State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1027 W. Saint Paul Avenue
Milwaukee, WI 53233

Tony Evers, Governor
Karen Hyun, Ph.D., Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

May 30, 2025

Mr. Joey Wisniewski
New Land Enterprises
1840 N. Farwell Ave.
Milwaukee, WI 53202
Via Email Only to: joey@newlandmke.com

Subject: Conditional Approval for Development on a Property where Solid Waste has been Disposed
Prange Greenhouses FMR Lots 1-4
2510 W. Good Hope Rd., Glendale, Wisconsin
DNR BRRTS Activity #07-41-596849, FID #341247060

Dear Mr. Wisniewski:

The Wisconsin Department of Natural Resources (DNR) reviewed and approves the proposed development on the solid waste disposal facility located at 2510 W. Good Hope Rd., Glendale, Wisconsin, in accordance with Wisconsin Administrative (Wis. Admin.) Code § NR 506.085, subject to the conditions listed in the attached approval. This approval is limited to the specific activities described in the revised application submitted to the DNR dated May 7, 2025. If any changes or additional activities are considered beyond those described in the application, a new application must be submitted to the DNR for approval.

The proposed activities include the following:

- Excavating waste material and constructing five townhouses, an apartment building, in-ground pool, paved surface parking, landscaped and hardscaped areas, an underground stormwater structure, and underground utilities as shown on attached Figure 1, *Cap/Barrier Maintenance Plan*, dated September 18, 2024.

This approval does not relieve you of obligations to meet all other applicable federal, state and local permits, or zoning and regulatory requirements. This approval should not be construed as a case closure approval under Wis. Admin. Code ch. NR 726.

If you have questions or concerns regarding this letter, please contact J. Gregory Moll, at (262) 202-3921 or john.moll@wisconsin.gov.

Sincerely,

Pamela A. Mylotta
Southeast Region Team Supervisor
Remediation and Redevelopment Program

PRINTED ON RECYCLED PAPER

Conditional Approval for Development on a Property Where Solid Waste Has Been Disposed
BRRTS Activity #07-41-596849
May 30, 2025

Attachments: Conditional Approval
Figure 1, Cap/Barrier Maintenance Plan
Preliminary Certified Survey Map

cc: Michelle Peed, Giles Engineering Associates, Inc. – mpeed@gilesengr.com
Justin Bush, Giles Engineering Associates, Inc. – jbush@gilesengr.com
Linda Michalets, DNR, Remediation and Redevelopment Program – linda.michalets@wisconsin.gov
Tod Doebler, Glendale Inspection Services – inspections@glendalewi.gov

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

CONDITIONAL APPROVAL
FOR
DEVELOPMENT ON A PROPERTY WHERE SOLID WASTE HAS BEEN DISPOSED

FINDINGS OF FACT

The Wisconsin Department of Natural Resources (DNR) finds that:

1. 2510 Good Hope, LLC owns the historic fill site located at 2510 Good Hope Rd., Glendale, Wisconsin, Parcel No. 1009984002. New Land Enterprises is the parent company of property owner 2510 Good Hope, LLC.

2. Solid waste, specifically foundry sand, slag, cinders, glass, concrete, and brick, is present at the site.

3. On May 6, 2025, the DNR received an application from Giles Engineering Associates, Inc. (Giles) on behalf of New Land Enterprises for approval to develop on the Prange Greenhouses FMR Lots 1-4 site. The DNR received the review fee of $700, per Wisconsin Administrative (Wis. Admin.) Code ch. NR 749 on May 6, 2025. On May 7, 2025, the DNR received a revised application from Giles on behalf of New Land Enterprises.

4. The information reviewed in connection with the proposed activities include:
    a. *Development at Historic Fill Site or Licensed Landfill Application,* dated April 28, 2025 and received by the DNR on May 6, 2025.
    b. Revised *Development at Historic Fill Site or Licensed Landfill Application,* dated May 7, 2025 and received by the DNR on May 7, 2025.

