

# MEMORANDUM



**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** CHRISTIAN CARROLL, PLANNER  
**SUBJECT:** 1585 PARAMOUNT STREET WOODLAND PERMIT  
**DATE:** OCTOBER 14, 2020

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The applicant, Yen Cheng, seeks approval of a Woodland Use Permit, PWD20-0006, to remove thirty-three (twenty two on-site, eleven off-site) regulated woodland trees ranging in size from 8 to 28 inches diameter-at-breast-height (DBH) from a lot located at 1585 Paramount Street, also known as Lots 85-88, Cenaqua Shores Subdivision. The subdivision is located north of Thirteen Mile Road and west of Novi Road in Section 2 of the City. The applicant is requesting the removal of thirty-three regulated woodland trees to construct a single-family residence on the lot. The applicant is preserving the remaining twenty-two regulated woodland trees on the site as indicated in the City's Environmental Consultant's review letter.

The City's Environmental Consultant reviewed the request and prepared a revised review letter dated October 13, 2020. Based on the attached site plan survey, the property contains trees that are considered regulated by the City of Novi as they are greater or equal to 8-inches DBH and located within an area mapped as Regulated Woodland. Based on the applicant's request, fifty-six Woodland Replacement Credits would be required, with the on-site removals requiring thirty-nine replacement credits and the off-site removals requiring seventeen replacement credits. It is unclear whether the applicant intends to replace the trees on-site or pay into the City of Novi Tree Fund. The City's Environmental Consultant recommends that the applicant address the items noted in the review letter prior to submittal of a complete plot plan for construction and prior to issuance of a building permit.

Of the thirty-three trees proposed for removal, twenty-two are located on-site and eleven are located off-site. None of the off-site trees may be removed as a part of this permit since the Planning Commission is not authorized to approve off-site removals. Exceptions have been made to allow off-site removals with the adjacent property owner's permission and in instances where permitted construction or revised grading has been authorized. **Therefore, staff recommends that only twenty-two of the thirty-three regulated woodland trees be approved for removal.** This would require 39 Woodland Replacement Credits.

Per the City of Novi's Woodland Ordinance, 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 any permits. The Planning Commission is asked to hold the public hearing and either approve or deny the requested woodland removal permit.

Section 37-26 of the Woodland Protection Ordinance states the following:

- (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, the developer of a single-family residential subdivision plat or single-family residential site condominium 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.**

**SUGGESTED MOTION:**

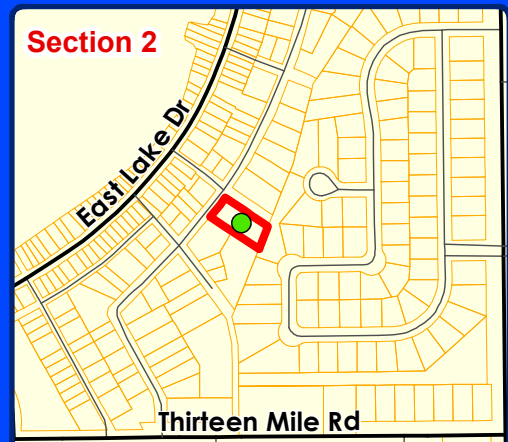
To approve Woodland Use Permit, PWD20-0007, for the removal of twenty-two regulated woodland trees within an area mapped as City Regulated Woodland. The approval is subject either to payment for the Woodland Replacement Credits into the City's Tree fund or subject to the planting of woodland replacement trees on site as shown on a woodland replacement plan, the preservation of the remaining regulated woodland trees and understory on the property, and any other conditions as listed in the Environmental Consultant's review letter.

