

The Coves at Woodland Lake R-2 Parallel Plan Not Compliant

**The physical, environmental, and legal constraints
reduce true R-2 yield to approximately 26–28
homes (Not 31).**

Constraint-Based R-2 Yield Analysis
The Cove at Woodland Lake – 42.8 Acres

Step	Constraint (Non-Waivable)	Ordinance / Evidence	Land Impact	Lot Yield Effect
1	Gross Site Area	42.8 acres total BTBT 01-26-26 (1)	1,864,368 sq ft	Theoretical max = 46
2	Natural Features Protection Area	Article 10 required review BTBT 01-26-26 (1)	-25% typical conservation removal	-11 lots
3	Lake & Wetland Setbacks	100' lake / 50' wetland BTBT 01-26-26 (1)	-10%	-4 lots
4	Road Right-of-Way (66 ft)	Ordinance minimum BTBT 01-26-26 (1)	-7%	-3 lots
5	Stormwater Basins & Forebays	Required by Drain Commissioner BTBT 01-26-26 (1)	-8%	-3 lots
6	Steep Slopes / Grading Limits	Avoidance required BTBT 01-26-26 (1)	-5%	-2 lots
7	Tree Protection / No Mass Clearing	No tree plan provided BTBT 01-26-26 (1)	-5%	-2 lots
—	Net Buildable Land	After mandatory removals	≈ 60% of site	≈ 28 lots

Reality Check

Ordinance Cap	Their Claim	Conflict
Max 24 lots per private road	40 proposed BTBT 01-26-26 (1)	+16 illegal
Max road length 750 ft	2,888 ft BTBT 01-26-26 (1)	+2,138 ft
Max lot coverage 15%	40% proposed BTBT 01-26-26 (1)	+25%

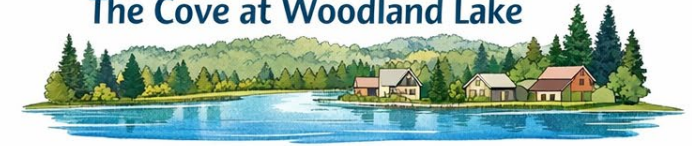
Conclusion

The physical, environmental, and legal constraints reduce true R-2 yield to approximately 26–28 homes.

The developer's 31 and 40 counts **depend on ordinance violations, wetland encroachment, and infrastructure waivers.**

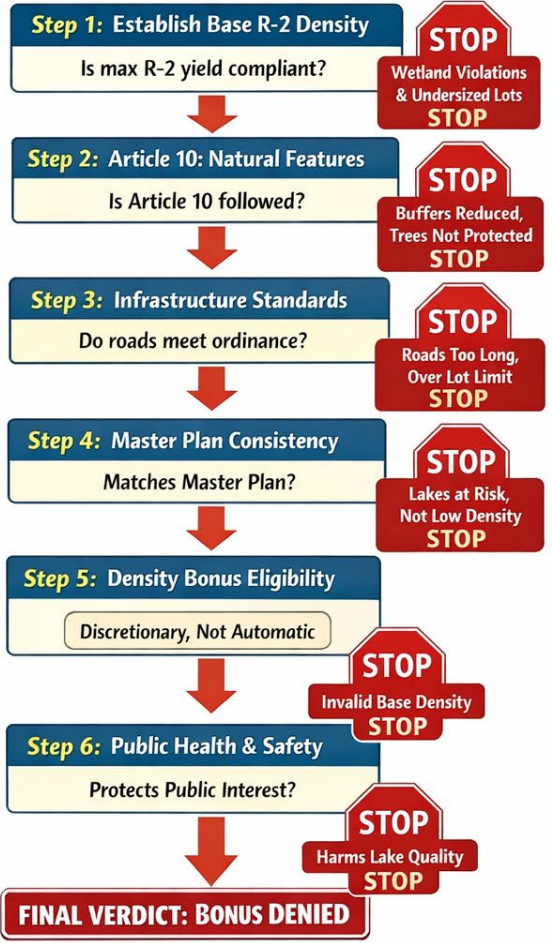
Density Bonus Not Permitted

The Cove at Woodland Lake fails at multiple mandatory review stages; because the property cannot accommodate the base R-2 density in compliance with Article 10, infrastructure standards, and the Master Plan, **any density bonus is legally impermissible and must be denied.**



R-2 / PUD with Public Water & Sewer

Can the property legally support increased density?



