

Metamora COMMUNITY VIEW

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Metamora ordinance takes aim at mining

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METAMORA TWP. — By a unanimous vote of members present, the Metamora Township Board on July 11 adopted amendments to the township's zoning ordinance it hopes will make it more difficult for the Levy Company and other new applicants to mine gravel from within the township.

The ordinance amendments were approved and recommended by the township's planning commission last month at the urging of legal counsel Mike Nolan and Gerald Fisher.

Levy Company attorney Michael P. Hindelang told *The County Press* afterward, "We're disappointed in the new ordinances ... The ordinances here are particularly over the top."

The township board Monday approved a two-part amendment to its zoning ordinance that creates a new zoning classification known as a Transitory Extraction Planned Unit Development.

In Levy's November 2015 application to the township to mine gravel and sand from the D-bar-A Boy Scout Ranch, it sought a rezoning change for the property it seeks to mine from recreation to agriculture that does allow gravel mining. A planned unit development (or PUD) allows for mixed uses on a single parcel. In Levy's case, the company would also have to apply for a special land use mimi mit to mine gravel from the Metamora Township property.

Under the new zoning amendment, the Levy Company would have to apply for a rezoning request in which it would have to demonstrate a need for the gravel from the D-bar-A ranch site that it couldn't otherwise find at another location other than the Metamora Township property.

In addition, the township included zoning ordinance language that would require a gravel mine applicant to demonstrate its application and subsequent operation, if approved, would cause "no very serious consequences"

to the community.

Township officials, business owners and residents have been complaining for months should large-scale gravel mining be allowed at D-bar-A the subsequent heavy truck traffic put onto Dryden Road would ruin the peace and charm of Metamora and drive down property values along the truck route.

The new zoning ordinance requires that companies seeking to mine gravel would have to demonstrate, including their proposed haul routes to be used by double-bottom dump trucks, would continue to be of a nature that would make vehicular and pedestrian traffic no more hazardous than is normal for the community. That would take into consideration the number, size, weight, noise, and fumes of vehicles, vehicular control, proximity and relationship to intersections and adequacy of sight distances. The gravel mining and trucking through the village of Metamora and the township, also according to the zoning amendments, cannot result in children, elderly and handicapped persons being forced to forego or alter their normal routine activities.

The zoning ordinance also calls for the public interest in Levy's proposal to mine gravel from approximately 500 acres at the D-bar-A Boy Scout Ranch site for the next 30 years to be measured against any negative impact to physical, historic and economic interests of the community.

Additional ordinance amendments would require the Levy Company and future applicants to pay a fee to cover the township's costs and expenses incurred in the review and evaluation of the new application.

Despite the new zoning ordinance amendments, Levy officials said they will continue to press the township on its gravel mine application it maintains meets current state law, and argues the township has no jurisdiction trying to usurp state and local regulations that were in place at the time of its application.