

**Southeast Planning Review and Adjustment Committee
Comité de révision de la planification de Sud-Est**

April 26, 2017 at 7:00 pm • 26 avril 2017 à 19h
Moncton Lions Community Centre • Centre communautaire Moncton Lions
473, rue St. George Street

MINUTESprocès-verbal

Committee Members Present / membres du comité présents:

Harry McInroy	Chairman / président
Stanley Dixon	Committee Member / membre du comité
Linda Estabrooks	Committee Member / membre du comité
Valmont Goguen	Committee Member / membre du comité
Heather Keith	Committee Member / membre du comité
Edgar LeBlanc	Committee Member / membre du comité
Hilyard Rossiter	Committee Member / membre du comité
Randy Trenholm	Committee Member / membre du comité

Staff Present / Staff présents:

Jeff Boudreau	Manager of Subdivision Approvals / Gestionnaire d'approbation des lotissements
Nicolas Landriau	Development Officer / Agent d'aménagement
Phil Robichaud	Development Officer / Agent d'aménagement
Kirk Brewer	Planner / urbaniste
Josh Adams	Planner / urbaniste
Tracey McDonald	Recorder / rapporteuse
Ron Fournier	Translator / traductrice

Public Present / membres du public présents:

Rod MacDonald	John Frazee	Angela Frazee
Germaine Chandler	Frank Chandler	Marc Bourgeois
Lorne Greys	Daniel Melanson	Charlene Melanson
Remy Gaudet	Euclide Gaudet	

1. CALL MEETING TO ORDER / CONVOCATION D'UNE ASSEMBLÉE À L'ORDRE

The meeting was called to order at 7:00 pm by Chairman Harry McInroy. He stated for the record that all members were present. / La séance est ouverte à 19 h par Harry McInroy (président). Il déclaré que tous les membres du Comité sont présents.

2. DECLARATION OF CONFLICT OF INTEREST / DÉCLARATION DE CONFLIT D'INTÉRÊTS

None / aucune

3. ADOPTION OF THE AGENDA/ADOPTION DE L'ORDRE DU JOUR

It was moved by Committee Member Stanley Dixon and seconded by Committee Member Heather Keith to adopt tonight's Agenda as proposed. / Il est proposé par Stanley Dixon, membre du comité, et appuyé par Heather Keith, membre du comité, d'adopter l'ordre du jour ce soir tel quel.

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

4. ADOPTION OF MINUTES/ADOPTION DU PROCÈS-VERBAL

It was moved by Committee Member Edgar LeBlanc and seconded by Committee Member Valmont Goguen to adopt the Minutes of the March 22, 2017 meeting as presented. / Appuyé par Edgar LeBlanc (membre du Comité), Valmont Goguen (membre du Comité) propose d'adopter le procès-verbal de la réunion du 22 mars 2017 tel quel.

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

5. BUSINESS ARISING FROM THE MINUTES / AFFAIRES DÉCOULANT DU PROCÈS-VERBAL

None / aucune

6. VARIANCE REQUESTS / DEMANDES DE DÉROGATIONS

- a) Jean Parent, 71 Roy Scenic Drive (PID/NID 70274022), LSD/DSL Moncton – Proposing to vary the maximum size of accessory building / *Propose de déroger la taille maximale d'un bâtiment accessoire (File/Dossier #17-178) French/français*

Staff member Nicolas Landriau presented the request of the applicant to vary the maximum size of an accessory building from 100 square metres to 130 square metres. He informed the Committee that this was an illegal extension of 44 square metres to an existing building which was built without obtaining a building permit.

Using an aerial view staff member Nicolas Landriau located the proposed property. He reported that the lot was 9796 square metres, which could easily accommodate the size of the structure. He indicated, using site photos, that the building was in the back of the lot and would have little visual impact. He reviewed the relevant policies and regulations.

Internal staff were consulted. Staff were in agreement that the criteria used to evaluate a variance had been satisfied.

Notices were sent to property owners within 100 metres of the proposed property. No comments were received.

Staff member Nicolas Landriau read the staff recommendation into the record.

Committee Member Edgar LeBlanc questioned the structure's legal status. Staff member Nicolas Landriau responded that the addition was constructed without a permit and exceeded the permitted maximum size of an accessory building. It is the applicant's intention to sell the property and will require that the accessory building be in compliance before doing so.

