

PLANNING ADVISORY COMMITTEE
MINUTES – February 14, 2017

The regular meeting of the Planning Advisory Committee of the town of Quispamsis was held in the Town Hall Council Chambers on February 14, 2017 at 7:00 p.m.

In attendance: Bob McLaughlin
 Carolyn LeBlanc
 Darin Lamont
 Darren Bishop
 Kendall Mason
 Marc Gosselin
 S. Dwight Colbourne, P.Eng, Municipal Planning Officer
 Violet Brown, Secretary

Absent: Jean Place

1. Call to Order

Violet Brown, PAC Secretary, called the meeting to order at 7:00 p.m.

Due to the terms of appointment for some PAC members ending at the end of January, the elections of the Chair Person and Vice Chair Person were done at the January 10, 2017 meeting for the month of January and were required again at this meeting.

Violet asked if there were any nominations for the position of Chair Person. Bob McLaughlin was nominated for the position of Chair Person. Violet asked for other nominations three times; there were no other nominations.

MOVED BY: Darren Bishop

That Bob McLaughlin be elected as Chair Person for the remainder of 2017.

SECONDED BY: Darin Lamont

CARRIED UNANIMOUSLY

Bob McLaughlin stepped up to the position of Chair Person and asked if there were any nominations for the position of Vice Chair. Darin Lamont was nominated for the position of Vice Chair. Bob asked for other nominations three times; there were no other nominations.

MOVED BY: Marc Gosselin

That Darin Lamont be elected as Vice Chair Person for the remainder of 2017.

SECONDED BY: Darren Bishop

CARRIED UNANIMOUSLY

2. Approval of the Agenda

MOVED BY: Darren Bishop
 SECONDED BY: Carolyn LeBlanc
 CARRIED UNANIMOUSLY

3. Disclosure of Interest on Agenda Items

None.

4. Review of Previous Meeting Minutes

MOVED BY: Marc Gosselin
 SECONDED BY: Darin Lamont

That the Minutes of the January 10, 2017 PAC meeting be received and filed.

CARRIED UNANIMOUSLY

5. Business Arising from Minutes

<i>Notice of Decision</i>	<i>By-Law Section</i>	<i>Address</i>
Setback variance; addition to main dwelling	By-law 038, Section 8.(E)(1)(a)	75 Neck Road
Street Name Change Request	Community Planning Act, Section 52(7)	Market Street
Developer's Agreement Amendment	Community Planning Act, Section 39	351 Hampton Road
Tentative Subdivision Plan – Gondola Point Park Phase 10	By-law 035	Extension of Aaron Avenue

MOVED BY: Darren Bishop
 SECONDED BY: Marc Gosselin

That the Notices of Decision be received and filed.

CARRIED UNANIMOUSLY

6. Unfinished Business

It was noted that items 7.a) and 7.b) were brought forward from the previous meeting which was postponed due to inclement weather. Since they were not reviewed at this or any other meeting, they are still considered New Business.

7. New Business

#	Variance Requested	By-Law Section	Address
a)	Tentative Subdivision Plan – Evergreen Park Phase 9	By-law 035	Extension of Sumac Street
b)	Sign size and Number of Parking Spaces	By-law 038 Section 13.A.(1)a.(i) and 6.(P)(2)(i) & (j)	28 Millennium Drive
c)	Detached Garage Size and Setback	By-law No. 038. Section 8(G)(1)(c) and 8(G)(1)(c)(i)	4 Woodward Crescent
d)	Tentative Subdivision Plan - Country View Estates 7C	By-law 035	Extension of Flagstone

a) Tentative Subdivision Plan – Evergreen Park Phase 9, PID 230706

Mr. Gerry Roberts attended on behalf of Mr. Whittaker seeking approval for a proposed subdivision creating two (2) residential lots as well as the extension of Sumac Street – an existing public street. This subdivision is a simple two lot subdivision building on the work done under Phase 8. The subdivision is located in unserviced Rural (Ru) zone area as such sanitary services will be by way of onsite septic and water by private drilled wells.

Notice was sent to residents within 100 metres of the property. There were no responses received for or against the application and no one attended the meeting with concerns.

