

September 17, 2010

Mayor Dave Cieslewicz
City of Madison, Office of the Mayor
210 Martin Luther King, Jr. Boulevard, Room 403,
City-County Building
Madison, WI 53703-3345

Subject: Resolving the Schenk-Atwood Neighborhood Kipp Problem

Dear Mayor Cieslewicz,

On March 6, 2007 our neighborhood association met with you and your staff to discuss our health and safety concerns related to the operation of the Madison-Kipp foundry in our neighborhood. Since that meeting, hundreds of new noise complaints have been filed with the building inspection department, Kipp has installed numerous additional smokestacks, and on September 7th, there was an explosion at the Fair Oaks plant which rattled windows for blocks around the plant. This explosion was a call to action for our neighborhood to once again contact you to see if we can resolve our "Kipp problem".

As you might recall from our 2007 meeting, the Kipp factory is surrounded by our residential neighborhood with homes abutting the walls of the Atwood plant. Its smoke stacks, recently built to resolve air pollution violations, tower over our homes. Residents are immediately impacted by Kipp's noise, fumes and industrial accidents. We were lucky the recent explosion didn't occur at the Atwood plant, where there is no buffer between the factory and neighborhood residents.

Since our meeting with you, we have sought help from city staff including Attorney Michael May and Building Inspection Director George Hank. However, there has been no progress or suggestion that improvements will be made. The most definitive response we have received from city staff is to: "wait until I retire".

Earlier this year with help from Don Marx in the Office of Real Estate Services we were able to change the terms of a lease Kipp holds for city property. This allows Kipp to use lease payments to construct a noise abatement wall between its Atwood plant and neighbors on Marquette Street. However, Kipp has so far refused to use these funds to reduce noise in our neighborhood.

Schenk-Atwood is a great Madison neighborhood with walkable destinations and close proximity to downtown. We appreciate the benefits of having mixed-use neighborhoods where businesses co-exist with residences. However, there need to be rules so that businesses are not given a blank check, but must operate responsibly to assure the health and safety of surrounding residents. We have found that the air and noise pollution rules applicable to Kipp's operations are inadequate, and the industrial zoning for the Kipp's property allows operations appropriate for an industrial park but not a residential area.

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One issue that would benefit from your direct personal involvement is adoption of a modern industrial noise ordinance which limits night-time noise levels. Kipp operates numerous roof fans which were installed during the last 15-years despite neighborhood objections. These noisy fans run day and night. The City of Milwaukee enforces a 45-decibel night-time level compared to the 65-decibel level applicable to Kipp's operations. Adoption of more protective night-time noise levels would be a reasonable compromise for a factory such as Kipp located in our residential area. If you helped adopt a more protective noise ordinance you would show support for city residents and mixed-use neighborhoods such as ours. You would make Madison a better place to live at no cost to the city.

As always, we are ready to meet with you or city staff to help improve our neighborhood. Should you have any questions, please contact us.

Sincerely,

SASY Neighborhood Association

Dan Melton, Chair
neighbors@sasyna.org

Steven Klafka, Vice-Chair
steve@sasyna.org

cc: M. Rummel – District 6 Alder
P. Her - EINPC