



## MEMORANDUM

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*To:* State of Wisconsin – Department of Administration & Incorporation Review Board

*From:* James M. Kalny & Tanya Fonseca, AICP

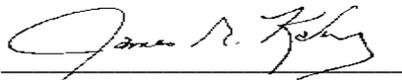
*Date:* October 2, 2020

*Subject:* Petitioner's (Greenleaf) Comments in response to September 22, DOA IRB Board Hearing

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Dear Department of Administration:

Enclosed, please find the Petitioner's Public Comments for the September 22, Department of Administration's Incorporation Review Board Hearing. On Behalf of the Petitioners, we thank the IRB for your time and consideration.

  
James M. Kalny  
Attorney for Petitioner

  
Tanya Fonseca, AICP  
Senior Planner & Associate | GRAEF

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## **Homogeneity & Compactness in the proposed Village of Greenleaf**

In regard to the standard “Characteristics of territory,” “The entire territory of the proposed village or city shall be reasonably homogeneous and compact, taking into consideration natural boundaries...”. The Department of Administration staff have requested additional information regarding “the ledge” – that is, the neighborhoods that flank the Niagara Escarpment in Greenleaf. The Intervenor has strategically used the homogeneity and compactness standard to suggest that the ledge is a distinct separate area that is not part of the Greenleaf community and not homogeneous. However, the fact is that this natural feature is critical to the Greenleaf identity, and has attracted development proximate to and complementing the core, causing Greenleaf to grow in a natural and orderly manner. Further, there is significant social cohesion of all residents in the proposed Village of Greenleaf.

### **Ridge Royale Drive & Fair Lane neighborhoods identify with Greenleaf**

- People in the region and even locally assume that Greenleaf is incorporated already.
- Residents on Ridge Royale Drive identify with living in Greenleaf.
- At its first meeting the Incorporation Committee directed that the ledge area be included in the Incorporation petition because the ledge is an integral part of the Greenleaf community.
- Incorporation without Ridge Royale Drive neighborhood was not considered.
- Incorporation without the Fair Lane neighborhood was not considered.
- Residents in these neighborhoods desire to be part the incorporated Greenleaf – 39 residents signed the Petition for Incorporation, of the possible 87 – not all were contacted, and one resident declined to sign the Petition.

### **If these residences are not part of Greenleaf, what are they part of?**

- The Ridge Royale neighborhood was not built in the character of the rural Town. This neighborhood was built as part of the more urbanized setting of Greenleaf. There are no farms in Ridge Royale Drive. This area does not and will not have manure trucks or farm implements using the road. It is an urban high-end residential district, not a collection of farm homes.
- This development is not sporadic. It is naturally and reasonably compact and all ties into one community.
- Ridge Royale Drive neighborhood is a planned residential development exploiting a natural feature. It developed near Greenleaf as the community center serving this neighborhood is Greenleaf. The residential development at this location is not scattered, haphazard, or fragmented in any way. It is organized growth of the community spreading outward from and proximate to the historic core of Greenleaf. This same orderly pattern of development takes place in most communities throughout Wisconsin, where the core is older with smaller lots, and newer development radiates out, with some changes in structure based on more contemporary residential needs and desires for more choice and price points.
  - Lots are commonly larger along natural features, and exhibit higher values, and different architectural character, but this does not mean that these neighborhoods or districts are separate from the community character.

- Ridge Royale Drive is residential development, similar to Fair Lane and Breckenridge Falls Boulevard neighborhoods. The size of lots do not change the residential and urban nature of the use. The residential character and use are a uniform element throughout.

