



## ISLAND LAKE NORTH BAY TREE REMOVALS JSP21-23

### **ISLAND LAKE NORTH BAY TREE REMOVALS JSP21-23**

Matter of Consideration at the request of Elliott Milstein, President of Island Lake North Bay Homeowner's Association, for approval of a Revised Landscape Plan. The subject property contains 22.1 acres and is located in Section 18 & 19, east of Napier Road, north of Seaglen Drive. In this revised request, the applicant is proposing to remove 37 landscape trees within open space common area of the Island Lake North Bay Homeowner's Association (Phase 6 of Island Lake) due to tree health, site congestion, and aesthetics.

### **Required Action**

Approve/Deny the Revised Landscape Plan.

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval recommended	9-30-21	<ul style="list-style-type: none"> <li>• <b>Planning recommends approval of the Revised Landscape Plan to allow for the removal of 29 landscape trees without replacements, and either denial of removal or a request to replace the other 8 trees as shown on the marked-up plan submitted by the applicant on September 9, 2021.</b></li> <li>• Items to be addressed on the Final Site Plan submittal (if necessary)</li> </ul>
Landscaping	Approval recommended	9-30-21	<ul style="list-style-type: none"> <li>• <b>Landscape recommends approval of the Revised Landscape Plan to allow for the removal of 29 landscape trees without replacements, and either denial of removal or a request to replace the other 8 trees as shown on the marked-up plan submitted by the applicant on September 9, 2021.</b></li> <li>• Items to be addressed on the Final Site Plan Submittal (if necessary)</li> </ul>

## **MOTION SHEET**

### **Approval – Second Revised Landscape Plan (Staff Recommendation)**

In the matter of Island Lake North Bay Tree Removals, JSP21-23, motion to **approve** the Second Revised Landscape Plan subject to:

- a. The proposed amendment does not constitute a major change to the RUD Agreement as described in Section 3.29.18.A of the Zoning Ordinance, since it meets the standards of the ordinance as a minor change as detailed in the motion above;
- b. The removal of twenty-nine (29) landscape trees without replacement *because such landscape trees are either not identified on a plan (15) or because the removal of these trees does not compromise the overall planting plan (14)*;
- c. The **denial** of eight (8) of the seven (37) landscape trees proposed for removal *because such landscape trees add privacy between the buildings, create a consistent look across the front of the units, provide ecological benefits and shoreline stabilization, and add to the beauty of the site*;

**OR**

- d. The **replacement** of eight (8) of the seven (37) landscape trees proposed for removal shall be required, with some allowance for adjustment of positioning to alleviate congestion, *because such landscape trees add privacy between the buildings, create a consistent look across the front of the units, provide ecological benefits and shoreline stabilization, and add to the beauty of the site*;
- e. The maintenance of all remaining landscape and shoreline trees as identified in any previously approved site plans and shoreline plans for the development shall be the responsibility of the association;
- f. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan; and
- g. (Additional conditions here if any)

*(This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)*

**– OR –**

### **Approval – Second Revised Landscape Plan (Applicant Request)**

In the matter of Island Lake North Bay Tree Removals, JSP21-23, motion to **approve** the Second Revised Landscape Plan subject to:

- a. The proposed amendment does not constitute a major change to the RUD Agreement as described in Section 3.29.18.A of the Zoning Ordinance, since it meets the standards of the ordinance as a minor change as detailed in the motion above;
- b. The removal of thirty-eight (38) landscape trees without replacements *because the site is considered overplanted by the applicant*;
- c. The maintenance of all remaining landscape and shoreline trees as identified in any previously approved site plans and shoreline plans for the development shall be the responsibility of the association;
- d. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan; and

e. (Additional conditions here if any)

*(This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)*

**- OR -**

**Denial – Second Revised Landscape Plan**

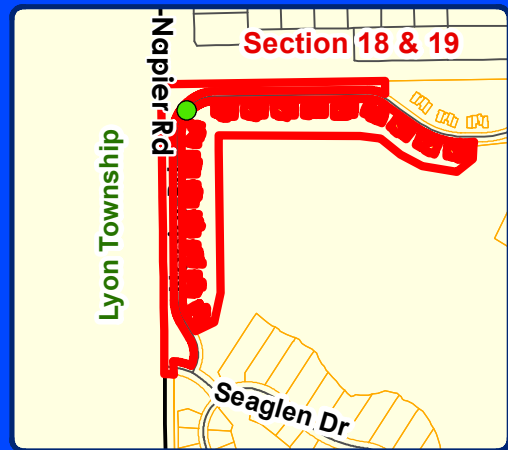
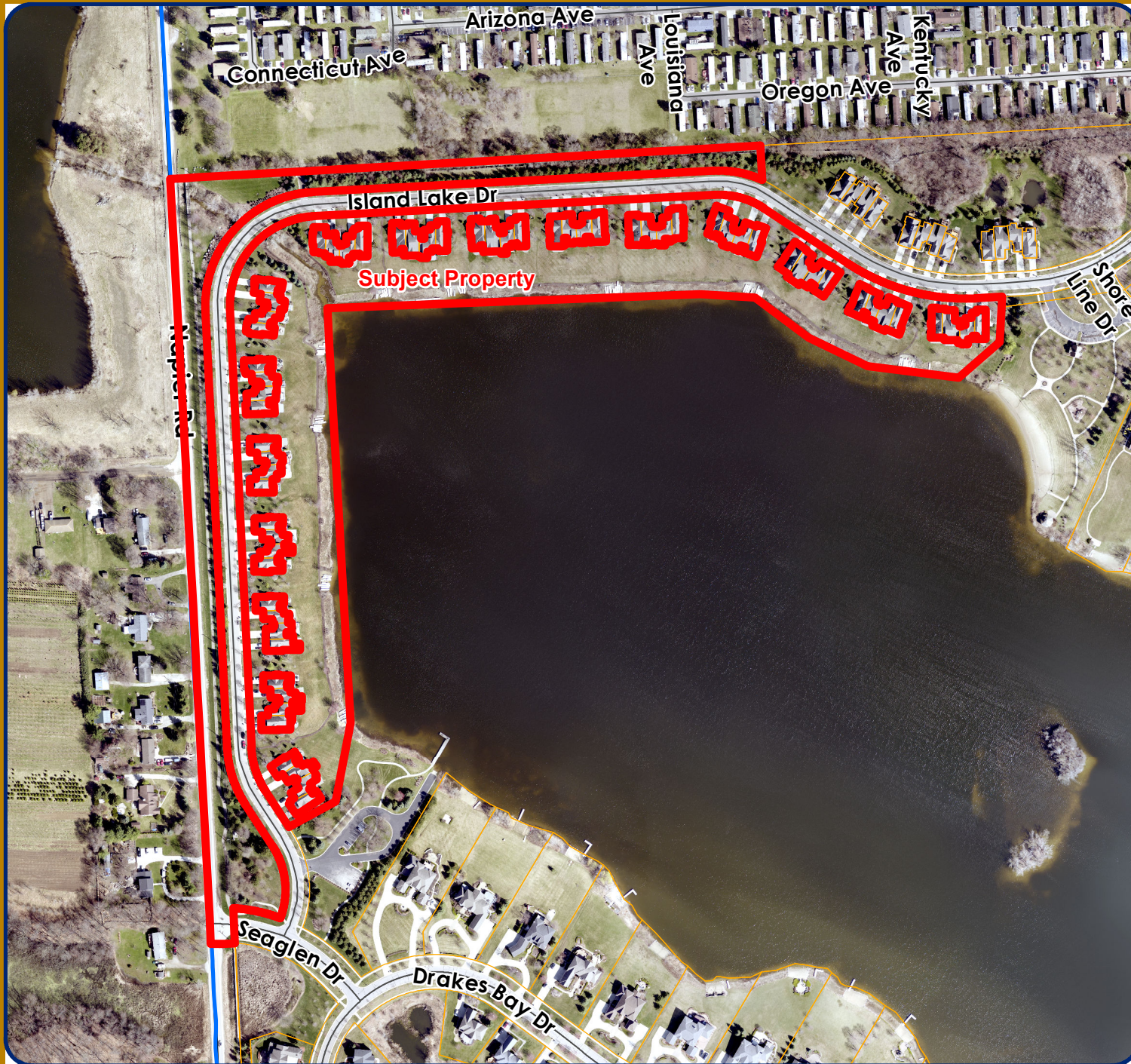
In the matter of Island Lake North Bay Tree Removals, JSP21-23, motion to **deny** the Second Revised Landscape Plan ... *(because the plan is not in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)*


**MAPS**  
**Location**  
**Zoning**  
**Future Land Use**  
**Natural Features**

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# JSP21-23 ISLAND LAKE NORTH BAY TREE REMOVALS

Location



**LEGEND**  
 Subject Property



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

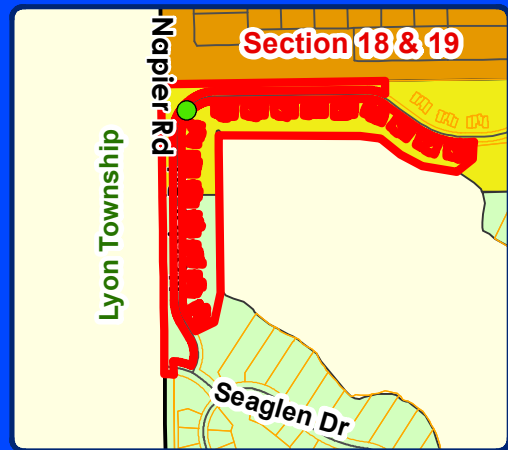
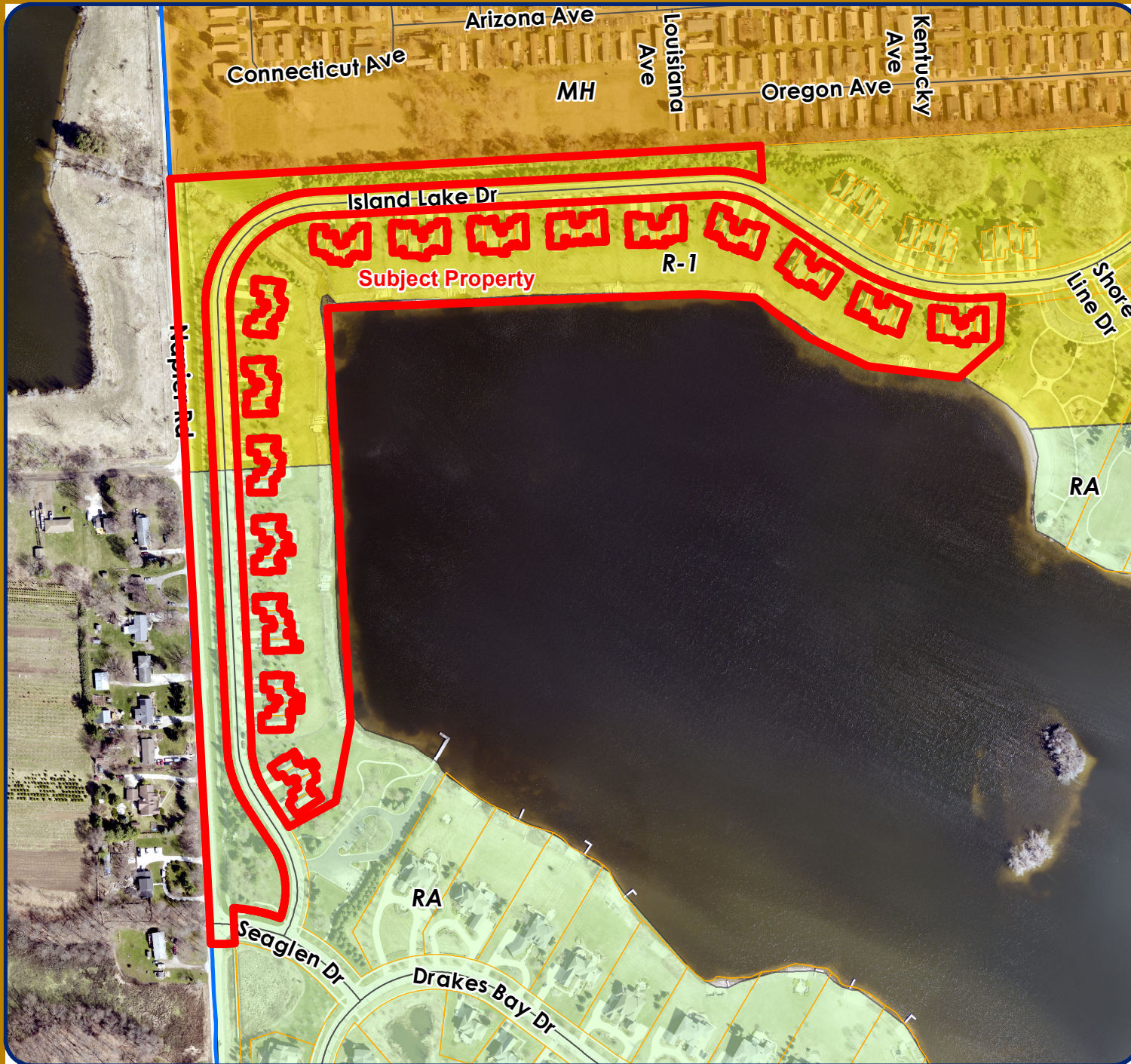
Map Author: Christian Carroll  
Date: 7/8/21  
Project: ISLAND LAKE NORTH BAY TREE REMOVALS  
Version #: 1



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# JSP21-23 ISLAND LAKE NORTH BAY TREE REMOVALS

## ZONING



**LEGEND**

- R-A: Residential Acreage
- R-1: One-Family Residential District
- MH: Mobile Home District
- Subject Property

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

Map Author: Christian Carroll  
Date: 7/8/21  
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Version #: 1

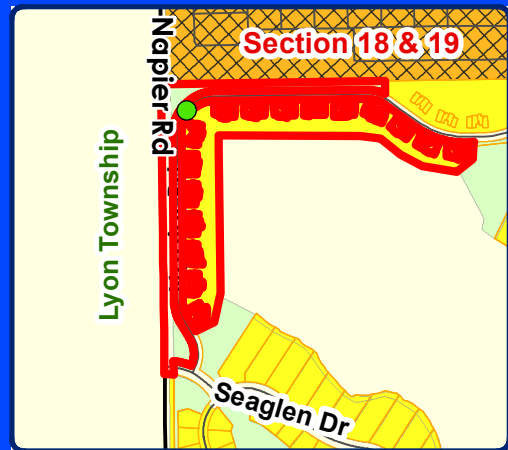
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1 inch = 357 feet

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# JSP21-23 ISLAND LAKE NORTH BAY TREE REMOVALS

## FUTURE LAND USE



**LEGEND**

- Single Family
- Mobile Home Park
- Private Park
- Subject Property

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Date: 7/8/21  
Project: ISLAND LAKE NORTH BAY TREE REMOVALS  
Version #: 1

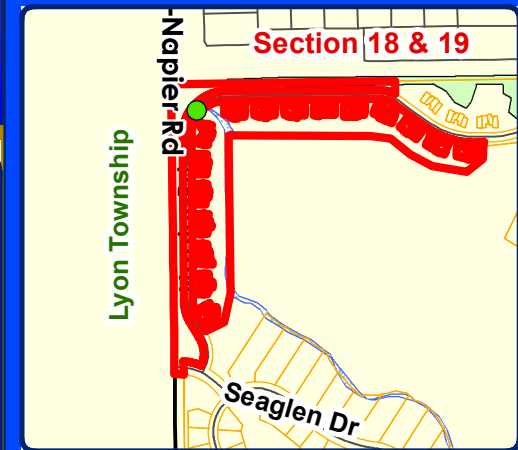
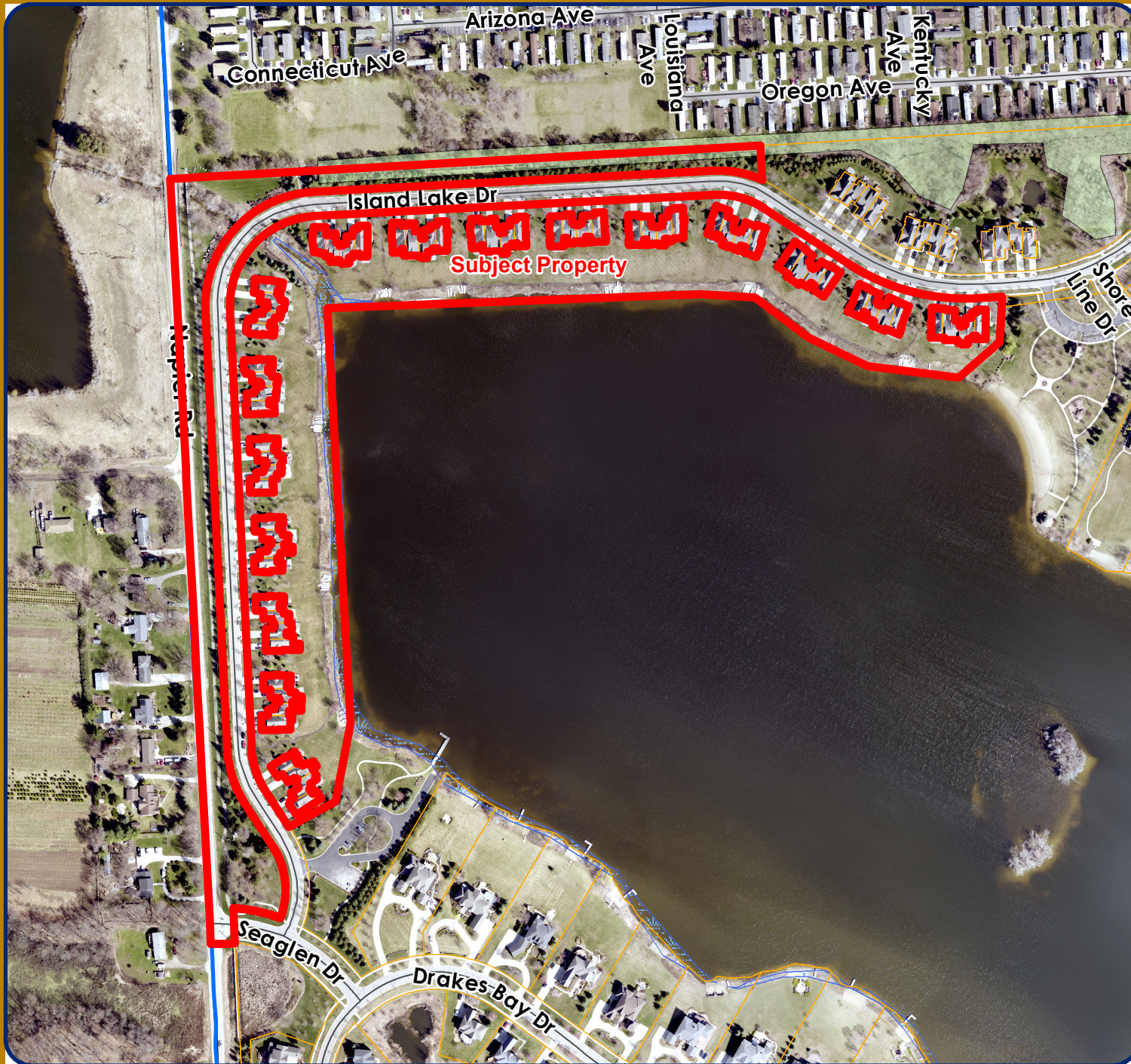
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# JSP21-23 ISLAND LAKE NORTH BAY TREE REMOVALS

