

# among the hills



**METAMORA**  
LAND PRESERVATION ALLIANCE

a quarterly newsletter about sustaining a community's unique rural character

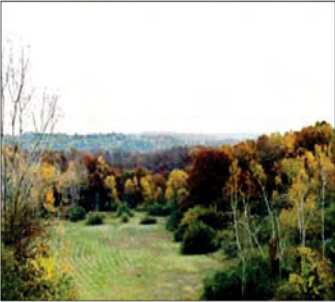


Autumn—2007

Volume One—Issue One

## From the Board

### Metamora a Mining Town?



D-bar-A Scout Ranch—Peter Gilles

Our community was tested over two decades ago when Ajax Paving Industries and Detroit Area Council Boy Scouts of America sued our Township after it denied them a privilege to mine 60+/- acres on the Scout's Ranch, just east of the Village. After 10 years of litigation and hundreds of thousand of dollars, the Federal District Court held that Ajax's and Scout's due process rights had not been violated. In other words, the Court reaffirmed the reasonable regulation of the Boy Scouts' property. The Scouts agreed through a final Settlement Agreement, approved by the Court, not to mine D-bar-A Scout Ranch.

Today, our community finds itself in a similar position, where a large

corporation, the Edward C. Levy Company along with the Scouts, have forced the Township into another potentially costly litigation. Two other entities have intervened and joined in support of the Township including MLPA and Landex, a subsidiary of Masco Corporation, a landowner north of the proposed mining operation.

Then, it was 60 acres; today, it's 470+/- . And, it has the potential to be more if you include property that the Levy Company has acquired at Dryden and Ribble Roads, 154+/- acres, if they so choose to mine it.

We ask, why do you live in this community? Is it the charm of the village; rural country roads outlined by towering trees and horse pastures; three and four rail fencing; a quiet and peaceful setting; or a safe family environment?

Will Metamora become a mining town? We certainly hope not, are

working hard to prevent it and look forward to you supporting Metamora Land Preservation Alliance (MLPA) to help sustain our community's unique rural characteristics.

### In this Issue

- Legal Update on Township Mining Litigation
- Local Flora & Fauna Need Your Help
- Land Choices of Michigan Endorses MLPA
- West Michigan Community Wins Mining Battle
- How You Can Help Preserve Metamora
- It's the Pits Fundraiser  
11.8.07  
White Horse Inn  
6:30PM-9:30PM

### Support MLPA

Complete form on Page 2 or contact [info@mlpa-mi.org](mailto:info@mlpa-mi.org) for more information.

## Board of Directors

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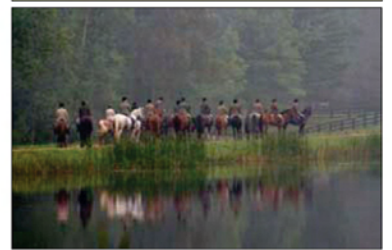
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## Mission

To support thoughtful land stewardship practices in the Metamora community to sustain its unique rural characteristics.

Metamora Land Preservation Alliance is a non-profit 501(c)(3) corporation.



D-bar-A Scout Ranch—Peter Gilles

## Judge Rules Prior Settlement Agreement—Binds DACBSA

In 2006, after Metamora Township denied their 2005 application to rezone a large section of the Metamora Boy Scout camp (D-bar-A) to permit a thirty-year mining operation, the Detroit Area Council Boy Scouts of America (DACBSA) and the Edward C. Levy Co., filed suit in Lapeer County Circuit Court against Metamora Township. In early 2007, Metamora Township filed a motion for summary disposition asking the Court to dismiss the Applicant's lawsuit. The Township argued that the effort to mine the Camp violated the terms of the Township's 1991 settlement agreement with the Boy Scouts - which had ended years of litigation resulting from the Boy Scouts' first attempt to mine the Camp (that time with the Ajax Paving Corp.). MLPA filed a brief in support.

The Honorable Judge Holokwa dismissed the Boy Scout/Levy lawsuit for reasons stated on the record during oral argument, adding in the written order that their "application submitted to the Township on September 8, 2005 violated the terms and provisions of the 1991 settlement agreement and was submitted prematurely." Levy Corp. and the DACBSA have filed a notice of appeal with the Michigan State Court of Appeals. MLPA will renew its efforts to work with the Detroit Area Council to ensure the future of the D-bar-A Scout Ranch without the threat of future attempts to mine it and to preserve the rural character of Metamora.



