

PUBLIC HEARING – TOWN BOARD – TOWN OF GRAND CHUTE – 1900 GRAND CHUTE BLVD., GRAND CHUTE, WI – W. ELSNER ROAD URBANIZATION (N. GILLETT STREET TO RICHMOND STREET) FEBRUARY 20, 2019

Response to Questions – March 4, 2019

- Utilities:

- Why the 12" water main? If this is to be extended to Appleton will they share the cost of this oversized pipe?

This is provided for reliability and efficiency. A 12" watermain has 0.06' of friction head loss for every 100' of pipe (not including bends, tees, valves, etc.) while an 8" watermain has 0.44' of friction head loss every 100'. The connection of the system from Gillett Street will also provide a second feed (redundancy) rather than the current one feed that serves Edgewood Acres that comes through Butterfly Fields and First Addition to Starview Heights. Property owners are assessed the cost of an 8" main, for both sanitary and watermain, while the Town covers the cost for the difference between the 8" and proposed 12" main. Grand Chute buys water from the City of Appleton. In addition, any property east of STH 47/Richmond Street that wants to obtain municipal water would be required to annex into the City and obtain their water from the City. As the Town grows the intent is to place a 4th booster station on the east end of Elsner Road in order to maintain the reliability of the Town's water distribution system.

- Why is sewer and water to be run down the road instead of from the subdivisions?

Both sanitary sewer and watermain already exist along Elsner Road at multiple locations. The time to provide these services to the parcels that do not currently have them is prior to or during an urbanization project and this is the most cost effective solution. Please also see the bullet point above regarding planning for our water distribution system.

- The current plan for the water line location on N. Galaxy is on the west side. Would it be better suited on the east?

The current design plans place the watermain stub from Elsner Road south towards the proposed future N. Galaxy Drive on the west side of the roadway and the sanitary sewer down the middle, leaving room on the east side for future storm sewer. WNDR code requires 8-feet of separation (edge to edge of pipe) from watermain to both sanitary sewer and storm sewer. Watermain also needs a minimum 6-inch separation if it goes over sewer and 18-inch if it goes under sewer. With future potential commercial development on the east side of this future roadway, laterals for sewer, water, and storm will need to be installed. Typically, the water services are the smallest in diameter and easiest to install. As a result, placing the watermain on the west side was decided upon.

- Design:

- Have traffic count numbers been taken into account?

Yes. Elsner Road is a WISLR certified collector road. There are many factors that determine whether a road is a local, collector, or arterial. These factors are connectivity, traffic counts, and land use to name a few. The Town has traffic counts on Elsner Road from 2013 indicating 840 vehicles per day. The traffic counts play into the functional classification of the road as a collector, which determines the design standard of the road.

- Why does the pavement need to be 5 ½ inches thick?

The Town's standard typical section for urban collector streets includes 5-1/2" of asphalt pavement. Residential property assessments pay up to a maximum thickness of 4-1/2". This additional 1" is removed from the residential assessments and paid by the Town. The selected pavement design is based on soil borings that were performed, known site conditions, and the Town's typical section. More specifically, the geotechnical report from the soil borings includes risk factors associated with undocumented fill that exists within the project limits. Some of the standard penetration N values indicate loose relative densities along with moderate organic contents. 7 of the 8 borings indicate an A-4 AASHTO soil classification (fine grained, poorly drained, high frost susceptibility) which results in moderate risk for reduced pavement performance due to the frost susceptibility. The excavation required to construct the pavement section is not anticipated to extend into the groundwater table although boring information did indicate moist conditions with water bearing soils noted. All these factors represent a significant concern with respect to pavement performance. The Town's typical section incorporates a form of subgrade improvement and takes the existing conditions into account.

- Is there a water plan for Gillett Street?

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The stormwater management plan for N. Gillett Street from Elsner Road to the north has not yet been developed; however, all of the area of Gillett Street from a point slightly north of Elsner Road and the west 1200-feet of Elsner Road, are being directed to the Gillett Street retention pond for treatment.

- The last 100 feet of Elsner curb and gutter are to be removed for what appears to be the water connection. Could this be left alone instead of being taken out to hook up to Appleton?

