

**SANDS TOWNSHIP PLANNING COMMISSION  
MINUTES**

**Draft**

August 7, 2012

1. Call to Order at 1830 by Planning Commission Vice-Chair B. Mann
2. Roll Call: B. Mann, R. Titter, J. Noe, J. Wixtrom, S. Brauer & E. Anderson
  - a. Absent: S. Foulks
  - b. Others in Attendance: Randy Yelle, Carolyn Kerkela, Jim & Barb Kidder, Jim Noe, Joelle & Ross Olsen, Roger & Helen Peters, Nancy Olsen, Karla & Stephen Combs, Bob Myers, Jesie Melchiori, Mark Fuller, Jesse Zambon, Jake Gervais, Michelle Judd (Marquette County Fair Board Representative), Terry Park, and Joe O'Dovero.
3. Approval of Agenda: Motion by R. Titter, Supported by S. Brauer to approve agenda as presented. Ayes: 6, Nay: 0. Motion granted.
4. Approval of Meeting Minutes of July 17, 2012: Motion by R. Titter, Supported by J. Wixtrom to approve the minutes as presented. Ayes: 6, Nay: 0. Motion granted.
5. Public Comment – B. Mann clarified this is for general comments only.
  - Jim Noe – minutes were just approved that had a motion to table the motocross public hearing until September 18 and he did not hear of any meeting to change that motion.
  - B. Mann clarified they cannot change what happened at a previous meeting but a person who voted for a motion can make a motion to change the motion when that item is addressed. The public hearing was never closed, simply tabled.
  - Joelle Olsen – her husband received a letter informing them of the change of date because he was present at the July 17 meeting.
  - B. Mann – 2 members can request a special meeting, and 4 members requested to address this issue at the special meeting.
  - J. Noe – can a vote can be changed at any time? Why hold meetings and make decisions if it can be changed?
6. Close Public Comment
7. Public Hearing
  - a. ZM12-02
    - Sands Township has requested to rezone the “Old Schoolhouse Property” on CR NA because the school has been demolished and property is to be sold but it cannot be sold while zoned Public Lands. Rezoning request to change zoning to Rural Residential like surrounding property.
    - No Public Comments
    - No Board Comments

- Motion by J. Noe, Supported by R. Titter that, after conducting the required public hearing, reviewing staff documentation, and receiving public input, the Sands Township Planning Commission hereby recommends the Sands Township Board rezone parcel 52-14-135-011-00 from its current zoning of Public Land to Rural Residential as requested. Ayes: 6, Nay: 0. Motion granted.

b. Proposed Zoning Ordinance Amendment

- B. Mann explained the Planning Commission is trying to create an ordinance for the Township that protects the safety of residents while complying with the Michigan Medical Marijuana Law.
- Motion by R. Titter to approve the Zoning Ordinance Amendments. Motion died for lack of support. Motion later withdrawn by R. Titter.
- B. Mann asked for more discussion by the sub-committee because of more information from the legislature.
- Motion by B. Mann, Supported by S. Brauer, to table the Medical Marijuana Caregiver's Facility definition and related Zoning Ordinance Amendments for further discussion. Ayes: 6, Nay: 0. Motion granted.

8. Close Public Hearing

9. Continue Public Hearing of July 17, 2012.

a. SUPPORT OF MOTOCROSS RACING

- Motion by J. Wixtrom, Supported by S. Brauer to reopen the Public Hearing for SUP 2012-03 that was tabled on July 17, 2012. Ayes: 5, Nay: 1. Motion granted.
- Randy gave a letter from Steve Foulks to Planning Commission members. Jane Noe read the letter out loud (See Attachment).
- Jesse Zambon –They want to begin motocross racing and want to follow the AMA rule book and work with the community, enhancing the fair and the community, especially kids. He knows it can be noisy and be a problem, but they want to ensure they are not a nuisance. They are aware of pollution - the group is cautious and makes sure they clean up. Bikes are worked on before arrival so oil is not spilled. He was told they were allowed to race during the fair week.
- Jesie Melchiori –have a letter approving motocross as a fair event.
- J. Zambon – all other scheduled events, besides the fair race, if approved, will abide by time and any other restrictions.
- Karla Combs – she has been to many AMA races and has never had to do a sound check on any bike. Other types of races may do that.
- Jake Gervais – many things referred to in S. Foulks's letter are in regards to road racing, not motocross. Safety standards are in place.
- Stephen Combs –Bikes are quieter now than the 1960's and 1970's, even than they were 10 years ago.
- J. Zambon – bikes will not perform correctly without a muffler.
- Joelle Olsen – She is in support of racing. Sands Speedway is a family thing – her family has 4 generations that get together every week for the races. She knows residents are

opposed to the racetrack and motocross racing but has also heard residents say “As long as everyone races on Saturdays, everyone is OK.”

