

From: [Marisa Balistreri](#)
To: [All Alders](#)
Subject: Stone House Old Sauk Appeal (Supporting this Appeal)
Date: Friday, July 12, 2024 4:27:05 PM

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Reference File Nos [82972](#) (Conditional Use) & [84123](#) (Appeal) - Stone House Old Sauk Proposal [Objection]

I'm a former resident of District 19 and grew up in Parkwood Hills. As my parents still live there, I'm in the neighborhood several times a week. I object to the proposal to build a 3 story 138 unit apartment and recreation complex on 6610-6706 Old Sauk Road.

The fact that the area has to be rezoned to accommodate the proposed complex demonstrates that this is the wrong development for the neighborhood. You all know it doesn't fit. In addition, it would sit in a flood zone. The whole proposal is illogical and potentially dangerous.

I do support a common sense development that adds housing and preserves the wildlife and trees. If the city really wants to ease the housing shortage and help the "missing middle" to build wealth, then a smaller development of affordable condos makes sense for the area.

I ask the Common Council to reject this proposal. I have to admit that it appears that The People no longer have a voice - even the Alder for District 19, Guequierre, voted for the proposal when his constituents clearly don't want a development of this size on that parcel.

My heartfelt thanks to those who have heard me and value compromise.

Sincerely,
Marisa Balistreri

From: [Debi Forrestal](#)
To: [All Alders](#); [Mayor](#)
Subject: Stone House Old Sauk Appeal (Supporting this Appeal)
Date: Friday, July 12, 2024 5:40:15 PM

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File Nos. 82972 (Conditional Use) and 84123 (Appeal) - Stone House Old Sauk Proposal

My name is Deborah Forrestal and I have owned my home at 21 St Andrews Circle for 27 years. My property is adjacent to the property Stone House proposes to develop. Stone House's proposed novel stormwater plan will have detrimental effect on public health, safety and welfare of surrounding properties and the city presently lacks an adequate stormwater infrastructure to handle the increased stormwater issues caused by the Stone House development.

You now have my objection to this proposed development on record should this project be approved by the city and my home gets flooded.

Sent from my iPad

From: [Fun to Build](#)
To: [Figueroa Cole, Yannette](#); [All Alders](#); [Mayor](#)
Subject: Please Post as Public Comments for 82950, 82972, 83477, 82979 and 84123, Agenda Item #6 for Common Council Meeting 7/16/24, 6610-6706 Old Sauk Rd
Date: Thursday, July 11, 2024 10:39:31 PM

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To President Cole, All Alders and Mayor Rhodes-Conway,

We ask that you reverse your decision as appealed and defer approval of the Stone House proposal at 6610-6706 Old Sauk Rd until: a) a Stormwater Plan is approved by City Engineering and b) the City can provide an adequate stormwater infrastructure to accommodate increased storm runoff caused by the Stone House project.

If we were asked a year ago if we thought a 138-unit apartment could be built at this location so close to our home we would have said no way, that we are in the middle of 4 square miles of suburban neighborhoods and protected by zoning laws. Little did we know.

Back in October, 2023 at the initial Stone House proposal meeting our reaction was then as it is today, Stone House is trying to cram too much into this 3.7 acre location. Stone House has chosen to start with a large building design and left a small amount of room for a stormwater system, as an engineer I would say it should be the other way around, first figure out the room needed for a solid performing stormwater design and then design the building.

Since this initial proposal meeting we have learned a lot.

We have learned that the Plan Commission and Stone House teamed up in advance and conspired together to advance a radical zoning change and an urban building design to our suburban neighborhood prior to any public comment period. We watched in disbelief, despite overwhelming public opposition and professional analysis as the Plan Commission approved the project unanimously and without discussion. We have learned that our voices as residents are not being considered and that we are only pawns in the game to make it look like there is public involvement. This project was approved before it was announced.

We have learned that this location is identified on a City of Madison Flood Risk map.

We have learned from City Engineering that this property has an enclosed depression and the only way to drain it is via a storm sewer pipe and that Old Sauk Rd has a storm sewer that needs to be upsized and currently there are no plans to upsized. Since there are no City plans to make modifications, there are no available storm sewer accommodations to handle increased storm runoff caused by the Stone

House project.

We have learned from City Engineering that this project must be designed and managed in such a way that there is no additional flooding to adjacent property owners after development when compared to pre-development.

We have learned that revised MGOs in 2020 make stormwater planning more stringent, this is a result of the August, 2018 flooding and a recent history of more intense rainfall events in West Madison.

We know Stone House does not have a City Engineering approved Stormwater Plan.

We have reviewed Stone House's engineer's (Wyser Engineering) Stormwater Plan last revised on 5/24/24 and we do not believe their design will be successful and will not achieve 100% performance, 100% of the time.

We have learned the following about their Plan:

- a) it does not include spare reserve capacity where flow can be diverted to in an emergency or to perform cleaning maintenance,
- b) it does not include an underground water level or water flow monitoring system,
- c) it is relying on infiltration into soils with subpar percolation rates,
- d) it does not include confined space entry into the underground infiltration basins for inspection and cleaning and to our knowledge where there are no local confined space vessel cleaning services available,
- e) when the underground infiltration basins foul, do not drain properly and fill, 100% of the rainwater shed from all roofs and driveways will overflow directly to the west property line discharge point and onto adjacent neighborhood properties and
- f) it does not include a system that would provide regular performance reports to the City, utilize a flow meter at the west property line discharge point, on-site rain gauging, programming and a PLC (programmable logic controller) to ultimately determine if compliance of no additional flooding post development vs. pre-development is being met.

