

**Subject:** Tree disaster, smoking gun!!

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**From:** Tom Stulberg

**Sent:** Monday, March 30, 2026 10:13 PM

**To:** Akmon, Dharma <DAkmon@a2gov.org>; Chuck Ream; Mitchell, Rita; Anne Bannister; Graham, Christopher; John Godfrey; Rebecca; William Sverdlik; Ryan J Stanton <RStanton@mlive.com>; Lisa Jevens; Jeff Holtzman; Lauren Sargent; Sally Haines; Ryan Bartholomew; Gillian Ream Gainsley; City Council <CityCouncil@a2gov.org>; Planning <Planning@a2gov.org>

**Subject:** Re: Tree disaster, smoking gun!!

I won't speak to the full content of this email, but I have raised some issues that I do not believe have been sufficiently addressed, if ever addressed at all. I appreciate your detailed response which validates the points that I have made. We have a lot of work to do in order to address them.

The public should be aware of the potential ramifications of any plan that is created. Shall we start with improving public awareness?

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**From:** Disch, Lisa <LDisch@a2gov.org>

**Sent:** Monday, March 30, 2026 10:19 AM

**To:** Tom Stulberg; Chuck Ream

**Cc:** Akmon, Dharma <DAkmon@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>

**Subject:** Re: Tree disaster, smoking gun!!

Mr. Stuhlberg, Mr. Ream,

This conversation has occurred several times. The answers have not changed and they do not support Mr. Ream's allegations that the Ann Arbor ordinance lacks teeth.

It is correct that the City of Ann Arbor does not *currently* regulate tree removal for projects under 5 units. That does not mean this cannot be considered.

The Cambridge, MA ordinance that is referenced makes a distinction among large projects and smaller projects and makes a price reduction for a residential project.

Regarding the CLUP, I sent an extensive email to Anne Bannister. Pasted in below.

You can find the extensive section on trees in the UDC starting p. 122. The paragraph explanation that CM Akmon sent you is a clear and accurate explanation of 1) first, the constraints on tree removal that staff imposes on developers during site review ( practices like these are not codified in the UDC); 2) the provisions of the UDC.

My extensive email follows:

#### CLUP.4 on NATURAL FEATURES:

- CLUP.4 explicitly recognizes Ann Arbor's significant natural features including the Huron River corridor, woodlands, wetlands and open spaces; acknowledges the climate-specific benefits these features provide (e.g. flood control and stormwater management), and acknowledges that they contribute to maintaining "ecological stability, [providing] educational opportunities, and [maintaining] quality of life." (86-87)
- The CLUP states that Planning Department will "*enforce existing zoning protection and mitigation regulations for seven natural features*" (see existing policies below).
- The Implementation section of the CLUP suggests further development of these policies to 1) address biodiversity; 2) and inventory and consider additional regulation to protect natural features on private property. Although I am not a lawyer, my understanding is that such regulations are most likely to hold up against legal challenges (based on private property rights) if based in empirical data and guided by a holistic plan.
  - 3.2 Focus on quality, equity, and ecological benefit in the development of new open space
    - 3.2.1 Inventory and categorize natural features on private property (woodlands, floodways, floodplains, wetlands, open water) to determine level of protection, restoration, and mitigation for site plan review
    - 3.2.2 Incentivize quality, rather than quantity, in open space requirements within the zoning code to encourage private development to prioritize naturalized areas that emphasize biodiversity
    - 10.1: The city should consider updating its natural features review standards to reflect current ecological understanding and introduce natural features analysis earlier in the site review process. Emphasis should be placed on maximizing ecosystem benefits—such as preserving woodlands, restoring degraded natural features, or protecting landmark trees of a certain size—rather than relying solely on dimensional standards. Performance metrics and incentives should be aligned with these ecological priorities.
  - Additionally, the city can continue to encourage community greening and sustainability practices to strengthen natural features on private land, including supporting education on sustainable landscaping and property management, and

technical assistance and incentives for rain gardens, native plantings, wildflower pollination lawns, and other ecological enhancements.

- **I want to note that the pollinator-friendly landscaping and maintenance program plus the educational and other supports for rain gardens has made an observable difference for natural features protection on small-scale residential property. In addition, Council just amended the City code to reduce instances of people being ticketed by community standards for adopting sustainable approaches to management on their property.**

- 10.2 Encourage tree cover and landscaping to help mitigate the urban heat island effect
- 10.2.1 Target tree plantings in areas with limited tree coverage
- 10.2.2 Update landmark trees definition

