



Benzie County Office
6051 Frankfort Hwy
Suite 100
Benzonia, MI 49616

Phone: 231-882-2103
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Leelanau County Office
8527 E. Government Center Dr.
Suite LL-007
Suttons Bay, MI 49682

Phone: 231-256-0201
Fax: 231-256-0225

BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT APPEALS BOARD MEETING AGENDA Wednesday, November 5, 2025 – 11:00 AM

Leelanau County Government Center
Commissioner Meeting Room
8527 E. Government Center Dr.
Suttons Bay, MI 49682

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes**
 - Approval of the minutes from the Appeals Board Meeting of February 19, 2025
- 5. Appeals**

Appeal #L25-001

Appellant: Elizabeth Davis

Property Address: 1425 S. Nanagosa Trail

Procedure:

1. Presentation by Health Department staff.
2. Presentation by Appellant (Elizabeth Davis).
3. Questions by Board Members.
4. Public Comment Pertaining to this Appeal (Each speaker is limited to 3 minutes).
5. Motion & Board Deliberation.
6. Board Vote.

Appeal #L25-002

Appellant: Garrett Korson

Property Address: 743 N. Dumas Road

Procedure:

1. Presentation by Health Department staff.
2. Presentation by Appellant (Garrett Korson).
3. Questions by Board Members.
4. Public Comment Pertaining to this Appeal (Each speaker is limited to 3 minutes).
5. Motion & Board Deliberation.
6. Board Vote.

-
- 7. Board Member Comments**
 - 8. Adjournment**

**Benzie-Leelanau District Health Department
Appeals Board**

February 19, 2025

The Appeals Board meeting was called to order at 12:04 p.m. by Dan Thorell, BLDHD Health Officer as no chairperson or vice-chairperson was present.

Members Present: Donald Barrows (L), Mark Walter (L) Gary Sauer (B), Rhonda Nye (B)

Members Absent: Bob Roelofs (B)

Members Excused: Forrest “Bud” Welch (L)

Staff Present: Eric Johnston, Jim Reardon and Dan Thorell

Appellants Present: Greg Moe, Representative for Property Owner
Roger Schaub, Mr. Moe’s realtor

Pledge of Allegiance

Approval of Minutes:

Motion By: Barrows to approve the Appeals Board meeting minutes from June 26, 2024.

Seconded By: Nye

Voice Vote: 4 yeas 0 nay 1 excused 1 absent **Motion Carried**

Approval of Agenda:

Motion By: Sauer to approve the agenda for the February 19, 2025, Appeals Board Meeting.

Seconded By: Barrows

Voice Vote: 4 yeas 0 nay 1 excused 1 absent **Motion Carried**

Approval of BLDHD Appeals Board By-laws:

Motion By: Walter to approve the Appeals Board By-laws.

Seconded By: Sauer

Voice Vote: 4 yeas 0 nay 1 excused 1 absent **Motion Carried**

Discussion: Thorell discussed all the sections of the by-laws. Walter made a motion to approve the By-laws with the addition that the site visit may be waived if agreed to by the appellant.

Chairperson of the Appeals Board

Nye nominated Sauer for the position, no one opposed.

Vice-Chair of the Appeals Board

Barrows nominated Walter for the position, no one opposed.

Public Comment - None

Appeal # L24-002

Property Location 1197 S. West Bay Shore Dr., Suttons Bay

Property Tax ID# 45-011-033-019-00

Moe was representing the property owner, his mother who is 91, has dementia and is currently living in an assisted living center. Moe wanted to put the house up for sale in December to use the proceeds of the sale for his mother's continued care as this is her last asset. The current septic system is 70 years old and BLDHD and Leelanau County did not have any records on the property. As the property was going to be put up for sale, a well/septic evaluation was applied for in the process of transferring ownership. A review was performed by Sanitarian, Jim Reardon. Upon review, it was discovered that the septic system is undersized for the number of bedrooms in the home and that part of the drainfield is on the neighboring owner's property. Due to the property having unsuitable soil (clay), according to the BLDHD Sanitary Code, the property is not eligible for a mound or ATS system. Numerous attempts were made by the sanitarian to find suitable soils, but the property has all clay. The code states the property must have holding tanks installed. Because properties on both sides of the appellant's property have mound systems that haven't failed, the appellant wishes to install a mound system. He feels it's the best way to sell his mother's house for the best possible price. Holding tanks require a lot of maintenance and cost.

Motion By: Walter to approve the mound system factoring in design and construction of how neighboring systems were installed.

Seconded By: Sauer

Roll Call Vote: Nye- yea; Barrow-yea; Sauer – yea; Walter-yea

4 yeas 0 nay 1 absence 1 excused Motion Carried

Motion By: Walter to approve the amendment that the Benzie-Leelanau District Health Department will oversee design and engineering of the mound system.

Seconded By: Barrows

Roll Call Vote: Nye- yea; Barrow-yea; Sauer – yea; Walter-yea

4 yeas 0 nay 1 absence 1 excused Motion Carried

Public Comment: None

Board Comments: None

Motion to Adjourn by: Sauer

Meeting adjourned at 1:16 p.m.

Gary Sauer, Chair

Sanna Johnson, Recording Secretary



Benzie-Leelanau
DISTRICT HEALTH DEPARTMENT
CARING FOR OUR COMMUNITIES

Benzie County Office
6051 Frankfort Hwy, Ste 100
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Notice of Public Meeting

Benzie-Leelanau District Health Department Board of Appeals

The Board of Appeals will meet to hear an appeal, as authorized under Section 6.7 of the Benzie-Leelanau District Health Department District Sanitary Code, for the property noted below:

Date: **Wednesday, November 5, 2025**

Time: **9:00 AM – Fact Finding Site Visit at Subject Property Location**

11:00 AM - Hearing

Location: **Site Visit: 1425 Nanagosa Trail
Suttons Bay, MI 49682**

**Hearing: Leelanau County Government Center
Commissioner Room
8527 E. Government Center Dr.
Suttons Bay, MI 49682**

APPEAL TO BE HEARD:

Appeal #: L25-001

Appellant: Elizabeth Davis – Owner

Subject Property: 1425 S. Nanagosa Trail, Suttons Bay, MI 49682

Suttons Bay Township – Leelanau County

Property #: 45-011-460-049-01



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Staff Report

Appeal # L25-001
Betsey Davis (Applicant)

Subject Location:
1425 S. Nanagosa Trl.
Suttons Bay, MI 49682
Parcel ID: 45-011-460-049-01

Background and Purpose

On August 29, 2025, I conducted an on-site evaluation of this vacant property to determine its suitability for installation of an on-site sewage disposal system to serve a proposed single-family residence. The evaluation was conducted in accordance with the Benzie-Leelanau District Sanitary Code to assess whether the site meets the minimum requirements for wastewater treatment and disposal.

Site Description and Limiting Features

The property contains multiple limiting features that restrict its potential for on-site wastewater disposal and treatment.

- A stream enters the property at the southwest corner, meanders northeast across the site, and discharges into Grand Traverse Bay at the northeast corner.
- The soils throughout the property are poorly drained and exhibit wetland characteristics, indicating saturation and unsuitable conditions for conventional or alternative wastewater treatment systems.

These natural features significantly limit the potential for development and on-site sewage disposal.

Findings and Code Compliance Determination

During the on-site evaluation, no area was identified that could meet the minimum required isolation distance from surface water or the necessary soil conditions for wastewater absorption and treatment.

The Benzie-Leelanau District Sanitary Code, Sections 3.8.2(a)(2) and 3.8.5(a)(2), requires that any sewage disposal system, including both conventional systems (septic tank and drainbed) and holding tank systems, be isolated a minimum of 50 feet from surface water.

Findings include:

- Due to the stream's presence and meandering path across the property, no portion of the parcel provides a 50-foot separation between potential sewage system components and surface water.
- The poorly drained soils and wetland conditions further prevent adequate treatment and dispersion of wastewater.
- Even a holding tank system cannot meet the required 50-foot isolation distance.

As a result, the property cannot support an on-site sewage disposal system of any type, and the Health Department is therefore unable to issue a sewage disposal permit for the proposed development.

Staff Comments and Recommendations

At this time, the only potential means of achieving compliance with the required isolation distance to surface water would be to obtain an easement on an adjacent property that contains suitable soils and adequate area for a sewage disposal system.

This off-site location would need to:

- Achieve a minimum 50-foot isolation from all surface water.
- Comply with all other setback requirements, including lot lines, wells, and structures.
- Meet applicable local, state, and environmental permitting requirements.

This option has been discussed with the applicant as a potential avenue to pursue.

Importance of Proper Isolation

Proper isolation of wastewater systems from surface water and groundwater is essential to protect public health and the environment. Insufficient separation can result in untreated or partially treated wastewater migrating directly into surface water or shallow groundwater, potentially causing:

- Contamination of nearby drinking water sources,
- Degradation of surface water quality in Grand Traverse Bay, and
- Public health risks from bacteria, viruses, and nutrient pollution.

For these reasons, the District Sanitary Code's isolation standards are critical to ensuring the long-term protection of water quality and human health.

Conclusion

The August 29, 2025, evaluation determined that this property is not suitable for the installation of an on-site sewage disposal system due to the presence of surface water, poorly drained soils, and an inability to meet required isolation distances. In accordance with Sections 3.8.2(a)(2) and 3.8.5(a)(2) of the Benzie-Leelanau District Sanitary Code, the Health Department cannot issue a sewage disposal permit for this property. The only viable option would be to secure an off-site easement that provides sufficient space and soil conditions for a compliant system.

Prepared by:

Jim Reardon, R.S.

Environmental Health Sanitarian

Benzie-Leelanau District Health Department

Date: 10/23/2025



Benzie-Leelanau
DISTRICT HEALTH DEPARTMENT
CARING FOR OUR COMMUNITIES

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6051 Frankfort Hwy, Ste 100
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7401 E. Duck Lake Rd
Lake Leelanau, MI 49653

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www.bldhd.org

September 8, 2025

7021 2720 0000 9179 3716

Elizabeth Davis
PO Box 97
Suttons Bay, MI 49682

Re: Sewage Disposal Permit Application: 1425 S. Nanagosa Trl., Suttons Bay Twp, Leelanau County
Parcel ID: 45-011-460-049-01

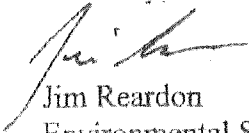
Dear Ms. Davis,

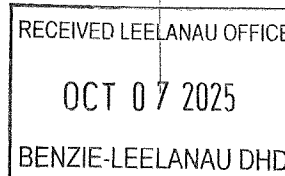
This letter is in regards to your sewage disposal permit application for your property located at 1425 S. Nanagosa Trl. in Suttons Bay Twp. On August 29, 2025 myself and Clay McNitt from the Health Department, as well as Jesse Mitchell with Bob Mitchell & Associates P.C, met on your property to evaluate a suitable location for a sewage disposal system. Unfortunately, due to the presence of surface water throughout the property, we are unable to determine a location where a sewage disposal system can be installed to where it can meet a minimum 50ft isolation distance to surface water. This requirement is in reference to Section 3.8.2(a)(2) of the District Sanitary Code in which a septic tank shall be isolated a minimum 50ft from surface water, or other surface water flooding or its highest floodplain elevation. As a result, a sewage disposal permit cannot be issued for your property.

In accordance to Section 9.4 of the District Sanitary Code, you have the right to appeal this decision and request a hearing before the Appeals Board. You must make a request in writing within thirty (30) days of the date of this letter. I have enclosed a copy of our Appeals Application packet should you wish to pursue this.

Please feel free to contact our office at 231-256-0201 should you have any further questions regarding this matter.

Sincerely,


Jim Reardon
Environmental Sanitarian
Benzie-Leelanau District Health Department



BENZIE/LEELANAU COUNTY APPEALS BOARD

APPEAL APPLICATION



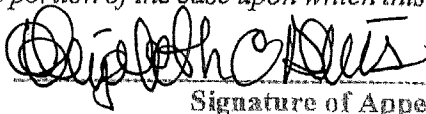
~ Continued ~

(Attach Additional Sheets as Necessary)



APPELLANT'S CERTIFICATE:

I certify that all information provided in this Appeal Application and its attachments is true and depicts a clear and accurate description of that portion of the case upon which this appeal is based.

