Lodi Township Planning Commission Special Meeting Minutes

3755 Pleasant Lake Road Ann Arbor, Michigan 48103

October 15, 2026 at 7 pm

1. **Call to Order and Pledge of Allegiance**

   The special meeting was called to order by Vice Chair Stevenson at 7:00 pm. The Pledge of Allegiance was then recited.

2. **Roll Call**

Present:	Doyle, Meiners, Rentschler, Rogers, Stevenson, Sweetland
Absent:	Strader
Others Present:	Recording Secretary Michelle Joppeck, Township Planner Julia Upfal, Township Engineer Marcus McNamara, Township Supervisor Jacob Schaible, Township Trustee David Naebeck, Mike Leoni and Brian Hayes from Ann Arbor Sand & Gravel, Bill Stapleton from Hooper Hathaway, Rob Wagner from Midwestern Consulting, Jane Chronis, Margaret Maru, John Maru, David Ellison, Don Eaton, Dave Duetsch, Lindsay Fleming, Ed Nairn, Leo and Mary Byers, Rita Galin, A Vinnik, D. Nanabetian, David Giampetroni, Debbee Thompson, Nick Onkow, Diane Byrne, Becks, Craig Swenson and numerous other members of the public

   Eamon Doyle introduced himself.

3. **Public Comment**

   Public comment began at 7:02 pm. No public comment was received from the public. Public comment ended at 7:02 pm.

4. **Announcements:** None

5. **Approval of Agenda**

   Rogers moved to approve the agenda as amended and posted earlier in the day. Second by Sweetland. A voice vote was taken. Aye=all, Nay=none, absent=1. Motion carried.

6. **Ann Arbor Sand & Gravel Public Hearing:**

The Lodi Township Planning Commission will hold a Public Hearing at 7:00 pm on October 15, 2026, at the Lodi Township Hall, 3755 Pleasant Lake Road, Ann Arbor, Michigan, 48103, to address a request by Mike Leoni, Ann Arbor Sand and Gravel, for a Mineral Extraction Permit to allow for the extraction of Sand and Gravel at 4095 Scio Church Rd, Section 2, T3S, R5E in Lodi Township including parcels #M-13-02-200-001, M-13-02-200-004, and M-13-02-200-002.

The Planning Commission will vote to open the Public Hearing; the Chairperson will state its purpose and rules of procedure. The Applicant will be heard first, then staff reports will be received. Public comment on this issue shall then be received. The Public Hearing shall then be closed, Commission deliberation held, and action taken.

Meiners moved to open the public hearing at 7:03 pm. Second by Rogers. A voice vote was taken. Aye=all, Nay=none, absent=1. Motion carried.

Bill Stapleton, a lawyer from Hooper Hathaway who is representing Ann Arbor Sand & Gravel, introduced the applicant and other representatives for the applicant and thanked the Township and Township officials for their time and consideration of the application. Stapleton also noted the conditions and concerns listed in the Township Planner's report and stated that they are reviewing them and do not see any issues with those conditions. Stapleton reviewed the history of the request, an overview of the changes they expect to happen on site if the permit is approved, and an overview of the process used to extract the sand and gravel. Stapleton also reviewed the necessary environmental permits and approvals already received from regulatory agencies for the request.

A member of the public asked where on the site the extraction is going to take place. Rob Wagner from Midwestern Consulting used a drone topographic survey from November 2025 to explain the site plan for the extraction process.

A member of the public asked where on the property the extraction will be taking place with regards to their property. Wagner stated that it is about 300 feet from the property line.

A member of the public asked if the existing entrance off of Scio Church Road was going to be used and if there will be any other entrances or exits. Wagner stated that they would be using the currently existing entrances and exits off of Scio Church Road only.

A member of the public who lives in the area stated that they see big trucks full of construction debris going into Ann Arbor Sand & Gravel and coming out empty and asked if there is dumping occurring on site in addition to the extracting. Wagner confirmed that is true. The member of the public asked if anyone has been watching what has been going on or monitoring that. Another member of the public asked if they are dumping into the lake. Applicant Mike Leoni stated that everything that is coming into the site is being watched and monitored.

