



QUISPAMISIS PLANNING ADVISORY COMMITTEE

MEETING MINUTES – April 28, 2020

Present: Darin Lamont Kendall Mason
 Brenda Fowlie Marc Gosselin
 Brent Preston Chrissy Scott – Tech Support
 Darren Bishop S. Dwight Colbourne, Municipal Planning Officer
 John Groden Violet Brown, PAC Secretary

Absent: None

1. **Call to Order**

The PAC Secretary opened the phone lines and GoTo Meeting Application at 6:30 p.m. in order to allow for participants to connect and attendance to be taken. Mr. Darin Lamont called the meeting to order at 7:00 p.m. Mr. Lamont took the attendance verbally.

2. **Approval of Agenda**

Mr. Lamont noted the two postponed agenda items, that of 6 Meenans Cove Road (postponed until next year) and that of Woodleigh Park Phase 28 (postponed until the next PAC Meeting of May 12, 2020).

Moved By Brent Preston

Seconded By Darren Bishop

That the Agenda be approved with the two noted postponements.

Motion Carried

3. **Disclosures of Interest**

No disclosures were declared.

4. **Approval of Previous Minutes**

Moved By Marc Gosselin

Seconded By Kendall Mason

That the minutes of the April 14, 2020 PAC meeting be received and filed.

Motion Carried

5. Business Arising from Minutes - Notice of Decisions

15 Pettingill Road - Dental Clinic

John & Shauna Scott Subdivision

Moved By Darren Bishop

Seconded By Brenda Fowlie

That the Notices of Decision be received and filed.

Motion Carried

6. Unfinished Business - None

7. New Business

7.1 6 Meenans Cove Road - Similar Non-Conforming Use (Farming)

This item was pulled by the applicant; postponed until further notice.

7.2 Maple Ridge Estates Phase 3

Mr. Rob Viger of Rugged Residential attended and spoke verbally regarding the Tentative Subdivision plan for Maple Ridge Estates Phase 3 on Corduroy Road.

With regards to the concerns for secondary access, Mr. Colbourne noted that his staff report asked the PAC Members to consider pulling the lots that back onto Elliot Road until such times as additional access is reviewed. He noted that the topography in that area is rough and steep, but the plan could look at postponing those lots to see if anything can be done. Mr. Viger spoke to the three lots that back on Elliot Road, speaking from his consultant's notes, and agreed that this area is steep. Mr. Colbourne stated that no driveway should be permitted off Elliot Road since lots cannot have double accessed property borders. Mr. Colbourne noted that while the adjoining development does not align with Corduroy Road at this time, the Maple Ridge Estates development will be considered done and the next development would need to align to meet up with Corduroy Road. As per Mr. Toole, the Engineering Consultant that works with Rugged Residential, he confirmed with Mr. Colbourne during the initial review that when the adjacent development begins, Corduroy Road will be able to connect with the tentatively named Emerald Street.

The temporary turnaround was reviewed and confirmed to be at the end of Corduroy Road, fully on the property owned by Rugged Residential at this time. Ms. Fowlie asked if there was much more land, that has not been designated as building lots, considered for development. Mr. Viger noted that this Phase 3 is

the last of the land that can be developed as the rest is rock face and cliffs. Mr. Colbourne noted there could be development on the other end of Mr. Viger's property near the Town's LPP and showed the contour levels on the screen for everyone to see. He stated that access could be through the bottom of Corduroy Road, near Elliot Road where the lots of the first phases started.

Notice to property owners within 100 metres was sent out. Mr. Dave Stonehouse of 98 Elliot Road asked to attend the meeting for further information, but no one spoke for or against this application during the video conferencing meeting.

Moved By John Groden

Seconded By Marc Gosselin

That the Planning Advisory Committee support the Municipal Planning Officer in considering approval of Maple Ridge Estates Subdivision Phase 3 subject to the following terms and conditions:

1. Variances from the Town of Quispamsis Zoning By-law 038, Section 25.(J)(1)(a) for lot widths that are not the required 54 metres wide:
 - a. Lot 19 – 26.4 metres;
 - b. Lot 20 – 29.9 metres;
 - c. Lot 21 – 26.1 metres; and
 - d. Lot 22 – 6.7 metres
2. A variance of approximately six hundred and fifty (650) metres (289%) from the Town of Quispamsis Subdivision Specifications and Guidelines By-law 035 Section 1.2.3.A.iii for a street that is over the 225 metres in length without alternate access;
3. The acceptance of the street layout and design as shown on the plan; and
4. The acceptance of the LPP as previously dedicated.