- J. Melchiori – single mother with 3 boys and it is a family event. It taught them respect – for others, their surroundings, and competition. Great for community. The group worked hard putting the information together, have answers to questions that will be asked, and want to work with the township and residents. They have worked hard on the track, fences, and gates. She invited the Planning Commission and residents to the race.
- Joe O'Dovero – supports track. Midway Rentals donated equipment to build track. It is a good thing for community and fairground.

b. OPPOSITION TO MOTOCROSS RACING

- Nancy Olsen – She is concerned about noise, has questions about the TriMedia noise testing, and worries about dust. Trees have been cut at the fairgrounds, eliminating a noise buffer. She walked the area and the highway noise was loud. Motocross noise will travel and also be loud. Another concern is illegal riding of ORV's along M-553. This traffic may increase if motocross is allowed. A motocross track in the township may affect economic development. Prior requests by similar groups have been denied. If this is approved, will other groups use it, what restrictions will be in place? Will there be practice racing? Participants may be out on the Plains or along the highway practicing. She referenced YouTube videos that show racing and noise that can occur. There is a history of racing in the township and opposition from residents and she hopes the Planning Commission takes that into consideration. Since the 2002 request, trees have been cut and the new SUP request does not say the race will follow AMA standards. This is a weaker request and urges denial instead of approval with restrictions that would come at the expense of residents.
- Barb Kidder – Will adults be racing? That means bigger and louder bikes. GoKarts emphasized kids racing too. Concerned about noise and questions the test results. Also worried about property values and quality of life for surrounding residents and the non-motorized recreation areas. Fears this will lead to expansion, practice days, or other activity.
- Jim Noe – agrees with comments made and concerned about the pollution issue with flat track racing and how it will affect the aquifer and ground water.
- Helen Peters – has concerns about the age of riders. Older riders mean bigger bikes, bigger engines, and more noise, her biggest concern. She read information on noise, decibels, and hearing loss from Mayo Clinic and other sources. She hears bikes and 4-wheelers in her home. Humidity and weather play a large influence on how noise carries.
- Jim Kidder – concerns about noise –decibels, pitch, RPMs, etc, especially with trees gone. Fencing around the area is poor and fears unauthorized riders will access track. The fair board has a history of not following regulations. He has concerns about the TriMedia report. He is worried about practice days and believes the racing could affect economic development and recreation areas. He believed he was moving to a quiet area when he bought property.
- Bob Myers – long-term resident who lives near track. Is this a SUP for construction of a track or a racing venue? He is opposed for the same reasons already stated. The TriMedia report cannot be taken seriously. Many residents are irritated by noise and why should he have to hear it as a resident?

- B. Mann clarified this is a request for a racing venue. The Zoning Administrator made the determination a track could be built with the same parameters as the existing track. However, if the SUP is not approved it cannot be used except for fair week.

c. PLANNING COMMISSION QUESTIONS

- S. Brauer had questions about liability and insurance, a drug or alcohol testing policy, garbage pickup, and EMS coverage. She also questioned how the noise test was conducted and asked about locked gates and who holds keys, parking issues, and ear protection for spectators. All questions answered by Motocross group.
- R. Titter asked about the hours and days of racing, how many bikes would be racing, and has concerns about cleanup of spills. All questions answered by Motocross group.
- E. Anderson had some issues with the noise study and the possibility of three noise-generating races at the same time. He also wondered about the cost to the township for the ambulance coverage. All questions answered by Motocross group.
- J. Noe is concerned about unlocked gates at the fairgrounds. She questioned fencing, some items on the map, proposed racing times, and inspections and testing done by the group before a race. She also asked about other tracks in residential areas. All questions answered by Motocross group.
- B. Mann clarified the ages and size of bikes allowed to race. He asked about noise testing for individual bikes, equipment inspection, and dust control. He brought up the requirement of trailering bikes, the prohibition of riding along State Highways, and about rain delays and substitute race referees. All questions answered by Motocross group.
- J. Wixtrom missed a section of questioning because of an emergency. His largest concern was the size of the bikes.
- R. Titter questioned the number of race days and practice days. Question answered by Motocross group.
- J. Noe asked about the schedule for preparing the track. Process explained by Motocross group.

