

Scope of Work – Review of Special Land Use Permit Application
Burroughs Materials Corp. Sand & Gravel Mining Operation
January 21, 2026

Hello Ric,

I have had an opportunity to look over your ‘Scope of Work’ documents from the recent Township Board Meeting. Please review the following proposed corrections and clarifications to the approved Scope of Work (SOW) governing the Township’s review of the Burroughs Materials Corp. Special Land Use Permit (SLUP) application. The Scope of Work you developed provides a strong and thoughtful framework for a structured review. The clarifications outlined below are offered to strengthen accuracy, transparency, and legal defensibility during implementation. They do not alter the intent or authority of the approved framework.

Date/Year Correction

- **Current:** The document contains an incorrect date of “2025”.
- **Clarification:** It should be corrected to “2026” to ensure a clear administrative record.

Application Type

- **Current:** The document repeatedly refers to a “gravel mining application”.
- **Clarification:** Replace with “Special Land Use Permit (SLUP) application for a sand and gravel mining operation”.

Description of the Proposed Operation

- **Current:** The operation is generally described as “gravel mining”.
- **Clarification:** The proposed operation is primarily a sand mining operation, with 2NS sand identified as the dominant product by Levy. When referring to the mining operation, identify “sand and gravel”.

Scope of Review Language

- **Current:** Strategic Objectives reference review of “all environmental studies”.
- **Clarification:** Replace with “all studies and materials submitted in support of the SLUP application”. You have listed studies outside the environmental scope including traffic, infrastructure, property valuation, cultural/historic, and emergency preparedness analyses in the Scope of Work.

Applicant Name

- **Current:** References to “Burrough Mining” as the applicant.
- **Correction:** Replace with “Burroughs Materials Corp”. Accurate identification of the applicant strengthens enforceability and conflict-of-interest review.

Funding and Fee Allocation

- **Current:** Document states that Special Counsel Gerry Fischer’s compensation is not covered by the Levy escrow.
- **Clarification:** Special Counsel Gerry Fischer’s compensation is capped at \$7,500 from the BMC/Levy escrow and any additional funding must come from the Township’s general funds.

Independence and Conflict-of-Interest Declarations

- **Current:** Independence language refers broadly to “the applicant or affiliated parties”.
- **Clarification:** Declarations should explicitly reference Burroughs Materials Corp., Levy LLC, Falcon Trucking, and any parent companies, subsidiaries, or affiliated entities.

Fen Terminology

- **Current:** Use of “Fenn” and lack of specificity.
- **Clarification:** Correct to “Fen”. Specify that the resource is a prairie fen, and identify relevant fen systems within watershed boundaries, where applicable.

Governing Body Reference (Exhibit C)

- **Current:** Exhibit C identifies the report as “Prepared for: Springfield Township Board of Supervisors.”
- **Clarification:** Springfield Township does not have a “Board of Supervisors.” Because the materials are intended for review by the Planning Commission prior to Township Board consideration, this reference should be corrected to accurately reflect the Township’s governance structure (e.g., “Prepared for: Springfield Township,” or “Prepared for: Springfield Township Planning Commission and Township Board”).

Wildlife and Vegetation Review Scope

- **Current:** Wildlife and vegetation review language is limited.
- **Clarification:** Explicitly include seasonal impacts, migration timing, protected and/or sensitive species, habitat connectivity, and biodiversity considerations.

Ambiguous Terminology (“Impact Migration”)

- **Current:** The term ‘impact migration’ appears without definition and may be interpreted in multiple ways.
- **Clarification:** If the intent is to address impacts to wildlife migration and movement, the language should be revised to reflect that explicitly such as “impacts to wildlife migration, movement, and associated mitigation measures”.

Framing of Community Impacts

- **Current:** Use of the phrase “Community and Stakeholder Concerns” as section header.

- **Clarification:** Replace with “Public Interest Considerations” which is consistent with Michigan Zoning laws and SLUP language.

Transparency & Internal Oversight

- **Current Process:** Under the approved ‘Scope of Work’, all consultant materials and findings are submitted exclusively to the Township Supervisor and Township General Counsel. These two offices retain full discretion over internal access, timing, and public release of information.
- **Clarification:** While the Scope of Work emphasizes transparency, the concentration of information control in two individuals, without a defined mechanism for shared internal review or verification, relies largely on discretion rather than a defined process for shared accountability.
- **Recommendation:** To strengthen transparency and public confidence, the Township should provide shared access to all consultant materials for members of the Fact-Finding Committee, subject to the same confidentiality and FOIA obligations as Township officials. This would distribute oversight without altering legal review or public release protocols.

In closing, these suggested clarifications are offered in the spirit of supporting the implementation of the approved Scope of Work, which is already a strong framework. If adopted, they would help improve precision, transparency, and overall defensibility, and assist in ensuring the Township’s administrative record accurately reflects the nature of the application and the standards governing its review.

Thank you for your consideration on this matter.

Sincerely,

Kara Okonewski