

Firchow, Kevin

From: Charity A. McCarthy [CharityMcCarthy@melliwalker.com]
Sent: Sunday, December 16, 2007 10:54 PM
To: Firchow, Kevin
Cc: jgallina@gallinacos.com; cenzenroth@gallinacos.com
Subject: Tormey Ridge Development

Kevin,

The purpose of this email is to provide you and the Plan Commission with my comments relating to the proposed Tormey Ridge Development and to request that certain conditions be imposed upon any approval of the proposed development.

My husband and I own a home located on Mineral Point Road and our lot size is 1.2 acres. Our home lies directly north of Lot 27 of the proposed development.

Our primary concern with the proposed development, which is shared by several of our neighbors who also have large lots, relates to the development of multi-family units on Lot 27. Multi-family units bordering the south of our properties may affect the quiet enjoyment of our properties, may adversely affect our property values, may create overcrowding and may be incompatible with our large lot single family homes. In order to minimize the adverse affects of such a proposed development on our properties, we recommend that the following conditions be imposed upon any approval of the preliminary plat and rezoning request:

1. Lot 27 shall have a maximum density of 8 units per acre;
2. Only condominiums or residential single family homes shall be constructed on Lot 27;
3. There shall be a minimum setback of 50 feet between any development on Lot 27 and the large lot single family homes directly to the north; and * SEE FOLLOW-UP EMAIL
4. A berm and screening shall be placed between the any development on Lot 27 and the large lot single family homes directly to the north and such berm and screening shall be approved by the Planning Division staff (taking into consideration the opinion of the large lot single family homeowners).

Several of the large lot single family homeowners, myself included, met with Joseph Gallina and Craig Enzenroth on December 11, 2007 to discuss our concerns with the proposed development. Mr. Gallina committed at the meeting to only building condominiums on Lot 27 and to the placement of a berm and screening between any development on Lot 27 and our homes. Based on Mr. Gallina's commitment to these items, I assume he will not object to these items being included as conditions to any approval.

I unfortunately will not be able to attend the Plan Commission meeting tomorrow. I am submitting the above comments in lieu of my appearance at the meeting.

Thank you for your and the Plan Commission's consideration of the above items. Please feel free to contact me with any questions.

12/17/2007

#11, 12

Charity McCarthy
7361 W. Mineral Pt. Rd.
Verona, WI 53593
(608) 347-7601

TRACHTENBERG QUESTIONS FOR PLAN COMMISSION

08172/
07267/

I believe that this is a list of unresolved items regarding plan staff's report to the plan commission.

1. Density of Lot 27: Maximum of 8 units per acre vs. maximum of 10 units per acre.
2. Timing of grading and elevation plans for Lot 27: At final plat stage v. at conditional use or rezoning stage.
3. Density of Lots 35 and 165: Maximum of 17.66 units per lot v. maximum average density of 17.66 units between the two lots (this may be only a clarification issue – staff's comment may already allow for this).



TO: Members of the Plan Commission
FROM: Hickory R. Hurie
SUBJECT: Gap Analysis for Tormey Ridge
DATE: December 17, 2007

SUMMARY:

Gallina/ Mineral Point Road Holdings has proposed the construction of a 159-unit condominium development called Tormey Ridge at 12003 Mineral Point Road. The initial request included an iz plan that would have provided the 15% iz units or 24 homes. During this discussion, the IZ Advisory Oversight Committee formulated a gaps analysis policy that permits an applicant to seek a combination of ways (on-site iz units, off-site iz units, or payment in lieu) to balance of the revenue gap between the market value of the expected iz units and the set price of those units. Planning staff analyzed the current density of these parcels and concluded that the proposed development was in conformance with the neighborhood plan for the area, and would receive only a modest bonus density per the inclusionary zoning ordinance standards.

Staff recommend Plan Commission approval of inclusionary zoning package of 6 inclusionary units and a payment of \$246,935 in lieu of the onsite inclusionary dwelling units, per the ordinance.

