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STATE OF WISCONSIN    CIRCUIT COURT    CIRCUIT COURT  
WASHINGTON COUNTY

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In Re:

THE INCORPORATION OF THE TOWN  
OF RICHFIELD, WASHINGTON COUNTY,  
WISCONSIN AS THE VILLAGE OF II  
RICHFIELD

Case No. 06-CV-487

DAVE NORTH, Representative of  
the Petitioners for the Incorporation of the  
Town of Richfield,

Petitioners

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DETERMINATION OF THE INCORPORATION REVIEW BOARD

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August 23, 2007

It is the function of the Incorporation Review Board to prepare findings and to make a determination as to whether the territory petitioned for incorporation meets the applicable standards prescribed in Section 66.0207, Wis. Stats. The Incorporation Review Board ("Board") is a new entity, created by 2003 Wisconsin Act 171. Board members are appointed by Wisconsin's three municipal associations. Specific Board members are listed at Appendix A. This petition is the first to be considered by the Board.

Richfield's incorporation process began with the "Notice of Intention to Circulate an Incorporation Petition" being published on March 29, 2006. After circulating the petition and gathering the required signatures, the petition was filed in Washington County Circuit Court on June 21, 2006. A court hearing was held on the petition on July 25, 2006. The court found the petition met the minimal area and population standards required by section 66.0205 Wis.Stats., and also admitted the City of Hartford as an 'Intervenor' in opposition to the petition. The court forwarded the petition to the Board for its review of the standards in section 66.0207 Wis.Stats. Petitioners submitted their \$20,000 review fee and supporting materials to the Board on December 8, 2006, which commenced the Board's 180-day review period. On December 29, 2006, Petitioners and the intervening City of Hartford contacted the Board requesting a stay of its 180-day review period in order to enable them time to develop an intergovernmental agreement to resolve Hartford's objections to the petition. The stay was formalized with a stipulation & order signed by the court on January 17, 2007. The parties subsequently reached an agreement and Hartford withdrew its opposition.

In summary, it is the DETERMINATION OF THE INCORPORATION REVIEW BOARD that when considering the petition under Section 66.0207, Wis. Stats.:

- STANDARD 1 (a), Homogeneity and Compactness – Met
- STANDARD 1 (b), Territory Beyond the Core - Met
- STANDARD 2 (a), Tax Revenue - Met
- STANDARD 2 (b), Level of Services – Not applicable
- STANDARD 2 (c), Impact on the Remainder of the Town – Not applicable
- STANDARD 2 (d), Impact on the Metropolitan Community - Met

The facts and analysis supporting these findings are discussed in the body of the determination.

Dated this 21<sup>st</sup> day of August 2007.

By the Incorporation Review Board:

Laura Arbuckle  
 Chair of the Incorporation Review Board and  
 Administrator, Division of Intergovernmental Relations

Cc.

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Boyd Gutbrod, Alternate Representative of the	Lori Hetzel, Clerk, City of Hartford

Petitioners	
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Catherine Whelan, Clerk, Town of Polk	Jeffrey Musche, Administrator/Clerk, Town of Lisbon
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## EXECUTIVE SUMMARY

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The Incorporation Review Board hereby determines that the Richfield incorporation petition filed on June 21, 2006 in Washington County Circuit Court, case number 06-CV-487, the Honorable Patrick Faragher presiding, be granted pursuant to section 66.0203 (9) (e), Wis. Stats.

This document constitutes the Findings and Determination of the Incorporation Review Board on the petition filed by residents of the Town of Richfield. The Board determines that the petition be granted by the Washington County Circuit Court because it meets the *Compactness and Homogeneity, Territory Beyond the Core, Tax Revenue, and Metropolitan Impact* standards. The reasons for granting the petition are described below and in greater detail in the body of the determination.

To begin, the Board was impressed by Richfield's outstanding professionalism in the preparation of all materials and presentations to the Board and the DOA staff. The Board did struggle with the ultimate decision finding this to be a close and difficult case. What made this petition unlike others recently decided was that Richfield presented several unique factors in their petition for incorporation that were significant for the Board's consideration and ultimate approval. Unlike many whole-town incorporation petitions, the Board found the Town's uniform distribution of population and social cohesiveness to be a key positive factor in its' review. In addition, Richfield presented a unique approach to groundwater management and protection. Also, Richfield's petition demonstrated the results of their longstanding and widespread use of conservation subdivisions. This development model has resulted in a community with a consistent and integrated development pattern which will continue into the future. Finally, Richfield had no opposition from neighboring communities and letters of support from the City of Hartford and the Towns of Erin, Hartford and Lisbon which shows strong intergovernmental cooperation and no negative impact on the metropolitan community.

The Town of Richfield is located in Washington County in southeast Wisconsin. Map 1, at Appendix B, shows the location of Richfield. Encompassing 36 square miles and 11,385 residents, Richfield is the third most populous town in Wisconsin.

The City of Hartford originally opposed the petition and was admitted as an "Intervenor" by the circuit court. During a court ordered stay of the 180-day statutory review period, Richfield and Hartford negotiated a boundary agreement that resolved Hartford's concerns, and the City of Hartford passed a resolution supporting incorporation of Richfield.

This determination is organized into six sections, a section for each of the Board's six statutory public interest standards found in s. 66.0207, Wis.Stats.

1) Compactness & Homogeneity - Met. This standard requires the petitioned territory to be sufficiently compact and uniform to function as a city or village. Factors include existing land use, the current and potential transportation network, existing natural boundaries such as rivers and topography, existing political boundaries, and employment, business, social, and recreational opportunities. Richfield's petition is strong with regard to the social cohesiveness of residents and the recreational opportunities available. The boundaries selected make sense and relate well to existing physical, natural resource features, and political boundaries. Richfield's petition includes a great deal of agricultural land and rural-type open space - 59% of the Town's total acreage. Past determinations and caselaw have held that excess vacant and rural lands are not

'compact'. However, Richfield's case is unique because the population is uniformly distributed throughout the territory, because of its past and continued use of conservation subdivisions, and the relationship of conservation subdivisions to groundwater protection. The Town chooses not to have a municipal sewer or water system, and instead protects the quality and quantity of groundwater recharge in order to sustain residential and commercial utilization by on-site sewer and water systems, and to maintain the Town's other natural resources resulting from Richfield's unique kettle and moraine geography that encompasses a large amount of wetlands and environmental corridors. Given its unique environmental circumstances, Richfield's current and proposed development vision may be the most appropriate urban form for the territory described in the petition.

2) Territory Beyond the Core – Met. This standard requires that the lands beyond the most densely populated area have the potential for development "on a substantial scale" within the next three years. This standard ensures that the area proposed for incorporation is urban in nature or development potential rather than rural. Past determinations and caselaw have found that petitions with excess rural lands do not meet this standard. As mentioned, Richfield has a great deal of rural-type open space.

However, Richfield is a unique case. First, because the Town does not offer municipal sewer or water service, development potential exists on buildable soils with appropriate zoning throughout the Town. Development need not wait for sewer and water infrastructure to be installed, or sewer service area extensions to be approved. Second, Richfield's population is already uniformly distributed throughout the Town. This means that instead of development gradually moving out from a single populated part of the Town, it may move outward from numerous nodes. Third, Richfield's use of conservation subdivisions means that more acres may potentially be developed faster than with conventional subdivision models because of the preserved open space and larger lot sizes. Finally, data on population growth, building permits, rezonings, and other growth indicators, as well as Richfield's proximity and easy access to the Milwaukee and Waukesha metropolitan areas, all point to Richfield's continued rapid transition from a rural to an urban/suburban community.

3) Tax Revenue – Met. This standard ensures that the territory petitioned for incorporation has the capacity to raise sufficient tax revenue to function as a city or village without unduly burdening residents. The Department finds that with its high equalized value, moderately high growth rate, low mill rate, and low debt level, currently near \$0, Richfield is readily able to raise sufficient revenue to provide the higher-level services of an incorporated municipality. Should incorporation occur, Richfield has accounted for additional local costs such as police protection. The resulting local-purpose tax rate compares favorably with other similarly situated municipalities chosen for comparison purposes.

4) Level of Services – Not applicable

5) Impact on the Remainder of the Town – Not applicable

6) Impact on the Metropolitan Community – Met. This standard ensures that incorporation will not harm the larger metropolitan area. There appear to be no regional or intergovernmental problems that would result from Richfield's incorporation. All of Richfield's municipal neighbors have either entered into a boundary agreement with Richfield, written a letter of support, or have remained silent. Richfield appears to be a

good citizen of its metropolitan community, cooperating with other jurisdictions on projects that impact the region and even taking the lead on key planning and natural resource conservation issues, as well as actively participating in WDNR's mid-Kettle Moraine study project. Incorporation would likely better enable institutional and intergovernmental coordination and cooperation to occur in support of development activities presently occurring in the northeast corner of the Town.

## **SECTION 1(A) HOMOGENEITY AND COMPACTNESS**

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The standard to be applied is found in §66.0207(1)(a) and is as follows:

*The entire territory of the proposed village or city shall be reasonably homogenous and compact, taking into consideration natural boundaries, natural drainage basin, soil conditions, present and potential transportation facilities, previous political boundaries, boundaries of school districts, shopping and social customs.*

In addition to the statutory factors cited above, the court in Pleasant Prairie v. Department of Local Affairs & Development<sup>1</sup> held that the Department may also consider land-use patterns, population density, employment patterns, recreation and health care customs.<sup>2</sup>

The facts surrounding each incorporation petition are different. However, in each case and for each requirement, the Board must be able to state that, even though the situation presented may not be entirely perfect, *when taken as a whole*, the facts support a finding of homogeneity and compactness.

### **Physical and Natural Boundaries**

#### ***Topography***

The most notable natural features in Richfield are its kettles and moraines. Formed during the most recent ice age 10,000 years ago, 'moraines' are the ridges formed by melting glaciers depositing sand, silt, cobbles, and boulders. 'Kettles' are depressions formed by blocks of submerged ice that detached from the retreating glacier and melted. Kettles come in three common forms, depending on underlying soils: kettle holes, kettle lakes, and kettle bogs. Richfield's landscape is particularly significant because it lies on the sub-continental divide between the Mississippi River the Great Lakes watersheds and also because it was the site of two colliding glacial lobes, the Green Bay and Michigan lobes. The result is a unique pattern of rugged and beautiful kettles and moraines that cover virtually the entire Town. Elevations in the Town range from 850 feet above sea level in the eastern portion to 1200 feet above sea level in its center. The westerly one-half of Richfield lies within the Department of Natural Resource's Mid-Kettle Moraine Study Area, and Richfield has been an active participating partner in this project along with its municipal neighbors.<sup>3</sup>

#### ***Drainage Basins***

Water may be the most important aspect to Richfield's recent geologic and social history. In addition to ice carving its landscape, water originally drew the Menomonee and Potawatomi people to the area, and later supported settlers from Germany. The area's plentiful lakes and rivers enabled the German settlers to first practice subsistence farming, and later wheat farming and dairy farming. Richfield's water resources continue to be important today and will be important for Richfield's future. The Town includes parts of five surface watersheds: the Menomonee River and Cedar Creek which lie east of the sub-continental divide and drain eastward to Lake Michigan and the St. Lawrence River basin and eventually the Atlantic Ocean; the Fox River which drains southward; and the Bark and Oconomowoc Rivers which drain

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<sup>1</sup> Pleasant Prairie v. Department of Local Affairs & Development, 108 Wis.2d 465 (Ct.App. 1982), affirmed, 113 Wis.2d 327 (1983).

<sup>2</sup> Ibid., page 337.

<sup>3</sup> As reported by DNR staff.

southwest to the Mississippi River and ultimately the Gulf of Mexico.<sup>4</sup> See Map 2, at Appendix B, for the location of most of Richfield's watersheds (only the Rock River watershed is not shown). The headwaters of the Fox River, the Oconomowoc River, and the Bark River are found within the Town.<sup>5</sup> These rivers, along with Richfield's lakes and streams provide beauty, wildlife habitat, and recreation to area residents. Also, residents rely on Richfield's groundwater for potable drinking water, an issue discussed later on in this section under 'Political Boundaries'.

Richfield's five major lakes are Bark Lake, Amy Belle Lake, Little and Big Friess Lakes, Lake Five and Mud Lake. All are considered kettle lakes. In fact, the Friess Lake Hogsback Geological Area in the northwestern portion of the Town has been identified as a geological area of statewide significance.<sup>6</sup>

Richfield's ground water system consists of glacial deposits lying ovetop dolomite bedrock. The glacial sediments (gravel and sand) range in thickness from over 500 feet in the center of Richfield to almost nothing in the east and northwest parts of the Town where bedrock lies close to the surface. As a result, the depth to the water table ranges from zero at surface water bodies to over 150 feet in the center of the Town. Groundwater flows in three general directions. East of the sub-continental divide, it flows towards Lake Michigan. Groundwater between the divide and the Oconomowoc River percolates in a westerly direction towards the river. In the far northwest corner of the Town groundwater runs in a southeasterly direction, also towards the Oconomowoc River.<sup>7</sup> Groundwater originates mostly as recharge from within the Town. Over 80% of Richfield's total groundwater supply comes from recharge, with another 11% coming from surface water bodies, and another 9% entering the Town from neighboring communities. Recharge is roughly 5 inches per year. On the discharge side, 67% of Richfield's groundwater flows to surface water bodies in the Town, another 28% goes to neighboring communities (making Richfield a water exporter), and roughly 3% is taken up by residents' private wells. Wells account for such a small portion of the budget because although residents pump an average of 100 gallons per day per capita, an average of 80 gallons per day per capita is returned to the aquifer directly ovetop from where it was taken.<sup>8</sup>

Groundwater in Richfield is particularly important because residents and businesses draw their water from private wells and discharge their wastewater to private onsite wastewater treatment systems. The Town does not currently provide municipal sewer or water service nor are there plans to do so in the future. This means that there are no sanitary districts in Richfield, or sewer service areas, or municipal sewer or water pipe installations. Instead, Richfield residents and businesses meet potable water and sanitary sewerage needs on an individual basis, and in some cases on a collective basis at the neighborhood level. For example, two new developments – 'Reflections Village' and 'The Meadows' - will both be served by a quasi-public sewer and water service, which is a private system but communal in nature with 13 service sites.<sup>9</sup> These individual and communal wastewater treatment systems must comply with the state plumbing code (COMM 25.02) and be properly permitted and maintained according to Washington County ordinances.<sup>10</sup>

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<sup>4</sup> Summary of the Richfield Ground Water Study (2003 to 2005), by Doug Cherkauer, UW-Milwaukee Professor of Hydrogeology.

<sup>5</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 34.

<sup>6</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 36.

<sup>7</sup> Summary of the Richfield Ground Water Study (2003 to 2005), by Doug Cherkauer, UW-Milwaukee Professor of Hydrogeology, page 2.

<sup>8</sup> Ibid, page 3.

<sup>9</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 59.

<sup>10</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 40.

The fact that the recharge area for Richfield's groundwater is primarily contained within its boundaries makes it a unique community. Groundwater supplies for most communities move, or are pulled from, great distances horizontally through rock layers. The fact that Richfield's drinking water is directly underfoot is both an opportunity and a challenge. It is a challenge because whatever soaks into the ground in the form of rain, snowmelt, and run-off soon turns up in residents' drinking water. However, it is also an opportunity because whatever steps and actions Richfield takes to improve the quality of the surface water draining into lakes and soils has a direct and immediate impact on groundwater quality. Richfield is very aware of this and has taken a number of steps to protect its groundwater. The Town has:

- Hired UW-Milwaukee hydrogeology professor Douglas Cherkauer to comprehensively study the area's groundwater resource. His study includes the area's underlying geology, water quality monitoring at 40 test sites, monitoring surface waters at 17 sites, gathering data on groundwater recharge and discharge amounts, and forecasting the effect that a municipal sewer system would have on recharge and discharge amounts.<sup>11</sup> His study provides the support and rationale for many of Richfield's comprehensive plan recommendations;
- Adopted a construction site and agricultural erosion control ordinance. The ordinance requires that all new development receive a permit and include an on-site storm water management plan that addresses various quantity (e.g. peak flow) and quality measures of storm water runoff. The plan may require the developer to construct drainage facilities such as curbs and gutters, catch basins and inlets, storm sewers, vegetated swales, road ditches, culverts, open channels, water retention structures, and settling basins. Enforcement and permitting of the ordinance is coordinated through the Washington County Land and Water Conservation Department.<sup>12</sup>
- Adopted a groundwater protection ordinance. The ordinance requires a permit for land development. The applicant must show that the development will not cause groundwater or surface water draw downs beyond certain levels, or harm recharge quality. Permits are issued by the Town Administrator.<sup>13</sup>
- Adopted a comprehensive plan in 2004 that features and safeguards environmental resources, including water resources.
- Utilized conservation subdivisions, which reduce the impact of development on groundwater recharge by clustering impermeable surfaces such as houses and driveways together in a condensed area while preserving permanent open space such as wetlands, forests, prairies, farmland, and other more permeable surfaces. Richfield's use of conservation subdivisions is discussed in greater detail further on in this section under 'Land Use'.

The fact that Richfield has no municipal sewer or water service is somewhat unique for a community of its size. The situation would be even more unique if Richfield were to become a

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<sup>11</sup> Summary of the Richfield Ground Water Study (2003 to 2005), by Doug Cherkauer, UW-Milwaukee Professor of Hydrogeology, page 2, and Petitioner's *Brief in Support of Incorporation*, June 1, 2007, page 7.

<sup>12</sup> Petitioner's Submittal in Support of Incorporation, December 2006, pages 33 and 59, Chapter 58 of Richfield Code of Ordinances, and Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 40.

<sup>13</sup> Chapter 59 of Richfield Code of Ordinances.

village because most Wisconsin cities and villages provide municipal sewer and water. However, Richfield is very committed to its current arrangement of private wells and on-site sanitary sewerage system. In fact, as mentioned above, the issue of groundwater protection is what drives most of Richfield's land use planning decisions. Because of its scattered development, the Town does not believe that a municipal-wide sewer and water system would be cost-effective – it would require too much pipe, and the Town's rolling topography would require extensive lift-stations and other technological fixes.<sup>14</sup> Nor does the Town believe that a municipal-wide sewer and water system would be sustainable over time, because pumping groundwater, treating it at a sewage treatment facility, and then ultimately discharging it into a river would lower groundwater, surface water, and wetland levels over time. The Town relies on Professor Cherkauer's study which estimates a 6-7% decreased flow in streams and wetlands with a municipal-wide sewer and water system. The study estimates an uneven impact, with areas of greater population being affected more. For example, the south branch of Cedar Creek is estimated to lose over 70% of its annual baseflow, while the less developed north branch would lose only 4%.<sup>15</sup> Also, while Richfield is currently a net exporter of groundwater to neighboring communities, conversion to a municipal system would likely change that.<sup>16</sup>

Richfield's arrangement of not having a municipal sewer and water system is so organized that it functions as kind of an alternate system, and Richfield believes that its alternate system has so many benefits that it should be considered a model for other Wisconsin communities to follow.

However, this approach to groundwater management is not without potential policy issues. The Wisconsin Department of Natural Resources' (DNR) initial reaction was to oppose this type of approach. Specifically, a March 31, 2006 letter from a Department attorney advises Richfield that the Town has no legal authority to enact or enforce its groundwater protection ordinance and should therefore rescind the ordinance immediately.<sup>17</sup> The Town appealed to the Wisconsin Department of Justice (DOJ). DOJ wrote an opinion on August 28, 2006 that disagreed with DNR and instead found that Wisconsin courts would most likely find that Richfield *does* have statutory authority to enact and implement a groundwater protection ordinance. In fact, the opinion pointed to DNR brochures and internet pages that encourage local communities to proactively protect their groundwater as Richfield has done.<sup>18</sup>

### ***Physical boundaries***

The boundaries for the proposed village coincide with those of the existing town, which are straight-line political boundaries based on the Public Lands Survey that was conducted in the mid-1800s. The communities surrounding Richfield are similar in this regard. The Town of Polk to the North of Richfield, the Town of Erin to the West, the Town of Lisbon to the South, and the Village of Germantown to the East are all based on the Public Lands Survey. In selecting its historical boundaries, and excluding arguably homogeneous territory in adjacent towns, Richfield purposely chose not to target territory of its neighbors. Instead, other statutory mechanisms such as annexation and boundary agreements have, or will be, used in the future to address development and jurisdictional issues.

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<sup>14</sup> Richfield 20-Year Smart Growth Comprehensive Plan, page 54.

<sup>15</sup> Summary of the Richfield Ground Water Study (2003 to 2005), by Doug Cherkauer, UW-Milwaukee Professor of Hydrogeology, page 3.

<sup>16</sup> *Ibid.*, page 3.

<sup>17</sup> March 31, 2006 letter from the Department of Natural Resources Bureau of Legal Services Attorney Judy Mills Ohm to Town of Richfield Administrator Toby Cotter.

<sup>18</sup> August 28, 2006 memorandum from Thomas Dawson, Wisconsin Assistant Attorney General and Director of the Environmental Protection Unit to Peggy Lautenschlager, Wisconsin Attorney General.



The following paragraphs step clockwise around Richfield's boundaries.

Richfield's southerly border is shared with Town of Lisbon in Waukesha County. A primary environmental corridor and agricultural areas are the predominate features in this area, with the exceptions of Section 4, where a residential subdivision shares physical commonality with Richfield, and Section 2 where a cross-roads hamlet is divided between Lisbon and Richfield and the two counties. Also, the Lake 5 area in Richfield has much in common with adjacent areas in Lisbon, although the lake itself lies nearly entirely within Richfield and is skirted by County Line Road (CTH Q). For reasons of ease of administrative reporting, including separate taxation and political jurisdictions, petitioners chose not to include immediate areas in Lisbon exhibiting homogeneity with Richfield.

Richfield's westerly boundary is shared with the Town of Erin. A number of significant environmental resources are found along this shared boundary, specifically the headwater reaches of the Oconomowoc River and the Loew's Lake Southern Kettle Moraine State Forest, operated by the Department of Natural Resources. Effectively managing these shared resources requires a coordinated approach. Erin's comprehensive plan is currently being developed in cooperation with Washington County and maintains the same level of resource identification and protection as Richfield's comprehensive plan. Also, significant is the boundary agreement entered into between the City and Town of Hartford, Town of Erin, and Town of Richfield, on January 18, 2006 that places limitations on Richfield should it become a village. The agreement obligates Richfield not to accept annexations from Town of Erin territory for 20 years, or exercise extraterritorial platting authority unless Erin allows development that is inconsistent with its comprehensive plan.

To the northwest and adjacent to Richfield is the Town of Hartford. Similar to Erin, the boundary agreement obligates the Town of Richfield not to accept any annexations of territory from the Town of Hartford. Richfield's exercise of extraterritorial platting authority over Town of Hartford territory is also not allowed except under limited circumstances.

Richfield's northerly boundary is shared with the Town of Polk, and is physically marked by Pioneer Road. Agricultural and scattered residential uses are found on both sides of the road, excepting for a large quarry in Polk that encompasses most of Section 34. In Section 36, a Town of Polk local road accessing the Cabela's development has already had jurisdictional responsibility transferred to Richfield at the request of the Town of Polk. Should incorporation occur, the areas of Polk adjacent to the Cabela's area will likely experience strong annexation pressure, and there is no boundary agreement in place between Polk and Richfield to guide development and jurisdictional issues.

To the northeast and adjacent to Richfield is the Town of Jackson. Similar to the Town of Polk, areas in Jackson near the Cabela's development and the confluence of USH 41/45 and STH 175 will likely experience strong annexation pressure, and like Polk, no boundary agreement is in place to guide development and jurisdictional issues.

Richfield's easterly boundary is primarily formed by the westerly corporate limits of the Village of Germantown. Agricultural and scattered residential uses are found on both sides of the road. The sub-continental divide along the border between Richfield and Germantown separates the Milwaukee River/Cedar Creek and Menomonee River watersheds from the Oconomowoc and Bark River subwatersheds. The presence of this sub-continental divide affects the provision of public water and sewage treatment. Lands east of the divide are governed by an international treaty between Great Lakes states, the federal government, and Canada. The treaty limits entities

outside the Great Lakes watershed basin from removing water from the basin. Richfield's lying just outside the Great Lakes watershed basin would likely prevent extension of sewer and water services by the Village of Germantown into Richfield.

A small area of Richfield's easterly boundary is also shared with the Town of Germantown (Section 6 in Town of Germantown and Section 1 in the Town of Richfield). This small area of the Town of Germantown will also likely be influenced by commercial/retail development occurring in the immediate vicinity of Cabellas and could be subject to annexation pressure. Richfield would be more likely to serve this area than the Village of Germantown because the Village's established 2010 sewer service area boundary lies roughly three miles to the south. As with Polk and Jackson, no boundary agreement is in place between Richfield and the Town of Germantown to guide development and jurisdictional issues in the Cabella's and USH 41/45 & STH 175 area.

Regarding physical barriers, two railroad lines cut through Richfield. One is owned by the Canadian National Railroad and runs north-south through the eastern 1/3 of Richfield, adjacent to Scenic Road. The other line, former Milwaukee Road tracks, is owned by the State of Wisconsin and operated by the Wisconsin & Southern Railroad and cuts through the far northeast corner of the town, adjacent to STH 175. These rail lines might tend to cut far eastern areas of the town off from other parts, however, quite a few crossing opportunities exist to mitigate this problem. These crossings are discussed further in this section under 'Transportation'.

As mentioned earlier, Pioneer Road marks Richfield's northern boundary with Polk. CTH Q marks its southern boundary with Lisbon. Also, significant is USH 41/45, a major 6-lane freeway that barely cuts through the town. Such a major transportation facility would also tend to isolate certain parts of a community from other parts. However, this is not the case with Richfield because USH 41/45 cuts through such as small corner of the town.

### **Soils**

The ground beneath Richfield is comprised of glacial outwash and till. These sand/gravel and clay deposits rest upon a layer of dolomite limestone which itself sits upon an impermeable layer of shale. It is from the aquifer formed by these glacial deposits that the majority of Richfield's residents draw their potable water.

Like the kettles and moraines dominating the surface structure of the Town, the geological strata underlying Richfield are reflective of the role glaciers played in shaping southern Wisconsin's landscape. The top layer of strata is comprised mainly of glacial drift. Drift, in the form of glacial till and outwash, results from the affect of a warming climate. As a glacier melts, materials trapped within it are deposited to the land surface. Lighter materials, comprised mostly of sand and gravel, are carried by water flowing from the melting glacier. The flowing water sorts these particles, generally depositing the heavier and coarser material nearer the point of origin. This material is known as outwash. Till is deposited directly by the glacier itself without water transport. Glacial drift may take the form of drumlins, kames, eskers, moraines, or outwash plains. Their thickness tends to vary from place to place and is not dependent upon topographical factors. Over time, layers of outwash and till are interspersed, resulting in the eclectic subsurface layers present today in Richfield.

Map 3, at Appendix B, shows the types of soils in Richfield as well as their location. The map shows that Richfield's soils are quite uniform, with the majority of the Town overlain with silt loams and loams. A third type – a "mucky peat" is found in the wetlands and environmental corridors associated with the Oconomowoc watershed and Friess Lake complex.

Map 4, at Appendix B, shows the suitability of the soils for private onsite sanitary sewage disposal. Map 5, at Appendix B, shows the suitability of soils for buildings. The two maps are generally identical and show that the soils in Richfield, for the significant majority of the Town, have “slight” or “very slight” limitations for on-site sanitary sewage disposal and suitability and “slight” limitations for building suitability. Not surprisingly, the majority of building activity and projected growth of Richfield are in those areas of the Town that have “slight” to “very slight” limitations for sanitary and building suitability.

## **Transportation**

The layout of Richfield's road system resembles a traditional grid-style town-level road system and permits travel by personal motor vehicle to all areas of the Town. As is true in many towns, land uses and destinations in Richfield are dispersed, making travel by motor vehicle a necessity. Mass transit options to move about the town do not exist, are not planned, and would not likely be economical. Bicycle and pedestrian facilities are essentially nonexistent in Richfield, though some are planned for the future, such as a multi-purpose bicycle lane when STH 175 is reconstructed through Richfield.<sup>19</sup> Richfield is aware of the strengths of its transportation system, as well as the weaknesses. The transportation element of the Town's comprehensive plan seeks to shore up transportation weaknesses and maintain the strengths of the system.

The following paragraphs describe Richfield's streets and highways, rail, air, transit, and pedestrian and bicycle facilities and opportunities in further detail.

### ***Streets and Highways***

Richfield's network of streets and highways can be seen in Map 6, at Appendix B. This map shows that Richfield's highway system is based on a traditional rural grid-style system that relies on the section lines developed as part of the Public Land Survey conducted in the mid-1800s. Richfield's roads occur at regular one-mile intervals to frame each section and connect it with successive sections. These section-framing roads are a combination of arterials and collectors under town, county, and state jurisdiction. The only variation to this pattern is where area kettle and moraine features have prevented roads from being built, or have made building roads around these features more economical. For example, roads in the Friess Lake area come to a stop (Hubertus Road, Plat Road, and St. Augustine Road), while in other parts of the Town roads meander around natural features (Monches Road, Willow Creek Road, and Pleasant Hill Road).