It was moved by Committee Member Heather Keith and seconded by Committee

Member Linda Estabrooks that the Southeast Planning Review and Adjustment Committee APPROVE the variance requested by Jean Parent concerning the maximum size of an accessory building on the PID 70274022 without imposing any additional conditions. / Il est proposé par, Heather Keith, membre du comité, et appuyé par Linda Estabrooks, membre du comité, que le comité de révision de la planification du Sud-Est que la demande de dérogation de Jean Parent pour la dimension maximale d'un bâtiment accessoire sur le PID 70274022 SOIT APPROUVÉE sans que des conditions supplémentaires ne soient imposées.

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- b) Francis Paul Chandler, 141 rue Euclide Leger Street (PID/NID 01065903) Beaubassin East Rural Community/Communauté rurale de Beaubassin-est –Front yard setback variance for new accessory building / *Dérogation d'une marge de retrait d'une cours avant pour un bâtiment accessoire (File/Dossier #17-278) English/anglais*

Staff member Phil Robichaud presented the request of the applicant to replace an existing accessory building with a larger structure. The proposed size would require that the front yard setback be reduced from 4.5 metres to 2.74 metres. He reported that in 2009 a variance was granted for the original 10' x 16' accessory building. Although the proposed accessory building will be at the same setback of 2.74 metres from Euclide Road as the 2009 variance, because the original variance refers to a specific size, a new variance is necessary.

Staff member Phil Robichaud reviewed the regulation related to the request and demonstrated, on an aerial view and site photos, the location of the proposed structure. He explained that, due to the proximity of the structure to a power line, approval from NB Power would be required.

Committee Member Edgar LeBlanc questioned the height of the proposed structure. Staff member Phil Robichaud responded that the roof peak was between 15 feet to 16 feet.

Notices were sent to property owners within 60 metres of the proposed property. A letter was received from neighbouring landowner Gilles LeBlanc which staff read into the record. It was Mr. LeBlanc's opinion that the measurement provided for the proposed structure to the road should be 7'-0" measuring to the overhang and not 9'-0" measuring to the wall.

Staff member Phil Robichaud read the staff recommendation into the record.

Chairman Harry McInroy questioned if the applicant would like to address the Committee. The applicant, Frank Chandler, informed the Committee that the powerline is 6" south of the proposed structure.

It was moved by Committee Member Randy Trenholm and seconded by Committee Member Heather Keith that the Southeast Regional Service Commission approve the variance to reduce the required front yard setback from 4.5 meters to 2.74 meters for the property located at 141 Euclide Street, Beaubassin East Rural Community and known as PID 01065903. / Il est proposé par, Randy Trenholm, membre du comité, et appuyé par Heather Keith, membre du comité, que le comité de révision de la planification du Sud-Est APPROUVE la dérogation visant à réduire le retrait nécessaire de la cour avant de 4,5 mètres à 2,74 mètres pour la propriété située sur la rue Euclide Leger, Communauté rurale Beaubassin-est, portant le NID 01065903.

Subject to the following condition / sous réserve des conditions suivantes:

- 1.) An approval from NB Power must be obtained for the location of the building before the issuance of a building permit.**

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- c) Laura Burells Graves Barns & Buildings, rue Pointe-du-Chêne Road (PID/NID 00863241) LSD/DSL Pointe-du-Chêne - Right of way setback variance for a new accessory building / *Dérogation d'une marge de retrait d'un droit de passage pour un bâtiment accessoire.* (File/ Dossier #17-262) English/ anglais

Staff member Phil Robichaud presented the request of the applicant to situate a 25' x 25' accessory building 2.3 metres from an existing right-of-way where the Rural Plan requires 4.5 metres. He explained that setbacks from a right-of-way are placed in the event that it becomes a public road. In this case, however, it is unlikely that the right-of-way will ever become a public road. It does not meet the required width and does not connect to a road. At present, the right-of-way is being used as a shared driveway.

Staff member Phil Robichaud demonstrated, with an aerial view and site photos the location of the proposed structure. He reviewed the policies and regulations related to this request.

Notices were sent to property owners within 100 metres of the proposed property. One letter was received in opposition to the request. Staff member Phil Robichaud read the letter into the record. The neighbouring property owner, Carol Morrell, expressed concern relating to privacy, increased traffic, and safety in the case of fire.

Committee Member Edgar LeBlanc questioned if the fire chief had been consulted. Staff member Phil Robichaud responded that he had not contacted the fire chief as this was an existing right-of-way.

Staff member Phil Robichaud read the staff recommendation into the record.

The contractor for the applicant informed the Committee that this was a normal size garage and it will not be in a location that would obstruct anyone's view.