MAPS  
Location  
Zoning  
Future Land Use  
Natural Features




# PWD20-0006 1585 PARAMOUNT 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](http://cityofnovi.org)

Map Author: Christian Carroll  
Date: 10/2/20  
Project: 1585 Paramount  
Version #: 1

0 15 30 60 90 Feet  
1 inch = 83 feet

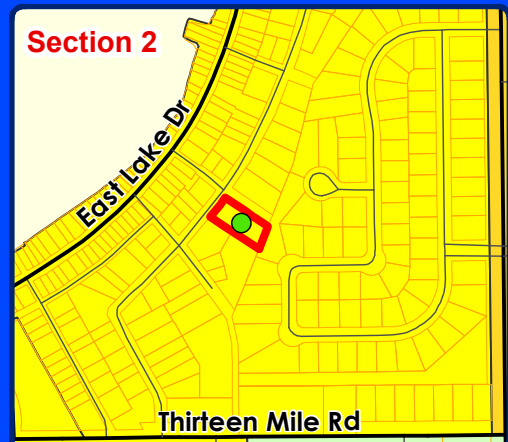


**MAP INTERPRETATION NOTICE**  
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements 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 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.







# PWD20-0006 1585 PARAMOUNT WOODLAND PERMIT

## ZONING



**LEGEND**


-  R-A: Residential Acreage
-  R-4: One-Family Residential District
-  RM-1: Low-Density Multiple Family
-  Subject Property



**City of Novi**  
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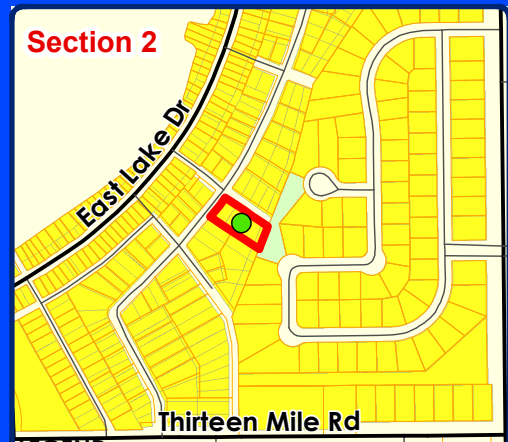
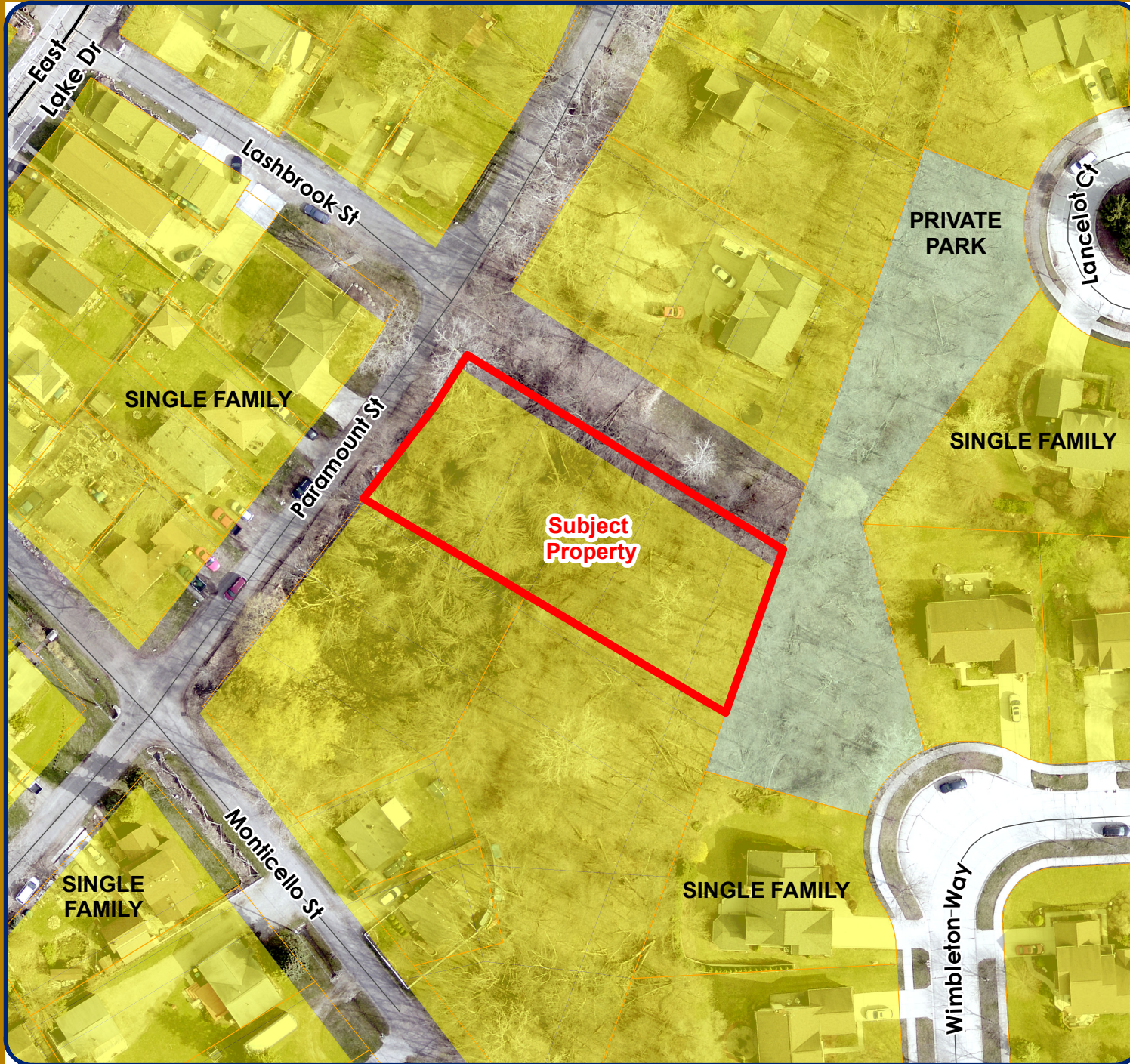
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# PWD20-0006 1585 PARAMOUNT WOODLAND PERMIT

