

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

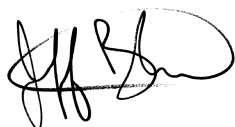
**Staff Report / Rapport du personnel**

**Subject / Objet :** subdivision with new street and variance

**File number / Numéro du fichier** 20-520 & 20-1525

**From / De :**

**Reviewed by / Révisé par :**




Jeff Boudreau

Development Officer / Agent d'aménagement

Joshua Adams

Planner / Urbaniste

**General Information / Information générale**

**Applicant / Requéant :**

RCL Financial Services Ltd.

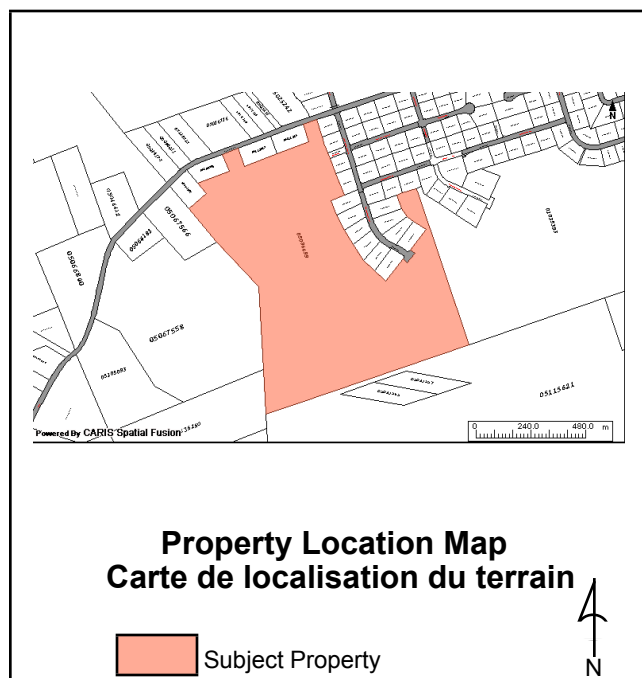
**Landowner / Propriétaire :**

White Birch estates

**Proposal / Demande :**

create 8 new residential lots and a new public street  
(Bloomfield Street) /

*créer 8 nouveaux lots résidentiels et une nouvelle rue  
publique (rue Bloomfield)*



**Site Information / Information du site**

**PID / NID:** 05112131

**Lot Size / Grandeur du lot:** 80ha

**Location / Endroit :**

Lower Coverdale

**Current Use / Usage présent :**

vacant land

**Zoning / Zonage :**

R1

**Future Land Use / Usage futur :**

N/A

**Surrounding Use & Zoning / Usage des environs & Zonage :**

residential and wooded areas

**Municipal Servicing / Services municipaux:**

individual well and septic field

**Access-Egress / Accès/Sortie :** Petersfield street and Niagara road

## **Policies / Politiques**

**6(2)** It is proposed to permit residential development only on lots that have Department of Environment and Local Government and Department of Health and Wellness approvals as required. / *Il est proposé d'autoriser les aménagements résidentiels uniquement sur les lots qui ont été approuvés par le ministère de l'Environnement et des Gouvernements locaux et par le ministère de la Santé et du Bien-être au besoin.*

## **Zoning and/or Subdivision Regulation / Réglementations de zonage et/ou de lotissement**

**5(4)** In arriving at a decision regarding a recommendation with respect to the location of streets in a proposed subdivision, the commission shall give consideration to; / *Avant de statuer sur une recommandation relative à l'emplacement des rues d'un lotissement proposé, la commission de services régionaux doit*

