

OWL Woodland Lake

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Dear Brighton Township Trustees,

On behalf of the Organization of Woodland Lake (OWL), thank you for your time, deliberation, and public service during the January 26 Township meeting. We appreciate the opportunity to observe the discussion and the Board's engagement on a proposal with significant long-term implications for Woodland Lake, surrounding residents, and Brighton Township as a whole.

We would like to begin by acknowledging several aspects of the January 26 discussion that we found constructive and encouraging. In particular, we appreciate the Board's recognition of the need to reduce the number of proposed homes and docks, as well as the discussion regarding relocating the two condominium units currently planned within regulated wetlands. These comments, while insufficient, reflect an understanding that this site presents environmental, safety, and planning constraints that warrant a more responsible approach.

We also wish to recognize the Board's stewardship of the Township's financial health. Maintaining fiscal stability is an important public trust, and we appreciate that Brighton Township is not being placed in a position where land-use decisions must be driven by financial necessity rather than sound planning and statutory obligations.

At the same time, several matters raised during the January 26 discussion, along with issues arising from communications following the meeting, warrant clarification and formal response. For ease of reference, OWL is attaching the joint public comments delivered on January 26 by Lorrie Hayden and Cheryl Wasilewski, which include detailed findings supporting denial based on the current record.

Recognizing the volume and complexity of materials before the Board, OWL is also attaching a brief R-2 and density bonus analysis prepared to organize the applicable ordinances, Master Plan requirements, and mandatory review steps. This document is not intended to restate arguments already in the record, but rather to assist the Board in tracking its statutory duties and decision sequence so that those obligations do not become obscured by competing density claims or development assumptions.

As acknowledged by the Board during the January 26 meeting, the Livingston County Planning Commission formally recommended denial of the proposed PUD rezoning due to concerns related to water quality, environmental impacts, and site suitability. OWL appreciates the Board's recognition of that recommendation and notes that much of the subsequent discussion regarding the need for a revised and more responsible plan aligns with the County's conclusions.

During the meeting, there was discussion suggesting that the County's recommendations may be less applicable because they are "more rural" in nature. Respectfully, this characterization does not reflect the realities of this site. This is lakefront property, subject to inland lake protections, stormwater constraints, and water quality risks that differ materially from typical suburban or urban parcels. The County's review appropriately focused on these lake-specific impacts, making its recommendations directly relevant.

We also want to address concerns raised during the meeting regarding the level of independent Township planning analysis. In particular, Mr. Fuller commented on the extensive work performed by the Livingston County project planner. OWL remains concerned that comparable, independent analysis has not been evident from Brighton Township's planning function, and that key planning evaluation has appeared to be deferred to the developer and its consultants. When a proposal depends on numerous deviations and unresolved environmental assumptions, the public needs confidence that the Township, not the applicant, is driving the planning review and protecting the public interest.

Additionally, OWL remains concerned that the parallel R-2 plan does not align with the Township's adopted Master Plan and should not be used as a baseline justification for density or design assumptions. Michigan law requires zoning and land-use decisions to be made in accordance with a plan designed to promote public health, safety, and welfare, not to maximize development yield.

Separately from the January 26 meeting, OWL wishes to address concerns raised in subsequent communications. The Special Assessment District (SAD) was established and communicated to residents to protect water quality and preserve wetlands. From OWL's perspective, the engagement of legal counsel to assist in preventing environmental harm and ensuring lawful decision-making is fully consistent with the preventive intent of the SAD. Preventing degradation through proper planning and compliance is far more responsible and cost-effective than engaging in an uncertain and expensive post-development mitigation or remediation process.

In post-meeting communications, the Township Manager indicated that the Township Attorney may not return calls from OWL's legal counsel. The Township Attorney subsequently responded that the Township would not mediate between the developer and OWL and that OWL may pursue any remedies it deems necessary if dissatisfied with the outcome. While OWL understands that mediation is not required, these responses suggest that substantive dialogue outside the formal decision process may be limited.

Additionally, a meeting between John Boland and Katie Tierney with Township representatives was held yesterday. Prior to the meeting, the Manager stated no answers would be provided and that any questions should be asked at the public meeting. Based on prior experience at public meetings, residents are allotted three minutes to speak, yet direct questions raised during those sessions have not been substantively addressed on the record, and residents are advised that questions are not answered. While OWL respects the need for procedural structure, the absence of meaningful opportunities for questions and answers, whether in individual meetings or public sessions, raises concerns about transparency and accessibility during a pending zoning decision.

With an upcoming public meeting scheduled, OWL respectfully requests that specific questions regarding ordinance compliance, environmental protections, infrastructure feasibility, and procedural standards be clearly addressed on the record so that residents can understand the factual and legal basis for the Board's decision.

Finally, we respectfully remind the **Board that Michigan law requires zoning decisions to promote public health, safety, and welfare and expressly allows local governments to protect natural resources, water quality, and property values. There is no requirement in the Township ordinance or state law that a property be developed to its maximum possible density. The appropriate starting point is whether the proposed development is safe, environmentally responsible, and consistent with the Township's Master Plan and long-term public interest.**

We appreciate your continued attention to these matters and your service to the Township. OWL remains committed to working collaboratively and in good faith. Thanks the Supervisor and Engineer for their attention yesterday.

Please add these entire contents to the packet for next week, including the opinion letter from our attorney and the document to decline this PUD request.

Respectfully,

Organization of Woodland Lake (OWL)