And lastly, we have learned through Alder Guequierre's Blog dated 6/30/24 that he and possibly City Engineering are using their position(s) to try and help Stone House, what does this all mean? Alder Guequierre stated: "On June 27 I met with Greg Fries of Madison's stormwater management engineering team to brainstorm about things we hope to see in the final Stone House stormwater and maintenance plans. We have reached out to the developer and their engineer with some ideas and will explore them and other ideas that may bubble up in further conversation."

For all these things mentioned here we ask that you reverse your decision as appealed and defer approval of the Stone House proposal at 6610-6706 Old Sauk Rd.

Sincerely, Gary and Barb Foster
6506 Old Sauk Rd

From: [Fun to Build](#)
To: [Mayor](#); [All Alders](#); [Figueroa Cole, Yannette](#); [Plan Commission Comments](#)
Subject: Please Post as Public Comments for 82950, 82972, 83477, 82979 and 84123, 6610-6706 Old Sauk Rd
Date: Monday, July 15, 2024 8:41:23 PM

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Dear Mayor Rhodes-Conway, President Cole and All Alders,

At the Common Council 6/18/24 meeting Helen Bradbury, Stone House Development gave the impression that she and Stone House Development had answered all questions raised by residents, which is not true.

On 3/14/24, I generated a full list of questions for Staff, Engineering and Stone House Development. I did receive and appreciate answers from Staff and Engineering that were published in a 3/20/24 Blog by Alder Guequierre, but Helen Bradbury and Stone House Development have never answered any of my specific questions, only responded once by saying I could find the answers in their presentations, which was not possible and made no sense.

So that there would be no confusion, I began prefacing the questions on 3/26/24 as “New Question for Stone House Development”. I sent out follow-ups on 4/8/24 and then again on 5/14/24 and have never received any specific answers. See below for the questions that remain unanswered as of today.

New Question for Stone House Development, 3/26/24: Describe what construction methods will be used and required to install the stormwater systems and the plans to be used that will not allow any damage to surrounding properties?

New Question for Stone House Development, 5/7/24: We have been told that you are not responsible to fix all flooding issues of the area, just those created by your new development and no worse than pre-development conditions. Do you plan to go beyond the minimum required and help out with the existing situation?

New Question for Stone House Development, 3/26/24: The homes in our neighborhoods have architectural styles with sloped roofs, most of them resembling Colonial, Mid-Century, French/English Country, not Craftsman or Prairie and not with flat roofs. Have you considered proposing Townhouse Style apartment designs with gable roofs (like those that can be found elsewhere in the City of Madison)?

New Question for Stone House Development, 3/26/24: Describe how this development will meet or exceed ordinances referenced in the District 19 Blog answers dated March 20, 2024 addressing light pollution. Because the development is so tall and had to be moved close to Old Sauk Rd to deal with shadowing issues, the one and only driveway is now at the back very close to many neighbors. Describe how vehicle lights will not be an issue for the neighbors?

New Question for Stone House Development, 3/26/24: Describe how this development will meet or exceed ordinances referenced in the District 19 Blog answers dated March 20, 2024 addressing noise pollution. Because the development is so tall and had to be moved close to Old Sauk Rd to deal with shadowing issues the one and only driveway and all its associated vehicle noises are now at the back of the development very close to many neighbors. Describe how vehicle noises will not be an issue for the neighbors?

New Question, 3/26/24 for Stone House Development: Describe your plan to recycle demolition materials and not just send everything to a landfill?

New Question for Stone House Development, 3/26/24: What specifically have you done, or could you do to gain support of your development with the surrounding neighbors that you are so greatly impacting?

New Question for Stone House Development, 3/26/24: Part of the discussion at the 3/13/24 meeting was about the apartment rental rate pricing structures, would you confirm that pricing will always be at market rate and never a rent assistance rate or a low-income rate?

New Question for Stone House Development, 4/8/24: The 3/13/24 proposal eliminated one of the two access points into the underground parking and relocated the one and only access to the rear of the facility. This change creates confusion, congestion, safety concerns and traffic issues for those coming into and out of the facility, including the added congestion with deliveries being made in a tight area on the access road behind the building. In addition, twenty-one parking spaces were added with headlights facing directly into neighbor's windows on St Andrews Cir and with all deliveries being made to the facility in very close proximity to homes to the north. These parked vehicles will be 20' to 30' from neighbor's homes resulting in unwanted around the clock noise and chaos. All of the natural buffers that were in the 10/24/23 proposal were eliminated in the 3/13/24 proposal. What specifically will be done to eliminate 100% these impacts and to the satisfaction of all adjacent neighbors?

New Question for Stone House Development, 5/7/24: At the 3/13/24 presentation it was unclear about the exact building heights and whether the shadow drawings presented were very accurate. Now that you know the building heights more accurately and the building location on the site would you now provide accurate shadow drawings?

Sincerely, Gary Foster
6506 Old Sauk Rd

From: [barry.g](#)
To: [All Alders](#)
Subject: SUBJECT: Stone House Old Sauk Appeal (Supporting this Appeal)
Date: Tuesday, July 9, 2024 9:08:05 PM

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Reference File Nos [82972](#) (Conditional Use) & [84123](#) (Appeal) - Stone House Old Sauk Proposal [Objection]

Dear Alders:

As residents of the community that will be impacted by the proposed Stone House Development project on Old Sauk Road, we are writing to convey in the strongest terms our objection to the proposed project and our support of the pending appeal.

Although the reasons for objection are numerous, we are particularly concerned that problems with stormwater management have not been adequately addressed and that substantial evidence indicates that the existing standards described under Madison City Ordinances Section 28.183(6)(a) for conditional uses have not been met.