- (a) the topography of the land, / *tenir compte de la topographie du terrain,*
- (b) the provision of lots suitable for the intended use, / *veiller à la création de lots qui puissent servir à la destination qui leur est attribuée,*
- (c) street intersections and interceptions being as nearly as possible at right angles, / *s'assurer que les intersections de rues sont perpendiculaires dans la mesure du possible,*
- (d) the provision of convenient access to the proposed subdivision and to lots within it,  
and / *prendre les mesures nécessaires pour assurer un accès aisé au lotissement proposé et aux lots qu'il comporte, et*
- (e) the convenient further subdividing of the land or adjoining land. / *prendre les mesures nécessaires pour rendre aisé le lotissement ultérieur du terrain visé ou des terrains attenants.*

## **Internal Consultation & External Consultation / Consultations internes et externes**

The Department of Transportation and Infrastructure was asked to review and provide comments on this plan. The response is included in this report. / *On a demandé au ministère des Transports et de l'Infrastructure et au ministère de l'Environnement et des Gouvernements locaux de réviser et de commenter le plan. Leurs réponses sont incluses dans ce rapport.*

## **Discussion**

On June 5, 2020 an application was completed for the creation of a new public street (bloomfield street) and 8 new lots for residential purposes. This plan includes a 12m wide access that will remain attached to the remnant land. / *Le 5 juin 2020, une demande a été complétée pour la création d'une nouvelle rue publique (rue Bloomfield) et de 8 nouveaux lots à des fins résidentielles. Ce plan comprend un accès de 12 m de large qui restera attaché à la terre restante.*

The Plan was sent to the Department of Transportation and Infrastructure and no significant changes to the subdivision plan were requested. A copy of the letter from Mr. Paul Lightfoot to Mr. Jeff Boudreau dated July 30, 2020, is attached to this report. / *Le plan a été envoyé au ministère des Transports et de l'Infrastructure et aucun changement significatif n'a été demandé au plan de la subdivision. Une copie de la lettre de M Paul Lightfoot à M Jeff Boudreau en date du 30 juillet 2020 est attachée à ce rapport.*

As this is a Phase of an overall layout, which was subject to an "E.I.A.", a Certificate of Determination has been issued and contains 9 conditions. The condition, which directly relates to the subdivision, is #6, requiring a disclosure statement to all potential homeowners about the possible need for water treatment. A copy of the Certificate of Determination is attached to this report. / *Puisque ce plan représente une phase*

*d'une configuration globale qui a été soumise à une E.I.E., un certificat de décision a été émis et contient 9 conditions. La condition qui est liée directement à la subdivision est la sixième, qui requiert une déclaration de divulgation à tous les propriétaires potentiels sur le besoin possible de traitement de l'eau. Une copie du certificat de décision est attachée à ce rapport.*

A soil assessment report has been submitted by the owner, and, every lot exceeds the New Brunswick Technical Guidelines for Onsite Sewage Disposal Systems. / *Un rapport d'évaluation des sols a été soumis par le propriétaire foncier, et chaque lot excède les lignes directrices techniques relatives aux systèmes autonomes d'évacuation des eaux usées du Nouveau-Brunswick.*

The length of the proposed cul-de-sac would exceed the 180m maximum length in the provincial subdivision regulation however this will be a temporary cul-de-sac and the Department of Transportation and Infrastructure has accepted the proposed layout. / *La longueur proposée du cul-de-sac dépasserait la longueur maximale de 180 m stipulée dans le règlement provincial sur le lotissement. Toutefois, ce cul-de-sac sera temporaire et le ministère des Transports et de l'Infrastructure a approuvé l'aménagement proposé.*

### **Public Notice / Avis public**

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

### **Legal Authority / Autorité légale**

Section **87(2)** of the Community Planning Act states; / *Le paragraphe 87 (2) de la loi sur l'urbanisme stipule:*

The assent of the Minister of Transportation under this section shall not be given until, / *Le ministre des Transports et de l'Infrastructure ne peut donner son assentiment prévu au présent article tant que n'ont pas été remplies les conditions suivantes :*

**(a)** the commission has recommended the location of the streets mentioned in subsection (1) to the Minister. / *la commission de services régionaux recommande au ministre des Transports et de l'Infrastructure l'emplacement des rues visées au paragraphe (1);*