## FUTURE LAND USE



**LEGEND**

- Single Family
- PUD3
- Public Park
- Private Park
- Subject Property

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

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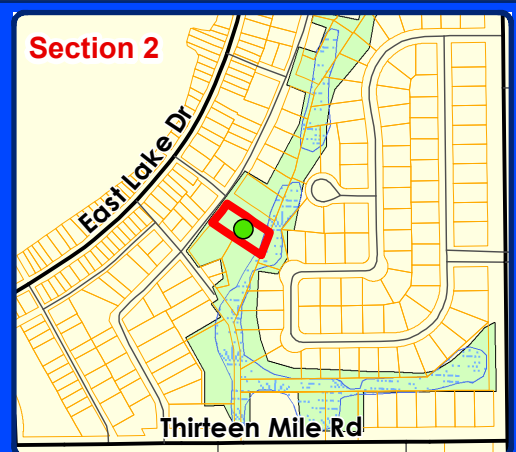
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# PWD20-0006 1585 PARAMOUNT WOODLAND PERMIT

## NATURAL FEATURES



### LEGEND

-  WETLANDS
-  WOODLANDS
-  Subject Property



### City of Novi

Dept. of Community Development  
City Hall / Civic Center  
45175 W Ten Mile Rd  
Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)

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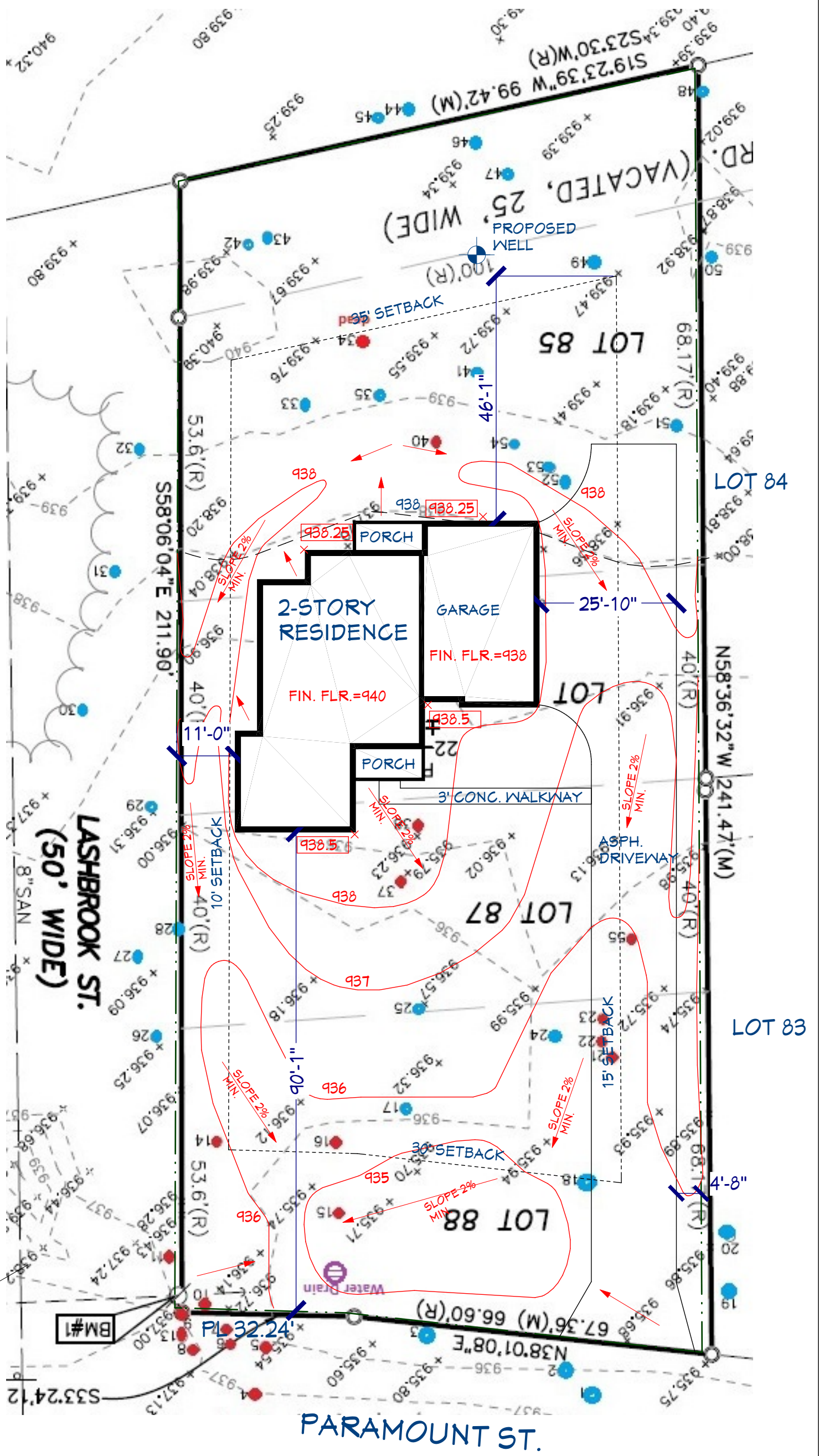


PLOT PLAN



**LEGEND**

- EXISTING CONTOUR & ELEV.
- PROPOSED CONTOUR & ELEV.
- DRAIN SLOPE ARROW
- PROPOSED SPOT ELEV.
- TREE TO BE REMOVED
- TREE TO REMAIN



NOTE: DIMENSIONS ARE FOR SCALE PURPOSES ONLY. REFER TO LAND SURVEYOR DOCUMENTS FOR EXACT MEASUREMENTS AND BUILDING PLACEMENT

ARCHITECT:  
**ALCID HOME DESIGN LLC**  
 700 Denham Ln  
 Rochester Hills, MI 48307  
 (248) 602-1387

SHEET:  
**PLOT PLAN**

CLIENT:  
**WANG / CHENG RESIDENCE**  
 1585 PARAMOUNT ST. NOVI, MI 48377  
 PARCEL NO. 22-02-379-015

DATE: 9/15/2020  
 SCALE: 1"=20'-0"  
 SHEET:  
**1**







CONSULTANT REVIEW



TO: Patricia Deering, City of Novi Account Clerk  
Katherine Oppermann, City of Novi Account Clerk

FROM: Pete Hill, P.E., P.H.

