

# ITEM 6a & 8b

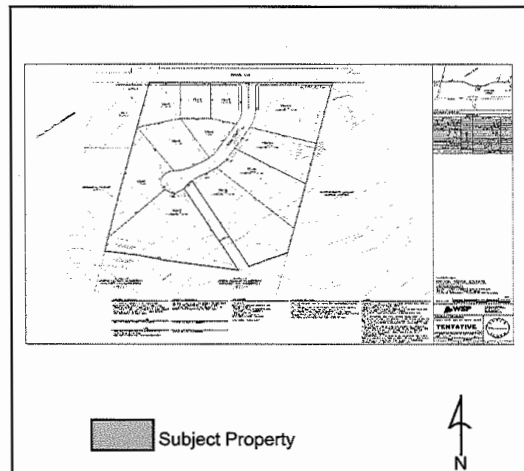
## Westmorland Albert Planning Review and Adjustment Committee Staff Report Tentative Subdivision

**Subject :** Brook Ridge Estate  
**Meeting Date:** October 28, 2015  
**From :** Jeff Boudreau  
Manager of Subdivision Approval

### GENERAL INFORMATION

**Applicant:**  
**Landowner :** McSheffrey Joseph & Margret  
**Proposal:** To create a public street (noah Court) and  
11 new residential lots.

*Pour créé une nouvelle rue publique (Rue  
Noah) et 11 nouveau lots résidentiel*



### SITE INFORMATION

**Location:** Route 134 Scoudouc  
**PID:** 869990  
**Lot Size:** 37.6 ha  
**Current Use:** Vacant Land / *Terre Vacant*  
**Zoning:** Environment Conservation / *Préservation de l'environnement*  
**Future Land Use:** Residential  
**Surrounding Use & Zoning:** Resources Development Zone and residential developments / *Zone de Development des Resources et Development résidentiel*  
**Municipal Servicing:** N/A  
**Access/Egress:** Route 134

### **Municipal Plan Policies**

It is proposed that development along a secondary road be low density.

*Il est propose que le development le long d'une voie secondaire soit a basse densité*

### **Zoning Bylaw and/or Subdivision By-law Regulation**

#### **E Zone - Environmental Conservation**

8(1) In an E zone, any land , building or structure may be used for the purposes of, and for no other purpose than

- (a) one of the following main uses:
  - (vi) a one family dwelling

#### **Provincial Subdivision Regulation 80-159**

- 5(1) In a proposed subdivision, unless otherwise approved by the Minister of Transportation,
  - (b) a cul-de-sac shall not exceed one hundred and eighty metres in length ...

#### **Zones E - Preservation de l'environnement**

- 8(1) *Les terrains, bâtiments ou constructions d'une zone E ne peuvent servir qu'aux fins*
  - (a) *d'un des usages principaux suivants:*
    - (vi) *une habitation unifamiliale*

#### **Règlements Provincial sur le Lotissement 80-159**

- 5(1) *Sauf approbation du ministre des Transports, dans tout projet de lotissement*
  - (b) *un cul-de-sac ne peut mesurer plus de cent quatre-vingts mètres de longueur .....*

#### **Internal Consultation & External Consultation**

The department of Transportation and Infrastructure and the Department of Environment and Local Government were consulted and their comments are attached.

Le Département de Transports et Infrastructure et le Département d'Environnement et Gouvernement Locaux ont été consultés et leurs commentaires sont ci-joint.

#### **Discussion**

On July 24, 2015 Mr. Douglas Mcsheffrey made an application to subdivide his property to create a new public street and 11 new residential lots.

The back portion was used as a borrow pit during construction of the Scoudouc Industrial Park Interchange construction and there is enough material there to complete the construction of Noah Court after which the pit on the north side of highway 15 will be discontinued.

The remnant portion of the lot will be accessed by a 20m strip of land that abuts Noah Court and has frontage on Route 15. It is expected that in the future a road would be built from Route 15 to Route 134 and an access to the remnant could be gained there as well.

