MEMORANDUM



D: MEMBERS OF THE PLANNING COMMISSION
ROM: CHRISTIAN CARROLL, PLANNER
UBJECT: CASA LOMA, UNIT 4 WOODLAND PERMIT
ATE: AUGUST 7, 2020

The applicant, Compo Builders Inc., seeks approval of a Woodland Use Permit, PSP20-0052, to remove regulated woodland trees ranging in size from 8 to 28 inches DBH from a unit located at 47685 Casa Loma Court, also known as Unit 4, Casa Loma Subdivision. The subdivision is located north of Eight Mile Road and west of Beck Road in Section 32 of the City and the unit in question is currently in for building permits for a new residence. The applicant's plans show the removal of twenty-six woodland trees in order to provide space to construct a single family residential structure. This memo notes that 20 woodland trees are located within the building area shown on the overall development plan and six woodland trees are outside of the building area, but within areas of the unit that need to be graded to allow for the future construction of the proposed home and swimming pool.

The City's Environmental Consultant reviewed the request and prepared a review letter dated July 27, 2020. Two inspections of the residential lot were conducted (on June 26 and July 27) to compare information prepared by the applicant's engineer with the field conditions. Existing woodland remains on the southern edge of the property, but the inspections revealed that the north part of the lot had already been cleared of the woodlands.

The Planning Commission reviewed the plans for Casa Loma subdivision in 2005 and granted a Woodland Use Permit, which included the preservation of large portions of existing woodlands in the open space, and in some instances, on individual condominium units in that subdivision, that would be addressed as building permits were requested for the individual units.

Section 37-26 of the Woodland Ordinance states the following (relevant areas underlined):

- (b) Where a final subdivision plat or a final site development plan which includes activities regulated by this chapter has been reviewed and approved by the city in conformance with the requirements of this chapter, such approval together with any additional terms and conditions attached thereto shall be considered to have completed the requirements for a permit under this chapter which shall then be issued by the city.
- (c) Unless the requirements of this chapter can be satisfied by the setting aside without encroachment of sufficient woodland areas, <u>the developer of a single-family residential subdivision plat or single-family residential site condominium</u> shall, as a part of use permit approval under this article, designate building areas for all structures and impervious surfaces on each subdivision lot or site condominium unit. Once such building areas have been approved and made a part of the use permit, no additional woodland use permit shall be required for the erection of structures within such a building area. Activities on a subdivision lot or site condominium unit that extend beyond the confines of such a designated

building or impervious area shall require an additional approval pursuant to this chapter, which shall only be approved when it is not otherwise feasible to utilize the lot or site condominium unit for single-family residential purposes.

The approved plans for the Casa Loma subdivision included "building areas" identified for each unit, generally a rectangular area showing the required minimum building setback for the future placement of a home on each unit. Staff has done an analysis of the trees recently removed from Unit 4, and found that 20 trees were within the identified building area, and six trees have been removed outside of the building area as initially shown. <u>Staff finds that the Planning Commission should consider the removal of those six trees as authorized in the subject Woodland Permit, and the remaining trees may be approved administratively. The applicant's plot plans indicate that those areas outside of the previously identified building area, are proposed to be graded in order to allow the construction of the home and swimming pool on that unit.</u>

Staff provides a <u>favorable recommendation to the Planning Commission for a Woodland Permit to</u> <u>authorize the removal of the six trees outside of the initial building area</u>. The applicant shall be responsible for payment into the tree fund (or planting of such replacements on site) for the removal of all twenty-six regulated trees, in an amount totaling forty-seven woodland replacement credits as a condition of the permit.

The Planning Commission is asked to hold the public hearing and either approve or deny the requested woodland removal permit. If the Planning Commission decides to grant approval of the permit, it shall be subject to payment for the required 47 tree credits to be placed into the City's Tree Fund (or the planting of the replacement trees on the property, or a combination of planting and contribution to the tree fund as determined during final Plot Plan Review), and other conditions and items noted in the consultant's review letter.