DATE: September 29, 2020

RE: Woodland Review  
PWD20-0006 Lot 85-88 Cenaqua Shores (1585 Paramount – Yen Cheng Property)  
Plan Date: September 4, 2020  
Stamped “Received” by the City of Novi Community Development Department  
on September 21, 2020

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Environmental Consulting & Technology, Inc. (ECT) has reviewed the *Boundary & Topographic Survey* prepared by Alpine Engineering, Inc. dated September 4, 2020 and stamped “Received” by the City of Novi Community Development Department on September 21, 2020 (Plan) for the above-referenced lot for conformance with the requirements of the City’s Woodland Ordinance Chapter 37. This parcel is located within area indicated as Regulated Woodland on the City’s Regulated Woodland Map (see Figure 1).

The submittal includes the boundary/topographic survey (Sheet 1/2) as well as a Tree Tag List (Sheet 2/2) that indicates the locations of the existing trees on the property as well as tree tag number, diameter, and type of tree. The current submittal does not include a sketch of the proposed home/driveway layout. The applicant has previously provided a sketch of the proposed home/driveway layout. The Plan includes a separate ‘save/remove’ list that indicates which existing trees are proposed for removal, which trees will be saved, and how many Woodland Replacement Credits are required for the proposed tree removals.

**ECT recommends that the applicant address the items noted in the *Woodland Comments* section of this letter prior to the submittal of a complete plot plan for construction and prior to issuance of building permits for construction on this lot.**

**NOTE:** During our site inspection, areas of existing wetland were observed in the western portion of the parcel. The *Boundary & Topographic Survey* does not indicate any existing wetlands. ECT recommends that the applicant have a wetland determination conducted on the property by a qualified wetland consultant. These on-site wetland areas would be regulated by the City of Novi and likely by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) as they appear to be within 500 feet of Walled Lake. Associated permits and authorizations would likely be required for any proposed impacts (excavation, fill, etc.) to wetlands.

**Woodland Evaluation**

ECT has completed an initial Woodland Evaluation for the above referenced parcel on August 21, 2020 and a re-inspection of the Lot on September 2, 2020. The subject parcel is located in the Cenaqua Shores subdivision on the east side of Walled Lake. Specifically, the subject lot is located east of Paramount Street and south of Lashbrook Street, Section 2. 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 within an area mapped as City Regulated Woodland. The Tree Tag List contains survey information for fifty-five (55) trees (there is no Tree Tag #12). Many of these trees (25) appear to be located on adjacent properties or in the Paramount Street Right-of-Way (ROW).

**Proposed Woodland Impacts and Replacement**

Based on the Plan and the tree list the proposed project now indicates the removal of thirty-three (33) trees. Of these, twenty-two (22) trees appear to be located on the subject property and eleven (11) trees appear to be located on adjacent properties or within the Paramount Street ROW but have been included on the survey. In initial e-mail correspondence, the applicant stated that the trees indicated for removal outside of the property need to be cut because they are interfering with the construction, landscape, driveway, and safety of the new house. Currently, the removal of the on-site regulated trees would require thirty-nine (39) Woodland Replacement Credits. The removal of the off-site regulated trees, if authorized, would require seventeen (17) Woodland Replacement Credits, for a total of fifty-six (56) Woodland Replacement Credits.

Based on the Plan and the tree list, the following regulated trees are proposed for removal from the Lot:

On-Site?	Tree Tag #	Save/ Remove	DBH (Inches)	Type	Replacements Required
<i>NO</i>	1	<u><i>Remove</i></u>	16	Box elder	<u>2</u>
<i>NO</i>	2	<u><i>Remove</i></u>	12	Red maple	<u>2</u>
<i>NO</i>	3	Save	16	Elm	None
<i>NO</i>	4	<u><i>Remove</i></u>	10	Box elder	<u>1</u>
<i>NO</i>	5	<u><i>Remove</i></u>	13	Box elder	<u>2</u>
<i>NO</i>	6	<u><i>Remove</i></u>	25	Cottonwood	<u>3</u>
<i>NO</i>	7	<u><i>Remove</i></u>	7/6	Silver maple	None
<i>NO</i>	8	<u><i>Remove</i></u>	28	Cottonwood	<u>3</u>
<i>NO</i>	9	<u><i>Remove</i></u>	14	Silver maple	<u>2</u>
Yes	10	Remove	17	Silver maple	2
<i>NO</i>	11	<u><i>Remove</i></u>	7	Cottonwood	None
<i>NO</i>	13	<u><i>Remove</i></u>	6	Silver maple	None
Yes	14	Remove	14	Box elder	2
Yes	15	Remove	8	Elm	1
Yes	16	Remove	20	Silver maple	3
Yes	17	Remove	14/7	Silver maple	2
Yes	18	Remove	7	Ash	None
<i>NO</i>	19	Save	16/16/16	Silver maple	None
<i>NO</i>	20	Save	12/12/12	Silver maple	None
Yes	21	Remove	12	Silver maple	2
Yes	22	Remove	12/12	Silver maple	3
Yes	23	Remove	26	Red maple	3
Yes	24	Save	19	Red maple	None