### **Character of Ridge Royale Drive**

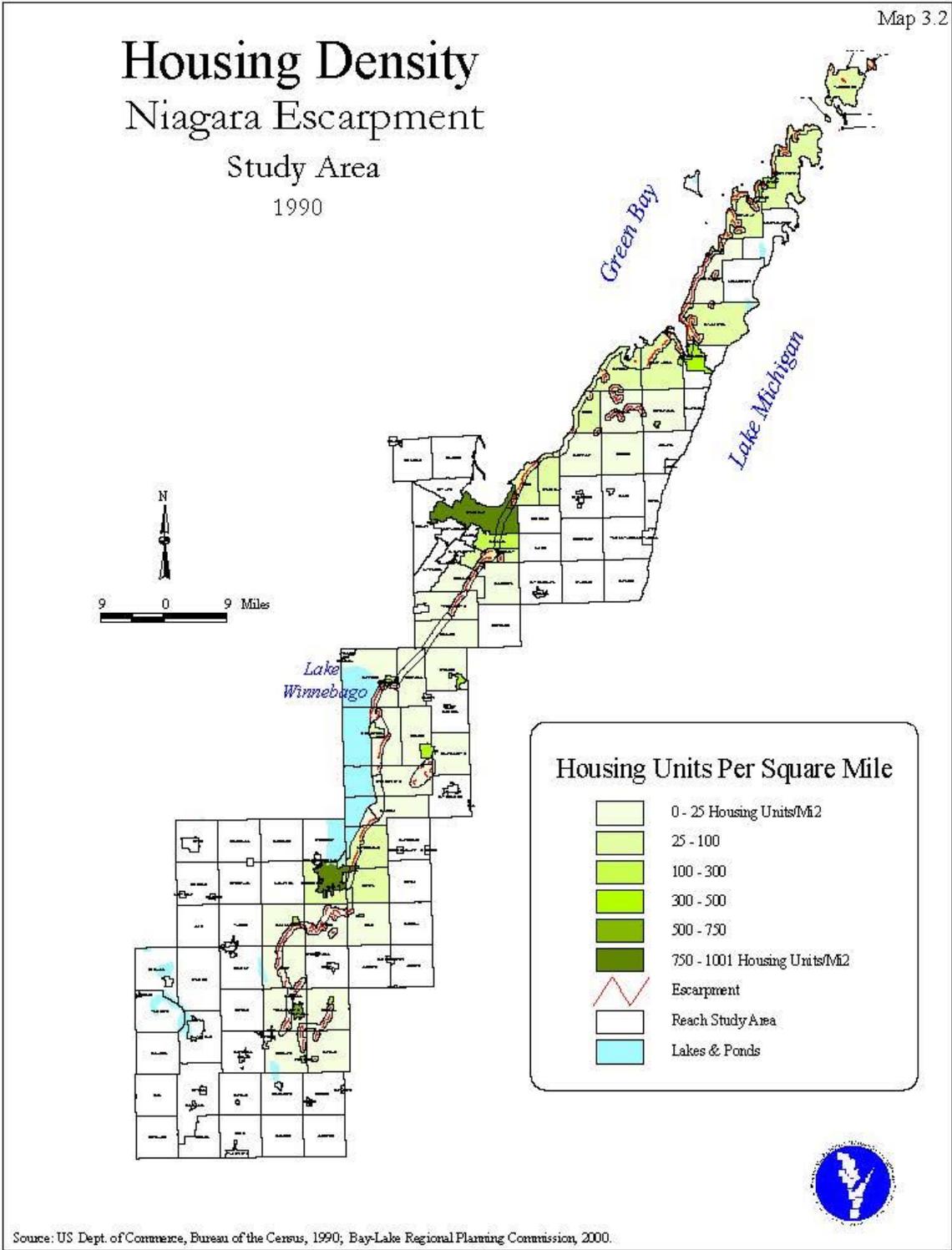
- Intervenor’s question Ridge Royale Drive being part of Greenleaf, based on its value, lot sizes, and different architectural character.
- Greenleaf has a mix of housing types – this shows the richness of a true community that has a diversity in housing types, price points, sizes which is what is typical in an incorporated area.
  - Single family homes, duplexes, apartments, mobile homes, estate homes
- Ridge Royale Drive neighborhood has more wealth, but that does not mean that it is not part of Greenleaf. Its residents identify with living in Greenleaf, and this neighborhood was built as part of Greenleaf, as development as naturally and radiated out in an orderly development pattern, and as development became technologically and financially feasible, given the presence of limestone.
- All communities have neighborhoods with more wealth, often built in highly desirable areas of communities, with larger lots, natural features, views, etc.
- Many incorporated Villages and Cities in Wisconsin have diversity of housing types and sizes in their neighborhoods, and still are homogenous and compact. As a planning and development consultant across the state of Wisconsin, this is not uncommon, and rather is a positive feature for communities to have diversity in housing type, lot size, and cost point, based on their local markets and other unique factors that shape their communities, such as natural features (topography, rivers, lakes, etc.).
  - *This includes neighboring Village of Wrightstown (Intervenor) – please see Appendix.*