Committee Member Edgar LeBlanc questioned if the letter of opposition affected staff's opinion. Staff member Phil Robichaud responded that this is an existing legal right-of-way and the request met the criteria used to evaluate a variance.

Committee Member Valmont Goguen questioned if the applicant could build in an alternate location on the property. Staff member Phil Robichaud responded that the applicant chose the placement for aesthetic reasons.

Committee Member Randy Trenholm expressed concerns regarding fire safety. Staff member Phil Robichaud reiterated that this was an existing situation. Staff member Jeff Boudreau added that an accessory building was a permitted use. The variance being considered was for a setback. Committee Member Heather Keith requested to see the aerial view.

It was moved by Committee Member Heather Keith and seconded by Committee Member Stanley Dixon that the Southeast Regional Service Commission APPROVE the variance to reduce the required front yard setback from 4.5 meters to 2.29 meters for the property located at Pointe-du-Chêne Road, LSD Pointe-du-Chêne and known as PID 00863241. / Il est proposé par, Heather Keith, membre du comité, et appuyé par Stanley Dixon, membre du comité, que le comité de révision de la planification du Sud-Est APPROUVE la dérogation visant à réduire le retrait nécessaire de la cour avant de 4,5 mètres à 2,29 mètres pour la propriété située sur la chemin Pointe-du-Chêne, DSL Pointe-du-Chêne, portant le NID 00863241.

MOTION CARRIED / MOTION ADOPTÉE

Yeas / Pour - 6

(Harry McInroy, Linda Estabrooks, Stanley Dixon, Randy Trenholm, Hilyard Rossiter, Heather Keith)

- d) Rodney MacDonald, chemin 79 Sandy Point Road (PID/NID 70220264) LSD/DSL Shediac Cape - Right of way setback variance for an addition on an existing single dwelling unit / *Dérogation d'une marge de retrait d'un droit de passage pour une habitation uni familiale.* (File/ Dossier #17-201) English/*anglais*

Staff member Phil Robichaud presented the request of the applicant to build an addition to an existing single dwelling unit which would position the structure 1.17 metres from the right-of-way where 7.5 metres is required. The existing structure is located 30 metres from the edge of Shediac Bay and the proposed addition will be built away from the shore line.

Staff member Phil Robichaud pointed out on the proposed site on an aerial photo and site photos. He reported that the right-of-way setback was to protect the land for a possible future street. He pointed out on the subdivision plan that, in this case, a proposed street was indicated outside the heavy line. Should the right-of-way be converted to a public street in the future, the proposed addition would be outside the 7.5 metres setback. He discussed the policies and regulations pertaining to this request.

Notices were sent to property owners within 100 metres of the proposed property. No comments were received.

Staff member Phil Robichaud read the staff recommendation into the record.

Chairman Harry McInroy questioned how legally binding a proposed future street is. Staff member Jeff Boudreau responded that it shows intent but is not legally binding.

It was moved by Committee Member Edgar LeBlanc and seconded by Committee Member Randy Trenholm that the Southeast Regional Service Commission APPROVE the variance to reduce the required front yard setback from 7.5m to 1.17m for the property located at 79 Sandy Point Road, LSD Shediac Cape and known as PID 70220264. / Il est proposé par, Edgar LeBlanc, membre du comité, et appuyé par Randy Trenholm, membre du comité, que le comité de révision de la planification du Sud-Est APPROUVE la dérogation visant à réduire le retrait nécessaire de la cour avant de 7,5 mètres à 1,17 mètres pour la propriété située sur la 79, chemin Sandy Point, DSL Shediac Cape, portant le NID 70220264.

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- e) Ricci Archibald, rue Parkin Street (PID/NID 70457528) Village of/de Salisbury - To reduce side yard requirement from 4.6 metres to 3.68 metres. / *Réduire les exigences en matière de cour latérale de 4,6 mètres à 3,68 mètres.* (File/ Dossier #17-215) English/*anglais*

Staff member Jeff Boudreau presented the request of the applicant to reduce the side yard setback from 4.6 metres to 3.68 metres to accommodate the construction of a new single dwelling unit. The size of the lots in Salisbury and the setbacks required is reflective of the fact that village residents rely on private wells for their water supply. Larger lots create less residential density thereby limiting the depletion of the ground water supply. The setbacks take into account sufficient room necessary for a truck or large machinery to access a private well located in the rear yard. Staff member Jeff Boudreau reported that the well for this application is located in the front yard.

Staff member Jeff Boudreau demonstrated the proposed site on the aerial view and site photos.

Internal and external departments were contacted for comments. Jason Coyle, Manager of Works, Village

of Salisbury, had no concerns.