On-Site?	Tree Tag #	Save/Remove	DBH (Inches)	Type	Replacements Required
Yes	25	Remove	14	Silver maple	2
<b>NO</b>	26	Save	10	Silver maple	None
<b>NO</b>	27	Save	16/16	Silver maple	None
<b>NO</b>	28	Remove	18	Silver maple	2
<b>NO</b>	29	Save	12/12/12/12	Silver maple	None
<b>NO</b>	30	Save	12	Box elder	None
<b>NO</b>	31	Save	24	Cottonwood	None
<b>NO</b>	32	Save	18	Black cherry	None
<b>NO</b>	33	Save	20	Ash	None
Yes	34	Remove	10	Black cherry	1
Yes	35	Save	24	Black cherry	None
Yes	36	Remove	18	Ash	2
Yes	37	Remove	9/6/16/8	Silver maple	5
Yes	38	Remove	12	Silver maple	2
Yes	39	Remove	10	Box elder	1
Yes	40	Remove	8 (Dead)	Ash (Dead)	None
Yes	41	Save	10	Ash	None
Yes	42	Save	16	Ash	None
Yes	43	Save	18	Black cherry	None
<b>NO</b>	44	Save	16	Black cherry	None
<b>NO</b>	45	Save	12	Box elder	None
Yes	46	Save	24	Silver maple	None
Yes	47	Save	26	Red maple	None
<b>NO</b>	48	Save	8	Box elder	None
Yes	49	Save	24	Red maple	None
<b>NO</b>	50	Save	36	Red maple	None
Yes	51	Remove	10	Ash	1
Yes	52	Remove	19	Black cherry	2
Yes	53	Remove	10	Ash	1
Yes	54	Remove	19	Cottonwood	2
Yes	55	Remove	14	Red maple	2
Yes	56	Remove	7	Black cherry	None
On-Site Removals			22 Trees	--	39
<b><u>Off-Site Removals</u></b>			<b><u>11 Trees</u></b>	--	<b><u>17</u></b>
<b>Total</b>			<b>33 Trees</b>	--	<b>56</b>

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.

Trees that are confirmed to be dead by the City or their Woodland Consultant do not require Woodland Replacement Credits. The Tree Tag List includes only one (1) dead tree (Tree #40; 8" ash). The applicant has stated in correspondence that some trees are living, but not straight and appear tilted and seem to be a safety

issue. The applicant states that those trees have to be removed without replacement. As such, the City's Woodland Ordinance does not define/describe "poor" trees but does define "dead" and "diseased" trees:

***Dead tree** means a tree having no more than zero (0) to fifteen (15) percent of the canopy with leaves. This determination shall be made during the regular growing season.*

***Diseased tree** means a tree that has been determined to have a terminal disease such as, but not limited to, Dutch Elm disease or Oak Wilt. Said disease must be confirmed by the Michigan State Cooperative Extension Service Plant and Pest Diagnostic Clinic at Michigan State University or an equivalent laboratory.*

ECT agrees that some trees on the property are tilted or leaning but does not agree that any of these trees should be removed without Woodland Replacement credits being required. ECT recommends that if the applicant has specific questions about the health of the existing trees that the City's Forester conduct a separate review of any of the trees in question.

