

Matthias, Isaac L

From: Jennifer Argelander <jargelander@yahoo.com>
Sent: Tuesday, October 17, 2023 11:34 AM
To: All Alders
Cc: Latimer Burris, Amani; mlmart29@yahoo.com
Subject: Oppose with concerns of Hartmeyer parcel

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Dear Alders,

Although the Sherman Neighborhood Association supports the purchase of the CN lot on Hartmeyer property (item 41, Legistar 80200), we have concerns that the zoning of CN will be changed in the process. On June 21, 2022, after several battles, the Common Council passed the zoning change of the 15 acres located at 2007 Roth Street, 12th Aldermanic District, from IG to CN (Conservancy District) or called a conservation park. This means that this parcel of land is to be managed with the primary purpose to preserve Madison's natural landscapes, plants and animal populations for the careful use and enjoyment of visitors.

The Sherman Neighborhood Association strongly supports the zoning of this 15- acre parcel of land as CN. Per City Zoning definition, CN (Conservation parks) are uniquely managed with the primary purpose to preserve Madison's native landscapes, plants and animal populations for the careful use and enjoyment of visitors. As such dogs are prohibited at all times. This mindful and meticulous management by staff and volunteers includes restoring native plants and animal communities and controlling invasive species through fire and other means.

We do not support swings and other children equipment, basketball ball courts, or paths that would affect the natural state of this wetland and surrounding natural area. Preservation of the land in its current natural state must be the goal of the City of Madison's purchase of this property.

Jennifer Argelander, SNA Co-Chair

Matthias, Isaac L

From: Joan bellkaul <joanbellkaul@gmail.com>
Sent: Monday, October 16, 2023 4:10 PM
To: All Alders
Subject: City's Purchase of the 15 acre parcel bordering Roth St.

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Dear Alders:

Be SURE to stipulate that the entire 15 acres be zoned CN and be entirely set aside as the "natural area" that it was designated to be in 2022. Please do not allow conventional recreational uses such as athletic courts and fields, picnic areas, etc. to vitiate the integrity of what is now wildlife habitat, with grasses, trees, and wetland. Our city already has plenty of conventional recreational spaces; but with the Climate Crisis clearly already upon us, we MUST conserve ALL 15 acres of the still-natural/wild space that still exists--not develop yet more of them.

If the integrity of this parcel of land, set aside as a nature reserve by the CC in 2022, is compromised, the wetland and the ability of the area to sustain wildlife and vegetation will not be able to sustain life of any significant kind.

What is more, people who live in the new apartments, and all who have any kind of access to this area, need--and then will be able to use this area to connect to-- the essential ecology of the Natural world and the myriad life forms, besides human, which it is still able to support.

Respectfully,

Joan Bell-Kaul, Ph.D. (Lead, Environmental, Nature, and Wildlife Issues Group/NEXTDOOR/ currently, 992 members

joanbellkaul@gmail.com 4225 Esch Lane Madison, WI 53704

Matthias, Isaac L

From: Chris Elholm <chris.elholm@gmail.com>
Sent: Tuesday, October 17, 2023 11:35 AM
To: All Alders
Subject: Legistar 80020

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I oppose any and all interference and impact a land purchase by the City for a “city park” would have on the 15 acres zoned CN. Chris Elholm

Sent from my iPhone

Matthias, Isaac L

From: Becky Leidner <rw11951@yahoo.com>
Sent: Monday, October 16, 2023 9:13 AM
To: All Alders
Subject: Hartmayer acreage purchase

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Dear alders,

Please support Tuesday's agenda item 41, authorizing the purchase of a portion of the Hartmayer property for acquisition by the Parks Division. Once this acreage becomes City property, Parks will need to be reminded that the entire fifteen acres has been zoned CN, with the support of the Sherman neighborhood and the Council. Had the original request to preserve all thirty acres as a natural area been approved, perhaps there would have been space for the traditional park so beloved by Parks planners, with picnic areas, mowed lawns, basketball courts, dog walking, etc. Since half that acreage will now be part of the housing development, perhaps it would have been wise to allocate a small part of that very large footprint for recreational purposes, instead of taking yet more of the natural area for human use to the inevitable detriment of the ecosystems there. In addition to approving this purchase, please continue to support CN zoning for all fifteen acres of this unique and irreplaceable area.

