

# MEMORANDUM



**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** CHRISTIAN CARROLL, PLANNER  
**SUBJECT:** 29906 BRUSH PARK COURT WOODLAND PERMIT  
**DATE:** MAY 2, 2022

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The applicant, Meridian Homes Construction, LLC, seeks approval of a Woodland Use Permit, PBR22-0008, to remove four regulated woodland trees ranging in size from 8 to 14 inches diameter-at-breast-height (DBH) from a lot located at 29906 Brush Park Court, also known as Lot 12, West Park Place Condominiums. The site condos are located north of West Road and West of West Park Drive in Section 4 of the City. The Planning Commission reviewed the plans for West Park Place Condominiums in 2003 and approved a Woodland Use Permit for several of the initial lots that were developed. However, all remaining lots will be subject to individual Woodland Use Permit approval. The applicant is requesting the removal of four regulated woodland trees in order to build a single-family structure on the lot. Lot 12 of West Park Place is one of a few vacant lots remaining in the development.

The City's Environmental Consultant reviewed the request and prepared a review letter dated April 20, 2022. Based on the plans provided, the applicant is proposing to remove six woodland trees. However, only four trees on the site are considered regulated by the City of Novi as they are greater than or equal to 8-inches DBH and located within an area mapped as Regulated Woodland. Therefore, seven woodland replacement credits would be required. The Environmental Consultant's review letter, which is attached, provides a detailed count and explanation of the required replacements.

The proposed removals have no impact on the previously approved Woodland Use Permit, nor does it have any impact on any previous agreements. It should also be noted that the proposed removals are not located within any recorded conservation or preservation easements that abut and encroach onto the property. Please refer to the Environmental Consultant's review letter for additional information.

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.**

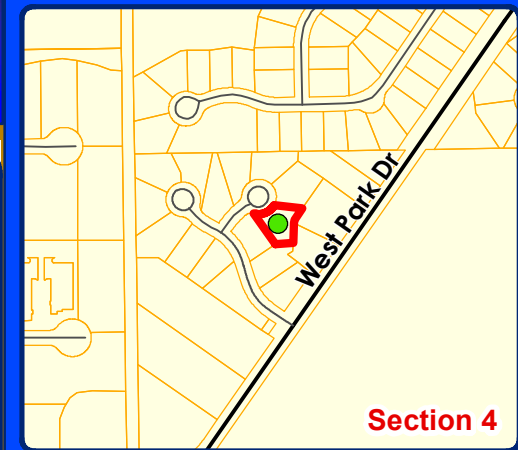
**SUGGESTED MOTION:**

**To approve Woodland Use Permit, PBR22-0008, for the removal of four regulated woodland trees within an area mapped as City Regulated Woodland on Lot 12 of the West Park Place Condominiums for the construction of a single-family residence. The approval is subject to on-site tree replacements to the extent possible and payment into the City's Tree Fund for any outstanding Woodland Replacement Credits, along with any other conditions as listed in the Environmental Consultant's review letter.**

MAPS  
Location  
Zoning  
Future Land Use  
Natural Features


# PBR22-0008 29906 BRUSH PARK COURT WOODLAND PERMIT

## LOCATION



Section 4

### 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: 5/2/22  
Project: PBR22-0008 29906 BRUSH PARK CT  
Version #: 1



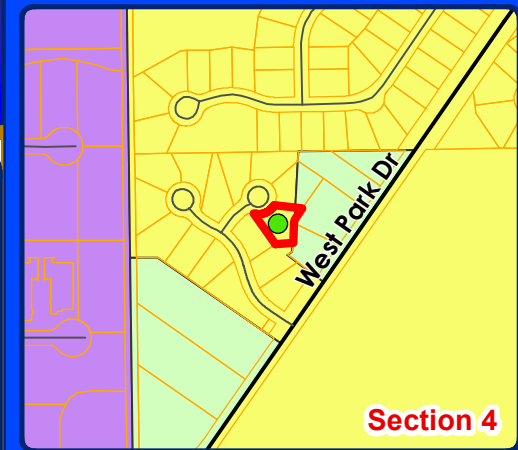
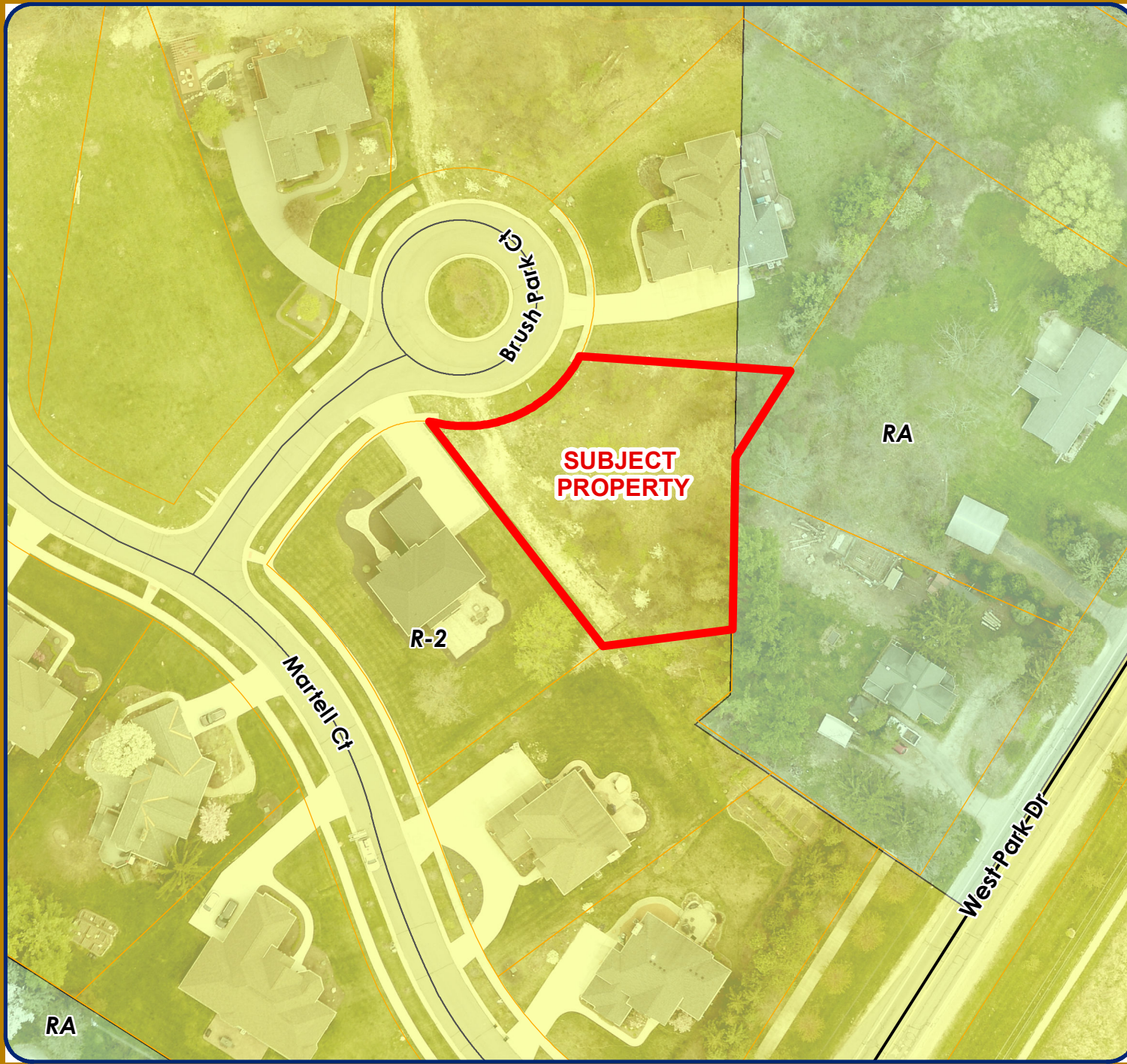
1 inch = 78 feet



### MAP INTERPRETATION NOTICE





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# PBR22-0008 29906 BRUSH PARK COURT WOODLAND PERMIT ZONING



**Section 4**

### LEGEND

-  R-A: Residential Acreage
-  R-2: One-Family Residential
-  I-1: Light Industrial District
-  Subject Property



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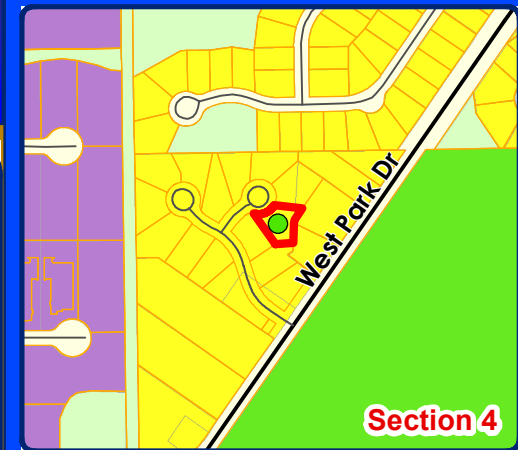
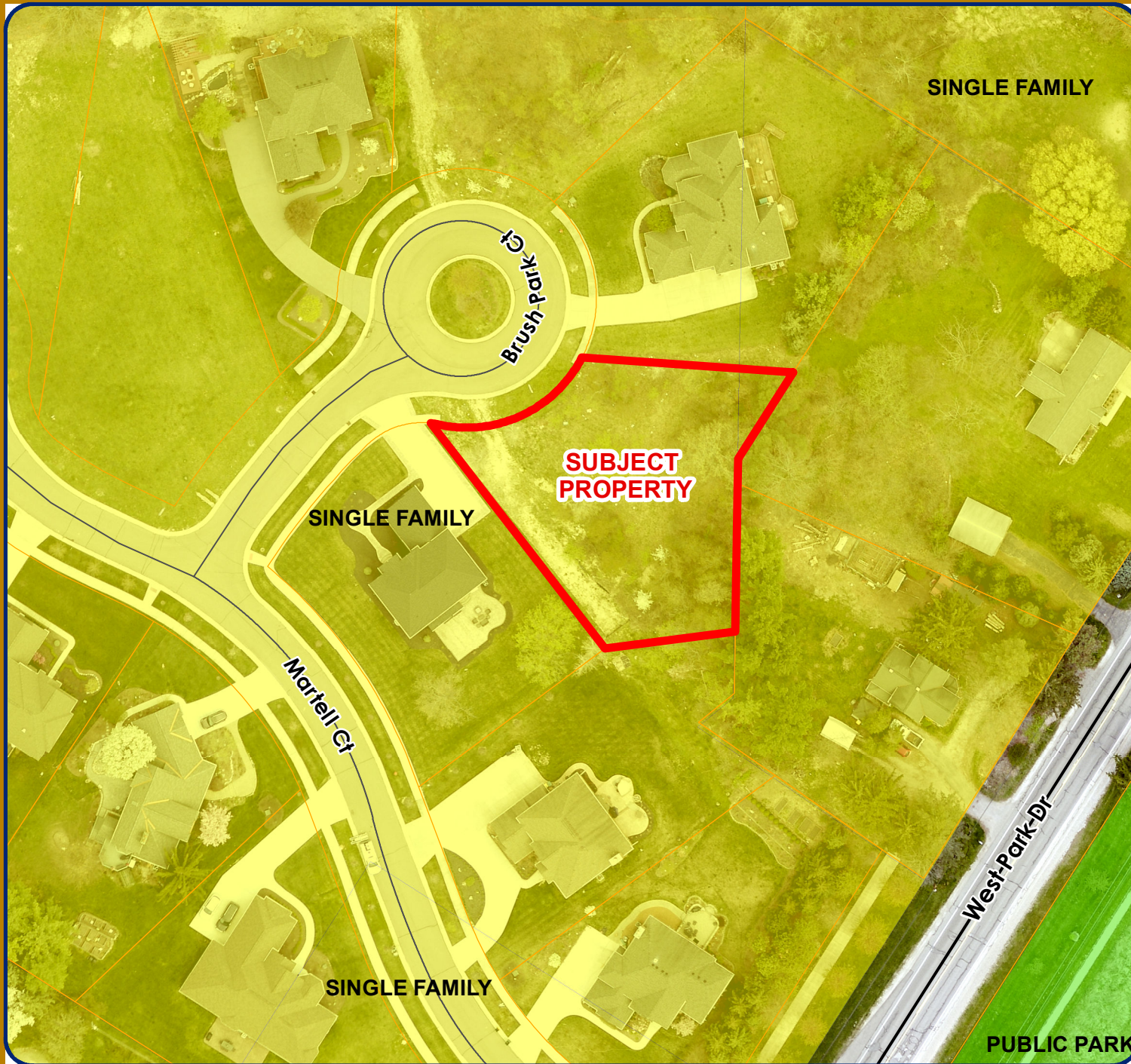


