



## CITY OF BURLINGTON

ADMINISTRATION DEPARTMENT  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
[www.burlington-wi.gov](http://www.burlington-wi.gov)

**AGENDA**  
**COMMUNITY DEVELOPMENT AUTHORITY (CDA)**  
**Wednesday, April 6, 2016**  
**224 East Jefferson Street, Burlington, WI**  
**Council Chambers**  
**5:30 p.m.**

Bil Scherrer, Chairman  
Robert Miller, Mayor  
Bob Grandi, Aldermanic Representative  
Jack Eckola  
Chuck Rule  
Jim Spiegelhoff  
Thomas Wiemer

1. Call to Order
2. Roll Call
3. Persons desiring to be heard
4. Discussion regarding the Environmental Site Investigation and possible remediation of 249 E. Chestnut St. (former Milo property) and 261 E. Chestnut St. (former Redi-Bake property) at the corner of Dodge Street and Chestnut Street.
5. Adjournment

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**Note:** Notice is hereby given that a majority of the members of the Common Council may be present at this meeting. Although this may constitute a quorum of the Council, the Council will not take any action at this meeting.

**Note:** If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.



## CITY OF BURLINGTON

### Administration Department

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April 5, 2016

**To:** Community Development Authority

**From:** Carina G. Walters, City Administrator/Community Development Authority Executive Director

**Re: Phase II Environmental Site Investigation of 249 E. Chestnut (former Milo property) and 261 E. Chestnut (former Redi-Bake property)**

#### **BACKGROUND/HISTORY:**

At its March 1 Community Development Authority (CDA) meeting, the Committee approved an acceptance of an Offer to Sell the real property located on the corner of Dodge and Chestnut Street to Burlington Core Upgrades, II, LLC for an appraised land value of \$70,000, with a closing date of July 2016. Secondly, staff was directed to release a Request for Proposal (RFP) on the same parcel to allow the City to take steps in determining the marketability of the property, and whether or not there may be other potential buyers for the property. Therefore, the CDA can cancel the Offer to Sell with the Burlington Core Upgrades II, LLC by May 31, 2016.

As both parties were ready to sign the Offer to Sell, it was identified that the real property in question still had an open environmental file by the Wisconsin Department of Natural Resources (WDNR). Upon further due diligence, in 2009, the City applied for Brownfield Grants to assist with the redevelopment of the Environmental TID that included these two properties; however, these properties were not closed with the WDNR as the dollars were allocated to other parcels that had identified developers and tenants for the properties. Therefore, it was *not* in the best interest of Burlington Core Upgrades, II, LLC to sign the Offer to Sell.

This item is before the CDA this evening to identify how the open Environmental Site Investigation should be handled as this impacts the RFP, which has not been released.

For your convenience, a copy of the Phase II reports for both 249 E. Chestnut (former Milo property) and 261 E. Chestnut (former Redi-Bake property), prepared by Linda Fellenz of LF Green Development, LLC, are attached. To her recommendation, Ms. Fellenz states additional site work must be completed to determine the level/verification of lead, soil contamination, groundwater impacts and closure/removal of underground storage tanks. Ms. Fellenz provided a cost estimate in the amount of \$47,760 for the additional site work and closure. Ms. Fellenz will be present at tonight's meeting to discuss the degree of soil contaminants as it relates to the potential redevelopment of the site.

#### **Alternatives and Options:**

**Option 1** – The CDA could choose to sell the property for the \$70,000 and release the RFP "As-Is", highlighting the open environmental file and have the potential developer complete the site investigation and closure process. This approach may deter any future redevelopment of property. The City could work with the Developer in seeking additional brownfield grants for the property. Ms. Fellenz is in process of contacting Madison to identify if we would be eligible for another grant.

**Option 2** – The CDA could choose to complete the site investigation and sell the property for the full appraisal amount, thus having the property ready for development. The RFP would reflect this CDA approach accordingly. The dollars would come out of the City’s General Fund and would need to be replaced upon the sale of the property.