PSP20-0052 CASA LOMA, UNIT 4 WOODLAND PERMIT LOCATION





LEGEND Subject Property



City of Novi

Dept. of Community Development City Hall / Civic Center 45175 W Ten Mile Rd Novi, MI 48375 cityofnovi.org

Map Author: Christian Carroll Date: 8/5/20 Project: CASA LOMA UNIT 4 Version #: 1 240

160 1 inch = 199 feet

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MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for Nap information depicted is not interfield to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1070 an apparted. Descent the Unit 2000 Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.





PSP20-0052 CASA LOMA, UNIT 4 WOODLAND PERMIT NATURAL FEATURES





City of Novi

Dept. of Community Development City Hall / Civic Center 45175 W Ten Mile Rd Novi, MI 48375 cityofnovi.org

Map Author: Christian Carroll Date: 8/5/20 Project: CASA LOMA UNIT 4 Version #: 1 Feet 0 40 80 160 240

1 inch = 199 feet



MAP INTERPRETATION NOTICE

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CONSULTANT REVIEW

memo



- TO: Patricia Deering, City of Novi Account Clerk Katherine Oppermann, City of Novi Account Clerk
- FROM: Pete Hill, P.E., P.H.

DATE: July 27, 2020

RE: Woodland Review – 1st Revised PBR20-0228 Lot 4 Casa Loma (47685 Casa Loma Court) Plan Date: July 17, 2020 (Stamped "Received" by the City of Novi Community Development Department on June 26, 2020)

Environmental Consulting & Technology, Inc. (ECT) has reviewed the plan prepared by Desine Inc. dated June 22, 2020 and stamped "Received" by the City of Novi Community Development Department on July 17, 2020 (Plan) for the above-referenced lot for conformance with the requirements of the City's Woodland Ordinance Chapter 37. The current Plan proposes the construction of a home and a pool

ECT previously reviewed the submittal of a *Tree Removal Plan* (Sheet TR). The current Plan does not include a detailed proposed grading plan. The property owner intends to clear a portion of the remaining woodland area on this Lot that was not cleared during the initial site development in order to construct the home and pool.

This Plan is currently <u>NOT</u> approved for Woodlands. Please address the items in the Woodland Comments section of this memo. ECT recommends that the applicant address the items noted in the *Woodland Comments* section of this letter prior to issuance of building permits for construction on this lot.

Woodland Evaluation

ECT previously completed a Woodland Evaluation for the above referenced parcel on June 26, 2020. The subject parcel is located within the Casa Loma development, north of Eight Mile Road and west of Beck Road. Lot 4 is on the south side of Casa Loma Court. ECT has reviewed the submitted information, aerial photos, Novi GIS, the City of Novi Official Regulated Woodlands Map (see Figure 1) as well as the Plan indicated above. This entire lot is located with area mapped as City Regulated Woodland. At the time of our inspection the tree clearing indicated on the Plan had already been completed on the Lot.

The Plan includes a tree list that contains survey information for forty-nine (49) trees. A small number of these trees are located off of Lot 4 to the west (i.e., on Lot 5).

Proposed Woodland Impacts and Replacement

The Plan indicates the removal of twenty-six (26) trees from the Lot. The previously submitted *Woodland Removal Plan* indicated that these removals require sixty-eight (68) Woodland Replacement Credits. Based on our review of the data in the tree table on the Plan, these tree removals require forty-seven (47) Woodland Replacement Credits. As noted above, the tree removals proposed on the Plan had already been completed at the time of our June 26, 2020 site inspection. The proposed limits of disturbance line indicated on the Plan appears to have been followed, however there is currently no tree protection in place protecting the existing trees on the south side of the Lot. PBR20-0228 Lot 4 Casa Loma (47685 Casa Loma Ct.) Woodland Review – 2nd Revised July 27, 2020 Page 2 of 7