Applied Trustee Decision Flowchart

Step 1: Establish Base R-2 Density (REQUIRED)

Trustee Question:

→ What is the maximum number of homes this property can support under straight R-2 zoning, with full ordinance compliance?

Record Evidence:

- Parallel plan revised downward to 31 units after feasibility review BTBT 01-26-26
- Revision already assumes wetland crossing relocation and grading feasibility BTBT 01-26-26 (1)

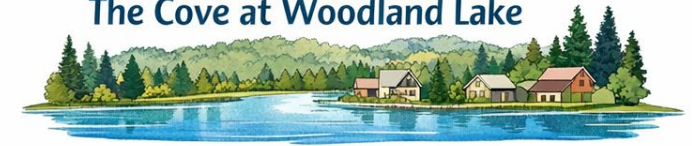
Problem:

- 31 units is not a compliant baseline — it already relies on:
 - Wetland intrusion
 - Reduced buffers
 - Extended private road length

✗ STOP #1

→ A lawful, fully compliant R-2 baseline has not been demonstrated.

→ Bonus density cannot be calculated or applied.



R-2 / PUD with Public Water & Sewer

Can the property legally support increased density?

Step 1: Establish Base R-2 Density

Is max R-2 yield compliant?

STOP

Wetland Violations
& Undersized Lots
STOP

Step 2: Article 10: Natural Features

Is Article 10 followed?

STOP

Buffers Reduced,
Trees Not Protected
STOP

Step 3: Infrastructure Standards

Do roads meet ordinance?

STOP

Roads Too Long,
Over Lot Limit
STOP

Step 4: Master Plan Consistency

Matches Master Plan?

STOP

Lakes at Risk,
Not Low Density
STOP

Step 5: Density Bonus Eligibility

Discretionary, Not Automatic

STOP

Invalid Base Density
STOP

Step 6: Public Health & Safety

Protects Public Interest?

STOP

Harms Lake Quality
STOP

FINAL VERDICT: BONUS DENIED

Applied Trustee Decision Flowchart

STEP 2 — Article 10: Natural Features Protection (HARD GATE)

Trustee Question:

→ Can the base R-2 density be built while complying with Article 10?

Record Evidence:

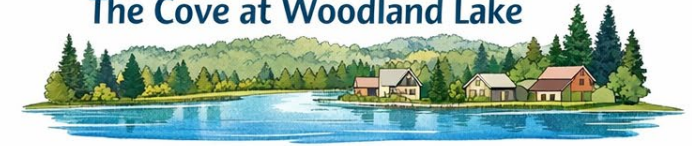
- Most of the site is designated Natural Features Protection Area
 - Still includes **wetland road crossing**
 - Shows **reduced natural buffers** below ordinance standards
- Applicant states **no tree survey and no tree replacement**

✗ STOP #2

- Base density violates **Article 10 avoidance and protection requirements**.
- Density must be **reduced**, not increased.

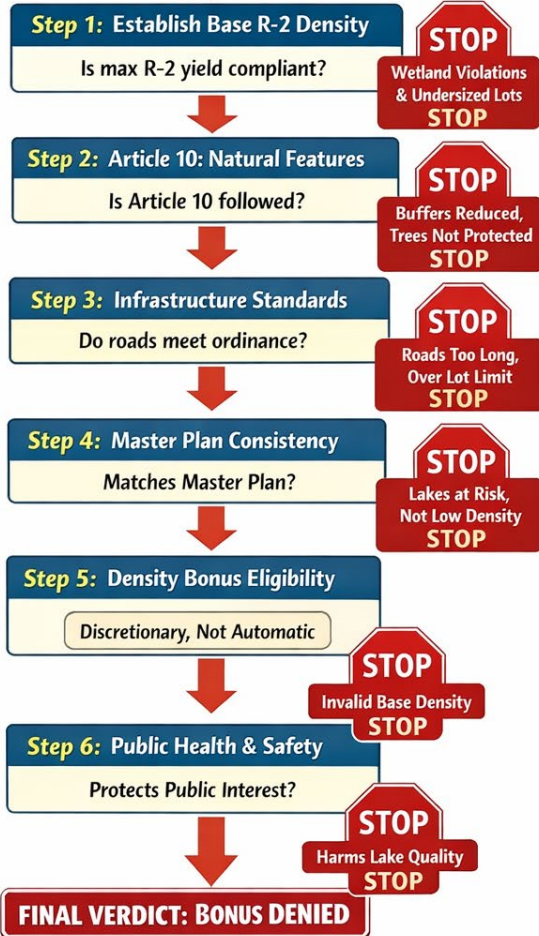
Density Bonus Decision Flowchart:

The Cove at Woodland Lake



R-2 / PUD with Public Water & Sewer

Can the property legally support increased density?