## NATURAL FEATURES



**LEGEND**


- WETLANDS
- WOODLANDS
- Subject Property



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Project: ISLAND LAKE NORTH BAY TREE REMOVALS  
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0 80 160 320 480 Feet  
1 inch = 357 feet



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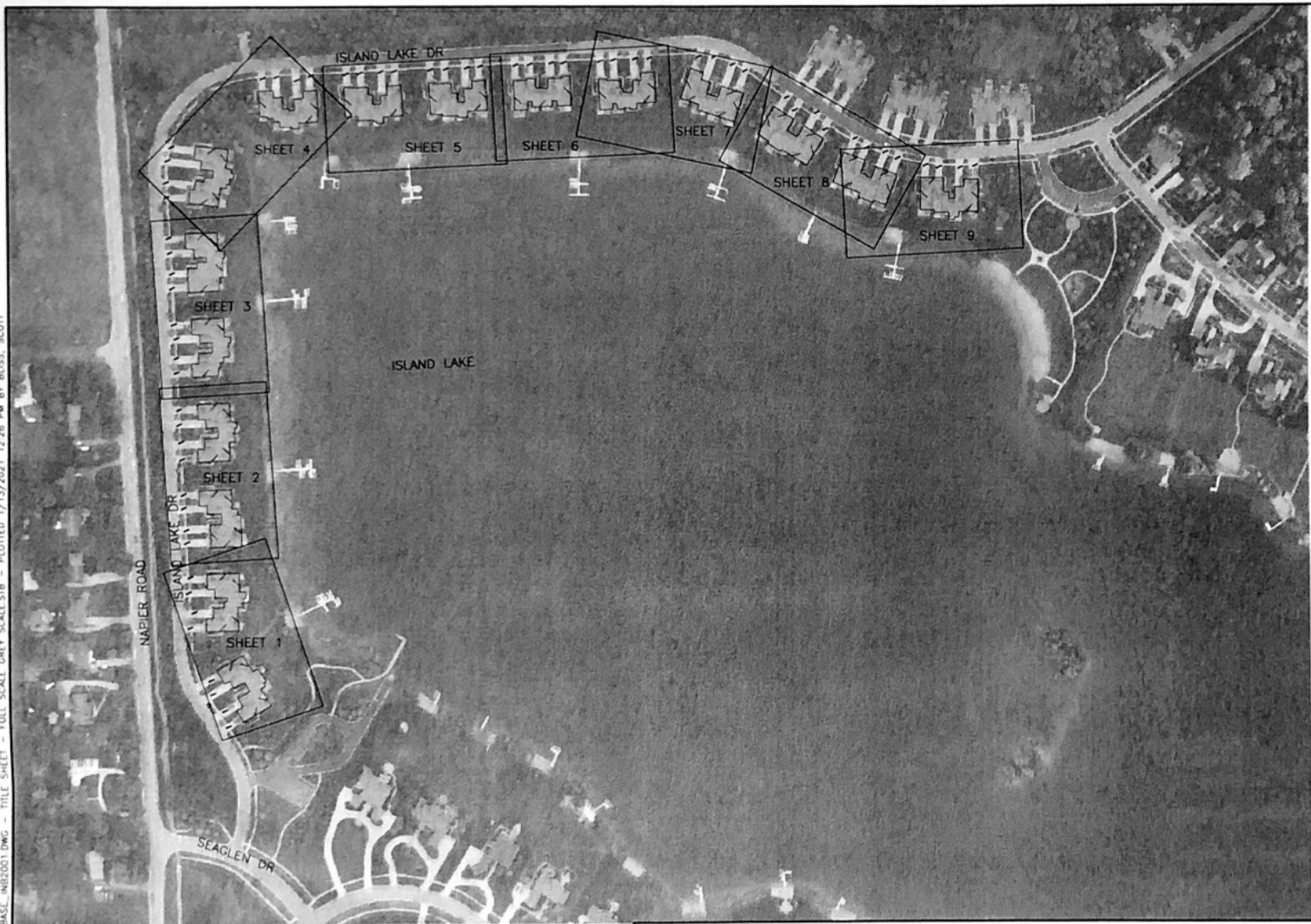


**SITE PLAN**

**(Full plan set available for viewing at the Community Development Department.)**

FIELD BOOK INFORMATION: FULL SCALE GREY SCALE STB - PLOTTED 1/13/2021 12:26 PM BY BLISS, SCOTT

PROJECT MANAGER: SCOTT BLISS  
C:\P\WORK\101081570\SP-BASE-IND001.DWG - BASE-IND001.DWG



\*Data collected between 12/1 & 12/3 of 2020

- VEGETATION**
- CONIFEROUS TREE
  - DECIDUOUS TREE
  - MULTI-STEM CONIFEROUS TREE
  - MULTI-STEM DECIDUOUS TREE
- LINE WORK**
- BUILDING



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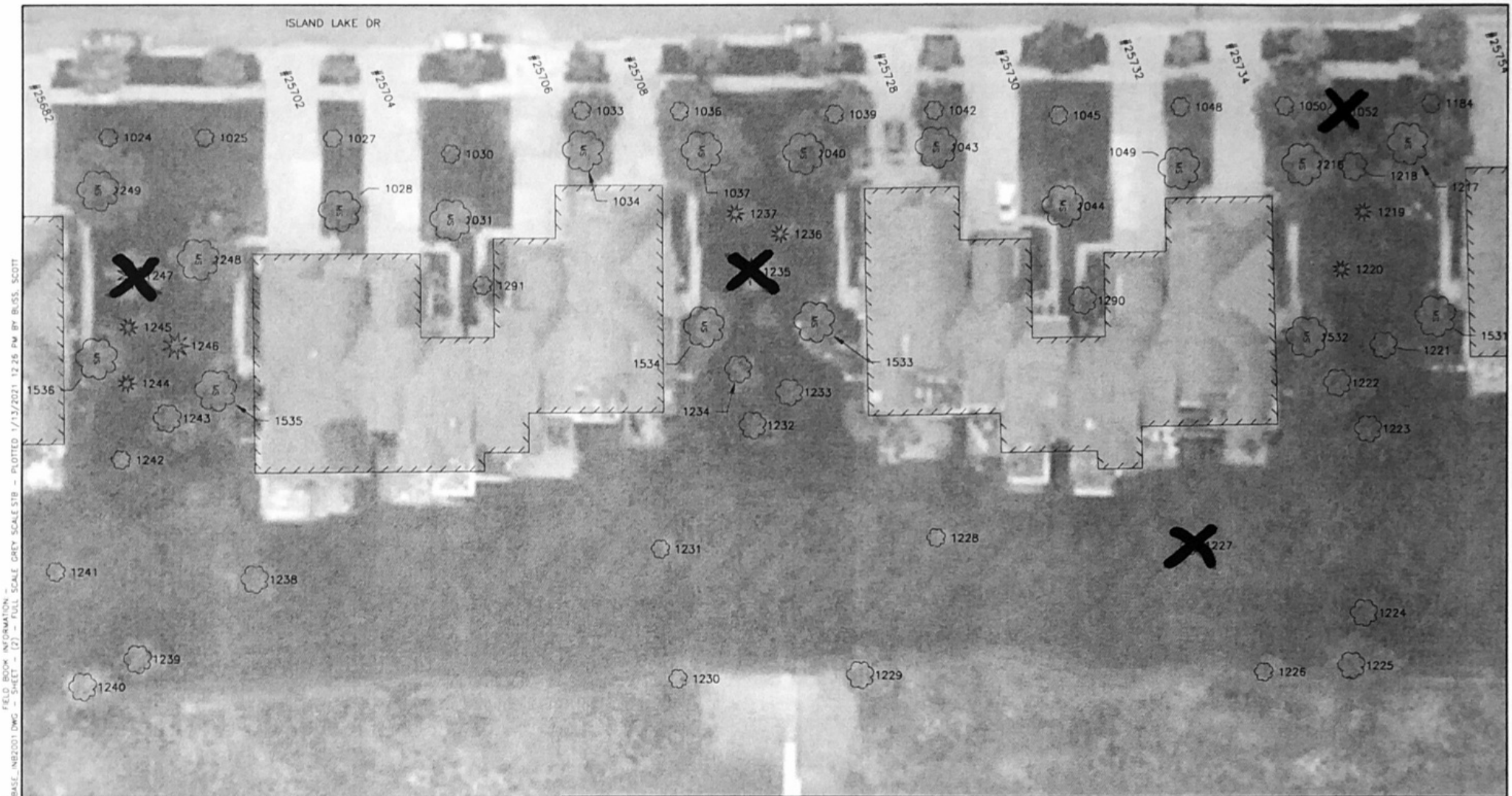
ISLAND LAKE NORTH BAY  
 50444 DRAKES BAY DR  
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TITLE SHEET  
 ISLAND LAKE TREE SURVEY

JOB NO.  
 INB2001

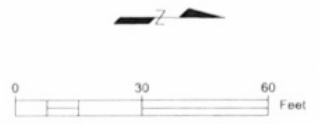
SHEET  
 TITLE





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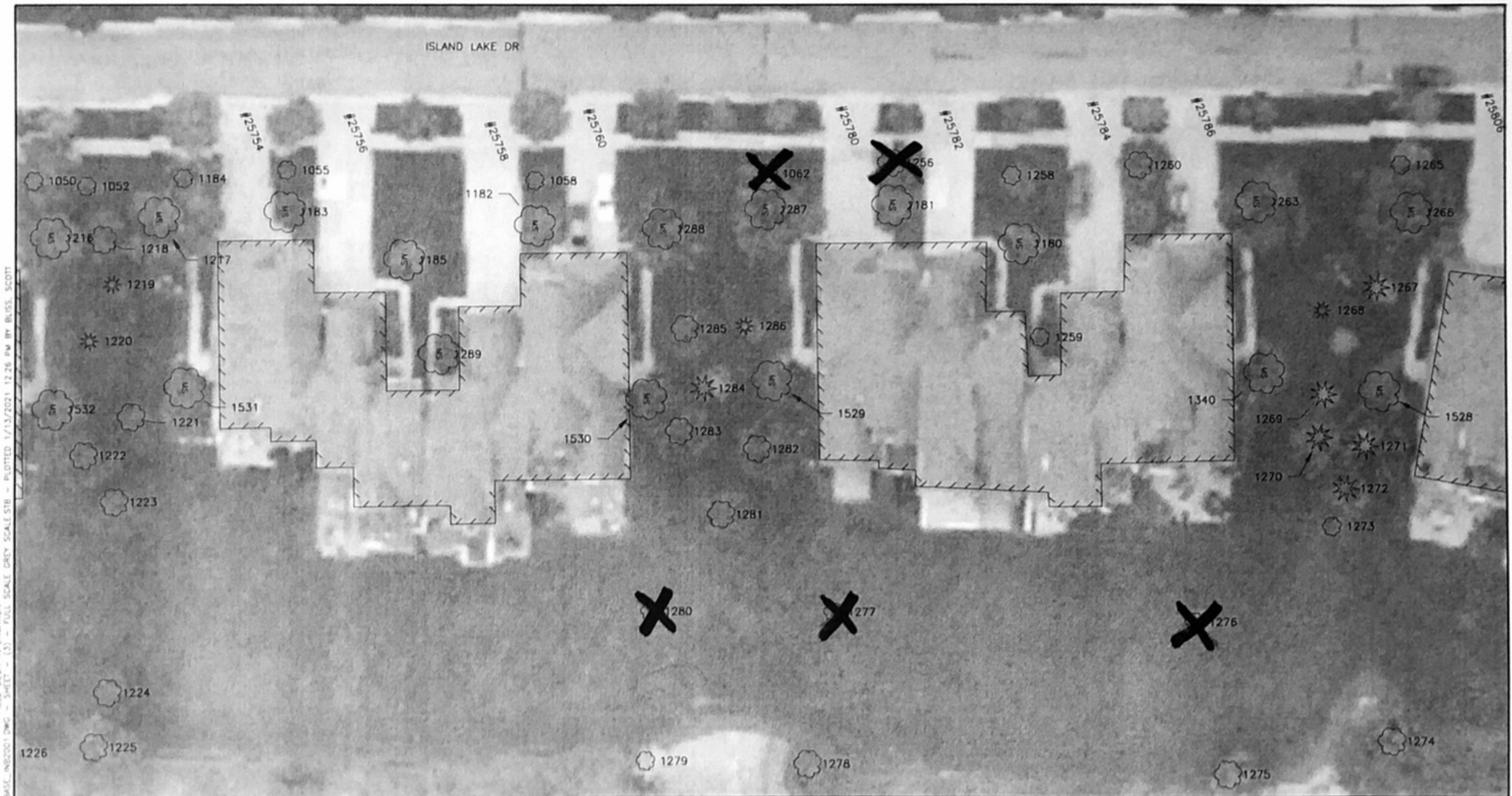
ISLAND LAKE NORTH BAY  
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PLAN VIEW  
 ISLAND LAKE TREE SURVEY

JOB NO.  
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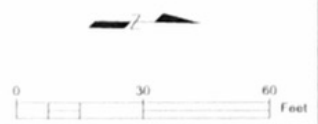
SHEET  
 2 OF 14

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 SCALE: 1" = 10' (1:120)  
 DATE: 01/13/2021  
 DRAWING: INB2001.DWG  
 SHEET: 3 OF 14

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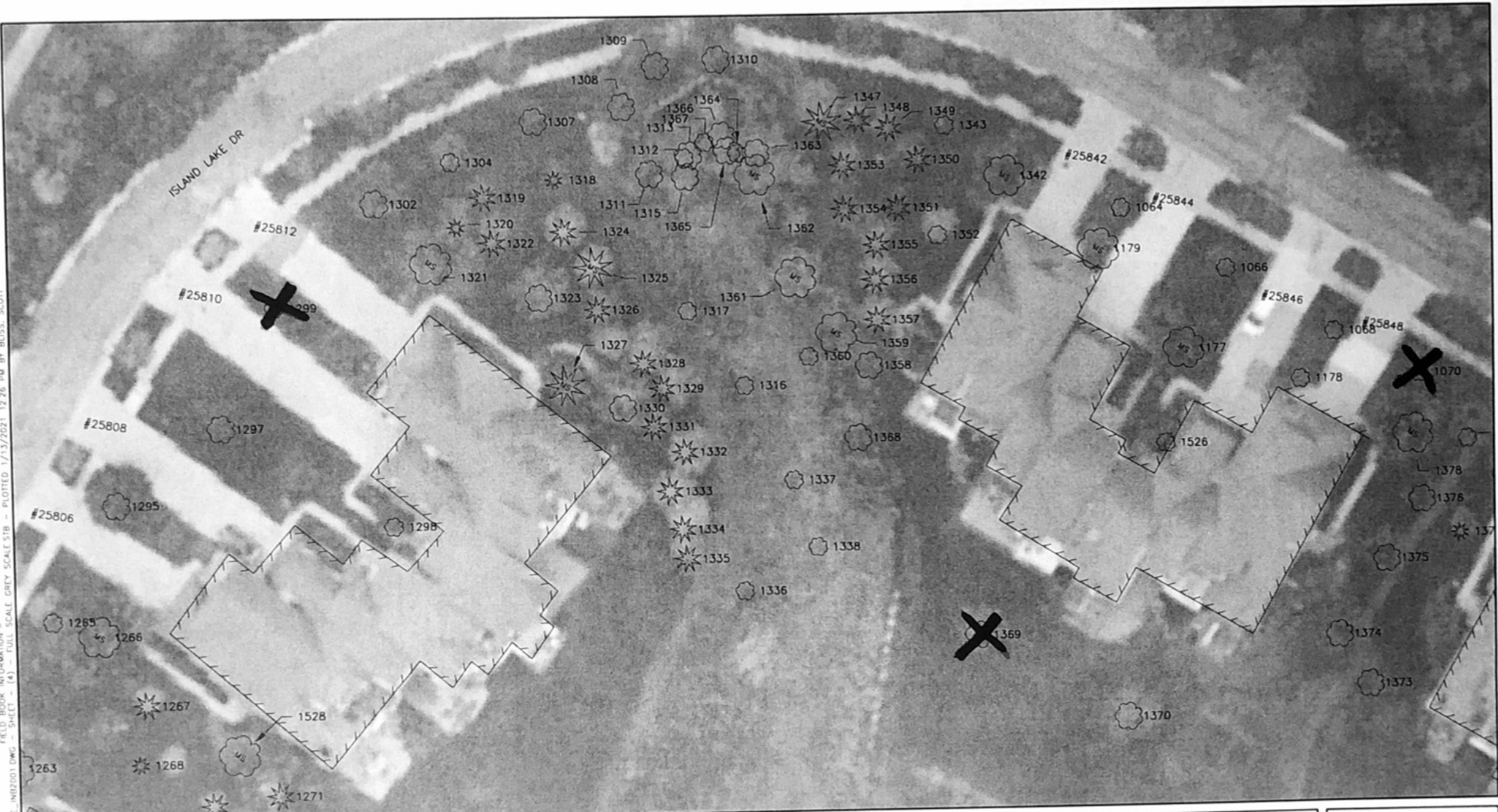
ISLAND LAKE NORTH BAY  
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PLAN VIEW  
 ISLAND LAKE TREE SURVEY

