

January 5, 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. 15-001 Brampton Parc PUD;  
Wetland Use Permit Review #5;  
Plans received by the City of Rochester Hills on  
December 22, 2015**

**Applicant: 1459 John R LLC**

Dear Ms. Roediger:

The above referenced project proposes to construct 12 residential units on a 2.928-acre property as a Planned Unit Development (PUD). The site is located along the east side of John R Road, south of School Road, and north of Hamlin 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 December 22, 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. Please note that ASTI has not reviewed a draft PUD agreement between the applicant and the City prior to publication of this wetland review.

## **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 previously completed by the applicant's wetland consultant, which was confirmed in the field by ASTI on June 2, 2015. It is ASTI's opinion that the on-site wetland is of low-quality, both in functional value and floristic diversity. The on-site wetland is directly connected to the Honeywell Drain, which is a regulated stream under Part 301, off-site to the south, therefore making the on-site wetland regulated by the City and likely the DEQ. The Current Plans indicate the applicant's wetland consultant who completed the delineation and the corresponding completion date. This is to ASTI's satisfaction. The applicant should be advised that wetland delineations are only considered valid by the DEQ and the City for a period of three years.
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. Sheet SP 1.3 on the Current Plans show that all on-site wetlands are to be permanently impacted by the project and state that the wetland area on-site is 1,128 square feet in area. This is to ASTI's satisfaction. Additionally, because the quality of the on-site wetland is low and the area of impact is small, ASTI recommends the City allow for a Wetland Use Permit for this project.
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 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. Should the City accept the applicant's proposal to develop the subject property as a PUD, the on-site Natural Features Setback regulations can be waived by the

City at its discretion. If the City does not waive Natural Feature Setback regulations, the applicant should note that ASTI will re-evaluate any Natural Features Setback impacts at the request of the City. Approximately 675 linear feet of Natural Features Setback are proposed.

ASTI inspected the on-site Natural Features Setback areas on June 2, 2015 during the wetland delineation confirmation. All on-site Natural Features Setback areas were observed to be of low quality and function. All Natural Features Setback areas are depicted and labeled to ASTI's satisfaction on the Current Plans.

**RECOMMENDATION**

ASTI recommends the City approve the Current Plans on the condition that the City approves the applicant's PUD agreement and on the condition that the items in comment 4.a will be obtained and submitted to the City for further review.

Respectfully submitted,

**ASTI ENVIRONMENTAL**



Kyle Hottinger  
Wetland Ecologist



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