### **Woodland Comments**

As noted above, ECT recommends that the applicant address the items below prior to the submittal of a complete plot plan for construction and prior to issuance of building permits for construction on this lot:

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.**

2. **As noted, during our site inspection, areas of existing wetland were observed in the western portion of the parcel. The *Boundary & Topographic Survey* does not indicate any existing wetlands. ECT recommends that the applicant have a wetland determination conducted on the property by a qualified wetland consultant. These on-site wetland areas would be regulated by the City of Novi and likely by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) as they appear to be within 500 feet of Walled Lake. Associated permits and authorizations would likely be required for any proposed impacts (excavation, fill, etc.) to wetlands.**
3. 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.
4. The applicant has provided the Plan (i.e., *Boundary & Topographic Survey*) as well as the "Tree Save/Remove Information" table. The applicant should also include the site design information on the Plan rather than just the existing conditions/topo plan.
5. 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 for each tree removed should be indicated in the tree table on the Plan:



***Replacement Tree Requirements***

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

Currently, the removal of thirty-three (33) Regulated Woodland trees requires a total of fifty-six (56) Woodland Replacement Credits.

6. 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 ***on-site*** 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. For example, if the applicant was able to replant all of the 56 required Woodland Replacement Credits on-site, the Woodland Performance Guarantee would be **\$22,400** (56 Woodland Replacement Credits Required x \$400/Credit).
7. Based on a successful inspection of the installed on-site Woodland Replacement trees, the Woodland Replacement financial guarantee will be returned to the Applicant. A Woodland Maintenance financial guarantee in the amount of twenty-five percent (25%) of the original Woodland Replacement financial guarantee will then be provided by the applicant. This Woodland Maintenance financial guarantee will be kept for a period of 2-years after the successful inspection of the on-site woodland replacement tree installation. It should be noted that the minimum Woodland Maintenance Guarantee is **\$1,000** based on the City's Woodland Ordinance.
8. The Applicant will be required to pay the City of Novi Tree Fund at a value of \$400/credit for any Woodland Replacement Tree Credits that cannot be placed on-site. If the applicant elects not to provide any on-site Woodland Replacement Plantings, a payment of **\$22,400** (56 Woodland Replacement Credits Required x \$400/Credit) to the Tree Fund shall be required.
9. On-site Woodland Replacement Trees shall be 2.5" caliper diameter if deciduous trees are selected and be 6-foot 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).
10. 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.
11. The Applicant shall pay a **\$750 (\$500 x 1.5) Woodland Protection Fence Maintenance Guarantee** prior to receiving building plan approval.

PWD20-0006  
Lot 85-88 Cenaqua Shores (1585 Paramount)  
Woodland Review  
September 29, 2020  
Page 6 of 8

Please contact our office if you have any further questions regarding woodland-related issues.

Sincerely,

**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**

cc: Charles Boulard, Director of Community Development ([cboulard@cityofnovi.org](mailto:cboulard@cityofnovi.org))  
Christian Carroll, City of Novi Planner ([ccarroll@cityofnovi.org](mailto:ccarroll@cityofnovi.org))  
Yen X. Cheng ([yen9591@gmail.com](mailto:yen9591@gmail.com))  
Heather Gendron, Spalding DeDecker Associates, Inc. ([HGendron@sda-eng.com](mailto:HGendron@sda-eng.com))  
Barb McBeth, City Planner ([bmcbeth@cityofnovi.org](mailto:bmcbeth@cityofnovi.org))  
Rick Meader, City of Novi Landscape Architect ([rmeader@cityofnovi.org](mailto:rmeader@cityofnovi.org))  
Keith Salowich, City Forester ([ksalowich@cityofnovi.org](mailto:ksalowich@cityofnovi.org))  
Angela Sosnowski, City of Novi Community Development Bond Coordinator  
[asosnowski@cityofnovi.org](mailto:asosnowski@cityofnovi.org))

Attachments: Figure 1. City of Novi Regulated Woodland Map  
Woodland Tree Replacement Chart





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

### Woodland Tree Replacement Chart

(from Chapter 37 Woodlands Protection) - 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 dioica
Walnut	Juglans nigra or Juglans cinerea
Eastern Larch	Larix laricina
Tuliptree	Liriodendron tulipifera
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 ratio) (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