

Southwest New Brunswick Service Commission

PLANNING REVIEW AND ADJUSTMENT COMMITTEE (PRAC)

MEETING #23-08 • Thursday, August 17, 2023
Online Meeting via Zoom and in person-Planning Office, St. Stephen NB

MEMBERS PRESENT:

Sam Walsh, Chair • Mat Rouleau • Lorraine Thompson • Raymond Hall • Vance Johnson • Brian Cornish

MEMBERS ABSENT:

None

STAFF PRESENT:

Alex Henderson, Planning Director • Judy Hartford, Senior Development Officer • Meagan Tinker, RSC Assistant

PUBLIC MEMBERS PRESENT/ZOOM:

Heather Saulnier • Anthony Mann • Robert Jackson • Dale Welles • Tushara Verella • Lisa Doke Jeff
& Mariah Edmenson • Natasha Osmond • Lynda Duplissea • Tim Glidden • Cecile & Roger Ruddock

CALL TO ORDER:

Chairperson, Sam Walsh called the meeting to order at 6:31 PM, takes roll call, and welcomes all in attendance.

1. APPROVAL OF AGENDA:

It was moved by R. Hall and seconded by V. Johnson to “approve the agenda as presented.”

Carried-Unanimously

2. APPROVAL OF MINTUES:

It was moved by V. Johnson and seconded by M. Rouleau “that we approve the minutes.”

Carried-Unanimously

3. DECLARATION OF CONFLICT OF INTEREST:

No conflicts were declared.

4. PRAC APPLICATIONS:

• Item 23-08-01 •True North Salmon; Subdivision Variance •Route 778, Beaver Harbor

Judy Hartford presents an application for “approval of a variance in the minimum size and dimensions to create a lot; the primary use of the proposed lot is for a small-scale fishery use to store equipment.” The Planning Review and Adjustment Committee is being asked to consider two (2) variances: 1) A variance of 2,956 m(73.9%) in area and 2) A variance of 19.602m(51.6%) in depth.

Staff recommends that the Planning Review and Adjustment Committee of the Southwest New Brunswick Service Commission approve a variance (1 & 2, as listed) to create lot 2018-1, subject to the following terms and conditions:

- a) That all other provisions of this regulation, including setbacks, are complied with;
- b) That the lot on which the small-scale fishery use is location is not to be used a s storage place for rubbish, salvage, or derelict equipment;
- c) No mechanical equipment associated with the use, with the exception of transport vehicles;
- d) That any associated bait, catch or dead animals are only stored in sealed containers, live holding tanks, or refrigerators, as appropriate;
- e) Any non-residential use located adjacent to a residential use shall have, at or near the boundary of the lot on which it is situated, a 5-meter-wide landscaped buffer, including a fence, or hedge, or shelter belt of trees; and
- f) The advisory note to be added to the final plan stating the lot is not acceptable for a well and on-site septic system.

The board discusses the current and potential ownership of this property and its further use where the applicant is commercial. There are several comments from the public. Upon hearing those comments and gaining some clarity on the procedures of sale for this specific subdivision, **it was moved** by M. Rouleau and seconded by V. Johnson to accept the recommendation by the staff.

4 in favor; 1 oppose; motion carried

• Item 23-08-02 •Athir Talib Ghanim; Subdivision Variance •Queens Way, St Stephen

Judy Hartford presents an application for “approval of a variance in the minimum dimensions to create a lot.” The Planning Review and Adjustment Committee is being asked to consider a variance in width for the proposed lot, as the proposed width is 7.160m and requires a 5.34m variance in width to be approved. A site plan for the proposed triplex was requested, but not received prior to meeting.

It is recommended that the Planning Review and Adjustment Committee of the Southwest New Brunswick Service Commission approve the requested variance to allow for the creation of a lot as the variance is reasonable or desirable for the development of land and is within the general intent of the by-law, subject to the following terms and conditions:

- 1) No building or structure, except for a fence, shall be constructed within the access strip of lot 2023-1;
- 2) That all other provisions of this regulation, including setbacks, are complied with; and;
- 3) Parking areas shall be screened from the view of any adjoining Residential Zones through a 2m (606ft.) wide planting strip of landscaped open space or by a wall or decorative wooden fence or some other screening facility of equal screening value; such screening facility to be at least 1.5m (4.9ft.) and not more than 2m (6.6ft.) in height, and so located as not to conflict with any sight triangle requirements.

There are multiple comments of concern from the public, namely a suggested drainage problem and the possibility of tree removal, expressed by neighbors of the property. The board and staff discuss the lack of site plan available and the development requirement for draining during the building permit application process. After consideration, **it was moved** by R. Hall to table item 23-08-02, pending a site plan, recognition of the suggested drainage issue, and WAWA (Watercourse and Wetland Alteration). The motion is seconded by V. Johnson.

All in favor; motion carried

• **Item 23-08-03** • **Anthony Mann; Variance** • **Crow Island Road, Fundy Shores**

Alex Henderson presents an application for “a variance to the minimum size and dimensions of land required to develop an outdoor recreational use (private camping site with travel trailer) on a lot the does not meet the dimensional requirements of section 3.4(1) of the Lepreau Musquash Planning Area Rural Plan Regulation, namely: A proposed 3,470 m lot area reduced from the required 4,000 m.”

The Planning Review and Adjustment Committee of the Southwest New Brunswick Service Commission approve the requested variance for an outdoor recreation use on PID 00423210, Crow Island Road, as it is reasonable and desirable for this parcel of land and is in keeping the general intent of the Lepreau Musquash Planning Area Rural Plan Regulation, subject to the term and conditions that:

1) That as condition of variance approval, one (1) of the following shall be provided to the development officer prior to September 29th, 2023:

- a) a copy of the approval under the Public Health Act for on-site sewage disposal, or,
- b) a written statement that self-contained travel trailer holding tanks will be used, and such a statement has been delivered to and signed by an inspector in Technical Inspection Services, Department of Public Safety.

2) That the outdoor recreation use be for personal use only (not a rental).

There are some concerns from the public, specifically in regard to possible renting and potential of a “trailer park” situation. The board highlights number 2 of the terms and conditions, and a **motion is made** by R. Hall to approve the variance. **It is seconded** by V. Johnson.

All in favor; motion carried

5. VIEWS ON BY-LAWS AND REGULATIONS:

Alex mentions to the board that the PRAC By-Laws have been updated and each member received a copy. Alex does point out one correction needed: Page 62, 8.6.2. currently states seven hundred (700) metres. Should be adjusted to two hundred (200) metres.

6. PRAC BUSINESS:

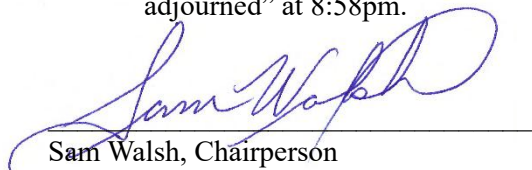
M. Rouleau nominates Vance Johnson as Vice-Chair of the Planning Review Adjustment Committee. There are no other nominations. Vance accepts the nomination.

7. NEXT MEETING:

The next regular meeting will be on Thursday, September 21, 2023, at 6:30pm at the 33 Wall Street Planning Office or via zoom.

8. ADJOURNMENT:

With there being no further business, **it was moved** by R. Hall “that the meeting is adjourned” at 8:58pm.


Sam Walsh, Chairperson


Alex Henderson, Planning Director &
Recording Secretary