

**Westmorland Albert Planning Review and Adjustment Committee
Comité de révision de la planification de Westmorland Albert**

Westmorland Albert Office
1222 , rue Main Street, Unit/unité 4000, Moncton

February 26, 2015 @ 6:00pm / 26 février 2015, 18h

MINUTESprocès-verbal

Members Present/membres présents:

Pascal Ferron	Acting Chairperson/président par intérim
Heather Keith	Committee Member/membre du comité
Audbur Bishop	Committee Member/membre du comité
Andy St-Amand	Committee Member/membre du comité

Staff Present/membres du personnel présents:

Jeff Boudreau	Manager of Subdivision Approvals/Gestionnaire d'approbation des lotissements
Tracey Wade	Planner/urbaniste
Jason Leblanc	Development Officer/
Tracey McDonald	Recorder/rapporteuse

Regrets/ :

Ricci Archibald	Committee Member/membre du comité
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Public:

Nick Bowron
Chris Bowron
Wayne Carter
Brad Carter
Murray Long
Carol Long
Pauline Warnock
Lee Warnock
Gary Hoadley
John Ereaux

1. Call Meeting to Order / Convocation d'une assemblée à l'ordre

The meeting was called to order at 6:06 p.m., with Acting Chairperson Pascal Ferron presiding. For the benefit of the public present Chairperson Pascal Ferron explained the format and etiquette of the meeting / *Le président Pascal Ferron ouvre la réunion vers 18h06.*

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 Heather Keith and seconded by Committee Member Andy St-Amand to adopt tonight's Agenda as presented. / Il est proposé par

Heather Keith, membre du comité, et appuyé par Andy St-Amand, membre du comité, d'adopter l'ordre du jour de ce soir tel quel.

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

4. Adoption of the Minutes of the November 27, 2014 meeting / Adoption du procès-verbal de la réunion du 27 novembre 2014

It was moved by Committee Member Andy St-Amand and seconded by Committee Member Heather Keith to adopted the Minutes of the November 27, 2014 meeting as presented. / Il est proposé par, Andy St-Amand, membre du comité, et appuyé par Heather Keith, membre du comité, d'approuver le procès-verbal de la réunion ordinaire tenue le 27 novembre, 2014 tel quel.

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

5. Business Arising from the Minutes / Affaires découlant du procès-verbal

None/acucune

6. Variance Requests / Demandes de dérogations

None/acucune

7. Temporary Approvals, Conditional Uses, Rulings of Compatibility and Non-Conforming Uses / Approbations temporaires, usages conditionnels, déterminations de compatibilités et usages non-conformes

None/acucune

8. Tentative Subdivisions / Lotissements provisoires

- (a) Whitebirch Estates Subdivision Inc, (PID/NID #05086699, 01035393), LSD/DSL Coverdale - Proposing to create 10 new residential lots and two new public streets. / Propose créé 10 nouveaux lots résidentiels et deux nouvelles rues publiques. (File/Dossier # 14-1008).

Staff Member Jeff Boudreau presented the request of White Birch Estates Subdivision Inc to proceed with Phase 7 to create 10 new residential lots, and 2 new public streets, Bellfield Road and Petersfield Street. Staff Member Jeff Boudreau reported that this phase is a continuation of an overall plan. He added that the entire plan was subject to an Environmental Impact Assessment and approval has been issued.

Staff member Jeff Boudreau read the staff recommendation. He informed the Committee that, with the exception of the condition to include a future street along Lot 14-15, this was a straight forward subdivision application.

It was moved by Committee Member Heather Keith and seconded by Committee Member Audbur Bishop that the Westmorland Albert Planning Review and Adjustment Committee RECOMMEND that the the Minister of Transportation and Infrastructure;

assent to the location of Bellfield Street, Petersfield Street and future streets subject to the following conditions:

- 1. A satisfactory soil report be submitted to the development officer prior to the final plan endorsement.**
- 2. Include a Future street along Lot 14-15, and**
- 3. The development officer shall not approve the final subdivision plan until all the conditions as outlined by the Provincial Department of Transportation and Infrastructure, in a letter from Mr. Paul Lightfoot to Mr. Jeff Boudreau dated January 22, 2015, have been satisfied.**

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

9. By-law Amendments, Zoning and Municipal Plan Matters / Questions de zonage et questions relatives aux plans municipaux



- (a) Carter Septic, ruisseau Boundary Creek (PID/NID #937219), LSD/DSL Moncton - Proposing to rezone a portion of the lands at Boundary Creek from Agricultural (A) to Commercial-Industrial (C2) for the development of a gravel pit. / *Propose de rezoné une portion des terrains a Boundary Creek de la zone A : agriculture à la zone C2 : Commerce-Industrielle pour le développement d'un pit.* (File/ Dossier # 14-1463).