### **Area & Density Calculations**

- The Intervenor has stated that the reason the Petitioner included “the ledge – that is the Fair Lane and Ridge Royale Drive neighborhoods – within the proposed boundaries of the Village of Greenleaf was “because it is the only way to draw the make to make the density in the area beyond core.” This could not be further from the truth.
- During conceptual review, it was determined that the core could be sufficient to meet the standards, however there would have been an issue with the residents of Greenleaf, and of the Fair Lane and Ridge Royale Drive neighborhoods more specifically.
  - The petitioner included these neighborhoods as the insistence of the residents of the neighborhood who believe they are part of the Greenleaf community. All residents share a common interest in Greenleaf, whether they live in the Core or the Territory Beyond the Core.
- In early meetings with the community it was determined that these areas should be included because they are part of Greenleaf, in that their development has radiated out naturally from the development of the core, and that the residents of these two neighborhoods identify with living in Greenleaf and consider the community center their downtown.
- Furthermore, not including these properties would be inappropriate, as they were not built in the rural character of the town. They are built in the character of Greenleaf, regardless of lot size or architectural character.



*Caption: this imagery shows an orderly mirrored pattern of planned development, with the Niagara Escarpment running down the middle. Image credit: John Brittnacher, petitioner.*



*Caption: This map shows that there commonly is development around the Niagara Escarpment throughout the state. This study took place in 1990 and has not yet been updated with the unfolding development in Greenleaf, as well as other communities in Wisconsin.*

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### **Future Development in Greenleaf**

- Future development in Greenleaf is planned for the 33 acres of land just north of Breckinridge Falls Boulevard. This has long been planned, including the future street connection, which would connect Breckinridge Falls Boulevard directly to Fair Road and Fair Lane.
  - Although this area has not yet been platted but a current property owner or future development, it will be for single family residential, that will fill in this parcel, create more residential capacity, in the character of Greenleaf – lot sizes are yet to be determined based on market needs and desires for this neighborhood.
  - This area will be included in the Sewer Service Area in the future for this development to take place.
- Future development along Fair Lane
  - While development has been focused on the east side of Fair Lane, along the Niagara Escarpment, development will eventually flank both sides of this street, and be developed in an orderly pattern, including with connection to Breckinridge Falls Boulevard in the short term, and potential connection with Deuster Street and School Road.
- Future development along Ridge Royale Drive
  - The Ridge Royale Drive neighborhood has been planned and developed in order to facilitate future adjacent development, in an orderly pattern. This neighborhood has been planned with streets that are stubbed for this development as it unfolds eastward – Crested Oak Drive, Farmland Way, and Royal Valley Drive (not cul-de-sacs). These new neighborhood streets will connect to Lidgetop Drive, where the topography allows the connection, and to Day Street/Highway 96.

### **Sewer & Water**

- Greenleaf proactively has investigated future providing sewer and water provisions to areas not currently connected – with the amount of development that has taken place, it has not been a priority, however as the neighborhood grows, this will be considered in anticipation of the life cycle of the wells and septic systems.
- Sewer system has capacity for growth and can also be expanded accordingly in the future.
- Many incorporated Village and Cities in Wisconsin have neighborhoods that are not connected to their septic and water systems.
  - *This includes neighboring Village of Wrightstown (Intervenor), where their Sewer Service Area does not match their Village boundary, and their water comes from Green Bay – please see Appendix.*

### **Governance**

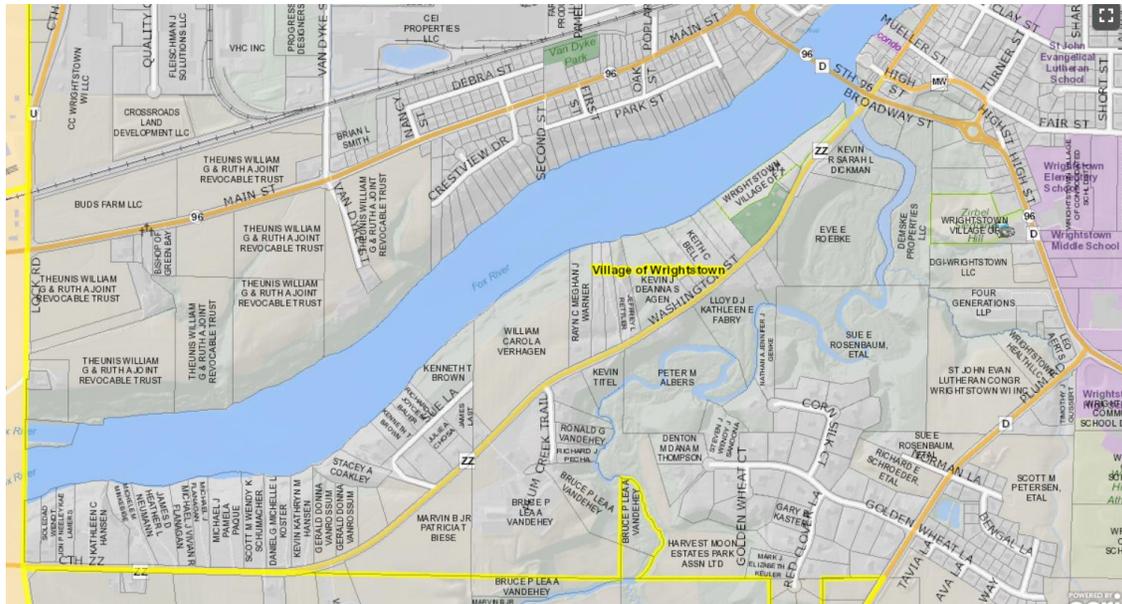
- While the three current Town Supervisors are located within the Town Remnant, future governance of Greenleaf is not seen as an issue. Many residents of Greenleaf have expressed interest in a leadership role, either on the Village Board or future commissions including residents living on Ridge Royale Drive and on Fair Lane.