JOB NO.  
**INB2001**  
 SHEET  
**3 OF 14**

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\*Data collected between 12/1 & 12/3 of 2020



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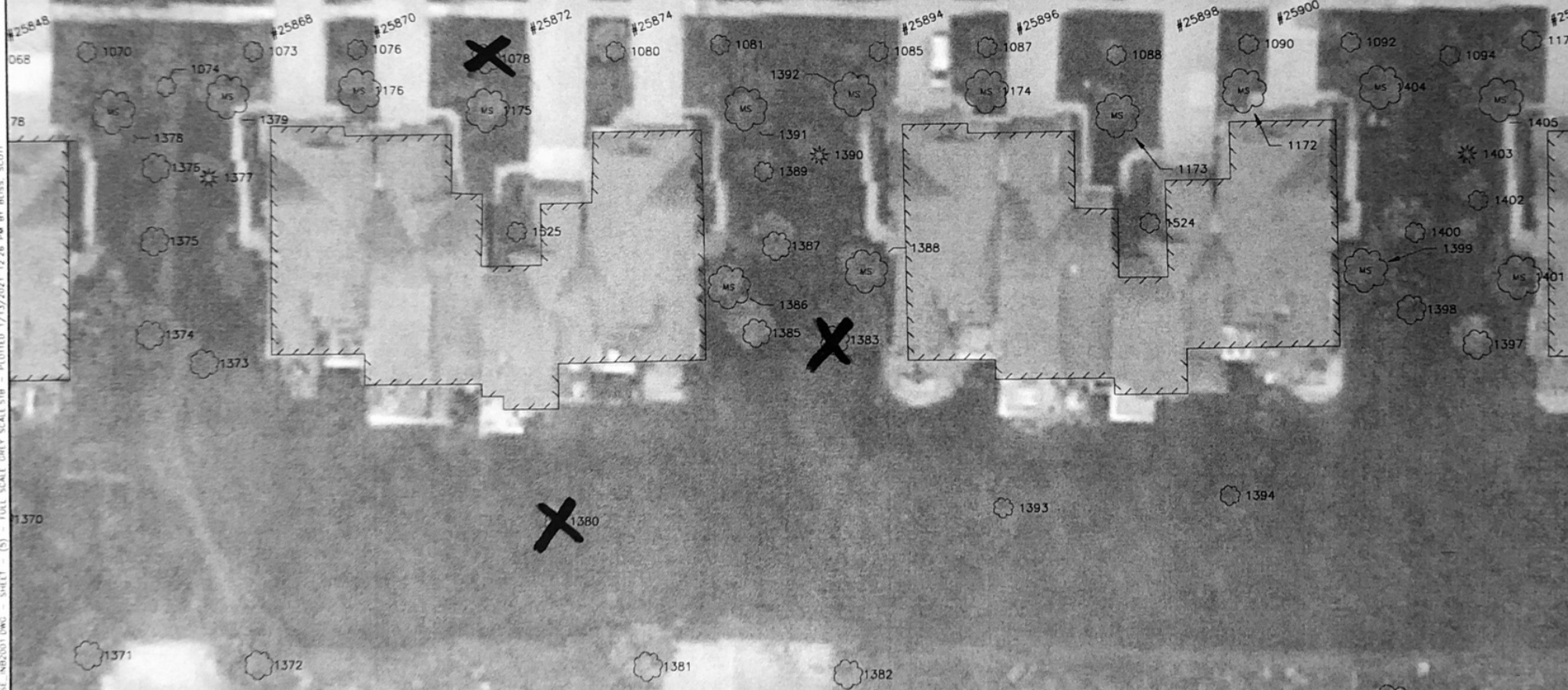
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PLAN VIEW  
ISLAND LAKE TREE SURVEY

JOB NO. INB2001
SHEET 4 OF 14

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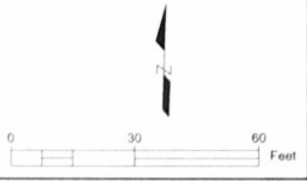
ISLAND LAKE DR



PROJECT MANAGER SCOTT BLISS  
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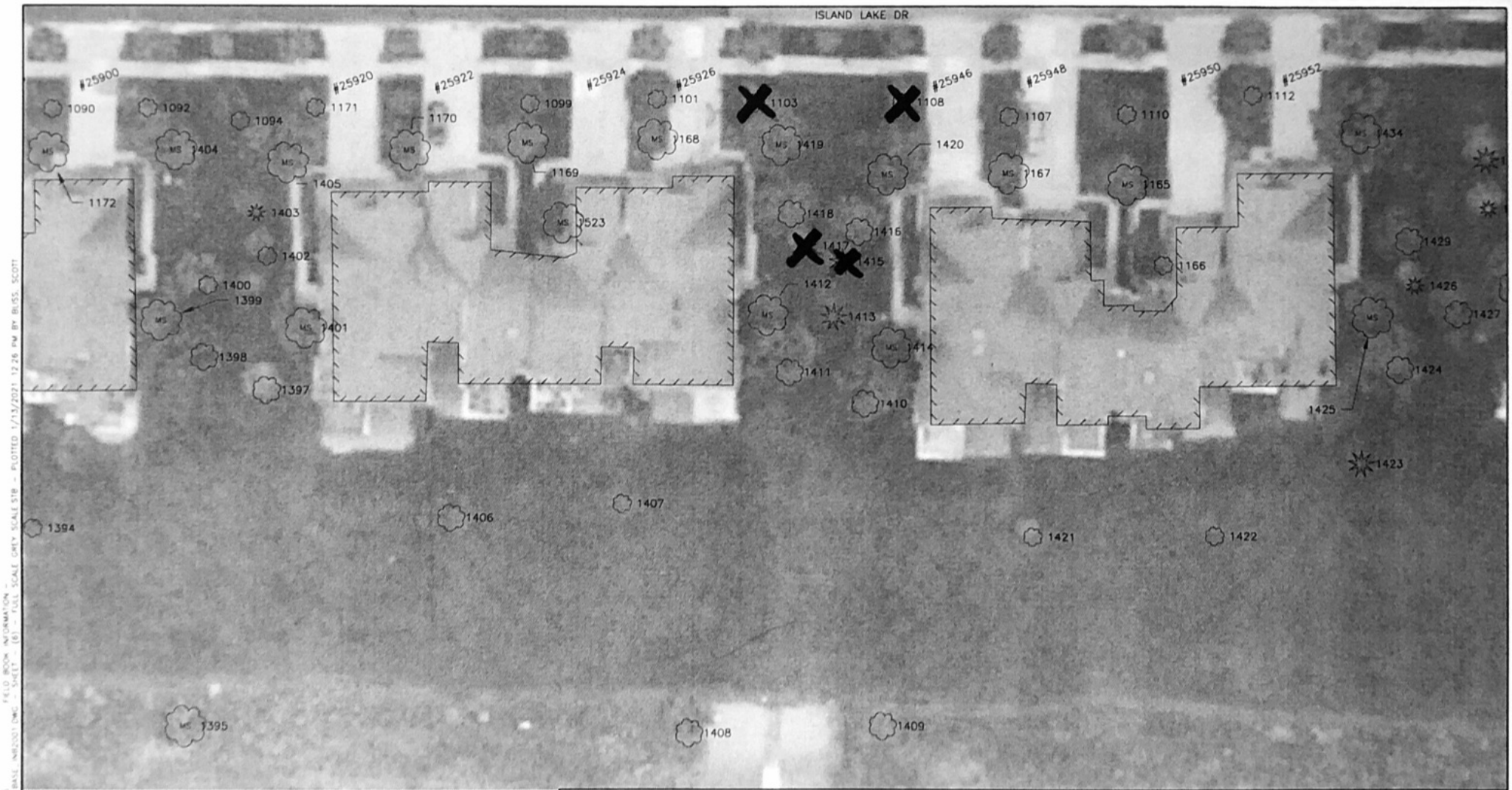
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PLAN VIEW  
ISLAND LAKE TREE SURVEY

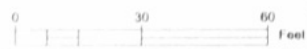
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 DATA COLLECTED BETWEEN 12/21 & 12/23 OF 2020  
 FOR: BROWNWOODS/STANFORD/BASE, INB2001 DWG - SHEET - (6) - FULL SCALE DREY SCALE STB -

Data collected between 12/21 & 12/23 of 2020




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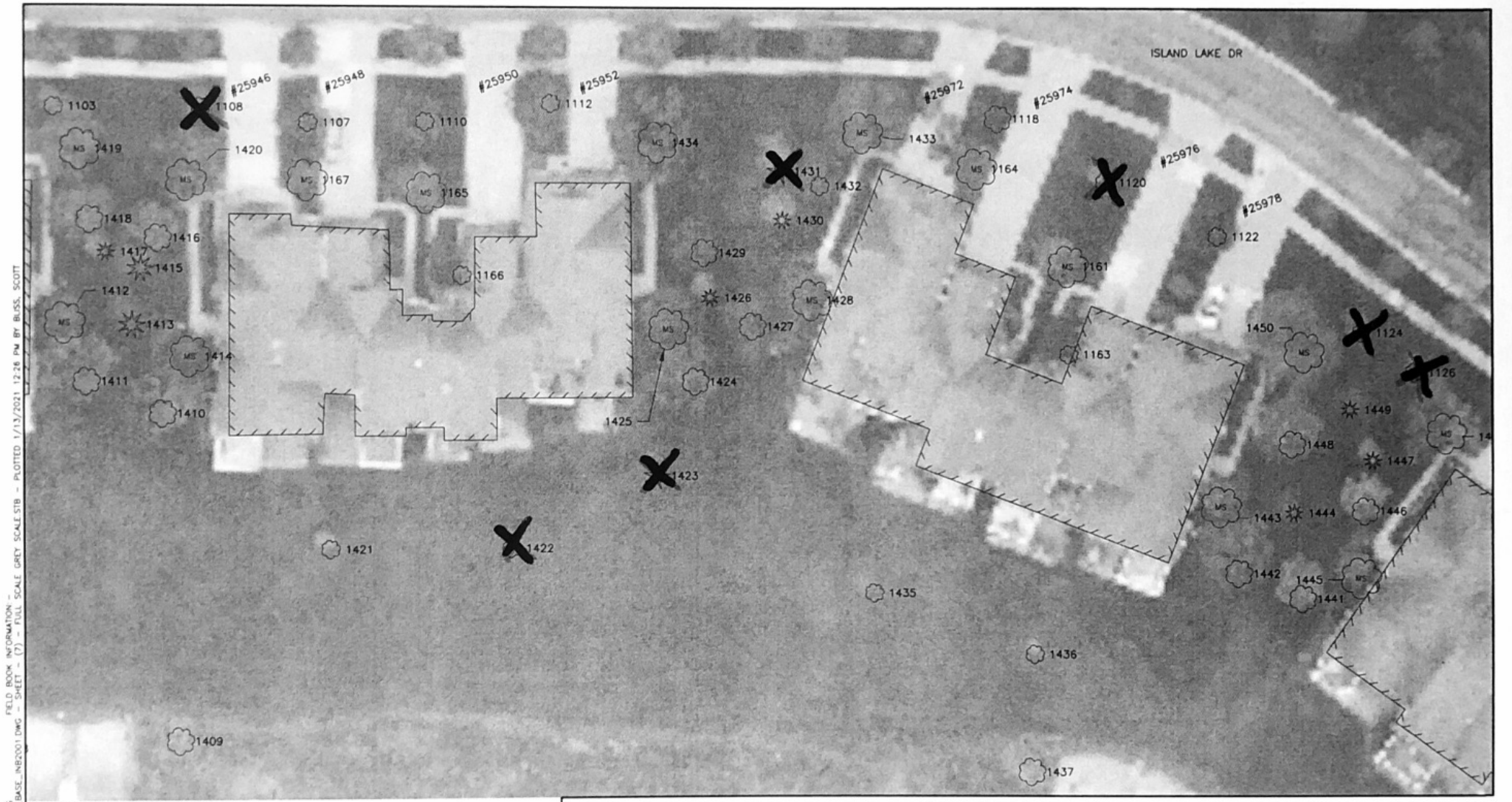
PLAN VIEW  
 ISLAND LAKE TREE SURVEY

JOB NO.  
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SHEET  
6 of 14

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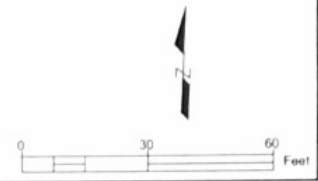



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PLAN VIEW  
 ISLAND LAKE TREE SURVEY

JOB NO. INB2001
SHEET 7 OF 14

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PLAN VIEW  
ISLAND LAKE TREE SURVEY

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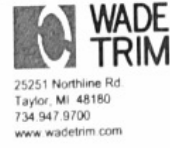
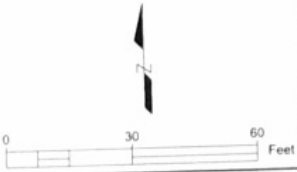
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PLAN VIEW  
ISLAND LAKE TREE SURVEY

JOB NO.	INB2001
SHEET	9 OF 14

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Tree Table				
POINT #	NORTHING	EASTING	ELEVATION	TREE TYPE/SIZE
1170	358268.0667	13343413.4000	957.05	MSTD 8 3.6
1171	358280.5339	13343382.8900	956.56	DECS 5.5
1172	358261.6691	13343297.5100	957.51	MSTD 7 4.8
1173	358252.7288	13343259.5300	957.84	MSTD 7 5.9
1174	358258.4703	13343219.6700	957.45	MSTD 7 4.3
1175	358246.2492	13343065.8800	956.86	MSTD 5 6.7
1176	358250.5142	13343026.3500	956.63	MSTD 5 2.9
1177	358224.5956	13342872.3100	956.63	MSTD 5 7.9
1178	358236.4887	13342909.6300	956.79	DECS 5.9
1179	358236.8167	13342831.9600	956.30	MSTD 8 1.8
1180	357834.9959	13342638.4700	957.19	MSTD 5 1.8
1181	357793.9033	13342627.5600	955.58	MSTD 2.4
1182	357677.7616	13342638.8800	957.97	MSTD 8 1.9
1183	357597.0530	13342637.8100	957.44	MSTD 8 1.8
1184	357564.3266	13342628.3800	957.97	DECS 8.7
1185	357635.8489	13342651.6800	957.19	MSTD 8 2
1186	357055.6324	13342685.0600	964.67	MSTD 6 1.8
1187	356927.5976	13342706.7900	966.90	CONS 7.9
1188	356742.7083	13342758.2600	968.02	CONM 7
1189	356744.3150	13342770.3000	969.99	CONM 11
1190	356749.0849	13342773.5100	970.50	CONM 11
1191	356753.1208	13342781.5200	970.97	CONM 10
1192	356762.9523	13342791.9300	970.43	CONM 13
1193	356770.1578	13342801.5600	970.58	DECM 10
1194	356747.9765	13342821.6800	966.03	DECL 47
1195	356775.7330	13342815.9500	969.94	CONM 13
1196	356778.8201	13342827.5800	969.34	CONM 12
1197	356788.2241	13342835.8200	967.39	CONM 6
1198	356793.4266	13342849.8600	966.51	CONM 7
1199	356800.7698	13342854.1200	964.61	CONM 13