Notices were sent to property owners within 60 metres of the proposed property. No comments were received.

Staff member Jeff Boudreau read the staff recommendation into the record.

Neighbouring land owner, John Frazee, informed the Committee that erosion along the river bank is a problem and expressed concern that a truck would not be able to access the rear of the property if maintenance to the shoreline was needed. Committee Member Edgar LeBlanc questioned how much erosion was being experienced. John Frazee replied that he had lost approximately 6 feet due to erosion.

It was moved by Committee Member Randy Trenholm and seconded by Committee Member Hilyard Rossiter that the request for a variance from Ricci Archibald on behalf of Sandra Kitchen, to reduce side yard requirement from 4.6 metres to 3.68 metres for the property located at Parkin Street and known as PID 70457528 be APPROVED. / Il est proposé par, Randy Trenholm, membre du comité, et appuyé par Hilyard Rossiter, membre du comité, que la demande de dérogation de Ricci Archibald au nom de Sandra Kitchen visant à réduire l'exigence liée aux cours latérales de 4,6 mètres à 3,68 mètres pour la propriété située sur la rue Parkin (NID 70457528) soit APPROUVÉE.

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

7. TEMPORARY APPROVALS, CONDITIONAL USES, RULINGS OF COMPATIBILITY AND NON-CONFORMING USES / APPROBATIONS TEMPOAIRES, USAGES CONDITIONNELS, DÉTERMINATIONS DE COMPATIBILITÉS ET USAGES NON-CONFORMES

- a) Roger Emile Dupuis, 371 rue Centrale Street (PID/NID 70507694) Village of/de Memramcook - Temporary permit to allow a storage for a business / Permis temporaire afin de permettre l'entreposage pour un commerce (File/ Dossier #17-227) French/français

Staff member Phil Robichaud presented the request of the applicant for a temporary permit to allow the commercial storage of a pump mechanic operation in a residential accessory building pending a rezoning. He reported that this proposed property was originally zoned industrial but, as the operation had ceased, it was rezoned to residential during the 2016 Memramcook Rural Plan Review. The applicant intends to rent the accessory building to a Pump Mechanic business and, in March 2017, applied to rezone the property from residential to commercial. Staff member Phil Robichaud explained that a temporary permit would allow the business to use the accessory building as storage only. The building would not be altered and, in the event that the rezoning was refused, the reversal of the temporary permit would have little impact.

Using an aerial view and site photos staff member Phil Robichaud demonstrated the proposed property. He reviewed the applicable polices and regulations.

Notices were sent to property owners within 60 metres of the proposed property. No comments were received.

Staff member Phil Robichaud read the staff recommendation into the record.

Committee Member Edgar LeBlanc questioned at what place in the rezoning process was the application. Staff member Josh Adams responded that the Memramcook Council had passed resolution on Monday, April 24, 2017.

Committee Member Heather Keith questioned if the rezoning involved the entire lot or a portion. Staff member Josh Adams responded that it was for the entire lot.

It was moved by Committee Member Edgar LeBlanc and seconded by Committee Member Linda Estabrooks that the request for a Temporary Use approval by Rogers Dupuis for a temporary permit to allow a storage for a business on the property located at 371 Centrale Road, Memramcook and known as PID 70507694 be APPROVED for one year from the date of this approval. / Il est proposé par, Edgar LeBlanc, membre du comité, et appuyé par Linda Estabrooks, membre du comité, que l'approbation de la demande d'usage temporaire soumise par Roger Dupuis afin de permettre l'entreposage pour un commerce sur un lot de la propriété située au 371, Centrale, à Memramcook (NID 70507694) soit APPROUVÉE pour une période d'un an, à partir de la présente date d'approbation.

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- b) Eugene Belliveau Construction Ltd, chemin Old Brewery Road (PID/NID 70003504) Village of/de Memramcook - To operate a pit subject to terms and conditions / Pour opérer un site d'extraction sujet aux termes et conditions (File/ Dossier #17-161) French/français

Staff member Jeff Boudreau presented the request of the applicant to set terms and conditions for the excavation of a pit. He informed the Committee that, during the 2016 Plan review, the Village of Memramcook zoned several properties to Intensive Resource Extraction and adopted best practices for the operation of a pit.

Staff member Jeff Boudreau demonstrated the proposed location on an aerial view. He informed the Committee that the site photos were limited due to the weather and road conditions at the time of the site visit. He reviewed the relevant policies and regulations explaining the setbacks, barriers required and operation standards.