MOVED BY: Darin Lamont
 SECONDED BY: Kendall Mason

That the PAC grant approval to the Tentative Subdivision Plan for Evergreen Park Phase 9 subject to the following conditions:

1. Submission of a street design by a registered professional engineer license to practice in the Province of New Brunswick. The design shall be to the satisfaction of the Town and shall incorporate the necessary Storm Water Management components as determine through a Storm Water Management Plan.
2. Submission of a Storm Water Management Plan as developed by a registered professional engineer license to practice in the Province of New Brunswick. The plan must incorporate a lot drainage plan for the proposed lots.
3. Submission of Onsite Septic System reports from a qualified professional prior to the issuing Building Permits.
4. Land for Public Purposes to be met through the payment of cash-in-lieu of land in amount of to One Thousand Five Hundred Dollars (\$1500). Development beyond to this phase will require a review of the remnant parcel for possible land dedication for LPP purposes.
5. Standard Development Agreements, bonding and subdivision fees will be required;
6. Subdivision filing fees in the amount of One Hundred Dollars (\$100.00) for a two (2) lot subdivision; and
7. Final Plans to be submitted with signatures of the necessary Public Utilities and Property Owners.

CARRIED UNANIMOUSLY

b) Sign size and Number of Parking Spaces – 28 Millennium Drive, PID 30237192

Mr. Dean Roberts, President of Millennium Cycle & Sports, and Trevor Marshall, Treasurer, attended seeking approval for a size variance for the fascia sign of five decimal ninety-five (5.95) square metres at 28 Millennium Drive, PID 30237192.

The proposed fascia sign is measured at five decimal ninety five (5.95) square metres and the Sign By-law 036 Section 13.A (1)(a)(i) states a maximum of zero decimal three (0.3) square metres per linear metre of street frontage is permitted for signage, therefore, a two decimal thirty five (2.35) square metres variance is required. It was noted that the sign is not internally illuminated.

The number of parking spaces indicated in By-law 038, Section 6.(P)(2)(i) and (j), as noted in the letter of notification to property owners in the hundred metre radius, was discussed. Mr. Roberts stated that his intention was to paint lines in the existing parking lot to determine proper location of spaces. As this parking lot shares the parking between the businesses on either end and the car wash in the middle, it will need to be monitored for concerns and the applicant will be required to return to PAC if alternative parking spots are created that may change the original developer's agreement for landscaping versus parking.

Notification was sent to property owners within 100 metres of the property. There were no responses received for or against the application and no one attended the meeting with concerns.

MOVED BY: Darren Bishop
SECONDED BY: Carolyn LeBlanc

That the PAC grant the variance of a two decimal thirty five (2.35) square metres variance for a fascia sign for the Millennium Cycle & Sport on the building at 28 Millennium Drive, subject to the following condition:

1. A sign Permit must be applied for within one (1) year of approval.

CARRIED UNANIMOUSLY

c) Detached Garage Size and Setback – 4 Woodward Crescent PID 57968

Mr. Jacques Desjardin attending seeking a four decimal six (4.6) square metre (441 square foot) size variance and a location variance for a detached garage. The proposed construction is of an eight decimal fifty-three (8.53) meter by seven decimal ninety-three (7.93) meter (28ft by 26ft) detached garage at 4 Woodward Crescent. The initial plan called for a one decimal five (1.5) metre setback from the road but due to line-of-sight concerns from the Town's Engineering and Works Department, Mr. Desjardins consulted with town staff and resubmitted his plan with the current placement.

It was noted that the current front setback between the dwelling and the road is approximately twenty decimal six (20.6) metres, which is well in excess of the seven decimal five (7.5) metres required by the bylaw. The proposed garage will be located approximately eight decimal four (8.4) metres from the front property line.

MOVED BY: Marc Gosselin
SECONDED BY: Darren Bishop

That the PAC approve the size variance of four decimal six (4.6) square meters from Zoning By-law 038, Section 8.(G)(1)(c), and the eight decimal four (8.4) metre location variance from Section 8.(G)(1)(b)(i) for the construction of an eight decimal fifty-three (8.53) meter by seven decimal ninety-three (7.93) meter detached garage at 4 Woodward Crescent, PID 57968, subject to the following conditions:

- 1) The exterior finish of the garage is to be a cladding recognized by the National Building Code of Canada, current adopted edition; and
- 2) The building is not to be used for business purposes or for the keeping of livestock or as a dwelling.

CARRIED UNANIMOUSLY

d) Tentative Subdivision Plan – Country View Estates 7C

Mr. Peter Donovan Junior attended seeking approval for the Tentative Subdivision Plan of Country View Estates 7C, a thirteen (13) Single or Two Family Residential Lot plan at the end of Flagstone Drive – PID 30297097.

