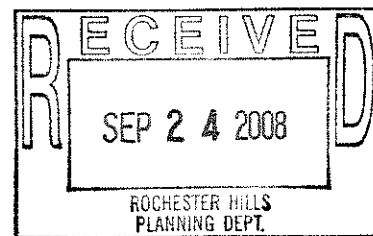


SENT VIA EMAIL ATTACHMENT AND COURIER

September 19, 2008



Mr. Derek Delacourt, Deputy Director
Department of Planning
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309-3033

Subject: City File # 08-002 Rayconnect Development; Wetland Use Permit Review #1; Site plans received by the City of Rochester Hills on September 11, 2008. ASTI File # 6348-62

Applicant: Kirco Development (on behalf of Rayconnect)

Dear Mr. Delacourt:

The above-referenced project is for development of two adjacent parcels, 15-29-452-027 and -028. The project is to construct one building comprising of a 51,800 square foot light industrial building, an adjoining 9,430 square foot office, two parking lots, loading docks, two sedimentation basins, and a fire lane on the 8.89-acre northern portion of the property. The site plan also provides a 70-foot wide right-of-way for the extension of Austin Avenue on the southern portion of the property. The site is located on the west side of Devondale Road, just west of Austin Avenue. The subject site includes wetlands regulated by the Michigan Department of Environmental Quality (DEQ) and City of Rochester Hills. A private ditch associated with the wetlands runs adjacent to the subject parcels.

ASTI has reviewed the site plans received by the City on September, 2008 (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.

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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 and the proposed activity has not previously authorized.

2. **Wetland and Watercourse Determinations (§126-531).** This Section lists specific requirements for completion of a Wetland and Watercourse Boundary Determination.
 - a. ASTI completed a Wetland Determination on June 5, 2008 in the context of those requirements and determined the subject property contains parts of two separate wetlands, Wetland X and Wetland Y. The combined portions of these wetlands contained on the property totals approximately 2.42 acres. Both Wetlands X and Y are regulated by DEQ and the City. The current plans show the Wetland Determination to ASTI's satisfaction.
 - b. Wetland X, a large (over 30 acres) emergent wetland that transitions to a scrub-shrub and forested wetland, is located east of and covers part of the eastern third of the property.
 - c. Wetland Y is smaller, located to the south of the project area, and associated with a small man-made pond. Wetland Y extends into the southern portion of the property.

3. **Use Permit Required (§126-561, §126-562).** This Section establishes general parameters for activity requiring permits, as well as limitations on nonconforming activity. This review has been undertaken in the context of those general parameters, as well as the specific requirements listed below.
 - a. Based on review of the site plan, the proposed project will require impact to regulated wetland. Therefore, a Wetland Use Permit is required from the City for the proposed activities.
 - b. Permanent direct wetland impacts will result from the construction of the approximately 61,230 square feet of industrial use in the form of two parking lots, loading docks, sedimentation basin, and a fire lane. The areas of direct impact are 0.24 acres of Wetland X and 0.04 acres of Wetland Y. These areas are shown on the current plans and impacts are stated in square feet to ASTI's satisfaction.
 - c. The impact of 0.04 acres is for construction of a detention/sedimentation basin. It is located in low-quality wetland, but it will improve water quality to be discharged to Wetland Y. The

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impacted area is identified and the requirement to obtain an MDEQ permit is shown to ASTI's satisfaction.

- d. The City has received a wetland permit (DEQ File No. 08-63-63-0139-P) to extend Austin Avenue from its current terminus, across a private ditch located offsite near the southeastern corner of the property, and extend westward north of the southern property line to its terminus with Devondale Road. This road entails 0.13 acres of impact to Wetland Y, and it is shown on the current plans. The impacted area is identified and the requirement to obtain an MDEQ permit by the City is shown to ASTI's satisfaction. The plans show 0.13-acres of wetland impacted by the new road construction. The plans are consistent with the City's permit application.
- e. The required vehicle parking area on the east side of the site requires impact of 0.24 acres of wetland. The applicant has reduced potential wetland impact by incorporating a retaining wall (instead of sloped earthen fill to wetland grade). The impacted area is identified and the requirement to obtain an MDEQ permit is shown to ASTI's satisfaction.
- f. Current plans (C-6) appear to show a discharge of storm water from new detention basins to or toward Wetland Y to the south of the property. Correspondence between ASTI and the project engineer showed that this discharge is to a proposed new connection with the storm sewer at Austin Drive. This detail was called out on site plans (C-7, revised 9/9/08) provided ASTI by the project engineer (This storm water conveyance is acceptable and shown on the newer site plans to ASTI's satisfaction, but a complete set of current plans that include this callout and any other changes needs to be submitted to the City.) → *Shown on Site Plans?*
- g. Current plans (C-6) show a proposed roof drain outlet to Wetland X adjacent to the northeast corner of the proposed industrial building. This proposed drain replaces the sheet flow of storm water to Wetland X that currently occurs. The plans submitted to the City did not include any details of the storm water outlet structure, armoring features, or any velocity reduction features. Correspondence between ASTI and the project engineer showed that this discharge point has been moved on the plans (C-7, revised 9/9/08). The roof drain discharge to Wetland X is now shown directly east of the proposed industrial building and the outlet point detailing invert elevation and proposed rip-rap is shown to ASTI's satisfaction on the new site plans (C-12, revised 9/9/08) provided ASTI by the project engineer. However, a complete set of current plans that includes these details need to be submitted to the City.
- h. The revised site plans given ASTI by the project engineer (C-7, revised 9/9/08) also show two additional storm water discharges to Wetland X along the east and southeast edge of the proposed parking areas on the property. These discharges convey water from the parking

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areas to the east and southeast of the proposed industrial building to Wetland X. This storm water was shown to discharge to a sedimentation basin to the south of the proposed industrial building on site plans submitted to the City on September 11, 2008. Revised plans show rip-rap and grating details which are further detailed on subsequent plan sheets (C-12, revised 9/9/08). While these features are shown to ASTI's satisfaction on the revised site plans provided ASTI by the project engineer, a complete set of current plans that include these details need to be submitted to the City.

4. **Application for Use Permit (§126-564).** This Section lists specific requirements for Wetland Use Permit applications. The following items must be addressed on a revised and dated Wetland Use Permit application and additional documentation submitted for review.
 - a. The City has received a wetland permit (DEQ File No. 08-63-0139-P) for the Austin Avenue extension (0.13 acres of Wetland Y impact, 0.03 acres of impact to the ditch connecting Wetlands X to Y). Thus, impacts to occur in the proposed 70-ft right-of-way have been addressed, and the current plans are satisfactory in this respect.
 - b. A separate DEQ wetland permit application for the industrial use on the property was submitted to DEQ on August 8, 2008. Once this DEQ permit is obtained it must be submitted to the City for its review.
 - c. The current plans propose to mitigate the impact to Wetland X with 0.16 acres of plantings that contain trees and a transitional seeding mix located at the southeast corner of the development and adjacent to the retaining wall. These planting will create an upland-wetland transition and ecotone on the wetland side of the proposed retaining wall and parking area. This proposed mitigation is shown to ASTI's satisfaction.

5. **Natural Features Setback (§138-1076).** This Section establishes the general requirements for Natural Features Setback and the review criteria for setback reductions and modifications. The Natural Features Setback requirements are applicable to the subject site because of existing wetlands in proximity to road and building construction plans.
 - a. Along Wetland X approximately 533 linear feet of Natural Features Setback will be permanently impacted, and 28 linear feet of Natural Features Setback will be temporarily impacted by the development. These impacts are shown to ASTI's satisfaction.
 - b. Approximately 196 linear feet of Natural Features Setback along Wetland Y will be

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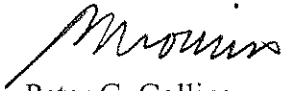
permanently impacted by construction of the detention/sedimentation basin. This impact is shown to ASTI's satisfaction.

RECOMMENDATION

We recommend that the Planning Commission approve the above referenced Wetland Use Permit application provided that the items contained in Comments 3.f, 3.g, 3.h, and 4.b are addressed.

Respectfully submitted,

ASTI ENVIRONMENTAL



Peter G. Collins
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Professional Wetland Scientist #1031
Certified Environmental Professional,
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