

**From:** [Owczarski, Jim](#)  
**To:** [Lee, Chris](#)  
**Subject:** FW: Please Vote No to Files #190159 & #190404 (Joy Farm TID 99)  
**Date:** Monday, July 29, 2019 10:37:43 AM  
**Attachments:** [WI DNR Soil Management NR 718 Requirements Hanson Updated.pdf](#)  
[Affidavit for Zoning Change.pdf](#)

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For the file.

Thanks,

Jim

Jim Owczarski, CMC  
City Clerk  
(414)-286-2998  
@mkeclerk

**From:** Nicholas McVey [mailto:officeofnicholasmcvey@gmail.com]  
**Sent:** Sunday, July 28, 2019 6:30 PM  
**To:** Mayor Tom Barrett; marco@milwaukee.gov; Owczarski, Jim; Hamilton, Ashanti; cavalier.johnson@milwaukee.gov; Kovac, Nik; cjbauma@milwaukee.gov; Dodd, Nikiya; Coggs, Milele; Rainey, Khalif; rdov@milwaukee.gov; Lewis, Chantia; Murphy, Michael (Alderman); Borkowski, Mark; Perez, Jose; Witkowski, Terry; tziel@milwaukee.gov; russel.stamper@milwaukee.gov; glang@milwaukee.gov; Matson, Martin  
**Cc:** Nicholas McVey; bdw8848@yahoo.com  
**Subject:** Please Vote No to Files #190159 & #190404 (Joy Farm TID 99)

Good Evening,

I urge the entire Common Council of the City of Milwaukee to vote no on files #190159 & # 190404. There are too many incorrect variables to the creation of TID 99. The original Affidavit for Zoning change for the property located at 7007 N. 115th st appears to be in question as there are tax taxes still owed from 2013 which can be found on the city website. I have been in contact with Sarah Toomsen who has the title of Manager of Planning and Development. From a conversation via phone call, Western Building supplies representatives have yet to contact the County Parks to request extending a sanitary sewer for review and approval through their land utilization process. Upon having a conversation and email with David Hanson who is the Southeast region redevelopment specialist, Western Building supplies has also not been in contact with the Wisconsin DNR as they may need to submit a NR 718 soil management plan as the development will be excavating more than 100 cubic yards of soil. This is a very large concern with the community contaminated soil from this property could potentially pollute a major natural resource in the City of Milwaukee. I believe the largest and most apparent issue is the simple fact that a large portion of constituents in this area have expressed opposition for some of the above mentioned reasons along with many other issues that they feel will undoubtedly affect the surrounding community's quality of life. Shouldn't elected officials represent their constituents no matter their personal views on a subject? Do the constituents really have to go through legal litigation just to have their

opinions heard and to be represented? I am absolutely opposed to the zoning change and creation of Joy Farm TID (TID 99). Is development good for the community? I believe it is, if done legally and correctly. Please take into account the many lives that will be affected negatively if you vote yes on these said issues.

Thank You,  
Nick McVey  
(414)349-4841

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# WI DNR Soil Management NR 718 Requirements

Hanson, David L - DNR [David.Hanson@wisconsin.gov]

You forwarded this message on 7/26/2019 5:09 PM.

**Sent:** Friday, July 26, 2019 2:49 PM  
**To:** Nick McVey

Hi Nick,

I understand you have some concerns with a proposed development. The developer may need to submit a NR 718 soil management plan depending on whether they are excavating and managing contaminated soil. They do not need approval from the DNR if they will be taking it to a licensed landfill for disposal. They are required to submit a soil management plan for DNR approval if they will be excavating more than 100 cubic yards of contaminated soil and disposing of that material either on or off-site, instead of at a licensed landfill. If you feel they are excavating contaminated soil, I would be happy to reach out to their consultant.

Thanks,

David

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**David L. Hanson**

Redevelopment Specialist - Remediation and Redevelopment Program  
 Wisconsin Department of Natural Resources  
 Southeast Region, Milwaukee Service Center  
 2300 N Dr. Martin Luther King Dr  
 Milwaukee, WI 53212  
 Phone: (414) 263-8680  
 Fax: (414) 263-8550  
[david.hanson@wisconsin.gov](mailto:david.hanson@wisconsin.gov)



[dnr.wi.gov](http://dnr.wi.gov)



### Affidavit for Zoning Change

1. POLICY (s. 295-313). Each applicant for a zoning map amendment or approval of a planned development, and each applicant for a use variance or special use permit, shall submit to the city plan commission or the board of zoning appeals, as the case may be, a signed affidavit indicating whether the applicant is: (NOTE: DISCLOSE ALL RELEVANT AND REQUIRED INFORMATION ON A SEPARATE SHEET AND ATTACH TO THIS SHEET UPON SUBMITTAL)
  - a. Delinquent in the payment of any property tax, special assessment, special charge or special tax due to the city, provided that all appeals of the tax, assessment or charge have been concluded or the time to appeal has expired. YES  NO
  - b. A party against whom the city has an outstanding judgment, provided that all appeals of the judgment have been concluded or the time to appeal has expired. YES  NO
  - c. A party against whom the city has outstanding health or building and zoning code violations or orders from the commissioner of health or commissioner of neighborhood services that are not actively being abated, provided that all appeals of orders to correct violations have been concluded or the time to appeal has expired. YES  NO
  - d. A party who has been convicted of violating an order of the commissioner of health or commissioner of neighborhood services within the past year, provided that all appeals of the conviction have been concluded or the time to appeal has expired. YES  NO
  - e. The owner of premises found to be in violation of s. 80-10 to whom the commissioner of neighborhood services has charged the costs of police enforcement pursuant to s. 80-10-4, provided that all appeals of these charges have been concluded or the time to appeal has expired. YES  NO

### 2. NON-INDIVIDUAL APPLICANTS

- a. Corporations. If the applicant is a corporation, a duly authorized officer or director of the corporation shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each officer and director of the corporation as well as each shareholder owning 5% or more of voting stock, fits any of the descriptions in sub. 1-a to e.
- b. Partnerships. If the applicant is a partnership or limited partnership, a duly authorized partner, general partner or limited partner shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each partner, general partner and limited partner fits any of the descriptions in sub. 1-a to e.
- c. Limited Liability Companies. If the applicant is a limited liability company, a duly authorized member or manager of the company shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each member and manager of the company fits any of the descriptions in sub. 1-a to e.
- d. Nonstock Corporations. If the applicant is a nonstock corporation, a duly authorized officer or director of the corporation shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each officer and director of the corporation fits any of the descriptions in sub. 1-a to e.

Dated at Milwaukee, Wisconsin, this 23<sup>rd</sup> day of January, 2019

Wm. F. Zacher  
 Petitioner (signature)  
William F Zacher OWNER AGENT  
 (print name, relationship to project)

Subscribed and sworn to before me  
 This 23<sup>rd</sup> day of January, 2019  
[Signature]  
 Notary Public, State of Wisconsin  
 My commission expires: 10/8/2022

Office Use Only: File no. 190159