Applied Trustee Decision Flowchart

STEP 3 — Infrastructure & Physical Feasibility

Trustee Question:

→ Can the development meet road, access, and stormwater standards?

Record Evidence:

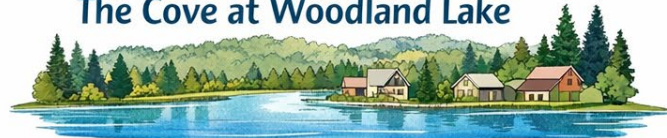
- Ordinance maximum private road length: **750 ft**
- Proposed road length: **2,888 ft**
- Ordinance max lots per private road: **24**
- Proposed: **45**
- Stormwater relies on **future infiltration testing**, not proven capacity

✗ STOP #3

- Infrastructure standards are exceeded by design.
- The site **cannot physically support** the claimed density.

Density Bonus Decision Flowchart:

The Cove at Woodland Lake



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Protects Public Interest?

STOP
Harms Lake Quality
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FINAL VERDICT: BONUS DENIED

Applied Trustee Decision Flowchart

STEP 4 — Master Plan Consistency

Trustee Question:

→ Is the proposal consistent with the Brighton Township Master Plan?

Record Evidence:

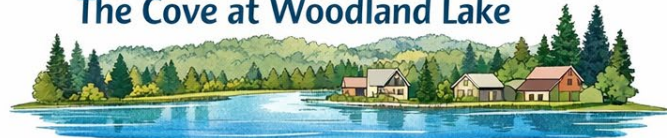
- Property is designated **Low Density Residential**
- Master Plan emphasizes:
 - One-acre lots
 - Lake protection
 - Environmental monitoring near lakes
- Proposed density relies on:
 - Service expansion
 - Increased lake access
 - Environmental risk

✗ STOP #4

→ Proposal conflicts with **Master Plan intent and lake protection policies.**

Density Bonus Decision Flowchart:

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Protects Public Interest?

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Harms Lake Quality
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FINAL VERDICT: BONUS DENIED

Applied Trustee Decision Flowchart

STEP 5 — Density Bonus Eligibility (DISCRETIONARY)

Trustee Question:

→ Even with public water and sewer, may a density bonus be granted?

Ordinance Language:

- Density bonus “**may be allowed**” — not mandatory

Critical Failure:

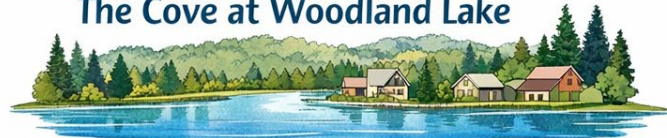
- Bonus is calculated off an **inflated base density**
- Base density already violates:
 - Article 10
 - Road standards
 - Environmental safeguards

✗ STOP #5

→ Because the base density is invalid, **no bonus may be applied.**

Density Bonus Decision Flowchart:

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FINAL VERDICT: BONUS DENIED

Applied Trustee Decision Flowchart

STEP 6 — Public Health, Safety & Welfare (FINAL DUTY)

Trustee Question:

→ Does approving this density protect the public interest?

Record Evidence:

- County Planning Commission recommended denial due to lake water quality concerns BTBT 01-26-26 (1)

Long-term risks:

- Nutrient loading
- Stormwater failure
- Precedent for lake overdevelopment

✗ FINAL STOP

→ Trustees are **legally obligated** to deny density that threatens public resources.

Final Trustee Finding (One-Sentence Conclusion)

The Cove at Woodland Lake fails at multiple mandatory review stages; because the property cannot accommodate the base R-2 density in compliance with Article 10, infrastructure standards, and the Master Plan, **any density bonus is legally impermissible and must be denied.**