X 

Signature of Appellant

STATE OF MICHIGAN

COUNTY OF RESIDENCE Grand Traverse

On this 6th day of October A.D. 2025 before me personally appeared the above named person who deposeth and sayeth that he signed this application with full knowledge of its content and that all matter stated therein is true.

MOLLY NORVILLE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF GRAND TRAVERSE
My Commission Expires October 17, 2029
Acting in the County of Grand Traverse


Notary Public

My Commission Expires: October 17, 2029

◆ For Board of Appeals Use Only ◆

Date of Appeal Hearing: _____

Disposition or Action by Board: _____

Chairperson: _____ Date: _____

RE: Elizabeth Davis Sewage Permit 1425 S Nagagosa Trail Suttons Bay MI

This letter pertains to the denial letter issued by BLDHD for onsite sewage disposal, dated September 8, 2025, signed by Jim Reardon. The intent of this request to the Board of Health is to seek the minimal relief needed to safely install a series of holding tanks for a single family home. Currently the site does not have a home, a septic system, or water well.

Before we can move forward it is important to look at the history of the subject parcel. SEE ATTACHED known timeline for subject property.

In summary the subject parcel is a platted lot dating back to 1960. It has always be considered to be a buildable lot. Earth change activity and road construction around 1990 diverted a large amount of stormwater through a new concrete culvert that concentrated run-off to the middle of the subject parcel. The majority of the parcel is considered a regulated wetland. Permits have previously have been issued by Suttons Bay Township, County Soil Erosion, BLDHD and EGLE to build a small home on an upland area by the shore and install septic tanks on the subject parcel that have since expired. BLDHD issued a permit for an onsite septic tank system that was revoked in 2023, it was assumed an error was made in the issuance of that permit because of the proximity of the tanks to standing water or area of flooding.

Currently a new application for similar structures is open with EGLE(agent Robyn Schmidt). EGLE has documented that a BLDHD permit would be required in order for her department to issue the part 303 permit for, septic tank and driveway in wetland, and to place piers for home in a wetland. ATTACHED SITEPLAN prepared by Jesse Mitchell, Bob Mitchell & Associates.

The proposed Site plan details the minimal system required for homesite in Leelanau County. The system would comprise of a grinder pump installed in the crawl space of the home. A 2" Sch 80 pressure sewer, at minimal depth of 8' under the wetland would be installed by directional bore to the 1 st tank in a series of 3. The 3 tanks would work in harmony with an alarm set on the 3rd tank. The alarm would be set so if it went off, it would trigger the water well and grinder pump breakers and reduce risk of overflow. The grinder pump in a crawl space does NOT have a 50 foot isolation from standing water or flooding because the code considered the secondary containment of the crawl space to waive that requirement. The proposed tank cluster

would consist of mono poured tanks, so there are no seams. Additionally, the tanks have pre-motored rubber boots on the inlet and outlet to prevent leaking at the outlets. The tank cluster also has a proposed secondary containment system, detailed on the Siteplan. This secondary containment system consists of a wood retaining wall and a 20 mil rubber liner. If any effluent were to leak or get spilled the rubber liner would contain the overflow until which time a pump truck could vacuum out the spilled effluent. The most likely spill or overflow situation that can occur is septic truck mal-function, and the effluent back flowing from truck to site. The secondary containment wall would hold the volume, giving the operator time to correct the error before reaching the creek.

The variance or waiver to BLDHD code that is being requested was detailed on Reardon letter dated September 8, 2025. The 50 foot isolation from surface water or highest flood elevation is the major variance, (requested reduction to 24'). We have also requested a variance waiver for the isolation of the tank cluster to the property line, reduced to 5'(code requires 10').

Many alternatives have been explored in an effort to avoid this request. All surrounding land owners with adequate soils have been approached with a proposal to purchase and easement with no success. There also is some confusion on why previous permits were issued and suddenly the permit cannot be issued. The proposed variance would also remove the possibility of the applicant needing to apply to relocate the culvert and stream. Relocating the culvert and stream is only possibility for the owner to meet the 50 foot requirement. The relocation of the stream would be an unreasonable request and places an unjustified burden on the owner. A question the board of health has asked of other applicants, "Will the proposed system work and protect the public health", the answer is clearly yes. We hope the end result of reviewing this application and applying rational thought would conclude in the board of Health granting the variance request as presented for the subject parcel.

Respectfully submitted,

Jesse Mitchell, PS Agent Betsy Davis, Owner Applicant

Digital EGLE/USACE Joint Permit Application (JPA) for Inland Lakes and Streams, Great Lakes, Wetlands, Floodplains, Dams, Environmental Areas, High Risk Erosion Areas and Critical Dune Areas

version 1.38

(Submission #: HPX-5EG9-SRQVM, version 6)

Digitally signed by:
MiEnviro Portal
Date: 2024.01.11 10:16:01 -05:00
Reason: Submission Data
Location: State of Michigan

Details

Submission ID HPX-5EG9-SRQVM

Submission Reason New

Form Input

Instructions

To download a copy or print these instructions, please click this link (recommended).

The EGLE/USACE "Joint Permit Application" (JPA)

READ THOROUGHLY BEFORE STARTING THE FORM

It is recommended to download a pdf of this page at www.michigan.gov/jointpermit for reference while filling out the form. Please also refer to this website for additional information regarding this form, including a glossary and other helpful resources on information required to be submitted in this form.

This is the Joint Permit Application (JPA) for construction activities where the land meets the water. This application covers permit requirements derived from state and federal rules and regulations for activities involving:

Wetlands
Floodplains
Marinas
Dams
Inland Lakes and Streams
Great Lakes Bottomlands
Critical Dunes
High Risk Erosion Areas

This application prevents duplication of state and federal forms for these activities and provides concurrent review under all pertinent state and federal laws. In the case of U.S. Army Corps of Engineers (USACE) jurisdiction, the Michigan Department of Environment, Great Lakes, and Energy will also send a copy of this Joint Permit Application to the USACE for simultaneous processing. The Michigan Department of Environment, Great Lakes, and Energy will provide coordination between state and federal agencies during the application review.

This application form is set up with the following sections to be completed by the applicant (note that it is recommended to gather all this information prior to starting this form):

Contact Information:

Applicant, Property Owner(s), Consultant(s), and any other Authorized Representative(s)

Authorizations are required from the property owner for:

- when spoils disposal locations are not on site,
- when other permissions are necessary based on project specifics and are identified by the form.

Project Location Information:

Address, coordinates, and directions to the site, etc.

Background Information:

Existing site conditions, other related permits, existing easements/encumbrances, other related application numbers (pre-application meetings, Wetland Identification Program, etc.)

Permit Application Category and Public Notice Information:

This section asks what permit application category you believe fits your project. While this is not required to submit the application, knowing this will also help you submit the right permit application fee and avoid a correction request and processing delays.

The choices of permit application categories to select in the form are:

General Permit, \$50 fee (<https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/WRD/Wetlands/General-Permit-Categories.pdf?rev=e7fc28cb17e14c7b821b7595f6aa585d&hash=490A504F4063BC141104F8DDDCAF70AE>)

Minor Project, \$100 fee (<https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/WRD/Wetlands/Minor-Project-Categories.pdf?rev=c0e17657e1484b20afe47010a67a6999&hash=3C83AAE98832042FA83E28328C7C9842>)

Public Notice Individual Permit, range from \$500-\$4,000 depending on type of activity. For High Risk Erosion Areas and Critical

Dune Areas fees for Public Notice individual permit applications can range from \$50-\$4000. Additional fees may be applied for

some special project requirements such as hydraulic analysis, dam projects, and a special exception application in a critical dune area. See Fee Schedule on website for more information.

Unsure, select this and the permit reviewer will make the determination on permit type after the application is submitted based on the project details. However, some fee is required to be submitted with the application. If an additional fee is required, the Michigan Department of Environment, Great Lakes, and Energy will send a correction request that will show the remaining amount required. The application will not be considered complete without the proper fee.

Adjacent Landowner contact information for Public Notice projects is required by law. This includes any parcels touching the project parcel and parcels across the street.

Project Description:

Information on the Proposed Use and Purpose of the project (who and what the project is intended for and why is it needed).

This includes a written summary of the project as well as a list of project uses and types to select from as follows:

Project Use Selections:

Private
Commercial
Public/Gov/Tribal
Federal/State funded
Non-Profit
Other

Project Type Selections:

Agriculture
Airport
Development- Condo/ Subdivision/Residential
Development-Commercial/ Industrial
Drain-County
Drain-Private
Drawdown
Lake, Drawdown
Wetland Forestry
Landfill
Marina/Mooring Facility
Marine Railway
Mining-Mineral,
Mining-Sand and Gravel
Private Residence
Restoration-Wetland
Restoration-Stream
Transportation
Septic System Surveying or Scientific Measuring Device

Utility-Sewer/water line
Other

Construction Details including sequencing, timeframes, SESC measures, etc.

Alternatives Analysis detailing all options considered and why this is the least impactful feasible and prudent proposal. The depth of this analysis is typically commensurate with the size and purpose of the project and at minimum should include variables such as alternate locations (including other properties), configurations and sizes (layout and design), and methods (construction technologies), and other constraints (local regulations, resource issues). Discussion should also include why the ♦do nothing♦ alternative is not feasible or prudent.

Project Compensation:

Narrative of how proposed impacts will be compensated (mitigated or other minimization measures), including amount, location, and method; or why mitigation should not be required. This can be traditional mitigation and/or other techniques used to minimize overall loss of functions.

Resource and Activity Type. This section is intended to determine what additional sections of the application are generated (as seen on the left side of the screen) for further information gathering. This includes questions regarding what Resource feature is involved (e.g., wetland, stream, floodplain, pond, dam, critical dune, etc.) and if there are identified Special Activities (i.e., activities requiring a specific series of questions to be answered). Be sure to choose all that apply to your project. If your activity is not listed, choose ♦None of the Above♦ and move on to the next question. More specific activity questions will appear later based on the resource section answers.

Resource Information and Impacts Sections (Multiple Sections). These are a series of sections that will appear on the left side of the screen based on your answers to the Resource and Activity Types section. You will input further information on the existing resources to be impacted (e.g., wetland type, permanent or temporary impact, water elevation data, drainage area, etc.) and all proposed Project Activities with their Dimensions (e.g., length, width, depth, square footage). For example, when ♦Wetland♦ is selected as a resource that your project will involve, a ♦Wetland Project Information and Impacts♦ section will appear on the left side of the screen that includes questions specific to gathering information about the wetland.

For projects including Floodplains, Marinas, Dams, Critical Dunes, or High Risk Erosion Areas individual sections will appear on the left side of the screen that include different sets of specialized questions as required by those programs. These sections do not share a specific format. Help tips will guide you in filling out these sections.

For projects including wetlands, ponds, inland lakes, streams, or the Great Lakes resources, individual sections will appear on the left side of the screen that are similar in format to each other. Each of these resource sections asks initial general information and then has additional questions regarding the Types of Activities proposed for each resource. The outline for these resource activity impacts questions is Activity Type, Dimensions Table, and Special Questions.

There are four overall ♦Types of Activities♦ groups for wetlands, ponds, inland lakes, streams or the Great Lakes:

Fill Activities
Dredge Activities
Structure Activities
Other Activities

Under each of these Types of Activity questions, specific activity lists will be shown that are typical for that type (fill, dredge, structure, other) and resource (wetland, lake, stream, etc). Follow these steps to accurately fill out the Activity Type Questions:

1. Start with the Fill question and choose any activities on the list that is included in your project. If your activity is not shown, then select ♦None of the Above♦ and move to the next question.