The Municipal Planning Officer conditions of approval will include:

5. Submission of a professionally engineered street design in accordance with the Town Subdivision Specification and Guidelines, and approval by the Town prior to construction;
6. Submission of an onsite septic report from a qualified professional completed in accordance with the Public Health Act of New Brunswick demonstrating the property can support the level of development proposed;
7. Submission of an Abbreviated Water Source and Supply Assessment (Hydrogeological Report) as prepared by a qualified registered professional engineer demonstrating that there is water of sufficient quantity and quality to support the proposed level of development;

8. Submission of a Storm Water Management Plan, completed by a qualified registered professional engineer, that demonstrates and incorporates engineering best practices to achieve a Net Zero resulting in pre-development and post-development flows;
9. Filing fees totaling Three Hundred and Twenty Dollars (\$320) for a subdivision plan creating twelve (12) lots;
10. Execution of a Standard Development Agreement with the Town and posting of security in the amount as determined by the Engineering Department;
11. The Final Plan is to be signed by the Property Owner(s) and applicable Public Utilities;
12. The final plan must state that there shall be no access permitted for Lot 26 to be off Elliot Road as this area does not pass the sight distance requirements; and
13. The Development is to be completed in accordance with all Town By-laws and Policies, save only variances granted by the PAC or the Development Officer.

Motion Carried

Votes were taken individually and verbally.

7.3 Highlands of Queensbury Phases 5 to 7

Mr. Rick Turner was having technical issues connecting to the video conferencing meeting, so we moved this agenda item to the end of the meeting.

7.4 Foxborough Ridge

Mr. Gerald Roberts, of Kierstead Quigley and Roberts Ltd, attended the video conferencing meeting on behalf of Mr. George Queen seeking approval for the tentative subdivision plan of Foxborough Ridge off Pettingill Road. Mr. Roberts noted that the developer wants to proceed without changes to the previously approved tentative plan.

Notice to property owners within 100 metres was sent out. Mr. Conrad Brock of 19 Heritage Way, spoke on the application noting that he was new to this neighborhood and therefore this was the first he heard of this subdivision. He noted that the sidewalks were on the west side of Pettingill Road, and that the traffic is quite heavy, so it is difficult to get to the other side for the sidewalk. He asked if there were any traffic studies done in this area. Mr. Colbourne noted that Pettingill Road area has expanded with new subdivisions (Heritage Estates and now Foxborough Ridge), the new school at the end of Pettingill Road, etc., so with the build out and traffic volumes increased, this would be slated for capital projects in

the future, including a traffic pattern study. Access from one side of Pettingill Road to the other will be looked at during any street upgrades. Mr. Brock asked about the well water supply and any studies done to ensure that the area could sustain 43 more lots. Mr. Colbourne noted that there was a water analysis done for Heritage Estates and explained how the developments have requirements such as an abbreviated water supply source study for developments that propose up to 25 lots where the Consulting Engineer reviews wells in area and beyond, to a comprehensive water supply source analysis for developments that propose more than 25 lots where the studies include drilling two wells to study and monitor. Mr. Colbourne added that this development will require a comprehensive study done.

It was asked when the land transfer between Woodleigh Development Ltd. and A.E. McKay Builders Ltd. for Lot 38 was going to take place. Mr. Roberts stated that A.E. McKay and Woodleigh Development have not been working in that area recently, but he will get in touch with both developers to move this forward.

No one else spoke for or against this application.