Another member of the public asked if there is someone with no financial interest making sure what is brought on site is safe. Leoni stated that that is not required by the Ordinance and stated that the water is being tested every year and the results have been very clean and are available for review. The member of the public asked again if anyone representing the public's interest is monitoring what is going on there or if it is up to the public to take Leoni's word for what is happening on site. Township Engineer Marcus McNamara stated that OHM does annual inspections to confirm that operations are compliant with their approvals. Up until now, the

applicant was approved to make efforts towards the reclamation plan that was approved by the Township Board of Trustees. In the past, if a complaint was made or a question was brought up about if something is appropriate, OHM has gone to the site to investigate. Annual ticket logs are provided by the applicant as part of the annual review so if something was found after the fact to be an issue, it is known what trucks were on site, when, and where they went. McNamara also stated that the focus of that night's public hearing was a request to take material out of the site.

A member of the public asked if materials that are being brought in are being buried and how an annual inspection would inform the public as to what has been brought in. McNamara stated that the load tickets tell what trucks had been there and generally where they dumped.

A member of the public asked if the water testing is done by a public entity. McNamara stated that it was not; it is done by a third-party testing lab and is paid for by the applicant. Those labs' reputations depend on them providing accurate results and they are unaware of the chain of custody; they are just performing the tests that are required.

Wagner stated that the schedule for the mining is about five to eight years depending on the market.

Wagner stated that the bottom of the excavation is about 30 feet higher than the groundwater table so the extraction will not be impacting the groundwater.

A member of the public asked why the extract was stopped a few years ago and why a new permit is being requested at this point. Leoni stated that there was a tower with guide wires in the area that needed to be removed first before the 90 feet of overburden could be removed to get to the sand and gravel to be excavated.

A member of the public asked if there were any restrictions on the previous permit. Leoni discussed the consent order received from a judge.

A member of the public brought up the fact that about 20 years ago, Leoni requested to make the pit a type 3 landfill. Local residents raised money to get an attorney to stop that request, but there is still concern about the environmental impact to the water and aquifers. The member of the public stated that they were still concerned by the fact that that request was made.

A member of the public stated that at some point there has to be reclamation and at this point, it has been a bunch of debris, garbage and junk put in there and there is concern about what was put in. Leoni stated that he had an operator in the back and asked him if there was a lot of garbage that goes into the property. The operator, Tom, stated that there is absolutely no garbage that gets dumped onto the site. If there is any garbage, Tom makes them pick every last piece of it out. A member of the public asked how do you know if there is garbage in the middle of a 40-yard dump truck. Tom stated that if he sees garbage in it, he will spread out that pile and make them pick every piece of garbage out of it.

A member of the public stated that someone came onto the site on their behalf one time and he received tickets months later for other loads that were not on his behalf. Leoni stated that that could happen. The member of the public stated that the applicant does not have good logs then. Leoni stated that they have logs.

A representative of the applicant reminded everyone that they already went through an exhaustive procedure with the Township to get the reclamation plan approved and everything they are doing out there in terms of reclamation has been approved by the Township and its

engineers.

A member of the public stated that Stapleton said that it would be a continuation of what has already been going on out there and asked what the trigger point for this application was and what changed to require submitting the application. A representative of the applicant stated that there was extraction, the extraction stopped and reclamation was started. The overburden material was being removed and now they want to start extracting sand and gravel again which requires a new permit by the Township.

A member of the public asked what overburdened material was. The representative stated that it was material that is not usable in the market like dirt, grass, vegetation, and clay.

A member of the public asked when the extraction stopped. Leoni stated that he thought the last operator was out there in 2014.

A member of the public asked what has been going on there since then and what reclamation means. Leoni said that he could show pictures and that he thinks they have done a great job restoring it.

A member of the public asked what the long-term trajectory for the site is, when does something like that get exhausted or what is the next phase for a thing like that. Leoni stated that they have an agreement with the Township to be there until 2034. Leoni stated that he would like to see something happen with the site and has shared different ideas with the Township.

A member of the public asked if what is going on there with the inputs and outputs, the gravel operation and whatever is being deposited is set to end in 2034. Leoni stated that he would say that is pretty darn close. The member of the public asked if there would be an opportunity to renew the permit for continued work. McNamara stated that they could make an application and the permit renews every five years. Leoni stated that he does not care to get another permit because there is just too much overburden.

A member of the public stated that 30 feet between the dig and the water table is not very much and asked who would be monitoring the process and making sure the water table is not reached. Leoni stated that does not believe it is possible to reach the water table. Another member of the public asked if any independent contractors looked into that. Leoni stated that they had a hydrological study done and they know exactly where the water table is. A member of the public stated that they understand that they know where the water table is, but asked what the guarantee is that they will not get there. Leoni stated that the bottom of the lake was about 70 feet from the water table.