2. When you select an activity listed under Fill, Dredge, Structure, or Other, a dimensions table will appear under that question. This table is where you enter EACH activity OF THE TYPE YOU SELECTED and associated dimensions. Be sure that all the activities you selected are also listed in the table with the dimensions. Multiple activities covering the same footprint may be combined on one line in the table (for example, riprap on slopes of driveway fill can be entered on the same impact dimensions line and does not necessarily need to be broken out).

3. Continue to answer the Activity Type questions (Fill, Dredge, Structure, Other) until all have been answered with either a specific Activity listed under that Type or ♦None of the Above♦. If you did not find your activity in any list then select ♦Other, Other♦ and provide a description of your activity in the space that appears. Please be as descriptive as possible.

Proposed mitigation questions may appear within specific resource types sections based on your answers. Enter any proposed mitigation in the appropriate section (wetland, stream, etc.) and if no mitigation is proposed you must provide commentary with an explanation as to why it is not required. Mitigation plans according to the mitigation checklist (link) are required for a complete application. When mitigation is proposed be sure to also select mitigation in the Permit Application Type section under the second question.

location (ex, mitigation plans should be uploaded in the mitigation section). Please do not wait to upload one large document with all plans combined at the end. Note that each individual upload is limited to 10M.

Upload of Proposed Site Plans.

Any plans or explanatory narratives not requested in previous sections should be uploaded in this section. Construction Plans including overhead view, cross sections, and profiles showing each impact either to-scale or with dimensions are required and typically would be uploaded here. Plan labels should correspond with labels entered in the form for each activity selected. The application will not be complete without the proper site plans. If drawings are not received with all required dimensions and resources identified, then the Michigan Department of Environment, Great Lakes, and Energy will send a correction request and your application processing will be delayed. However, please limit drawings, plans, and narratives submitted to the items necessary for permit review. For example, entire bid package documents and CAD drawings are often not helpful for permit review and may cause delays from wading through extraneous information. Plans, profiles and cross sections specific to the resource impacts are the most helpful.

Review:

This section allows you to see the entire form with the answers you entered. Please review for accuracy prior to hitting the submit button. A print option is provided on this screen (print to PDF is recommended). Once the application is submitted you may not make changes to it until the application has been assigned to a staff person.

Certify & Submit:

This is the final section of the application form. The **Submit Form** button selection certifies that all information in the application is true and accurate and that you have the authority to apply for the permit as indicated. This application will become part of public record.

We recommend that you have the above information ready prior to starting this application. You will be able to save in-progress applications and come back later, but all required uploads and questions are necessary before the system will allow submittal of the application. Some sections of this application form load faster than others depending on the complexity of the questions.

Thanks for your patience while you work through the application. For assistance with this form visit:

<https://www.michigan.gov/jointpermit>

[Click here for additional information on maps, drawings, and other attachments](#)

Contact Information

Applicant Information (Usually the property owner)

First Name **Last Name**

Betsey Davis

Organization Name

NONE PROVIDED

Phone Type **Number** **Extension**

Mobile 419-280-3787

Email

Betseymalagacove@gmail.com

Address

PO Box 97

Suttons Bay, MI 49682

Is the Property Owner different from the Applicant?

No

Has the applicant hired an agent or cooperating agency (agency or firm assisting applicant) to complete the application process?

Yes

Agent Contact

First Name **Last Name**
Christopher Grobbel

Organization Name
Grobbel Environmental & Planning Associates

Phone Type **Number** **Extension**
Business 2314997165

Email
grobbelenvironmental@gmail.com

Address
8288 E North Wind Tr
PO Box 58
Lake Leelanau, Michigan 49653

Upload Attachment for Authorization from Agent

Davis Auth Form.pdf - 08/25/2023 10:06 AM

Comment
NONE PROVIDED

Are there additional property owners or other contacts you would like to add to the application?
No

Project Location

EGLE Site Reference Number (Pre-Populated)
6357894950806232651

Project Location
44.9810167,-85.6010235

Project Location Address
45 S. Nanagosa Tr
Suttons Bay, MI 49682

County
Leelanau

Is there a Property Tax ID Number(s) for the project area?
Yes
Please enter the Tax ID Number(s) for the project location
45-001-460-049-01

Is there Subdivision/Plat and Lot Number(s)?
No

Is this project within Indian Lands?
No

Local Unit of Government (LUG)
Suttons Bay Township

Directions to Project Site
45 S. Nanagosa Tr, immediately south of intersection with Knorr Rd.

Background Information

Has the Michigan Department of Environment, Great Lakes, and Energy (EGLE) and/or United States Army Corps of Engineers (USACE) conducted a pre-application meeting/inspection for this project?

No

Has the EGLE completed a Wetland Identification Program (WIP) assessment for this site?

No

Environmental Areas are coastal wetlands on the shorelines of the Great Lakes. Enter this number only if a designated Environmental Area is in the proposed project area. Environmental Areas are designated locations along the Great Lakes shoreline. If you don't know whether there is an environmental area within the project area, leave blank. Additional information on Environmental Areas can be found by clicking the following link:

[Click Here for Link](#)

Environmental Area Number (if known):

NONE PROVIDED

Has the United States Army Corps of Engineers (USACE) completed either an approved or preliminary jurisdictional determination for this site?

No

Were any regulated activities previously completed on this site under an EGLE and/or USACE permit?

Yes

List the permit numbers.

WRP014894

Describe the regulated activities that were previously permitted.

Home construction, temporary wetland matting, parking area, elevated boardwalk, steps/stairway to shoreline and holding tanks.

Have any activities commenced on this project?

Yes

Describe the activities.

Matting and home site fill per EGLE pemrit WRP014894 in place. Project on hold to resolve the present issue of 100 ft enclosure of an existing unnamed stream per J. Reardon, BLDHD.

Is this an after-the-fact application?

No

Are you aware of any unresolved violations of environmental law or litigation involving the property?

No

Is there a conservation easement or other easement, deed restriction, lease, or other encumbrance upon the property?

No

Are there any other federal, interstate, state, or local agency authorizations associated with this project?

Yes

List all other federal, interstate, state, or local agency authorizations.

Agency	Type of Approval	Number	Date Applied	Approved/Denied/Undetermined
BLDHD	well/septic	L23-028V	5/16/2023	Approved
EGLE	wetland Part 303	WRP014894	02/13/2019	Approved

Comments

Proposed stream enclosure project required by BLDHD to achieve required isolation distance of unnamed stream from approved septic holding tanks (#3) , see J. Reardon's attached health department correspondences 2023.

Permit Application Category and Public Notice Information

Project Category Selection:

wetlands, inland lakes and streams, and the Great Lakes (Parts 301, 303, and 325): General Permit, Minor Project, and Individual Permit.

Additionally, Minor Project categories exist for floodplains under the authority of Part 31.

General Permit and Minor Project categories generally meet specific Best Management Practices criteria that have been shown to minimize impacts to resources if followed correctly. If you select a General Permit or Minor Project Category you must select the specific category(ies) that your project fits under. Any project that does not fit a General or Minor Category are Individual Permit projects. All projects in Critical Dunes, High Risk Erosion Areas, or Dam Safety projects will be Individual Permit Projects.

Indicate the type of permit being applied for.

Individual Permit for all other projects

CORRECTION REQUEST (CORRECTED)

As proposed, the project is for enclosure of the stream, not a culvert as part of a road/driveway crossing. EGLE finds the proposed project requires an Individual Permit application.

Please update and submit an additional \$400 application fee.

Created on 12/14/2023 1:10 PM by **Robyn Schmidt**

2 COMMENTS

Christopher Grobbel (cgrobbel@grobbelenvironmental.com) (1/11/2024 10:10 AM)

I am not finding an unaddressed comment Robyn. Please help.

Christopher Grobbel (cgrobbel@grobbelenvironmental.com) (12/19/2023 9:52 AM)

Additional \$400 will be paid ASAP directly by the applicant, Betsie Davis.

This type of permit application requires that you include contact information for the adjacent landowners to this project. If you are only entering in a small number of bordering parcel owners contact information, please select "Enter list of recipients". If there is a rather large number of affected property owners such as a project that significantly affects lake levels, please upload a spreadsheet of the property owners. Please include names and mailing addresses.

Enter list of recipients.

This project may require public noticing. Please list the adjacent landowners to the project, along with any of the others that may apply:

Contact Type	Contact Person	Mailing Address	City	State	Zip Code
Adjacent Landowner	Mark & Pamela Wilburn	6466 Pleasant River Dr	Dimondale	MI	48821
Adjacent Landowner	Richard & Izabela Koscielny	2377 W. Long Lake Rd	West Bloomfield	MI	48323
Adjacent Landowner	Timothy Knowlton & Lisa Wyatt	1411 S Bay View Trl	Suttons Bay	MI	49682
Adjacent Landowner	David & Margaret Maine	1431 S Bay View Trl	Suttons Bay	MI	49682

[Link to General Permit Categories with Descriptions](#)

[Link to Minor Permit Categories with Descriptions](#)

[Link to Minor Project Category descriptions for Floodplain Only projects \(See R323.1316\)](#)

Project Description

Project Use: (select all that apply - Private, Commercial, Public/Government/Tribal, Receiving Federal/State Transportation Funds, Non-profit, or Other)

Private

Project Type (select all that apply):

Drain - Private

Other: Open bottom 3 ft diameter box culvert to enclose unnamed stream/creek to achieve 50 ft isolation distance from approved monolithic septic holding tanks per BLDHD requirement, #L23-189, dated 6/23/23 and J Reardon email 12/4/23

Please enter your answers in the text box for the next four questions. If you have a long description, please use the document upload at the end of the section. Please make every effort to enter your information directly into the application text boxes. If the answer is in an attachment, please identify that in the text box below.

Project Summary (Purpose and Use): Provide a summary of all proposed activities including the intended use and reason for the proposed project.

Enclose 45 lineal feet of unnamed stream within a 45 ft long, 3 ft diameter open bottom box culvert (recessed 0.5 ft into the stream bed per BLDHD Permit #L23-189 to achieve required isolation distance from approved septic holding tank area. See attached BLDHD documentation. BLDHD allowed placement less than 10 ft from side lot line on 12/4/23, see J. email correspondence.

Project Construction Sequence, Methods, and Equipment: Describe how the proposed project timing, methods, and equipment will minimize disturbance from the project construction, including but not limited to soil erosion and sedimentation control measures.

Obtain EGLE Part 301 permit. Update existing SESC permit. Install new culvert section along thalweg/center line of the stream, place rip rap outlet for erosion control.

Project Alternatives: Describe all options considered as alternatives to the proposed project, and describe how impacts to state and federal regulated waters will be avoided and minimized. This may include other locations, materials, etc.

Alternatives considered: 1) do nothing - rejected due to BLDHD septic permit (L23-189, 6/2/3/23) requirement to achieve required isolation distance from approved septic holding tanks; 2) install shorter culvert run - rejected to comply with BLDHD requirement in the above-cited permit; 3) use larger diameter culvert pipe - rejected due to need to seamlessly attach to and extend from existing 15-inch diameter corrugated steel culvert; 4) place fill/cover on proposed 100 lineal feet culvert - rejected to avoid wetland impact; 5) route 100 ft long culvert due east-west directionally - rejected to orient proposed culvert at stream centerline at inlet and outlet; 6) place 100 lineal foot culvert per BLDHD direction - rejected to avoid wetland/stream impact and minimize unavoidable impact; and 7) the preferred alternative is proposed as negotiated with EGLE on-site visit 10/12/23 and required by BLDHD Permit #L23-189 and 12/4/23 BLDHD allowance to place holding tanks adjacent to side lot line, i.e., less than 10 ft setback.

Project Compensation: Describe how the proposed impacts to state and federal regulated waters will be compensated, OR explain why compensatory mitigation should not be required for the proposed impacts. Include amount, location, and method of compensation (i.e., bank, on-site, preservation, etc.)

Given the small footprint and public health regulatory nature of the project need, project compensation is not proposed.

Upload any additional information as needed to provide information applicable to your project regarding project purpose sequence, methods, alternatives, or compensation.