**Option 3** – The CDA could choose to reduce the sale price by the total cost of site investigation and closure documentation to the DNR. The RFP would reflect this CDA approach accordingly.

*Therefore staff is seeking the direction of the CDA to identify how to proceed with the environmental conditions of the property.*

# Former Milo and Redi-Bake Sites



Former Redi-Bake Site

Former Milo Site

Redi-B2

Redi B1

Milo-B2

Milo-B1

- Boring/temporary well locations

Site Investigation and Closure					
Former Redi-Bake and Milo Properties Cost Estimate					
DESCRIPTION	QTY	UNIT	UNIT COST	ITEM COST	SUBTOTAL
<b>PROFESSIONAL SERVICES SITE INVESTIGATION</b>					
WDNR Ste Investigation Work Plan	1	LS Report	\$ 1,600.00	WDNR Fee	\$ 1,900.00
Soil Boring Installation (8 borings)	8	Driller	\$ 500.00	\$ 3,200.00	\$ 3,200.00
Monitoring Well Installation (4 wells)	4	Driller	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
Soil Sampling During Well Installation	2	sam/boring	16	\$ 280.00	\$ 4,480.00
Required Vapor Investigaion				\$ 3,500.00	\$ 2,500.00
<b>SUBTOTAL SITE</b>					<b>\$ 16,080.00</b>
<b>OPERATIONS AND MAINTENANCE COSTS</b>					
Groundwater sampling (qrt/1 year)	4	wells	\$ 1,450.00	4 rounds	\$ 5,800.00
WDNR Summary Report		LS			\$ 3,200.00
Laboratory Costs	16	sample	\$ 280.00	\$ 4,000.00	\$ 4,480.00
Field work and WDNR summary		LS		\$ 2,500.00	\$ 2,500.00
<b>SUBTOTAL O&amp;M COSTS</b>					<b>\$ 15,980.00</b>
<b>WDNR CLOSURE</b>					
Preparation of Closure Package		LS			\$ 7,500.00
WDNR Closure Review Fee		LS			\$ 1,700.00
<b>SUBTOTAL CLOSURE PACKAGE</b>					<b>\$ 9,200.00</b>
<b>TOTAL SITE INVESTIGATION AND CLOSURE COSTS</b>					<b>\$41,260.00</b>
<i>Contingency in case the WDNR requires 8 rounds of sampling</i>					\$ 6,500.00



**PHASE II ENVIRONMENTAL  
SITE INVESTIGATION  
249 E CHESTNUT  
BURLINGTON, WISCONSIN 53105**

**Prepared for:  
CITY OF BURLINGTON  
300 N. PINE STREET  
BURLINGTON, WISCONSIN 53105**

**Prepared by:  
LF Green Development, LLC  
5600 W. Brown Deer Road, Suite 120  
Milwaukee, WI 53223**

**March 23, 2009**

**PHASE II ENVIRONMENTAL  
SITE ASSESSMENT**

**249 E CHESTNUT  
BURLINGTON, WISCONSIN 53105**

CITY OF BURLINGTON  
300 N PINE  
BURLINGTON, WISCONSIN 53105

Prepared by:

Prepared by:

LF Green Development, LLC  
5600 W. Brown Deer Road, Suite 120  
Milwaukee, WI 53223

March 23, 2009



Linda J. Fellenz  
Environmental Manager

SUBMITTAL CERTIFICATION

PHASE II ENVIRONMENTAL SITE ASSESSMENT

249 E CHESTNUT

BURLINGTON, WISCONSIN 53105

I, LINDA J. FELLEENZ, hereby certify that I am a Environmental Professional as that term is defined in ASTM guidance E-1527-05 and EPA 40 CFR Part 312 – AAI, and that, to the best of my knowledge, all of the information contained in this document is correct and the document was prepared in general compliance with ASTM E-1527-00, E-1527-05, and EPA 40 CFR part 312 – AAI.

