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## Wisconsin Department of Transportation

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October 12, 2001

The Honorable James R. Baumgart  
Wisconsin State Senator  
Room 306 South, State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Dear Senator Baumgart:

Thank you for the opportunity to review your draft, LRB-1845/1. As drafted, I have concerns the costs will far outweigh the benefits. I would like to share the following thoughts.

Your draft's policy of providing legislative review of the most significant access requests does not directly address WisDOT's policies of when, or how much, to charge developers for relinquishing purchased access control. I believe the draft is overly broad for ensuring legislative review of significant access requests and will cost considerable time and money that does not further that policy.

The draft would require WisDOT to evaluate the change in value for *all* "new access routes" (draft page 3, line 2), including both private driveways and public roads. WisDOT annually receives thousands of requests for new access. The simplest 'before-and-after' appraisals (for private driveways, serving only a discrete lot) cost roughly \$1,000 each. However, the appraisal must consider all of "the lands to be served by the access route" (draft page 3, line 12), which could be a considerable area for access requests for road connections. For example, a request for access to STH 42/28 to connect 16<sup>th</sup> Street would require an appraisal of a good portion of the city of Sheboygan. Multiplying the number of access requests by the cost of even the simplest appraisal would be enormously expensive.

The draft would increase the time for WisDOT to act on access requests. WisDOT currently acts on simple private driveway access requests within seven to fourteen days. The simplest appraisal could add an additional 90 days to that processing time. A more complex appraisal, for a road connection for example, could take significantly longer. Any time delay will depend on variables beyond WisDOT's control, such as the number of independent appraisers in the area and their workload, and will reflect poorly on the efficiency of WisDOT and the state. The time to process requests for access will likely vary greatly around the state, depending on these variables.

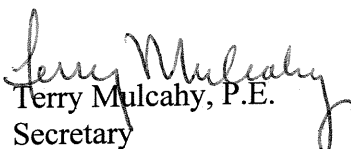
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Only a tiny percentage of the access requests evaluated statewide will increase the value of lands served by \$500,000 or more. Evaluating *every* access request in order to ensure legislative review of *significant* access requests therefore seems inefficient. Finally, significant access requests will get legislative review that could be as short as 14 days, or as long as a legislative session or more depending on the chair of the relevant standing committee. I do not believe developers as a class will view that legislative oversight as a benefit.

Your proposal could more efficiently provide legislative review of significant access requests. For example, require WisDOT to determine whether the change in value could approach \$500,000 and refer only those access requests for appraisal. Or, exclude requests for residential driveways. Or, exclude requests for access to state trunk highways whose access control was not acquired by purchase or condemnation. Or, appraise only requests for access that exceed a given average daily traffic.

Thank you for the opportunity to review and comment on your draft. I would be happy to have our staff work with you and your staff on this issue if you feel it would be beneficial. Please let my Executive Assistant Bob Cook know if you need anything further.

Sincerely,

  
Terry Mulcahy, P.E.  
Secretary