[Davis BLDHD Permit and '23 Correspondences.pdf - 08/25/2023 10:43 AM](#)

[BLDHD septic tank location approval.pdf - 12/19/2023 10:15 AM](#)

Comment

NONE PROVIDED

Resource and Activity Type

Important! Answer all questions completely. Properly identifying your project in this section generates the proper application sections. Incomplete applications will require corrections before they can be fully processed.

SELECT THE ACTIVITIES from the list below that are proposed in your project (check ALL that apply). If you don't see your project type listed, select "Other Project Type". These activities listed require additional information to be gathered later in the application.

Culverts - Stream Only

CORRECTION REQUEST (APPROVED)

The project plans also reflect a proposal to install riprap in the stream and wetland. Please update the application.

Created on 11/15/2023 9:59 AM by Robyn Schmidt

The Proposed Project will involve the following resources (check ALL that apply).

Stream or River

Wetland

those sections of the application.

Created on 11/15/2023 9:58 AM by Robyn Schmidt

Major Project Fee Calculation Questions

Is filling of 10,000 cubic yards or more proposed (cumulatively) within wetlands, streams, lakes, or Great Lakes?

No

Is dredging of 10,000 cubic yards (cumulatively) or more proposed within streams, lakes, or Great Lakes? (wetlands not included)

No

Is new dredging or adjacent upland excavation in suspected contamination areas proposed by this application?

No

Is a subdivision, condominium, or new golf course proposed?

No

Wetland Project Information and Impacts

PLEASE READ

This section is for entering information regarding the impacts to Wetlands only. Do not input information that pertains to other resources (inland lakes, streams, floodplains, etc.). The initial questions are related to wetlands on the project site in general. The Proposed Activities questions are grouped into Fill, Dredge, Structures, Other and are only for wetland impacts related to these activities.

[Click HERE for more information on Wetlands Protection Program.](#)

Has a professional wetland delineation been completed for this site?

No

Total acres of wetland affected by this project.

Category	Affected area (acres)
Permanent	0.009
Temporary	0
	Sum: 0.009

Is filling or draining of 1 acre or more (cumulatively) of wetland proposed?

No

Select all wetland types that will be affected by this project:

Forested

The following questions gather information on the specific Types of Activities your project includes that will impact WETLANDS. There are four overall Types of Activities: Fill, Dredge, Structure, Other. Under each of the Activity Type questions, specific activity lists will be shown. If the activity is not shown in the list given, select None of the Above and move to the next question. When you select an activity under Fill, Dredge, Structure, or Other, a table will appear under that type. Only enter the dimensions of the activity that are within wetland. Multiple activities covering the same footprint may be combined on one line in the table. Continue to answer the Activity Type questions (Fill, Dredge, Structure, Other) until all have been answered with either a specific Activity listed under that Type or ☐ None of the Above ☐. If you did not find your activity in any list then select ☐ Other, Other ☐ and provide a description of your activity.

If your project includes placing fill in wetland then select the proposed activities from the following list. If your activity is not shown, then select ☐ None of the Above ☐ and move to the next question. Only enter an impacted area

Select from the following list for Excavation/Dredge Activities (if your proposed project is primarily a structure enter the impact as a structure. Only enter an impacted area in one of the impact tables in one impact section):

Excavation (wetlands)

If your project includes EXCAVATION/DREDGE IN WETLAND then select all of the proposed activities in the following list. If your activity is not shown, then select ☐ None of the Above ☐ and move to the next question. Only enter an impacted area in one of the impact tables (do not duplicate impact entries):

Activity	Length (feet)	Width (feet)	Depth (feet)	Area (sq. feet)	Volume (cubic feet)	Volume (cubic yards)	Corrected value for complex impact AREAS (square feet)
3 monolithic septic holding tanks	40	10	8	400	3200	119	NONE PROVIDED
				Sum: 400	Sum: 3200	Sum: 119	Sum:

Spoils Disposal

Will the excavation/dredge spoils be disposed of on site or off site?

Off-site

Where will the excavation/dredge spoils be disposed of?

in uplands at yard of contractor - to be selected.

Describe any measures used to retain sediment:

Leelanau County SESC permit - silt fences

If your project includes STRUCTURES IN WETLAND then select all of the proposed activities in the following list. If your activity is not shown, then select ☐ None of the Above ☐ and move to the next question. Only enter an impacted area in one of the impact tables (do not duplicate impact entries):

None of the above

If your project includes Other Activities in WETLAND not listed in this section, then select from the proposed activities in the following list. If your activity in Wetland has not been listed in this Wetland Section, then select ☐ Other ☐ and enter a description of your activity. Only enter an impacted area in one of the impact tables (do not duplicate impact entries). If you selected a Fill, Excavation/Dredging, or Structure activity above in this section, but do not have an activity listed as Other, then select None of the Above for this question.

Other: Installation of #3 @ 8 ft by 8 ft monolithic holding tanks.

Projects involving All other: (Many of these types of projects will not have a depth or volume. In this case, enter "0" in those boxes.)

Activity	Length	Width	Depth	Area	Volume	Volume (cubic yards)	Corrected value for complex impact AREAS (square feet)
Holding tank area	40	10	8	400	3200	119	NONE PROVIDED
				Sum: 400	Sum: 3200	Sum: 119	Sum:

Wetland Mitigation

EGLE may impose as a condition of any wetland permit, other than a General permit, a requirement form compensatory mitigation. The wetland mitigation requirement may be waived for projects affecting less than one-third of an acre of wetland if no reasonable opportunity for mitigation exists.

Mitigation plans according to the mitigation checklist (link) are required for a complete application

Is Wetland Mitigation being proposed as part of this proposed project?

No

Explain why no mitigation is proposed.

Given the small foot print, i.e., 0.009 acre proposed wetland impact for septic holding tanks, no mitigation is proposed.

Stream Project Information (1 of 1)

Stream Information

This section is for entering information regarding the impacts to a stream only. Do not input information that pertains to other resources (inland lakes, Great Lakes, floodplains, etc.).

If there are multiple streams associated with the project impacts, or different Ordinary High Water Mark (OHWM) elevation data on the stream reach, provide the information in duplicate stream project information tabs by clicking on DUPLICATE at the top right or bottom of this screen.

Elevation data must include a description of the reference point or benchmark used and its corresponding elevation. If elevations are from still water provide the observation date and water elevation. Include information in this section only as it pertains to proposed project activities in regards to impacts to streams.

This section is for entering information regarding the impacts to Streams only. Do not input information that pertains to other resources (Great Lakes, streams, floodplains, etc.).

Elevation data must include a description of the reference point or benchmark used and its corresponding elevation. If elevations are from still water provide the observation date and water elevation. Information provided in this section should pertain only to proposed activities in regards to Inland Lake impacts.

An OHWM can be determined by either surveyed information or through measurements taken in reference to a static benchmark such as an observed water level or base of a tree, etc. The following information indicates how to determine the OHWM in different situations:

OHWM for Inland Lakes (Part 301) is the line between upland and bottomland identified by the presence of a distinct change in character of the land caused by successive changes in water levels.

In Section 10 regulated waters, the U.S. Army Corps of Engineers (USACE) regulates activities below the USACE Great Lakes OHWM elevation.

See EGLE's YouTube Series for OHWM video tutorials, and the sample OHWM drawing for more information.
[Determining the Ordinary High Water Mark \(OHWM\) - Video](#)

Please provide a name for the stream, river, channel:

unnamed

Stream Water elevation reference* (show elevation on plans with description):

Other: On-site relative elevational survey by Grobbel Environmental & Planning Associates

Ordinary High Water Mark (OHWM) elevation (feet):

603

Date of observation (M/D/Y)

10/24/2023

What length (feet) does the project activity(ies) extend waterward of the OHWM?

0

CORRECTION REQUEST (APPROVED)

update

Created on 11/15/2023 9:58 AM by Robyn Schmidt

CORRECTION REQUEST (APPROVED)

update

Created on 11/15/2023 9:58 AM by **Robyn Schmidt****1 COMMENT****Christopher Grobbel (cgrobbel@grobbelenvironmental.com) (12/19/2023 10:05 AM)**

Not sure how to answer this...revised stream closure length is 45 lineal feet only.

Is the drainage area upstream of the proposed project area greater than 2 sq. miles?

No

What is the the width (feet) of the stream where the water begins to overflow its banks. This is called the Bankfull width.

6

Will a turbidity curtain be used during the proposed project?

Yes

If there are multiple streams associated with the project impacts, or different Ordinary High Water Mark (OHWM) elevation data on the stream reach, provide the information in duplicate stream project information tabs by clicking on **DUPLICATE** or **ADD NEW** below. This adds a new section where you will enter the information about additional project impacts.

Inland Lakes, Great Lakes and Stream Impacts (1 of 1)**PLEASE READ**

This section will collect information regarding Inland Lakes, Great Lakes, and Streams impacts and activities only. The initial questions are related to which waterbody the impacts pertain to. When there are multiple waterbodies (e.g., some impacts are on an inland lake and some impacts are on a stream), fill out a **DUPLICATE** tab for each waterbody impacted. For each waterbody, questions will be asked regarding the proposed activities. Proposed Activities questions are grouped into Fill, Dredge, Structures, Other and are only for the impacts related to these groups. Click the link below for more information on the Inland Lakes and Streams Protection Program.

[Link to Information on Inland Lakes and Streams Permitting](#)

The following impact description applies to: (select only one at a time, duplicate this entire section if there are impacts to multiple waterbody types):

Stream

Linear feet of stream affected by your project

Category	Affected linear feet (ft)
Permanent	45
Temporary	0
	Sum: 45

The following questions gather information on the specific Types of Activities your project includes that will impact **INLAND LAKES, STREAMS, AND GREAT LAKES**. There are four overall Types of Activities: Fill, Dredge, Structure, and Other. Under each of the Activity Type questions, specific activity lists will be shown. If the activity is not shown in the list given, select **None of the Above** and move to the next question. When you select an activity under Fill, Dredge, Structure, or Other, a table will appear under that type. Only enter the dimensions of the activity that are within **INLAND LAKES, STREAMS, or GREAT LAKES**. Multiple activities covering the same footprint may be combined on one line in the table. Continue to answer the Activity Type questions (Fill, Dredge, Structure, Other) until all have been answered with either a specific Activity listed under that Type or **None of the Above**. If you did not find your activity in any list then select **Other, Other** and provide a description of your activity.

Select from the following list all Fill Activities (select all that apply to this waterbody impacted):

Update for proposed riprap.

Created on 11/15/2023 10:00 AM by **Robyn Schmidt**

1 COMMENT

Christopher Grobbel (cgrobbel@grobbelenvironmental.com) (12/19/2023 9:55 AM)

Riprap has been removed from the project. See revised site plans & cross-sections dated 10/24/23.

Activities Involving Dredging or Excavation: Select from the following list for Excavation/Dredge Activities (select all that apply to this waterbody impacted):

No Dredging/Excavation Proposed

If your project includes STRUCTURES then select all of the proposed activities in the following list. If your activity is not shown, then select ☐ None of the Above ☐ and move to the next question. Only enter an impacted area in one of the impact tables (do not duplicate impact entries):

Culvert

Projects involving Structures constructed below the Ordinary High Water Mark:

Activity	Length (feet)	Width (feet)	Depth (feet)	Area (square feet)	Volume (cubic feet)	Volume (cubic yards)	Corrected value for complex impact AREAS (square feet)
opn bottom box culvert	45	3	0.5	135	67.5	3	NONE PROVIDED
				Sum: 135	Sum: 67.5	Sum: 3	Sum: NaN

If your project includes Other Activities not listed in this section, then select from the proposed activities in the following list. If your activity has not been listed in this Section, then select ☐ Other ☐ and enter a description of your activity. Only enter an impacted area in one of the impact tables (do not duplicate impact entries). If you selected a Fill, Excavation/Dredging, or Structure activity above in this section, but do not have an activity listed as Other, then select None of the Above for this question.

None of the above

Does the proposed project include mitigation?

none

If there are multiple waterbodies associated with the project impacts, or different Ordinary High Water Mark (OHWM) elevation data on the waterbody, provide the information in duplicate stream project information tabs by clicking on DUPLICATE or ADD NEW below. This adds a new section where you will enter the information about additional project impacts.