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# PBR22-0008 29906 BRUSH PARK COURT WOODLAND PERMIT

## FUTURE LAND USE



**LEGEND**

- Single Family
- Industrial Research Development Technology
- Public Park
- Private Park
- Subject Property

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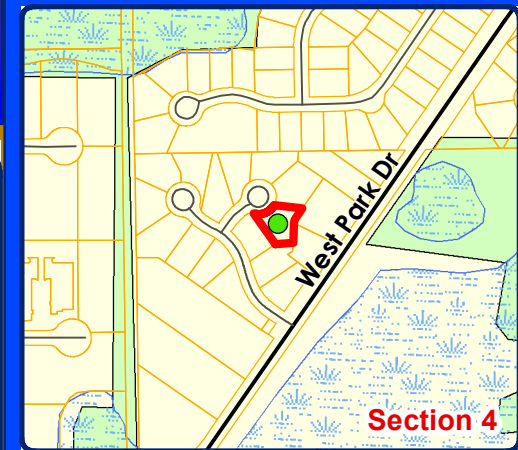
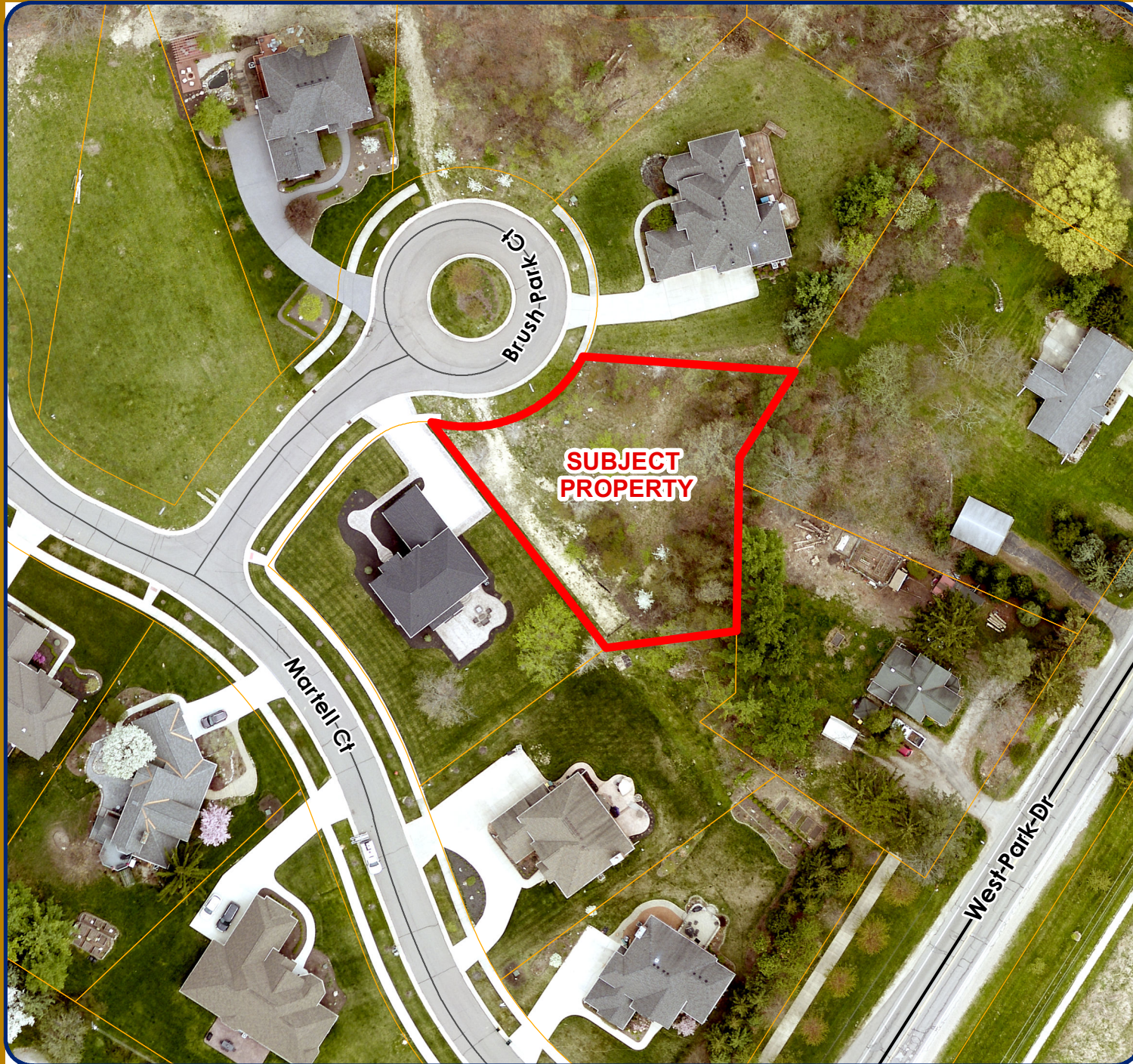
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# PBR22-0008 29906 BRUSH PARK COURT WOODLAND PERMIT

## NATURAL FEATURES



**LEGEND**

- WETLANDS
- WOODLANDS
- Subject Property

 **City of Novi**  
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**PLOT PLAN**





**WOODLAND REVIEW**



Corporate Headquarters  
295 South Water Street, Suite 300  
Kent, OH 44240  
800-828-8312

Local Office  
3381 Lapeer Rd. West  
Auburn Hills, MI 48326

**To:** Angela Sosnowski, Bond Coordinator  
City of Novi

**From:** Emily Hanson, Area Manager  
Davey Resource Group

**CC:** Barbara McBeth, City of Novi City Planner  
Lindsay Bell, City of Novi Senior Planner  
Christian Carroll, City of Novi Planner  
Rick Meader, City of Novi Landscape Architect  
Ben Peacock, City of Novi Planning Assistant  
Heather Gendron, Spalding DeDecker  
Ted Meadows, Spalding DeDecker  
Sydney Waynick, Spalding DeDecker  
Douglas Repen, The Mannik & Smith Group, Inc.

**Date:** April 20, 2022

**RE:** 29906 Brush Park Ct - Single Family Residential Plot Plan  
West Park Place Subdivision Lot 12  
Woodland Review #2 – PBR22-0008

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Davey Resource Group, Inc. (DRG) has conducted a review of the Single Family Residential Plot Plan for 29906 Brush Park Ct (Parcel #22-04-451-028) prepared by Land Development Services of Michigan, LLC for Meridian Homes Construction, LLC (attached; revision date 04/13/2022). The Plan proposes the construction of a new single-family residential home. DRG reviewed the Plot Plan for conformance with the City of Novi's Woodland Protection Ordinance (Chapter 37). The **site contains City of Novi Regulated Woodlands** – see Figure 1 and 2.

**Recommendation:**

DRG **recommend approval** of the Plot Plan for 29906 Brush Park Ct – see Woodland Review Comments.

**Woodland Review Comments**

1. **The site contains City-regulated woodlands.** The site contains woodlands that shall be regulated at the direction of the City. The plot plan indicates there are 32 trees on site. See Figures 1 and 2.
2. **A Woodland Use Permit is required** for construction on any site containing regulated woodlands or trees.
  - a. **The permit for this site requires Planning Commission approval** because 6 trees are proposed to be removed. Permits that propose removal of more than 3 trees require Planning Commission approval.

3. The tree numbers on the tree list of the original plot plan did not correspond with the numbering of trees on the plan. **This comment has been addressed on the revised plot plan.**
4. **Tree protection fencing is required** around all trees proposed to be preserved.
  - a. Please show the location of the tree protection fence on the Plot Plan. **This comment has been addressed on the revised plot plan.**
  - b. The silt fence detail on the original plot plan did not meet Chapter 37 requirements for tree protection fencing. See Figure 2. **This comment has been addressed on the revised plot plan.**
  - c. The woodland protection fence must be outside the critical root zone of all protected trees. The critical root zone extends one (1)-foot outside of the dripline (edge of the canopy) of protected trees.
  - d. **A financial guarantee in the amount of \$750 is required for tree protection fencing maintenance** per Chapter 26.5-37. This guarantee shall be paid prior to issuance of the City of Novi Woodland Use Permit and shall be released after construction following inspection by the City of Novi. The applicant must request the fence removal inspection.
5. 6 trees are proposed for removal. **4 of these proposed removals are regulated trees** because they are 8” in diameter or greater. Proposed regulated tree removals and required replacements are listed in the chart below.