**78(1)**An advisory committee or regional service commission may / *Tout comité consultatif ou toute commission de services régionaux peut :*

**(a)** subject to the terms and conditions it considers fit, permit a reasonable variance from the requirements of a subdivision by-law, if it is of the opinion that the variance is desirable for the development of land and is in keeping with the general intent of the by-law and any plan or scheme under this Act affecting the land, / *ou bien, sous réserve des modalités et des conditions qu'il juge indiquées, autoriser toute dérogation raisonnable aux exigences de l'arrêté de lotissement, qui, à son avis, est souhaitable pour l'aménagement d'un terrain et compatible avec l'objectif général de l'arrêté comme de tout plan, toute déclaration ou tout projet prévus par la présente loi touchant le terrain;*

### **Recommendation / Recommandation**

Staff respectfully recommends that the Southeast Planning Review & Adjustment Committee **approve** the variance request to exceed the permitted length of a cul-de-sac from 180m to 365m. / *Les membres du personnel recommandent respectueusement que le comité de révision de la planification du Sud-Est **approuve** la demande de variance pour augmenter la longueur permise d'un cul-de-sac de 180 m à 365 m.*

Staff also recommends that the The Southeast Planning Review and Adjustment Committee recommends that the Minister of Transportation and Infrastructure; / *Les membres du personnel recommandent également que le comité de révision de la planification du Sud-Est recommande que le ministre des Transports et de l'Infrastructure ;*

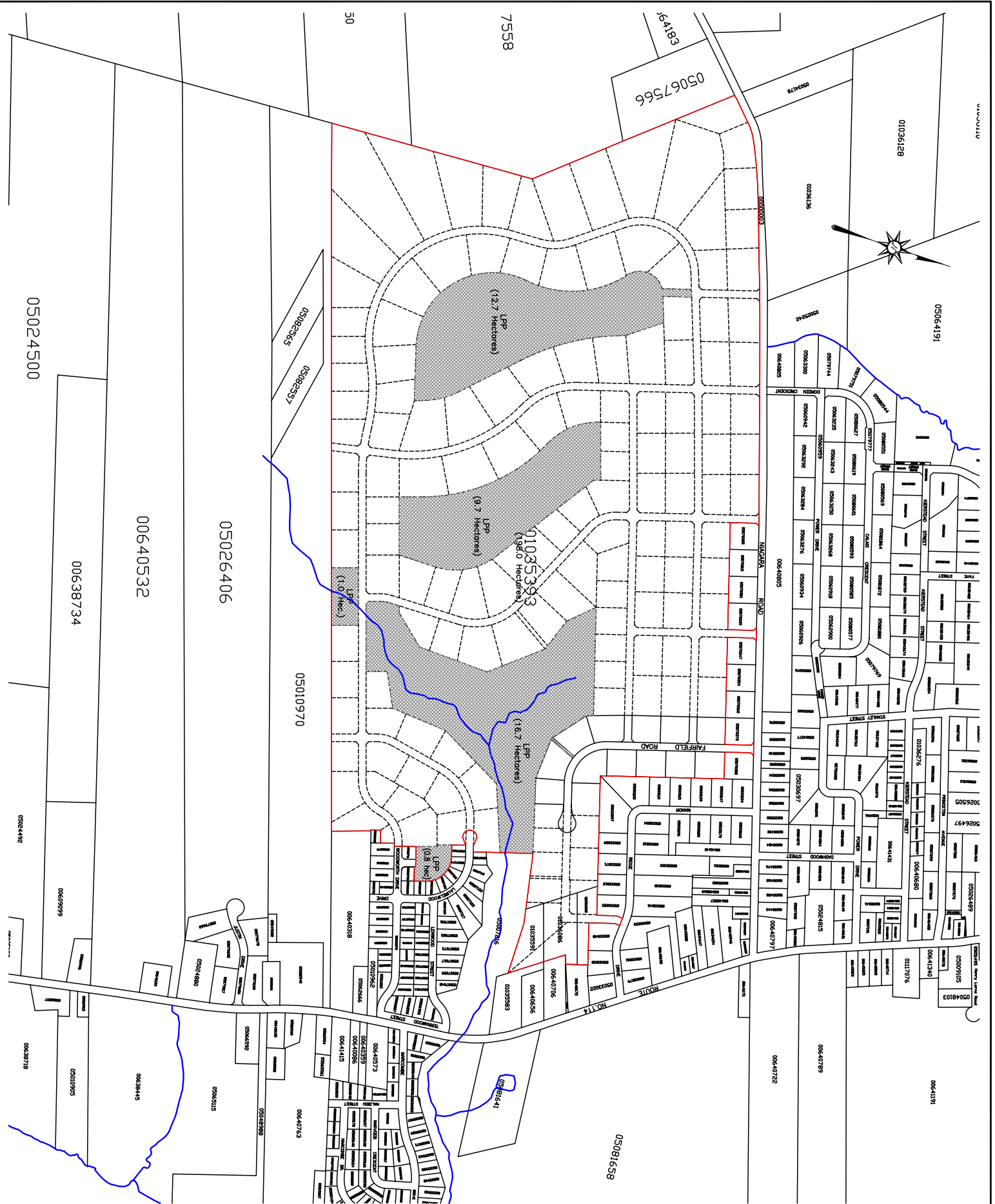
- assent to the location of Bloomfield Street / *consente à l'emplacement de la rue bloomfield*

