

**To:** Jeremy Fruk, Environmental Director, Health Department of NW MI

2/23/2023

**Cc:** Kevin McCabe, Tonnadoonah Association President  
Deb Graber, Eveline Township Zoning Coordinator  
Caroline Keson, Tip of the Mitt Watershed Council  
Brad Jeffers, Mackinac Environmental Technology  
Mark Hilal, Attorney at Law

**From:** Hal Wolff (property Owner)

**Re:** Wolff Property Cease and Desist Directive dated September 17, 2021

Dear Mr. Fruk, I am writing regarding a situation on my property that you may be aware of, which includes a Cease and Desist directive issued on 9/17/2021 by your department.

**First, to provide some updated information.** I was not aware that the 2021 Cease & Desist issued prior to any inspection of my septic system was still in force *after* an inspection actually occurred until I spoke with you in July of 2022. However, since then, I have done good deal of work, including: having water-monitoring wells installed on my property, having numerous water quality tests conducted, collecting 3 months of water table data, and finding and excavating the property's original (still active) septic tank.

Based on this work, **I am very confident, that there are no health-related concerns on my property or any legitimate cause** to disrupt the lifestyle that my family has engaged in for 55 years. It appears that a suitable variance would allow me to continue to pursue the rustic lifestyle my family has long enjoyed on Lake Charlevoix for decades *with no health or environmental risks of any sort imposed on anyone.*

**Further, a number of false allegations have been made in my dealings with your department including:** **1)** we may not have a septic system (we do, but unfortunately it wasn't registered); **2)** Our system doesn't meet the 48" ground water clearance requirement (per my testing, it does); **3)** I could reposition our trailer and create a compliant, gravity based septic system (we can't - zoning prohibits that); **4)** I "brought in a trailer to my property" (I did not, I replaced one with a similar sized one); **5)** We are in violation of the Health Dept's "successor building" code (I studied this carefully - I don't believe that is true); **6)** I may have broken other rules that could require the input of a number of other agencies. (That claim was totally out of line. My parents not knowing they needed to register our septic system - whenever that became a requirement at some point in the past - is the only issue I found.)

**The attached pages include some of the information I have recently collected.** Based on a legal continuation of my family's historic usage pattern, and on all of the data that has been collected in the past months confirming *decades of safe usage*, **I request the case be reviewed and that consideration be made for granting a variance** for small but highly functional septic system in place. **If that is not possible, I request a 2<sup>nd</sup> Board of Appeals hearing be allowed.** (Erroneous and misleading information was spread at the last one which may have inappropriately biased the board and altered their decision.)

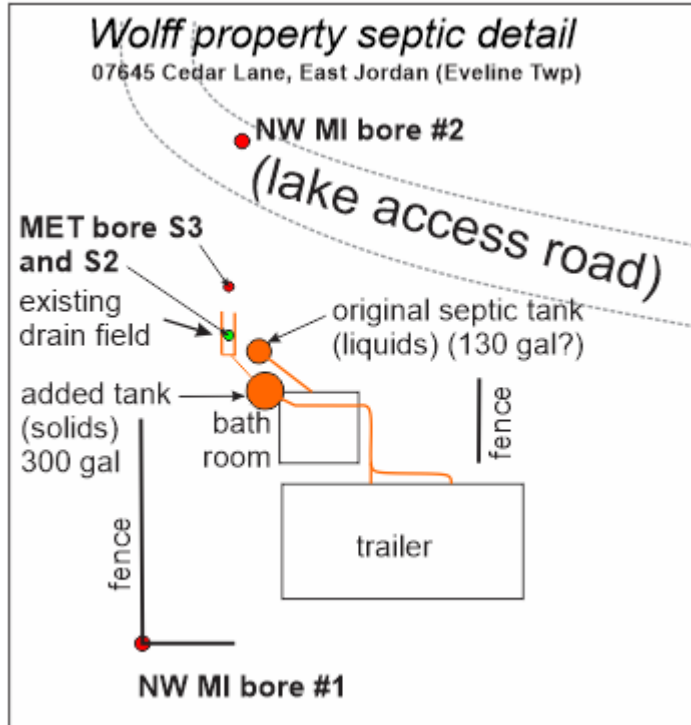
If you are not able to grant either of my requests, I intend to petition the Court to allow that a 2<sup>nd</sup> Appeals Hearing be arranged. I thank you in advance for any cooperation you can provide on this matter.

Sincerely,

Hal Wolff  
2045 McKinley, Ypsilanti, MI 48197  
**Phone:** (734) 487-5616;  
**e-mail:** runlikehal@yahoo.com

**Wolff Property Letter Update Attachment Page 1**

Schematic of complete septic system that is in place on the Wolff Property. It is a hybrid system of original and updated components implemented when my parents owned the property to allow for recommended maintenance work to take place that my father felt was important (ie pumping it out).



Pic of original septic system (which is still in service) that I recently unearthed. (It has no service port.)