*Linda Fellenz*

LF Green Development, LLC.

Linda J. Fellenz

Environmental Manager

3/23/2009

Date

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### ATTACHMENTS

Attachment A Site Maps and Figures

Attachment B Laboratory Report and Chain of Custody



## **EXECUTIVE SUMMARY**

LF Green Development, LLC (LF Green) completed a Phase II Environmental Site Investigation (ESI) for the properties located within a redevelopment area (400-416 Dodge Street, 216 E Washington Avenue, 224 E Washington Avenue 221 E Chestnut Street, 241 E Chestnut Street, 249 E Chestnut Street, and 261 E Chestnut Street) in Burlington, Racine County, Wisconsin (hereafter-called project area). This report specifically discusses the investigation at 249 E. Chestnut. The purpose of this investigation was to determine whether contamination is present based on the historic land use and other potential Recognized Environmental Conditions identified in the Phase I Environmental Site Assessment for potential redevelopment of the area.

The project area consists of 7 individual parcels and all but 2 of the parcels are vacant. The land uses consist of one large industrial/commercial site, a former printing company, a former gas station, three former retail properties, and one former tire shop.

The Phase I Environmental site reconnaissance revealed several areas of concern around the commercial properties. Drums and hazardous materials containers were located outside of both the former gas station and the CPI properties located at 224 E. Washington and 400-416 Dodge respectively. Obvious areas of concrete removal and filling were observed behind the former tire shop. The former bakery located at 261 Chestnut had burned completely to the ground over 2 years ago, but asbestos tiles were observed on the concrete floor remaining. Monitoring wells were observed at the CPI facility for some historic monitoring plan.

## **INVESTIGATION ACTIVITIES**

Based upon the information provided by the Phase I, site investigation activities were completed at 249 E. Chestnut on March 2, 2009 and included the installation of a total of two (2) soil borings and two (2) temporary groundwater monitoring wells. Soil and groundwater samples were analyzed for Volatile Organic Compounds (VOCs).

Figures that show the site location, soil boring locations, soil sampling results, groundwater results are attached. In addition, the laboratory results and chain of custody are included.

### **Soil Investigation**

Geoprobe borings were strategically located in areas of the site that posed the greatest environmental impact or in areas where known USTs were presumed to be located. Continuous

soil samples were collected at 2-foot intervals without any break in the sample column. Sample identification numbers were assigned based on boring numbers and sample depths.

Moraine Environmental of Grafton, Wisconsin performed soil boring and temporary monitoring well installations. LF Green and Kapur performed the soil and groundwater sampling.

Twenty (20) soil samples were collected and field screened for Volatile Organic Compounds (VOCs) using a HNU DL-101 type photoionization detector (PID).

Based on the PID readings and subsurface conditions, two soil samples were collected from each soil boring for laboratory analysis. Four soil and two samples were submitted to Test America (Wisconsin DNR Certification Number: 128053530) for laboratory analysis of VOCs. Laboratory analytical results of the soil samples collected from borings indicated:

## **FINDINGS**

The findings of this SI are summarized below:

### SOIL

- On March 2 and 3, 2009 fifteen (10) soil borings were advanced on the individual parcels as outlined below;
  - Burlington Cooperative: CPI-B1, CPI-B2, CPI-B3, and CPI-B4.
  - Bulk Petroleum: BPET-B1
  - Redi Bake: RBI-B1 and RBI-B2
  - Burlington Property: BURL-B1 and BURL-B2
  - Fritz Trust: Fritz B1 and B-2
  - Heather Milo Property (249 E. Chestnut): Milo - B1 and Milo B2
- The site soils consist of fill material including silty clay, sand, and some construction debris with sand and gravel to depths ranging from ground surface to 4 feet below ground surface (bgs), underlain by brown stiff to soft silty clay with some sand and gravel to a maximum boring depth of 20 feet bgs.
- Upon completion of soil sampling activities, all borings were converted into temporary groundwater monitoring wells.
- Groundwater was encountered at depths ranging from approximately 9-15 feet bgs.