**subject to the following conditions: / *soumis aux conditions suivantes :***

1. A satisfactory soils report be submitted to the development officer prior to final plan endorsement. / *Un rapport d'évaluation des sols satisfaisant doit être soumis à l'agent de développement avant l'approbation finale du plan.*

2. The development officer shall not approve the final subdivision plan until all conditions as outlined by the Provincial Department of Transportation and Infrastructure, in a letter from Mr. Paul Lightfoot to Mr. Jeff Boudreau dated July 30, 2020 have been satisfied. / *L'agent de développement devra s'abstenir d'approuver le plan final de la subdivision avant que toutes les conditions énumérées par le ministère provincial des Transports et de l'Infrastructure dans une lettre de M Paul Lightfoot à M Jeff Boudreau en date du 30 juillet 2020 soient satisfaites.*

**Note:** This report was written in english and translated to a bilingual document. Where a conflict exists between the two languages, the language the report was written shall prevail. / **Note:** *ce rapport a été rédigé en anglais et traduit en version bilingue. En cas de conflit entre les deux langues, la langue dans laquelle le rapport a été rédigé a préséance.*



Project:

**White Birch Estates  
Development  
Lower Coverdale, NB**

Drawing:

**Site Plan Showing  
Proposed Development**

Project No.:

MP004

Drawing No.:

MP00403

Revision No.:

0

Scale:

1:10,000

Drawn By:

JNC

Checked By:

MJF

Date:

