



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: 869-2214

Oneida, WI 54155



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States, was made possible

GENERAL TRIBAL COUNCIL RESOLUTION NO. 7-3-89-B

- WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a Treaty Tribe recognized by the laws of the United States, and
- WHEREAS, the Oneida General Tribal Council is the duly recognized governing body of the Oneida Tribe of Indians of Wisconsin, and
- WHEREAS, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and
- WHEREAS, the Oneida General Tribal Council in session has been delegated the authority of Article IV, Section I of the Oneida Tribal Constitution, and
- WHEREAS, the Oneida Nation has designated the perpetuation, control, protection, acquisition, and development of its tribal lands to be a paramount importance to the Tribe and its members, and
- WHEREAS, The Oneida General Council adopted the Oneida Land Acquisition Plan of 1987, and
- WHEREAS, the Oneida Land Acquisition Plan of 1987 provides for the provision of policies, laws, regulations, and procedures for the administration of lands under the ownership and jurisdiction of the Oneida Tribe and its members, and
- WHEREAS, the Oneida Business Committee has been delegated the authority, by the General Tribal Council's adoption of the 1987 Land Acquisition Plan to administrate the laws, regulations and procedures related to the implementation of these policies set forth in said Land Acquisition Plan of 1987, and

WHEREAS, the Land Acquisition Plan of 1987 states as a goal, Land Use Priorities: Specifically to utilize a system of land use priorities consistent with current needs, future goals and objectives and to consider said priorities based on the following recommended order:

- 1) Residential
- 2) Commercial
- 3) Forestry
- 4) Agriculture
- 5) Conservancy,

and,

WHEREAS, the Oneida Business Committee did adopt on August 12, 1988, Resolution #8-12-88-A directing Tribal staff to complete the Oneida Land Use Plan, and

WHEREAS, the Economic Development, Land, Environment, Conservation, Housing Authority, Museum, and Planning Departments including members of the Economic Development planning Committee, Land Committee, Oneida Reservation Commission on Aging, and the Conservation Board have met at various times and places in public session to discuss and develop said plan, and

WHEREAS, Public Hearings were held on April 12, 1989 and May 22, 1989 seeking public comment and direction on draft versions of said plan, and

WHEREAS, the Oneida Business Committee did adopt on June 30, 1989, Resolution #6-30-89-C directing the implementations of such provisions established by the Oneida Land Use Plan to be pursued henceforth as policy of the Oneida Tribe of Indians of Wisconsin.

NOW THEREFORE BE IT RESOLVED: that the Oneida Land Use Plan be adopted by the Oneida General Tribal Council, and

BE IT FURTHER RESOLVED: that implementation of such provisions established by the Oneida Land Use Plan be pursued henceforth as policy of the Oneida Tribe of Indians of Wisconsin.

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Oneida Business Committee, hereby, certify that the Oneida General Tribal Council in session with a quorum of 171 members present, at a meeting duly called, noticed, and held on the 3rd day of July, 1989; that the foregoing resolution was duly adopted at such meeting by a majority vote of those present and that said resolution has not been rescinded or amended in any way.



Amelia Cornelius, Tribal Secretary
Oneida Tribe of Indians of Wisconsin

ONEIDA RESERVATION LAND USE PLAN

Contents

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I. ZONES

The creation and implementation of a Land Use Plan is of major importance to the future of the Oneida Tribe. The direction the Oneida Tribe chooses to pursue will clearly and decisively indicate to Tribal members and the general public the pattern land use on the Reservation will follow.

The division of the Reservation land base into a series of zones will allow the Oneida Tribe to guard against the expansion of unsought residential development and specify suitable sites for residential, commercial, and industrial growth.

All acreage within the boundaries of the Reservation is provided for in one of seven zones: Urban, Suburban, Buffer, Conservation, Nation Forest, Agriculture, and Oneida Residential. Each zone consists of lands with a definitive geographical boundary as delineated on the attached map (Figure I).

A) URBAN ZONE

The Urban Zone includes those lands within the Reservation Boundaries lying in the public sewerage areas inside the City of Green Bay, the Village of Howard, and a small portion of the town of Hobart. Usages in this zone include industrial, commercial, recreational, institutional, and high density residential.

B) SUBURBAN ZONE

The Suburban Zone includes the less densely settled eastern segment of the Reservation lying within the Town of Hobart and the

Village of Ashwaubenon. Usages in this zone include industrial, commercial, institutional, recreational, the Foreign Trade Zone, and moderate density residential. Acreage requirements for residential usage are a minimum of two and one half ($2\frac{1}{2}$) acres with a minimum 300 foot frontage on a public roadway.

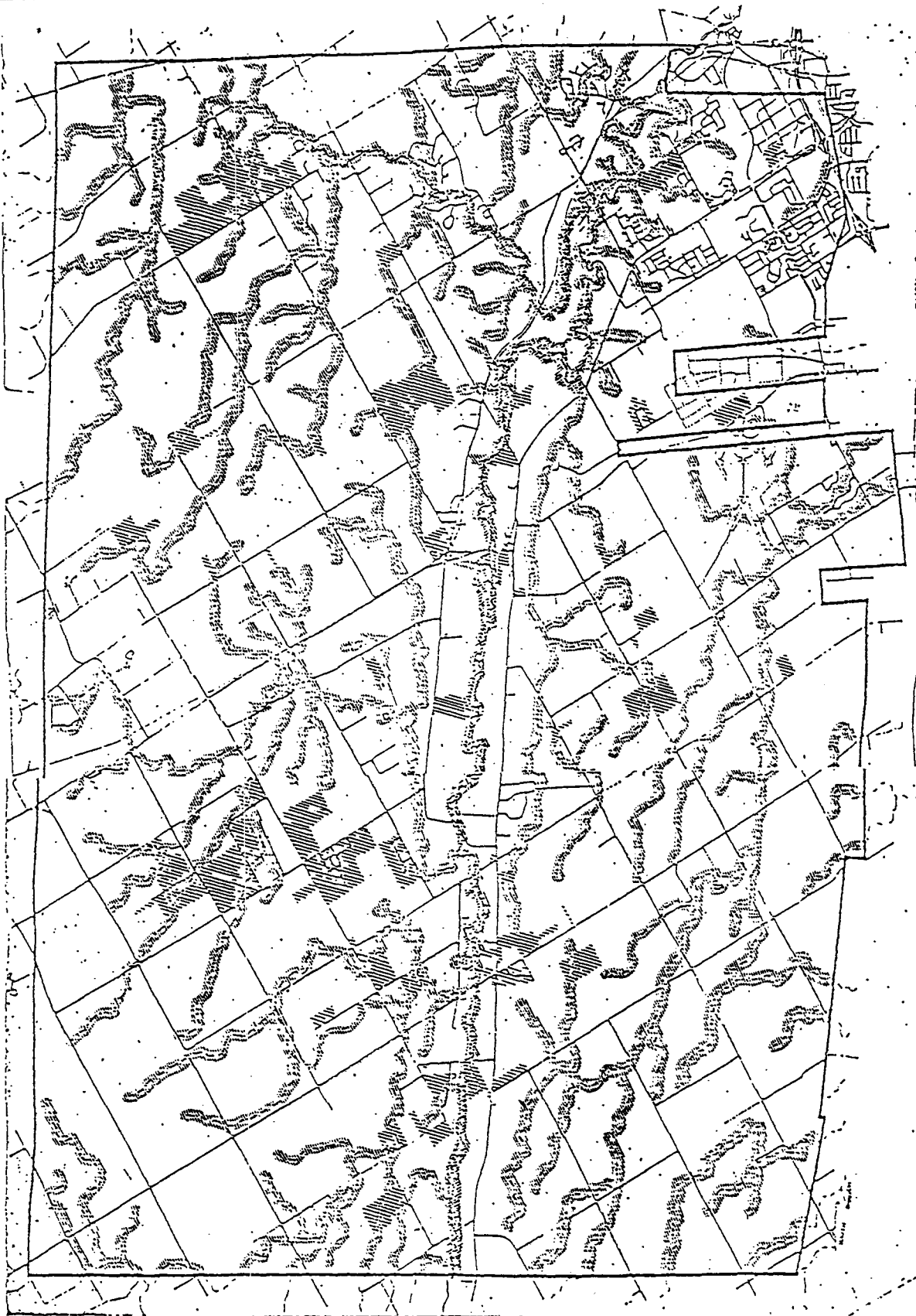
C) BUFFER ZONE

The Buffer Zone provides a Green Belt between the more heavily developed areas and the center of the Reservation. Usages here are limited to conservation, agriculture and recreation.

D) CONSERVATION ZONE

The Conservation Zone includes the Duck Creek and Trout Creek Corridors. A zone extending a minimum of 1,250 feet, 625 from either shore, with the exception of the length of Duck Creek extending from King Lane north to Overland Road. Within this area the zone is a minimum 600 foot variable band which would include the Creek bed, but fluctuate depending on the land use on adjacent shores. The more stringent controls of the Oneida Shoreland Protective Ordinance will be applied in all areas.

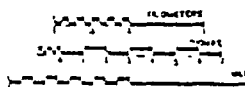
Erosion control will be implemented the length of the zone. Reforestation will be provided where appropriate. Construction within the zone is prohibited. The entire zone will be restocked, where suitable, with game birds, appropriate small game and fish. No harvest of existing forest products is permitted. Removal of



ONEIDA RESERVATION SHORELAND ORDINANCE MAP
COASTAL MANAGEMENT PROGRAM

APPROVED JANUARY 25, 1982
ONEIDA TRISAL BUSINESS COMMITTEE

- TRISAL LAND
- SHORELAND DISTRICT
- SHORELAND ZONE
- FLOODPLAIN DISTRICT
- WATERWAY DISTRICT



ADVISOR: DR. JAMES H. HARRIS
BASE MAP: MAPS
D.R. WHITE
B. SCHAEFER
A. LUTHE



FIGURE II

documented vegetation is allowed by permit with acceptable reforestation to follow. Selected deadfalls would be retained to provide habitat and protection for area wildlife. Recreational uses could include hunting, fishing, hiking, biking, bridal, cross country skiing and possibly snowmobile trails as permitted by tribal ordinance.

Those sites designated as environmentally, historically, culturally significant or sacred shall be considered as part of the Conservation Zone even though they may not be within the described boundaries of the Duck Creek or Trout Creek Corridors.

The Coastal Zone Ordinance has identified all navigable streams and waterways (Figure II) and currently regulates all land use activities in and around those areas contained within the Reservation boundaries. This ordinance will be maintained.

Reforestation and conservation efforts are under the supervision of the Oneida Conservation/Environmental Departments and Boards.

