

Lafayette Townhouse Cooperative

LaSalle Townhouse Cooperative

Joliet Townhouse Cooperative

Nicolet Townhouse Cooperative

July 2, 2025

Detroit Historic District Commission
Planning and Development Department
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 808
Detroit, MI 48226

Dear City of Detroit Historic District Commissioners,

The Board of Directors of the Lafayette Townhouse Cooperative, the Board of Directors of the LaSalle Townhouse Cooperative, the Board of Directors of the Joliet Townhouse Cooperative, and the Board of Directors of the Nicolet Townhouse Cooperative collectively, strongly, and unanimously oppose Detroit Thermal's application for a project in the Lafayette Park Historic District, which has the highest historic designation as a National Historic Landmark. We oppose the project because it is not historically appropriate. The plans call for removing intact historic trees, shrubs and other landscaping features. Although the majority of this work is planned for our private property, this work is not initiated by us and is stridently opposed by us – the property owners. The impact of the project is exclusively detrimental to our property and to the National Historic Landmark – it offers not a single benefit to the historic site.

Our four boards represent nearly 200 households and more than 400 Detroit residents that makeup the Mies van der Rohe residential community within the Lafayette Park Historic District. Our boards are comprised of volunteer residents, elected by our neighbors. Lafayette Park is one of only ten National Historic Landmarks in Detroit and only 43 across the entire state of Michigan. Preserving the historic integrity of our neighborhood is one of the responsibilities of our boards. This responsibility increases both the workload and costs for our boards and individual households. Exterior improvements in the neighborhood require HDC approval. Our cooperatives and our members pay higher utility costs because of a commitment to preserving the neighborhood's historic character, which limits our utility upgrade options. These higher costs are investments in preservation that our neighborhood requires and to which our boards are committed.

IN SUMMARY:

1. **Much of the work is planned on private, residential historically protected property, not the Right of Way, without consent from us the property owners.** This is skewed in Detroit Thermal's plans by labeling our private property as a public Right of Way and repeatedly referring to private, historically protected residential property by the names of old streets that have not existed for over 70 years. Please see Attachment B.
2. **Detroit Thermal's plans are inaccurate.** The tree inventory is inaccurate and incomplete. There are at least 18 errors where the species is misidentified, the size of a tree is significantly underestimated, or both. There are multiple instances where the plans identify a mature, 50-foot-tall tree as a shrub. "The most common errors are mature honey locust trees being labeled as yew shrubs," as written by Kay Sicheneder, a Registered Consulting Arborist, one of the highest designations in arboriculture, with over 30 years of experience. Detroit Thermal has provided no inventory of landscaping elements beyond mature trees and shrubs. "Identifying" historic features and materials is a primary step required by *The Guidelines for the Treatment of Cultural Landscapes*. Detroit Thermal has not completed this step.
3. **The historic landscape will be damaged by Detroit Thermal's plans.** Detroit Thermal's plans acknowledge that the historic landscape will be damaged by removing historic landscaping features, including mature trees, shrubs, perennials, ground covering, and planting beds. However, the plans vastly miscalculate and thus greatly misrepresent the extent to which the historic landscape will be impacted by the proposed work. At least 23 historic trees would suffer some level of injury during construction. Half (11) of these trees have the potential for severe impact that will likely result in removal. Impact is identified for only four trees in Detroit Thermal's plans.
4. **The work proposed by Detroit Thermal is not historically appropriate as it fails to meet the Secretary's Guidelines for the Treatment of Cultural Landscapes or the Secretary of the Interior's Standards for Rehabilitation or Preservation.** Specifically, the work shown in the application does not conform to the Secretary's Standards #2 and #5 for Rehabilitation or Preservation because the application fails to fully protect, maintain, and preserve the historically significant landscape elements and proposes work that will damage features integral to the landscape. *The Guidelines for the Treatment of Cultural Landscapes* provide more targeted guidance for landscapes than the *Secretary of the Interior's Standards for Rehabilitation*. The work shown in the application does not conform to these standards because the application fails to "identify, retain and preserve historic features and materials" and "spatial organization and land patterns as they have evolved over time." Because the work is not historically appropriate, a Certificate of Appropriateness should not be issued for this project.
5. **It turns the Standards on their head to approve detrimental work inside a National Historic Landmark for a project that only harms the Landmark and provides no benefit to it.** The Standards are predicated on the notion that the proposed work is being conducted to benefit the historic property. The work proposed by Detroit Thermal is not being conducted to perform any preservation work in Lafayette Park nor is the proposed work being conducted to benefit the historic property in any way. The historic site at issue does not need any work done to it to make it a useful, functioning, highly historic

site—it is already all of those things. The impact of the project is exclusively detrimental to our property and to the National Historic Landmark – it offers not a single benefit to the historic site.

We collectively, strongly, and unanimously oppose Detroit Thermal’s application for a project in the Lafayette Park Historic District, a National Historic Landmark, because it is not historically appropriate.

The project proposed by Detroit Thermal would generate a significant adverse effect on our historic landscape, which is a contributing resource to the National Historic Landmark status. The project will kill and damage mature trees, shrubs and planting beds that define our historic landscape. It will also disconnect our irrigation system that provides the water our landscape needs to survive. The project plans to convert a highly historically sensitive and the most beloved portion of our historic landscape into a work site. **More than 7,000 square feet of our historic landscape is to be enclosed by a chain-link fence.** This area is the jewel of our historic landscape. It is the least appropriate place for construction staging. Our 60-year-old landscape cannot be “restored.” It took 60 years of time, investment, and stewardship to become what it is today. This is affirmed by the role of the landscape in our historic designation. The landscape’s intact condition qualified it as a contributing resource. Detroit Thermal’s plan to damage the historic landscape with a promise of replanting it shows a core lack of comprehension of preservation.

Detroit Thermal’s plans acknowledge damage to the historic landscape, which is proof of a lack of historical appropriateness. However, the plans vastly miscalculate and thus greatly misrepresent the extent to which the historic landscape will be impacted by the proposed work. We did not come to this conclusion ourselves as laypeople. After receiving Detroit Thermal’s newly submitted plans, we engaged a Registered Consulting Arborist (one of the highest designations in arboriculture) with more than 30 years of experience, Kay Sicheneder, to provide an educated, unbiased opinion on the impact of the plans. A report detailing her findings is attached to this letter. In summary, she determined that:

“Detroit Thermal’s site plan is neither comprehensive nor complete. Their project, as presented, lacks sufficient tree protection measures to prevent serious injury to mature shade and ornamental trees in the heart of the Meis Coop community’s greenspace. These impacts include root loss from excavation and soil compaction resulting in a decline in tree health requiring treatment or removal at best, and destabilization and whole tree failure at worst... After considering the landscape and the plan as described, I found at least 23 trees that would suffer some level of injury during construction. Half (11) of these trees have the potential for severe impact that likely would result in removal.”

The plans submitted for this project by Detroit Thermal demonstrate its lack of understanding and respect for Lafayette Park’s historic status and the significance of its historic landscape. After nearly two months since its last submission to the HDC, Detroit Thermal’s plans are still inaccurate and incomplete. Regarding Detroit Thermal’s landscaping plans, the Registered Consulting Arborist explained:

“The June 11th plans, while containing more information, still lack sufficient tree protection measures. Additionally, there are many errors such as misidentified trees and shrubs, missing trees and incorrect trunk diameter upon which tree protection is determined. These errors are identified in the rough red-line of Detroit Thermal’s landscape enlargement at the end of this report. We have found at least 18 instances where Detroit Thermal’s plans underestimated trunk diameter at breast height according to my measurements. There are 14 errors with incorrect species labeled. The most common errors are mature honey locust trees being labeled as yew shrubs.”

