

Access to and from the project site is proposed to be limited to one driveway on the north side of Dryden Road, located approximately 900 feet west of Ribble Road.

American Aggregates and the Boy Scouts of America have submitted a conditional rezoning and special land use application to Metamora Township in its bid to win approval for a mining and reclamation plan. The company cites recent state legislative approval of a road funding proposal that will create a huge demand for road-building materials as the need for it to acquire the underground resources found on the sprawling Boy Scout property.

The proposed haul route for the project would potentially take dozens of double-bottom gravel trains per day west on Dryden Road from an access road off the property to M-24 or else east to M-53.

Many area residents packed a recent meeting of the township's planning commission to voice their opposition to the gravel mining application citing concerns of noise, dust, heavy dump truck traffic on area roads and decreased property values and quality of life as the result of renewed gravel mining in the township.

Speaking on behalf of the Metamora Land Preservation Alliance, attorney Christopher Bzdok reintroduced master plan and zoning changes the organization proposed a couple of years ago. The MLPA has a history in the township. In August 2012, at the invitation of the planning commission, MLPA submitted proposed changes to the township master plan and zoning ordinance. "The intent of the changes was to better regulate gravel mining and to bring the township's zoning ordinance up to date with Public Act 113 of 2011 (PA 113)," wrote Bzdok in a Dec. 9 letter addressed to township supervisor Dave Best and the township board.

The MLPA proposed to strengthen Metamora Township's master plan by more specifically describing the potential impact of increased mining on other township goals. Second, it also proposed to create a specific gravel overlay district where mining would be allowed, and third the MLPA proposed to incorporate the standards of PA 113 into the township zoning ordinance, to be used when deciding a request to rezone property for mining or a request for a special land use permit to mine.



Photos by Jeff Hogan

The Metamora Township Board met Monday evening, at which time officials approved a four-month moratorium on new gravel mining in the township. The Levy Company and Boy Scouts of America have applied for a rezoning request to mine gravel from a portion of the D-Bar-A Boy Scout Ranch in northern Metamora Township.

"Levy takes the radical legal position that the company does not need rezoning to mine the properties at all, and is only applying for township approval for 'administrative convenience,'" wrote Bzdok in his document to township officials.

Township attorney Mike Nolan had two recommendations of his own. But first before an attentive standing-room only capacity audience of nearly 60 area residents, Nolan informed the board and public that the township has retained gravel mining expert Gerry Fisher — one of the state's leading attorneys on issues relevant to municipal representation relevant to gravel mine operations in their communities.

"Now is the time to do the research ... I am not an expert on gravel mining, but Gerry is," said Nolan. "He will help us understand everything we need to know and what we need to include in our zoning ordinances and master plans."

Fisher, a personal friend of Nolan, is a professor at Western Michigan University Thomas M. Cooley Law School. He served as general counsel for cities, villages and townships, specializing in constitutional law, zoning and land use law and state and local government law. He was listed in "The Best Lawyers in America" for 2007 and 2009 in land use and zoning.

In addition to a moratorium



J. Patrick Lennon, an attorney representing the Levy Company that seeks to mine gravel for 30 years from the D-Bar-A Boy Scout Ranch, rises in opposition to a four-month moratorium on new gravel mining in Metamora Township.

on new gravel mining, Nolan sought a joint meeting of the township's regular board and its planning commission at its next regularly scheduled meeting on Jan. 11, at 7 p.m. at the township hall. At that informational meeting additional feedback and issues will be heard from township officials to guide legal representation in drafting a response to the Levy application.

Within 60 days Nolan and Fischer will be back to the township with proposals to protect the interests and stated concerns of officials and township residents opposed to

gravel mining at the Boy Scout ranch.

J. Patrick Lennon, legal counsel for Levy, stood and expressed his disappointment at the township's action to hear a request to issue a moratorium.

"This is big news. This wasn't on the agenda. We had no idea you were going to take this action, so I'm glad we're here," said Lennon, who was accompanied by Berl Falbaum, president of Falbaum & Associates — a West Bloomfield media relations company hired by Levy.

When Lennon finished, the

board took a vote of Nolan's recommendations. They were unanimously approved and were greeted by applause by some in the audience.

More about Levy and the project

Levy, whose corporate tag line reads "Solution for Your Environment," is a Dearborn-based multi-national company with operations in the United States, France, Thailand, Australia, Brazil and India. Levy has formed scores of jointly held companies over the last 20 years, including Canton-based Cadillac Asphalt. In addition, Levy's reach extends to Ace-Saginaw Asphalt plants in Holly, Burton and Port Huron to American Aggregate plants on Ray Road in Oxford Township and five other plants in southeast Michigan.

The proposed gravel mining, according to information posted on Levy's website dbara-project.com, will occur on the southern portion of the ranch. Approximately 133 acres of mature woodlands and 273 acres of young woods would be removed during the proposed mining operations. The tree clearing will occur incrementally, 40 acres initially and in 10-15 acre phases thereafter, "so wildlife should be able to migrate to similar habitats on the D-Bar-A Ranch or adjoining properties."

Operating hours, as dictated by township ordinance, would be from 6 a.m. to 6 p.m. Monday through Friday and 6 a.m. to noon on Saturday.

The company claims the Boy Scouts want their property mined because it "will generate substantial long term economic benefits for the Boy Scouts, helping secure their future in Michigan for decades to come. Also, the mining will open up substantial acreage for new recreational and agricultural land uses that will be created during the reclamation process."

On its website, Levy continues, "The key to integrating new uses into the D-bar-A Ranch is the use of mining and reclamation to shape the land in ways that can accommodate the new uses. From a ranch operations perspective, the mining can create broad rolling fields that are suitable for agricultural production of crops to support the horse and cattle being raised at the D-bar-A Ranch."

The County Press has yet hear from Boy Scout or Levy officials as to what the Scouts will earn in royalties for the gravel and timber extracted from the property.