

Binder Insurance Agency
Insurance - Bonds

303 OREGON STREET OSHKOSH, WIS. 54601
PHONE. 231-2840

FILED 2 5 1986

February 28, 1986

Department of Transportation
944 Vanderperen Way
Green Bay, Wisconsin

Attention: Charles Ryan

Dear Chuck:

Subject: Cimarron Estates
City of Oshkosh
USH-45
State H-175

The proposed Preliminary Plat for the above has just come to my attention. It is my understanding that the Department of Transportation has been contacted by the developer, Ronald Leichtfuss, who is proposing to enter a street onto Fond du Lac Road (Highway 45 and Highway 175). As a resident of this immediate area for the last 14 years, I feel that I am very qualified to bring the following facts to your attention.

- (1) The proposed street would be less than 100 feet from the Chicago and Northwestern railroad crossing of USH 45. We have had many accidents at this location that I personally have witnessed. These accidents have occurred due to the fact that the railroad tracks cross the highways at a 45° angle. Most of the accidents have centered around bicyclists that caught their wheels in the tracks causing them to fall into the path of traffic. To the best of my knowledge, to date, none have been killed but several have been seriously injured.

continued ...



- (2) There are many homes located on Lake Winnebago or in the vicinity thereof south of the City of Oshkosh. The combination of Hwy. 45 and Hwy. 175 serves as a main artery for the flow of traffic for these residents and the many commuters that come in or out of the city daily.

Due to the density of the population in the area there are many school buses that also use these highways as their main routes in and out of the city. There have been accidents in the exact area of the proposed street exit onto the highway. My own children have come very close to being injured by cars that have ignored the flashers of the school bus that stops a short distance south to pick them up or bring them home.

- (3) There are presently several entrances at this point onto the highway. Along with the fact that this is only a two lane highway, it would certainly be prohibitive to allow still another entrance.

See Exhibit

- (4) At the present time there is a limited use of the tracks by the Chicago and Northwestern Railroad. However, it has been proposed by the City of Oshkosh that they would like to move the Soo Line Railroad trains also onto the same tracks. These would certainly cause more of a traffic problem for this same immediate area.

When the trains come through, traffic is usually backed up 500-1000 feet from either side of the tracks. This completely shuts off all egress onto the highway. I personally have waited 10-15 minutes or more to allow the train to pass and then another 5-10 minutes before I could exit onto the highway. I have seen motorists become very impatient and take chances that again increases the risk of an accident.

continued ...

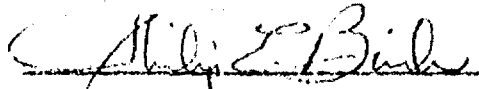
Department of Transportation
February 28, 1986
Page 3

In my capacity as Winnebago County Supervisor, District 19, I represent the many families that live in this area. I have been contacted by many concerned citizens relative to the feasibility of the proposed street entrance onto this highway. Their main concern is the congestion that would result which would cause a very unsafe situation.

At the present time, these taxpayers are circulating a petition objecting to the proposed street entrance. I would estimate there will be at least 300 to 400 signers on the petition.

I would appreciate your contacting me in the very near future relative to this matter. If possible, a joint viewing by you or a representative of your department would also be very enlightening. Thank you for your time and consideration.

