

October 23, 2008

City Plan Commission  
c/o Heather Stouder  
City Planning Division  
215 Martin Luther King Jr Blvd  
PO Box 2985  
Madison, WI 53701-2985



Re: Agrium Inc Demolition Permit Application for "Royster-Clark" Site

Dear Plan Commission Members:

We are writing to express concerns with regard to the partial demolition permit application for the Royster-Clark fertilizer plant submitted by its current owner, Agrium USA Inc, on September 17, 2008.

Our respective neighborhoods have been keenly interested in future development plans for the Royster-Clark fertilizer manufacturing plant site located at 902 Dempsey Road in Madison since the facility was closed by Agrium Inc., in 2006.

Each of our neighborhoods was contacted for reaction to a potential permit application for partial demolition of the existing structures on the Agrium property. We have been briefed on the known soil and groundwater contamination issues and other environmental concerns posed by this vacant property. We are aware of outstanding building code violations on the site and ongoing trespassing concerns by the neighbors and Agrium USA Inc with regards to the property. We agree that the manufacturing facilities pose an eyesore for our affected neighborhoods. And we leaned in support of the partial demolition permit application as a preliminary step toward future development of the site.

However, recent correspondence (attached) from the WI Dept of Agriculture, Trade and Consumer Protection as the state regulatory oversight agency responsible for most of the remediation efforts on the site, plus our reading of the demolition permit application "site plan", demands that a careful review be conducted by Planning Division staff and the City Plan Commission before approval of a partial demolition permit is granted, and then only with conditions.

Based on conversations with DATCP staff, the only soil sampling conducted inside the main facility was in three separate areas in the southern one-third of the granulation building. One of these test areas demonstrated soil contamination problems that will need to be addressed. Due to the lay-out and design of the northern two-thirds of the granulation building, however, soil sampling has not been conducted. Here the building consists primarily of below grade concrete vaults or bins and a large, below grade, concrete-lined pit. These areas are also reportedly covered with residue. It is

this northern two-thirds of the granulation building which is believed to present far greater soil removal and remediation costs for the responsible party.

According to Agrium's demolition permit application and site plan, the company proposes to "crack for drainage" all below grade concrete pits, except for the main below grade pit located in the storage area of the building. For this larger pit, the applicant proposes to crack for drainage and secure with fencing. This proposed approach with regards to all below grade structures within the granulation building could, in fact, result in far greater groundwater contamination, thus jeopardizing Agrium's participation in DNR's Voluntary Party Liability Exemption process and/or resulting in greater remediation costs for Agrium or a subsequent buyer.

It appears that a better engineered solution is required here, such as a temporary clay cap where below grade surfaces are being exposed as part of the demolition process. In this regard, we urge that Agrium USA involve its environmental consultant, currently BT<sup>2</sup>, a Madison-based company, in the development of a more detailed demolition plan and oversight of any contracted demolition work. We would also urge a DATCP and DNR sign-off on any subsequent demolition plan presented to the City Planning Division by Agrium.

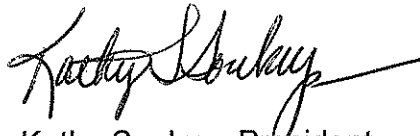
As it is currently presented, however, we urge denial of the partial demolition permit application, or at least a delay in its consideration by Plan Commission members until further demolition work plans can be presented.

Thank you for considering our concerns.

Sincerely,



Tim Saterfield, President  
Lake Edge Neighborhood Assn



Kathy Soukup, President  
Eastmorland Community Association

**Sheila M. Guilfoyle  
3914 Rockwell Drive  
Madison, Wisconsin 53714**

October 30, 2008

Nan Fey, Chair  
Members  
City of Madison Plan Commission  
210 Martin Luther King Jr. Blvd  
Madison, WI

Dear Ms. Fey & Members:

I have had the great privilege of serving as the Chair of the Royster-Clark Neighborhood Planning Team (RCNPT) for the last year. We have been very fortunate to have excellent staff assistance from the City Planning Department (Rebecca Cnare, Heather Stouder, Michael Waidelich), and the strong support of Supervisor Tom Stoebig, and Alder Larry Palm.