Tree Table				
POINT #	NORTHING	EASTING	ELEVATION	TREE TYPE/SIZE
1200	356793.6691	13342869.7900	965.67	DECM 9
1201	356805.8014	13342869.8600	965.64	CONM 11
1202	356814.0680	13342872.7200	963.92	CONM 14
1203	356795.4382	13342884.3100	962.36	DECM 9
1204	356810.6220	13342894.4000	963.52	DECM 7
1205	356829.5856	13342880.2100	962.61	DECM 12
1206	356833.6835	13342862.7300	960.08	DECM 10
1207	356987.0579	13342862.8600	947.14	DECM 10
1208	357042.6534	13342854.3300	945.49	DECM 13
1209	356978.8923	13342761.5000	957.09	DECM 7
1210	356964.4473	13342751.5000	959.02	DECM 7
1211	356950.6703	13342756.4200	959.97	CONS 4
1212	356947.6374	13342737.0200	962.82	CONS 3
1213	356968.8676	13342716.3100	963.83	CONS 3
1214	356942.0649	13342717.0200	964.84	DECM 8
1215	356954.5961	13342704.1500	963.82	DECM 8
1216	357522.5723	13342648.6600	959.62	MSTD 3 6
1217	357556.9263	13342641.0400	958.96	MSTD 4 7
1218	357539.3567	13342648.7600	958.04	DECM 6
1219	357542.8103	13342662.9600	958.21	CONS 3
1220	357536.1944	13342681.3800	957.77	CONS 4
1221	357550.6788	13342705.4000	953.36	DECM 7
1222	357535.9369	13342718.2200	953.24	DECM 8
1223	357546.3612	13342733.0000	950.03	DECM 7
1224	357546.6610	13342794.2100	946.26	DECM 8
1225	357543.0312	13342811.7300	945.18	DECM 12
1226	357514.5375	13342814.5400	945.13	DECS 5
1227	357489.5737	13342773.5700	948.84	DECS 5
1228	357407.8094	13342773.5900	949.57	DECS 2
1229	357384.2077	13342819.0500	944.75	DECM 7

Tree Table				
POINT #	NORTHING	EASTING	ELEVATION	TREE TYPE/SIZE
1230	357324.7562	13342821.7900	944.87	DECS 5
1231	357317.9474	13342780.0900	950.72	DECS 2
1232	357347.1677	13342738.7400	953.32	DECM 9
1233	357358.8776	13342727.5400	954.26	DECM 9
1234	357341.9058	13342720.6200	956.45	DECM 7
1235	357344.2861	13342688.8200	959.84	CONM 7
1236	357354.0355	13342676.4100	959.30	CONS 3
1237	357339.2256	13342670.3800	959.77	CONS 4
1238	357187.2621	13342793.3200	951.78	DECM 8
1239	357150.5176	13342819.6600	946.53	DECM 8
1240	357133.2187	13342828.8200	946.09	DECM 6
1241	357123.7192	13342792.6600	953.98	DECS 4
1242	357143.7661	13342756.3300	956.38	DECS 3
1243	357158.2095	13342742.5600	958.42	DECM 11
1244	357145.0089	13342731.7600	960.94	CONS 3
1245	357145.0553	13342713.6300	962.68	CONS 3
1246	357160.2810	13342719.2100	961.78	CONM 8
1247	357145.1727	13342696.9800	962.89	CONM 8
1248	357166.6480	13342691.2200	962.67	MSTD 3 7
1249	357134.3196	13342669.7600	963.90	MSTD 4 8
1250	357094.0141	13342649.0900	962.22	DECM 7
1251	357055.3800	13342659.4000	962.44	DECS 3
1252	357013.5753	13342652.3800	963.27	DECM 8
1254	356975.5944	13342669.0300	964.78	MSTD 5 8
1256	357792.9772	13342614.0300	955.54	DECM 7
1258	357831.7673	13342616.6800	955.21	DECS 5
1259	357842.6414	13342668.4000	956.14	DECS 3
1260	357872.2176	13342611.9600	954.80	DECM 8
1263	357910.4395	13342622.2900	955.30	MSTD 4 8
1265	357956.5448	13342608.7700	953.78	DECS 4



\*Data collected between 12/1 & 12/3 of 2020



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Taylor, MI 48180  
734.947.9700  
www.wadetrim.com

ISLAND LAKE NORTH BAY  
50444 DRAKES BAY DR  
NOVI, MI 48374

LOCATION TABLE  
ISLAND LAKE TREE SURVEY

JOB NO.  
INB2001

SHEET  
11 OF 14

PROJECT MANAGER-SCOTT BLISS  
 C:\P\WORK\210181510\510\_VSP\_BASE\_INB2001.DWG - SHEET - (1,2) - FULL SCALE GREY SCALE.SXB - PLOTTED 1/13/2021 12:26 PM BY BUSS, SCOTT

Tree Table				
POINT #	NORTHING	EASTING	ELEVATION	TREE TYPE/SIZE
1266	357960.3767	13342623.9100	955.28	MSTD 5 9
1267	357949.7312	13342648.4100	955.21	CONM 6
1268	357932.6420	13342656.4464	954.33	CONS 5
1269	357933.8565	13342683.6100	953.53	CONM 6
1270	357932.9485	13342697.7500	950.48	CONM 11
1271	357947.8170	13342699.9600	950.15	CONM 13
1272	357942.0144	13342714.0300	947.72	CONM 7
1273	357938.0158	13342726.5200	946.36	DECS 3
1274	357959.6233	13342794.8700	945.21	DECM 12
1275	357907.0968	13342807.3200	945.08	DECM 8
1276	357894.7305	13342759.0300	946.14	DECS 2
1277	357779.2157	13342760.2300	946.38	DECS 3
1278	357772.4186	13342809.1700	945.25	DECM 11
1279	357719.9917	13342810.1100	944.43	DECS 5
1280	357719.7684	13342762.2400	946.95	DECS 4
1281	357741.7306	13342730.0600	947.84	DECM 9
1282	357752.7050	13342708.1900	949.42	DECM 10
1283	357727.2161	13342703.4700	953.53	DECM 10
1284	357734.5653	13342689.1700	954.80	CONM 8
1285	357727.8199	13342670.0400	957.10	DECM 8
1286	357747.2612	13342668.3400	955.01	CONS 3
1287	357752.6561	13342630.4900	955.86	MSTD 3 8
1288	357719.4749	13342638.0600	958.09	MSTD 4 6
1289	357648.3299	13342681.5500	962.86	MSTD 3 3
1290	357452.7535	13342694.4400	965.16	DECM 6
1291	357257.6727	13342696.4800	962.68	DECS 5
1292	357063.6549	13342712.7800	966.35	MSTD 3 2
1293	356864.2649	13342756.9900	966.83	DECS 3
1295	357998.9189	13342606.6600	953.52	DECM 12
1297	358037.3874	13342622.0100	953.97	DECM 11

Tree Table				
POINT #	NORTHING	EASTING	ELEVATION	TREE TYPE/SIZE
1298	358039.8103	13342685.3200	960.49	DECS 3
1299	358079.0464	13342615.9000	952.75	DECS 4
1302	358124.0656	13342625.5800	952.43	DECM 6
1304	358148.3784	13342639.1000	952.78	DECS 4
1307	358173.7584	13342654.8300	952.49	DECM 6
1308	358193.1251	13342676.5500	951.18	DECM 9
1309	358210.0802	13342678.9500	951.94	DECM 9
1310	358222.4195	13342694.4900	951.89	DECM 9
1311	358179.7397	13342695.6000	944.98	DECM 6
1312	358190.2193	13342702.5300	942.78	DECS 4
1313	358191.6319	13342703.1500	943.10	DECM 10
1315	358185.2471	13342705.9800	942.52	DECM 8
1316	358138.6667	13342757.9200	942.84	DECS 2
1317	358149.2247	13342729.3600	946.56	DECS 2
1318	358161.6036	13342670.3100	951.11	CONS 3
1319	358144.4341	13342653.9000	951.98	CONM 5
1320	358131.7054	13342651.5300	953.94	CONS 5
1321	358117.4767	13342650.8600	954.82	MSTD 5 6
1322	358133.6397	13342663.9200	954.03	CONM 6
1323	358126.8992	13342685.9300	954.30	DECM 7
1324	358149.0522	13342681.5200	950.22	CONM 10
1325	358144.5853	13342695.8600	950.35	MSTC 2 6
1326	358133.8712	13342704.0700	949.78	CONM 14
1327	358107.5463	13342708.2500	954.39	MSTC 8 2
1328	358127.1829	13342726.0800	953.49	CONM 11
1329	358123.4971	13342735.5700	952.56	CONM 11
1330	358111.2821	13342728.0500	949.55	DECM 9
1331	358111.5215	13342739.9100	948.15	CONM 12
1332	358110.0711	13342752.8500	946.85	CONM 14
1333	358096.6604	13342755.5200	950.60	CONM 10

Tree Table				
POINT #	NORTHING	EASTING	ELEVATION	TREE TYPE/SIZE
1334	358088.4358	13342765.5700	949.45	CONM 10
1335	358081.1391	13342771.8900	945.65	CONM 7
1336	358082.2725	13342793.2000	943.51	DECS 5
1337	358121.2742	13342787.8400	943.32	DECS 3
1338	358107.0559	13342805.8900	942.82	DECS 4
1340	357914.5122	13342677.4800	955.33	MSTD 6 2
1342	358240.5245	13342793.8300	955.67	MSTD 3 8
1343	358243.8472	13342768.5200	954.60	DECS 3
1347	358223.7482	13342734.2900	958.95	MSTC 2 9
1348	358230.3745	13342743.7700	953.26	CONM1 6
1349	358233.5445	13342753.6100	954.16	CONM 7
1350	358229.8996	13342766.9900	955.09	CONM 6
1351	358213.5442	13342769.8500	954.65	CONM 10
1352	358213.0727	13342785.4700	955.88	DECS 4
1353	358215.5303	13342747.3300	953.72	CONM 10
1354	358204.1347	13342755.4200	952.60	CONM 6
1355	358199.8266	13342770.2800	953.38	CONM 10
1356	358190.2586	13342775.9700	953.08	CONM 12
1357	358179.7327	13342783.4100	952.88	CONM 12
1358	358165.7590	13342788.9300	951.02	DECM 8
1359	358169.0539	13342774.3500	945.97	MSTD 2 2
1360	358157.8846	13342770.8500	942.92	DECS 3
1361	358177.0910	13342753.6400	942.94	MSTD 4 4
1362	358197.8445	13342724.8502	942.68	MSTD 4 6
1363	358204.0279	13342721.3800	943.07	DECM 13
1364	358200.6895	13342716.2000	941.98	DECS 5
1365	358199.5927	13342713.0000	943.72	DECM 13
1366	358202.8266	13342708.9600	942.74	DECM 10
1367	358197.9471	13342705.3857	942.92	DECS 2
1368	358144.0840	13342798.4000	943.94	DECM 8



ISLAND LAKE NORTH BAY  
 50444 DRAKES BAY DR  
 NOVI, MI 48374

LOCATION TABLE  
 ISLAND LAKE TREE SURVEY

JOB NO.  
 INB2001

SHEET  
 12 OF 14

\*Data collected between 12/1 & 12/3 of 2020



FIELD BOOK INFORMATION - PLOTTED 1/13/2021 12:26 PM BY BUSS, SCOTT  
 PROJECT MANAGER SCOTT BUSS  
 C:\PM\INB2001\DR15\DWSP\_BASE\_INB2001.DWG - SHEET - (1,3) - FULL SCALE GREY SCALE STB

Tree Table				
POINT #	NORTHING	EASTING	ELEVATION	TREE TYPE/SIZE
1369	358110.7072	13342865.1100	947.08	DECM 9
1370	358114.3800	13342920.2200	947.48	DECM 12
1371	358073.9501	13342949.8600	946.26	DECM 12
1372	358073.5783	13343002.7500	946.48	DECM 13
1373	358165.3034	13342982.0500	949.80	DECM 8
1374	358173.4512	13342964.8500	952.80	DECM 8
1375	358202.2922	13342964.8800	955.80	DECM 8
1376	358224.7480	13342964.3900	955.69	DECM 6
1377	358222.2747	13342980.8300	956.50	CONS 3
1378	358241.1421	13342950.5300	956.78	MSTD 3 8
1379	358247.0874	13342985.6100	956.62	MSTD 3 8
1380	358121.1804	13343091.9400	947.57	DECS 3
1381	358078.5325	13343122.7300	945.27	DECM 10
1382	358078.9125	13343184.5800	945.37	DECM 8
1383	358180.3973	13343176.1400	951.47	DECM 7
1385	358181.5717	13343151.7400	951.90	DECM 6
1386	358195.4320	13343142.5300	956.00	MSTD 5 2
1387	358208.7384	13343156.7600	956.18	DECM 7
1388	358202.0803	13343184.9500	956.94	MSTD 6 3
1389	358231.3990	13343151.9600	957.18	DECS 5
1390	358237.0265	13343169.0200	957.01	CONS 4
1391	358250.2983	13343145.7000	957.73	MSTD 3 6
1392	358256.0040	13343179.2400	957.86	MSTD 3 8
1393	358131.3600	13343229.8900	947.43	DECS 4
1394	358138.4604	13343298.1900	947.59	DECS 4
1395	358077.1247	13343350.0400	943.65	MSTD 5 2
1397	358187.4657	13343370.8300	951.38	DECM 6
1398	358197.2751	13343350.4700	953.24	DECM 7
1399	358208.6367	13343336.2000	956.45	MSTD 9 2
1400	358220.7835	13343350.6500	956.57	DECS 4

Tree Table				
POINT #	NORTHING	EASTING	ELEVATION	TREE TYPE/SIZE
1401	358208.4367	13343382.4100	956.49	MSTD 14 2
1402	358231.2747	13343369.1600	957.09	DECS 5
1403	358245.1863	13343365.2000	956.58	CONS 4
1404	358264.4376	13343338.5800	958.13	MSTD 3 6
1405	358262.1009	13343374.5000	957.59	MSTD 3 8
1406	358148.2794	13343431.6900	948.45	DECM 6
1407	358155.3453	13343486.8300	947.64	DECS 4
1408	358081.7733	13343512.4700	945.80	DECM 8
1409	358086.7826	13343575.0500	945.23	DECM 6
1410	358191.8437	13343564.6200	950.11	DECM 12
1411	358201.0738	13343539.5800	951.36	DECM 12
1412	358219.6209	13343531.6600	956.35	MSTD 11 2
1413	358219.9305	13343553.2400	958.53	CONM 9
1414	358210.6804	13343572.4900	955.27	MSTD 10 2
1415	358238.1297	13343555.2400	957.79	CONM 9
1416	358248.1012	13343560.4000	956.01	DECM 9
1417	358242.8312	13343543.7600	959.31	CONS 4
1418	358253.0186	13343538.1400	955.66	DECM 8
1419	358275.3278	13343533.9400	956.87	MSTD 2 8
1420	358267.1065	13343568.6600	956.13	MSTD 2 8
1421	358150.4320	13343620.6500	947.42	DECS 3
1422	358153.4036	13343678.8700	947.29	DECS 4
1423	358179.2758	13343725.4600	948.53	CONM 8
1424	358210.7197	13343736.8600	951.64	DECM 8
1425	358227.4221	13343727.0900	955.97	MSTD 12 2
1426	358238.3016	13343740.4600	954.23	CONS 5
1427	358229.6750	13343754.8900	953.55	DECM 8
1428	358239.1233	13343774.1600	955.61	MSTD 7 3
1429	358252.7246	13343737.9300	955.07	DECM 6
1430	358264.3688	13343763.0900	956.06	CONS 2

Tree Table				
POINT #	NORTHING	EASTING	ELEVATION	TREE TYPE/SIZE
1431	358280.0847	13343761.6300	955.53	CONM 6
1432	358276.0573	13343774.9700	955.92	DECS 5
1433	358293.7973	13343788.1300	956.36	MSTD 3 8
1434	358287.3298	13343720.9600	956.53	MSTD 3 8
1435	358144.2008	13343799.1500	947.20	DECS 3
1436	358126.7583	13343852.7500	947.16	DECS 2
1437	358088.8096	13343853.2000	945.30	DECM 9
1438	358071.7482	13343917.2200	945.46	DECM 10
1439	358076.4951	13343952.5100	946.45	DECS 2
1440	358045.4316	13344001.7000	946.07	DECS 2
1441	358149.0772	13343939.4800	949.78	DECM 8
1442	358156.2871	13343918.1600	950.02	DECM 11
1443	358177.6692	13343911.2500	955.01	MSTD 9 2
1444	358176.8770	13343935.2900	953.39	CONS 3
1445	358156.6826	13343958.3200	953.80	MSTD 5 2
1446	358178.5814	13343958.6600	954.67	DECM 6
1447	358195.0866	13343960.2900	954.00	CONS 5
1448	358199.1557	13343933.6900	955.58	DECM 10
1449	358211.3720	13343952.1000	954.52	CONS 3
1450	358229.3820	13343936.2100	955.73	MSTD 3 8
1451	358205.1678	13343984.3600	954.88	MSTD 4 6
1452	358116.2563	13344117.7400	955.31	MSTD 4 5
1453	358085.9922	13344128.2800	955.72	DECM 8
1454	358082.6911	13344112.1600	954.91	CONS 4
1455	358068.0537	13344106.3100	954.19	CONM 8
1456	358073.0006	13344083.5900	953.84	MSTD 6 2
1457	358054.6011	13344090.0700	952.21	DECM 6
1458	358054.0578	13344122.5400	955.15	MSTD 5 2
1459	358038.3822	13344108.9400	951.61	DECS 5
1460	358038.2412	13344095.0800	950.42	DECS 4



Know what's below.  
Call before you dig.