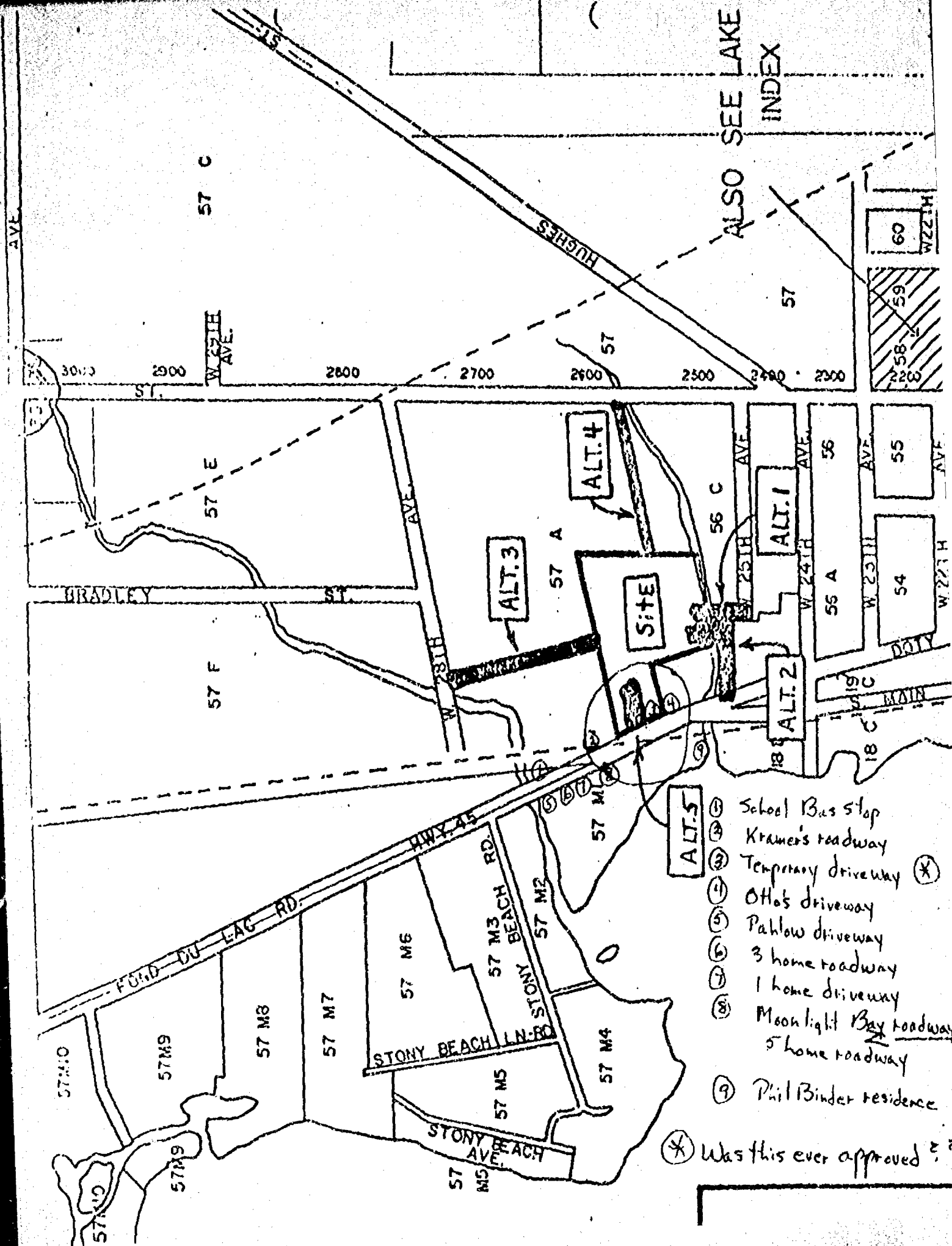
Sincerely yours,



Philip E. Binder
Winnebago County Supervisor, District 19

PEB/ga
Enc.

cc: Leonard Leverage
Gerald Konrad
Carol Owens
James Bahr



- ALT. 5
- ① School Bus stop
 - ② Kramer's roadway
 - ③ Temporary driveway (X)
 - ④ Otto's driveway
 - ⑤ Pahlow driveway
 - ⑥ 3 home roadway
 - ⑦ 1 home driveway
 - ⑧ Moonlight Bay roadway
 - ⑨ 5 home roadway
 - ⑨ Phil Binder residence
 - (*) Was this ever approved?



11.3 17 1986



State of Wisconsin \ DEPARTMENT OF TRANSPORTATION

February 14, 1986

DIVISION OF HIGHWAYS AND
TRANSPORTATION SERVICES

4802 Sheboygan Avenue
P.O. Box 7816
Madison, WI 53707-7816

Ms. Donna Serwas
Clerk, City of Oshkosh
P. O. Box 1130
Oshkosh, Wisconsin 54902

Dear Ms. Serwas:

Subject: Cimarron Estates
City of Oshkosh
USH 45
Winnebago County

The subject preliminary plat was transmitted to the Department of Transportation, Division of Highways and Transportation Services, by the Department of Development on January 27, 1986 under the provisions of Section 236.12, Wisconsin Statutes.

~~_____~~ has considered this plat in the light of the Rules and Regulations Governing Land Subdivision Plats Abutting State Trunk Highways and Connecting Streets, Chapter Hy 33, Wisconsin Administrative Code, promulgated under authority of Section 236.13(1)(e), Wisconsin Statutes.

The Division of Highways and Transportation Services objects to the subject plat as it does not comply with Sections 33.04, 33.05, 33.06 and 33.08 of the above-mentioned Rules. Certification or nonobjection is conditioned upon full compliance with these and other pertinent requirements set forth in the Rules.

Section 33.04 of the above-mentioned Rules relates to the required information which must be shown on each plat submitted for Department of Transportation review. All existing, proposed or authorized points of access to USH 45 within the area of the proposed subdivision plat and the right of way widths of USH 45 must be shown.

Section 33.05 relates to access restriction between a state trunk highway and abutting lots of a subdivision plat. It is required that an ~~access~~ restriction clause, in the form as is stated below, be added to the face of the plat when submitted for final review.

"As owner I hereby restrict all lots, in that no owner, possessor, user, ~~possessor~~, nor other person shall have any right of direct vehicular ingress or egress with U.S.H. 45, as shown on the plat; it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to section 236.293, Wisconsin Statutes, and shall be enforceable by the Department of Transportation."

