

**RESOLUTION NO: 24-04**

**TOWN OF BALDWIN  
COUNTY OF SHERBURNE, MINNESOTA**

**THE OAKS OF BATTLE BROOK SECOND ADDITION  
PRELIMINARY PLAT APPROVAL  
AND AUTHORIZATION DISTRIBUTE AN EAW**

**WHEREAS**, The Oaks of Battle Brook, LLC (the “developer”) is proposing to subdivide property described as Outlot A The Oaks of Battle Brook; 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 proposed subdivision requires processing of an Environmental Assessment Worksheet as required by Minnesota Rules 4410.4300, Subp. 1 and Subp. 36.

**WHEREAS**, the Planning Report dated 1 February 2024 prepared by the Town Planner, The Planning Company, LLC, is incorporated herein by reference; and

**WHEREAS**, the Planning Commission conducted a public hearing at their regular meeting on 24 January 2024 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 that the Town Board approve the request.

**WHEREAS**, the Town Board considered the application at their meeting on 5 February 2024.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF BALDWIN TOWNSHIP, MINNESOTA THAT:**

1. A final plat shall not be approved prior to completion of the environmental review process and adoption of findings by the Town Board that the project will not have potential for significant environmental effect.
2. The shared private drive accessing Lot 1, Block 3 and Lot 1, Block 4, The Oaks of Battle Brook shall be removed by the developer and the temporary encroachment agreement terminated.
3. The developer shall remove of the temporary cul-de-sac and restore the right-of-way at the terminus end of 131<sup>st</sup> Street within the Battle Brook plat, subject to review and approval of the Town Engineer.

4. All right-of-way dedication, street section designs, and construction plans shall be subject to review and approval of the Town Engineer.
5. Access to 293<sup>rd</sup> Avenue (CSAH 9) via construction of 131<sup>st</sup> Street shall be subject to review and approval of the Sherburne County Engineer.
6. Access to individual lots from Town roads shall comply with Section 1.08 of the Town Right-of-Way Ordinance and Section XX-21-6.B.2.b of the Zoning Ordinance, subject to approval of a driveway permit by the Town Engineer.
7. Construction on all lots shall comply with the following setback requirements:

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

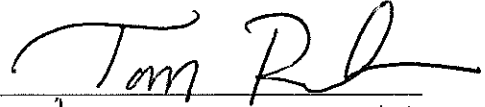
8. Impervious surface within all or portions of Lot 6, Block 1 and Lots 4-9, Block 2 within the Shoreland Overlay District shall not exceed 25 percent.
9. Subsurface Sewage Treatment Systems and well utilities for each lot shall be subject to review and approval of the Building Official.
10. All grading, drainage, and erosion control plans shall be subject to review and approval of the Town Engineer.
11. All wetland issues shall be subject to review and approval of Sherburne County, including issuance of a Land Use Permit for Lots 4-6, Block 1; Lots 2-4, Block 2; and Lots 6-8, Block 2.
12. All easements shall be subject to review and approval of the Town Engineer.
13. 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.

ADOPTED by the Town Board of Baldwin Township this 5<sup>th</sup> day of February, 2024.

MOTION BY: *Lawrence*  
 SECONDED BY: *Case*  
 IN FAVOR: *All*  
 OPPOSED: *None*

Absent: *Jay Swanson*  
*Jeff Holm*

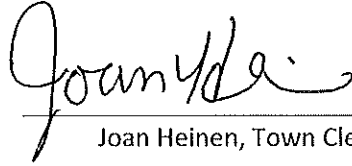
BALDWIN TOWNSHIP



Tom Rush -  
Vice chair

~~Jay Swanson, Chair~~

ATTEST:



Joan Heinen, Town Clerk/Treasurer