

ADDITIONAL MATERIALS AVAILABLE UPON REQUEST

From: Joe Pavelko <j_pavelko@hotmail.com>

Sent: Tuesday, January 9, 2024 10:48 PM

To: David Ziegler <dziegler@rpbcwd.org>; Tom Duevel <tduevel@rpbcwd.org>; Jill Crafton <jcrafton@rpbcwd.org>; Dorothy Pedersen <dpedersen@rpbcwd.org>; Larry Koch <lkoch@rpbcwd.org>

Cc: Mat Nicklay <mnicklay@rpbcwd.org>; Terry Jeffery <tjeffery@rpbcwd.org>

Subject: Request for Denial --- Consent Agenda Item (f) - 2023-053 6575 Pleasant View Way

Dear RPBCWD Board Members and Staff,

I am writing to encourage the Board to remove item (f) after-the-fact permit application 2023-053 from the January 10th, 2024 consent agenda and deny the permit application.

It is unfortunate that I have to write this email, but I don't believe I have another choice. My property (6580 Pleasant View Way, Chanhassen) and another neighbor (339 Pleasant View Rd, Chanhassen) have an ingress/egress easement (referred to as the "easement") over a portion of 6575 Pleasant View Way, Chanhassen (Helgeson) to access our properties and have a pedestrian easement to Lotus Lake. I have been trying to resolve ingress/egress encroachments with Helgeson over the past Summer and Fall, but to no avail. The driveway, berm, and landscaping completed in 2015 are located within my easement and the most recent berm, landscaping, and patio projects completed in 2023 are also located within my easement. Helgeson did not have the right to build these projects within the easement. There has been a pattern of disregard for rules, regulations, and property rights.

I would like to bring to your attention #3 within the "Applicable General Requirements" of the permit application. I believe that Helgeson is "taking, using or damaging" my "property, rights, or interests." Helgeson has not "acquire[d] all necessary property rights and interests[s]" from myself or the neighbor despite my attempts to work out a resolution. It is therefore my belief that Helgeson is not in compliance with the "Applicable General Requirements" as stated in the permit application and the permit should be denied until the issue is resolved.

A certified survey of the easement and property has been completed. I can provide you with supporting documentation if you would find that to be useful.

I would kindly ask that this email be included in your meeting packets as public comment and be part of the official meeting record.

Thank you for your consideration of this request and I appreciate all that you do for our amazing natural resources in the watershed.

Joe Pavelko
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