

June 14, 2024

Christopher P. Grobbel, PhD
Centerville Township Zoning Administrator
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Re: Williams & Bay Pumping Services

Dear Mr. Grobbel:

I represent True North Environmental Corporation d/b/a Williams & Bay Pumping Services (“Williams & Bay”) and am writing in response to your letter dated June 11, 2024. Williams & Bay is applying septage in full compliance with EGLE license number SH-1483, the Michigan Right to Farm Act (“RTFA”), the GAAMPs for Manure Management and Utilization, and the Agronomical Application Rates. The RTFA preempts the right of Centerville Township to require my client to obtain a special use permit. *See MCL 286.474(6) and Mylan Twp. v Lyle Jaworski, 2003 WL 22872141.* As such, Williams & Bay will continue its application of septage at Parcel No. 45-002-018-001-10.

The RTFA was implemented to protect farms and farm operations (including my client’s business) from nuisance lawsuits. MCL 286.473(1) makes it very clear that “a farm or farm operation shall not be found to be a public or private nuisance if the farm or farm operation alleged to be a nuisance conforms to generally accepted agricultural and management practices according to policy determined by the Michigan commission of agriculture.”

Any effort by Centerville Township to pursue my client for violation of the township’s zoning ordinance (nuisance per se) will be defended vigorously by my client. Furthermore, my client will pursue all legal and other remedies against the township, including but not limited to seeking the recovery of its costs and expenses, including attorney fees in defending the lawsuit, which costs and expenses are recoverable pursuant to MCL 286.473b.

Please do not contact my client or any of its employees. All further communication regarding this matter should be directed to me.

Sincerely,

ALWARD, FISHER, RICE, ROWE & GRAF, P.L.C.



Nicole R. Graf

NRG/skc

Enclosure

cc: Ron Schaub
Lauren Teichner, Esq.
Lindy Kellogg
Clay McNitt
Williams & Bay