\*Data collected between 12/1 & 12/3 of 2020



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ISLAND LAKE NORTH BAY  
50444 DRAKES BAY DR  
NOVI, MI 48374

LOCATION TABLE  
ISLAND LAKE TREE SURVEY

JOB NO  
INB2001

SHEET  
13 OF 14

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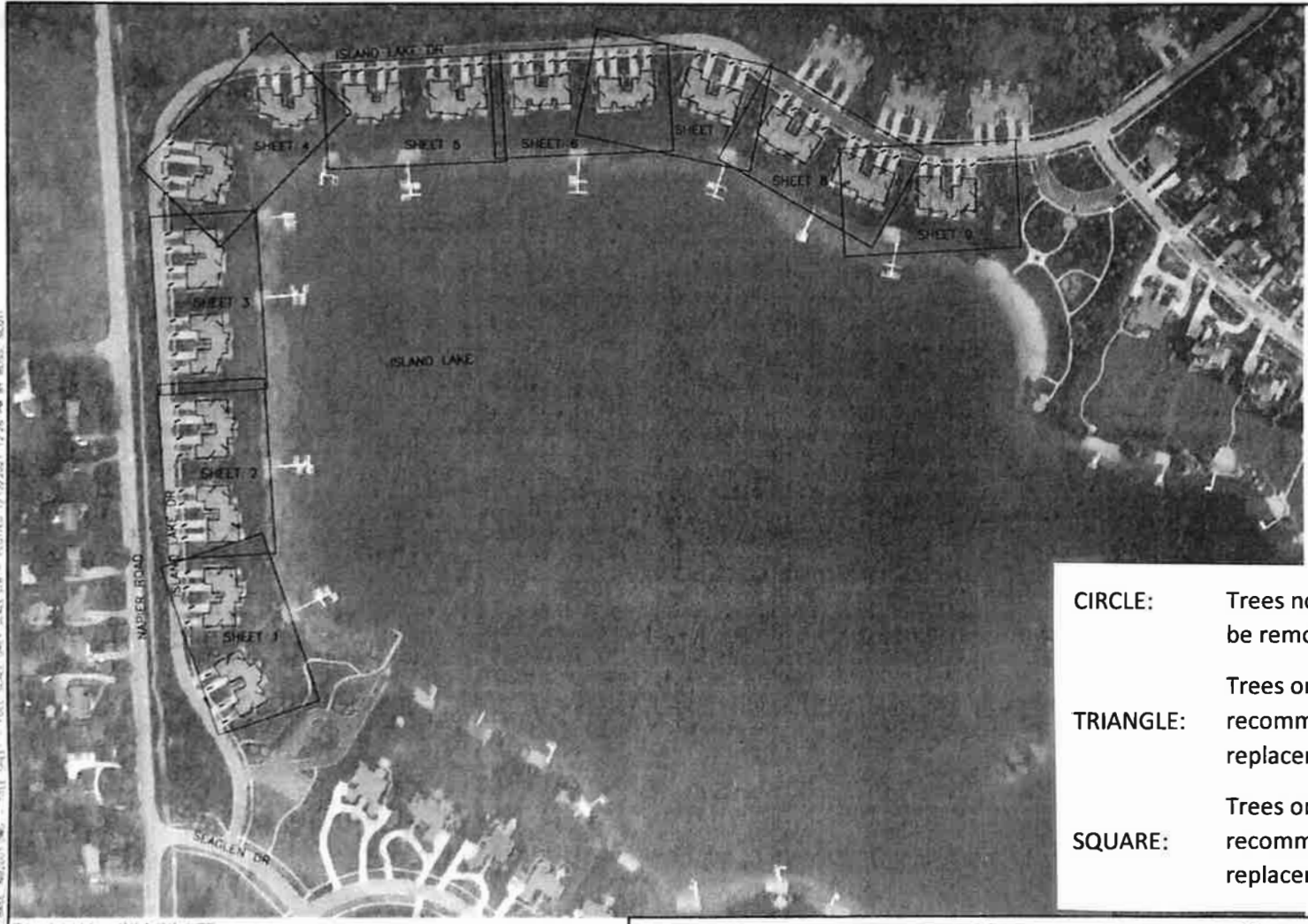




**TREE REPLACEMENT PLAN  
PROVIDED BY CITY  
LANDSCAPE ARCHITECT**

---

PROJECT: MANAGER SCOTT BUSS  
 DATE: 01/15/2021  
 FILE: 01/15/2021  
 SCALE: 1"=40'  
 DATE: 1/15/2021  
 TIME: 12:26 PM  
 BY: BUSS, SCOTT



Map collected between 12/11 & 12/15 of 2020



**WADE TRIM**  
 25251 Northline Rd  
 Taylor, MI 48180  
 734 947 9700  
 www.wadefirm.com

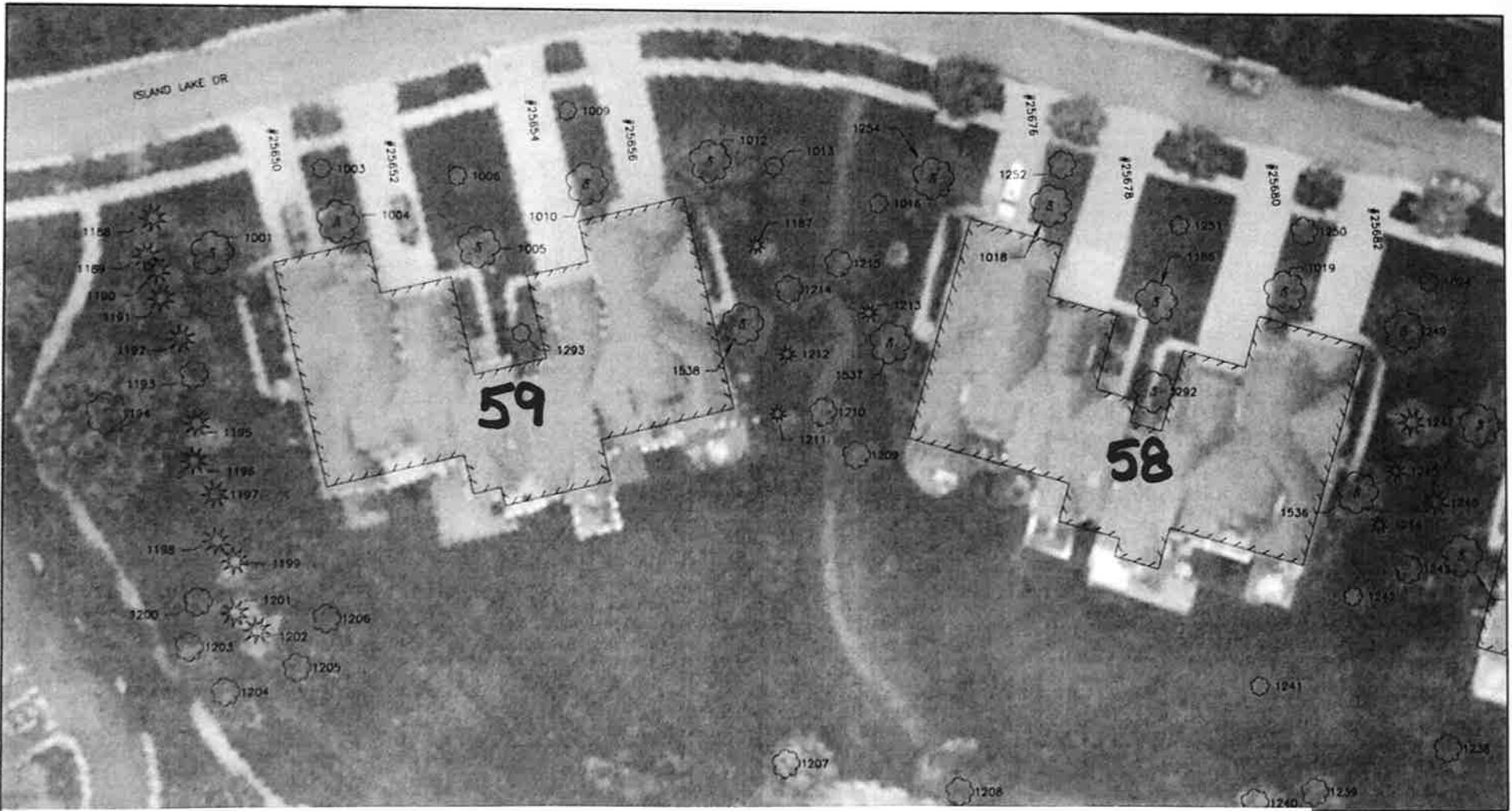
ISLAND LAKE NORTH BAY  
 50444 DRAKE'S BAY DR  
 NOVI, MI 48374

TITLE SHEET  
 ISLAND LAKE TREE SURVEY

JOB NO  
 INB2001  
 SHEET  
**TITLE**

- CIRCLE:** Trees not shown on any plan, may be removed without replacement 15 trees
- TRIANGLE:** Trees on a plan that staff recommends for removal without replacement 14 trees
- SQUARE:** Trees on a plan that staff does not recommend for removal without replacement 8 trees

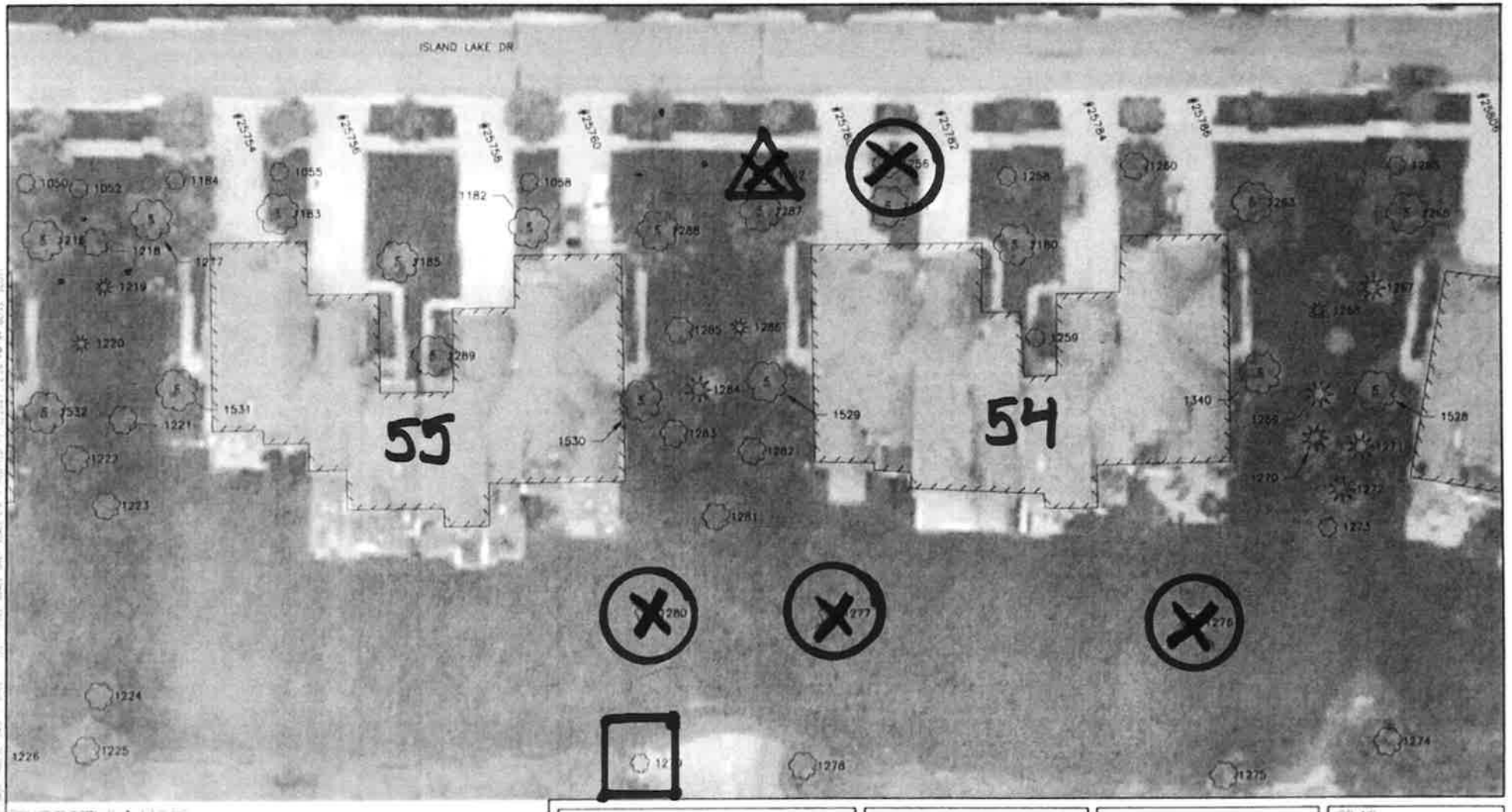
© Wade Firm, Detroit, MI



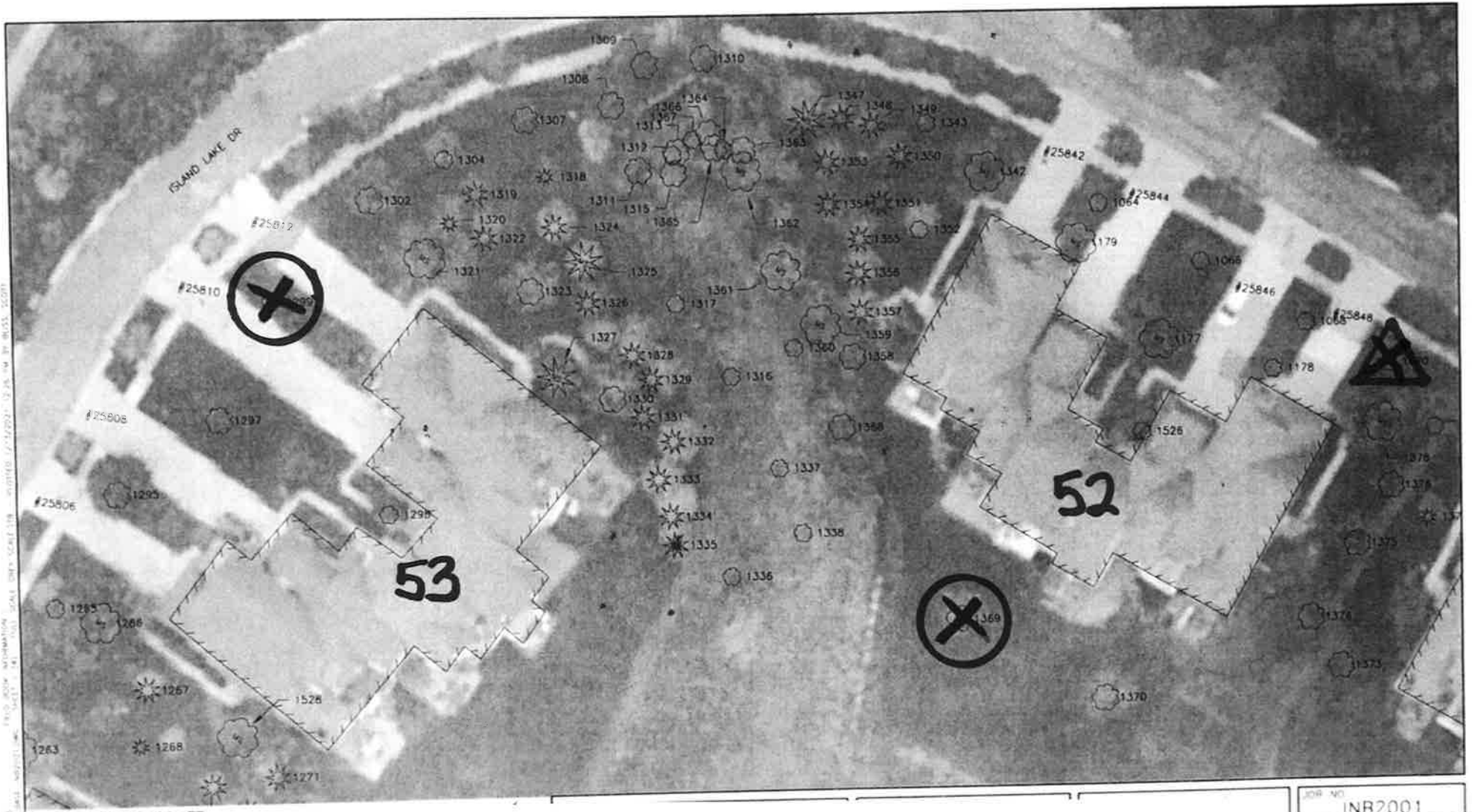
- CIRCLE: Trees not shown on any plan, may be removed without replacement
- TRIANGLE: Trees on a plan that staff recommends for removal without replacement
- SQUARE: Trees on a plan that staff does not recommend for removal without replacement

JOB NO.	INB2001
SHEET	1 OF 14





- CIRCLE: Trees not shown on any plan, may be removed without replacement
- TRIANGLE: Trees on a plan that staff recommends for removal without replacement
- SQUARE: Trees on a plan that staff does not recommend for removal without replacement