The provincial subdivision regulation limits the permitted length of a cul-de-sac to 180m however the Department of Transportation and Infrastructure Guidelines for the Construction of Subdivision Roads & Streets permits cul-de-sacs in certain circumstances to extend up to 365m. In this case the plan was sent to the Department of Transportation and Infrastructure and they have accepted the proposed layout subject to the conditions contained in the letter sent to Mr. Jeff Boudreau from Mr. Paul Lightfoot Dated September 25, 2015

The Department of Environment and Local Government was also asked for comments and confirmed that there is a registered watercourse on the property that is subject to Regulation 90-80 of the clean water act. Also an abbreviated water assessment was completed by Craig Hydrogeologic Inc. and comments received by Mr. Gerard Soumas (DELG) are that the proposed subdivision be approved subject to a disclosure statement that the lots may require a water treatment system.

Soil tests have not been submitted at this time however all lots shown meet the minimums width, depth, and area requirements of the Department of Health guidelines for on site sewer systems.

*Le 24 Juillet, 2015 Mr. Douglas Mcsheffrey a soumis un application pour lotir son terrain pour cree un nouvelle rue publique et 11 nouveau lots résidentiel.*

*La portion arrière du terrain était utiliser comme carrière durant la construction de la sortie du parc industrielle de Scoudouc et il reste assez de matérielle pour compléter la construction de la rue Noah et par la suite la portion au Nord de la route 15 serait abandonner.*

*Le restant de terrain sera accéder par une section de terre 20m de large qui donne sur la rue Noah et a de la devanture sur la Route 15. Il est aussi probable que dans le future un nouveau chemin sera construit de la Route 15 jus qua la Route 134 auquel un accès pourrait être obtenue.*

*Le règlement provincial sur le lotissement indique que un cul-de-sac ne doit pas avoir une longueur de plus que 180m mais le guide des normes pour la construction de chemins et de rues de lotissement permet dans des telles circonstance un cul-de-sac avec une longueur de 365m. Dans ce cas le plan a été envoyer aux Département de Transports et Infrastructure et ils on accepter le plan proposer sujet aux conditions contenue dans la lettre envoyer a Mr. Jeff Boudreau de Mr. Paul Lightfoot le 25 Septembre, 2015.*

*Le Département d'Environnement et Gouvernement Locaux on aussi été consulter et on indiquer que il y avait un cours d'eau réglemantaire sur la propriété sujet aux règlement 90-80 de la loi sur la protection de l'eau. Aussi un étude sur la qualité de l'eau a été compléter par Craig hydrogologic Inc. et les commentaires reçu par Mr. Geràrd Soumas (DEGL) sont que le plan soit approuver assujetti a un avis que les lots créé pourrait nécessiter un système de traitement d'eau.*

*Les test de sol n'ont pas encore été soumis mais tous les lots rencontre les exigence minime pour la profondeur, largeur, et surface du guide des systèmes d'égouts du Département de Santé.*

#### **Public Notice**

Notice was sent to property owners within 100m of the subject property.

*Un avis a été envoyer aux propriétaire a 100m de la propriété en question.*

#### **Legal Authority**

##### **Section 55(2) of the Community Planning Act**

The assent of the Minister of Transportation under this section shall not be given until,

(a) the commission has recommended the location of the streets mentioned in subsection (1) to the Minister.

##### **Section 46(1) of the Community Planning Act**

An Advisory committee or regional service commission may

(a) subject to such terms and conditions as it considers fit, permit such reasonable variance from the requirements of the subdivision by-laws as, in its opinion, is desirable for the development of the land in accord with the general intent of the by-law and any plan, statement or scheme thereunder affecting the land,

##### **Section 55(2) de la Loi sur L'urbanisme**


*Le ministre des Transports et de l'Infrastructure ne doit pas donner son assentiment en application du présent article*

*(a) avant que la commission de services régionaux lui ait fait part de ses recommandations sur l'emplacement des rues mentionnées au paragraphe (1)*

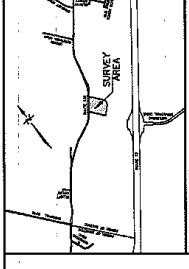
##### **Section 46(1) de la Loi sur L'urbanisme**

