



September 16, 2026

Planning Commission
Lodi Township
3755 Pleasant Lake Road
Ann Arbor, Michigan 48103

Attention: Cindy Strader, Planning Commission Chair

Subject: Private Community Wastewater Systems

Dear Ms. Strader,

During the September 2nd Township Board Meeting, the Township Board recommended the Planning Commission review an amendment to the regulation of Private Community Wastewater Systems in the Zoning Ordinance. The request was made to mitigate confusion stemming from a recent application by Scott Kovanda of Frontier Club, LLC, to develop 13 parcels totaling approximately 334 acres to serve a golf course.

Although we do not recommend consideration of zoning ordinance amendments to address the needs of an individual application, this issue is likely to arise for future development proposals as well. For this reason, the Planning Commission may wish to evaluate these provisions to determine whether amendments may be appropriate to better address future development while maintaining the intent of the ordinance.

Overview

The Zoning Ordinance includes provisions that prohibit Private Community Wastewater Systems. However, the definition and description of Private Community Wastewater Systems in the Lodi Township Zoning Ordinance are different from the statutory definitions included in the Natural Resources and Environmental Protection Act (PA 451 of 1994) and may be determined to be overly restrictive.

In Lodi's Zoning Ordinance, Private Community Wastewater Systems are defined as "A facility for the transportation, collection, processing or treatment of sanitary sewage which is owned by a non-governmental entity and which is proposed to service more than one structure..." To avoid the installation of a prohibited Private Community Wastewater System, under the current Zoning Ordinance, a site with multiple structures would be required to install a separate sanitary treatment system for each structure, even when the site is operated and maintained by a single entity.

In contrast, PA 451 of 1994, Sec. 3109 defines an "on-site wastewater treatment system" as "a system of components, other than a sewerage system as defined in section 4101, used to collect and treat sanitary sewage or domestic equivalent wastewater from 1 or more dwellings, buildings, or structures and discharge the resulting effluent to a soil dispersal system on property owned by or under the control of the same individual or entity that owns or controls the dwellings, buildings, or structures."

While community wastewater systems fall under Part 41 of the Natural Resources and Environmental Protection Act, requiring approval by EGLE, on-site wastewater systems servicing more than one building under single ownership may be permitted by the Washtenaw County Environmental Health Department when the proposed system has the capacity to handle the combined wastewater flow from all buildings.



Washtenaw County's community sewage regulations also identify systems that are operated by more than one dwelling or establishment under separate ownership as "Privately Owned Community Sewage Systems" (POCCS), recognizing that separate ownership is a component of a community system. In contrast, Lodi's regulations consider anything serving multiple structures (regardless of ownership) to be part of a community system.

Based upon the statutory distinction between on-site and community wastewater treatment systems, the Planning Commission may wish to consider whether the local definition and regulation, which does not consider ownership, may unnecessarily restrict developments in which multiple buildings are served by a common on-site wastewater treatment system under single ownership.

Proposed Language

The language below seeks to modify current regulations to permit wastewater systems under single ownership when shared between multiple structures.

Section 2.03 Definitions

Private Community Wastewater System (PCWS). A ~~facility~~ wastewater system owned by a non-governmental entity that provides for the transportation, collection, processing or treatment of sanitary sewage ~~which is owned by a non-governmental entity and which is proposed to service~~ generated by more than one ~~structure-zoning~~ lot. The PCWS shall be deemed to include any individual septic tanks, pumps, lines and appurtenances serving ~~each individual buildings or lots~~ residencee, in addition to the community drainfield and treatment system.

Section 55.10 Sanitary Sewage Facilities

A. General Standards.

1. No device for the collection, treatment and/or disposal of sewer wastes shall be installed or used without the approval of the County Environmental Health Division.
2. Each dwelling, lot or structure required by state or county law, ordinance or regulation to have a sanitary sewage facility to be suitable for occupancy by any use ~~permitted~~ allowed under this Zoning Ordinance shall be subject to the following:
 - a. If no municipal sewer is available, each ~~building on the~~ lot shall be served by an independent on-site septic system meeting the requirements of the County Environmental Health Division. ~~No more than one (1) single- or two-family dwelling shall be served by an independent on-site septic system.~~
 - b. The on-site septic system shall not be separated from the dwelling, lot or structure by a public or private road.
3. Sanitary facilities installed within a detached accessory structure shall be limited exclusively to a toilet and/or a sink, provided that:
 - a. The structure shall not be used as an accessory dwelling or for any type of residential living space; and
 - b. Such facilities may be connected to the same on-site septic system as the principal dwelling on the same lot, subject to approval from the County Environmental Health Division and Lodi Township. This provision does not preclude use of a separate septic system or connection to a municipal sanitary sewer system in accordance with applicable Township and outside agency standards and required permits.
4. (No changes proposed)
5. (No changes proposed)



We would be happy to answer any questions regarding the proposed language.

Sincerely,
OHM Advisors

A handwritten signature in black ink, appearing to read "Hannah Firlit".

Hannah Firlit
Senior Planner

A handwritten signature in black ink, appearing to read "Julia Upfal".

Julia Upfal
Client Representative

cc: Jacob Schiabe, Township Supervisor
Christina Smith, Township Clerk
Marcus McNamara, OHM Advisors
MC Moritz; OHM Advisors