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September 5, 2023

Chris McLeod, Planning Manager  
Department of Planning and  
Economic Development  
**City of Rochester Hills**  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309-3033

**Subject: 1575 E. Hamlin Road Development  
Sidwell No. 70-15-24-401-006  
Wetland Use Permit Review #3;  
Site Plans dated August 15, 2023  
ASTI File No. 11482-58**

**Applicant: CDK Development**

Dear Mr. McLeod:

The above-referenced project proposes to construct one public storage building on 2.32 acres of land located at 1575 E. Hamlin Road. The subject site includes wetland regulated by the City of Rochester Hills and likely regulated by the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

ASTI has reviewed the site plans received by the City, dated August 15, 2023 (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. The Current Plans indicate that a wetland delineation was completed for the site by Barr Engineering on April 27, 2023. ASTI inspected the property on June 23, 2023 and agrees with the boundary flagging in the field and as shown on the Current Plans; all alpha-numeric flagging locations are also shown on the Current Plans to ASTI's satisfaction. Wetland A, the on-site wetland, is a portion of an off-site wetland to the west. Through review of aerial photography and limited off-site inspection, ASTI determined that the entire Wetland A complex is regulated by the City and likely EGLE because it is within 500 feet of an area of open water to the north that exhibits a permanent open water area greater than one acre in size but less than five acres in size and, thus, meets the definition of a pond under Part 303.
- b. Wetland Quality Assessment  
One wetland was observed on the property (Wetland A); its quality assessment is as follows:

Wetland A

Wetland A is a young scrub/shrub wetland located in the northwest portion of the property. The tree layer of Wetland A was sparse and was dominated by the common native species of cottonwood (*Populus deltoides*) and the non-native species of crack willow (*Salix fragilis*); scattered native tree species such as silver maple (*Acer saccharinum*), black willow (*Salix nigra*), and American elm (*Ulmus americana*) were also observed. The tree layer was young and estimated to be approximately 10-15 years in age, and the canopy coverage was approximately 40%.

The shrub layer of Wetland A was dominated (approximately 90%) by the non-native species of glossy buckthorn (*Frangula alnus*). Scattered American elm saplings were also observed. The shrub layer throughout Wetland A was dense.

The herbaceous layer coverage of Wetland A was also dense and was dominated by the non-native species of Phragmites (*Phragmites australis*). Scattered common native species observed included poison ivy (*Toxicodendron radicans*). Overall, vegetation within Wetland A was dominated by non-native species (95%) with minor native species inclusions (5%). Soils within Wetland A were comprised of sandy loams and sandy clay loams and appeared to be in a natural state.

Observations of primary wetland hydrology indicators within Wetland A were sparsely vegetated concave surfaces, oxidized rhizospheres on living roots, and water-stained leaves. Based on review of historical aerial photography and on-site observations, the open water portion of Wetland A off-site could be an expression of groundwater, since it has been persistent since at least 1974 and appears to be the result of historic aggregate material extraction below the water table; however, no surface water was encountered within the on-site portion of Wetland A on the day of the site inspection.

Wetland A is not within any floodplain and, thus, does not appear to have flood storage function. Wetland A is small (estimated to be 0.5 total acres) but is contiguous to the water body to the north and, thus, warrants regulation from the City. Based on review of historical aerial photography, Wetland A is not connected to any other wetlands lakes or streams and is surrounded by commercial and light industrial land use. As a result, Wetland A likely only supports transient faunal usage by small wildlife and birds but does likely provide limited aquatic habitat for small fish and amphibians off-site.

It is ASTI's opinion that Wetland A is small and of low vegetative quality. However, it does appear to be in contact with the local groundwater aquifer and, thus, should be considered a semi-valuable natural resource by 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. Based on the Current Plans, it is assumed a Wetland Use Permit from the City is required for this project. It is likely that a Part 303 permit from EGLE will also be required. However, EGLE should be contacted to confirm this assertion.
  
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. On-site wetland boundaries are shown accurately on the Current Plans as inspected in the field by ASTI for the purposes of this review. The Current Plans also indicate the on-site wetland boundaries were flagged by Barr Engineering on April 27, 2023, which is to ASTI's satisfaction. The applicant is advised that wetland delineations are only considered valid by the City and EGLE for a period of three years.

- b. Wetland A is regulated by the City and likely EGLE because it is within 500 feet of a body of water to the north that exhibits a permanent area of open water greater than one acre, but less than five acres in size (Part 303 Pond). Wetland A is estimated to be 435 square feet (0.01 acres) in size on-site.
  - c. The Current Plans still appear to indicate that the entirety of Wetland A will be impacted by grading associated with landscaping, as shown on Sheet LS-1 and as detailed in the plan sheet note stating “Areas between wall and property line to receive lawn seeding grades. Provide positive drainage.” ASTI recommends that the on-site portion of Wetland A be left as-is and that no grading or lawn seeding take place, since this does not appear to be a vital portion of the project’s design; seeding with a City-approved seed mix would be allowed. It is still unclear to ASTI if Wetland A will actually be impacted by these grading activities. If Wetland A is not to be permanently impacted by this project, a note stating “No permanent impacts to Wetland A are proposed as part of the completion of this project” must be added to revised plans.
  - d. The Current Plans note that any un-planned, temporary impacts to Wetland A will be restored to original grades with native soils and seeded with a City-approved wetland seed mix as part of final construction restoration activities, which is to ASTI’s satisfaction.
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 labeled correctly. Furthermore, the Current Plans now show all impacts to on-site Natural Features Setback areas as calculated by the applicant, which is to ASTI’s satisfaction.
  - b. The Natural Features Setback area on-site was dominated by existing lawn area; dominant vegetation observed included Kentucky blue grass (*Poa pratensis*) and other common lawn species such as dandelion (*Taraxacum officinale*), English plantain, (*Plantago lanceolata*), and clover species (*Trifolium* spp.). Scattered trees of the species of black walnut (*Juglans nigra*) and silver maple were also observed. Honeysuckle (*Lonicera tatarica*) shrubs were scattered within the shrub layer. The on-site Natural Features Setback area on-site is dominated by non-native adventive species (approximately 85% total coverage) and, therefore, low in ecological quality and function and do not provide any remarkable buffer to Wetland A.

- c. The Current Plans show that the entirety of the on-site Natural Features Setback on-site (147 linear feet) will be impacted from activities associated with landscaping as detailed on Sheet LS-1 and as referred to above in Comment 4.c. Because the Natural Features Setback on-site is of low quality and function, ASTI recommends the City allow for these impacts under the condition that only native Michigan species be seeded and planted within the on-site Natural Features Setback; this is noted on the Current Plans to ASTI's satisfaction.

**RECOMMENDATION**

ASTI recommends the City approve the Current Plans on the condition the items in Comment 4.c are addressed and shown on final plans to be submitted to the City.

Respectfully submitted,

**ASTI ENVIRONMENTAL**



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