Thank you,

Rebecca Leidner

Matthias, Isaac L

From: gordian@nym.hush.com
Sent: Monday, October 16, 2023 8:05 PM
To: All Alders
Subject: Hartmeyer: park land acquisition - 79687 and 80200

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Mon. Oct. 16, 2023

Madison Common Council members,

The purchase of the part of the former Hartmeyer property that is zoned a Conservancy Natural district raises a number of issues concerning the intentions of Madison's Parks Division. Any action should be delayed until the Common Council can give the Madison Parks Division clear directions as to what the future park should become.

* The Parks Division intends to clear cut "the vast majority" of the trees in the future park. The language of Madison's Conservancy Natural zoning ordinance clearly forbids clear cutting the woods on the former Hartmeyer property without a conditional use permit.

* The Parks Division intends to develop recreational facilities and other structures on the land. Madison's Conservancy Natural zoning ordinance allows only "non-intensive recreational areas".

* The land is contaminated with toxic chemicals. The City of Madison will need to mitigate this pollution before allowing intensive use by children and adults. Mitigating exposure to toxic chemicals will be expensive and time consuming.

* The City of Madison will have to pay for the Parks Division's planned actions, but no cost estimate has been provided. Buying this land before first deciding what is to be done with it and estimating the future costs is poor city planning.

My own preference is to preserve everything just as it is and then let nature take its course. Developing a nature trail might be a good idea, if the path is well thought out.

Clear Cutting the Park's Trees

The City of Madison plans are very different park. The City Parks Division plans to remove "the vast majority" of trees from the former Hartmeyer farm. These plans are stated in the City's Joint Staff Report of June 3, 2022:

"After hearing concerns about the elimination of these trees for a future street late in the official mapping approval process, several Parks Division and City Forestry staff visited the site to evaluate the trees, and determined that many of the trees are dead or dying, with many either leaning over or already fallen. If the property were to be conveyed to or purchased by the City for a future park, Parks staff would remove all of the Buckthorn understory, and would likely need to remove at least 70% to 80% of the trees, as they would be considered a hazard. This is due to their condition (dead, dying, leaning or hollow and at risk for coming down on their own.) The percent of trees removed may, in fact, be higher - this is a conservative estimate. In any case, a realignment of the future street to preserve this stand of low-quality trees is impractical, since the vast majority would need to be removed. " [1]

The Hartmeyer park would look like most of Madison's city parks. There would be acres of mowed lawn, a few decorative trees, and border plants on terrain that is difficult to mow.

These plans are clearly illegal. The land is zoned as a Conservancy Natural district. Madison's Municipal Code says,

"28.094 - CONSERVANCY DISTRICT.

"(1)

"Statement of Purpose .

"The Conservancy District is established to recognize and protect the natural functions of certain natural and non-intensive recreational areas, including large City and County parks, the University of Wisconsin Arboretum, and stormwater management areas. Development within the district is limited in order to protect natural drainageways and water retention areas, natural habitat for plant and animal life, steep slopes, woodlands, and other resources beneficial to the community." [2] See section 28.094 CONSERVANCY DISTRICT.

There is no way to reconcile cutting down the "vast majority" of trees with protecting woodlands. While "Selective cutting of timber" is permitted by City ordinances, "Clear cutting" requires a conditional use permit. [3] See section 28.091 - SPECIAL DISTRICT USES. Removing the vast majority of trees, as City Staff proposes, is clear cutting by any imaginable definition.

The University of Wisconsin Arboretum is explicitly mentioned as a model for a Conservancy District. Any hiker in the University of Wisconsin Arboretum has seen that the walking paths there pass through places where the trees are "dead, dying, leaning or hollow and at risk for coming down on their own", just as the Joint Staff Report describes the Hartmeyer woods. Those kinds of trees will not be more dangerous on the Hartmeyer property than at University of Wisconsin Arboretum.

Dead and dying trees contribute to the health of the forest as a whole. They provide habitat for birds, mammals, and insects. As they decay, they nourish new growth. Removing old trees removes the benefits they provide.

