



QUISPAMISIS PLANNING ADVISORY COMMITTEE
MEETING MINUTES – November 10, 2020

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

Absent: John Groden

1. Call to Order

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

2. Approval of Agenda

Moved By Darren Bishop
Seconded By Kendall Mason

That the Agenda be approved with a clerical correction of Serenity Heights not Heritage Estates for the Unfinished Business item.

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 October 27, 2020 PAC meeting be received and filed.

Motion Carried

5. Business Arising from Minutes - Notice of Decisions

36 Pettingill Road - Specialty Dental Clinic

Moved By Brenda Fowle

Seconded By Kendall Mason

That the Notice of Decision be received and filed.

Motion Carried

6. Unfinished Business

6.1 Serenity Heights Phase 2

The Developer met with Town Staff on Friday November 6, 2020, to determine Final Plans, , the STWMP, Land for Public Purposes and Easements. Full details will be available at the November 24, 2020 PAC meeting.

Moved By Darren Bishop

Seconded By Brent Preston

That the PAC table this application until the November 24, 2020 meeting.

Motion Carried

6.2 Francis Breen Subdivision - 259 Model Farm Road

The applicant stated that they do not have a return date due to some extra issues identified.

Moved By Marc Gosselin

Seconded By Kendall Mason

That the PAC Secretary remove this application from the Unfinished Business. The applicant will need to start the process again when their application is ready.

Motion Carried

7. New Business

7.1 17 Pettingill Road - Sign Variances

Mr. Bob McLaughlin, of MCL Construction, attended on behalf of Mr. Ron Buckley of Bailey Buckley Family Dentistry, seeking approval to construct a 1.8 metre wide by 3.65 metre high stand-alone advertising sign at 17 Pettingill Road, PID 30256226 that requires a setback variance of one decimal four seven (1.47) meters from the Town's Sign By-law 036, Section 13.A.(3)b.

The address was noted as 15 Pettingill Road on some documents such as the NB Power letter of approval but now that the parcel is going to subdivide again, the new Civic Number will be 17 Pettingill Road.

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

Moved By Kendall Mason

Seconded By Darren Bishop

That the Planning Advisory Committee approve the setback variance of one decimal four seven (1.47) meters from the Town's By-law 036, Section 13. A (3)(b), in order to construct a one decimal eight by three decimal six five (1.8 x 3.65) meter stand-alone sign on the property of 17 Pettingill Road, PID 30256226, subject to the following:

1. A sign permit is issued prior to construction.

Motion Carried

7.2 281 Hampton Road - Similar or Compatible Use to Home Business

Ms. Jennifer Coughlan, General Manager for Atlantic Heating & Cooling Solutions Ltd., attending seeking approval for a Home Occupation, that of Heat Pumps and Services, to operate within a Detached Garage at 281 Hampton Road, PID 30082606. As the request is to have the heat pump business in the detached garage and not conducted within the dwelling, a variance to the Zoning By-law 038, Section 6.(K) is required and the PAC must determine if this Land Use is either "Similar To" or "Compatible With" a Home Occupation.

Ms. Coughlan addressed the staff report and the concerns. She stated that during the process of moving out of her previous home that was just sold, she realized the Palmer Brook Road Self Storage Units were not only good for her home contents but for the storage of the heat pumps as well. Ms. Coughlan stated that their current Commercially Zoned location of 145 Hampton Road operated out of two buildings but they were only using approximately 25% of the office building space and up to 60% of the garage storage space adding that this space is too big for their satellite office. She said that the business equipment was all moved into a ten foot by twenty foot storage unit and added that they were granted approval for parking the service trucks at the Palmer Brook Road Self Storage Units area so the trucks will not have to go to the garage at 281 Hampton Road to get their materials each day or week.

Ms. Coughlan amended the application by stating that the upstairs loft of the detached garage will just be used for an office for one person on a part-time basis and herself on a full-time basis. She noted that much of the storage will stay at the storage units and is now seeking approval for only the office at the detached garage with the trucks and equipment being stored at the storage units. When asked how

the trucks will be dispatched, Ms. Coughlan stated that the salespersons take the trucks home every night and will have the parts and equipment picked up at the storage units location on Palmer Brook Road. She reiterated that there will be no storage at 281 Hampton Road since the storage units work. Ms. Coughlan added that she will still request a second driveway, but this is not for the business, just for her family vehicles and motorized equipment.

When asked about staff meetings and the concern for parking on the side streets for large groups gathering, that of the current 12 employees, Ms. Coughlan stated that the staff rarely all get together for meeting and if they did, she would look at renting a place and not hold any large meetings at the property of 281 Hampton Road.

Mr. Colbourne was asked how the application for a Home Occupation is viewed when the property owner is not the same as the business owner. Mr. Colbourne stated that the Town's Zoning By-law 038 states that the Home Occupation is for the owner of the home and property, it does not address if there are shares or satellite offices or if the business operator is not the owner of the business as this can be complicated. A home business is usually operated by the homeowner but in this case, Ms. Coughlan is not the owner. Ms. Coughlan confirmed that she was the General Manager of the entire company, not just the Quispamsis division, and she is in a relationship with the business owner. She added that she had been living near this home for the last 11 years and the proposed operation will be smaller than what was there previously, now that she amended the proposal. Mr. Colbourne further added that a Home Occupation is permitted in the home not the garage and that while this property was previously approved for a Similar Use, for a painting business in the garage at this address, a home occupation is non-transferrable for owners or businesses. Homeowners who move cannot take the approval for the business to a new address and new homeowners cannot operate a business based a previous one at the location. Mr. Colbourne added the concerns received by the Town for parking on the side streets and extra vehicles and equipment on site with meetings and people there all the time. He stated that the PAC must review this application and conclude if it can be considered a Similar Use and if it will have more or less of an impact than the previous approved occupation.

