**Town of Mantua Planning and Zoning Meeting Minutes**

Held on August 3, 2023

6:30 at Town Hall 409 North Main Mantua, Utah

**Commission Members present:** Chairperson – Pam Eaves Robert Thayne Doug Green Cindy Gibbons Doug Green Tim Miles Darrell Duncan (excused) Dave Marsh (excused)

Angela Madsen-Assistant Recorder

**Audience present:** David Hansen, Mark Whitworth, Clark Whitworth, Jared Whitworth

**Meeting opened by Pam Eaves and the invocation offered by** Tim Miles

**Pledge of allegiance- led by Pam Eaves followed by all in attendance.**

**Chairperson Pam Eaves approved the minutes for the meeting held on July 13, 2023, 2023 as printed and corrected.**

**Public Comment:**

Tim brought up the Whitworth venture and said we wasted 4 months of time and frustration about how long it took to find the answer. The information needed was in the town ordinances and should have been found much more easily. This should have been caught and he would like a book put together, and also a digital copy available.

**Discussion Items:**

**Zoning map proposal**

**Whitworth Venture** **sewer project**

Pam let everyone know that she, and Rob Thayne had a conference call with the town attorney to go over the legal documents, and the ordinance from 2020. The attorney said that we will not move forward with the low-pressure system until there is an ordinance put into place. Section 21 of the ordinance states that if the town does not provide a gravity-fed sewer system within 300 ft of a property, pending health authority, and county approval, you may use a septic tank. This is also a state statute. This is how Mark Whitworth is going to proceed with his project. Mark has contacted Bear River Health department and is wondering if he can move forward with the project. Pam mentioned that he needs to do a Deed of Dedication for the road, and Mark was waiting to do that after they got the approval for the project. Mark spoke with the title company and to Chris about any changes that needed to be made to make this official. Robert clarified that Mark needs to speak with the health department about the septic tank and told him that he’s 1397 ft away and well over 300 ft from the road. Pam asked him if he’s working with Brad Mortenson at Heritage West about the deed. Mark spoke with Chris Henson about some changes that need to be made, and Pam will speak with Brad as well.

Robert Thayne brought up concern about having authority to do things with planning and zoning. Section 9.7.6 states that “utilities, all dwelling units shall be served by the town water system and the town sewer system. Units must be serviced by the town water supply, all utilities shall be placed underground, each dwelling unit shall be individually need for natural gas, electricity, and water. Each building shall be served by a separate sewer lateral and not more than 4 dwelling units within the building may be connected to one lateral. Each unit will be required to install back-flow protection devices and water valves, as well as back water valves in sewer lines in multiple unit developments, in accordance with applicable plumbing codes.” 8E.6.1 states” sanitary sewage facilities, including installation of laterals, in the right of way and dedication of easement, shall be subject to town specifications, rules, regulations, and guidelines in this code. All subdivisions are required to extend the system to their developed septic tank and drain field systems are not permitted.” The town council works with the infrastructure, planning and zoning works with land use. The front page of the ordinance under “replaces and repeals prior ordinance” it says, “To the extent of any conflict between this ordinance and any other ordinances, or regulations of Mantua town, the provisions of this ordinance shall be controlled. “Robert likes the town ordinances and wanted to clarify a few things at the meeting.

 **Action Items:**

**Dave Hansen line adjustment**

Dave came to the commission to get permission to adjust the property line between his home at 269 W Center, and his parents’ home at 18 S 200 W. Dave’s lot is .5 of an acre, and his parents’ home is .58 of an acre. He would like to transfer the 8/10th of an acre to his property. His parents’ home is going to be sold. There is a driveway going between the lots and the property line runs through the middle of that driveway. Dave has a surveyor that gave him a bid, and measurements of the lines, which he gave to the commission regarding this adjustment. The new property line would be 6 inches closer to Dave’s lot. He is seeking approval so that the surveyor can stake out the lot. He also gave the commission the surveyor’s paperwork. Dottie Shepard from US Title can help with the remainder of the paperwork. A member of the council verified that this is a legal lot, Dave told the commission about the footage on the maps he brought. Pam will speak to Dottie, and Dave will go to her to get the official legal descriptions.

Made a motion to approve by Robert Thayne

Second, Cindy Gibbons

All those in favor: Cindy Gibbons: Yes Doug Green: Yes Robert Thayne: Yes Tim Miles: Yes

Motion carried.

**Commission Comments:** Tim brought up the Whitworth venture and the 300 ft rule the town has. He feels that we need to have a long-range sewer plan in town so we don’t have a whole bunch of houses in the valley on septic tanks. We can’t approve septic for one resident, then tell another one no, the rule must be followed correctly. Rob agrees and thinks that this is a topic for town council. Pam stated that in section 9 of the town ordinances, that if your home and fixtures are below the gravity-fed-system, you can’t build a home on that lot. Brigham city would be protecting their sewer system so that it’s not over fed. There are a few low-pressure systems in town. Pam spoke emailed Chris White asking him about having an ordinance in place before allowing anyone to do a low-pressure system. He agreed and will start working on it. The attorney (Seth) says that the developer can lay the pipe and pay for it and the town can legally own that line and make the owners responsible for the maintenance. We’ve got to protect the town because eventually these systems will fail. These homeowners need to know that it’s their responsibility to maintain these systems. We’ve also got to have approval from Brigham city on this topic. There are water shed areas with a radius around them for protection.

**Made a motion to adjourn by** Cindy Gibbons, second Tim Miles

Cindy Gibbons: Yes Doug Green: Yes Robert Thayne: Yes Tim Miles: Yes Doug Green: Yes