Notices were sent to property owners within 100 metres of the proposed property. No comments were received.

Staff member Jeff Boudreau read the staff recommendation into the record.

Committee Member Edgar LeBlanc questioned the trail used by ATVs. Staff member Jeff Boudreau responded that there is no documentation providing the ATV Association permission to use the trail.

A neighbouring landowner questioned how close the excavation activity could expand toward neighbouring properties. Staff member Jeff Boudreau responded that the setback from a property line is 10 meters and from that point they have to have a safe slope.

Marc Bourgeois, a neighbouring landowner, questioned if access to the ATV trail would remain open or be barricaded. Staff member Jeff Boudreau responded that a gate would be required at the entrance to the pit. Marc Bourgeois questioned if there would be any blasting at the site. Staff member Jeff Boudreau responded that this was an extraction site only.

It was moved by Committee Member Edgar LeBlanc and seconded by Committee Member Linda Estabrooks that the master plan and rehabilitation plan for the operation of the existing quarry located on 734 Chemin Royal (PID 70003504 & 00839902)., Village of Memramcook, Westmorland County, BE APPROVED subject to the following conditions: / Il est proposé par, Edgar LeBlanc, membre du comité, et appuyé par Linda Estabrooks, membre du comité, que l'approbation du plan maître et plan de remise en état pour l'exploitation de la carrière situé sur chemin Royal (NID 70003504 & 00839902), Village de Memramcook, comté de Westmorland SOIT APPROUVÉ sous réserve des conditions suivantes:

- 1) **The standards stated in article 8.2 of the Memramcook rural plan are met; / Les normes mentionnées à l'article 8.2 ;**
- 2) **The 1.3:1 coefficient of restoration is respected; / Le coefficient de remise en état de 1.3:1 est respecté; et**
- 3) **Signage in accordance with Article 8.2 of the Memramcook rural plan are placed prior to issuing permits. / Un enseigne conforme à l'article 8.2 du Règlement établissant un plan rural de Memramcook est installé à chaque entrée avant le début des travaux.**

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- c) Eugene Belliveau Construction Ltd, Route 106 (PID/NID 70102413) Village of/de Memramcook - To operate a pit subject to terms and conditions / Pour opérer un site d'extraction sujet aux terms et conditions (File/ Dossier #17-162) French/français

Staff member Jeff Boudreau presented the request of the applicant to set terms and conditions for the excavation of a pit. He informed the Committee that the application was the same as the previous item but at a different site and, therefore, the same policies and regulations would apply.

Staff member Jeff Boudreau demonstrated the location of the site and the current situation with the use of an aerial view and site photos.

Notices were sent to property owners within 100 metres of the proposed property. A few general inquiries were received. There was an expressed concern that the excavation site would continue to increase in size. Staff member Jeff Boudreau responded that the operation was at its maximum size.

Staff member Jeff Boudreau read the staff recommendation into the record.

It was moved by Committee Member Edagr LeBlanc and seconded by Committee Member Valmont Goguen that the master plan and rehabilitation plan for the operation of the existing quarry located on (PID 70560412, 00920975, 00907436, 70102389, 70102413, and 70082045), Village of Memramcook, Westmorland County, BE APPROVED subject to the following conditions: / Il est proposé par, Edgar LeBlanc, membre du comité, et appuyé par Valmont Goguen, membre du comité, que l'approbation du plan maître et plan de remise en état pour l'exploitation de la carrière situé sur chemin Royal (NID 70560412, 00920975, 00907436, 70102389, 70102413, and 70082045), Village de Memramcook, comté de Westmorland SOIT APPROUVÉ sous réserve des conditions suivantes:

- 1) **The standards stated in article 8.2 of the Memramcook rural plan are met; / Les normes mentionnées à l'article 8.2 ;**
- 2) **The 2:1 coefficient of restoration is respected; / Le coefficient de remise en état de 2:1 est respecté; et**
- 3) **Signage in accordance with Article 8.2 of the Memramcook rural plan are placed prior to issuing permits. / Un enseigne conforme à l'article 8.2 du Règlement établissant un plan rural de Memramcook est installé à chaque entrée avant le début des travaux.**

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- d) Eugene Belliveau Construction Ltd, chemin Little Dover Road (PID/NID 70034087) Village of/de

Memramcook - To operate a pit subject to terms and conditions / *Pour opérer un site d'extraction sujet aux termes et conditions* (File/ Dossier #17-163) French/français

Staff member Jeff Boudreau presented the request of the applicant to set terms and conditions for the excavation of a pit. He informed the Committee that the application was, once again, the same as the previous item but at a different site and, therefore, the same policies and regulations would apply.