In view of these considerations, we strongly urge you to vote in favor of the appeal and to oppose any further pursuit of the Stone House Old Sauk project.

Sincerely,
Barry and Ilona Ganetzky
929 Sauk Ridge Trail

From: [Green, Rebecca](#)
To: [All Alders](#); [Mayor](#); [Matthias, Isaac L](#)
Subject: Stone House Old Sauk Appeal (Supporting this Appeal) Reference File Nos. 82972 & 84123
Date: Thursday, July 11, 2024 5:46:38 PM

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Dear Common Council,

I am a resident of District 13, Friend of Old Sauk, and have worked professionally to responsibly site projects. I am writing to voice my strong opposition to Stone House's project proposal for 6610-6705 Old Sauk Road. I support the Letter of Appeal of the Plan Commission's decision which approved this project. My comments pertain to your July 16th agenda item 6 and to Legistar Nos. 82972 and 84123. My parents have owned a home across from the property for 44 years and thus have deep roots in the neighborhood and throughout the community.

The following points summarize my opposition to this development plan and support of the Letter of Appeal.

- **The Residents are Not Represented** by an elected alder, and thus, no controversial development should be approved by the City during this time. John Gueguierre was not elected by residents but rather was installed by the City, after Kristen Slack had to leave the post for health reasons. Gueguierre is essentially a developer and has blatantly not represented his residents who have come out in strong opposition. Instead, he serves on the Planning Commission and has blatantly sided with Stone House throughout the entire process.
- **The Planning Commission's Process Was Heavily Biased Towards Stone House.** They did not follow their own guidelines which require careful assessment of all the approval standards for conditional uses (see below). The Planning Commission's staff report was highly subjective and based on personal speculation, frequently using words like "believe(s)" and "feel(s)". During their meeting, Planning Commission members only asked follow-up questions (often leading questions in nature) of Stone House and the City, giving them significantly more time to make their case than was given to residents who only had 3 minutes each.
- **Standard 1 Related to Endangerment of Public Health and Safety is Not Met.**
 - **Major Stormwater Issues** are created by the proposed development with its massive amount of concrete which would cover what is currently largely permeable soil. The Stone House stormwater plan relies on risky methods and requires access to another landowner's property, which they do not have. This site is in a flood prone area per the City Flood Risk Map that extends from Old Sauk Rd across this site to E Spyglass Ct to Pebble Beach Dr. Properties directly to the north already have sump pumps that run regularly. Climate change is causing and forecast to cause ever greater storm and rainfall events. Today the site is a large depression that acts as a rain garden; this is proposed to be replaced with impervious roofs and driveways, as well as a pool

- which would require further drainage.
- **Major Traffic and Safety Issues** would be created by the proposed high-density apartments, with their excessively large # of new residents and vehicular traffic. The Planning Commission's own Staff Report indicates that "the property is located in an area of the City that does not have neighborhood-serving commercial businesses within reasonable walking distance". Old Sauk Rd is only a two lane, minor arterial road. This is a suburban residential area and there are no amenities close by. Thus, the hundreds of apartment residents and their visitors would be forced to drive vehicles, in addition to delivery services (e.g., Amazon, FedEx), all of which would significantly add to traffic, safety, and noise problems.
- **Standard 2 Related to the City's Provision of Municipal Services is Not Met.**
 - **City Drainage Infrastructure is Currently Lacking** at this location to handle the increased stormwater issues caused by the Stone House development on top of the major existing surface water issues in the neighborhood. Because Stone House cannot route stormwater into City storm sewers, it must resort to other tactics in its stormwater plan, including the risky use of underground storage tanks and an infiltration pond, designed to discharge water to the property of a neighboring landowner.
- **Standard 3 Related to Neighborhood Uses, Values, and Enjoyment is Not Met.**
 - **Small Residences Entirely Surround the Proposed Development.** According to the Planning Commission's own staff report "the scale and mass of the proposed building will be unlike any other residential building in the surrounding area".
 - **Proposed Recreational Facilities Present Major Nuisance and Drainage Issues** associated with the swimming pool, bocce court, and other facilities. The facilities mean significantly more ground would be covered in concrete (i.e., destroying greenspace) and the need to manage pool water drainage, both of which create stormwater issues. The facility's area lighting and noise generated by users would be a significant nuisance to neighbors. Currently the area is beautiful with its dark night sky which would be impacted by the facility lighting. The noise and facility usage would be hard to manage and rules for use difficult to enforce. This would highly disrupt the well-being of the surrounding neighborhood, as the property is currently largely wooded, quiet, and peaceful. The recreational facility being proposed is an added complication and is not common to developments.
 - **Negative Impacts on Health and Well-Being** of the existing residents would be caused by the proposed development, in favor of some future TBD residents that the city and developers are attempting to lure. The property is currently a very green space, with many large trees, which are highly valued by the neighbors. This greenspace and tree canopy would be destroyed by the new development.

Standard 5 Related to Site Adequacy is Not Met because there are multiple issues with drainage (as previously noted), parking, traffic, and other parts of this standard. The City has not fully considered the impacts of traffic to be introduced onto Old Sauk Road and throughout the neighborhood from a single feeder driveway that would service all apartment residents, their visitors, garbage/recycling pickup, delivery vehicles, and other vehicular transport. Bicyclists on this already busy road will be endangered.