### **Greenleaf Incorporation Citizen Statistics for Reference**

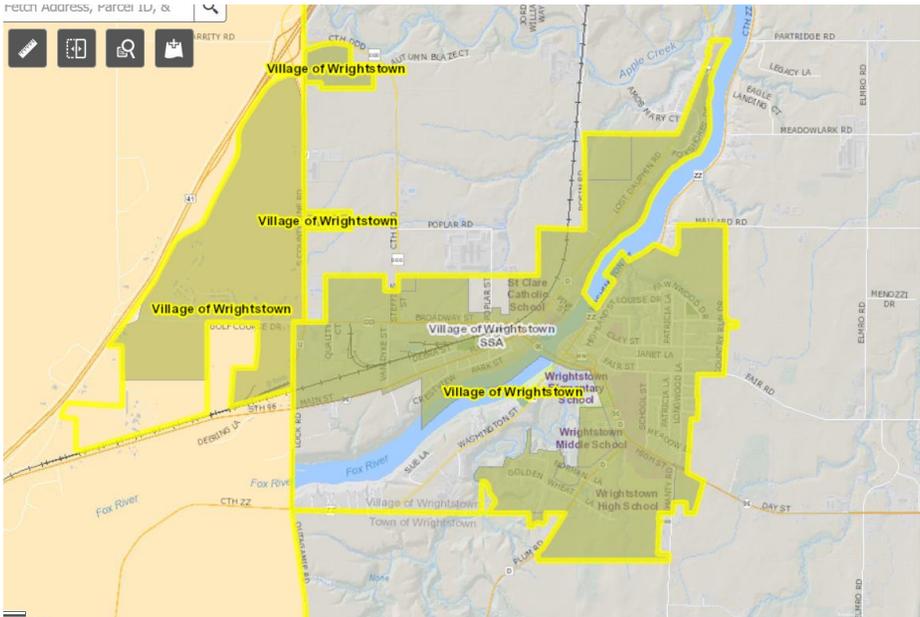
- Population in the proposed Village of Greenleaf: 814 people
- Signatures on the petition for incorporation: 103
- Signatures from Ridge Royale Drive & Fair Lane neighborhoods: 39
- Incorporation Committee – 14 members
  - All members voted unanimously to incorporate and to include Fair Lane and Ridge Royale Drive neighborhoods
- Public hearing on July 14 – 113 residents registered in favor, 35 in the proposed town remnant registered in favor, 1 resident registered opposed

**Appendix – shared features with communities in Wisconsin (using neighboring Village of Wrightstown as an example) – maps sourced from Brown County GIS:**