Tree #	Botanical Name	Common Name	DBH	Condition	Number of required replacements/Tree Credits
263	<i>Populus deltoides</i>	eastern cottonwood	8/8	Fair	2
272	<i>Populus deltoides</i>	eastern cottonwood	14	Fair	2
273	<i>Populus deltoides</i>	eastern cottonwood	10	Fair	1
275	<i>Quercus alba</i>	white oak	13	Good	2
<b>TOTAL REQUIRED REPLACEMENTS</b>					<b>7</b>

6. Trees proposed for removal should be clearly marked with an ‘X’ on the plot plan. Please revise. **This comment has been addressed on the revised plot plan.**
7. **9 total replacement trees are required to be planted.** For trees that cannot be planted on site, \$400 per tree credit shall be paid into the City of Novi Tree Fund.
  - a. **7 replacement trees are required to be planted, per review of the plot plan. See Table above.**
  - b. **The approved Landscape Plan for West Park Place shows 2 additional replacement trees (red maples) are required on Lot 12. See Figure 4.**
8. **Replacement trees shall be Michigan native species.** A list of suitable species can be found attached to this letter. The City can deny the use of certain trees based upon disease or insect

susceptibility or the growing conditions on the site. Further, the City can determine the number of different tree species in a planting as a diversity of tree species is strongly encouraged (Chapter 37, Section 37-8).

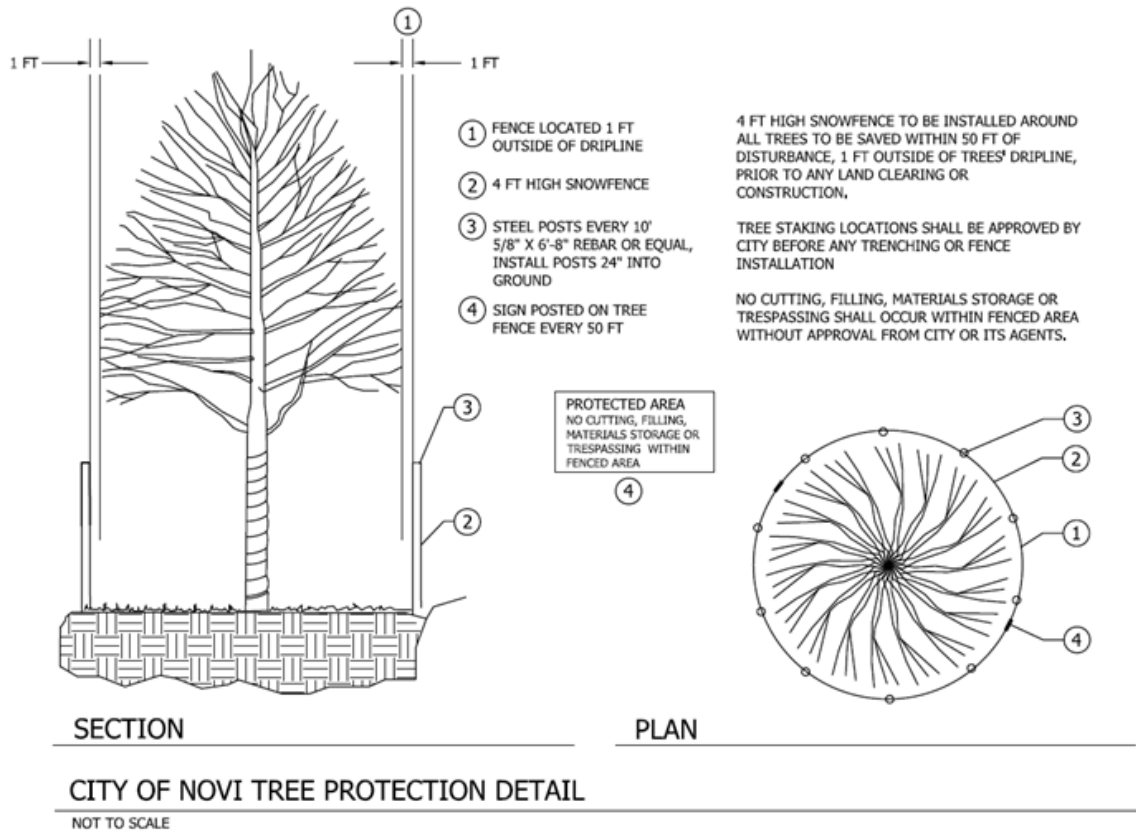
9. Replacement trees (if required) should not be located 1) within 10' of built structures or the edges of utility easements and 2) over underground structures/utilities or within their associated easements. In addition, replacement tree spacing should follow the Plant Material Spacing Relationship Chart for Landscape Purposes found in the City of Novi Landscape Design Manual.
10. **A Financial Guarantee of \$2,800.00** (7 tree replacements x \$400) **shall be required** as part of the Woodland Use Permit fees.
11. **The applicant shall guarantee trees for two (2) growing seasons** after installation and the City's acceptance, per The City's Performance Guarantees Ordinance.
12. **A two-year maintenance bond in the amount of \$700.00 shall be required** to ensure the continued health of the trees following acceptance.



Figure 1. 29906 Brush Park Ct (Lot 12)  
City of Novi Woodland Map  
Aerial imagery shows woodlands on site



**Figure 2. Google Imagery of 29906 Brush Park Ct  
July 2019**



**Figure 3. Tree Protection Fence Detail  
 City of Novi**





# MEMORANDUM



**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** CHRISTIAN CARROLL, PLANNER  
**SUBJECT:** 24190 TRAFALGAR COURT WOODLAND PERMIT  
**DATE:** MAY 2, 2022

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The applicant, Kensington Family Homes, seeks approval of a Woodland Use Permit, PBR22-0054, to remove forty-two regulated woodland trees ranging in size from 8 to 29 inches diameter-at-breast-height (DBH) from a lot located at 24190 Trafalgar Court. The site is located east of Beck Road and south of Ten Mile Road in Section 28 of the City. The site is one of two adjacent sites (24191 Trafalgar Ct) being reviewed and considered for woodland permit approval. The site is adjacent to Trafalgar Park Subdivision, which was constructed in the late 1990s. The applicant is requesting the removal of forty-two regulated woodland trees in order to build a single-family structure on the lot.

The City's Environmental Consultant reviewed the request and prepared a review letter dated March 23, 2022. Based on the plans provided, the applicant is proposing to remove forty-two woodland trees. All forty-two trees on the site are considered regulated by the City of Novi as they are greater than or equal to 8-inches DBH and located within an area mapped as Regulated Woodland. Therefore, fifty-eight woodland replacement credits would be required. The Environmental Consultant's review letter, which is attached, provides a detailed count and explanation of the required replacements.

The proposed removals have no impact on any previous agreements for the lot. It should also be noted that the proposed removals are not located within any recorded conservation or preservation easements that abut and encroach onto the property. Please refer to the Environmental Consultant's review letter for additional information.

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.**

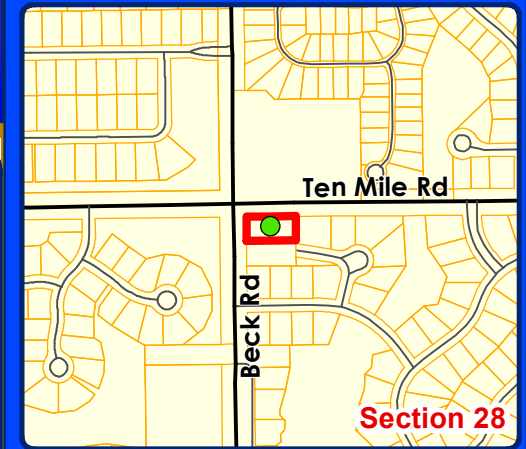
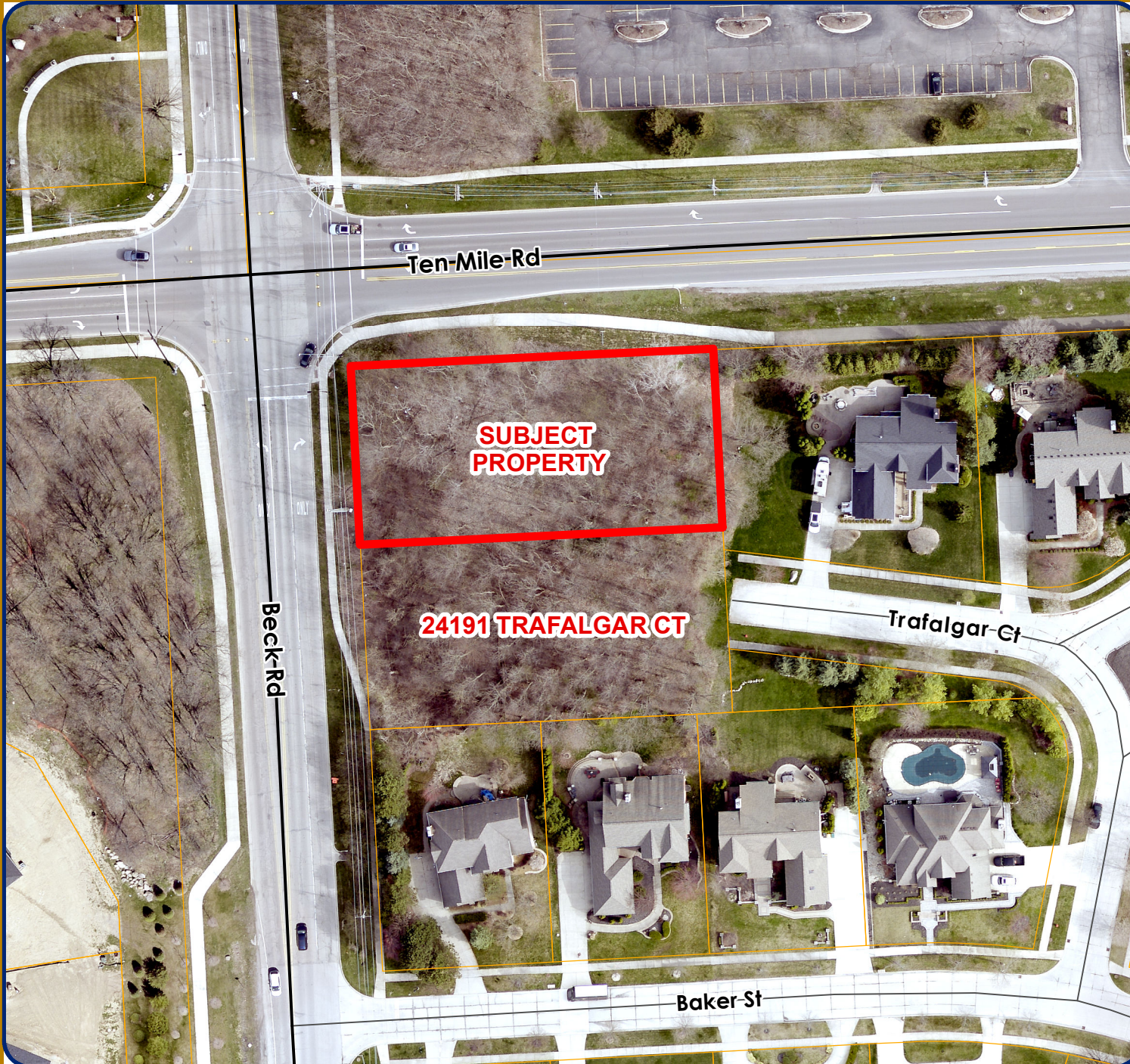
**SUGGESTED MOTION:**

