

Hearing Handout Packet

Public Hearing For Freeway Designation and Corridor Preservation

WIS 23

County P to WIS 32

Sheboygan County

Project ID: 1440-19-00

Riverview Middle School

300 Riverside Circle, Plymouth, WI 53073

Tuesday, December 13, 2016

5 p.m. to 7 p.m.



Handout Packet Contents

Page	Description
1	Welcome
1	Public Hearing Agenda
2	Options and Instructions for Providing Testimony
3	Project/Study Location Map
4	Purpose of the Public Hearing
4	Information for the Public Hearing Record
4	Project Statement
9	What is Official Mapping?
9	Next Steps
10	Description of Public Hearing Exhibits
10	PowerPoint Presentation Description
11	Sample – Final, Determination, and Order (FD&O)
12	Contact Information
13	Written Testimony Form Due by January 10, 2017
15	Registration Slip for Verbal Testimony

Welcome

Thank you for attending today’s public hearing for the freeway designation and corridor preservation of WIS 23 in Sheboygan County. This public hearing provides you the opportunity to give testimony on the proposed long-range transportation improvements to the WIS 23 corridor between County P west of Plymouth and the freeway section near WIS 32 in Sheboygan Falls.

Significance of Freeway Designation

Currently, this section of WIS 23 is built, and operates, as an “expressway.” Expressways provide access to and from the highway through interchanges, local roads, and private driveways.

The proposed freeway designation of WIS 23 from County P to WIS 32 is a proactive approach to manage the corridor and is in the interest of safety, convenience and the general welfare of the public. Following Section 84.295 of the Wisconsin State Statutes, WisDOT is proposing to designate WIS 23 as a freeway. This designation will assist the Wisconsin Department of Transportation (WisDOT) in controlling future access along this section of the corridor. Without controlling direct access, the safety and operating capacity of the highway will deteriorate. The designation helps preserve the traffic-carrying capability of the existing roadway, protects the existing public investment in the facility, and prevents an increase in crash potential. Limiting access will maintain the corridor investment by providing a safer facility for both regional and local traffic and improving mobility on the project segment

Public Hearing Agenda

Time	Item
5 pm	Sign in, pick up handout, review exhibits, visit with project staff and ask questions about the proposed improvements.
	Important! – Determine if you will be providing testimony. If so, determine which option(s) and follow the instructions*.
	Availability to provide Private Verbal Testimony* and Written Testimony* begins. Both options are available until the end of the public hearing.
5:30 pm	Project presentation in the auditorium.
Approx. 5:45 pm	Public Verbal Testimony* option begins upon completion of project presentation.
	Opportunity to review exhibits and visit with project staff continues.
7:00 pm	Public Hearing ends.
	Written (mail or e-mail) testimony* available until January 10, 2017

***See the following “Options and Instructions for Providing Testimony”**

Options and Instructions for Providing Testimony

There are three options for providing testimony as described below. Your testimony will be reviewed and considered by WisDOT and the Federal Highway Administration (FHWA) as part of the freeway designation process. **Testimony should be limited to tonight's public hearing aspects (see Page 4), and statements or opinions about the project.** Questions related to the project can be directed to project staff during the informal discussions, but will not be recorded by the court reporter or included in the public hearing record.

Private Verbal Testimony

If you wish to make your statement privately to the court reporter rather than in front of an audience, this option is available during the entire public hearing from 5 to 7 p.m., although you are also encouraged to attend the project presentation starting at 5:30 p.m. Follow the signs or ask for directions to the location for providing private verbal testimony. Wait for an opening, provide the court reporter with your completed "Registration Slip for Verbal Testimony" (included in this handout packet), state your name, address, and if applicable, the group, organization or business you are representing. Then give the court reporter your testimony.

Public Verbal Testimony

Following the project presentation at 5:30 p.m. in the auditorium, public verbal testimony will be accepted. Complete a "Registration Slip for Verbal Testimony" (included in this handout packet). Give it to designate project staff any time before, during or immediately following the project presentation. Your name will be called in the order the registration slips are received. When you are called to the microphone to provide testimony, please state your name, address, and if applicable, the group, organization or business you are representing. Please limit your testimony to approximately three minutes to allow time for others to provide their testimony in public. You can testify again as part of the public verbal testimony after others wishing to testify have done so. Public verbal testimony will continue until everyone interested in providing testimony has had the opportunity to do so or until the public hearing ends at 7 p.m., whichever comes first.

