

**PLANNING ADVISORY COMMITTEE
MINUTES OF REGULAR MEETING
March 16, 2011**

The Planning Advisory Committee met in the Council Chambers with the following attendance:

Present: Chris Flemming (Chair), Mike Craig, Roger McNabb, Dareth Thorne, Michael Burley, Eric Drake, and Jill Stewart.

Absent: Cyndy Parker.

Also present was the Development Officer, Tim Henderson, and Office Administrator, Joyce Thompson.

1. Call to Order

Chairman Chris Flemming called the meeting to order at 7:00 p.m.

2. Declarations of Conflict of Interest, if any

None.

3. Additions to and/or approval of Agenda

It was moved by Jill Stewart, seconded by Roger McNabb and carried to approve the March 16th, 2011 Agenda as presented.

4. Confirmation of Minutes

It was moved by Dareth Thorne, seconded by Roger McNabb and carried to approve the previous committee minutes (January 19th, 2011) as presented.

5. Business Arising from the Minutes

None

6. Presentations / Delegations

None

7. Zoning Applications

None

8. Applications for Variances / Approval

None

9. Sign Applications

None

10. Subdivision Applications

8.1 Quoddy Shores Inc. – 8 properties on or bordering Cemetery Road, have applied to the Town of Saint Andrews and Planning Advisory Committee for a Tentative Subdivision Plan Approval.

The Planning Advisory Committee is responsible under the Town's Subdivision Bylaw No. 69 to approve in principle all multiple lot subdivision plans and to provide recommendations to Council on approvals in principle. The Quoddy Shores Inc. has submitted the Tentative Subdivision Plan 2011-1 for approval. The Committee approved a Tentative Plan for the same properties in August of 2009 and the developer had one year by regulation to obtain the final approval. Since this has expired, Quoddy Shores Inc. has reapplied for a Tentative Subdivision Approval with some changes.

The 15 new proposed Estate Residential lots are as shown on the Tentative Subdivision Plan #2011-1 are created by realigning 8 existing and individual properties and are to be serviced by wells and septic systems. In addition to the new lots, there will be one existing property owned by Linda Claire Townsend and private green space. Two variances for underside lot frontage are required for this subdivision. A variance for Lot #11 will provide a 10.335 meter driveway while Lot #6 will have a 15.50 meter frontage. The Zoning Regulation states that lot frontages in an Estate Residential Zone shall be a minimum of 54 meters as per section 4.3.3 (1) of Zoning Bylaw No. 10-04.

The developers have again asked the Town of Saint Andrews to accept 6 percent of the fair market value of the land in lieu of 8 percent of land for public purposes as provided for in the Subdivision bylaw and *Community Planning Act*.

The Committee reviewed the documentation provided which included the Development Officer's Planning Report, application form and accompanying information, and the polling letter. There were four letters of response from the 500 meter polling area. Some of the main concerns addressed in the response letters included the impact of the development on Katy's Cove, the issue of increased water run off, the loss of green space in the town, and the public right-of ways to walking trails. The applicants' lawyer, Andrew Harrison was present. The Chairman asked if there were any affected parties who wished to speak to the application, and there were none. The Development Office noted that the developer has invested a great deal of money carrying out the conditions of his previous approval and that the changes on the new plan are minimal. He stated that the lot sizes are, in most cases, the same but that there is one additional lot created and a small green space. He added that Quoddy Shores Inc. has stated that their business plan will only work if the Town accepts cash in lieu of land and the developer does not consider this negotiable. He recommended that an approval in principle to the Tentative Subdivision Plan #2011-1 be given subject to the same conditions as the previous plan submitted by Quoddy Shores Inc.

It was moved by Roger McNabb, seconded by Mike Craig and carried to grant approval to Quoddy Shores Inc. for a 43.665 meter variance for a reduced lot frontage in an Estate Residential Zone for Lot #11 as well as a 38.5 meter variance for a reduced lot frontage in an Estate Residential Zone for Lot #6 of their Tentative Subdivision Plan 2011-1.

It was moved by Roger McNabb, seconded by Dareth Thorne and carried that the Tentative Subdivision Plan 2011-1 submitted by Quoddy Shores Inc. be approved in principal, subject to the same conditions as the previous plan submitted by Quoddy Shores Inc. (#09-1) before their final plan is submitted for approval:

- 1.) A storm water management and retention plan be developed through professional services.
- 2.) A traffic assessment be done to determine the effects of the proposal on Cemetery Road.
- 3.) A private road agreement between the developer and buyers be submitted and approved by the Town.
- 4.) A report on potable water quality be provided to the Town.
- 5.) An agreed setback from the all saltwater courses be a condition of final approval.

Following further discussion, it was moved by Jill Stewart, and seconded by Cyndy Parker that the above motion be amended to include the additional conditions:

- 6.) Septic system capacity and flow be investigated.
- 7.) Developer to submit a homeowners' group agreement specifying maintenance and upkeep of the development.
- 8.) Council to consider the preservation of a public right-of-way along the old rail bed.
- 9.) An agreement with the developer should include a provision for the preservation and/or replacement of trees.

11. Organizational Matters

None.

12. Other Business

12.1 New GeoNB Mapping for wetlands developed by the Department of Environment –
Tim Henderson

The Development Officer gave a brief outline of the new GeoMapping for Wetlands by the Department of Environment (DENV) and showed the committee members the wetlands mapped for the Town of Saint Andrews. He noted that there is currently a lot of confusion with regards to this new mapping system and what activities are permitted on lands within the significant wetland areas. He stated that at this point, the Town of Saint Andrews Development Office is referring all property owners looking to develop or build on properties showing to be within the wetland areas and buffer zones to the Department of Environment. The Department of

Environment will determine which, if any, permits are required for a particular parcel of land. Once written permission has been granted from DENV, the Development Officer will proceed with the applications. Mr. Henderson stated that the Department of Environment is expected to make changes to this mapping system in the near future which will clearly outline which properties will need special permission and which properties are exempt.

13. Question Period

None

14. Adjournment

It was moved by Dareth Thorne to adjourn the meeting at 7:28 pm.

The next scheduled regular meeting of the Committee will be April 20th, 2011.

C.G. Flemming, Chairman