**To approve Woodland Use Permit, PBR22-0054, for the removal of forty-two regulated woodland trees within an area mapped as City Regulated Woodland at 24190 Trafalgar Court for the construction of a single-family residence. The approval is subject to on-site tree replacements to the extent possible and payment into the City's Tree Fund for any outstanding Woodland Replacement Credits, along with any other conditions as listed in the Environmental Consultant's review letter.**


MAPS  
Location  
Zoning  
Future Land Use  
Natural Features

# PBR22-0054 24190 TRAFALGAR COURT 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)

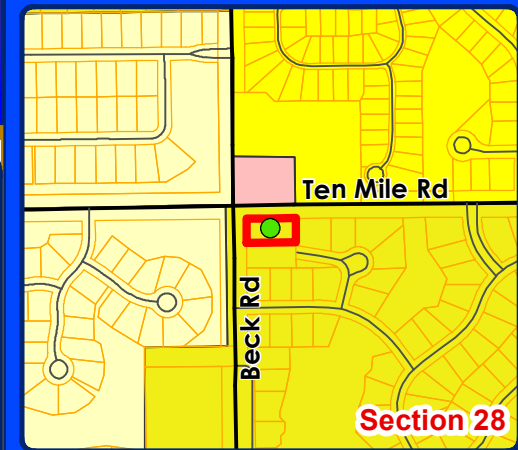
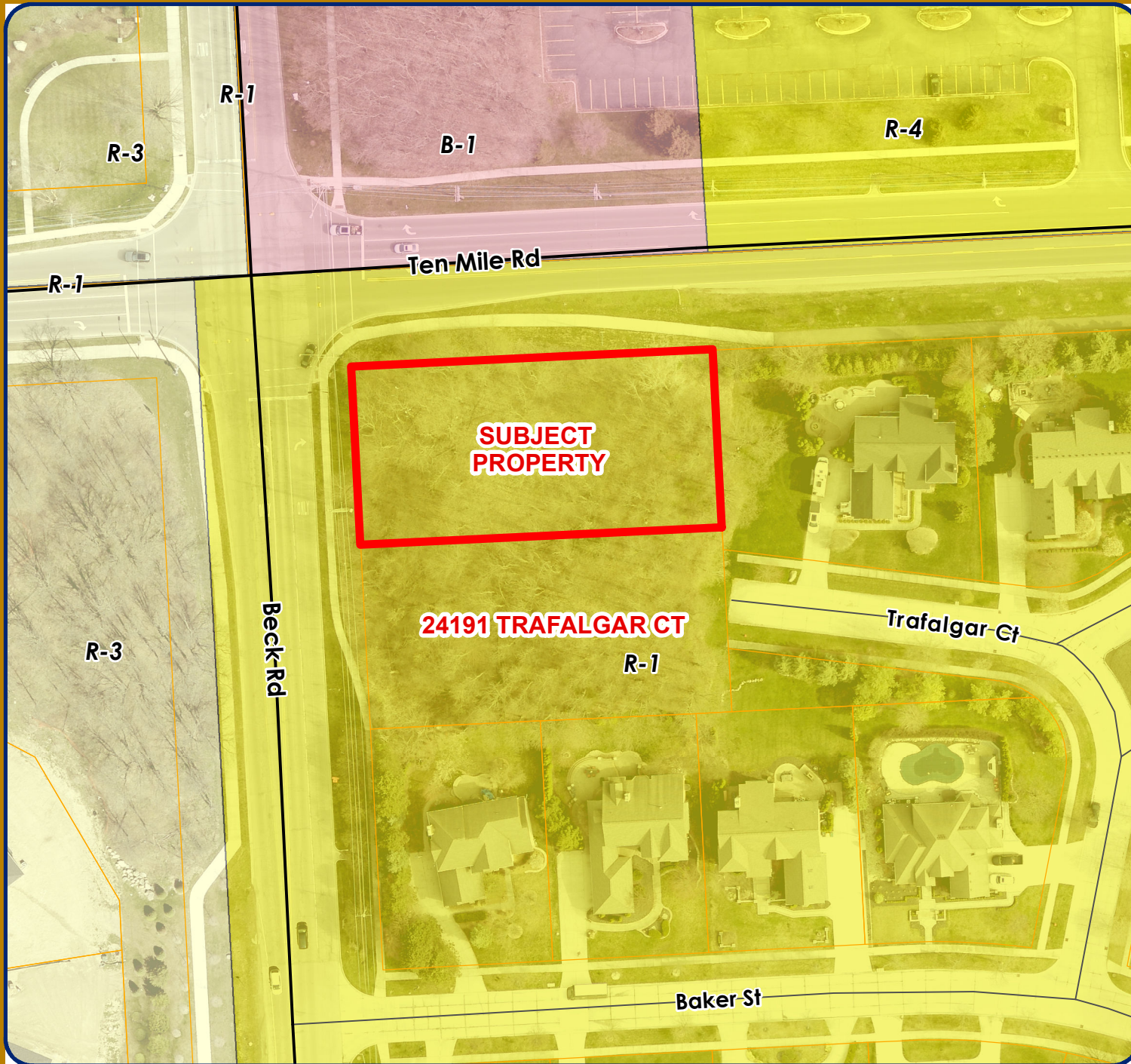
Map Author: Christian Carroll  
Date: 5/2/22  
Project: PBR22-0054 24190 TRAFALGAR CT  
Version #: 1



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# PBR22-0054 24190 TRAFALGAR COURT WOODLAND PERMIT ZONING



**LEGEND**

- R-1: One-Family Residential District
- R-3: One-Family Residential District
- R-4: One-Family Residential District
- B-1: Local Business District
- Subject Property

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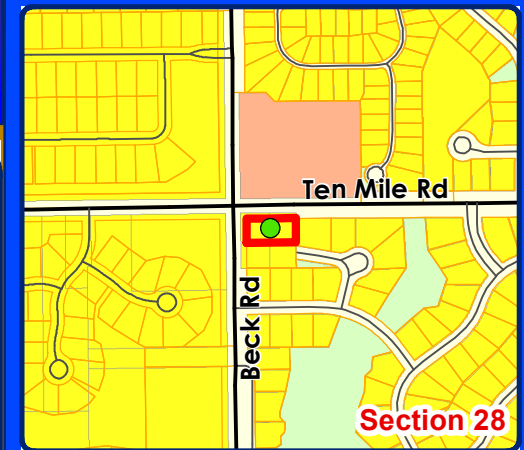
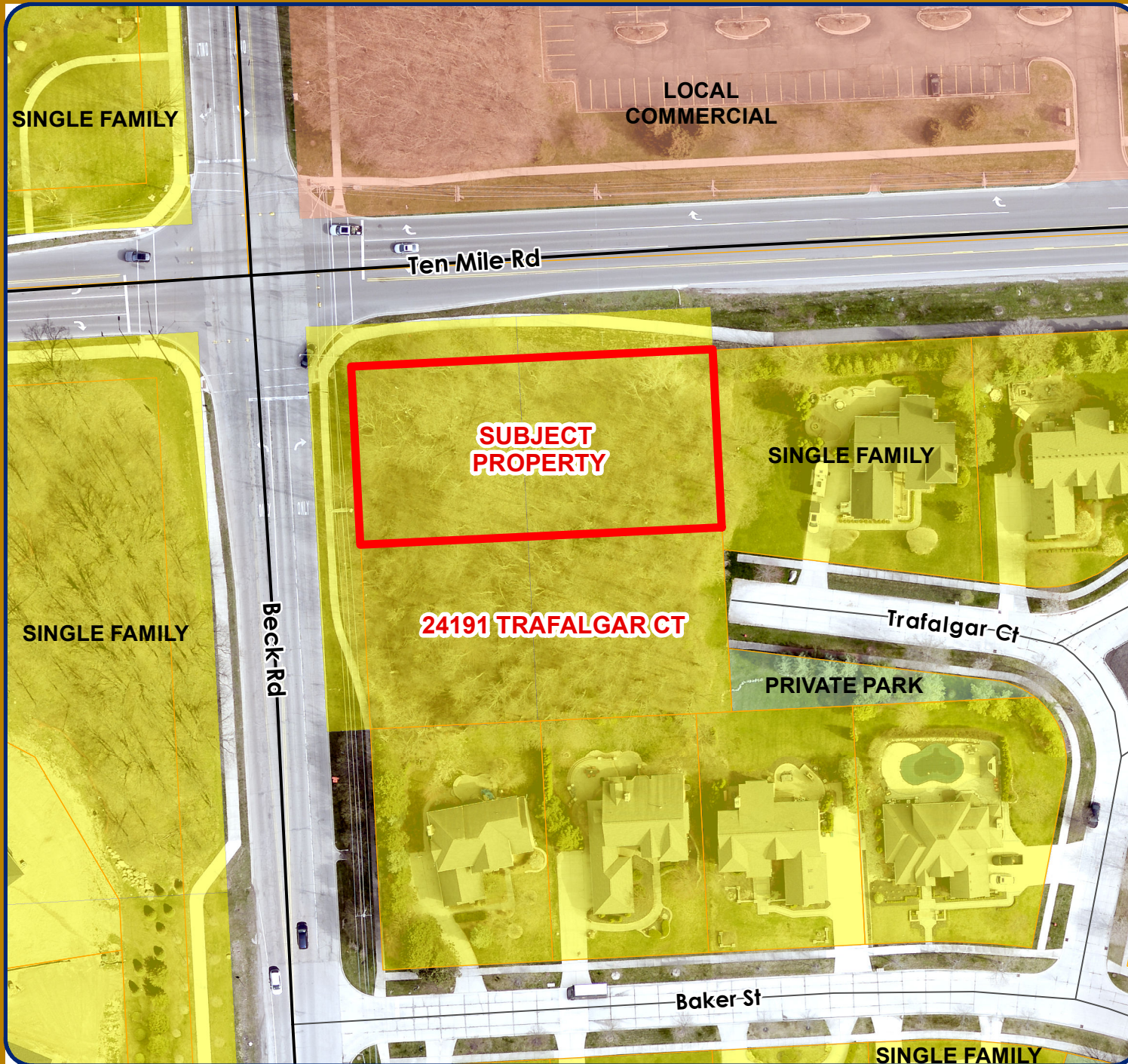
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 1 inch = 89 feet