Moved By Darren Bishop

Seconded By Brent Preston

That the Planning Advisory Committee support the Municipal Planning Officer in considering approval of the Foxborough Ridge Subdivision subject to the following conditions:

1. Street length variance for Foxborough Court to two hundred twenty-five (225) metres is approved but any changes need to be reviewed by the Planning Advisory Committee;
2. LPP requirements in the amount of 8860 square metres are to be satisfied through land dedication as proposed on the plan;
3. Driveway access to Lots 1 and 43 are to be off Foxborough Court;

The Municipal Planning Officer conditions of approval will include:

4. Submission of engineered street design so as to confirm the street centreline grades and profile for compliance with the Subdivision By-law;
5. Submission of engineered design drawings for the sanitary sewerage system to the Town for review and approval, with any alternate Municipal Service Easements to be clearly identified prior to final plan approval;
6. Submission of a Comprehensive Water Supply Source Assessment (Hydrogeological Assessment) report will be required to demonstrate there is sufficient quality and quantity groundwater;
7. Submission of a Comprehensive Stormwater Management Plan inclusive of engineered design drawings of the proposed stormwater management system and a lot grading plan. The Stormwater Management Plan must identify any

areas where easements are required, and these are to be incorporated into the final subdivision plan prior to final approval. The stormwater management plan is to be submitted to CN for review and comment prior to final plan approvals;

8. Stormwater Management Plan to look at downstream impacts on the CN railway infrastructure and capacity of existing culverts to handle the projected flows;
9. Land Transfer between Woodleigh Development Ltd., the Town of Quispamsis and A.E. McKay Builders Ltd. to be completed prior to final plan approvals;
10. Standard Development Agreement, bonding and subdivision fees will be required;
11. Subdivision filing fees totaling Six Hundred and Thirty Dollars (\$630.00) for a Forty-Three (43) lot development; and
12. Plans to be properly signed by the necessary utilities and owners.

Motion Carried

Votes were taken verbally and individually.

7.5 Kirkwood Heights Phase 8

Mr. Gerald Roberts, of Kierstead Quigley and Roberts Ltd, attended the video conferencing meeting on behalf of Mr. Gary Spicer seeking approval of the tentative subdivision plan called Kirkwood Heights Phase 8 off the James Prince Road which is off the Hammond River Road.

Ms. Fowlie asked about the civic address of 192 Hammond River Road and the need to change this civic address since that property will no longer have direct access off the Hammond River Road but now off the James Prince Road. Mr. Roberts stated that the James Price Road has always been a public road but without development in years. He agreed that this address would have to change as did Mr. Colbourne.

Ms. Fowlie asked about the staff report suggestion that the Future Street at the end of Cliff Street should be constructed as part of this development in order to provide an alternate access into this area. Mr. Colbourne stated that any time a portion of a lot fronts a street, the street should be developed to the end of the lot and this was not done for 2 Darling Court at the time of that development. Mr. Roberts explained that Mr. Darling was the previous developer of the subdivision and he also owned the lot beside 2 Darling Court and the plans were different in 2004. Mr. Darling has since passed away and the new property owner and developer, Mr. Spicer, started considering the development about 2016. Mr. Roberts said Mr. Spicer would prefer not to develop Cliff Street at the first since there is lots of other streets

to develop prior to selling building lots. Mr. Roberts confirmed that the new developer does not own any property on that side of the James Prince Road.

Mr. Colbourne noted the length of the street and courts without alternate access and added that with only one access to Hammond River Road, the Cliff Street could compensate as another access. The PAC can determine if this is necessary, but the Planning Department recommends this be part of the development for an alternate access. Mr. Colbourne reviewed the overall area shown on the shared screen, noting the end of James Prince Road leads to personal property and the street connections are blocked from Lindsey Street and George Street by private property owners so alternate access routes are limited. Connections may be possible in the future if property owners sell their lands but for now a temporary turnaround will be required as well.

Mr. Roberts stated that he received a possible name change for Donna Court. Mr. Colbourne stated that the PAC can authorize the Municipal Development Officer to approve the name so long as the name does not conflict with the Master Street Address Guide (MSAG).

Notice to property owners within 100 metres was sent out. It was noted that the Town received an anonymous call regarding illegal dumping in the area where James Prince Road and Hammond River Road meet. Mr. Roberts stated that it was disappointing that this information was received from an anonymous call and therefore the Town has no contact information to ask for further details on location, contaminants, etc. He also stated that without being able to ask for details, it is unknown if this accusation is correct or if this comment is from someone who doesn't want the development in that area. Mr. Roberts stated that he lives in the area and is unaware of this dumping activity but noted that the town certainly has to be aware of this potential.