Written Testimony

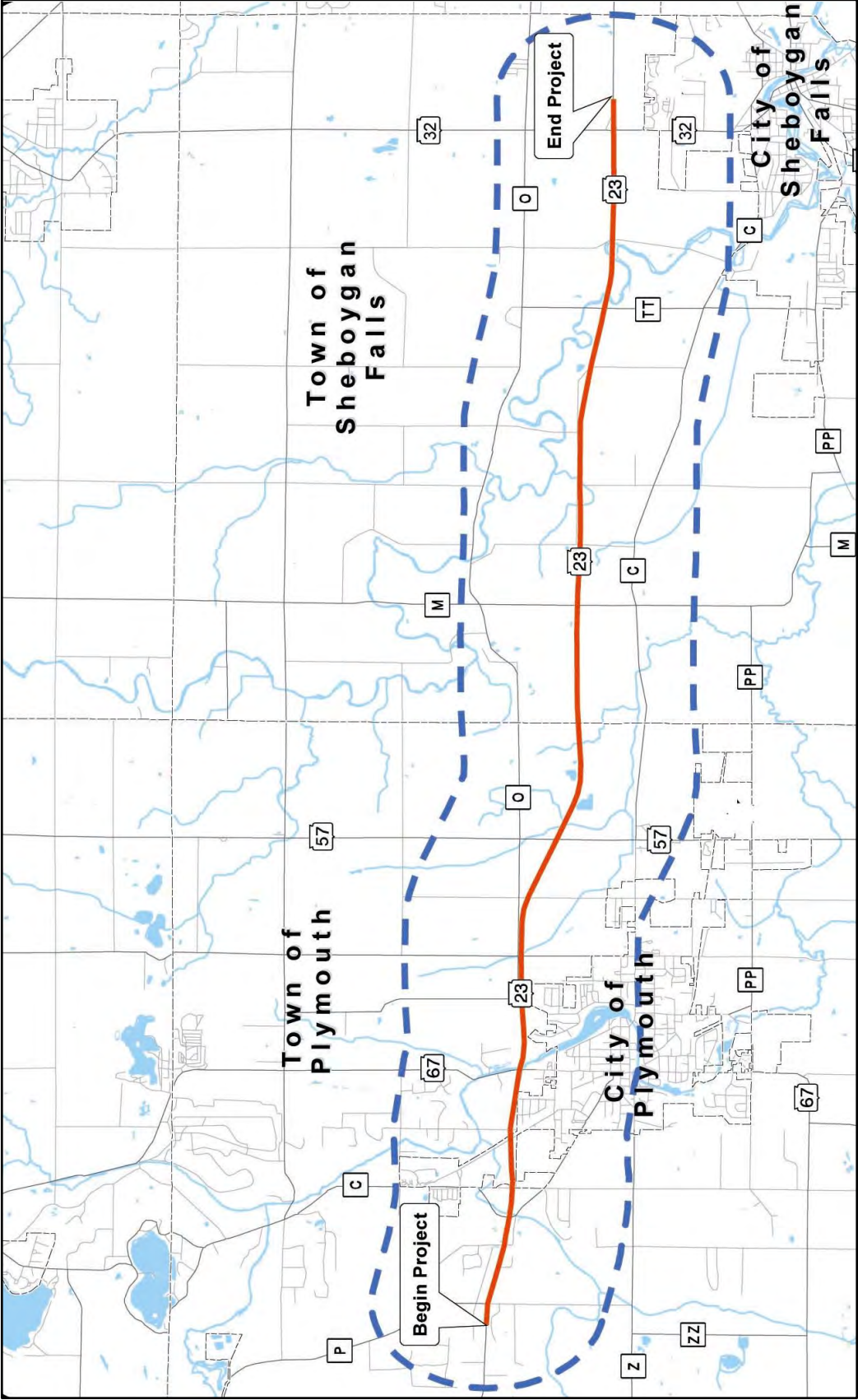
You may provide written testimony in addition to, or in place of, verbal testimony. Complete the "Written Testimony Form" (included in this handout packet). You may also use your own stationary. Include your name, address, and if applicable, the group, organization or business you are representing. If you prepared written testimony prior to the public hearing, you may submit that also. There are two options for submitting your written testimony:

Submit Tonight: Complete the Written Testimony Form and place the form along with any other supporting documentation in the box located on the table in the cafeteria.

