

Fwd: Supplemental Noise & Infrasound Ordinance Proposal

From [REDACTED]
To lyontownshipethics@protonmail.com
Date Saturday, August 15th, 2026 at 8:35 AM

----- Forwarded message -----

From: [REDACTED]
Date: Sat, Aug 15, 2026 at 8:34 AM
Subject: Re: Supplemental Noise & Infrasound Ordinance Proposal
To: Kristofer Enlow <kenlow@lyontwp.org>

Hi Kris,

Yeah I will definitely be following up with Brian on the critical language of the ordinance. In my opinion it is critical that we do as much as we can not only to protect the children as much as possible but also to protect residents. I recently got a huge collection of scientific papers from Scott Hamilton, he is a Principal Engineer at Stantec & a member of the Acoustic Society of America. It's quite a stack so once I curate it I'll forward you along a couple of papers I find relevant.

Additionally I saw that the 5th "Final" site plan for the data center was released. When I think about movies that have a fifth series release, usually the fifth movie in the series is a bit of a let down (Sharknado 5: Global Warming, Pirates of the Caribbean 5: Dead men tell no tales etc.). In my 5 min preliminary reading I saw that they added a 18' sound barrier in the south east corner of the property. I'm not sure how that isn't a "Major Change" to the site plan and doesn't violate other height rules within the township. In any case, I'll try and review this weekend and provide feedback to everyone this weekend.

Thanks,
Aaron Rinehimer
[REDACTED]
[REDACTED]

On Fri, Aug 14, 2026 at 7:49 AM Kristofer Enlow <kenlow@lyontwp.org> wrote:

Thank you. I like those suggestions; I am glad you sent this to Brian as well. The Board will be able to review the Ordinance change after the Planning Commission makes their recommendation on it. I look forward to reviewing everything and hopefully, we will not have too many tweaks or changes by the time it gets to us.

Kristofer Enlow
Township Trustee

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Lyon Township
58000 Grand River Avenue
New Hudson, MI 48165
Phone: 248-345-1771
Office Hours: By Appointment Only

From: [REDACTED]

Sent: Thursday, August 13, 2026 8:53 PM

To: leslie@cesinc.us <leslie@cesinc.us>; bkeesey@mcka.com <bkeesey@mcka.com>; Michele Cash <MCash@lyontwp.org>; Kristofer Enlow <kenlow@lyontwp.org>; Lise Blades <lblades@lyontwp.org>; Robert Swain <rswain@lyontwp.org>; Sean O'Neil <soneil@lyontwp.org>; Mike Conflitti <mconflitti@lyontwp.org>; Jim Chuck <jchuck@lyontwp.org>; Kurt Radke <kradke@lyontwp.org>; Branko Mitkovski <BMitkovski@lyontwp.org>; Patricia Carcone <PCarcone@lyontwp.org>; Ron Pennington <rpennington@lyontwp.org>; Carl Towne <ctowne@lyontwp.org>; J Dolan <JDolan@lyontwp.org>

Subject: Supplemental Noise & Infrasound Ordinance Proposal

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