E) NATION FOREST ZONE

The Nation Forest Zone, under the direction of the 1987 Oneida Comprehensive Plan and the Land Acquisition Plan (1987), is located in the northwest segment of the Reservation. The primary land use within this zone is that of a sustained yield Nation Forest. Other permitted land uses will include conservancy, recreation, and low density residential. Residential acreage shall follow the restrictions as delineated within the Agricultural Zone.

F) AGRICULTURAL ZONE

The Agricultural Zone shall encompass the remainder of the Reservation not designated for other zone usage. Permitted land uses in this zone include agriculture, conservation, recreation and residential. Residential acreage shall be restricted to no more than four (4) dwellings every 640 acres, other than those home sites affiliated with farming activities. A farm shall be described as no smaller than ten acres in size where agricultural activity is evident.

G) ONEIDA RESIDENTIAL ZONE

The Oneida Residential Zone shall encompass three specific geographic locations. These areas are generally referred to as Oneida Village, Site II and Ridgeland. The principle site will be the "Oneida Village" area; this includes the area around the Norbert Hill Center, the Site I housing project and the "Village" residential areas along Cty Hwys. J and U and east of Duck Creek between WI Hwy 54 and Overland Road.

Site II includes the "Flying Leaf" areas, CCC building, Green Earth Mobile Home Court, and Rolling Hills. This area is bounded roughly by Fish Creek Road on the south, and Van Bortel Road on the east. It extends north of Ranch Road to the Oneida Town Hall and one lot deep on County H on the west.

The Ridgeland area includes the residential areas of Ridgeland and Hillside, the Oneida Health Center complex, the Museum site and possibly northeast along County E. This site is approximately one

(1) mile square in configuration. This area will need community sewer treatment in the mid to late 1990's to correct existing treatment problems. The detailed boundaries of this area will need to be defined at that time.

Permitted land uses in this zone would include light industrial, commercial, recreation, conservation, institutional and residential. Higher density residential use shall be contingent upon the provision of public sewer facilities.

Of primary importance is the identification of cultural, historical, sacred, and environmental sites on the Reservation. By placing these sites in conservancy any chance of unwanted development is eliminated, thus the zone in which the site is located will not be of issue because protection will be provided.

The division of Tribal lands into the zones identified above accomplishes much in regard to providing control for development, however other areas of concern need to be addressed as well.

II. GLOSSARY

AGRICULTURAL ZONE - Area where land use is predominantly for farming purposes.

BUFFER ZONE - A green belt, non-development area which protects the central Reservation from urban development and encroachment.

COASTAL ZONE ORDINANCE - See Shoreland Protection Ordinance.

CULTURALLY SIGNIFICANT - Those areas which have been identified as especially important to the customs and traditions of the Oneida Tribe.

DUCK CREEK CONSERVANCY - A zone extending a minimum of 1,250 feet, 625 from either shore for the full length of Duck Creek. Between Overland Road and King Lane the zone is a 600 foot variable band which would include the Creek bed and Shoreland Protection area, but fluctuates depending on the land use on adjacent shores.

ENVIRONMENTALLY SENSITIVE AREAS: Those areas which are considered as in a natural state.

ENVIRONMENTALLY SIGNIFICANT: Those areas which have been indicated as especially susceptible to harm or damage by human development or other activities.

HISTORICALLY SIGNIFICANT - Burial sites and those identified sites where critical events occurred, where specific buildings were located or which have been certified as archeological sites.

LAND ACQUISITION PLAN OF 1987 - A plan of action adopted by the Oneida General Tribal Council in 1987 to provide for the implementation of a national method of acquiring tribal lands by identifying the best possible prospects for acquisition.

LAND USE PLAN - Method of planning optimal uses of land.

NATION FOREST ZONE - Area reserved for the development of a sustained yield nation forest.

ONEIDA RESIDENTIAL ZONE - Denotes areas of higher residential use lying within the central Reservation area.

SHORELAND PROTECTION ORDINANCE - An Ordinance adopted in 1981 to establish the regulation and zoning of shoreland areas within the Oneida Reservation.

SUBURBAN ZONE - Less densely settled area existing on the Western border of the City of Green Bay, lying within the boundaries of the Village of Ashwaubenon and the Town of Hobart.

URBAN ZONE - Area lying predominantly within the boundaries of the City of Green Bay. All land use is high density.

III. FORCES

The need for a Land Use plan is reflected by forces within the Reservation and the Tribe which affect land use decisions. The continual intrusion of urban/suburban residential areas spreading west from Green Bay have reflected the need to provide for the future. Uncontrolled spread of this residential usage would eventually provide densely populated pockets of residential development throughout the Reservation.

A) Transportation Issues

- 1) Transportation Corridors: Included in the forces which need to be considered are the Transportation Corridors which cross the Reservation (Figure III). All five (5) categories of Transportation Corridors exist within the boundaries of the Reservation.

The Principle Arterials include WI Hwys 54, 29, 32, 41, and 172. The Minor Arterials consist of WI Hwy 55 and portions of Packerland Drive (County Hwy EB) and C.T.H GE. Major Collectors are designated as County Hwy U north of WI Hwy 54 and Cty Hwys J, E, EE, H, C, and S east of Hwy H. Minor Collectors include Cty Hwys FF, G, Y, VV, U south of WI Hwy 54 and Cty EE west of H. The fifth designated corridor is Local Roads which includes all remaining public throughfares within the confines of the boundaries of the Reservation.

Principle Arterials provide access to and from the Reservation as well as from the metro to the urban and rural areas. The Minor Arterials allow for movement around the edges of the Reservation. The Major Collectors link the central

ONEIDA RESERVATION

ROAD WAY CLASSIFICATION

Principle Arterial	
Minor Arterial	
Major Collector	
Minor Collector	
Local (other)	

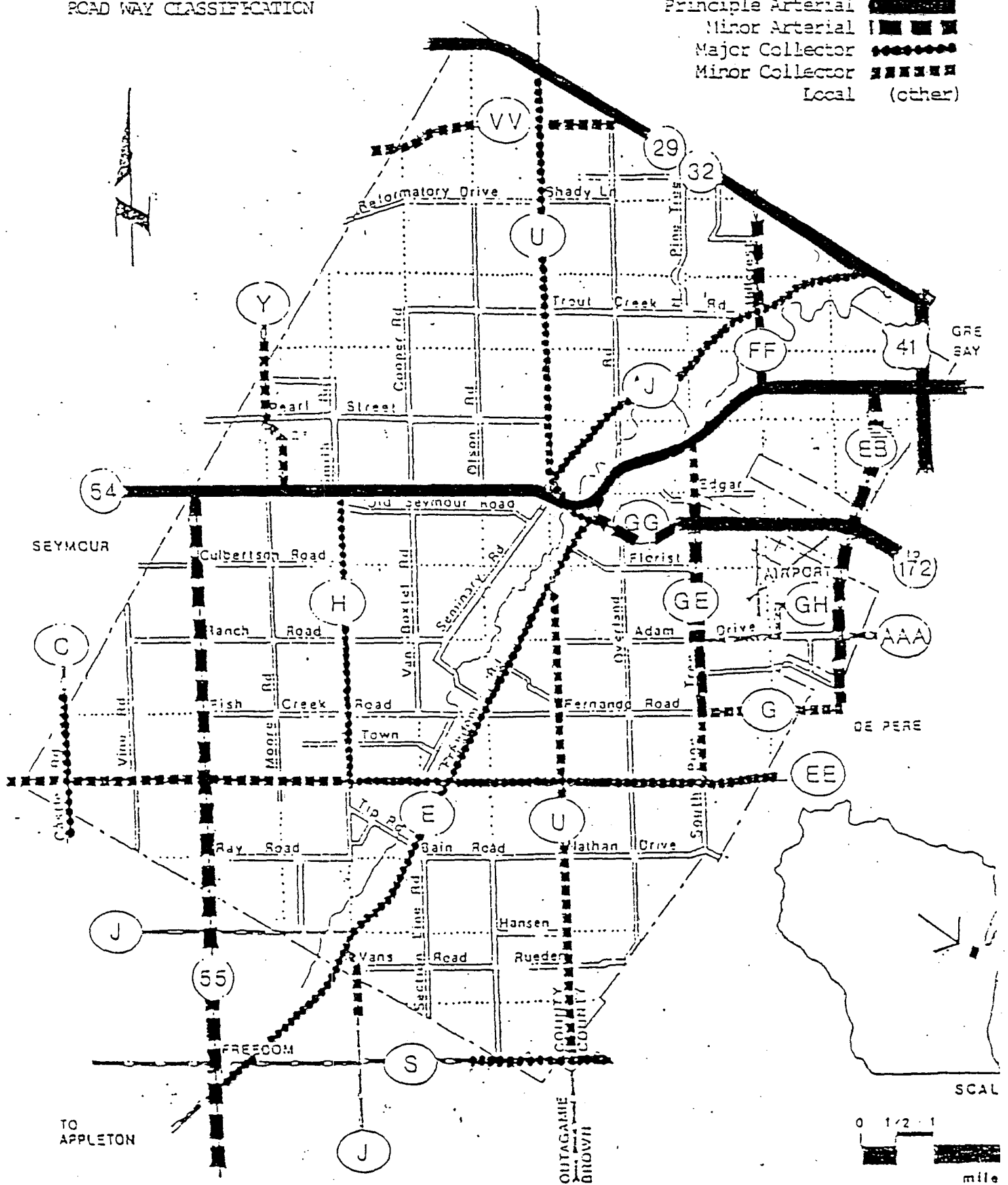


FIGURE III

ONEIDA TRIBAL PLANNING OFFICE

areas of the Reservation with the developed outlying areas and Minor Collectors provide access between developed residential areas.

The division of Tribal lands by transportation corridors contributes to the need for a Land Use Plan. While these corridors are manmade and can be changed, the economic costs would be substantial.

Commercial ventures are driven by transportation accessibility; the same does not hold true for individual residential properties. By implementing the Buffer and Agricultural Zones between the high and moderately dense residential and commercial developments and at major arterial intersections growth can be provided for, yet protection can be assured to the Tribe. The consistent application of goals and strategies specified by the Land Use Plan will insure the separation of uses.

- 2) Highway 54/Oneida Bypass The relocation of WI Hwy 54 to bypass the "Oneida Village" area needs to be considered. This bypass would extend from a point east of the junction of WI Hwy 172 and WI Hwy 54 to a point east of the intersection of WI Hwy 54 and West Service Road (Figure IV). A bypass would eliminate the traffic hazard in the "downtown Oneida Village" area, particularly at the intersections of Artley Street, Cty Hwy U and residential driveways north of there. These areas are particularly vulnerable to pedestrian/auto accidents. Actual speeds on WI Hwy 54 regularly exceed the posted speed limits.