Detroit Thermal’s work to date in the Lafayette Park National Historic Landmark demonstrates the incompatibility between its methods and those required by historic preservation. It started work on the historic landscape without HDC approval, which resulted in a Stop Work Order issuance by the City of Detroit. It has been occupying the area, on our private property next to the playground, for nearly 10 months without our permission. During that time, it has damaged historic elements within the area – cutting-down the majority of a mature Magnolia tree, cutting and damaging yews, and damaging an original concrete bench. The area is enclosed by fencing with notices that read “Caution Hot.” Although it is currently the first week of July, Detroit Thermal has yet to mow the grass, which has led to tall weeds and a concentration of insects. A porta-potty has also been seemingly abandoned within the historic district. It is attracting public users and is emitting a foul odor.

A Certificate of Appropriateness is not appropriate for Detroit Thermal’s plans. Again, we did not come to this conclusion ourselves as laypeople. After receiving Detroit Thermal’s newly submitted plans, we engaged an experienced Architectural Historian, Cassandra Talley, to analyze the updated HDC application and provide a professional opinion regarding its compliance with or derogation from the *Secretary of the Interior’s Standards*. A report detailing her findings is attached to this letter. In summary, she found that:

- “The work shown in the application does not conform to the Secretary’s Standards #2 and #5 because the application fails to fully protect, maintain, and preserve the historically significant landscape elements and proposes work that will damage features integral to the landscape. Thus, a COA is not appropriate here because the project fails to adhere to the *Standards*.”
- “It turns the *Standards* on their head to approve detrimental work inside an NHL for a project that only harms the NHL and provides no benefit to it. The historic site at issue does not need any work done to it to make it a useful, functioning, highly historic site—it is already all of those things.”

Additionally, although Detroit Thermal has publicly referenced easements related to this work, we have no documentation of existing Detroit Thermal easement rights to our private property.

Please find additional information relevant for considering the historical appropriateness of Detroit Thermal’s plans on the itemized list attached to this letter, labeled Attachment A.

We are unified in asserting that Detroit Thermal's plans are not historically appropriate. We are asking that the Detroit Historic District Commission reject Detroit Thermal's application to prevent it from irreparably harming the Lafayette Park National Historic Landmark.

Thank you kindly for your time and your commitment to serving the residents of Detroit and preserving the city's historic places.

Sincerely,

Arlene Frank, President
Nicolet Townhouse Cooperative

Sammy Sater, President
Joliet Townhouse Cooperative

Eric Kessell, President
LaSalle Townhouse Cooperative

Julie Burtch, President
Lafayette Townhouse Cooperative

Attachment A: Additional Information Relevant for Considering the Historical Appropriateness of Detroit Thermal's Plans

1. **Detroit Thermal's plans do not have a professional engineer stamp.** Why is this? What are the implications?
2. Detroit Thermal's plans show extensive access and staging at Lafayette Plaisance, a public park within the National Historic Landmark. Has Detroit Thermal received approval from the necessary City departments to do this work in a public park on City of Detroit property? If not, Detroit Thermal's access plans are not verified. Detroit Thermal may have to alter its access plans, which would require a new application submission to the HDC.
3. Detroit Thermal plans to excavate the neighborhood to install NEW steam pipes. Old steam pipes in the area haven't operated in more than four decades, were decommissioned, were cut and capped, and are potentially non-existent in some places.
4. Detroit Thermal has not presented a survey or any plan showing the location of existing steam infrastructure. Where do steam lines exist today? What is the varying condition of existing steam lines? Where are steam lines non-existent and/or cut and capped?
5. What is the size of existing steam piping? Does it vary? From our understanding the steam pipe is 31" in diameter.
6. Lafayette Park is a nationally recognized historic district, one of just nine National Historic Landmarks in the city of Detroit and the sole residential property with the designation. The neighborhood's original landscape, which was planted more than 60 years ago and remains intact today, was a key component in the neighborhood's coveted National Historic Landmark status, which was awarded by the National Park Service in 2015.
7. Detroit Thermal has pointed to the project's approval by the Michigan Public Service Commission in February as proof of the project's appropriateness. However, regarding the project, a Michigan Public Service Commission official clarified that its authority pertains to "ratemaking authority" only. Thus, the MPSC approved only the future rates Detroit Thermal plans on charging if the project is completed. To quote Reka Holley, Michigan Public Service Commission Section Manager in an email sent to coop members on May 12, 2025 in response to its inquiries about Detroit Thermal's application, **"The concerns raised by Detroit Thermal's activities appear to implicate local ordinances over which the Commission does not have enforcement authority or jurisdiction."** However, a recent [Detroit News article](#) reported that the city of Detroit has issued a stop-work order related to the project, and it is our understanding that the city is requiring review of the project by the Historic District Commission before work may proceed."

8. The **National Park Service issued a letter expressing concern** over Detroit Thermal's plans and outlining its expectation that the design review process include considerations of alternative options. To date, the residents of Lafayette Park have seen no analysis of alternative locations for the project. This letter is attached.
9. Landscape plans developed by Giffels Webster are inconsistent with the arborist recommendations made to Detroit Thermal by the arborist it engaged, as presented in the letter from Dave Scherer to Detroit Thermal on June 11, 2025. For example, the arborist recommends protective tree fencing extending at least to the dripline. This is not incorporated into the landscaping plans.
10. Plans show the extensive installation of new lines, not slip-lining existing lines, across Lafayette Avenue. Why is this? Why isn't Detroit Thermal using an existing connection?
11. Plans do not clearly specify equipment operation areas. What machinery will be operated on the highly sensitive historic landscape contained by chain link fencing south of Nicolet Place?
12. Plans do not clearly specify material staging placement. What equipment will be staged and/or stored on the highly sensitive historic landscape contained by chain link fencing south of Nicolet Place?
13. Detroit Thermal claims publicly that all trees in the Mies Cooperative will be preserved, but its plans call for the removal of trees. It already cut-down two-thirds of a mature tree in the spring of 2025.
14. Detroit Thermal claims publicly that all landscaping will be preserved, but its plans show extensive excavation and construction staging in the most historically sensitive area of the landscape. The area includes dozens of mature and historically significant trees, shrubs, and planting beds.
15. **Detroit Thermal's plans are rife with inaccuracies** – there are at least 18 errors where the size of the tree is underestimated, the species misidentified, or both. There are multiple instances where they identify a mature, 50-foot-tall tree as a shrub. "The most common errors are mature honey locust trees being labeled as yew shrubs," as written by Kay Sicheneder, a Registered Consulting Arborist, one of the highest designations in arboriculture, with over 30 years of experience.
16. **Much of the work is planned on private, residential property without consent from the property owners.** An issue that's skewed in Detroit Thermal's plans by labeling private property as a public Right of Way and repeatedly referring to private, historically protected residential property by the names of old streets that were vacated in the 1950s.
17. It appears that Detroit Thermal's plan seeks to surreptitiously introduce steam onto our private property where none appears to have ever existed and may be describing the work in a misleading way.

