

March 31, 2015

VIA EMAIL LISA.HELMUTH@WISCONSIN.GOV;
MICHAEL.SZABO@WISCONSIN.GOV

RECEIVED

APR - 2 2015

Lisa Helmuth
Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, WI 53707-7921

WT/3 - WY/3 - OGL/3

RE: Town of Dunn


Dear Ms. Helmuth:

As you know, our office represents the Town of Dunn on the City of Fitchburg's request for an amendment to the Central Urban Service Area, the Dane County Land Use and Transportation Plan and the Dane County Water Quality Plan for the Northeast Neighborhood. I have attached a copy of a request for a public hearing filed on behalf of the Town of Dunn. Please advise the undersigned regarding the Wisconsin Department of Natural Resource's decision on the enclosed request.

Best regards.

Very truly yours,

GODFREY & KAHN, S.C.


Arthur J. Harrington
Attorney Shareholder

AJH:smr
Enclosure
13373622.1

cc: Mike Szabo, Wisconsin Department of Natural Resources

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

CITY OF FITCHBURG AMENDMENT
REQUEST FOR CENTRAL URBAN SERVICE
AREA, DANE COUNTY LAND USE AND
TRANSPORTATION PLAN AND DANE
COUNTY WATER QUALITY PLAN FOR THE
NORTHEAST NEIGHBORHOOD

TOWN OF DUNN REQUEST FOR A PUBLIC HEARING

INTRODUCTION

The Town of Dunn, by its attorneys, Godfrey & Kahn, hereby request that the Wisconsin Department of Natural Resources (“WDNR”) conduct a public hearing on the City of Fitchburg amendment request for the City of Fitchburg Central Urban Service Area, the Dane County Land Use and Transportation Plan and the Dane County Water Quality Plan for the Northeast Neighborhood (the “City Amendment Request”). The grounds for this public hearing request include the following:

1. The Town of Dunn is an interested party on this City Amendment Request in that it has a direct financial interest in various conservation easements and fee title interests within the Waubesa wetlands complex located down gradient from the proposed Northeast Neighborhood service area which is the subject of this City Amendment Request and has a substantial interest in preserving the natural characteristics of this area.
2. The Town of Dunn believes that a public hearing will afford a broader range of interested parties to comment on whether the City Amendment Request has the potential for adverse impacts on the quality of the waters of the state from both point

and non-point sources of pollution including, but not limited to, impacts to the Waubesa wetlands and afford the Department with valuable information for making a final decision on this matter.

3. The WDNR has issued a deadline for filing written public comments on or before April 3, 2015. In an email to the Town of Dunn on Monday, March 30, 2015 the WDNR indicated it is currently drafting its technical analysis and formulating an administrative decision for next week on the City Amendment Request. The Town of Dunn believes that without a public hearing and thereby extending the April 3 deadline for public comment, the WDNR does not provide adequate time to consider public comments to reach a decision in the public's interest in accordance with the timeline outlined in the March 30, 2015 email.

For all these reasons, the Town of Dunn respectfully submits that the WNDR should grant this request for a public hearing on the City Amendment Request.

Dated this 31st day of March, 2015.

GODFREY & KAHN, S.C.

By: 

Arthur J. Harrington, State Bar No. 1016449

Attorneys for Town of Dunn.

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