

The following motion was made by Carol Huehl with support from Larry Lindemann.

I move that the Freedom Township Planning Commission approve the Conditional Use Permit Application, as stated below, for the Brauer Property Preserve as submitted by the Washtenaw County Parks Department.

Whereas, Washtenaw County Parks & Recreation Commission (“Applicant”) is the owner of a parcel of land consisting of 226.58 acres, more or less, located on Waters Road/Parker Road (“Property”) in the Township of Freedom, County of Washtenaw, State of Michigan more particularly described on the Site Plan prepared by Mannick and Smith Group, Inc and revised 9-9-2010 and labeled Brauer Preserve.

Whereas, the Property is zoned Agricultural/Resource District pursuant to Section 3.02 (A) of the Freedom Township Zoning Ordinance and the Applicant has submitted a request to use the land as a Public Park as provided in Section 3.03 of the Ordinance; and

Whereas, The Planning Commission held a public hearing on June 7, 2005 and considered information provided by the applicant, and held a public hearing on July 5, 2005 to receive public comment on the conditional use application; and held a public hearing on August 8, 2010 to include additional property under the prior conditional use permit.

Whereas, based on the record before the Planning Commission, the Planning Commission makes the following findings: (1) The proposed conditional use is compatible and harmonious with the surrounding uses, the orderly development of the surrounding areas and anticipated future uses in the area; (2) Existing vehicular and pedestrian traffic will not be significantly altered; (3) The proposed use does not pose a significant increase in noise, dust, fumes, smoke, odor, vibration or adversely impact air or water quality or quantity; (4) The proposed use does not involve the location or height of any building or structure which would interfere or discourage the appropriate development of adjacent land; (5) The proposed use relates harmoniously with the physical and economic aspects of adjacent land uses; (6) The proposed use is designed so as not to pose a threat to the public health, safety and welfare; and (7) The proposed use will not adversely affect property values; and

Whereas, the Planning Commission carefully reviewed the submitted information and data and carefully considered the applicable standards.

Now, therefore, be it resolved:

1. The Freedom Township Planning Commission grants a conditional use which authorizes the Property to be used as a Public Park in accordance with the Site Plan attached hereto and incorporated herein, provisions of Freedom Township Zoning Ordinance and other applicable ordinance rules and regulation and subject to the following conditions:

- A. The park uses are to be limited to passive recreation activities such as walking, jogging, bird watching, nature studies and other quiet inactive pastimes. Motorized recreation vehicles, including but not limited to, snowmobiles and any type of off road vehicles, bicycles, motorcycles, personal watercraft, or similar types of vehicles are prohibited.
- B. The improvements on the property are limited to those shown on the approved Site Plan prepared by Mannick & Smith dated September 9, 2010 which is incorporated by references herein. Also contained within the submittal are graphical depictions of the entrance sign as well as internal directional and informational graphics, environmental assessment, topography, soils, entrance to the site and parking delineation which are also incorporated by reference herein.
- C. Should the property ever be sold, transferred, or otherwise conveyed by the Applicant or its successor in interest, other than a successor Washtenaw County governmental entity the conditional use shall terminate as of the date of such conveyance.
- D. Paved surfaces including access roadways, parking areas and internal trails are prohibited. Internal trails shall consist of wood chips.
- E. No fishing shall be allowed on any water body within the property.
- F. On or before September 1, 2011 the Applicant at its sole expense shall install a fence and signs, identifying the Property as Washtenaw County property on land which abuts the following Tax Parcel Nos. N-14-12-300-002 and N-14-12-300-004. Maintain existing fences on lands which abut Tax Parcel Nos. N-14-12-400-004, N-14-12-400-002, N-14-12-400-003 and N-14-12-100-005. In the event the owner(s) of lands which abut the Property request in writing to have their lands fenced and signs posted, then the Applicant at its sole expense shall install fence and post signs.
- G. All aspects of the natural preserve shall be contained within the Property.
- H. No artificial lighting shall be placed on any portion of the Property.
- I. The hours of operation shall be from 8:00 a.m. to dusk.
- J. The Applicant shall cut noxious weeds on the Property two or three times a year or more often as may be necessary to avoid a nuisance, or in the alternative plant prairie grass or other similar plant materials.
- K. Upon request of any adjacent Property Owner the Washtenaw County Parks Department shall grant the right to access the parcel to restore or repair existing drainage tiles at a time that does not interfere with any crops and then restore it to the original topography and seed it. The expense is covered by the adjoining Property Owner. A roll call was taken: DeLoof-yes, Huehl-yes, Lindemann-yes, Ochs-yes and Schaible-yes. Motion passed.