Attachment B

Detroit Thermal: Right of Way Exhibit 1



Private Property in Blue





2427 John R Rd
Troy, MI 48083
www.savatree.com

July 1, 2025

Ms. Darns-Jackson
KC Property Services
1301 Joliet Place
Detroit, MI 48207

Re: Detroit Thermal proposed construction project at Mies Coops

Ms. Darns-Jackson,

As a consulting arborist with over thirty years' experience, I provide educated, unbiased opinions. I was engaged by Mies Coop residents to review the potential impacts of Detroit Thermal's planned construction activities on the condition of the trees and shrubs in their landscape. The Mies residential district is a National Historic Landmark. As part of this federal designation, the landscape and trees are a contributing resource. Understanding and managing the impact on the landscape is critical to the historic designation, the character of the community, and benefits to public health and property value. My observations and opinions regarding the impacts of Detroit Thermal's construction on the trees and other landscape plants in the community, and measures to mitigate those impacts are reported here.

EXECUTIVE SUMMARY

At the request of interested parties, I reviewed Detroit Thermal's documents submitted for the July 2nd Historic District Council Special Meeting: construction plans, arborist report, and responses to HDC questions. Detroit Thermal's June 11, 2025 site plan is neither comprehensive nor complete. Their project, as presented, lacks sufficient tree protection measures to prevent serious injury to mature shade and ornamental trees in the heart of the Mies Coop community's greenspace. These impacts include root loss from excavation and soil compaction that would result in a decline in tree health requiring expensive treatment (in a best-case scenario), and possibly structural destabilization and whole tree failure and its potentially serious consequences. I worked with a landscape designer to survey the community trees and mapped an accurate critical root zone for each tree that could be impacted during the construction project. With this information I provide mitigation measures and steps, as outlined by industry best management practices, for tree protection plan for the project.

PLAN, SITE MAP AND TREE ASSESSEMENT

Detroit Thermal engaged an arborist to address tree protection for the project. In his letter he provides recommendations for four “directly impacted plants” as identified on Detroit Thermal's plans. However, Detroit Thermal underestimates the number of trees that will experience a negative impact due to the construction, as proposed.

With the assistance of a landscape architect, fifty-eight trees of concern were identified within the construction areas and disturbance zones, with fifty-one on Mies Coop property. Trees are identified with a numbered aluminum tag that corresponds to our tree maps and inventory list at the end of this report. Please note the measurements in inches below refer to the diameter measured at breast height or 4.5' above grade (dbh) for each tree as measured by me.

With this information we created tree maps that show the accurate size, species, location, and critical root zones of these trees, as well as Detroit Thermal's construction areas, open cut zones, tree protection fencing locations, and construction access route. By combining site and plan features, these maps clearly show tree root location in relation to proposed construction. Tree data and maps can be found at the end of this report.

After considering the landscape and the plan as described, I found at least 23 trees that would suffer some level of injury during construction. Half (11) of these trees have the potential for severe impact that likely would result in removal. Based on my observations, I expect the following four trees to experience **severe negative impacts due to the planned excavation**:

- 7” hawthorn (4 stem) - Tree #29.
 - Note: Detroit Thermal's plan to spade this tree, relocate during construction and replant is unlikely to be successful, and will likely cause damage to nearby trees' roots. It should be assumed this tree will not survive and damage will occur to nearby tree roots. If Detroit Thermal's plan moves forward, this tree likely will not survive.
- 28” honeylocust – Tree # 19.
 - Note: Detroit Thermal's plan is to perform root pruning 8 feet from the trunk of this tree, well into the critical and structural root zones. This will significantly damage the tree. It is possible it will ultimately require removal before it becomes a liability.
- 10” Austrian pine- Tree #53.
 - Note: Detroit Thermal's plan states this tree will have “no impact.” I disagree with that assertion. The open cut zone is 5 feet from its trunk invading the structural root zone of this tree. Depending upon the roots actually cut at time of construction, this tree will need either treatment or removal.
- 7” crabapple – Tree # 54.

- Note: Detroit Thermal's plan states that this tree "may need to be removed due to construction". If Detroit Thermal's plan moves forward, this tree likely will need to be removed. The open cut zone is less than 2 feet from its trunk.

Based on my observations, below is a list of trees that I expect to experience negative impacts organized by construction zone:

Construction Zone 1 - Mies Greenspace, Garden and Playground Area

In Zone 1 there are nine trees of concern. The top six trees listed are expected to suffer severe construction injury based on the proposed construction plans:

- 21" honeylocust – Tree # 7.
- 17" honeylocust – Tree # 8.
- 25" honeylocust – Tree # 9.
- 20" honeylocust – Tree # 13.
- 28" honeylocust – Tree # 19.
- 7" (four stem) hawthorn – Tree # 29.
- 25" honeylocust – Tree # 15.
- 24" honeylocust – Tree # 20.
- 3" (4 stem) star magnolia - Tree # 36.
 - Note: this tree has already had half of its stems broken by Detroit Thermal with its earlier site work.

Construction Zone 2 - Mies Townhouse Southern Work Area, Directly North of E. Lafayette

There is little detail in Detroit Thermal's plans regarding how and where they will stage machinery to excavate and remove/store spoils in this zone. That said, the crabapple #54 and Austrian pine #10 discussed above will suffer serious impacts. In addition, the two large honeylocust trees in this area could suffer root injury by the open cut zone and compaction.

- 25" honeylocust – Tree #52
 - Note: Detroit Thermal's plans omit this tree.
- 26" honeylocust – Tree #55
 - Note: Detroit Thermal's plans state no impact for this tree.

Construction Zone 3 - Construction Access Route via Mies property, Lafayette Plaisance, and the city park (Lafayette Park)

In Zone 3, four large, noteworthy trees that will be negatively impacted by compaction on the access route on the lawn

- 30" honeylocust - Tree # 40.
- 20" copper beech – Tree # 45
 - Note: This tree's trunk is on City Park Property, and the canopy is partially on Mies Coop property.
- 35" Siberian elm – Tree # 46.
 - Note: This tree is on City Park Property.
- 36" elm (likely American) – Tree # 47.

- Note: This tree is on City Park Property.

Two other trees on Mies property will also suffer soil compaction in the work access zone.

- 7" blue spruce – Tree # 44.
 - Note: This tree will also suffer from pruning as planned by Detroit Thermal.
- 21" honeylocust – Tree # 41.

Construction Zone 4 - Spoils/Staging Area within the City Park.

In Zone 4, four trees will be **negatively impacted** due to adjacency to the spoils and staging area.

- 19" Norway maple – Tree # 48
- 15" Norway maple – Tree # 49
- 5" tuliptree – Tree # 50
- 8" tuliptree – Tree # 51

In addition, construction activities as proposed will damage or require removal of a number of mature shrubs and perennial plants. The mature juniper shrubs located along the construction access route are a good example. Detroit Thermal's plans have only a few identified for replacement, and with much smaller nursery plants. A complete inventory of landscape plants likely to be impacted has not been completed.

TREE PROTECTION PLANNING

Detroit Thermal was asked by the Historic District Council to generate a detailed plan for this project including tree protection (See "DHDC Confirmation Letter - Incomplete Application HDC 2025-00243" posted on the City website under the project's May 14 HDC latest commission decision).

A number of critical steps and details are missing in Detroit Thermal plans and arborist letter. Per the International Society of Arboriculture's Best Management Practices: *Managing Trees During Site Development and Construction, 3rd Edition* (BMPs), the companion publication to the ANSI A300 2023 Tree Care Standards Clause 9: Management of Trees and Shrubs during Site Development and Construction, tree protection is a process beginning at the planning stage as seen in graphic here from the BMP, page 45. Detroit Thermal did not involve an arborist until required and well after the critical Planning and Design stages.

