

Fwd: Supplemental Noise & Infrasound Ordinance Proposal

From [REDACTED]
To lyontownshipethics@protonmail.com
Date Thursday, August 13th, 2026 at 9:25 PM

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From: **Aaron Rinehimer** [REDACTED]

Date: Thu, Aug 13, 2026 at 8:53 PM

Subject: Supplemental Noise & Infrasound Ordinance Proposal

To: Leslie Zawada <leslie@cesinc.us>, Brian Keesey <bkeesey@mcka.com>, Michele Cash <MCash@lyontwp.org>, Kristofer Enlow <kenlow@lyontwp.org>, Lise Blades <lblades@lyontwp.org>, <rswain@lyontwp.org>, Sean O'Neil <soneil@lyontwp.org>, <mconflitti@lyontwp.org>, <jchuck@lyontwp.org>, <kradke@lyontwp.org>, <bmitkovski@lyontwp.org>, <pcarccone@lyontwp.org>, <rpennington@lyontwp.org>, <ctowne@lyontwp.org>, John Dolan <jdolan@lyontwp.org>

Dear Brian, Leslie, Members of the Planning Commission, & Members of the Board of Trustees,

During the last Planning Commission meeting, I mentioned that I obtained proposed language for a new township ordinance specifically addressing infrasound—a category of low-frequency noise below the typical threshold of human auditory perception that our current ordinances do not cover.

This ordinance language was adapted from Mason, Michigan, which is addressing similar data center developments, in conjunction with Saline Township. The draft was prepared pro bono by attorney Andrew Bashi of the Great Lakes Environmental Law Center and Michael Bommarito.

Key Elements of the Proposed Ordinance:

- **Equitable Application:** Establishes standards that apply broadly to any industrial project, ensuring data centers are not singled out or unfairly targeted.
- **Tone Definition:** Defines pure tones using standard One-Third-Octave Band noise data.
- **Performance Standards:** Establishes explicit noise limits for sensitive properties during both daytime and nighttime operations, utilizing both dBA and dBC weightings to account for different frequency impacts.
- **Low-Frequency Protection:** Sets specific health and safety thresholds for low-frequency infrasound (0–160 Hz).
- **Equipment Testing Controls:** Restricts the testing of generators, alarms, and other intrusive equipment to weekdays between 9:00 AM and 5:00 PM.
- **Comprehensive Site Plan Review:** Requires developers to demonstrate compliance across all operational scenarios, including both routine operations and emergency testing.

- **Township Oversight:** Authorizes the township to conduct initial commissioning tests, periodic audits, and continuous monitoring at major energy facilities.
- **Resident Complaint Process:** Defines a structured mechanism for residents to report non-compliance directly to the township.
- **Enforcement Powers:** Grants explicit authority to township enforcement officers to handle violations.

This proposal is intended to supplement our existing noise regulations and fill critical gaps. As Brian noted regarding the large land use ordinance currently being drafted during the last board of trustees meeting, these provisions could readily be incorporated into that language.

While I am not an attorney, I believe these standards could be applied to properties surrounding Project Flex to ensure future compliance, even if aspects of the current proposal are grandfathered. I will leave the final legal interpretation to counsel. That said, if Verrus intends to be the "good neighbor" they claim to be, they should willingly adopt these standards.

As noted in my previous communications regarding the health impacts of low-frequency sound, my primary focus remains protecting sensitive sites, specifically the children at Dolson, Red Apple, and IXL Learning Center.

Please feel free to share this attached language with our municipal consultants. I remain available to answer any technical questions regarding the ordinance text, acoustic measurements, or noise impacts.

Thank you for your time and consideration.

Best regards,

Aaron Rinehimer

233.66 KB 1 file attached

Lyon Township Infrasound Ordinance Proposal.pdf 233.66 KB