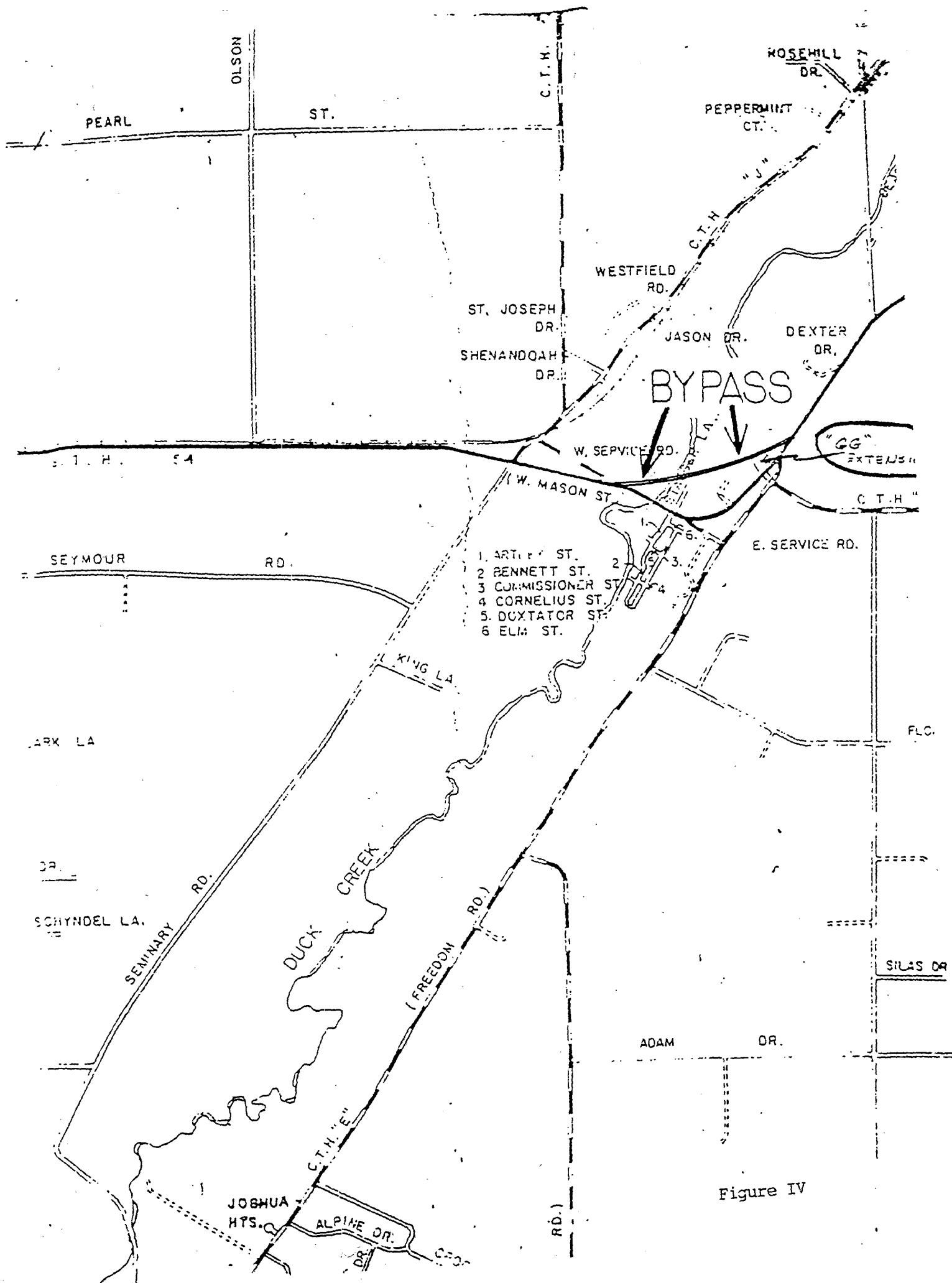


Figure IV

An alternative to relocation would be the acquisition of all residential property north and south of Hwy 54 from Duck Creek to Hwy 172. Controlled access commercial development would greatly improve safety and eliminate the need for an

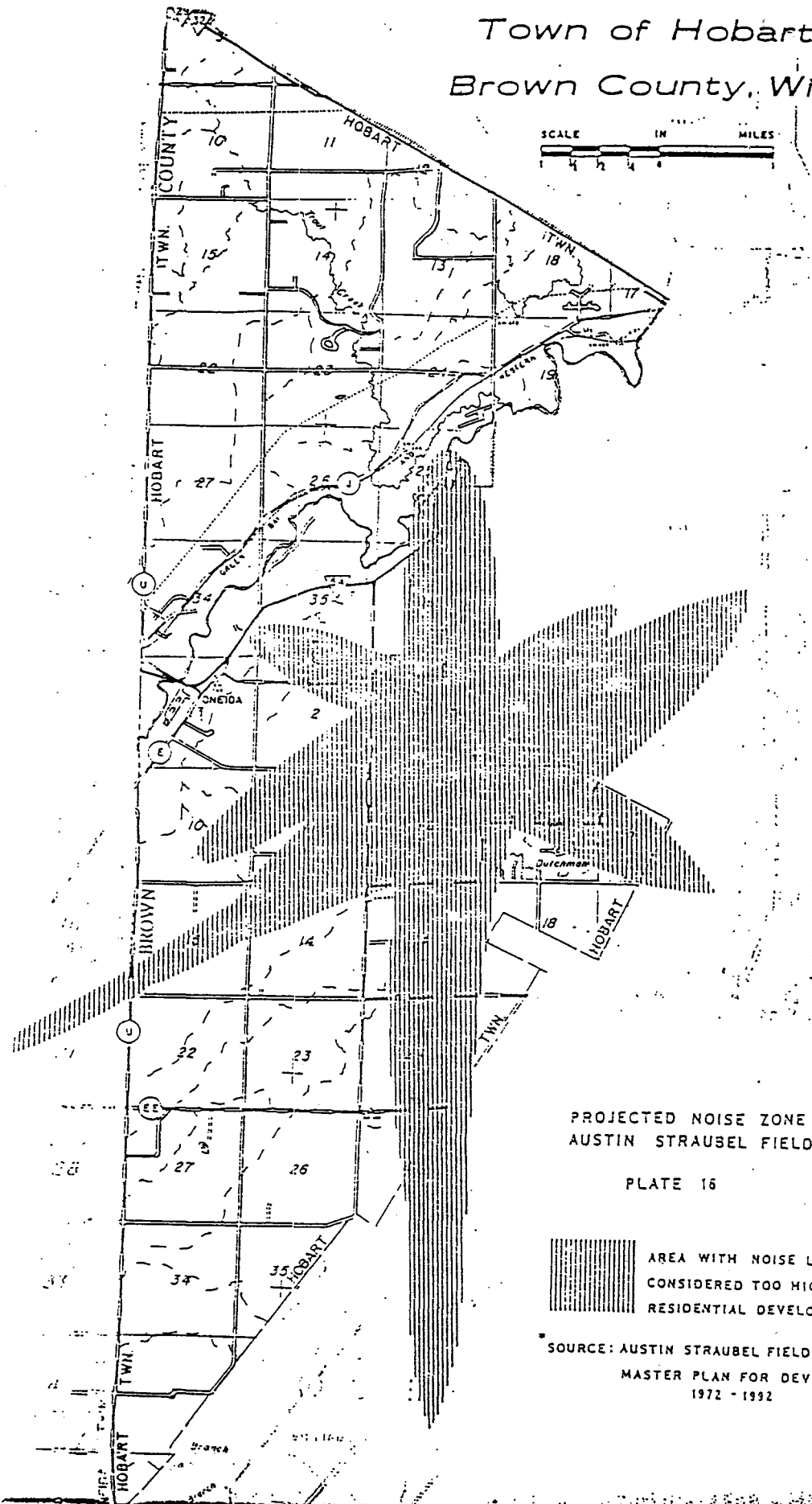
Oneida by-pass. Concern for this matter should be addressed to the Wisconsin Department of Transportation when the Tribe achieves a consensus of opinion.

Traffic patterns through the "Oneida Village" area all converge on the single crossing point over Duck Creek at Hwy 54. There are other areas south of the present village which might lend themselves to another Creek crossing. One alternative provides for Cty U to cross south of the "Oneida Village" and continue north on Seminary Road connecting at or near Old Seymour Road. This would reduce traffic volume in the village and provide a back-up, secondary creek crossing in the central reservation area.

A second potential Duck Creek crossing could be achieved by extending Old Seymour Road due east to connect with Cty. E. A third crossing could occur by extending Cty H (Ray Rd) straight south and connecting again with Cty E (Freedom Rd) in the south segment of the Reservation. A fourth would be the extension of Ranch Road to the east to cross Duck Creek and connect with Cty Highway E. For public safety and efficient travel within the Reservation, these alternatives need to be addressed.

Town of Hobart Brown County, Wis.

SCALE 1 IN 4 MILES



PROJECTED NOISE ZONE
AUSTIN STRAUBEL FIELD

PLATE 16

AREA WITH NOISE LEVELS
CONSIDERED TOO HIGH FOR
RESIDENTIAL DEVELOPMENT

SOURCE: AUSTIN STRAUBEL FIELD
MASTER PLAN FOR DEVELOPMENT
1972 - 1992

3. Austin Straubel Airport Areas within the runway noise and crash zone are not suitable for residential or large gathering sites. The majority of this property lies within the Suburban and Buffer Zones (Figure V). Suggested land uses for this area are commercial, industrial, or agricultural, for the Suburban Zone and agricultural for the Buffer Zone.

The Foreign Trade Zone boundaries also extend into the noise and crash zone. Thus, the Foreign Trade Zone becomes an applicable use in the Suburban Zone.

Availability of air, rail, motor transportation, and community sewage treatment make this area prime for commercial and industrial development. Such development will need to be carefully monitored.

B. EDUCATION

The need for physical space to achieve the education goals of the Oneida Tribe directly impacts land use. A Head Start program and an elementary Tribal School serving students in grades K-8 are now in place at the Norbert Hill Center. The need for a secondary school for grades 9-12 and a second Head Start facility within the Green Bay City Limits has been identified. A Junior College has also been suggested. One of the primary problems at this time is the lack of facilities which would allow for such educational opportunities to exist. The busing of Oneida children to a variety of school districts does not allow for continuity in education once they leave the Tribal School environment. The construction of a new

elementary or secondary school on property near the existing school at the Norbert Hill Center, would allow for that continuity to be established.

