

## White Oak Township Board Meeting May 8, 2023

The May 8, 2023 meeting of the White Oak Board was called to order by Supervisor Dorwin Marshall at 7:00 p.m. In attendance were: Supervisor Dorwin Marshall, Treasurer Brigitte Doxtator, Clerk Leela Vernon, Trustee Diane Graf, Trustee John Kemler, Zoning Administrator Katrina Griffith and grandson, Dean Leavitt, Sam Curtis, Sherri McConnell and 3 others from Stockbridge Library, Steve and Sally Bauder, Zac Clark, Attorney for the Bauders, Marci and Chad Crandall, Bob and Judy McManaman, and Frank and Ali Xerri. Trustee Graf lead us in the Pledge of Allegiance.

A motion was made by Trustee Kemler, seconded by Trustee Graf to approve the minutes of the April 10, 2023 meeting. Motion carried.

A motion was made by Trustee Graf, seconded by Trustee Kemler to approve the treasurer's report as presented. Motion carried.

Zoning Administrator, Katrina Griffith gave her report (see attached.)

Clerk Vernon took the floor to open discussion regarding the proposed amendment to the Ordinance that was requested by Steve and Sally Bauder. We went over the Planning Commission's recommendations one item at a time.

1(a) The minimum site area shall be ten (10) acres. Everyone was in agreement with 1(a).

1(b) The Planning Commission recommended, "The use of temporary event lighting shall only be allowed between the hours of 8:00 am and 10:00 pm." Clerk Vernon recommended that amendment be changed to read, "The use of temporary event lighting shall only be allowed between the hours of 9:00 am and 9:00 pm." There was some discussion about the change of hours. Frank Xerri stated that he felt that 9 am to 9 pm was better for the neighbors since there are elderly people and people that work nights. Trustee Kemler stated that he felt 8 am to 10 pm was recommended by the Planning Commission to allow finishing and packing up. Mr. Crandall stated that he felt 9 am to 9 pm was a good compromise. After more discussion 9 am to 9 pm was agreed to.

1(c) The Planning Commission recommended, "Sound producing equipment, including but not limited to public address systems, radios, phonographs, musical instruments and recording devices shall not be operated outdoors on the premises louder than 90db(a) Lmax measured at the property line between the hours of 8:00 am and 9 pm and louder than 60 db(a) Lmax measured at the property line between the hours of 9:00 pm and 8:00 am." Clerk Vernon recommended changing it to read, "Sound producing equipment, including but not limited to public address systems, radios, phonographs, musical instruments and recording devices shall not be operated outdoors on the premises louder than 90db(a) Lmax measured at the property line between the hours of 9:00 am and 9 pm and louder than 60 db(a) Lmax measured at the property line between the hours of 9:00 pm and 9:00 am." There was discussion about the change of hours.

1(d) The Planning Commission recommended, "Events held outdoors or indoors, in whole or in part, at such a facility and that is open to participants beyond those who board or train at the facility are allowed if permitted by the Township." Clerk Vernon recommended to remove "and indoors" so it would read, "Events held outdoors in whole or in part, at such a facility and that is open to participants beyond those who board or train at the facility are allowed if permitted by the Township." Mr. Clark stated that he felt that "Indoors" should remain in the Ordinance. After discussion it was determined that it was best to remove "or indoors".

1(e) The Planning Commission recommended, "Off-street parking, loading and unloading shall be provided in accordance with the standards set forth in Article 6. All parking, including loading and unloading of animals, must be within the minimum site area of ten (10) acres." It was agreed to leave that as is.

1(f) Clerk Vernon recommended to add this section stating, "Any corral used for "Equine Exhibition Events" must be reinforced at all four (4) corners and at gate panels. At the point where all panels are connected a T post must be

driven into the ground for additional support and safety. Panels must be securely fastened to the T posts.” Trustee Kemler stated that he felt it should read, “Any corral used for “Equine Exhibition Events” must be reinforced at all four (4) corners and all gate panels. Any specific requirements for corrals for “Equine Exhibition Events” will be addressed in their Special Use Permit.

1(g) Our Zoning Administrator recommended adding this section to read, “Must comply at all times with requirements and conditions of Special Use Permit or the Township will revoke said permit.” There were no comments.

The Planning Commission recommended adding the above conditions to section 9.3 and 12.3. It was agreed that there was no need to add the above to section 12.3 since we currently do not have any parcels zoned C-1 Neighborhood Commercial. There were no comments.

