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Board passes zoning amendments to regulate gas, oil production

BY SARAH WOJCIK
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SHELBY TOWNSHIP — In a 6-0 vote April 7, the Board of Trustees adopted text revisions to the township's zoning ordinance to regulate how and where oil and gas

would be processed if oil were discovered at a well located near 25 Mile and Dequindre roads.

The board introduced the changes at its March 17 meeting, but given Shelby's classification as a charter township, two votes were required to amend the zoning ordinance.

Township Planner Glenn Wynn said the amendments were prepared by Township Attorney Rob Huth's firm to provide performance standards and add direction as to where the township would allow the production.

"The Planning Commission held a

public hearing, recommended approval; the board approved the introduction of this ordinance amendment on the 17th of March; we published a notice of introduction in the paper; and we're ready for the second, final step in the adoption process," Wynn said.

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Zoning

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Supervisor Rick Stathakis advised that the board would go into closed session after its public meeting to discuss Huth's opinion regarding West Bay Exploration Co. and the site at 25 Mile and Dequindre roads.

Trustee Paul Viar made the motion to adopt multiple changes to the zoning ordinance because it lacked standards for the location and operation of gas and oil processing facilities.

He said the proposed standards would ensure that such facilities be located in an approved zoning district and placed under accepted standards to alleviate nuisances to any adjoining residential neighborhoods.

Shelby Township resident Gary Golassa expressed concern that there was a conflict of interest, since Huth lives 457 feet from the well. He also said he was worried that, if the issue came before a judge, the judge would throw out the township's case because state law regulates oil drilling operations.

"What we are seeking to do tonight is talk about the activities that occur once the drilling is complete, and the Michigan Supreme Court in the early 1990s has not clarified then or since what local municipalities can do," Huth said.

"We're not trying to trump the state law. We're saying the state law does not address how many trucks are going to be able to roll through the site, where the pipeline is going to go, and what activities are going to be allowed in residential use (areas)," Huth said. "Those are all issues of concern for folks who live not only 457 feet away from the well, as I do, but all throughout the township."

He said 900 people showed up at an informational meeting at the Palazzo Grande to listen to township officials and environmental experts speak about what the township could do in the event that West Bay found oil.

"I think the board's response tonight is appropriate, given everyone's concerns," Huth said. "It is consistent with what state law and the Supreme Court says we can do."



Photo by Sarah Wojcik

The well drilled by West Bay Exploration Co. near 25 Mile and Dequindre roads remains capped after the company halted operations due to community complaints. West Bay said it is talking to residents about best practices for returning to test the well for oil.

The changes will take effect 30 days from the April 7 meeting.

Patrick Gibson, vice president of West Bay, said his company is

working with residents in the affected area near 25 Mile and Dequindre roads in regard to how to test

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the well in the least impactful way.

"I would say we will be testing in the next few months," Gibson said. "The zoning, as it relates to a production facility, is something we wouldn't really be looking at soon, as we first have to

determine whether or not we have a well."

He said crews, once testing began, would work only during daylight hours on weekdays. He said the zoning was not applicable to the company until a well was determined.

"There is as good a chance as not that the well will be successful," Gibson said.