

November 16, 2015

Sara Roediger
Department of Planning and
Economic Development
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309-3033

**Subject: File No. 15-014 Woodland Park;
Wetland Use Permit Review #3;
Plans received by the City of Rochester Hills on
November 11, 2015**

Applicant: Pulte Land Company, LLC

Dear Ms. Roediger:

The above referenced project proposes to construct 43 residential units on five parcels totaling approximately 22.25 acres of land. The site is located in the southwest quadrant of the intersection of Hamlin Road and Livernois Road. The subject site includes wetland regulated by the City of Rochester Hills and likely the Michigan Department of Environmental Quality (DEQ).

ASTI has reviewed the site plans received by the City on November 11, 2015 (Current Plans) for conformance to the Wetland and Watercourse Protection Ordinance and the Natural Features Setback Ordinance and offers the following comments for your consideration.

COMMENTS

1. **Applicability of Chapter (§126-500).** The Wetland and Watercourse Protection Ordinance is applicable to the subject site because the subject site is not included within a site plan which has received final approval, or a preliminary subdivision plat which received approval prior to January 17, 1990, which approval remains in effect and in good standing and the proposed activity has not been previously authorized.
2. **Wetland and Watercourse Determinations (§126-531).** This Section lists specific requirements for completion of a Wetland and Watercourse Boundary Determination.
 - a. This review has been undertaken in the context of a Wetland and Watercourse

Boundary Determination completed on the site by ASTI on June 2, 2015 and September 14, 2015. The Current Plans show the delineated wetland on-site to ASTI's satisfaction.

3. **Use Permit Required (§126-561).** This Section establishes general parameters for activity requiring permits, as well as limitations on nonconforming activity. This review of the Current Plans has been undertaken in the context of those general parameters, as well as the specific requirements listed below.
 - a. A sheet depicting wetland/watercourse impacts in square feet is included in the current plans as Sheet 12. All permanent wetland impacts are stated and depicted on the current plans to ASTI's satisfaction.
 - b. The Current Plans show that approximately 1,680 square feet of permanent impacts will result to the wetland in the northwestern portion of the site (Wetland A) from the construction of a portion of the proposed Logan Drive and associated utilities and from the construction of the northern portion of Lot 40. Wetland A is of medium to low ecological quality and the proposed impacts are minor. Therefore, ASTI recommends the City allow for a Wetland Use Permit for the impacts proposed to Wetland A in this area.
 - c. The Current Plans show that approximately 9,458 square feet of permanent impacts will result to the northern portion of the wetland in the southwestern portion of the site (Wetland B) from the construction of a portion of the proposed Conrad Drive and associated utilities and from the construction of the southeastern portion of Lot 39. Constructing the proposed road and utilities at the narrowest portion of the wetland in this area appears to be the alternative that will minimize wetland impacts in this area. Moreover, it is ASTI's opinion that the portion of Wetland A that will be impacted by the construction of Lot 39 would be hydrologically isolated by the construction of the road and may fail to persist. Therefore, the construction of Lot 39 as shown is acceptable and ASTI is satisfied with the depiction of these impacts. Based on ASTI's site inspection on September 14, 2015, this portion of Wetland B to be impacted is of medium quality. Therefore, ASTI recommends the City allow for a Wetland Use Permit for the impacts proposed to Wetland B under the conditions stated above.

To ensure no further impacts occur to Wetland B as a result of development in this area, ASTI recommended a retaining wall be constructed along the southern edge of the proposed curb line of the road, which would minimize any unplanned impacts to Wetland B in this area. As determined by ASTI's site inspection on June 2, 2015, the remaining portion of Wetland B is a high quality wetland and warrants this protective measure. The Current Plans now show an 18 inch high wall comprised of 12-18 inch natural stone in this area. This is to ASTI's satisfaction.

- d. The Current Plans show that approximately 1,045 square feet of permanent impacts will result to the eastern portion of Wetland B from the construction of a portion of the southwest portion of Lot 38 and the northwest portion of Lot 37. As determined by ASTI's site inspection on June 2, 2015, Wetland B is a high quality wetland in totality. However, based on ASTI's site inspection on September 14, 2015, this portion of Wetland B to be impacted is of medium quality. To ensure no further impacts occur to Wetland B as a result of development in this area, ASTI recommended a retaining wall, fieldstone wall, or some other City-approved permanent structure be constructed along the western boundary of Lot 38 and Lot 39 in the area of proposed wetland impact, which would minimize any unplanned impacts to Wetland B in this area. The Current Plans now show an 18 inch high wall comprised of 12-18 inch natural stone in this area. This is to ASTI's satisfaction. Therefore, ASTI recommends the City allow for a Wetland Use Permit for the impacts proposed to Wetland B under the conditions stated above.
- e. The Current Plans show that 1,200 square feet of temporary impacts to Wetland A and temporary impacts to the watercourse that flows through Wetland A will result from the placement of two proposed culverts.

This proposed action qualifies for an exception to the Wetland Use Permit provided that: (1) a prior written notice is given to the City Engineer and written consent is obtained from the City Mayor prior to work commencing; (2) the work is conducted using best management practices (BMPs) to ensure flow and circulation patterns and chemical and biological characteristics of wetlands are not impacted; and (3) such that all impacts to the aquatic environment are minimized. The Current Plans also note that BMPs will be implemented during the construction phase of the proposed project and that any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City-approved wetland seed mix, where possible. This is to ASTI's satisfaction.

This action will also require a Part 301 permit from the DEQ, which must be obtained and submitted to the City for review. This is noted on the Current Plans to ASTI's satisfaction.

- f. The Current Plans show that approximately 750 square feet the eastern portion of Wetland B will be temporarily impacted from the construction of a storm sewer that empties into the proposed Detention Basin A.

This proposed action qualifies for an exception to the Wetland Use Permit provided that: (1) a prior written notice is given to the City Engineer and written consent is obtained from the City Mayor prior to work commencing; (2) the work is conducted using best management practices (BMPs) to ensure flow and circulation patterns and

chemical and biological characteristics of wetlands are not impacted; and (3) such that all impacts to the aquatic environment are minimized. The Current Plans also note that BMPs will be implemented during the construction phase of the proposed project and that any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City-approved wetland seed mix, where possible. This is to ASTI's satisfaction.

4. **Use Permit Approval Criteria (§126-565).** This Section lists criteria that shall govern the approval or denial of an application for a Wetland Use Permit. The following items must be addressed on a revised and dated Wetland Use Permit application and additional documentation submitted for further review:
 - a. A DEQ Part 303 and Part 301 Permit and a Wetland Use Permit from the City are required for this project as proposed on the Current Plans. Once a permit is obtained from the DEQ by the applicant, it must be submitted to the City for review.

5. **Natural Features Setback (§21.23).** This Section establishes the general requirements for Natural Features Setbacks and the review criteria for setback reductions and modifications.
 - a. The current plans now show all impacts to Natural Features Setback areas in linear feet. This is to ASTI's satisfaction.

 - b. The Current Plans indicate that approximately 120 linear feet of Natural Features Setback will be permanently impacted from the construction of the proposed Logan Drive and associated utilities west of Lot 41. This is shown on the Current Plans to ASTI's satisfaction. The Natural Features Setback in this area is of poor quality and ASTI recommends the City allow a Natural Features modification in this area.

 - c. The Current Plans indicate that approximately 220 linear feet of Natural Features Setback will be permanently impacted from the construction of the northern portion of Lot 40. These impacts are shown on the Current Plans to ASTI's satisfaction. ASTI recommends the City allow a Natural Features modification in this area. Additionally, the Current Plans now show an 18 inch high wall comprised of 12-18 inch natural stone in this area, which is also to ASTI's satisfaction.

 - d. The Current Plans indicate that approximately 400 feet of Natural Features Setback will be permanently impacted from the construction of the proposed Conrad Drive and associated utilities and from the construction of the the southeastern portion of Lot 39. The Natural Features Setback in this area is of medium to low quality and ASTI recommends the City allow a Natural Features modification in this area. These impacts are shown on the Current Plans to ASTI's satisfaction.

- e. The Current Plans indicate that approximately 175 linear feet of Natural Features Setback will be permanently impacted from the construction of the southwest portion of Lot 38 and the northwest portion of Lot 37. The Natural Features Setback in this area is of medium- to low-quality and ASTI recommends the City allow a Natural Features modification in this area. These impacts are shown on the Current Plans to ASTI's satisfaction.
- f. The Current Plans show that approximately 50 linear feet of Natural Features Setback will be temporarily impacted from the construction of a storm sewer north of the proposed Detention Basin A.

This action would qualify for an exception to the Natural Features Setback ordinance provided that: (1) a prior written notice is given to the City Engineer and written consent is obtained from the City Mayor prior to work commencing; (2) the work is conducted using best management practices (BMPs) to ensure flow and circulation patterns and chemical and biological characteristics of wetlands are not impacted; and (3) such that all impacts to the aquatic environment are minimized. These impacts are shown on the Current Plans to ASTI's satisfaction.

RECOMMENDATION

ASTI recommends the City approve the Current Plans.

Respectfully submitted,

ASTI ENVIRONMENTAL



Kyle Hottinger
Wetland Ecologist



Dianne Martin
Director, Resource Assessment & Mgmt.
Professional Wetland Scientist #1313