

1. Soil Permeability
2. Depth of Overburden
3. Slope Characteristics
4. Soil Characteristics

(NOTE: For any additional information regarding the Report of the Riverlake Residents Association, please refer to the Report)

Councillor Benjamin expressed his alarm at the manner in which the report had been prepared, abusive of the Developer's character and his proposed PUD Agreement. He further advised that there were excellent benefits to be derived by this PUD Agreement, although it did need several changes. He advised that he had many negative reactions to the presentation by Mr. Miller.

Councillor Benjamin pointed out that there were houses very few feet from the lake on Eagle Point Drive which utilized septic systems yet this report had condemned the use of septic systems in the Park which would be set back 200 or more feet from the lake.

In defense of the accuracy of his report, Mr. Miller displayed slides showing a series of maps used by the Federal and Provincial Department of the Environment during their joint Environmental survey done in 1974 of the entire Shubenacadie River and Lakes system, including the lakes surrounding the proposed site.

These slides indicated the drainage patterns of the lakes, the bedrock geology which confirmed that most of the soil types bear arsenic as well as soil types which were addressed in the draft MDP plan as being 10% suitable for septic system. He displayed maps which indicated the depth of overburden, erosion potential, slope and other environmental factors.

There was further brief discussion between Councillor Benjamin and Mr. Miller subsequent to which:

It was moved by Councillor Williams , seconded by Councillor Baker:

"THAT the Public Hearing be adjourned until Thursday, July 2, 1981 at 7:00 p.m. "

Motion Carried.

#### ADJOURNMENT

Therefore, the Public Hearing adjourned at 11:20 p.m. until Thursday, July 2, 1981 at 7:00 p.m.

CONTINUATION: RE, COBEQUID INDUSTRIAL PARK

JULY 2, 1981

Warden Lawrence brought the Public Hearing to order at 7:00 P.M., advising that all speakers in favour of the PUD Agreement had been heard on Monday, June 29th, as well as the first speaker in opposition, Mr. Paul Miller. Mr. Miller's presentation had not been questioned by Council and this is where the Public Hearing was to begin tonight, subsequent to which the remaining speakers in opposition would be heard.

Councillor Lichter advised Mr. Miller, that upon hearing his presentation he had felt that the RiverLake Residents Association, although indicating that they were not opposed to Industrial Development, appeared to be opposed to ANY development on the proposed site, whether Industrial, Commercial or Residential. He then questioned the necessity for additional studies, if this was the case.

Mr. Miller advised that they were not opposed to development, they did, however, feel that the studies should be conducted to determine what type of development was best suited to that land.

Councillor Lichter did not feel that a developer offering a strong tax base and employment for the community, would be in any way spoiling the land but Mr. Miller questioned whether this would be the most appropriate piece of land for the proposed development.

In response to Councillor Lichter, Mr. Miller advised that he did live in the area, near lots that were serviced with sewer and that he did not object to the use of sewers; however, he felt that there would only be a sewer problem with a large development and not with a few residential properties.

Councillor Lichter pointed out that there were several developments and industries in the area which received no objections to their locating in the area or to the use of sewer systems.

The next speaker in opposition to the PUD Agreement was Ms. Joan Bourke, with a presentation on behalf of Mrs. Shirley Freer of Fall River, Chairman of the Health, and Sanitation Committee of the Riverlake Resident's Association.

Ms. Bourke read a presentation prepared by Mrs. Freer which outlined the problems in Waverley with regard to Arsenic, Mercury and Tungsten, as well as the related health problems of the residents of the area. Her presentation questioned the likelihood of these three existing toxic materials, mixing with the unknown hazardous materials created by Industry, and causing irreparable damage to the Lake system. The presentation also referred Council to the June 22, 1981 issue of MacLean's magazine which contained an article entitled, "Don't Drink the Water." This article documented cases in which industry had caused irreversible damage to the surrounding water systems in other parts of Canada. Mrs. Freer advised that these industries probably did not intend to damage the environment or to destroy the health and quality of life of the people in the surrounding areas, however, it did happen.