The Joint Staff Report claims that trees on the site must be removed for people's safety. This argument is commonly used by government officials who want to rationalize their true goal of cutting down trees. Any tree standing can and will drop branches and even limbs. By the Parks Division's logic, all trees should be cut down for reasons of safety. Dead and fallen trees play a vital ecological role in any forest habitat. A reasonable solution to the safety problem is to advise people to stay out of the woods during windstorms.

In addition, the Buckthorn trees have sequestered carbon as they grew; cutting them down will unnecessarily increase atmospheric carbon dioxide levels. Clear cutting the vast majority of the Hartmeyer trees requires a large carbon footprint. Heavy trucks, bulldozers, and chain saws will be needed to cut down trees, pull up roots, grade the land, and grow new plants. Leaving the land as it is avoids carbon emissions that come with use of power equipment.

Preserving the land as it is would be consistent with the intentions expressed in the language of the Conservancy Natural District code. It also avoids massive releases of Carbon into the atmosphere. Leaving things as they are also saves money.

Recreation and Other Facilities

The Parks Division intends to develop recreational and other facilities on the former Hartmeyer property. An article in the Wisconsin State Journal, by Dean Mosiman, says,

"It's hard to imagine new residents won't want recreational amenities such as a playground, open play area, benches, signs, sports courts, shelter and an accessible path system as found in a Neighborhood Park, which are also usually dog friendly, [Eric] Knepp [the Superintendent of Madison's Parks Division] said." [4]

If Madison's Common Council had wanted a park like what Eric Knepp proposes, it could have designated the land a Parks and Recreation District. According to the Madison Municipal Code,

"28.095 - PARKS AND RECREATION DISTRICT.

"(1)

"Statement and Purpose .

"The Parks and Recreation District is established to accommodate active outdoor and indoor recreation uses and

facilities such as golf course, stadiums, swimming pools, community centers, large recreation structures, recreational complexes, and similar uses where lands are developed to accommodate said recreational uses, and may also include areas for natural preservation and passive enjoyment of natural features." [5]

This statement of purpose, is a good description of what Eric Knepp proposes for the former Hartmeyer land. The Madison Common Council chose, instead, to make the property a Conservancy Natural zoning district. Madison's Municipal Code says, "The Conservancy District is established to recognize and protect the natural functions of certain natural and non-intensive recreational areas...." [2] While "Parks and playgrounds" are permitted in Conservancy Natural zoning districts, "Outdoor recreation" requires a conditional use permit. Only a "Portable shelter mission" is permitted in a Conservancy Natural zoning district. The Parks Division's plans for the former Hartmeyer land violate the clear intentions of Madison's Common Council.

Contamination by Toxic Chemicals

The former Hartmeyer property is contaminated by toxic chemicals. See Table One and the maps in Figures 2 and 3 in the Ramboll Report of 2019. [6] Lincoln Avenue Capital is required by the Wisconsin DNR to take extensive mitigation measures to safeguard the health of future residents and employees of its apartment complex on the former Hartmeyer property. See their Materials Management Plan and Addendum. [7 and 8] As one part of their mitigation measures, Lincoln Avenue Capital will bring in two to four feet of clean fill soil to "cap" large parts of their project's area. The City of Madison should anticipate taking similar measures.

Clear cutting and uprooting trees, grading the land for recreational uses, digging foundations for a park shelter, and installing underground water, sewer and utility lines will disturb this contaminated soil. The Wisconsin DNR will need to approve a Soils Management Plan for the Parks Division's projects.

The City of Madison's Costs

In addition to the \$1 million dollars for the land purchase [4], the Parks Division's plans will generate ongoing costs.

- 1) The cost of clear cutting and uprooting "the vast majority" of the trees includes both money to pay contractors or City crews and the damage to the natural community of plants and animals that has grown up on the site. This land is a naturally recovering former industrial site. In addition, the carbon footprint of clear cutting must be added to the monetary costs and ecological damage.
- 2) Recreational facilities and a costly park shelter would be built and must be maintained over many years. Lincoln Avenue Capital is already providing recreational facilities at their neighboring apartment complex. Only the City can provide the apartment residents with 15 acres of nearby land in a natural state.
- 3) The costs of mitigating the exposure to toxic chemicals found on the site must be considered. These costs include hiring an environmental consultant, doing environmental studies, and installing and maintaining mitigation measures. These mitigation costs result entirely from developing the land for intensive recreational purposes in contradiction to the purpose of Conservancy Natural zoning districts.