Two sites in particular should be considered. The first is slightly southwest of the Norbert Hill Center on the west side of Seminary Road. The second is the existing Norbert Hill site. Sufficient space exists on the established site to provide the area needed to construct either an addition to the existing building or a second school facility.

Construction of a school on either site would allow for joint uses of kitchen, dining, and transportation facilities and recreational opportunities; such as gymnasium, auditorium, playing fields, a swimming pool and athletic facilities. It would provide for a visual communication between the two age levels. Day Care facilities could also continue to be provided on-site to allow for a secure environment for children once Head Start classes were finished for the day. It would provide for on-site care facilities for staff, faculty, tribal members and students. This would provide an opportunity for students to become more knowledgeable regarding early childhood development and for parents to be able to participate more fully in their children's early years.

C) EMPLOYMENT-INDUSTRY CYCLE

Employment is needed by Tribal members. The current unemployment rate is twenty one percent (21%). The expected Walmart project, which will use all the Tribe's current industrial land,

will not provide a substantial number of new jobs for Tribal members. An industrial/commercial land base needs to be re-established to provide a location for additional jobs. The Land Use Plan allocates certain areas for commercial and industrial development.

Additional jobs create the need for more services. The services take the form of additional schools, government services, housing, recreational opportunities, and retail establishments; which in turn create new jobs. As industrial/commercial sites become fully developed, additional housing will be necessary to provide for employees. This in turn will drive the need for more commercial services.

IV. LAND USES

There are several specific land usages that need to be addressed; each of them is critical to the direction the Oneida Tribe chooses to pursue.

A) RESIDENTIAL HOUSING/SEWER FACILITIES

The lack of appropriate sewage disposal facilities and perkable sites has caused the scattered siting of residential housing. The Tribal locations which will support on-site septic systems have all been exhausted. The need for additional residential housing can be documented by the 250 family waiting list for on reservation housing and the number of inhabited substandard homes on the Reservation. Future population projections estimate 1365 residents to live within the "Oneida Village" sewer service area by the year 2000. Current population figures indicate that the average persons per household in Tribal homes is 3.35.

Three areas have been identified and described earlier for concentrated residential usage. These areas are generally referred to as "Oneida Village", Site II and Ridgeland.

Community sewer projects, while correcting existing problems and providing additional residential sites also present additional concerns. Development is one. As the sewer projects become a reality, the properties within those sewer service areas become prime housing and commercial sites. Outside developers could purchase large blocks of land and create densely populated pockets of residential housing. Sites such as those overlooking Duck Creek would be in great demand. By requiring minimum square footages for

residential lots and vigorous enforcement of the "On Site Waste Disposal Ordinance" the Tribe will be able to control development issues.

To retain control of areas specified for conservancy, commercial and residential use controls need to be in place prior to the onset of sewer construction in any area. Purchase plans for critical areas need to be implemented; longterm options should be considered.

B) INDUSTRIAL ACTIVITIES

The location of a new Industrial Park for the Oneida Tribe is an immediate need. With the signing of the lease between the Tribe and Fain, Incorporated, for the new Walmart, the Tribe no longer has designated space for light industrial activity. A new Industrial Park site needs to be identified.

For many people the suggestion of an Industrial Park conjures the vision of smokestacks, noise, air pollution, and heavy truck traffic. In actuality, this occurrence is the exception rather than the rule. This description is also typical of areas defined as "heavy industrial". In Oneida, the need exists for "light industrial".

In most cases light industry is the growth of a home based activity, one which has outgrown an individual's kitchen, basement, backyard, or garage, and is no longer compatible in a residential neighborhood. A review of most area Industrial Parks show the greatest percentage of occupancy results from "home grown" industry which has developed as a result of local community uses and needs.

Again, an industry which relocates from another area or expands to a multiple site, is the exception rather than the rule.

Examples of the types of industry which could occur on a new Reservation industrial site vary, but should address one of the following needs: a relocation of existing facilities into more suitable sites, the expansion of services currently being provided, or the siting of services which are needed but not available.

Tribal Ware housing is one use which would be placed at an industrial park. A central site would provide a location for tribal storage and distribution needs for personal, commercial, and governmental uses. A Tribal lumber yard for the storage and construction of components used in new Tribal homes is another example of this use.

The relocation of businesses which currently exist in residential areas or on other unsuitable sites would include such activities as automobile repair and body shops where noise and safety is a concern. Local food preparation operations now producing such items as bakery goods, burritos, and candy, when expanded could relocate to larger, safer, more sanitary assured surroundings. Successful small businesses need space beyond the home for expansion whether this includes clothes, jewelry, leather products, canning, cabinet making, carpentry, electrical work, plumbing, pallet making or the like.

Businesses of this type do not contribute substantial amounts of pollution or engender substantial increases in traffic density. What they do provide are opportunities for home based activities to become income and employment generating commercial bases which allow

for Tribal members to expand their income and provide additional jobs for other members.

There are several requirements of an industrial location which limit available sites. The Industrial Park must be sewerred. It should be readily accessible for various forms of transportation, specifically trucking (semi) and ideally railroad. It needs to be located where it will not interfere with Tribal residential housing, and soil types must support construction. The area should be level.

Several areas have been investigated. One optimal site is located on Highway 54, west of the One Stop, known as the Phillipsen Farm. Light Industrial activity may be feasible west of the Irene Moore Activity Center, but the area is small compared to overall tribal needs. The 10 acre area east of the Radisson Hotel and an additional twenty six acre parcel east of there, currently owned by Brown County, generally meet this description. This area has been identified for the provision of airport related industry and services, and has been included in the proposed Foreign Trade Zone, but could well be utilized by the Tribe.

Another site lies south of Hwy 172, just west of Cty GE. It is not part of the Oneida sewer service area nor the Brown County Long Range Sewer Development area. An additional consideration would be this site's negative effect of reducing the size of the Buffer Zone in a very critical area.

Additional sites include any one or a combination of several pieces of property southeast of the airport. Part of this area was recently annexed by the Village of Ashwaubenon and tentatively zoned light industrial by that community.

The final site is east of Hwy GE and north and south of Edgar Drive, roughly in the area of Cora House Subdivision and Alisquet Court. The Industrial usage in the Suburban Zone would be appropriate, however, the infringement upon currently existing Tribal residential properties would not.

C) COMMERCIAL ACTIVITY

Specific areas of the Reservation are proposed for Commercial Zoning. The Industrial Park/Carlton Site, in the City of Green Bay, has now been allocated for full development. While some sites at the Walmart location may be available to the Tribe, they will be limited in scope. The primary usages would be retail sales or consumable food, such as a restaurant, or fast food franchise.

A second site is the 56 acre Airport property occupied in part by the Radisson Inn and Irene Moore Activity Center. The Hotel occupies 15.73 acres leaving 10.2 acres to the east. Projected expansion for the Radisson may use five acres. A balance of five acres remains for light industrial or commercial use. The Irene Moore Activity Center occupies 6.58 acres leaving a balance of 23.5 acres to the west and north. These properties were also discussed under the heading of industrial. Warehousing, or such similar usage would be a suitable tenant for these sites.

Another commercial area exists at the intersection of Highways E&EE. A Tribal One Stop is on the northeast corner of this intersection. The northwest corner is occupied by the Health Center, the Anna John Nursing Home, and the Redstone Elderly

Apartment complex. Adjacent to the west is the current Oneida Museum. When the Museum is relocated, then additional commercial activity would occur here. This could include expansion of the Nursing Home/Health Center, additional Elderly Apartments, or Social Service Offices. The current residential lots on the southeast and southwest corners are also suited to long-term commercial use. The entire area is projected to be served by community sewer in the mid to late 1990's as discussed earlier in this document.

The existing Norbert Hill Center and the adjacent areas to the north and west can be considered commercial usage because they are service oriented. The existing One Stop at Hwy. 54 and Cty. J is also commercial usage. The land directly to the southwest, across from the Norbert Hill Center, is also suitable for service usage. A small wooded area running parallel to Seminary Rd., approximately 400 feet wide, is suitable for conservation; the remainder is secondary, marginal value scrub growth vegetation. The marginal area is suitable for commercial application. Community type business such as laundromats, car washes, credit union/bank, bowling alleys, mini grocery, etc., would be reasonable enterprises to be constructed in this area. The area immediately south on Seminary Road could well be the site of additional school construction, either Elementary or Secondary levels, and/or a new Administration Building or Public Safety Building. All of these facilities need to be considered for site location in the near future. All of this area is in the projected sewer service area.

"Downtown" Oneida includes the area of the Post Office, Library and Tribal Enrollment Office (Archiquette Building), the White Eagle, the Log Cabin, and Chiefs. "Uptown Oneida" includes the area from the intersection of 54 and J north. Both are in need of "Urban Renewal". The south side of the Highway 54 commercial corridor would extend one half mile east of Olson Road to Hwy. 172. On the north side the corridor would extend from the One Stop to Hwy. 172. Much of this area is within the Sewer Service area, the remainder is annexable. Current residences in the area would be identified as nonconforming uses. Included in this area is the land north of Site One discussed previously in the transportation topic of Oneida by-pass.

A new area identified is the land between new and old Hwy. 29-32 west of County U to the western boundary of the Reservation or the recently acquired Peterson Farm at the intersection of Hwy. 29 & Hwy. 32. The frontage road for this area is in place with the use of Old Hwy. 29/32. This would allow for immediate access to and from the new Hwy. 29/32. Sewage treatment would be a limiting condition for this development. A final area to be considered is the need for an expanded commercial site in the vicinity of Site II. Several options are available along Cty H and Ranch Road. The best appears to be the extension of the existing commercial usages at the intersection of H and Ranch in a northerly fashion to the existing Oneida Town Hall. This would encompass both the east and west sides of H, and extend the commenced zone $\frac{1}{2}$ mile east along the north side of Ranch Road.

D. RECREATION

The issue of a Community Park has been discussed. The various housing sites each contain small "pocket" parks which provide playground equipment for neighborhood children. In addition two excellent ball fields are located adjacent to Site I. There is however, no centrally located Tribal Park which provides a variety of recreational uses.

The areas east, south, and north of the Norbert Hill Center have been suggested as suitable for a multipurpose park. It contains enough acreage to site a swimming pool, which was listed as the most often mentioned recreational capital project discussed in the 1987 Comprehensive Plan. The topography is varied enough to allow the construction of nature trails and picnic areas. The nearby location of the Norbert Hill Center would allow for wider use of such already existing facilities as the tennis courts, the Vita Trail, the running track, baseball diamond, pow-wow grounds, handball court, swimming pond, and Duck Creek Conservancy.