5. Additional documents considered in connection with the review of the proposed activities includes:
    a. *Site Investigation Report Addendum and Revised Conceptual Remedial Action Plan, Proposed Glendale Apartments and Townhomes, 2510 West Good Hope Road, Glendale, Wisconsin 53209, Project No. 1E-1903017, BRRTS No. 02-41-562331, 02-41-576953, 02-41-576954 and 02-41-576955, FID No. 341247060*, prepared by Giles, dated August 14, 2024.
    b. The DNR's files pertaining to Bureau of Remediation and Redevelopment Tracking System (BRRTS) activities #02-41-562331 and #07-41-596849.

6. Additional facts relevant to the review of the proposed activities include:
    a. The fill material and underlying native soil do not appear to present a risk for methane gas generation.
    b. The Prange Greenhouses FMR Lots 1-4 site is an open site tracked under BRRTS activity #02-41-562331.
    c. The site was previously comprised of four parcels. The parcels have been combined into a single parcel shown as Lot 1 on the attached *Preliminary Certified Survey Map*, dated April 25, 2024.

7. If the special conditions set forth below are complied with, the proposed development should not interfere with maintenance of the solid waste disposal area or cause a significant threat to public health, safety or welfare or to the environment.

CONCLUSIONS OF LAW

1. The DNR has authority under Wis. Admin. Code § NR 506.085 to approve development at a solid waste facility as defined in Wisconsin Statute (Wis. Stat.) § 289.01(35).

2. The DNR has authority under Wis. Stat. § 289.46(2) to limit its approval under Wis. Admin. Code § NR 506.085 to activities which will not interfere with a closed solid waste disposal facility or cause a significant threat to public health, safety or welfare.

3. The conditions of the approval set forth below are needed to ensure the proposed development does not interfere with the closed solid waste disposal facility or cause a significant threat to public health, safety or welfare as required under Wis. Stat. § 289.46(2).

4. In accordance with the foregoing, the DNR has authority under Wis. Admin. Code § NR 506.085 to issue the following approval.

CONDITIONAL APPROVAL

The DNR conditionally approves the proposed activities on the Prange Greenhouses FMR Lots 1-4 site subject to the following conditions:

1. All aspects of the proposed activities shall be performed in accordance with the application received by the DNR and the conditions of this approval. In the case of any differences between the approval conditions and the application, the approval conditions shall take precedence.

2. This approval is limited to the activities described in the revised application received by the DNR on May 7, 2025. Any changes or additional activities beyond those described in the application shall not be implemented without prior written DNR approval (Wis. Admin. Code § NR 506.085).

3. No action related to the proposed activities at the property may be taken which will cause any of the impacts or effects described in Wis. Admin. Code §§ NR 504.04(4)(a) to (f).

4. A report shall be submitted to the DNR within 60 days of completion of the proposed activities that documents the project was completed in accordance with the approved plan and conditions of this approval. The report may be submitted in conjunction with a Wis. Admin. Code § NR 724.15 remedial action construction documentation report. The report shall include:

    a. Narrative describing work completed in accordance with approval and any problems encountered.
    b. If waste was encountered, documentation of proper disposal of waste.
    c. Photo documentation of all aspects of construction.
    d. An explanation of any deviations from the plan and for documentation of minor field modifications discussed with the DNR.
    e. A set of as-built plans.

5. The proposed activities shall not prevent the completion of remedial response actions required under Wis. Admin. Code chs. NR 700-799 and shall be coordinated with remedial action and/or materials management requirements and related DNR approvals.

6. If contamination is encountered during the proposed activities that is not related to the documented contamination, notification of the contamination shall be submitted to the DNR.

7. Any continuing requirements of the development plan or the conditions of the approval shall transfer with changes in property ownership.

This approval is based on the information available to the DNR as of the date of approval. If the proposed project changes or if circumstances change such that there may be a need to modify this approval, the DNR may ask applicants to provide additional information relating to activities to determine if the approval will need to be modified.

NOTICE OF APPEAL RIGHTS

If you believe you have a right to challenge this decision made by the DNR, you should know that Wisconsin statutes and administrative codes establish time periods and requirements for reviewing DNR decisions.

