

RESOLUTION NO: 22-24

TOWN OF BALDWIN
COUNTY OF SHERBURNE, MINNESOTA

ELK LAKE LANDING
PRELIMINARY PLAT APPROVAL

WHEREAS, (the “developer”) is proposing to subdivide property identified as 01- 031-3302 described by Exhibit A; and

WHEREAS, the developer has submitted application for preliminary plat approval to be processed in accordance with Section XX-3-3.B of the Subdivision Ordinance; and

WHEREAS, the Planning Report dated 20 July 2022 prepared by the Town Planner, The Planning Company, LLC, is incorporated herein by reference; and

WHEREAS, the memorandum dated 22 July 2022 prepared by the Town Engineer, Bogart-Pederson, Inc., is incorporated herein by reference; and

WHEREAS, the memorandum dated 27 July 2022 submitted by the Sherburne County Public Works Department is incorporated herein by reference; and

WHEREAS, the Planning Commission conducted a public hearing at their regular meeting on 27 July 2022 to consider the application, preceded by published and mailed notice; based upon review of the application and evidence received, the public hearing was closed and the Planning Commission recommended by a 6-0 vote that the Town Board approve the request.

WHEREAS, the Town Board considered the application at their meeting on 1 August 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF BALDWIN TOWNSHIP, MINNESOTA THAT the preliminary plat of Elk Lake Landing is hereby approved, subject to the following stipulations:

1. Construction on all lots shall comply with the following setback requirements:

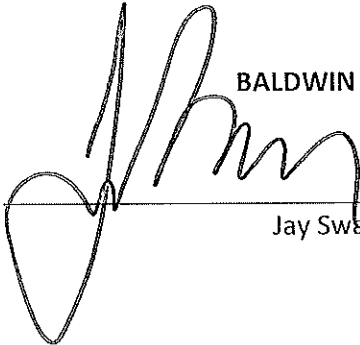
A. Front Yard or Side Yard Abutting a Public Road:		
	County State Aid Highway	70 feet
	Township Road:	50 feet
B. Side Yard (except as allowed by Section XX-51-5.A):		20 feet
C. Rear Yard:		25 feet

2. Impervious surface within Lots 1-5, Block 1 shall not exceed 25 percent of the lot area.
3. Right-of-way dedication for 143rd Street (CSAH 1) shall be subject to review and approval of the Sherburne County Engineer.
4. Right-of-way dedication for 277th Avenue shall be subject to review and approval of the Town Engineer.
5. Right-of-way for the existing cul-de-sac at the terminus of 278th Avenue shall be verified prior to approval of a final plat or:
 - a. Right-of-way easements for the existing cul-de-sac shall be obtained by the developer.
 - b. The preliminary plat shall be revised dedicate to right-of-way and the developer shall submit construction plans to extend of 278th Avenue terminating in a permanent cul-de-sac, subject to review and approval of the Town Engineer.
6. Access:
 - a. Lot 2, Block 1:
 - (1) The proposed shared access to 143rd Street (CSAH 1) shall be subject to review and approval of the Sherburne County Engineer.
 - (2) An ingress/egress easement shall be established over Lot 1, Block 1 benefiting Lot 2, Block 1 for use of the proposed shared driveway, subject to review and approval of Town staff.
 - (3) An encroachment agreement shall be executed and recorded with Lot 2, Block 1 at the time of final plat approval addressing the proposed shared driveway crossing over a drainage and utility easement, subject to review and approval of Town staff.
 - b. Lots 3 and 4, Block 1 shall access 278th Avenue subject to compliance with the Town Right-of-Way Ordinance; no direct lot access to 143rd Street (CSAH 1) shall be allowed.
 - c. Lots 5 and 6, Block 1 shall access 277th Avenue subject to compliance with the Town Right-of-Way Ordinance; no direct access to 143rd Street (CSAH 1) from Lot 6, Block 1 shall be allowed.
7. Subsurface Sewage Treatment Systems and well utilities for Lots 2-6, Block 1 shall be subject to review and approval of the Building Official.
8. All grading, drainage, and erosion control plans shall be subject to review and approval of the Town Engineer.

9. A Sherburne County WCA Land Use Permit shall be required for Lot 4, Block 1 in accordance with Section XX-16-4 of the Zoning Ordinance prior to issuance of a building permit.
10. All easements shall be subject to review and approval of the Town Engineer
11. Park dedication requirements shall be satisfied by payment of a cash fee in lieu of land based on the Town Fee Schedule in effect at the time of final plat approval, subject to review of the Park Committee and approval of the Town Board.
12. The developer shall submit application for final plat approval by 31 July 2023 in accordance with Section XX-3-3.B.11 of the Subdivision Ordinance.

ADOPTED by the Town Board of Baldwin Township this 1st day of August, 2022.

MOTION BY: *Rush*
SECONDED BY: *Case*
IN FAVOR: *Swanson, Rush, Case, Lawrence, Hudson*
OPPOSED: *NONE.*


BALDWIN TOWNSHIP
Jay Swanson, Chair

ATTEST:

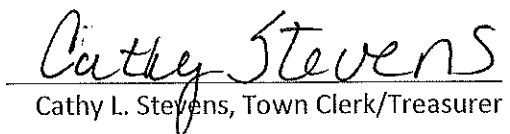

Cathy L. Stevens, Town Clerk/Treasurer

EXHIBIT A
LEGAL DESCRIPTION

The Southwest Quarter of the Southwest Quarter of Section 31, Township 35, Range 26, except that part thereof which lies westerly of the centerline of County Road Number 1;

AND

That part of Government Lot 4, Section 31, Township 35, Range 26, lying westerly of the easterly line of the Southwest Quarter of the Southwest Quarter of Section 31, Township 35, Range 26, extended northerly, except that part lying westerly of the centerline of County Road Number 1, and except that part lying northerly of the following described line:

Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 31; thence North along the East line of said Southwest Quarter of the Southwest Quarter, and its Northerly extension a distance of 1481.31 feet to the point of beginning of the line to be hereby described; thence West deflecting 90 degrees left to intersect the centerline of County Road Number 1 and there terminating.

AND

Tracts O and P, of Sherburne County Right of Way Plat No. 14 according to the map or plat thereof on file and of Record in the office of the Sherburne County Recorder.