

# MEMORANDUM



**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** CHRISTIAN CARROLL, PLANNER  
**SUBJECT:** PARK PLACE LOT 29 WOODLAND PERMIT  
**DATE:** OCTOBER 1, 2020

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The applicants, David & Lillian Barach, seek approval of a Woodland Use Permit, PWD20-0005, to remove five regulated woodland trees ranging in size from 19 to 21 inches diameter-at-breast-height (DBH) from a lot located at 50820 Applebrooke Drive, also known as Lot 29, Park Place Subdivision. The subdivision is located south of Nine Mile Road and east of Napier Road in Section 31 of the City. The Planning Commission reviewed the plans for Park Place Subdivision in 1997. The applicant is requesting the removal of three regulated woodland trees to construct a pool, and two regulated woodland trees out of concern for the safety and well-being of the household.

The City's Environmental Consultant reviewed the request and prepared a review letter dated August 25, 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. The five regulated woodland trees proposed for removal are located outside the approved building area for the subdivision and therefore a Woodland Use Permit is required, unless the trees are deemed dangerous to the public safety, health, or welfare of the residents by the City Forester. In this case, the City Forester determined that none of the regulated woodland trees in this request were deemed dangerous during an on-site inspection. Ten Woodland Replacement Credits would be required, and 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 suggests that the applicant attempt to replace the required Woodland Replacement Credits on the property.

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.

## **SUGGESTED MOTION:**

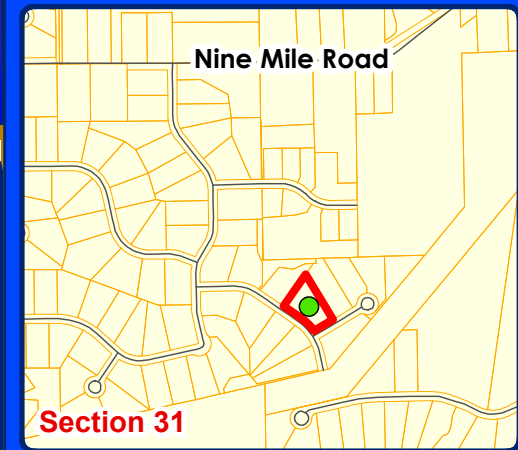
**To approve Woodland Use Permit, PWD20-0005, for the removal of five regulated woodland trees within an area mapped as City Regulated Woodland. The approval is subject either to payment for the Woodland Replacement Credits into the City's Tree fund or subject to the planting of woodland replacement trees on site as shown on a woodland replacement plan, and any other conditions as listed in the Environmental Consultant's review letter.**

MAPS  
Location  
Zoning  
Future Land Use  
Natural Features





# PWD20-0005 PARK PLACE LOT 29 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: Lot 29 Park Place  
Version #: 1

0 25 50 100 150 Feet  
1 inch = 125 feet



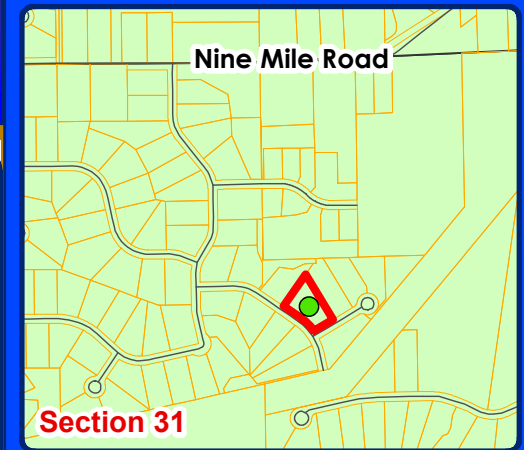
**MAP INTERPRETATION NOTICE**

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.