- For judicial review of the DNR's decision pursuant to Wis. Stat. §§ 227.52 and 227.53, you have 30 days after the decision is mailed or otherwise served by the DNR to file the petition with the appropriate circuit court and serve the petition on the DNR. Such a petition for judicial review must name the "Department of Natural Resources" as the respondent.

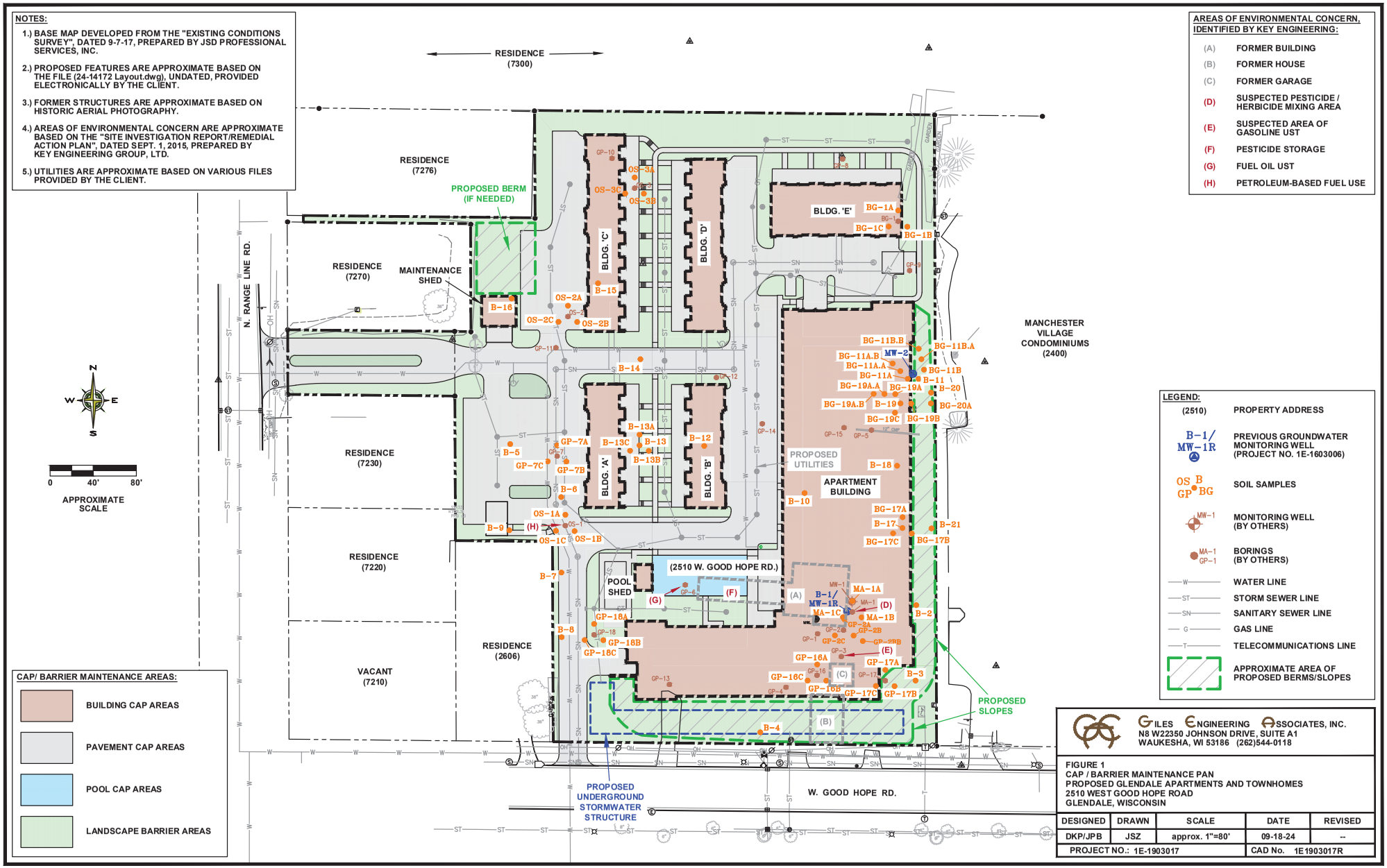
- To request a contested case hearing pursuant to Wis. Stat. § 227.42, you have 30 days after the decision is mailed or otherwise served by the DNR, to serve a petition for hearing on the secretary of the DNR. All requests for contested case hearings must be made in accordance with Wis. Admin. Code § NR 2.05(5), and served on the DNR secretary in accordance with Wis. Admin. Code § NR 2.03. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

