

TOWN OF SILVER CREEK
RECONVENED CROSS - CARTWAY HEARING
April 10, 2013

A reconvened hearing was held on Wednesday, April 10, 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 site inspections of all petitioned and alternative routes conducted by Silver Creek's Road Foreman.

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, Andrew Saur, Duane Ricard and Mrs. Eugene Ricard (Albertine Ricard).

Hearing was posted on March 19, 2013 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 indicated that Mr. Lyle Saur had sent an email to The Board requesting that the hearing be rescheduled in that he was unable to attend due to the storm. Hull moved, second by Lampart, to continue with the hearing. Carried unanimously. Town attorney Morris did note that Lyle's brother Larry was in attendance, they have adjoining properties and that they have the same interest in opposing the petition.

Mr. Hoops introduced Rick Grupe, Silver Creek's Town Foreman. Mr. Morris then vetted Mr. Grupe as to his expertise, his time on the job, his duties while on the job since 1986 and his understanding of road construction. Mr. Grupe confirmed that he had been asked to review all routes – petitioner's route, as well as the alternative routes.

Mr. Grupe presented his findings as depicted in his self-prepared report of which will be called "The Road Foreman's Report". This will be assigned an exhibit number by the Clerk. Mr. Grupe continued through his report that reviewed the practicalities of building a road from a public highway to the property in question. This report was prepared after Mr. Grupe made a visit to all identified routes. Mr. Grupe was not able to physically step onto all parcels of land in that he was not able to obtain permission from several landowners. However, he was able to make observations of all routes from parcels where he had obtained permission, from topographical maps, and from adjacent public roads.

All routes were suitable for a road, however Mr. Grupe wanted to note that the Cloutier property would require switchbacks due to the steeper grades causing the length of that alternative road to be increased. With so much snow on the ground, Mr. Grupe was not able to give a definitive answer to Mr. Hull's question regarding wetlands. However, Mr. Grupe did say that all routes appeared to have some wetland characteristics.

Mr. Larry Saur asked Mr. Grupe questions. Mr. Costley asked Mr. Grupe questions. With regard to the road title of "Pine Ridge road" within Mr. Grupe's report, it was determined through

further examination of exhibits that this was in fact "Lakeview Road" as identified on plat maps. The petitioners asked why all routes were reviewed? Mr. Hoops indicated that The Board had directed Mr. Grupe to observe all routes and that The Board had not made a decision as yet, nor eliminated any routes as yet.

Larry Saur presented his thoughts regarding the Cartway Evaluation Worksheet tabulations that were conducted at the January 22, 2013 cartway hearing.

- Add affected parties, not just parcel owners – Saur options 1 & 2 have more owners and the weight should be increased.
- Meaningful accessibility – He disagrees with the #8 weighting given to the Pine Ridge alternative. Any new construction would be on fairly level ground.
- Safety/Public road intersection – Saur options 1 & 2 has a quicker/curved view access as you drive up Highway 3. The Pine Ridge option has a straight line view/access on Highway 61.
- Saur options 1 & 2 should be increased due to the Community Center for the Saur family, which is located within 70 feet of the road.
- Add a White Pines category to the evaluation worksheet – The Saur will lose 18% of their white pine trees if that route is selected.

Mr. Saur presented 5 pictures on a foam board of the site line views for the Saur option and the Pine Ridge option. The Clerk will label this as an exhibit titled, "Site lines for public road intersections". Picture #1 is upper left, picture #2 is lower left, picture #3 is top middle, picture #4 is bottom middle and #5 is far right.

Mr. Ricard commented as to the rain runoff on a ¼ mile road if the Saur options were selected. Is there enough width in a 33 foot cartway/road to handle the rain?, What about the utilities, won't you need more width? Mr. Hoops indicted that we have township roads that are 33 feet wide and handle the utilities.

Hull made the motion, second by Lampart, to close the public comment portion of the cartway proceedings. Motion carried unanimously.

When discussing the next meeting date, Larry Saur indicated that Lyle would not be in town all of May. To that end, Mr. Morris did note that both Saur brothers are in synch with their views on the petition. Further, the Board indicated that it would try to accommodate and would attempt to set up a conference call for the next meeting; allowing Lyle Saur to call in.

Lampart moved, second by Hoops, to reconvene the cartway proceedings for the purpose of taking up the decision on the petition for requesting the Cross cartway on May 8, 2013 at 7:00 p.m. Motion carried unanimously.

Hull made a motion to recess the hearing at 7:05 p.m. Hoops second the motion. Motion carried unanimously.

Respectfully submitted,
Frederick R. Whitney, Clerk