A member of the public asked where they can get the hydrological results. Leoni stated that it is on the website.

A member of the public stated that the hydrological report was done in 1989 and there have been quite a few houses built much closer to the Southeast end of the pit than there were in 1989 and asked if there was any intention to update that study or report. The report talked about the water moving 150 feet a year. The houses that were in the original report were 2.5 miles away so that was going to take 30 years to get there, but now there are houses that are only 1,200 feet away. Leoni stated that was unsure which houses the member of the public was referencing. The member of the public stated that it was the houses on Trillium Lane. Leoni asked how deep his well was. The member of the public stated that it was 205.

A member of the public asked if there were any plans to do any dewatering because that would impact wells fairly quickly. Another member of the public asked what dewatering was. It was explained that it would be pumping water out.

A representative of the applicant stated that the water that they are going to use for the processing of the material on the site is all ponded rainwater and they are not going to go down into the bottom of the lake. The bottom of the lake is 70 feet from the top of the aquifer and there is 70 feet of impermeable blue clay that separates the lake from the top of the aquifer. The Water Resources Division has looked at it carefully and if there was any remote possibility that there was a connection between the excavation and the aquifers, they would have required a new hydrological study. They were satisfied that there was not a hydrogeological connection. A member of the public asked if that letter was publicly accessible. A representative of the applicant said that it was.

Leoni stated that he asked Washtenaw County where all of the clay came from and why it was so hard. He was told that it was from ice and water sitting on it for thousands of years.

A member of the public stated that their concern is that, despite all of these assurances, other local pits have gone through the same thing and suddenly the water table was drawn down and wells were going dry. A representative of the applicant stated that according to his understanding, in those cases, there was dewatering occurring which led to that result and stated that they will not be dewatering. A member of the public asked if there was a plan or a commitment that there would be no dewatering. A representative of the applicant stated that they have made that representation to the Township. The member of the public asked if it was legally binding. The representative stated that it was and they cannot dewater without a permit that they do not have. If they wanted to dewater, they would have to go through the application process to get the permit. A member of the public asked if they get the permit to dewater, who would pay for the dry wells. A representative of the applicant stated that there is no reason or need for them to dewater. All of the water that they will be using is rainwater.

A member of the public asked for clarification on the 30-foot measurement versus the 70-foot measurement. Representatives of the applicant clarified that there is 30 feet from the bottom of the lake to the top of the aquifer and 70 feet was the amount of overburden that needed to be removed to get to the sand and gravel requested to be extracted.

A member of the public asked if the city or the state ever tests the water. Leoni stated that he sends the water to an outside firm to test it every year even though it is not required.

A member of the public asked if there is enough rainwater in the lake to do what they want to do. Leoni said there is. The member of the public asked how he knows there is. Leoni said he knows how much water is needed to clean that type of stone. A representative of the applicant stated that it would be a closed loop.

A member of the public asked if there were any complaints with the previous permit and if there were, what were they. Leoni said he had no complaints.

A representative of the applicant stated that they do have a hydrogeologist consulting on the project, but she was unable to attend the meeting.

More discussion was held regarding the differences in distances. A representative of the applicant stated that the 70 feet measurement is the distance from where the grade is at now and the aquifer. Once the extraction is finished, it will be 30 feet to the aquifer.

A member of the public stated that 30 feet is not a lot. A representative of the applicant said that 30 feet of blue clay is a lot. A member of the public asked if it was blue clay or Morley clay. Representatives of the applicant confirmed it is blue clay.

A member of the public asked McNamara if an annual inspection will be completed on the mining operation in addition to the reclamation. McNamara confirmed that the mining operation would be reviewed annually in addition to the reclamation. Updated contour maps will need to be provided as part of that review in addition to a physical site inspection to compare.

McNamara also stated that in regards to the 30-foot measurement, the pits to the West are permitted to mine within 10 feet of the water table and that 10 feet to the water table is composed of sand and gravel. So, 30 feet of clay is a cushion and there is no concern about that by the Township Engineers. If an extra bucket was taken out, there would be no impact and there would be time to address it.

Commissioner Stevenson stated that many years ago with the original mining, a hole deep enough to fill up with water was dug and asked what made them stop mining at that point. Leoni stated that it was the clay. McNamara also stated that it was likely the dimensions of the site and the slopes of the walls that forced them to stop mining and start the reclamation process to maintain safe slopes. McNamara also stated that the applicant would run into a similar issue with the current proposal. With the size of the bottom of the hole, they would not be able to maintain those slopes and go deeper because they would run out of room because the property is not big enough. Based on that, they would never be close to needing to dewater to get the material that they are requesting to extract with the current application.

