RESOLUTION NO: 24-14

TOWN OF BALDWIN
COUNTY OF SHERBURNE, MINNESOTA

THE OAKS OF BATTLE BROOK SECOND ADDITION
FINAL PLAT APPROVAL
AND AUTHORIZATION TO EXECUTE AGREEMENTS

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 Town Board approved a preliminary plat for the proposed subdivision subject to conditions at their meeting on 5 February 2024; and

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

WHEREAS, the Planning Report dated 28 March 2024 prepared by the Town Planner, The Planning Company, LLC, is incorporated herein by reference; and

WHEREAS, Section XX-11-5 of the Subdivision Ordinance requires the developer to enter into a development contract to provide the Town construction and warranty securities for the public and private improvements and to provide the Town various remedies in the event that the developer breaches the terms and conditions of said agreement; and

WHEREAS, the Town Board considered application at their meeting on 1 April 2024.

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

A.   The final plat of The Oaks of Battle Brook Second Addition is hereby approved, subject to the following stipulations:

    1.   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.

    2.   The developer shall remove of the temporary cul-de-sac and restore the right-of-way at the terminus end of 131st Street within the Battle Brook plat, subject to review and approval of the Town Engineer.
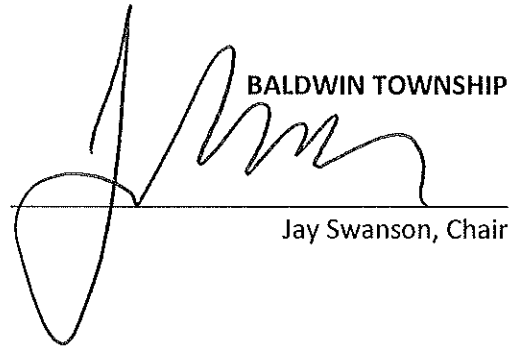
3. All right-of-way dedication, street section designs, and construction plans shall be subject to review and approval of the Town Engineer.

4. Access to 293rd Avenue (CSAH 9) via construction of 131st Street shall be subject to review and approval of the Sherburne County Engineer.

5. 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.

6. 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

7. 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.

8. Subsurface Sewage Treatment Systems and well utilities for each lot shall be subject to review and approval of the Building Official.

9. All grading, drainage, and erosion control plans shall be subject to review and approval of the Town Engineer.

10. 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.

11. All easements shall be subject to review and approval of the Town Engineer.

12. 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.

B. The Development Agreement drafted by the Town Attorney attached hereto between Baldwin Township and The Oaks of Battle Brook, LLC is hereby approved in form subject to modification as approved by Town staff.

C. The Town Board Chair and Town Clerk/Treasurer are hereby authorized to sign the final plat and execute the agreements on behalf of Baldwin Township.

ADOPTED by the Town Board of Baldwin Township this 1st day of April, 2024.

MOTION BY: Lawrence
SECONDED BY: Rush
IN FAVOR: All
OPPOSED: Jeff Holm Absent

BALDWIN TOWNSHIP

Jay Swanson, Chair

ATTEST:

Joan Heinen, Town Clerk/Treasurer