Mr. Glendenning called on behalf of Ms. Julie Morris of 192 Hammond River Road and asked if there were plans for any further development of the road. Mr. Colbourne stated that there was nothing that the Planning Department was aware of at this time. He stated that the Town has the right to allow people to travel over the public road and to allow a developer to develop the road to Municipal Standards during a development even though the Town may not wish to do this. Ms. Morris' correspondence mentioned a culvert on James Prince Road, about 100 feet from Hammond River Road, that was put in by her for access to 192 Hammond River Road while she used the undeveloped James Prince Road as her driveway. Mr. Roberts stated that the return of this culvert could be worked out between the developer and the property owner.

Access to lot 20-3 was reviewed, based on sight distance, the required eleven (11) metres from the intersection, and the elevation of James Prince Road at that location. Mr. Colbourne confirmed that the James Prince Road would have to be developed to the end of lot 20-3 as per the Town's By-laws.

Mr. Colbourne confirmed that the Storm Water Management Report is to include the Cliff Street development and is required because even if the street is not extended, the grade and flows contribute to the water on James Prince Road.

Other concerns that were received were noted through the PAC Members' questions. Mr. Lamont read the concerns from Mr. MacDonald as he did not attend virtually. No one else spoke for or against.

Moved By Darren Bishop

Seconded By John Groden

That the Planning Advisory Committee support the Municipal Planning Officer in considering approval of the Kirkwood Heights Phase 8 subdivision plan subject to the following terms and conditions:

1. Approval of the street length variance of approximately one hundred and sixty-two (162) metres for Spicer Drive;
2. Approval of the street length variance of approximately forty-two (42) metres for Donna Court;
3. Approval for the absences of alternate accesses;
4. The completion of the Future Street from Darling Court to James Prince Road; and
5. The Land for Public Purposes area as proposed by the plan;

The Municipal Planning Officer conditions of approval will include:

6. Submission of a report from a qualified professional regarding site contamination, and clean-up if required;
7. The overall street layout, access and line-of-sight confirmation at James Prince Road and Hammond River Road intersection;
8. The last section of Cliff Street where it connects to James Prince Road must be brought up to Municipal Standards as part of this development;
9. Submission of an Abbreviated Source and Supply Water Assessment from a qualified professional;
10. A comprehensive Stormwater Management Plan submitted for this area showing stormwater collection and conveyance to the river and a lot grading plan;
11. Submission of a street design to the satisfaction of the Town as designed by a registered professional engineer license to practice in New Brunswick;
12. Lot 20-14 driveway to be on James Prince Road;

13. The final plan to note that the Waterfront lots shall have no development below the geodetic six decimal five (6.5) metre flood zone and any habitable space must be one (1) metre above flood levels recorded;
14. Street names to be approved by the Development Officer so long as they are not conflicting with the Master Street Address Guide (MSAG);
15. Standard Development Agreements, bonding and subdivision fees will be required;
16. Subdivision filing fees in the amount of Three Hundred and Forty Dollars (\$340.00) for a fourteen (14) lot subdivision;
17. Plans to be properly signed by the necessary public utilities and owners; and
18. Development to be completed in accordance with all applicable Town By-laws and policies thereto, save only those variances granted the PAC or Development Officer.

Motion Carried (5 to 1)

Members voted individually and verbally. Brenda voted nay.

7.3 Highlands of Queensbury Phases 5 to 7

Mr. Rick Turner attended the video conferencing meeting and apologized for the delay due to computer issues. He stated that he is looking for approval for the tentative subdivision plan off Vincent Road and that the conditions in the staff report were appropriate.

Notice was sent to property owners in the area of 100 metres as per the PAC Policy. Mr. Stephen Hutchinson of 4 Angel Lane spoke on the concerns for the proposal and noted his appreciation for the fact that his written concerns were part of the PAC review package. He stated his love for the area and noted that Angel Lane is a private right-of-way (ROW) that the Town does not maintain, and he paid to have this paved over and above the \$500,000 for his property. He asked the PAC Members to look at this application with fresh eyes and not just approve it because it was approved before. Mr. Hutchinson said that he spoke to the neighbors on both sides of his property and they both have the same concerns. The concerns are that many of the lots are the minimum size of 1140 square metre, not like others in the area and will likely not be of the same value and he stated that he figures these small lots will diminish the value of his property.

