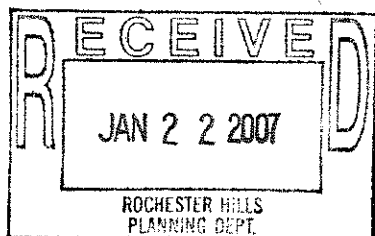

CITY OF ROCHESTER HILLS

Planning and
Development



DATE: January 21, 2007

TO: Ed Anzek, Director
Planning and Development

RE: Saddlebrook Orchards
Affect of Ash Trees on
Tree Conservation Ordinance
City File #99-031

FROM: Carla J. Dinkins
Landscape Architect
Planning & Development

In 2003, prior to learning the full effect of the Emerald Ash Borer infestation, Ash trees were counted in the Tree Conservation Ordinance (TCO) calculations the same as any other species of tree. Unfortunately, we learned all too soon that Ash trees in southeastern Michigan were quickly dying and all were doomed to a rather rapid demise. Hence, for the last couple of years, Ash trees have been removed totally from the TCO calculations. The Ash trees were no longer counted as trees suitable for preservation, nor were Developers required to replace Ash trees that were removed as part of their development.

For the majority of the projects going through the submittal, review and approval process the decision to eliminate the Ash trees from the TCO calculations was not a problem. Actually, many Developers were requesting their elimination because they thought it was unfair to be required to replace trees that were going to die anyway due to a condition over which they did not have any control.

However, the Saddlebrook Orchards development, submittal and approval process has taken much longer than typical and hence spans the time period from before we knew we had a problem through the demise of nearly all the Ash trees. Hence, the Saddlebrook Orchards development no longer meets the 37% tree preservation requirement of the TCO. To meet the 37% requirement 77 trees would need to be preserved. The current plan has 70 trees, 7 short of the requirement.

The Developer of this development has incorporated significant common open space for the purpose of tree preservation. Currently, the plan proposed by the Developer is providing 33,052 square feet of common open space divided among 4 areas. The majority of the 70 trees being preserved are located within the limits of these 4 areas and the remainder of the trees are located within the limits of several of the individual lots. For a small development of only 10 lots this is a significant amount of common open space.

Prior to this submittal the Developer's plans either met or slightly exceeded the 37% preservation requirement of the TCO. It is now due to the uncontrollable demise of the Ash trees that he no longer meets the requirement of the TCO by a total of 7 trees.

Hence, I can understand the frustration this developer is experiencing trying to meet the TCO. While saving an additional 7 trees does not seem like it should be difficult, the current plans are saving all the trees in the 4 open space areas and all the trees within the limits of the lots that are outside of the building envelopes. The remainder of the trees on the site are located within the limits of the roadways or the utility easements. In order to save 7 additional trees it would most likely require that an additional lot be converted to open space. Based on the current ratio of open space to number of lots this could significantly affect the viability of this development, hence the Developer may very well decide to request a variance for the 7 tree shortage.