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Mrs. Freer summed up her presentation by asking that Council consider the points raised in it and recommend that the Department of Environment do a complete study and build in the appropriate safeguards should the P.U.D. Agreement be approved.

Subsequent to delivering this presentation, Ms. Bourke spoke on her own behalf advising that she was brought up in Africa which has a very polluted and poor water system and a bad environment for bringing up children and further advising that this was her reason for appreciating the beauty and value of the clean and clear Shubenacadie Lake system, and expressing her concern that these Lakes and Rivers may be contaminated for future generations, if the proposed Park is approved without the proper studies and safeguards.

Councillor Benjamin spoke briefly on Mrs. Freer's presentation in agreement with her comments regarding the health problems encountered in Waverley, related to the toxic materials in the water; however he pointed out that these problems were not also prevalent in Windsor Junction, which had been suggested in the presentation. Councillor Benjamin also explained that the wells containing arsenic were drilled wells. He advised that there would not be one drilled well on the proposed site but that the water would be tapped in from the water going by the park and going into Waverley system from the Pockwock water supply. He took exception to the inference that any development on that land would cause arsenic contamination to the Lakes, as the land would eventually be developed in some manner.

Councillor Poirier also commented briefly stating that the water supply problem was not an issue here, as the water supply problem had been cleared up. She was under the impression that the issue was the pollution of the lakes.

Ms. Bourkes advised that Mrs. Freer's report had gone into great detail about the park disturbing the arsenic in the soil and releasing it into the lakes.

Councillor Poirier advised that she lived near the Lakeside Industrial park in which only light Industry was located and advised that only light Industry would go into the Cobequid Industrial Park. She further advised that the Lakeside Industrial Park is what kept her area going, as the taxes from the park provided money to pay for schooling, etc. It appeared to Councillor Poirier, that the Residents of the surrounding area were opposed to any development on that land.

Ms. Bourke responded stating that no one in the area has said they are against development in that area; what they are against is development without knowing what the consequences will be.

Councillor Poirier summed up her comments by advising that a good idea which had been mentioned in Mrs. Freer's reports and which Councillor Poirier had already been discussing with the Planning Department was the possibility of using holding tanks in the Park; or, if that was not a viable solution, the cleaning of septic tanks on a yearly or every two year basis, to prevent saturation of the soil.

The next speaker in opposition to the PUD Agreement was Mr. Graham Thomas, Chairman of the Riverlake Residents Association.

Mr. Thomas displayed aerial photographs of the entire area, the proposed site and the surrounding lakes, to provide Council with a better understanding of the site and the waterways, advising that the Riverlake Residents Association was not opposed to development but was concerned about the environmental impact the PUD Agreement, if approved, could have to the area. He advised that any environmental problems to Third Lake or Three-Mile Lake would certainly spread throughout the entire Shubenacadie River system.

Mr. Thomas advised that there were fourteen homes on Eagle Point Drive which Councillor Benjamin had stated should not be there, due to their lot size and proximity to the Lake. Mr. Thomas agreed with this statement but advised that at the time of development there were no laws advising not to build these homes after the necessary perk test. As well, there are no laws stating how often the septic tanks should be inspected or pumped out.

However, realizing how sensitive the Lake is, the abutting residents had asked the Department of Environment to monitor the lake. The Department advised that they could not do so as there was no public beach on the Lake but they did supply the homeowners with sample kits to do their own monitoring, which has been done with favourable results until this spring when a milky-white substance was noticed coming from one of the inlet streams.