Over the past two years we have had community input and participation from area residents and representatives from the Eastmorland and Lake Edge Neighborhood Associations as well from area businesses and MGE. Alder Palm has already outlined the timeline and process that got us to this point (in his October 29, 2008 letter to the Commission).

The following comments are offered not as the RCNPT chair, but as a resident and as someone who looks at the northside of the Royster main structure every morning from my dining room window.

As you consider Agrium's demolition permit application I would ask you to keep three things in mind:

1. The physical risks posed by the structure are real and are a concern. But they are the result of three years of neglect by the property owner. The property did not go from a working fertilizer plant employing 50 people to the present condition overnight. Agrium chose to allow it to fall into disrepair. They should not be rewarded for their failure to maintain the property.
2. The risks to the groundwater and further contamination of the site are also real and should be weighed equally with the physical risks. The watershed in around Madison is already under pressure from agricultural runoff. We should not exacerbate the potential for further groundwater contamination by demolishing

the building in the absence of an actual and comprehensive plan by Agrium (or a potential buyer).

3. Finally I see little value in a partial demolition when it is clear that a complete demolition and site clean-up is necessary and inevitable. But I would ask the Commission to keep in mind that in the next few months we will have a Special Area Plan, and it is the hope of the neighborhood and the RCNPT that future development of the site will be consistent with that plan.

I respectfully request that the Plan Commission delay a decision on Agrium's demolition permit application to ensure that the complex site, environmental, and demolition issues are given the careful consideration and planning that they deserve. Thank you.

Sincerely,

Sheila Guilfoyle

# Self Storage Management, LLC

Agent for Stuff-N-Store & East Side Self Storage

October 25, 2008

Department of Planning and Community & Economic Development  
Planning Division  
215 Martin Luther King Jr. Blvd.  
P O Box 2985  
Madison, WI 53701-2985

RE: Notice of Public Hearing dated October 21, 2008  
November 3, 2008  
902 Dempsey Road – Royster-Clark Demolition

To Whom It May Concern:

It sure is nice to realize that the city of Madison has not corrected the address on any of the units in my strip mall. A very long time ago you changed the address to 710 Cottage Grove Road. After all of these years, I could not understand why I was getting junk mail still showing this building as 714 Cottage Grove Road when in fact you changed the address to 710 Cottage Grove Road. I would think because of the inaccuracy of your mailing list, your Notice of Public Hearing must be re-sent.

It is interesting to note that the city of Madison is considering a demolition project without a future plan to re-build. When I wanted to tear down a building, I had to have a future plan approved before the demolition permit would be approved. I love the way the city is consistent from one citizen to another. The little guy gets trounced on and the big guy gets all the tax breaks and are allowed to circumvent the planning system.

Sincerely,



L. Kent Olson  
10-08:planning dept

**710 Cottage Grove Road, Madison, WI 53716**  
**PHONE (608) 222-1888      FAX (608) 222-7878**

E-mail [kent@stuffnstore.com](mailto:kent@stuffnstore.com)

## Murphy, Brad

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**From:** Heikkinen, Tom  
**Sent:** Monday, November 03, 2008 4:50 PM  
**To:** Stouder, Heather  
**Cc:** Murphy, Brad; 'Jonathan Standridge'; Grande, Joseph; Demorett, Joe; Larson, Alan  
**Subject:** Royster-Clark partial demolition permit

I am writing to provide input on the proposed permit for Royster-Clark, item number 12 on tonight's Plan Commission agenda. Madison Water Utility is always concerned with source water protection. Even though the Royster-Clark facility is not within the immediate zone of protection for any existing or planned well, as a matter of general principle across our entire aquifer, we would like to see efforts to assess potential groundwater contamination and provide whatever remediation may be required.

With this in mind, as General Manager of the Madison Water Utility, I would support referral of this agenda item in order to ensure that the appropriate remediation requirements be made a condition of the demolition permit.

Tom Heikkinen

11/3/2008

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