The Planning Commission recommended changing Section 4.40(D) of the Zoning Ordinance to read, “Lots on which animals are kept shall be fenced. Special training or exercising corrals shall be located not less than one hundred (100) feet from any neighboring dwelling.” Clerk Vernon recommended amending this section to read, ““Lots on which animals are kept shall be fenced. Special training or exercising corrals for any animal shall be located not less than one hundred (100) feet from any lot line. Special training or exercising corrals for Equine Exhibition event centers shall be located not less than one hundred (100) feet from any neighboring dwelling, and a minimum of 25 feet from any lot line.” Mr. Clark questioned this proposed amendment. Our Zoning Administrator explained the need for the two different setbacks and also the 25 foot setback from the lot line for equine exhibition event centers. After discussion the proposed amendment submitted by Clerk Vernon was accepted.

A motion was made by Clerk Vernon, seconded by Trustee Graf to Amend section 9.1 to include the definition for Equine Exhibition Events as follows: Equine Exhibition Events are those which involve exhibition, competition, and recreational sporting use of horses and similar livestock subject to the requirements of the Ordinance. The motion includes Amending Section 9.3 to include, “Equine Exhibition Events” as a special land use in the Agricultural Zoning District as follows:

1. Equine Exhibition Event Centers subject to the following conditions:
  - a. The minimum site area shall be ten (10) acres.
  - b. The use of temporary event lighting shall only be allowed between the hours of 9:00 am and 9:00 pm.
  - c. Sound producing equipment, including but not limited to public address systems, radios, phonographs, musical instruments and recording devices shall not be operated outdoors on the premises louder than 90 db(a) Lmax measured at the property line between the hours of 9:00am and 9:00pm and louder than 60 db(a) Lmax measured at the property line between the hours of 9:00pm and 9:00am.
  - d. Events held outdoors, in whole or in part, at such a facility and that is open to participants beyond those who board or train at the facility are allowed if permitted by the Township.
  - e. Off-street parking, loading and unloading shall be provided in accordance with the standards set forth in Article 6. All parking, including loading and unloading of animals, must be within the minimum site area of ten (10) acres.
  - f. Any corral used for “Equine Exhibition Events” must be reinforced at all four (4) corners and all gate panels. Any specific requirements for corrals for “equine exhibition events” will be addressed in their special use permit.

- g. Must comply at all times with requirements and conditions of Special Use Permit or the Township will revoke said permit.

Section 4.40(D) of the Township's Zoning Ordinance is hereby amended to read, in its entirety, as follows:

Lots on which animals are kept shall be fenced. Special training or exercising corrals for any animal shall be located not less than one hundred (100) feet from any lot line. Special training or exercising corrals for equine exhibition event centers shall be located not less than one hundred (100) feet from any neighboring dwelling and a minimum of 25 feet from any lot line.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Roll call vote as follows:

Dorwin Marshall: Yes

John Kemler: No

Diane Graf: Yes

Brigitte Doxtator: Yes

Leela Vernon: Yes

Motion carried. The amendment to the White Oak Township Ordinance will be published within 15 days. This Ordinance takes effect seven (7) days after publication as provided by law.

Chad and Marci Crandall took the floor. They had several complaints about the Special Use Permit that was issued to Allen Baker. Since there were inconsistencies with Mr. Baker's application it was determined that we will have another Planning Commission hearing, ask Mr. Baker to fill out a new application, and treat it as a new case. He also needs to supply the Township Board with copies of permits from the DNR, State and County agencies. We will check with the lawyer to be sure that is legally sound. Mrs. Crandall stated that she had not received a letter notifying them of the Planning Commission hearing where Mr. Baker's application had been considered. She was assured that they would receive notification of the newly scheduled hearing.

A motion was made by Supervisor Marshall, seconded by Trustee Graf to make it mandatory that notices that are to be mailed to property owners within 300 feet of a Special Use Applicant must be sent via certified mail. Motion carried.

We went over the quote from Ludwig Fence. We need to get additional quotes.

We went over the quote from Hayhoe for the walking path. We need to get additional quotes.

A motion was made by Trustee Graf, Seconded by Trustee Kemler to pay bills as presented. Motion carried.

Public Comment: Judy McManaman stated that she supports the changes made to the amendment.

Meeting was adjourned at 8:26 p.m.

Respectfully submitted, Leela A. Vernon, Clerk  
White Oak Township