Mr. Hutchinson noted the ROW on the edge of his lot, belonging to the Town and Zoned as Parks and Recreation, is extremely wet, always, and the water runs down the ROW and along the backs of those lots that are being proposed behind his property. He stated that he is not sure how this flow of water will be dealt with in the future, considering the lot size and buildable area. He said he was also

concerned for the water supply necessary for nine (9) small lots at his back door and asked if there was any analysis of the water table to accommodate these lots. He stated that he understood from the staff report that a comprehensive Source and Supply Water Assessment would be required, and that this is the highest required, but asked how this is followed through so existing property owners don't have to go to the Town asking for support when their well runs dry. Mr. Hutchinson referenced this ROW beside his property as a proposed trail and noted that Phases 5, 6 and 7 do not promote trail connection, so the residents from these phases may start using Angel Lane for their walks. As this is a private road, he asked why the residents on the lane would allow people to walk in their neighborhood on behalf of the Town. Mr. Hutchinson reiterated that the lots behind his property are shallow and small, leaving no room for playing around the yard once buildings are constructed.

Mr. Turner spoke on the lot sizes, noting that they are small in comparison to Angel Lane and some on Vincent Road but over the years, developments have gotten denser as more people wish to move into the area and grow the Town. He noted some of the lots in the area are the same size and Service New Brunswick would have the information on the value of these homes. He stated he believes some are valued at the same amount as Mr. Hutchinson's. Mr. Turner noted that trees will be required to be cut for roads and lots but there are no plans to clear cut lots. However, he noted that the developer cannot control what is done once a property is sold. He added that there will be a comprehensive water supply source report done and added that he is aware of an artesian well just south of Phase 5, near the detention pond, so this could indicate a decent water supply. There is no connection available to the Municipal Water but if there was, the lots could be smaller yet. The surface water was reviewed with reference to below Phase 5 where there is a retention pond that takes the water away from this area and holds it for slow release. This detention pond was created with other developers in the area and Mr. Turner noted his cost portion was over \$100,000 alone which indicated it was not done without considerable value.

Mr. Preston asked about the trails already built by the Town and asked if there was any impact to existing trails due to Abbeywood Close. Mr. Turner noted that there is water running through some of these area between the backs of Galmorgan and Abbeywood so the land was kept as Land for Public Purposes and this could have trail connection down to the pond as well as a connection off Abbeywood in future phases. The trail from Queensbury Drive to Vincent Road trail is well traveled and there is no reason to see this change. Mr. Colbourne showed the trail on the shared screen and how it can connect through the LPP from the pond up to Queensbury Drive and stated that when the Town looks at a development proposal, all departments look at it for trails and streets and connections with consideration to the current proposals and the future plans. It is necessary to consider any future plans to determine where lots can be developed, where streets need to be, etc., in order to ensure the best plans overall. Mr. Colbourne noted that Angel Lane, when

created, connected to potential future lots on the opposite side of the lane from Mr. Hutchinson and the proposal was to continue the trail beyond the strip of land beside Mr. Hutchinson. Mr. Colbourne also showed on the screen the predictive wet area layer in the GIS Mapping System to indicate the flow channels and stated that the Town uses this tool to plan around the development and to address potential wet areas in the Storm Water Management Plan (STWMP) to ensure it impacts the entire development. It was recognized that if the STWMP brought up concerns or if the Town finds issues related to the water flow in the area, this will be reviewed prior to final plans.

Mr. Turner reviewed the subdivision plan indicating the contours on the plan that was sent to the property owners in the area. He stated that down at the detention pond the elevation is around 37 to 38 feet, up towards phase 5 lots, the elevation would be 3 to 4 metres higher and it continues to incline, with the road at an 8% grade, further up to Galmorgan where the elevation is up to about 49 feet above sea level, and near Mr. Hutchinson's property the elevation is near 56 feet. Mr. Turner feels that with the elevations, the drainage will be directed down from Angel Lane to the pond without a great deal of effort and that the development of this property will likely take water away from Angel Lane and make the area better.