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# PBR22-0054 24190 TRAFALGAR COURT WOODLAND PERMIT

## FUTURE LAND USE



**LEGEND**

- Single Family
- Local Commercial
- Private Park
- Subject Property

**City of Novi**  
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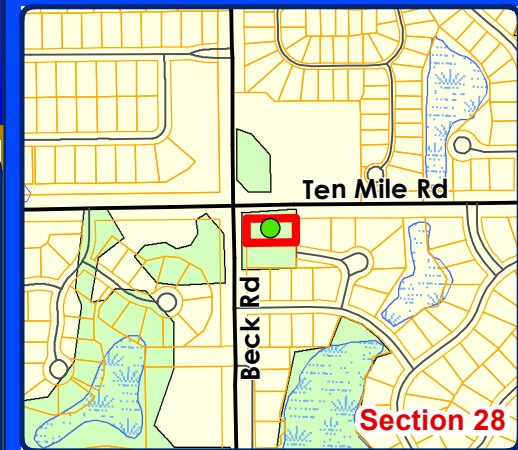
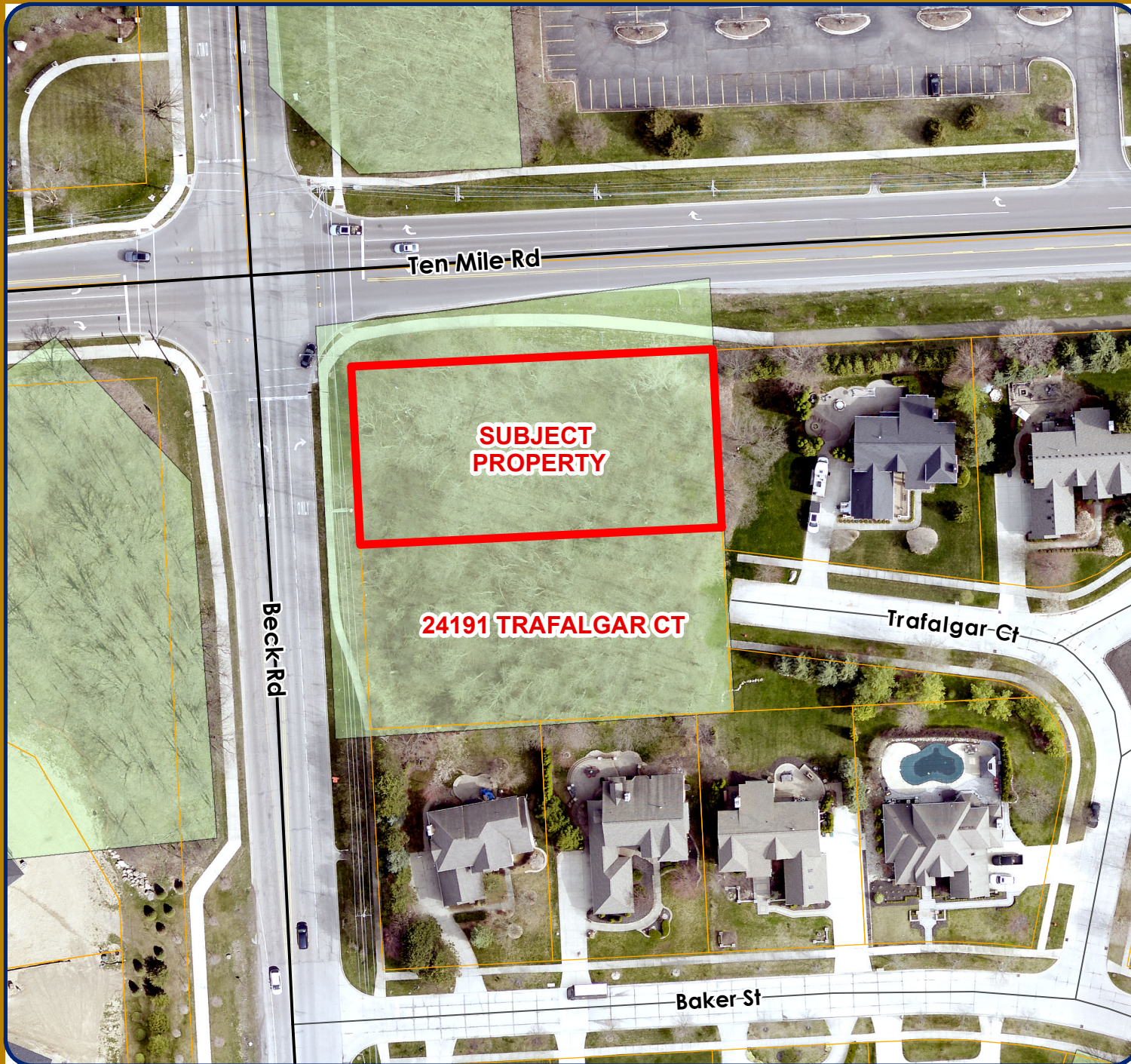
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# PBR22-0054 24190 TRAFALGAR COURT WOODLAND PERMIT

## NATURAL FEATURES



**LEGEND**

- WETLANDS
- WOODLANDS
- Subject Property

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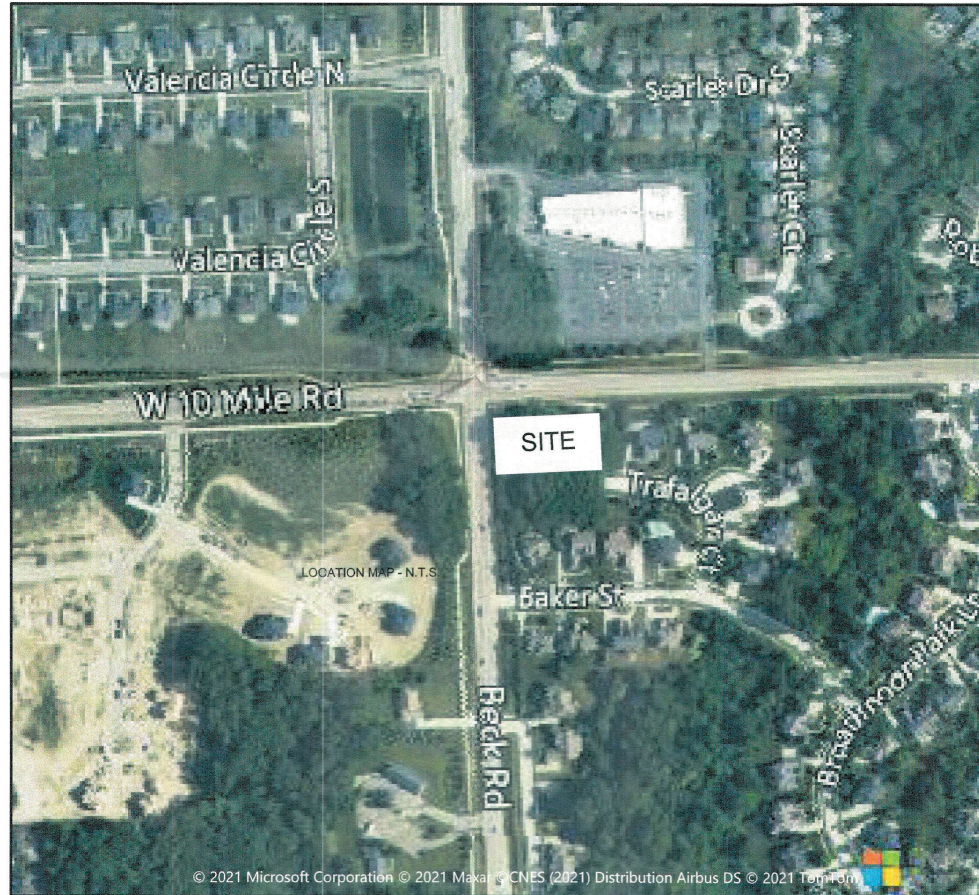


**PLOT PLAN**



**24190 TRAFALGAR COURT  
PARCEL 22-28-101-024  
NOVI, MICHIGAN**

<b>CITY OF NOVI</b>	
WOODLAND	<input checked="" type="checkbox"/> RECOMMENDED
By: <u>SW</u>	Date: <u>4-18-22</u>
WETLAND	<input type="checkbox"/> RECOMMENDED
By: <u>N/A</u>	Date: _____
ENGINEERING	<input checked="" type="checkbox"/> RECOMMENDED
By: <u>SW</u>	Date: <u>4-18-22</u>
GRADING CERTIFICATE APPROVAL	<input type="checkbox"/> RECOMMENDED
By: _____	Date: _____



VICINITY MAP - NO SCALE

SHEET 1 - COVER  
SHEET 2 - TREE REMOVAL PLAN  
SHEET 3 - PLOT PLAN

NOTE: THE UMLOR GROUP ASSUMES NO RESPONSIBILITY FOR DRIVEWAY PLACEMENT. CLIENT MUST VERIFY ALL DIMENSIONS AND DRIVEWAY PLACEMENT PRIOR TO CONSTRUCTION. APPROVAL OF THIS PLOT PLAN DOES NOT RELIEVE THE OWNER/BUILDER OF COMPLIANCE WITH ALL APPLICABLE CODES AND ORDINANCES. BEFORE BEGINNING CONSTRUCTION VERIFY AS-BUILT HOME LEAD LOCATION WITH MUNICIPALITY.

NOTE: BUILDING CONTRACTOR SHALL INSTALL AND MAINTAIN SOIL EROSION MEASURES, PER CITY OF NOVI STANDARDS THROUGHOUT CONSTRUCTION. SILT FENCE SHALL BE PLACED ALONG SIDE YARD LINES AS NECESSARY TO PROTECT EXISTING LAWN AND LANDSCAPING ON ADJACENT PROPERTIES. \*THE SOIL EROSION CONTROLS WILL BE MAINTAINED WEEKLY AND AFTER EVERY STORM EVENT.

RECEIVED

MAR 31 2022

CITY OF NOVI  
COMMUNITY DEVELOPMENT

REVISED  
3.31.22

PAPER SIZE: 18X24  
SHEET 01 OF 03  
03/14/22 REV PLOT PLAN PER CITY REVIEW



Know what's below.  
Call before you dig.