DEVELOPMENT PHASE	ARBORIST INVOLVEMENT
Planning	Resource evaluation Permitting needs Suitability for preservation Tree inventory
Design	Tree Impact assessment Tree protection plan Critical Root Zones CRZ Structural Root Zones SRZ Landscape plan review
Preconstruction	Contractor communication Tree barrier installation Arboricultural treatments
Construction	Site monitoring Assessing impacts Maintain tree barriers Arboricultural treatments
Landscaping	Site monitoring Tree barrier adjustments Mitigate tree impacts
Postconstruction	Site monitoring Tree barrier removal Mitigate tree impacts Plan for maintenance

The June 11th plans, while containing more information, still lack sufficient tree protection measures. Additionally, there are many errors such as misidentified trees and shrubs, missing trees and incorrect trunk diameter upon which tree protection is determined. These errors are identified in the rough red-line of Detroit Thermal's landscape enlargement at the end of this report. We have found at least 18 instances where Detroit Thermal's plans underestimated trunk diameter at breast height according to my measurements. There are 14 errors with incorrect species labeled. The most common errors are mature honeylocust trees being labeled as yew shrubs.

RESPONSE TO HDC's REQUEST FOR INFORMATION

The landscape and trees are a contributing resource to Lafayette Park's National Historic Landmark Status. Given this, the Historic District Commission requested Detroit Thermal to provide more information about the project impact on the landscaping and measures and steps to protect it. Below are HDC's nine requests, and my observations and opinions (*italicized*) regarding Detroit Thermal's responses.

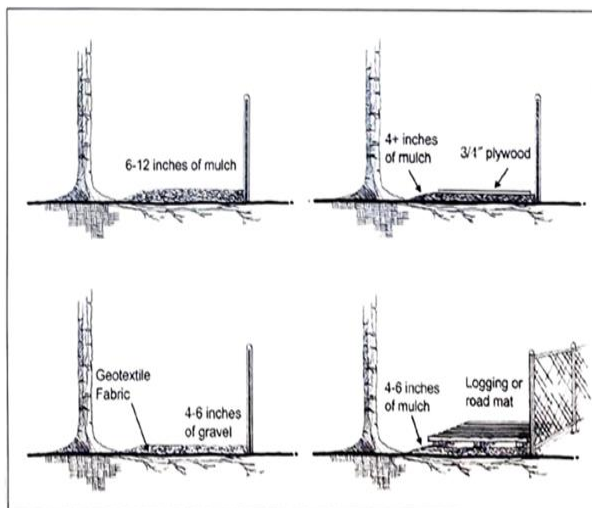
1. Finer detail about existing landscaping around the excavation sites and the access routes to those excavation locations, including identification of all locations of vegetation

Provided in Landscape Enlargement "A", that has a number of errors including a missing tree, misidentification of trees, and no tree protection zone/critical root zone identified. For instance, a 25" honeylocust, #15 on the communities' map, is called an ornamental tree with no impact by proposed work. This 25" dbh honeylocust tree's critical root zone is well within the work zone.

2. Information about possible steps that could be taken to protect the landscape

Detroit Thermal's recently hired certified arborist outlines general recommendations and detailed measures for four directly impacted plants. The arborist's recommendations are not to industry standards.

A key problem with Detroit Thermal's plans is the lack of soil protection within the fenced construction zone near the playground or in the spoils area in the park.



There are many mature shade and ornamental trees that will suffer root loss. These trees can take years to die, but may be prone to failure during that time. Residents would then be left with deteriorating trees and costly treatment and/or removal costs.

For soil protection he suggests "commercial grade plywood" or steel plating. Note: commercial grade plywood typically means it is water resistant. It is unclear what thickness Detroit Thermal intends to use for

the plywood. Likewise, without listing specific products it is difficult to say steel plating is sufficient. As shown in figure above from the BMP, 4" to 12" of wood mulch under at least ¾" plywood or road mats is required for effective soil protection. Detroit Thermal's plan notes overlapping plywood, no specified thickness and no mulch, and only for the access road.

The wood fencing he proposes should be effective at preventing mechanical injury to trees. But note, it must stay intact for the duration of construction

3. Clearer definition of what landscape might be destroyed

The Plant Index Charts address trees and shrubs identified directly in conflict with excavation. There are few shrubs and no perennial or groundcover plants included. The arborist suggests Plant 1- hawthorn (#29) be dug up, stored and replanted. There is low likelihood of capturing enough roots on this old tree for it to survive and without negatively affecting neighboring trees.

4. Steps about what can be done to remediate landscape damage

Detroit Thermal states the arborist will inspect trees and provide deep root fertilization to help restore their health. However, if the soil is compacted despite prevention efforts a more rigorous approach such as pneumatic excavation or augering will be necessary. Compacted soil can kill trees over several years because it prevents roots from adequately growing and limits access to water and nutrients. Ensuring trees receive adequate moisture during the next growing season and during periods of drought is highly recommended.

5. Excavation techniques

Use of the small equipment as described goes a long way toward minimizing construction impacts. As described by Detroit Thermal's arborist roots are not to be ripped or torn during excavation. He has been hired to root prune on site. The BMP states roots equal to and greater than 1" in diameter must be cut cleanly and as far from the trunk as possible. There are larger trees that may have larger roots close to the excavation zones. There is no reliable way to predict the amount of root loss required for this work. Therefore, during operations, a consulting arborist qualified to judge tree stability with specific root loss must be on site at the time of excavation/root pruning to determine if such trees can sustain the root damage, and make recommendations to mitigate that root damage.

6. Details on how trees will be protected

Pruning limbs in advance of breaking them is important to protecting trees on a construction site. Pruning roots with clean cuts rather than ripping or pulling roots is also essential tree protection. However, this must be done in conjunction with an arborist on site that can assess the impact of root loss on a particular tree.

Detroit Thermal's plans to root prune honeylocust labeled "Plant 2" may result in an unstable tree. This tree, labeled #19 on the community's map is 28"dbh, not 24" as stated in the plan. At this size the critical root zone is 28' from the trunk and the structural root zone within 14' from the trunk. This tree will be root pruned at 8 feet. Detroit Thermal's arborist mentions making good cuts, but no reference to a qualified arborist determining if root loss will compromise tree stability, much less health as required in the BMP. This may compromise the structural integrity of this tree near the playground.

In addition, the first bullet discussion on the benefits of root pruning apply only to nursery trees and younger trees in preparation for moving, newly planted trees and young trees of no more than 6"dbh.

7. Proposed equipment staging locations and approach

The staging area will be subject to serious soil compaction likely within the critical root zones of the mature maples and possibly the young tuliptrees. These trees and not all of the path from Lafayette to the construction site is not within the Coop's property, but will be subjected to serious compaction where equipment is not running on concrete walks. As previously stated, the plans lack sufficient detail for root and soil protection. These areas require high-level soil protection as shown in the figure from the BMP. This is also true for work areas near the playground and on the south end of the Coop's property.

8. Environmental impacts of steam on tree canopy

Detroit Thermal did not directly address the impacts of steam on trees.

9. Potential landscape experts to help the Commission better understand how roots and replanting and future work down the line could impact the landscape.

Detroit Thermal and their arborist report do not directly address the Commission's question.

For the pending Detroit Thermal project, and any others involving excavation and use of equipment around trees, impact on roots and impact of the landscape may best be explained by the BMP, Evaluating Root Loss Close to Tree Trunk, page 45:

"When root cuts are necessary, they should be located as far from the trunk as possible. . . When cuts are made closer to the trunk, stability and health may be compromised and should therefore be avoided. Immediate tree stability has been found to be compromised on some species when cuts are made at a distance from the trunk that is within three times the dbh. For most species, when roots are cut at a distance from the trunk that is closer than one- to one- and a-half-times the dbh, immediate stability will be reduced, and long-term health and survival will be impacted. If large roots close to the trunk are to be cut, it may be better to remove the tree. If the tree is preserved, monitor the structural stability and minimize targets around the tree."