Commissioner Sweetland asked where the 90 feet of overburden ended up. McNamara stated that, according to his understanding, it was moved around to a variety of places, but it all remained on the property and none of it was trucked out. Sweetland asked for confirmation that there was never a berm that was created. Leoni stated that there was never a berm. Sweetland clarified that his property is next to the Stone Co pit and they created a berm that created an issue with surface water that they did funnel back into the hole once the issue was disclosed. He wanted to make sure that that issue would not happen with this application as well.

A member of the public asked what kind of atmospheric effects, in terms of sound, dust, looms, and anything like that, might be expected. A representative of the applicant stated that he did not believe anything would be heard and their permit from EGLE requires that they provide dust suppression. For the dust suppression, they paved the road 800 feet from the entrance and have been putting chloride treatment on the existing roadways. As a part of the permit, EGLE will come out to the site while it is operating to make a judgement as to whether they are complying with the suppression of dust that is required as part of the permit. For the noise, he stated that he does not believe they have ever gotten a complaint about noise.

A member of the public stated that they are Sand & Gravel's nearest neighbor to that site and he finds the noise acceptable. He stated that he is an engineer and he likes quarries because they are progress. They are building roads, schools and hospitals and quarries are good things. He commended Leoni on doing a really good job in that quarry so far, but his fear is the groundwater and what the backfill is going to be. He stated that he has been told that what is going in is housing materials and he is not sure where those materials are coming from. He asked if it is lead-based paint from houses being torn down in Detroit. Leoni stated that there is nothing like that and anything like that would be allowed on the site. Operator Tom stated that there are

no second changes; if somebody brings in a load that they are not supposed to bring in, they do not come back. There is no construction materials or tires and, basically, it is only dirt and concrete.

Commissioner Meiners asked how many tons were expected to be pulled out this year, how many tons will be extracted per year, and how many tons would be extracted total. Meiners also asked how much overburden has already been moved and how much is still there. A representative of the applicant stated that the volume is all market driven, but they estimate there is about a million tons there and, in a good year, they would extract 150,000 to 200,000 tons a year. Meiners asked if it was correct that 200,000 tons would come out to about 5,000 trucks per year. A representative of the applicant stated that it is more nuanced than that because a lot of the trucks are already on their site dumping material and then leaving empty. The goal would be to deposit the fill material and then leave loaded. The goal would be to have most of the materials taken out of the site by trucks that are already on site. Meiners asked how many trucks visit the site per day now. Leoni estimated about 25 trucks a day, but stated that it depends on the time of year.

Commissioner Rentschler asked if different grades of sand will be offered. A representative of the applicant stated that different grades will be offered. Right now, the tests of just dry-screening pass for 2NS. As they go deeper, they believe they will have class 2.

A member of the public asked the applicant if they would be willing to host some of the neighbors at the Township Hall to help them understand the operation. Leoni stated that he thought that would be a good idea and he would like that.

A member of the public asked if there was a bond and if so, how much. Leoni stated that there is an $820,000 bond that was required when the pit was originally started. A member of the public asked what the bond covers. Leoni stated restoration in case the business goes bankrupt.

A member of the public asked who is liable when a gravel mining situation does dewater and wells and property values of the houses around are affected. McNamara stated that the court would decide. A representative of the applicant said that the operators are liable. A member of the public asked if the operator has enough insurance to cover their losses. Leoni stated that he has $5 million in liability insurance.

Township Supervisor Schaible stated that if the applicant decides that they want to dewater, they have to go through the whole process again to get the required permit. Even if they did start dewatering without a permit, people are watching the pit and the Township gets calls about the pit quite a bit. Schaible and McNamara have walked through the pit before. Schaible asked McNamara if the Township's Extraction Ordinance is well written. McNamara confirmed it was one of the better ordinances in the area.

A member of the public stated that previously, when the site was being mined, it was a mess on site which caused a lot of problems for traffic and pedestrians and asked for assurances that that would not be an issue this time. A representative of the applicant stated that they have three sweepers on site.