Based on the Plan and the tree list, the following twenty-six (26) regulated trees have already been removed from the Lot:

No.	Tree #	DBH	Туре	Replacements Required
1	484	14	basswood	2
2	485	12	red oak	2
3	486	9/10	basswood	3
4	491	11	bitternut hickory	1
5	512	11	bitternut hickory	1
6	534	11	sugar maple	1
7	535	11	bitternut hickory	1
8	536	20	white oak	3
9	537	28	beech	3
10	538	12	sugar maple	2
11	539	12	sugar maple	2
12	540	11	bitternut hickory	1
13	541	11	basswood	1
14	542	17	cottonwood	2
15	543	12	sugar maple	2
16	544	14	sugar maple	2
17	545	16	shagbark hickory	2
18	546	12	bitternut hickory	2
19	547	13	red oak 2	
20	548	17	red oak 2	
21	550	13	sugar maple	2
22	551	24	beech 3	
23	552	12	red oak 2	
24	553	9	rock elm 1	
25	610	9	basswood 1	
26	611	8	basswood	1
	Total			47

Woodland Comments

The following are repeat comments from our July 15, 2020 Woodland Review of the 1st Revised (PBR20-0228) plot plant for Lot 4 Casa Loma (47685 Casa Loma Court). As previously noted in that memo, ECT recommends that the applicant address the items below prior to issuance of building permits for construction on this lot. Please note these are repeat comments from our previous *Woodland Review* memo dated July 15, 2020:

1. Per the City of Novi's Woodland Ordinance, it should be noted that where a proposed activity (i.e., home construction) does not otherwise require site plan or plat approval, the granting or denying of the (woodland) use permit shall be the responsibility of the Planning Commission.

The applicant shall obtain approval of the Plan from Planning Commission prior to issuance of Building Permits.



PBR20-0228 Lot 4 Casa Loma (47685 Casa Loma Ct.) Woodland Review – 2nd Revised July 27, 2020 Page 3 of 7

- 2. The City of Novi regulates all trees 8-inches diameter-at-breast-height (DBH) and greater that are located within the areas delineated as regulated woodlands on the City-Regulated Woodlands Map. The City also regulates any individual tree greater than or equal to 36-inches DBH, irrespective of whether such tree is within a regulated woodland. Proposed woodland impacts will require a Woodland Permit and the regulated trees shall be relocated or replaced by the permit grantee.
- 3. As the removal of existing regulated trees is proposed, either on-site replacement trees or a payment of a fee to the City Tree Fund would be required prior to receiving building plan approval. This payment would amount to the number of Woodland Replacement Credits required x \$400/Credit. The City of Novi Woodland Ordinance requires tree replacement quantities according to the following table. The Woodland Replacement Credits required in the tree table on the Plan:

Removed Tree DBH (In Inches)	Woodland Replacement Credits Required
$\geq 8 \leq 11$	1
$>11 \le 20$	2
$> 20 \le 29$	3
≥ 30	4

<u>Replacement Tree Requirements</u>

- 4. Currently, the removal of the twenty-six (26) Regulated Woodland trees requires a total of forty-seven (47) Woodland Replacement Credits. <u>This information shall be included on the Plan</u>.
- 5. Woodland Replacement Credits can be provided on-site or paid into the City of Novi Tree Fund at \$400/Woodland Replacement Credit. The Applicant shall be required to provide a financial guarantee for any required on-site Woodland Replacement tree credits. The Woodland Performance Financial Guarantee required for all <u>on-site</u> tree replacements shall be the Number of On-Site Woodland Replacements Required x \$400/Credit. This Woodland Performance Financial Guarantee shall be paid by the Applicant prior to issuance of Building Permits.

Any Woodland Replacement Credits that will not be planted on-site shall be paid to the City of Novi Tree Fund at \$400/Credit.