The Quarry Property is also large enough to support a multipurpose park. While not as centrally located to the heart of the Reservation as the Norbert Hill Site, the available acreage would support a multi use facility. The construction of ballfields, tennis courts, and the like, could readily be provided for.

The Oneida Reservation Comprehensive Outdoor Recreation Plan (1984) has delineated certain projects for construction and/or rehabilitation. Some of these projects have been provided for. Others still need construction or refurbishment.

E) ENVIRONMENTAL, CULTURAL, HISTORICALLY SIGNIFICANT AND SACRED
AREAS

Extensive research has documented areas of concern regarding environmental cultural, historical and sacred sites. Specific site locations will be provided for in Appendix I.

These areas shall be known as Environmentally Significant. They shall be excluded from development and shall include the following:

- 1) Confirmed Burial Sites
- 2) Identified Historical Sites
- 3) Cemeteries
- 4) The Episcopal Mission property
- 5) The Methodist Church property
- 6) Identified Archeological Sites
- 7) Designated Oneida Tribal cultural and sacred sites
- 8) Wooded areas - 40 acres or larger
- 9) Wetlands - 1 acre or larger
- 10) Endangered or Threatened species habitat
- 11) Seasonal Migratory nesting areas
- 12) All other areas so designated due to aesthetics, uniqueness, or high potential for contamination or destruction.

The following areas shall be considered Environmentally sensitive. Development may occur in these areas by permit only. Said permit shall be issued only after review by the Conservation Board, the Land Committee and the Planning Office. Subsequent Business Committee approval of any development in such areas is required prior to issuance of a permit. These areas include:

- 1) Wooded areas under 40 acres
- 2) Wetlands of less than 1 acre
- 3) Streams and drainage areas
- 4) Areas of scientific interest
- 5) Wildlife nesting areas
- 6) Areas where medicinal plants are found

- 7) Other areas so recommended by the Oneida Conservation Board, the Oneida Land Committee, the Oneida Planning Office, and so designated by the Oneida Business Committee.

Procedures for permit application shall be found in Appendix B.

VI. SITE LOCATION

There are several specific site location issues which need to be addressed; each site needs to be investigated and planned for, to adequately prepare for the future.

A) CULTURAL CENTER

The Oneida Nation Museum is the largest ongoing exhibition of Oneida history and artifacts in the world, and is taking steps toward becoming the recognized world center and repository of Oneida heritage. Since it was constructed in 1978, the collections, display and popularity have grown. The decision then on where to locate the building was dictated almost exclusively by what land the Tribe had available. There was not a choice then as there is now, to have a facility with good access and high visibility to the museum visitor. The concern is that for the individual traveler, the museum is difficult to locate, and a number of miles away from major highways. Constructing a new museum building at a location with greater access to the Green Bay traveler will greatly increase the number of visitors and also increase operating revenues. A new storage and administrative space, a larger gift shop, plus a large number of activities specifically geared to make the facility a true cultural center for the Oneida Tribe will attract a larger viewing public. Activities such as a library, archives, language preservation, performing arts, geneology department, visual arts gallery, and the like are invisioned.

The relocation of the museum and its expansion into a Cultural Center has been extensively discussed. Several sites have been considered. The site selected by the Tribal museum/cultural center committee is the property north of Site One.

This property, generally known as the "Stagger Lane" location, was rated by a Tribal Museum/Cultural Center Committee as the best site for the location of the Cultural Center. This approximately 13 acre site provides an ideal location for the Cultural Center. It is highly visible from WI Hwy 54; a major transportation corridor and located on Duck Creek. It provides access for surrounding residents. The site is large enough to allow for future expansion of all facilities. It can be located on the site in such a manner so as to allow for a long house, a palisade outdoor village, and other traditional facilities to be provided. The adjacent commercial sites can also provide appropriate accessory uses.

B) ADMINISTRATIVE SERVICES

The Norbert Hill Center has served well as the center of Tribal government. However, as the Tribe continues to advance and develop, it is increasingly evident that the years of the Norbert Hill Center are numbered as an administrative facility. Lack of meeting space, office space and storerooms, department segmentation, inefficient floor plans, limited handicap accessibility and parking, are a few of the current compromises the Tribe is accepting for its headquarters. In addition, pressure for what limited space remains, comes each year with a new record enrollment at the Tribal School.

The property on Seminary Road south of the Norbert Hill Center, north of King Lane, is ideally suited for the construction of a new administrative building. This site is readily accessible, particularly from Hwy. 54 and Cty. E. A second site which has been mentioned is the area adjacent to the Radisson Inn or the Irene Moore Activity Center. The area east of the Radisson Inn property would only provide about 5 acres after allowing for future Radisson expansion. It is questionable whether this site would provide sufficient office and parking space, plus room for expansion. The area adjacent to the Irene Moore Activity Center would be suitable. However, as this is prime commercial/industrial property, a different site could be less expensive. Finally, both the Radisson Inn and Irene Moore Activity Center sites are on the outside edge of the Reservation and not centrally located.

C) PUBLIC SAFETY

Currently, the Public Safety Office is located at Site II.. There is a need for a separate building to house both the Public Safety Office and vehicles in a more central location, particularly if public safety begins to provide for ambulance and fire protection service.

Several points need to be considered when siting this facility. The location must be readily accessible to a major highway corridor. It should be located away from the schools or any heavily developed residential site, and it needs to be located centrally so as to reach any point within the Reservation Boundaries as quickly as possible.

One suitable site would be located on the south side of Hwy. 54, west of Seminary Road, on the property originally owned by the Seminary and is now under Tribal ownership. The western portion of this property has been designated as marginal value scrub growth and as such is suitable for commercial service locations. This location provides immediate access to Hwy. 54 and is centrally located within the Reservation Boundaries.

A second site would be in the proposed commercial strip located east of Duck Creek. A facility either north or south of Hwy. 54 could provide access as needed throughout the Reservation.

VI. IMPLEMENTATION

Essential to the success of an adopted Land Use Plan is the proper implementation of the plan. This phase of the planning process will identify the regulatory devices, techniques, and positions which need to be addressed to achieve the goals and objectives of the plan.

A) SIGNAGE

The general public has little knowledge of the location or extent of the boundaries of the Oneida Reservation. By providing signage indicating the Reservation boundaries at all major roads entering the Reservation, the Oneida Tribe will be able to better inform the public.

B. ZONING

Zoning is one of the most common regulatory measures implemented by governments to achieve land-use planning objectives. A Zoning Ordinance includes the provisions necessary to properly apply and administer the regulations. The approval of a Zoning Ordinance and the appointment of a Zoning Administrator are the first steps toward the successful application of a Land Use Plan.

The Zoning Administrator is the nominal authority where questions of zoning and ordinance application are addressed.

The purpose of the Zoning Ordinance shall be to assist in guiding the future development of the Reservation in accordance with the Tribal land-use plan, to protect the character and stability of residential, commercial, industrial, agricultural, and other areas

within the Reservation, and to assure the orderly and beneficial development of such areas.

The provisions of this ordinance shall extend to all tribal lands and waters held in trust, all heirship lands and waters and all individual trust lands and waters within the present confines of the Oneida Reservation and to such other lands as may be hereafter added thereto under any law of the United States and the Oneida Tribe.

C) SUBDIVISION ORDINANCE

Of equal importance to the Oneida Reservation is the value of a Subdivision Ordinance. This device regulates the division of land within the boundaries of the Reservation in order to promote and protect the public health, safety, peace, prosperity, comfort, and general welfare of the residents.

The regulations are designed to decrease congestion in the streets and highways; to further the orderly layout and appropriate use of land; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate adequate provision for transportation, water, sewerage, schools, parks, playgrounds, and other public requirements; to facilitate the orderly division of larger tracts into smaller parcels of land; to ensure adequate legal description and proper survey monumentation of subdivided land; and in general to facilitate enforcement of community development standards as set forth in the comprehensive land-use plan and

zoning ordinance of the Oneida Tribe. These regulations are made with reasonable consideration, among other things, of the character of the Reservation with a view of conserving the value of the buildings placed upon land, providing the best possible environment for human habitation and for encouraging the most appropriate use of land.

D. FARMLAND PRESERVATION

Equally important to the Oneida Reservation is the value of a Farmland Preservation Ordinance (often part of a comprehensive zoning ordinance). This implementing device would be an end product of an extensive agricultural preservation plan which examines soil characteristics, woodlands, wetlands, agricultural areas, and the existing land uses. The intent of the plan is to show the pattern of land use and the prime agricultural areas to be preserved. The proposed plan will not be binding on landowners or the Tribe, but will serve as a useful guide for future local decisions.

To implement the preservation plan, a Prime Agricultural Zoning District would be developed as part of the comprehensive zoning ordinance, which designates the most valuable farmland. The determination of what land should be included in the Prime Agricultural Zoning District is dependent upon the input of the citizens involved in the planning process. For example, the Planning Committee, comprised of tribal officials and interested citizens, can designate Prime Farmland to be those areas of Class I, II and III soils, certain wetlands, woodlands, or floodplains, or

can designate Prime Farmland to be only those areas of Class I and II soils. Therefore, the combination of natural elements to be considered when defining what areas to be Prime Farmland gives flexibility to the unit of government.

HOW FARMLAND PRESERVATION BENEFITS THE FARMER

- Protects farm operation from interference with urban land uses.
- Protects against special tax assessments for sewer, wastewater, roads, and other urban public services and facilities.
- Keeps property tax assessments from rising as rapidly as they would if nearby farmland were being developed.
- Tax relief based on farm family's household income. This income includes net farm income; any non-farm wages, salaries and tips above \$7,500; and any other miscellaneous sources of income. (Provided by deductions available under Wisconsin Law.)

HOW FARMLAND PRESERVATION BENEFITS THE URBAN DWELLER

- Preserves open space and the most productive farmland.
- Controls urban sprawl and scattered development thereby reducing the cost of extending public services to new development.

E. ACQUISITION

Acquisition of full or partial rights to land is the most certain means for the Tribe to ensure development in accord with the Land-Use Plan. This could be done through condemnation, donation, or purchase.

There are no legal deterrents to purchasing or condemning land for traditional recreation and/or conservation purposes. And it is also feasible that "Structuring Urban Growth" according to an approved Land-Use Plan is an adequate public purpose for purchase or condemnation of full or partial interest, if the case is carefully

made. If public purpose can be clearly shown, generally, there should be no constitutional barriers to acquisition by either purchase or condemnation as long as public benefit would result.