Mr. Colbourne stated that with regards to the concerns brought forward, the PAC Members must be comfortable with the land use, the lot sizes, the design of roads, etc., and be confident that the STWMP that has been proposed is acceptable. He confirmed that the PAC could approve phases 5 and 6 only if they chose and that the comprehensive water supply source report would still include phase 7 because that section is uphill so the water flow must be considered as part of this entire development. Mr. Turner commented that when the detention pond was developed, it was done for the entire development including all his phases and Queen Construction phases up to Queensbury Drive.

Mr. Mason asked if the PAC approved the subdivision with the lots at this proposed size, and Town staff determines more work is required, could the Town make the recommendations for the developer to comply with. Mr. Colbourne stated that the STWMP will need to be approved by the Town before the final plan is approved. Easements and modifications are always looked at before the final plan. He added that this tentative approval is for one year, if no development happens in that time, further review by PAC would be required again.

Mr. Lamont noted that Mr. Hutchinson could reach out to the Town to review the STWMP if desired. Mr. Turner noted he would be willing to meet with Mr. Hutchinson to discuss the water flow in his area.

No one else spoke for or against this application.

Moved By Kendall Mason

Seconded By John Groden

That the Planning Advisory Committee support the Municipal Planning Officer in considering approval of the Highlands of Queensbury Phases 5 -7 tentative plan subject to the following conditions:

1. Lot depth variances from Zoning By-law 038 Section 8(C)(1) be granted for:
 - a. Lots 44 and 45 under Phase 6; and
 - b. Lots 57, 58 and 59 under Phase 7;
2. The proposed LPP for Phases 5 – 7 is acceptable as shown on the plan, however, the level of trail development required by the Developer is to be established prior to final plan approvals.

The Municipal Planning Officer conditions of approval will include:

3. The Developer to submit to the Town detailed street centreline grade profiles and complete street design details to determine if street design modifications or grade variances are required. If so, they are to be resubmitted to PAC for consideration;
4. Line-of-sight analysis to be conducted along the Vincent Road at the intersection with Galmorgan Drive to determine the level of compliance with the Transportation Association of Canada (TAC) requirements, and determine if further Traffic Engineering review is required prior to final approvals;
5. The street design to incorporate acceptable traffic calming and streetscape features in accordance with the traffic calming policy where deemed necessary by the Town;
6. Proper engineered design drawings for the sanitary sewer system to be submitted to the Town for review and approval prior to any construction for all Phases;
7. Comprehensive Water Source and Supply Assessment (CWSSA) report to be submitted beyond phase 5, and reviewed by the Town prior to final plan approvals for subsequent phases;
8. Comprehensive Stormwater Management Plan to be submitted for Phases 5-7. All local drainage patterns to be determined by the Developer's consultant, and the necessary lot drainage plans and storm sewer design to be completed by Developer's consultants and submitted to the Town for review and approvals prior to any construction. If easements are required, they need to be identified in the final stormwater management plan and incorporated into the final subdivision plan.
9. The Developer is responsible to obtain any necessary provincial approvals from the Department of Environment for any watercourse alterations or work within sensitive areas;

10. Street name as submitted are acceptable; no changes are permitted without the approval of the PAC;
11. Clearing of the area for construction purposes is to be conducted in accordance with Zoning By-law 038 Section 6(U)(4);
12. Standard Developer's Agreements, bonding, subdivision and filing fees will be required for each phase;
13. Plans to be properly signed by the necessary public utilities and owners; and
14. The development must be completed as per all applicable Town By-laws and Policies, save only for variances from such by-laws as granted by the PAC or the Development Officer.

Motion Carried

Each member voted verbally and individually.

7.6 Woodleigh Park Phase 28 - Tentative Subdivision Plan

This application has been postponed until the May 12, 2020 PAC Meeting.

8. Information Items and/or Discussion

March 17, 2020 Council Meeting Minutes

Moved By Darren Bishop

Seconded By Marc Gosselin

That the Information Items be received and filed.

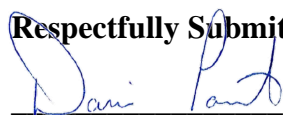
Motion Carried

9. Adjournment

Moved By Darren Bishop

That the April 28, 2020 PAC Meeting be adjourned at 9:28 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY