

Planning Review Adjustment Committee June 19, 2018

Minutes of the meeting of the Planning Review Adjustment Committee of the Fundy Regional Service Commission held on Tuesday June 19, 2018 at 1:00 p.m. at Crane Mountain, Saint John.

1. Call to Order

The Chairperson, Dwight Allaby, called the meeting to order at 1:05 p.m.

2. Record of Attendance

BOARD MEMBERS

Dwight Allaby, Chairperson
Joan Seeley, Vice Chairperson
Glen Baxter, PRAC Member
Paul Gordon, PRAC Member
Ron Bridges, PRAC Member
Walter Pollock, PRAC Member *[Absent]*
Brenda Rathburn, PRAC Member
Midge Thompson, PRAC Member

OTHERS

Brian Shannon, Fundy Regional Service Commission
Gay Drescher, Contracted Planning Director
Steve Perry, Brunswick Engineering & Consulting Inc.
Miles Mann, Brunswick Engineering & Consulting Inc.
Louise Lukeman, Recording Secretary, FRSC

3. Approval of Order of Business

The Chairperson asked for approval of the agenda as presented.

Motion: To approve the agenda June 19, 2018 as presented.

Moved: Paul Gordon
Seconded: Joan Seeley
Vote: Motion Carried

4. Disclosure of Conflict of Interest

None

5. Approval of Minutes

The Chairperson called for a motion to approve the minutes as presented.

Motion: To approve the minutes of September 14, 2016 as presented.

Moved: Paul Gordon
Seconded: Joan Seeley
Vote: Motion Carried

6. Simonds Rezoning Request

Gay Drescher gave an overview of the presentation on the application for the Simonds rezoning request.

Applicant: Brunswick Engineering & Consulting Inc.

Request: The property is zoned Mixed Use (M). As described in the Simonds Parish Planning Area Rural Plan Regulation (00-SIM-027-00) (Rural Plan), the mixed-use Zone allows for residential uses, commercial uses such as neighbourhood stores, convenience stores and service stations, institutional uses, resources uses, government uses, recreational uses and mining uses as defined in the *Mining Act*.

The applicant has submitted a Rezoning Application for consideration of the proposal to operate a Construction and Demolition Waste Disposal site, accessible to the public at the property identified as PID 55071070. The proposed operation, industrial in nature, will be open to the public, accepting construction and demolition wastes in volumes of smaller scales reflective of residential uses.

Requirement for the operation:

Within the Simonds Parish Rural Plan, the proposed activity is not permitted, as it is not specifically identified as a use. To consider this project as a use in compliance with the Plan, the property must be rezoned. As part of the rezoning, the existing policy of the Rural Plan must be modified to allow the zone to be amended. The development of an additional policy would permit the consideration of the operation and to limit any additional similar type operations which may not be considered appropriate. The language of the policy would limit other industrial uses which may not be compatible with existing land uses anywhere in the parish.

The access will to be restricted to the Braydon Road to minimize disruptions to the residential properties in the area.

The proposed facility would meet the market demand for typical residential and smaller commercial waste disposal needs.

The site will be regulated in accordance with the DELG requirements and with the Regional Service Commission building and site inspections procedures.

Consultation:

A public hearing was held on April 17, 2018 at the Simonds Fire Hall. The hearing was held on behalf of the Minister of Environment and Local Government. Over 80 residents and interested members of the public attended. A brief presentation was given outlining the project and the rezoning process. The floor was then open to questions and comments. The main concerns related to protection of groundwater. Monitoring compliance with the Watershed Protection Order and the setbacks are the responsibility of the Department of Environment and Local Government.

Recommendations:

The Minister of Environment and Local Government is requesting a recommendation on the project from the PRAC. The Minister will evaluate the public comments and the PRAC's recommendation in his decision to allow the project to go forward. Should the Minister determine that the project should proceed, the existing Rural Plan regulation will be amended.

The PRAC are requested to evaluate the project using sound planning principles, including consideration of the public, appropriate protection controls and land reclamation potential.

The PRAC has established Terms and Conditions, which were accepted by the Applicant and were then sent to the Government. No comments were received.

Motion: For the PRAC to recommend to the Minister of Environment and Local Government to Adopt the Ministerial Regulation 18-SIM-027-03

Moved: Joan Seeley
Seconded: Paul Gordon
Vote: Motion Carried

7. Other Business

None were brought forward.

8. Motion to Adjourn

Motion: The Chair called for a motion to adjourn at 2:10pm.

Moved: Joan Seeley
Seconded: Brenda Rathburn
Vote: Motion Carried

APPROVED (date) Aug 8 2019

Dwight Allaby
Dwight Allaby, Chairperson

Louise Lukeman
Louise Lukeman, Recording Secretary