OR

Mail In: You may prefer this option if you would like additional time to organize your thoughts/ testimony. The Written Testimony Form is pre-addressed and does not require postage. You may also send written testimony via e-mail. See "WisDOT Contact Information" on Page 11 of this handout. Mailed or e-mailed testimony must be postmarked or received no later than January 10, 2017 to be included in the official public hearing record.

Study Location Map



Purpose of the Public Hearing

The objective of the public hearing is to get the most complete expression of public opinion regarding the project aspects listed in this handout on the record. Testimony provided during this public hearing, and received on or before January 10, 2017, will be considered along with all other judgments and opinions received before further decisions are made on the proposed project alternatives. This public hearing includes a project presentation and opportunities to provide public/private verbal testimony to a court reporter and/or written testimony. All testimony will be entered into the public hearing record along with other public hearing presentations, exhibits and materials.

Information for the Public Hearing Record

In addition to the testimony provided at this public hearing, all exhibits, handouts, audio/visual presentations and displays available for viewing at the public hearing will be included in the official public hearing record. Page 10 of this handout contains a complete listing of these materials. Other materials, along with other written testimony received after the public hearing, will be added to the official public hearing record provided they are postmarked or received no later than January 10, 2017.

Project Statement

The purpose of the WIS 23 freeway designation and corridor preservation study is to prepare a long-range plan showing the ultimate transportation facility including access locations and type.

WIS 23 connects the major population centers of Fond du Lac and Sheboygan and is an important connector route for agriculture, tourism and businesses between the population centers and points west. Long-range transportation improvements will be designed and officially mapped from County P to the freeway section near WIS 32. The resulting improvements will allow for the future conversion of the existing facility to a freeway under State Statute 84.295 when the need occurs and funding is available.

Goals and objectives

The WIS 23 freeway designation and corridor preservation study was initiated in June 2007. Since the project initiation numerous alternatives have been reviewed, eliminated and refined to meet the goals and objectives of the Wisconsin Department of Transportation (WisDOT). Alternative development was performed within the confines of the overall goals and objectives developed for the project. These goals and objectives are stated as follows:

Goal

Preserve the public investment in WIS 23 by planning for long-term mobility and safety.

Objectives

- 1) Map the right of way needed for eventual conversion of WIS 23 to a controlled access freeway
 - Identify future interchange locations
 - Identify future grade separation locations
 - Identify future local road system modifications
 - Identify changes to existing multi-modal facilities
 - Prepare conceptual plans for future improvements
 - Close remaining at-grade driveway access
- 2) Avoid and minimize local impacts
 - Minimize impacts to existing homes and businesses
 - Minimize disruption to farm operations
 - Minimize disruption and impacts to bicycle and pedestrian facilities
- 3) Avoid and minimize environmental impacts
 - Avoid, minimize or mitigate wetland impacts
 - Avoid, minimize or mitigate impacts to endangered or threatened species
 - Avoid, minimize or mitigate archaeological and historic sites
- 4) Work in a collaborative manner with local officials, stakeholders and the public throughout the study process.

Study Alternatives

The project limits are described as beginning at the west line of the SE 1/4 of the SE 1/4 of Section 18, Township 15 North, Range 21 East, and running easterly and southeasterly through Sections 18, 17, 20, 16, 21, 15, 22, 14, 23 and 24, in the Town of Plymouth, and through Sections 16, 21, 22 and 23, in the City of Plymouth, all in Township 15 North, Range 21 East, and then continuing easterly and southeasterly through Sections 19, 20, 21, 22 and 23, all in the Town of Sheboygan Falls, Township 15 North, Range 22 East, and ending at the east line of the SW 1/4 of the SE 1/4 of Section 23, Township 15 North, Range 22 East. More details are available on the maps located in the cafeteria, your concerns or questions can be brought up with one of the project staff members following the formal meeting.

Over the course of the study, WisDOT has worked with the communities along the corridor to identify locations of future interchanges, local road modifications and any changes needed to existing multi-modal facilities.