# PWD20-0005 PARK PLACE LOT 29 WOODLAND PERMIT

## ZONING



### LEGEND

-  R-A: Residential Acreage
-  Subject Property



### City of Novi

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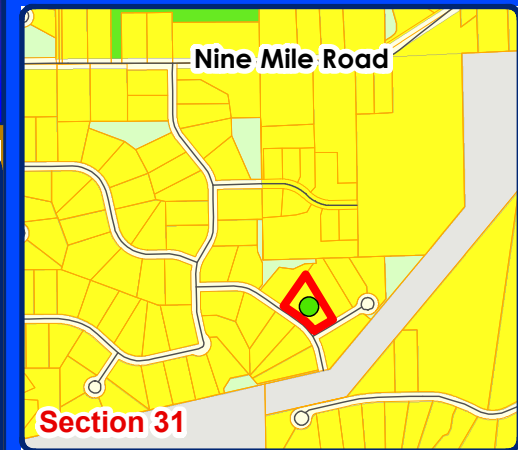
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# PWD20-0005 PARK PLACE LOT 29 WOODLAND PERMIT

## FUTURE LAND USE



**LEGEND**

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

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0 25 50 100 150 Feet  
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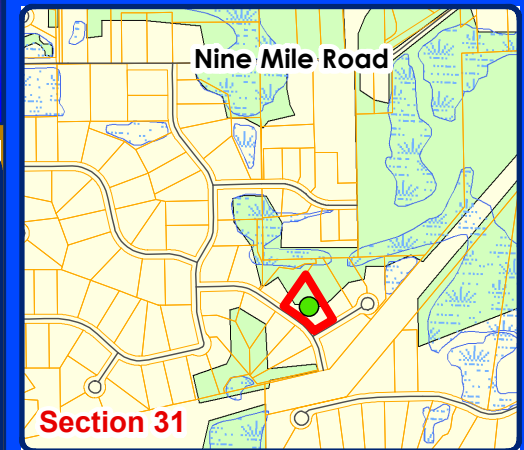
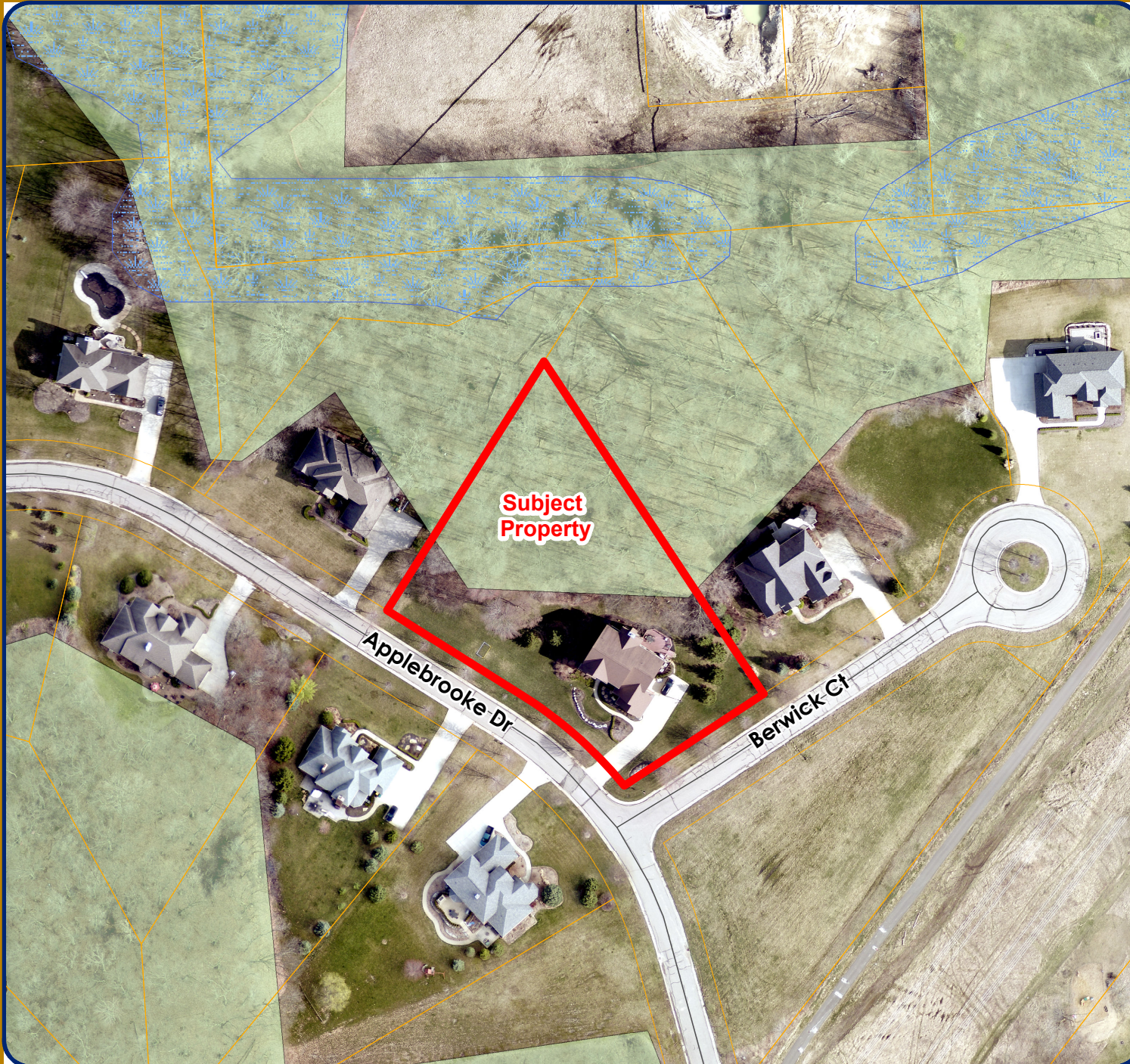
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# PWD20-0005 PARK PLACE LOT 29 WOODLAND PERMIT