10. Close Public Hearing at 2048

Motion by R. Titter, Supported by J. Noe to table the decision until the next meeting and to make a decision within 60 days. Ayes: 6, Nays: 0. Motion carried.

11. Unfinished Business – None

12. New Business

a. Administrative Report - None

- b. Amend Planning Commission Bylaws. Motion by B. Mann, Supported by S. Brauer to table discussion until the next meeting. Ayes: 6, Nays: 0. Motion carried.

13. Public Comment:

- Joelle Olsen – what does the referenced election mean? Will there be different people on the Planning Commission? B. Mann clarified they are appointed positions and will elect a Chair and Vice-Chair. Position terms were discussed.
- Barb Kidder – a “multiplication of noise” was mentioned. They do not want more noise added. She would prefer all racing at the same time instead of multiple times that span over the weekend.
- Jim Kidder – after practice hours and practice days added in, it is a lot more than 18 hours a year of racing. He questions the security of fencing around the fairgrounds.
- Nancy Olsen – originally the GoKarts were approved for Saturday or Sunday and the cars raced on Sunday. They now both race on Saturdays but she fears Saturday motocross racing may cause another race to switch to Sunday.
- Jim Noe clarified carts started on Sunday and moved to Saturday, so cars moved also.
- R. Yelle clarified what original GoKart permit allowed. He agreed to look into amending that SUP to only account for Saturday racing.
- Helen Peters – Question on rain days for the Speedway, which was answered by Ross Olsen.
- Jesie Melchiori – thanked the Planning Commission for taking the time to look over all of the information and she invited both Commissioners and the public to come to the race on Thursday and witness how they run the event.
- B. Mann thanked the public for attending and sharing their opinions.

14. Close Public Comment

15. Adjournment. Motion by J. Noe, Supported by S. Brauer to adjourn at 2103.

S. Foulks

R. Titter

C. Kerkela

Chair  
Planning Commission

Secretary  
Planning Commission

Recording Secretary  
Planning Commission

Special P/C mtg  
Aug 7, 2012  
CK

Motocross issues - Steve Foulks

Unfortunately I can't attend this meeting because I am on a trip that I planned one year ago.

The reason for the special hearing is that the motocross racers have scheduled a race at the Marquette County fair two days after this hearing, so they must be pretty sure of approval. The application said that they would race at the same time that the go karts would race, but as you can see from the advertisement what they say they are going to do and what they actually plan to do are quite different, as I could find no evidence of go kart racing at that time. Racing also does not start until 7 PM yet they said that they would be done racing by 8 PM. That doesn't seem likely given the late starting time. This should be cause for great concern. If their first racing event isn't going to comply with the conditions in their application, it is hard for me to accept their credibility. I personally feel that the motocross organization has good intentions, but they did not have enough time and direction to put together a professional proposal. I personally support the concept of having motocross racing at the Fairgrounds if the parameters for the racing are well thought out.

Because the motocross group waited until the last minute to present this proposal, there will be a great deal of pressure on members of the planning commission to approve racing, even though you may still have questions and concerns as I do. If you choose to table this proposal once again, and I strongly urge you to do that, or turn them down, you will undoubtedly be viewed negatively in their eyes because you didn't jump at their "beck and call". Also they will have a good deal of "egg on their face" if they aren't able to follow through with their race plans for this Thursday. They certainly were unhappy with me after I propose tabling their proposal at our last meeting even though most of us received their proposal at the meeting time and had no time to study the proposal or formulate intelligent questions.

