



QUISPAMIS PLANNING ADVISORY COMMITTEE

MEETING MINUTES – December 14, 2021

Present: Darin Lamont Marc Gosselin
 Darren Bishop Chrissy Scott, GIS Technologist
 Brenda Fowlie Jennifer Jarvis, Planning Technologist
 Brent Preston Violet Brown, PAC Secretary
 S. Dwight Colbourne, Municipal Planning Officer

Absent: Kendall Mason
 John Groden

1. **Call to Order**

Darin Lamont called the meeting to order at 7:00 p.m.

2. **Approval of Agenda**

Moved By Marc Gosselin

Seconded By Brenda Fowlie

That the Agenda be approved as written.

Motion Carried

3. **Disclosures of Interest**

No disclosures were declared.

4. **Approval of Previous Minutes**

Moved By Brent Preston

Seconded By Brenda Fowlie

That the minutes of the November 9, 2021, PAC meeting be received and filed.

Motion Carried

5. **Business Arising from Minutes - Notice of Decisions**

Moved By Brenda Fowlie

Seconded By Brent Preston

That the Notices of Decision be received and filed.

Motion Carried

6. Unfinished Business - None

7. New Business

7.1 16 Grant Drive - Detached Garage Setback

Mr. Scott Robinson attended on behalf of Mr. Stoddard, requesting approval for a two decimal zero (2.0) metre variance to allow the construction of a detached garage located within three metres of the main building on the lot, at 16 A Grant Drive, PID 30084404.

Ms. Jarvis reviewed the application to construct a thirty-five decimal seven (35.7) square metre detached garage where the side yard setback will be two decimal four (2.4) metres at the front of the building and one decimal five (1.5) metres at the back of the building. The distance between the main building and the proposed garage is one (1) metre, therefore, a two (2) metre variance is required to section 8.(G)(1)(b)(iii). As part of the review staff recognized that a Public Utilities Easements existed on a portion of the lot where the garage was proposed to be sited. NB Power recognized that there was no advantage to them to hold this easement and have decided to have the easement absolved from 16 Grant Drive.

Notice was sent to property owners within 50 metres of property. No concerns were received, and no one attended to speak for or against the application.

Moved By Marc Gosselin

Seconded By Brenda Fowlie

That the Planning Advisory Committee grant the two (2) metre variance to Section 8.(G)(1)(b)(iii) of the Town's Zoning By-law 038 so that a detached garage can be constructed one (1) metre from the main building, at 16 A Grant Drive, PID 30084404, with the following terms and conditions:

1. The property owner is required to submit a site drainage plan to the Municipal Officer or their delegate, for review; the plan shall identify how surface drainage is controlled on the subject Lot and having no impacts to adjacent properties;
2. The eastern most property line, between 16 A and 14 Grant Drive, must be clearly delineated prior to construction;
3. The exterior finish of the garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition;
4. The detached garage is not to be used for business purposes, self-storage rental, for the keeping of livestock or as a dwelling unit; and
5. A building permit is to be issued prior to construction.

Motion Carried

7.2 428 Model Farm Road - Detached Garage Beyond Frontline of Dwelling

Mr. John Crawford, as well as Mr. Stephen Driscoll, attended requesting a variance to allow a detached garage to be located beyond the front line of the main dwelling.

Ms. Jarvis reviewed the application indicating that the location of overhead wires connecting the house to the power grid interfere with being able to site the detached garage behind the front line of the main dwelling unit on the lot.

Notice was sent to property owners within 50 metres of property. No concerns were received, and no one attended to speak for or against the application.

Moved By Brent Preston

Seconded By Darren Bishop

That the Planning Advisory Committee grant a four decimal eight (4.8) metre variance from Section 8.(G)(1)(b)(i) to permit the detached garage to be located in front of the front line of the main building on the property of 428 Model Farm Road, PID 30044523, subject to the following terms and conditions:

1. The exterior finish of the garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition;
2. Prior to the issuance of a Building Permit, a site drainage plan is required that ensures surface drainage is controlled on the lot with no impacts to adjacent properties;
3. The detached garage is not to be used for business purposes, self-storage rental, for the keeping of livestock or as a dwelling unit; and
4. A Building Permit is to be issued prior to construction.

Motion Carried

7.3 Tentative Subdivision Plan - Sevogle Estates

Mr. Kevin Harris attended seeking approval for a ten (10) Lot Residential Subdivision off Nightingale Lane (PID 30293625).

Ms. Jarvis reviewed the application for the tentative plan proposing the creation of one (1) public street off Nightingale Lane, ten (10) new building lots with all lots proposed to be zoned Single and Two-Family Dwellings (R1), a five decimal four (5.4) metre Local Government Services Easement for the extension of sanitary sewage service to the development, and 4443 square metres of Land for Public Purposes.