**NOTE – the system in places exceeds the 100' requirement from the high-water mark of the lake.**



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Attachment Page 2

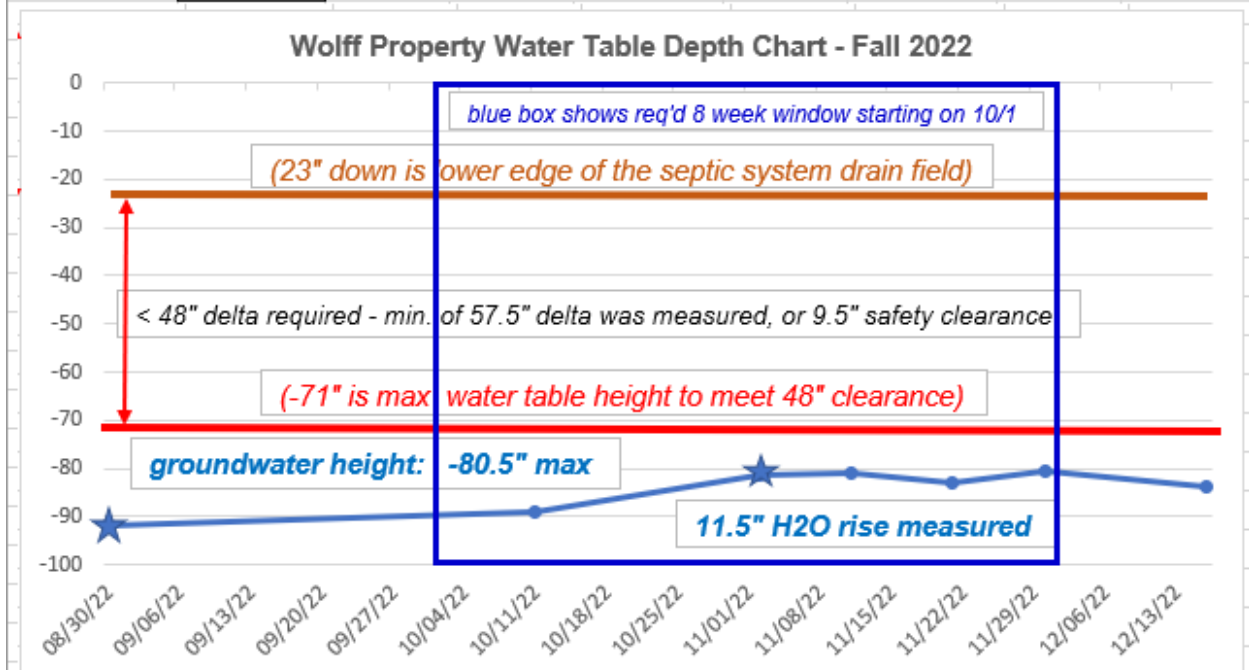
Ground water height measurement data summary chart: *the 48" clearance requirement was met.*

Water table depth data for Wolff property			updated:	12/15/2022
Date	S-2 well (inches below grade)	taken by		
8/30/2022	92	Brad		
10/11/2022	90	Hal		
11/2/2022	82.5	Hal		
11/11/2022	82	Hal		
11/11/2022	81	Brad and Hal		
11/20/2022	84	Hal		
11/30/2022	81.5	Hal		
12/16/2022	85	Hal		

Note - Brad (of MET) and Hal each took 2 measurements on 11/11/2022.  
 Brad used an electronic spool, Hal used a calibrated (measured) pole.  
 Both of Hal's measurements were each 1" below Brad's, so  
 all of Hal's data was adjusted up by 1" to correlate with MET data.

Graph data (duplicate from above but with a negative sign added to show location *below* grade.)

08/30/22	-92	Brad - MET ★			
10/11/22	-89	Hal - adjusted up by 1"			
11/02/22	-81.5	Hal - adjusted up by 1"			
11/11/22	-81	Brad - MET ★	dist. H2O is		
11/21/22	-83	Hal - adjusted up by 1"	below field:	H2O rise:	safety:
11/30/2022	-80.5	Hal - adjusted up by 1"	-57.5	11.5	9.5
12/16/2022	-84	Hal - adjusted up by 1"	(inches)	(inches)	(inches)



### Wolff Property Letter Update Attachment Page 3

Below is a picture of trailer installed by my parents that I recently replaced in 2021. The notion that I acted inappropriately in some manner “bringing in a trailer” to my property in not accurate or correct.

In fact, **the old trailer was given to a friend and could be returned to the property.** But that would represent a step backwards and would not be a productive development my family or for the surrounding neighborhood and would also be inconsistent with my legal rights. The notion that returning this old one would somehow be helpful by eliminating the claim that I implemented a “successor building” seems to highlight the off-base nature of the Health Department’s stance against my family.

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Below is a picture of the trailer that I got to replace my parent’s older and larger trailer. This is the “Successor Building” as claimed by the Health Dept, yet no construction, renovation or remodeling occurred, and nothing was expanded. **These are both travel trailers** with wheels, axels and bearings.



#### 2-53 SUCCESSOR BUILDING

Any premises where the square footage is replaced or expanded by greater than 50% through construction, remodeling or renovation activities.