Ms. Donna Serwas
Cimarron Estates
February 14, 1986
Page 2

See attached to this mailing.
Section 33.06 of the above Rules relates to the frequency of street or road connections and the interval between a subdivision street and an existing or planned street or road. The proposed intersection of Cimarron Place with USH 45 ~~will intersect with the 2nd Street~~ Western railroad crossing of USH 45. It is suggested that the developer investigate the possibility of providing access to the subject ~~property~~ ~~an interior street system.~~

Section 33.08 of the above-mentioned Rules relates to the building set-back line which must appear on the face of the plat. ~~which must be set-back from the property line shown at Cimarron Place from the center line of the railroad 50 feet from the outside or nearest edge of the line, whichever is more restrictive.~~

It is requested that the subdivider comply with Section 33.10 of the Rules by consulting with the Department of Transportation office in Green Bay at 944 Vanderperren Way regarding this matter.

The final plat, incorporating the appropriate revision, corrections or additions in compliance with the above-referenced Sections of the Rules, must be submitted in order that the objections noted herein may be removed.

We wish to thank you for your cooperation in these matters of mutual interest.

Sincerely,

D. L. Strand, P.E.
State Design Engineer for Hwys.

By

J M Horsfall LSK
J. M. Horsfall, P.E.
Chief Utilities Engineer

JMH:LSK:f3108
cc: Register of Deeds
Department of Development
DILLIR
Surveyor
Owners (c/o Surveyor)
Winnebago County Planning Agency
TD #3

To: Jackson Kinney, Director of Community Development
From: Gerald Konrad, Director of Public Works
Date: November 4, 1985
Subject: PROPOSED STREET IN RON LEICHTFUSS PROPERTY

As you are aware, Ron Leichtfuss is proposing to subdivide the parcel of property ^{East} of the Oshkosh B'Gosh building on Oregon Street. In so doing, he is proposing to enter a street onto South Main Street, or Highway 45 at its intersection with Doty Street. We have been in contact with the State Department of Transportation in an attempt to get a "feel" as to whether or not the state will approve a street in that location. I have talked to Ken Nelson on the telephone, and he indicated that they do not really support a street at that location, however, they have not made a decision as to whether they would object.

I think this is a matter that should really be handled by your department. I believe that Ron Leichtfuss has been discussing the matter with Bruce Roskum. Would you please have Bruce review the proposal with respect to a street pattern in the undeveloped property to the south, and keeping in mind a possible street access out to Oregon Street. The engineering office will be more than happy to work with you in regard to sanitary sewer, water main, storm sewer, and drainage plans.

If you have any questions, comments, or concerns, please give me a call.

Ron Leichtfuss 233-5398

RECEIVED

NOV 4 1985

DEPARTMENT OF
COMMUNITY DEVELOPMENT

City of Oshkosh



TO: Gerald Konrad
Director of Public Works

FROM: Bruce A. Roskom
Associate Planner

DATE: November 25, 1985

RE: Proposed Street in Ron Leichtfuss Property

Per your request this office has researched the proposal of Ron Leichtfuss relative to street layout and access of a new street in the area.

In the review, five different alternatives (see attached map) for street access were researched. Alternative #1 was to cross Glatz Creek via a bridge and intersect with West 25th Avenue. Alternative #2 was to cross Glatz Creek via a bridge run through Glatz Park to intersect with Doty Street. Both of these alternatives were ruled out due to excessive construction and maintenance costs incurred as a result of the bridge, maintaining Glatz Creek which is environmental sensitive and difficulties with acquiring the proper right-of-way widths from the adjacent properties.

Alternative #3 was to run a road from 28th Avenue north to the property in question. This alternative would be disruptive to existing and possible future industrial development of the area. It's also excessively long to be cul-de-saced for its intended uses. It may be difficult to acquire the proper right-of-way widths as well.

Alternative #4 was to dedicate a right-of-way from Oregon Street running east to the site in question. This alternative also proposes a very long street to end in a cul-de-sac. The costs of running sewer and water to the site as well as road construction costs would be prohibitive.

Alternative #5 is to have street access onto Highway 45 at its intersection with Doty Street. Any proposed street dedication would be part of the overall development by the owner. A cul-de-sac street would not be excessive in length and would have no difficulties relative to street construction and maintenance costs. The sewer and water laterals are in Doty Street and are easily accessible to the development site.

Coralu A. ad
November 25, 1985
Page 2

✓ { When was this study made ??
Did it include both Hwys. that come in ??

Oregon Street has a greater 24 hour traffic volume than does South Main, thus South Main has a better capacity to handle an increase in traffic volume. Oregon Street also has a higher intensity of residential uses including schools. This is another reason to direct an increase in traffic volume to South Main.

Staff recommends alternative #5 to have street access onto Highway 45 at its intersection with Doty Street.

BAR/mja

Attachment