*Un comité consultatif ou une commission de services régionaux peuvent*

*(a) Sous réserve des modalités et conditions qu'ils considèrent appropriées, permettre toute dérogation raisonnables aux conditions prescrites par l'arrêté de lotissement, qui, a leur avis, est désirable pour l'aménagement d'un terrain conformément a l'intention générale de l'arrêté ainsi que de tout plan, déclaration ou projet intéressant le terrain.*



Jeffrey Boudreau, P. Tech  
Manager of Subdivision Approval

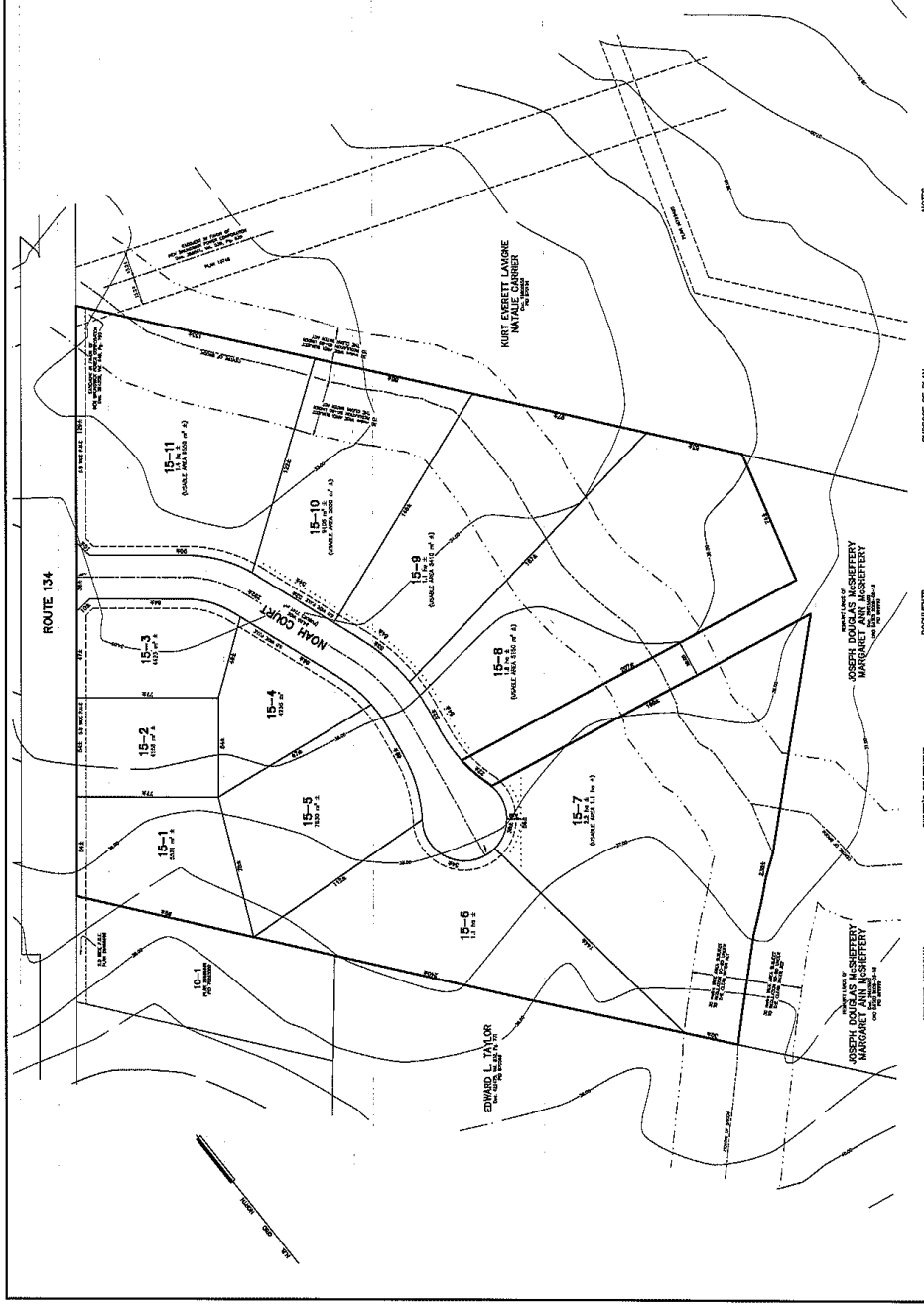


**LEGEND**

1	PROPOSED SUBDIVISION
2	EXISTING SUBDIVISION
3	EXISTING LOT
4	EXISTING ROAD
5	EXISTING UTILITY
6	EXISTING EASEMENT
7	EXISTING ENCUMBRANCE
8	EXISTING SURVEY
9	EXISTING ADJACENT PROPERTY
10	EXISTING ADJACENT ROAD
11	EXISTING ADJACENT UTILITY
12	EXISTING ADJACENT EASEMENT
13	EXISTING ADJACENT ENCUMBRANCE
14	EXISTING ADJACENT SURVEY
15	EXISTING ADJACENT PROPERTY
16	EXISTING ADJACENT ROAD
17	EXISTING ADJACENT UTILITY
18	EXISTING ADJACENT EASEMENT
19	EXISTING ADJACENT ENCUMBRANCE
20	EXISTING ADJACENT SURVEY

**PROPOSED PLAN:**  
**BROOK RIDGE ESTATE**  
**SUBDIVISION**  
 PREPARED BY: WSP  
 COUNTY OF WESTBOROUGH, PROVINCE OF NEW BRUNSWICK

**WSP**  
**TENTATIVE**  
 HERBERT GUYER, P. ENG. THIS PLAN IS CORRECT.  
 DATE: 12-1-2010  
 DRAWN: J.M. 2010  
 CHECKED: J.M. 2010  
 DATE: 12-1-2010  
 DRAWN: J.M. 2010  
 CHECKED: J.M. 2010  
 DATE: 12-1-2010  
 DRAWN: J.M. 2010  
 CHECKED: J.M. 2010



**NOTES:**  
 1. ALL DIMENSIONS ARE AS SHOWN UNLESS OTHERWISE NOTED.  
 2. THE SUBDIVISION IS SUBJECT TO ALL EASEMENTS, ENCUMBRANCES AND ADJACENT PROPERTY RIGHTS.  