The Department of the Environment did a water analysis of this substance and reported:

"It is our understanding that a section of Three Mile Lake is to be infilled for the purpose of facilitating the twinning of the Bi-Centennial Highway. In April of this year, our Water Planning and Management Division received several complaints concerning the pollution of Three Mile Lake. Samples were taken to confirm any abnormally high concentrations of the chemical constituents. In a comparative study of a chemical analysis of August 3, 1971 to April 2, 1981, data it appears that the discoloration and murky appearance of the lake was caused by run-off from the construction zones of the Bi-Hy. The elevated aluminum concentrations of the chemical components analyzed were within the maximum permissible limit (as set by Health and Welfare Canada). Since the Lake is quite deep (max. depth 37") having a capacity of 71.3 X 10<sup>6</sup> gallons and with a good flushing time of one month the murky discoloration and the elevated chemical concentrations going in would be diluted to such an extent to the background chemistry would not be altered to a great degree. However, if the excessive run-off conditions are to be prolonged then there may be harmful effects realized on this drinking water supply. The excessive run-off that occurred during April was quite unusual for this area. The residents have stated that the occurrence was rare.

Due to the domestic consumption of this water of Three Mile Lake we are requesting that your Department carry out a monthly sampling program of these waters until the area disturbed by road construction has become stabilized and that the siltation-erosion technique employed by your Department be tightened."

This letter was written by Lee Lewis, P. Eng, Chief, Water Management Section, Nova Scotia Department of the Environment to Mr. C. Cann, P. Eng., Project Engineer, Nova Scotia Department of Transportation.

A copy of that letter had gone to Anna Steele, Environmental Technologist, Water Management Section, Department of the Environment who sent a copy of it to Mr. Thomas.

Mr. Thomas went on to explain that the Shubenacadie River Basin Board Draft Report was a joint Federal and Provincial Project. He read the following quotations:

Page 23 - "Existing information about Lake sediments indicate that high levels of arsenic and mercury, occur in Powder Mill Lake and in the sediments of Lake Thomas and Lake Fletcher. A high content of metal and arsenic has also been found in the sediments from a beach in the north-west end of Powder Mill Lake and from the shore of Muddy Pond."

Page 64 - "For example, the sediments of Muddy Pond may be transported to the Recreational Beaches of the western shore of Lake Thomas."

Page 65 - "A Biopsy carried out of one to two fish taken from Powder Mill Lake reveal that the mercury content in its flesh was equal to the maximum level permitted in fish sold for human consumption in Canada."

A quotation from the Atlantic Region Industrial Parks - Oct., 1979 Page 7 - "An Industrial Park location will meet the environmental requirements and thus avoid the possible conflicts and problems arising out of establishing in proximity to or in a Residential District."

Mr. Thomas in summary of his presentation advised that if this PUD Agreement is approved the Riverlake Residents Association will have no choice but to appeal this decision, which will cost more and take longer than to go through and Environmental Control Council Hearing.

At this point in the meeting Mr. Thomas requested that Mr. John Bottomly, Chairman of the Shubenacadie Lakes Advisory Board who has reviewed the PUD Agreement in order to clear up some misunderstanding regarding Septic Systems.

Mr. Bottomly came forward, first advising Council that he was here as an observer and further advising that the Shubenacadie Lakes Advisory Board was formed because of the Shubenacadie-Stewiacke Rivers Basin Board study and was a recommended method of attempting to oversee development in the headwaters and the corridor management areas of the Shubenacadie system. He stated that the Shubenacadie Lakes Advisory Board represented an advisory Board to Council and he was not here to speak for or in opposition to the proposal but would read as requested

the advice which was forwarded to the Planning Advisory Committee in April 27 and the statement of the Board as a Committee Statement, made subsequent to two months of study of the PUD Agreement. He advised that the PUD Agreement has since changed in some respects; the Board had considered the changes and did not feel they were worthy of comment at this time.

He also pointed out that the Shubenacadie Lakes Advisory Board is a strictly voluntary Board, funded by no Municipal, Provincial or Federal Body, and were composed of a group of citizens who are responsible to the Lakes.

He read the report (for detail, see Report) which can be outlined as follows:

"The Nova Scotia Department of the Environment regards the Appendix C of the PUD Agreement as an environmental overview which addresses the existing environment, defines environmental concerns, and outlines mitigative measures and further investigation to be implemented or undertaken. We view the Environmental components of the PUD Agreement as a general description of an industrial park concept not a specific proposal."