Staff member Jeff Boudreau demonstrated the location of the site and the current situation with the use of an aerial view and site photos.

Notices were sent to property owners within 100 metres of the proposed property. A few general inquiries were received. It was questioned if the Crown Reserve road located on the other side of the proposed property would remain open. Staff member Jeff Boudreau responded that it would.

Staff member Jeff Boudreau read the staff recommendation into the record.

It was moved by Committee Member Edgar LeBlanc and seconded by Committee Member Valmont Goguen that the master plan and rehabilitation plan for the operation of the existing quarry located on Little Dover Rd., Village of Memramcook, Westmorland County, (PID 70034087, 70031919, 70164553 and a portion of PID 70155403) BE APPROVED subject to the following conditions: / *Il est proposé par, Edgar LeBlanc, membre du comité, et appuyé par Valmont Goguen, membre du comité, que l'approbation du plan maître et plan de remise en état pour l'exploitation de la carrière situé au ch Little Dover Rd, Village de Memramcook, comté de Westmorland (NID 70034087, 70031919, 70164553 et une portion de NID 70155403) SOIT APPROUVÉ sous réserve des conditions suivantes:*

- 1) The standards stated in article 8.2 of the Memramcook rural plan are met; / *Les normes mentionnées à l'article 8.2 ;***
- 2) The 1.2:1 coefficient of restoration is respected; / *Le coefficient de remise en état de 1.2:1 est respecté;***
- 3) Signage in accordance with Article 8.2 of the Memramcook rural plan are placed prior to issuing permits; / *Un enseigne conforme à l'article 8.2 du Règlement établissant un plan rural de Memramcook est installé à chaque entrée avant le début des travaux; et***
- 4) A barrier is installed at the entrances before work begins, and physical barriers be used to control access to the site being exploited without limiting access along the hauling road. / *Une barrière est installé aux entrées du site avant de débiter les travaux. et des barriere physique soit instalé le long du chemin sans limite l'access aux chemin.***

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- e) Daniel Melanson Poissonnerie Thadee & Alverie Fisheries Ltd, Chemin De L'île Road (PID/NID 70466156) Beaubassin East Rural Community / Communauté rurale de Beaubassin-est - Terms and Conditions for a fisheries operation / *Terms et condition pour un usage de transformation de poissons* (File/ Dossier #17-333) English/anglais

Staff member Kirk Brewer presented the request of the applicant to permit an expansion of a warehouse at an existing fish processing plant and build a small detached office building for two employees. He reported that the fish processing plant has been in operation at this site for decades. Both of the proposed expansions will be located to the rear of the existing building and will have little impact on neighbouring property owners.

Staff member Kirk Brewer demonstrated, with an aerial view and site photos, the location of the proposed structures. He reviewed the policies and regulations related to this application.

Notices were sent to property owners within 100 metres of the proposed property. No comments were received.

Staff member Kirk Brewer read the staff recommendation into the record.

It was moved by Committee Member Heather Keith and seconded by Committee Member Linda Estabrooks that the Southeast Planning and Adjustment Committee APPROVE the expansion to the existing fish processing and storage plant and a detached 400 square foot office building associated with the sale of fishing products without conditions. / Il est proposé par, Heather Keith, membre du comité, et appuyé par Linda Estabrooks, membre du comité, que le Comité de révision de la planification du Sud Est APPROUVE l'agrandissement de l'installation de transformation du poisson et d'entreposage ainsi qu'un bâtiment de bureaux isolé de 400 pieds carrés lié à la vente de produits de la pêche sans imposer de conditions.

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

8. TENTATIVE SUBDIVISIONS / LOTISSEMENTS PROVISOIRES

None / aucune

9. BY-LAW AMENDMENTS, ZONING AND MUNICIPAL PLAN MATTERS / QUESTIONS DE ZONAGE ET QUESTIONS RELATIVES AUX PLANS MUNICIPAUX

- a) Community Wind Farms, rue West Acres Street (PID/NID 00905513) Beaubassin East Rural Community / Communauté rurale de Beaubassin-est - Requiring council approval for a large scale wind turbine / Exigeant l'approbation du conseil pour une éolienne de grande taille (File/ Dossier #17-132) English/anglais

Staff member Kirk Brewer presented the request of the applicant to allow a 98 metre high wind turbine in the industrial zone in the Botsford Portage area along Route 15. He reported that the application is in line with the Province of New Brunswick climate change action plan and will help reduce the province's dependency on fossil fuel. He added that the energy generated will be sold back to NB Power.