 3. THE SUBDIVISION IS SUBJECT TO ALL REGULATIONS AND ORDINANCES OF THE COUNTY OF WESTBOROUGH, PROVINCE OF NEW BRUNSWICK.  
 4. THE SUBDIVISION IS SUBJECT TO ALL CONDITIONS SET OUT IN THE SUBDIVISION AGREEMENT.  
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 20. THE SUBDIVISION IS SUBJECT TO ALL CONDITIONS SET OUT IN THE SUBDIVISION AGREEMENT.

**DOCUMENTS:**  
 1. DEED TO EDWARDS L. TAYLOR, DATED 12-1-2010.  
 2. DEED TO MURTY EVERETT LANGRISH, DATED 12-1-2010.  
 3. DEED TO JOSEPH DOUGLAS MCKEENEY, DATED 12-1-2010.  
 4. DEED TO JOSEPH DOUGLAS MCKEENEY, DATED 12-1-2010.  
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 19. DEED TO JOSEPH DOUGLAS MCKEENEY, DATED 12-1-2010.  
 20. DEED TO JOSEPH DOUGLAS MCKEENEY, DATED 12-1-2010.

**DISCLAIMER:**  
 The user agrees not to use these electronic files for any purpose other than for the project. The user agrees not to transfer these electronic files to others without the prior written consent of WSP. The user further agrees to waive all claims against WSP resulting in any way from any unauthorized changes to or reuse of the electronic files for any other project by anyone other than WSP.

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File No.:78- B-1072

September 25, 2015

Mr. Jeff Boudreau  
Regional Service Commission 7  
Moncton Office, Terminal Plaza  
1222 Main Street  
4<sup>th</sup> Floor, Unit 4000  
Moncton, NB E1C 1H6

Subject: Tentative Brook Ridge Estates Subdivision, Parish of Shediac, Westmorland County.

Dear Mr. Boudreau

The location of the proposed street(s) shown on the tentative subdivision plan mentioned above is acceptable to the Department of Transportation and Infrastructure.

