

**PROCEEDINGS OF THE WASHINGTON COUNTY LAND USE AND PLANNING COMMISSION  
WEDNESDAY, MARCH 25, 2025**

At 6:00 p.m., Chairperson Andrew Hora called the meeting to order at the Washington County Courthouse District Courtroom. Items on the agenda included Approval of the Final Plat of Timberline Estates Part III.

Commission members Ruth Jones, Karolyn Skubal, John Trier and Layne Twinam were also present. Rebecca Bush was absent.

Other individuals in attendance Attorney Joseph Moreland, Developer Todd Hahn, Scott Ritter of Hart-Frederick Consultants, Susan Thomann, Barb Simon, George Gerot, Craig Parton, Rob McCain, Washington County Engineer Jacob Thorius, Washington County Subdivision Coordinator Mya Talbert and County Auditor Tamera Stewart.

All motions were passed unanimously unless noted otherwise.

On motion by Twinam, seconded by Trier, the Commission approved the agenda as published.

Discussion began with Hora stating the purpose of the meeting is for the approval and public comments regarding the final plat of Timberline Estates Part III.

Twinam inquired about the location of the proposed subdivision in connection with the existing Timberline Estates. Ritter addressed the Commission to explain the location of the proposed subdivision as well as the location and information regarding roadways and utilities. It was explained that one entrance will be through the neighboring subdivision and a portion of it will be gravel leading to the entrance. The internal roads are all seal coated.

Upon question by Hora, Hahn stated there are approximately 50 homes exist in the previous Timberline Subdivisions. The subdivision has central water and each lot their own septic.

Thorius stated there in a road improvement agreement for 135<sup>th</sup> Street which will go before the Board of Supervisors next week. The exact estimate for the road improvements was unknown at the time and the county has not yet received any bond for the work to be done.

Hora questioned the maintenance of 135<sup>th</sup> Street. Thorius explained that after twelve lots are developed the road must be improved to chip-seal surface on a stabilized base from Hwy 218 to the first Timberline entrance. After twenty lots are developed, the developer and county will have a five-year maintenance agreement. No discussion has been made regarding the remaining portions of 135<sup>th</sup> Street.

Parton stated the improved roads will be damaged due to the short section of dirt road that leads to the subdivision and it doesn't make sense to leave it as is. He feels mud will be transferred to the other portions of the road and cause damage.

Gerot addressed the engineers on the project. He inquired if the completion of Timberline Estates Part III would increase the flood risk for those existing homes in Timberline Estates I and II. Ritter answered that there would be no increased risk. Gerot then asked Thorius. Thorius stated that this was determined by the developers engineer who signed off on the platting. Thorius informed Gerot that the Final Plat meets Washington County's subdivision requirements. Gerot argued that Thorius should know that this will increase the flood risk for those homes. Gerot stated that he does not feel that there has been enough mitigation done in the Southwest corner of the Subdivision that drains onto his property and that per common law each point of storm water entry needs to be addressed and the flow of water cannot be increased or changed.

George went into detail on a previous discussion with the County Attorney about an individual from Timberline Estates 1 who changed the flow of water from their property to Gerot's which resulted in a successful court ruling in his favor. Gerot stated that if there isn't any additional mitigating that this will result in another successful ruling in his favor but those who approve the plat would be involved.

Ritter informed the Commission that the DNR has been on site and approved the project at that time. Hora asked if the DNR looks at issues related to Gerot's concerns to which Ritter stated they do.

Moreland stated the Preliminary Plat was brought to the Commission previously and was recommended to pass to the Board of Supervisors and nothing has changed on the layout of lots. The only changes have been due to the road. Twinam stated that there is the possibility of the developer addressing the dirt road issue at a later date but the issue cannot be determined by this commission. The Protective Covenants of the proposed subdivision have provisions related to use of the roads. Per Ritter, additional road right-of-way has been dedicated for improvements, if necessary, in the future. Thorius stated there is approximately fifty feet.

Thomann addressed to Commission regarding the tree line in the right of way. Thomann lives to the north of the proposed subdivision and the trees are sentimental to her. Thorius stated that there are no plans to disturb the trees at this time, but there is no guarantee in the future.

Gerot requested to speak. He asked that the minutes of the meeting reflect that the County Engineer failed to answer his question. Thorius defended himself by stating it is not his responsibility as the county engineer. The developer's engineer has the responsibility of making sure the aspects of the subdivision meet the County Subdivision Ordinance.

Simon inquired about the effect of additional wells causing a water shortage in the area and asking if the developer would be responsible for this. Hahn informed the Commission that there is a viable water source in the area and water shortage should not be a concern. Hahn and Moreland explained that they have to acquire a well permit otherwise DNR won't issue one if it would cause a problem. Hora had asked Hahn if the DNR considers the permit if there would be an impact to neighbors and their water supply but he wasn't sure. Hora stated there is no real answer to this question and they can only speculate on the future water concerns.

Parton commented regarding the amount of increased travel on the dirt road being a safety risk. He stated he was told that the road would be at minimum gravel the entire way by the county engineer. Thorius did not recall this conversation and that there is no plan for it to be gravel completely. Parton also stated concerns from the fire department regarding the road. It was noted that the fire department has signed off on the proposed subdivision and cited no issues.

Skubal asked if the water run off issue was a part of the commission responsibility to address or the developers. Trier commented that he believes it to be beyond the scope of the Commission, although it could be a valid concern. Trier stated that if a problem were to arise at a later time then the people it impacts could take the matter into their own hands to resolve, might be the best way to handle the issues but he isn't entirely sure. Hora stated that the issue was there previously when brought to the Commission for the Preliminary Plat and was then addressed by the Board of Supervisors, who approved the Preliminary Plat. Hahn informed the Commission that the DNR has been on site and found no issues. There are catch basins in place to eliminate a portion of the water that could have potentially affected neighboring properties plus added silt fencing even though it wasn't required. Ritter then referred to the contour map and pointed out the flow of water to the ditches and catch basin to deflect water runoff to the adjoining land.

Trier made a motion to approve the Final Plat of Timberline Estates Part III, seconded by Jones.

Additional discussion followed.

Twinam then made a motion to amend the original motion to approve the plat. The suggested amended motion is to approve the Final Plat of Timberline Estates Part III with the concerns of the public being addressed by the Washington County Board of Supervisors.

On motion by Twinam, seconded by Jones, the Commission voted to approve the Plat of Timberline Estates Part III with the concerns of the public being forwarded to the Washington County Board of Supervisors.

At 6:48 p.m. on motion by Jones, seconded by Skubal, the Commission voted to adjourn.

ATTEST:

  
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Mya Talbert  
Washington County Subdivision Coordinator

  
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ANDREW HORA  
Washington County Land Use & Planning Commission