Staff member Kirk Brewer reviewed the time line associated with the application process. He pointed out the proposed site on an aerial view and, using a site plan, explained the wind turbine setback rings. He indicated with site photos that the area is sparsely populated. All surrounding dwellings are located outside the sound level zone of 40dB which is similar to that of a library, and, because of a hill, the visual impact will be minimal as well.

Internal and external departments were contacted for comments.

The Department of Environment responded that the site had a water component and the Department could require an alteration permit.

The Department of Energy and Resource Development had no concerns.

The Department of Transportation is working with the applicant to find a solution due to the proposed site being accessed from Route 15 which is a controlled access highway.

Staff member Kirk Brewer read the staff recommendation into the record.

It was moved by Committee Member Edgar LeBlanc and seconded by Committee Member Linda Estabrooks that the Southeast Planning Review and Adjustment

Committee recommend to the Beaubassin-East Rural Community Council that they APPROVE the application for approval of a large wind turbine on the property carrying PID 00905513, subject to the following conditions: / Il est proposé par, Edgar LeBlanc, membre du comité, et appuyé par Linda Estabrooks, membre du comité, que le comité de révision de la planification sud-est de recommander au conseil de la Communauté rurale de Beaubassin-est D'ACCEPTER la demande de l'approbation pour une éolienne de grande-taille sur la propriété portant le NID 00905513 avec les conditions suivantes:

- 1) Before deliverance of a development and/or construction permit, the applicant must obtain the required approval from the Department of Environment and the Department of Transportation and Infrastructure; / qu'avant qu'un permis de développement et/ou construction soit émis, le requérant devra recevoir tout approbation nécessaire des ministères de l'Environnement et des Transports et Infrastructures;**
- 2) Before deliverance of a development and/or construction permit, the applicant must obtain the required approval from Nav Canada, Transport Canada and the Greater Moncton International Airport; / qu'avant qu'un permis de développement et/ou construction soit émis, le requérant devra recevoir tout approbation nécessaire de Nav Canada, Transports Canada, et l'Aéroport international du Grand Moncton;**
- 3) The property development shall be in general compliance with the site plan submitted. / que le développement de la propriété sera en conformité général avec le plan de site soumis.**

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- b) Luc Belzile, chemin Old Mill Road, (PID/NID 70606330), LSD/DSL Shediac Cape - To rezone a portion of the property from RA – Rural Area to C1 – General Commercial to permit a self-storage business / *Rezoner une portion de la propriété de la zone RU – rurale à C1 – Commerce general afin de permettre une entreprise d'entreposage* (File/Dossier #17-036) French/français

Staff member Josh Adams presented the request of the applicant to rezone a portion of land to accommodate a storage business. The two phase development will start with 4 of the 10 storage buildings (at 4,800 square feet each), exterior storage for trailers, boats etc and an administration building. He reported that the proposed site is a large, vacant lot which is well treed and, consequently, the operation will not be visible from the street.

Staff member Josh Adams reviewed the time line associated with the rezoning process and discussed the related policies and regulations. Using an aerial image and site photos he demonstrated the proposed site.

Internal and external departments were contacted for comments.

The Environmental assessment department responded that an EIA review was not required.

The Protection of drinking water sources section responded that the applicant should be advised to comply with storage standards in protection of groundwater resources.

The Department of Transportation and Infrastructure will require an access permit.

Staff member Josh Adams read the staff recommendation into the record.

Committee Member Edgar LeBlanc questioned if there would be chemical or industrial storage. Staff member Josh Adams responded that the application was for personal storage rental units.

It was moved by Committee Member Edgar LeBlanc and seconded by Committee Member Randy Trenholm that the Southeast Planning Review and Adjustment Committee recommends to the Minister of Environment and Local Government to adopt Ministerial Regulation 17-BEO-055-03 to rezone a portion of the property bearing PID 70606330 from the RU zone to the C1 zone to permit a self-storage business subject to conditions: / Il est proposé par, Edgar LeBlanc, membre du comité, et appuyé par Randy Trenholm, membre du comité, que le au comité de révision de la planification de recommander au Ministre d'Environnement et Gouvernements Locaux d'accepter la demande de rezonage de la propriété ayant NID 70606330 de la zone RU à C1 avec les conditions suivantes :

