

From: Hal Wolfe <runlikehal@yahoo.com>
Sent: Friday, October 7, 2022 12:21 PM
To: Jeremy Fruk <J.Fruk@nwhealth.org>
Cc: Mike Jones <M.Jones@nwhealth.org>; evelinezoning@gmail.com; Ken and Nancy Visser <visserk@charter.net>; brad@mackinacenvironmental.com; Caroline@WatershedCouncil.org; Mark Hilal <markhilal@gmail.com>
Subject: Update on Septic Cease & Desist on Wolff Property at 07645 Cedar Lane

Dear Mr. Fruk – pursuant to the phone conversation we had in July (at which time you clarified to me that the Cease & Desist on my property's septic system was still active) I wish to inform you of a number of issues and updates regarding my property situation. The attached letter and reports spell out the details.

To summarize, I have solicited support from both Mackinac Environmental Technology, and Tip of the Mitt Watershed Council. Both conducted extensive work on my property including installing 2 groundwater monitoring wells and running numerous tests. The accumulated data indicates that contrary to data your agency gathered, **the separation of the drain field from the groundwater level exceeds the 48" requirement. Also all water quality testing indicates no harmful level E. coli near the septic drain field, or in the lake itself.**

I am pleased to report this since the initial report your agency issued with the Cease & Desist indicated a possibility that no septic system existed on my property. Consequently I was forced to endure critical comments from my neighbors (to my face at an annual meeting and in notes afterwards) who felt I was a liar when I stated there was a functional system in place on my property, and one comment of: "RAW SEWAGE MIGHT BE GETTING INTO THE LAKE!" The onslaught of negative public opinion that was directed against me has been harsh, **but I can now state with certainty that there is NO EVIDENCE OF ANY ENVIRONMENTAL HAZARD to my neighbors or to Lake Charlevoix due to the small but functional septic system that has existed on my property for over 60 years.**

Mr. Mark Hilal is planning to follow up with you to see what steps can be taken to resolve the matter entirely. Again, please see the attachments for more details. Thanks.

Hal Wolff
(734) 487-5616

On Friday, October 21, 2022 at 11:30:39 AM EDT, Jeremy Fruk <j.fruk@nwhealth.org> wrote:

Hi Hal,

Ground water monitoring data collection is only relevant during the wet seasons to determine the high seasonal ground water level. We would review ground water monitoring data between OCT 1 through June 1 for a period of 8 weeks. We did not request you get this data during the summer. Either way the Cease and Desist was also issued due to a change of use with no permit to our department.

Thanks,

MICHAEL JONES, RS, BSEH
Environmental Health District Supervisor
220 W. Garfield, Charlevoix, MI 49720
Office: 231-547-6523
www.nwhealth.org

From: Hal Wolfe <runlikehal@yahoo.com>
Sent: Friday, October 21, 2022 3:20 PM
To: Jeremy Fruk <J.Fruk@nwhealth.org>
Cc: Mike Jones <M.Jones@nwhealth.org>; brad@mackinacenvironmental.com; Mark Hilal <markhilal@gmail.com>
Subject: Re: Update on Septic Cease & Desist on Wolff Property at 07645 Cedar Lane

Thanks for the reply and update. Based on that info I plan to leave the wells in and continue to collect data until Dec.

This is what we have so far.

Water table depth data for Wolff property			
	S-2 well	S-3 well	
Date	(inches below grade)		
8/30/2022	92	83.5	
10/11/2022	90	79	
10/12/2022	89	80	

Hal Wolff

Monday, October 24, 2022 at 08:24:43 AM EDT, Mike Jones <m.jones@nwhealth.org>:

Mr. Wolfe,

Attached is the Health Department of Northwest Michigan procedure for groundwater monitoring. A plan must first be proposed with specific information on monitoring well construction and location with notification to this department when monitoring is to begin so joint review can occur. In addition to groundwater elevations, the soil permeability is also unsuitable for the current system.

Additionally, by your own admission, as indicated in the variance hearing, the current habitable building is a "successor building". Section 4-19 of the District Sanitary Code requires the system to be deemed adequate in accordance with the Code. While you can continue to attempt to argue the suitability of the soil, the size of the system is without question non-conforming with respect to the requirements stated in Section 5-13 of the Code. Therefore, the current system will not receive approval from this department for use with the successor building.

However, the fact still remains that your variance request was denied by the Sanitary Code Board of Appeals. At this point you have three options. The first is to install a code-compliant wastewater

system. The second is to appeal the decision of the board to the appropriate court. The third option would be the removal of the camper from the property. These are the only three options available to you.

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Hal Wolfe <runlikehal@yahoo.com>

To:Jeremy Fruk

Cc:Mark Hilal, Mike Jones

Wed, Oct 26 at 4:14 PM

Thanks Jeremy, for the reply and additional info.

To clarify, I am not intending to fully comply with a protocol designed to prove out the viability for a new septic installation. I'm simply trying to more accurately find out what the situation is regarding the ground water around my families existing system, given the background that a single sample taken by your crew was used to discredit the integrity of my family's legacy system. Along those lines, any assertion that I admitted that a legally updated RV trailer is equivalent to a "successor building", I find that hard to square.

But you are correct, while my septic system functions well and suits our modest needs to a tee, it clearly does not meet modern sizing code. But then our pattern of limited seasonal usage certainly doesn't fit the modern usage model either - bear witness the gigantic home that just went up next my property - that fits with the modern pattern of usage. My property obviously doesn't and the steadfast attempt to either force full compliance or strip me of my right's sure is frustrating, but I intend to get it all sorted out.

Thank you also for your thoughts as to what my options are. Given the degree of misinformation and inappropriate social biasing that was proliferated (at my significant personal expense) before and during (and after) the last Board of Appeals session, it seems plausible that a 2nd go round there might be a viable option, but I'll leave that to Mark to help figure that out. Ok, all for now.

Hal Wolff