LAND DEVELOPMENT SERVICES  
49287 WEST ROAD, WIXOM, MI 48393  
PH: (248) 773-7656, FAX: (866) 690-4307



BUILDER'S ADDRESS:  
28317 BECK ROAD, E 17  
WIXOM, MI 48393  
248-965-0123  
INFO@KENSINGTONBUILT.COM



<b>COVER</b>	
24190 TRAFALGAR CT NOVI, MI	
SIDWELL NO: 22-28-101-024	
PART OF NW 1/4 OF SECTION 28, TOWN 1 NORTH, RANGE 8 EAST CITY OF NOVI, OAKLAND COUNTY, MICHIGAN	
Drawn by: JDD	Date: 07/22/2021
Project No.: 210108	

PBR22-0054

Tag No.	Scientific Name	Common Name	DBH(s)	Multi Sum	Condition	Status	Replacement Trees Required	Value
9456	Robinia pseudoacacia	Black Locust	9		Good	EXEMPT - SAVE	0	0
9457	Robinia pseudoacacia	Black Locust	10		Good	EXEMPT - SAVE	0	0
9458	Robinia pseudoacacia	Black Locust	9		Good	EXEMPT - SAVE	0	0
9459	Acer spp.	Maple	9		Good	REMOVE	1	\$ 400
9459	Ulmus spp.	Elm	10		Good	REMOVE	1	\$ 400
9461	Robinia pseudoacacia	Black Locust	12		Good	EXEMPT - SAVE	0	0
9462	Robinia pseudoacacia	Black Locust	11		Good	EXEMPT - SAVE	0	0
9463	Ulmus spp.	Elm	10		Good	REMOVE	1	\$ 400
9465	Acer negundo	Box Elder	28	3	Good	EXEMPT - SAVE	0	0
9469	Robinia pseudoacacia	Black Locust	12		Fair	EXEMPT - SAVE	0	0
9470	Robinia pseudoacacia	Black Locust	8		Fair	EXEMPT - SAVE	0	0
9471	Ulmus spp.	Elm	8		Good	REMOVE	1	\$ 400
9472	Robinia pseudoacacia	Black Locust	16		Good	EXEMPT - SAVE	0	0
9473	Ulmus spp.	Elm	12		Good	REMOVE	1	\$ 400
9474	Robinia pseudoacacia	Black Locust	24		Good	EXEMPT - SAVE	0	0
9475	Robinia pseudoacacia	Black Locust	16		Good	EXEMPT - SAVE	0	0
9476	Ulmus spp.	Elm	10		Good	REMOVE	1	\$ 400
9477	Robinia pseudoacacia	Black Locust	12		Good	EXEMPT - SAVE	0	0
9478	Acer negundo	Box Elder	8		Good	EXEMPT - SAVE	0	0
9478	Ulmus spp.	Elm	24	3	Good	EXEMPT - SAVE	0	0
9480	Acer negundo	Box Elder	9		Fair	EXEMPT - SAVE	0	0
9481	Acer negundo	Box Elder	9		Good	EXEMPT - SAVE	0	0
9482	Robinia pseudoacacia	Black Locust	14		Good	EXEMPT - SAVE	0	0
9483	Acer spp.	Maple	9		Good	REMOVE	1	\$ 400
9484	Robinia pseudoacacia	Black Locust	24		Good	EXEMPT - SAVE	0	0
9485	Robinia pseudoacacia	Black Locust	14		Good	EXEMPT - SAVE	0	0
9488	Robinia pseudoacacia	Black Locust	14	2	Fair	EXEMPT - SAVE	0	0
9487	Acer spp.	Maple	8		Good	REMOVE	1	\$ 400
9488	Acer spp.	Maple	11		Good	REMOVE	1	\$ 400
9488	Robinia pseudoacacia	Black Locust	16		Good	EXEMPT - SAVE	0	0
9489	Robinia pseudoacacia	Black Locust	24	2	Good	EXEMPT - SAVE	0	0
9491	Acer negundo	Box Elder	8		Good	EXEMPT - SAVE	0	0
9492	Acer negundo	Box Elder	8		Good	EXEMPT - SAVE	0	0
9493	Acer negundo	Box Elder	8		Good	EXEMPT - SAVE	0	0
9494	Acer negundo	Box Elder	11		Fair	EXEMPT - SAVE	0	0
9495	Acer negundo	Box Elder	13		Fair	EXEMPT - SAVE	0	0
9496	Robinia pseudoacacia	Black Locust	14		Good	EXEMPT - SAVE	0	0
9497	Acer negundo	Box Elder	4		Good	EXEMPT - REMOVE	0	0
9498	Ulmus spp.	Elm	10		Good	REMOVE	1	\$ 400
9499	Robinia pseudoacacia	Black Locust	10		Good	EXEMPT - REMOVE	0	0
9500	Robinia pseudoacacia	Black Locust	22		Good	EXEMPT - REMOVE	0	0
9501	Robinia pseudoacacia	Black Locust	11		Good	EXEMPT - REMOVE	0	0
9502	Robinia pseudoacacia	Black Locust	9		Good	EXEMPT - REMOVE	0	0
9503	Robinia pseudoacacia	Black Locust	14		Good	EXEMPT - REMOVE	0	0
9504	Robinia pseudoacacia	Black Locust	20		Good	EXEMPT - REMOVE	0	0
9505	Ulmus spp.	Elm	9		Good	REMOVE	1	\$ 400
9506	Robinia pseudoacacia	Black Locust	10		Good	EXEMPT - REMOVE	0	0
9507	Robinia pseudoacacia	Black Locust	15		Good	EXEMPT - REMOVE	0	0
9508	Robinia pseudoacacia	Black Locust	19		Good	EXEMPT - REMOVE	0	0
9509	Robinia pseudoacacia	Black Locust	11		Good	EXEMPT - REMOVE	0	0
9510	Robinia pseudoacacia	Black Locust	12		Good	EXEMPT - REMOVE	0	0
9511	Robinia pseudoacacia	Black Locust	11		Good	EXEMPT - REMOVE	0	0
9512	Robinia pseudoacacia	Black Locust	12		Good	EXEMPT - REMOVE	0	0

Tag No.	Scientific Name	Common Name	DBH(s)	Multi Sum	Condition	Status	Replacement Trees Required	Value
9514	Robinia pseudoacacia	Black Locust	10		Good	EXEMPT - REMOVE	0	0
9515	Robinia pseudoacacia	Black Locust	15		Good	EXEMPT - REMOVE	0	0
9516	Robinia pseudoacacia	Black Locust	10		Good	EXEMPT - REMOVE	0	0
9517	Robinia pseudoacacia	Black Locust	16		Good	EXEMPT - REMOVE	0	0
9518	Robinia pseudoacacia	Black Locust	14		Good	EXEMPT - REMOVE	0	0
9519	Robinia pseudoacacia	Black Locust	15		Good	EXEMPT - REMOVE	0	0
9520	Robinia pseudoacacia	Black Locust	15		Good	EXEMPT - REMOVE	0	0
9521	Robinia pseudoacacia	Black Locust	10		Good	EXEMPT - REMOVE	0	0
9522	Juglans nigra	Black Walnut	8		Good	REMOVE	1	\$ 400
9523	Prunus serotina	Black Cherry	9		Good	REMOVE	1	\$ 400
9524	Robinia pseudoacacia	Black Locust	8		Good	EXEMPT - REMOVE	0	0
9525	Populus deltoides	Cottonwood	8		Good	EXEMPT - REMOVE	0	0
9526	Robinia pseudoacacia	Black Locust	8		Good	EXEMPT - REMOVE	0	0
9527	Robinia pseudoacacia	Black Locust	9		Good	EXEMPT - REMOVE	0	0
9528	Populus deltoides	Cottonwood	28		Good	EXEMPT - REMOVE	0	0
9529	Robinia pseudoacacia	Black Locust	9		Good	EXEMPT - REMOVE	0	0
9532	Robinia pseudoacacia	Black Locust	11		Good	EXEMPT - REMOVE	0	0
9533	Robinia pseudoacacia	Black Locust	11		Good	EXEMPT - REMOVE	0	0
9532	Robinia pseudoacacia	Black Locust	9		Good	EXEMPT - REMOVE	0	0
9533	Robinia pseudoacacia	Black Locust	10		Good	EXEMPT - REMOVE	0	0
9534	Robinia pseudoacacia	Black Locust	9		Good	EXEMPT - REMOVE	0	0
9535	Robinia pseudoacacia	Black Locust	8		Good	EXEMPT - REMOVE	0	0
9536	Robinia pseudoacacia	Black Locust	10		Good	EXEMPT - REMOVE	0	0
9537	Robinia pseudoacacia	Black Locust	10		Good	EXEMPT - REMOVE	0	0
						6	6	\$ 2,400

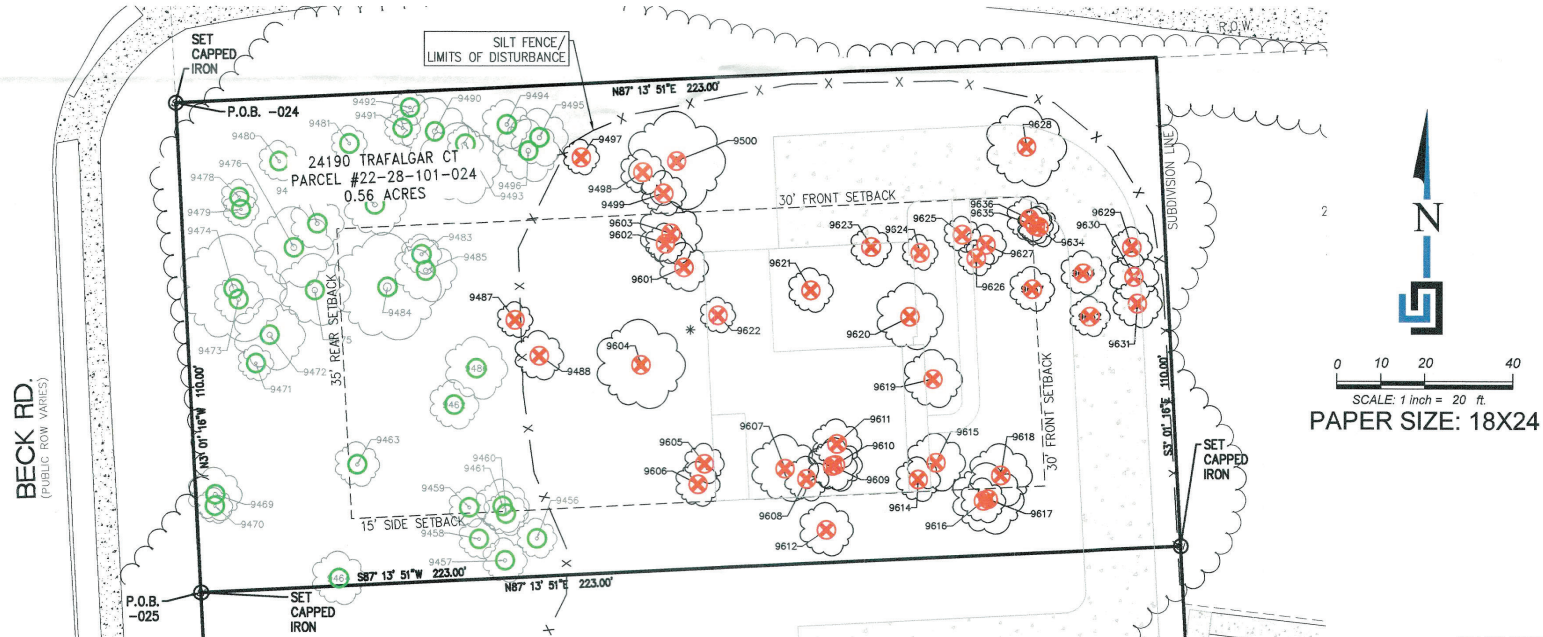
NOTE: INVASIVE SPECIES (BLACK LOCUST, BOX ELDER, POPLAR, AND COTTONWOOD) THAT HAVE THE POTENTIAL TO HARM HUMANS OR NATURAL RESOURCES ARE NOW IDENTIFIED AS "EXEMPT-SAVE", "EXEMPT - DRIP" OR "EXEMPT-REMOVE" IN THE TABLE ABOVE.