- **Standard 8 Related to Sustaining Aesthetics of the Existing Neighborhood is Not Met.** The massive structure that Stone House is proposing is totally inconsistent with the existing neighborhood, which are small residential structures. Stone House's comparison to Yorktown Estates is not appropriate, because it is not in the immediate neighborhood but rather is nearly a mile away and by Mineral Point Road. Stone House's 138-unit rental apartment is a single mass that is notably longer than a football field. It also includes recreational facilities, a pool, parking lots, etc. This is not seamlessly integrated with the surrounding properties nor sustains aesthetic desirability compatible with the existing characteristics of the area as required in both the Comprehensive Plan and the Madison General Ordinances.

Please listen to the area residents who are in opposition to Stone House's proposal and support the Letter of Appeal of the Plan Commission's decision which approved this project. We are longtime residents of the City of Madison and deserve that the City ensures a responsible siting process based on the unique characteristics of this location.

Sincerely,

Rebecca Green

Current resident of District 13

Previous resident & Friend of Old Sauk District 19

From: [Matt Hamilton](#)
To: [All Alders](#)
Subject: Stone House Old Sauk Appeal (Supporting this Appeal) Reference File Nos 82972 (Conditional Use) & 84123 (Appeal) - Stone House Old Sauk Proposal [Objection]
Date: Tuesday, July 9, 2024 4:22:03 PM

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Dear Madison Alders,

I am 45 years old and was born and raised in Madison. I grew up and have lived on the west side my whole life with my parents and siblings, and now still on the west side in a different home with my wife and kids. We are completely against the Stone House Development proposal on Old Sauk and feel the plan was rushed though for political reasons and has not been thoroughly vetted and very significant problems by the Plan Commission regarding Stormwater Management and as well as articles of Conditional Uses. My family feel it is very important for the sake of Madison, its neighborhoods, its families and tax payers that this plan be evaluated and stopped immediately. Thank you for your focused attention to this matter.

Sincerely,
Matthew Hamilton and family
802 Blue Ridge Pkwy
Madison WI
53705

From: jan.lehman7795@gmail.com
To: [All Alders](#); [Plan Commission Comments](#); [Guequierre, John](#); [Mayor](#)
Cc: [Kathy Western](#); [Jeff Western](#)
Subject: Stone House Old Sauk Proposal Support of Appeal (Agenda Item #6, Legistar number 84123)
Date: Sunday, July 14, 2024 8:54:18 PM

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Please File in Legistar # 82972 for public comments for agenda #6 for 84123 for 7/16 CC meeting regarding appeal.

Mayor Rhodes-Conway, President Cole and Alders,

I strongly support this appeal.

As a resident on Saint Andrews Circle since 1985 I feel that our concerns and issues regarding the proposed complex on Old Sauk Road have gone unheard and even ridiculed by decision makers. We built our home while working two jobs and raising two children. We were not and are hardly “rich homeowners” as some have tried to portray. We are now retired and continue to scrutinize our available resources to remain in our home for many more years.

The proposed development will certainly have a negative impact on our neighborhood and the value of our home. Please listen to our requests to reconsider this project and the rezoning it will need.

Thank you , Jan and Ernie Lehman

Sent from my iPhone

From: [Ann MacGuidwin](#)
To: [Mayor](#); [All Alders](#); [Plan Commission Comments](#)
Subject: Please post as public comments for 82950, 82972m 83477, 82979, 84123 / 6610-6706 Old Sauk Rd
Date: Tuesday, July 16, 2024 12:20:47 AM

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Dear Mayor Rhodes-Conway, President Cole and All Alders,

I support repeal of the of the Stone House conditional use request (6610-6706 Old Sauk Rd) because approval standard #3 was not met: “**The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.**” On the basis of the information provided to date, it is foreseeable that the Stone House project will cause stormwater damage to adjacent properties, diminishing the resale value and marketability of their homes.

On June 10, 2024 the Plan Commission approved conditional use for the Stone House project subject to 63 conditions. Nearly one third of the 63 conditions fall in the purview of the City Engineering Division and 13 of those relate directly to stormwater management. In green lighting the project, staff acknowledged there was no approved stormwater management plan but assumed one could be devised through collaborative meetings between Wyse Engineering (Stone House), city engineers, the city planning council, and Alder Guequierre.

The conditional use approval was granted because Stone House claimed they would be compliant with Madison General Ordinance 37 (stormwater management). The Commission then used circular logic to conclude that the project met approval standard #3 because Ordinance 37 protects neighboring properties. This “cart before the horse” approach has evidently worked for other projects, but the Stone House development is exceptional in some respects and has stormwater issues of such consequence that all actions related to stormwater should be carefully and critically reviewed before a decision is made regarding approval standard #3.

Why is the Stone House Old Sauk Rd case unusual?

- The project sits squarely in a residential neighborhood. Nine residential parcels share a property line with the project and another is separated by a narrow out lot.
- The project is on land with a history of flooding and discharge of water to neighboring parcels. Nine single family residences to the west and north of the project receive stormwater discharge into their yards.
- All stormwater running from pavement, the building, and through two green roof courtyards will be collected and concentrated into two underground infiltration facilities. 100% reliance on an engineered underground system for stormwater management is unprecedented in this west side neighborhood so examples to

demonstrate proof-of-concept should be provided.

- Ordinance 37 (37.093c5) requires that the volumetric discharge to other properties be equal to or lower than pre-development levels for up to the 10-yr rain event. Approval standard #3 has no such restriction. Models were not run for rainfall greater than the 10-yr event, but the data trends suggest that post-development discharge will exceed pre-development levels for any event greater than 4.1 inches in one day (10-yr event).

What are the issues with the underground infiltration facilities?