The bulk of open space land is acquired by purchase, condemnation or donation of the full rights to the land. Where heavy public use of these lands is made, this is undoubtedly the best means of acquisition.

Aside from owning and directly controlling land, the Tribe can use lease-backs in which the land is acquired and controlled, but not necessarily occupied by the Tribe or Tribal members. As such, the Tribe can acquire tracts of land and then lease them to private persons for specific uses in accordance with the approved Land-Use Plan. By using this method, the land can be kept productive and produce rent for the Tribe as well as products and activities for the public, such as farm produce and recreational opportunities.

Another acquisition tool is the purchase of an easement or partial rights. When a public body acquires an easement, it acquires specific rights. In the Tribe's case, these may be affirmative rights, giving the Tribe, and the public, the right to use the land for certain purposes such as recreation; or these easements can be negative, giving no public right to the land but rather restricting the use to which an owner may put their land.

Conservation easements limiting land use to farming, forestry, or wetlands, or scenic easements along highways are examples of negative easements. Affirmative easements, on the other hand have been used for riding and hiking trails. Such easements, both

negative and affirmative have been utilized by many public agencies when full ownership has not been necessary or has been too costly, to achieve the desired public benefit. Clearly easement would make it possible for the Tribe to stretch their dollars in acquisition.

F. BUILDING CODE AND INSPECTOR

Finally the need for a comprehensive building code and inspector to enforce said code needs to be addressed. With the majority of the Reservation being splintered by various governing entities it becomes very difficult to enforce any uniform requirements as far as construction and repair or rehabilitation of existing buildings are concerned. The controls need to be put into place to allow the Tribe to achieve its objectives for the future.

G. INTERGOVERNMENTAL ISSUES

One final issue remains to be addressed. In order to achieve the objectives identified in this Land Use Plan, the Tribe must be able to control all activities relating to land.

As of May, 1989, the Tribe maintains within its direct control, nearly 5,000 acres. This is however, less than 10% of the total Reservation land base.

The only way for the Tribe to effectively control the development within the boundaries of the Reservation, without exercising its jurisdictional powers, or direct land acquisition, is to consolidate a development position with Brown and Outagamie Counties, and the various municipalities within the Reservation Boundaries.

APPENDIX

Public Hearing on Land Use Plan
April 12, 1989
6:30 p.m.
Norbert Hill Center Chapel

Public Hearing called to order at 6:35 p.m.

Carl Rasmussen introduced Community Planner, Sarah Plummer and explained that she would be making a presentation on the Reservation maps.

Ernie Stevens gave a brief explanation of how this project came about. Ernie informed the committee that a lot of the Conservation Committee's interest is in this. We are interested in maintaining the Reservation as agriculture areas and many want it kept as a rural area. Ernie stated that one of the things we established is a need for a Buffer Zone to protect us from Urban encroachment.

Carl Rasmussen stated that we have labeled this meeting as a Public Hearing. This is actually a 2 part process. We are interested in gathering and presenting information on a long range forecast according to various zones of the Reservation. Sarah will describe what we have heard to date, and how we are trying to deliver this back to you in this form, by describing the Buffer Zone, Agriculture Areas, Conservancy and other areas. Another reason that there's a push for the need of a Land Use Plan is the sewerage of Central Oneida. Problems have been documented over the years such as the number of no systems, failing systems, and inadequate systems, in the concentrated area around the Tribal headquarters, where there is a need to bring in some type of community sewer treatment. For the past year and a half the Facilities Planning Committee has been investigating a solution for a sewage treatment plant for this area, and we are now at the state of getting grant funds to make this happen. We are concentrating on the central area of Oneida and this will open up a number of development opportunities that were not there before.

Carl stated that there was time set aside for questions, but if there are not too many at once, we could just answer as we go along. Carl asked if there were any questions at this point.

Chaz Wheelock: Do you have an agenda that you were going to follow? Sarah explained that we planned to run the meeting in a more open fashion because much of this crosses back and forth. Sarah stated that the material some of you have is only a draft, these are things that have come up in conversation. We tried to put them down so that they can be discussed and dismissed or discussed and developed or how they would appear to work within the land use plan. If we need to use it for an agenda then we can go back to it.

Chaz Wheelock stated that he had a general question on acquiring any land within the Reservation dealing with the jurisdiction. I know that we have a court case going with Brown and Outagamie County against the Tribe, I see that as an issue. I would like to know if there is an update on what the status of that is. That would help with the planning that we need to do. It seems that a key part of anything we want to do on the Reservation is the jurisdiction suit; this needs to be resolved. For example zoning. It seems that would be stifled without some clarification on what the Tribe can and cannot do with the boundaries. You brought up the issue with the housing; you bring the sewer and immediately you have housing. In the past when we did the Margaret Summers property we had non-Indian housing. We still have non-Indian housing going on within the Reservation of which taxes and other issues are not coming to the Tribal structure. So I think these are the concerns I have with any new sewer project. We develop the same situation.

Sarah Plummer explained that with the development of the sewer project we are also developing what can be called the Sanitary District which is a legal term with the Wisconsin State Statues. What we are discussing is a Town Entity. What we are developing is a format for an Ordinance to that sewer service. FmHA, MSD and Brown County Planning have evidenced to us that they feel we are within our jurisdiction of doing that by creating this Sanitary District. We will be meeting with Brown County planning next week and we will be pushing around boundary areas for this as to what can and cannot be included in that area. By the setting of the District and area, then we will be able to control, to a certain extent, those areas which wish to petition to join the district. The county sets what they call a sewer service area, and that is set by the county but through DNR and DILHR. Sarah went on to point out the areas on the map which she was referring to and stating that you can control the development of these areas.

Carl Rasmussen stated that the one concern we had with opening Central Oneida up to more development is that we have studied quite closely the land ownership patterns within this district and right now there maybe 4 parcels that are not controlled by the Tribe. These could open up to a Subdivision. Actually it could be 3, when the parcels in this area is considered because by the way the service area boundary is identified they may be excluded until they petition to annex. So this network in Central Oneida with the acquisition of the Vannieuwenhoven Farm was a major acquisition in controlling that expansion. With that 120 acres they could have easily put a subdivision in that area. Carl went on to explain the different parcels that could have potential housing subdivisions.

Chaz Wheelock-Related to housing, the real character of Oneida is something that we should also maintain as well. Usually with a development of a subdivision. I am sure the Tribe doesn't have the minimum acreage on that house lot. I believe the town of Hobart has 2½ acre's. Carl stated that's not sewered. Chaz-but this here, there's no minimum. Carl stated that he would see nothing less than a ½ acre.

Carl was asked if he had any comment on the jurisdiction issue? Carl stated that we have identified it in our discussion. If the Tribe wants to see these zones happen, the Buffer Zone, Agricultural, and the Duck Creek Conservancy, if the Tribe does not take the step to zone all lands (Indian and non-Indian), buy the land outright or reach an agreement with the Towns, then we have to decide if we really want to do this. The consequences of this involves more than regulating the activities of the land user if the Tribe decides to zone non-Indian land. That's my understanding of this issue and that's how we are approaching it.

Ron Melchert asked Carl Rasmussen to explain what process they used for the Land use Plan? Carl stated that in developing the Land Use Plan they attempted to identify the current uses of the parcels using aerial photos and on-site inspections. What is going on now. The present phase that we're in, gathering information from all the different needs and projects that are identified in the community. The need for housing, jobs, recreation etc will be identified to establish land-use goals for the community. The process of laying out some scenarios for development, which is what is identified on the map, and then brought back to the community in a Public Hearing to ask if we got it right. If we didn't get it right then we would get more comments. Then we would make a presentation that would go to the General Tribal Council with a list of items that were needed to make the land-use plan happen. This list would likely include the ownership of the properties the development

of a zoning ordinance and a subdivision ordinance which would set the minimum lot sizes and set back requirements for any future subdivisions. This is the process we are using.

Cliff Cornelius read a statement from the Conservation Board which reads:

We feel that a land use plan can not be developed as shown for because we don't have adequate ground work laid out yet. Some of the needed background information needed is:

1. I.D. all existing land uses for the reservation.
2. Don't have adequate identification of environmentally significant areas.
3. Haven't identified all suitable development areas.
4. Haven't identified transportation corridors, etc.
5. Haven't defined what is meant by the term "buffer zone"

These items need to be dealt with up front. We also feel that this process will require an environmental impact statement before this final plan is implemented.

Conservation Department
April 12, 1989

Carl stated that this whole process is an environmental statement. In the whole procedure of doing this you touch on all the aspects an environmental assessment address. We do have the maps of the transportation corridor. We have identified those. As far as the environmental significant areas, those were identified during the Coastal Zone Management process. Both wet lands and the tributary streams are in place. I have performed environmental assessments for different Tribal projects and with the same issues that would go into preparation of environmental assessments the process we are following in the land-use plan address.

Ron Melchert-Carl do you think that the sewer, once in place, is going to heavily impact land use? Carl stated that he thought it would. Ron Melchert-shouldn't land use dictate where the sewer goes? Carl stated that the sewer network laid out at this time is to serve existing problems. This whole network that is identified is to serve where the Tribe surveyed the entire area around Oneida. Ron asked if the community knows this? Because some of the fears that he hears is that once the sewer is in place the development if going to happen. As a concerned Tribal member I see the need for that plan, it's more important than the sewer, don't you agree? Carl stated that in his mind, as we worked through the sewer development process, land-use was a chicken or egg situation. The Facilities Committee were not going out of bounds in identifying a sewer network. We had identified the areas that had problems; we performed the survey that identified where the sub-standard systems were. Development of the sewer system was initiated to address present problems. Any future land-use made possible by the sewer system is a secondary benefit. As a concerned Tribal member your attention should be directed to the dumping of sewage in Duck Creek and the contamination of groundwater. That is the real problem here, not pictures on a piece of paper. As the sewer process developed we performed population projections, what the housing needs were, job needs and service and what the population growth was. The Land-Use Plan

or sewer plan could have happened at either time or contemporaneous as long as the sewer doesn't go in before the Land Use Plan is in place. I recognize that planning needs to be done so that you can control the growth. If the sewer goes in before the Land Use Plan controls are in place then we have problems. No new developments, housing or commercial will occur until the sewer goes in because none of the land passes perc. If you get outside the sewer study area the same situation occurs throughout the Reservation.

Sonny gave a report on the Land Acquisition strategy that has been taking place. Sonny pointed out the areas on the map which have been purchased by the Tribe or are being considered. Sonny stated that he didn't want to get into the Land Acquisition Plan because of a newspaper reporter being present. There was further discussion on land and housing needs of the Tribe.