## NATURAL FEATURES



### LEGEND

-  WETLANDS
-  WOODLANDS
-  Subject Property



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PLOT PLAN



# SITE PLAN SURVEY

LOT 29  
 PARK PLACE SUBDIVISION  
 L.L. 276, PG. 28-37  
 SEC. 31, T1N, R9E  
 CITY OF NOWA, OKLAHOMA COUNTY, MI  
 ID 22-31-253-006



### TREE IDENTIFICATION TABLE

TAG NUMBER	TREE SPECIES
1	2 1/2" SPICE
2	16" MAPLE
3	14" MAPLE
4	11" MAPLE
1828	10" MAPLE
1832	10" MAPLE
1834	10" MAPLE
1839	10" COTTONWOOD - BENCH MARK

### BENCH MARK 3

TOP OF YELLOW BENCHM. SPIKE ONLY FACE OF 10" COTTONWOOD ELEVATION = 975.14'

LOWEST FLOOR WINDOW SILLS (ALONG THE REAR SIDE OF HOUSE) ELEVATION IS 977.88'

ELEVATIONS ARE RELATIVE TO NAVD 88 (MUST CONC. SPK SURVEY)

CONTOURS SHOWN ARE EXISTING GRADES

LOT 30

LOT 29

LOT 28

**PROPOSED POOL ADDITION**  
 16'x42' POOL WITH SPA  
 4' PERIMETER CONCRETE WALK  
 48'x70' FENCE ENCLOSURE  
 POOL & WALK ELEV. 977'



APPLEBROOKE DRIVE

BERWICK COURT



*Lawrence R. Fendt*  
 Lawrence R. Fendt  
 Professional Surveyor No. 21566

CLIENT: DAVID BARACH	
FIELDWORK: LRF-02	COMPUTED BY: LRF
COMPUTER: 18JG8LWS	CHECKED BY: LRF
DRAWN BY: LRF	REV.
DATE: JUL 7, 2003	JOB #: 18208



48800 W. 10 MILE RD.  
 NOWA, MICHIGAN 48374-2708  
 (248) 344-1877 FAX: (248) 335-8030



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: August 25, 2020

RE: Woodland Review  
PWD20-0005 Lot 29 (50820 Applebrooke Drive)  
Plan Date: July 7, 2020

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Environmental Consulting & Technology, Inc. (ECT) has reviewed the *Application For Administrative Woodland Evaluation* stamped "Received" by the City of Novi Community Development Department on August 12, 2020 (Application) for the above-referenced lot for conformance with the requirements of the City's Woodland Ordinance Chapter 37. ECT has also reviewed the *Site Plan Survey* dated July 7, 2020 (Plan) prepared by Advanced Geomatics.