RECOMMENDATIONS

1. Prior to any construction, Detroit Thermal must redo the construction plan to show all trees in the construction area, with correct species and sizes.
2. Prior to any construction, Detroit Thermal must add Critical Root Zones (1 foot per 1 inch dbh) and Structural Root Zones (.5 foot per 1 inch dbh) to the plan.
3. Prior to any construction, Detroit Thermal must perform tree impact assessment for trees to be root pruned; compare proposed root pruning distance and amount to the trees' structural and critical root zones.
4. A Pre-construction meeting should be held to discuss tree protection measures, sediment/materials storage locations, access routes, and finalize tree protection fencing locations.
5. During all phases of any construction, a consulting arborist well trained and experienced in tree care and construction injury to trees, should oversee any operations within the critical root zone of trees, including excavation and root pruning.
6. A certified arborist should monitor tree protection measures and tree condition daily during construction.
7. A plan must be made to provide supplemental watering during the growing season, during weeks of inadequate rainfall as determined by consulting arborist.
8. Post-construction monitoring by a certified arborist for 3 years to assess tree condition and make mitigation recommendations for trees with reporting to stakeholders.

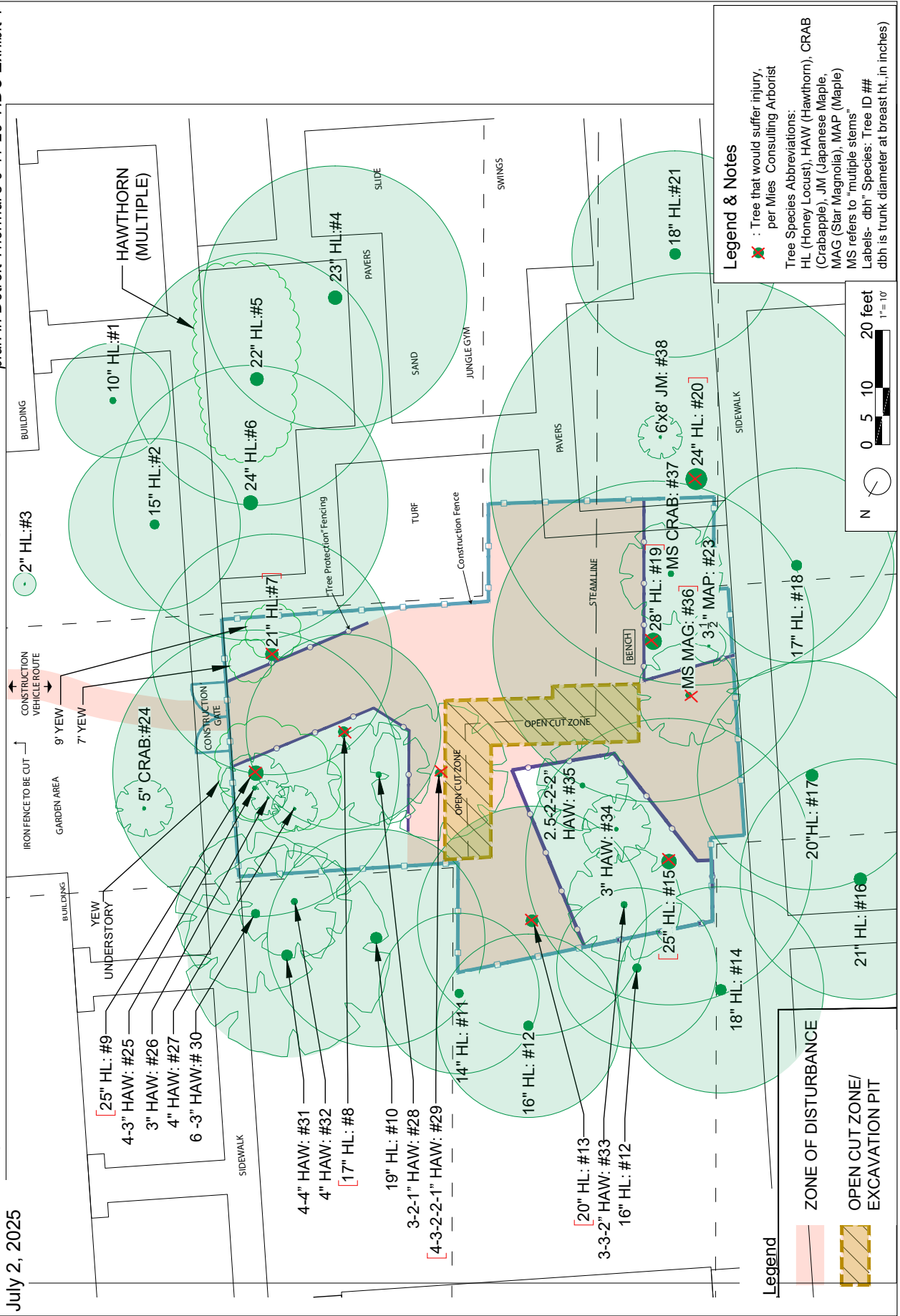
Respectfully submitted,

Kay Sicheneder
Senior Consulting Arborist
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 RCA #668
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TREE MAP: DT CONSTRUCTION ZONE 1 (Mies Greenspace, Garden, Playground)

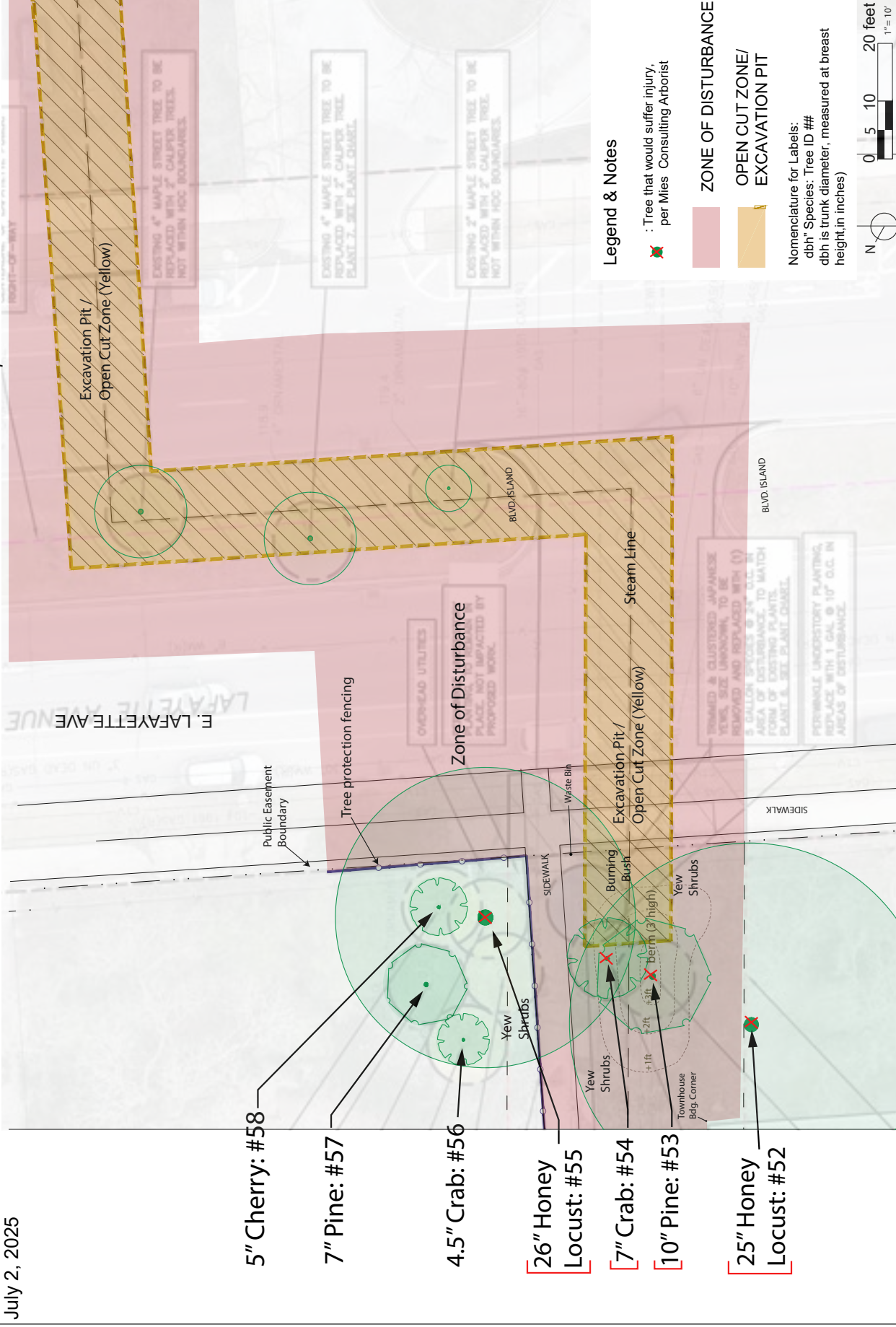
Tree Inventory, Critical Root Zones & Impact per Mies Consulting Arborist
Includes information from proposed construction plan in Detroit Thermal's 6-11-25 HDC Exhibit 1
July 2, 2025