- 6. On-site Woodland Replacement Trees shall be 2.5" caliper diameter if deciduous trees are selected and be 6-feet height (minimum) if coniferous trees are selected. The deciduous replacement trees count at a 1-to-1 replacement ratio and the coniferous trees (i.e. evergreen trees) count at a 1.5-to-1 replacement ratio (i.e., each evergreen tree is 0.67-credit). All Woodland Replacement trees shall be tree species native to Michigan and included as acceptable for Woodland Replacements on the *Woodland Tree Replacement Chart* (attached).
- 7. <u>Any proposed on-site Woodland Replacement tree locations shall be shown on the Plan</u> and replacement planting spacing shall be consistent with the City of Novi *Landscape Design Manual*. It should be noted that the replacement trees for existing deciduous canopy trees shall be spaced 22' (minimum distance) from one another, as noted in the Landscape *Design Manual*.
- 8. Upon successful inspection of installed replacement trees, the Woodland Performance Financial Guarantee shall be returned to the Applicant. At that time, a Woodland Maintenance Guarantee in the amount of



PBR20-0228 Lot 4 Casa Loma (47685 Casa Loma Ct.) Woodland Review – 2nd Revised July 27, 2020 Page 4 of 7

25% of the value of the original Woodland Replacement material will be kept for a period of 2-years after the successful inspection of the tree replacement installation. It should be noted that the minimum Woodland Maintenance Guarantee is **\$1,000** based on the City's Woodland Ordinance.

- 9. Tree protection fencing shall be provided in order to protect existing on-site trees to remain. The Applicant must have Tree Protection Fence installed (in good condition) and installed in a manner that protects all trees that are to remain on site. It is the Applicant's responsibility to ensure that the fence remains in good condition. The location of Tree Protection Fence shall be shown on the Plan.
- 10. The Applicant shall pay a *\$750 (\$500 x 1.5) Woodland Protection Fence Maintenance Guarantee* prior to receiving building plan approval.

Please revise and resubmit the Plan to the City of Novi after addressing these, and any other applicable comments. Please contact our office if you have any further questions regarding woodland-related issues.

Sincerely,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.

- cc: Charles Boulard, City of Novi Community Development Director (<u>cboulard@cityofnovi.org</u>) David Compo, Compo Builders, Inc. (<u>builder@compoinc.com</u>) Michele Compo, Compo Builders, Inc. (<u>michele@compoinc.com</u>) Heather Gendron, Spalding DeDecker Associates, Inc. (<u>HGendron@sda-eng.com</u>) Barb McBeth, City Planner (<u>bmcbeth@cityofnovi.org</u>) Rick Meader, City of Novi Landscape Architect (<u>rmeader@cityofnovi.org</u>) Angela Sosnowski, City of Novi Community Development Bond Coordinator <u>asosnowski@cityofnovi.org</u>)
- Attachments: Figure 1. City of Novi Regulated Woodland Map Woodland Tree Replacement Chart Site Photos



PBR20-0228 Lot 4 Casa Loma (47685 Casa Loma Ct.) Woodland Review – 2nd Revised July 27, 2020 Page 5 of 7



Figure 1. City of Novi Regulated Woodlands. Regulated Woodlands are indicated in green. The approximate lot boundary is indicated in red.



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Woodland Tree Replacement Chart (from Chapter 37 Woodlands Prote``ction) - Revised 5/7/2018

(All canopy trees to be 2.5" cal or larger, evergreens as listed)