The Application requests authorization to remove three (3) surveyed trees as they are in the location of a proposed pool. The removal of two (2) additional trees is also requested as they are heavily leaning and the homeowner is concerned that these trees could fall and damage the existing home.

**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 of the proposed pool.**

#### **Woodland Evaluation**

The subject parcel is located within the Park Place Development south of W. Nine Mile Road and east of Napier Road, Section 31. The lot is located north of the intersection of Applebrooke Drive and Berwick Court. ECT has reviewed the submitted information, aerial photos, Novi GIS, the City of Novi Official Regulated Woodlands Map (see Figure 1). This area of construction for the proposed pool is partially located within area mapped as City Regulated Woodland. The Plan includes a tree list that contains tree tab number, size, and type of eight (8) total surveyed trees within the general area of the proposed project.

#### **Proposed Woodland Impacts and Replacement**

The Plan indicates the removal of three (3) regulated trees for the purpose of construction of the pool. The Plan and Application also requests authorization to remove two (2) additional trees that are not in the limits of disturbance of the proposed pool but are deemed a potential safety hazard by the homeowner. The homeowner states that these two (2) trees are heavily leaning and appear to pose a danger of causing damage to the existing home if they were to fall. The homeowner notes they prefer to make a donation to the City of Novi Tree Fund rather than planting on-site Woodland Replacement Trees.

Based on the Plan and the Tree Identification Table on the Plan, the requested removals require ten (10) Woodland Replacement Credits. The following five (5) regulated trees are proposed for removal:



No.	Tree #	DBH	Type	Replacements Required	Reason for Removal
1	1	21	maple	3	Safety Concern
2	2	14	maple	2	Pool
3	3	14	maple	2	Pool
4	4	11	maple	1	Pool
5	1832	19	maple	2	Safety Concern
	<b>Total</b>	--	--	<b>10</b>	

**Woodland Comments**

As noted above, ECT recommends that the applicant address the items noted below prior to issuance of building permits for construction of the proposed pool:

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. ECT suggests that the condition of Tree #1 and Tree #1832 be evaluated by the City Forester, as these two (2) trees are not in the limits of disturbance of the proposed construction but are rather deemed a safety concern by the homeowner.
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. **ECT suggest that the applicant attempt to replace the required Woodland Replacement Credits on the property.**
4. 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
≥ 8 ≤ 11	1
>11 ≤ 20	2
> 20 ≤ 29	3
≥ 30	4

5. Currently, the removal of the five (5) Regulated Woodland trees requires a total of ten (10) 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. If the applicant elects to provide a total of ten (10) on-site Woodland Replacement Credits the Woodland Performance Financial Guarantees would be **\$4,000** (10 Woodland Replacement Credits required x \$400/Credit).
7. If on-site Woodland Replacement trees are not proposed the applicant shall pay a total of ten (10) credits to the City of Novi Tree Fund. This payment shall be **\$4,000** (10 Woodland Replacement Credits required x \$400/Credit).
8. 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).
9. Any proposed on-site Woodland Replacement tree locations **shall be shown on the Plan** 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*.
10. 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 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.
11. Tree protection fencing shall be provided in order to protect existing on-site trees to remain during any proposed construction on the Lot. 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.
12. The Applicant shall pay a **\$750 (\$500 x 1.5) Woodland Protection Fence Maintenance Guarantee** prior to receiving building plan approval.



