

October 8, 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. 05-008.2 The Townhomes at Maplehill;
Wetland Use Permit Review #4;
Plans received by the City of Rochester Hills on
September 30, 2015**

Applicant: Ron Jona Collaborative/Maple Hill LLC

Dear Ms. Roediger:

The above referenced project proposes to construct 5 residential condominium units on a 3.544-acre property. The site is located at the terminus of Maplehill Road, west of Orion Road, north of Tienken Road. The subject site includes wetlands 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 September 30, 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.

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 for the property, which was confirmed in the field by ASTI on May 16, 2014. The Current Plans show that the area was re-delineated on April 16, 2015 by the applicant's wetland consultant, Nowak Fraus Engineers. ASTI agrees with the depiction of the on-site wetlands on the Current Plans.
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. No impacts to the City- and DEQ –regulated wetland on-site are proposed 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 items must be addressed on a revised and dated Wetland Use Permit application and additional documentation submitted for further review:
 - a. A Wetland Use Permit from the City and a DEQ Part 303 Permit are not required for this project as proposed.
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 required to be shown and labeled as "Natural Features Setback" and all impacts to any areas of Natural Features Setback must be depicted and stated in lineal feet on revised plans. ASTI agrees with the depiction of the Natural Features Setback on the Current Plans and all areas of Natural Features Setback are labeled to ASTI's satisfaction on the Current Plans.
 - b. The Current plans show 105 linear feet of Natural Features Setback will be impacted by the construction of a section of storm water pipe and associated rip-rap spillway near the west end of the on-site wetland. *However, the Current Plans show this impact in square feet. Revised pans should indicate any Natural Features Setback impacts in lineal feet.*

This proposed action would qualify for an exception to the Natural Features Setback provided that: (1) a prior written notice is given to the City Engineer and written consent is obtained from the City Mayor prior to work commencing; (2) the work is conducted using best management practices (BMPs) to ensure flow and circulation patterns and chemical and biological characteristics of wetlands are not impacted; and (3) such that all impacts to the aquatic environment are minimized. These conditions are noted on the Current Plans to ASTI's satisfaction.

Any areas of temporary Natural Features Setback impacts in this area must be restored to original grade with original soils or equivalent soils and seeded with a City approved seed mix, where possible. This is noted on the Current Plans to ASTI's satisfaction.

RECOMMENDATION

ASTI recommends the City approve the above referenced project on the condition that the items contained in Comment 5.b are addressed on revised plans.

Respectfully submitted,

ASTI ENVIRONMENTAL



Kyle Hottinger
Wetland Ecologist



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Professional Wetland Scientist #1313