Ms. Jarvis added that the subdivision Specifications and Guidelines By-law No. 035, restricts the length of a cul-de-sac to one hundred eighty-three (183) metres that may be increased to two hundred twenty-five (225) metres upon approval by the PAC where there is an emergency vehicular access or pedestrian walkway of at

least three (3) metres in width from or near the head of the turnabout, giving access to an adjacent street. With the proposed cul-de-sac at two hundred and five decimal ninety-four metres (205.94), the Town is suggesting a three-metre-wide walking trail over the length of the LPP as an emergency path for vehicles. As for the proposed five (5) metre drive isle widths for Sevogle Court, the Town suggested reducing the street down to 4 metres each (8 metres curb to curb) with an addition of a 1.5-metre wide walking surface, (crushed stone or the Town's preferred material, asphalt) on the outside curvature of the road.

There were questions on the trees within the LPP that only appear to benefit the one property of 23 Nightingale Lane. The benefit of the LPP to the residents or the town was not clear. It was also noted that the lots are small, therefore not much room to leave trees and still build a home with room to work around. Mr. Harris stated that he spoke with several people who want to build homes and live there, and all want to keep the trees and that is how the plans will proceed, as a green space on each lot as well as the LPP. Mr. Colbourne noted that LPP does not necessarily have to be given with a particular purpose such as a playground, it can be just open space or green space. In this case, the people are asking for trees, so this works for the public in that area. He further added that if this land was privately owned, no one could go on the property and the property owner could cut down all the trees. Mr. Harris noted that all the wiring, poles and infrastructure will be under ground. He also noted that plans for a walking trail will include access for emergency vehicles and that John McKelvey of Fundy Engineering, will assist with the Town to create an upscale street for valuable homes and green space.

The driveway on 23 Nightingale Lane was questioned for its location, the request to move it, or for the creation of an easement with agreement. Mr. Harris stated that they could grant permission, such as an easement for the owner to travel over the LPP as part of their driveway but he has not talked to the owner.

Amanda Smitheram and Timothy Maxwell of 11 Nightingale Lane expressed concerns in correspondences to the PAC. Ms. Smitheram stated that most of the concerns were addressed by Mr. Harris at the meeting, especially the trees and privacy. Mr. Maxwell noted that executive homes are a need in the area, but he had the same concerns for the deforestation of the lots such as what happened behind Meadowlark Drive. Concerns for what the LPP is going to be were expressed with the potential of attracting people from other communities.

Ms. Jarvis and Mr. Colbourne both reiterated that residential lots abutting residential lots do not require a buffer, however, the Town has issued requests for no-cut zones on the backs of properties as a covenant and while the Town cannot enforce covenants, a no-cut zone would keep folks from removing the trees.

Moved By Brent Preston

Seconded By Darin Lamont

The Planning Advisory Committee support the Development Officer, in considering approval of the Sevogle Estates Tentative Plan, with the following recommendations:

1. Approval of a two (2) metre variance to Section 1.2.3.A.(i)(a), *Division A: Street Work*, of Subdivision Specifications & Guidelines By-law No. 035, to permit a reduction in street width from twenty (20) metres to eighteen (18) metres;
2. Approve a Cul-de-Sac length of two hundred and five decimal ninety-four (205.94) metres, as found in Section 1.2.3.E.(i), *Division A: Street Work*, of Subdivision Specifications & Guidelines By-law No. 035;
3. The acceptance of the proposed street name of Sevogle Court;
4. Approval for the LPP from Section 6.J of the Town of Quispamsis Subdivision By-law 035 with consideration for the driveway to the property of 23 Nightingale Lane to be relocated, or an agreement created between the property and the Town to absolve the Town from any liability, or a section of that proposed LPP to be assigned to the property of 23 Nightingale Lane;
5. As per Section 7.A of the Towns Subdivision By-law 035, only such trees as directly impede the construction of buildings and services may be destroyed and where any trees must be destroyed the Developer shall replace them with a reasonable amount of trees of sufficient maturity to enhance the appearance of the subdivision at the time it is completed;
6. A walking area is made along the sides of the eighteen (18) metre road to ensure safety for pedestrians; and
7. A recommendation that the developer present a no-cut buffer on the backs of each property presented as a covenant for each lot.