Alternatives were analyzed in three separate segments along the corridor. These segments were defined geographically based upon the unique characteristics and connectivity of the segments. The segments are defined as follows:

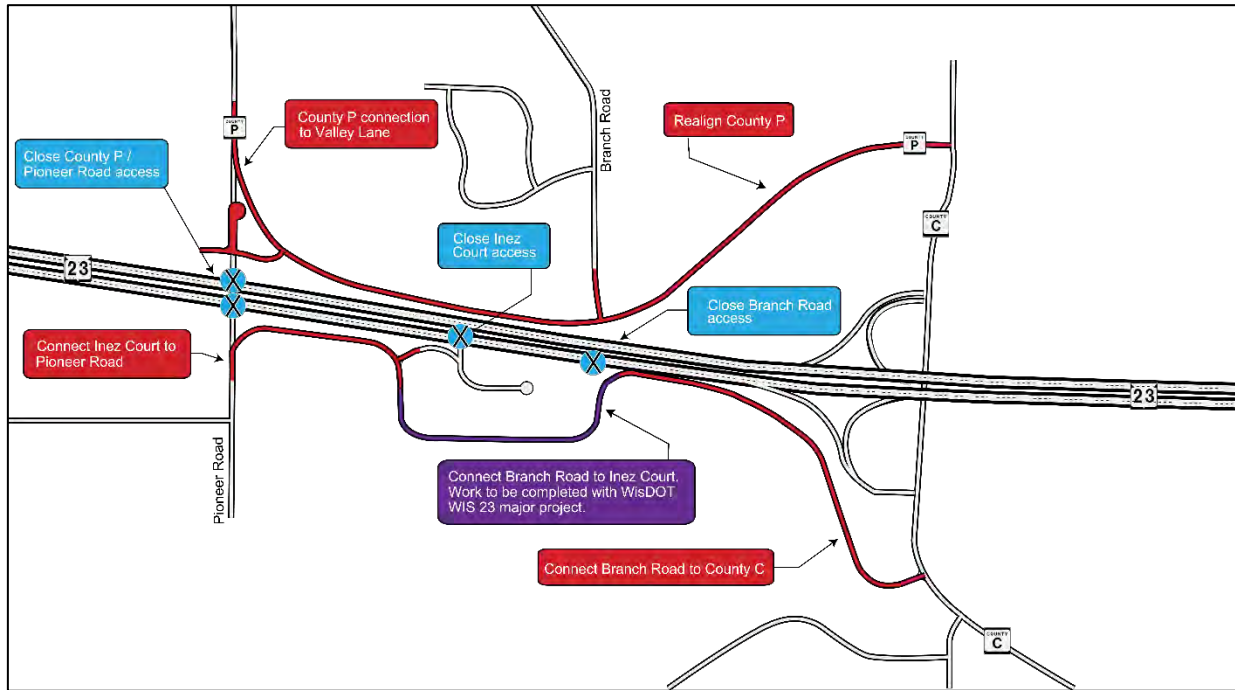
- The west segment (County P to County C)
- The central segment (WIS 67 to WIS 57)
- The east segment (WIS 57 to WIS 32)

WisDOT evaluated connectivity, costs and environmental impacts associated with numerous alternatives developed for each of the study segments, which have ultimately resulted in the recommended alternatives for the project.

West Segment

The west segment is located between County P and County C. The west segment alternative consists of the following:

- County P closed at WIS 23
- Reroute County P down Valley Lane to an intersection with County C north of WIS 23
- Construct new roadway connecting Pioneer Road, Inez Court, and Branch Road to an intersection south of County C
- Pioneer Road, Inez Court and Branch Road access closed at WIS 23

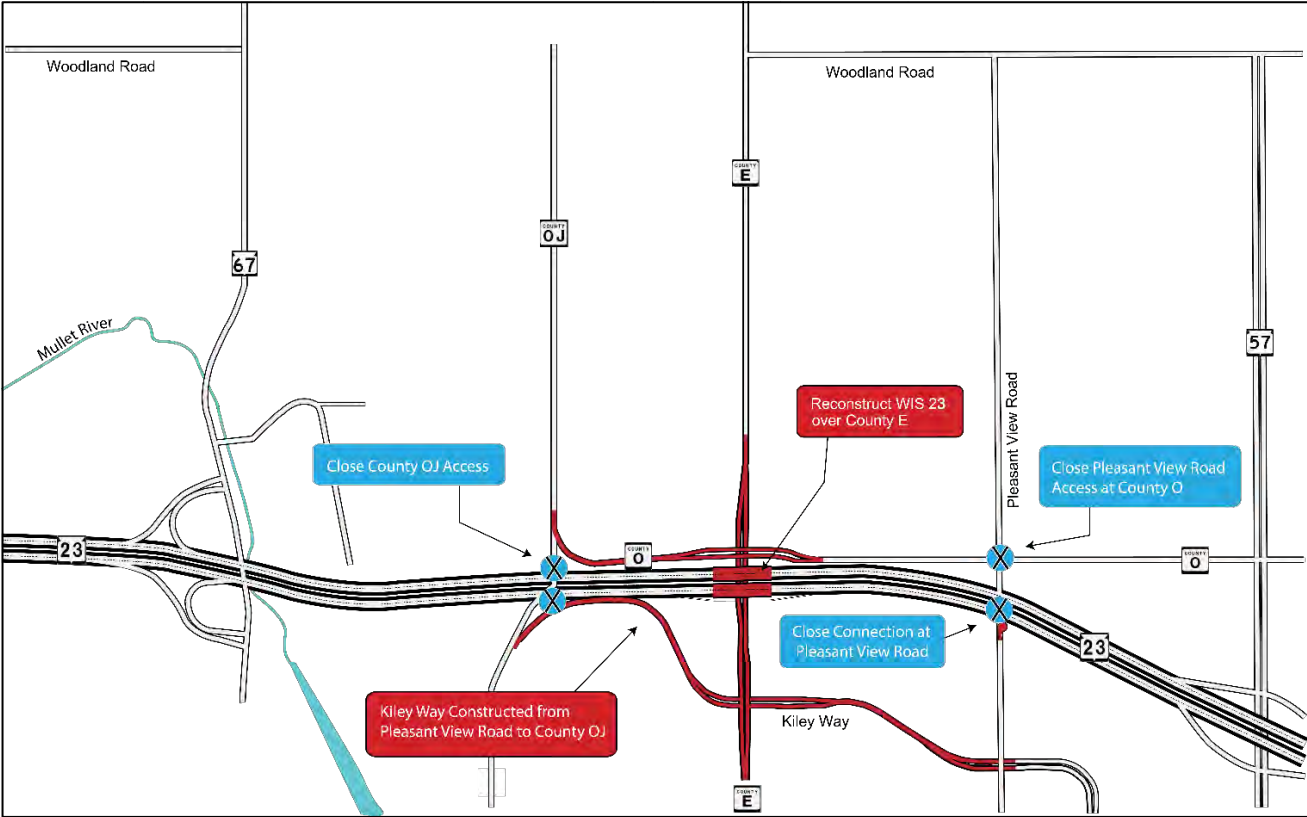


Central Segment

The central segment is located between WIS 67 and WIS 57.

The central segment alternative consists of the following:

- Construct WIS 23 over County E
- Construct Kiley Way between County OJ and Pleasant View Road
- County OJ and Pleasant View Road closed at WIS 23