Apr. 06



**FISHER**  
ENGINEERING LTD.

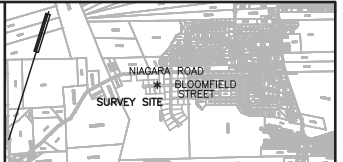
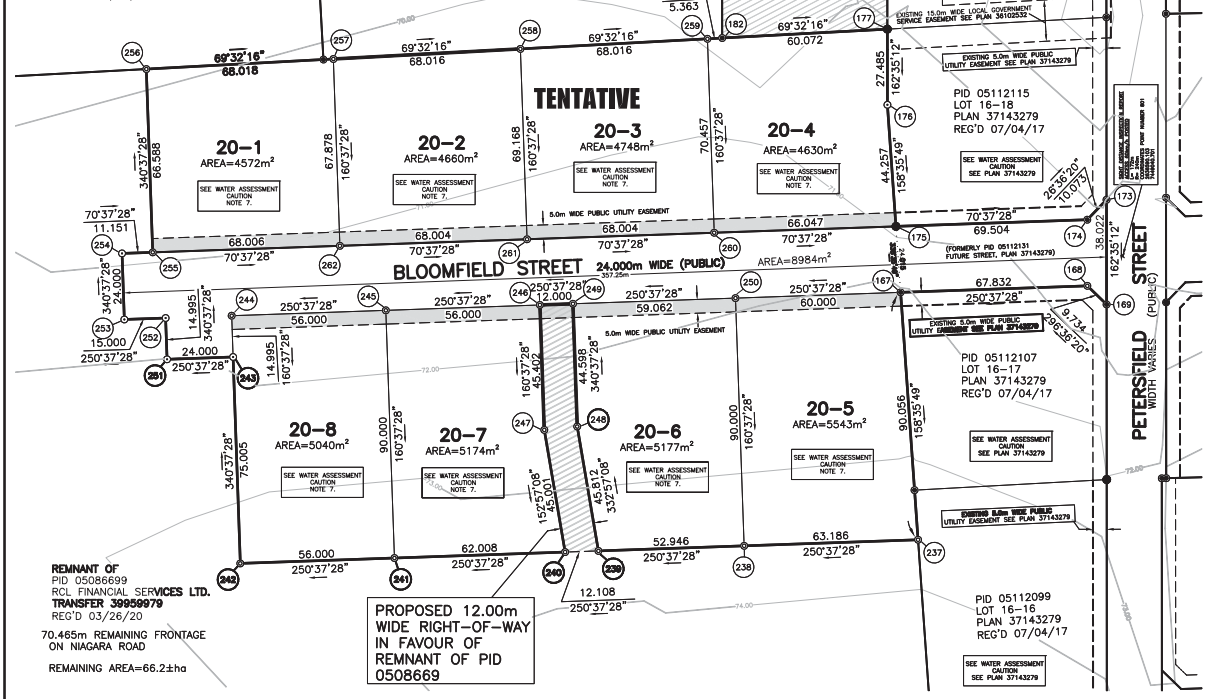
**FISHER ENGINEERING LTD.**  
P.O. BOX 2663  
Moncton, New Brunswick  
EIC 8N6

Legend:

N.B. GRID COORDINATE VALUES NAD83 (CSRS)				N.B. GRID COORDINATE VALUES NAD83 (CSRS)			
POINT	EASTING (m)	NORTHING (m)	DESCRIPTION	POINT	EASTING (m)	NORTHING (m)	DESCRIPTION
167	2636517.065	7449023.903	PLAN	248	2636419.542	7448923.331	SMSSET
168	2636581.056	7449026.407	PLAN	249	2636404.746	7448964.403	SMSSET
169	2636589.759	7449022.048	PLAN	250	2636460.463	7448983.998	SMSSET
173	2636578.381	7449026.328	PLAN	251	2636270.104	7448901.158	CP
174	2636573.869	7449049.321	PLAN	252	2636265.129	7448915.304	CP
175	2636508.301	7449026.262	PLAN	253	2636250.978	7448910.327	CP
176	2636492.151	7449067.467	PLAN	254	2636243.016	7448932.388	CP
177	2636483.926	7449093.683	PLAN	255	2636233.535	7448936.687	SMSSET
178	2636460.843	7449167.289	PLAN	256	2636231.444	7448999.484	SMSSET
181	2636403.984	7449148.129	PLAN	257	2636225.171	7449023.262	SMSSET
182	2636427.644	7449072.692	PLAN	258	2636358.895	7449047.040	SMSSET
237	2636549.929	7448920.058	SMSSET	259	2636422.620	7449070.817	SMSSET
238	2636490.321	7448999.095	SMSSET	260	2636445.395	7449004.350	SMSSET
239	2636440.374	7448981.530	SMSSET	261	2636381.842	7448981.789	SMSSET
240	2636428.952	7448877.512	SMSSET	262	2636317.690	7448959.228	SMSSET
241	2636370.456	7448856.941	SMSSET	20409	2637584.851	7449550.565	MON
242	2636317.627	7448838.362	SMSSET	28155	2638900.268	7456422.126	MON(COIN/HPN)
243	2636292.744	7448909.120	CP				
244	2636287.769	7448923.265	SMSSET				
245	2636340.597	7448941.844	SMSSET				
246	2636393.426	7448960.422	SMSSET				
247	2636408.488	7448917.591	SMSSET				

