

# *Town of Grand Bay-Westfield*

*(Incorporated 1<sup>st</sup> January, 1998)*

## Planning Advisory Committee

### Minutes

Monday, December 4, 2017

1. **CALL TO ORDER**

The Town of Grand Bay-Westfield Planning Advisory Committee met for a regular meeting on Monday, December 4, 2017 at 8:01 p.m., with Chair, Chyann Kirby presiding.

2. **RECORD OF ATTENDANCE**

Members present were Chyann Kirby, Ralph Stevens, Cllr. Bev Day, Ron Daigle, Jim Burke, and Alex Calvin and Acting Development Officer, Bruce Gault.

Member absent was Theresa Gordon.

“...moved by Cll. Bev Day to excuse Theresa Gordon with cause...”

Seconded by Ralph Stevens. Carried.

3. **PLANNING ADVISORY COMMITTEE MEETING MINUTES OF NOVEMBER 20, 2017**

“...moved by Ron Daigle to accept as presented the Planning Advisory Committee Meeting Minutes of November 20, 2017...”

Seconded by Jim Burke. Carried.

4. **REGULAR COUNCIL MINUTES OF NOVEMBER 14, 2017**

“...moved by Ralph Stevens to receive and file the Regular Council Minutes of November 14, 2017...”

Seconded by Cllr. Bev Day. Carried.

5. **DECLARATION OF CONFLICT OF INTEREST**

None.

6. **REMARKS FROM THE CHAIR**

Chair, Chyann Kirby, read out loud to the Applicant and all in attendance, the proper process in which the meeting is to be conducted.

Chair, Chyann Kirby requested the following Item be added to the Agenda:

7(b) E-mail with attachments received from Stella Taillefer dated December 4, 2017.

“...moved by Cllr. Bev Day that Item 7(b) E-mail with attachments received from Stella Taillefer dated December 4, 2017 be added to the Agenda....”

Seconded by Ralph Stevens. Carried.

7. **ITEM TABLED NOVEMBER 20, 2017**

**RE: APPLICATION FOR VARIANCE – STELLA TAILLEFER  
20 BRANDY POINT ROAD – PID NO. 30204259**

(A) **ACTING DEVELOPMENT OFFICER’S REPORT DATED  
NOVEMBER 30, 2017**

(B) **E-MAIL WITH ATTACHMENTS RECEIVED FROM STELLA  
TAILLEFER DATED DECEMBER 4, 2017**

Applicant, Stella Taillefer was present and circulated additional information to each Committee Member.

Chair, Chyann Kirby, requested that the following information received be added to the Agenda:

7 (c) Photo of Brandy Point sewerage lift station;

7 (d) Town of Grand Bay-Westfield Building Permit No. 4721;

7 (e) Town of Grand Bay-Westfield Building Permit No. 5067.

“...moved by Ralph Stevens that 7(c), 7(d) and 7(e) be added to the Agenda....”

**Seconded by Cllr. Bev Day. Carried.**

Applicant, Stella Taillefer, read her address to the Committee as follows:

- Her Application for Variance is to construct a home from 30 m from a brook to 18.9 m, thereby requiring a 37% Variance;
- she is now making a preliminary correction to her Application, as the original Survey Plan included a 44 x 12 ft. deck, however, there is no plan for a deck on this property;
- Plan shows all elevations, measurements and pad are well within the initial limits of the Department of Environment Permit;
- construction on the property began before the Town adopted the Environmental Protection Measures under the Zoning By-law to control erosion of steep slopes and a 30 m buffer;
- photos of the property show that it is not excessively steep;
- they have mitigated erosion concerns by erecting a rock wall;
- Technical evidence shows that the property is not a wetland and an Engineering Report provides evidence that the property is not marshy with no organic material identified.
- all the Engineering recommendations with regard to ground surface work prior to building and for footings will be followed.
- she disagrees with the Development Officer’s opinion in his report that this project is not for the greater good and in her opinion, should be disregarded by the PAC.
- the property is zoned as Private Residential and the map provided shows that this property is not in the wetland zone and does not require protection;
- a legal permit has been received and they have followed all regulations laid out by the Department of the Environment;
- letters from the residents on Brandy Point Road contain no legal or valid reasons why they should not be able to build;
- Applicant feels she has met all requirements for the development;
- elevations of the property have been brought up above flood levels, as specified by Plan done up by DeSaulniers Surveys;
- she does not understand why the Town does not agree with the professional findings of both Fundy Engineering and Dillon Consultants regarding the property not being marshy.

- she does not agree with the Development Officer’s logic with regard to the three options given to the Town by Dillon Consultants, as in his opinion, a risk of flooding still exists and the fact that the sewerage lifting station is in the vicinity;
- at no point did she request a 100% Variance but at this time, she is requesting a Variance of 37%;
- she is respectfully requesting that the PAC grant this Variance without entering into any agreement with the Town.

There was no one present speaking in Favor of this Application.

There was one person speaking Against this Application as follows:

**Pat Quinn – 101 Brandy Point Road**

Mr. Quinn once again expressed his concerns with regard to possible flooding.

Applicant, Stella Taillefer, advised that this was highly unlikely, as stated in the Dillon Consulting Report from the Town. Also, the lot in question is now built up higher as per previous flood elevations.

**“... moved by Jim Burke that the Planning Advisory Committee deny the Variance Application received from Stella Taillefer received October 18, 2017 under powers of the Zoning By-law No. 112, Section 4.11, where the Planning Advisory Committee is of the opinion that the property in question, PID No. 30204259 is subject to flooding, and unsuitable by virtue of its soil or topography....”**

**Seconded by Ralph Stevens. Carried.**

Chair, Chyann Kirby, advised the Applicant of her options as follows:

1. Reapply to the Planning Advisory Committee in one year;
2. Submit a different Application;
3. Make an Appeal to the Provincial Planning Appeal Board.

**8. ADJOURNMENT**

**“...moved by Ron Daigle and seconded by Jim Burke to adjourn....”** at 8:23 p.m.

**TOWN OF GRAND BAY-WESTFIELD  
PLANNING ADVISORY COMMITTEE  
MEETING – DECEMBER 4, 2017**

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Respectfully submitted,

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Chyann Kirby,  
PAC Chair

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Laylia Nice,  
PAC Secretary