We could have listened to their proposal, but that would have been unfair to those who are not favorably disposed to having motocross racing at the Fairgrounds, because they would not have had any time to formulate a responsible rebuttal. They may request that you "cut them some slack" this first time because they have already scheduled a race. I don't think we should allow any motocross racing at the Fairgrounds until the fair board is ready to meet our conditions. I think cutting them some slack because their proposal is inadequate would be a bad precedent.

Motocross racing hasn't occurred at the Fairgrounds in the past and yet the sports still exists, and will continue to exist irrespective of whether you approve their proposal at tonight's meeting for. There is a new track (a paved road racing track) being built in the Dallas-Fort Worth area. Planning for that began over three years ago. During this time, the owners have gotten all the permits and approvals needed and will begin racing sometime next year. So the process for them has taken almost 5 years. In our case of this motocross organization you are expected to approve racing within a month of receiving their proposal. I am simply urging that you be cautious.

This whole process could have been made much simpler if the motocross group would have associated themselves with a motocross sanctioning body, the largest of which is the American Motorcycle Association. This organization has standards for dealing with the important issues noted below.



Another important issue is the length of time for which the special use permit will be granted. If this was a one-time event, I wouldn't worry too much about the above issues below, except for potential fuel pollution. We could all just wear earplugs and stay in the house until the event is over. However the organization intends to run races year after year, for many times during the year. When the planning commission feels confident about the terms in the special use permit, I am proposing that the planning commission grant them a special use permit for one full year, so that we can evaluate how they did and how we did in establishing conditions. Irrespective of how hard we try, and how careful we are, there are some potential issues that we are likely to overlook on this first go-round.

Here are the main issues that I see with respect to the proposed motocross racing at the Fairgrounds.

- Noise
- Time of operation, day of operation, number of races per season.
- Pollution and technical inspection

#### NOISE

I was a professional flat track motorcycle racer back in the 1960s and I am aware of how noisy racing motorcycles can be. I suffer from the effects of that today with constant ringing in my ears. Once a year the AMA had a professional flat track racing event at the fairground in my hometown of Lima, Ohio. My parents lived in town about 5 miles from the fairground. My neighbor would tell me that he knew when each race was starting, because he could hear the roar of motorcycles at his house. I guess my hometown put up with the noise because it brought a lot of people and money into town for just one evening, once a year.

Over time we have learned the negative long-term effects of extraordinarily loud noises. In addition people are simply not willing to put up with extremely loud noise associated with running motorcycles which have inadequate sound deadening characteristics. Racing associations like the AMA and the IMF (International Motorcycling Federation) realized that if they did not reduce and control the noise emitted from motorcycles, that the government would eliminate motorcycle racing.

Each of the above two racing associations has adopted standards for testing the ***noise emitted by each motorcycle racing on the day of an event***. The motorcycles are tested before they are allowed on the track, and then there is posttesting for those who finish high in the event. In order to conduct this testing you need appropriate testing equipment (a DB meter as specified in the standards and a tachometer also specified in the standards) and a certified independent person to conduct testing. The procedure goes something like this.

1. Motorcycles are categorized by type of engine and size (SEE Charts 1 and 2 in Appendix 6.2 of the AMA rule book for 2012). There are decibel limits and RPM standards for each category for testing.
2. For the AMA, the decibel meter is placed 20 inches from the exhaust pipe at the same height as the pipe.
3. The engine RPMs are gradually brought up to the RPM standard for testing and the decibel reading is made at the RPM standard.
4. If the motorcycle meets the standard, a sticker is put on the muffler and the sticker must remain on the muffler throughout the racing event. Before the motorcycle may enter the track, it is inspected to make sure that it has the appropriate stickers. See attachment

In addition, I think the testing needs to be done by someone who is not associated with the motocross racing organization - independent of this organization. Typically at an AMA meet, a registered AMA official will attend the race and do the sound testing. Since this motocross group is not going to be affiliated with the AMA, apparently, I think we need somebody independent to do the testing. There needs to be a logbook made of the sound testing results and this logbook should be maintained by the racing organization for inspection by Township officials who are interested.

I didn't find the "simulated motocross race" contest to be particularly relevant. First it didn't give any indication of how the simulation was conducted –

How many motorcycles were on the track when the simulation was done?

How large and what engine type was used in the simulation?