The existing Type J 30" sloped curb horizontal alignment is variable with tapers on the west ends. Back-to-back widths on the existing curbs are variable. Vertically, the existing curb and gutter profile would be a challenge to match into as a result of the urbanization and cut section west of the existing curb and gutter. The proposed watermain is located approximately 1-foot behind the existing curb and gutter on the south side and this would also be a problem. A field determination will be made as to the exact project limits, and if some of the existing curb and gutter can remain we will look to do so at that time.

- 4501 N. Richmond:

- Why is this parcel zoned commercial? When did this occur?

Both this parcel (101037300/4501 N. Richmond and 101034100/4615 & 4623) were rezoned from AGD to CL (Local Commercial) through Outagamie County Resolution Z-32-00 on July 12, 2000. Per a memo to the Plan Commission from Allen Davis (Community Development Director at that time) dated April 26, 2000, "The purpose of the rezoning is to rezone the property prior to residential development and avoid future rezoning disputes." There was a notice for a public hearing mailed to impacted properties and a public hearing held on May 2, 2000. At the May 16, 2000 Joint Meeting of the Plan Commission & Town Board the rezoning was approved by the Plan Commission. Ordinance Z-11-00 was approved by the Town Board on June 6, 2000, and as stated above, Resolution Z-32-00 was passed by the County Board on July 12, 2000.

- Will this parcel be assessed when the future road goes in on the backside of the property?

Yes. Because this parcel has multiple frontages it receives credit when one street is done.

- Why is the total frontage listed for this parcel is 458.93' while the sanitary sewer assessable frontage and water main is 854.61'?

The assessable frontage for sanitary sewer is based on the Policy for Special Assessments paragraph IV.B.1.a. The frontages used were taken from Grand Chute GIS showing 422.35' along Elsner Road, a vision triangle of 73.17', and 479.09' along Richmond Street. This totaled 974.61'. Corner parcel assessments will be calculated by subtracting the long side or 120 feet, whichever is less, from the sum of the two frontages. Subtracting 120' left an assessable frontage of 854.61'. The same methodology applies to watermain.

- How was the Edgewood Acres assessment established?

On September 3, 2013 the Roadway Development Agreement for Edgewood Acres was signed. The agreement includes a provision for a Future Area-Wide Assessment to all land within the subdivision. As part of the process a Waiver of Special Assessment Notices and Hearings and Consent to Assessments was signed. The Developer was responsible for providing written disclosure of this future area-wide assessment to all purchasers of land in the subdivision. The special assessment schedule takes the front footage of Edgewood Acres along Elsner Road multiplied by the residential assessment rate for streets with the cost shared equally amongst the 145 parcels in the subdivision. They are not being assessed for storm sewer.

- Starview Heights:

- Why is Starview Heights not included in the assessments? There is real concern because a member of Grand Chute and the developer lives there. Were they any part of the conversation how the properties were to be assessed?

I presume reference to "member of Grand Chute" is Vivian Huth. She was a resident in Starview Heights and a long-standing PC Commissioner. She resigned her post in 2018 and

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we understand she has moved to Minnesota to live nearer family members. I am not aware of any current PC or TB members who live in Starview Heights, Edgewood Acres, or anywhere within the area under discussion related to the Elsner Road project. One of the partners in the group that developed Starview Heights is a resident of that subdivision. There are no developers, Plan Commission, or Town Board members in either Starview Heights or Edgewood Acres involved with or part of any conversation regarding the assessment methodology for Elsner Road. It should be noted that the exclusion of assessments to Starview Heights or Butterfly Fields does not impact the remaining property owner assessments, as this portion is Town expense.