In contrast, leaving the land as it is requires minimal costs such as clearing snow from the sidewalk and picking up litter.

Conclusion

Many residents of the Northside of Madison devoted countless hours to preserve the former Hartmeyer property in its present state. The Parks Division did nothing to protect this open space. Now the Parks Division plans to cut down the trees that have grown up in this recovering natural area since the time when industrial activity ceased. People at Madison's Parks Division think that they can manage the intricate web of life on this land better than nature itself. Removing trees in the volume proposed by the Parks Division will harm the entire closely-connected community of plants and wildlife in this habitat. The Parks Division's plans violate the intentions of the Conservancy Natural zoning district.

Don Lindsay

Sources:

[1] Joint Staff Report (Planning, Traffic Engineering, Engineering, Parks Divisions
Source: Oscar Mayer Area Official Mapping - Legistar File ID # 69519
June 3, 2022 Page 4

<https://madison.legistar.com/View.ashx?M=F&ID=10951368&GUID=BD2C39F7-5809-4E6A-B4B3-54C8104F6C3D>

Accessed 20220605

[2] Conservancy Natural zoning district

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20--31_CH28ZOCOR SUBCHAPTER 28GSPDI 28.094CODI

Accessed 20231016

[3] Special District Uses Table 28 G

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20--31_CH28ZOCOR SUBCHAPTER 28GSPDI

Accessed 20231016

[4] Wisconsin State Journal article Oct. 16, 2023

https://madison.com/news/local/government-politics/madison-may-spend-1-million-for-park-open-space-wetlands-near-oscar-mayer/article_5d55e5cc-66ee-11ee-b0c8-23bf34711c04.html?utm_source=madison.com&utm_campaign=%2Fnewsletter-templates%2Flocal%2Fwsj%2Fnews&utm_medium=cio&lctg=ddf30705c6b401b7c80a&tn_email_eh1=282b56e48978618570a9be4ec77240d4448a03fedc3bb4c46b7ed350db6e7a84

Accessed 20231016

[5] Parks and Recreation zoning code

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20--31_CH28ZOCOR SUBCHAPTER 28GSPDI 28.095PARED1

Accessed 20231016

[6] Ramboll Report

https://dnr.wi.gov/botw/DownloadBlobFile.do?docSeqNo=139608&docName=20191213_97_Tech_Review.pdf

Accessed 20230206

[7] Materials Management Plan July 7, 2023

https://apps.dnr.wi.gov/botw/DownloadBlobFile.do?docSeqNo=262460&docName=20230707_854_MMP_Req.pdf&docDsn=580328

Accessed 20230710

[8] Materials Management Plan Addendum Sept. 7, 2023

https://apps.dnr.wi.gov/botw/DownloadBlobFile.do?docSeqNo=267447&docName=20230907_199_Info_Rcvd.pdf&docDsn=580328

Matthias, Isaac L

From: Karen Matteoni <karenahome@gmail.com>
Sent: Monday, October 16, 2023 2:54 PM
To: All Alders
Subject: Conservation Natural Area

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Please support the Hartmayer conservation natural area. I walk every day since Covid spread so I can get exercise safely without going indoors to a gym or pool. On the east side of Madison, there are not a lot of places where I can walk in a natural area. I enjoy hiking and watching birds at the Arboretum and Governor Nelson State Park. However, we need more natural areas that we can walk to on the eastside.

I am concerned that some would like to have playgrounds and dog areas in the conservation natural area. These activities are not compatible with a conservation area. We already have lots of land devoted to these activities in Demetral Park. I understand that the developer is going to provide a playground area as a part of their development. Adding more equipment and paved areas will cost more to install and to maintain over the life of the park.

Sincerely,
Karen Matteoni
1710 Yahara Pl, Madison, WI 53704

Matthias, Isaac L

From: Paul Noeldner <paul_noeldner@hotmail.com>
Sent: Sunday, October 15, 2023 3:56 PM
To: All Alders; Knepp, Eric
Subject: Please support City purchase to complete procurement of the 15.1 acre CN zoned park on Roth Street
Attachments: 1646575571169.png

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Hi Madison Alders -

RE ROTH STREET PARKLAND PURCHASE

My name is Paul Noeldner and I am chairperson of Friends of Hartmeyer Natural Area. You may have seen my name quoted in today's Sunday October 15 Wisconsin State Journal article about the city purchase of parkland by the old Oscar Mayer plant.