This analysis for an inclusionary zoning waiver is based upon data furnished by the developer and by the Planning Unit during September 2007. If the developer were to provide additional documentation and appraisals regarding the presumed average market value of the development, staff recommend an additional round of analysis that could result in an adjusted level for the payment in lieu.

The attached sheets illustrate the 'balanced' scenario and calculation of the recommended inclusionary zoning package.

Gap Analysis: Appraised Value Model House Sales Analysis Small Site Analysis

TORMEY RIDGE DEVELOPMENT, 2003 Mineral Point Road with 3.8% Iz units (6 Units)

Developer-provided independent variables =
City-provided independent variables =
Appraiser-provided independent variables =

Iz Sales Price Date August 16, 2007
Unit Pricing

Market	AMI	Bedroom Count	Unit Square Footage	Number of Dwelling units	Unit Sales Price	Total Revenue
(Value assigned by third party appraisal)	Single Family	Type A	11055	21	\$ 389,859.41	\$ 8,308,084.62
		Type B	11700	20	\$ 418,211.97	\$ 8,368,241.01
		Type C	10949	51	\$ 379,208.84	\$ 19,339,546.72
		Type D	10847	34	\$ 376,044.44	\$ 12,785,511.11
		Type F Converted	10102	5	\$ 373,008.50	\$ 1,865,032.48
		Type E Converted	9356	3	\$ 368,198.29	\$ 1,104,594.87
		Type H Converted	10988	2	\$ 385,919.50	\$ 1,929,697.51
		Type G Converted	9289	2	\$ 372,300.85	\$ 1,961,504.27
					153	\$ 387,927.59

Market	AMI	Bedroom Count	Unit Square Footage	Number of Dwelling units	Iz Fixed Unit Sales Price	Appraised Value	Total Sales	Total Revenue Loss
(Value assigned by third party appraisal)	70%	Type E	10102	0	\$ 180,716.00	\$ 373,008.50	\$ -	\$ -
		Type E	9356	0	\$ 182,062.00	\$ 368,198.29	\$ -	\$ -
		Type H	10988	6	\$ 208,600.00	\$ 385,917.65	\$ 1,239,600.00	\$ (1,075,807.69)
		Type G	9289	0	\$ 183,457.00	\$ 372,300.85	\$ -	\$ -
				6	\$ 208,600.00	\$ 1,239,600.00	\$ (1,075,807.69)	
Total Iz Units				159	\$ 381,085.04	\$ 60,582,520.59	\$ (1,075,807.69)	

Market	AMI	Bedroom Count	Unit Square Footage	Number of Dwelling units	Unit Sales Price	Total Revenue
(Value assigned by third party appraisal)	Single Family	2	2	0	\$ -	\$ -
		3	3	0	\$ -	\$ -
		4	4	0	\$ -	\$ -
		3	3	0	\$ -	\$ -
		4	4	0	\$ -	\$ -
		2	2	0	\$ -	\$ -
				0	\$ -	\$ -

Total Market Rate Units
Total Market Rate Sales
Average Market Rate Price

#DIV/0!

HI:\Construction\Tormey Land\TormeyRidgeFirstRun15percent Revised B-27-07 CBE Tab Gap 3.8% Iz - Market Value Iz