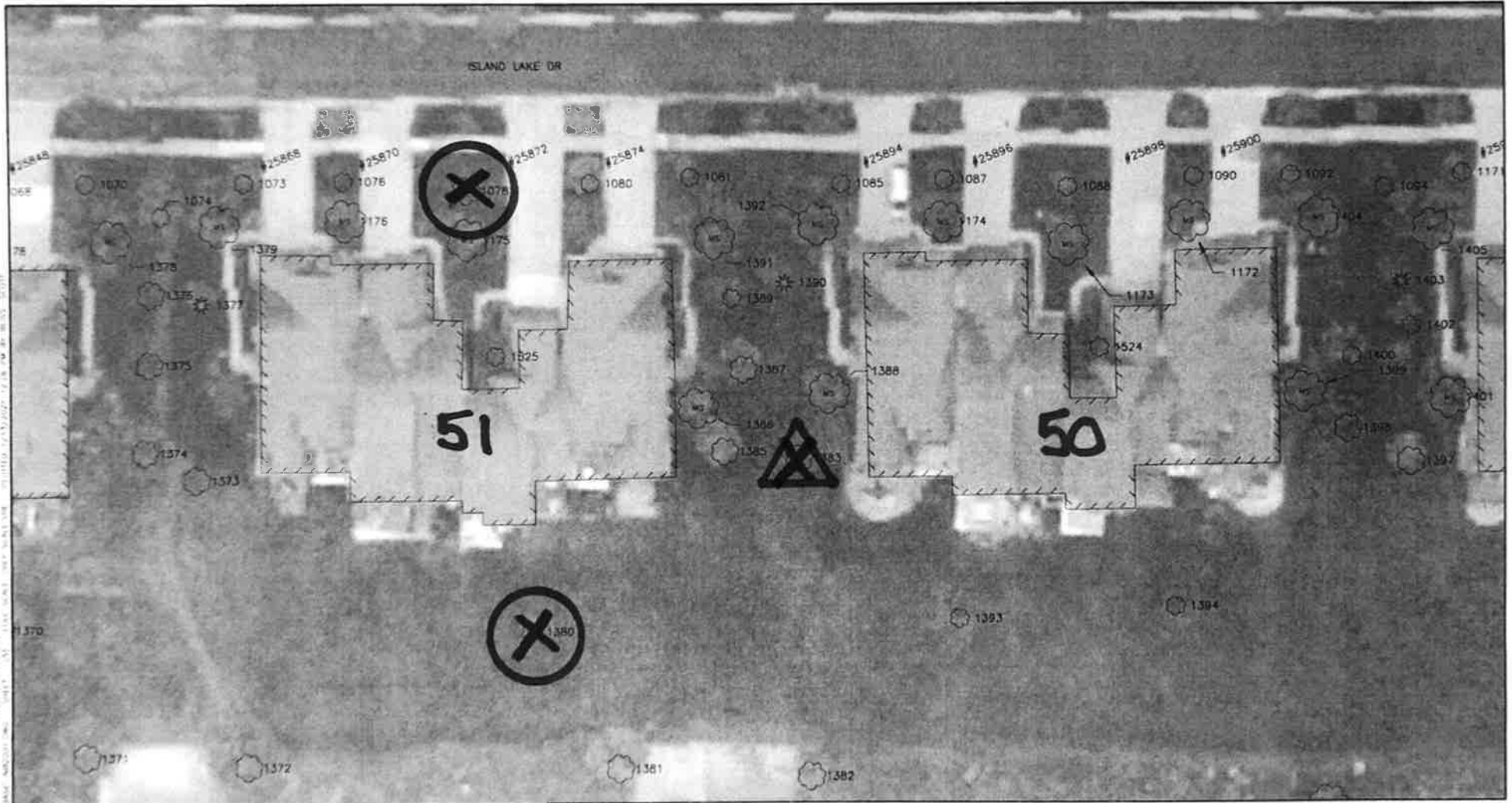


PROJECT: UNIVERSITY OF CALIFORNIA, BERKELEY - CAMPUS IMPROVEMENTS - 2001-2002 - 12.26.01 BY: BOSS, SCOTT  
 SHEET: 4 OF 14  
 DATE: 12/26/01  
 DRAWN BY: BOSS, SCOTT  
 CHECKED BY: BOSS, SCOTT  
 SCALE: 1" = 20'

- CIRCLE: Trees not shown on any plan, may be removed without replacement
- TRIANGLE: Trees on a plan that staff recommends for removal without replacement
- SQUARE: Trees on a plan that staff does not recommend for removal without replacement

JOB NO.	INB2001
SHEET	4 OF 14

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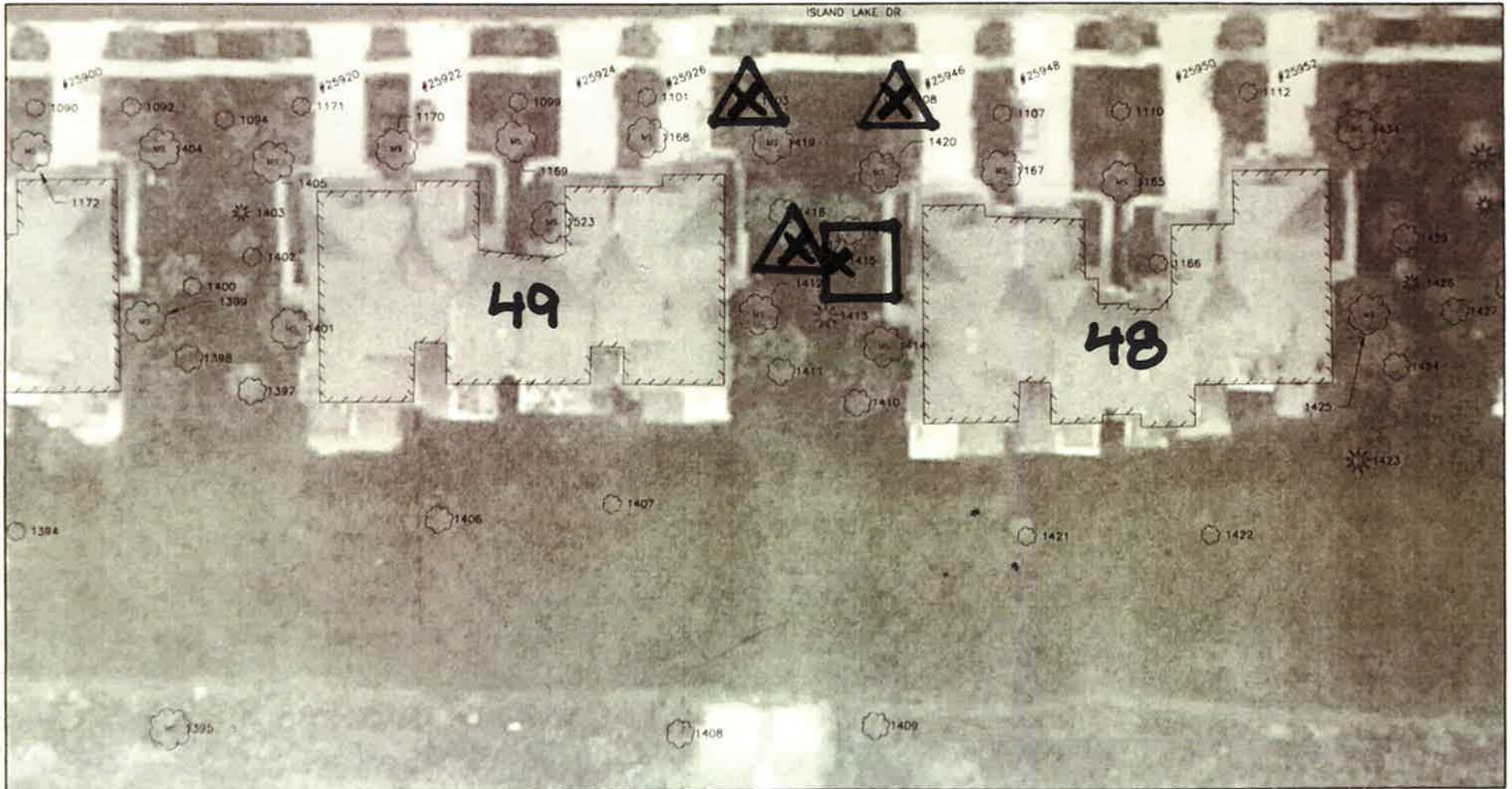


- CIRCLE: Trees not shown on any plan, may be removed without replacement
- TRIANGLE: Trees on a plan that staff recommends for removal without replacement
- SQUARE: Trees on a plan that staff does not recommend for removal without replacement

JOB NO	INB2001
SHEET	5 OF 14

PROJECT: WINDMILLER RESORT, 4533 S.W. WINDMILLER AVENUE, PORTLAND, OR 97227-1227, 12:28 PM 04-18-2001  
DRAWN BY: J. WINDMILLER, 12/11/01, 11:54 AM 04-18-2001  
DATE: 04/18/2001 11:54 AM 04-18-2001  
SCALE: 1/4" = 1'-0"  
SHEET: 5 OF 14  
JOB NO: INB2001

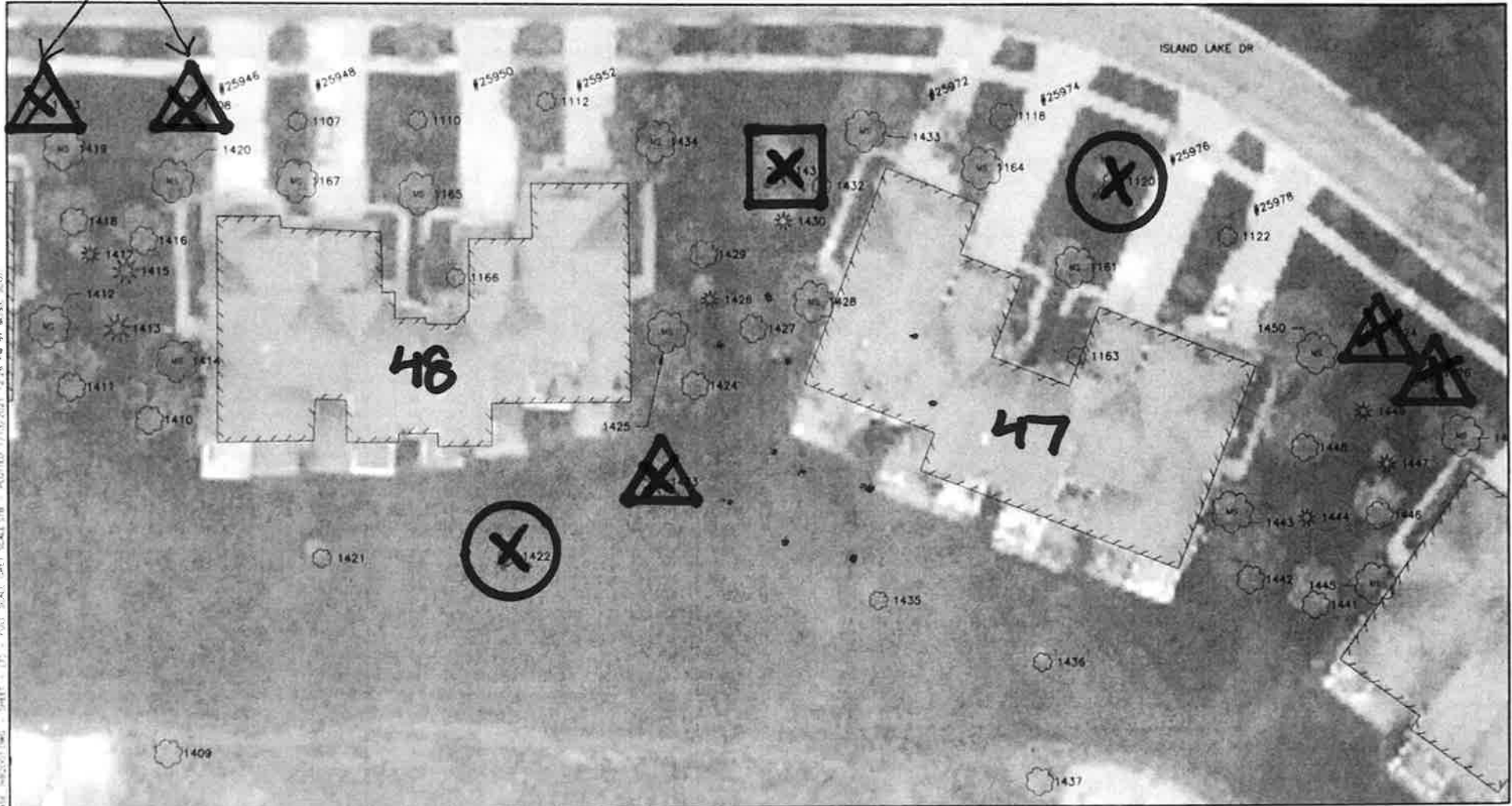
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- CIRCLE: Trees not shown on any plan, may be removed without replacement
- TRIANGLE: Trees on a plan that staff recommends for removal without replacement
- SQUARE: Trees on a plan that staff does not recommend for removal without replacement

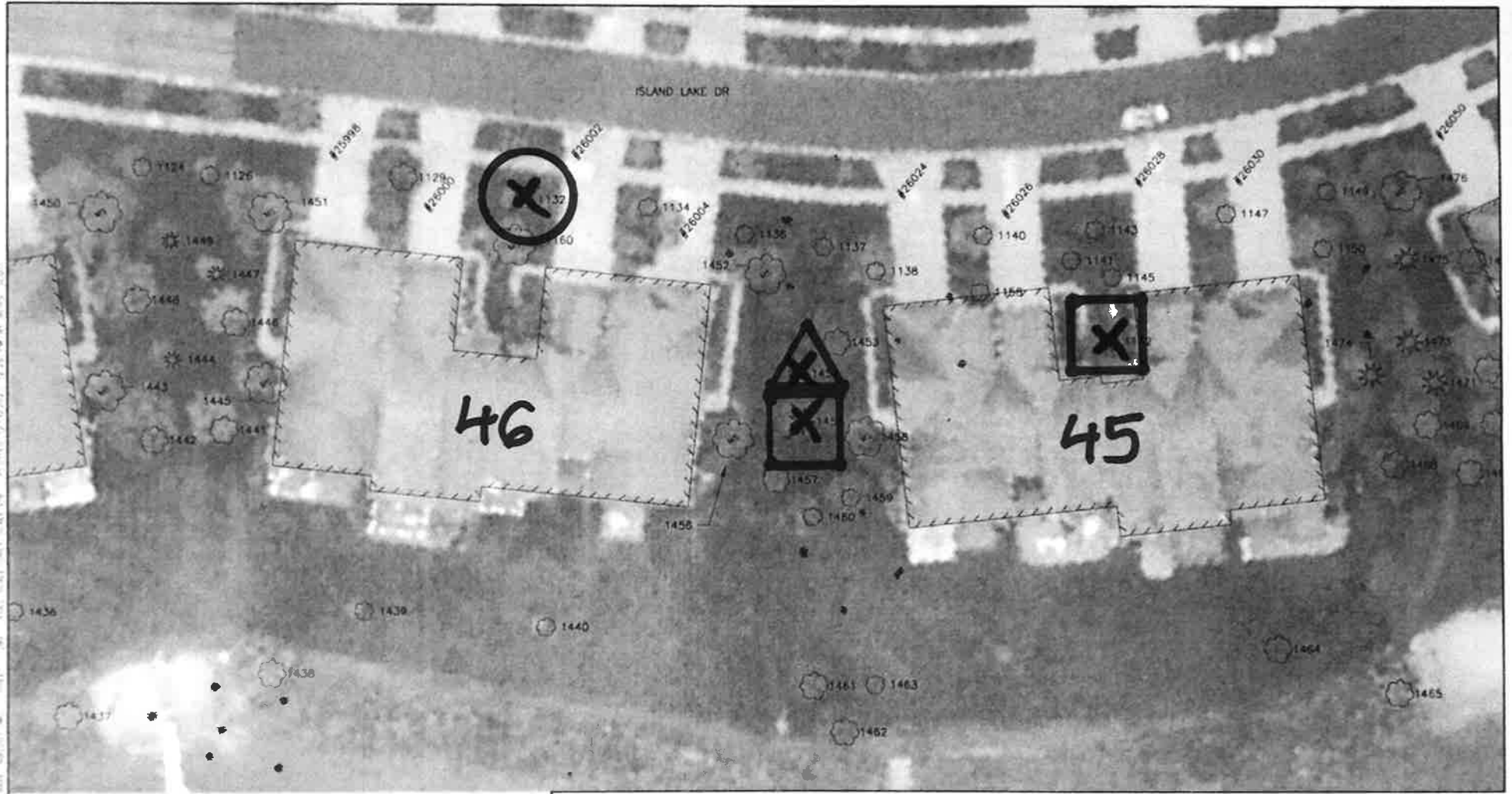


ALREADY SHOWN ON SHEET G



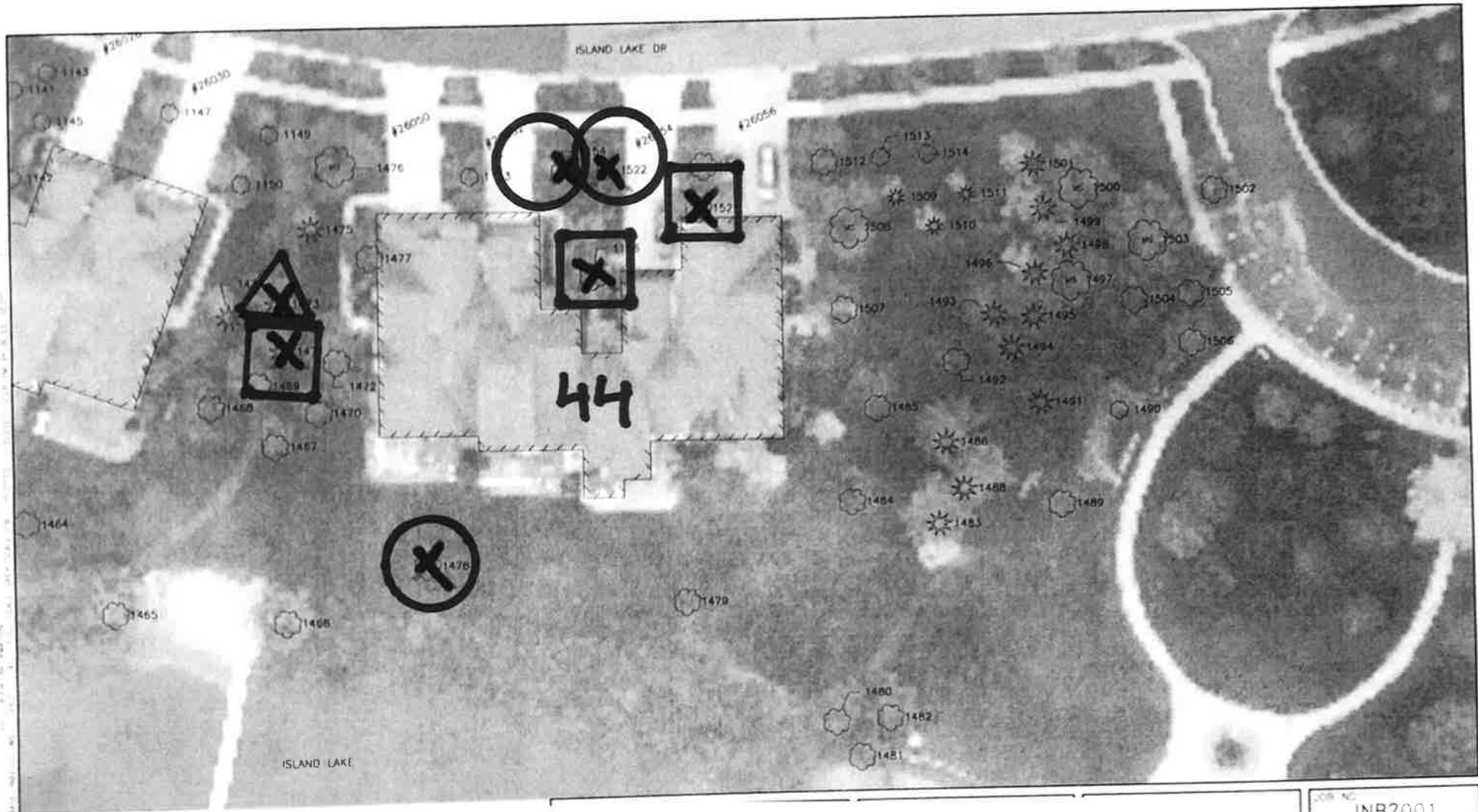
- CIRCLE: Trees not shown on any plan, may be removed without replacement
- TRIANGLE: Trees on a plan that staff recommends for removal without replacement
- SQUARE: Trees on a plan that staff does not recommend for removal without replacement