PLEASE SUPPORT NECESSARY FUNDING

Please support the City funding authorization needed to complete the official City procurement of all parcels in the 15.1 acre wetland open space on Roth Street that has been zoned as a CN Conservation Nature Park by the City Council with strong neighborhood support.

CN ZONING IS FLEXIBLE

It is important to understand that CN Zoning, which the Friends of Hartmeyer Natural Area and the neighborhood and the City Council support, is not as strict as Conservation Park status. CN zoning simply puts a priority on sustainable conservation while still permitting things like a small neighborhood playground, a park shelter and paths for enjoyment of nature as suggested by Parks Superintendent Eric Knepp.

ACTIVE SPORTS AND DOGS

CN zoning generally discourages adding active sports facilities that introduce noise and lighting that could reduce the health and wellness and environmental values of having a quiet nature sanctuary for seniors and families and kids and wildlife to enjoy. Walking dogs can be permitted on leash on paths bordering the CN natural area but probably not on paths within the natural area or off leash which would definitely disrupt the birds and wildlife living there. It must be pointed out that active sports fields and facilities and an enclosed off leash dog park area are already available to neighborhood residents just a block away at Demetrol Field and there are connecting walk and bike paths available. And some playground and recreation facilities and a dog relief area will be provided by the developer within the development for residents.

AN INVESTMENT IN A LIVEABLE FUTURE

My request to you is to please support the funding needed to complete official City procurement of the 15.1 acre park and preserve the CN zoning which puts a priority on sustainability and conservation while allowing neighborhood park amenities and paths compatible with a nature park. This is an investment in Madison's future for climate, for sustaining our urban natural environment, and for providing equitable access to nearby nature for surrounding neighborhoods and kids.

THANK YOU

Thank you for supporting this purchase!

Paul Noeldner
Volunteer Madison FUN Coordinator
Wisconsin Master Naturalist Instructor
136 Kensington Maple Bluff
paul_noeldner@hotmail.com
608 698 0104

Public Ethics, Facts and Fairness Trump Personal, Family and Religious Values and Profits in Public Decisions in Democratic Government, Laws and Institutions in a Free Civil Society. Simply put being civil is just like sports. Fair rules mean everybody can play hard and cheer for our team, but not keep some people out of the game, skip paying our fair share, wreck the playing field, or cheat to win.

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Matthias, Isaac L

From: Barbara Noeldner <barbnoeldner@msn.com>
Sent: Monday, October 16, 2023 2:20 PM
To: All Alders
Subject: Hartmeyer Natural Area

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Please advocate and vote to preserve 15.1 acres for CN park at Hartmeyer Natural Area. This will preserve the Capital Area Regional Planning Commission recommendation to maintain wildlife and nature corridors in the Madison Area and help SUSTAIN our natural environment. The Lincoln Capital Development Group has indicated they will provide a playground and dog area in their development for the residents. These do not need to be duplicated in the CN park. This park is for the whole city and not just one development. Please respect the zoning voted on by the Common Council to maintain 15.1 acres natural park area. Thank you,
Barbara Noeldner

Matthias, Isaac L

From: Susan Salisbury <sbury1000@gmail.com>
Sent: Tuesday, October 17, 2023 10:24 AM
To: All Alders
Subject: Hartmeyer Natural Area

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As a constituent of District 12, and a concerned citizen of the whole city of Madison,
I am asking all alders to please support the City funding authorization needed to complete the official City procurement of all parcels in the 15.1 acre wetland open space on Roth Street that has been zoned as a CN Conservation Nature Park by the City Council.

This purchase has strong neighborhood support, which should also be salient to alders, as they represent the voice of the people they represent. It is extremely important that we, as **stewards** of the land we live on, to take a long-range approach to conservation, for our own sakes as well as for the creatures and habitat we are caretakers of.

Thank you for supporting a better future by supporting this funding authorization!!

Susan Salisbury