	Lot Type	Bedroom Count	Unit Square Footage	Number of Dwelling units	IZ Fixed Unit Sales Price	Appraised Value	Total Sales	Total Revenue Loss
Inclusionary Single Family	70%	2						
(Value assigned by third party appraisal)	80%	3						
Twin Homes	70%	4						
	80%	2						
		3						
		4						
		2						
		3						
		4						
Total IZ Units				0	#DIV/0!		\$	\$
Total IZ Sales				0	#DIV/0!		\$	\$
Average IZ Price								
Total Units								
Average Unit Price								
Total Sales								
Total IZ Gap								
Additional information related to specific incentives if requested:								
Parcel Information								
Parcel Address								
Net Developed Acres				39.1				
Net Dwelling Units Per Acre				32.0				
Monthly Holding Cost of Land				4.1				
Density Bonus Construction				0				
Neighborhood Plan Unit Projection								
Low Density								
Medium Density								
Total Neighborhood Plan Units				0				
Total Development Plan Units				24				
IZ Units Required								
Bonus units above base density (provided by Planning Unit)								
Bonus units tier one IZ units								
Net market rate bonus units								
Park Fee Information								
Park Fee Credit								
Park Maintenance Cost per Year								
Park Maintenance Length								
Park Dedication Information								
Park Dedication Reduction								
Fee in Lieu of Valuation								
Reduction in Parking Construction								
Average cost of parking stalls								
Parking Stall Reduction								
Extra Floor Information								
Number of bonus Units								
Average Value of Bonus Units								
IZ Free Zone								
IZ Free Zone Number of Units (Plot)								
IZ Free Zone Number of Units (Building)								
IZ Shift								
Number of 8- IZ units switch to attached units								
Residential Parking Permits								
Parking Stall Market Value								
Parking Permits Granted								
Advanced Neighborhood Plan/Expedited Review								
Number of months saved in entitlement versus "normal process"								
Neighborhood Planning Cost								
Modified Neighborhood Plan								
Bonus units in Modified Neighborhood Plan								
Average Value of Bonus Units								
Reduced Street Width								
Length of Reduced Street Width								
Cost per linear foot "standard street"								
Cost per linear foot "narrow street"								
Other								

II. CALCULATION OF "GAP"				
1. Sum of sales differential between Market Rate and IZ units.				
INCENTIVES CALCULATION:		Assumed Margin	City Share	
			Cost Portion	
			Incentive value	
			Comments	
A.	Density Bonus (excludes bonus floor or modified plan)			
1.)	Land cost coverage for units provided in bonus market rate units	50%	21%	NA
2.)	Opportunity for greater margin provided in bonus market rate units	50%		NA
B.	Park Fee Reduction	11.50%		NA
C.	Parkland Dedication Reduction			NA
D.	Reduction in Parking Requirement (Cost to Build)			NA
E.	Cash subsidy to lower income IZ units			NA
F.	Cash subsidy to Projects <49 s+f or >4 stories w/ underground parking			NA
G.	Extra floor in downtown design zone			
1.)	Land cost coverage for bonus market rate units on bonus floor only	50%	21%	
2.)	Opportunity for greater margin provided in bonus market rate units	50%		NA
H.	20% IZ Free Zone: Building	11.50%		NA
I.	20% IZ Free Zone: Plat	11.50%		NA
J.	75% SF to MF IZ Unit Shift	50.00%		City share of assumed margin of 15% of 20%
K.	Residential Parking Permits (revenue gained by lease)			15% of 27 is 4
L.	Advance neighborhood plan			No shift
M.	Expedited Review			NA
N.	Modification of Neighborhood Plan			NA
1.)	Land cost coverage for modified neighborhood units provided in bonus market rate units	50%	21%	
2.)	Opportunity for greater margin provided in bonus market rate units	50%		NA
O.	Reduced Street Widths	11.50%		NA
P.	Other:			NA
SUM TOTAL OF VALUE OF INCENTIVES			\$	89,223.34

IV. IZ EVALUATION SUMMARY	
Incentives	\$ (1,075,807.69)
Difference	\$ 89,223.34
(Note: Positive number indicates value of incentives outweighs calculated costs.)	\$ (986,684.35) THIS IS THE DIFFERENCE (gap)
Minimum Threshold	\$ 53,785.38
Over/Under adjustment	\$ (932,898.98)

Conclusion: Provision of 6 IZ units and a payment of 10% of the average price in lieu of 18 IZ units will bring the gap within the 5% differential articulated in the ordinance and the pending IZ policies document

IZ Units	Market Rate	Average Sales Price	10% in lieu of payment	Gap from Above	Payment in lieu of
153		\$ 381,085.04	\$ 65,963.06	\$ (315,121.98)	
6		\$ (248,635.80)			\$ (248,635.80)

*

Firchow, Kevin

From: Ronald M. Trachtenberg [RTrachtenberg@murphydesmond.com]
Sent: Monday, December 17, 2007 1:35 PM
To: Charity A. McCarthy
Cc: cenzenroth@gallinacos.com; jgallina@gallinacos.com; Murphy, Brad; Firchow, Kevin
Subject: RE: Tormey Ridge Subdivision

Thank you for the clarification.