## **RESULTS:**

Gregory and Heather Milo Property:

## SOIL

- VOCs concentrations were below the laboratory detection limits.

## GROUNDWATER

- VOCs detected were either below the enforcement standards or no standard exists for the compound.

## CONCLUSIONS

Based on field observations and the laboratory analytical results of the SI activities performed at the site, LF Green has reached the following conclusions regarding the investigation at 249 E. Chestnut Street, Burlington, Wisconsin:

- The site soils consist of fill material comprised of construction debris with sand and gravel to depths ranging from ground surface to 4 feet below ground surface (bgs), underlain by brown fine to coarse silty sand and gravel to a maximum boring depth of 12 feet bgs.
- Soil samples collected were either below the laboratory detection limit or no standard exists for the compound.
- Groundwater was encountered at depths ranging from approximately 8 to 15 feet bgs.
- VOC concentrations at the site are below the NR 140 Enforcement Standard or no standard exists for the compound.

## RECOMMENDATIONS

Based on the findings and conclusions and in view of the proposed re-development activities for the 249 E Chestnut Street, Burlington, Wisconsin, LF Green is making the following recommendations:

- Additional site investigation is needed to verify soil and groundwater conditions.
- During redevelopment, excavation of soil throughout the site should be minimized. It is customary for the WDNR to allow some contaminated, excavated soil to remain on site as fill under paved areas or as a landscape berm. Thin spreading of soil across the site is not acceptable. Any soil excavated that cannot be utilized elsewhere on the site shall be disposed of at a licensed Recycling and Disposal Facility (RDF). A list of RDF locations will be provided to the successful developer.
- Should re-development activities encounter the groundwater, samples will be collected and submitted for laboratory analysis prior to disposal to the city sewer system or for off-site disposal.

# **ATTACHMENT A**

## **SITE MAPS AND FIGURES**

# **ATTACHMENT B**

**LABORATORY REPORT AND CHAIN OF CUSTODY**



**PHASE II ENVIRONMENTAL  
SITE INVESTIGATION  
REDI-BAKE  
261 E CHESTNUT  
BURLINGTON, WISCONSIN 53105**

**Prepared for:  
CITY OF BURLINGTON  
300 N. PINE STREET  
BURLINGTON, WISCONSIN 53105**

**Prepared by:  
LF Green Development, LLC  
5600 W. Brown Deer Road, Suite 120  
Milwaukee, WI 53223**

**March 23, 2009**

**PHASE II ENVIRONMENTAL  
SITE ASSESSMENT**

**REDI-BAKE  
261 E CHESTNUT  
BURLINGTON, WISCONSIN 53105**

CITY OF BURLINGTON  
300 N PINE  
BURLINGTON, WISCONSIN 53105

Prepared by:

Prepared by:

LF Green Development, LLC  
5600 W. Brown Deer Road, Suite 120  
Milwaukee, WI 53223

March 23, 2009



Linda J. Fellenz  
Environmental Manager

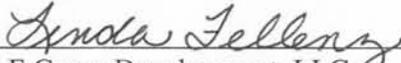
SUBMITTAL CERTIFICATION

PHASE II ENVIRONMENTAL SITE ASSESSMENT

261 E CHESTNUT

BURLINGTON, WISCONSIN 53105

I, LINDA J. FELLEZ, hereby certify that I am a Environmental Professional as that term is defined in ASTM guidance E-1527-05 and EPA 40 CFR Part 312 – AAI, and that, to the best of my knowledge, all of the information contained in this document is correct and the document was prepared in general compliance with ASTM E-1527-00, E-1527-05, and EPA 40 CFR part 312 – AAI.