PWD20-0005  
Lot 29 Park Place (50820 Applebrooke Drive)  
Woodland Review  
August 25, 2020  
Page 4 of 7

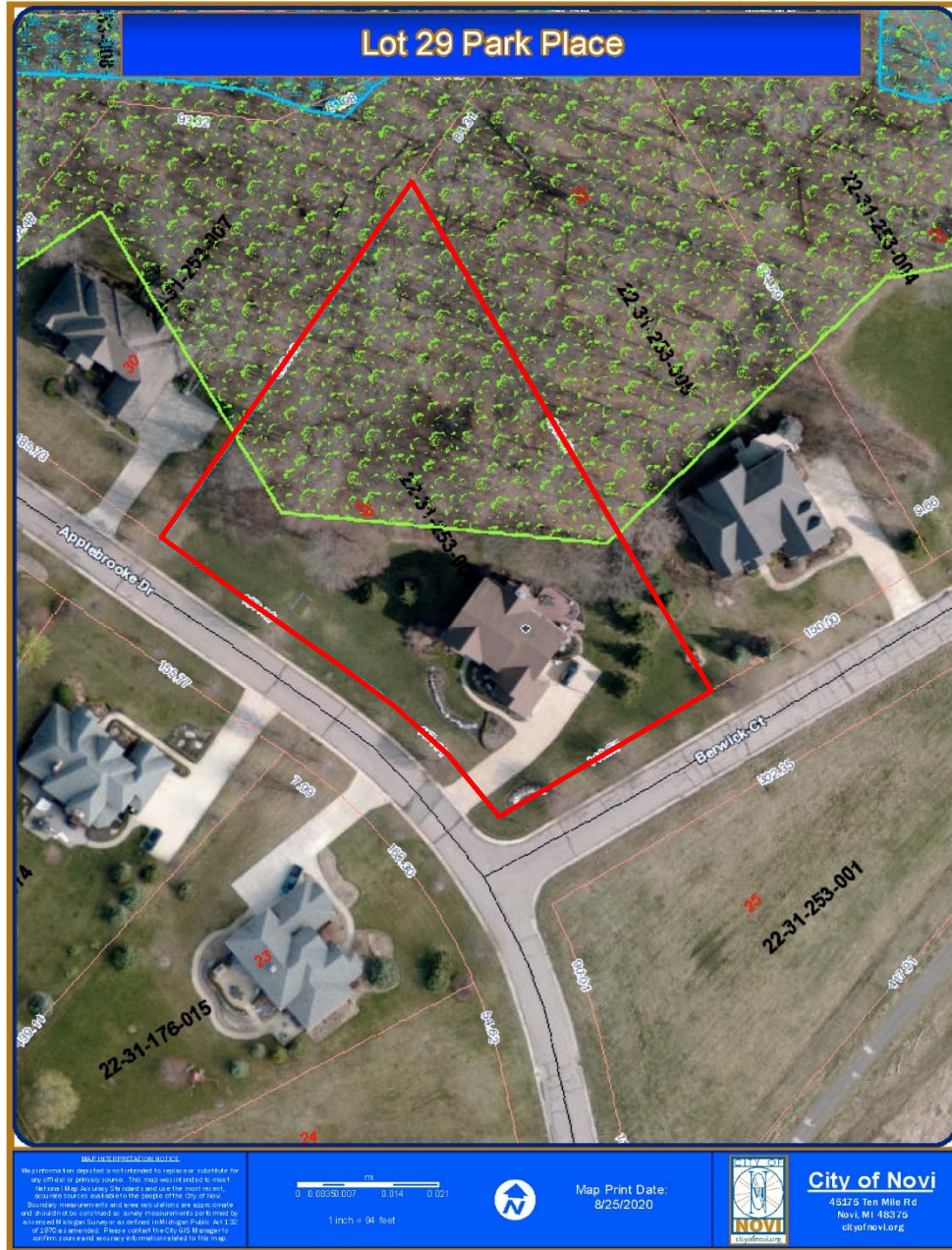
Please contact our office if you have any further questions regarding woodland-related issues.