- Multiple test borings in some regions of the property showed infiltration rates of 0.13 to 0.5 inches of water per hour, which is so low that water will puddle rather than being absorbed into the soil. Stone House proposes a novel untested solution to address this problem; excavate, mix, and return the soil to the site. They predict “The infiltration rate *can likely* be improved” by this solution. Despite their acknowledged uncertainty, they go on to use the most optimistic estimate (0.5 in/hr) for their models. In fact, the Stone House models only show compliance with Ordinance 37.093c5 if they use the 0.5 in/hr infiltration estimate. If they were to average the 0.13 and 0.5 estimates or cut their estimate 2-fold as recommended to add a “safety factor”, they would not comply with the Ordinance. The Stone House team has not presented evidence that the excavate/mix/return procedure has demonstrated success. Dr. John Norman, a UW soil scientist, presented a compelling case in his letter as to why the weight of the water-filled tanks and the soil and pavement above them would return the processed soil to its original state of low-infiltration. If the infiltration rate is too low and the water drains too slowly, the excess water will be released to an infiltration basin at the west edge of the property and potentially to adjacent properties.
- Water constrained in infiltration tanks is designed to drain downward. If it fails to do that, another problem can occur – a localized rise in groundwater level referred to as mounding. Groundwater mounding causes water to spread horizontally until it is impeded by a building, including neighboring homes. Modeling programs are available to evaluate the potential for mounding to occur. There are no Madison city ordinances regarding groundwater issues, but it is reasonable to ask Stone House to evaluate the potential for mounding as this site has characteristics that make it prone to this problem.

Why should the Common council vote in favor of the appeal?

- There is a foreseeable likelihood that the extent of stormwater discharge will increase beyond pre-development levels because 1) the project will increase the impervious area and concentrate much more stormwater runoff into a much smaller area (infiltration facilities) than predevelopment and that 2) proposed procedures to improve infiltration over pre-existing conditions are not likely to succeed. Rescinding conditional use approval will turn focus back to the stormwater plan review and

modification. Unlike the June 10th meeting where Plan Commissioners asked no questions or engaged in discussion, a proper critical review of the plan should occur.

- I, and many of my neighbors, do not trust the outcome of closed door negotiations between Stone House, city staff, and Alder Guequierre if conditional use approval is not rescinded and reconsidered in a public meeting at a later date. Plan Commission staff have been very helpful and responsive in answering questions, but it is not their job to have in depth discussions with the public and it seems counter to their mission of supporting development to expect them to push Stone House to justify data or answer tough questions. Members of the Plan Commission, particularly Alders, should play that role, as it is their job to represent constituents and make well-informed and thoughtful decisions regarding development. In other words – To Plan! We have no evidence that Alder Guequierre hears us or wants to discuss stormwater issues germane to this project, as he promulgates over simplified hypothetical, and therefore irrelevant, “models” of multiple fourplex condominiums to promote the efficiency of concentrating impervious area in a single large building. We need someone to hold Stone House accountable for developing a plan with a high likelihood of success – ideally, a plan that improves water issues on the property, but one that at least maintains the status quo as determined by multiple independent experts. Hopefully, bringing this issue before the Common Council will motivate the Plan Commission to actually deliberate the stormwater issues, solutions, and their relationship to approval standard #3 rather than rubber stamping the Stone House request without discussion as was done on June 10th.

I am not impressed that the stormwater plan for the Stone House project is more developed at this point than many other projects that have been considered by the Plan Commission. Exercising prudence in delineating pre-existing stormwater issues is in Stone House’s financial interest. It is in the best interest of tax-paying neighbors who have lived in their homes for decades to continue the planning process until the conditional use request can be approved with confidence that approval standard #3 will be satisfied.

Ann MacGuidwin
106 Blue Ridge Pkwy

From: [Chuck Nahn](#)
To: [All Alders](#); [Figueroa Cole, Yvette](#); [Guequierre, John](#); [Mayor](#); [Plan Commission Comments](#)
Cc: [Mary Umbeck](#); [jeff western](#); [Fries, Gregory](#); [Schmidt, Janet](#); [Tim Burns](#)
Subject: Please Post as Public Comments for 82950, 82972, 83477, 82979 and 84123, 6610-6706 Old Sauk Rd
Date: Friday, July 5, 2024 1:34:13 PM

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Dear Mayor Rhodes-Conway, President Cole and All Alders,

My name is Chuck Nahn and I reside at 5623 Sandhill Drive in Middleton. I am a registered Civil Engineer, with over 40 years of experience, retained by the adjacent neighboring property owners to review and comment on the Stormwater Management and Erosion Control Plan for the Old Sauk Road Apartments.

My overall stormwater review of this development is that a high-density multi-family residential development with corresponding greatly increased paved surfaces is being proposed into a small undeveloped area with existing flooding problems caused primarily by inadequate storm sewer infrastructure along Old Sauk Road. To meet City ordinances and achieve the high-density development, the developer is implementing novel, untested underground practices to meet the runoff rate, water quality, infiltration and oil and grease requirements of the City ordinance. I have a number of concerns as detailed in my review comments based on two revisions of the stormwater plan dated April 8, April 22 and May 24 including but not limited to:

- **Underground Tank Infiltration Rate-**
 - The infiltration rates used in the report are too high and do not have a correction factor applied to account for soil compaction during construction. Please note the design infiltration rate is integral toward meeting City ordinance for runoff rate control, water quality and infiltration requirements.
 - Soil compaction during construction is inevitable based on the weight of rock and concrete vault structure on top of native soil interface for underground tanks.
 - Mixing the soils 5 feet below the native soil interface will not increase infiltration based on Dr. John Norman's (professor emeritus of soil science) comments.
 - Sodium Chloride used for winter deicing of street, driveway and parking lot may cause soil clogging and immediate infiltration failure based on Dr. Norman's comments.
- **Pre-existing Detention not applied to on-site discharge-** City ordinance requires pre-existing detention applied to on-site discharge. Stormwater plan applies pre-existing detention to off-site discharge from Old Sauk Road flooding and not on-site discharge from paved area increase associated with proposed development.
- **Potential Increased Flooding to Lower basements for North Property Owners-** Underground Tank infiltration can potentially cause groundwater mounding and increased groundwater flow to the north inundating northern property owner's household lower level and basement. Please note these basements are 7 feet below the native soil interface of Underground Tank #1 which is located 40 feet from the native soil interface.
- **Proposed Underground Tank Outflow pipes elevations-** If underground infiltration tanks should not infiltration as designed, the outflow pipe elevation will negate $\frac{3}{4}$ of the existing storage of the underground tanks.

I have numerous additional stormwater management plan comments that I submitted to City Engineering on June 4, 2024 with no response received. I request an in-person meeting with City Engineering and the developer's engineer to review these additional issues. Given the uncertainties

that exist at this time, we ask that you defer a decision on the zoning change until further detail becomes available regarding the proposed stormwater practices for this development. The risk of increasing flooding in an already flooded area if these practices do not perform as designed definitely should be considered in more detail before a decision to change the zoning and demolish existing structures is made. For example, if the underground tanks remain filled with water, flood protection volume is lost which is needed to protect downstream property owners

Thank you for your consideration of these issues.

Chuck
Charles E. Nahn III, P.E.
Nahn and Associates
5623 Sandhill Drive
Middleton WI 53562
(608) 712-9199

From: ruthnair123@aol.com
To: [All Alders](#); [Ruth Nair](#)
Subject: Stone House Old Sauk Appeal - Supporting this appeal, Reference Numbers - 82972 (conditional use) and 84123 (appeal)
Date: Thursday, July 11, 2024 1:01:40 PM

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All city Alders,

I wish to object to the current Stone House Old Sauk Proposal.

Thanks for your consideration,

Ruth Nair
9 Mt. Rainier Lane
Madison, Wi 53705
608-233-6844

From: jawnorman@gmail.com
To: Mayor; All Alders
Subject: Comments on Appeal of Plan Commission action for 6610-6706 Old Sauk Road, Legister ID 82972
Date: Wednesday, July 10, 2024 3:48:48 PM

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Dear Mayor Rhodes Conway and Members of the City Council:

Below please find my comments on the Appeal of the Plan Commission action on the conditional use request for 6610-6706 Old Sauk Road, Legister ID 82972 (District 19). Thank you

Comments on Common Council action on conditional use request for 6610-6706 Old Sauk Road, Legister ID 82972 (District 19)
Dr. John M. Norman, jmnorman@wisc.edu

I am an Emeritus Professor of Soil Science from UW-Madison with extensive experience in soil physics and hydrology. I have experience measuring and modeling infiltration in layered soils and created the Thermal Urban Runoff Model, which is used by Dane County for urban developments near trout streams. My home is not affected by stormwater issues at the proposed development at 6610-6701 Old Sauk Road.

I have studied the online stormwater plans and my major concern is the design estimates for infiltration into the bottom of the large underground storage/infiltration basin. If this underground basin fails to infiltrate as designed, which I believe will happen sooner or later, most of the concentrated stormwater surge from a major storm could exit directly to the private property immediately west of the proposed development site by way of an overflow pipe from the large basin. This surge could cause serious problems for homes on Spyglass Circle, where flooding has occurred in the past without this development.

This plan appears to be comprehensive to the untrained eye, but to one who has studied infiltration into soil, this plan is grossly deficient when it comes to dealing with the likely problems with the assumed infiltration rates into the bottom of the large underground basin. Furthermore, the performance of this underground basin is critical to meeting city ordinances. This is a complicated project, and I believe that the infiltration plans outlined for these structures are experimental on this layered soil. The designers have offered no descriptions of possible tests to demonstrate that these underground infiltration basins perform as designed; furthermore, after speaking to two local stormwater engineers, it is not clear to us how such a system even could be tested prior to being built and filled with water. Even with successful initial tests, because this basin is inaccessible, there is no assurance against eventual failure for the following reasons:

1. This site is over layered soils, with unpredictable water flow characteristics. The plan for the largest underground storage basin is to remove the soil below the floor, mix the layers and replace the soil; then build a 400-ton concrete and stone structure; then to add more than 700 tons of crushed rock potentially compacting the underlying soil. If tests are done before this basin is completed, major compaction will occur that will decrease the infiltration rate by a factor of 3 to 100 (based on in-situ measurements in a silt loam soil at Arlington, WI), depending on how the structure is constructed and the

soil moisture content at the time of construction. Mixing a layered soil and then compacting it will produce a soil with highly variable infiltration properties.