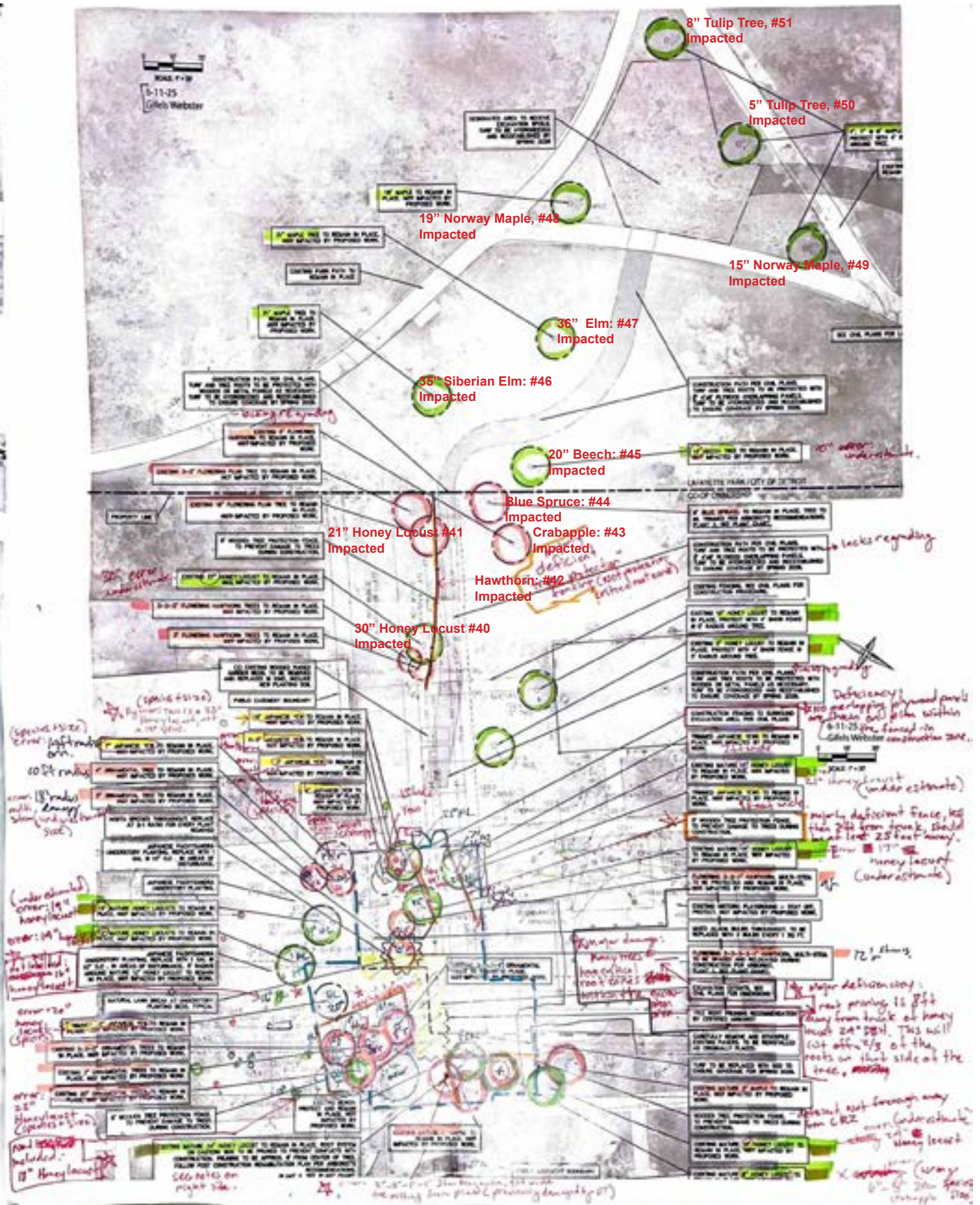
Southern Mies, N of E. Lafayette Ave.

Tree Inventory, Critical Root Zones & Impact per Mies Consulting Arborist

RIGHT-OF-WAY



ROUGH REDLINE OF DT'S PLANS, SHOWING MANY ERRORS IN TREE SURVEY



TREE INVENTORY *PER MIES CONSULTING ARBORIST,* SavATree, July 1, 2025

Tree Tag #	Map #	DBH (in)	DBH total	Common Name
3301	1	10.0		honeylocust
3302	2	18.0		honeylocust
3303	3	3.0		honeylocust
3304	4	23.0		Honeylocust
3305	5	26.0		Honeylocust
3306	6	24.0		Honeylocust
3307	7	21.0		Honeylocust
3308	8	17.0		Honeylocust
3309	9	25.0		Honeylocust
3310	10	19.0		Honeylocust
3311	11	14.0		Honeylocust
3312	12	16.0		Honeylocust
3313	13	20.0		Honeylocust
3314	14	18.0		Honeylocust
3315	15	25.0		Honeylocust
3316	16	21.0		honeylocust
3317	17	20.0		honeylocust
3318	18	17.0		honeylocust
3319	19	28.0		Honeylocust
3320	20	24.0		Honeylocust
3321	21	18.0		Honeylocust
3322	22	14.0		honeylocust
3323	23	3.5		Norway maple
3324	24	5"		crabapple
3325	25	4,3		cockspur hawthorn
3326	26	3.0		cockspur hawthorn
3327	27	4.0		cockspur hawthorn
3328	28	3,2,1	4.0	Washington hawthorn
3329	29	4,3,2,2,1	7.0	Washington hawthorn
3330	30	3,6	7.0	Washington hawthorn
3331	31	4,4	6.0	Washington hawthorn
3332	32	4.0		Washington hawthorn
3333	33	3,3,2	5.0	Washington hawthorn
3334	34	3.0		Washington hawthorn
3335	35	2.5,2,2,2	5.0	Washington hawthorn
3336	36	2,2,1,1	3.0	Star magnolia
3337	37	7,6	10.0	Crabapple
3338	38	2", 6'x 8'		Japanese maple dwarf
3339	39	11.0		crabapple
3340	40	30.0		Honeylocust
3341	41	21.0		honeylocust
3342	42	7,6		crabapple