Bridges and Culverts (1 of 1)

Complete once for a single structure or add multiple sections when multiple structures are proposed.

Use the duplicate button to copy this section to enter information about each individual structure. If there are two or more you should duplicate for each one.

Unique Identifier:

Open bottom box culvert

STREAM INFORMATION

Width of the stream

Upstream (feet)	Downstream (feet)
1.25	6

Cross-sectional area of primary channel (square feet):

3

The width of the stream where the water begins to overflow its banks. Bankfull width (feet):

6

Is there an existing structure?

Yes

Is the existing Structure perched?

Yes

Provide a profile of the channel bottom at the high and low points for a distance of 200 feet upstream and downstream of the culvert.

NONE PROVIDED

Comment

See revised attached X-sections B-B' 10/24/23.

Click the link below to view bridge profile sample drawings.

[Click here for link](#)

Help for the following Table

Structure Width: Enter the total width of culvert or bridge in feet.

Culvert Length or Bridge span: Enter the total length perpendicular or across the stream in feet.

Culvert Height Prior to any burying: Enter the total width of culvert in feet at this location as it measures on land. Do not subtract any depth the culvert may be buried. For bridges enter "0".

Depth culvert buried: Enter total feet the culvert bottom will be buried. Does not apply to bridges so enter "0".

Bottom of bridge beam (upstream) elevation (feet): For culverts enter "0".

Bottom of bridge beam (downstream) elevation (feet): For culverts enter "0".

Stream Invert Elevation (feet) Upstream: This is the elevation at the bottom of the culvert as it lies in place after installation on the upstream end of the culvert, not including any fill on the culvert bottom.

Stream Invert Elevation (feet) Downstream: This is the elevation at the bottom of the culvert as it lies in place after installation on the downstream end of the culvert, not including any fill on the culvert bottom.

Bridge rise from bottom of beam to streambed or culvert crown height (feet): This is the elevation at the top of the culvert as it lies in place after installation, for bridges this is from the bottom of the beam. Do not including any fill on top of the culvert or the bridge structure.

Total structure waterway area above streambed (square feet): This is the total square foot area that would allow passage of water through the structure opening.

Total structure waterway area below the 100-year elevation (square feet) (if known): This is the total square foot area that would allow passage of water that is below the 100-year flood elevation.

Elevation of road grade at structure (feet): Enter the elevation at the road above the structure.

Elevation of low point in road (feet): Enter the elevation of the lowest point in the road nearest the structure.

Distance from low point of road to mid-point of structure (feet): How far (in feet) from the structure does any fill used for the structure extend before it reaches the existing grade?

Question	Existing	Proposed
Bridge width or Culvert length (parallel to stream) (feet)	48	45
Bridge span or Culvert width/diameter (perpendicular to stream) (feet)	3	3
Height of culvert prior to burying (if bridge enter 0)	0	0
Depth culvert buried (feet) (if bridge enter 0)	0	0
Bottom of bridge beam (feet) upstream (if culvert enter 0)	0	0
Bottom of bridge beam (feet) downstream (if culvert enter 0)	0	0
Stream invert elevation at bridge (feet) upstream	603.63	603.30
Stream invert elevation at bridge (feet) downstream	602.10	602.10
Bridge rise from bottom of beam to streambed or culvert crown height (feet)	2.5	2.5
Total structure waterway opening above streambed (square feet)	0	0
Total structure waterway area below the 100-year elevation (square feet) (if applicable)	0	0
Elevation of road grade at structure (feet)	605	605
Elevation of low point in road (feet)	605	605
Distance from low point in road (feet)	0	0
Length of approach fill from edge of bridge/culvert to existing grade (feet)	0	6

Culvert Type

Existing	Proposed
Circular	Circular

Culvert Material

Existing	Proposed
Corrugated Metal	Corrugated Metal

Structure Entrance Design Type:

Existing	Proposed
Projecting	Other: direct connection/seamless continuation

Certification Upload

NONE PROVIDED

Comment

NONE PROVIDED

Upload of Proposed Site Plans

CORRECTION REQUEST (APPROVED)

Please provide verification from the Benzie-Leelanau District Health Department that the septic tanks can be placed immediately along the property line, vs. the typical required 10ft. setback.

Created on 11/15/2023 10:03 AM by Robyn Schmidt

1 COMMENT

Christopher Grobbel (cgrobbel@grobbelenvironmental.com) (12/19/2023 10:10 AM)

Email from Jim Reardon from 12/4/23 allowing tanks at property line as "no problem" is attached.

REQUIRED Application, maps, and drawings:

*Overall Project Site Plan

*Cross-Sectional Drawings

For Part 315 Dam Safety applications attach detailed signed and sealed engineering plans for a Part 315 dam repair, dam

For additional information on maps, drawings, and other attachments visit michigan.gov/jointpermit

Required on all Site Plan uploads. Please identify that all of the following items are included on your plans that you upload with this application.

Site Plan Features	Existing and Proposed Plan Set
Scale, Compass North, and Property Lines	Yes
Fill and Excavation areas with associated amounts in cubic yards	Yes
Any rivers, lakes, or ponds and associated Ordinary High Water Mark (OHWM)	Yes
Exterior dimensions of Structures, Fill and Excavation areas associated with the proposed project	Yes
Dimensions to other Structures and Lot Lines associated with the project	Yes
Topographic Contour Lines from licensed surveyor or engineer when applicable	N/A

Upload Site Plans and Cross Section Drawings for your Proposed Project

[Davis X-Sections \(10-24-23\).pdf](#) - 10/24/2023 01:09 PM

[Davis Revised Site Plan \(10-24-23\).pdf](#) - 10/24/2023 01:09 PM

Comment

NONE PROVIDED

Additional Required and Supplementary Documents

[IMG_3107.JPG](#) - 08/25/2023 12:36 PM

[IMG_3105.JPG](#) - 08/25/2023 12:36 PM

[IMG_3104.JPG](#) - 08/25/2023 12:36 PM

[IMG_3106.JPG](#) - 08/25/2023 12:36 PM

[IMG_3005.JPG](#) - 08/25/2023 12:39 PM

[IMG_2992.JPG](#) - 08/25/2023 12:43 PM

Comment

NONE PROVIDED

Fees

The application fee identified in this section is a calculation based on answers to the questions in this application. This calculation is an estimate of the total fee and will be reviewed by the application processor to determine if any additional fees are required for a complete application.

Individual Permit Fee:
+\$500.00

Total Fee Amount:

\$500.00

Is the applicant or landowner a State of Michigan Agency?

No

Revisions

Revision	Revision Date	Revision By
Revision 1	8/25/2023 10:03 AM	Christopher Grobbel
Revision 2	8/25/2023 12:57 PM	Christopher Grobbel
Revision 3	11/6/2023 12:23 PM	Christopher Grobbel
Revision 4	12/19/2023 9:41 AM	Christopher Grobbel
Revision 5	12/31/2023 4:34 PM	Elizabeth Davis

Site Plan - Davis Culvert

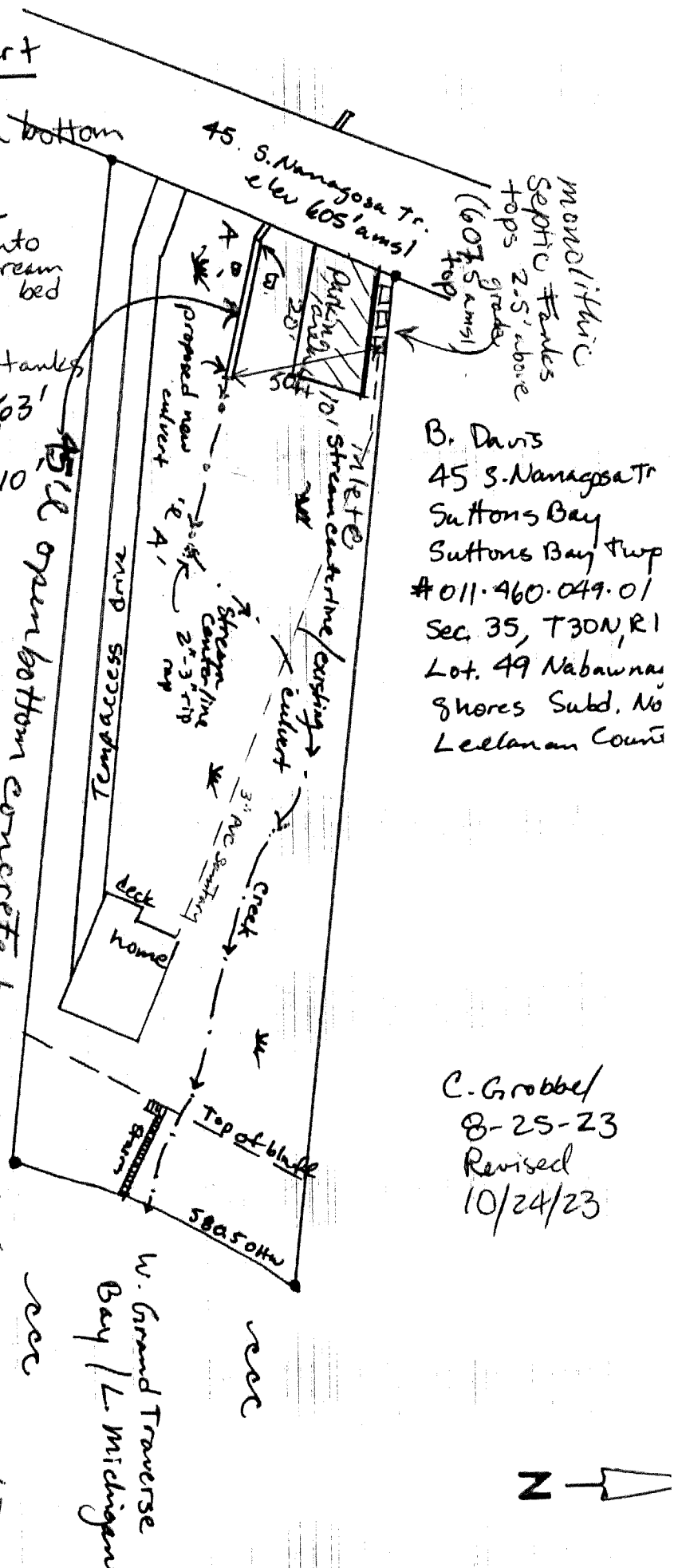
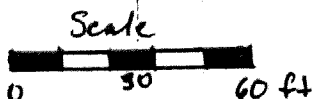
3' dia box culvert - open bottom
culvert details

45' long @ 3" diameter
concrete, recessed 0.5' into
(Connect to existing
15" corrugated culvert)
#50' min. isolation from tanks
culvert inlet @ 603.63'
amsl

culvert outlet @ 602.10
amsl

EGLE Permit
#WRP 014894 (2/13/19)
BLDHD Permit
#L23-028V (5/16/23)

50' open bottom concrete box culvert (50' min isolation
distance from nearest septic
tank.)



B. Davis
45 S. Namagosa Tr
Suttons Bay
Suttons Bay Twp
#011-460-049-01
Sec. 35, T30N, R1
Lot. 49 Nabawna
Shores Subd. No
Leelanau County

C. Grobber/
8-25-23
Revised
10/24/23



PART OF GOV'T LOTS 1&2, SEC. 35, T.30N., R.11W.,
SUTTONS BAY TWP., LEE LANAU CO., MICHIGAN
ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

SCALE: 1 INCH EQUALS 200 FEET



KNOW ALL MEN BY THESE PRESENTS, that we, Stocking Enterprises, Inc.

e. Michigan corporation by . Flares Blockading
..... President, and . Grace Gessman, Secretary,
..... as proprietor, have caused the land embraced in the annexed plat
to be surveyed, laid out and platted to be known as: "Flaresman's Shores."
No. 35." Part of Gov't. Lots 1, 2, 3, 4, Sec. 35, T. 30 N.,
R. 11 W., Jackson Bay Twp., Leelanau Co., Michigan.....
and that the streets and alleys shown on said plat are hereby dedicated to the
use of the property owners.....