When the Regional Service Commission 7 recommends the proposed public street(s) to the Minister of Transportation and Infrastructure and the Development Officer approves the tentative plan then the proposed public street(s) will be acceptable to the Department of Transportation and Infrastructure when the following conditions are met:

- The developer is required to submit a street design including a plan and profile and cross sections showing top and bottom of foreslopes and backslopes, direction of ditch flow, pipe sizes, Municipal Services Easements and street right-of-way width for the proposed streets. The design drawings must be prepared and stamped by a registered Professional Engineer of New Brunswick **and submitted to the Department prior to the Minister signing the final plan.**
- The drainage system shall be designed to consider the drainage basin as a whole and must accommodate not only runoff water from the subdivision area but also, where applicable, the system shall be designed to accommodate the runoff water from those areas adjacent to and upstream from the subdivision itself, as well as its effects on lands downstream. It is the developer's responsibility to determine how the run-off water from the lots and the proposed public streets will be carried away to ensure that it does not have a negative affect on the proposed lots and the existing properties in the area. **A detailed drainage report must accompany the drainage plan in order to evaluate the drainage pattern. Where environmental permits are required, copies should be forwarded to the Department of Transportation and Infrastructure. Prior to the Minister signing the final plan, stamped copies of the engineered drainage study and design shall be forwarded to the Department.**
- The proposed street name(s) must be submitted to the Department of Public Safety NB 911 Services Section and approved to ensure compliance with the NB 911 Civic Addressing Standards. The street name approval must be forward to this Department before the Minister can approve the final subdivision plan.

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- The developer will be required to pay the Department of Transportation and Infrastructure for the costs of the supply and installation of all the traffic control signs that are required along the new streets in this subdivision. The District Transportation Engineer will determine the number of signs and their associated cost.
- The developer shall construct the proposed street(s) to meet or exceed the provincial standards specified in the guide entitled "A Guide to the Minimum Standards for the Construction of Subdivision Roads and Streets." The guide can be viewed on the Internet sites [www.gnb.ca/0113/publications-e.asp](http://www.gnb.ca/0113/publications-e.asp) & [www.gnb.ca/0113/publications-f.asp](http://www.gnb.ca/0113/publications-f.asp) or at the district office in Fredericton. The developer will be required to construct the street(s) to the top of the subbase including ditching, cross-culverts, and the turnaround area before the Minister of Transportation and Infrastructure will accept a bond for any remaining construction work. The grade on the new street(s) shall not exceed the maximum allowable grade of 8% and the grade on the turning area shall not exceed the maximum allowable grade of 3%. The normal street construction season is from June 1 to November 30. Street construction work performed during the off-season must be pre-approved by the District Transportation Engineer..
- The developer shall provide "Municipal Services Easements" with a 10-m minimum width for all drainage ditches crossing the proposed lots and the remnant property that are intended to drain water to and away from the street ditches in the proposed development. The minimum grade for drainage ditches is 0.5%.
- The developer will have the option of being directly responsible for the chip sealing or having the work performed by the Department of Transportation and Infrastructure. In either case, the developer will be required to deposit a surety with the Department of Transportation and Infrastructure for the costs associated with the chip sealing of the proposed new street. The chip sealing will be performed to the specifications established by the Department of Transportation and Infrastructure.
- The right-of-way limits at the proposed street intersection(s) shall be laid out as shown on "Figure 4.3.4 A" of the guide.
- Any temporary turnaround must meet the requirements shown in "Figure 4.3.2.3 D" of the guide.
- The right-of-way limits of the proposed street(s) must be properly posted with standard survey markers to identify the property to be vested in the Crown as (a) public street(s).
- Additional street right-of-way allowance will be necessary where the topography of the land or the soil type requires extra width for deeper or wider ditches. The street right-of-way may have to be widened to more than the standard 20 metres in some areas to ensure that the ditch and the backslope/foreslope are within the area to be vested in the Crown as a public street. The additional street right-of-way width will be necessary for future street maintenance activities. Standard survey markers shall not be placed in the ditches.
- The street(s) shall be constructed so that there are acceptable sight distances at all driveway accesses to the lots and at all street intersections.

