Southwest New Brunswick Service Commission
PLANNING REVIEW AND ADJUSTMENT COMMITTEE (PRAC)

MEETING #22-09 Thursday, Oct. 20, 2022
Online Meeting via Zoom and in person - Planning Office, St. Stephen

MEMBERS PRESENT:

Gerald Gass	Annette Townes	Sam Walsh	Mat Rouleau
Ramond Hall	Dennis Blair	David Chessie	Brian Cornish

MEMBERS ABSENT:

Vance Johnson

STAFF PRESENT:

Alex Henderson, Planning Director
Alexander Gopen, Senior Planner
Vivian Peng, Junior Planner

PUBLIC MEMBERS PRESENT:

See attached registration report.

CALL TO ORDER:

Chairperson, Sam Walsh called the meeting to order at 6:30 PM and welcomed all in attendance.

1. APPROVAL OF AGENDA:

It was moved by A. Townes and seconded by G. Gass "approve the agenda as presented."

Carried – Unanimously

2. APPROVAL OF MINUTES:

It was moved by D. Blair and seconded by B. Cornish "that we accept the minutes as presented."

Carried – Unanimously

3. DECLARATION OF CONFLICT OF INTEREST:

No conflicts were declared.

4. SIMILAR TO OR COMATIBLE WITH APPLICATION:

Item 22-10-01 **Applicant: St. Mary's First Nation**

A. Gopen presented an application in the Chamcook Rural Zone area of the Chamcook Rural Plan, to consider a lobster holding facility to be considered similar or compatible with a light industrial use.

Staff recommends in favour with the following Terms and Conditions;

1. Any dead animal waste shall be stored in sealed, odour-proof containers inside the facility or in a refrigerated trailer on-site before being disposed at an appropriate off-site facility.

2. No loading shall occur between the hours of 8 p.m. – 7 a.m.

3. The property shall be kept in a neat and orderly manner.

4. All lighting to be directed downward and motion activated when possible.

5. At least one-off street space not less than 9m long, 3.5m wide, and 4m high with access thereto shall be provided for loading.

6. A 5m landscaped buffer shall be developed and maintained between the use and adjacent properties.

7. All other requirements of the Chamcook Planning Area Rural Plan are to be followed.

8. All other Provincial and Federal acts and regulations must be followed.

Seven public attendees showed concerns against the application that included:

- the area is mainly residential
- road conditions
- noise
- odour
- unloading times
- length of time of mail out notification
- no meeting of objection
- area of mail out notification
- industrial vs. light industrial
- property values
- if an environmental study has been done
- quality of water for well
- limited information provided
- objectives of the Chamcook Plan

The committee discussed and received clarification from Staff and Applicant:

- mail out times and area
- the lobster season (peak times – for truck traffic)

- shipping in and out of the facility or shore front receiving
- loading and unloading operational times
- cultural heritage
- well testing and new well
- rural zone vs. residential area
- light and sound pollution mitigation
- historical use
- Considering the rural plan's objectives, light industrial uses within constraints are permitted on all properties within the Rural Zone
-PRAC's discretion to determine if this is similar to or compatible with a light industrial use

(1:21:27)

It was moved by B. Cornish and seconded by G. Gass " we approve this application based on the recommendation of Staff of the Southwest New Brunswick Service Commission that the Planning Review and Adjustment Committee consider the proposed lobster holding facility be considered similar or compatible with a light industrial use subject to the following terms and conditions:

1. Any dead animal waste shall be stored in sealed, odour-proof containers inside the facility or in a refrigerated trailer on-site before being disposed at an appropriate off-site facility.

2. No loading and unloading shall occur between the hours of 8 p.m. – 7 a.m.

3. The property shall be kept in a neat and orderly manner.

4. All lighting to be directed downward and motion activated when possible.

5. At least one-off street space not less than 9m long, 3.5m wide, and 4m high with access thereto shall be provided for loading.

6. A 5m landscaped buffer shall be developed and maintained between the use and adjacent properties.

7. All other requirements of the Chamcook Planning Area Rural Plan are to be followed.

8. All other Provincial and Federal acts and regulations must be followed.

Carried – ***7 votes for:***

D. Blair
D. Chessie
B. Cornish
G. Gass
R. Hall
A. Townes
S. Walsh

1 vote against:

M. Rouleau

5. TEMPORARY USE APPLICATIONS:

Item 22-10-02 **Applicant: Lori & Terry Keating**

V. Peng presented on an application in the Town of St. Stephen to consider an antique store as a one year temporary use.

Staff recommends in favour with the following terms and conditions:

1. The applicant(s) shall obtain all applicable approvals (including a Building Permit) before opening the store to the public;

2. Any signs associated with this temporary use shall comply with sign requirements in Residential Zones, and the applicant(s) shall obtain proper sign permits;

3. No outdoor display shall obstruct pedestrian or vehicular traffic;

4. Hours of operation shall be limited to 8:00 a.m. – 8:00 p.m.; and

5. This temporary use shall not become a public nuisance that disturbs the surrounding residential area in regard to generating off-site electrical interference, dust, noise, odour, or smoke.

With no comments public and no comments or concerns from the committee;

It was moved by D. Chessie and seconded by R. Hall that "that we approve the recommendation from Staff."

(1:34:12)

Carried – Unanimously

6. VIEWS ON BY-LAWS:

Henderson presented an updated version of the Village of Blacks Harbour Rural Plan By-law Z.2 which covers the keeping of chickens but also adds new definitions and permitted uses with regards to conducting agricultural uses within the residential areas of the Village.

Staff recommends in favour to send positive views to Council. The Committee had discussion on owners that currently have any or more chickens then are allowed in the by-law. They also discussed property owners with multiple adjacent lots.

The Committee agrees with sending views in favour with comments to Council to consider:

- limits on storage of feed
- clairifying lots and number of chickens (double lots)

Round Table Vote – All in Favour

Henderson presented an new updated version of the Town of St. George Municipal Plan By-Law No. 25-C.

The committee had no major concerns. Some discussion held on zoning PID as a U-3 Zone.

The Committee agrees to send views in favour with comments to Council to consider:

- zoning PID 01335256 as a U-3 Zone

Round Table Vote – All in Favour

7. PRAC BUSINESS:

Discussion held on committee member per diem and potential meeting with SNBSC Board to discuss.

8. NEXT MEETING:

The next regular meeting will be on November 17, 2022 location online via zoom.

9. ADJOURNMENT:

With there being no further business, **it was moved** by D. Blair "that we adjourn."

Sam Walsh, Chairperson

Alex Henderson, Planning Director

Connie Klein, Recording Secretary