JOB NO	INB2001
SHEET	7 OF 14



- CIRCLE: Trees not shown on any plan, may be removed without replacement
- TRIANGLE: Trees on a plan that staff recommends for removal without replacement
- SQUARE: Trees on a plan that staff does not recommend for removal without replacement

JOB NO.	INB2001
SHEET	8 OF 14



- CIRCLE: Trees not shown on any plan, may be removed without replacement
- TRIANGLE: Trees on a plan that staff recommends for removal without replacement
- SQUARE: Trees on a plan that staff does not recommend for removal without replacement

## PLANNING REVIEW

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**PLAN REVIEW CENTER REPORT**  
**Planning Review**  
**ISLAND LAKE NORTH BAY TREE REMOVALS – 1<sup>st</sup> Revision**  
JSP 21-23  
October 1, 2021

**PETITIONER**

Island Lake North Bay Homeowner's Association

**REVIEW TYPE**

Second Revised Landscape Plan

**PROPERTY CHARACTERISTICS**

Section	18 & 19	
Site Location	Island Lake Condos – North Bay Condominiums (Phase 6)	
Site School District	Novi Community School District	
Site Zoning	R-1, One-Family Residential (w/ RUD); RA, Residential Acreage (w/ RUD)	
Adjoining Zoning	North	MH, Mobile Home
	East	R-1, One-Family Residential (w/RUD); RA, Residential Acreage
	West	PD, Planned Development District (South Lyon)
	South	RA, Residential Acreage (w/RUD)
Current Site Use	Residential	
Adjoining Uses	North	Multi-Family Residential
	East	Single-Family Residential
	West	Single-Family Residential
	South	Single-Family Residential
Site Size	Approximately 26.6 acres	
Plan Date	September 9, 2021	

**PROJECT SUMMARY**

On July 14, 2021, a Public Hearing regarding the request to authorize removal of 31 landscape trees from the Island Lake North Bay community was presented before the Planning Commission. The Planning Commission approved 31 landscape tree removals contingent upon the replacement of 13 landscape trees that were identified on the original and/or subsequent RUD plans. The Planning Commission's motion also required that the applicant provide the City's Landscape Architect with a revised Landscape Plan showing the approved tree removals that could be referenced moving forward.

Additionally, the Planning Commission approved the request as a minor amendment to the RUD Plan, based on and subject to various standards of the ordinance (see attached Planning Commission summary). This determination means that any further amendment to the proposed number of removals of the landscape trees will remain with the Planning Commission for consideration.

Since the Planning Commission meeting, staff met with Jim Utley, a member of the community who had made a presentation to the Planning Commission at the meeting in July. The applicant has now amended its initial request, and has provided some additional information to the City, including a number of "statements" regarding the initial discussion at the Planning Commission meeting. (We learned that Mr. Utley will not be representing the applicant at the upcoming meeting, but the request will likely be represented by one or more of the four members of the board that were signatories to the letter provided to the City on September 8.)

More specifically, the applicant has now provided a revised landscape plan and narrative indicating a revised request is being sought for the removal of 37 landscape trees with no replacements required—that is, 6 more trees than the applicant asked to be allowed to remove back in July, and again with the corresponding request that no replacement of any of them be required. This revised request will require Planning Commission approval. Per Section 3.29.18.B, any amendment or revision constituting a change which is not considered major may be approved by the Planning Commission in conjunction with site plan approval. The City's Landscape Architect noted a discrepancy in the application, and added one tree to the number trees proposed for removal, to assist with the review and streamlining of this request, for a total of 37 trees in the proposal. Staff is of the opinion that the proposed removal of 37 trees (still) does not constitute a major change in the approved RUD Area Plan, and the initial determination made by the Planning Commission as a minor amendment still stands.

Similar to the previous request, the Planning Commission is authorized to allow removals of landscaping trees with or without replacement, and a motion may be made subject to reasonable conditions. As stated by the Landscape Architect at the public hearing, this request is presented to the Planning Commission for their decision and should be made per the zoning ordinance standards. The Planning Commission is free to take staff's recommendation or make their own decision.

This letter's review of the revised request seeks to clarify the number of landscape trees proposed for removal, and to provide clarity regarding the number of landscape trees originally approved on plans. Trees that were not shown on a previously approved plan are not the subject of consideration at this point. This is a revised request from the initial submittal, that now has the benefit of including a clearly marked plan showing where the tree removals are proposed—a plan that the Commission did not see back in July. The City's Landscape Architect has also provided a marked-up plan that shows the location of the various trees under consideration intending to help clarify the status of those trees.

With this revised request, the applicant is now asking to have authorized the removal of 37 landscape trees within open space common area of the Island Lake North Bay Homeowner's Association (Phase 6 of Island Lake). The trees are a mix of deciduous canopy, evergreen, and ornamental. The trees proposed for removal are located along the shoreline, foundation plantings along the front of some units, as well as between units. The Homeowner's Association is requesting to remove the trees due to tree health, site congestion, and aesthetics. Staff's review has found that 15 of the 37 trees are not shown on the approved RUD Plan or on a subsequent approved landscape plan. Staff has not objected to these trees being removed without replacement. Another 14 trees were shown on a plan, but staff is recommending to the Planning Commission that they could be removed without compromising the overall planting plan, and not be replaced. The remaining 8 trees proposed to be removed were shown on a previously approved plan and staff is recommending that these 8 trees should either be retained, or be replaced on-site. Alternatively, the applicant may seek to have the replacements waived by the Planning Commission. See landscape review letter for additional information.

#### **RESPONSE TO APPLICANT LETTER DATED SEPTEMBER 8, 2021**

The City of Novi Planning Division is in receipt of a letter dated September 8, 2021, and offers the following responses to the numbered comments provided in the letter:

1. "It was asserted several times by several different people that the "additional trees were likely planted over the years by various members of the community ..." This is not true. The RUD and the Survey count only those trees which are more than 5 feet from any condominium building. No member of the community added any trees to this area, only to the areas adjacent to a building. All the trees planted were done so by Toll Brothers prior to their completing the building of the community."

**Based on previous communication with residents of the community, staff believes that additional trees were planted by Toll Brothers as well as residents of the community.**

2. "It was asserted that we were requesting permission to remove whatever trees we wanted and that permitting us to do so would create a precedent allowing anyone in the city to remove all the trees they want whenever they want. This is also untrue. We specifically filed a plan with the city and promised to take no action without approval. At the meeting, Mr. Meader confirmed that the plan we filed was in accordance with proper procedure."

**The Planning Commission's concerns regarding removal of trees shown on previous plans are entirely appropriate, as are its concerns about how allowing such activity to occur might affect its review of other such requests in the same area.**

3. "It was asserted that, as we have already removed 25 of the 31 trees, we were acting in an unlawful manner. This is also untrue. We did not remove any trees until after Mr. Meader gave us permission to do so. The issue before the Commission had nothing to do with the removal of trees, but with the requirement to replace 13 trees. Mr. Meader confirmed this at the meeting, but his correction was unheeded."

**Landscape Architect Meader had previously granted administrative approval to remove landscape trees that were not shown on any approved plan. The Planning Commission was asked to approve or deny removals of the remaining trees that had been shown on approved plans. Staff's suggestion was that the 13 trees that had been shown on previous plans be replaced somewhere on that site. That is/was consistent with the approved motion.**

4. "It was asserted that we undercounted the number of trees on the RUD and that there are 88 more trees than we claimed. This is also untrue. The 88 trees referred to are city trees that line the street and were not included in our plan. The community does indeed have 186 more trees than are shown on the RUD, as we stated."

**Landscape Architect Meader has provided a chart with the Landscape Review letter that confirms that there are approximately 431 trees shown on the provided Tree Survey and a minimum of 309 trees shown on the RUD plan. This is a minimum difference of 122 trees . This number does not include street trees.**

5. "It was asserted that the 245 trees on the RUD were trees to be added to existing trees and that the community was meant to have more than 245 trees. This is also untrue. Mr. Meader said he did not know how many trees existed prior to the development but that it was most likely there were none as that is typically how developments are built. In any event, the RUD plan calls for a total of 245 trees, not an additional 245 trees."

**While reviewing aerial photos that are available prior to the development of the site, it is clear that most, if not all of the vegetation was removed during the mining operations and other pre-development activities on the site. There appear to be a few scattered trees and vegetation mostly around the edges of the property. A minimum total of 309 trees were approved as part**

**of this phase, according to the chart attached in Mr. Meader's letter.**

6. "Several Commissioners stated that they agreed that there were too many trees. It was asserted, however, that this was a problem created by the developer and/or the community, and it was not the City of Novi's fault and it was therefore not the City of Novi's responsibility to fix it. We never asserted that it was the city's fault and we never asked the city to fix it. We are only asking the city to allow us to fix it."

**See staff's comment to item 1.**

7. "During the comment period one of our residents asked why 18 trees were approved for removal while the other 13 were not. What was the difference between the two groups of trees? Mr. Meader explained that the 18 trees which were approved for permanent removal do not appear on the RUD tree plan while the 13 trees which were not approved for permanent removal do appear on the RUD tree plan. It was then asserted that the permanent removal of the 13 trees could not be approved under any circumstances. At the meeting, Mr. Meader corrected this assertion when he said, "I didn't feel it was my place to overturn a RUD plan and I thought that was the Planning Commission's right and authority to do that." He explained further what he did and what he did not do, saying again "That's up to you as a Commission, not me." Even after his explanation, however, it was asserted again that the Commission did not have authority to change the RUD and more than one Commissioner is likely to have voted based on this false assertion."

**Discussion during public hearings often takes different direction than may be expected. However, the motion as attached was voted on and approved by the Planning Commission at the conclusion of the discussion, and shows that that they did indeed understand their role.**

## RECOMMENDATION

**Following review of the additional material and the plan (which was helpful to have for this submission), Staff recommends approval of the Revised Landscape Plan** to allow for the removal of 29 landscape trees without replacements, and either denial of removal or a request to replace the other 8 trees as shown on the marked-up plan submitted by the applicant on September 9, 2021, subject to the following:

- The requested removal of most of the 37 identified landscape trees from this phase – specifically those trees that are located closer to the road or in front of the units, and in the area between the homes, and one shoreline tree – are recommended for removal without replacement because they are either not on a plan (15 trees shown with a circle on the plan), or because they contribute the congested appearance of the site (another 14 trees shown in a triangle on the plan). However, the 8 trees (shown in a square on the plan) that are located between the units, along the shoreline or are foundation plantings are not recommended for removal—at least without replacement—since they add privacy between the buildings, create a consistent look across the front of the units, provide ecological benefits and shoreline stabilization, and add to the beauty of the site.
- This approval is subject to the Homeowner's Association maintaining the remaining landscape and shoreline trees, as shown on the approved plans, and that the final determination as approved by the Planning Commission shall be shown on revised plans consistent with the type of plans that were submitted to the City on September 9, 2021, for future reference.

This recommendation is made for the following reasons:



- The request for removal meets typical landscape waiver standards of the ordinance: the Planning Commission may reduce or waive the landscape screening/buffer requirements when it is determined that **the design of the site would be enhanced by an alternative design solution while still meeting the intent of this Section.**
- In this instance and as recommended by staff, the views of natural resources or vistas will be preserved by allowing removals of some trees that may be blocking the view of Island Lake, particularly given the overall number of trees on the site as a whole. However, the 8 trees proposed to be removed between units, foundation plantings, and one shoreline tree are a different issue. Some of those (which are shown on plans) should either not be removed or (if allowed to be removed) should be replaced, because they preserve the privacy that the mature trees between the units afford, provide for consistency with the appearance of the front of the units, and add to the stability and ecological function of the shoreline. In the same areas, other trees shown on plans that have already been removed and are not specifically covered by this proposal should also be replaced.

## ORDINANCE REQUIREMENTS

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This project was reviewed for conformance with the standards of the RUD Agreement. Where the agreement fails to address an item of review, the underlying ordinance standards govern the review of the site including standards in Article 3 (RA Residential Acreage District), Article 24 (Schedule of Regulations), Article 25 (General Provisions) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant or Planning Commission.

1. RUD Intent and amendments: As an optional form of development, the RUD allows development flexibility of various types of residential dwelling units (one-family, attached one-family cluster). It is also the intent of the RUD option to permit permanent preservation of valuable open land, fragile natural resources and rural community character that would be lost under conventional development. This is accomplished by permitting flexible lot sizes in accordance with open land preservation credits when the residential developments are located in a substantial open land setting, and through the consideration of relaxation of area, bulk, yard, dimensional and other zoning ordinance standards in order to accomplish specific planning objectives.

This flexibility is intended to reduce the visual intensity of development; provide privacy; protect natural resources from intrusion, pollution, or impairment; protect locally important animal and plant habitats; preserve lands of unique scenic, historic, or geologic value; provide private neighborhood recreation; and protect the public health, safety and welfare.

Such flexibility will also provide for:

- The use of land in accordance with its character and adaptability;
- The construction and maintenance of streets, utilities and public services in a more economical and efficient manner;
- The compatible design and use of neighboring properties; and
- The reduction of development sprawl, so as to preserve open space as undeveloped land.

Amendments and Revisions to an approved RUD plan shall require all procedures and conditions that are required for original submittal and review for amendments that are considered "major changes." **The removal of 37 trees does not constitute a major change to the RUD Area Plan, but still requires Planning Commission approval as listed in Section 3.29.18.B of the Zoning Ordinance.**

2. Tree Removals: The applicant is requesting authorization to remove 37 trees from the Island Lake North Bay community. Staff agrees with the removal of 29 trees without replacement. However, the Commission will need to determine if the remaining 8 trees proposed for removal can be removed and/or need to be replaced if removed. **If the applicant is required to replace any trees within the development, it shall provide a tree replacement plan submitted to City staff for review**

**and approval following the Planning Commission's decision.**

3. Master Deed and Bylaws: The proposed removals may impact the existing Master Deed and Bylaws of the Island Lake North Bay community. **Please provide the Master Deed and any amendments that may be impacted by these proposed removals. Additional Amendments or revisions to the Master Deed may be necessary.**
  
4. Landscape Waiver Standards (Sec. 5.5.3.B.iv): The Planning Commission is authorized to consider waivers to the landscape standards of the zoning ordinance, and does so frequently with site plan submittals. The section below provides typical standards the Planning Commission may wish to consider in this instance. *Except as provided in Section 5.5.3.A.v.a.(3), which governs relief relative to berm height, the Planning Commission may reduce or waive the landscape screening/buffer right-of-way requirements when it determined that practical difficulties exist due to the parcel size or configuration, or where the design of the site would be enhanced by an alternative design solution while still meeting the intent of this Section.* Examples of such situations include, but are not limited to, when:
  - a. *Preservation of Regulated Woodlands or Wetland or existing trees will occur;*
  - b. *The grade of the site is higher than the road and naturally provides a screen;*
  - c. **Significant architecture or historic buildings, water features, views of natural resources or vistas will be preserved**

#### **OTHER REVIEWS**

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- a. Landscape Review: Landscape is recommending **approval** of the revised Landscape Plan contingent upon **retaining or replacing 8 of the 37 trees as identified in the Landscape Review letter, or the Planning Commission granting the necessary waiver to remove and not replace 8 landscape trees.**

#### **NEXT STEP: PLANNING COMMISSION MEETING**

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This revised proposal will be scheduled to go before the **Planning Commission on October 6, 2021**. Please confirm attendance via email by **October 1, 2021**.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or [ccarroll@cityofnovi.org](mailto:ccarroll@cityofnovi.org).