Signed and Sealed in
the Presence of:

STOCKING ENTERPRISES, INC.

Wm. B. Butzer, Jr. (Witness)
B. Joann Avery (Witness)

Pierce Stocking President
Dorothy Greenleaf Secretary

STATE OF MICHIGAN

County of Grand Traverse

On this 15TH day of MAY, A.D. 1940, before me, Wm. B. Parker, Jr., a Notary Public in and for said county appeared Petero. Stokking and Grace Greenan respectively of the Stokking Enterprises, Inc. a Michigan corporation, and that the said officed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said Petero Stokking and Grace Greenan acknowledged said instrument to be the true and deed of said corporation.

Wm. B. Bateson, Jr.
Notary Public Grand Traverse County
My Commission expires April 27, 1962

The land embraced in the assessed plot of "KABANGGAS, 340955. No. 31" ...
 Port of Cavite, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 8

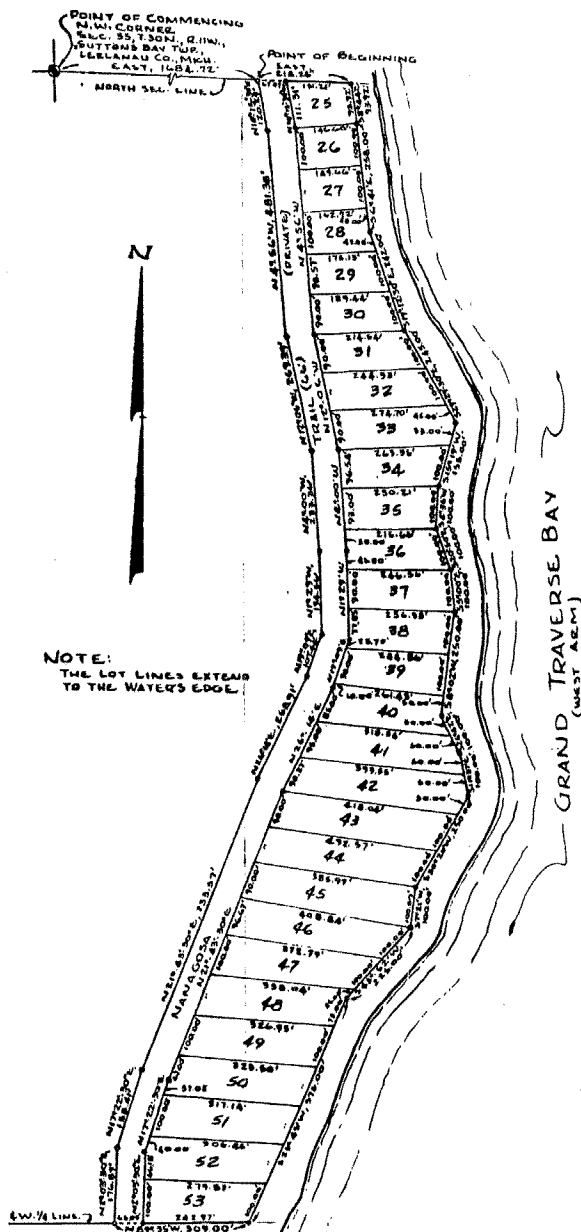
is described as follows:
 section 35; thence East, along the North line of said Section 35, 1,684.72 feet to the Point of Beginning; thence East, 218.28 feet; thence South 8° - 44' East, 93.92 feet; thence South 6° - 41' East, 258.00 feet; thence South 19° - 12' - 30" East, 242.00 feet; thence South 29° - 29' - 3" East, 245.00 feet; thence South 15° - 12' East, 155.00 feet; thence South 4° - 36' East, 100.00 feet; thence South 20° - 50' East, 100.00 feet; thence South 5° - 00' East, 100.00 feet; thence South 8° - 02' West, 250.00 feet; thence South 26° - 42' East, 100.00 feet; thence South 11° - 37' East, 100.00 feet; thence South 30° - 20' West, 250.00 feet; thence South 7° - 21' West, 100.00 feet; thence South 43° - 52' West, 225.00 feet; thence South 25° - 45' West, 575.00 feet to the Point of Beginning. The line of said tract, thence North 89° - 35' West, along said line, 309.00 feet; thence North 2° - 03' - 30" East, 176.89 feet; thence North 17° - 22' - 30" East, 188.11 feet; thence North 21° - 43' - 30" East, 733.55 feet; thence North 26° - 14' East, 268.91 feet; thence North 19° - 09' East, 107.44 feet; thence North 13° - 29' West, 194.56 feet; thence North 14° - 00' West, 233.36 feet; thence North 12° - 06' East, 209.73 feet; thence North 12° - 43' - 35" East, 431.35 feet; thence North 10° - 15' - 00" West, 120.29 feet to the Point of Beginning. Containing 29.19 acs.

Office of County Treasurer,
 I hereby certify that there are no tax liens or titles held by individuals on said lands,
 described herein, and that there are no tax liens or titles held by individuals on said lands,
 for the five years preceding the day of
 1968. And that the taxes for said period of
 five years are all paid/as shown by the records of this office
 This certificate does not apply to taxes, if any, now in process of collection by township,
 city or village collecting officers.
 (County Treasurer)

I hereby certify that the plat herein delineated is a correct one, and that permanent monuments consisting of iron rods at least one half inch in diameter and 36 inches in length, encased in concrete cylinders four inches in diameter and 36 inches in length, have been set at points marked thereon (7) on the corner shown at all angles in the boundary of the land platted, at all intersections of the lines of streets and at intersections of the lines of streets with the boundaries of the plat.

John G. Norton #2728

Registered Land Surveyor Registered Professional Engineer



NOTE:
THE LOT LINES EXTEND
TO THE WATER'S EDGE.

This plot has been examined and was approved on the 22
day of April, 1964 by the LaLuan
County Board of Road Commissioners.

Martin Egeler (Chairman)
Theodore O. Hanson (Member)
Harold Mark (Member)

This plot was approved on the 14th day of January, 1945.

Frederick Hammenberg (County Register of Deeds)
 Elmer L. Dalton (County Clerk)
 E. C. DeLong (County Treasurer)

This plot was approved by the...TOWNSHIP BOARD.....
of the...Township..... of...Suttons Bay.....
a meeting held

Rosemarie Mae (Clerk)

Timeline - Lot 49 Nabawnaga Shores - 1425 S Nanagosa Suttons Bay

March 22, 1960 – Nabawnaga Shores established and Lot49 Platted.

April 25, 2016 – Elizabeth Davis (Davis) purchases Lot 49 and begins permit process with Robyn Schmidt (EGLE)

April May 2016 – Davis hires Gosling Czubak to complete DEQ Application No 1. wetland delineation, and soil borings report.

June 29, 2016 – Gosling Czubak completes and submits **Application No. 1** to Robyn Schmidt.

February 19, 2019 - EGLE Issues WRPO 14894 for a 2-story 700 sq ft footpath home, 5-year Permit.

This home's design mitigates environmental impact by using boardwalk access instead of a driveway and placing the house on stilts instead of a foundation.

June 2019, - Army Corps of Engineers approves permit under Section 404

October 1, 2021 – Davis Sells Ohio Home and Hires Baldwin Homesto be the contractor.

August 15, 2022 – EGLE Schmidt revises permit to increase square footage 8"x17' – 136 sq ft

January 2023 – Davis Terminates Baldwin Homes due to builder not obtaining permits before commencing and hiring subcontractors that were unnecessary and out of order of the building process. Meanwhile, Baldwin scraping off a percentage of all charges to Davis. Furthermore, Baldwin leaves, goes awol for 5 months while working on a commercial project in Leland, remodeling the bathrooms for the Falling Waters Lodge.

June 22, 2023 – BLDH Permit issued – It will be later revised, as it was conditional on EGLE Permit, Soil and Erosion permit, Road Commission Permit. Soil and Erosion and Road Commission Permit were received 12-20-23,

December 2023 – BLDHD Revised Permit issued EGLE Schmidt and Reardon work to Septic Permit Obtained. By this time all permits had been obtained including Soil and Erosion, Driveway, BLDH Well and Septic and Building permit.

August 31, 2023 - Grobbel completes SECOND Application Process and submits to EGLE, Including Site Plan and Architectural elevations and prints

August 25- 2024 Application No 2. Revisions begin

January 11, 2024 – **APPLICATION No. 2** After 8 Revisions and 6 months Application, Grobbel submission to EGLE finalized

Jan 12, 2024 – **Application No. 2** Notice of Public Hearing 1 January 14, 2024 – Dan Carter, Temp Project Mgr., requests extension to WRPO Permit. Denied.

January 25, 2024 – Vermetten, Pezzetti Law firm Hired as recommended by Grobbel

May 2024, Chris Grobbel Hired by Lawyers to do **Application No.3**

August 25, 2024, **Application No. 3** Submitted

February 27, 2025 – **Application No 3 FINALIZED**

March 11, 2025 – Notice of Public Hearing 2

May 22nd - Public Hearing 2

June 3, 2025, - Extension of Decision to renew permit as per application no. 3 allowed.

September 8- Jesse Mitchel sends a request for a variance, updated Site Map and revisions to mitigate environmental impact for septic that has been agreed upon by Soil and Erosion, and EGLE.

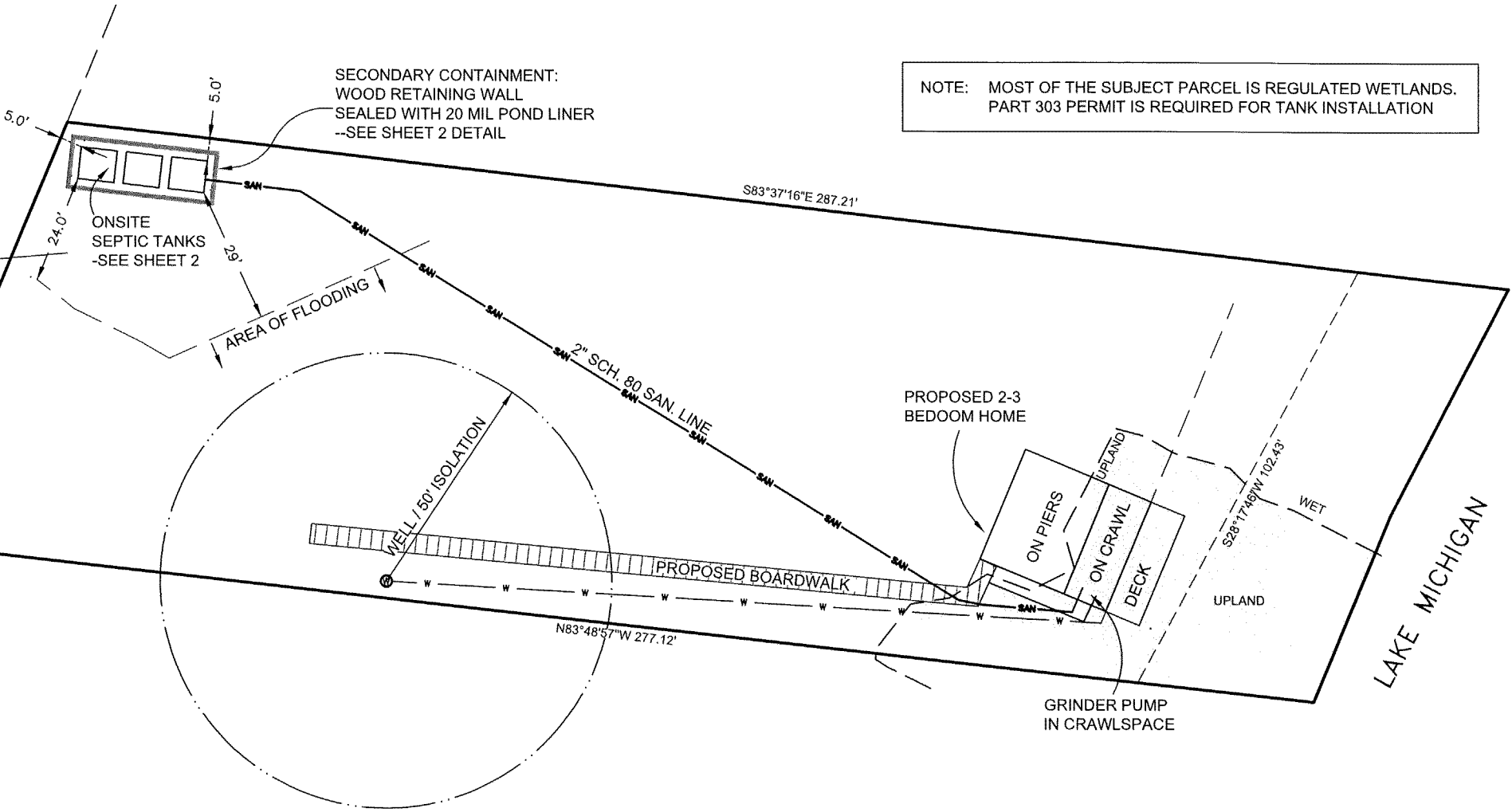
September 8 -Jim Reardon Responds with notice that the request for setback variance will have to go to the Board of Appeals. He further states that we have “ options” including rerouting a stream/ enclosing a stream, and to put a septic system offsite on the lot in the common circle that caused the water to drain into Lot 49 in the first place.

