

BRIGHTON TOWNSHIP BOARD OF TRUSTEES

FINDINGS OF FACT & DECISION

PUD REZONING REQUEST – THE COVE AT WOODLAND LAKE

I. Procedural Findings

1. The Brighton Township Board of Trustees received and reviewed the application for Planned Unit Development (PUD) rezoning known as **The Cove at Woodland Lake**, including all supporting documents, reports, plans, correspondence, and public comments.
2. The Board reviewed the recommendation of the **Livingston County Planning Commission**, which **recommended denial** of the proposed PUD rezoning.
3. The Board conducted its review pursuant to the **Michigan Zoning Enabling Act (Public Act 110 of 2006)** and the **Brighton Township Zoning Ordinance**.

II. Findings of Fact

A. County Planning Commission Determination

4. The Livingston County Planning Commission determined that the proposed PUD poses **unacceptable risks to water quality**, particularly due to increased nutrient loading, runoff, and long-term impacts to **Woodland Lake**, an inland lake.
5. The County found that the proposed stormwater management system remains **conceptual and unproven**, relying on future infiltration testing and design assumptions rather than demonstrated performance.
6. The County concluded that the proposed development represents **over-intensification of land use** for a lakefront site and exceeds the capacity of the site and surrounding natural resources.

B. Zoning Deviations and Density

7. The Board finds that the proposed PUD relies on **numerous and substantial deviations** from the Brighton Township Zoning Ordinance, including but not limited to:
 - o Significant reduction in minimum lot size,
 - o Increased lot coverage well beyond permitted limits,
 - o Excessive private road length and unit concentration,

- Reduced lake setbacks,
 - Increased residential density inconsistent with the underlying zoning district.
8. The magnitude and cumulative effect of these deviations indicate that the proposed development is **not compatible with the intent and purpose** of the applicable zoning district.

C. Natural Features and Environmental Protection

9. The subject property is heavily wooded and located within areas subject to **Natural Features Protection standards**.
10. The application fails to include:
- A complete tree inventory,
 - A tree preservation plan,
 - A tree replacement or mitigation strategy.
11. The Board finds that the loss of natural vegetation would likely **increase runoff, erosion, and nutrient loading**, thereby degrading Woodland Lake and surrounding natural resources.

D. PUD Agreement and Township Authority

12. The proposed PUD Agreement contains provisions stating that **in the event of a conflict between the PUD Agreement and the Township Zoning Ordinance, or future Township rules, regulations, or resolutions, the PUD Agreement shall control**.
13. The Board finds that such provisions would **impermissibly restrict the Township's future legislative and regulatory authority**, including the ability of future Boards to respond to environmental, infrastructure, or public welfare concerns.
14. The Board further finds that granting broad riparian rights under the PUD Agreement would **increase long-term intensity of use on Woodland Lake**, compounding environmental risk.

E. Public Welfare, Property Values, and Long-Term Risk

15. The Board finds that degradation of Woodland Lake would **negatively affect public welfare, property values, and community resources**, and that such impacts would be difficult or impossible to reverse.
16. The Board finds that the **long-term public and environmental risks** of the proposed development outweigh any private benefit claimed by the applicant.

III. Legal Conclusions

17. Under **MCL 125.3201(1)**, zoning decisions must be made in accordance with a plan designed to promote **public health, safety, and welfare**.
18. Under **MCL 125.3201(2)**, zoning regulations may be adopted to protect **natural resources, water quality, and property values**.
19. Under **MCL 41.2 and MCL 41.3**, the Brighton Township Board of Trustees acts on behalf of the public and is charged with **stewardship of public assets and avoidance of unreasonable long-term public and environmental costs**.
20. The Board concludes that approval of the proposed PUD rezoning would be **inconsistent with these statutory obligations**.

IV. Decision

21. Based upon the findings of fact and legal conclusions set forth above, the Brighton Township Board of Trustees hereby **DENIES** the request for Planned Unit Development rezoning for **The Cove at Woodland Lake**.
22. This decision is supported by substantial evidence in the record and is consistent with the Township's Master Plan, Zoning Ordinance, and applicable state law.

Adoption

Adopted by the Brighton Township Board of Trustees on _____, 2026.