ALL COMPUTATIONS PERFORMED AND COORDINATES SHOWN ON THIS PLAN ARE BASED ON THE NEW BRUNSWICK STEREOGRAPHIC DOUBLE PROJECTION AND THE NAAD83(CSRS) ELLIPSOID AS REALIZED BY SERVICE NEW BRUNSWICK'S HIGH PRECISION CONTROL NETWORK

PID 0511217  
LOT 17-1  
PLAN 37801678  
REG'D 02/20/18



**LEGEND**

STANDARD SURVEY MARKER PLACED (SMSSET)	⊙
STANDARD SURVEY MARKER FOUND (SMFD)	⊙
IRON PIPE FOUND (IPFD)	⊙
IRON BAR FOUND (IBFD)	⊙
CALCULATED COORDINATE POINT (CP)	⊙
TABULATED COORDINATE REFERENCE	⊙
CENTRELINE	—
SANITARY SEWER LINE	—
EASEMENT	---
FENCE	-x-x-
UTILITY LINE	---
SQUARE METRES	m <sup>2</sup>
NEW BRUNSWICK LAND SURVEYOR	N.B.S.
N.B.S. REGISTRATION NUMBER	#306
ORDINARY HIGH WATER MARK	OHWM
PARCEL IDENTIFIER NUMBER	PID
SERVICE NEW BRUNSWICK	SNB
INSTRUMENT / VOLUME / PAGE	123456/1234/123
DISTANCE OR AZIMUTH CALLED FOR IN DEED (DEED)	---
CURVE	C-1 SPOT ELEVATION (m)
POINT OF CURVE	PC
POINT OF TANGENT	PT
RADIUS POINT	RP
LAND DEALT WITH BY THIS PLAN BOUNDED THUS:	---
UTILITY POLE	⊙

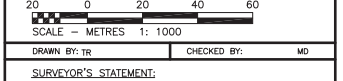
- NOTES:**
- AZIMUTHS AND COORDINATES WERE DERIVED FROM SERVICE NEW BRUNSWICK'S HIGH PRECISION CONTROL NETWORK, NAAD83(CSRS), REFERENCED TO MONUMENTS 20409 & 28155 (HPN).
  - THE SCALE FACTOR USED IS EQUAL TO 1.000017.
  - THE DOCUMENT NUMBERS REFERRED TO ON THIS PLAN ARE THOSE OF THE APPLICABLE COUNTY REGISTRY OFFICE.
  - AZIMUTHS ARE ROUNDED TO THE NEAREST 0.1°.
  - CERTIFICATION IS NOT MADE AS TO COVENANTS SET OUT IN THE DOCUMENT(S), NOR TO THE LOCATION OF ANY UNDERGROUND SERVICES AND/OR FIXTURES, PERMANENT OR OTHERWISE.
  - CERTIFICATION IS NOT MADE AS TO COVENANTS SET OUT IN THE DOCUMENT(S), NOR TO THE LOCATION OF ANY UNDERGROUND SERVICES AND/OR FIXTURES, PERMANENT OR OTHERWISE.