#### TREES:

- *Inventory:* According to a 2010 study commissioned by the City from AMEC Earth & Environmental, Ann Arbor's tree canopy was 32% (6,015 acres/18,605). A 2024 Study by UM shows an increase of 5 percentage points in UTC, which it calculates to be at 37% (6,900 acres).
  - If these figures are correct, they suggest that Ann Arbor's existing tree policies are helping to protect and increase Ann Arbor's tree canopy
- *Existing policy:*
  - City-owned street or park trees cannot be removed to accommodate a development project without a permit; permitted removals must pay a fee.
  - Site plan review (for developments involving five or more units of housing) includes forestry department review, requires tree plantings and fees to compensate for removal of trees, and incorporates forestry review earlier on in the site plan review process to prioritize tree protection
- *10,000 Tree Initiative:* ([10,000 Trees Webpage](#))
  - This initiative has already exceeded its goal of planting 10k trees on private property in low-tree equity/low-canopy percentage areas.
  - The City received a grant to improve survival of trees by supporting free tree maintenance in income-eligible neighborhoods.
  - *TREES and EQUITY:* Ann Arbor's overall Tree Equity Score is 92 – however, there are census blocks within the City that have Tree Equity Scores as low as 77 and current canopy cover as low as 4%. The 10,000 tree initiative, which includes distribution of trees and a grant-supported tree maintenance program, targets areas with lower Tree Equity scores and lower canopy cover percentages.

See **more responses in bold** below:

**Lisa Disch | Ward One City Council Representative**

City of Ann Arbor  
301 E. Huron Street  
Ann Arbor, MI 48107-8647

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<https://www.a2gov.org/departments/communications/ctn/Pages/watch.aspx>

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**From:** Anne Bannister  
**Sent:** Friday, February 27, 2026 10:45 AM  
**To:** Disch, Lisa <[LDisch@a2gov.org](mailto:LDisch@a2gov.org)>  
**Cc:** Lenart, Brett <[BLenart@a2gov.org](mailto:BLenart@a2gov.org)>  
**Subject:** Re: Robust tree protections in CLUP?

Lisa,

Please let me know where I can find:

- Landmark tree and wetland protections in the CLUP.
  - **Existing regulations will be maintained (this is stated explicitly). For next steps, see the implementation sections listed above.**
- The edits that OSI suggested for tree and wetland protections, that Brett asked if you'd like to include at 2:467:17 hours into the [video of the CPC meeting](#) on 01/06/2026. Is the Staff Supported Edits for page 86 of CLUP in the [Staff Responses](#) from 01/06/2026, the full edit, or was there more detail to their edit?
  - **No more detail to that edit; as noted above, existing policies are to be enforced.**

Further questions:

1. Brett had responded to my email that "we require analysis, assessment, and mitigation of those trees that are categorized as landmark or woodlands and require mitigation when those are lost." Does this apply to all CLUP land use categories, including single family homes? If not, what is the threshold to trigger this mitigation?
  - a. **Site plan review is usually triggered at the 5-unit mark. It is important to note that the City does not currently regulate natural features on privately-owned property in R1/R2 districts.**
2. Would any conversion or subdivision of a property from one single family house to a multiple unit structure require a regular Site Plan (with some simplifications in requirements and drawings)?
  - a. **The CLUP residential category allows 3-units to be built on parcels currently zoned R1/R2. This falls under the threshold for site planning but does not change the status quo with respect to removal of trees on private property in R1/R2 zones—they can be removed without penalty as it is.**
3. My concern is whether the mitigation requirements are to apply to single lots as well as larger developments. If a homeowner decides to increase the built footprint of a single family home on a lot with trees, will any trees removed be mitigated?

- a. **The CLUP does not propose a change to the threshold for site plan review. I noted in my review of the Canopy inventories that the 2022 inventory points out that 82% of the Urban Tree Canopy exists on privately-owned land (it does not differentiate among R1/R2 areas and higher-density zones). As noted above 3.2.1 of the implementation section of the plan calls for an inventory of natural features (wetlands, woodlands, etc), which is a welcome addition to the knowledge base that justifies natural features protections and allows for prioritization (I'm thinking of NAP here which prioritizes carefully in managing natural features).**
4. Do the procedures need to be adapted to make sense on a single lot scale? If so, would they be modeled on the stormwater requirements for rain gardens?
  - a. **City Code requires stormwater management currently for new development that adds 200+ sq ft impervious surface and manages this through the permitting process. Stormwater management and natural features mitigation are distinct--there are different rationales for requiring them and different ways of measuring them; site plan review and permitting are also distinct.**

**Lisa Disch | Ward One City Council Representative**

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<https://www.a2gov.org/departments/communications/ctn/Pages/watch.aspx>

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**From:** Tom Stulberg

**Sent:** Saturday, March 28, 2026 6:41 PM

**To:** Akmon, Dharma <[DAkmon@a2gov.org](mailto:DAkmon@a2gov.org)>; Chuck Ream; Mitchell, Rita; Anne Bannister; Graham, Christopher; John Godfrey; Rebecca; William Sverdlik; Ryan J Stanton <[RStanton@mlive.com](mailto:RStanton@mlive.com)>; Lisa Jevens; Jeff Holtzman; Lauren Sargent; Sally Haines; Ryan Bartholomew; Gillian Ream Gainsley; City Council <[CityCouncil@a2gov.org](mailto:CityCouncil@a2gov.org)>; Planning <[Planning@a2gov.org](mailto:Planning@a2gov.org)>

**Subject:** Re: Tree disaster, smoking gun!!

Do you have the specific reference(s) in the link (the entire UDC)? I see 5.23 Natural Features starting on page 119.