In any event, the technique used by the motocross organization is *not* the technique that is used in actual practice by professional motocross racing organizations. It is going to cost the motocross organization money to comply with this rule. However anyone engaged in motorcycle racing needs to realize that it isn't a cheap pastime, and this is the cost that needs to be born by the motocross organization. I don't think any racing should occur, until the motocross racing organization is ready to comply with this rule.

**Pollution and technical inspection:**

They do discuss a few rudimentary rules on their webpage, a few of which deal with pollution and technical inspection issues. It looks to me like it was thrown together fairly quickly. Just to give you some idea, the AMA rulebook has 33 pages dedicated to motocross rules, 15 pages dedicated to ATV racing, and 31 pages dedicated to general racing rules, or 79 pages of useful specific information. The Iron Horse rules are all stated on one web page.

Pollution other than noise pollution is an issue and is addressed by professional racing organizations. There are three types of environmental pollution that can occur with motocross motorcycles, other than noise pollution:



Gasoline - motorcycles must be fueled, motorcycles possess fuel tanks and fuel lines. The proposal did address this issue by saying that each motorcycle must have a racing mat although no specifications and terms of type or size were given. Fuel can be spilled in refueling, fuel tanks can burst during racing and fuel lines can rupture during racing. No consideration was given in the organization's rules as to how they would prevent any of these catastrophes, or how they would deal with the catastrophe if it occurred. Professional organizations normally have standards for tanks, and fuel lines. The racing organization also needs to have a plan for dealing with gasoline spills.

Oil - some motorcycles need to have oil added between racing events. Much of the engine is lubricated with oil. Professional racing organizations normally require that bolts that are used to attach motorcycle components where oil exist to be "drilled and wired" to prevent bolts from coming out. Also they require catch basins to catch any overflow at the oil filling point. Once again this racing organization has no such standard.

Coolant - antifreeze which is an environmental contaminant is not allowed to be used as a coolant. Instead water must be used as a coolant. Once again this racing organization did not mention that issue in its rules.

This organization needs each motorcycle to have a technical inspection which will ensure that they comply with the standards of the AMA, or the IMF, at least as they relate to environmental pollution issues (fluid issues mentioned above). The technical inspection should also address other issues such as rider safety, but my concern as a planning commission member is that they establish standards and a means to enforce these standards which minimize environmental pollution.

Time of operation, day of operation, number of races per season

I would like to see racing limited to the days on which kart racing occurs and only on Saturday, but no more than eight days of racing per year. (one in May, two in June, July and August and one in September). I would also like to see the time limited to no activity before 1 PM and all activities cease by 8 PM.

**APPENDIX 6.2**  
**SOUND LIMITS AND TESTING PROCEDURES**

**Sound Requirements**

1. The maximum sound limit is set at:

Pre-race inspection		Post-race Inspection	
Maximum dB/A	Engine Type	Maximum dB/A	Engine Type
96 dB/A	2-stroke	98 dB/A	2-stroke
94 dB/A	4-stroke	96 dB/A	4-stroke
<b>*101 dB/A</b>	<b>*Vintage</b>	<b>*101 dB/A</b>	<b>*Vintage</b>

2. The test will be conducted at a fixed RPM as follows:

Race Motorcycles/ATV		Trail bikes/Utility ATV	
Engine size	RPM	Engine size	RPM
0cc – 85cc	<b>*6,000 RPM</b>	0cc – 85cc	4,000 RPM
86cc – 125cc	<b>*6,000 RPM</b>	86cc – 125cc	4,500 RPM
126cc – 250cc	5,000 RPM	126cc – 250cc	4,000 RPM
251cc – 500cc	4,500 RPM	251cc – 500cc	<b>*3,000 RPM</b>
501cc - Open	4,000 RPM	501cc - Open	<b>*2,500 RPM</b>

Examples of Trail bikes are XR, KLX, TTR, DR, etc.

3. Machines entered in all meets (except drag racing and land speed trials) shall have mufflers/silencers that don't exceed the maximum dB/A required by the state where the meet is being held or the prescribed dB/A above, whichever is less.
4. Applicable sound test limits may not be exceeded at any time during an event.
5. Testing by a club or promoter is required. The testing may be conducted at any time. Any motorcycle not complying with applicable sound rules may be penalized.