**Tree Replacement Summary**

Trees Tagged 8" DBH and greater	77	
Trees Saved	8	10%
Trees Removed	6	8%
2-1/2" Replacement Trees Required		
Value at \$400/Tree (Novi fund rate)	\$ 2,400	



CITY OF NOVI REGULATED WOODLAND AREA  
(AS SHOWN ON NOVI GIS SITE - <https://novi.maps.arcgis.com/>)



SCALE: 1 inch = 20 ft.  
PAPER SIZE: 18X24

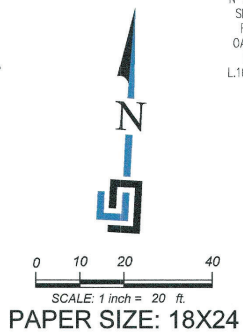
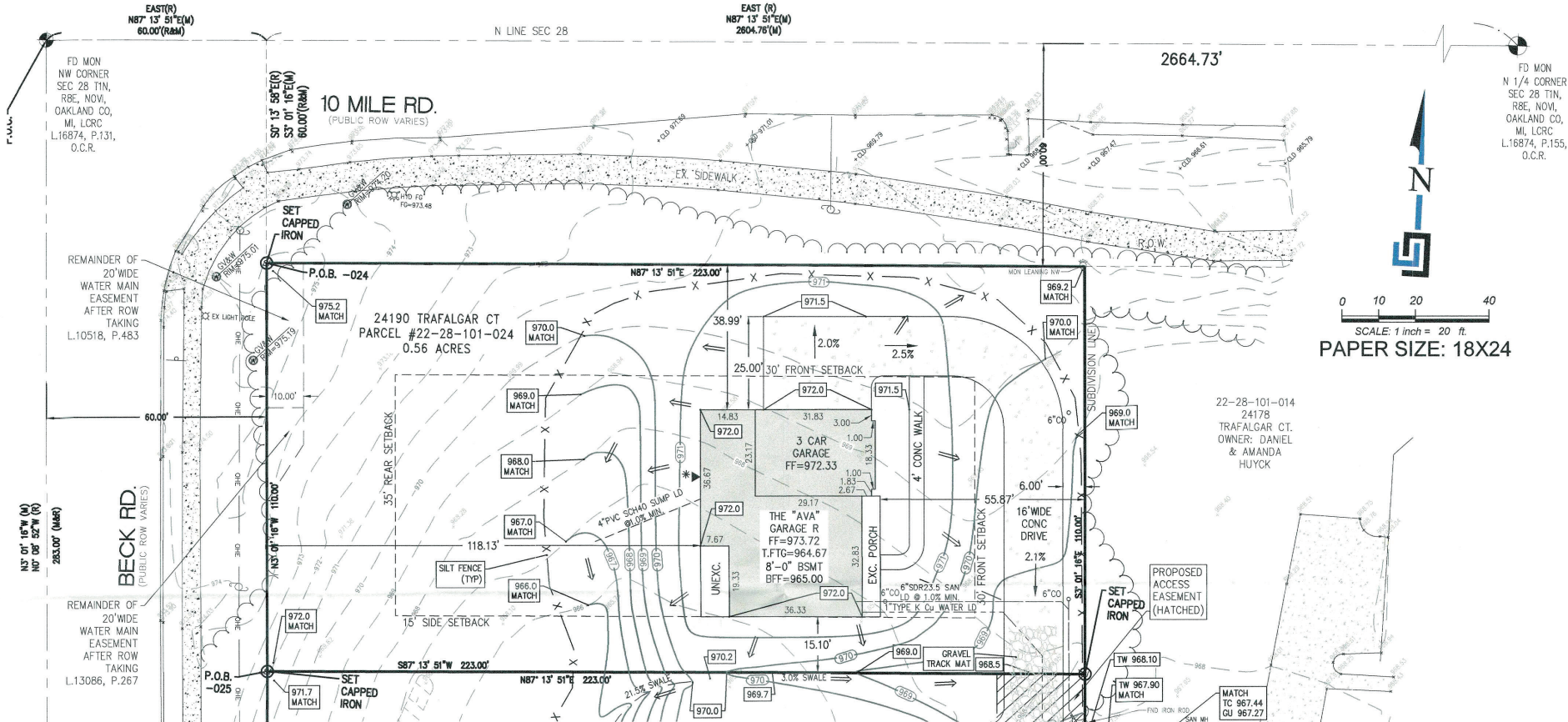
PAPER SIZE: 18X24  
SHEET 02 OF 03  
03/14/22 REV PLOT PLAN PER CITY REVIEW

**The UMLOR Group**  
LAND DEVELOPMENT SERVICES  
49287 WEST ROAD, WIXOM, MI 48393  
PH: (248) 773-7656, FAX: (866) 690-4307

**KENSINGTON FAMILYPHOMES**  
BUILDER'S ADDRESS:  
28317 BECK ROAD, E 17  
WIXOM, MI 48393  
248-965-0123  
INFO@KENSINGTONBUILT.COM

STATE OF MICHIGAN  
MRS. LETO UMLOR  
ENGINEER  
02216518  
Professional Engineer Seal

TREE REMOVAL PLAN  
24190 TRAFALGAR CT  
NOVI, MI  
SIDWELL NO: 22-28-101-024  
PART OF NW 1/4 OF SECTION 28,  
TOWN 1 NORTH, RANGE 9 EAST  
CITY OF NOVI,  
OAKLAND COUNTY, MICHIGAN  
Drawn by: JDD  
Date: 07/22/2021  
Project No.: 210108

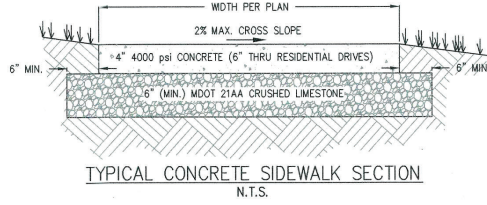


**PARCEL #22-28-101-024 LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 28, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 28, SAID LINE BEING ALSO THE CENTER LINE OF TEN MILE ROAD (R.O.W. VARIES), N87°13'51"E, 60.00 FEET; THENCE S3°01'16"E, 60.00 FEET TO THE INTERSECTION POINT OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID TEN MILE ROAD AND THE EASTERLY RIGHT-OF-WAY LINE OF BECK ROAD (R.O.W. VARIES); SAID INTERSECTION POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE N87°13'51"E, 223.00 FEET; THENCE S3°01'16"E, 110.00 FEET; THENCE S87°13'51"W, 223.00 FEET TO THE SAID EASTERLY RIGHT-OF-WAY LINE OF SAID BECK ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE N03°01'16"W, 110.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 24,530 SQ FT OR 0.56 ACRES, MORE OR LESS.



NOTE: SIDEWALKS SHALL BE CONSTRUCTED ACCORDING TO THE AMERICANS WITH DISABILITIES ACT (A.D.A) STANDARDS.

LEGEND					
	SUMP LEAD		SPOT ELEVATION		CATCH BASIN
	SANITARY LEAD		RECORD DRAWING		MANHOLE
	WATERMAIN LEAD		PROPOSED GRADE		HYDRANT
	DRAINAGE ARROW		AS-BUILT INFORMATION		FOUNDATION CONTRACTOR TO VERIFY EGRESS WELL LOCATION(S)
	SILT FENCE		YARD INLET FILTER		

**SITE CUT/FILL REPORT**

CUT = 190 CU YD  
 FILL = 824 CU YD  
 NET FILL = 634 CU YD

**The UMLOR Group**  
 LAND DEVELOPMENT SERVICES  
 49287 WEST ROAD, WIXOM, MI 48393  
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STATE OF MICHIGAN  
 M.E.S. LEE  
 O. UMLOR  
 ENGINEER  
 620172457

PAPER SIZE: 18X24  
 SHEET 03 OF 03  
 03/14/22 REV PLOT PLAN PER CITY REVIEW

PLOT PLAN	
24190 TRAFALGAR CT NOVI, MI	
SIDWELL NO.: 22-28-101-024	
PART OF NW 1/4 OF SECTION 28, TOWN 1 NORTH, RANGE 8 EAST CITY OF NOVI, OAKLAND COUNTY, MICHIGAN	
Drawn by:	JDD
Date:	07/22/2021
Project No.:	210108

**WOODLAND REVIEW**



Corporate Headquarters  
295 South Water Street, Suite 300  
Kent, OH 44240  
800-828-8312

Local Office  
3381 Lapeer Rd. West  
Auburn Hills, MI 48326

**To:** Angela Sosnowski, Bond Coordinator  
City of Novi

**From:** Kerry Gray, Principal Consultant  
Davey Resource Group

**CC:** Barbara McBeth, City of Novi City Planner  
Lindsay Bell, City of Novi Senior Planner  
Christian Carroll, City of Novi Planner  
Rick Meader, City of Novi Landscape Architect  
Madeleine Daniels, City of Novi Planner  
Ben Peacock, City of Novi, Planning Assistant  
Heather Gendron, Spalding DeDecker  
Ted Meadows, Spalding DeDecker  
Sydney Waynick, Spalding DeDecker  
Douglas Repen, The Mannik & Smith Group, Inc.

**Date:** March 23, 2022

**RE:** 24190 Trafalgar Ct.– Single Family Residential Plot Plan  
Woodland Review #2 – PBR22-0054

---

Davey Resource Group, Inc. (DRG) has conducted a review of the revised single-family residential plot plan for 24190 Trafalgar Ct. prepared by The Umlor Group (revision date: 03/14/2022). The plan proposes the construction of a new single-family residence at 24190 Trafalgar Ct (Parcel No. 22-28-101-024). The site contains City-regulated woodlands (Figure 1). DRG reviewed the plan for conformance with the City of Novi’s Woodland Protection Ordinance, Chapter 37.

**Recommendation:** DRG **recommends approval** of the 24190 Trafalgar Ct Residential Plot Plan – contingent upon addressing the Woodland Review Comments.