Dated: *May 30, 2025*

DEPARTMENT OF NATURAL RESOURCES
For the Secretary

Pamela A. Mylotta
Southeast Region Team Supervisor
Remediation and Redevelopment Program

J. Gregory Moll, P.G.
Hydrogeologist
Remediation and Redevelopment Program



GILES ENGINEERING ASSOCIATES, INC.
N8 W22350 JOHNSON DRIVE, SUITE A1
WAUKESHA, WI 53186 (262)544-0118

FIGURE 1
CAP / BARRIER MAINTENANCE PAN
PROPOSED GLENDALE APARTMENTS AND TOWNHOMES
2510 WEST GOOD HOPE ROAD
GLENDALE, WISCONSIN

DESIGNED	DRAWN	SCALE	DATE	REVISED
DKP/JPB	JSZ	approx. 1"=80'	09-18-24	--
PROJECT NO.: 1E-1903017			CAD No. 1E1903017R	

PRELIMINARY

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF CERTIFIED SURVEY MAP NO. 8871 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS AS DOCUMENT NO. 10540324 AND THAT PORTION OF A VACATED STREET, BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWN 8 NORTH, RANGE 22 EAST, IN THE CITY OF GLENDALE, MILWAUKEE COUNTY, WISCONSIN

ALL BEARINGS ARE REFER TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 18, WHICH HAS A WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE)(NAD27) BEARING OF N00°12'29"W. (SEPT. 2017 REVISION)

ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.

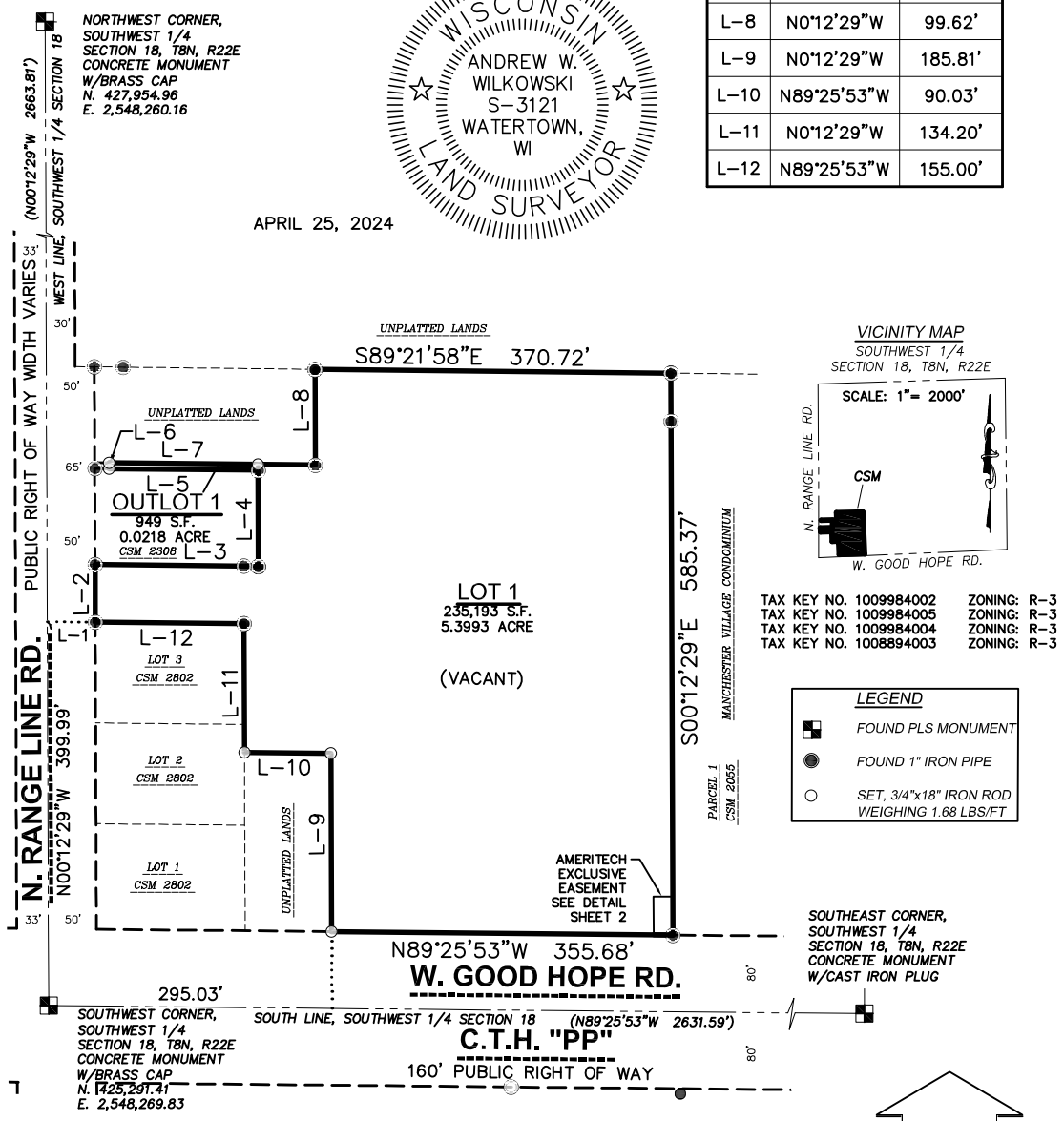
ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.