SITE PLAN

NOTE: MOST OF THE SUBJECT PARCEL IS REGULATED WETLANDS. PART 303 PERMIT IS REQUIRED FOR TANK INSTALLATION

NANAGOSA

N22°43'18"E 100.01'



Legend

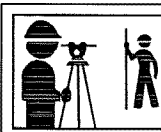
- IRON SET
- IRON FOUND
- ⊙ MONUMENT FOUND
- △ NAIL SET
- ▲ NAIL FOUND
- ⊕ GOVERNMENT 1/4 CORNER
- ⊙ SECTION CORNER
- ⊕ CENTER 1/4 CORNER
- (R) RECORD
- (M) MEASURED

Scale: 1" = 25'

0 12.5 25 50

Jesse E. Mitchell
Professional Surveyor No. 4001054433

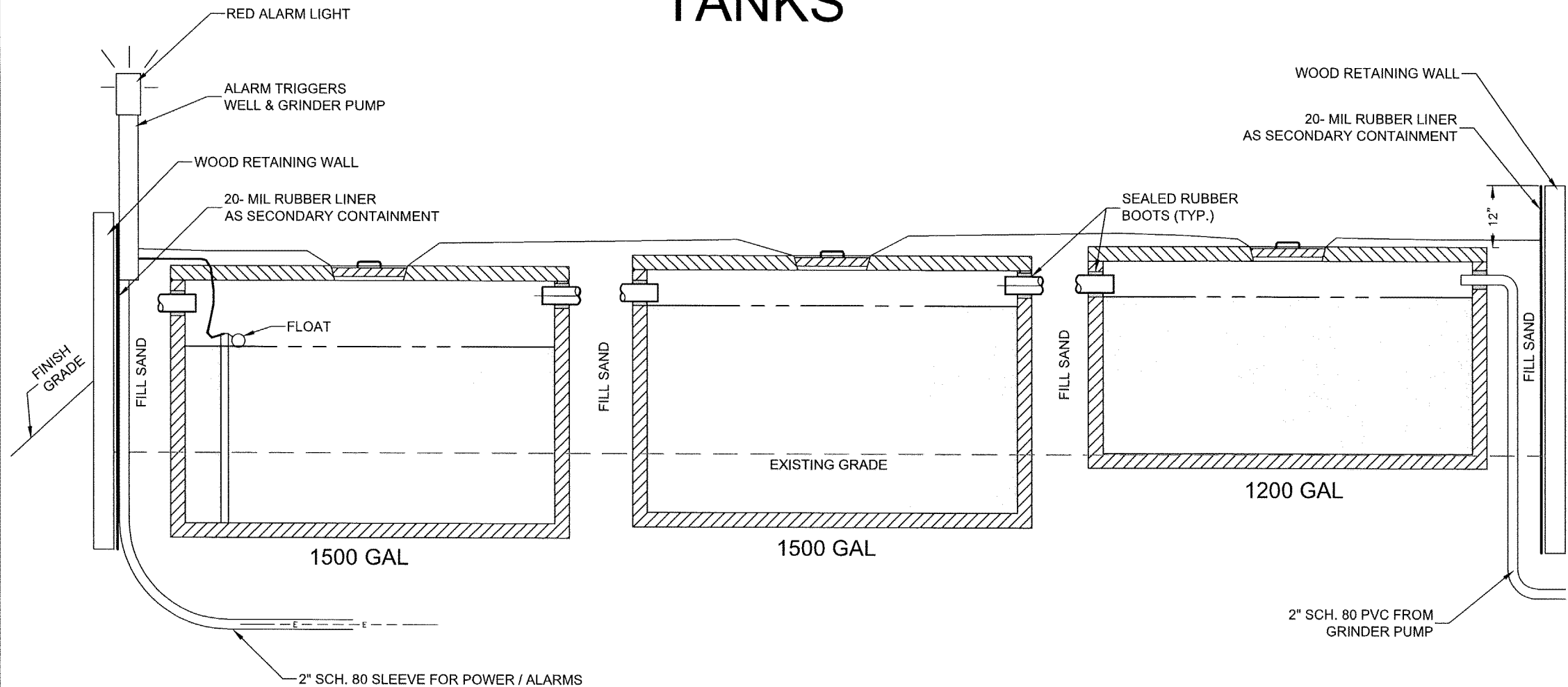
ALTERATION OF ANY PART OF THIS DOCUMENT WITHOUT THE PERMISSION OF MITCHELL & ASSOCIATES, PC, IS PROHIBITED.



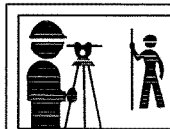
BOB MITCHELL & ASSOCIATES
SURVEYING / ENGINEERING
404 West Main Street P.O. Box 306
Kingalee, MI 49649
(231) 263-5463 • FAX (231) 263-7921
Toll Free in Michigan 1-800-533-6627
www.mapcitysurvey.com

CLIENT: ELIZABETH DAVIS			
LOCATION: LOT 49, NABAWNAGA SHORES TOWN 30 NORTH, RANGE 10 WEST, SUTTONS BAY TOWNSHIP, LEELANAU COUNTY, MICHIGAN.			
DWN. MJC	DATE 9.5.2025	FILE NO. 20250272	
CK. JEM	F.L.D. BK. X	PG. X	SHEET 1 OF 2

TANKS



ALTERATION OF ANY PART OF THIS DOCUMENT WITHOUT THE
PERMISSION OF MITCHELL & ASSOCIATES, PC, IS PROHIBITED.



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Kingsley, MI 49649
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BASIS OF BEARING:

CLIENT:

ELIZABETH DAVIS

LOCATION:

LOT 49, NABAWNAGA SHORES
TOWN 30 NORTH, RANGE 10 WEST,
SUTTONS BAY TOWNSHIP,
LEELANAU COUNTY, MICHIGAN.

DWN. MJC

DATE 9.5.2025

FILE NO. 20250272

CK. JEM

FLD. BK. X

PG. X

SHEET 2 OF 2



Benzie-Leelanau
DISTRICT HEALTH DEPARTMENT
CARING FOR OUR COMMUNITIES

Benzie County Office
6051 Frankfort Hwy, Ste 100
Benzonia, MI 49616
Phone: 231-882-4409
Fax: 231-882-0143

Leelanau County
Personal Health Office
7401 E. Duck Lake Rd
Lake Leelanau, MI 49653
Phone: 231-256-0200
Fax: 231-882-0143

Leelanau County
Environmental Health Office
8527 E. Government Center
Dr. Suite LL-007
Suttons Bay, MI 49682
Phone: 231-256-0201
Fax: 231-256-0225

www.bldhd.org

Notice of Public Meeting

Benzie-Leelanau District Health Department Board of Appeals

The Board of Appeals will meet to hear an appeal, as authorized under Section 6.7 of the Benzie-Leelanau District Health Department District Sanitary Code, for the property noted below:

Date: **Wednesday, November 5, 2025**

Time: **Fact Finding Site Visit - 9:30 AM** or immediately following
Davis site visit, whichever is later

Hearing - 11:30 AM or immediately following Davis Hearing,
whichever is later

Location: **Site Visit: 743 N Dumas Rd**
Suttons Bay, MI 49682

Hearing: Leelanau County Government Center
Commissioner Room
8527 E. Government Center Dr.
Suttons Bay, MI 49682

APPEAL TO BE HEARD:

Appeal #: L25-002

Appellant: Garrett Korson – Owner

Subject Property: 743 N Dumas Rd, Suttons Bay, MI 49682

Suttons Bay Township – Leelanau County

Property #: 45-011-021-012-00

Staff Report

Appeal # L25-002
Garrett Korson (Applicant)

Subject Location:
743 N. Dumas Rd.
Suttons Bay, MI 49682
Parcel ID: 45-011-021-012-00

Background and Purpose

On June 6, 2025, I conducted a site evaluation to determine whether the existing on-site wastewater treatment system serving this property complies with the Benzie-Leelanau District Sanitary Code. The property owner has proposed to demolish the existing three-bedroom home, retain the existing foundation/footings, and construct a new home on the same footprint. Because the project involves significant reconstruction, it is required to confirm that the on-site wastewater system meets current code requirements.

Site and System Description

A stream flows through the center of the property in a southeast direction and exits beneath N. West Bay Shore Drive through a culvert. The stream constitutes a significant limiting feature due to required isolation distances for on-site wastewater systems.

Department records indicate that a septic permit (Permit No. 10464) was issued in 1976 for the installation of a 1,200-gallon septic tank and a 750-square-foot drainbed to serve the three-bedroom dwelling. No documentation was found confirming a final inspection of the system at the time of installation.

During the June 6 evaluation, I verified the following site conditions:

- A 1,200-gallon septic tank is located near the southeast corner of the existing dwelling.
- The septic tank is positioned approximately 35 feet from the stream.
- The 750 square foot drainbed is located in the lower front yard and is approximately 25 feet from the stream at its closest point.
- Soil borings in and adjacent to the drainbed indicate a seasonal high-water table within 48 inches of the bottom of the absorption area.

Findings and Code Compliance Determination

Based on my field observations and the requirements of the Benzie-Leelanau District Sanitary Code:

1. **Surface Water Isolation (Section 3.8.5(a)(2))**

The minimum required isolation distance between any part of a septic system and surface water (including streams) is 50 feet.

- The septic tank (35 ft) and drainbed (25 ft) do not meet this requirement.
- Therefore, the system is not compliant with Section 3.8.5(a)(2).

2. **Vertical Separation from Seasonal High-Water Table (Section 3.8.5(a)(7))**

The required minimum vertical isolation between the bottom of an absorption area and the seasonal high-water table is 48 inches.

- Soil borings indicate this separation is not achieved.
- Therefore, the system is also not compliant with Section 3.8.5(a)(7).

As a result, the existing septic system does not conform to the District Sanitary Code. Accordingly, the Health Department cannot approve the proposed reconstruction of the home without replacement or correction of the on-site wastewater system.

Staff Comments and Recommendations

To proceed with the demolition and reconstruction of the home, the existing septic system must be abandoned and replaced with a system meeting all current code requirements. The following considerations apply:

- **Importance of Proper Isolation**

Proper isolation from both surface water and groundwater is essential to protect public health and the environment. Septic systems rely on natural soil filtration to remove bacteria, viruses, and nutrients before wastewater reaches groundwater or nearby surface waters.

When a system is located too close to a stream or water table, untreated or partially treated effluent can migrate directly into these waters. This may result in:

- Contamination of groundwater, which serves as a source of private drinking water.
- Degradation of surface water quality, leading to elevated bacteria levels and nutrient pollution.
- Increased public health risks, including potential exposure to pathogens through recreation, drinking water, or nearby wells.