Many thanks to 'Natures Better Way' of Metamora for Sponsoring MLPA's 1st Newsletter



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Conservation is the foresighted utilization, preservation and/or renewal of forests, waters, lands and minerals, for the greatest good of the greatest number for the longest time. —Gifford Pinchot



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## Species Need You

According to the Michigan Natural Features Inventory at MSU, the following species among others, found in the Metamora and surrounding area need your help. They are either threatened, endangered or being considered for Federal and/or State status:

- Blanding's Turtle
- Whiskered Sunflower
- Eastern Massasauga
- Spotted Turtle
- Blanchard's Cricket Frog

## Land Choices of Michigan Endorses MLPA

Metamora Land Preservation Alliance is fortunate to have the endorsement of an organization dedicated to preserving our country's most at risk lands to connect children with nature. As a charitable non-profit organization, the group believes that "...MLPA's efforts are valuable and the current task to prevent Metamora from becoming a mining town and save D-Bar-A Scout Ranch is critical for sustainability...". Land Choices is currently focused on a new effort—"Changing Land Development in America Campaign". More information about this supportive group which is based in Milford, Michigan, can be found at [www.landchoices.org](http://www.landchoices.org).



### Upcoming MLPA Events

*It's the Pits Fundraiser*

*White Horse Inn*

*11.8.07—6:30-9:30 PM*

*Silent & Live Auction*

*Sweetheart Raffle*

*February—2008*

## Community Asks: What Can We Do?

MLPA is asked quite often from Metamora and neighboring town residents: How can I help? Here's just a few ideas:

1. Contribute money to MLPA.
2. Volunteer on a committee such as fundraising, research and communications.
3. Sponsor a fundraiser of your choice and donate the proceeds to MLPA.

**Contact Us Today!**

[info@mlpa-mi.org](mailto:info@mlpa-mi.org)

## Sister Community Wins Painful Mining Battle

Not too far from home, fellow rural residents of a West Michigan town near Kalamazoo were faced with a similar fight against a large mining company. Stoneco, a major player in the aggregates industry, applied to the local Township for a special land use permit that would enable them to mine nearly one square mile (+/-).

After much deliberation by the Township, including the review of a report conducted by W.E. Upjohn Institute, the firm dropped their plans before the Township decided. It was anticipated it would take another 4-6 months, including a few

more public meetings and then deliberation meetings by the Township's Planning Commission, to make a decision. George Erickcek, a senior regional analyst for Upjohn Institute, the author of the report, was slated to present at the meeting that was to take place the day after Stoneco withdrew its application. He was going to discuss his report and addendum in more detail and answer questions, etc.

Per an article published by *The Enquirer*, "...the Upjohn report said an 838-acre gravel mining operation in Richland Township, proposed by Stoneco of Michigan,

would cause a collective \$31.5 million decrease in residential property values among the 1,421 homes within a three-mile radius of the site in the first year of operation (60% of the Township's residences). "We estimate that the proposed gravel mine will have a significant negative impact on housing values," said Mr. Erickcek. The study was completed for free by the W.E. Upjohn Institute for Employment Research at the Township's request.

In his report, Erickcek used a study method based on the work of economist Diane Hite, who has completed extensive research on how



Crowd of 300 attend public hearing

gravel mines affect nearby residential property values."

**FRIENDS OF RICHLAND**

Friends of Richland, a community action group that sponsored the fight against Stoneco, is similar to Metamora Land Preservation Alliance in terms of how a community worked together to help sustain and preserve the integrity of a place they call home. Visit [friendsofrichland.org](http://friendsofrichland.org) for more details.



✂ CUT, COMPLETE AND MAIL FORM WITH PAYMENT ✂

**All CONTRIBUTIONS ARE TAX DEDUCTABLE PER APPLICABLE STATE & FEDERAL LAWS**



## Metamora Land Preservation Alliance Contribution Form

Please Print Clearly

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Please select a level below:

- Grand Champion (\$1,000+)    Blue Ribbon (\$100)    Red Ribbon (\$75)    Yellow Ribbon (\$50)
- Additional contribution: \_\_\_\_\_ (please write in amount)

Payment: Please do not send cash. Metamora Land Preservation Alliance accepts checks, money orders and/or credit cards as form of payment for contributions.

Credit Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ 3 Digit No. \_\_\_\_\_

I authorize MLPA to charge my credit card the charges noted herein: \_\_\_\_\_  
(signature)

Yes! I want to preserve Metamora's unique rural character. Please add me to your list of volunteers today.