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## Gravel pit owner takes town to OMB

BY JOAN RANSBERRY  
Staff Writer

A gravel pit owner who was found guilty of breaking environmental laws is now taking the Town of Whitchurch-Stouffville to the Ontario Municipal Board, demanding the right to dump fill in a defunct pit.

James Sabiston, who owns Bloomington Land Company Ltd., has been granted the right to an OMB hearing, to be held in 2002.

Two years ago, Sabiston was fined \$30,000 in a Newmarket court after a judge found him guilty of illegal dumping at the same gravel pit near the community of Bloomington, just north of Stouffville. Whitchurch-Stouffville Mayor Wayne Emmerson told council Tuesday the provincial government should help pay Whitchurch-Stouffville's legal costs associated with the upcoming OMB hearing.

Since the province was responsible for passing the Oak Ridges Moraine Protection Act which included controlling the gravel pits, two provincial ministries, MPP Frank Klees and local environmental groups should carry some of the burden of responsibility linked to the OMB hearing.

Emmerson said, "I want letters to go off to the province," said Emmerson.

Sabiston had asked to be exempted from the provincial government's ruling which prohibited gravel pit owners from dumping fill in defunct pits during the six-month land freeze. Meanwhile, Sabiston took issue with the town because council refused to back his request for an exemption.

The OMB hearing will be held in the Whitchurch-Stouffville council chambers. While the town's exact hearing costs are not known at this time, it will be thousands of dollars. The town is to be represented by lawyer Stan Mukuch, council decided.

The controls on the pits imposed by the Ministry of Natural Resources and the Ministry of Environment were all part of the passing of the Oak Ridges Moraine Protection Act. The six-month freeze is now over. However, the town's fill control bylaw remains in place.

At the Bloomington pit, provincial government authorities charged Sabiston with dumping construction debris in the defunct gravel pit. As well, the Ministry of the Environment imposed a cleanup order on the property.

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