



# BERRIEN COUNTY HEALTH DEPARTMENT

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## BERRIEN COUNTY SEWAGE APPEALS BOARD MEETING

**2/5/2020 Approved Minutes**

**Present:** Peg Kohring (Berrien County Board of Health), Jim Brow (Baroda Twp. Supervisor); Ezra Scott (Berrien County Commissioner, District 9), Dr. Gleiber (Great Lakes Scientific), James McGovern (Corporate Counsel), Nick Margaritis (EH Manager BCHD), Chris Nagy (EH Registered Sanitarian), John Schram (son of property owner Madeline Schramm, Hagar Twp.), Jack Park (son-in-law to the property owner, Hagar Twp.), Duane Burrow (designer, Hagar twp.), Dan Versaw (Versaw Earthworks, Rep. Wesaw Twp. Property owner), Terry Rys-Maki (potential property owner, Weesaw Twp.), Vern Rambo and Mary Rambo (Property owners, Weesaw Twp.)

**10:30** Meeting called to order by Peg Kohring

**Approval of Agenda:** Jim Brow made a motion to approve the agenda, a second was made by Dr. Gleiber, motion passed and approved.

**Introductions:**

**Approval of 10/2/2019 Minutes:** Jim Brow made a motion to approve the minutes, a second was made by Ezra Scott, motion passed and approved.

Peg Kohring motions for Jim Brow to run the meeting since she has a conflict of interest with 2<sup>nd</sup> half of meeting, Dr. Gleiber seconds motion. Motion passed and approved.

**Owner/Installer Presentation:** 3087 Evergreen, Lot 16, Lake Breeze, Hagar Twp. Sec. #28, Tax ID: 11-10-4470-0016-00-1

Duane Burrow explained the design and proposal for a gravity flow septic system for a proposed example elevated house. The system will be a Singulair Green system to treat the effluent going to an elevated sand lined Presby system with 3 to 1 slopes. He explained the system along

with the proposal and also presented the option to add chlorination and or U.V. disinfection. The system can be setup with remote monitoring set up which he recommended including a 5 year maintenance agreement. Mr. Burrow explained he has followed the Indiana Statewide code for the design.

**Berrien County Health Department Presentation:** Chris Nagy stated that on October 7<sup>th</sup> 2019 initial borings were done and noted that the lot slopes upward towards the back of the lot. Borings revealed high water table and clay type soils. Chris returned on November 18<sup>th</sup> to do backhoe cuts and the same soils and high water table were found down to 11.5 ft. deep. Chris explained the appeals process to the owners as the soils would not be approved for septic. The current lot is owned by the owner of the house located on the back side and while they are separate lots, by selling them separately then the house will not have enough room for a repair septic design when that system fails. Lots are typically small and do not allow for proper designs and repairs of existing septic systems.

Nick Margaritis states that a typical mound system would not fit on the parcel due to the small size of the lot. A similar Singulair unit, but with a different system for the effluent dispersal has been installed in the county, and even though the sanitarians were educated extensively on this system there are no testing or monitoring requirements from the county for this type of system. The one similar system in the county was only approved as a repair to an existing system and was never meant to be used as an initial system. Nick states a main concern is with the 3-to-1 slopes as opposed to 7 to 1 that are typical for new construction. While in no case does the Health Dept. permit anything less than 4-to-1 for fear of bleed out. Even a 4-to-1 is only used for repair type situations. If there is a need for dosing tank in future, there wouldn't be enough room on the lot. Main issue is still small lot and high water table. Long term (past 5 year maintenance plan) the homeowner would have to take responsibility and sign up for continued maintenance plan while there are no county or State of Michigan regulations to enforce the requirement.

**Appeal Board Discussion:** Ezra Scott noted that the mothers existing home, with septic on the southwest corner of the lot, would potentially have no room on lot for replacement septic if current one fails. Jack Park (son-in-law to homeowner) states that potential buyer for vacant lot would be taking responsibility for system and will be informed that options are limited for developing the lot. Also stating purchase agreement would state

only a 3 bedroom home would be able to be built, as septic design would not allow for larger home. Nick Margaritis noted that any future changes or updates to this system would have to come to appeals board, as well as each change of ownership. Additional discussion from the Board with Peg Kohring expressing her opinion of not supporting approval based on fact the mom's existing house may not have room for any future repairs along with the small size of the lots. James McGovern also expressed his concerns and his opinion of not supporting the proposal because of the lot size and soils concerns.

**Appeal Board Decision:** Peg Kohring motion to not approve the proposal, second by James McGovern. Unanimous decision to not approve the proposal.

### **Second appeal 2/5/2020**

Peg Kohring announced she has a conflict of interest as she is living across the property and will abstain from comments and voting.

**Owner/Installer Presentation:** SW Corner Sawyer & Pardee Rd., 10.5 acres Property Number: 11-22-0008-0002-00-1 Weesaw Twp., Sec. #6

Dan Versaw states that the 10 acre parcel is currently a Blueberry Farm. Terri Maki (potential property owner) is proposing to build a 3 bedroom home within the next 3 years. Dan explained that 3 borings were done on this property around Christmas time with Nick Margaritis and Mick McGuire (EH Sanitarian) in the south from east to west part of property. Proposed waterloo septic system would be 300ft back, lot is 657ft deep. Waterloo system proposed, as it would have smaller footprint and subsequently save as many blueberries as possible on the land. Dan explained that there is room for a traditional mound system. Proposal is for an oversized system, about 1/3 larger than needed to help prevent future issues. Also allows decent area for replacement system if this one fails.

**Berrien County Health Department Presentation:** Nick Margaritis states that when looking at the soils map from USDA and FEMA, this property shows 37 and 57A, and this area is known for high water table with the seasonal high water table as much as 1ft above to 1ft below top soil. Several site visits were made and sandy type soils were found down to 3

to 4ft deep followed by clay soils after that. On the east side of the property, the clay starts at 3ft. Nick stated that standing water was on the property for extended periods of time and several site visits were made during different weather conditions including continuous days with no rain or snow. Discussion was had between all EH sanitarians and everyone was in agreeance that they should move to appeals process as no permit would be approved and a request for variance, since the parcel is larger than 10 acres would not be acceptable due to the extremely wet conditions with water ponding on the property. The board has approved waterloo systems in the past, but not in a "Flood Zone A" like this. Permits for neighboring homes were approved because of their higher elevation, whereas the water table for this property is out of the ground. Septic system is not recommended for this site by the Health Department.

**Appeal Board Discussion:** James McGovern is not comfortable with system on a lot with such high water table. Dr. Gleiber also disapproves based on his own physical site visit prior to this meeting. Ezra Scott proposed that if the drainage issues on this lot are man-made (backup in drainage flow from river, etc.) and are resolved in the future, property owner could return to appeals board. Also discussed possibility of water table monitoring system on site and managed for 1-2 years, it would need to be extensive with sand as a media to ensure proper monitoring of water level. Even if monitoring system installed, the Health Department is not likely to approve future development of the land based on soils and water table.

**Appeal Board Decision:** James McGovern motion to not approve proposal, second by Dr. Gleiber. Unanimous decision to not approve the proposal.

**12:15 pm Meeting Adjourned**

Minutes Submitted by: S. Bowie 2/13/20