Staff Member Tracey Wade presented the request of Wayne Carter to develop a gravel pit on a portion of the property on the south side of the Salisbury Road at Boundary Creek. The property is currently zoned as Agricultural (A) but must be rezoned to Commercial Industrial (C2) to permit the operation of a gravel pit.

Staff Member Tracey Wade informed the Committee that the Master Plan submitted by the applicant generally meets or exceeds the standards in the Provincial Pit Guidelines.

Views and recommendations were sought from internal and external departments.

The Department of Environment and Local Government recommended the adoption of the operational best practices included in the Sand and Gravel Pit Guidelines. No comments were received from the Department of Transportation and Infrastructure or the Department of Health.

Staff Member Tracey Wade read the terms and conditions into the record.

A Public Hearing has been scheduled for March 5, 2015. Land owners within 100 meters of the property lines have been notified of the proposed rezoning. Staff Member Tracey Wade reported that, at this time, no comments have been received. She informed the Committee that the Village of Salisbury may have some concerns and she has requested these concerns in writing.

Staff Member Tracey Wade read the motion into the record.

Committee Member Andy St-Amand questioned what was involved in a pit inspection. Staff Member Jason Leblanc explained that, as a pit inspector, he would preform site visits to ensure the signage was visible, entrances were properly blocked off and, with the use of GPS, buffers and property lines would be checked. He continued by saying that the inspection was predominantly visual to establish that the slopes were reasonably maintained, the water was contained and the level of dust was acceptable as per the Clean Air Act. Staff member Tracey Wade informed the Committee that we are the only region to implement annual inspection and license renewal.

Chairperson Pascal Ferron questioned the applicant's motive for leaving the increased buffer of 60m between the proposed development and the Petitcodiac River. The applicant, Wayne Carter, answered that it was unusable land for the purpose of a gravel pit and, as it was already treed, he saw no reason to clear cut the area.

It was moved by Committee Member Audbur Bishop and seconded by Committee Member Audbur Bishop that Ministerial Regulation 14-MON-019-24 BE RECOMMENDED. The said regulation would see a portion of the property rezoned, from Agricultural – A Zone to Commercial Industrial – C2 Zone (File No. 14-UZ-1463), subject to the following terms and conditions:

- 1. That prior to the commencing of any gravel pit operation upon the subject lands, the approval of the Development Officer shall be obtained.**
- 2. For the operation to be approved by the Development Officer, a Master Plan shall be submitted as per attached Schedule U-2, specifically meeting the following standards:**
 - i) No extraction shall be undertaken:**
 - a) within 30 meters of any brook or stream;**
 - b) within 60 meters of the Petitcodiac River;**
 - c) within Zone A, B, or C of a Designated Wellfield Area;**
 - d) within Zone A or B of a Designated Watershed; or**
 - e) below the groundwater table.**
 - ii) The extraction site shall maintain an undisturbed minimum buffer of 10 meters from the property limits, 100 meters from the street, and 150 meters from any existing dwelling;**
- 3. The operator shall keep the access routes and streets free of dust while transporting the materials;**



4. **The main entrance to the site shall have a barrier to control access to the site;**
5. **For public safety, signs shall be placed at each entrance (main entrance, secondary entrance, tracks and/or trails, etc.) bearing the word "danger", the nature of the operation, and "no trespassing;"**
6. **The operation shall maintain safety slopes at 35% or less;**
7. **All surface water shall either be contained within the site limits, or shall pass through a sedimentation basin before running outside site limits;**
8. **At such time the extraction activity has permanently ceased, all debris shall be removed from the site and the rehabilitation process must be completed; and**
9. **That all gravel pit operations shall comply with the Air Quality Regulation – Clean Air Act, the Water Quality Regulation – Clean Environment Act, the Clean Water Act, and the Well Water Regulation – Clean Water Act.**
10. **Any gravel pit operations on the subject lands shall be subject to any new regulations imposed for gravel pit operations in subsequent amendments to the Greater Moncton Planning Area Rural Plan Regulation.**

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

- (b) Christopher Bowron, chemin Foster Road (PID/NID #05072285), Village of/ville d'Alma - Proposing to rezone properties from RT and R1 to Integrated Development (ID) to permit expansion of a campground./ Propose de rezoné une propriété des zones RT : résidentiel touristique et R1 : résidentiel unifamiliale à la zone ID : Aménagement Intégrer pour permettre l'expansion d'un terrain de camping. (File/Dossier # 14-1730).

Chairperson Pascal Ferron reiterated the meeting format and etiquette for the members of the public.