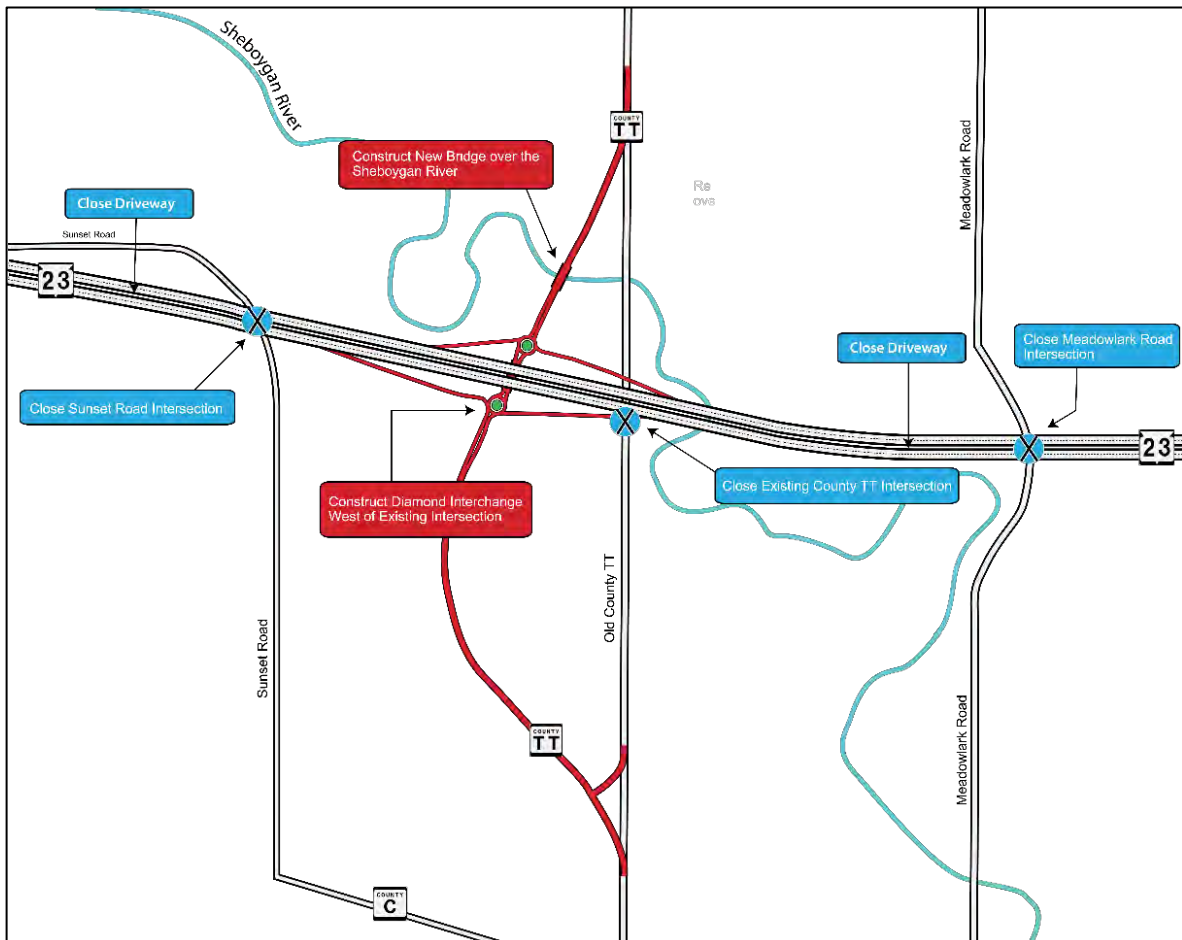
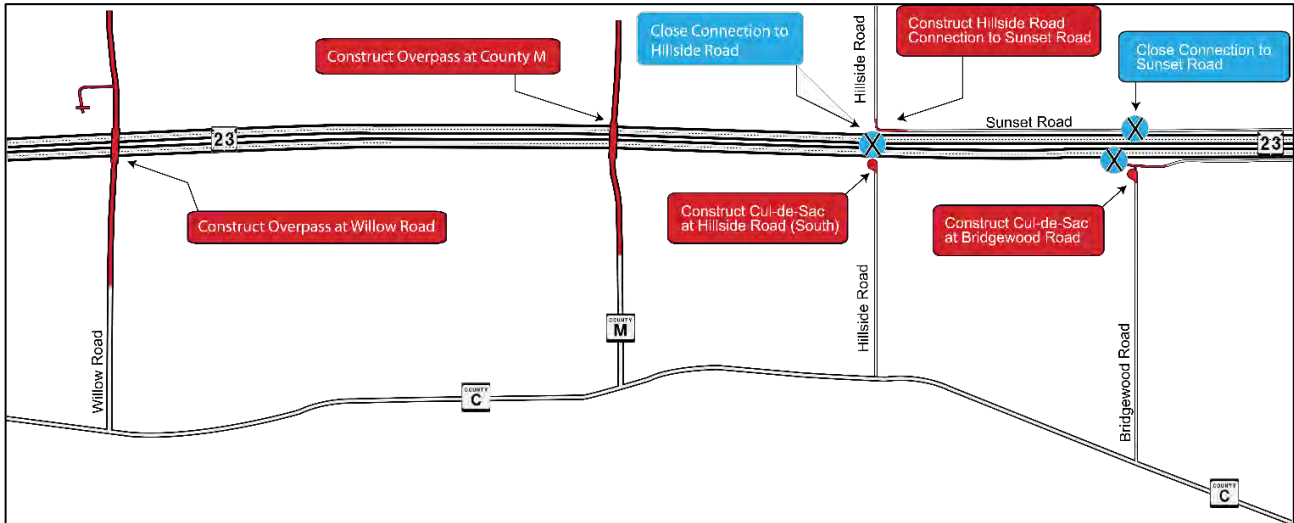


East Segment

The east segment is located between WIS 57 and WIS 32.

The east segment alternative consists of the following:

- Construct overpasses at Willow Road and County M with no direct access to WIS 23
- Hillside Road, Bridgewood Road, Sunset Road and Meadowlark Road access closed at WIS 23
- Construct new diamond interchange west of the intersection of WIS 23 and County TT



What is Official Mapping?

Officially mapping is a statutory tool used to preserve property (right of way) for future transportation use. It can be effective for limiting or preventing improvements on lands that have been designated for future public use; saving additional acquisition costs and saving state taxpayer money.

Officially mapping corridors also helps local governments plan for land use and economic development opportunities

Official mapping does not limit your ability to live and/or work on your property. If your property is located within the officially mapped corridor, WisDOT would record that information against the property. Property owners would be required to notify WisDOT of any future improvement that falls within the mapped limits. This does not include routine maintenance/upkeep.

Notification is required if you are constructing or moving a new structure onto the property, or in some way altering an existing property within the mapped area. The department reserves the right to either purchase the property at fair market value or allow the property owner to go ahead with the proposed modification. Upon receipt of notification from the property owner, WisDOT will make a determination within 60 days to either purchase the property at fair market value or allow the proposed private alteration to occur. If the property is acquired by WisDOT at a later date, the owner will receive full compensation for the alteration.

If a property owner makes any alteration to the mapped section of the property -- without providing proper notification -- WisDOT is not required to compensate the owner for that improvement if/when WisDOT decides to purchase the property.

Next Steps

Following the public hearing, the department is proposing to prepare a Finding, Determination, and Order (FD&O) and record it at the County Register of Deeds office. The FD&O will officially establish this segment of WIS 23 as a freeway. The FD&O includes, among other items, the legal description and a listing of the section, town, and ranges of areas of the expressway segment being designated. A Draft FD&O is included in the Hearing Handout Packet.

WisDOT will then record an official map of right of way needed for future freeway conversion at the Sheboygan County Register of Deeds. All impacted property owners will be notified via registered mail when the map is recorded. The notification will include a copy of the map page(s) showing the affected property. All current owners will be notified within 60 days of the map recording.

There are no plans to purchase real estate at this time. There will be additional public involvement and environmental analysis prior to any construction of proposed improvements. When future projects are implemented, and before any property acquisition activities are initiated, property owners will be contacted by our real estate staff. Property owners will be provided details of the acquisition process and information on property owner's rights under Wisconsin's Eminent Domain Law.

Description of Public Hearing Exhibits

- Tonight's Agenda
- Next Steps
- Instructions for providing private verbal testimony
- Instructions for providing public verbal testimony
- Instructions for providing written testimony
- Mapping limits and access changes
- Hearing handout packet
- Public Hearing legal notice

PowerPoint Presentation

WisDOT is providing a brief PowerPoint presentation as part of this public hearing to update the public on the proposed project alternatives and to explain the public hearing process. The PowerPoint presentation also serves the purpose of providing information required as part of the public hearing Project Statement.

Sample – Finding, Determination and Order (FD&O)

Document Number

FINDING, DETERMINATION, AND ORDER

Wisconsin Department of Transportation
DT2169 12/2010 s. 84.295 Wis. Stats.

Designating STH 23 in Sheboygan County as a freeway

This Finding, Determination, and Order refers to the following official route of the State Trunk Highway System:

Beginning at a point at intersection of State Trunk Highway 23 and the west line of the SE 1/4 of the SE 1/4 of Section 18, Town 15 North, Range 21 East in Sheboygan County, thence proceeding in a easterly direction along the centerline of State Trunk Highway 23 to the intersection with the east line of the SW 1/4 of the SE 1/4 of Section 23, Town 15 North, Range 22 East in Shawano County

The Department of Transportation, in the interest of promoting public safety, convenience, and the general welfare, declares the portion of highway described above to be designated a freeway in accordance with s.84.295 of the Wisconsin Statutes.

In making this declaration, the Department does find and determine:

1. That the volume and character of the traffic being served warrants four traffic lanes.
2. That such development is in the public interest.
3. That the highway has a currently assignable traffic volume in excess of 4,000 vehicles per day.
4. That the designation is necessary to prevent conflicting costly economic development on areas of lands to be available as right of way when needed for future highway construction.
5. That the initial transportation improvement may consist of interchange/freeway and overpass design with the ability to be converted into a freeway design at a later date.
6. That the general controls exercised over traffic entering or leaving the planned freeway are as follows:
 - a) Owners or occupants of abutting lands shall have no right or easement of access by reason of the fact their property abuts on the freeway, or for other reasons.
 - b) Owners or occupants of abutting lands shall have no right or easement for special crossings by reason of the fact that their property abuts on the freeway, or for other reasons.
 - c) Existing public highways which, as of the effective date of a relocation order and plat of right of way to be acquired for a freeway, intersect or cross the freeway on the laid out, described state trunk highway location may be developed by the Department of Transportation to interchange with the freeway, or may be altered, vacated, relocated, extended or combined, all as provided by s.84.295 of the Wisconsin Statutes.
7. That reasonable provision for access to abutting property shall be provided by local service roads as a part of the freeway development, or the right of access to or crossing of the public highway shall be acquired on behalf of the state as a part of the freeway improvement project by donation, purchase or condemnation.
8. That lands in Sheboygan County that abut or adjoin with or are traversed by this freeway are listed in their respective towns, and sections, and in a direction from West to East as follows:

This space is reserved for recording data

Return to:

Natasha Gwidt
Wisconsin Department of Transportation
Northeast Region
944 Vanderperren Way
Green Bay, WI 54304-0080

This Finding, Determination, and Order will be identified in Department Files as # .
This Finding, Determination, and Order is approved and adopted by the Department of Transportation.

Wisconsin Department of Transportation

(Division Administrator Signature)

(Date)

(Print Name)

Project ID 1440-19-00	This document need not be notarized as per s.706.001(2)(a) Wis. Stats. This instrument was drafted by the Wisconsin Department of Transportation.	County Sheboygan
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Contact Information

Submittal of Written testimony or general project questions

Additional written public hearing testimony after this public hearing should be sent to the WisDOT project manager at the address or email address given below. Additional testimony will be added to the official public hearing record and considered in the final environmental document provided it is postmarked or received no later than January 10, 2017.

Natasha Gwidt, PE - Project Manager

Wisconsin Department of Transportation

944 Vanderperren Way

Green Bay, WI 54304

Phone: (920) 492-4125

Fax: (920) 492-5640

natasha.gwidt@dot.wi.gov

Project website (project information, schedule and updates)

<http://wisconsindot.gov/Pages/projects/by-region/ne/wis23corridorsheb/>

Written Testimony Form

WIS 23 (County P to WIS 32)
 Sheboygan County
 WisDOT ID: 1440-19-00
 Public Hearing
 Riverview Middle School
 Tuesday, December 13, 2016



Please place this form in the box on the table located on the sign-in table or mail by January 10, 2017

Name (please print): _____ Date: _____

Address: _____

Phone Number (optional): _____ E-mail Address (optional): _____

Testimony (use additional pages if necessary):

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NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

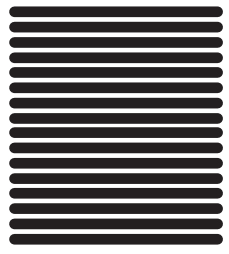


BUSINESS REPLY MAIL
FIRST CLASS MAIL PERMIT NO. 2226 MADISON, WI



POSTAGE WILL BE PAID BY

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WISCONSIN DEPARTMENT OF TRANSPORTATION
944 VANDERPERREN WAY
GREEN BAY WI 54304



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Registration Slip for Verbal Testimony

WIS 23 (County P to WIS 32)
Sheboygan County
WisDOT ID: 1440-19-00
Public Hearing
Riverview Middle School
Tuesday, December 13, 2016



This registration slip may be used for providing public or private verbal testimony. Following the project presentation at 5:30 p.m. in the auditorium, public verbal testimony will take place. Complete this registration slip and submit it to a project team representative during or immediately following the presentation. Your name will be called in the order registration slips are received. When you are called to the microphone to provide testimony, please state your name, address, and who you represent if applicable (for example a business). Please speak slowly and clearly. A court reporter will record your testimony. Please limit your testimony to comments and/or opinions regarding the proposed project aspects for which this public hearing is being held. To allow everyone a chance to speak, please limit your testimony to approximately 3 minutes.

The same process applies for providing private verbal testimony, but this registration slip should be presented directly to the court reporter when a spot is available to provide your private verbal testimony.

If you do not wish to speak, but would like to use this registration slip to record your position on the alternatives being considered at the public hearing, please check the applicable boxes below.

Name: _____

Address: _____

If applicable - group, organization, or business you are representing:

Wishing to speak

Not wishing to speak, but please record my position on the alternatives being considered at the public hearing:

Support, describe: _____

Do Not Support, describe: _____