Common Name	Botanical Name			
Black Maple	Acer nigrum			
Striped Maple	Acer pennsylvanicum			
Red Maple	Acer rubrum			
Sugar Maple	Acer saccharum			
Mountain Maple	Acer spicatum			
Ohio Buckeye	Aesculus glabra			
Downy Serviceberry	Amelanchier arborea			
Smooth Shadbush	Amelanchier laevis			
Yellow Birch	Betula alleghaniensis			
Paper Birch	Betula papyrifera			
American Hornbeam	Carpinus caroliniana			
Bitternut Hickory	Carya cordiformis			
Pignut Hickory	Carya glabra			
Shagbark Hickory	Carya ovata			
Northern Hackberry	Celtis occidentalis			
Eastern Redbud	Cercis canadensis			
Pagoda Dogwood	Cornus alternifolia			
Flowering Dogwood	Cornus florida			
American Beech	Fagus grandifolia			
Thornless Honeylocust	Gleditsia triacanthos inermis			
Kentucky Coffeetree	Gymnocladus diocus			
Walnut	Juglans nigra or Juglans cinerea			
Eastern Larch	Larix laricina			
Tuliptree	Liriodendron tulipfera			
Tupelo	Nyssa sylvatica			
American Hophornbeam	Ostrya virginiana			
White Spruce_(1.5:1 ratio) (6' ht.)	Picea glauca			
Black Spruce_(1.5:1 ratio) (6' ht.)	Picea mariana			
Red Pine_(1.5:1 ration) (6' ht.)	Pinus resinosa			
White Pine_(1.5:1 ratio) (6' ht.)	Pinus strobus			
American Sycamore	Platanus occidentalis			
Black Cherry	Prunus serotina			
White Oak	Quercus alba			
Swamp White Oak	Quercus bicolor			
Scarlet Oak	Quercus coccinea			
Shingle Oak	Quercus imbricaria			
Burr Oak	Quercus macrocarpa			
Chinkapin Oak	Quercus muehlenbergii			
Red Oak	Quercus rubra			
Black Oak	Quercus velutina			
American Basswood	Tilia americana			



PBR20-0228 Lot 4 Casa Loma (47685 Casa Loma Ct.) Woodland Review – 2nd Revised July 27, 2020 Page 7 of 7

Site Photos



Photo 1. Looking west at Lot 4 (Lot 5 is in the background). Proposed tree removals on Lot 4 had already been completed at the time of our site inspection (ECT, June 26, 2020).



Photo 2. Looking north at Lot 4 towards Casa Loma Court. Proposed tree removals on Lot 4 had already been completed at the time of our site inspection (ECT, June 26, 2020).









Γag No.	Scientific Name	Common Name	DBH (inches) Stem 1	DBH (inches) Stem 2	Condition Good (G); Fair (F); Poor (P); Very Poor (VP)	Marked for Removal
484	Tilia americana	Basswood	14		G	Х
485	Quercus rubra	Red Oak	12	\sim	G	X
486	Tilia americana	Basswood	9	10	F	X
487	Quercus rubra	Red Oak	12		G	
488	Quercus rubra	Red Oak	14		G	
489	Quercus rubra	Red Oak	14		G	
491	Carya cordiformis	Bitternut hickory	11		G	Х
510	Fagus grandifolia	Beech	10		G	
512	Carya cordiformis	Bitternut hickory	11		G	Х
514	Fagus grandifolia	Beech	14		G	
521	Quercus rubra	Red Oak	14	16	G	
522	Tilia americana	Basswood	9		G	
523	Carya cordiformis	Bitternut hickory	14		G	
524	Carya cordiformis	Bitternut hickory	13		G	
525	Fagus grandifolia	Beech	18		F	
528	Fagus grandifolia	Beech	11		VP	
529	Carya cordiformis	Bitternut hickory	15		G	
530	Acer saccharum	Sugar Maple	28		G	
531	Acer saccharum	Sugar Maple	22		G	
532	Quercus alba	White Oak	18		G	
533	Quercus alba	White Oak	17		G	
534	Acer saccharum	Sugar Maple	11		G	Х
535	Carya cordiformis	Bitternut hickory	11		G	Х
536	Quercus alba	White Oak	20		G	Х
537	Fagus grandifolia	Beech	28		G	Х
538	Acer saccharum	Sugar Maple	12		G	Х
539	Acer saccharum	Sugar Maple	12		G	Х
540	Carya cordiformis	Bitternut hickory	11		G	Х
541	Tilia americana	Basswood	11		G	Х
542	Populus deltoides	Cottonwood	17		G	Х
543	Acer saccharum	Sugar Maple	12		G	Х
544	Acer saccharum	Sugar Maple	14		G	Х
545	Carya ovata	Shagbark hickory	16		G	X
546	Carya cordiformis	Bitternut hickory	12		G	Х
547	Quercus rubra	Red Oak	13		G	Х
548	Quercus rubra	Red Oak	17		G	Х
550	Acer saccharum	Sugar Maple	13		G	Х
551	Fagus grandifolia	Beech	24		VP	Х
552	Quercus rubra	Red Oak	12		G	Х
553	Ulmus thomasii	Rock Elm	9		G	X
554	Ulmus thomasii	Rock Elm	10		G	
556	Betula alleghaniensis	Yellow Birch	9		Р	
557	Betula alleghaniensis	Yellow Birch	11		Р	
558	Tilia americana	Basswood	9		G	
559	Carya cordiformis	Bitternut hickory	9		G	
560	Tilia americana	Basswood	9	9	G	
561	Acer saccharum	Sugar Maple	16		G	
610	Tilia americana	Basswood	9		G	Х
611	Tilia americana	Basswood	8		G	X