For these reasons, maintaining minimum isolation distances is a fundamental public health safeguard embedded in the District Sanitary Code.

- **Site Limitations:**

The rear yard is unsuitable for a septic system installation due to the location of existing wells and the proximity of the stream.

- **Potential Alternatives:**

- The applicant may explore obtaining an easement on an adjacent property to achieve the required setback from the stream and groundwater.
- Given the meandering course of the stream, an engineered design may be necessary to ensure full compliance with setback requirements.
- A holding tank system may be considered as an alternative; however, this option requires a variance from the standard isolation distance to surface water and is limited to existing dwellings or reconstruction projects where no compliant alternative can be achieved.

Conclusion

The evaluation concludes that the existing septic system is not compliant with Sections 3.8.5(a)(2) and 3.8.5(a)(7) of the Benzie-Leelanau District Sanitary Code. Replacement with a code-compliant system, or an approved variance option, is required before the Health Department can authorize reconstruction of the dwelling.

Prepared by:

Jim Reardon, M.Sc

Environmental Health Sanitarian

Benzie-Leelanau District Health Department

Date: 10/23/2025

BENZIE/LEELANAU COUNTY APPEALS BOARD**APPEAL APPLICATION**

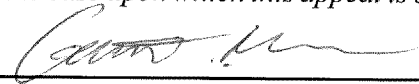
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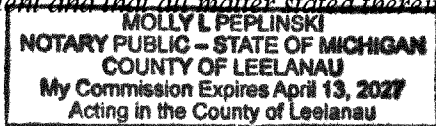
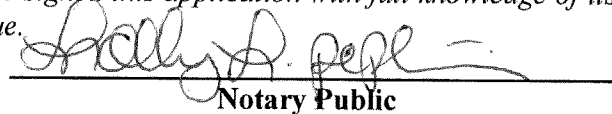
(Attach Additional Sheets as Necessary)

APPELLANT'S CERTIFICATE:

I certify that all information provided in this Appeal Application and its attachments is true and depicts a clear and accurate description of that portion of the case upon which this appeal is based.


Signature of Appellant**STATE OF MICHIGAN****COUNTY OF RESIDENCE** Leelanau

On this 16th day of September A.D. 2025 before me personally appeared the above named person who deposeth and sayeth that he signed this application with full knowledge of its content and that all matter stated therein is true.



Notary Public**My Commission Expires:** 04-13-2027**❖ For Board of Appeals Use Only ❖****Date of Appeal Hearing:** _____**Disposition or Action by Board:** _____

Chairperson: _____ **Date:** _____

To Whom It May Concern;

I am writing to appeal the recent denial of my remodel/reconstruction application. According to the denial letter, my application was rejected due to concerns about the existing septic system.

I would like to propose that I keep the current septic system as it is for the following reasons:

- The system needs to remain 50 feet away from the creek, and property lines prevent us from relocating the septic system to meet this requirement.
- It was suggested that we obtain an easement from our neighbor to place holding tanks that would encroach on their property; however, they have refused to grant this easement.
- A drain field was proposed, but it is not feasible due to the property lines and the need for an easement from neighbors, which has been refused.
- The property has existed for over 45 years without any issues regarding the septic system, even during the 10 years that we have owned it.
- The occupancy of the home will remain the same with the remodel project. The current home has three bedrooms, and the new design will also include three bedrooms.
- Although we considered the backyard for a new septic system, our well is located there, and the 50-foot separation rule would not be feasible in that area either.

Keeping the septic system in its current location would minimize complications in the future. If we choose not to proceed with the remodel/reconstruction project and the septic system fails later, what recourse would the county have?

As a young family that has deep roots in this area and owns a small business in Omena, we want to stay in our home. The rising housing prices in the area are currently unattainable for us. I kindly ask that you reconsider the recent denial in light of this additional information. Thank you.

Sincerely,



Garrett Korson

743 N. Dumas Rd.

Suttons Bay, MI 49682

231-632-2689



**BENZIE/LEELANAU COUNTY
BOARD OF APPEALS APPLICATION
for
LEELANAU COUNTY**



APPEALS APPLICATION

1. Appeal application shall be filed on a form approved by the Board, and obtainable at the Health Department Office. *Nine (9) completed copies* of the application form with attachments must be filed by the appellant at the Health Department office. Separate applications for each individual appeal subject must be filed.
2. In addition to information required in the appeal application for, all appeal applications must also include the following information and data that is applicable thereto:
 - a. The principal points on which the appeal is made; based upon the decision, order or section of the Code appealed.
 - b. Supporting data, including plans drawn to scale showing shape, dimensions, construction material and method of construction in *nine (9) copies*. Supporting documents shall depict a clear and accurate description of that portion of the case on which the appeal is based.
3. Any additional information, including reports of independent agencies or professional consultants.

APPEAL FEE

Each application for appeal shall be accompanied by an *Appeal Fee of \$475.00*

BENZIE/LEELANAU COUNTY APPEALS BOARD



APPEAL APPLICATION



DATE: 09/16/2025

APPELLANT'S NAME: Garrett Korson

ADDRESS: 743 N Dumas Rd

Suttons Bay, MI 49682

PHONE #: 231-632-2689

PROJECT DESIGNATION: (Name, Etc.) Garrett Korson

PROJECT LOCATION:

ADDRESS: 743 N Dumas Rd

TOWNSHIP: Suttons Bay

VILLAGE/CITY: Suttons Bay

LEGAL DESCRIPTION: See Attached Sheet

PROPERTY TAX ID #: 011-021-012-00

THE APPEAL: To keep current septic system as is. To have a plan in place in case the current septic system is to fail. An easement from neighbors has been refused.

PARCEL NO. 011-021-012-00

PROPERTY OWNERS: GARRETT & RACHEL KORSON

PROPERTY ADDRESS: 743 N DUMAS RD, SUTTONS BAY

Legal Description

PT GOVT LOTS 1 & 2 SEC 21 COM SW COR SD LOT 2 TH E 766.51
FT TH N 23 DEG 11'10" E 902.31 FT TH N 68 DEG 28'40" E
351.74 FT TH N 22 DEG 59'30" E 415.17 FT TO POB TH N 22 DEG
59'30" E 158.93 FT TO C/L DUMAS RD TH ALG SD C/L S 76 DEG
26'30" E 87.22 FT TH CONT ALG SD C/L S 67 DEG 19'30" E
227.49 FT TO INTERSECT WITH C/L WEST-BAY SHORE DR
(A/K/A HWY M-22) TH ALG C/L WEST-BAY SHORE DR S 29 DEG
34'30" W 36.66 FT TH CONT ALG SD C/L S 34 DEG 01'00" W
113.61 FT TH N 72 DEG 17'00" W 288.82 FT TO POB SEC 21
T30N R11W 0.78 A M/L

SITE PLAN



LEGEND

- = Set Iron
- = Found Iron
- ⊙ = Found Monument
- (R) = Record
- (M) = Measured
- ⊥ = Utility Pole
- ⊕ = Post
- ⊞ = Gas Worker
- ⊟ = Utility Riser
- ⊠ = Transformer
- ⊡ = Curb Stop
- ⊢ = Hydrant
- ⊣ = Sign
- ⊤ = Day Anchor
- ⊥ = Light Pole
- ⊞ = Overhead Utility Lines
- ⊟ = Overhead Gas
- ⊠ = Underground Gas
- ⊡ = Underground Cable
- ⊢ = Fence

SCALE: 1"=50'

0 50 100

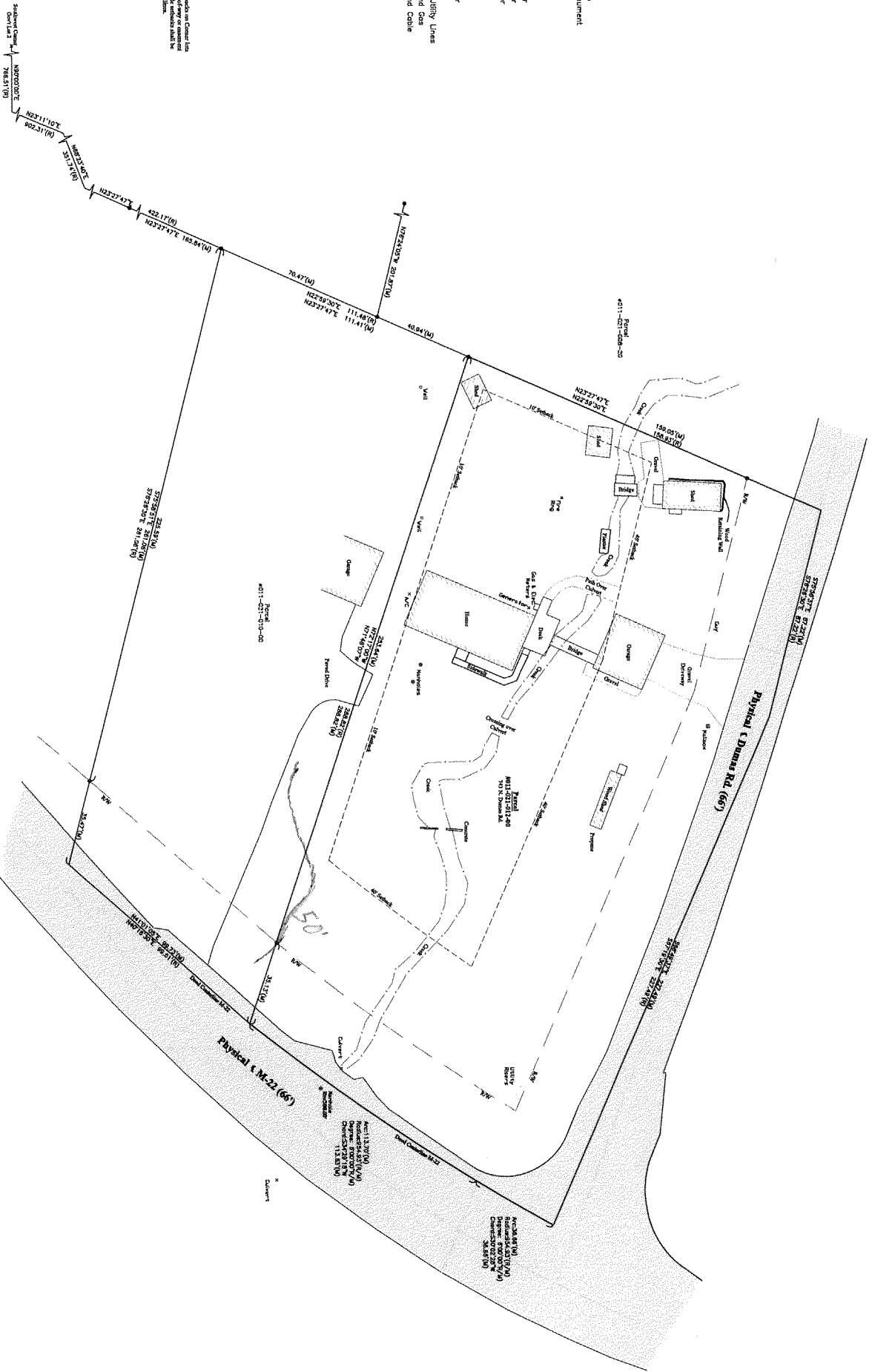
Feet

0 50 100

Meters

Notes

- 1. The Township Ordinance, Schedule on Corner Line shall be required from the right-of-way or easement line of each owner or owner. Such records shall be required from the owner of the land.
- 2. The Township Ordinance, Schedule on Corner Line shall be required from the right-of-way or easement line of each owner or owner. Such records shall be required from the owner of the land.



Location:	Part of Gov't Lot 1 & 2
Map:	Section 14, T20N, R17W
County:	Lawrence County, MI
Owner:	David R. Smith & David R. Smith
Sheet:	1 of 1

Map:

Part of Gov't Lot 1 & 2

Section 14, T20N, R17W

Lawrence County, MI

David R. Smith & David R. Smith

Sheet: 1 of 1