TREE INVENTORY *PER MIES CONSULTING ARBORIST,* SavATree, July 1, 2025

Tree Tag #	Map #	DBH (in)	DBH total	Common Name
3343	43	8.0		cockspur hawthorn
3344	44	7.0		Colorado blue spruce
no tag	45	20.0		Copper Beech
no tag	46	35.0		Siberian elm
no tag	47	36.0		elm (American)
no tag	48	19.0		Norway maple
no tag	49	15.0		Norway maple
no tag	50	5.0		tuliptree
no tag	51	8.0		tuliptree
3352	52	28.0		Honeylocust
3353	53	10.0		Austrian pine
3354	54	7.0		Crabapple
3355	55	26.0		Honeylocust
3356	56	4.5		crabapple
3357	57	7.0		Austrian pine
3358	58	5.0		flowering cherry
3359	59	24.0		Honeylocust
3360	60	19.0		Honeylocust
3361	61	24.0		Honeylocust
3362	62	5,3,4,1	8.0	Washington hawthorn
3363	63	4.4,1	6.0	Washington hawthorn
3364	64	4.5,3,3	9.0	Washington hawthorn

July 2, 2025

Detroit Historic District Commission
Coleman A. Young Municipal Center
2 Woodward Ave., Suite 808
Detroit, MI 48226

RE: Historic District Commission Application at 1395 Antietam, 1 Lafayette Plaisance, 1300-01 Joliet Place, adjacent ROWs

Dear Commissioners,

I have been asked by concerned homeowners in the Lafayette Park Co-ops (the Co-op owners) to analyze the updated Historic District Commission (HDC) application submitted by Detroit Thermal—those materials dated June 11, 2025—regarding its compliance with or derogation from the *Secretary of the Interior's Standards*. What follows is my professional opinion as to the nature of the work and how it affects this National Historic Landmark (NHL) district including: the completeness of the application, whether the work complies with the *Secretary of the Interior's Standards*, and the intent behind the *Secretary of the Interior's Standards* which should guide how this application is handled.

Work Proposed

Based upon the application materials submitted, the applicant proposes to perform work inside the NHL district to install new steam system infrastructure requiring extensive excavation, new manholes, and the removal and/or disturbance of numerous mature trees, shrubs, and plants. The proposed work areas are large while the staging area, to be cordoned off by chain link fencing, encompasses an even larger area.

Completeness of Application

It's worth noting that the Detroit Code of Ordinances presupposes the applicant has legal authority to conduct work within the district¹ but it is not clear Detroit Thermal has the legal authority to perform work on this privately owned property. And although it's outside the purview of the HDC to determine whether the easement giving Detroit Thermal access is valid, it is not outside the purview of HDC to request documentation to ensure that easement exists in the first place. Relevant to this inquiry, the HDC is given broad authority in the Code of Ordinances to request any information they deem necessary to complete an application to HDC. Section 21-2-72 of the City of Detroit Code of Ordinances states that "Upon receipt of a completed permit application for work under this division, the Buildings, Safety Engineering, and Environmental Department shall forward, within seven calendar days, the same, together with all necessary plans, specifications, and supporting materials to the Historic District Commission. All plans, elevations, construction documents and **any other information and documentation deemed necessary by the Historic District Commission to make the application complete and to determine the appropriateness of the proposed work** [emphasis added] shall be submitted to the Historic District Commission by the applicant before the application will be considered to have been received by the Buildings, Safety Engineering, and Environmental Department or by the Historic District Commission."² Because there are questions as to the legality of Detroit Thermal's access to this privately owned site, this application should be

¹ This is most commonly expressed as implicating the "owner" of the property, but the underlying assumption baked into the Code is that the applicant has legal authority to perform the work as petitioned for in the application to the HDC. See: Section 21-2-59(a) "Require the owner of the resource to repair all conditions," and Section 21-2-59(b) "If the owner does not make the necessary repairs," and Section 21-2-75(3) "...would cause undue hardship to the owner."

² Detroit Code of Ordinances, 21-2-72.

put on hold while that inquiry is solved to avoid irreparable damage to the district that will ensue should the Certificate of Appropriateness (COA) be granted.

Work Proposed Does Not Meet the Secretary of the Interior's Standards for Rehabilitation or Preservation

The *Secretary of the Interior's Standards* give general guidance as to how historic properties should be treated and this project runs contrary to Standards #2 and #5. Note that Standards #2 and #5 are the same in both the *Secretary of the Interior's Standards for Preservation* and the *Secretary of the Interior's Standards for Rehabilitation*. These standards are copied below for discussion.

#2 - The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

- This application proposes that one mature flowering hawthorn will be spaded and removed, Japanese yews will be removed, mature hostas will be removed, Japanese Pachysandra will be removed and replaced, a blue spruce will be trimmed and is located so close to the work it may need to be replaced, and it seems likely a crab apple will be removed as well. It is proposed that the roots of one mature honey locust tree will be pruned, which can be detrimental to the health of a tree, especially those that are mature. The damage to the tree may not become apparent for several years following pruning, and the application does not address the extent to which the pruning process will affect the historic landscape. Additionally, the application also states that construction is anticipated to be completed in the fall, which may not provide the relocated and pruned trees with adequate time to recover before winter.³ These are historic landscape features, and the removal runs contrary to the plain meaning of Standard #2.

#5 - Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.

- Several mature landscape features are being removed as a part of this work. Even once Plant 1 (flowering hawthorn) is replanted there is no guarantee it will survive this traumatic removal and replanting. Plant 4 (crab apple) may also be removed and given its proximity to the active construction site, this seems likely. This fate seems similar for the blue spruce which will be trimmed but is located so close to the construction work it seems likely it will need to be replaced too. It is proposed that the roots of one mature honey locust tree will be pruned, which can be detrimental to the health of a tree, especially those that are mature. The damage to the tree may not become apparent for several years following pruning. The application does not address the extent to which the pruning process will affect the historic landscape. Additionally, the application also states that construction is anticipated to be completed in the fall, which may not provide the relocated and pruned trees with adequate time to recover before winter.⁴ When distinctive historic elements of the landscape are removed and/or damaged the plain meaning of Standard #5 is contravened.

Finally, it's also important to note that this project includes extensive ground disturbance. In an area like Lafayette Park—the area around Macomb and Russell Streets was subdivided in the 1830s—there is a high

³ "Root Pruning Guidelines," Landscape Plants, University of Florida, last modified January 24, 2020, accessed June 30, 2025, <https://hort.ifas.ufl.edu/woody/root-prune-guidelines.shtml>; "Cutting Roots," Landscape Plants, University of Florida, last modified January 24, 2020, accessed June 30, 2025, <https://hort.ifas.ufl.edu/woody/disturbing.shtml>.

⁴ "Landscape Plants," University of Florida, last modified January 24, 2020, accessed June 30, 2025, <https://hort.ifas.ufl.edu/woody/disturbing.shtml>.

likelihood of archaeological resources given the long history of human habitation here.⁵ The *Secretary of the Interior's Standards for Rehabilitation* #8 states that, "Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken." Although the Detroit Code of Ordinances does not require that applicants research the potential for archaeological resources, per the aforementioned section 21-2-72 of the Code, HDC can request any information they deem necessary to complete the application. Because of the sensitivities surrounding this application it is reasonable to request that Detroit Thermal conduct additional due diligence by conducting an archaeological records check at SHPO to ensure there are no known archeological resources in this area before work begins. And because of the sensitivities at issue here, the HDC should request an additional step.