We still plan on asking for 10 units per acre maximum.

Ten additional units is quite a bit, considering the cost of development. However, I would not expect 4 persons per unit in a single family development let alone a condominium development. Condominium developments tend to be owned and occupied by empty nesters at both ends of the age spectrum. Joe Gallina and Craig Enzenroth can give you a better estimate of what the estimated occupancy per unit is seen at. I don't foresee any noise issue for a whole myriad of reasons.

Thank you again for your clarification and I look forward to working with you and the other neighbors on this project.

Ronald M. Trachtenberg
Murphy Desmond S.C.
33 East Main Street, Suite 500
P.O. Box 2038
Madison, WI 53701-2038
(608) 268-5575 (Direct)
(608) 257-2508 (Fax)
www.murphydesmond.com

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-----Original Message-----

From: Charity A. McCarthy [mailto:CharityMcCarthy@melliwalker.com]
Sent: Monday, December 17, 2007 12:54 PM
To: Ronald M. Trachtenberg
Subject: RE: Tormey Ridge Subdivision

Mr. Trachtenberg,

Thank you for your email. I will say hi to Joe Melli for you.

*

With regard to the proposed Tormey Ridge Development, I'm fine with a 40 foot setback, assuming the Plan Commission's approval is specifically conditioned upon this and the other items in my email yesterday. I would still only like a maximum of 8 units per acre. The difference between 8 and 10 units per acre is not insignificant in my opinion. 2 additional units per acre would result in 10 additional units over the 5 acre parcel. Assuming the average family size is 4, this could result in 40 additional people residing on that parcel. 10 units per acre means more development, more people, more noise,

I can be the contact person for the adjoining neighbors.

Please understand that I am not authorized to be the spokesperson for my neighbors and so my comments may not necessarily represent my neighbors' opinions.

Charity McCarthy
MELLI, WALKER, PEASE & RUHLY, S.C.
10 East Doty, Suite 900
Madison, WI 53703
(608) 257-4812
charitymccarthy@melliwalker.com

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From: Ronald M. Trachtenberg [mailto:RTrachtenberg@murphydesmond.com]
Sent: Monday, December 17, 2007 8:40 AM
To: Charity A. McCarthy
Cc: kfirchow@cityofmadison.com; jgallina@gallinacos.com; cenzenroth@gallinacos.com
Subject: Tormey Ridge Subdivision

Ms. McCarthy:

I am the attorney for the Gallina Companies (Mineral Point Road Holdings, LLC) relative to the Tormey Plat and rezoning. Unfortunately I was not able to make the meeting between representatives of the Gallina Companies and the neighbors adjoining proposed lot 27.

I have been asked to respond to your email of December 16th to Kevin Firchow.

1. Density of Lot 27: We are and will continue to request a density of 10 units per acres. We think as a condominium development as compared to individual units or rental property (see item 2 below), and given the quality of the Gallina Company developments, this site will amply take that density. We also believe with the berming and screening (see item 4 below), there will not be any negative impact on the lots to the north.
2. Condominium development of Lot 27: We agree that Lot 27 will be developed for condominium purposes. While it is possible that some of the units may be detached units, we expect that the development will generally or all consist of attached units.
3. Setback: We do not agree to a minimum of a 50 foot setback. We will agree to a minimum of a 30 foot setback which is the R1 setback. We believe that a thirty foot set back is ample given the proposed berming and screening. Lot 27 is not the easiest lot to develop given its triangular shape and topography.
4. Berming and screening: We agree to berming and screening. We believe that that will benefit the privacy of both developments, especially given the uncertainty as to who the lots to the north may be redeveloped in the future.

The Gallina Companies also has agreed that as it develops plans for Lot 27, it will meet with the owners of the lots to the north to share its development concepts and plans and to receive input. Will you be the contract person for those owners?