It was recognized that other options were reviewed for storage space, office space, the number of employees now and potential future growth, and the concerns that the area could quickly become overly busy with people stopping by and the business growth. It was stated that this local division already has 12 employees which is not a home business but a commercial operation. Ms. Coughlan reiterated that most heat pump companies have their employees work out of their vehicles, on the road with installations and services and that is their plan. They are just seeking approval for two (2) employees at this time with the intention of moving into a commercial location if required through growth. She added that they just started renting storage units in the Mirimichi as well since they seem to work effectively.

Notice was sent to property owners within 100 metres of the subject property. No concerns were received, and no one attended to speak for or against the application.

Moved By Darren Bishop

Seconded By Kendall Mason

That the Planning Advisory Committee grant the variance for a Similar Use to a Home Occupation as per the Zoning By-law 038, Section 6.(K) for the business of Atlantic Heating & Cooling Solutions Ltd., to operate the office in the detached garage at 281 Hampton Road, PID 30082606, subject to the following terms and conditions:

1. It shall be Secondary Use to the Primary Residential Use of the land;
2. Not more than two (2) persons are engaged therein in addition to any permanent resident of the property on which the business is located;
3. It is confined to the detached garage unit, more specifically with the loft being used for business, and the bottom of the garage is for personal use only;
4. No other business is permitted to operate on the property;
5. No change, except for a sign, pursuant to the Town's Sign By-law is made in the outside appearance of the building which would indicate that a business is being conducted therein;
6. No goods or services other than those directly pertaining to the business are supplied or sold therein or therefrom;
7. No equipment or material used therein is stored in the dwelling unit or any other accessory building or structure;
8. Not more than one (1) commercial vehicle used in connection therewith, or not more than one (1) vehicle of any kind bearing a sign in connection therewith is parked on the lot on which the business is located;
9. Not more than two (2) Utility Storage Trailers may be on the lot on which the business is located;
10. Two (2) off-street parking spaces are provided in excess of those required under Section 6.(P),
11. No on-street parking is permitted, and no parking is permitted on Municipal property;
12. The activity shall not involve the management or dispatching of more than one (1) commercial vehicle as per the definition of a commercial vehicle by the Motor Vehicle Transport Act;
13. A second sewer account will be set up for the term in which the business is operating at the approved location; and
14. The property owner(s) enter into a Developer's Agreement with the Town which will include a potential decision rescinding should significant complaints be received by town.

Motion Carried

7.3 255 Model Farm Road - Side Yard Setback

Ms. Caley McNamara Crowdis and Jason Crowdis attended seeking approval to construct a dwelling on the property of 255 Model Farm Road, PID 30247308 with a side yard setback variance of zero decimal ninety-two (0.92) metres on one side. Mr. Crowdis confirmed that the original design was too wide for that Lot, so they redesigned the house by reducing one garage door so there is now ample room to get around the house which accommodates the Lot size better. The flood zone was reviewed and Mr. Crowdis stated that the dwelling will be set back more than 30 metres, out of the flood zone.

When asked about the access to the property, it was noted that the access comes from two directions; one that runs along the property of 253 Model Farm Road and another that runs across the property of 259 Model Farm Road. Mr. Crowdis showed both easements on the maps on the screen and stated that there no changes at this time. He added that the property owner of 259 Model Farm Road asked them to remove the easement from their property and Mr. & Mrs. Crowdis agreed to do this in exchange for ten (10) feet of the land down near the location of the proposed dwelling. Since this exchange was denied, Mr. Crowdis stated that the easement will remain.

Notice was sent to property owners within 100 metres of the subject property. No concerns were received. An email was received from the property owner of 247 Model Farm Road stating that he had no concerns for the variance on that side of the property. No one attended to speak for or against the application.

Moved By Marc Gosselin

Seconded By Darren Bishop

That the Planning Advisory Committee grant the side yard setback request of zero decimal ninety-two (0.92) metres for the left side (facing the water) of the property at 255 Model Farm Road, PID 30247308, subject to the following conditions:

1. Correspondence is received from the Department of the Environment determining if a Watercourse and Wetland Alteration Permit is required and if required, a copy of the permit to be received by the Town prior to issuance of a building permit; and
2. A building permit is issued prior to construction;
3. The habitable space be 6.5 metres above the Spring Freshet; and
4. The property owner enters into a Hold Harmless Agreement.

Motion Carried

8. Information Items and/or Discussion

Council Meeting Minutes October 6 & 20, 2020
Special Budget Meeting Minutes October 24, 2020
2021 Budget Presentation

Moved By Brent Preston

Seconded By Kendall Mason

That the Information Items be received and filed.

Motion Carried

9. Adjournment

Moved By Darren Bishop

Meeting adjourned at 7:30 p.m.

Respectfully Submitted,



CHAIRMAN



SECRETARY