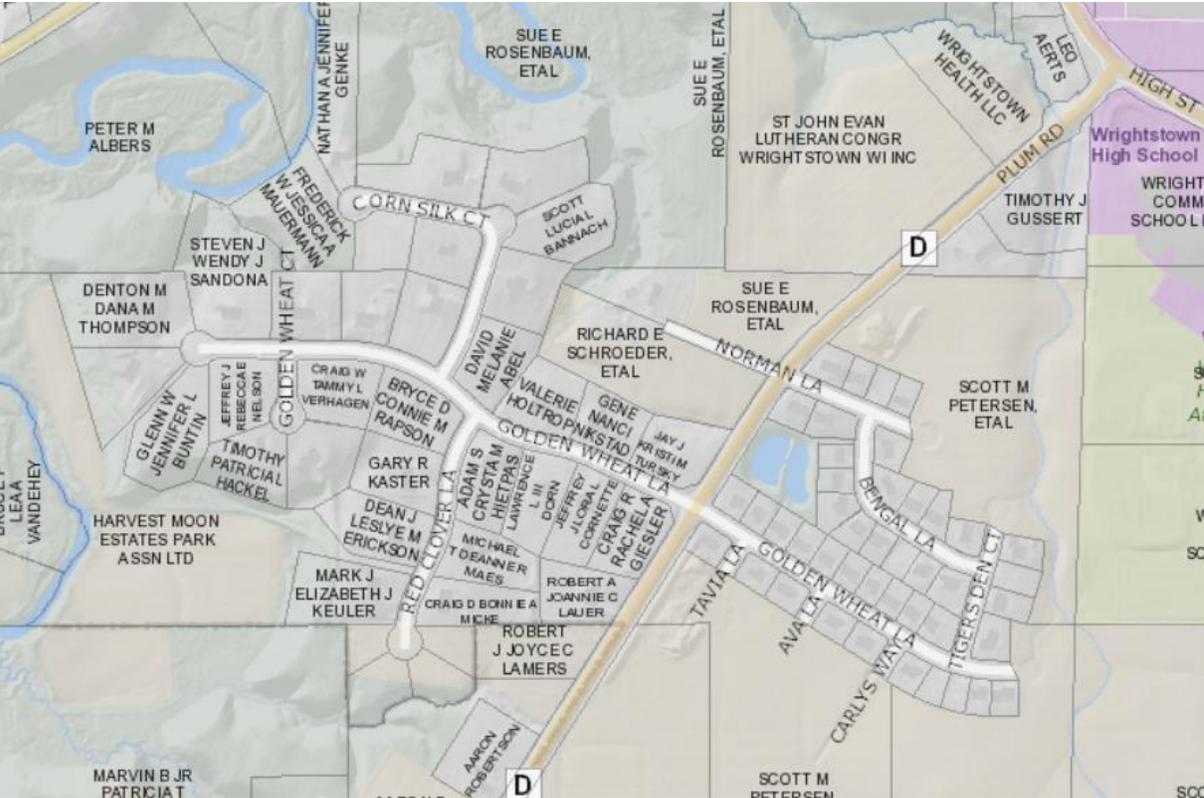
The Village of Wrightstown claims that Ridge Royale Drive does not fit in with the rest of the proposed village because of lot sizes, sewer/water, curb and gutter. Their development in their Village exhibits similar differences, like many communities in Wisconsin:



On Washington Street (CTH ZZ) south of STH 96 (including Sue Lane and Plum Creek Trail) there are almost 40 homes that vary in lot size, have no curb/gutter or sewer/water service. These lots range in size from approximately 1.5 acres to 20 acres. Plum Creek Trail is a recent development (guessing within the past 10 years) and follows this same trend. Ridge Royale Drive was included because those properties fit more into a village setting than a rural town and people asked to be included. Many of these parcels are within the Rural-Residential Zoning District.



The Village of Wrightstown claims that Ridge Royale Drive and Fair Lane should not be included because they are not in the sewer service area. Yet, this village has two areas on the west side of the river and significant an area on the east side that is not in their service area.



On Golden Wheat Lane west of Plum Road (CTH D) has large lots (approximately 1.5 acres or more) whereas east of Plum Road (CTH D), the development has smaller lots (approximately .5 acres or less). Although they both have sewer and water, only the east side has curb and gutter.

This is a recent development (likely within the past 8 years). Many of these parcels are within the Rural-Residential Zoning District.

The Village of Wrightstown claims that Ridge Royal Drive does not fit in with the rest of the proposed village because of the value/age of the homes. The Village of Wrightstown exhibits the same realities when home values are compared in the core of the village and the Fox Shores Drive subdivision (around \$500,000 and up). This is again a reality in communities throughout Wisconsin, where community cores often have older, more historic housing stock, that is often not valued nearly as highly as more newly development housing stock that exhibit higher values and are often on larger feature. Neighborhoods built to exploit natural features reflect even higher values, housing types, and lot sizes.

The Village of Wrightstown brought up that the elevation between the core and Ridge Royale Drive are different. This is similar in their Village, when comparing Washington Street (CTH ZZ) and Lost Dauphin Road (CTH D). This is not an issue or a guaranteed factor in preventing homogeneity and compactness.