- 1. Que les usages permis soient limités à :
 - i) une entreprise d'entreposage et de stockage;**
 - ii) un bureau relatif à l'entreprise de l'entreposage;**
 - iii) des bâtiments ou structures accessoires relatifs à l'usage principal.****
- 2. Que le développement soit généralement conforme avec le plan de site;**
- 3. Que le requérant obtienne un permis d'accès du Ministère des Transports et de l'Infrastructure avant qu'un permis de développement soit émis;**
- 4. Qu'aucun bâtiment ne soit érigé à moins de 30m des limites de propriétés au nord et qu'aucun bâtiment ne soit érigé à moins de 30m des limites de l'emprise de l'autoroute 11;**
- 5. Que l'entreposage des substances ou liquides dangereux ou combustibles soit interdit;**
- 6. Que tous panneaux situés le long de l'autoroute soit conçus et placés conformément aux règlements provinciaux.**

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- c) Beaubassin West Rural Plan / Beaubassin-Ouest Plan Rural - Text amendment in order to modify sea-level rise regulations and undertake housekeeping amendments / *Amendement de texte afin de modifier les règlements de l'élévation du niveau de la mer et entreprendre des modifications administratives (File/ Dossier #17-287) French/français*

Staff member Josh Adams presented the request of the applicant to amend the Beaubassin West Rural Plan to clarify the regulations regarding sea level rise and the intensive resource development zone. Staff member Josh Adams read the proposed text amendments and explained the alterations. He explained that, to accommodate a range of development requests in the sea level rise, modifications to the zoning regulation were being proposed regarding existing structures. New principles were also being suggested to clarify and emphasize the intent of the adaptation zone. He reported that a text amendment was also being proposed to remove the word quarry related to the intensive resource development zone. He informed the Committee that pits were regulated by the Commission but quarries are managed by the Province.

Staff member Josh Adams read the staff recommendation into the record.

Committee Member Edgar LeBlanc questioned if the amendments would be retroactive. Staff member Josh Adams responded that they will be effective from the date of approval.

It was moved by Committee Member Edgar LeBlanc and seconded by Committee Member Stanley Dixon that the Southeast Planning Review and Adjustment Committee recommend to the Environment and Local Governments minister to APPROVE the regulation 17 BEO 055 04, which is the text amendment of the Beaubassin West Rural Plan. / Il est proposé par, Edgar LeBlanc, membre du

comité, et appuyé par Stanley Dixon, membre du comité, que le Comité de révision de la planification du Sud Est recommande au ministre de l'Environnement et des Gouvernements locaux D'APPROUVER le règlement 17-BEO-055-04, soit une amendement de texte au plan rural de Beaubassin ouest.

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

- d) Village of/de Riverside-Albert - Text amendment in order to permit service stations in the commercial zone, subject to terms and conditions / *Amendement de texte afin de permettre les stations de services dans la zone commerciale, sous réserve des conditions (File/Dossier #17-312) English/anglais*

Staff member Josh Adams presented the request of the applicant to amend the Riverside-Albert Rural Plan by adding service stations as a permitted use in the Commercial zone subject to terms and conditions. He reported that, although the Plan defines a service station, it does not permit them in any zone. Currently, there is a service station operating along Route 114 but it is a legal non-conforming use. Staff member Josh Adams explained that this text amendment would bring the existing station into conformance, as well as, allow new service stations to operate in the commercial zone.

Staff member Josh Adams read the staff recommendation into the record.

It was moved by Committee Member Hilyard Rossiter and seconded by Committee Member Edgar LeBlanc that that the Southeast Planning Review and Adjustment Committee recommend to Riverside-Albert's Council to APPROVE the proposed text amendment to the Village of Riverside-Albert Rural Plan. / Il est proposé par, Hilyard Rossiter, membre du comité, et appuyé par Edgar leBlanc, membre du comité, que le Comité de révision de la planification du Sud Est recommande au Conseil de Riverside-Albert D'APPROUVER la modification textuelle proposée au plan rural de Village de Riverside-Albert.

MOTION CARRIED - UNANIMOUSLY / MOTION ADOPTÉE À L'UNANIMITÉ

10. OTHER BUSINESS / AUTRES AFFAIRES

None / aucune

11. NEXT MEETING / PROCHAINE RÉUNION

Next monthly meeting will be held May 10, 2017 at 7:00 pm / La prochaine réunion mensuelle aura lieu à 10 mai 2017 à 19h.

12. ADJOURNMENT / LEVÉE DE LA RÉUNION

It was moved by Committee Member Linda Estabrooks to adjourn the meeting at 8:57 pm. / Il est proposé par Linda Estabrooks, membre du comité, de lever la séance à 20h57.

Harry McInroy - Chairman