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June 26, 1997

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VIA FACSIMILE AND

HAND DELIVERY

Mr. Fred A. Lueck  
Planning & Development Department  
Dodge County Administration Bldg.  
127 E. Oak St.  
Juneau, WI 53039

RE: Thomas Springer  
Petition for Variance

Dear Fred:

This office represents the Town of Shields, and we have been retained by them regarding the above-referenced Petition for Variance which is scheduled for public hearing this evening. The purpose of this correspondence is to memorialize the Town's position regarding this petition.

First, the Town of Shields supports the Petition for Variance. Neale Jones, the Town Chairman, recently had an opportunity to visit the Springer property and see Mr. Springer's tire-shredding machinery in operation. While there is some noise associated with the diesel generator which provides electrical power for operation, the machinery is remarkably clean and quiet. More importantly, the Town is guardedly optimistic that the shredding equipment will give Mr. Springer the additional capacity needed to reduce the large and unsightly mounds of old tires currently located on the property.

At the same time, however, we would like to share several concerns with you. We already have mentioned the first concern. The existing mounds of tires are unsightly. More importantly, they represent a potential health hazard. We believe that any variance which is granted to Mr. Springer should include some provision for the timely elimination of the excess tire inventory out there. We understand that this will be a gradual process, and the Town is not looking for an overnight fix.

A closely related concern is the obvious need for some kind of screening or fencing. In addition to the tires, the property had several small buildings, outdoor storage of equipment, and numerous trucks of various sizes. There also appears to be an area on the eastern edge of the property where motor vehicles and equipment no longer used in the business have been parked as junk. Clearly, some kind of aesthetic fence should be in place around the perimeter of the operation.

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The Town anticipates that application of the shredding technology will result in both more truck traffic and heavier loads on existing trucks. Since the property is accessible only by Town roads, the Town of Shields may be obliged to rebuild or replace existing Town roads much faster than otherwise expected. The Town would like some commitment from Mr. Springer that he will assume his fair share of responsibility for rebuilding and upgrading the Town road serving his property if such attention is required as a result of increased business activity.

Finally, our client understands that the Wisconsin Department of Natural Resources has required Mr. Springer to furnish a bond or letter of credit in the amount of \$12,500.00. While we wholeheartedly endorse the notion that Mr. Springer should provide some form of surety to governmental agencies, we are somewhat surprised by the amount of the letter of credit. If Mr. Springer simply walks away from the operation because it becomes financially unmanageable or for any other reason, \$12,500.00 will not begin to eradicate the existing tire process. We would like to suggest that the County require some relatively significant, though manageable, surety bond or letter of credit to guarantee the availability of funds for a comprehensive clean-up in the event that such an undertaking would become necessary.

Approximately two weeks ago, Mr. Springer made a verbal presentation to the Town Board describing his intentions for the site. The Board was favorably impressed by Mr. Springer's plans and, assuming no changes between that time and this evening's public hearing, the Board lends its support to his efforts. The Town chairman does plan to be present at the hearing to confirm that these concerns are adequately addressed.

We appreciate the Committee's consideration of these issues as it evaluates this petition. Thank you for your kind consideration.

Cordially,

NEUBERGER, LORENZ, GRIGGS & SWEET

By

  
George L. Neuberger, Jr.

GLN/lc  
pc: Mr. Neale Jones, Town Chairman