2. Another well-known problem in soils is infiltration of water containing dissolved deicing salt (sodium chloride) into soil. This is the salt that is used during winter on streets, walks, driveways, and parking lots. The sodium from this salt attaches to the soil and builds up until it disperses the soil reducing infiltration drastically, forming what is called a SODIC soil, and it occurred at the Costco facility in Middleton in 2009. Following an extensive study of the Costco problem by UW-Madison Soil Science Department Professor Phillip Barak and students, ([see-https://soilsfacstaff.cals.wisc.edu/facstaff/barak/costco_final_report_barak_2012.pdf](https://soilsfacstaff.cals.wisc.edu/facstaff/barak/costco_final_report_barak_2012.pdf)) the only solution to this failure was to replace the soil in the basin. Of course, this would be virtually impossible for both proposed underground basins. This dissolved salt from parking lots, sidewalks, and driveways goes right thru the filters on the underground basins, and when it reaches the soil on the bottom of the basin will eventually stop the infiltration of water into the soil, for all practical purposes, no matter what the original infiltration rate was. The formation of sodic soils is complex and stormwater engineers tend to struggle with this issue or ignore it. At the very least, city engineers should visit with Professor Phillip Barak, a soil chemist at UW-Madison, Department of Soil Science for guidance (pwbarak@wisc.edu) in dealing with this issue. It undoubtedly exists elsewhere in the city and ignoring it will only eventually create more serious problems. The surface infiltration basin on the west boundary of the property also can receive salt-laden runoff from Old Sauk Road eventually causing the surface basin infiltration to continually decrease. To my knowledge, this potentially serious issue of deicing salt decreasing infiltration is not discussed in the plan.

3. A third issue that infiltration basins for runoff must always deal with is the possibility of sediment slowly sealing the soil surface and slowing infiltration. The underground storage basins address this with filters that are about 80% efficient; However, in large storms these filters may be bypassed so sediment could get into the basins and slowly reduce an already low infiltration rate without any reasonable possibility of remediation. This surface sealing from sedimentation may also affect the surface basin on the west side of the property.

These potentially serious issues related to the underground storage/infiltration basins are critical for this development, because without adequate infiltration this project will not meet the stormwater requirements of the City of Madison; furthermore, the developer and their designers have not adequately addressed these issues.

I respectfully request that the Common Council defer action on the conditional use until the above issues are adequately resolved.

John M. Norman
jmnorman@wisc.edu

From: [Sarah Peters](#)
To: [All Alders](#)
Subject: In Support of the Stone House Old Sauk Appeal
Date: Sunday, July 14, 2024 12:03:06 AM

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Dear Alders,

I am in support of the appeal (File #[82972](#) (Conditional Use) & [84123](#) (Appeal)).

Since my last email to you all, I attended the 6/18/2024 Common Council meeting. I was happy to hear a few alders who asked questions of fellow residents who voiced their concerns in person at the meeting. For the first time in this process, I felt like we started to have a conversation where we are seeking to understand each other's perspectives and helping to get to a better outcome for all (existing residents of the neighborhood, potential new residents of the neighborhood, and the city at large).

I am in support of the appeal because there are very serious concerns and questions with the stormwater management plan proposed by Stone House Development that, left as-is, will have a detrimental effect on public health, safety and welfare of the surrounding properties. As a city engineer acknowledged during the Plan Commission and then the Common Council meetings, our neighborhood doesn't have good stormwater drainage. We are a flood risk location as declared by the City on their Flood Risk Map. The current stormwater design (revised 5/24/24) is relying on infiltration into soils with subpar percolation rates (among other issues). Fellow neighbor, Michael A. Green, and Christopher T. Nelson nicely laid out how a few of the conditional use criteria (in particular #1, 2, 3, 4 and 5) are not fully satisfied to-date.

I am not opposed to welcoming new and more neighbors. I do want to ensure that the stormwater concerns that Mr. Nahn and Professor Norman outlined, and which are already in the record, are adequately addressed along with all of the applicable conditional use criteria.

Thanks for reading / listening,

Sarah Peters
702 Blue Ridge Parkway
Madison, WI 53705
Cell: 608.712.1043

From: [Barb Roeber](#)
To: [All Alders](#)
Subject: Stone House Old Sauk Road (file #82972 and #84123)
Date: Friday, July 12, 2024 2:51:09 PM

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Dear Madison Alders,

We are registering, with each one of you, our strong opposition to the Stone House Old Sauk Road Proposal, as well as our strong support for the appeal of this ill-conceived project. We have written to you and the City Plan Commission recently with our serious concerns about this project. Those concerns have not been adequately addressed and this project should not go forward.

Sincerely,

Barb Roeber and Larry Black
5706 Cedar Place
Madison, WI 53705

From: [Kathleen stark](#)
To: [All Alders](#)
Subject: Stone House Old Sauk Appeal (Supporting this Appeal) Reference File Nos 82972 (Conditional Use) & 84123 (Appeal) - Stone House Old Sauk Proposal [Objection]
Date: Wednesday, July 10, 2024 11:03:57 AM

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All Alders at City of Madison,

Thomas and Kathleen Stark of 809 Sauk Ridge Trail Madison WI passionately object to the Stone House Old Sauk development proposal and strongly support the Stone House Old Sauk Appeal.

Reference File Nos [82972](#) (Conditional Use) & [84123](#) (Appeal) - Stone House Old Sauk Proposal [Objection]

Respectfully,

Thomas and Kathleen Stark
809 Sauk Ridge Trail
Madison, Wi 53717

From: [Kathy Western](#)
To: [Mayor](#); [All Alders](#)
Subject: 7/16 CC meeting, 6610-6706 Old Sauk Rd.
Date: Sunday, July 14, 2024 7:18:06 PM

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Please File in Legistar # 82972 for public comments for agenda #6 for 84123 for 7/16 CC meeting regarding appeal.

Mayor Rhodes-Conway, President Cole and Alders,

I strongly support this appeal.