Thank you. And please say hi to Joe Melli for me.

12/17/2007

11-12

Firchow, Kevin

From: Ronald M. Trachtenberg [RTrachtenberg@murphydesmond.com]
Sent: Monday, December 17, 2007 8:40 AM
To: CharityMcCarthy@melliwalker.com
Cc: Firchow, Kevin; jgallina@gallinacos.com; cenzenroth@gallinacos.com
Subject: Tormey Ridge Subdivision

Ms. McCarthy:

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Thank you. And please say hi to Joe Melli for me.

Ronald M. Trachtenberg
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Firchow, Kevin

From: Bennett, Brian [bbennett@zimbrick.com]
Sent: Monday, December 17, 2007 2:27 PM
To: Charity A. McCarthy; Ronald M. Trachtenberg; Firchow, Kevin; ce.bennett@hosp.wisc.edu
Subject: RE: Tormey Ridge Subdivision

Mr. Tractenberg and Mr. Firchow,

I am one of Charity's adjoining neighbors and do I support her comments. Having been established in the neighborhood for several years, we obviously would like as little change as possible. So the less density of people on Lot 27 the better in our opinion. And we have no plans for our lot to be redeveloped in the future so there is no uncertainty regarding that subject. Thank you for your time and consideration.

Brian G. Bennett
 7369 West Mineral Point Rd
 Verona, WI 53593

Message

Page 1 of 3

Firchow, Kevin

From: Bennett Cindy E. [CBennett2@uwhealth.org]
Sent: Monday, December 17, 2007 2:29 PM
To: rtrachtenberg@murphydesmond.com
Cc: Firchow, Kevin; Bennett, Brian
Subject: FW: Tormey Ridge Subdivision

Mr. Trachtenberg,

On behalf of myself and my husband Brian Bennett I would like to reiterate and verify that all of the concerns that Charity has brought to your attention are legitimate concerns that we also share. I do believe there is the potential for noise problems. This is open farm land and noise travels a long way. It isn't the city with buildings to absorb it. I don't believe the statement that it's uncertain how our lots may be redeveloped in the future is a valid one. We, at least, have 40 yr. exemptions from annexation to the City so we are not concerned with 40 yrs down the road. As you probably can well understand, we are concerned with the here and now. My husband and I don't plan on moving in the future. Hopefully we are going to live to see that exemption come and go. Honestly, it's the old adage, "not in my backyard, please." We all have large single family lots and I don't believe that transitioning from our lots which have 0-4 *people* per acre to what could potentially be 20-40 people per acre is reasonable. We aren't trying to stop any development, we are just trying to lessen the impact the development will have on those of us who live where we do for a reason.

Thank you so much for taking these concerns into consideration.

Please say Hi to Ann for me. (We used to see Ben, Lindsey and Ashley at the clinic.) I'm sure they are all grown up and have moved on. It's amazing how we haven't aged a bit though.

Thanks Again
 Cindy Bennett
 7369 W. Mineral Pt. Rd.
 Verona, WI 53593
cbennett2@uwhealth.org

From: Ronald M. Trachtenberg [mailto:RTrachtenberg@murphydesmond.com]
Sent: Monday, December 17, 2007 1:35 PM

11-12

Firchow, Kevin

From: Widstrand, Si
Sent: Monday, December 17, 2007 1:58 PM
To: 'Michelle L. Burse'
Cc: Firchow, Kevin; cenzenroth@gallinacos.com; jgallina@gallinacos.com; Fries, Greg; 'Peter Fortlage'; 'Ronald M. Trachtenberg'; Dailey, Mike; Leach, John
Subject: RE: Tormey Ridge Preliminary Plat - Bike/Ped easements & Storm sewer & Pond potential conflicts

SEE MY COMMENTS BELOW IN CAPS.