The wastewater from this portion of the development will flow through a gravity system to a Wastewater Pumping Station (WWPS) at the intersection of Flagstone Drive and Cobblestone Drive. The WWPS then pumps the wastewater about midway up Cobblestone Drive and into the Kings Way Collector System. The sewerage system design was completed by Dillon Consulting and constructed in 2013. The lift station system was designed with the capacity to handle the flows from the proposed development. The WWPS is operating to service other lots in Country View Estates; however, the WWPS has not completed the full commissioning process and has not come under the ownership and responsibility of the Town. There remain a number of outstanding items by the company responsible for the construction of the station.

Whereas the outstanding deficiencies associated with pump station are significant and it is infrastructure currently not operated or maintain by the Town, the granting of approval to a subdivision development that will add more wastewater load to the Wastewater Pumping Station is not supported by staff nor would it be appropriate for the PAC to approve a subdivision and have the developer begin work only to be told later that he cannot build on the lots until the WWPS is completed. Granting tentative approval would allow the Developer to carry forward with finalizing the engineered design for the development and begin construction. Once the infrastructure is in the ground and the roadway is built there will be a push for the issuing of Building Permits. Continuing with the ongoing attempts to have the wastewater pumping station issues addressed in the midst of requests for Building Permits is not the most conducive manner to resolve the matter.

Mr. Donovan Jr. was told when he bought the parcel of land, that the tentative plan was previously approved and he was lead to believe he only required a renewal. Mr. Colbourne stated that once an application to PAC is approved, and has expired as per the expiry date on all Notices of Decisions, it must begin the process again with a full review by staff and PAC Members. It was also recognized that when this tentative plan was originally approved, there was an open developer's agreement on the subdivision phase that included the construction of the WWPS.

Mr. Mason asked if the town was responsible for any problems that may occur with the WWPS or any damage caused by issues with the equipment. His concern noted that adding more waste water to a system that is not working properly could create major problems that could potentially lead to the Department of Environment being contacted. Mr. Colbourne stated that the developer is responsible until the town takes ownership and there have been many communications from the town to the developer in this regard. There are several deficiencies and incomplete components to the WWPS including a very important Genset, which is a mechanism that is used to flip a switch to connect a generator if the power goes out leaving the pumping system inoperative.

It was asked if there was a bond held by the town for the subdivision phase when the WWPS was constructed and could this bond be taken and used to complete the project. Mr. Colbourne stated that there is a bond but the town prefers to work with the developers to complete their obligations and not have to initiate the process of legally taking the bond to use towards someone else completing the work. It was also noted that a report will be required by the developer's contractors and engineers stating the construction phases of the WWPS to ensure it was done to the original design specifications and what the cost would be for the outstanding work required before the town can take ownership. Once this report is complete, it will be determined if there is sufficient bond in place. Meanwhile, the town will work with the developer responsible for the WWPS to obtain information on timeline of completion.

Notification was sent to property owners within 100 metres, no concerns from this notification were received at this time.

MOVED BY: Darin Lamont
SECONDED BY: Kendall Mason

That the PAC table the decision until such time as the town obtains a report on the outstanding work required for the completion of the Wastewater Pumping Station (WWPS) and associated cost thereof and determine if there is sufficient bonding that could be used to complete the work should the developer who is responsible cannot or will not complete his obligations, and, until an investigation is completed on the functionality of the WWPS since it began operating.

CARRIED UNANIMOUSLY

8. Information Items

Council Meeting Minutes – December 20, 2016
2017 PAC Member appointments.

Mr. McLaughlin thanked the newest PAC Member, Mr. Kendall Mason, for joining the committee and his attendance at his first meeting.

9. Adjournment

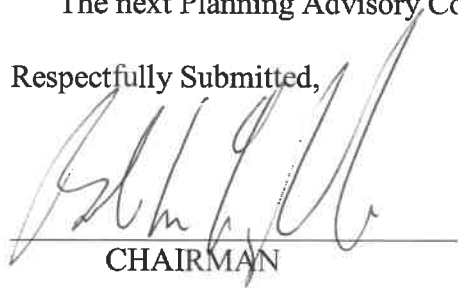
MOVED BY: Darin Lamont

That the meeting be adjourned.

The Planning Advisory Committee meeting was adjourned at 7:30 p.m.

The next Planning Advisory Committee meeting is scheduled for February 28, 2017.

Respectfully Submitted,



CHAIRMAN



SECRETARY