Stone House's massive design for Old Sauk Road on the Pierstorff property has had a tremendous amount of opposition from a diverse chorus of voices for a variety of valid reasons from the very beginning. Facts, concerns and first person accounts of the negative consequences presented have been largely ignored, denied or quickly dismissed. Opponents have unjustly been subjected to prejudicial group characterization, ridicule and false motive used to intimidate and quiet those brave enough to speak truth of the negative consequences of too big of a design for the size of property, that sadly even our own replacement Alder, a 50 year developer himself is guilty of committing. Abraham Lincoln's famous words "...of the people, for the people by the people..." describing our democracy with a voice for all people did not include, IN SPITE of the people for good reason. This City's approval process experience has ignored the many people most affected and has favored the developers and investors in spite of all the facts and common sense reasons why this is the wrong sized build for this sized property.

"Who benefits? Who is burdened? Who does not have a voice at the table? How can policymakers mitigate unintended consequences?" These words are on the City's Common Counsel letterhead meant to be guiding principles. Madison's clear thinking forefathers would surely be embarrassed and saddened to find that it is the common resident who not only doesn't have a voice at the table but is also burdened by the actions of the Counsel. These days your letterhead's guiding principles is a comedic parody perfect for Saturday Night Live. This saddens me.

We've lived on St. Andrews Circle, a small cul de sac of 11 homes with low/medium density backing up to the Pierstorff Old Sauk farm property for 30 years. Nearby we have condos and apartments that are appropriately sized to seamlessly fit into the neighborhood. Stone House's (SH) inappropriately super-sized rezoning change puts an urban high density massive build devoid of the hundreds of trees that clean the air and provide privacy and buffer us from noise and lights, so close behind our fence, so close to our home that the 24/7 noise and lights would force us into living in a noisy 100% urban high density area, not an environment we chose nor one we would ever choose to live in and one never meant to be on this property when our small cul de sac neighborhoods were created. This hardly seems fair. 24/7 noise, night-time lights, blocking of the sun and sky, a total lack of privacy and an absence of natural greenery would negatively change the entire essence of our peaceful yard. Being surrounded by constant noise, lights and lack of privacy is not what anyone who values being surrounded by nature would want.

Of major concern is SH's watershed plan. By necessity we already have two sump pumps about 5-6 feet underground that run frequently during storms. This underground water runs freely through the sand like water through a sieve, flowing down from the elevated Old Sauk farm property, sitting above us. SH adding on to our current flood concerns with an ill conceived watershed plan is unthinkable and puts us at an even greater risk of flooding. The risk is great and one of the many reasons the opposition is so strong.

These are all preventable problems made worse by the high density rezoning. SH's plan is just too big and dense of a build for the property size, leaving little if any room for common-sense solutions to fit in. As my grandmother born in the 1800's would say, "you can't make a silk purse out of a sow's ear." This property is a sow's ear...way too small for the massive build.

Again, I support this appeal and respectfully request the Common Council refer this project back to the Planning Commission and Public Works for further review and thoughtful rework.

Kathy Western
25 Saint Andrews Circle
Madison, WI 53717

Sent from my iPad

From: [Weynand Linda](#)
To: [All Alders](#)
Subject: Old Sauk Road project
Date: Tuesday, July 9, 2024 5:33:16 PM

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While I don't live near the proposed Old Sauk Road project, I strongly support the appeal ([84123](#)) of the conditional use permit ([82972](#)) awarded to Stone House Development. The building is far too large for the lot and will have enormous negative impacts on the environment as well as the quality of life of the neighbors. Multi-family housing is desirable, but this is simply too large.

I believe the alders (including my local alder for Parkwood Hills who said he would support us even though he didn't agree with us!) are not listening to or representing the residents. These large projects that are being rammed through city-wide in spite of strong local opposition are degrading the very qualities that made Madison special.

Linda Weynand
6409 Antietam Lane

From: [Jane Nelson Worel](#)
To: [All Alders](#)
Subject: Stone House Old Sauk Road Appeal (In Support of Appeal)
Date: Monday, July 15, 2024 11:08:27 AM

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Dear Alders,

Regarding Stone House Old Sauk Appeal (Supporting this Appeal)
Reference File Nos [82972](#) (Conditional Use) & [84123](#) (Appeal) - Stone House Old Sauk Proposal [Objection]

As residents of District 19 and homeowners, who live close to the proposed development, we are asking that you vote in favor of the appeal and against the conditional use permit for the development in question. Michael Green's comments (submitted on 7/2/2024) are well reasoned and point to the numerous ways in which the proposed development is incongruent with criteria established by the city.

We also support the comments made by Mr. Green regarding the many ways in which this process was undemocratic, lacked transparency and without consideration of the concerns of residents who live close to the development. City planners have clearly worked in concert with the developers before and during this process and have not had any real and honest conversation with the neighborhood. My trust in city government is gone.

Heavy rains over the past several days has reinforced concern about worsening flooding on our property, and throughout the neighborhood. We are also very concerned about noise and parking around the new development and have little faith that the developer/property manager/city will respond to concerns if and when the development is built. The increase in traffic and parked cars along Old Sauk will likely lead to accidents involving pedestrians, bicycles and vehicles.

We have lived here for over 38 years. We walk, bike and drive through the neighborhood daily. Why are our observations and concerns dismissed in favor of city planners, alders and developers who do not live here? We are not alone. **Two hundred seventy nine residents**, who live close this development, signed a petition against this proposal. The District 19 alder lives about as far away from this development as you could, and still be in our district.

We are asking that you please slow this process down, consider the real concerns of neighbors who will be irreversibly impacted by this development for years to come. Carefully review and reconsider approval of this development based on the problematic approval process, especially concerning stormwater management, and generally on articles of Condition Uses, both of which are considered faulty. We are not saying, "no" to more housing, or new neighbors, but we are saying "no" to this project as it is currently proposed.

Sincerely,

Jane Nelson Worel and Don Worel
717 Pebble Beach Drive
Madison, WI. 53717