Traditionally, the lands framed by section line-based town roads are in farm or forest use, or some other rural open-space type land use. Richfield deviates from this tradition somewhat because in many places the areas framed by section line-based roads contain residential development with yet its own internally-oriented neighborhood-based road network. These internal networks frequently dead-end in cul de sacs. As a result, they tend to facilitate travel within the immediate neighborhood rather than travel from one neighborhood to another. In fact, there are numerous instances where travelers must exit out onto a main section line-based highway simply to move between developments located within the same section number.

Richfield is aware that connectivity of local roads is problematic. "Poor internal transportation network" was listed as one of Richfield's weaknesses in the Issues and Opportunities Element of its comprehensive plan.<sup>20</sup> Specifically, the plan states:

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<sup>19</sup> Communication to Department staff from Ken Pesch, Washington County Highway Commissioner.

<sup>20</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 6.

"The rolling topography and abundant natural resources of Richfield challenge the layout of roads. Many areas of the Town have developed in a separate fashion with poor connectivity. Richfield is not alone in this predicament. However, after decades of promoting residential street networks characterized by low connectivity, it is time to consider the potential benefits of improved street connectivity."<sup>21</sup>

To improve connectivity, the comprehensive plan recommends restricting the use or length of cul-de-sacs, prohibiting gated communities, promoting pedestrian and bicycle facilities in new development, allowing for flexibility through performance standards and incentives, and connecting subdivisions with trails.<sup>22</sup>

Also, Richfield's subdivision ordinance will ensure better connectivity in the future. Section 66-211(4) of this ordinance requires that new developments connect to existing subdivisions unless topography or other physical conditions prevent connection. An example of implementation of this ordinance provision is the Timber Stone subdivision, which was platted in 2006 and connects to two existing subdivisions. Other examples are the Elmwood Hills subdivision, which has two connection points and the Pleasant View Ridge subdivision which provides three connection points.<sup>23</sup>

Because Richfield's local roads currently do not enable movement throughout the town, travel instead occurs on its system of collectors and arterial highways. These highways must accommodate both residents moving throughout Richfield as well as travelers passing through the community on their way to other destinations. As a result, quite a bit of traffic flows on these roads, more than is typically the case with section line-based rural town roads. For example, CTH Q carries between 7,100 and 11,800 vehicles daily. Other busy roads are STH 164 (7,800 – 6,400), STH 167 (3,600 – 9,100), STH 175 (4,800 – 5,800), Pioneer Road (2,600 – 1,300), and CTH CC (950).<sup>24</sup> The fact that Richfield has been steadily growing in population means that traffic will likely continue to increase.

In order to accommodate increased traffic, Richfield anticipates the following improvements to its streets and highway system:

- Corridor study of the Hubertus Road corridor;
- Intersection studies at Hubertus Road and Hillside Road, Hillside Road and STH 167, Hubertus Road and STH 175;
- Turn lanes at CTH Q and STH 164, Hubertus Road and STH 164, and STH 164 and STH 167;
- Redevelop STH 175 as an urban cross section at STH 167 and also at Hubertus Road;
- Add safety gates to the Wisconsin & Southern railroad line at its intersection with STH 175 and with Hubertus Road;
- Widen CTH Q to four lanes;
- Widening STH 164 to four lanes;
- Extend Pioneer Road between STH 164 and CTH CC;

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<sup>21</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 95.

<sup>22</sup> Ibid., pages 95, 97.

<sup>23</sup> Correspondence to the Department from Town of Richfield planner Sarah Jankowski, June 14, 2007.

<sup>24</sup> Wisconsin Department of Transportation annual average traffic count data for Washington County, 2004.

- Transfer Pioneer Road from the local to the Washington County Trunk Highway System.<sup>25</sup>

Some of these proposed improvements are shown in Map 7, at Appendix B.

In addition to substantial highway facilities, in the far northeast corner of Richfield, USH 41/45 cuts diagonally across section 1. This is a major six lane divided freeway with interchanges at STH 167 in Richfield and STH 145 and STH 167 in Germantown. Another interchange has been developed at CTH Q, which connects to STH 175. Although it only cuts briefly through the town, USH 41/45 is vitally important to Richfield. It provides quick access to the Waukesha and Milwaukee metropolitan areas and the employment and economic opportunities there. It also provides economic opportunities in Richfield, which is discussed in detail later in this section under 'Shopping and Employment'.

Map 6, at Appendix B, shows that a high percentage of Richfield's total road mileage are under town jurisdiction. For example, Pioneer, Mayfield, Hubertus, Pleasant Hill, Monches, Elmwood, and Hillside Roads are all major highways and all under Town jurisdiction (although Pioneer Road is proposed to be transferred to county jurisdiction). This means that the Town may be expending more than its share of maintenance costs.

### **Rail**

As mentioned earlier, two railroad lines cut through parts of Richfield – a Canadian National railroad line that cuts north-south through the eastern 1/3 of Richfield, adjacent to Scenic Road, and a line operated by Wisconsin & Southern Railroad that cuts through the northeast corner of the town adjacent to STH 175. Both lines are active freight service lines. Eight trains run daily on the Wisconsin & Southern line at 25 mph, and 30 trains run daily on the Canadian & National line at 40-60 mph. This level of freight activity is expected to continue for the foreseeable future.

Rail lines tend to present a barrier to cross travel, particularly where train traffic is heavy and where few crossings exist. In the case of Richfield, however, quite a few crossings do exist to mitigate the rail lines' isolating effect. Specifically, there are 14 at-grade crossings in Richfield and two grade-separated crossings. The two grade-separated crossings are bridges over Hubertus Road and STH 167. Four of the at-grade crossings are protected by safety gates and the other ten crossings are protected with flashing signal lights. This level of protection enables the town to be a 'Quiet Zone', which means that federal law permits trains passing through to *not* sound horns. Richfield was the first municipality in the state to establish a Quiet Zone. It is a designation that significantly adds to residents comfort and quality of life.<sup>26</sup>

### **Air**

The General Mitchell International Airport serves Richfield, like all of the communities within the Milwaukee metropolitan area. General Mitchell is the largest airport in Wisconsin. It is owned and operated by Milwaukee County and has 13 airlines that offer roughly 235 daily departures and arrivals. Approximately 90 cities are served nonstop or direct from Mitchell International.

Private operators and small business jets may also utilize airports in the City of West Bend and City of Hartford.

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<sup>25</sup> Washington County Jurisdictional Highway System Plan– 2020 (2002), Southeastern Wisconsin Regional Planning Commission (SEWRPC).

<sup>26</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 57.

This system of airports is expected to meet resident travel and business freight needs for the next 20 years and beyond.<sup>27</sup>

### ***Transit***

There is no transit service available in Richfield for residents to move about within the town, nor are there any plans or proposals for future transit service. The dispersed nature of Richfield's land uses and population make providing transit service economically difficult.

Although two railroad lines pass through the town, neither commuter nor high-speed rail transit is currently available in Richfield either. These lines are for freight rail only. In the early 1900s, passenger rail service was available, and Richfield had a very active rail depot. There were discussions several years ago to develop a high speed rail line with a potential stop in Richfield. It is possible that those discussions could develop into more concrete plans and commitments.<sup>28</sup>

Washington County was awarded a Congestion Mitigation and Air Quality (CMAQ) grant in 2006 to build a park & ride in Richfield, south of Pioneer Plaza near the US HWY 41/145 interchange. This park & ride will facilitate van and car-pooling, and car-to-bus transitions. It will provide an opportunity to improve transportation efficiency in low density Washington County.

One transit service that is currently available is the *Washington County Commuter Express*, which provides weekday bus service to downtown Milwaukee from various Washington County locations, including Richfield. One pick-up location is at the future Park & Ride at Pioneer Road and another location is just outside Germantown at the Lannon Road Park & Ride. Eleven buses depart Monday through Friday at various times in the morning and returning at various times in the evening. The cost is approximately \$3 one way. Special runs are also made to the state fair when it is in session.

Richfield residents may also take advantage of the Washington County Shared-ride Taxi Service, a service provided by the county to all parts of Washington County and also the northern portion of Menomonee Falls. The fares are distance based, except for service to and from the Washington County Commuter Express park & ride locations, which are at a reduced fare rate of \$1. Service is also available for disabled individuals who need door-through-door assistance.

### ***Pedestrian and bicycle***

Richfield is currently not easily accessed by foot or bicycle. There are no sidewalks in the town and land uses and population are disbursed across many miles. The local roads that could facilitate bicycling by providing quiet connection alternatives to the busier town, county, and state highways tend to dead-end. As a result, all motorized and non-motorized traffic alike must use the highways.

Given the speed and level of traffic on the town's connecting roads, biking and walking to destinations is not pleasant or safe. Investments are being made to accommodate an even higher level of traffic and given these investments, and the dispersed nature of land uses, neighborhoods,

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<sup>27</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 58.

<sup>28</sup> Ibid., page 58.

and destinations, it seems likely that movement throughout Richfield will continue to require motor vehicle assistance.

Richfield's comprehensive plan recognizes how dependent the area is on automobiles and that issues of mobility exist for seniors who are unable to drive and youth, not old enough to drive, being dependent on others to get them to school, parks, shopping and other places of interest. The plan recommends developing trails whenever possible in new development, and to access the Ice Age Trail, just to the West of Richfield, carpooling, enforcement of speed limits, and encouraging walkable developments, particularly in the rural hamlet areas.<sup>29</sup> Additionally, Richfield anticipates constructing approximately two miles of sidewalk along STH 175, which is within the town's proposed higher density *walkable hamlet*, mixed-use area, as well as a 'trail and bicycle way' designation for certain town roads, including segments of Hubertus Road, Monches Road, Scenic Road, Hillside Road, Plat Road, STH 167, and Elmwood Road. As can be seen by Map 7, at Appendix B, these selected segments form a roughly 12-mile loop in the center of the town, as well as spurs to STH 175 and to a proposed year 2025 county bicycle trail on the town's western edge. It appears that this bicycle loop will function more as a recreational opportunity for bicyclists rather than providing connection to destination points. Richfield's comprehensive plan also recommends that new and existing conservation subdivision coordinate their trails to provide connections through the Town.<sup>30</sup>

Additionally, a network of snowmobile trails wind throughout Richfield to provide a seasonal off-road recreation and transportation opportunity, depending on snow conditions. This snowmobile network can be seen in Map 6, at Appendix B. If this snowmobile network could continue to be available for hiking and off-road bicycling in non-winter months, it would substantially improve the ability for Richfield's pedestrians and bicyclists to move about their town.

### **Political Boundaries**

As mentioned earlier, the proposed village is the existing Town in its entirety, approximately a 36 square mile area. Territory which includes Richfield was originally the home of the Menomonee and Potawatomi people. This territory was ceded to the United States by treaties ratified in 1831 by the Menomonee and 1833 by the Potawatomi. The area was then surveyed in 1835 and by 1846 a formal Town government was established. There have never been any annexations by the neighboring Villages of Germantown and Menomonie Falls. As a result, the boundaries are as perfectly straight today as they were in 1846.

Petitioners selected the entire town for incorporation based on the Town's long history functioning as a single entity and its desire to maintain its' integrity for the future.<sup>31</sup> An alternative boundary configuration that was considered included an area along Richfield's western boundary where St. Augustine Road meanders into the Town of Erin. Petitioners decided against this alternative so as not to offend the Town of Erin and to avoid the appearance that an incorporated Richfield would raid its unincorporated neighbor's territory.<sup>32</sup> Another alternative was to include the area south of Lake Five currently in the Town of Lisbon. This would put the entire lake and its residents under one jurisdiction and simplify management of the lake. However, as mentioned earlier, this alternative was not selected because the area south of Lake

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<sup>29</sup> Richfield 20-Year Smart Growth Comprehensive Plan, page 31.

<sup>30</sup> Ibid., page 121.

<sup>31</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 9.

<sup>32</sup> Ibid., page 9.

Five lies in Waukesha County. An incorporated Richfield overlapping into Waukesha County would make elections and taxation for this area much more difficult and expensive to administer.

### ***Rural Hamlets***

Located throughout Richfield are a number of rural crossroads or hamlet areas that feature slightly more dense development. They have no separate identity from a legal standpoint, but are distinct places to area residents. They formed at the intersections of major roads, or at former railroad stops, and had greater significance earlier in Richfield's history when they served as economic and service centers for area farm families. The following are Richfield's identifiable hamlets:

- Pleasant Hill - intersection of STH 164 and Pleasant Hill Road;
- Plat – intersection of Monches Road and Plat Road;
- Hubertus – intersection of Scenic Road and Hubertus Road;
- Colgate – alongside the Canadian National railroad line in southern Richfield, near the intersection of CTH Q and Colgate Road;
- Richfield – along STH 175 north of STH 167;
- Lake Five – eastern shore of Lake Five in southern Richfield, along STH 164;
- Bark Lake – residential area around Bark Lake;
- Friess Lake – residential area around Friess Lake;
- Amy Belle Lake – residential area south of Amy Belle Lake.

Richfield's comprehensive plan identifies these hamlets as creating problems for a unified sense of community. Specifically, the plan states:

"Do you live the Village of Colgate? How about the Town of Hubertus? Do you own property in Plat, Pleasant Hill or Lake Five? It can be confusing... Over the years, the lack of a single "main street", school district (the Town is part of five districts), or other community focal point has resulted in a rather limited sense of community identity."<sup>33</sup>

Petitioner's argue that Richfield's distinct hamlets should not be thought of as operating alone or dividing community identity, but rather as contributing to the fabric of Richfield as a whole. To illustrate this idea, the image of a quilt was used at the Board's May 3<sup>rd</sup> public hearing. Petitioner's argue that the Town's hamlets, as well as its neighborhoods around Bark Lake, Lake Five, and Friess Lake, are all interconnected to form the fabric that is Richfield. In the past, these areas had their own fire departments and social events. They no longer do, which Petitioner's equate to being more affiliated with Richfield as a whole.<sup>34</sup>

Richfield's comprehensive plan recommends that these hamlets be revitalized as centers of neighborhood activity, including parks, denser residential development, and neighborhood and community-wide businesses. It is envisioned that these will be *walkable hamlets* and will provide a more urban alternative to the Town's rural and conservation subdivisions. Both of these are discussed further in this section under 'Land Use'.

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<sup>33</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 6.

<sup>34</sup> Petitioner's testimony at the Incorporation Review Board's May 3<sup>rd</sup> public hearing, page 22 of hearing transcript, and Powerpoint slide #21.



## **Schools**

The determination of school district boundaries is an entirely separate process from municipal governance. Therefore, whether or not Richfield incorporates will have no effect on school district boundaries. However, as the Department noted in its determination in Pewaukee<sup>35</sup>, schools nonetheless have an impact in molding community allegiance through scholastic, social, and recreational activities and influence where people choose to live. Map 8, at Appendix B, is a map of the school districts that serve Richfield. The map shows that parts of five different school districts serve Richfield's school-aged children. Table 1, below, identifies these school districts, the specific schools (both public and private), and enrollment information. Of the 7,703 students that attend these schools, 1,918 (24.9%) are from Richfield. Of the 14 schools serving Richfield students, seven are located outside Richfield's borders, and seven are located inside. All seven of the schools located inside Richfield's borders are elementary schools, four public and three private.

Like most schools, the schools in and adjacent to Richfield provide a range of supplementary educational and social opportunities. Examples include community service clubs, athletic activities, music, theatre, and art clubs, literary groups, international clubs, the Future Business Leaders Club, and a chapter of the Future Farmers of America.

Richfield's comprehensive plan identifies schools as being a problem for community identity and social cohesion. Since five different school districts serve Richfield, community allegiance is not limited solely to Richfield but also to the neighboring communities where Richfield kids attend school. The plan states:

"While there are several elementary schools located in the Town, there are no secondary schools. As a result, for some students bussing times can be rather lengthy. This situation also hampers a collective sense of community, as many people affiliate more with their school district than their zip code or township. With five different school districts it is hard not to experience some division within the community, particularly if one school district offers more, or different programs (both educational and athletic) than another."<sup>36</sup>

The plan recommends periodically revisiting the idea of consolidating the Friess Lake and Richfield School districts in order to provide a consolidated high school in Richfield, better use resources, and promote a greater sense of community. This idea made it to a referendum in the mid-1990s but failed.<sup>37</sup> The percentage of school-aged children to the total Richfield population has decreased from 6.8% in 1990 to 5.9% in 2000.<sup>38</sup> If enrollment continues to decrease, as anticipated, consolidation may become more feasible.

None of the schools serving Richfield have major improvements planned for the next 5 years, nor are new schools planned.

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<sup>35</sup> Pewaukee (1991).

<sup>36</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 53.

<sup>37</sup> Ibid., page 53.

<sup>38</sup> Ibid., page 10.

**Table 1: Schools Serving Richfield & Enrollment Data**

School	Total # of students	Student # from Richfield	Student % from Richfield	Public or Private	School District	School located inside or outside Richfield
Germantown High School	1397	233	16.7%	Public	Germantown School District	Outside
Kennedy Middle School	871	135	15.5%	Public	Germantown School District	Outside
Amy Belle Elementary School	386	209	54.1%	Public	Germantown School District	Inside
Rockfield Elementary School	286	40	13.9%	Public	Germantown School District	Outside
Hartford Union High School	1740	376	21.6%	Public	Hartford Union School District	Outside
Slinger High School	920	34	3.7%	Public	School District of Slinger	Outside
Slinger Middle School	671	34	5.0%	Public	School District of Slinger	Outside
Slinger Elementary School	489	77	15.7%	Public	School District of Slinger	Outside
Friess Lake Elementary School	321	291	90.6%	Public	Friess Lake School District	Inside
Richfield Elementary School <sup>39</sup>	389*	376*	96.6%	Public	Richfield Joint School District No.1	Inside
Plat Elementary School <sup>40</sup>	389*	376*	96.6%	Public	Richfield Joint School District No. 1	Inside
Crown of Life Elementary School	42	36	85.7%	Private	n/a	Inside
St. Gabriel Elementary School	121	77	63.6%	Private	n/a	Inside
St. Augustine Elementary School	70	0	0.0	Private	n/a	Inside
Total	7703	1918	24.9%			

**Sanitary District**

As mentioned earlier, Richfield does not provide municipal sewer or water service to its residents. Instead, all commercial, industrial, recreational, and agricultural properties utilize private wells and private onsite wastewater treatment systems. As a result, there is no sanitary district, nor are there sewer service area boundaries.

<sup>39</sup> Enrollment data for Richfield and Plat elementary schools are combined

<sup>40</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 48.

Richfield is currently discussing with the Towns of Polk and Jackson the possibility of municipal sewer and water service from the Village of Jackson to serve the Cabela's development area adjacent to STH 175 and USH 41/45.<sup>41</sup> If such an agreement were to occur, it would result in a portion of Richfield being included as part of Jackson's sewer service area.

### ***Lake Management Districts***

One lake management or protection district exists in Richfield – the Friess Lake Advancement Association. The association has adopted lake management and aquatic management plans, as well as a boating ordinance. It is also active with fish stocking, managing grants, and monitoring zebra mussels, water chemistry, and water clarity. The entire district is within the Town of Richfield's boundaries.<sup>42</sup>

### **Shopping and Social Customs**

Richfield provides a limited degree of shopping and employment opportunities for its residents, but does provide a greater amount of social and recreational opportunities. The paragraphs below provide specifics on Richfield's shopping and social opportunities.

#### ***Shopping and employment***

Commercial activity was greater earlier in Richfield's history, when two railroads directly served areas in the town, bringing passengers to Holy Hill and various lakes for summer recreational activities. Also, the crossroads hamlet communities of Colgate, Plat, Hubertus, Pleasant Hill, and Richfield were bustling with hotels, groceries, and other businesses to support surrounding farm families. However, with the advent of the automobile and the discontinuation of passenger rail service, Richfield's commercial activity dwindled as residents were more able to buy goods elsewhere. Farming and agriculture became the dominant economic activity, and has remained so until recently. Since the 1990s, driven by its beautiful landscape and its proximity to Milwaukee and USH 41/45, Richfield has become a desirable community for people to live. As a result of this growing residential population, a small level of business activity to support this population has returned, along with some manufacturing businesses that cater to the larger metropolitan area, and even national and international markets. However, business activity is still small, comprising only 1.6% of Richfield's total acres and 3.5% of its assessed value. Development of housing is presently the primary source of local tax base in Richfield, comprising 94% of the Town's total assessed value.<sup>43</sup>

Businesses located in Richfield are identified at Appendix C. Eighty-two businesses are identified in categories such as manufacturing, banks, accountants, a post office, health (doctors clinic, dentist, chiropractor, veterinarian), car sales and repair, retail and grocery, builders, child care, computers, copy centers, dry cleaners, engineering, gas stations, hair salons, photography, insurance, and restaurants and taverns, among others.

Many of these businesses are located along the STH 175 corridor, which serves as Richfield's main commercial area. In particular, the crossroads area at STH 175 and Hubertus Road contains the community's two main shopping centers – Richfield Square and Richfield Plaza. Richfield Plaza includes a drug store, diner, offices, and specialty retail shops. The plaza's exterior was

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<sup>41</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 92.

<sup>42</sup> Chapter 42 of Richfield Code of Ordinances, and UW-Extension Lakes Program website - <http://www.uwsp.edu/CNR/uwexlakes/lakelist/byactivity.asp?AID=29>

<sup>43</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 78.

recently renovated as well as the M&I Bank which is situated on the same corner. Richfield Square includes a restaurant, savings & loan, and specialty retail shops. This area also includes a Piggly Wiggly grocery store and a medical clinic.<sup>44</sup>

Richfield refers to this area as its community center, although it is located in the far eastern edge of the Town rather than its center. Due to their proximity to Germantown, these shopping centers likely draw residents not only from Richfield but also from Germantown and nearby residents in the Towns of Polk and Lisbon. Also, because of this area's location, residents in the western part of Richfield likely utilize shopping opportunities in Hartford, Sussex, and Merton as well.

A secondary commercial center is developing along the USH 41/45 corridor, located one mile to the east of the Richfield Plaza and Richfield Square area. This area includes the new Cabela's outdoor merchandise store, which will have a major local economic impact. The store employs more than 400 people and expects to draw four to five million visitors annually. This would make it one of the largest tourist attractions in the state.<sup>45</sup> The store will likely also result in creation of additional businesses to serve Cabela's visitors and take advantage of the site's proximity to the USH 41/45 corridor.

Richfield also has a 24-lot business park - Endeavor Business Park – that opened in 2005 and has already had a number of businesses move in. They are Wurth-Adams, a distributor of nuts and bolts, June Tailor, a manufacturer of home décor, and a 10,000 square foot day care center.<sup>46</sup> The absence of municipal sewer and water potentially limits the type of business willing to locate within the business park, particularly manufacturers requiring large amounts of water.

A large number of Richfield residents work in management and professional occupations (37%) as well as sales and office (24.45%) occupations.<sup>47</sup> Table 2, below, shows that Richfield's residents are slightly better off financially than residents of neighboring communities, and considerably better off than residents statewide. Poverty is essentially nonexistent.

**Table 2: Income Comparison<sup>48</sup>**

	<b>2000 Per Capita Income</b>	<b>2000 Median Household Income</b>	<b>2000 Median Family Income</b>	<b>2000 Adjusted Gross Income</b>
<b>Wisconsin</b>	\$21,271	\$43,791	\$52,911	\$40,570
<b>Washington Co.</b>	\$24,319	\$57,033	\$63,542	\$47,379
<b>Town of Richfield</b>	\$29,589	\$72,809	\$77,572	\$62,596
<b>Village of Germantown</b>	\$25,358	\$60,742	\$68,975	\$51,517
<b>Town of Erin</b>	\$28,851	\$74,875	\$77,278	\$63,351
<b>Town of Polk</b>	\$27,518	\$62,933	\$74,643	\$58,328

<sup>44</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 13.

<sup>45</sup> *Ibid.*, page 13.

<sup>46</sup> *Ibid.*, page 91.

<sup>47</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 72, and U.S. Census 2000.

<sup>48</sup> U.S. Department of Commerce, Bureau of Economic Analysis, Regional Economic Information system, 2000 U.S. Census, and Wisconsin Department of Revenue.

However, this wealth is not generally being raised locally. As mentioned earlier, business activity in Richfield is quite small in terms of economic importance to the Town. Instead, residents are quite mobile, taking advantage of the area's good highway access to travel to economic opportunities outside the Town in Waukesha and Milwaukee Counties. In 1990, 27% of Richfield workers were employed within Washington County. By 2000, this number dropped to 26%. Also, commuting times increased between 1990 and 2000.<sup>49</sup>

Lack of business activity and the lack of a single Main Street are 'weaknesses' that were voiced by residents as part of a Strengths, Weaknesses, Opportunities, and Threat (SWOT) analysis done as part of the Town's comprehensive planning process.<sup>50</sup> This tends to limit a sense of community identity. A number of meetings were held to get at the question of whether Richfield should remain a bedroom community or become more active from a business standpoint. Overwhelming public response was to remain a quiet and rural bedroom community. Residents do however favor higher intensity commercial and mixed-use land use around the Cabela's, STH 175 and USH 41/45 area and in rural hamlet areas.<sup>51</sup> The comprehensive plan also recommends taking advantage of Richfield's rural characteristics by promoting agri-tourism opportunities such as farmers markets, roadside stands, farm tours, specialty farm marketing niches, and historical tours. Businesses that may harm groundwater or conflict with the Town's natural and rural atmosphere are to be discouraged.<sup>52</sup> Richfield believes that incorporated status will better enable it to encourage and shape the kind of economic development desired by residents.<sup>53</sup> For example, as a village it could create tax increment financing (TIF) districts, although there currently is not a great deal of blight in Richfield to make TIF an appropriate tool.

**Social and recreation opportunities**

Richfield's residents exhibit social cohesiveness in a number of different ways, and have a wide variety of social and recreational opportunities available to them, including parks, clubs, churches, sports leagues, and festivals. The paragraphs below identify and describe these specific opportunities.

Parks

The Town of Richfield has a great deal of park and open space land scattered throughout the community. In fact, open space accounts for 26.3 percent (6,129 acres) of the town's total land area. This open space consists of public parks, private open space, wetlands, environmental corridors, school playgrounds, and lakes. Table 3, below, shows Richfield's publicly available park spaces.

**Table 3: Public Parks in Richfield<sup>54</sup>**

Park Name	Size	Activities	Jurisdiction
Herman Wolf (Richfield) Park	14 acres	Tennis and basketball courts, baseball fields, volleyball, picnic shelter, playground equipment.	Town
Richfield Nature Park <sup>55</sup>	40 acres	Nature trails, bird and wildlife watching, overlook deck viewing Holy Hill	Town

<sup>49</sup> Richfield 20-year Smart Growth Comprehensive Plan (2004), page 12, and U.S. Census 2000.

<sup>50</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 6.

<sup>51</sup> *Ibid.*, page 74.

<sup>52</sup> *Ibid.*, pages 75, 79.

<sup>53</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 17.

<sup>54</sup> *Ibid.*, page 42 and Richfield 20-Year Smart Growth Comprehensive Plan, page 45.

<sup>55</sup> An additional 52 acres contiguous to the Nature Park has also been purchased.

Richfield Historical Park	25 acres	Historical grounds and buildings, hiking trails, picnic areas	Town
Heritage Park	70 acres	Baseball and soccer fields, walking trails, picnic shelters, playground equipment	Town
Bark Lake Park	5 acres	Playground equipment, picnic shelter, birdwatching	Town
Glacier Hills Park	140 acres	Hiking and skiing trails, nature center, volleyball and basketball courts, playground equipment, shelters, swimming and fishing	County
Amy Belle School	8.5	Playground equipment, baseball fields, and basketball courts	Germantown School District
Richfield Elementary School	8.8	Playground equipment, baseball fields, basketball courts	Richfield Joint School District No.1
Plat School	5	Playground equipment, baseball fields, and basketball courts	Richfield Joint School District No. 1
Friess Lake Elementary School	67	Playground equipment, baseball fields, basketball courts, wooded wildlife area	Friess Lake School District
Highway View School <sup>56</sup>	1	Playground equipment, ball fields	Germantown School District
"Unnamed" Park	7	Wooded, undeveloped conservancy	UW-Milwaukee
<b>Total public acres</b>	<b>391.3</b>		

In addition to these public parks, residents may also utilize the following private park and open space lands:

- Daniel Boone Conservation League - established in 1929, this organization has over 300 acres of land along STH 167 devoted to nature trails, a fishing pond, a scouting camp area, archery and gun shooting ranges, and a newly built clubhouse/activity center. The league has numerous social and competitive type activities and events throughout the year. Membership is roughly \$200 per individual, but varies depending on work hour credits;
- Logger's Park - recreational facility on 16 acres. Activities include baseball fields, miniature golf, volleyball, restaurant, ice skating, batting cages, health club, and arcade;
- Kettle Hills Golf Course – a 45 hole public golf course set on 256 acres;
- Arrowhead Springs Golf Course – a 9-hole public golf course set on 70 acres;
- Camp Minikani YMCA Camp – located on 152 acres adjacent to Amy Belle Lake, the camp offers environmental education programs, school retreats, a horse facility, skills

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<sup>56</sup> This School is closed.

camps, a leadership training program, and a daycare and pre-school that serve over 200 2-7 year olds;<sup>57</sup>

- St. Augustine School – a private school on 10 acres with playground equipment, baseball fields, and basketball courts;
- St. Gabriel Catholic School – a private school on 10 acres with playground equipment, soccer fields, and basketball courts;
- Pioneer Bowl – recreational facility on 12 acres. Activities include baseball fields, a bowling alley, playground equipment, volleyball court, and restaurant;
- Richfield Sportsmen Club – recreational facility set on 162 acres. Activities include hunting, nature preservation, and snowmobiling.