SEE SHEET 2 FOR OUTLOT AND EASEMENT DETAILS

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S89°25'53"E	50.00'
L-2	N0°12'29"W	60.01'
L-3	S89°25'53"E	170.11'
L-4	N0°12'29"W	100.06'
L-5	N89°25'53"W	155.10'
L-6	N0°12'29"W	6.12'
L-7	S89°25'53"E	214.99'
L-8	N0°12'29"W	99.62'
L-9	N0°12'29"W	185.81'
L-10	N89°25'53"W	90.03'
L-11	N0°12'29"W	134.20'
L-12	N89°25'53"W	155.00'

WISCONSIN
ANDREW W. WILKOWSKI
S-3121
WATERTOWN, WI
LAND SURVEYOR

APRIL 25, 2024



VICINITY MAP
SOUTHWEST 1/4
SECTION 18, T8N, R22E
SCALE: 1"= 2000'

TAX KEY NO. 1009984002	ZONING: R-3
TAX KEY NO. 1009984005	ZONING: R-3
TAX KEY NO. 1009984004	ZONING: R-3
TAX KEY NO. 1008894003	ZONING: R-3

LEGEND
- FOUND PLS MONUMENT
- FOUND 1" IRON PIPE
- SET, 3/4"x18" IRON ROD WEIGHING 1.68 LBS/FT

THIS INSTRUMENT WAS DRAFTED BY ANDREW W WILKOWSKI, S-3121.

north
0 50 100
SCALE: 1"=100'

SURVEYED BY: JSD N238 W1610 BUSSE ROAD SUITE 100 WAUKESHA, WISCONSIN 53188 PHONE: (262)513-0666	SUBDIVIDER/OWNER: NEW LAND ENTERPRISES, LLC 1818 N. FARWELL AVE. MILWAUKEE, WI 53202	PROJECT NO: 24-14172 FILE NO: B-* FIELDBOOK/PG: - SHEET NO: 1 OF 4	SURVEYED BY: JA DRAWN BY: DHS CHECKED BY: AWW APPROVED BY: JLJ		

File: R:\2018\18-8716 2510 Good Hope Rd (Glendale WI)\Dwg\188716 CSM.dwg Layout: CSM 1 of 4 User: clafferty Plotted: Apr 25, 2024 - 3:13pm