Staff Member Tracey Wade presented the request of Christopher Bowron to rezone properties from Residential Tourism (RT) and Residential 1 (R1) to Intergrated Development (ID) to permit the expansion of an existing campground. She reminded the Committee that this application had been presented to the Planning Review and Adjustment Committee (PRAC) in 2013 but did not receive third reading from Village Council at that time. The applicant waited the required year and resubmitted his application.

Staff Member Tracey Wade demonstrated on the screen the site location and informed the Committee that there are full municipal services to the site. She explained that, at present, the campground is a legal non-conforming use. The property combines RV sites, cabins and a commercial-retail structure. This is a combination of uses, none of which are permitted together in any one zone. Staff member Tracey Wade explained that under section 34(4)b) of the Community Planning Act in an Integrated Development zone the Municipality can create a zone permitting developments consisting of a combination of land, buildings and structures not otherwise permitted.

Views and recommendations were sought from internal and external departments.

The Village of Alma Fire Chief had no concerns.

The Village of Alma's engineering consultant is reviewing the drainage plan submitted by the applicant's licensed engineer to ensure the plan meets the village standards. The Alma engineering consultant has determined that the municipal services are capable of supporting the 31 individual site hook ups indicated on the site plan. Staff Member Tracey Wade informed the Committee that the drainage plan is not attached to the report but the approval of the drainage plan is only required before commencement of campground operation.

Staff Member Tracey Wade reported that the public has been informed through a newspaper ad, letters to neighbouring land owners and signage located at the proposed site. Many letters have been received from the public with a portion expressing their support for and a portion being opposed to the development. Staff Member Tracey Wade provided a summary of the concerns which ranged from what was perceived to be a high density development located in a residential neighbourhood to concerns of public safety. Staff Member Tracey Wade informed the Committee that, in working with the Village of Alma, terms and conditions have been outlined to address many of these concerns.

Staff Member Tracey Wade read the terms and conditions into the record.



Staff Member Tracey Wade reported that the 1st and 2nd reading has already been done by the Village of Alma and that 3rd reading will be at the end of March.

Staff Member Tracey Wade read the staff recommendation into the record.

Committee Member Andy St-Amand questioned if the firepits were a concern of the neighbours. Staff Member Tracey Wade answered yes, they were a concern adding that firepits were being banned on the new site but permitted to continue on the existing site.

Committee Member Heather Keith questioned if there would only be seasonal lots. The applicant, Chris Bowron, answered that in the beginning he would need to accept some temporary renters but it is his intention to have seasonal renters on each site.

Committee Member Audbur Bishop informed the Committee that he had visited the site. Chairperson Pascal Ferron questioned, as everything was reviewed in 2013, if anything in the application was new. Staff Member Tracey Wade answered that the drainage plan was new.

Chairperson Pascal Ferron invited the members of the public to address the Committee.

John Ereaux, a neighbouring landowner, expressed his views that the PRAC was not being provided with a balanced view of the proposed rezoning and that the terms and conditions did not adequately address the concerns of the public. Mr Ereaux stated that he disagreed to the campground being described as a legal non conforming use. In his opinion, the campground was a high density development surrounded by single family homes. Mr Ereaux also mentioned, among his concerns, the excess noise from people and fireworks at the campground, the safety surrounding open fire pits and the lack of any treed buffer. Mr. Ereaux informed the Committee that the applicant had cleared his entire property on the original campground property leaving no buffer between neighbouring properties and he was of the opinion that there has been continuous development on this property since the Rural Plan was enacted.

Chairperson Pascal Ferron questioned if the Village of Alma would be able to deal with issues relating to fireworks. Staff Member Tracey Wade answered that the Village of Alma has a noise by-law in place. She informed the Committee that the proprietor lived on site and, as part of the terms and conditions, he would be responsible for creating a campground management policy on noise and enforcing this policy.

Staff Member Tracey Wade addressed the concern raised with regards to the buffering on the lower portion of the property. She explained to the Committee that buffers are not restricted to the use of trees, pointing out that, there is a ridge on this portion of the property with more than adequate space to act as a buffer.

Gary Hoadley and Murray Long both expressed that their main concern was a potential decrease in property values.

Staff Member Jeff Boudreau explained to the public that the PRAC's mandate was to review technical issues.

Committee Member Andy St-Amand questioned if the rezoning only involved the property to the north east. Staff Member Tracey Wade answered that the rezoning was for both properties. She explained that this would enable the Village of Alma to set some rules and parameters for the properties including the existing legal non-conforming use.

Lee Warnock, who does not live near the proposed property, commented that to allow this application would set a bad precedent and stated his concerns regarding a potential loss in property value.

The applicant, Chris Bowron, informed the Committee that most of the neighbouring landowners had purchased or built their homes with the existing campground in place.

Committee Member Audbur Bishop asked for clarification that this recommendation would go back to the Village of Alma Council. Staff Member Tracey Wade confirmed this.