The Municipal Planning Officer conditions of approval will include:

1. Submission of a professionally engineered design for the street and sanitary sewage system in accordance with the Town Subdivision Specification's and Guidelines, and approval by the Town prior to construction;
2. 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;
3. Submission of a Stormwater Management Plan and a Lot Grading Plan as designed by a qualified professional engineer licensed to practice in the Province of New Brunswick. The plan must demonstrate balanced pre-development and post-development flows.
4. The final Stormwater Management Plan is to be reviewed and approved by the Town before construction;

5. Any Local Government Services Easements necessary for the stormwater management are to be drawn on the final subdivision plan;
6. An emergency vehicular access or pedestrian walkway with a clear travel path of at least three (3) metres in width from or near the head of the turnabout, giving access to an adjacent street must be drawn on the final subdivision plan;
7. The Tentative Plan is to be sent to Public Utilities providing electrical power and telecommunication services for review and comments on the proposed Public Utility Easements for incorporation into the final subdivision plan;
8. Standard Developer's Agreements, bonding and subdivision fees will be required;
9. Subdivision filing fees of Three Hundred Dollars (\$300.00) for a ten (10) lot phase; and
10. The development of the Sevogle Estates Subdivision is completed per the requirements and conditions of applicable Town By-laws, policies, and regulations thereto.

Motion Carried

Brenda Fowlie – Nay

7.4 Tentative Subdivision Plan - Serenity Heights Phase 2

Mr. Mark Hatfield attended seeking approval for a Tentative Subdivision Plan off the Stock Farm Road (PID 253203).

Mr. Colbourne reviewed the application for Serenity Heights Phase 2 proposing the creation of eighteen (18) residential lots, the continuation of the public street – Motivation Avenue, a new street – Confidence Street and a new court – Calming Court, 1.4 Hectares of Land for Public Purposes providing access to Hammond River, and Local Government Services Easements as part of the stormwater management plan. He added that this subdivision was approved by the PAC on November 24, 2020 and nothing has changed other than the approval has expired as per Section 82 of the Community Planning Act.

Notice was sent to residents within 100 metres of the subject properties. There were no concerns received and no one attended to speak for or against the plan.

Moved By Darren Bishop

Seconded By Marc Gosselin

That the Planning Advisory Committee support the Municipal Planning Officer in considering the approval of Serenity Heights Phase 2 Tentative Subdivision, a Plan proposing the creation of eighteen (18) residential lots, the extension of Motivation Avenue, two new public streets, 1.4 Hectares of Land for Public Purposes providing access to the Hammond River, and Local Government Services Easements, subject to the following conditions:

1. Approval of the street names of Confidence Street and Calming Court;
2. Land for Public Purposes as shown on the plan is acceptable;
3. A street grade variance of two percent (2%) be granted for Confidence Street with acceptable road stabilization practices be incorporated into the street design and constructed accordingly;

The Municipal Planning Officer conditions of approval will include:

1. Submission of a street design to the satisfaction of the Town as designed by a registered professional engineer licensed to practice in New Brunswick;
2. Submission of On-Site Septic System Report prepared by a qualified professional in accordance with the Public Health Act;
3. Submission of a Comprehensive Source and Supply Water Assessment (Hydrogeological Report) prepared by a qualified professional engineer;
4. Submission, and approval by the Town, of a Comprehensive Stormwater Management Plan (including Conceptual Lot Grading Plans) submitted for full development of Serenity Heights (PID 253203) demonstrating how storm water and surface drainage will be managed and discharged. The plan shall incorporate mitigating measures to protect the Hammond River from significant sedimentation and poor-quality storm water run-off;
5. The proposed full subdivision buildout must be submitted to the Department of the Environment and the Department of Fisheries and Oceans for their comments and recommendations that may need to be incorporated into the STWMP;
6. Clear-cutting is strictly prohibited, and tree cutting be limited to only those necessary for the installation of the roadway and the lots remain treed until such time as Building Permits are issued for construction of the dwellings;
7. Deed Covenants for the residential properties created through this and subsequent subdivisions of the land (PID 253203) recognize the importance of the natural tree growth with respect to storm water management and the preservation of as many trees as possible on the lots in the interest of protecting the river;
8. Standard Development Agreements, bonding and subdivision fees will be required;
9. Subdivision filing fees in the amount of Three Hundred Eighty Dollars (\$380.00) for an eighteen (18) lot subdivision; and
10. Plans to be properly signed by the necessary Public Utilities and property owners.

Motion Carried

7.5 23 Bridgeford Drive - Ratify Notice of Decision Approval for new Potential Owner

Mr. Colbourne brought forward a Notice of Decision from September 23, 2021 and asked the Planning Advisory Committee to extend the Foundation Elevation Variance to the benefit of new potential property owners of 23 Bridgeford Drive. He noted that the PAC previously approved this for a potential owner, but that person did not buy the property and another potential owner is seeking the same variance.

Moved By Darren Bishop

Seconded By Marc Gosselin

That the Planning Advisory Committee approve the Notice of Decision with the change of name and address for the new potential owner, with all conditions of the September 23, 2021, Notice of Decision unchanged.

Motion Carried

8. Information Items and/or Discussion

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Moved By Marc Gosselin

Seconded By Brenda Fowlie

That the Information Items be received and filed.

9. Adjournment

Moved By Darren Bishop

Seconded By Marc Gosselin

Meeting adjourned at 8:15 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY