

August 14, 2006

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

Subject: City File No. 05-037 Lowe's of Rochester Hills;
Wetland Use Permit Review #3;
Revised site plans received by the City of Rochester Hills on
July 10, 2006

Applicant: Lowe's Home Improvement Centers

Dear Mr. Delacourt:

The above-referenced project proposes to construct a Lowe's Home Improvement Center on approximately 18 acres of land located on Rochester Road, south of Auburn Road, and north of M-59. The subject site includes two wetland areas regulated by the Michigan Department of Environmental Quality (DEQ) and the City of Rochester Hills.

ASTI has reviewed the site plans received by the City on July 10, 2006 (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 valid Wetland and Watercourse Boundary Determination/Confirmation previously completed by ASTI for the subject property as stated in the ASTI Wetland and Watercourse Boundary Determination #1 letter (ASTI letter) dated November 1, 2005. ASTI completed a Wetland and Watercourse Determination/Confirmation for the subject property on October 27, 2005. Two areas totaling approximately 0.8 acres of wetland regulated by the City and the DEQ, called Wetland A and Wetland B/C, were confirmed by ASTI to be present on the subject property.

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. All wetlands/watercourses and all impacts to them are depicted and stated in square feet on revised plans. This is to ASTI's satisfaction.

 - b. The proposed slopes in the area of the proposed paved loading area near the southeast corner of the proposed main building are sufficiently steep enough (1:3) that they must be stabilized immediately after grading activities to prevent further impacts to the Wetland B/C area down slope. ASTI recommended that rough and finished grade be completed during dry weather as quickly as possible to minimize the chances of wetland impacts by

soil erosion. ASTI also recommended that immediately following completion of finished grade, sod be placed on these slopes. This is depicted on the current plans and is to ASTI's satisfaction.

- c. The current plans depict the wetland in the southwest portion of the site labeled as Wetland A and the wetland in the southeast portion of the site labeled as Wetland B/C. This is consistent with the aforementioned ASTI letter and 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 Michigan Department of Environmental Quality (DEQ) Part 303 Permit and a Wetland Use Permit from the City are required for this project as proposed. The DEQ permit was issued on April 25, 2006 and submitted to the City for review on July 10, 2006.

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. All Natural Features Setback areas are labeled as "Natural Features Setback" and all impacts to these areas are shown and stated in lineal feet on the current plans. This is to ASTI's satisfaction.
- b. Although the proposed grading limits are depicted outside the Natural Features Setback area associated with Wetland A, they are within 5 feet of the Natural Features Setback and could be impacted by grading activities. Therefore, ASTI will consider any Natural Features Setback impacts in this area as temporary. A note stating that temporarily impacted Natural Features Setback areas must be restored to original grade with original soils or equivalent soils and seeded with a City approved seed mix, where possible, is shown on the current plans. This is to ASTI's satisfaction.
- c. All dead ash trees affected by the emerald ash borer (EAB) as well as viable ash trees that

certainly will be affected by the EAB, and that are within all Natural Features Setback areas must be cut down flush to grade (no stump removal). This is to prevent personal injury, and property and utility damage on and off-site from falling trees. A note stating this is included on the current plans. This is to ASTI's satisfaction. The Atwell-Hicks response letter to ASTI Wetland Review Letter No. 1, dated November 10, 2005, in RESPONSE 5D, stated that a note regarding the EAB and Elm trees was included on the current plans. ASTI will assume that the note was a misprint and should say ash trees (Fraxinus spp.). This has been corrected in the current plans to ASTI's satisfaction.

6. Additional Comments.

a. Detention Pond Storage.

- i) At the south edge of the detention pond, discharge is shown on Sheet SP-24 at an elevation below the 727 foot contour. Since the 726 foot contour runs onto the neighboring residential development to the immediate east, there seems to be potential for stormwater discharge to this area. No grading is shown to direct this discharge on a straight path to the McIntyre Drain. This potential for run-on at adjacent properties needs to be addressed.
- ii) The outlet of the emergency overflow pipes should also be armored to prevent/reduce erosion.
- iii) The plans need to clearly detail that no net change in surface water supply to the wetlands to the south of the property will result from the detention basin as currently shown.

All of these items should be addressed in the City's review of the Construction Plans for this project.

b. VOC Contamination.

The current plans show on Sheet SP-02 that proposed gas and stormwater utilities installation activities will cut through an area depicted as a zone of VOC contamination. The vertical extent of the VOC contamination, as well as the vertical extent of the aforementioned utilities, are not called out on the current plans. Review of the applicable

Mr. Derek Delacourt/City of Rochester Hills
City File 05-037 Lowe's of Rochester Hills, Wetland Use Permit Review #3
August 14, 2006 - Page 5

Phase II Investigation/Due Care Plan should be completed by the City, if necessary, in its review of the Construction Plans to be sure there are no exposure risks to construction workers or City inspectors.

- c. Tank for fuel storage, Generator Installation.
The location of the proposed tank is now called out on the current plans to ASTI's satisfaction.

RECOMMENDATION


We recommend that the City approve the site plans for the above referenced project.

Respectfully submitted,

ASTI ENVIRONMENTAL



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