

Trustees,

This rezoning request must be evaluated based on findings of fact and the Township's statutory obligations under Michigan law. I would like to highlight several key findings in the record that support denial of the proposed PUD for The Cove at Woodland Lake.

First, the Livingston County Planning Commission formally recommended denial of this proposal, citing serious concerns related to water quality, environmental impacts, and site suitability. However, the application materials create the appearance that the County supported or approved the project. That characterization is inaccurate. The County's position was a substantive recommendation for denial, primarily based on risks to Woodland Lake, which will cause substantial and irrevocable damages to the residents of the Organization of Woodland Lake based on the engineering and environmental reports provided to the Township and the County. Accurate disclosure of County action is essential to informed decision-making, and this misrepresentation raises credibility concerns.

Second, the proposal relies on an extraordinary number of zoning deviations in order to function. These include significant reductions in lot size and setbacks, excessive lot coverage, an extended private road serving a high number of units, and increased density that is inconsistent with the underlying zoning district. When taken together, the magnitude of these deviations demonstrates that the site is not suitable for the intensity of development proposed. In addition, the care and safety of the Organization of Woodland Lake residents, as well as the proposed residents of the Cove at Woodland Lake, would be severely placed at risk of emergency services not being able to promptly and adequately respond to fire and/or health emergencies within the Cove at Woodland Lake due to the condensed density of the proposed development that was never considered in the Master Plan. The Trustees have a duty to look after the safety and wellbeing of the residents of the Township in making decisions regarding deviations from the Master Plan.

Third, the County and Township review materials confirm that the stormwater management system remains conceptual and unproven. The plan depends on future infiltration testing and design assumptions rather than demonstrated performance. In addition, the application lacks a complete natural features analysis, including a tree inventory, preservation plan, or replacement strategy, despite the site being heavily wooded and within natural feature protection areas. These deficiencies directly relate to increased runoff, erosion, and nutrient loading into an inland lake.

Fourth, the proposed PUD agreement itself presents long-term risk to the Township. The agreement includes language stating that if there is a conflict between the PUD agreement and the Township Zoning Ordinance, or even future Township rules or resolutions, the terms of the PUD agreement shall control. This language would restrict

the Township's ability, including that of future Boards, to respond to changing environmental conditions, infrastructure limitations, or public welfare concerns. Additionally, the agreement grants broad riparian rights that would permanently intensify use of Woodland Lake.

Finally, 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. Township Boards also act as stewards of public assets and must avoid decisions that impose unreasonable long-term public or environmental costs.

Based on the County's recommendation, the excessive zoning deviations, the unresolved environmental risks, and the provisions of the proposed PUD agreement that limit Township authority, the record supports a finding that this rezoning request is not consistent with those statutory obligations.

For these reasons, **denial of the PUD rezoning request is not only reasonable, but legally defensible.**