The following Woodland Regulations apply to this site:

Woodland Regulation	Required
Woodland Permit (Chapter 37, Section 37-26)	YES
Tree Replacement (Chapter 37, Section 37-8)	YES
Tree Protection (Fence) (Chapter 37, Section 37-9)	YES
Woodland Conservation Easement (Chapter 37-30 (e))	YES

**WOODLAND IMPACTS**

The plan proposes the disturbance and removal of trees in a City of Novi Regulated Woodland for the construction of a single-family home. The woodlands on the site are considered low quality with a mix of bottomland and invasive tree species, including maple (*Acer spp.*), black locust (*Robinia pseudoacacia*), boxelder (*Acer negundo*), and elm (*Ulmus spp.*).

The plan proposes the following tree removals:

Regulated Woodland Tree Removals (Healthy)	42
Non-Regulated Tree Removals	0
Total Tree Removals	42

**WOODLAND REVIEW COMMENTS**

1. **A Woodland Use Permit is required** to perform construction on any site containing regulated woodlands. **This permit will require Planning Commission approval** because the site proposes to remove 42 regulated woodland trees.
2. The plot plan indicates that invasive species are exempt from regulations. This incorrect – all trees in a regulated woodland 8” in diameter (DBH) or greater are regulated woodland trees. Revise tree chart to address this comment and include required replacements.
3. **Woodland Replacements.**

- a. The following woodland replacement credits are required for the removal of 42 regulated woodland trees:

Tree Size (Diameter - Inches)	Number of Trees	Ratio Replacement/ Removed Tree	Total Replacements Required
8-11”	28	1	28
12-20”	12	2	24
21-29”	2	3	6
30+”	-	4	-
Multi-Stem	-	Add Stems/8	-
<b>Total</b>			58
<b>Total Replacement Credits Required</b>			58

- b. Woodland replacement credits can be provided by:
  1. Planting the woodland tree replacement credits on-site.
  2. Payment to the City of Novi Tree Fund at a rate of \$400/woodland replacement credit – 58 woodland replacement credits x \$400 = \$23,200.
  3. Combination of on-site tree planting and payment into the City of Novi Tree Fund (\$400/woodland replacement credit).

**Revise plan to indicate how the 58 woodland replacement credit requirement will be met.**

- c. Replacement trees shall be Michigan native species. A list of suitable species can be found in this memo (Woodland Tree Replacement Chart). The City can deny the use of certain trees based upon disease or insect susceptibility or the growing conditions on the site. Further, the City can determine the number of different tree species in a planting as a diversity of tree species is strongly encouraged (Chapter 37, Section 37-8).
- d. Replacement trees should not be located 1) within 10' of built structures or the edges of utility easements and 2) over underground structures/utilities or within their associated easements. In addition, replacement tree spacing should follow the Plant Material Spacing Relationship Chart for Landscape Purposes found in the City of Novi Landscape Design Manual.

**4. Tree Protection Fence.**

- a. Tree protection fence must be installed at the perimeter of the critical root zone (CRZ) of all regulated trees to be preserved on site and must remain in place for the duration of the construction project. **The critical root zone is located one (1)-foot outside the dripline (edge of canopy) of preserved trees.**
- b. The plan shows silt fence used as tree protection fencing. Silt fence does not meet tree protection requirements. **Please revise plan to show the location of the tree protection fence and add a tree protection fencing detail.** A copy of the City of Novi tree protection detail is provided in this memo (Figure 2).
- c. **If tree protection fence must be located within the critical root zone of preserved regulated woodland trees,** due to “practical hardship” the applicant may provide replacement through payment into the City of Novi Tree Fund per the chart below (Chapter 37, Section 37-8(a)) at cost of \$400 per required replacement tree.

**5. The following Financial Guarantees and/or City of Novi Tree Fund payments are required prior to issuance of the City of Novi Woodland Use Permit:**

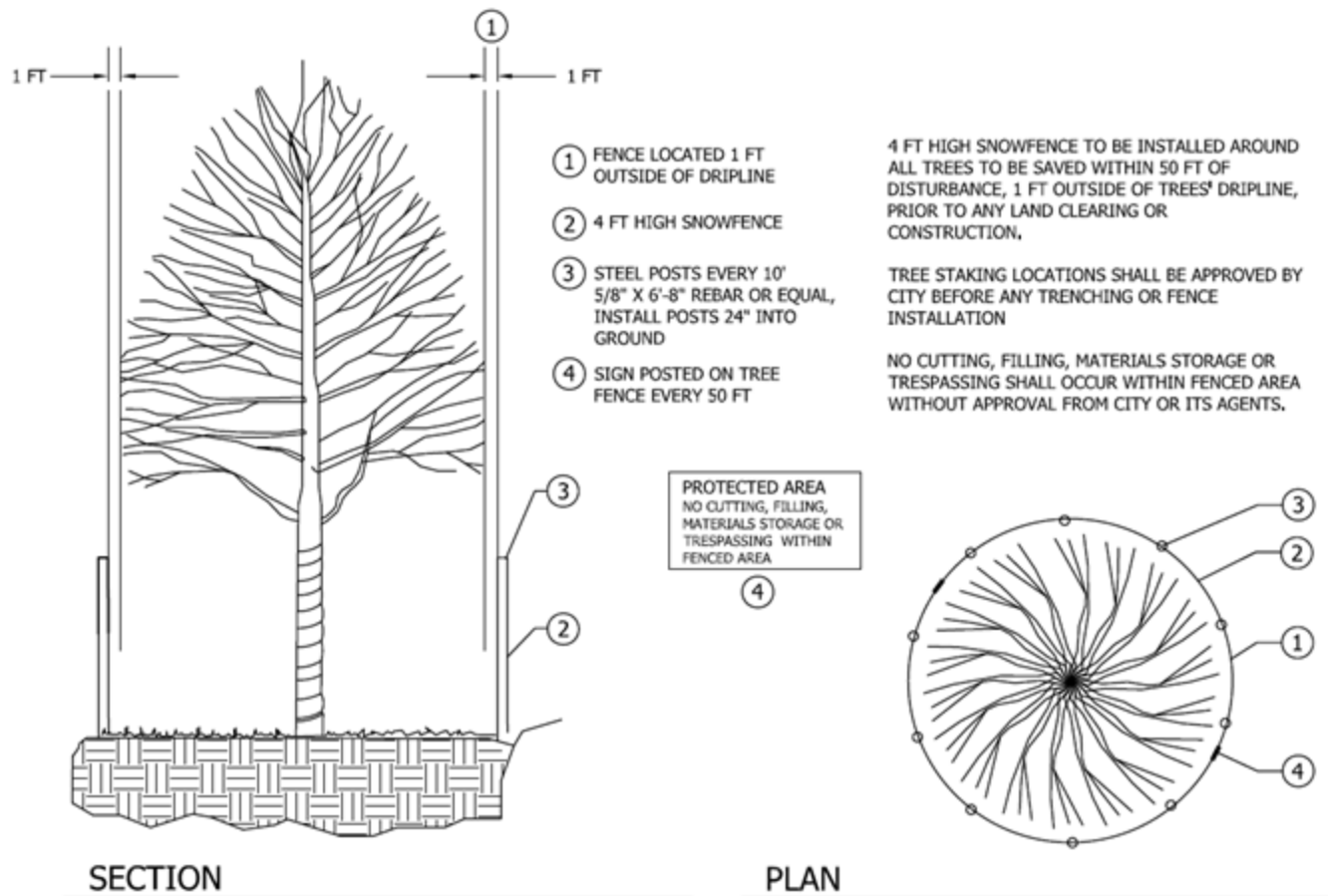
- 1. For tree replacement credits that will be planted on site a **financial guarantee of \$400/tree replacement credit** is required to ensure planting of the on-site woodland replacement credits. The financial guarantee will be released after trees have been planted and approved by the City of Novi. The applicant must request the tree planting inspection.
- 2. **The applicant shall guarantee trees for two (2) growing seasons after installation and the City's acceptance,** per The City's Performance Guarantees Ordinance. A two-year maintenance bond in the amount of twenty-five (25) percent of the value of the trees, but in no case less than one thousand dollars (\$1,000.00), shall be required to ensure the continued health of the trees following acceptance (Chapter 26.5, Section 26.5-37). Based on a successful inspection two (2) years after installation of the on-site Woodland Replacement trees, the Woodland Replacement Performance Guarantee shall be returned to the Applicant. The Applicant is responsible for requesting this inspection.



3. If space constraints prohibit the tree replacement credits from being planted on site a **payment into the City of Novi Tree Fund at a rate of \$400/tree replacement credit is required.** This payment is non-refundable.
4. A **financial guarantee in the amount of \$750 is required for tree protection fencing maintenance** per Chapter 26.5-37. This guarantee shall be paid prior to issuance of the City of Novi Woodland Use Permit and shall be released after tree removals following inspection by the City of Novi. The applicant must request the fence removal inspection.



Figure 1. 24190 Trafalgar Ct  
 City of Novi Regulated Woodland Map  
 (Green hatched areas = regulated woodlands)



CITY OF NOVI TREE PROTECTION DETAIL

NOT TO SCALE

Figure 2. City of Novi Tree Protection Detail

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

# MEMORANDUM



**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** CHRISTIAN CARROLL, PLANNER  
**SUBJECT:** 24191 TRAFALGAR COURT WOODLAND PERMIT  
**DATE:** MAY 2, 2022

---

The applicant, Kensington Family Homes, seeks approval of a Woodland Use Permit, PBR22-0055, to remove seventy-nine regulated woodland trees ranging in size from 8 to 20 inches diameter-at-breast-height (DBH) from a lot located at 24191 Trafalgar Court. The site is located east of Beck Road and south of Ten Mile Road in Section 28 of the City. The site is one of two adjacent sites (24190 Trafalgar Ct) being reviewed and considered for woodland permit approval. The site is adjacent to Trafalgar Park Subdivision, which was constructed in the late 1990s. The applicant is requesting the removal of seventy-nine regulated woodland trees in order to build a single-family structure on the lot.

The City's Environmental Consultant reviewed the request and prepared a review letter dated March 23, 2022. Based on the plans provided, the applicant is proposing to remove seventy-nine woodland trees. All seventy-nine trees on the site are considered regulated by the City of Novi as they are greater than or equal to 8-inches DBH and located within an area mapped as Regulated Woodland. Therefore, one hundred sixteen woodland replacement credits would be required. The Environmental Consultant's review letter, which is attached, provides a detailed count and explanation of the required replacements.

The proposed removals have no impact on any previous agreements for the lot. It should also be noted that the proposed removals are not located within any recorded conservation or preservation easements that abut and encroach onto the property. Please refer to the Environmental Consultant's review letter for additional information.

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