Ernie Stevens-people that are here are all pro-land people, pro-environmentalist, etc... what we need to do is get together with everyone and bring all this information and ideas together. Those that have ideas should just bring it to where it can be discussed. We need to add all these comments and this is one of the steps of doing that. Then we'll have another meeting and another. What we need to do is have a joint meeting for this.

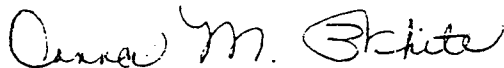
Mike King had questions on the Quarry property and the land by One Stop on Hwy. 54. Sarah stated that she would talk about the land by One Stop first. Originally we had talked about considering a site for a Industrial Park and because of the wetlands there this idea has been eliminated. We have talked about siting light industrial use west of there, but again this is why we came to you tonight to tell you these ideas that are being discussed. These are things that we see are going to be needed in the future. We need to know what you think they should be, we know what planners say, we know what books say, we know what we feel and we need to know your ideas. Sarah informed the participants of all the ideas that have been presented so far and explained that these are suggestions from the people, these are not the Planning Departments ideas.

There was discussion on Environmental issues, and agriculture.

Russel Metoxen stated that if we all go to our families and friends and see what they want, we could bring comments back, otherwise this could drag on and on.

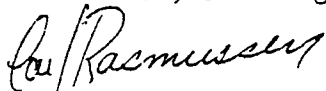
There were no further comments, meeting adjourned at 8:50.

Respectfully submitted,



Donna M. White
Recording Secretary

Reviewed by: Carl Rasmussen, Planning Director



Public Hearing
April 12, 1989
Land Use Plan

SIGN IN SHEET

Jim Van Stippen	1028 Railroad Street
Sonny King	2980 Seminary Rd.
Chas Wheelock	P.O. Box 71, Oneida
Bruce Danforth	Oneida, WI
Mike King	Oneida, WI
Julie Bell	Press Gazette
Marj Stevens	3307 N. Overland, Oneida
Ronald Melchert	Oneida
Bernice Elm	Seymour
Karen Krogg	Oneida, WI
Larry Barton	Oneida, WI
Robert Huff	Grafton, WI
Ernie Stevens	Oneida, WI
Gerald Kurowski	Oneida, WI
Beverly Metoxen	Oneida, WI
Diane Wilson	Oneida, WI
Ed Delgado	Box 360, Oneida
Russen Metoxen	Box 341, Oneida
Fred Muscavitch	Milwaukee
Ed King Sr.	Seymour
Al Manders	DePere
Charlene Cornelius	Oneida, WI
Roy Metoxen	Oneida, WI
Christine Doxtator	Oneida, WI
RaeAnn Skenandore	Oneida, WI
Mindimoye (Marilyn Clark)	Oneida, WI
Vera Wilson	Oneida, WI
Jerry M. Hill	
Carl Rasmussen	Green Bay
Sarah Plummer	Sumico
Donna White	DePere

Land Use Plan
Input Meeting
May 3, 1989
8:30 a.m.
Corvilla Room

Bruce Danforth called the meeting to order in the absence of Cliff Cornelius. Bruce then requested Carl Rasmussen to take over the meeting.

The Environmental Philosophy was not presented by the Environmental Program Office.

The discussion of areas of concern addressed the following agenda items.

1. Existing land use for the entire Reservation. The tribal usages were presented as were existing land uses in the Town of Hobart and to a certain degree the Reservation within the confines of the City of Green Bay and Ashwaubenon.
2. Buffer Zone definition and effectiveness. The Buffer Zone definition as presented in the 1987 Land Acquisition Plan was handed out. As was the Land Acquisition Plan. The question that arose was the difference between a Buffer Zone and a Green Belt. Additional discussion revolved around the various type of uses to be allowed within the "Buffer Zone" was questioned.
3. Environmental significant areas. Several areas were discussed in general. The land use map of the general Sewer District was ammended.
4. The Transportation Corridors were discussed as were traffic patterns. A re-routing of Hwy. 54 to bypass the "Oneida Village Area was discussed as were a second creek crossing and the possible extension of Hwy. 172.

It was decided that an Environmental Impact Statement was not needed for the Land Use Plan, but might be necessary for specific developments. A substantial portion of this discussion centered around the need to identify not only Environmentally significant areas but other areas of concern. Specifically Cultural, Historical and Sacred areas. John Spangberg will identify environmentally Significant areas.. Sarah will meet with Loretta Metoxen and Artly Skenandore and others to identify the other areas of concern.

It was decided to schedule a meeting on June 7 at 8:30 a.m. to discuss the results of the area investigations and the results of the Land Use Draft Hearing on May 22, 1989.

The Conservation Board and the Environmental Office were requested to prepare a statement for the Land Use Hearing.

Meeting adjourned at 11:15 a.m.

List of those present attached.

Respectfully submitted,



Sarah E. Plummer
Community Planner

Land Use Plan Meeting

May 3, 1989

SIGN IN SHEET

Cathy Rather

Larry Barton

Mike King

Bruce Danforth

Jerry M. Hill

Chris Doxtator

Carl Rasmussen

John Spangberg

Ernie Stevens

Rick Hill

Environmental Dept.-OHC

B.C. Member

Conservation

Public Works Dept.

Econ. Development

Land Office

Planning Dept.

Environmental Dept.-OHC

B.C. Member

B.C. Member

Ernie Stevens Oneida Business Committee explained to Mrs. Rueden why the Tribal members must know what's going on first, before we let the Towns know we need to establish what we would like to do as a Tribe. Carl stated that there are 10 days to put in writing any comments anyone may have after this meeting.

Richard Cornelius stated he had a problem with the location chosen for the Cultural Center. He feels a survey should be done to see how far people would travel to see a Cultural Center.

Cliff Cornelius stated the Conservation Board has they have taken the Quarry and will be using it for the elderly and children so they can fish. Conservation has just stocked the quarry with fish. The children don't want a Cultural Center in the proposed site, the Conservation Board just want it left alone.

Bobbi Webster stated she feels very strongly in favor of having the Cultural Center at the quarry site.

Ernie Stevens stated we should have our Industrial Park near Ashwaubenon. Carl stated that in the Land Use Plan we have discussed the land southeast of the Airport; this has been sited for light industry. The Ashwaubenon area would be for Corporations outside the Tribe that would be doing a joint venture with the Tribe or independant of the Tribe. This area would be more favorable to them, rather than being out near Oneida. There was further discussion on this subject in particular the need for an area to meet the light industrial needs of the the Tribe and Tribal members in the central portion of the Reservation. Examples were given of activites which may start in someone's kitchen, basement, garage or backyard but could grow to a point where the activity becomes unsafe, unhealthy or a disruption to the general public and neighbors. It is a better community development and environment policy to promote a community where people can walk or bicycle to work than one where residents must get in their car and commute four or five miles.

Mrs. Garsow brought up the education of our children. She felt that in having a Tribal school we have segregated our children. It was explained to Mrs. Garsow that there were some things that the Public School could not fulfill some of the needs of the Oneida children such as the importance of their culture and language which are not taught in public schools. Artley Skenandore stated that alot of the graduates from Tribal School have excelled in the Public Schools, because they feel good about themselves knowing who they are and where they come from.

Chas Wheelock asked Carl if the signage indicating the Reservation boundries are going to be included in this plan. Chas asked for this to be included in a previous meeting. Carl stated that it was overlooked in the previous minutes. We do have it on our tape and I did review the minutes but it was not included. I will make a point to include it in these minutes.

Carl reminded everyone they have 10 days to submit written comments.

There was no further discussion, meeting adjourned at 9:00 p.m.

Respectfully submitted,

Donna M. White

Donna M. White

Public Hearing
Land Use Plan
May 23, 1989
6:30 p.m.
NHC-Chapel

Present: See attached list

Carl Rasmussen opened the meeting at 6:38 p.m.

Carl gave an updated report on what happened at the last meeting. The people had 10 days after the meeting to submit any written comments they had. The Tribal Secretary and the Planning Office didn't receive any.

Carl stated the format for this meeting is to receive testimony and comments on the "Draft Land Use Plan". We also have members of the Business Committee to respond to any questions on what the Tribe plans to do.

Richard Cornelius-Did we adopt the conservancy of Duck Creek? And what process will be used.

Carl stated that we would be using the same procedure as we do with other ordinances. The Duck and Trout Creek conservancy are included.

Al Manders would like to see an alternate route for the bypass of Oneida. He mentioned extending Ranch Rd. east to connect to with Freedom Rd. there also have been alot of accidents by the corner of 54 and and Artley Street.

Richard Cornelius-If we purchase the land around the Airport we could stop the growth from coming out to the Reservation. Carl explained some of the plans for the Air-port area. One thing we have identified is that the Airport area is approximately 18 hundred acres and the Airport noise and crash zones actually help with Tribal wishes to control development in that area by limiting home construction and preserving open space.

Bobbi Webster asked if we could go through the maps and have each one explained. Carl asked Sarah Plummer, Community Planner to explain them.

Sarah explained the color coding on each map and the different areas described. Chas Wheelock suggested a glossary be made so that we know what everything means and so it won't be mis-understood.

How will Residential growth be provided for? Sarah stated that this has to be a concern for the towns and two counties. The Tribe has stated that the Buffer Zone will stay a Green Belt and the Tribe is willing to work with the Towns and Counties to insure this.

Joan Rueden-Since we all live in the areas described, I'd like to know why this Public Hearing wasn't posted all over for everyone to see. We are going to be affected by this plan, is this hearing just for Tribal members? Sarah informed Mrs. Rueden that the hearing is open to everyone, and this this Land Use Plan document is only a draft, we are still working on it. The Tribe has procedures it must follow and this hearing is one of them. After everything is the way the Tribe wants it to be then it will be released and the other municipalities will be invited to express any concerns they may have. Then the Tribe will address these concerns. The Tribe is not trying to hide anything, there are things that need to be in place before it is a final document.

