

From: [Rachel Fields](#)
To: [Parks, Timothy](#); [Stouder, Heather](#); [Tucker, Matthew](#)
Subject: Dudgeon Monroe Neighborhood Association statement on Edgewood application
Date: April 30, 2020 9:45:18 PM

Hi Tim, Heather and Matt,

I hope you're all doing well and staying safe.

I have included below a statement from DMNA on Edgewood's application to install lights on their field, for inclusion in the packet for the 5/11 Plan Commission meeting. Let me know if you have any questions.

Thanks so much,
Rachel Fields
President of DMNA

Dudgeon Monroe Neighborhood Association opposition to the addition of lights to the field at Edgewood High School

DMNA's recent relations with Edgewood

During the City Council meeting when the Edgewood Master Plan was repealed, the Mayor urged the two parties to come together and compromise. I think it's important to give some context on what DMNA has tried to do to compromise with Edgewood, and how that informs our opposition now.

For many years, discussions between Edgewood and neighbors have occurred through the long-standing Edgewood/Neighborhood Liaison Committee, which brings together all three Edgewood entities, Vilas Neighborhood Association, DMNA, and the District 13 Alder. Repeatedly in the past year or so, Edgewood has refused to talk about the athletic field during liaison committee meetings, or has said they have no updates regarding the field, only days before revealing a major update to the city. Recently, without explanation, Edgewood stopped inviting Alder Evers to liaison committee meetings.

Early in 2019, the two neighborhood associations and Edgewood decided to form a collaborative working group to facilitate dialogue about the athletic field, with the goal of finding a way forward that could best serve the interests of all parties. At the start, Edgewood refused DMNA's requests to include the alder. Halfway through the twelve-week timeframe, Edgewood abruptly withdrew after agreeing to ground rules stating precisely that neither party would walk away before we concluded. Edgewood claimed to be withdrawing in order to prepare a modified proposal for our associations' review, but Edgewood never followed up.

These actions occurred on the heels of an abrupt change regarding the athletic field. After years of referring to it as a "practice field" in liaison meetings, in the Campus Master Plan, and in the press, shortly after the resurfacing of the field Edgewood vastly increased use of the field not only for practice, but also for competition. Prior to resurfacing of the field, fewer than 10 games per year were played on a field that was primarily used for practice. During the Spring and Fall 2019 semesters alone, without lights, Edgewood hosted 77 games. To date, Edgewood has yet to acknowledge that their use of the field has any adverse impacts on neighbors, despite numerous and increasing complaints to the school and the past three alders.

Edgewood High School has repeatedly stated that they have been a good neighbor, or were continuing to work with neighbors, or have sought compromise. From our perspective, Edgewood's assertions are not only false but deliberately so. Edgewood has been attempting to steamroll neighbors and has used the institution's resources and influence to bolster their false narrative in ways that adjacent neighbors or a neighborhood association could not hope to match. Edgewood has tried to convince everyone that the school is somehow a victim of neighbors' intransigence, when in reality the school has only engaged us briefly since the field surface was upgraded, and then unilaterally withdrew from that engagement.

Noise, and why it leads us to oppose lights

Nearby neighbors are already experiencing disruptive noise during daylight hours, and their complaints are justified. The chief problem is the very close proximity of neighboring properties to the field. Even Edgewood's own professional sound study (Legistar file #53954, attachment 9) estimates that noise levels from games with as few as 150 spectators would exceed the City's noise ordinance limits. Unfortunately, the city's noise ordinance is not written in a way that applies to stadiums. This is why Edgewood has been able to claim that noise levels will comply with City regulations. But that oversight in the noise ordinance does nothing to mitigate the decibel levels that seriously impact the use, value, and enjoyment of adjacent properties.

Allowing Edgewood to have lights will extend that disruption into the evening, and invite even larger crowds to nighttime events. This will increase harm to those closest to the stadium while extending noise to many more households in our neighborhood.

No protections if lights are granted

We have also talked to the City of Madison about what enforcement mechanisms are in place if we agree to certain limitations with Edgewood, and then Edgewood does not comply. In addition to no protections offered by the noise ordinance, the City also has told neighbors that no matter how loud or frequent usage gets, it is unlikely any action will be taken under the City's disturbing the peace ordinance, because responding police officers will consider all noise related to a sporting event reasonable for an athletic field. Beyond noise, City staff have indicated that they have no enforcement mechanism to stop Edgewood from playing more games than agreed upon, or when games are played, or to restrict use of the field to only Edgewood or other specific organizations, or to restrict the rental of the field to others. We have every reason to believe that Edgewood wishes to maximize use of its property.

We believe that neighboring property owners have every right to use their property as well. Last year, the City did not penalize or restrict Edgewood from playing games despite a zoning violation, even after the Zoning Board of Appeals affirmed the City's zoning interpretation. It appears that denying Edgewood lights is the only reasonable way to ensure that neighbors' ability to use and enjoy their homes will not be further diminished by use of the field.

DMNA has found itself in a position where the negotiating partner does not follow their own rules, and the City has no way to enforce the rules. In this case, we can only reiterate that adding lights to Edgewood's field would damage the livability of the homes near the field, by extending the hours of use, inviting even larger crowds, and increasing the disruptiveness of competitive games.

A troubling policy precedent

Edgewood has threatened to re-establish their lawsuit against the City if they don't get their way tonight. We are also concerned with the precedent that this sets. Recently, several large

organizations – whether Taco Bell Cantina, Amazon, Silk Exotic or Edgewood – have determined that threatening the City with legal action is the best way to get what they want, regardless of what the City or local neighborhood thinks. The City has said repeatedly that it values neighborhood input and prioritizes the livability of neighborhoods, but when an organization with deep pockets can extend its lawsuit indefinitely, that seems to take priority. We hope that other entities don't realize that a lawsuit is an easier way of getting what they want than a real discussion and a democratic vote.

For these reasons, we strongly urge the Plan Commission to deny this permit.