TREE NOTES:

1) APPLICANT TO COMPLY WITH CITY OF NOVI WOODLAND ORDINANCE, CHAPTER 37 DURING CONSTRUCTION.

2) A WOODLAND PERFORMANCE FINANCIAL GUARANTEE FOR THE REPLACEMENT TREE CREDITS SHALL BE PAID BY THE APPLICANT PRIOR TO THE ISSUANCE OF BUILDING PERMITS.

3) REQUIRED REPLACEMENT TREES WILL BE PLANTED ON THE OWNERS LOT AND THE LANDSCAPE PLAN IS TO BE PROVIDED. THE LANDSCAPE PLAN IS TO BE IN CONFORMANCE WITH THE CITY OF NOVI WOODLAND ORDINANCE, CHAPTER 37 AND BE CONSISTENT WITH THE NOVI LANDSCAPE DESIGN MANUAL. IF SUITABLE REPLACEMENT LOCATIONS ARE NOT AVAILABLE ON SITE FOR ALL REQUIRED REPLACEMENT TREES THE APPLICANT SHALL PAY INTO THE CITY TREE FUND THE APPROPRIATE AMOUNT. A WOODLAND MAINTENANCE GUARANTEE WILL BE PROVIDED PER THE CITY OF NOVI WOODLAND ORDINANCE, CHAPTER 37.

4) NO GRADING SHALL OCCUR IN THE CRITICAL ROOT ZONE OF EXISTING TREES. TREE PROTECTION FENCE SHALL BE PROVIDED AT THE EDGE OF THE CRITICAL ROOT ZONE OF TREES TO REMAIN.

5) ALL ON-SITE WOODLAND REPLACEMENT TREES TO BE PROPOSED AND INSTALLED SHALL COMPLY WITH THE CITY OF NOVI WOODLAND ORDINANCE.

(810) 227-9533 **CIVIL ENGINEERS** LAND SURVEYORS

A. INE ING

947.60 GND

FTG 940.73

FTG 940.73

FTG 940.73

FTG 940.73

FTG 940.73

FTG 940.73

946.30 GND

946.10 GND

COMPO BUILDERS INC.		
42700 W. TEN MILE RD.		
NOVI, MI 48375-3203		

CLIENT:

BRIGH	2183 PLESS DRIVE ITON, MICHIGAN 48114
SCALE: 1" = 10'	n na tang ng kanang kanang Kanang kanang
PROJECT No.: 9183444	DDO
DWG NAME: 3444PP	
JUNE 22, 2020	