Public Hearing

May 23, 1989

NHC-Chapel

SIGN IN SHEET

Fred Muscavitch
Bobbi Webster
Patrick Vaile
Ronald Melchert
Richard Cornelius
Pat O'Donahue
Joan Rueden
Ernie Stevens
Ed King Sr.
Russell Metoxen
Chris Doxtator
Al Manders
Baptist Stevens
Alberta Baird
Dave Duffin
Rick Hill
B. Hornor
Cliff Cornelius
Chas Wheelock
Vera Wilson
Norman Austin
Warren Bluhm
Eunice Garsow
RaeAnn Skenandore
Mindimoye (Marilyn Clark)
Janice Burkel
Art Skenandore
Jerry M. Hill
Donna White
Sarah Plummer
Carl Rasmussen

Milwaukee
Oneida
Brn. Co. Planning
Hudson, WI
1759 Popular Ln. Seymour
News Chronicle
Depere
Oneida
Seymour
Oneida
Oneida
DePere
Oneida
Depere
DePere
Oneida
WLUK
Oneida
Oneida
Oneida
978 Advent Rd. DePere
WUZZ
BC BD. Supervisors
Oneida
Oneida
Oneida
Oneida
Oneida
DePere
Sumico
Green Bay

Land Use Meeting

June 14, 1989

Corvilla Rm.

8:30 a.m.

Present: Carl Rasmussen, Sarah Plummer, Bruce Danforth, Cliff Cornelius, Larry Barton, Mike King, Cathy Rather, John Spangberg, Chas Wheelock, Chris Doxtator, Jerry Kurowski, Ernie Stevens, Rick Hill, Sonny King, Donna White.

The meeting opened at 8:47. Carl stated that one item which was not discussed on the agenda of our May 3rd meeting was the Environmental Policy Statement. John Spangberg stated this is a draft that is being circulated right now and we would like comments back by next week. John indicated they need to define wet lands and wooded areas. We are still collecting comments. John reminded the committee that comments should be in by June 19. Carl stated that one thing that stood out immediately was that the definition is different from the Shore Land Ordinance. Shouldn't they be worded the same? Otherwise it could become confusing. John stated they will be making the two compatible.

Chas asked if this was philosophy or policy? Chas stated to run through this now would be a problem for the tribe. I don't see this being handled professionally. It is being rushed.

Carl stated that in defining sensitive and significant areas the impact should be examined in the sense we should be careful not to forget all the issues concerning the Tribe, such as employment facilities and services that are needed. John Spangberg stated that it does provide for an appeals process. Carl stated that he was looking for that recognition in the Land Use Plan, not after the fact by appeal.

Sara Plummer informed the committee that she has met with several people regarding Historic & Culturally significant sites. What she has done is taken the reservation map and indicated where the various burial sites are that were brought to her attention. Sarah explained that these sites are not exact locations.

We will be doing that later. Some sites came off the 1838 Survey maps, which shows where there was a Sugar Camp, Saw Mill, etc... also located was a Menominee burial site. I still have to go back to Amos Christjohn so we can identify trails. We have identified known Oneida log houses and current ownership. I am going to be making a recommendation to include the Methodist Church and the Episcopal Church areas. They need to be eliminated from any future development. Gordon McLester is going to contact Jack Campisi who has written a book about the Oneidas. Mr. Campisi indicted that there were 8 settlements here and I would like to find out where they were. Sarah stated that none of the burial sites identified are in the Rockford plat books.

Chas Wheelock asked what the purpose of this research was for? Sarah stated that one of the things that was brought up in the previous meeting of May 3rd were identifying the Sacred, and Historical sites. These were to be looked at so that they could be preserved. Chas stated that he is curious to know how far this is going to be taken? Do you plan to take this on to the State Historical Society or is it just for local use? Sarah stated at present that this is only for the Oneida Tribe. Chas said if we don't take an interest in our old buildings we are going to end up like Green Bay, with no historical sites only a Heritage Hill. Carl stated that Federal and State NEPA review process requires contacting local resources, so this information will be considered. Chas stated that he assumes the Menominees have been contacted in regards to this research, being this is part of their original lands. They are doing some type of research now. The University of Green Bay did a study on identifying sites on the Stockbridge Reservation also.

Chas stated that he has talked about signage but it hasn't been mentioned at all. Larry stated maybe Chas should put this on the Business Committee agenda, because it seems to get lost in the shuffle. Carl stated minutes of the May 22nd Public Hearing do discuss signage and our response to it. Because Chas had brought it up, and we need to know what the feelings of others here are? Mike King stated he would like to see signs identifying the Reservation.

Sarah stated that she didn't know if this is a proper place in with the Land Use Plan. But, we will do a section in reference to this. Sarah said it would be put in the Land Use Plan and if you feel that strongly about it you should make a recommendation to the Business Committee because putting it in the Land Use Plan will not put the signs up. Cliff Cornelius stated this signage would help Conservation because most of the people don't know where the Reservation boundaries are. Chris Doxtator stated she would put this on the agenda for their next Land Committee meeting. Sarah asked if the Tribe should put signs on every road entering the Reservation or just the main throughfares? It was suggested that it would be on the main throughfares. Sarah said it may then be that we would have to arrange this with the State of Wisconsin if the signs are placed in the right of way.

Sarah stated that we have not received any testimony other than that of Fred Muscavitch from the Public Hearing.

Proposed sites for High School, Elementary School and Cultural Center were discussed. Ernie said it took so long to get a list of sites for the Land Acquisition Plan and he feels it would be nice to get a priority list of which properties we would like to purchase first. Jerry Kurowski stated that there has been a list made up, but no one follows it. This list needs to be updated.

Ernie asked where do we draw the line from urbanizing the reservation? We have to figure out how to house people. I am against more housing out here. I would say put them over there in Green Bay. Any effort to go in any direction south and west of Oneida I will oppose until some one does something to stop the urbanizing. Recently because of a personal connection I was in the homeless shelter in Green Bay, the majority there were young adults from Oneida. They should not be in Green Bay we need an apartment for them in Oneida. Carl stated that he hears Ernie saying two different things. To build in Green Bay, but yet have housing for the young single people and elderly that want to live out here. Where do we put new housing? The whole 3-Sisters development

is a result of not having sewer here. The people who have moved there do not see it as a desirable area to be. That's the type of environment where the sewer areas are. The new subdivisions west of FF are mostly on holding tanks, and mound systems. Ernie stated we don't need to build new housing. There are two thousand houses scattered throughout the Reservation, there just happens to be white people living in them. We have to concentrate on providing loans and funding for Oneida to acquire these homes. Carl stated not everyone wants an old home. You buy an old home you get old problems. Most of these homes were built on sites which would not pass perc tests by today's standards. The number of failing systems Jerry Kurowski keeps running into is evidence of this. The majority of the rural homes are over twenty years old. Chas stated that we have to have more discussion on the idea of where exactly we want to be in the future, but we need to discuss this with more than the employees. Jerry Kurowski stated that he has identified houses that are not fit to live in and he has gone to the Business Committee and asked for a home to replace some of these sub-standard homes. We have over 100 that nothing has been done with. But yet they can add more houses on to the 3-sisters area and an addition to the Bingo Hall.

Sonny King stated that when the sewer goes in he would like to see the homes go in too. To Sonny this is supposed to be run from the General Tribal Council to the Business Committee and then to management, but its not run that way, it run backwards. I would like to recommend that this committee get together with housing and land to see what we can come up with. If you can't get the people here to do the construction work then we can go outside and get it. But we do have the people here to do it.

John asked if we have decided to look for a site for the Industrial Park?
John said there may be some concern with having it on the Phillipson property.

Sarah stated that Ernie made a comment before about someone telling him how far we can go with this developing. The sewer is a limited size, we can't

go back in five years and expand it. The boundaries are set by the capacity of the sewer line running to DePere we would have to go back through all different agencies. Yes, there is a definite stopping point because of capacity. You talk about going west, we can only go so far because there is no capacity to go further and costs are prohibitive. We are talking about an Industrial Park on the Phillipson property for some of the smaller Tribal businesses that are now being done at people's homes, like people welding in their garages or having body shops. It is all right on a small time personal basis but what happens when these occupations begin to succeed and start generating noise, traffic and safety problems in residential neighborhoods? If the Tribe starts a construction business where are you going to put it? These are the problems that need to be addressed. Sarah stated she understood their reason for not wanting the Phillipson property as an Industrial Park but one is needed for just the Oneida Community. It's not going to be heavy industry. Chris Doxtator stated that we should decide what we want to do with the Phillipson property before we buy it. Chris stated that she has been getting requests for a storage place to stockpile firewood and for a workshop-warehouse for the Housing Authority. These are light industry projects. Cliff Cornelius stated that Conservation was thinking of using the Phillipson property for offices for Conservation and Environmental departments and for storage of equipment. Carl stated that what Cliff has just described an activity suited for a light industrial park. Offices and non-agriculture equipment storage sheds would not be an acceptable use in an agriculture zone and certainly not a conservancy zone. Carl stated that this sounds like the same thing as another Building and Grounds operation. Chas stated that we have the authority to do what we want with these sites.

John Spangberg stated that there is a misunderstanding of what the Industrial Park is. When I hear you say Industrial Park I see smoke stacks and pollution. Maybe it should be called a Commercial Park or something less offensive. Carl replied that John's first statement is exactly what is stated in the Land Use Plan (page 10). I am open to calling it something else if it is more descriptive and gets the job done.

Carl stated that there is a concern with choosing another name carefully because zoning exists within a legal framework and tradition going back eighty years all the way to the U.S. Supreme Court. Cases have been argued over the interpretation and meaning of single words and phrases. It is one thing to use words and descriptions if they are strictly used in Oneida. My concern is what would happen if for some reason our zoning code was argued in a court outside of Oneida? Previous case law and findings would then be applied. I might be venturing into an area outside my expertise but my understanding of the Indian Civil Rights Acts is that it provides individual Tribal members access to the Federal Court System if they feel their rights have been abused by thier Tribal government. Zoning certainly affects a person's right to use land the way he sees fit. There is a need then to make sure we do this right.

Sarah asked if there was any reason why we couldn't put conservation in the back 80 acres of the Phillipson property and then use the front forty for warehousing and other light industry. You could still maintain the woods.

High School-Sarah stated that the High School talked about would on the Norbert Hill property and the elementary school across the street. The rationale being you have eliminated the transportation problem.

Conservancy (Duck Creek Corridor) what we recommend is that from Overland to King Lane cut it to 650 ft. minimum but make it variable. You would still maintain a green belt through there to prevent erosion and preserve habitat. Sarah stated that we haven't touched on a Public Safety facility. One of the locations we talked about was locating it near Site I, reconstructing the allignment of East Service road and placing it in the current location of the VFW hall.

Cultural Center-recommendation to go with the Stagger Lane (Brenwall property). Cliff Cornelius stated this would be our final meeting for discussing things. Cliff requested Sarah to put in writing her suggestion of the Conservation and storage area being combined on the Phillipson property. Cliff needs to have it made clearer to him. There was no further discussion meeting adjourned at 11:57 a.m.

Respectfully submitted, *Danna M. Flite*