

To: Shirley Roloff, NM Mi Board of Health Member
Scott Hankins, NM Mi Board of Health Member

From: Hal Wolff, 07645 Cedar Lane (Eveline Twp.) Property Owner

Re: Cease and Desist Directive for Septic System on Wolff property dated September 17, 2021

Hello Shirley and Scott – I am reaching out to both of you to see if there is anything either of you can do to help resolve a difficult situation that has unfolded with my family property on Lake Charlevoix. The Health Dept. of NW Michigan has recently placed a “Cease & Desist” order on my property based on the antiquated usage that we have maintained for the over 50 years we have been residents on Cedar Lane (in Eveline Twp). **The primary issue appears to be the use of a small but functional septic system that has been in place for as long as we’ve owned the property but was never properly registered.** Until now, I have been in communication with a number of people in the Department, most recently with Jeremy Fruk, who is the Environmental Director, and before that with Mike Jones who works for Jeremy.

As background, my parents bought our property in 1967, so it has been in the family for 55 years now. The property had an RV trailer on site when we bought it, and it still does today. The property also had an outdoor bathroom with a flush toilet and a functional septic system that the trailer and bathroom are connected to. The one thing we never had was a water well. I took over the property from my mother after she died 5 years ago. My parents were never of a mindset to make any changes to the property, but I decided to make certain upgrades. After installing two permitted accessory buildings I also (finally) replaced the trailer that my parents had used for decades. That seems to be a point of contention since replacing the trailer seems to be considered a “successor building” by the Environmental Director.

Well Permit: Last summer I applied for a water well and filed the required permit. That has started an avalanche or unexpected consequences that have left me very discouraged. A number of inspections took place and a “Cease & Desist” order was immediately imposed. At the time it was felt that no septic system might exist. When it was made clear that one did exist and that it worked just fine, I thought the Cease & Desists was rescinded, but I was told more recently that it is still in force. In December of 2021, I did apply for a Board of Appeals meeting to request a variance for my system to allow my well permit to be approved. That took place on 12-16-2021, and with what I felt was some inappropriate involvement from Mr. Jones and some inaccurate data from the Health Dept, the board voted against me in a 3-2 vote.

My most recent communication with Mr. Fruk (an E-mail exchange), **Jeremy indicated that my only choices were: 1) remove our existing septic system and install a new one, 2) go to court and try for a favorable verdict, or 3) to remove my trailer from my property. I don’t favor any of those options, so I am reaching out. I am still hopeful that some negotiated settlement can be achieved, or** if not that, that consideration could be made for a 2nd Appeals Board meeting, but this time with the appropriate zoning facts & data that I have been collecting. (Including more accurate ground water level information.)

Please let me know if you might support my effort to find a path that doesn’t require going to court. I have been down that road with Eveline Township, and although I prevailed in that effort, the process was expensive and time consuming and not what I feel is a productive effort for anyone involved and is best avoided if possible. **Please feel free to contact me by phone or e-mail if you choose.** Thank you!

Sincerely,

Hal Wolff
phone: 734-487-5616; e-mail: runlikehal@yahoo.com