the winter and as a kayak launch in the summer. After a big snowfall event, we often see snowmobilers riding down Grant Lorenz to access the lake. In the summer, we often see kayakers walking down Grant Lorenz to use the fire lane. We love that we are so close to the lake and thought it was fun to see all residents making use of the lake. But one evening when my husband was finishing plowing snow in our driveway, he drove the 4-wheeler onto the lake. He was greeted by the new neighbor who lives next to the fire lane with angry yelling stating that he wasn't allowed to access the lake there. This neighbor had also posted home-made signs on the fire lane stating that motor vehicles were not allowed. This interaction, which was very unpleasant and upsetting, began our interest in the issue of how fire lanes are supposed to be used and how they should be used in our city.

In our research, we discovered that the City of Shorewood only has one fire lane that technically allows access to the lake, namely Crescent Beach. However, there are many reasons why the Crescent Beach access should not be the designated snowmobile access to the lake.

First, as the city ordinance currently stands, there is a conflict between the City of Shorewood and the City of Tonka Bay. While snowmobiles are allowed to access Lake Minnetonka from Crescent Beach on the City of Shorewood side of the beach, they are prohibited from accessing the lake on the City of Tonka Bay side of the beach. This makes it hard for snowmobilers to follow the law depending on which part of the beach they cross into the lake.

Second, as I stated above, the fire lane at Grant Lorenz Road has traditionally been used as a snowmobile access. When speaking to most neighbors, particularly those who have lived in the neighborhood for years or decades, they are surprised to hear that Grant Lorenz Road is not technically already a snowmobile access because this is how the fire lane has been traditionally used.

Third, the Grant Lorenz Road is a safe access for riders. Grant Lorenz Road is a long and straight road with two bright streetlights, one right before the fire lane. The access at Crescent Beach requires riders to go up and down several hills and around several corners if they have to bypass Grant Lorenz Road. The Grant Lorenz Road fire lane is wide enough for riders as well.

Fourth, the homeowner who lives adjacent to the Grant Lorenz Road fire is trying to limit certain vehicle traffic on the fire lane and not others. All throughout the year, there are often vehicles parked in this fire lane related to either his or other construction projects occurring nearby. It appears this homeowner is trying to restrict some traffic from using the fire lane and simultaneously use the fire lane as a personal parking spot. However, the fire lane is not part of his property, it is public right of way for use by all residents.

For all of these reasons, I believe the fire lane at Grant Lorenz Road should be rezoned to officially allow snowmobile access during the winter.

Thank you for your time and consideration of this issue.

**Gillian Blomquist**

PLEASE NOTE NEW EMAIL ADDRESS

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