Mr. Jeff Boudreau  
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- The turn(s) along the proposed street shall be designed as curves as specified in "Section 4.3.3" of the guide. The back-to-back curves shall be separated by a minimum tangent length of 15 m as specified in the Urban Supplement to the Geometric Design Guide for Canadian Roads produced by the Transportation Association of Canada.
- A suitable turning area must be constructed at the end of any temporary dead end street created by developing the subdivision proposal in phases.

It is the responsibility of people building, upgrading, or repairing highway facilities to ensure that the environment is protected and that legislative requirements are met. It is important to prevent erosion and sedimentation from occurring by having erosion and sediment control measures in place before and during roadway construction and maintenance.

The District Transportation Engineer must be notified prior to the beginning of the street construction work, as periodic inspections will be carried out during construction to assess construction methods and/or additional engineering requirements.

It should be noted that a draft copy of the final plan must be sent to both the Regional Services Commission and the Department of Transportation and Infrastructure, Property Services Branch in Fredericton, for final inspection before the registration plan is prepared and sent to the Development Officer. The Development Officer will forward the final plan to the Department of Transportation and Infrastructure for the assent of the Minister of Transportation and Infrastructure.

Please give a copy of this letter to the developer and the surveyor.

Sincerely,



Paul Lightfoot, P.Eng  
Rural Subdivisions Coordinator

c.c. Norm Coté, Assistant Director, Property Services Branch, NBDTI, sent via E-mail  
Charles Boudreau, District 3 (Moncton), sent via E-mail.  
Rob Forbes, District 3 (Moncton), sent via E-mail.  
Janice Collette, District 3 (Moncton), sent via E-mail.

**Jeff Boudreau**

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**From:** Souma, Gerard (ELG/EGL) <Gerard.Souma@gnb.ca>  
**Sent:** October-16-15 3:22 PM  
**To:** Jeff Boudreau  
**Cc:** Wilson, Paul (ELG/EGL); Smith, Sara (ELG/EGL)  
**Subject:** RE: Brook Ridge Estate Subdivision

Hi Jeff,

I've reviewed the Abbreviated Water Supply Assessment (AWSA) report prepared by Craig HydroGeoLogic Inc., September 2015, for the proposed Brook Ridge Estates Subdivision, located southeast of Route 134 in Shediac Cape, NB. Reviewed material included the ArcMap and Atlas ELG Geology Bedrock, Contours and Dump sites layers, Online Well Log System database, GeoNB Map Viewer, Planet Parcel attribute database, the submitted AWSA, SIRS database and DNR "Carte NR-1 (edition 2000) Géologie du Substratum Rocheux du Nouveau-Brunswick". I understand that the proponent Mr. Troy McSheffery intends to develop an 11-lot subdivision to be serviced by private wells on the property of PID 00869990.

The following comments/concerns regarding the above mentioned subdivision pertain to the Guideline for the Review of Subdivisions Serviced by Individual Private Wells. The AWSA indicates that:

- A search of the NBDELG database returned 6 usable well logs located within 1500 m radius around the property. The well logs indicate that estimated well yields in the area range from 10 to 100 igpm (with a median of 15 igpm). The well logs indicate the well range in depth from 80 to 175 ft (with a median depth of 125 ft). Most wells in the area had extended casing installed from 40 to 100 ft (with an average depth of 97 ft) due to the presence of topsoil, overburden, clay and soft sandstone layers at depth, which can sometimes collapse. The bedrock in the area is generally conglomerate, clay, shale and sandstone. Major water-bearing fractures supplying groundwater were noted at depths ranging from 68 to 170 ft. Some wells have their water bearing zone in the shale layer.
- A 1500 m radius search around the property of the NBDELG well chemistry database provided 4 samples for microbiology, general water chemistry, and trace metal. Up to 3 parameters exceeded Maximum Acceptable Concentrations (MAC) or Aesthetic Objectives (AO) of the Canadian Drinking Water Quality (CDWQ) Guidelines including: manganese (3), total coliforms (1) and turbidity (1). Records provided by NBDELG represent the well water quality at the time of well completion and in many cases prior to adequate development. In general, many of these parameters noted to exceed MAC or AO could decrease with the well use, i.e. as the turbidity decreases. The presence of total coliforms may indicate influences from surface or near surface water infiltration into wells. However, if wells are properly constructed and minimum setback distances are maintained, the possible risk could be mitigated.
- Within 500 meters of the proposed development, there are no documented dump site and land uses do not appear to be an issue for the proposed development.