## Sound Testing Procedures

### A. Sound Test Equipment

The sound level meter must meet international standard IEC 651 or American National Standards Institute (ANSI) S1.4-1983 specifications, Type 1, Type S1A, Type 2 or Type S2A. The sound level meter must include a compatible calibrator, which must be used immediately before mass testing begins and always just prior to a re-test if a disciplinary sanction may be imposed.

For convenience, a 20-inch string may be attached to the front of the sound level meter for the stationary sound test.

It is recommended that the sound meter be attached to a tripod and then placed into position for the test.

Allow the sound meter to come to the same temperature as the surroundings.

Set the sound meter to slow dynamic response and A-weighting.

Always round down the meter reading, that is: 100.9 dB/A = 100 dB/A.

An electric tachometer or vibrating reed tachometer shall be used to determine RPM.

### B. Test Site

No one should be within 10 feet (3 meters) of the machine other than the rider, the sound meter operator, an assistant to hold the front of the vehicle and one other person directly behind the sound meter operator.

The test area should be a flat, open surface free of large sound-reflecting surfaces within 16 feet, such as a parked vehicle, buildings, signs, and hillsides.

The surface should be free of loose soil, snow or grass higher than 6 inches.

The surrounding sound should not exceed 90 dB/A within a 16-foot radius of the machine during the test.

Always use a windscreen under windy conditions. The stationary test procedure should not be conducted if the wind speed is 20 mph or higher.

If wind is present, the machine should face forward in the wind direction (mechanical sound will blow forward, away from the microphone).

Testing shouldn't take place in rain, snow or excessively damp conditions.

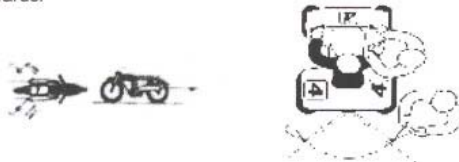
### C. Guidelines for Measuring the Sound

For initial sound control and technical inspection, a rider (or his mechanic) shall present only one spare silencer per machine. Other spare silencers may be presented after all participants

have presented their motorcycles, or on the following days of the event.

During the sound test, only the rider (or his mechanic) may sit on the machine in the normal riding position and will follow the directions of the sound test official. No other team personnel may influence the sound test.

Readings will be taken with the microphone placed at 20 inches from the exhaust pipe at an angle of 45 degrees measured from the centerline of the exhaust end and at the height of the exhaust pipe, but at least 8 inches above the ground. If this is not possible, the measurement can be taken at 45 degrees upwards.



Attach an electric tachometer or set the vibrating reed tachometer to the test RPM.

Make sure the engine is warmed up and the transmission is in neutral.

Have the vehicle operator slowly increase the engine speed to the test RPM.

Have the rider or assistant read the meter of the electric tachometer, or have the rider or assistant hold the vibrating reed tachometer against any solid part of the vehicle. Have the vehicle operator or assistant signal when the correct RPM is held (e.g., by tapping his foot).

Read the sound level meter when the correct RPM is held.

All silencers will be checked and marked once they have successfully passed the sound check. The end opening of the silencer shall remain unmodified once it has been checked and marked.

Silencers fitted with adapters aimed to reduce the sound levels shall be permanently fitted (e.g., welding).

The silencer may only be exchanged with a spare silencer, which has also been checked and marked for that machine.

**D. Sound Testing Corrections**

Always round down the meter reading. For example: 100.9 dB/A = 100 dB/A.

Type 1 Sound Meter: deduct 1 dB/A

Type 2 Sound Meter: deduct 2 dB/A

Below 50-degrees Fahrenheit: deduct 1 dB/A

Below 32-degrees Fahrenheit: deduct 2 dB/A

Moto Cross Racing -

Welcome to the Marquette County Fair!

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## **WELCOME TO THE MARQUETTE COUNTY FAIR!**

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### **IRON HORSE MX SERIES**

ATV & Dirt Bike Moto Cross Racing  
Classes for all Racers 4 & Up

Series Kick Off- Thursday, August 9th

Registration - 5:00 pm

Racing - 7:00 pm

Marquette County Fair - Motor Sports Area

[www.ironhorsemx.com](http://www.ironhorsemx.com)

[ironhorsemx@yahoo.com](mailto:ironhorsemx@yahoo.com)

Brought to you by-

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