A member of the public stated that his concern is that when problems came up in the past, they were not worked in a cooperative manner. There was a situation about 12 years ago where the slope was inappropriately steep and it took a lawsuit by some of the residents to get a judgement against Ann Arbor Sand & Gravel to get that corrected. Once the judgement was in place,

inspectors were not allowed on the property for some period of time to see whether or not complaints occurred. He stated that that is not the kind of people he would like to work with. He also stated that he has another concern with the sewer vacuum trucks that pull in and out of there. He stated that every truck is from outside of Washtenaw County and asked what the economic force that causes those people to spend so much time and money to drive in. Additionally, the fact that he has never seen a Washtenaw County truck go in there raises questions about what is in those trucks. He also stated that out of an abundance of concern the Township did ask for some surface water testing, but there was a period of time that that was not addressed. Leoni stated that the requirement to do surface water testing was not in the ordinance and that is why it was not completed, but when he was asked to do it, he did it.

A member of the public asked if someone could randomly come in, get some water out of the pond and have it tested themselves. Leoni stated that he did not know if he trusted that.

Leoni shared his side of the lawsuit from 12 years ago. The slope was there before he was even born and they did not cause the slope. The case went to court and the judge allowed them to bring in material to fix the side. It cost him a lot of money to do it, but it was already there when he bought the company. Leoni said that he tried to buy 100 feet of the neighbor's property in order to bring it into compliance, but he was refused. Leoni, the judge, previous Township Supervisor Jan Godek, and Leoni's lawyers went into the pit and the judge said no, that's fine. You're doing all the right things.

Township Planner Julia Upfal reviewed her report regarding the application. Township Engineer Marcus McNamara reviewed his report regarding the application.

Commissioner Doyle asked if one of the surface water standards come back out of spec, is there a compulsory stop or some sort of remediation plan that follows that or is it just purely informational. McNamara stated that as soon as that is known, it would be investigated. If PFAS is found, it would not be from their operation, but from something else because nothing they are doing would introduce PFAS. McNamara stated that if anything above the action limits is found, they would start tracking down where and why, but that would not necessarily stop all operations until that is determined.

Due to no more public comment, Rentschler moved to close the public hearing at 8:18 pm. Second by Rogers. A roll call vote was taken. Sweetland=aye, Stevenson=aye, Rentschler=aye, Rogers=aye, Meiners=aye, Doyle=aye, Strader=absent. Motion carried, 6-0.

Rentschler stated that he was ready to make a motion to approve. Doyle read the motion included in the Township Planner's report.

A discussion was held on which option of the provided motion was appropriate for the alternative paving material. It was decided to allow alternative paving materials.

A discussion was held regarding if there were any additional performance standards required to protect the health, safety, morals, and well-being of the Township or any additional conditions for traffic flow, security, or signage to ensure public safety. It was decided to require annual surface water testing.

Rentschler moved to recommend approval to the Township Board of the Preliminary and Final Site Plan Application and Extraction Permit for the proposed extraction use located at 4095 Scio Church Road (Parcels M-13-02-200-001, M-13-02-200-04, and M 13-02-200-002), subject to the findings and conditions set forth below:

Findings:

1. The proposed development is a Permitted land use in the NR Zoning District.
2. The proposed development generally meets all requirements of the Lodi Township Zoning Ordinance and the Lodi Township Extraction Ordinance (Ordinance #103).
3. A public hearing has been held on the application. The public hearing was noticed in a paper of record and to all neighbors within 300 feet.
4. Alternative paving materials (gravel) for the parking areas are appropriate due to the use of the site.
5. Surface water testing shall be completed as part of the annual review.

Conditions:

1. The applicant will address all administrative corrections identified by the Township Engineer in their report dated August 31, 2026 before final site plan approval shall be granted.
2. The applicant will address all administrative corrections identified in the Planning report dated October 9, 2026 before final site plan approval shall be granted.

Second by Sweetland. A roll call vote was taken. Doyle=aye, Meiners=aye, Rogers=aye, Rentschler=aye, Stevenson=aye, Sweetland=aye, absent=1. Motion carried, 6-0.

7. Public Comment

Public comment began at 8:33 pm. Public comment was received from 4 members of the public. Public comment ended at 8:36 pm.

8. Adjournment

Sweetland moved to adjourn at 8:37 pm. Second by Rogers. A roll call vote was taken. Sweetland=aye, Stevenson=aye, Rentschler=aye, Rogers=aye, Meiners=aye, Doyle=aye, absent=1. Motion carried.

Respectfully Submitted,

Brian Sweetland,
Planning Commission Secretary

Michelle Joppeck,
Recording Secretary