Sincerely,

**ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.**

cc: David Barach ([dbarach@exactsciences.com](mailto:dbarach@exactsciences.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))  
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  
Figure 2. Site Plan Survey (Source: Advanced Geomatics)  
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.



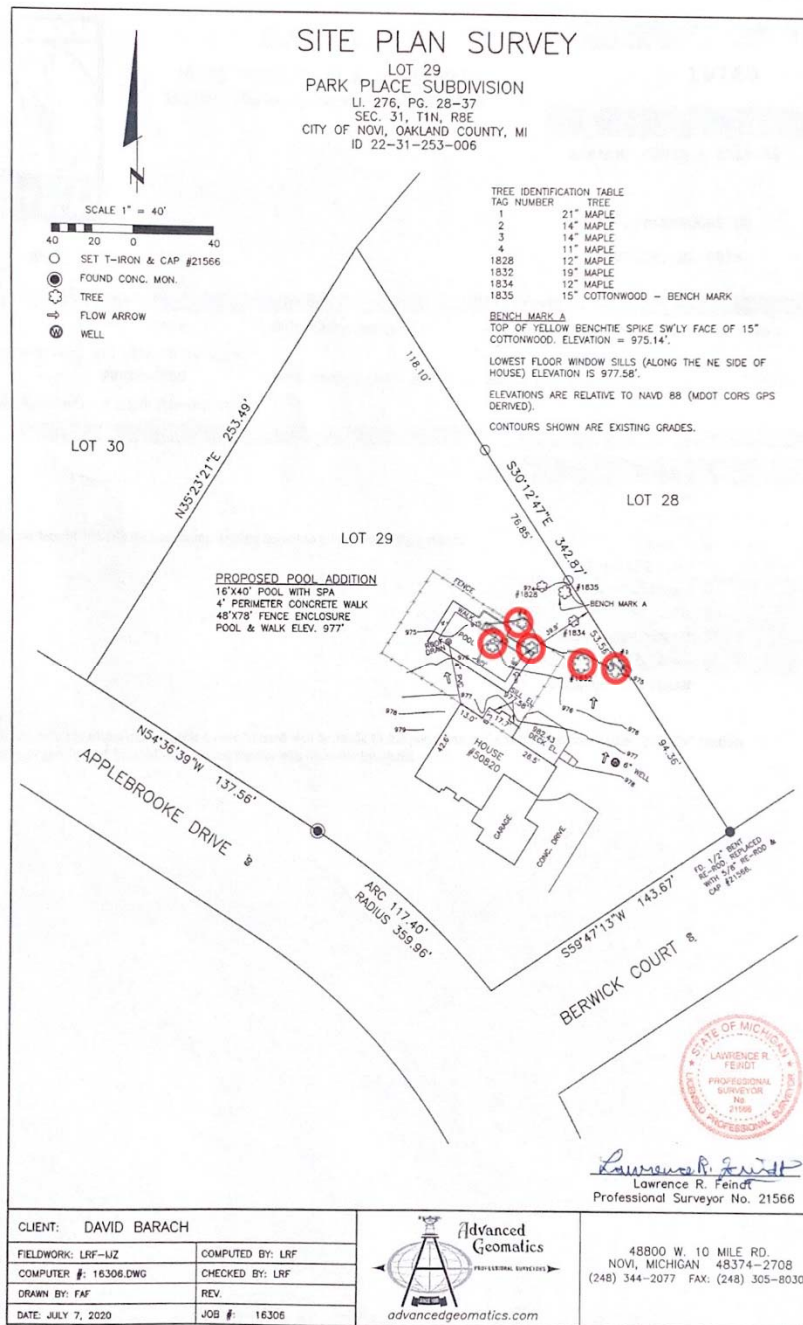


Figure 2. Site Plan Survey (Source: Advanced Geomatics). Proposed tree removals are indicated with red circles.

### 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