According to the depth and yields information obtained from the NBDELG database, wells are developed in the fractured bedrock unit, which generally supplies adequate yields for domestic requirements in this area. From a water quantity perspective, the data indicates that well yields in the area appear to be adequate to support the water demands for a single 4-bedroom family home containing 5 people (0.34 igpm on a daily basis or 4.1 igpm as peak demand during 2 hours a day, based on a water demand requirement of 450 L/pers./day). In addition, each of the existing wells in the area exceeds this peak water demand requirement (4.1 igpm). However, if low well yields appear to be an issue during peak demand, additional storage conservation methods might be undertaken (on the well and/or in the house).

The NBDELG water quality records indicate that the groundwater encountered in the proposed development will likely require treatment in order to reduce the general chemistry and microbiology parameter levels below their respective MACs and AOs. From a water quality perspective, the parameters that exceeded the CDWQ MAC and AO might be easily treated with commercially available treatment systems, which employ water-softening, filtration and reverse osmosis technologies. The cost for water treatment will vary depending on the chosen system and they would need to be maintained to function properly.

I would recommend to approve the proposed subdivision with a disclosure of the developer to any potential homeowner about the possible need for water treatment so that they are fully aware of the issue and can plan for the expense. Potential homeowners should be reminded that any wells should be properly constructed according to Water Well Regulation - Clean Water Act with minimum setback distances maintained, minimum casing and grouting requirements, and tested prior to consumption to determine if any specific parameters require water treatment. In addition, although it is not included in the regulation, I would recommend a good casing length extended into well competent bedrock, and a grouting of the entire annular space. Future residents should be advised to regularly have their water tested (i.e. twice a year, in spring and fall) to ensure it is safe and monitor their water quantity and quality to be aware of any changes to the groundwater resource.

*Note: please note that, from a water quality perspective, wells with water bearing fracture zones within the shale layers for their water supply might contain naturally occurring dissolved gases including methane in the water. Due to the increase of water turbulence or water temperature, methane gas might be released from the water either in the well, or in the pressure tank or at different points of the water distribution system.*

Please feel free to contact me if you have any questions or require clarification.

Sincerely,

**Gerard Souma, PhD, P. Eng./ing.,**

Civil Engineer and Hydrogeologist / Ingénieur Civil et Hydrogéologue

Section: Drinking Water Source Protection / Protection des sources d'eau potable

Branch: Sustainable Development and Impact Evaluation / Développement durable et évaluation des impacts

Division: Environment / Environnement

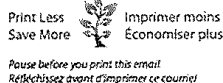
Department: Environment & Local Government/Environnement et Gouvernements Locaux

Phone / Téléphone : 506-856-2374

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E-mail / Courriel : [gerard.souma@gnb.ca](mailto:gerard.souma@gnb.ca)

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**From:** Jeff Boudreau [<mailto:Jeff.Boudreau@csrrsc7.ca>]

**Sent:** October 13, 2015 8:40 AM

**To:** Souma, Gerard (ELG/EGL)

**Subject:** FW: Brook Ridge Estate Subdivision

Gerard,

Attached is a copy of the abbreviated water study for the above subdivision.

Please provide any comments or recommendations you may have.

Thanks,

Jeffrey J. Boudreau, P. Tech

Manager of Subdivision Approval / Gestionnaire d'Aprobation des Lotissements

Southeast Regional Service Commission / Commission des Service Régionaux Sud-Est

1234 Main St. Moncton NB E1C 1H7

[Jeff.boudreau@csrrsc7.ca](mailto:Jeff.boudreau@csrrsc7.ca)

(506) 382-5386 [www.nbse.ca](http://www.nbse.ca)