**PURPOSE OF PLAN:**

- TO AMEND A 24.00m WIDE FUTURE STREET (PID 0511213) ON PLAN 37143279 REG'D 07/04/17.
- TO CREATE A PORTION OF BLOOMFIELD STREET 24.00m WIDE (PUBLIC), PURSUANT TO SECTION 87(5) OF THE COMMUNITY PLANNING ACT, 2018.
- TO CREATE LOTS 20-1 THRU 20-8 FOR RESIDENTIAL BUILDING PURPOSES.
- TO SHOW A PROPOSED 12.00m WIDE RIGHT-OF-WAY IN FAVOUR OF REMNANT OF PID 0508669 (WHITE BIRCH ESTATES SUBDIVISION INC., TRANSFER 29657983).
- TO CREATE 5.0m WIDE PUBLIC UTILITY EASEMENTS, PURSUANT TO SECTION 5, REGULATION 84-217, COMMUNITY PLANNING ACT, 2017, SHOWN THUS: ---

**AMENDING SUBDIVISION PLAN**  
**WHITE BIRCH ESTATES**  
**PHASE 10 SUBDIVISION**

AMENDING SUBDIVISION PLAN 37143279 REG'D 07/04/17  
LOCATED ON THE WEST SIDE OF  
PETERSFIELD STREET  
LOWER COVERDALE  
PARISH OF COVERDALE  
COUNTY OF ALBERT  
PROVINCE OF NEW BRUNSWICK



**PROPERTY INFORMATION**

TRANSFER TO  
RCL FINANCIAL SERVICES LTD.  
REGISTERED: MARCH 26, 2020  
INSTRUMENT: 39959979  
PID: 05086699

**OWNER'S STATEMENT**

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I REPRESENT THE REGISTERED OWNER OF THE PROPERTY BEING SUBDIVIDED HEREON AND DO HEREBY GRANT APPROVAL TO THIS PLAN, AS MY INTERESTS APPEAR.

\*REPRESENTATIVE\* (PID 05086699)  
FOR: RCL FINANCIAL SERVICES LTD.

**PUBLIC UTILITY EASEMENT(S) APPROVAL**

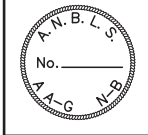
PURSUANT TO SECTION 5 OF "DESIGNATED EASEMENTS REGULATION" 84-217 OF THE COMMUNITY PLANNING ACT, 2017, THE PUBLIC UTILITY EASEMENT(S) ON THIS PLAN YES( ) IS IN NEW BRUNSWICK POWER CORPORATION AND BELL CANADA, WITH THE FILING OF THIS PLAN.

NEW BRUNSWICK POWER CORPORATION  
AND BELL CANADA

DATE

**STREET DECLARATIONS**

-PURSUANT TO SECTION 87(5) OF THE COMMUNITY PLANNING ACT, 2018, THE PUBLIC STREET (BLOOMFIELD STREET) VEST IN THE CROWN WITH THE FILING OF THIS PLAN.



**PROPERTY INFORMATION**

TRANSFER TO  
DEPARTMENT OF  
TRANSPORTATION  
INFRASTRUCTURE /  
MINISTÈRE DES TRANSPORTS ET  
DE L'INFRASTRUCTURE.

PID: 05112131  
PLAN 37143279

FOR: TRANSPORTATION AND INFRASTRUCTURE (PID 05112131)  
/ TRANSPORTS ET DE L'INFRASTRUCTURE

**PLANNING DEVELOPMENT OFFICE**  
APPROVAL STAMP

**REGISTRY OFFICE**  
APPROVAL STAMP

**SURVEYOR'S STATEMENT:**

I, WARREN E. DAGLE, N.B.S., DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND ABILITY THIS PLAN CORRECTLY DEPICTS ANY RESEARCH, FIELD WORK AND COMPUTATIONS UNDERTAKEN FOR THIS PROJECT.