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Christian Carroll, Planner

### PLANNING COMMISSION MEETING MOTION ON JULY 14, 2021

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In the matter of Island Lake North Bay Tree Removals, JSP21-23, motion to **approve** the Minor Amendment to the RUD Plan based on and subject to the following:

- a. Whether all applicable provisions of this Section, other applicable requirements of this Ordinance, including those applicable to special land uses, and all applicable ordinances, codes, regulations and laws have been met. *The applicant has submitted the required application information.*
- b. Whether adequate areas have been set aside for all schools, walkways, playgrounds, parks, recreation areas, parking areas and other open spaces and areas to be used by residents of the development. The applicant shall make provisions to assure that such areas have been or will be committed for those purposes. *The applicant is proposing to remove 31 trees and will not have any additional impact on the recreation, open space, and safety of the development.*
- c. Whether traffic circulation features within the site and the location of parking areas are designed to assure safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets. *The applicant is not proposing any changes to the traffic circulation of the site.*
- d. Whether, relative to conventional one-family development of the site, the proposed use will not cause any detrimental impact in existing thoroughfares in terms of overall volumes, capacity, safety, travel times and thoroughfare level of service, or, in the alternative, the development will provide onsite and offsite improvements to alleviate such impacts. *The applicant is not proposing any changes that would impact the traffic within the development.*
- e. Whether there are or will be, at the time of development, adequate means of disposing of sanitary sewage, disposing of stormwater drainage, and supplying the development with water. *The applicant is not proposing any changes to the existing utilities within the development.*
- f. Whether, and the extent to which, the RUD will provide for the preservation and creation of open space. Open space includes the preservation of significant natural assets, including, but not limited to, woodlands, topographic features, significant views, natural drainage ways, water bodies, floodplains, wetlands, significant plant and animal habitats and other natural features. Specific consideration shall be given to whether the proposed development will minimize disruption to such resources. Open space also includes the creation of active and passive recreational areas, such as parks, golf courses, soccer fields, ball fields, bike paths, walkways and nature trails. *The applicant is proposing to remove 31 trees from general common area due to tree health, site congestion, and aesthetics. Staff has indicated that the removal of 18 of the 31 trees without replacement credits is acceptable. The remaining 13 trees should be replaced and have been indicated in the Landscape Review letter.*
- g. Whether the RUD will be compatible with adjacent and neighboring land uses, existing and master planned. *The applicant is not proposing any new uses within the development.*
- h. Whether the desirability of conventional residential development within the city is outweighed by benefits occurring from the preservation and creation of open space and the establishment of school and park facilities that will result from the RUD. *The applicant is not proposing any changes to the existing recreation area within the development.*

- i. Whether any detrimental impact from the RUD resulting from an increase in total dwelling units over that which would occur with conventional residential development is outweighed by benefits occurring from the preservation and creation of open space and the establishment of school and park facilities that will result from the RUD. *The applicant is not proposing an increase in total dwelling units.*
- j. Whether the proposed reductions in lot sizes and setback areas are the minimum necessary to preserve and create open space, to provide for school and park sites, and to ensure compatibility with adjacent and neighboring land uses. *The applicant is not proposing a reduction in lot size or setback area.*
- k. Evaluation of the impact of RUD development on the City's ability to deliver and provide public infrastructure and public services at a reasonable cost and with regard to the planned and expected contribution of the property to tax base and other fiscal considerations. *The applicant's proposal does not impact any of the existing utilities or services within the development.*
- l. Whether the applicant has made satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements. *The applicant will be required to provide replacements for any trees of record that are proposed for removal as identified in the Landscape Review letter.*
- m. Whether the applicant has made satisfactory provisions for future ownership and maintenance of all common areas within the proposed development. *The applicant is not proposing any changes to the ownership or maintenance of the open space.*
- n. Whether any proposed deviations from the area, bulk, yard, and other dimensional requirements of the zoning ordinance applicable to the property enhance the development, are in the public interest, are consistent with the surrounding area, and are not injurious to the natural features and resources of the property and surrounding area. *The applicant is not proposing any deviations at this time.*

Motion carried 5-0.

In the matter of Island Lake North Bay Tree Removals, JSP21-23, motion to **approve** the Revised Landscape Plan subject to:

- a. The proposed amendment does not constitute a major change to the RUD Agreement as described in Section 3.29.18.A of the Zoning Ordinance, since it meets the standards of the ordinance as a minor change as detailed in the motion above;
- b. The replacement of thirteen (13) of the thirty-one (31) landscape trees proposed for removal shall be required, with some allowance for adjustment of positioning to alleviate congestion, *because such landscape trees were identified on previously approved landscape plans and shoreline replanting plans;* ;
- c. The maintenance of approximately 343 landscape and shoreline trees as identified in any previously approved site plans and shoreline plans for the development shall be the responsibility of the association;
- d. The submittal of a Revised Site Plan/Landscape Plan with Final Site Plan submittal, in the level of detail required by the City's Landscape Architect shall be required;
- e. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan.

Motion carried 5-0.

## LANDSCAPE REVIEW

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**PLAN REVIEW CENTER REPORT**  
**October 1, 2021**  
**Island Lake North Bay Condos Tree Removals**  
**Revised Landscape Plan Review**

**Review Type**

Revised Landscape Plan Review (2)

**Job #**

JSP21-0023

**Property Characteristics**

- Site Location: Island Lake Condos – North Bay Condominiums
- Site Zoning: R-1 and R-A

**Ordinance Considerations**

This project was reviewed for conformance with Chapter 37 of the Code of Ordinances, Woodlands Protection; Section 5.5 of the Zoning Ordinance, Landscape Standards, the Landscape Design Manual, and any other applicable provisions of the Zoning Ordinance.

**Recommendation**

This project is **recommended for approval by staff, with conditions, which are noted at the end of the letter.**

**PROJECT OVERVIEW:**

The applicant is requesting to not replace 37 trees that have either been removed already or would be removed from areas around and between units and along the shoreline. The homeowners' association wishes to remove the trees for a variety of reasons, including tree health, site congestion and aesthetics. Section 5.5.6 of the Zoning Ordinance requires that landscapes be maintained per the approved final site plans. Under this ordinance, all failing or removed plant material must be replaced per the plan.

This matter was previously brought to the Planning Commission back on July 14, 2021. This revised request contains more and different information as submitted by the applicant.

The original RUD plan and a subsequent shoreline renovation plan shows the following number of trees, not including street trees or any trees located across Island Lake Drive from the units. This table is provided to confirm the total number of trees on the plans as there is some confusion as to how many "extra" trees there are on the site. The applicant's survey counted 431 trees.

Sheet	Sheet Description	# Of Trees on Plan*	
		(min # of condo trees)	max # of condo trees
LA-19	RUD Plan	60	60
LA-20	RUD Plan	93	93
LA-21	RUD Plan	43	43
LA-33A	RUD Condo Unit Plan	80	96
4	Lakeshore plan	17	17
5	Lakeshore plan	16	16
<b>TOTAL TREES ON PLANS</b>		<b>309</b>	<b>325</b>

In July, the applicant was seeking to remove 31 trees. Staff provided its comments, and ultimately the Commission agreed to all of the removals, but required applicant to replace 13 of the proposed removals. The applicant was not satisfied with the Commission's decision, as it didn't want to plant any replacement trees.

The applicant has returned with a new plan and new information. It still wants to remove the 31 trees, but has added 6 more, for a total of 37. It still doesn't want to replace any trees.

Staff's recommendation is to (1) allow the applicant to remove 29 trees without replacement, and (2) either don't allow removal of the remaining 8 trees, or, if the Commission does allow those 8 to be removed, to require replacement. (To be more specific, only 7 of these 8 trees are technically proposed for removal. One of the 8 is already missing, and therefore staff is recommending it be replaced.)

- **15 trees not on any plan—allow with no replacement.**

Staff does not object to the removal of 15 of the proposed trees as they did not appear on any plans that we could find in our records. This does not mean that the trees weren't required by the city at some point, but as no record could be found, staff believes there is not solid ground on which to deny those removals without replacement. In fact, the removal of those 15 trees could theoretically have been approved administratively.

- **Of the remaining 22 trees: allow 14 to be removed without replacement.**

The plan is being submitted to the Planning Commission for approval because the other 22 trees are shown on one plan or another for the project, so administrative approval of this request is not allowed. **The submitted plan is sufficient for staff purposes to use for future reviews.** The plan submitted with this request shows removal of 6 more trees than were requested in the original request. Including one shoreline tree that has already been removed was inadvertently omitted from the proposal but should be counted in the total request, that makes a total of 37 trees that applicant must ask the Commission to authorize for removal.

Staff does not generally oppose the proposal and acknowledges there are more trees throughout the site overall than were part of any original plan. That said, the unintended congestion sought to be remedied by the applicant is generally between the street and the units. The areas between units were intended to be somewhat crowded in order to provide screening and a degree of privacy between units. So, from the staff's perspective, it would be preferable to not lose more than one tree in the plantings between units to maintain that screening (a "net 1 loss between units"). Staff has evaluated each tree individually as shown on the applicant's submitted plan. Staff finds that of the remaining 22 trees at issue, 14 can be removed without compromising the overall planting plan. The remaining 8, however, should not be removed because they serve a specific screening/buffering purpose. If removed, they should be replaced.

- **Staff Recommendation for Approval—Specific Trees Described on Applicant's Plan**

Recommended removals **without replacement** (based on # of trees on original plans)

All trees <b>not</b> on a plan approved for removal without replacement:	15 trees
Trees on a plan that staff supports removing without replacement:	
• Between Units 57 and 58:	1 tree
• Between Units 56 and 57:	1 tree
• Near street between Units 55 and 56:	1 tree
• Near street between Units 54 and 55:	1 tree
• Between Units 50 and 51:	1 tree
• Near street between Units 51 and 52:	1 tree
• Near street between Units 48 and 49:	2 trees
• Between Units 48 and 49:	1 tree
• Between Units 47 and 48 (on lake side):	1 tree
• Near street between Units 46 and 47:	2 trees
• Between Units 45 and 46	1 tree
• <u>Between Units 45 and 45</u>	<u>1 tree</u>
	14 trees

Total Recommended Removals without Replacement: **29 trees**

**There are 7 trees proposed for removal that staff does not recommend be removed; but if they are removed, then Staff recommends replacement.**

**As mentioned above, there is 1 shoreline tree behind Unit 55 that has been removed but was not included in the proposal. That tree should be replaced as it was on the shoreline plan and serves important aesthetic and ecological function.**

These recommendations are based on the applicants' desires to reduce congestion in certain places and to increase views to the lake. They also take into consideration staff's desire to conform to the city ordinance and original design intent for the project.

**Staff does recognize the Commission's authority to waive all of the tree replacement, as requested by the applicant, under the provisions of the landscape ordinance.**

If are any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5621 or [rmeader@cityofnovi.org](mailto:rmeader@cityofnovi.org).



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Rick Meader – Landscape Architect



**APPLICANT RESPONSE LETTER**

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Island Lake of Novi – North Bay  
Homeowners Association

September 8, 2021

TO:

Planning Commission  
Chair Pehrson  
Commissioner Avdoulos  
Commissioner Dismondy  
Commissioner Becker  
Commissioner Lynch  
Commissioner Roney  
Commissioner Verma

and Planning Department  
Barbara McBeth  
Christian Carroll  
Madeleine Daniels  
Rick Meader  
Beth Saarela

Re: Appeal of the Motion regarding Island Lake North Bay Tree Removals, JSP21-23, passed on July 14, 2021

For the past several years, our community has been working with the Novi Planning Department on a project to reduce the number of trees in our neighborhood. The full history of this project would be too long to recapitulate here, but the salient points are given below:

Our community is overgrown with trees. This is the nearly universal opinion of all residents and the universal opinion of the several arborists we have engaged to help us manage our landscaping. This congestion is a result of the developer of our community planting more trees than the area can properly sustain. When they first developed our community, they submitted a Tree Plan as part of a Residential Unit Development (RUD) Plan which showed the placement of 245 trees. When they completed the development, they had planted 431 trees (as confirmed by a professional survey we commissioned at the request of the Planning Department), a difference of 186 trees.

So, both subjectively and objectively, we have too many trees.

We worked closely with the Planning Department, especially Landscape Architect Rick Meader (who was extremely helpful), on developing a new landscape plan. After much work it was

completed late last year and we submitted it to the Department. The plan called for the permanent removal of 31 carefully chosen trees. The response we got from Mr Meader was that he could approve 18 of those trees, but the other 13 needed to be replaced if removed. Mr Meader explained that permission to remove these trees permanently required approval of the Planning Commission. Initially we chose not to take that step, but instead to proceed with the plan approved by Mr Meader.

As we moved forward with the plan, however, numerous residents complained about the requirement to replace the 13 trees whose permanent removal was not approved. At their behest, we submitted a new site plan for consideration by the Planning Commission. The site plan was reviewed by the Commission at their meeting on July 14, 2021. They voted unanimously to reject our new plan and to proceed with the plan as outlined previously by Mr Meader, viz. to allow permanent removal of 18 trees but not the other 13 trees.

We believe this decision was made in error. During the Commission's discussion, numerous statements were made that were incorrect, and we believe the Commission's vote was therefore based on a significant misunderstanding of the actual facts surrounding the issue. We are therefore appealing this decision and, in doing so, would like to correct the misunderstandings that arose during the meeting, in the expectation that this will persuade the Commission that an error was in fact made and that they will support our decision.

1. It was asserted several times by several different people that the "additional trees were likely planted over the years by various members of the community ..." This is not true. The RUD and the Survey count only those trees which are more than 5 feet from any condominium building. No member of the community added any trees to this area, only to the areas adjacent to a building. All the trees planted were done so by Toll Brothers prior to their completing the building of the community.
2. It was asserted that we were requesting permission to remove whatever trees we wanted and that permitting us to do so would create a precedent allowing anyone in the city to remove all the trees they want whenever they want. This is also untrue. We specifically filed a plan with the city and promised to take no action without approval. At the meeting, Mr Meader confirmed that the plan we filed was in accordance with proper procedure.
3. It was asserted that, as we have already removed 25 of the 31 trees, we were acting in an unlawful manner. This is also untrue. We did not remove any trees until after Mr Meader gave us permission to do so. The issue before the Commission had nothing to do with the removal of trees, but with the requirement to replace 13 trees. Mr Meader confirmed this at the meeting but his correction was unheeded.
4. It was asserted that we undercounted the number of trees on the RUD and that there are 88 more trees than we claimed. This is also untrue. The 88 trees referred to are city

trees that line the street and were not included in our plan. The community does indeed have 186 more trees than are shown on the RUD, as we stated.

5. It was asserted that the 245 trees on the RUD were trees to be added to existing trees and that the community was meant to have more than 245 trees. This is also untrue. Mr Meader said he did not know how many trees existed prior to the development but that it was most likely there were none as that is typically how developments are built. In any event, the RUD plan calls for a total of 245 trees, not an additional 245 trees.
6. Several Commissioners stated that they agreed that there were too many trees. It was asserted, however, that this was a problem created by the developer and/or the community, and it was not the City of Novi's fault and it was therefore not the City of Novi's responsibility to fix it. We never asserted that it was the city's fault and we never asked the city to fix it. We are only asking the city to allow us to fix it.
7. During the comment period one of our residents asked why 18 trees were approved for removal while the other 13 were not. What was the difference between the two groups of trees? Mr Meader explained that the 18 trees which were approved for permanent removal do not appear on the RUD tree plan while the 13 trees which were not approved for permanent removal do appear on the RUD tree plan. It was then asserted that the permanent removal of the 13 trees could not be approved *under any circumstances*. At the meeting, Mr Meader corrected this assertion when he said "I didn't feel it was my place to overturn a RUD plan and I thought that was the Planning Commission's right and authority to do that." He explained further what he did and what he did not do, saying again "That's up to you as a Commission, not me." Even after his explanation, however, it was asserted again that the Commission did not have authority to change the RUD and more than one Commissioner is likely to have voted based on this false assertion.

It defies common sense to think that a mistake made by a developer could not be corrected later by the community after the developer has departed. Clearly there must be some mechanism to correct an error like this and clearly the only logical mechanism is the Planning Commission. Common sense and logic must rule the day.

We also respectfully request that the Planning Commission consider that there is no real distinction between trees on the RUD and trees not on the RUD, which was the only point of difference mentioned by Mr Meader for accepting or not accepting the permanent removal of a tree. A close look at both the RUD tree plan and the survey of existing trees shows that *all* the trees in our development were planted randomly and without any regard to the plan whatsoever. Whilst there is some correlation of certain tree placements as shown on the RUD plan and the survey, such correlation is purely coincidental. Therefore, the only consideration of whether a tree should remain or be removed should be whether or not it is appropriate, not whether or not it is on a plan.

To conclude: Our community has too many trees. No one denies this. They are difficult to maintain and many are dying. We are not trying to denude our community of trees. We like our trees and we want to maintain them in a healthy manner. In order to do so, we need to do some judicious pruning. Of 431 trees – again, 186 more than we are supposed to have – we are only asking to be allowed to remove a small number of them. Permission has been granted for 18. We respectfully request that permission be granted for the others.

Please note that, during a new review of our community and Survey Map while this appeal process has been pending, six more trees have been identified as needing to be removed for a new total of 37 trees. We are appending to this appeal our Survey Map showing all 37 trees marked with an “X”, 26 of which have been removed and eleven of which, based on their clinical status or placement, will need to be removed now or in the not too distant future, and all of which, therefore, we are requesting not to replace. Again, of these 37 trees we have already received permission to not replace 18, so we are requesting permission to not replace another 19.

We respectfully request that this new Survey Map, minus the 37 marked on the Survey Map with an “X”, be accepted as our new RUD tree plan.

Thank you.

Respectfully submitted,

Island Lake of Novi, North Bay Board of Directors

Elliott Milstein, President  
William Pfeiffer, Treasurer  
Chuck Childress, Secretary  
Mark Campbell, Director