- Where does it state that Starview Heights is exempt from paying for the road?
There is no a provision in either the Starview Heights or Butterfly Fields Roadway Development Agreements for a future area-wide assessment for Elsner Road as there was for Edgewood Acres. The subdivision plats for Starview Heights include a provision that precludes direct vehicular access to Elsner Road. According to the Policy for Special Assessments, on single and two-family residential lots there will be no assessment for the frontage to which access is physically or legally precluded. Please also refer to the above question regarding Edgewood Acres.
- Why was the subdivision allowed to be raised when it was agreed it would not be (promised)?
Reference has been made to promises at past Town Board meetings regarding the subdivisions and Elsner Road. Town Board meeting agendas and minutes have been searched and no documentation has been found to this effect. The Starview Heights RDA was approved September 2000; Butterfly Fields RDA June 2010.
- Why are 10 of the property owners being assessed and not the two subdivisions?
There are 15 parcels along Elsner Road being assessed in addition to Edgewood Acres. Please see additional information in the above two bullet points regarding the subdivisions.
- What added benefit are the people on the north side receiving that the south side is not?
The owners within the Edgewood Acres subdivision had the added benefit of being made aware of the area-wide assessment, since the Developer was responsible for providing written disclosure of this future area-wide assessment to all purchasers of land in the subdivision.
- Why are parcels being charged without frontage but an access easement?
Parcels 101035200 and 101035501 have direct access to Elsner Road via an easement. These two parcels are being assessed for the 75' minimum frontage for both street and storm based on the Policy for Special Assessments. In addition, the sanitary sewer and watermain assessments for these two parcels are based on their minimum width/dimension.
- Is there any expected development along Elsner Road as there are properties that do not have homes?
The Town has not been contacted by any property owners along Elsner Road regarding plans for future development; however, the Town has long term plans to connect N. Galaxy Drive from W. Evergreen to Elsner Road.
- What formula was used to determine the benefit to the property?
In general, the Policy for Special Assessments calls for levying assessments according to the front foot dimensions of abutting property. This policy defines the calculations and defines applicable credits, deferments, etc.
- The church bill was going to be \$200,000 and the Town settled for \$33,000. Where did the savings come from?

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The Community Church of Appleton on N. Gillett Street has a total assessment called out per the final resolution of \$38,492.05. This includes both street and storm. I do not have any documentation to indicate that there was ever intended to be a \$200,000 special assessment to this property.

- Will all assessments be reviewed? There seems to be some discrepancies on the footage and materials needed for the project.
The assessment schedule has been reviewed by both the Town Engineer and staff. If questions remain regarding individual parcels we would be available to meet with them to review.
- There is also concern on Calnin & Goss Inc. assessment based on road frontage when they have used and abused the road more than the adjacent residential properties. Will there be a review of assessment?
The special assessment schedule lists parcel 101035207 to be assessed based on zoning per the Policy for Special Assessments. This results in the actual frontage being used for sanitary sewer and watermain while the street and storm sewer frontage was determined based as an irregular lot under the Policy for Special Assessments II.B.2.e.ii.
- How much Grand Chute money is being spent on the new Galaxy road project? Please include all costs.
The estimated cost of N. Galaxy Drive in 2019 is \$600,000 and includes design, street and storm sewer construction, as well as sanitary sewer and watermain. The amount was also provided in an email to Ron Wolff on January 10, 2019.
- Water issues. Will Appleton be asked to put in a detention pond to slow their water from coming into Grand Chute? Why was this allowed in the first place when for 30 years every meeting had a concern of the flat land and its problems?
I presume this is in reference to the cross pipe replacement on STH 47 north of Elsner Road that was replaced in 2003. This would have been a WisDOT project and they would have had to comply with all regulatory requirements at that time and would not have needed Town oversight. After searching Town records, we found no permit requests from WisDOT nor any approvals granted by the Town. This question was also asked by Ron Wolff earlier and this was the answer provided on August 22nd 2018:
 - *Questions regarding the pipes crossing STH 47 and associated flows can be directed to Thomas Kobus at WisDOT – Thomas.Kobus@dot.wi.gov or 920-606-8357. As development in Appleton takes place they will need to comply with storm water management requirements and obtain all necessary permits.**The City of Appleton requires individual developments to be responsible for ponds due to changes in regulations, rate of growth, and cost factors. Any ponds that would be built at this location within the City would be development driven and project specific, barring any major change in the City's current approach.*
- Will there be a review meeting to go over design? We are requesting one. Some good points were brought up and believe they are valid.
No additional public informational meetings are planned; however, if there are specific questions regarding the design we would be happy to sit down individually and discuss in person, over the phone, or via email.
- Is there any programs that the residents can apply for hardship?
Yes. Section IX.B of the Policy for Special Assessments – Deferrals in Cases of Financial Hardship – calls out the terms of this program.