Unlike most HDC applications where the owner of the property is making the petition, in this case Detroit Thermal is proposing to conduct work via an easement over the strenuous objections of the owners of this private piece of property. Further, Detroit Thermal is proposing to conduct work that runs contrary to the *Secretary of the Interior's Standards* and work that will cause significant ground disturbance all in a highly significant National Historic Landmark. And, as the HDC likely knows, conducting archaeological research is required when a federal permit or federal money is involved and requiring this additional step is neither onerous nor unreasonable when such invasive work is proposed at such a highly historic site.

The Work Proposed Does Not Meet the Secretary's Guidelines for the Treatment of Cultural Landscapes

The *Secretary of the Interior's Standards for the Treatment of Historic Properties* contains a special section for landscapes entitled *Guidelines for the Treatment of Cultural Landscapes*. The *Guidelines for the Treatment of Cultural Landscapes* provide more targeted guidance for landscapes than the *Secretary of the Interior's Standards for Rehabilitation*. The *Guidelines for the Treatment of Cultural Landscapes* are especially helpful to analyze the work being proposed in Lafayette Park and the Preservation standard in particular requires the "retention of the greatest amount of historic fabric, including the landscape's historic form, features, and details as they have evolved over time."⁶ Carefully planning work and following the Preservation standards found within the *Guidelines for the Treatment of Cultural Landscapes* can help prevent irrevocable damage to the landscape. The *Guidelines* are extensive, thus only Guidelines relevant to the work proposed in Lafayette Park are discussed below:

- "Identify, Retain, and Preserve Historic Features and Materials."⁷
 - The guidelines recommend that existing vegetation (woodlands, forests, trees, shrubs, crops, meadows, planting beds, vines, and ground covers) be identified, retained, and preserved. The vegetation has not been accurately or fully identified or inventoried as there are misidentified species, species under-reported as to their size, and many plants are not inventoried at all. Because the inventory is incomplete it is impossible to tell whether the applicant's plans are appropriate.
 - Although the applicant has made some improvements to the application by protecting the trees, the fact remains that one mature flowering hawthorn will be spaded and removed, Japanese yews will be removed, mature hostas will be removed, Japanese Pachysandra will be removed, a blue spruce will be trimmed and is located so close to the work it may need to be replaced, and it seems likely a crab apple will need to be removed as well. The overall

⁵ John Farmer, "Map of the city of Detroit in the State of Michigan," (C.B. & J.R. Graham Lithographers, 1835), accessed at Library of Congress at: <https://www.loc.gov/resource/g4114d.ct002016/?r=0.872,0.273,0.076,0.048,0>.

⁶ "The Secretary of the Interior's Standards for the Treatment of Historic Properties + Guidelines for the Treatment of Cultural Landscapes," National Park Service, accessed May 9, 2025, accessed at <https://www.nps.gov/crps/tps/landscape-guidelines/index.htm>.

⁷ The Secretary of the Interior's Standards for the Treatment of Historic Properties + Guidelines for the Treatment of Cultural Landscapes," National Park Service, accessed May 9, 2025, accessed at <https://www.nps.gov/crps/tps/landscape-guidelines/preserve/vegetation.htm>.

impact on this landscape is not insignificant. Removing any one of these features will negatively impact the historic landscape and the

- “Identify, retain, and preserve spatial organization and land patterns as they have evolved over time.”⁸
 - Changes to a landscape can accrue historic significance over time. Although changes have been made in the district over time, changes made like the raised garden beds, bulb plantings, and the planting of annuals were done with the active consent and participation of the homeowners in the Co-op homes. That is not the case with the applicant’s proposed work—the homeowners in the Co-op homes heartily object to the changes now proposed due to their highly invasive nature and potential for irrevocable damage.

Intent of the *Secretary of the Interior’s Standards*

Although the HDC must take the application as they find it, it is important to remember that this application is submitted to remedy a problem at a site that is not part of the NHL. The *Standards* are predicated on the notion that the work at issue is being conducted to benefit the resource at issue.⁹ But it’s crucial to keep in mind that the work proposed here is not being conducted in this NHL district to perform any preservation work in the NHL nor is the work being performed to benefit the NHL district. Rather, this work is being undertaken to fix an issue at a different resource altogether, a resource that is not an NHL.

It turns the *Standards* on their head to approve detrimental work inside an NHL for a project that only harms the NHL and provides no benefit to it. The historic site at issue does not need any work done to it to make it a useful, functioning, highly historic site—it is already all of those things. Additionally, it’s especially troubling that the work is being done via a utility easement and the work involved is not initiated by the private property owners and is stridently opposed by those property owners.

Conclusion

There are just 43 National Historic Landmarks in the entirety of Michigan and approaching this application with the care and caution a site like this deserves is warranted. There is no sense carving out a program like the National Historic Landmark program if the sites deemed so esteemed are not given extra consideration when work is planned that could irrevocably harm them. Lafayette Park is a member of an exceptional club that deserves exceptional treatment.

Based upon what was discussed above, there are a few key takeaway points, summarized here:

- With valid questions as to whether Detroit Thermal has legal authority to perform work on this privately owned property, it is reasonable that HDC exercise its ability to request additional documentation not to determine the validity of an easement but to ensure it exists at all.
- The work shown in the application does not conform to the Secretary’s Standards #2 and #5 because the application fails to fully protect, maintain, and preserve the historically significant landscape

⁸ The Secretary of the Interior’s Standards for the Treatment of Historic Properties + Guidelines for the Treatment of Cultural Landscapes,” National Park Service, accessed May 9, 2025, accessed at <https://www.nps.gov/crps/tps/landscape-guidelines/preserve/spatial.htm>; Views and vistas should be protected and maintained. See: “The identification and protection of historic planned views along the George Washington Memorial Parkway is an integral part of the parkway documentation project.”

⁹ For instance, the *Secretary of the Interior’s Standards for the Treatment of Historic Properties* recommend that “Planning and carrying out any necessary investigation before preservation begins” and recommend that “Protecting the building site and landscape features against arson and vandalism before preservation work begins” and recommend that “Stabilizing deteriorated or damaged building and site features as a preliminary measure, when necessary, prior to undertaking preservation work.” All of these declarations presuppose the work being conducted is being to benefit the historic property at issue. The opposite is happening in Lafayette Park, and this is not an insignificant detail.

elements and proposes work that will damage features integral to the landscape. Thus, a COA is not appropriate here because the project fails to adhere to the *Standards*.

- Given the sensitivities at issue in this application and given the extensive ground disturbing work proposed, it is reasonable to request that archaeological research be conducted before this application is approved.
- The *Standards* are predicated on the notion that that the work at issue is being conducted to benefit the resource at issue, but the work proposed here is doing the exact opposite.
- Given the heightened historic character of this property and the fact that work is not being performed at the behest of, with the approval of, or to benefit of the private property owners at the Co-ops, the HDC should request additional documentation (evidence the easement exists, archaeological investigation) before deciding on this application.

For these reasons, the denial of the COA is warranted here. Thank you for taking the time to review this analysis. Should you have any questions, please contact me at the phone number/email listed below.

Sincerely,



Cassandra Talley
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cassandra@loggiapreservation.com

Copy to: Nicolet Townhouses Cooperative
Joliet Townhouses Cooperative
LaSalle Townhouse Cooperative