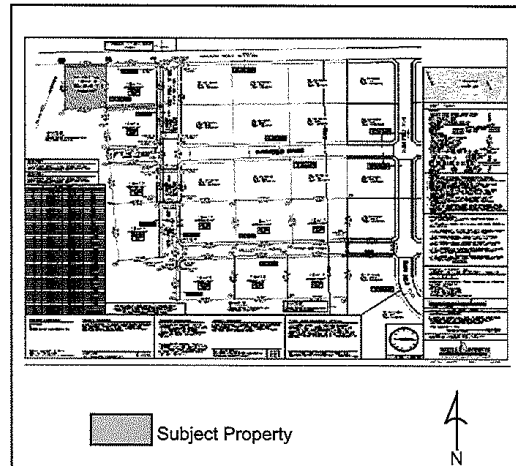


**Westmorland Albert Planning Review and Adjustment Committee
Staff Report
Subdivision**

Subject : White Birch Estates Phase 7
Meeting Date: Feb 26, 2015
From : Jeff Boudreau
Manager of Subdivision Approval

GENERAL INFORMATION

Applicant: James Martin
Landowner : Whitebirch Estates Subdivision Inc.
Proposal: The landowner is proposing to create 10 new residential lots, and two new public streets. Bellfield Road and Petersfield Street (public)



SITE INFORMATION

Location: Lower Coverdale
PID: 05086699, 01035393
Lot Size: 95.36 ha
Current Use: Vacant land
Zoning: R1
Future Land Use: Residential
Surrounding Use & Zoning: R1
Municipal Servicing: Private septic and well
Access/Egress: Smithfield Road / Niagara Road

Municipal Plan Policies

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.

Zoning Bylaw and/or Subdivision By-law Regulation

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;

- (a) the topography of the land,

- (b) the provision of lots suitable for the intended use,
- (c) street intersections and interceptions being as nearly as possible at right angles,
- (d) the provision of convenient access to the proposed subdivision and to lots within it,
and
- (e) the convenient further subdividing of the land or adjoining land.

Internal Consultation & External Consultation

The Department of Transportation and Infrastructure and the Department of Environment and Local Government were asked to review and provide comments on this plan. The responses are included in this report.

Discussion

On July 31, 2014, the applicant, Mr. James Martin, applied to create 10 residential lots, two new public streets Bellfield Road and Petersfield Street and a Future Street

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 January 22, 2015, is attached to this report.

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.

A soil assessment report has not yet been submitted by the owner, however every lot exceeds the New Brunswick Technical Guidelines for Onsite Sewage Disposal Systems.

Public Notice

N/A

Legal Authority

*The assent of the Minister of Transportation under this section shall not be given until,
(a) the regional service commission has recommended the location of the streets mentioned in subsection(1) to the Minister.*

Recommendation

Staff respectfully recommends that the Westmorland Albert Planning Review & Adjustment Committee **recommend** that the Minister of Transportation and Infrastructure;

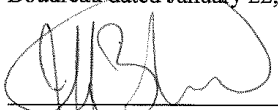
- assent to the location of Bellfield Street, Petersfield street and future streets

subject to the following conditions:

- A satisfactory soils report be submitted to the development officer prior to final plan endorsement.

- Include a Future street along Lot 14-15.

-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 January 22, 2015, have been satisfied.



Jeffrey Boudreau, P. Tech
Manager of Subdivision Approval



Sebastien Doiron, MCIP
Planning Director



September 23, 2014
File 4561-3-1066

Jim Martin
President, McAllister Park Subdivision
608 Pine Glen Road
Riverview, NB
E1B 4X2

Mr. Martin,

RE: McAllister Park Subdivision – Phase 7 of White Birch Estates Subdivision – Lower Coverdale, NB

The Department of Environment and Local Government (DELG) has reviewed the tentative subdivision plan for the seventh phase of the White Birch Estates Subdivision, as well as the most recent Groundwater Monitoring Report for this development (dated September 3, 2014). This Report is considered acceptable, and DELG recommends the approval of the seventh phase of the Subdivision.

As mentioned in previous correspondence related to earlier phases of this development, it should be noted that two well logs (TW06-5 and TW06-9) from the original Water Supply Source Assessment conducted in 2006 identified water-bearing fracture zones within the shale layer, which indicates lower hydraulic properties than for the sandstone layer. If low well yields appear to be an issue during peak residential demand, additional storage methods could be undertaken (on the well and/or in the house).

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. Homeowners should be informed that when water turbulence or water temperature increases, methane gas might be released from the water either in the well, in the pressure tank, or at different points of the residential water distribution system. If this occurs, measures for releasing any gas at the well, at the pressure tank, or along the distribution system could be undertaken.



DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

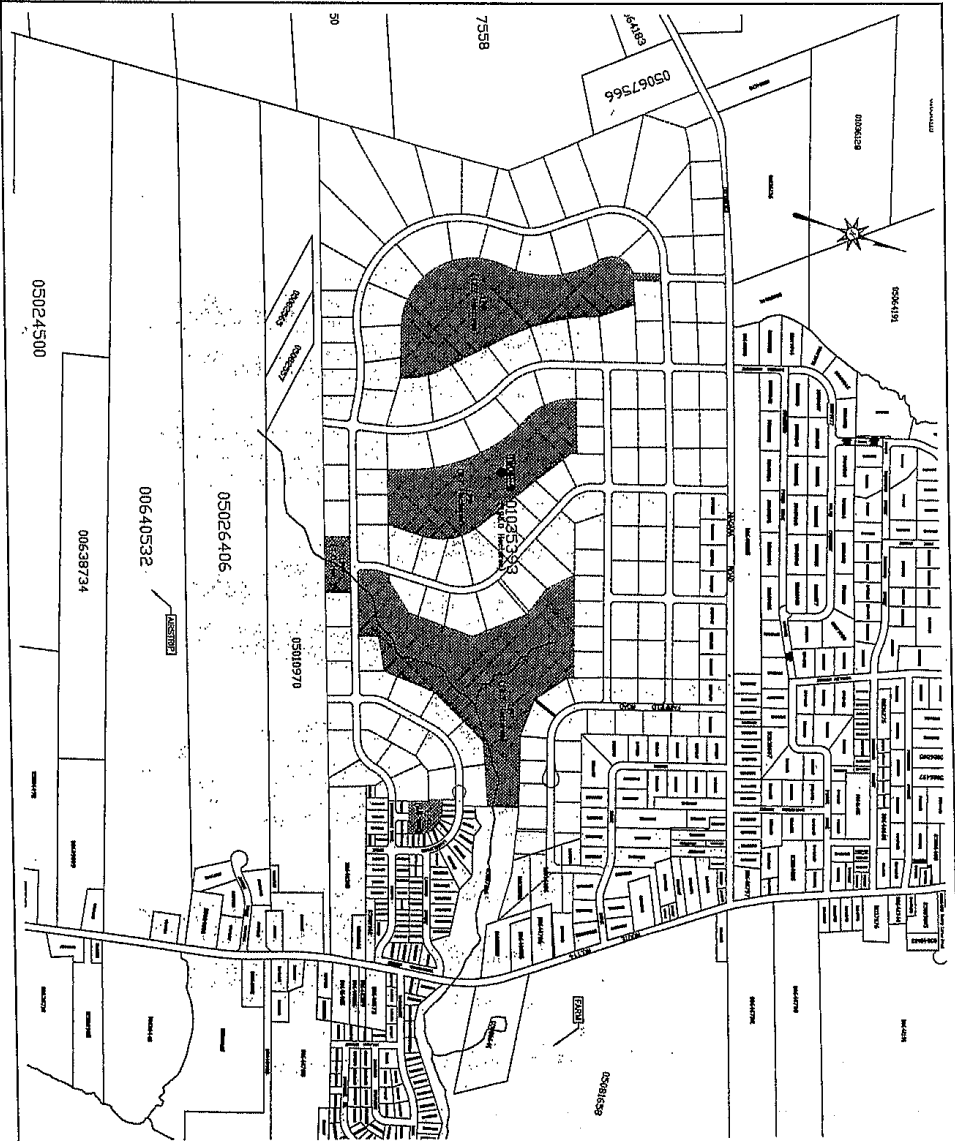
Pursuant to Regulation 87-83 under the Clean Environment Act
June 21, 2006

File Number: 4561-3-1066

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.

Overall Street layout Concept Plan



Project:
White Birch Estates
Development
Lower Coverdale, NB

Drawings:
Site Plan Showing
Test Well Location

Project No.: MP012

Drawing No.: MP01201 Revision No.: 0

Scale: 1:10,000

Drawn By: JNC Checked By: MJF Date: May 07



FISHER
ENGINEERING LTD.
FISHER ENGINEERING LTD.
P.O. BOX 2665
Moncton, New Brunswick
E1C 8N6

Legend:
Test Well

File No.:78- W-044

January 22, 2015

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

Subject: Tentative White Birch Estates Phase 7 Subdivision, Parish of Coverdale, Albert County, DTT map page 359.

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 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 & 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.

Mr. Jeff Boudreau
January 22, 2015
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 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.