  
\_\_\_\_\_  
LF Green Development, LLC.  
Linda J. Fellenz  
Environmental Manager

3/23/2009  
\_\_\_\_\_  
Date

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## EXECUTIVE SUMMARY

LF Green Development, LLC (LF Green) completed a Phase II Environmental Site Investigation (ESI) for the properties located within a redevelopment area (400-416 Dodge Street, 216 E Washington Avenue, 224 E Washington Avenue 221 E Chestnut Street, 241 E Chestnut Street, 249 E Chestnut Street, and 261 E Chestnut Street) in Burlington, Racine County, Wisconsin (hereafter-called project area). This report specifically discusses the investigation at 249 E. Chestnut. The purpose of this investigation was to determine whether contamination is present based on the historic land use and other potential Recognized Environmental Conditions identified in the Phase I Environmental Site Assessment for potential redevelopment of the area.

The project area consists of 7 individual parcels and all but 2 of the parcels are vacant. The land uses consist of one large industrial/commercial site, a former printing company, a former gas station, three former retail properties, and one former tire shop.

The Phase I Environmental site reconnaissance revealed several areas of concern around the commercial properties. Drums and hazardous materials containers were located outside of both the former gas station and the CPI properties located at 224 E. Washington and 400-416 Dodge respectively. Obvious areas of concrete removal and filling were observed behind the former tire shop. The former bakery located at 261 Chestnut had burned completely to the ground over 2 years ago, but asbestos tiles were observed on the concrete floor remaining. Monitoring wells were observed at the CPI facility for some historic monitoring plan.

## **INVESTIGATION ACTIVITIES – FORMER REDI-BAKE 261 E. CHESTNUT**

Based upon the information provided by the Phase I, site investigation activities were completed at former Redi-Bake located at 261 E. Chestnut Street on March 3, 2009 and included the installation of a total of two (2) soil borings and two (2) temporary groundwater monitoring wells. Soil and groundwater samples were analyzed for Diesel Range Organics (DRO), Gasoline Range Organics (GRO), Volatile Organic Compounds (VOCs), Resource Conservation Recovery Act (RCRA) Metals, and Polynuclear Aromatic Hydrocarbons (PAHs). Upon completion of soil sampling activities, all borings were converted into temporary groundwater monitoring wells.

Figures that show the site location, soil boring locations, soil sampling results, groundwater results are attached. In addition, the laboratory results and chain of custody are included.

## Soil Investigation

Geoprobe borings were strategically located in areas of the site that posed the greatest environmental impact or in areas where known USTs were presumed to be located. Continuous soil samples were collected at 2-foot intervals without any break in the sample column. Sample identification numbers were assigned based on boring numbers and sample depths.

Moraine Environmental of Grafton, Wisconsin performed soil boring and temporary monitoring well installations. LF Green and Kapur performed the soil and groundwater sampling.

Twenty (20) soil samples were collected and field screened for Volatile Organic Compounds (VOCs) using a HNU DL-101 type photoionization detector (PID).

Based on the PID readings and subsurface conditions, two soil samples were collected from each soil boring for laboratory analysis. Four soil and two samples were submitted to Test America (Wisconsin DNR Certification Number: 128053530) for laboratory analysis of DRO, GRO, VOCs, RCRA Metals, and PAHs. Upon completion of soil sampling activities, all borings were converted into temporary groundwater monitoring wells.

## **FINDINGS**

The findings of this SI are summarized below:

### SOIL

- On March 2 and 3, 2009 fifteen (10) soil borings were advanced on the individual parcels as outlined below;
  - Burlington Cooperative: CPI-B1, CPI-B2, CPI-B3, and CPI-B4.
  - Bulk Petroleum: BPET-B1
  - Redi Bake: RBI-B1 and RBI-B2
  - Burlington Property: BURL-B1 and BURL-B2
  - Fritz Trust: Fritz B1 and B-2
  - Heather Milo Property (249 E. Chestnut): Milo - B1 and Milo B2
- The site soils consist of fill material including silty clay, sand, and some construction debris with sand and gravel to depths ranging from ground surface to 4 feet below ground surface (bgs), underlain by brown stiff to soft silty clay with some sand and gravel to a maximum boring depth of 20 feet bgs.
- Groundwater was encountered at depths ranging from approximately 9-15 feet bgs.

## RESULTS:

### SOIL

#### Former Redi-Bake:

- DRO concentrations ranged from 750 to 950 parts per million (ppm) at 4-6 ft bgs and 6-8 ft bgs exceeding the NR 720 Residual Contaminant Level (RCL) of 250 ppm for clay soils.
- GRO concentrations ranged from 96 to 1,300 at depths of 3-5 and 6-8 feet bgs exceeding the NR 720 RCL of 250 ppm for clay soils.
- VOCs concentrations were detected below the NR 720 RCL
- Of the Metals detected: Lead concentrations ranged from 11 to 71 ppm exceeding the NR 720 RCL of 50 ppm.
- Of the PAHs detected: Benz (a) anthracene and benzo (a) pyrene concentrations exceeded the respective Soil Cleanup Level for PAHs Interim Guidance (SCL).

### GROUNDWATER

#### Redi-Bake:

- Of the VOCs detected: Vinyl Chloride concentrations of 4.8 exceeded the NR 140 ES of 0.20 ppb.
- PAHs detected were either below the laboratory detection limits or no standard currently exist for the compound.

## CONCLUSIONS

Based on field observations and the laboratory analytical results of the SI activities performed at the site, LF Green has reached the following conclusions regarding the investigation at former Redi-Bake located at 261 E. Chestnut Street, Burlington, Wisconsin:

- The site soils consist of fill material comprised of construction debris with sand and gravel to depths ranging from ground surface to 4 feet below ground surface (bgs), underlain by brown fine to coarse silty sand and gravel to a maximum boring depth of 12 feet bgs.
- GRO concentrations were below laboratory detection limits to 2,600 ppm at a depth of 2-4 feet bgs exceeding the NR 720 RCL of 100 ppm for sandy soils.
- VOCs concentrations were below the laboratory detection limits.
- Of the Metals detected: Lead concentrations ranged from 6.9 to 250 ppm exceeding the NR 720 RCL of 50 ppm.

- Of the PAHs detected: Benz (a) anthracene, benzo (a) pyrene, benzo (b) fluoranthene, benzo (ghi) perylene, benzo (k) fluoranthene, dibenz (a,h) anthracene, and indeno (1,2,3-cd) pyrene concentrations exceeded the respective Soil Cleanup Level for PAHs Interim Guidance (SCL).

## RECOMMENDATIONS

Based on the findings and conclusions and in view of the proposed re-development activities for Bulk Petroleum located at 224 E. Washington Street, Burlington, Wisconsin, LF Green is making the following recommendations:

- Additional site investigation is needed to verify the TCLP values of lead contamination.
- Additional groundwater investigation is needed to determine the extent of groundwater impacts throughout the project area.
- Any USTs should be closed by removal as per chapter COMM 10 regulations.
- Soil contamination remains at the site. Excavation of soil throughout the site should be minimized. It is customary for the WDNR to allow some contaminated, excavated soil to remain on site as fill under paved areas or as a landscape berm. Thin spreading of soil across the site is not acceptable. Any soil excavated that cannot be utilized elsewhere on the site shall be disposed of at a licensed Recycling and Disposal Facility (RDF). A list of RDF locations will be provided to the successful developer.
- Should re-development activities encounter the groundwater, samples will be collected and submitted for laboratory analysis prior to disposal to the city sewer system or for off-site disposal.
- Following excavation and grading activities, permanent groundwater monitoring wells may need to be installed within the identified impacted areas to monitor the natural attenuation of contaminant impacts to the groundwater.
- Groundwater samples should be collected from all monitoring wells on a quarterly basis for VOCs, PAHs and dissolved lead until the contaminant concentrations show a stabilizing or decreasing trend.

# **ATTACHMENT A**

## **SITE MAPS AND FIGURES**

# **ATTACHMENT B**

**LABORATORY REPORT AND CHAIN OF CUSTODY**