

August 10, 2020

Ms. Kristen Kapelanski  
Department of Planning and  
Economic Development  
**City of Rochester Hills**  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309-3033

**Subject: File No. 20-009, Rochester Hills Surgery Center;  
Wetland Use Permit Review #3;  
Plans received by the City of Rochester Hills on  
July 24, 2020  
ASTI File No. 11482-6**

**Applicant: The Alan Group Constructors, LLC**

Dear Ms. Kapelanski:

The above referenced project proposes to construct a commercial building on approximately 6.7 acres of land located along South Boulevard, east of John R Road, and west of Dequindre Road.

ASTI has reviewed the site plans received by the City on July 24, 2020 (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 12, 2019.

One wetland, Wetland A, was identified on the property. Wetland A is regulated by the City and likely the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

Wetland Assessment

One wetland was observed on the property; its quality assessment is as follows:

Wetland A

Wetland A, an emergent wetland, exhibited an herbaceous layer dominated by the invasive species reed canary grass (*Phalaris arundinacea*) and the native species of southern blue flag (*Iris versicolor*) with reed canary grass comprising approximately 70% of the vegetation within Wetland A. The shrub layer within Wetland A was sparse and was dominated by the invasive species of glossy buckthorn (*Frangula alnus*) and the native species of gray dogwood (*Cornus racemosa*) and sand bar willow (*Salix interior*), generally in equal distribution. Overall, vegetation within Wetland A was dominated by invasive species (approximately 70%), with significant native species inclusions (approximately 30%). Soils within Wetland A were comprised of mucky sand and fine sands appeared to be in a natural state.

Observations of primary wetland hydrology indicators, such as surface water and water stained leaves, were observed throughout Wetland A. These hydrological indicators suggest Wetland A detains small amounts of seasonal localized surface water runoff, as observed on the day of ASTI's wetland delineation. Wetland A extends off-site and is directly connected to the Gibson Drain approximately 900 feet to the west. The Gibson Drain was flowing on the day of the site inspection. This watercourse appears to be a surface water drainage component and does not appear to be in direct contact with groundwater.

Wetland A is a relic portion of a former agricultural drainage system (the Van Maele Drain). When M-59 to the north was constructed in the 1970s, its drainage system divided the Van Maele Drain, leaving the portion currently on the property to the south and off-site to the west. Since M-59 was built, the Van Maele Drain on the property has generally functioned as overflow storage and drainage conduit for the M-59 drainage system. During the most recent site inspection on this property completed in June 2019, ASTI observed the Wetland A/Van Maele as being approximately 75-100% vegetated (mainly with iris and reed canary grass), which indicates a lack of regular water flow normally associated with watercourses. ASTI did observe small areas of open water, but

these areas were stagnant and did not appear to flow regularly. Based on these observations, ASTI concluded that no watercourses were present on the property.

Wetland A is small on-site but extends off-site to the west along with other upland areas. However, it is in close proximity to M-59 to the north and South Boulevard to the south. Thus, it does not likely provide significant wildlife habitat due to consistent noise from M-59 and South Boulevard, which can discourage some wildlife from utilizing the property. Consequently, Wetland A likely supports only small wildlife and birds common to suburban backyards and urban areas. Based on these factors, it is ASTI's opinion that Wetland A is of low ecological quality but is part of an important storm water drainage and detention system of the City, and thus, should be considered a semi-valuable natural resource to the City.

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. On-site wetland appears to be shown accurately on the Current Plans. The Current Plans also show all alpha-numeric wetland flagging as applied in the field by ASTI in June 2019. The applicant is advised that wetland delineations are only considered valid by the City and EGLE for a period of three years past the completion date.
  - b. The Current Plans indicate the entirety of Wetland A will be permanently impacted as a result of the project. Previous plans did not indicate any wetland impacts in square feet. The Current Plans now show 14,375 square feet of permanent wetland impacts, which is to ASTI's satisfaction. Wetland A is of low vegetative quality and function and ASTI recommends the City permit these impacts.
  - c. The Current Plans show a proposed drainage ditch in the west-central and northern portions of the property. This feature, called a "Relocated Ditch," is proposed at the same general elevations as Wetland A and will allow for adequate drainage and hydrological communication between the property and the M-59 drainage system to the north and the Gibson Drain to the west. This is to ASTI's satisfaction. ASTI recommends the relocated ditch be seeded with a City-approved wetland seed mix to allow for native plant propagation within the relocated ditch and reduce the potential for unplanned adverse erosion impacts, on- and off-site. This is noted on the Current Plans.

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 documentation shall be submitted for further review:
  - a. As proposed, the Current Plans require a City Wetland Use Permit and likely an EGLE Part 303 permit. Once obtained, the appropriate EGLE permit must be submitted to the City for review prior to any construction.
  
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 show all on-site Natural Features Setback areas named as such and show all impacts to these areas in linear feet, which is to ASTI's satisfaction.
  
  - b. The quality assessment of the on-site Natural Features Setback area is as follows:

The Natural Features Setback north of Wetland A was comprised of upland scrub/shrub dominated by the common native woody species of box elder (*Acer negundo*), staghorn sumac (*Rhus typhina*), and green ash (*Fraxinus pennsylvanica*), and the non-native species of Tartarian honeysuckle (*Lonicera tatarica*) and multiflora rose (*Rosa multiflora*). The tree canopy layer was sparse and was estimated at approximately 20%; native to non-native composition was generally equal. The shrub layer was thick and was estimated at 75% coverage. Soils were comprised of sandy loams and appeared in a natural state. Similar to Wetland A, the Natural Features Setback here provides habitat for small urban wildlife but does not offer significant wildlife habitat. The Natural Features Setback in this area provides basic buffering functions to Wetland A such as soil stabilization, erosion control, and sporadic shading for Wetland A but does not perform any significant buffering functions. The Natural Features Setback north of Wetland A is of low vegetative quality and function and should not be considered a valuable natural resource to the City.
  
  - c. The Natural Features Setback area south of Wetland A was comprised of a mowed lawn area that is apparently maintained at least semi-regularly. This area was dominated by the adventive species of Kentucky blue grass (*Poa pratensis*) and alsike clover (*Trifolium hybridum*). The Natural Features

Setback in this area also exhibited four large and scattered native white oak trees (*Quercus alba*). The estimated tree canopy in this area was estimated to be 40%. The Natural Features Setback south of Wetland A, similar to the north side of Wetland A, provides habitat for small urban wildlife, but does not offer significant wildlife habitat. Soils were comprised of sandy clay and sandy loams and appeared to be in a natural state. The Natural Features Setback in this area provides minimal shading but does provide the basic natural buffer functions of soil stabilization and erosion control. The Natural Features Setback south of Wetland A is of low vegetative quality and function and, thus, is of low quality and should not be considered a valuable natural resource to the City.

- d. The Current Plans show the entire on-site Natural Features Setback area will be permanently impacted from the construction of the proposed development. All on-site Natural Features Setback areas on-site are of low vegetative quality and function. Thus, ASTI recommends the City allow for a modification of the Natural Features Setback Ordinance for this project.

**RECOMMENDATION**

ASTI recommends the City approve the Current Plans, given that all previously requested items have now been addressed.

Respectfully submitted,

**ASTI ENVIRONMENTAL**



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