DATE: JULY 23, 2020

**TENTATIVE** N.B.S.  
WARREN E. DAGLE N.B.S.

SURVEYED BY: WARREN E. DAGLE, N.B.S. # 306  
FIELD SURVEY COMPLETED: MARCH 13, 2018

**DAIGLE SURVEYS** LTD.  
1090 COVERDALE ROAD, RIVERVIEW, N.B. E1B 5G5  
TEL: 506-856-4673 FAX: 506-856-7008

JOB No.: 13236-10 MAP: 13U-58



File No: 78-W-044  
July 30, 2020

Mr. Jeff Boudreau  
Regional Service Commission 7  
Moncton Office, Terminal Plaza  
1234 Main Street, Unit 200  
Moncton, NB E1C 1H7

Subject: Tentative White Birch Estates Phase 10 Subdivision, Parish of Coverdale, Albert 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 effect 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 forwarded to this Department before the Minister can approve the final subdivision plan.**



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July 30, 2020  
78-W-044  
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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 "**Minimum Standards for the Construction of Subdivision Roads and Streets**". The Standard can be viewed on the Internet sites [www2.gnb.ca/content/gnb/en/departments/dti/publications.html](http://www2.gnb.ca/content/gnb/en/departments/dti/publications.html) or [www2.gnb.ca/content/gnb/fr/ministeres/mti/publications.html](http://www2.gnb.ca/content/gnb/fr/ministeres/mti/publications.html) or at the Property Services Branch, Department of Transportation and Infrastructure 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 surety 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 "**Local Government 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 1.0%.
- 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 A10**" of the Minimum Standards.
- Any temporary turnaround must meet the requirements shown in "**Figures A3, A4 or A5**" of the Minimum Standards.
- 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 24 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.

Mr. Jeff Boudreau  
July 30, 2020  
78-W-044  
Page 3

- 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.
- The turn(s) along the proposed street(s) shall be designed as curves as specified in "**Section 5.2.1**" of the Minimum Standards. 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.  
Morency-Cormier, Renee (DTI/MTI), District 3 (Moncton), sent via E-mail.

## **DOCUMENT “A”**

### **MINISTER’S DETERMINATION CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

June 21, 2006

File Number: 4561-3-1066

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1. In accordance with section 6(6) of the Regulation, it has been determined that the undertaking may proceed following approval under all other applicable acts and regulations.
2. Commencement of this undertaking must occur within three years of the date of this determination. Should commencement not be possible within this time period, the undertaking must be re-evaluated under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act, unless otherwise stated by the Minister of the Environment and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated January 9, 2006), as well as all those identified in all subsequent correspondence during the registration review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this Determination to the Director of the Project Assessment Branch of the Department of the Environment and Local Government (DELG) every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. If it is suspected that remains of archaeological significance are found during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Culture and Sport Secretariat, shall be contacted at (506) 453-2756.
5. The proponent must complete a “Background Report on the Establishment of the White Birch Wastewater Commission” and make immediate subsequent application to the Minister of Environment and Local Government for the establishment of the Commission. The Background Report must be completed to the satisfaction of DELG no later than one year after the date of this Determination.
6. Prospective buyers of the lots on the extension to Fairfield Drive must be informed of the possible need for water quality treatment due to the occurrence of arsenic, fluoride, manganese, pH and turbidity outside of the Canadian Drinking Water Quality Guidelines.
7. A dedicated static water level logger shall be installed in TW06-04 in order to monitor and record static groundwater levels continuously as the development progresses. Should the level logger malfunction, monthly water level readings shall be collected and recorded by hand until such time as the level logger can be repaired or replaced.

8. A subdivision plan and summary of groundwater level monitoring results shall be submitted to the

Subdivision Review Coordinator, Sustainable Planning Branch, DELG, for each new phase prior to development.

9. This determination is based on current groundwater and climatological conditions. Should water quantity and/or quality problems arise in the future, further groundwater investigation may be required, as well as a possible modification of the development plan for the remaining lots.