In addition to the public and private parks and open spaces identified above, Richfield residents benefit from the many acres of scenic open space held in private ownership. For example, the conservation subdivision- type of development, described later in this section under 'Land Use', has permanently preserved over 1000 acres. While access to these lands is limited to residents and their invitees, these lands benefit all Richfield residents in terms of scenic value, wildlife habitat, and groundwater quality.

Table 4, below, shows Richfield's open space broken into various categories.

**Table 4: Richfield Open Space**

<b>Open Space Type</b>	<b>Acres</b>	<b>% of Total Open Space</b>
Wetlands	2,822	42.45%
Private/Public Open Space <sup>58</sup>	1,053	15.8%
Public Parks	312.4	4.7%
Environmental Corridors	935.9	9.4%
Private Open Space in Conservation Developments	969.6	14.59%
Schools	139.5	2.1%
Lakes	415.5	6.25%
<b>Total</b>	<b>6,647.90</b>	<b>100%</b>

Richfield's park to resident ratio is high when privately-owned open space is included in the calculation - .5 acres of open space lands per resident. These are lands that may be accessed via ownership, invitation by the owner, membership to an organization, or payment of a fee. However, considering only publicly-available park and playgrounds yields a much lower .03 acres of park per resident. This means that to take full advantage of Richfield's recreational opportunities, a user must be either socially connected or willing and able to pay for those opportunities.

<sup>57</sup> Petitioner's Submittal in Support of Incorporation, December 2006, pages 40-43.

<sup>58</sup> Golf courses and other privately held recreational facilities.

Richfield recognizes that more publicly accessible parks are needed, particularly in the northwest, southwest, and southeast parts of the Town, and especially as population in these areas increases. Richfield's comprehensive plan and park & open space plan recommend development of additional community-level parks that are coordinated with existing open space, trail networks, and environmental corridors.<sup>59</sup>

### Organizations and Clubs

The following are organized social groups in Richfield:

- Richfield Youth Baseball & Softball Program - provides baseball and softball to Richfield youth ages 5-16.
- Richfield Soccer Club – provides soccer to Richfield youth ages 6-14. Games are played at Heritage Park, and the club also hosts regional and state tournaments.
- American Legion Post
- Moms Club of Richfield – a support group for Richfield moms, the group meets at least once a month and offers playgroups, outings and tours, community service projects, and activity groups such as Music Circle, little Explorers, and Cooking Club.
- Girl Scouts
- Boyscouts
- Richfield Lions, Lioness, and Leo Clubs – an association of clubs for Richfield men, women, and children, these clubs support many community activities and events, including: an Annual Easter Egg Hunt, a shelter, bingo, blood drive, highway cleanup, fashion show, chicken roast, Christmas party, Harley ride, and the annual Richfield Days celebration which features carnival rides and games, food/beverages, softball tournament, live music, parade, fireworks, historical tours, and a car show;
- Richfield Historical Society – Richfield residents are keenly interested in their community's history, and this is particularly expressed through the Richfield Historical Society, an active community group with 296 members. The group meets once per month to discuss society business and projects and listen to historical presentations. Additionally, the group:
  - Publishes a quarterly newsletter with articles and information about Richfield history;
  - Maintains an inventory of historic properties and over 2,500 historic photos.
  - Developed a driving tour packet and map showing and explaining Richfield's historic resources, plaques, and natural features.
  - Sponsors the annual 'Vintage Bridal Fashion Show' event;
  - Sponsors the annual 'Threshere', a 2-day event held at the Richfield Historical Park that includes threshing demonstrations, wagon rides, food and drinks, tours

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<sup>59</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 46, and Comprehensive Park, Outdoor Recreation & Open Space Plan (2004), Map 8.



- of the historic farmhouse and museum, tours of the Grist Mill, an antique farm equipment display, animal displays, children’s events, and crafts.
  - Helped to get a number of structures listed on the U.S. National Register of Historic Places. There are 32 named and unnamed historic and archeological sites in Richfield that include buildings, burial grounds, and mounds.
  - Sponsors the Richfield Historical Society Book Club;
  - Create and maintain a Richfield Historical Society web site - [www.richfieldhistoricalsociety.org](http://www.richfieldhistoricalsociety.org);
  - Help maintain and plan improvements to Richfield Historical Park;
  - Develop and conduct educational programs for area children and adults;
  - Helped Richfield be designated a 'Preserve America' community in 2006, a federal program that encourages communities to showcase and preserve their cultural and natural heritage. The designation will enable Richfield to apply for federal Preserve America grants to promote tourism or historical education, and also to display the Preserve America logo.<sup>60</sup>
- Friess Lake Advancement Association – a lake management association for Friess Lake.
  - Plat 5 Snowmobile Club – a group supporting area snowmobiling, it sponsors 'Casino Night', held annually at Richfield Chalet.

Churches

Table 5, below, shows the churches located in Richfield and the percentage of their congregations that are Richfield residents. Richfield residents comprise a majority of five congregations.

**Table 5: Richfield Churches<sup>61</sup>**

Church Name	Membership	Percent Richfield Residents
Crown of Life Lutheran Church & School	324	80%
Emmanuel United Methodist Church	55	50%
Northbrook Church	1605	20%
St Gabriel Parish	1133	70%
St. Jacobi Congregational Church	65	18%
Shepherd of the Hills Lutheran Church	630	67%
Wooded Hills Bible Church	190	10%
Zion United Methodist Church	140	80%

These churches provide, in addition to religious services, community programs and events such as schools, day care, blood drives, rummage sales, pig roasts, brat fries, spaghetti dinners, pancake breakfasts, flea markets, etc. For example, the St. Gabriel's congregation has sponsored the annual 'Hubertus House of Horror' in October for the past 23 years.<sup>62</sup>

<sup>60</sup> Petitioner's Submittal in Support of Incorporation, December 2006, pages 45-46.

<sup>61</sup> Ibid., page 46.

<sup>62</sup> Ibid., at page 46.

### Town Government

Participating in town government is another social opportunity for Richfield residents. Residents may serve on the Town board, park commission, park board, architectural review board, zoning board of appeals, Ad Hoc Incorporation Committee, fire department, and others.

Communication between residents and their Town government is facilitated by a comprehensive town website, local cable television, an electronic newsletter called the 'Richfield Review', a spring and fall newsletter mailed to all residents, periodic community opinion surveys, and public meetings and hearings. Residents may even purchase clothing items – shirts, sweaters, jackets, hats – emblazoned with the Richfield logo.

### Land Uses

Table 6, below, shows Richfield's existing land uses.

**Table 6: 2006 Land Use in Richfield<sup>63</sup>**

Land Use Type	Acres	Percentage
Agriculture	6,355	27%
Commercial	85	.36%
Forested	2,375	10.2%
Institutional & Governmental	95	.41%
Industrial	195	.84%
Outdoor Recreation	502	2.16%
Residential	6,554	28.16%
Residential Under Development	1,008	4.33%
Transportation	1,547	6.64%
Communication & Utilities	8	.03%
Surface Water	415	1.78%
Wetland	2,822	12.12%
Unused Lands	1,316	5.65%
<b>Totals</b>	<b>23,277</b>	<b>100%</b>

Table 6 shows that Richfield is primarily a community of open space and residential areas. Commercial, industrial, institutional, and communication/utilities uses only account for a combined 1.6% of the Town's total land use. Open space – lands categorized as agriculture, forested, outdoor recreation, surface water, wetland, and unused lands – accounts for 13,785 acres or 59.22% of the Town. Petitioner's claim that residential land use is the Town's predominant

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<sup>63</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 38.

land use<sup>64</sup>, but open space is really the predominant use by a wide margin. Urban land uses (residential, institutional, commercial, industrial, transportation, and communication and utilities) account for 8,484 acres, or 36.44% of the Town. The bulk of this urban development is from residential land use which is the second most common type of land use in Richfield, with 6,554 acres, or 28.16% of the Town's total acreage. However, it is important to bear in mind that even this residential total also includes a great deal of open space acreage. For example, 996 acres have been permanently preserved as open space within the conservation subdivisions developed to date. Also, many of the other houses in Richfield not in conservation subdivisions are nonetheless on large estate-style lots. These large lots add to Richfield's rural appearance, and support its 'A Country Way of Living' motto. Denser housing and more intensive land uses occur primarily in Richfield's hamlet clusters of Hubertus, Colgate, and Lambeersville, Pleasant Hill, Lake Five, Bark Lake, Amy Belle, Plat, and Friess Lake.

Although residential development is not the predominant land use in Richfield, it is dominant in terms of assessed value. For example, as mentioned earlier, while commercial development represents only 3.5% of all assessed property value in the Town, and agricultural lands represent 1.8%, residential development represents 94.8%, or \$996,705,150.<sup>65</sup> Also, while business development is limited mostly to rural hamlets and a business park, residential development occurs throughout Richfield. Map 9, at Appendix B, shows how predominant and evenly distributed population is throughout Richfield. Most sections have between 15 to 30 households, while more densely parts of the Town have many more. For example, sections along Hubertus Road, and also adjacent to Friess Lake have over 100 households per section.

### ***Land Use Regulations***

Richfield administers its own zoning and subdivision regulations, employing a full-time planner and zoning administrator to assist with this. The zoning ordinance includes 27 distinct districts, including a variety of residential, commercial, and industrial districts, as well as institutional, park and recreation, conservancy, floodplain, agricultural, and walkable hamlet districts.<sup>66</sup>

Proposed developments in Richfield must not only adhere to the Town's zoning and subdivision regulations, but also to such requirements as a traffic impact study, neighborhood workshop, lighting, landscaping, and signage requirements, a specific development agreement, review by plan commission and town board, and escrow funds.<sup>67</sup>

The Villages of Germantown and Menomonee Falls have the ability to enforce extraterritorial zoning and platting within the Town of Richfield, as does the City of Hartford.<sup>68</sup> Washington County administers floodplain and shoreland zoning, adopted on 1975 and updated 2001, that limits land uses and vegetation removal within certain areas. As a village, Richfield could either adopt its own shoreland and floodplain ordinance and incorporate the county's language or adopt its own language that complies with NR115, NR 116, or NR 117, or it could also allow the county to continue to enforce its ordinance.

### ***Agricultural Lands***

Although agriculture has been the primary economic and land use activity in Richfield for much of its history, agriculture's role has been rapidly declining. In 2004 Richfield had 35% of its lands

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<sup>64</sup> Petitioner's presentation for the May 3, 2007 public hearing, Powerpoint slide #2.

<sup>65</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 38.

<sup>66</sup> Petitioner's presentation for the May 3<sup>rd</sup>, 2007 public hearing, Powerpoint slide #65.

<sup>67</sup> Ibid., Powerpoint presentation slide #66.

<sup>68</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 84.

in agricultural zoning but by 2006 this had dropped to 27%.<sup>69</sup> During its site visits, the Department observed a great deal of cropped farmland interspersed with pockets of residential development. However, petitioners assert that most of this farmland is being rented out to farmers from other communities or being used as small hobby farms, and that only five dairy farms still operate in the Town.<sup>70</sup> Farmland is expected to continue to disappear as more area farmers retire, especially given the high cost of land in Richfield and the topographic challenges of farming the kettles and moraines. In fact, according to Richfield staff, nearly every large land owner has discussed land development with them and more than 1,000 acres of existing agricultural lands have concept plans or plats for development.<sup>71</sup>

Agriculture in Richfield also faces the conundrum of having its most productive soils being in the central and southwestern portions of the Town, which are areas targeted for future development because of existing residential uses and because of the ring of wetlands and surface waters and the Canadian National rail line surrounding the area that tend to focus development inwards.<sup>72</sup>

Nonetheless, Richfield's comprehensive plan sees a future for agriculture. Conservation subdivisions, with agriculture as the featured use for the preserved open space, are recommended for sections 6, 7, and 31 in the northwest and southwest parts of the Town.<sup>73</sup> See Map 10, at Appendix B. Also, as mentioned earlier under 'Shopping & Employment', the Town's comprehensive plan recommends encouraging agri-tourism activities such farmers markets, roadside stands, farm tours, historical tours, and specialty or niche farming (organic milk and cheese, wine & juices, organic vegetables and produce, aquaculture, pumpkin patches, orchards, walnuts, horse farms).<sup>74</sup>

### **Housing**

Most of Richfield's housing is owner-occupied rather than rental (90% vs. 5%) and it tends to be larger in terms of room size than most Wisconsin and U.S. homes (7.06 rooms compared with 6.3 and 6.3 room respectively). Richfield homes are also more expensive than Wisconsin or national owner-occupied homes (\$191,000 compared with \$109,000 and \$111,000). Table 7, below, shows the breakdown of housing in Richfield by type. The table shows that single family detached homes are by far the most common type.<sup>75</sup>

**Table 7: Breakdown of Housing by Type<sup>76</sup>**

Housing Type	Percent of Total Housing
Single Family Detached	96.3%
Single Family Attached	1.1%
Duplexes	2.2%
Tri- and Quad-Plexes	0.2%
5 to 9 Unit Structures	0%
10 to 19 Unit Structures	0%

<sup>69</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 38.

<sup>70</sup> Ibid., page 38.

<sup>71</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 38, Petitioner's presentation at the Board's May 3, 2007 public hearing, Powerpoint slide #36, and Richfield 20-Year Smart Growth Comprehensive Plan (2004), pages 54-56.

<sup>72</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 56.

<sup>73</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 38.

<sup>74</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 56.

<sup>75</sup> U.S. Census 2000

<sup>76</sup> U.S. Census 2000.

20 or more Unit Structures	0%
Mobile Homes	0.2%

As mentioned earlier, in its site visit to Richfield, Department staff observed that housing primarily occurs in pockets or neighborhoods that irregularly interrupt the larger trend of woods, fields, wetlands, and other open space. In the past, this housing took the form of large lot rural estates or lake neighborhoods. However, Richfield has embraced newer planning concepts such as conservation subdivisions and traditional neighborhood design and comprehensive planning. As a result, current and future development is based on these concepts.

Conservation Subdivisions

Conservation subdivisions are residential developments that cluster housing lots compactly in one part of a development parcel in order to permanently preserve farmland, forest, prairie, wetland, or other desirable common open space in another part of the development parcel. It allows for the same number of lots as a conventional residential development, except that the lots are smaller and strategically placed so as to best preserve natural resource features, which are held in common ownership by the subdivision homeowners. Conservation subdivisions are a means of balancing development interests with agricultural and natural resource protection and were encouraged by the Comprehensive Planning Law Wisconsin enacted in 1999.<sup>77</sup>

Over the past 10 years, all new residential development in Richfield has occurred in conservation subdivisions. Richfield's ordinance requires that conservation subdivisions be a minimum of 25 acres and that 40% of the development be preserved as open space. Lot sizes range between a maximum of three acres and a minimum of 1.25 acres.<sup>78</sup> Since the ordinance's enactment in 1996, 31 conservation subdivisions have been developed in Richfield, creating 741 lots and permanently preserving 1,053 acres of open space.<sup>79</sup> An example is the Timber Stone subdivision, a 289 acre development between Elmwood Road and Hubertus Road that includes 100 single-family residential lots and 40% open space. The open space is a former gravel pit that has been converted into a park for residents.

Richfield's comprehensive plan recommends continued use of conservation subdivisions. Specifically, Map 10, at Appendix B, shows that extensive areas (depicted in yellow) throughout the Town are identified as appropriate for future conservation subdivision development. This means that Richfield's 'A Country Way of Living' – its large stretches of open space interrupted by occasional pockets of single-family housing – will continue far into the future. Implementing this vision of rural residential living in harmony with the Town's rolling hills, wetlands, woodlands, farm fields, and lakes is a major motivation for incorporating. An incorporated community is immune from annexation of its land to adjacent communities that may not share the same land use vision.

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<sup>77</sup> See section 66.1027, Wis.Stats. This section defines conservation subdivisions and requires cities, villages, and towns with a population above 12,500 to adopt traditional neighborhood design and conservation subdivision ordinances along with their comprehensive plan. Also, the statute directs UW-Extension to develop model ordinances for conservation subdivisions and traditional neighborhood developments, which it did in 2001.

<sup>78</sup> Testimony by Petitioners at the Incorporation Review Board's May 3, 2007 public hearing.

<sup>79</sup> Petitioner's presentation at the Board's May 3<sup>rd</sup>, 2007 public hearing, Powerpoint slide #74, and June 8<sup>th</sup> Correspondence from Toby Cotter, Town of Richfield Administrator.

While Richfield's subdivision ordinance permits lot sizes up to 3 acres, most of the conservation subdivisions developed to date have lot sizes that are smaller. Table 8, below, shows average lot sizes of recent conservation subdivisions developed in the Town.

**Table 8: Conservation Subdivision Lot Sizes<sup>80</sup>**

Subdivision	Average Lot Size
Dakota Fields	1.36 acres
Eagles Ridge	1.42 acres
Hawthorne Preserve	1.51 acres
Pleasant View Ridge	1.51 acres
Preserve at Highland Ridge	1.34 acres
Scenic Hill Run	1.59 acres
Steeple View	1.61 acres
Timber Stone	1.45 acres
Whispering Ridge	1.34 acres
Whitetail Hideaway	1.36 acres

Walkable Hamlets

Richfield's comprehensive plan also recommends that certain areas be developed as *walkable hamlets*, Richfield's vision for the popular planning idea of *traditional neighborhood design*. Similar to traditional neighborhood design, Richfield's walkable hamlets will feature compact mixed-use development, pedestrian and bicycle access, and community facilities. Richfield added stormwater management to its version of the concept since protection of groundwater is so critical to the Town.<sup>81</sup>

The recommendation for walkable hamlets is in response to the following concerns raised by residents at comprehensive planning meetings:

- Richfield lacks a downtown, mainstreet, or other community focal point;
- Travel by walking and bicycling in Richfield is currently difficult, unpleasant, and dangerous;
- Residents desire a variety of housing alternatives in addition to single family detached housing<sup>82</sup>, and
- Many of the structures in Richfield's hamlets are in need of restoration.

An example of a walkable hamlet is *Reflections Village*, a proposed 114-acre development adjacent to STH 175 that includes 136 residential lots, 2 commercial lot, 1 civic lot, 3 live/work lots, and 1 bed and breakfast, 4 neighborhood parks, and walking paths. Another walkable hamlet example is the proposed *Meadows*, a 105-acre development that will include 64 single family houses, 27 twindominiums, and 12 acres of parkland. With revitalization, Richfield believes that its rural hamlets can become a source of community activity, identity, and pride.<sup>83</sup>

<sup>80</sup> Correspondence to the Department from Sarah Jankowski, Town of Richfield Planner, June 14, 2007.

<sup>81</sup> Petitioner's presentation at the Incorporation Review Board's May 3<sup>rd</sup>, 2007 public hearing, Powerpoint slide #78.

<sup>82</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 16.

<sup>83</sup> Ibid., page 101.

## **DETERMINATION**

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According to Pleasant Prairie<sup>84</sup>, the various factors enumerated in section 66.0207(1)(a) Wis.Stats. are to be viewed not as individual determinants, but as considerations to be weighed together along with the other factors. In this way, a petition may be weaker with certain factors or considerations and stronger with others, but a petition must show that on balance it supports a finding of 'Compactness and Homogeneity'. All of the factors are to be used by the Board to arrive at a final determination.

Richfield's petition is one that clearly is stronger with some factors than others. For example, the petition is particularly strong regarding social cohesiveness and recreational opportunities for residents. The petition supports how the selected incorporation territory relates to existing physical, natural, and political boundaries. The petition's weaker factors include: Richfield's internal road network is minimal, school-age children are served by five different school districts, business activity is limited, and the petition includes a large amount of open space. The petition also involved two novel issues for the Board – 1) Richfield's lack of a municipal sewer and water system, and 2) conservation subdivisions. The paragraphs below address all of these factors and issues in greater detail and show how, on balance, the Board finds that the petition does meet a finding of compactness and homogeneity.

### Social and recreational Opportunities

An impressive array of organized activities and organizations are available to Richfield residents. A great deal of open space for recreational opportunities are also available within the petitioned territory, particularly when considering private open space. Including private open space, there is an impressive ½ acre of open space per capita. Including only public open space, less space is available – just .03 acres per capita. Richfield is aware of the need for more publicly available community-type parks. Its comprehensive plan outlines an implementation strategy to develop these types of parks. The Town's fosters communication and social cohesiveness through its web site, newsletters, a cable television station, and marketing of apparel featuring Richfield's logo. Although numerous rural hamlets, lake neighborhoods, and school districts do exist throughout the Town, these do not seem to divide the community. Instead, residents living in these various areas seem to ultimately identify themselves with Richfield by participating in the various social and religious groups previously discussed.

### Shopping and Employment Opportunities

A mix of services and businesses that meet the needs of residents is a consideration in the incorporation of metropolitan villages. Services and businesses need not duplicate those of larger metropolitan communities, given that trade areas are regional, national, and global in scale. However, past Department precedence has required that at least basic services should be available, and that ideally business activity create a sense of identity for the community. For example, in its Weston<sup>85</sup> determination, the Department found that Weston met basic needs and noted:

Much more than just convenience retail establishments are present in Weston, a characterization important for contributing to a separate identity for a community within a metropolitan area.<sup>86</sup>

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<sup>84</sup> Pleasant Prairie v. Local Affairs Dept., 113 Wis.2d 327, 340 (1983).

<sup>85</sup> Weston (1995).

<sup>86</sup> Weston (1995), page 42.

Petitioner's contend that "the pattern of business locations shows that Richfield is actually internally dependent and not clearly linked to the greater Milwaukee metro area or even closer neighboring areas such as the Village of Germantown or the City of West Bend for its economic opportunities."<sup>87</sup> This is overstating things. Considering the amount of wealth in Richfield, and the small amount of business activity currently occurring there, residents are obviously acquiring most of that wealth in communities outside of the Town. Richfield's future is inextricably linked to the greater Milwaukee and Waukesha regions. However, despite Petitioner's overstating their economic independence, it is clear that although residents may travel to other area communities for some goods, services, and employment, Richfield clearly has a level and range of business activity sufficient to meet residents' basic needs. Also, the new Cabella's store, with several million visitors annually, certainly gives Richfield a separate identity within its metropolitan community and within the southeast Wisconsin region.

As the community continues to develop, it is reasonable to expect that additional businesses will emerge to serve new residents. Richfield's comprehensive plan calls for additional businesses in the STH 175, USH 41/45 area, as well as in rural hamlet areas. Revitalization of its rural hamlets as *walkable hamlets*, using compact, mixed-use development may result in these hamlets returning to the look and economic function they enjoyed prior to the automobile, when they helped served area farm families' basic needs.

#### Transportation

Past Department determinations have examined whether the transportation system allows residents connection and access to all parts of the territory proposed for annexation. Richfield's section-level grid system of town, county, state, and US highways provides connection and access to all parts of the Town, but the high speeds and traffic levels mean that these roads are mainly for motor vehicles rather than pedestrians and bicyclists. Because Richfield's local roads serve immediate neighborhoods, and tend to dead-end rather than providing connection to other neighborhoods, Richfield residents without a drivers license or motor vehicle face a daunting experience moving about the community. There is no mass transit system available. These individuals must either stay at home or rely on rides from friends, family, and acquaintances with a motor vehicle.

However, the Board believes that this situation will improve in the future. As the Town continues to develop it will likely move towards a more interconnected urban transportation system. For example, the Town's subdivision ordinance requires that new subdivision developments connect to existing residential areas and streets. In fact, these connections are already occurring. Also, Richfield's comprehensive plan recommends development of new sidewalks, and bicycle trails and lanes, particularly in walkable hamlet areas. Because section 66.0207(1)(a) Wis.Stats. uses the words "present and *potential* transportation facilities", it is appropriate to consider these future possibilities and to conclude that while connectivity problems currently exist, they will gradually diminish over time and eventually Richfield's transportation system will become compact and homogenous.

#### Boundaries

Regarding boundaries, Petitioner's selected the square straight-line boundaries of the existing Town of Richfield for the proposed future village. Whole town incorporations can be difficult, as can be seen from past Department determinations, because petitioners must establish some

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<sup>87</sup> Petitioner's Brief in Support of Incorporation, June 1, 2007, pages 3-5.



rationale for selecting the boundaries that supports a finding of Compactness and Homogeneity. For example, the existing straight line political boundaries of a town may not make sense with respect to land use and environmental features, or physical geologic-type features, or relate well to the political boundaries of other jurisdictions. Existing Town boundaries may have been in place for a hundred years, but that alone may not be sufficient rationale from the standpoint of incorporation criteria.

However, in the case of Richfield, the existing straight-line boundaries of the Town do make sense. For example, the sub-continental divide provides a natural physical separation on Richfield's eastern boundary with Germantown. Richfield's southern boundary with the Town of Lisbon makes sense because Lisbon lies not in Washington County like Richfield but in Waukesha County. A village straddling two or more counties faces unnecessary challenges administering tax collection, elections, etc. Richfield's neighbor to the west, the Town of Erin, is coordinating with Richfield to protect the significant environmental features that both share, so although these features (wetlands, environmental corridors, and the southern unit of the Kettle Moraine State Forest) cross boundaries, incorporation should not harm their management.

Also, the fact that Richfield draws its groundwater directly underfoot is unique and significant. It means that the straight-line square boundary shape selected by Petitioners encompasses Richfield's groundwater resource and allow for effective management. The Board notes that the Town already appears to be managing this resource well. Because Richfield does not provide municipal sewer service, there are no sewer service area boundaries to consider.

Perhaps only Richfield's northern boundary with the Town of Polk lacks a rationale. This northern boundary appears to be based on historical precedence and Richfield's desire to "avoid the appearance that upon incorporation it will initiate a practice of raiding its unincorporated neighbor's borders."<sup>88</sup> Overall and on balance, Petitioner's selected boundaries are compact and homogenous and supported by appropriate rationales.

### Open Space

Incorporation petitions that include an excessive amount of agricultural land, or other vacant, rural-type open space, can be a problem from the standpoint of 'Compactness' and 'Homogeneity' under section 66.207(1)(a) Wis.Stats. *Compact* is defined as "having a dense structure or parts or units closely packed or joined".<sup>89</sup> 'Homogeneous' is defined as "of a similar kind or nature" or "of uniform structure or composition throughout"<sup>90</sup> Past Department determinations and caselaw have held that excessive amounts of agricultural land mean that a petition is not compact or homogenous. For example, the court found in Pleasant Prairie v. Local Affairs Department that:

"... Patterns of development which show that an area has widely scattered areas of residential and industrial development and intervening areas of extensive rural uses indicate that the area is not homogeneous. That is not to say that incorporated areas should not have mixed land uses or that there should not be extensive greenbelt or wetland reservations, but the various developments should be grouped in rational ways and not be scattered "haphazardly" across undeveloped areas."<sup>91</sup>

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<sup>88</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 9.

<sup>89</sup> Merriam-Webster Online Dictionary copyright © 2005 by Merriam-Webster, Incorporated.

<sup>90</sup> Pleasant Prairie v. Department of Local Affairs & Development, 108 Wis.2d 465 (Ct.App. 1982), affirmed, 113 Wis.2d 327 (1983).

<sup>91</sup> Pleasant Prairie v. Local Affairs Dept., 113 Wis.2d 327, 337 (1983).

Town of Hallie<sup>92</sup>, Village of Elmwood Park<sup>93</sup>, and Sharping v. Johnson<sup>94</sup>, the court held that territory that involves a large amount of sparsely settled rural or agricultural lands does not have the distinctive characteristics of the village area itself.

Numerous Department decisions echo these cases, including the Department's recent Caledonia<sup>95</sup> determination. The Department found the petition in Caledonia – a whole-town incorporation - not to be *Homogenous and Compact* because it included over 21,000 acres of farmland, 73% of the Town's total area. Only 26% of the Town was devoted to urban development. Also, the population in Caledonia was scattered unevenly throughout the territory, with most persons concentrated in the southeast corner of the Town, while most other areas, particularly the western parts of the Town, had sparse population. Ledgeview<sup>96</sup> was also a whole-town incorporation petition that included excessive amounts of rural open space – roughly 67% - and a population that was primarily clustered in the western one-half of the Town.

Richfield's petition is similar to the cases and Department determinations mentioned above in that it includes a great deal of rural open space - roughly 59% rural open space and 37% urban land use. This was apparent to Board members and staff during their site visit – the territory was primarily open space (cropped farmland, forested kettles and moraines, wetlands, and golf courses) separated occasionally by residential developments. However, Richfield is different from past precedent in a number of important ways.

First, Richfield's residents are evenly distributed throughout the incorporation territory. As Map 9, at Appendix B shows, while some quarter sections are more densely populated than others, all but a few quarter sections have at least a handful of households. The median population density for the Town's 144 quarter sections is 25 households. The even distribution of population in all areas of the Town indicates that the territory is nearly homogenous with respect to population.

Second, the issue of conservation subdivisions also sets Richfield apart. Conservation subdivisions are such a new technique for land use planning and development that no Department or caselaw precedent yet exists regarding them. They were certainly not something contemplated by the drafters of the incorporation statute in 1959. So the Board, in its first incorporation petition, must address the question of Richfield's conservation subdivisions and how they relate to the 'Homogeneous and Compact' standard.

The question of 'Homogeneity' seems clear in this case because Richfield's conservation subdivisions occur throughout the town and tend to unify the rural areas between Richfield's various rural hamlets. As mentioned above, all development in the Town over the past 10 years has occurred in conservation subdivisions. Also, Map 10, at Appendix B, which is the *20-Year Future Land Use* Map from Richfield's comprehensive plan, shows that extensive areas (depicted in yellow) in all parts of the Town are recommended for future conservation subdivisions.

The question of 'Compactness' is more difficult. The larger lot sizes of conservation subdivisions and the preserved open space make them appear to be dispersed and rural rather than compact and urban. To the eye, conservation subdivisions are not what most people think of when they think

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<sup>92</sup> In re Town of Hallie, 253 Wis. 35 (1948).

<sup>93</sup> In re Village of Elmwood Park, 9 Wis2d. 592 (1960).

<sup>94</sup> Scharping v. Johnson, 32 Wis.2d 383 (1966).

<sup>95</sup> Caledonia (2005).

<sup>96</sup> Ledgeview (2006).

of a conventional city or village. However, there are also arguments in support of conservation subdivisions being 'Compact'. These arguments are:

- Lot sizes in Richfield's conservation subdivisions developed to date are relatively small at about 1.5 acres.
- From a land use development standpoint, conservation subdivisions have been surveyed, subdivided, and are built out in the sense that development has gone as far it will be permitted to go. The preserved open space may appear to be vacant land and available for additional development, but in fact it is not available. It is owned by the homeowners collectively.
- Richfield's environmental corridors, its unique kettle and moraine terrain, and its innovative groundwater management program all present a big challenge from a development standpoint. Conventional urban-style housing and commercial development might be too intense for this unique area and might irreparably damage Richfield's natural resources, resources that are also important for the region as well. Conservation subdivisions, on the other hand, may be the best and most appropriate form of development. It might represent the best balance between a landowner's right to develop and preservation of natural resources. It might be the ideal model of urban development for a community in Richfield's position.
- In 1999 Wisconsin law formally recognized conservation subdivisions as an appropriate land development tool for not only towns but cities and villages as well. This law was the Comprehensive Planning, or 'Smartgrowth' Law and specifically authorizes and defines conservation subdivisions in section 66.1027 Wis.Stats. Because the law is applicable to cities and villages, it can be inferred that the legislature intended conservation subdivisions to be used by urban communities as well as rural communities, perhaps to protect significant environmental resources, such as those in Richfield.

The Board believes that these arguments outweigh the rural appearance of conservation subdivisions and finds that Richfield's conservation subdivisions are compact.

While Richfield's petition is not perfect with regard to some of the *Compact and Homogenous* standards in §66.0207(1)(a), Wis. Stats., the Board finds that on balance, the petition does meet the standards for all of the reasons described above.

## **SECTION 1(B), TERRITORY BEYOND THE CORE**

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The standard to be applied for metropolitan communities is found in §66.0207(1)(b), Wis.Stats, and reads as follows:

*The territory beyond the most densely populated square mile as specified in s. 66.0205 (3) or (4) shall have the potential for residential or other land use development on a substantial scale within the next three years. The Department may waive these requirements to the extent that water, terrain or geography prevents such development.*

### **Most Densely Populated Square Mile**

The most densely populated square mile of the territory proposed for incorporation, as specified in s. 66.0205(3), Wis.Stats. is the area that includes the southern half of Section 14 and the northern half of Section 23, just south of STH 167, north of Hubertus Road, and east of the Canadian National rail line. This area has 369 households and 978 persons and makes up part of the rural hamlet of Hubertus.

### **Lands Subject to Waiver**

The statute permits the Board to waive certain lands from the standard "to the extent that water, terrain or geography prevents such development". Large areas in Richfield consist of wetlands, surface water, and steep terrain, which greatly limit development and makes waiver from the 'substantial development within three years' standard appropriate for certain areas.

Regarding wetlands, Richfield has 2,822 acres of wetlands, comprising 12.12% of the Town's total acreage. Map 11, at Appendix B, a 2006 land use map, identifies these wetlands areas. The map shows a large wetland complex cutting diagonally northeast to southwest through the Town, two other large wetlands along the Canadian National railroad line in the southeast and east central parts of the Town, and additional wetland areas in the northeast part of the Town.

Regarding surface waters, Richfield has 415 acres, split primarily between the Town's five major lakes – Little and Big Friess Lake, Lake Five, Bark Lake, Amy Belle lake, and Mud Lake.

Regarding topography, Map 12, at Appendix B, shows that Richfield is a community of steep slopes. Areas on the map in orange have slopes greater than 12% and are found throughout the Town, particularly adjacent to wetlands and lakes. Richfield's kettles and moraines created from recent ice ages are responsible for its present day topography. These kettles and moraines are beautiful and thought-provoking natural features, but they also mean that many areas in the Town are not developable.

Maps 11 and 12, as well as Maps 4 and 5 regarding soil suitability for building and onsite sanitary sewer systems, all show that Richfield's wetlands, surface water, and steep slopes make much of Richfield undevelopable. Perhaps as much as a quarter of the Town is appropriate for waiver from the 'substantial development' standard.

### **Future Growth**

The sections below examine Richfield's future growth potential, and whether this potential rises to the level of 'substantial development within 3 years'. Population trends are examined as well as data regarding building permits, subdivision platting, and rezonings. Recommendations made by Richfield's comprehensive plan are also discussed.

### **Population Growth**

Table 9, below, shows Richfield's past population figures and also its anticipated future population growth. The table shows that Richfield's population increased sharply between 1990 and 2000 from 8,993 to 10,373, an increase of 15.5%. From 2000 to 2006 the population increased by 9.7% to 11,385, roughly 2/3 the 1990 to 2000 growth rate. The table shows that by 2006 Richfield had already exceeded its forecasted 2015 population. The Town could easily exceed its 2025 forecasted population within the next several years. Richfield's own forecast is for 14,000 persons by 2025, based on recent building permit trends.<sup>97</sup> Still another forecast can be found in the Richfield Comprehensive Plan (2004) which predicts that if current development trends continue, total build-out population could be nearly 20,000 people.<sup>98</sup>

**Table 9: Population Growth – Past and Forecast**

Year	Past Population					Forecast Population			
	1980	1990	2000	2005	2006	2010	2015	2020	2025
<b>Town of Richfield</b>	8,390	8,993	10,373	10,728	11,385	11,042	11,334	11,615	11,996

This strong population growth is due to Richfield's proximity and easy access to the Waukesha and Milwaukee metropolitan areas and its desirability as a place to live. Washington County as a whole is experiencing population growth. Between 2000 and 2003 the county grew from 117,493 to 122,241 persons, an increase of 4%, making it the 9<sup>th</sup> fastest growing county in Wisconsin.<sup>99</sup> Other Washington County communities have been growing even faster than Richfield. For example, the Village of Germantown grew by 70% from 1980 to 2000, and the Town of Erin by 31% during that time.<sup>100</sup> Richfield would prefer that a more substantial share of regional growth occur in other communities, in order to retain the Town's 'Country Way of Living' and better protect groundwater. Instead, Richfield hopes to continue to experience a more modest and manageable population growth.<sup>101</sup>

Petitioners also note that in addition to current and future population growth, shrinking household size in the Richfield is an important consideration. In the past ten years, household size has decreased from 3.2 to 2.8 persons per housing unit. This means that additional housing units will be needed even if the population were to remain unchanged.

The total number of housing units in Richfield has also been increasing. There were 2,980 housing units in the Town in 1990, and this number grew to 3,766 by 2000, a 26.4% increase. Between 2000 through 2005, the Town added an additional 490 new homes, a 13% increase, roughly the same growth rate as between 1990 and 2000.<sup>102</sup> This growth can be seen by Map 13, at Appendix B, which shows land use in Richfield in 1995. Comparing Map 13 with Map 11 – 2006 land use – clearly shows that large areas of new residential development have occurred over the past ten years.

<sup>97</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 90.

<sup>98</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 9.

<sup>99</sup> U.S. Census Bureau.

<sup>100</sup> Wisconsin Department of Administration, Demographic Service Center and US Census Bureau.

<sup>101</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 89.

<sup>102</sup> U.S. Census Bureau, and Petitioner's Submittal in Support of Incorporation, December 2006, page 89.

## Rezoning

Rezoning of land from a less intense land use zoning classification to one more intense is often an initial step in the development process. Therefore, data on recent rezonings can give an indication of current and future building activity. Table 10, below, shows that Richfield has approved 29 rezones between 2000 and 2006, changing the zoning classification of 1,435 acres to a more intense land use.

**Table 10: Rezoning in Richfield (2001-2006)**

Year	Section	Acres	Zoned from	Zoned to
2001	12	7.2	A-1 Exclusive Agriculture	P-1 Park & Recreational
	21	40	A-1 Exclusive Agriculture	I-1 Institutional (Church)
	34	34.5	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
	35	136.7	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
		Total: 218.4		
2002	7	49.7	A-1 Exclusive Agriculture	RS-1 Country Estates
	11	10	A-1 Exclusive Agriculture	A-2 General Agriculture
	18	38.5	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
	32	72.5	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
	35	21.4	A-1 Exclusive Agriculture	RS-1 Country Estates (2 lot land division)
		Total: 192.1		
2003	4	79.1	A-1 Exclusive Agriculture/RS-2 Single Family Residential	RS-1B Single Family Cluster/Open Space
	6	103.4	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
	15	20.05	A-2 General Agriculture	RS-1B Single Family Cluster/Open Space
	21	112.5	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
	25	150	I-1 Institutional	P-1 Park & Recreational
	31	30.1	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
	31	70.9	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
		Total: 566		
2004 <sup>103</sup>				
	1	97.37	A-2 General Agriculture	M-4 Industrial Park, M-2 Limited Industrial, & B-4 Highway Business
		Total: 97.37		
2005				
	1	30	A-2 General Agriculture	B-3 General Business
	13	114	A-1 Exclusive Agriculture	WHD Walkable Hamlet District
	16	39.28	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
	22	18.86	A-2 General Agriculture/ I-1 Institutional	RS-1R Country Estates/Remnant Parcel District
	22	289	M-5 Mineral Extractive/ A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
	33	6	I-1 Institutional	B-3 General Business
34	43.18	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space	
		Total: 540		
2006				
	12	105	A-1 Exclusive Agriculture	WHD Walkable Hamlet District
	12	26	A-1 Exclusive Agriculture	B-1 Neighborhood Business
	12	17	A-1 Exclusive Agriculture	B-2 Community Business
	12	54	A-1 Exclusive Agriculture	B-4 Highway Business
	34	88	A-1 Exclusive Agriculture	RS-1B Single Family Cluster/Open Space
		Total: 290		
		<b>Grand Total: 1,435</b>		

<sup>103</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 89. A moratorium on development was enacted in 2004 while the Richfield 20-Year Smart Growth Comprehensive Plan (2004) was being completed.

Table 10 shows that most of the rezoned acres are rezoned from agricultural use. This is another indication that although agriculture was the primary economic and land use activity in Richfield for much of the Town's history, its role has been rapidly declining in recent years.

**Building Permits**

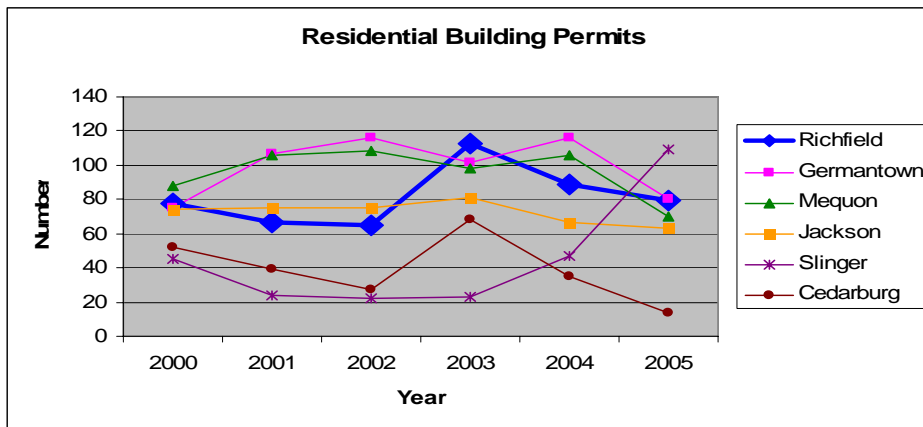
Review of the number of building permits issued is useful because recent past building activity provides an estimate of building activity in the near future. Table 11, below, shows building permit data from 2000 to 2005. The table shows a steady level of new single-family homes - an average of 81 annually - and steady miscellaneous remodeling-type projects that include kitchen remodels, bath remodels, recreation room remodels, detached garages, decks, sheds and swimming pools. Richfield staff have observed that after a new home has been built and occupied for a period of time, the owner will often remodel the basement into a recreation room.<sup>104</sup>

**Table 11: Building Permit History 2000-2005<sup>105</sup>**

Year	New Single Family	Miscellaneous Construction
2000	77	299
2001	67	239
2002	65	272
2003	113	279
2004	89	289
2005	79	260

Figure 1, below, compares Richfield's building permit activity to some of its municipal neighbors. The figure shows that Richfield is similar in terms of number of building permits and the slight downturn in 2004 experienced by all but one of the communities.

**Figure 1: Building Permits Comparison between Communities**



Source: U.S. Census Bureau

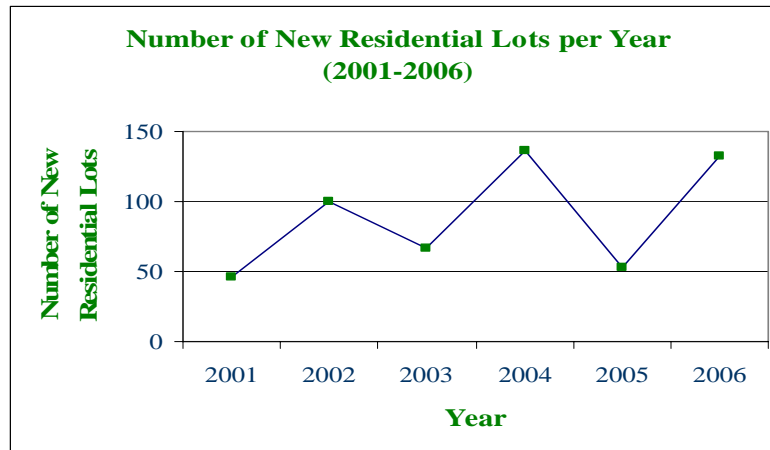
<sup>104</sup> Petitioner's presentation at the Incorporation Review Board's May 3<sup>rd</sup>, 2007 public hearing, Powerpoint slide #5, and Petitioner's Submittal in Support of Incorporation, December 2006, page 89.

<sup>105</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 89.

### **Subdivisions**

Subdivision of land is often another step preceding new development, so examining trends in new subdivision plats can yield insights into future development activity. From 2001 to 2006, 29 subdivision plats within Richfield were approved, containing 2,141 acres and creating 504 new lots.<sup>106</sup> Almost all of these lots have already been developed, based on building permit data described earlier in which 491 homes were constructed between 2001-2006. Figure 2, below, shows the number of lots created for each year between 2001 and 2006, an average of roughly 85 new lots per year. Quick infill of available lots is another sign of the area's development potential. According to Petitioners, 377 additional lots are currently being proposed for approval.<sup>107</sup>

**Figure 2: New Residential Lots in Richfield**



\*From Petitioner's presentation at the Incorporation Review Board's May 3<sup>rd</sup> public hearing, Powerpoint slide #55.

### **Sewer Service Area**

Analysis of municipal sewer service and sewer service areas is useful because generally urban development requires public sewer service.

However, as mentioned earlier, Richfield does not currently provide municipal sewer and water service, nor are there plans to do so on a community-wide basis in the future. Instead, residents and businesses utilize private sanitary systems and private wells, and the Town facilitates this by stringently protecting groundwater amount and quality.

An exception to this is the northeast corner of Richfield, where the Town is currently discussing potential sewer and water service agreement with the Town of Polk, Villages of Slinger and Jackson to allow the extension of water service from either the Village of Slinger or Village of Jackson to serve the Cabela's development area. However, the outcome of these discussions is still unclear.

Richfield's lack of municipal sewer and water service means that development in Richfield does not need to wait for the installation of municipal infrastructure, the way development in most other communities must wait, nor does development in Richfield need to wait for extension of the

<sup>106</sup> Wisconsin Department of Administration Certified Final Subdivisions, Town of Richfield.

<sup>107</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 8.



designated sewer service area the way it must in most other communities. Because of this, development potential exists immediately in all areas of Richfield.

**Plans**

Analysis of plans is useful they provide insights into a community's intentions regarding future development. Richfield's comprehensive plan has already been discussed earlier in this Determination under the 'Homogenous and Compact' standard. As mentioned earlier, the plan calls for revitalizing rural hamlets as walkable hamlets with businesses, dense residential development, and additional community facilities. Business development is also planned for the STH 175, USH 41/45 Cabella's area. The remainder of Richfield is planned to be preserved as environmental areas or developed as conservation subdivisions. Map 10, at Appendix B, is the future land use map that is the result of this citizen input.

Table 12, below, shows future land use projections based on the plan recommendations described above and on the future land use map. The table shows that all land use categories are expected to increase, with the exception of agriculture, which is expected to decrease substantially.

**Table 12: Future Land Use Projections<sup>108</sup>**

Land Use Type	2005	2010	2015	2020	2025
Single Family Residential	6,182	7,775	9,500	10,500	11,146
Town homes	7	20	60	85	107
Commercial	100	180	300	340	442
Industrial	70	120	160	200	272
Office/Light Industrial	0	80	200	275	301
Hamlet Mixed use	20	120	200	250	316
Neighborhood Hamlets	12	20	30	40	50
Activity Centers	52	60	75	85	100
Agriculture	7,700	6,000	4,000	3,500	1,937
Environmental Preservation	6,095	6,095	6,095	6,095	6,095
Recreation	470	510	510	590	590

**Determination**

The land development market forces stemming from the outward pressures from Milwaukee and Waukesha are making land in outlying communities such as Richfield more valuable for residential and commercial development than for agricultural uses. This phenomenon will likely continue, especially given Richfield's easy accessibility via STH 164, STH 175, and USH 41/45, and also given the natural beauty of its lands. Data on population growth, building permits, subdivision plats and Certified Survey Maps, rezonings, plans, land use change, and parcel ownership confirms that Richfield is transitioning from a rural to an urban/suburban community and will likely continue to do so.

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<sup>108</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 109.

The fact that the petition contains a great deal of agricultural and rural-type open space is an issue with this Territory Beyond the Core standard just as it was with the Homogenous and Compact standard. Including so much agricultural land makes showing substantial development within three years more difficult. It expands the amount of land that must be proved to have the potential for development. Past Department determinations and caselaw show the difficulty of proving this standard with too much agricultural land, particularly for whole-town incorporations.

The court in Pleasant Prairie<sup>109</sup>, a whole-town incorporation, found the standard not to be met and wrote:

"On the issue of whether or not the town had the potential to develop twenty-five percent of the land beyond the core area within three years, the following facts are pertinent. It is projected that residential population will increase by 234 persons within the next three years. About one hundred acres of land will be needed to accommodate these new residents. This amounts to approximately 0.04 percent of the entire land area. Also, many areas platted for residential development cannot be developed until a sanitary sewer line is installed."<sup>110</sup>

In Caledonia, also a whole-town incorporation, the Department found that although the Town was urbanizing, the potential rate was far below substantial. Much of the development activity appeared on paper in the form of plans and studies rather than actual wood, concrete, and steel. Much work remained to be done with municipal sewer service area approvals and infrastructure development, transportation plans and infrastructure development, and implementation of the various subdivisions, business parks, and mixed-use neighborhoods proposed by Caledonia's plans. Data on rezonings, subdivisions, and building permits did not show any clear land development trends either. Also, existing development was largely confined to the eastern 1/3 of the Town.

In Ledgeview, also a whole-town incorporation with a great deal of agricultural lands, the Department found that although the Town is urbanizing, the potential rate of development was not substantial. Most existing development was located in the western edge of the Town, adjacent to the City of De Pere. The Town's comprehensive plan called for compact traditional neighborhood development radiating out from the developed eastern part of Town. The comprehensive plan did not anticipate that the far eastern parts of the Town would be developed for at least 50 years.

Richfield's petition, contains a great deal of agricultural and rural-type open space, like Caledonia, Pleasant Prairie, and Ledgeview. However, Richfield differs from those cases in a number of significant aspects. These aspects are:

- 1) Because Richfield does not offer municipal sewer or water service, development may occur anywhere within the Town, and need not wait for regulatory approvals for sewer service area expansion or construction of sewer and water infrastructure;
- 2) Richfield's population is already dispersed throughout the Town. This means that instead of development gradually moving out from a single populated node, it may occur simultaneously from numerous nodes throughout the Town. This increases the opportunity and likelihood for substantial development, and

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<sup>109</sup> Pleasant Prairie v. Local Affairs Dept., 108 Wis.2d 465 (1982).

<sup>110</sup> Ibid. page 474.

3) Richfield's use of conservation subdivisions means that more acres may potentially be developed faster than with conventional development. This is due to the larger lot sizes of conservation subdivisions and the preserved open space, which in Richfield's case is 40% of the total development area. This fact, especially when coupled with the fact that Richfield's future land use map recommends conservation subdivisions throughout the Town, increases the potential for substantial development in Richfield.

At its June 8, 2007 meeting, the Incorporation Review Board discussed whether conservation subdivisions may be considered "residential or *other urban land use development*" as required by section 66.0207(1)(b) Wis.Stats. The "other" in this statutory phrase seems to implicate the "residential" in the phrase to be residential of an urban character. So the question is whether conservation subdivisions are 'urban residential' as required by the statute. The answer to this question is linked with the earlier question as to whether conservation subdivisions are compact under the Homogenous and Compact standard in section 66.0207(1)(a), Wis.Stats. The same arguments for and against conservation subdivisions being compact also apply here. As with the Homogenous and Compact standard, the arguments in favor of conservation subdivisions being compact outweigh those against. The Board especially finds the fact that Wisconsin law recognizes conservation subdivisions as being an appropriate development tool for not only towns, but cities and villages too as being a strong argument for conservation subdivisions being subsumed by the term 'urban residential'.

For all of the preceding reasons, the Board determines that the petition meets the *Territory Beyond the Core* standard set forth in §66.0207(1)(b), Wis. Stats.

## **SECTION 2(A) TAX REVENUE**

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This section reviews estimated revenues, expenditures, and tax rate for the proposed Village of Richfield. The standard to be applied by the Board is found in s. 66.0207(2)(a), Wis. Stats., and reads as follows:

*The present and potential sources of tax revenue appear sufficient to defray the anticipated cost of governmental services at a local tax rate which compares favorably with the tax rate in a similar area for the same level of services.*

Local service expenditures vary greatly across Wisconsin communities and are determined by the needs and expectations of the local populace. For this reason, the Board recognizes the need for a range of service levels and does not hold communities to fixed standards. With this consideration in mind, the Board compares financial information from municipalities sharing similar characteristics to determine whether a proposed budget and resulting local tax rate is generally reasonable and able to support the needed and desired levels of municipal services.<sup>111</sup>

The communities chosen to provide selected comparison trends with the Town of Richfield include: Town of Bellevue prior to incorporation, Town of Suamico (Brown County) prior to incorporation, Town of Kronenwetter (Marathon County) prior to incorporation, Town of Ledgeview (Brown County), Town of Somers (Kenosha County), and Town of Summit (Waukesha County). This comparison group shares the general characteristics of urbanizing towns lying on the fringe of growing metropolitan areas, including those characteristics such as rapidly increasing population, large infrastructure expenditures for highways, stormwater management, sewer and water infrastructure, and other municipal activities. In several cases, these towns have also recently applied for and achieved incorporated status, or are envisioning initiating the incorporation process, as has Richfield, changing their status from a township to a city or village.

### ***Recent Past History***

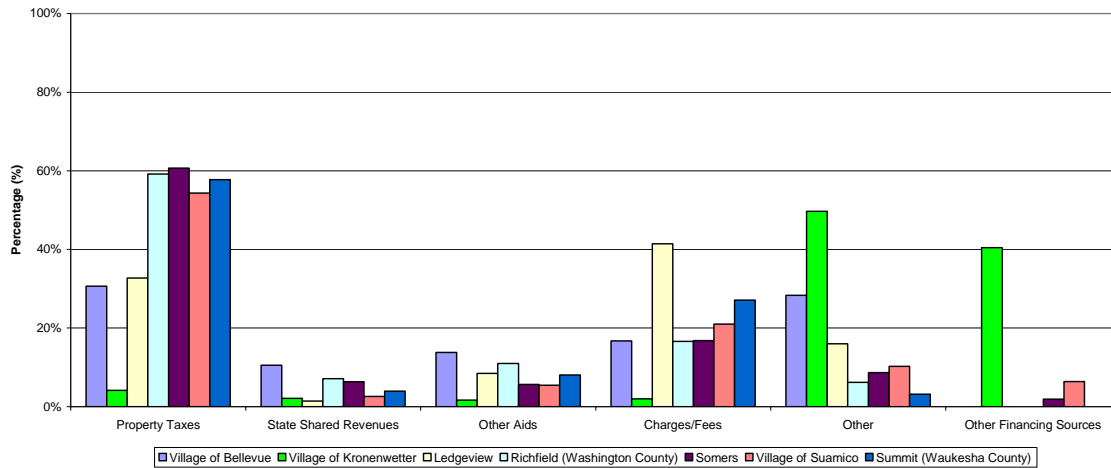
Figures 3 and 4, on the following page, illustrate the sources of revenues reported to the Wisconsin Department of Revenue by Town of Richfield and the comparison municipalities.

As demonstrated by Figures 3 and 4, the local property tax historically constitutes the principle source of revenue for Town of Richfield, with public charges for services, the second most-important source of revenue, including primarily developer reimbursements for planning and engineering fees. Richfield shares this characteristic with the comparison municipalities of Somers, Suamico, and Summit, whereas Bellevue and Ledgeview rely on a more even distribution of sources for revenue received, and Kronenwetter relies most heavily on “other sources” for revenue.

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<sup>111</sup> In this section, comparison analysis is performed using Wisconsin Department of Revenue (WDOR) annual “Financial Report Form C” chart of accounts and related WDOR financial information along with University of Wisconsin Extension, “Graphing, Revenues, Expenditures, and Taxes” (G.R.E.A.T) software, version 3.0 released April, 2007, as well as information received from Petitioners, “Submittal in Support of the Incorporation of the Village of Richfield, Washington County, Case # 06-CV-487,” pages 94-108.

**Figure 3  
SOURCES OF REVENUE - 2005  
MUNICIPAL COMPARISON**



**FIGURE 4  
SOURCES OF REVENUE  
TOWN OF RICHFIELD**

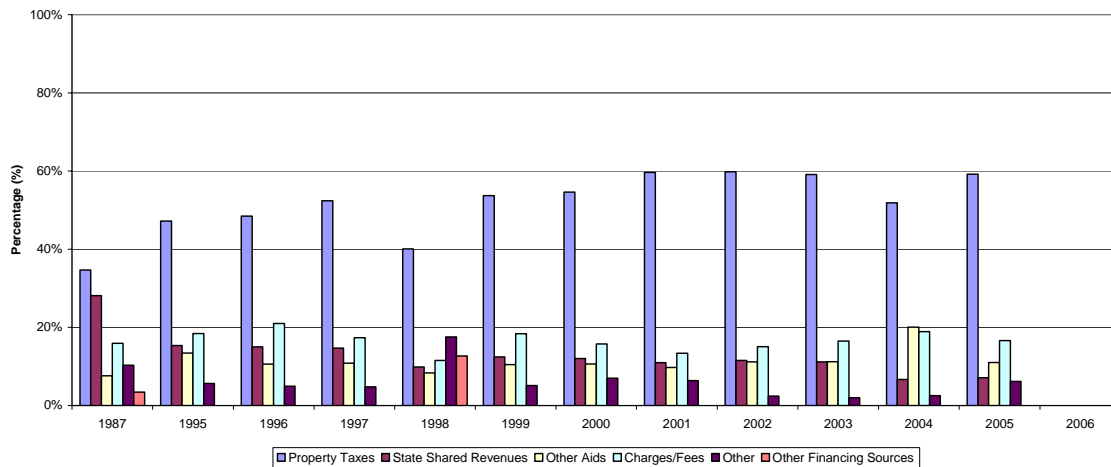


Table 13, on the following page, presents a comparison of Petitioner’s proposed budget with Town expenditures and revenues for 2004 and 2005, the most recent years for which published financial information is available. In addition, information contained in the most recently filed financial report, “2006 Financial Report Form C,” will also be used to analyze Richfield’s proposed incorporation budget. For example, from the “2006 Financial Report Form C” report recently submitted May 14, 2007 to the Department of Revenue, Richfield reports spending for total expenditures and other financing uses about \$700,000 more than does the \$3.3 million incorporation budget. Receipts reported for 2006 other than property tax include \$1.6 million for Total Miscellaneous Revenue, subsumed under the category “other financing sources” by the GREAT software. This suggests that Richfield, at least for the fiscal year 2006, would appear more like Kronenwetter or Suamico, should this trend continue.

The proposed gross budget amounts in the following Table 13 are taken from the detailed categories provided by Petitioners, which can be found at Appendix D.

**Table 13  
Recently Reported Revenues and Expenditures and Proposed Budget\***

<b>TOWN OF RICHFIELD (WASHINGTON)</b>				<b>Proposed</b>	<b>Adjustments</b>
66020				<b>Budget</b>	<b>to Proposed</b>
<b>YEAR</b>	<b>2004</b>	<b>2005</b>	<b>2007</b>	<b>Budget</b>	<b>2007</b>
POPULATION	11195	11336	11385		11385
GENERAL PROPERTY TAXES	1586343	1689633	2143248		
TAX INCREMENTS	0	0			
IN LIEU OF TAXES	0	0			
OTHER REVENUE TAXES	31979	23406	1000		
TOTAL TAXES	1618322	1713039	2144248		
SPECIAL ASSESSMENTS	0	0			
FEDERAL AIDS	0	0			
STATE SHARED REVENUES	202877	202914			
STATE HIGHWAY AIDS	235991	252152			
ALL OTHER STATE AIDS	377276	61763			
OTHER LOCAL GOVERNMENT AIDS	0	0			
TOTAL INTERGOVERNMENTAL REV.	816144	516829	702237		
LICENSES AND PERMITS	289906	281465	260340		
FINES, FORFEIT AND PENALTIES	675	412	350		
PUBLIC CHG FOR SERVICES	287316	191657	103031		
INTERG. CHG. FOR SERVICES	0	0	0		
INTEREST INCOME	35438	79677	60100		
OTHER REVENUES	9945	72932			
TOTAL MISCELLANEOUS REVENUES	45383	152609	61350		
GENERAL REVENUES SUBTOTAL	3057746	2856011			
OTHER FINANCING SOURCES	0	0			
TOTAL REVENUE AND OTHER FINANCING SOURCES	3057746	2856011	3331656		
GENERAL GOVERNMENT	540002	553066	618337		
LAW ENFORCEMENT	10450	19464	408147		
FIRE	149231	165781	432310		?
AMBULANCE	223847	248671			
OTHER PUBLIC SAFETY	128029	109281	144203		
HIGHWAY MAINTENANCE AND ADM.	1059974	1465181	1199609		
HIGHWAY CONSTRUCTION	0	0	0		
ROAD-RELATED FACILITIES	13751	16422	9500		?
OTHER TRANSPORTATION	0	0	0		
SOLID WASTE COLL AND DISPOSAL	15459	15007	18200		
OTHER SANITATION	469	469			
HEALTH AND HUMAN SERVICES	5000	5000			
CULTURE AND EDUCATION	0	0			
PARKS AND RECREATION	688572	222519	267176		
CONSERVATION AND DEVELOPMENT	374160	195625	194956	15000-70000	
ALL OTHER EXPENDITURES	0	0	48428		
OPERATING AND CAPITAL EXPENDITURES TOTAL	3208944	3016486	3331656		

PRINCIPAL	0	0		
INTEREST AND FISCAL CHARGES	0	0		
EXPENDITURES SUBTOTAL	3208944	3016486	3331656	
OTHER FINANCING USES	0	0		
TOTAL EXPENDITURES AND OTHER FINANCING USES	3208944	3016486	3331656	
TOTAL GENERAL OBLIGATION DEBT	0	0	0	134000

In Table 13, columns 1 and 2 (representing 2004 and 2005 financial information reported to DOR and characterized by UWEX's GREAT software<sup>112</sup>) are arrayed with the budget information relating to Richfield generated by information supplied by Petitioners,<sup>113</sup> and shown in detail at Appendix D. Generally speaking, these columns suggest that comparable revenue and expenditure amounts for equivalent line numbers are relatively close matches (line numbers refer to the 5-digit code from the WDOR municipal financial report series). Some variations are understandable. For instance, Petitioners presented their budget for 2007 whereas the latest information presented here is for 2004-5, which precedes the Cabella's and other physical developments that have occurred in the northeast quadrant of the town that are producing additional equalized value and local revenues, as well as causing additional local expenditures.

### ***Anticipated Changes in Revenues and Expenditures with Incorporation***

Table 13 suggests that petitioners' budget as proposed compares reasonably well with the revenues and expenditures reported to the Department of Revenue in 2004 and 2005. Except for general property taxes, which are expected to increase, other revenues are not overstated in comparison to revenues received for 2004-5. In fact, there are several revenue categories that may be understated, such as Licenses and Permits and Public Charges for Services, but then these receipts typically mirror the business cycle and may appropriately be understated given the current construction slow-down.

Among expenditures, the public safety categories of police are among those categories proposed to increase, as Richfield contracts for full-time police protection. Although it may appear as though Fire protection is similarly increasing, the budgeted amount also includes the ambulance category, shown separately for years 2004-5. General Government, Public Safety, and Parks and Recreation also show light increases projected over 2004-5.

Column 4, Adjustments to Proposed Budget, will be used to address issues that, in the estimation of the Board and Department, could potentially result in additional expenditures. There are just a few categories of interest. In his testimony and report to the Board and Department, John Schmitz, Chief of the Richfield Volunteer Fire Company, Inc., mentioned the gradually increasing difficulty the fire department is encountering recruiting younger volunteers to serve who coincidentally also reside in the community (the fire department has a residency requirement). As the socio-economic character of Richfield changes, with most residents who are employed working outside of the community, and until Richfield creates a stronger employment base, the fire department may need to go to some other form of permanent professional staffing arrangement in order to maintain the current high level of fire protection. Two alternatives currently exist: Remove the residency requirement so that individuals from Slinger, Germantown and other surrounding municipalities could join the force or, when a new fire hall is constructed, add living quarters to the facility. A third option is to increase the number of paid full-time

<sup>112</sup> Ibid., see the GREAT Program Manual, Appendix D for a discussion of how account lines in GREAT compare with the DOR Financial Report Form CT line codes.

<sup>113</sup> Petitioner's Submittal in Support of Incorporation, December 2006, pages 93-109.

employees. At this time, no additional expenditure amount had been indicated or expenditure increase suggested.

Other categories of potential additional expenditures include increased oversight over private well and sanitary facilities. Given the importance of maintaining surface and groundwater quality, at some point the proposed village may feel that making this the responsibility of the private sector to monitor as part of negotiated development agreements is not a satisfactory approach in the long run, particularly as larger community wells and septic systems are implemented, additional stormwater facilities are constructed, and sewer and water service to serve the northeastern corner of the town is extended from either the Village of Slinger or the Village of Jackson. Other communities contacted by the Department (including the Villages of Bellevue and Waunakee, and the City of Pewaukee) suggest a range of expenditure in this area from \$15,000-\$70,000, but then these are municipalities with near total reliance on public water supply wells, distribution systems, and waste water treatment facilities, and are operating municipal utilities that fully comply with WDNR rules and Wisconsin Public Service Commission rate-setting requirements. Nevertheless, as urban development occurs, these governments are sampling for surface and groundwater quality, and checking for compliance with local ordinances and state administrative code requirements, and at some point in the future Richfield may choose to do the same. Richfield understands that eventually the task of municipal oversight will need to be addressed, and is considering different options.

Acquisition of municipal sewer services from either Village of Slinger or Jackson for the area extending northeast of STH 175 and including the Cabella's development may necessitate local capital expenditures for costs that are not directly assessable to benefiting properties. As in the case of STH 175 improvements, this project is likely to occur regardless of whether incorporation happens or not, as market pressure builds for more dense commercial and residential development in the northeast area of the town necessitates the provision of full urban services.<sup>114</sup>

With regard to transportation infrastructure improvements, although WisDOT will pay for engineering and construction costs associated with bridge widening and 5 roundabouts encompassed by the US 41 and 45 interchange improvements related to the Cabella's area developments, the reconstruction of STH 175 through Richfield could trigger assessable local improvement costs for a multi-purpose bike lane and associated improvements that have not been estimated at this time. This project is enumerated for 2011 regardless of whether incorporation occurs or not, and represents a capital cost that should eventually be budgeted for, and is not shown on Table 13. At the present time, the local cost-share is estimated to be 10% of the total costs occurring outside of the existing right-of-way. WisDOT is also increasing their project budget to handle the requested improvements that include parking lots, sidewalks, a multi-use bike lane, and stormwater system improvements.

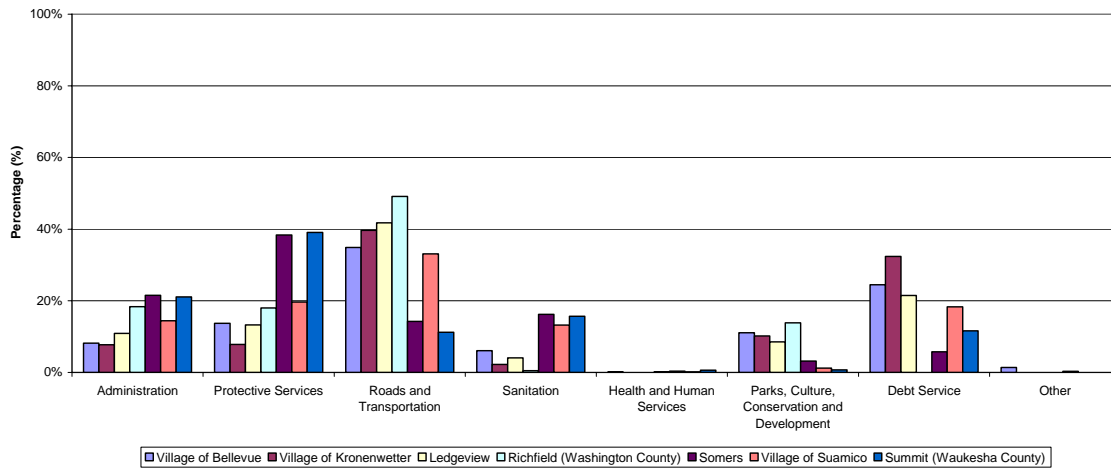
Figure 5, on the next page, illustrates how Richfield expenditures currently compare with the municipal study group:

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<sup>114</sup> The SEWRPC has identified the area northeast of 175 as part of the "urbanized area" making it potentially eligible for sewer service area designation, as part of a currently ongoing groundwater study for the southeast region that includes potential solutions for Washington County municipalities, but these were only verbally described to the Department.



**Figure 5  
MUNICIPAL EXPENDITURES - 2005  
COMPARISON**



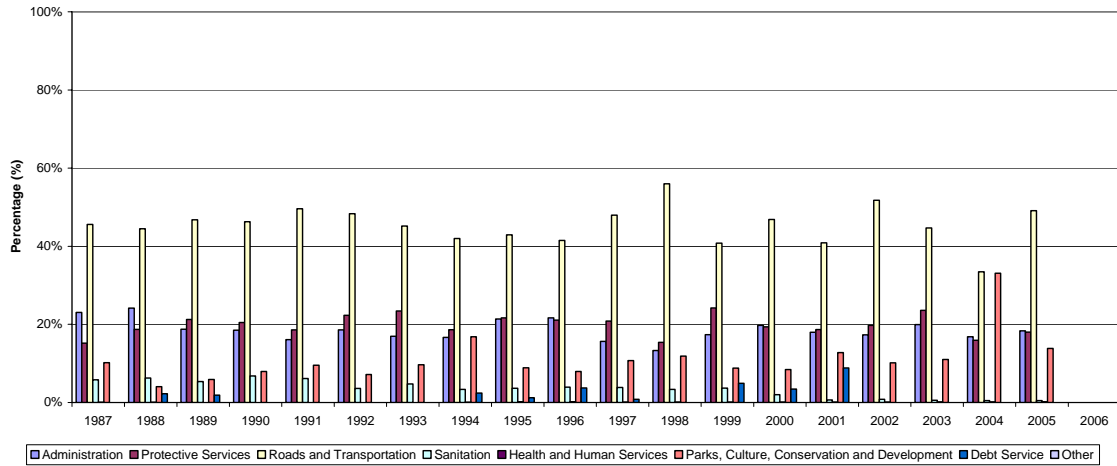
Richfield is spending, as reported for 2005, nearly ½ of its budget on transportation-related activities, including capital projects; less than the group average for protective services (police, ambulance and fire protection – but as was previously noted, this will change as Richfield proposes to contract for full-time law enforcement services); and more than the comparison group average for parks, culture, conservation and development. In stark contrast to the comparison group, in 2005 Richfield had no debt. The \$134,000 general obligation debt incurred in 2006<sup>115</sup>, shown in column 4 of Table 13, is amazingly small given the nearly one-million reserve fund Richfield maintains.<sup>116</sup> As a comparison, Ledgeview (Brown County) in 2004 had a total bonded general obligation debt of nearly \$8.5 million.

<sup>115</sup> Reported in 2006 Financial Report Form CT submitted to WDOR by Town of Richfield, May 14, 2007.

<sup>116</sup> Petitioner’s Exhibit 9, Virchow Krause & Company, “Town of Richfield Financial Graphs 2001 – 2005,” unpagged.

Figure 6, below, illustrates the recent municipal expenditure pattern for the Town of Richfield.

Fig. 6  
HISTORIC EXPENDITURE CATEGORIES  
TOWN OF RICHFIELD

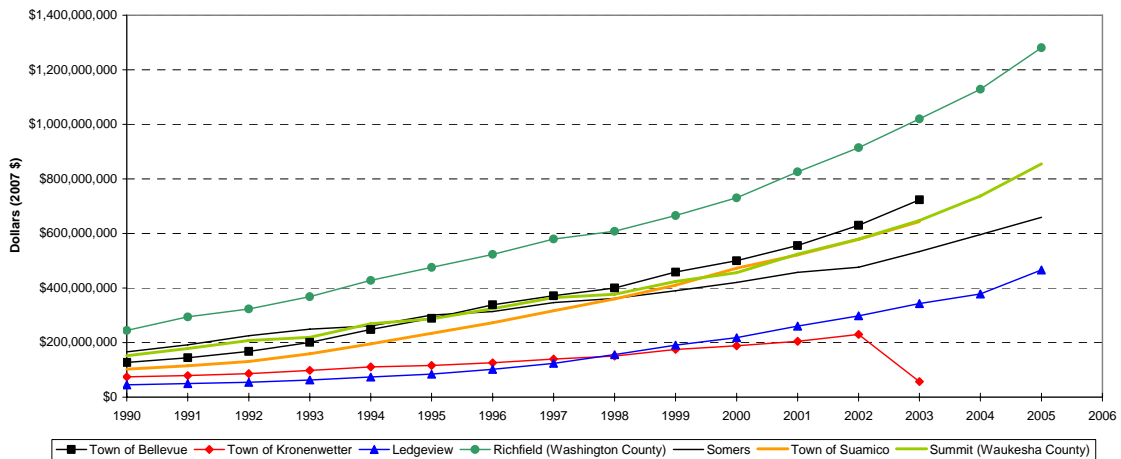


While proportionately consistent over time, it does reflect a gradually increasing focus on managing natural resources and regulating the location and timing of development, as exemplified by the category “Parks, Culture, Conservation and Development.”

**Property Tax Base and Tax Rates**

The following Figure 7 compares full-equalized values over time between Richfield and the group of comparison municipalities.

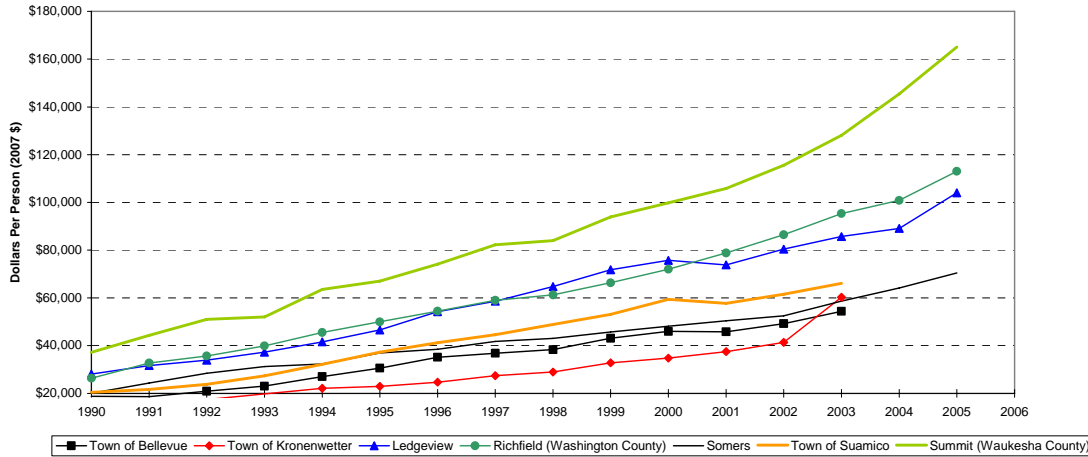
Fig. 7  
MUNICIPAL FULL EQUALIZED VALUE  
COMPARISON



As indicated by Figure 7, increases in full equalized property value for Richfield lead the municipal comparison group, and these increases do not include the most recent two years that have seen intense commercial and residential development in the northeast corner of Richfield.

Figure 8 below suggests that Richfield also compares well on a per-capita basis with the comparison municipalities.<sup>117</sup>

Fig. 8  
MUNICIPAL FULL EQUALIZED VALUE  
PER CAPITA COMPARISON



All municipalities are currently under a municipal levy limit cap (found generally in s. 66.0602, Wis. Stats., that expired earlier this year. Current Assembly and Senate versions of the budget contain various approaches to renewing the cap. Should Richfield incorporate, a budget provision exists in the Assembly version of the budget reauthorizing levy limits while including a provision enabling a newly incorporated community to exceed any proposed levy limit expressly for police services.<sup>118</sup>

Figures 9 and 10, on the following page, suggest that Richfield's local tax levy lies well within the comparable group of municipalities, and is trending downward. As provided to the Department, Richfield states that its 2006 levy was approximately \$1.53 per thousand of assessed value, and is estimated to decrease to \$1.41 per thousand of equalized value.<sup>119</sup> Even considering the potential adjustments mentioned earlier, Richfield has sufficient and increasing tax base that these amounts are not, by themselves, significant, and some of the expenditures could (except for those public services enjoyed by the community at large) be handled through special assessment districts, such as utility districts, or by other means.

<sup>117</sup> Full equalized property value for Kronenwetter appears to have radically declined, but this was due to a partial town incorporation, subsequently followed by a whole-town annexation.

<sup>118</sup> See Assembly Amendment 1, to Assembly Substitute Amendment 1, to 2007 Senate Bill 40, section 1889g that creates s. 66.0602 (3) (e) 7.

<sup>119</sup> Petitioner's Submittal in support of Incorporation, December 2006, page 95.

Fig. 9  
PER CAPITA LOCAL TAX  
COMPARISON

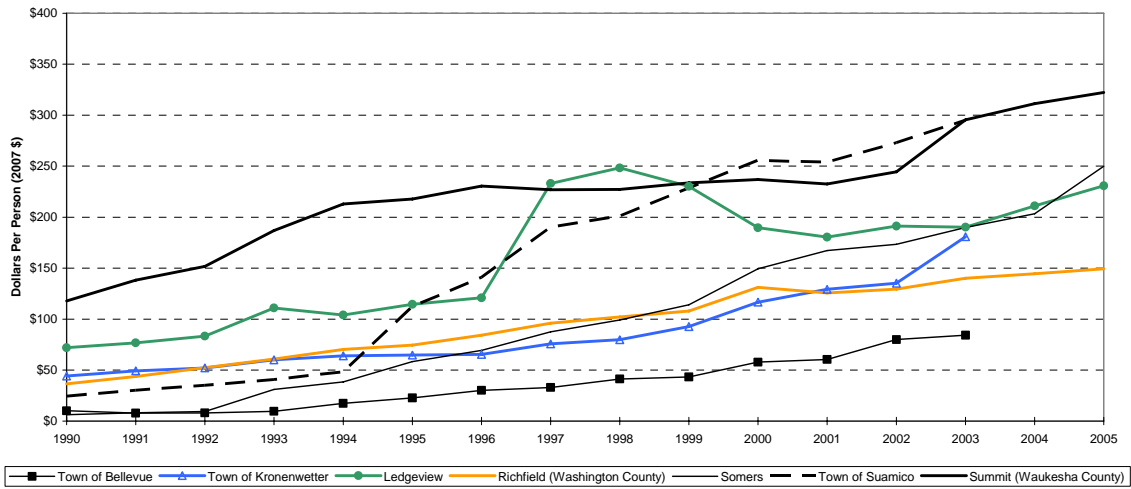
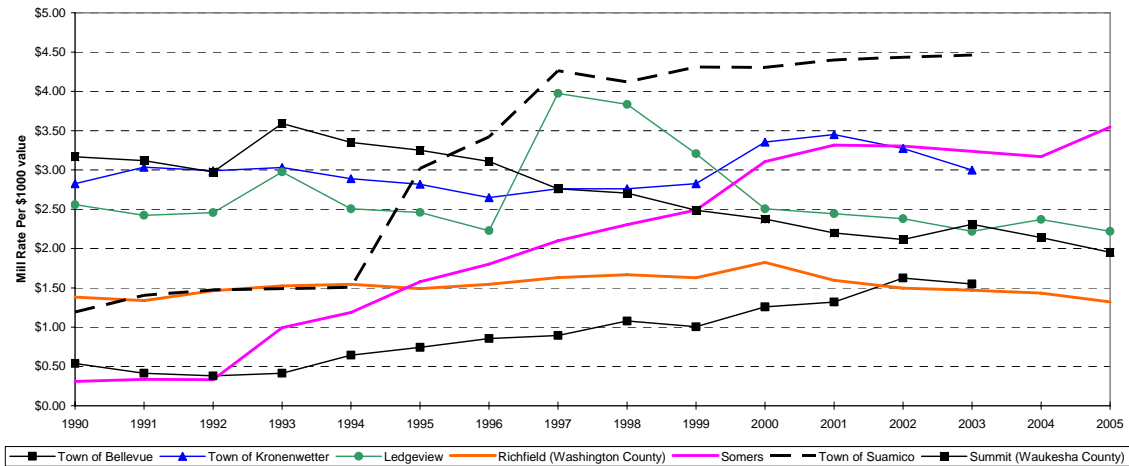


Fig. 10  
LOCAL TAX MILL RATE  
MUNICIPAL COMPARISON



**Determination**

Richfield is transitioning from its existence as a rural town in the early 1980's into a growing municipality that is also experiencing accelerated commercial development. Despite the changes of the past 10 years, it has managed to maintain a remarkably stable level of local expenditures and local property tax levies. Rapidly increasing equalized value has enabled Richfield to maintain the financial flexibility that will allow it to meet local needs, the costs for which cannot all be estimated at this time. However, through its exhibits, Richfield documents its capacity to meet potential future challenges such as additional infrastructure capital costs, while providing for those additional municipal services that Richfield has enumerated, such as police protection and additional general government staffing. Richfield has essentially no general obligation debt

(except for \$134,000 reported to DOR in 2006, see Table 13), and with an existing general obligation debt capacity of over \$60 million, healthy general fund balances and a relatively low local-purpose tax rate has, the Board believes that it has the ability to successfully meet future needs. For these reasons, it is expected that the cost of providing for future governmental activities are well within the administrative and financial capabilities of the Town.

For all of the preceding reasons, the Board determines that the petition meets the standard set forth in §66.0207(2)(a), Wis. Stats.

## **SECTION 2(B) LEVEL OF SERVICES**

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The standard to be applied is found in §66.0207(2)(b), Wis. Stats., and provides as follows:

*The level of governmental services desired or needed by the residents of the territory compared to the level of services offered by the proposed village or city and the level available from a contiguous municipality which files a certified copy of a resolution as provided in §66.0203(6), Wis. Stats.*

Because no intervenors filed a certified copy of a resolution to annex the entire petitioned territory with the Washington County circuit court at its July 25, 2006 hearing, this standard is not applicable.

## **SECTION 2(C) IMPACT ON THE REMAINDER OF THE TOWN**

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Section 66.0207(2)(c), Wis. Stats., requires that the Department consider the impact upon the remainder of the town from which the territory is to be incorporated, financial and otherwise in order to determine whether incorporation is in the public interest.

This requirement does not apply to this Petition because the entire Town of Richfield is the subject of this incorporation proceeding. There is no remaining town land.

## **SECTION 2(D), IMPACT UPON THE METROPOLITAN COMMUNITY**

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The standard to be applied is found in s. 66.0207(2)(d) Wis.Stats. and is as follows:

*The effect upon the future rendering of governmental services both inside the territory proposed for incorporation and elsewhere within the metropolitan community. There shall be an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community.*

The “metropolitan community” term in the above standard is defined in s. 66.013(2)(c), Wis.Stats., to mean:

*[T]he territory consisting of any city having a population of 25,000 or more, or any two incorporated municipalities whose boundaries are within 5 miles of each other whose populations aggregate 25,000, plus all the contiguous area which has a population density of 100 or more persons per square mile, or which the department has determined on the basis of population trend and other pertinent facts will have a minimum density of 100 persons per square mile within 3 years.*

The metropolitan community for this determination are the Cities of Hartford and West Bend, the Villages of Germantown, Jackson and Slinger, and the Towns of Jackson, Germantown, Polk, Hartford and Erin in Washington County, and in Waukesha County, the Village of Menomonee Falls and the Towns of Lisbon and Merton. These communities share a common rural character with Richfield. They also share some of the same infrastructure systems and natural features as the Town, including environmental corridors, highways, regional shopping and economic opportunities, and overlapping school districts. According to the statute, the Board must make an express finding that the proposed incorporation will not have a negative impact on planning, service provision, infrastructure, intergovernmental cooperation, environmental resource protection, and other types of regional issues. In other words, the incorporation must cause no harm.

In Richfield, there appear to be no obvious regional or intergovernmental problems that would result from incorporation. Although the City of Hartford originally intervened in opposition to Richfield's petition, the subsequent boundary agreement between the City of Hartford and Towns of Erin and Hartford has apparently resolved the City's concerns - it has since written a letter in support of Richfield's petition.<sup>120</sup> The Towns of Erin<sup>121</sup>, Hartford<sup>122</sup>, and Lisbon<sup>123</sup> also passed resolutions or wrote letters of support. Richfield's other municipal neighbors - the Towns of Polk, Jackson, and Germantown, and the Villages of Germantown and Jackson – have indicated no opposition to the incorporation. As a result, all of Richfield's municipal neighbors have either entered into a boundary agreement with Richfield, have passed a resolution or written a letter of support, or have remained silent. Therefore, on the face of things, it would appear that an incorporated Richfield will cause no harm to the region.

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<sup>120</sup> City of Hartford Resolution #3139, A Resolution Supporting the Incorporation of Richfield, March 13, 2007.

<sup>121</sup> Town of Erin Resolution, #07-02, A Resolution to Support the Incorporation of Richfield, March 19, 2007.

<sup>122</sup> Town of Hartford Resolution #2007-2, A Resolution to Support the Incorporation of Richfield, March 12, 2007.

<sup>123</sup> Correspondence to the Department from Town of Lisbon Chair, Gerald Schmitz, March 22, 2007.



In addition, Petitioners point out that Richfield cooperates with neighboring jurisdictions on many different programs and projects, including the following:

- Funding support to Washington County to complete uniform digital terrain modeling and topographic mapping of the Oconomowoc River watershed;
- Participation with Washington County in the development of the County multi-jurisdictional comprehensive plan;
- Developed an intergovernmental agreement with the Village of Slinger to provide reciprocal building inspection services;
- Developed an intergovernmental agreement with the Town of Polk to transfer jurisdiction of roadway related to the Cabela's development;
- Assisted the Town of Jackson to monitor its financial condition for a 12-month period;
- Financial support and appointment on the Board of Directors for the Washington County Economic Development Corporation,<sup>124</sup>
- Developed intergovernmental agreements with the Towns of Polk, Erin and Germantown to jointly maintain certain town-line roads, with each jurisdiction maintaining alternating miles;
- Provide fire protection services of the Richfield Volunteer Fire Company with the Towns of Erin, Polk and Germantown.<sup>125</sup>

Additionally, Richfield appears to be the area community taking the lead on key development and natural resource conservation issues. Examples, are its unique groundwater protection program, its existing and planned conservation subdivisions, revitalized rural "walkable" hamlets, the Cabella's development, protection of forests, wetlands, watersheds, and the unique kettle and moraine geography. Staff from the Wisconsin Departments of Transportation and Natural Resources support the idea of Richfield being a leader, or at least an active and responsible member of its metropolitan community.

The westerly ½ of the town lies within DNR's mid-Kettle Moraine study area, within the headwater reaches of the Oconomowoc River, and also abuts the DNR's Loew's Lake Southern Kettle Moraine State Forest purchase area. DNR staff report that Richfield is an active participating partner in conserving and improving these areas.<sup>126</sup> Also, Richfield's adopted comprehensive plan features and safeguards environmental resources including threatened and endangered plant and animal species, along with species of concern, by recognizing designated environmental corridors and recommending development techniques to preserve them.

Richfield is cooperating with area communities in implementing the recommendations contained in the Washington County Jurisdictional Highway System Plan 2020, developed in 2002.

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<sup>124</sup> Petitioner's Submittal in Support of Incorporation, December 2006, page 12.

<sup>125</sup> Richfield 20-Year Smart Growth Comprehensive Plan, page 112.

<sup>126</sup> Informal personal communications from WDNR, WDOT, and Washington Co. staff to the Department.

Richfield's comprehensive plan recommends that future opportunities for cooperation be explored as well. For example, surrounding communities manage their own road maintenance, garbage collection, snowplowing. Perhaps these services could be shared.<sup>127</sup> In developing its comprehensive plan, and particularly the intergovernmental element of this plan, Richfield invited neighboring municipalities, school districts, Washington County, state agencies, and Southeast Wisconsin Regional Planning Commission to share comments and attend meetings. Richfield reviewed these jurisdictions' existing and proposed plans as well.<sup>128</sup>

The Board does have concern about the area around the Cabella's development. This area includes territory in the Towns of Polk, Jackson, and Germantown, and the Village of Germantown. Substantial commercial development of this area seems imminent because of the Cabella's store, the prospect of an estimated 4 million visitors annually, and the area's location at the intersection of USH 41/45 and STH 175. There are no intergovernmental agreements in place to guide the resolution of questions such as how future development will be regulated, who will provide services, how tax base will be shared, and whether boundaries will be adjusted in response to development. Richfield is currently discussing a potential service agreement with the Town of Polk and the Village of Jackson to allow the extension of water and sewer service from the Village of Jackson or the Village of Slinger to serve the Cabella's development area. However, this discussion is still preliminary and does not necessarily mitigate the current uncertainty surrounding the area's future.

Although Richfield's municipal neighbors did not express objections to the incorporation petition, future conflict may nonetheless occur as development in this Cabella's area forces choices regarding the preceding questions. While development of the Cabella's area will occur whether or not Richfield is a town or a village, incorporation will change the intergovernmental dynamic in that it introduces another annexing jurisdiction to the area. It raises the possibility that landowners in the Towns of Polk, Jackson, and Germantown could petition Richfield for annexation, although Richfield does not currently provide municipal sewer and water service, which is often the motivation behind such annexation. Incorporation also affects the territory of area cities and villages by negating their extraterritorial authority within Richfield's boundaries, and also by possibly making their extraterritorial area in adjacent towns smaller since they would need to share this territory with an incorporated Richfield. Also, an incorporated Richfield would mean that some neighboring towns not previously subject to extraterritorial jurisdiction would now be subject to it. This situation is dealt with to some extent between Richfield and its western neighbors of the Towns of Erin and Hartford, and City of Hartford, as their boundary agreement contains provisions regarding application of Richfield's prospective extraterritorial authority. However, no similar arrangement exists for the Cabella's area in the northeast part of Richfield. This would be another way in which an incorporated Richfield would change the intergovernmental dynamic in this area.

The Board also has concerns about the enforceability of Richfield's boundary agreement with the City and Town of Hartford, and Town of Erin. The type of agreement used - section 66.0225 Wis.Stats., commonly referred to as 'Stipulations and Orders' - is used to resolve litigation and is signed and enforced by the presiding judge. The litigation in the current matter is the incorporation petition - Washington County Case #06-CV-487 - in which the City of Hartford intervened. However, the Towns of Hartford and Erin did not intervene and were not part of that litigation. Therefore, whether they may be bound by the settlement between Richfield and the

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<sup>127</sup> Richfield 20-Year Smart Growth Comprehensive Plan (2004), page 112.

<sup>128</sup> Ibid., page 112.

City of Hartford, and hence subject to the judge's jurisdiction, is uncertain. It may be that compliance with the agreement is more voluntary for the Towns of Erin and Hartford.

### **Determination**

The metropolitan impact standard is a difficult one to meet. The Court in Pleasant Prairie wrote:

"The statute is peculiarly worded, in that the incorporation can proceed only if there is a finding that it will not substantially hinder the solution of governmental problems. Obviously, this requirement for a finding places a very substantial burden on the proponent of incorporation."<sup>129</sup>

The Board must be able to expressly find that incorporation will cause no harm.

In the case of Richfield, there appears to be no obvious regional or intergovernmental problems resulting from incorporation. Neighboring municipalities either entered into a boundary agreement, passed a resolution or written a letter in support of incorporation, or remained silent.

Richfield appears to be a good citizen of its metropolitan community, and a leader even on issues of planning and resource conservation.

As mentioned above, there is some uncertainty associated with the Cabella's area and the future development that it is sure to occur here. One option is for the municipalities in this area to collaboratively develop a cooperative boundary agreement under section 66.0307 Wis.Stats., in order to resolve this uncertainty and enable development to occur in a more orderly and cost-effective manner.

The Board believes that the uncertainty surrounding the Cabella's area would exist regardless of whether Richfield is a town or village. Incorporation will affect the intergovernmental dynamic in this area, but it cannot be said that an incorporated Richfield would cause harm. In fact, an incorporated Richfield may be better for the Cabella's area, and for the metropolitan community as a whole, because Richfield has been willing to take the institutional lead with regard to planning, conservation of natural resources, intergovernmental cooperation, and other regional issues. An incorporated Richfield could even better take the lead with regional issues because of the greater statutory powers that come with incorporated status.

Regarding the uncertainty about the stipulation & order-type boundary agreement between Richfield and the City and Town of Hartford, and the Town of Erin, and whether it is voluntary or binding on the Towns of Hartford and Erin, the Board does not believe that this uncertainty is so great as to cause harm to the region. However, an option is for an agreement be developed that is more comprehensive and binding, such as by using the cooperative boundary agreement under section 66.0307 Wis.Stats. The discussions, work, and negotiated language that the parties developed for their existing boundary agreement could be used as the basis for a subsequent cooperative boundary agreement.

For all of the preceding reasons, the Board determines that the petition meets the *Metropolitan Impact* standard set forth in §66.0207(2)(d), Wis. Stats.

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<sup>129</sup> Pleasant Prairie v Local Affairs Dept., 108 Wis.2d 465 (1982), page 481.

## **Appendix A: Incorporation Review Board**

The Incorporation Review Board was created by 2003 Wisconsin Act 171. It is charged with reviewing incorporation petitions forwarded by the circuit court in order to ensure that these petitions meet the public interest standards in s. 66.0207 Wis.Stats. The board advises the circuit court on whether incorporation petitions should be granted, dismissed, or resubmitted with new boundaries. The Board is also authorized to set and collect an incorporation review fee to pay for the costs of reviewing the petition. The Board has currently set the fee at \$20,000.

### **Members**

#### Department of Administration Member and Chair

Laura Arbuckle, Administrator  
Division of Intergovernmental Relations

#### Wisconsin Towns Association Member #1

Terrence J. McMahon, Supervisor  
Town of Yorkville (Racine County)

#### Wisconsin Towns Association Member #2

Lonnie Muller, Clerk  
Town of Stark (Vernon County)

#### Wisconsin League of Municipalities Member

Paul Fisk, Mayor  
City of Lodi

#### Wisconsin League of Municipalities Alternate Member

Jeff Speaker, Mayor  
City of Brookfield

#### Wisconsin Alliance of Cities Member

Currently vacant

#### Staff

George Hall  
Erich Schmidtke

## **APPENDIX B: Maps**

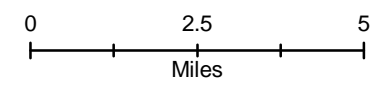
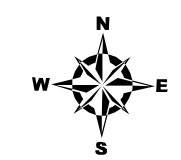
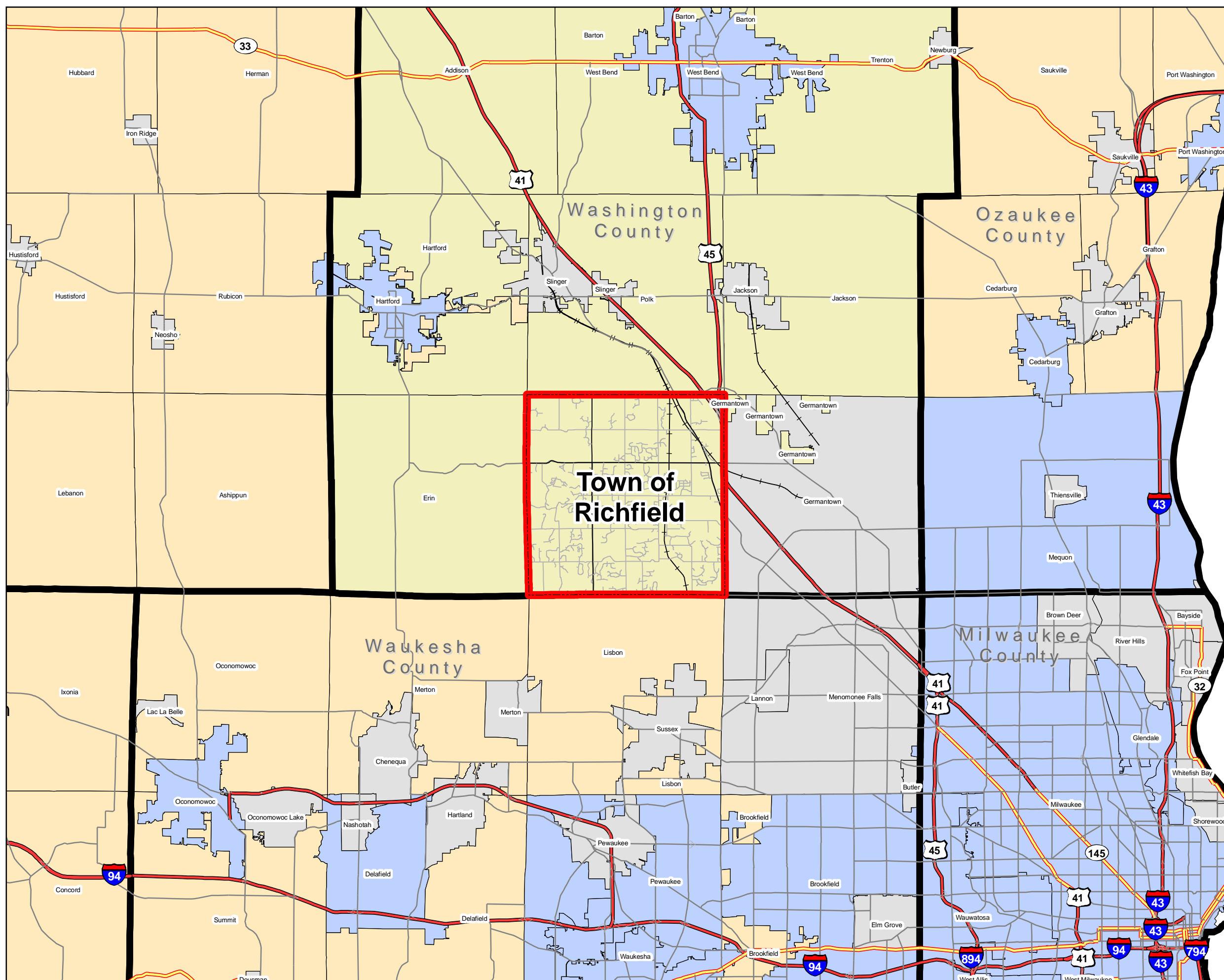
# Map 1

## Richfield

### Washington County, Wisconsin Location Map

#### Legend

- Cities
- Towns
- Villages
- Richfield Boundary



**CRISPELL-SNYDER, INC.**  
PROFESSIONAL CONSULTANTS



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# Map 2

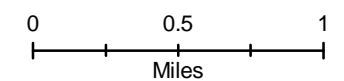
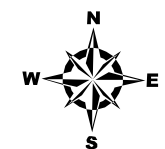
## Richfield

Washington County, Wisconsin  
Environmental/Natural Resource Map 1

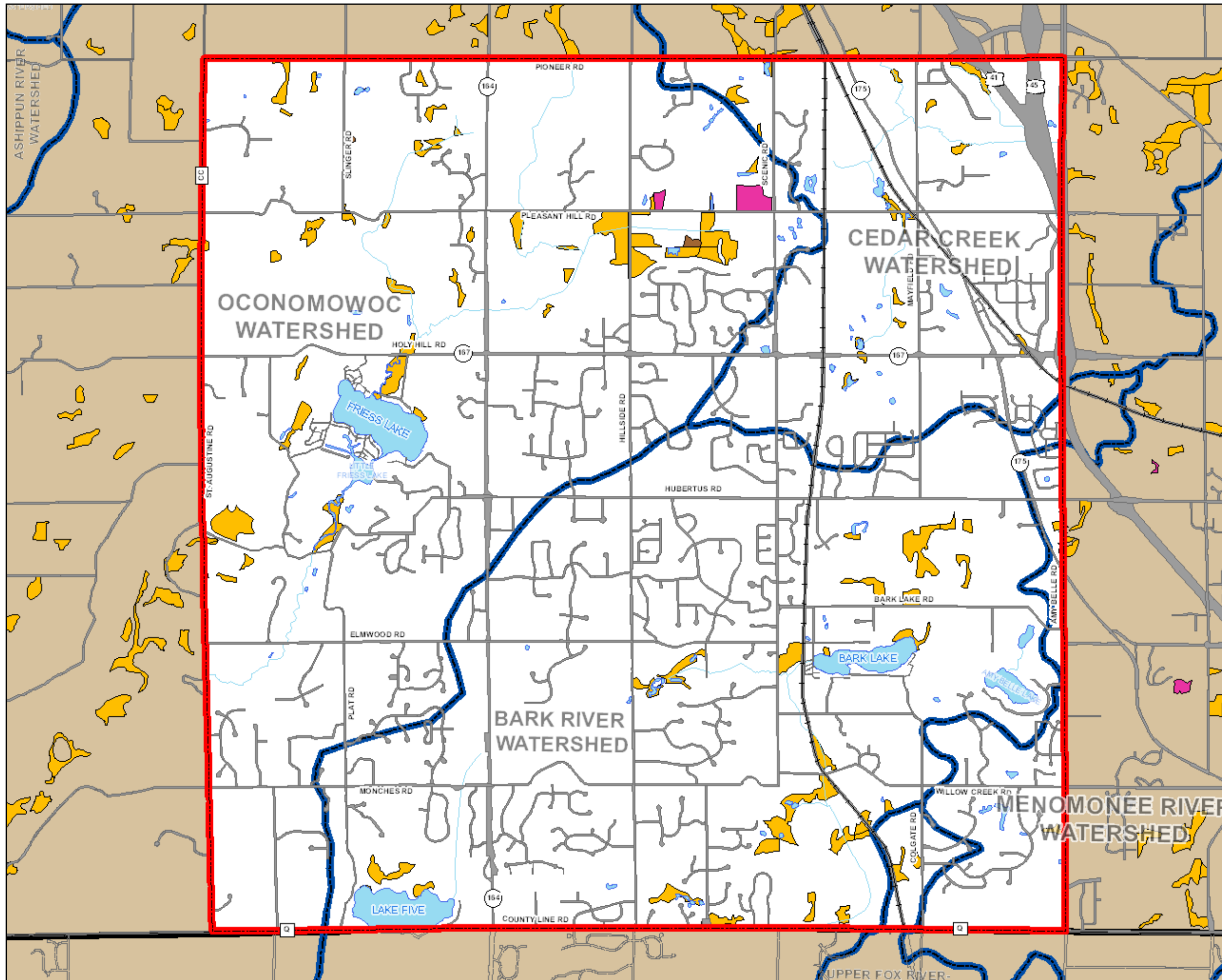
### Legend

-  Aquatic bed
-  Emergent/wet meadow
-  Filled or drained wetland
-  Flats/unvegetated wet soil
-  Watershed Boundary
-  Richfield Boundary

Note: WIDNR Data/Classification



**CRISPELL-SNYDER, INC.**  
PROFESSIONAL CONSULTANTS

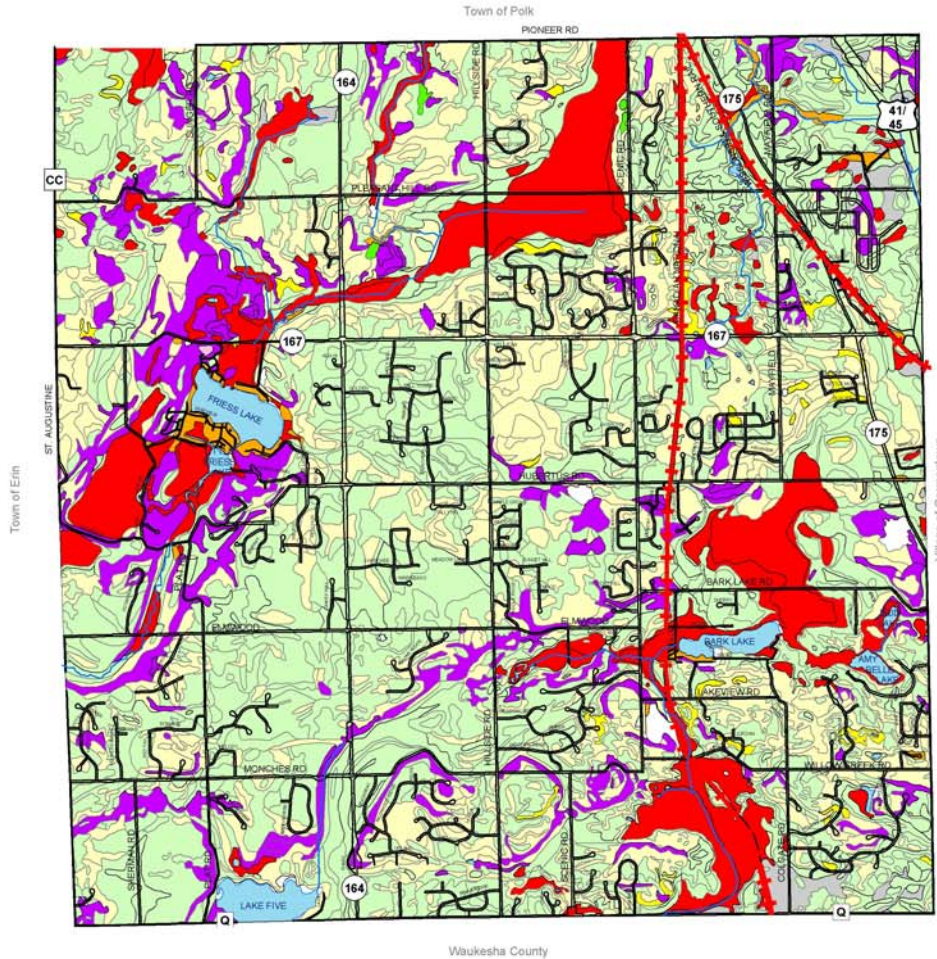


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# SOILS ASSOCIATION

# TOWN OF RICHFIELD



## Map 3



**Omni** PROJECT # 14116140  
 DATE: 04/12/2014  
 DRAWN BY: J.A.  
 REVISED:  
 ONE PROFESSIONAL APPLICATION, 04/12/2014  
 04/12/2014 04/12/2014 04/12/2014

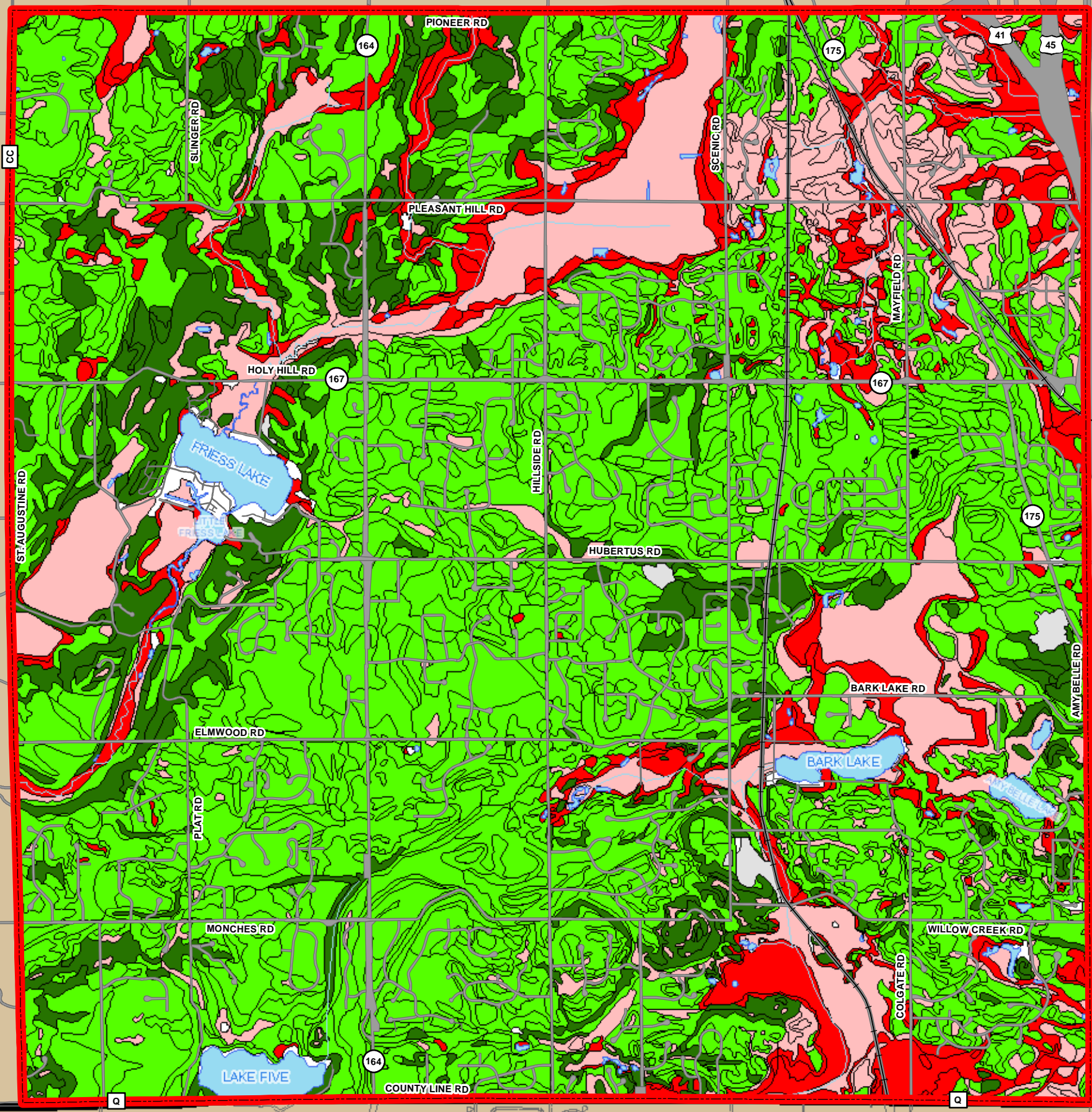
Location: TOWN OF RICHFIELD (T:\BURNING\BURNING\Richfield\_TOT14.MXD)  
 Author: Waukesha County  
 Publisher: Waukesha Regional Planning Commission  
 Title: Soils Association



# Map 4

## Richfield

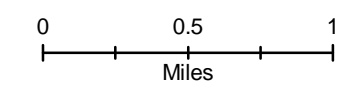
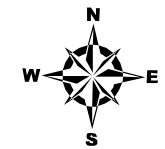
Washington County, Wisconsin  
Sanitary Soil Suitability Map



### Legend

- VERY SEVERE
- SEVERE
- SLIGHT
- VERY SLIGHT
- GRAVEL PIT
- LANDFILL
- UNCLASSIFIED
- LAKES
- Richfield Boundary

The Sanitary Suitability Classifications illustrated on this map are based on information obtained from the Washington County Soil Survey. The Soil Survey evaluates soil types based on their ability to support on-site sewage disposal. Areas identified as Very Severe/Severe Risk are not recommended for development given sloping, steepness, wetness or other limitations. Areas of Very Slight/Slight Risk are well-suited for on-site sewage disposal.



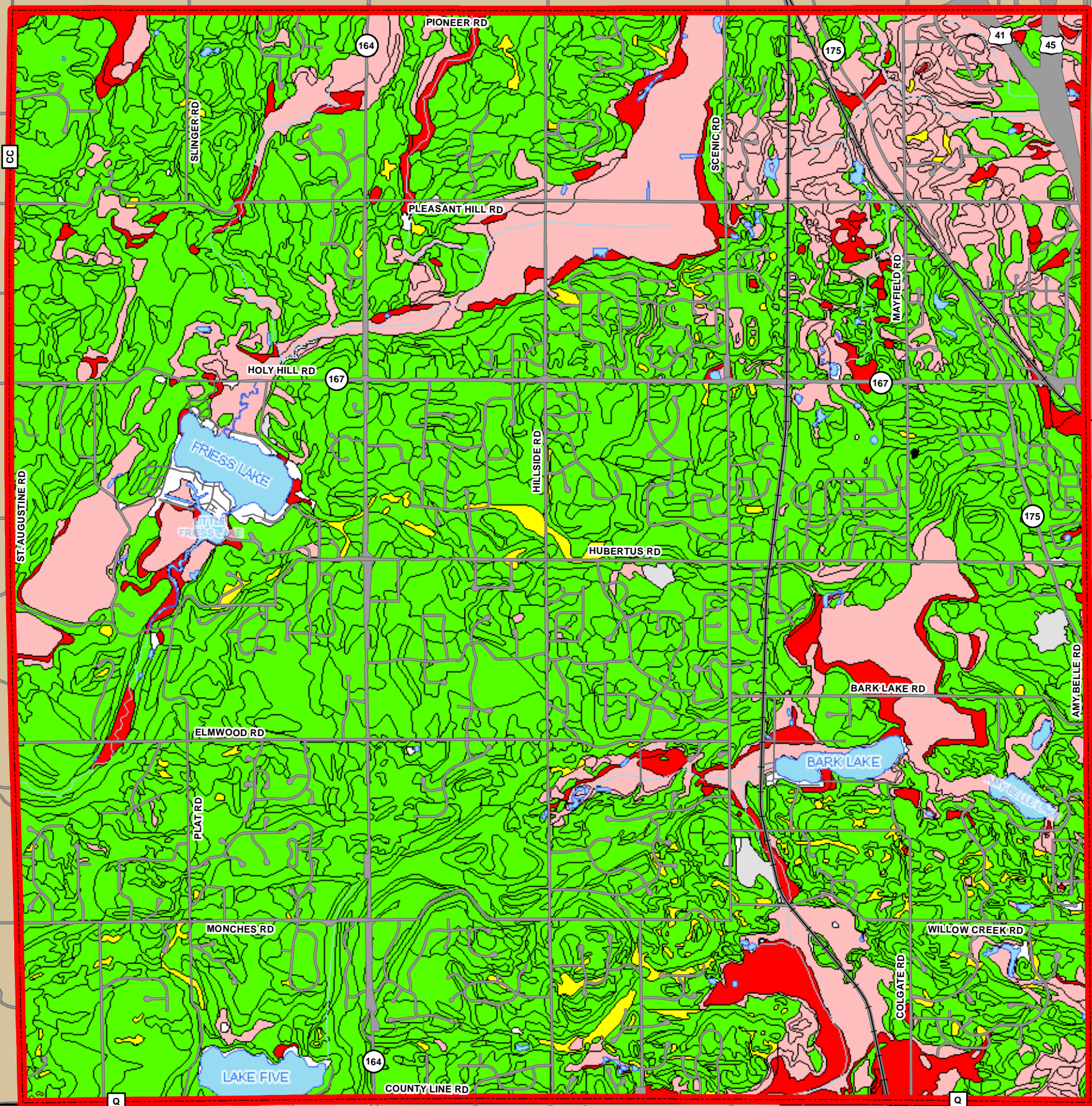
**CRISPELL-SNYDER, INC.**  
PROFESSIONAL CONSULTANTS

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# Map 5 Richfield

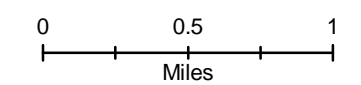
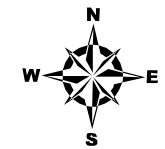
Washington County, Wisconsin  
Building Soil Suitability Map



### Legend

- VERY SEVERE
- SEVERE
- MODERATE
- SLIGHT
- GRAVEL PIT
- LANDFILL
- UNCLASSIFIED
- LAKES
- Richfield Boundary

The Building Suitability Classifications illustrated on this map are based on information obtained from the Washington County Soil Survey. The Soil Survey evaluates soil types based on their ability to support buildings with basements. Areas identified as Very Severe/Severe Risk are not recommended for development given sloping, steepness, wetness or other limitations. Moderate Risk areas may be suited for development if certain precautions or mitigation techniques are used. Areas of Slight Risk are well-suited for dwellings with basements.



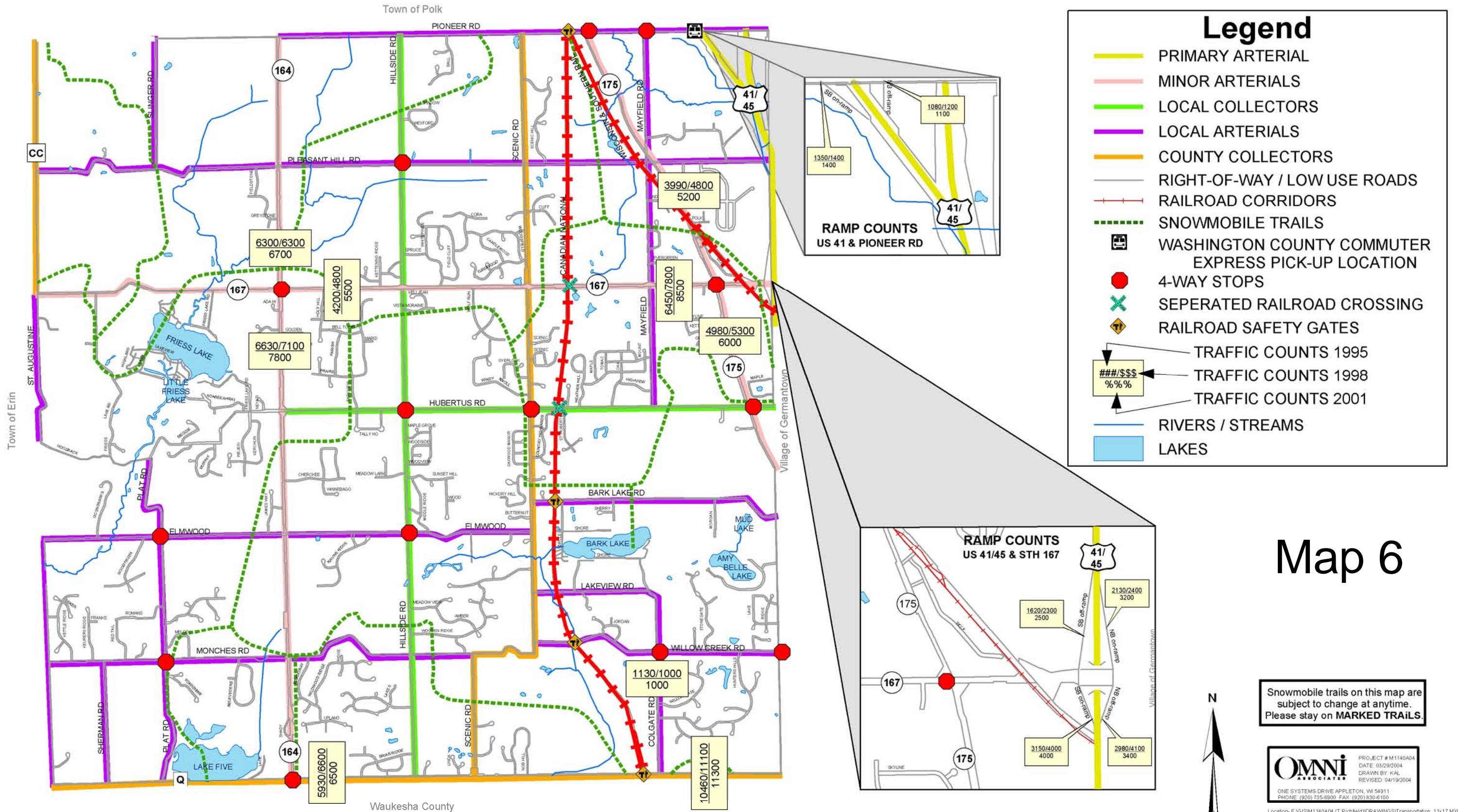
**CRISPELL-SNYDER, INC.**  
PROFESSIONAL CONSULTANTS

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# TRANSPORTATION NETWORK

# TOWN OF RICHFIELD



## Map 6

Snowmobile trails on this map are subject to change at anytime. Please stay on **MARKED TRAILS**.

**Omni Associates**  
 PROJECT # M1140A04  
 DATE: 03/29/2004  
 DRAWN BY: KAL  
 REVISED: 04/19/2004

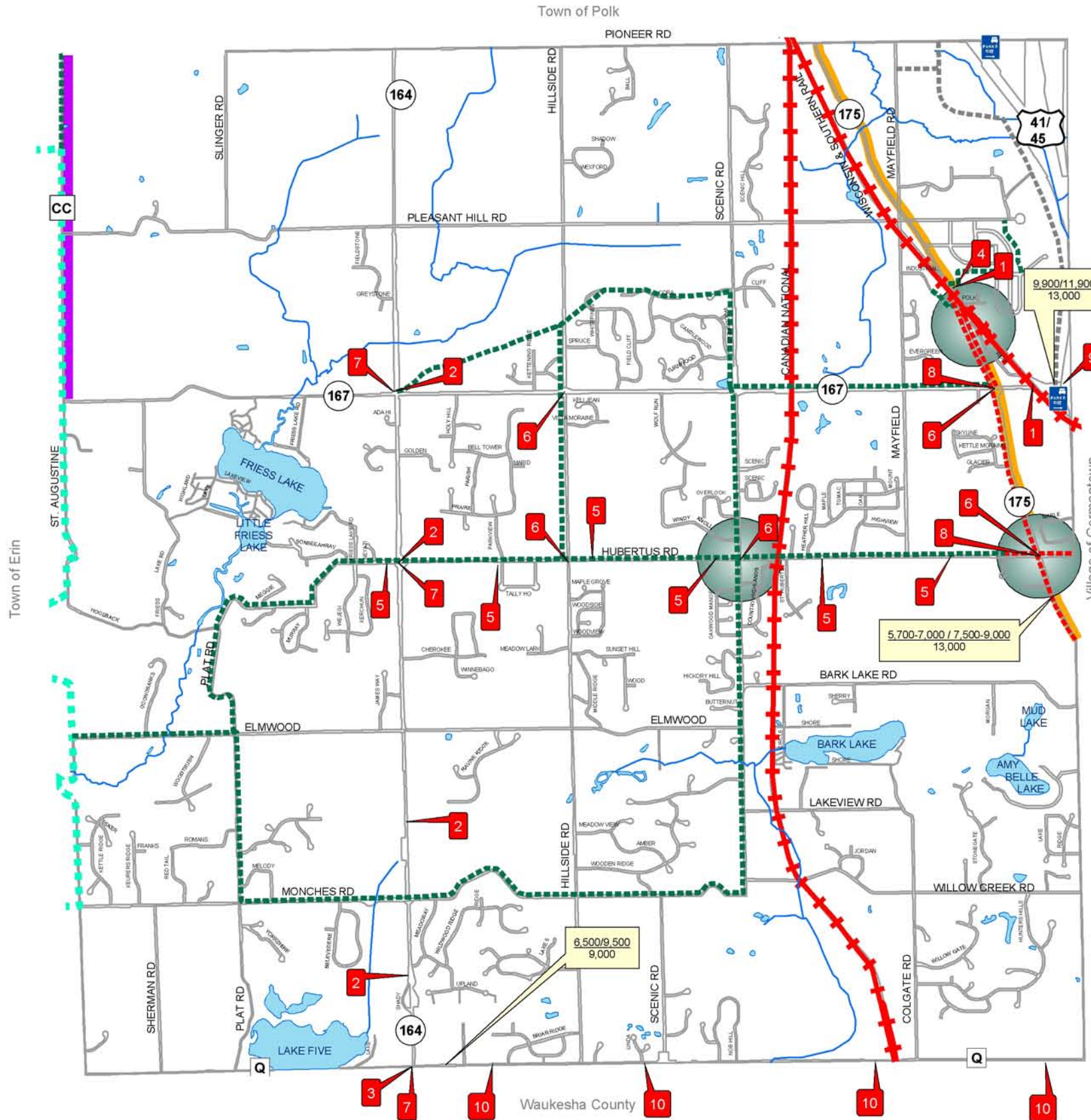
Location: F:\GIS\M1140A04 (T Richfield)\DRAWING\STransportation\_11x17.MXD  
 Source: Washington County  
 Southeastern Wisconsin Regional Planning Commission  
 Town of Richfield





# TRANSPORTATION SYSTEM PLAN

# TOWN OF RICHFIELD



### Legend

- - - PROPOSED TRAIL/BICYCLE WAY
- - - PROPOSED SIDEWALKS / IMPROVED SIDEWALK
- - - PROPOSED COUNTY 2025 BICYCLE TRAIL
- FUTURE TOWN ROAD
- FUTURE COUNTY ROAD
- - - FUTURE FRONTAGE ROAD
- RIGHT-OF-WAY
- + + + RAILROAD CORRIDORS
- RIVERS / STREAMS
- ###/\$\$\$  
%%% 2001 AVERAGE WEEKDAY TRAFFIC  
FORECAST YEAR 2020 AVERAGE WEEKDAY TRAFFIC  
PLANNED DESIGN CAPACITY
- 10-MINUTE WALKING RADIUS (Sidewalks Preferred)
- LAKES
- POTENTIAL PARK & RIDE LOCATIONS

#### RECOMMENDED ROAD SYSTEM IMPROVEMENTS

<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">1</span> SAFETY GATES	<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">6</span> INTERSECTION STUDY
<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">2</span> GRADE IMPROVEMENT	<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">7</span> TURN LANES
<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">3</span> TRAFFIC SIGNAL	<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">8</span> REDEVELOP AS URBAN CROSS SECTION
<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">4</span> MID-BLOCK PEDESTRIAN CROSSING	<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">9</span> RAMP STUDY
<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">5</span> CORRIDOR STUDY	<span style="background-color: red; color: white; border: 1px solid black; padding: 2px;">10</span> WIDEN TO 4 LANES

## Map 7

1"=4000'

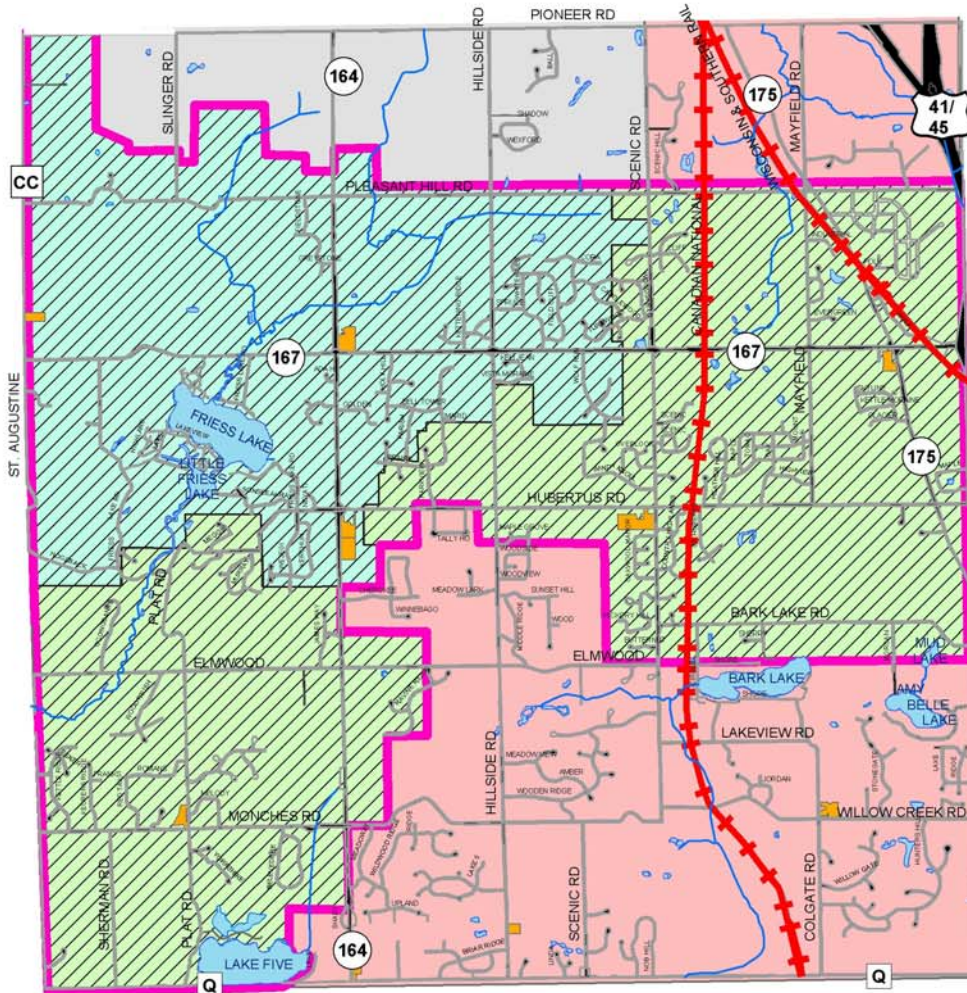


Location: F:\GIS\M1140A04 (T Richfield)\DRAWINGS\TranPlan\_11x17.MXD  
Source: Washington County  
Southeastern Wisconsin Regional Planning Commission  
Town of Richfield



# SCHOOL DISTRICTS MAP TOWN OF RICHFIELD

## Map 8



**OMNI**  
ASSOCIATES

PROJECT # M1140A04  
DATE: 05/10/2004  
DRAWN BY: KAL  
REVISED:

ONE SYSTEMS DRIVE APPLETON, WI 54911  
PHONE: (920) 735-6900 FAX: (920) 839-6100

Location- F:\GIS\M1140A04 (T.Richfield)\DRAWINGS\Schools\_8.5x11.MXD  
Source: Washington County  
Southeastern Wisconsin Regional Planning Commission  
Town of Richfield



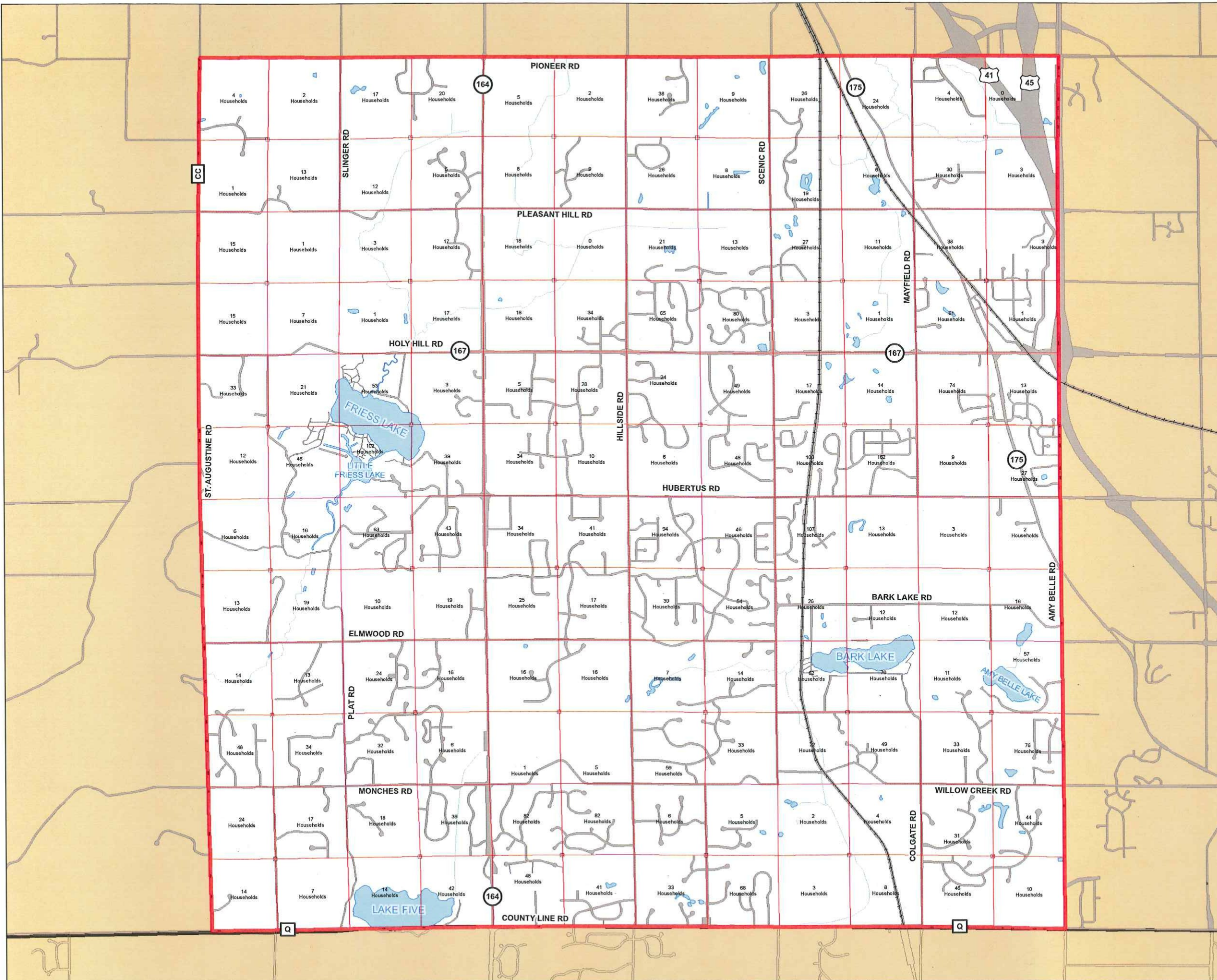
# Map 9



Washington County, Wisconsin

## 2007 Household Density by Quarter Section Legend

- 2007 Richfield Households
- Proposed Metro Village Limits
- Richfield Boundary



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0 0.5 1  
Miles

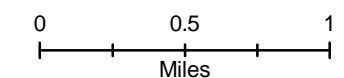
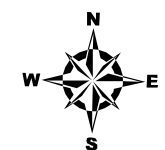


# Map 10 Richfield

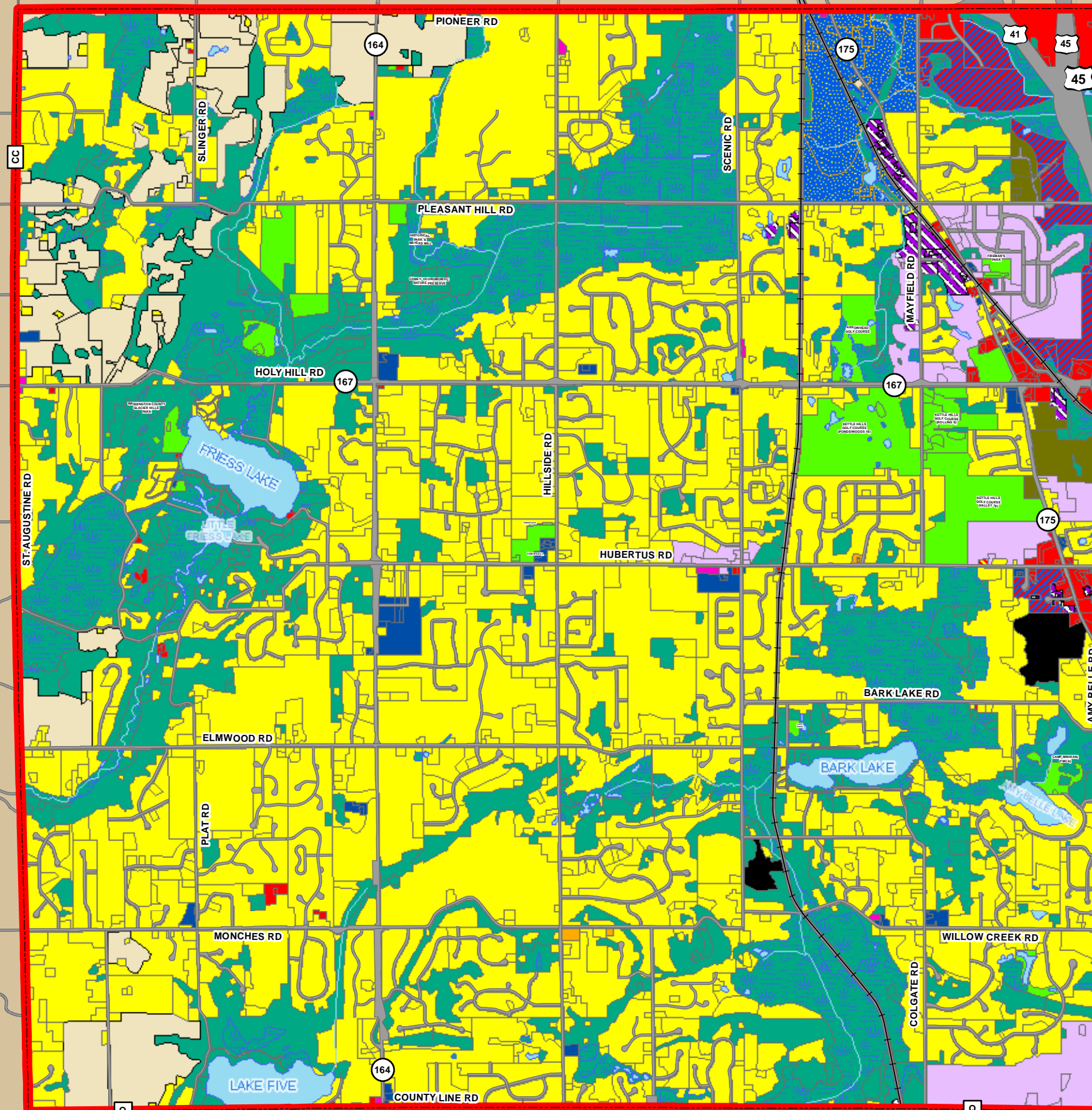
Washington County, Wisconsin  
20 Year Future Land Use

## Legend

-  SINGLE FAMILY
-  TOWNHOMES
-  AGRICULTURE / RURAL RESIDENTIAL
-  WETLANDS / ENVIRONMENTAL CORRIDORS
-  RECREATION
-  COMMERCIAL
-  INDUSTRIAL
-  BUSINESS MIXED USE
-  OFFICE/LIGHT INDUSTRIAL MIX
-  WALKABLE HAMLET MIXED USE
-  NEIGHBORHOOD HAMLETS
-  NEIGHBORHOOD ACTIVITY CENTER
-  QUARRIES / POTENTIAL REDEVELOPMENT AREAS
-  INSTITUTIONAL
-  CEMETERIES
-  UTILITIES
-  WATER
-  Richfield Boundary



 **CRISPELL-SNYDER, INC.**  
PROFESSIONAL CONSULTANTS











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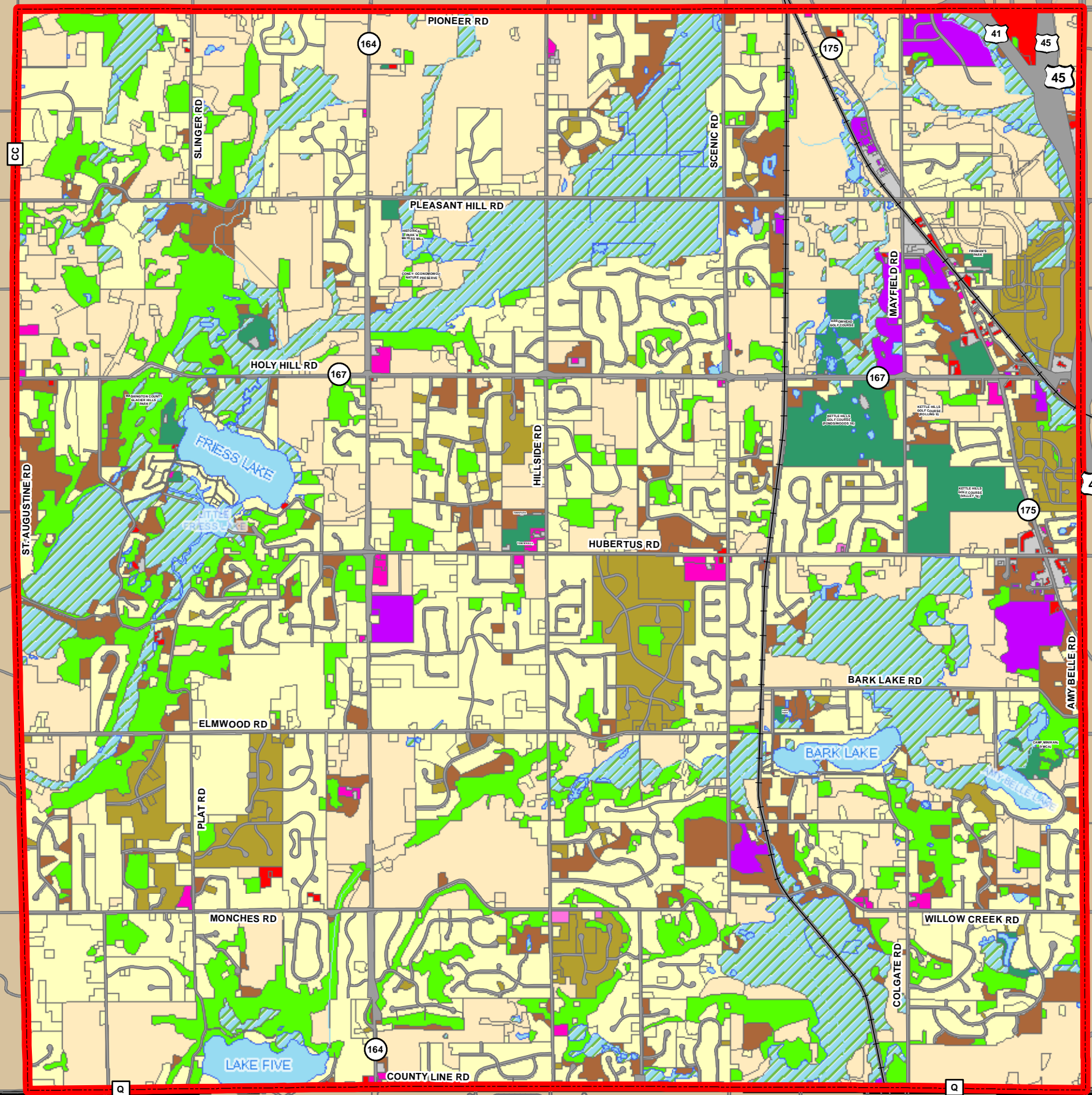
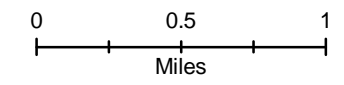
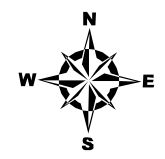
# Map 11 Richfield

Washington County, Wisconsin  
Land Use - 2006

### Legend

-  Agriculture
-  Low Density Single Family Residential
-  Residential Land Under Development
-  Commercial
-  Industrial
-  Transportation
-  Communication and Utilities
-  Institutional and Government Services
-  Outdoor Recreation
-  Unused Lands
-  Forested Land
-  Wetlands
-  Surface Water
-  Richfield Boundary

Note: Land Use base is 1995 modified 2006



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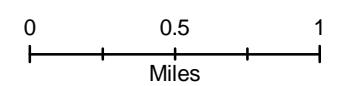
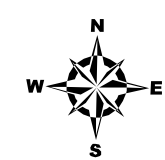
# Map 12

## Richfield

Washington County, Wisconsin  
Environmental/Natural Resource Map 3

### Legend

-  10 Foot Index Contour
-  Rivers and Shorelines
-  Slopes over 12%
-  Richfield Boundary



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PROFESSIONAL CONSULTANTS

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# Map 13

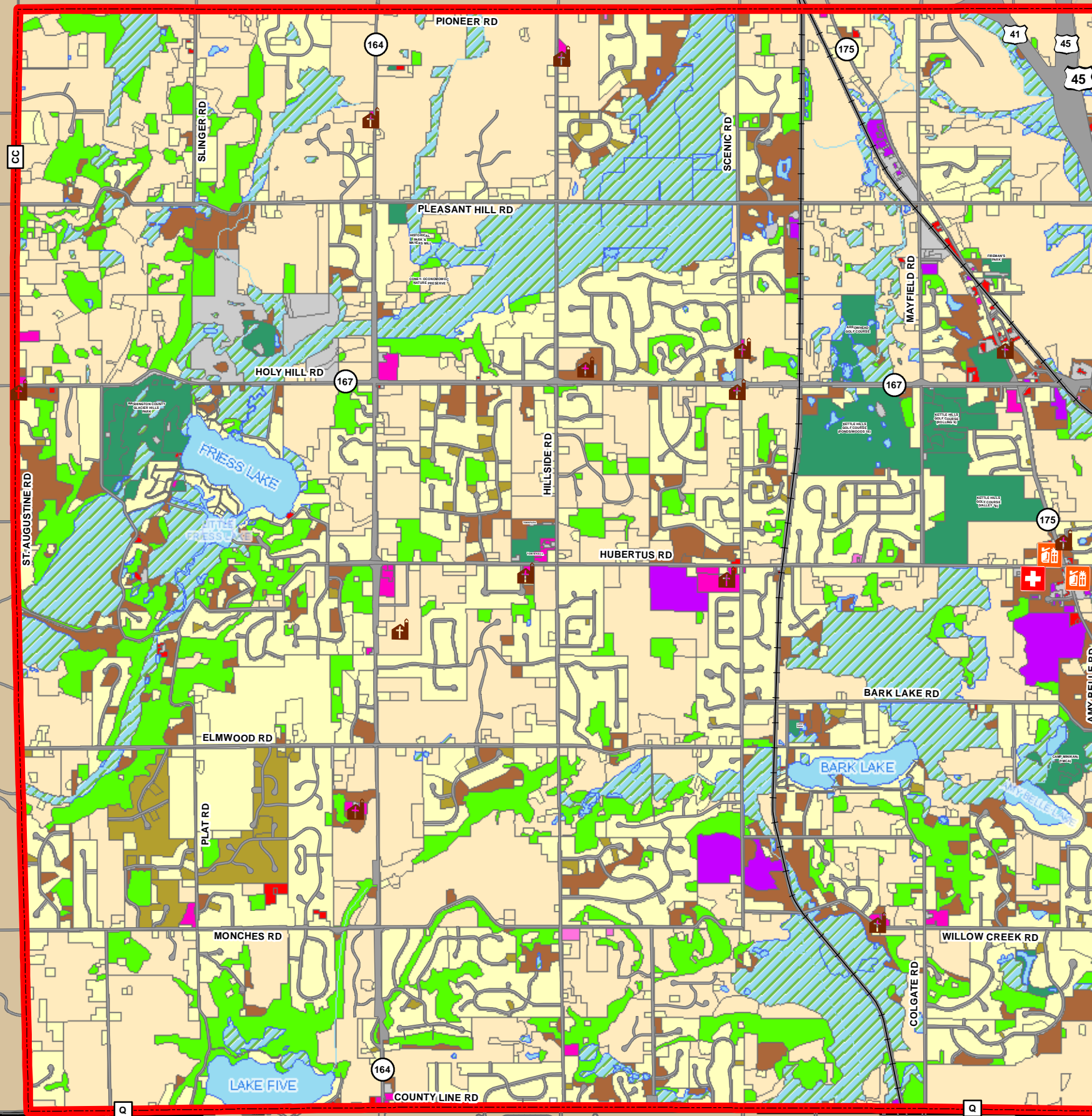
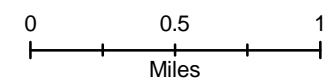
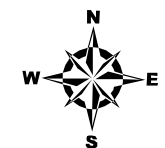
## Richfield

Washington County, Wisconsin  
Land Use - 1995

### Legend

-  Church/Synagogue
-  Medical Center
-  Shopping
-  Agriculture
-  Low Density Single Family Residential
-  Residential Land Under Development
-  Commercial
-  Industrial
-  Transportation
-  Communication and Utilities
-  Institutional and Government Services
-  Outdoor Recreation
-  Unused Lands
-  Forested Land
-  Wetlands
-  Surface Water
-  Richfield Boundary

Note: Land Use is from 1995



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## **Appendix C: Businesses in Richfield**

Car & Truck Sales/Repairs/Service	Bresson A-1 Auto Body
	MI-TECH Colgate Depot
	Firestone- Hillside Service
	Millis Transfer
	Napa Auto Parts & Supplies (part of Richfield Square)
	Richfield Motors
	Star Motorsports
	Thrifty Car Rental
	Weissman Motorcars
Banks	Guaranty Bank
	Hartford Savings Bank
	M & I Bank
Bed & Breakfasts	Cold Spring Inn
Builders/Contractors	Matrix Construction Company
	MRM Properties
	Neu's Builders
	Northwest Roofing
	Weyer & Sons Heating & Air Conditioning
	Foerster Construction
	Wolf & Associates
Child Care	Froggies Child Development Center
	Little Hands Child Care
	Little Red Schoolhouse
	YMCA of Metro Milwaukee
Computers	Becker Technology, Inc.
Copy Centers	Digital Edge Copy & Print Center
Dry Cleaners	Hometown Dry Cleaners
Engineers	Elder Engineering

Gas Stations/Suppliers	BP/Dairy Queen
	Kaul Mart
	Lake Five Mobil
	Richfield Truck Stop
	Wolf Bros. Feed & Fuel
Hair Salons	Capelli's Easel
	Jan's Beauty Salon
	Hair Formations
Health Care	Advanced Healthcare Clinic
	Holleback Family Dentistry
	Hubertus Chiropractic Center
Manufacturing	A. J. Tool Company, Inc.
	Badger State Equipment
	Cooper Signs
	Craden Manufacturing
	Delta T Systems
	Krieger Barrels
	Server Products
	W.G. Strohwig Inc
	Weix Industries Inc
	Wisconsin Metal Tech
	Wurth Adams Nut & Bolt
Park & Recreation/Sports	American Health & Fitness Club
	Arrowhead Springs Golf Course
	Basses Farms Taste of Country
	Kettle Hills Golf Course
	Logger's Park
	Pioneer Bowl
Photography	Klug's Photo World
	Memory Lane Portraits
	Bill Meyers Photography
Insurance & Real Estate	American Family Insurance

	Remax
	Weyer Realty
Restaurants	Alpine Retreat
	Amici's
	Around the Corner Cafe
	Charlie's
	The Copper Dock
	Corfu Restaurant
	Dairy Queen
	The New Fox and Hounds
	Johnny Manhattan's
	Richfield Chalet
	Sawmill Inn
	Sloppy Joe's Restaurant
	Subway
Retail/Grocer	Amelishan Bridal
	Cabela's
	Piggly Wiggly
	Sansone Drugs
	Something Borrowed
Veterinarians	Richfield Area Pet Clinic
Video Stores	Video Plus

\*From Petitioner's Submittal in Support of Incorporation, pages 17-32

# Appendix D: Petitioner's Proposed Budget

**PROPOSED VILLAGE BUDGET**

**REVENUES**

**PROPOSED  
VILLAGE  
BUDGET**

**TAXES**

10 41110	PROPERTY TAXES	2,143,248.00
10 41118	OVERRUN	-0-
10 41119	OMITTED TAXES	-0-
10 41150	FOREST CROPLAND TAXES	920.00
10 41170	PILT TOWN PORTION	80.00

**TOTAL TAXES**

**2,144,248.00**

**INTERGOVERNMENTAL**

10 43400	COMPUTER AID	1,400.00
10 43410	STATE SHARED REVENUES	202,897.00
10 43420	FIRE INSURANCE DUES	40,000.00
10 43520	COMPREHENSIVE PLANNING GRANT	-0-
10 43522	LAKE PATROL AIDS	2,404.00
STEWARDSHIP 2000 GRANT		-0-
10 43523	AG USE PENALTY	76,968.00
10 43531	TRANSPORTATION AIDS	254,275.00
10 43650	FOREST CROPLAND AID	80.00
10 43620	STATE RECYCLING AIDS	11,213.00
10 43630	LAKE PLANNING AGREEMENT GRANT	-0-
10 43635	FRIESS LAKE BOAT LAUNCH GRANT	113,000.00
10 43670	ROAD IMPROVEMENT GRANT	-
10 43675	DNR GYPSY MOTH GRANT	-0-

**TOTAL INTERGOVERNMENTAL**

**702,237.00**

**LICENSES AND PERMITS**

10 44100	LIQUOR	12,650.00
10 44101	OPERATOR	4,200.00
10 44102	CIGARETTE	1,430.00
10 41103	SODA	350.00
10 44104	VENDING MACHINE	1,000.00
10 44105	ELECTRICAL LICENSES	4,400.00
10 44106	KENNEL LICENSES	10.00
10 44108	RESERVE LIQUOR LICENSE	-0-
10 44200	DOG	9,000.00
10 44201	HUNTING	-0-
10 44202	TARGET	70.00
10 44203	PET FANCIER'S LICENSES	1,200.00
10 44204	MINING PERMIT	-0-
10 44205	WORK PERMITS	350.00

10 44300	BUILDING	150,000.00
10 44301	ELECTRICAL	20,000.00
10 44302	PLUMBING	18,500.00
10 44304	ZONING PERMITS	3,000.00
10 44306	BURNING PERMIT	1,400.00
10 44307	HOUSE NUMBERS	700.00
10 44308	STATE SEALS	2,100.00
10 44309	ROAD BONDS	3,500.00
10 44310	HOLDING TANK AGREEMENT	100.00
10 44400	CSM REVIEW FEES	2,250.00
10 44401	APPEALS & ZONING	2,730.00
10 44402	MASTER PLAN AMENDMENT	350.00
10 44404	REZONING FEE	4,000.00
10 44405	SITE PLAN FEE	4,000.00
10 44406	CONDITIONAL USE PERMIT FEE	1,900.00
10 44407	SUBDIVISION PLAT FEE	11,000.00
10 44408	HOME OCCUPATION FEE	150.00
<b>TOTAL LICENSES AND PERMITS</b>		<b>260,340.00</b>
<b>FINES, FORFEITURES AND PENALTIES</b>		
10 44107	DOG FINES	250.00
10 45100	COURT FINES	100.00
<b>TOTAL FINES, FORFEITURES AND PENALTIES</b>		<b>350.00</b>
<b>PUBLIC CHARGES FOR SERVICES</b>		
10 45196	PLANNER FEE REIMBURSED	23,334.00
10 46100	SALE OF CODE BOOKS AND MAPS	350.00
10 46101	PUBLICATION FEE	500.00
10 46102	REGISTERED MAIN - POSTAGE	300.00
10 46103	COPIES	400.00
10 46104	ATTORNEY FEES REIMBURSED	1,500.00
10 46105	RECORDING FEES	250.00
10 46106	TAX SEARCH	3,500.00
10 46107	CABLE ADVERTISING	100.00
10-46108	RIGHT OF WAY PERMITS	3,500.00
10-46109	ADS IN NEWSLETTER	4,000.00
10 46190	LABOR CHARGES	1,500.00
10 46300	HAULER PEMITS	100.00
10 46310	SALE OF HWY MATERIALS	4,000.00
10 46311	EQUIPMENT USE	2,500.00
10 46312	ROAD USE FEE	7,000.00
10 46313	WIRELESS COMMUNICATION FACILITY FEE	-0-
10 46430	TRANSFER STATION	1,200.00
10 46431	RECYCLING	700.00
10 46440	WEED CUTTING	-0-
10 46445	GYPSY MOTH SPECIAL CHARGE	-0-
10 46850	ENGINEERING FEES REIMBURSED	48,297.00

**TOTAL PUBLIC CHARGES FOR SERVICES** **103,031.00**

**INTEREST**

10 48100 INTEREST EARNINGS 60,000.00  
10 48119 INTEREST ON DELIQUENT PP TAX 100.00

**TOTAL INTEREST** **60,100.00**

**MISCELLANEOUS REVENUES**

10 48200 PARK RENTAL FEES 200.00  
10 48310 NSF CHARGES 100.00  
10 48380 ACCIDENT CLAIMS 450.00  
10 48300 SALE OF ASSETS 13,700.00  
10 48500 DONATIONS -0-  
10 48510 CABLE FRANCHISE 44,000.00  
10 48900 SUNDRY REVENUES 100.00  
10 48920 RICHFIELD SOCCER LEAGUE 3,000.00

**TOTAL MISCELLANEOUS REVENUE** **61,350.00**

**TOTAL REVENUE** **3,331,656.00**

**PROPOSED VILLAGE BUDGET  
EXPENDITURES**

**GENERAL GOVERNMENT**

**BUDGET**

**TOWN BOARD**

10 51100 100 SALARIES 29,860.00  
10 51100 130 SOCIAL SECURITY 2,284.00  
10 51100 132 PENSION 0.00  
10 51100 310 OFFICE SUPPLIES AND EXPENSES 520.00  
10 51100 320 DUES AND MEMBERSHIPS 4,950.00  
10 51100 321 SEMINARS AND TRAINING 1,000.00  
10 51100 330 MILEAGE REIMBURSEMENT 1,000.00  
10 51100 331 ECONOMIC DEVELOPMENT 2,500.00  
10-51100-810 CAPITAL OUTLAYS 0.00

**TOTAL TOWN BOARD** **42,114.00**

**LEGAL COUNSEL**

10 51300 210 ATTORNEY 42,000.00

**TOTAL LEGAL** **42,000.00**

**TOWN ADMINISTRATOR**

10 51400 105 ADMINISTRATOR SALARY 74,531.00  
10 51400 130 SOCIAL SECURITY 5,702.00  
10 51400 131 HEALTH INSURANCE 10,300.00  
10 51400 132 PENSION 7,453.00



10 51400 310	OFFICE SUPPLIES AND EXPENSES	500.00
10 51400 320	DUES AND MEMBERSHIPS	1,000.00
10 51400 321	SEMINARS AND TRAINING	1,500.00
10 51400 330	MILEAGE	800.00
10 51400 348	PROFESSIONAL SERVICES	0.00
10 51400 810	CAPITAL OUTLAY	0.00
	<b>TOTAL TOWN ADMINISTRATOR</b>	<b>101,786.00</b>
<b>CLERK</b>		
10 51420 100	SALARY	43,089.00
10 51420 110	DEPUTY/CLERK TREASURER	28,194.00
10 51420 130	SOCIAL SECURITY	5,453.00
10 51420 131	HEALTH INSURANCE	16,879.00
10 51420 132	PENSION	7,128.00
10 51420 200	BLUEPRINTS	100.00
10 51420 205	WORK PERMITS	200.00
10 51420 210	ORDINANCE RECODIFICATION CRIMINAL/DRIVER LICENSE INVESTIGATION	5,000.00
10 51420 223	OFFICE SUPPLIES AND EXPENSES	750.00
10 51420 310	LEGAL NOTICES AND PRINTING	5,850.00
10 51420 311	DUES AND MEMBERSHIPS	8,850.00
10 51420 320	SEMINARS AND TRAINING	300.00
10 51420 321	MILEAGE REIMBURSEMENTS	1,000.00
10 51420 330	MILEAGE REIMBURSEMENTS	1,100.00
10 51420 810	CAPITAL OUTLAYS	0.00
	<b>TOTAL CLERK</b>	<b>123,893.00</b>
<b>ELECTION</b>		
10 51440 115	POLL WORKERS	15,500.00
10 51440 232	EQUIPMENT MAINTENANCE	1,500.00
10 51440 310	OFFICE SUPPLIES AND EXPENSES	2,900.00
10 51440 330	MILEAGE	0.00
10 51440 810	CAPITAL OUTLAY	0.00
	<b>TOTAL ELECTION</b>	<b>19,900.00</b>
<b>TREASURER</b>		
10 51520 100	SALARIES	41,200.00
10 51520 121	PT OFFICE-TAX COLLECTION	3,000.00
10 51520 130	SOCIAL SECURITY	3,381.00
10 51520 131	HEALTH INSURANCE	6,739.00
10 51520 132	PENSION	4,120.00
10 51520 211	AUDIT	13,500.00
10 51520-299	COMPUTER SUPPORT	2,460.00
10 51520 310	OFFICE SUPPLIES AND EXPENSES	570.00
10 51520 318	BANK SERVICE CHARGES	0.00
10 51520 320	DUES AND MEMBERSHIPS	130.00
10 51520 321	SEMINARS AND TRAINING	100.00
10 51520 330	MILEAGE REIMBURSEMENT	300.00

10 51520 810	CAPITAL OUTLAY	0.00
	<b>TOTAL</b>	<b>75,500.00</b>

**ASSESSOR**

10 51530 122	BOARD OF REVIEW	400.00
10 51530 124	CONTRACT SERVICES	30,000.00
10 51530 130	SOCIAL SECURITY	31.00
10 51530 225	STATE ASSESSING COSTS	1,000.00
10 51530 320	DUES AND MEMBERSHIPS	72.00
10 51530 350	REASSESSMENT	39,600.00
		<b>71,103.00</b>

**NON DEPARTMENTAL**

10 51600 220	HEAT	3,200.00
10 51600 221	ELECTRICITY	5,500.00
10 51600 222	TELEPHONE	6,000.00
10 51600 230	JANITOR	5,000.00
10 51600 231	BUILDING MAINTENANCE	1,500.00
10 51600 232	EQUIPMENT MAINTENANCE	7,000.00
10 51600 298	WEB SITE	2,500.00
10 51600 299	COMPUTER SUPPORT	2,000.00
10 51600 312	POSTAGE	8,500.00
10 51600 314	NEWSLETTER	6,000.00
10 51600 340	SUPPLIES AND EXPENSES	1,200.00
10 51600 810	CAPITAL OUTLAYS	0.00
	<b>TOTAL NONDEPARTMENTAL</b>	<b>48,400.00</b>

**TAXES**

10 51910 741	DELINQUENT PP TAXES W/O	500.00
10 51910 742	AG USE PENALTY COUNTY SHARE	36,484.00
	<b>TOTAL TAXES</b>	<b>36,984.00</b>

**INSURANCE**

10 51930 510	WORKER'S COMP	15,543.00
10 51930 511	PROPERTY INSURANCE	5,445.00
10 51930 512	PUBLIC OFFICIAL LIABILITY	5,566.00
10 51930 513	LIABILITY INSURANCE	11,132.00
10 51930 515	VEHICLE INSURANCE	14,520.00
10 51930 516	EMPLOYEE BONDS	696.00
10 51930 519	EMPLOYEE LIABILITY	3,755.00
	<b>TOTAL INSURANCE</b>	<b>56,657.00</b>

**TOTAL GENERAL GOVERNMENT 618,337.00**

**CONSTABLE**

10 52100 100	SALARIES	6,500.00
10 52100 130	SOCIAL SECURITIES	497.00
10 52100 222	TELEPHONE	100.00
10 52100 232	EQUIPMENT MAINTENANCE	300.00
10 52100 320	DUES AND MEMBERSHIPS	200.00
10 52100 321	SEMINARS AND TRAINING	100.00
10 52100 330	MILEAGE REIMBURSEMENTS	250.00
10 52100-340	SUPPLIES AND EXPENSES	200.00
	<b>TOTAL CONSTABLE</b>	<b>8,147.00</b>

**LAKE PATROL**

10 52110 100	SALARIES	4,500.00
10 52110 130	SOCIAL SECURITY	345.00
10 52110 232	EQUIPMENT MAINTENANCE	1,200.00
10 52110 321	SEMINARS AND TRAINING	750.00
10 52110 330	MILEAGE REIMBURSEMENTS	250.00
10 52110 340	SUPPLIES AND EXPENSES	200.00
10 52110 342	FUELS	200.00
10-52110-810	CAPITAL OUTLAYS	0.00
	<b>TOTAL LAKE PATROL</b>	<b>7,445.00</b>

**ZONING/CODE SPECIALIST**

10-52120 100	SALARIES	3,500.00
10 52120 130	SOCIAL SECURITY	268.00
10-52120-310	OFFICE SUPPLIES AND EXPENSES	200.00
10-52120 330	MILEAGE	500.00
	<b>TOTAL ZONING/CODE SPECIALIST</b>	<b>4,468.00</b>

**EMERGENCY GOVERNMENT DIRECTOR**

10 52130 100	SALARIES	0.00
10 52130 100	SOCIAL SECURITY	0.00
10 52130 321	SEMINARS AND TRAINING	500.00
10 52130 330	MILEAGE	50.00
	<b>TOTAL EMERGENCY DIRECTOR</b>	<b>550.00</b>

**FIRE PROTECTION**

10-52200-201	RICHFIELD VOL FIRE DEPT	383,310.00
10-52200-202	RICHFIELD INSURANCE DUES	41,000.00
10-52200-348	PROFESSIONAL SERVICES	8,000.00
	<b>TOTAL FIRE PROTECTION</b>	<b>432,310.00</b>

**POLICE DEPT**

10-52300-201	CONTRACTED POLICE SERVICES	400,000.00
	<b>TOTAL POLICE</b>	<b>400,000.00</b>

**INSPECTION**

10 52410 100	BUILDING INSPECTOR	64,890.00
10 52420 100	ELECTRICAL INSPECTOR	0.00
10 52430 100	PLUMBING INSPECTOR	0.00
10 52400 130	SOCIAL SECURITY	4,964.00
10-52400-131	HEALTH INSURANCE	12,607.00
10 52400 132	PENSION	6,489.00
10 52400 222	TELEPHONE/CELL PHONE	480.00
10 52400 320	DUES AND MEMBERSHIPS	300.00
10 52400 321	SEMINARS AND TRAINING	700.00
10 52400 340	SUPPLIES AND EXPENSES	500.00
10 52400 341	HOUSE NUMBERS	250.00
10 52400 342	FUELS/PETROLEUM PRODUCTS	2,000.00
10 52400 344	STATE SEALS	1,250.00
10 52400 348	PROFESSIONAL SERVICES	0.00
10 52400 810	CAPITAL OUTLAYS	0.00

**TOTAL INSPECTION 94,430.00**

**PEST CONTROL**

10-54100-218	GYPSY MOTH CONTROL	0.00
10 54100 219	ANIMAL CONTROL CONTRACT	5,000.00

**TOTAL PEST CONTROL 5,000.00**

**TOTAL PUBLIC SAFETY 552,350.00**

**HWY DEPT**

10 53311 100	SALARIES	162,780.00
10 53311 116	WAGES PART TIME	12,000.00
10 53311 120	OVERTIME	16,000.00
10 53311 130	SOCIAL SECURITY	14,595.00
10 53311 131	HEALTH INSURANCE	40,456.00
10 53311 132	PENSION	16,278.00
10 53311 133	EMPLOYEE TESTING	600.00
10 53311 141	CONTRACTED SERVICES	10,000.00
10 53311 220	HEAT	8,500.00
10 53311 221	ELECTRICITY	3,600.00
10 53311 222	TELEPHONE	2,500.00
10 53311 231	BLDG MAINT/JANITOR	6,300.00
10 53311 321	SEMINARS AND TRAINING	1,500.00
10 53311 340	SUPPLIES/EXP-EQUIP RENTAL	46,000.00
10 53311 342	FUELS/PETROLEUM PRODUCTS	23,500.00
10 53311 370	MAJOR REPAIR & CONSTRUCTION	571,500.00
10 53311 371	ROAD SIGNS AND MARKINGS	60,000.00
10 53311 372	ICE CONTROL	90,000.00
10 53311 820	CAPITAL OUTLAYS	113,500.00

**TOTAL GARAGE & SHEDS 1,199,609.00**

**STREET LIGHTING**

10 53420 221	STREET LIGHTS - ELECTRICITY	9,500.00
	<b>TOTAL STREET LIGHTS</b>	<b>9,500.00</b>

**TRANSFER STATION**

10 53630 100	SALARIES	5,200.00
10 53630 130	SOCIAL SECURITY	400.00
10 53630 221	ELECTRICITY	300.00
10 53630 222	TELEPHONE	100.00
10 53630 232	EQUIPMENT MAINTENANCE	500.00
10 53630 291	WASTE DISPOSAL	2,000.00
10 53630 340	SUPPLIES AND EXPENSE	500.00
10 53630 342	FUELS	200.00
10 53630 375	RECYCLING EXPENSES	9000.00

**TOTAL TRANSFER STATION 18,200.00**

**TOTAL PUBLIC WORKS 1,227,309.00**

**PARK**

10 55200 100	WAGES	31,045.00
10 55200 116	WAGES PART TIME	4,500.00
10 55200 130	SOCIAL SECURITY	2,720.00
10 55200 131	HEALTH INSURANCE	9,606.00
10 55200 132	PENSION	3,105.00
10 55200 220	HEAT	1,650.00
10 55200 221	ELECTRICITY	2,200.00
10 55200 230	JANITORIAL	450.00
10 55200 232	EQUIPMENT MAINTENANCE	3,200.00
10 55200 233	GROUNDS MAINTENANCE	6,700.00
10 55200 235	PARK BEAUTIFICATION	4,000.00
10 55200-340	SUPPLIES AND EXPENSES	2,200.00
10 55200 310	OFFICE SUPPLIES AND EXPENSES	100.00
10 55200 342	FUELS	1,500.00
10 55200 343	FERTILIZER/WEED CONTROL	1,200.00
10 55200 344	METROS & LIQUID WASTE DISPOSAL	2,000.00
10 55200 810	CAPITAL OUTLAYS	191,000.00

**TOTAL PARKS 267,176.00**

**HISTORICAL SOCIETY**

10 55200 346	MILL PARK ELECTRICITY	100.00
10 55300 810	CAPITAL OUTLAYS	14,500.00

**TOTAL HISTORICAL SOCIETY 14,600.00**

**RECREATION**

10 55300 700	RICHFIELD DAYS FIREWORKS	8,500.00
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	<b>TOTAL RECREATION</b>	<b>8,500.00</b>
	<b>TOTAL LEISURE ACTIVITIES</b>	<b>290,276.00</b>
<b>PLANNING</b>		
	<b>PLANNING &amp; APPEALS</b>	
10 56300 214	PLANNER WAGES	51,500.00
10 56300 216	CONSULTANT SERVICES	10,000.00
10 56300 114	ARCHITECTURAL REVIEW BOARD	1,440.00
10 56300 117	PLAN COMMISSION	2,700.00
10 56300 118	ZONING APPEALS BOARD	1,440.00
10 56300 130	SOCIAL SECURITY	4,367.00
10 56300 131	HEALTH INSURANCE	11,259.00
10 56300 132	PENSION	5,150.00
10 56300 310	OFFICE SUPPLIES AND EXPENSES	1,000.00
10 56300 313	RECORDING FEES	250.00
10 56300 320	DUES AND MEMBERSHIPS	300.00
10 56300 321	SEMINARS AND TRAINING	2,200.00
10 56300 330	MILEAGE REIMBURSEMENTS	850.00
10 56300 330	RECRUITMENT EXPENSES	0.00
10 56300 348	PROFESSIONAL SERVICES	20,000.00
10 56300 810	CAPITAL OUTLAYS	7,500.00
	<b>TOTAL PLANNING AND APPEALS</b>	<b>119,956.00</b>
<b>ENGINEERING</b>		
10 56400 324	DEVELOPMENT REVIEW AND INSPECTION SERVICES	50,000.00 15,000.00
10 56400 325	ENGINEERING SERVICES	10,000.00
<b>TOTAL ENGINEERING SERVICES</b>		<b>75,000.00</b>
	<b>TOTAL CONSERVATION AND DEVELOPMENT</b>	<b>194,956.00</b>
<b>CONTINGENCY ACCOUNT</b>		
10 57620 840	MATCHING GRANTS	10,000.00
10 57620 860	LAND ACQUISTION/COMMUNITY FACILITIES	38,428.00
	<b>TOTAL CONTINGENCY ACCOUNT</b>	<b>48,428.00</b>
	<b>TOTAL EXPENDITURES</b>	<b>3,331,656.00</b>

## **Appendix E: List of Submitted Materials**

### **Petitioner's Submittal in Support of Incorporation, December 6, 2006**

- 124-page bound compilation of text, tables, pictures, and maps showing how Richfield's petition meets the standards in s. 66.0207 Wis.Stats.
- Richfield 20-Year Smart Growth Comprehensive Plan (2004)
- Standards for Development Construction (2005) by Bonestroo & Associates and approved by the Richfield Town Board.
- Copies of 'Richfield Happenings' a quarterly newsletter mailed to Richfield residents
- Brochures and informational pamphlets about YMCA Camp Minikani
- The Groundwater System and Resources of Richfield, Wisconsin: Summary of the Richfield Ground Water Study (2003 to 2005) by D.S. Cherkauer, Professor of Hydrogeology, University of Wisconsin-Milwaukee
- Town of Richfield 2006 Adopted Budget
- Town of Richfield 2007 Proposed Budget
- Town of Richfield Financial Graphs 2001-2005
- Richfield Volunteer Fire Company: Serving the Community since 2000, by Barbara Sylvester, 2000
- Fire Company Audit for the Richfield Volunteer Fire Company (2005)
- Town of Richfield financial statements for 2000 to 2005
- Richfield Remembers the Past: 1846-1996 (1996) by Barbara Nelson and Margaret Holzbog
- Facilities Master Plan (2004) by Planning & Design Institute

### **Stipulation and Order to Stay the Proceedings, January 17, 2007**

### **Materials from the Incorporation Review Board's May 3rd, 2007 Public Hearing**

- Petitioner's 113-slide Powerpoint presentation
- Memorandum of Wisconsin Department of Justice to the Town of Richfield, August 28, 2006, regarding the Department of Natural Resource's request that Richfield rescind its groundwater protection ordinance

- Memorandum to the Incorporation Review Board, May 7, 2007, from Town of Richfield Planner regarding Concept Plans for Development in Richfield.
- Correspondence to the Department from Town of Lisbon Chair Gerald Schmitz, March 22, 2007, indicating Lisbon's support for Richfield's petition
- City of Hartford Resolution #3139, March 13, 2007, Supporting the Incorporation of Richfield
- Town of Erin Resolution 07-02, March 19, 2007, A Resolution to Support the Incorporation of Richfield
- Town of Hartford Resolution 2007-02, March 12, 2007, A Resolution to Support the Incorporation of Richfield
- Correspondence to the Town of Richfield from Village of Theresa Board President Christopher Fox, December 27, 2006, indicating support for Richfield's petition
- Correspondence to the Town of Richfield from Village of Oconomowoc Lake Administrator Don Wiemer, July 26, 2006, indicating support for Richfield's petition
- Correspondence, pictures, and a map from Town of Richfield resident Raymond Cox, May 3, 2007, opposing incorporation
- Written testimony from local developer Richard Fleischman, May 3, 2007, in support of incorporation

#### **Post May 3<sup>rd</sup> 2007 Hearing Materials**

- Brief in support of incorporation, June 1, 2007, from Stanley Riffle, attorney for Richfield
- Correspondence to the Department from Town of Richfield Planner, Sarah Jankowski, June 17, 2007, providing information about conservation subdivision lot size and local road connectivity
- Boundary Agreement Between the City of Hartford, the Town of Erin, the Town of Hartford, and the Town of Richfield, January 18, 2007.
- Revised Population Density Map, 2007, correcting the errors pointed out by resident Raymond Cox at the May 3<sup>rd</sup> public hearing
- Correspondence to the Incorporation Review Board from Town of Richfield resident Daniel Naze, May 15, 2007, opposing incorporation
- Correspondence to the Incorporation Review Board from the Highway J. Citizens Group, opposing incorporation