

**TOWN OF SILVER CREEK
RECONVENED CROSS - CARTWAY HEARING
JANUARY 22, 2013**

A reconvened hearing was held on Tuesday January 22, 2013 at 6:00 p.m. at The Silver Creek Town Hall for the continued purpose of hearing all reasons for and against the proposed cartway as petitioned for by Cathryn Grace Sunde, Mary Lou Anderson, Steven L. Cross and Maria G. Rattin and otherwise act upon the petition.

Additionally, the hearing was reconvened for the purpose of reviewing the requested and alternative routes as they could appear on the topographical maps created by Wenck Engineering. And, to review again the decision making methodology presented at the December 18, 2012 cartway hearing. And finally, to identify future direction and meetings for these cartway proceedings.

Present were Supervisors – Michael Hoops, Greg Hull, Larry Lampart; Clerk – Frederick R. Whitney; Township Attorney – Gerald Morris; Petitioners – Cathryn Grace Sunde and Mary Lou Anderson; Petitioner’s Attorney – Timothy Costley; Constituents – Larry Saur, Colleen Saur, Lyle Saur, Patricia Saur, Andrew Saur, Annika Saur, Duane Ricard and Mrs. Eugene Ricard,

Hearing was posted on December 31, 2012 at the Town Hall and The Township’s Website same date. The hearing was being recorded.

Chairman Hoops reconvened the hearing at 6:00 pm. Mr. Hoops turned the meeting over to Mr. Hull to begin the discussion of utilizing the following Cartway Evaluation Worksheet.

CARTWAY EVALUATION WORKSHEET						
Route Options						
Disruptive Elements	Petitioners Route					
	A Saur 1	B Saur #2	C Pine Ridge	D Auditors Plat	E Christensen	F Other
Total length of cartway						
Number of Parcels						
Number of Parcel Owners						
Meaningful Accessibility						
"Highest and Best Use"						
slope/grade						
buildings or commercial operations						
Wetlands						
Public Road Intersection						
Other unique and specific factors						
1 existing clearings/rd beds						
2						
3						
4						
5						
6						
7						
8						

As described by Hull, and following the Cartway Worksheet Descriptions, data and observations that had been collected were then discussed, evaluated and weighted.

Cartway Worksheet

1. Utilizing aerial photos with property lines on them identify
 - a. The land locked parcel
 - b. The cartway requested by the Petitioners
 - c. Other potential routes which MAY BE less disruptive options
2. Identify each of the potential routes on the chart
3. Each of the items identified as "Disruptive Elements" will be given a score of 1 (low) to 10 (high) RELATIVE to each other
 - a. Example: if one option is 100 feet, another 500 feet, and a third 1500 feet, the 100' option would be scored 1, the 1500' scored 10, and the 500' option would score 3.33 (to be scored 1, 7.1 and 10 respectively).
 - b. If one option involved 2 parcels, another 5 parcels and a third 7 parcels, they would score 1, 7.1 and 10 respectively.
 - c. Items such as grade/slope, or intersection issues or other items where there is no meaningful difference, can be scored 0.
4. Once all of the various options are scored, the two with the lowest scores would be identified as the ones to be examined more fully.
5. The Road Foreman, or a similar expert, would then be delegated to do a site visit of the two lowest scoring options to identify any issues that were not identified in the examination of aerial photos and maps. Following his visit, he would make a written report which would:
 - a. Bring to the Boards attention the existence of any issues or factors in the construction of a road that were identified as a result of his inspection
 - b. Make a recommendations regarding road construction feasibility of the two proposed routes including any photos or other substantiations as needed
6. If the Board accepts the reports, any of the items identified by the Road Foreman would be added and scored to each option
- 7.

As the discussion continued, the petitioner's attorney, Mr. Timothy Costley, indicated that due to the fact that no decision as to a cartway path was going to be made at this meeting, he and the petitioner's would not remain at the meeting. He requested that he and the petitioner's be informed of the future hearing date. The Clerk will provide this information as the meeting is set.

Discussion continued as each element was evaluated.

1.42

CARTWAY EVALUATION WORKSHEET
Route Options

340

Disruptive Elements	Petitioners Route					
	A Saur 1 44	B Saur #2 44	C Pine Ridge 55	D Auditors Plat 33	E Christensen 10	F Other
Total length of cartway	1320'	1320'	1659'	1152'	3092'	
Number of Parcels	3 4.2	2 2.9	7 10	5 7	1 1.4	
Number of Parcel Owners	6	4	6	3	2	
Meaningful Accessibility "Highest and Best Use"						
slope/grade	3	3	3	10	1	
buildings or commercial operations	5	7	1	10	1	
Wetlands						
Public Road Intersection	5	5	3	10	6	
Other unique and specific factors						
1. existing clearings/r/d beds	660' near 3	660' 3	440+ 1	732' 5	10	
2. vegetation						
3.						
4.						
5.						
6.						
7.						
8.						

1.25

The completed worksheet revealed that the Route Saur #2 and the Alternate "Christensen" Route received the most favorable ratings .

CARTWAY EVALUATION WORKSHEET						
Route Options						
Disruptive Elements	Petitioners Route					
	A Saur 1	B Saur #2	C Pine Ridge	D Auditors Plat	E Christensen	F Other
Total length of cartway	4.4	4.4	5.5	3.8	10	
Number of Parcels	42	2.8	10	7	1.4	
Number of Parcel Owners	7.5	5	7.5	10	2.5	
Meaningful Accessibility						
"Highest and Best Use"						
slope/grade	3	3	9	10	1	
buildings or commercial operations	5	7	1	10	1	
Wetlands						
Public Road Intersection	5	5	8	10	6	
Other unique and specific factors						
1 existing clearings/rd beds	3	3				
2			1	5	10	
3						
4						
5						
6						
7						
8						
	32.1	30.2	41	55.8	31.9	

Hoops made a motion to send out the Road Foreman to evaluate all routes utilizing his expertise with regard to the suitability of the construction of an access along the routes. He is to attempt to obtain permission to access all properties, but absent of that, he is to perform a "road-side" observation. He is to submit his evaluations and findings in a written report regarding the viability of someone building a road that could access the petitioner's property. This report will be received and reviewed at a later hearing date. This report will be evaluated by The Board and weighted and added to the cartway evaluation worksheet. Hull second the motion. Motion carried unanimously.

It was understood that once the foreman's report is ready, The Board will then set a future hearing date for the reconvened Cross cartway hearing. Meeting notifications will be made to all parties, including any potentially new land owners affected by the alternative route selections.

Hull made a motion to recess the hearing at 8:22 p.m. and until such time as determined by The Board. Hoops second the motion. Motion carried unanimously.

Respectfully submitted,
Frederick R. Whitney, Clerk