It was moved by Committee Member Audbur Bishop and seconded by Committee Member Heather Keith that the Westmorland-Albert Planning Review and Adjustment Committee RECOMMEND to the Council of the Village of Alma:

WHEREAS THE PROPOSAL SUBMITTED BY CHRIS BOWRON OF VISTA RIDGE TO PERMIT EXPANSION OF THE EXISTING CAMPGROUND HAS BEEN CONSIDERED BY PLANNING STAFF;



AND WHEREAS, FROM A PLANNING PERSPECTIVE, THE PROPOSAL, ALONG WITH PROPOSED TERMS AND CONDITIONS, ARE DEEMED TO BE ACCEPTABLE;

THAT THE WESTMORLAND-ALBERT PLANNING REVIEW AND ADJUSTMENT COMMITTEE RECOMMENDS TO THE ALMA VILLAGE COUNCIL THE ADOPTION OF BY-LAW 93-4, INCLUDING THE FOLLOWING TERMS AND CONDITIONS:

1. That for the purposes of this development, the following words are thus defined:

CAMPGROUND means an area of land, managed as a unit accommodating cabins and recreational vehicles, and where the accessory uses may include an administrative office, farmer's market, washrooms, showers, rain shelters, recreational facilities, and utility and grounds-keeping sheds. A mobile home is not a permitted use in a campground;

CABIN refers to a building located on a campground, intended exclusively for temporary overnight accommodation, that may be equipped with culinary or sanitary facilities;

RECREATIONAL VEHICLE (RV) means any vehicle, whether towed or driven, that is used for accommodation purposes and may include a kitchen, bedroom, and bathroom;

RECREATIONAL VEHICLE SITE means an area of land within a campground designated to accommodate one recreational vehicle.

2. That prior to any building and development permits being issued, PID 5072285 and PID and 0608695 must be consolidated.

3. That during development a silt fence must be placed at the western boundary of PID 5072285.

4. That prior to campground operation on PID 5072285:

- a) The entire Property shall be connected to both municipal water and sewer services as per the requirements of the Village of Alma Water and Sewerage By-law 88;
- b) That the access road from Shady Lane as indicated on Schedule C-2 be completed. This access shall be the primary point of entry and exit to the Property;
- c) That site stability and drainage features approved by the Village of Alma's Engineering consultant shall be incorporated into a Site Drainage Plan prepared by a Professional Engineer licensed to practice in New Brunswick, and attached hereto as Schedule C-3.

5. That the Property access off Chignecto Drive shall be limited to RV entry, emergency services and proprietor use and that a "No Exit" sign be placed at this entrance.

6. That development of the Property shall be in substantial conformity with the Site Plan attached hereto as

- A campground containing a combination of Recreational Vehicle Sites and cabins is permitted to a maximum of 31 units;
- A maximum of five accessory buildings or structures are permitted: 1) one building that may be used as an office/store; 2) one building that may be used as a shelter/washroom facility; and 3) up to three accessory structures used for electrical sheds, each of these electrical sheds being limited in size to 6 m²;
- Safety features such as fencing and stop blocks shall be incorporated as per Schedule C-2 notes.

7. For the purpose of clarity, any cabin built or located to replace a Recreational Vehicle site, must be placed in substantial conformity with the Site Plan (Schedule C-2), and shall have:

- a maximum height of 6 m;
- a maximum building footprint of 61.3 m²;
- each cabin site must maintain a minimum width of 9m; and
- a cabin replacing an RV site is considered a new structure and shall require a Building Permit.

8. That deck platforms on RV sites shall be permitted to a maximum of 8.9 m² in area. Fixed overhangs shall not be permitted.



9. That no fire pits shall be permitted on PID 5072285. A communal fire pit is permitted on PID 0608695 and individual fire pits are permitted to continue on PID 0608695.
10. That any lighting used to illuminate campground entrances and common areas shall be directed downward.
11. That a campground noise policy shall be enforced by campground management. The Property is also subject to By-Law # 63(a) A By-Law Relating to the Prevention of Excessive Noises in the Village of Alma.

MOTION CARRIED - UNANIMOUS / MOTION ADOPTÉE À L'UNANIMITÉ

10. Development Officer Variances Approvals / Dérogation par l'agent d'aménagement

None/*aucune*

11. Other Business / Autres affaires

None/*aucune*

12. Next Meeting / Prochaine réunion

Next monthly meeting will be held March 26, 2015 at 6:00 pm /*La prochaine réunion mensuelle aura lieu à 26 mars 2014 à 18h.*

13. Adjournment / Levée de la réunion

The meeting was adjourned at 7:08 by Committee Member Heather Keith.

Heather Keith - Acting Chairperson