I see you refer to developments with site plans. For smaller projects not requiring site plans, is the answer the same?

Something to think about is the loss of matures, including but not limited to landmark trees, on projects that do not require a site plan such as three units on a residential lot. One of the many values of those trees is their water storage capacity. Removing them and increasing impervious surface compounds stormwater management issues which are already challenged by the increased severity of storm events and the increased frequency of severe storm events. While first-flush stormwater management is required, that is more of a

water quality management rather than water quantity. Sufficiently managing storm water quantity is yet another trade off for more dense infill development.

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**From:** Akmon, Dharma <[DAkmon@a2gov.org](mailto:DAkmon@a2gov.org)>

**Sent:** Saturday, March 28, 2026 6:23 PM

**To:** Chuck Ream; Mitchell, Rita; Anne Bannister; Graham, Christopher; John Godfrey; Tom Stulberg; Rebecca; William Sverdlik; Ryan J Stanton <[RStanton@mlive.com](mailto:RStanton@mlive.com)>; Lisa Jevens; Jeff Holtzman; Lauren Sargent; Sally Haines; Ryan Bartholomew; Gillian Ream Gainsley; City Council <[CityCouncil@a2gov.org](mailto:CityCouncil@a2gov.org)>; Planning <[Planning@a2gov.org](mailto:Planning@a2gov.org)>

**Subject:** Re: Tree disaster, smoking gun!!

Hi Chuck,

The ordinance (see: <https://www.a2gov.org/media/ivuhzlw/udc-edition-11a-8-10-25.pdf>) does not allow landmark trees to be removed simply by paying a fee. It requires avoidance and protection first, and when removal is approved, it mandates replacement equal to at least 50% of the tree's diameter at breast height. Replacement must occur on-site to the maximum extent feasible, with off-site mitigation only used when necessary. In addition, landmark trees (generally 24"+ diameter) are specifically identified in site plans and protected during construction through required fencing and restrictions on disturbance. This is a regulatory framework designed to preserve and replace canopy, not a pay-to-remove system.

-Dharma

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Dharma Akmon

Council Member, Ward 4

Ann Arbor City Council

View and sign up for my newsletter at <https://www.dharmafora2.com/news>

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**From:** Chuck Ream

**Sent:** Saturday, March 28, 2026 5:20 PM

**To:** Mitchell, Rita; Anne Bannister; Graham, Christopher; John Godfrey; Tom Stulberg; Rebecca; William Sverdlik; Ryan J Stanton <[RStanton@mlive.com](mailto:RStanton@mlive.com)>; Lisa Jevens; Jeff Holtzman; Lauren Sargent; Sally Haines; Ryan Bartholomew; Gillian Ream Gainsley; City Council <[CityCouncil@a2gov.org](mailto:CityCouncil@a2gov.org)>; Planning <[Planning@a2gov.org](mailto:Planning@a2gov.org)>

**Subject:** Re: Tree disaster, smoking gun!!

When a tree is determined to be a landmark tree in Ann Arbor, it can be removed for a fee of \$250 per inch of diameter, truly a negligible "cost of doing business".

There are a number of ways to stop tree canopy loss during densification, City council doesn't care to use any of them.

Cambridge, Massachusetts has a fee of \$850 per inch of diameter for removing large trees... And I think in that case it means any non-invasive healthy tree more than 6 inches thick.

Ann Arbor's plan for trees is about as good as Trump's plan for Iran... what plan?

Sent from my iPhone

> On Mar 28, 2026, at 12:08 PM, Chuck Ream wrote:

>

> I have been so upset that the city of Ann Arbor will enact its New CLUP with absolutely no new protections for trees, as they try to double the housing units.

> Completely ignoring trees will result in far fewer of them!

>

> But I always thought “at least we have the landmark tree ordinance as a back stop to protect the larger trees“. Then I researched it.

>

> The fact is that Ann Arbor has absolutely no landmark tree protection ordinance with any teeth at all. Landmark trees are defined, but, get this, they are only protected, they are only really landmark trees, if they do not “interfere with the reasonable use of the property”.

> So any developer can make a drawing that includes the area where the trees are and we know that this city council and its minions will accept that “reasonable use” argument. It’s subjective.

> Cities that respect trees demand that the developer provide two drawings that do not include taking down the big trees and then they have to show why they are not able to accomplish these alternatives. That’s the way to do it.

> The Ann Arbor approach is absolutely ham-handed, meat ax, single objective.

> You can see that even the landmark tree act is really the “fake landmark tree act”, or the “developers landmark tree act”.

> This city Council prioritizes cutting costs for developers and they Will always say that large trees “interfere with the reasonable use of the property”. There is nothing to protect trees.

> Ann Arbor voters will truly be scandalized if they can learn that the “landmark tree ordinance“ is a complete trick to help the developers, and there is nothing to protect trees during our massive redevelopment.

>

> I think we finally come to the point where voters simply won’t put up with the massive future destruction of trees that will obviously occur.

> It is absolutely imperative for anyone who loves Ann Arbor to get rid of this current city council and planning commission!

> It is so not funny.

> Sent from my iPhone