

Lake Township Planning Commission
July 24, 2013
Approved Minutes

Meeting was called to order at 7:07 by Pobanz. Pledge of allegiance.
Roll call- Kelterborn, Pobanz and Geilhart were present. Bob Siver was absent.

Approval of Minutes: Motion to accept the June 26, 2013 minutes with the name change from Mrs. Snyder to Ms. Snyder; made by Kelterborn. Seconded by Pobanz. Motion carried all ayes. Minutes of July 15, 2013 approved upon motion by Kelterborn. Seconded by Pobanz. Motion carried all ayes.

Correspondence: Pobanz read the email from Jan Golitko about the disturbing lights at 5342 Port Austin Rd. He also read the email from Kathy Snyder to ask that her name be changed from Mrs. Snyder to Ms. Snyder in the June 26, 2013 minutes.

Public Comments: None

New Business: At this time Pobanz turned the meeting over to Dr. Malcolm Swinbanks for a presentation on Wind Turbine Noise. Dr. Swinbanks has done research on this in Rome, England, Scotland and New York. He started by stating he was here three years ago to look over Huron County's Wind Ordinance. He stated it wasn't satisfactory then and it still isn't now. Dr. Swinbanks explained ambient noise and setback boundaries. He discussed how the setback should be from the property lines and that Huron County measures from the dwellings. He also explained that the setback for Huron County is 1320 ft. The Vestas and Nordex wind developers recommend workers be 1640 ft. up wind from a turbine in case something goes wrong with the turbine. The UK has a 2500ft. setback compared to the United States.

The ambient noise is background noise. He also commented that Huron County is completely at odds with the way they define ambient noise. The ambient noise as Huron County defines it is not level. The ambient noise varies with passing vehicles. When vehicles pass the noise level increases. Dr. Swinbanks also explained how they measure ambient noise by decibels. He explained that the rest of the world's ambient noise is 25 decibels and that Huron County is 15 to 20 decibels higher. Huron County's ambient noise is quoted at 45-50 decibels. Dr. Swinbanks went on to show graphs showing noise measurements he conducted in Huron County and England. He discussed how dBC measures low frequency noise. Tom Pierce made a comment about a lady moving from her home in Elkton due to the noise.

Kelterborn asked if you can control the dBA of wind turbines for day time and night time. Dr. Swinbanks stated yes, and that Paris Township's Ordinance requires 35 dBA at night and 40 dBA during the daytime. He explained how by changing the angle of the blade you can change the pitch speed, which reduces the noise. The wind developers don't like to do this because it reduces the power generation. He stated that there was a publication from MSU on Michigan Land Use Guidelines for Siting Wind Energy

Systems that cited three references. The first was the EPA publication in 1974 that stated 40 dBA during the day and 30 dBA during the night. The second reference was from Holland in 2003 stating 45 dBA. The third reference was from Sweden stating 35 dBA. It was stated that 40 dBA causes sleep disturbance at night. The dBA should be lower in the evening than it is during the day. Dr. Swinbanks recommended an evening dBA of 25-30.

He compared the effect of turbines in some people to the fact that some people suffer from car sickness and some do not. Also mentioned that as more and more turbines are put into an area the greater the boundaries should be. Spacing of turbines was also discussed. United States has some of the most lax permitted distances for turbine setbacks. Quebec, Scotland and Ontario require 2 kilometers from property lines. In his conclusion he stated that when he went back to the UK an elderly couple who had been living by these turbines, later moved away and that their health had improved. He stated that when tests were done on people to see if these turbines were making them sick they came back negative. Using the term Nocebo effect. This is basically telling a group of people they will be sick so they feel sick. Then telling a group of people they will be fine and they don't feel sick. Mind over matter, according to the unconvincing New Zealand "Nocebo investigation."

Mining Ordinance: Kelterborn mentioned that the prior Planning Commission talked about this and got nowhere. He suggested looking into different ordinances, getting more information and looking at this next month.

Kelterborn asked Valerie McCallum if she knew how the people in Hume Township felt about this. McCallum stated that the problem is that they are creating huge sand pits in residential areas. This is a huge problem with the neighbors in the area. McCallum mentioned that the zoning ordinance permits mining in the agricultural district as a special use. Kelterborn motioned to look into the ordinance more, and table until next month's meeting. Seconded by Pobanz. Motion carried all ayes.

Old Business:

Pobanz passed on the **Wind Ordinance** stating the Planning Commission wanted to wait for the full Planning Commission board and then discuss the setbacks and noise parameters. Kelterborn motioned to table until the Planning Commission has a full board and they can schedule a special meeting. Seconded by Pobanz. Motion carried all ayes.

Lighting Ordinance: The Planning Commission had a brief discussion on a lighting ordinance. Geilhart stated that the Planning Commission needs to do something about this. Asked if there was anything the Planning Commission could do under general provisions. Kelterborn suggested using Section 1201.13 which talks about controlling Heat, Glare, Fumes, Dust, Noise, Vibration and Odors, which also states that every use shall be conducted and operated so that it is not obnoxious or dangerous by reason of heat, glare.... beyond the lot on which the use is located. The Planning Commission suggested to Mark Treder to write a letter to Mr. Shuttleworth using this section of the zoning ordinance.

Geilhart suggested that when they look into a lighting ordinance to make it simple, i.e. deflectors on lights, hours of operation, light sprays onto only your property and start with the R1 and R2 districts.

Kelterborn motioned to table this discussion until next Planning Commission meeting. Seconded by Geilhart. Motion carried all ayes.

Sheds and small accessory structures:

Kelterborn motioned to table until next Planning Commission meeting. Seconded by Pobanz. Motion carried all ayes.

Public Comments:

Dave Crews made a comment that he would like to build a garage. He stated that he would be willing to take down one of his three sheds to put up a garage. He already has a 16'x20' shed, a 12'x12' shed and an 8'x12' that he would be willing to take down for his garage. He stated he originally had two lots, one with his home and two sheds, one with a mobile home and shed. He removed the mobile home in order to build a garage. When he removed the mobile, he requested his two lots be combined. He then found out he could not build a garage because he had too many sheds. He stated he should have built the garage before removing the mobile. He would like the Planning Commission to discuss his options. Discussion on accessory structures, garages, and sheds, sizes and quantity. Planning Commission members agreed further discussion is needed on this issue.

Motion by Kelterborn to adjourn. Seconded by Pobanz. Motion carried all ayes.

Meeting adjourned at 9:45 p.m.

Submitted by Kim Simpson, Recording Secretary