-Simon Widstrand, Parks Development Manager 266-4714

-----Original Message-----

From: Michelle L. Burse [mailto:burse@chorus.net]
Sent: Friday, December 14, 2007 11:27 AM
To: Widstrand, Si
Cc: Firchow, Kevin; cenzenroth@gallinacos.com; jgallina@gallinacos.com; Fries, Greg; 'Peter Fortlage'; 'Ronald M. Trachtenberg'
Subject: RE: Tormey Ridge Preliminary Plat - Bike/Ped easements & Storm sewer & Pond potential conflicts
Importance: High

Hi Si,

Would you please call Craig today or Monday morning (he can set up a conference call with me) after you've had a chance to review these attached maps and the questions below?

We are looking for clarification on your comments #3 & #6 prior to Monday's Plan Commission Meeting. Thanks!

#3 - This comment will require a redesign of the pond in Outlot 5 and I need direction as to how much land to set aside for your request.

Is it a correct assumption that this path will count towards the required Park Land dedication as well as the path between lots 127/128 & 108/109? MIKE DAILEY SAID HE WOULD REQUIRE SOME FLAT AREA FOR MAINTENANCE PURPOSES ANYWAY, SO PROBABLY NOT PARK DEDICATION.

Do you require an easement over Outlot 5 for this path? NO, IT WILL BE ON DEDICATED DETENTION LAND LIKE MANY OTHER BIKE PATHS.

Is a 12 foot wide flat slope wide enough for the 10 foot wide path? WE WANT A 3' GRASS SHOULDER BETWEEN THE PROPERTY LINE AND THE ASPHALT. 8' IS A WIDE ENOUGH PATH. THEN 3' FLAT BEFORE THE TYPICAL SLOPE OFF INTO THE GREENWAY, 4:1 FOR ENGINEERING.

6 - Attached is a preliminary plan showing a proposed Shift in F Avenue to save an oak tree as you had requested us to investigate. Also attached is a plan showing this F Avenue shift with the location of our storm sewer and a proposed bike path location that could possibly work but would require the construction of a retaining wall.

We are proposing to install the storm sewer on the north side of the 52 wide easement. This requires that your comment #6 take into account the necessity of this easement. As you can see on the preliminary plan we have reduced the impact on the trees. Please also note that the storm sewer and bike path are required to occupy the same area in a section of the easement. THANK YOU FOR THE SHIFT TO SAVE ONE OF THE LARGE OAK TREES.

IN light of the extraordinary measures required for this path we kindly request that you reconsider requiring this plat to dedicate a bike/Ped path easement in this area. Perhaps you would consider obtaining the easement with the development of the lands south of Silicon Prairie Business Park and the lands south of Tormey Ridge. THE GRADES ARE AS BAD OR WORSE SOUTH OF THE PLAT, AND THERE COULD BE SIGNIFICANT DELAY IN PLATTING, SO IT WOULD

NOT BE IN THE CITY'S BEST INTEREST TO WAIT. I JUST REALIZED THAT YOU ARE GOING ALL THE WAY TO THE CITY SALT SHED WITH YOUR STORM SEWER. WE MAY TRY TO WORK OUT A BIKE TRAIL EASEMENT WITH SILICON PRAIRIE ALONG THAT SAME ROUTE.

Thank you - we look forward to hearing form you soon.

Michelle L. Burse P.E., R.L.S.
President
1400 E. Washington Ave, Suite 158
Madison, WI 53703
Ph: (608) 250-9263
Fax: (608) 250-9266
www.bursesurveyengr.com

-----Original Message-----

From: Widstrand, Si [mailto:SWidstrand@cityofmadison.com]
Sent: Thursday, December 13, 2007 1:41 PM
To: Firchow, Kevin
Cc: Michelle L. Burse
Subject: RE: Tormey Ridge Preliminary Plat - Bike/Ped easements

See attached letter of comments.

-Simon Widstrand, Parks Development Manager 266-4714

-----Original Message-----

From: Firchow, Kevin
Sent: Thursday, December 13, 2007 1:00 PM
To: Widstrand, Si
Subject: Out of Office AutoReply: Tormey Ridge Preliminary Plat - Bike/Ped easements

I will be out of the out of the office until December 14. For immediate assistance please dial 266-4635.