"Prior to any work being undertaken on site it is necessary for the proponent to obtain the appropriate Ministerial Approvals under the applicable Provincial statutes. When applications for approvals are filed they must be accompanied by detailed design for environmental control facilities, devices and practices.."

"Each industry intending to locate in the Industrial Park will be required to obtain individual approvals specific to its proposed operation."

The Board Report itemized nine specific comments as follows:

Hydrology, Muddy Pond, Arsenic in Overburden, Biological Studies, Sewage Disposal, Industrial Land Uses, Bond, Environmental Problems, and Environmental Controls and Monitoring.

The nine items were discussed at length in the report; the Conclusion of the Report was as follows:

"In consideration of the fact that the Nova Scotia Department of the Environment is not in possession of an application for development of the Cobequid Industrial Park it is hoped that the foregoing statement will be of assistance in the Municipality's deliberations. When, (and if) the Nova Scotia Department of the Environment receives specific applications we will be pleased to keep the Municipality and a representative of the River Lake Residents Association advised throughout our review process, and to work with both groups to ensure that environmental impacts associated with the various phases of site development and industry location are minimized."



Councillor Lichter questioned if Mr. Bottomly had seen Environmental Impact Studies before and if so, had he ever seen one as detailed as the one Councillor Lichter had read regarding the PUD Agreement, to which Mr. Bottomly advised that he was Chairman of the Shubenacadie Lakes Advisory Board and that he had no technical abilities. However, at least five members of his Board were technical people, extremely familiar with environmental impact studies. As well, Mr. Coulter of the Department of Environment referred to the study as an Environmental Overview and not an Impact Study.

Councillor Lichter, however, advised that he was very impressed with the type of studies which had gone into that report and which were documented in the appendix, from the quality of water, to soil conditions, to wind conditions, to noise conditions, etc. He felt that a man who was willing to go through that kind of work must have the integrity of one who wished to protect the environment and many people would not bother to go through the red tape that this PUD Agreement has already gone through in the last three years, and it is not sufficient to say that the Studies were inadequate.

Mr. Bottomly advised that he had assembled the best available people in the area to come up with comments regarding the environmental impact study and is not suggesting that the reports done have been done improperly but they are not drawing the necessary conclusions for approval of the PUD Agreement. He pointed out that the Residents are still concerned that there are possible problems which have not been properly considered.

Councillor Benjamin in regard to the Riverlake Resident's Association's statement, that they were not against development, asked why then they had come before Council requesting that a moratorium be placed on all Commercial Development in that area and to zone the area Residential.

Mr. Thomas advised that they had done so after the proposal was extended and the Resident's Association had thought the developer had withdrawn; therefore, they put in the application for Residential zoning. The Residents Association agrees with the Shubenacadie Lakes Advisory Board that there have been inadequate studies; they want to have an environmental hearing, sopena the experts, geologists and people who have done the tests on the lakes to find out exactly what that land is capable of handling.

The next speaker in opposition to the PUD Agreement was Nancy Haley the past Chairman of the RiverLake Residents Association.

Mrs. Haley advised that she had been requested to read the three following letters: (letters have been summarized by Secretary)

1. From the Hon. Howard E. Crosby, M.P.

He advises that it would be inappropriate for him to question the judgement of Municipal Council but urges them to consider the environmental concerns of the Residents and he suggests two ways in which these concerns could be met.

- a) An environmental study undertaken by the Nova Scotia Environmental Control Council.
  - b) Or, provision to be made in the PUD Agreement for an independent Council or Committee with Residential Representation to monitor and control development activity.
2. From Mrs. Ida Ryan, President of the Heritage Society, District # 14.

Mrs. Ryan informed in her letter that the Heritage Society of District 14 endorses the conclusion of the Shubenacadie Lakes Advisory Board regarding the incomplete environmental study and urges that the Industrial proposal be turned back to the County of Halifax, Planning Department until a complete study has been undertaken.

3. From Mr. Glen Taylor, President of the Sackville Heritage Society.

Mr. Taylor advised that the Sackville Heritage Society has been made aware of the proposed development and that such development could adversely affect the Shubenacadie Canal System. He indicated that the Sackville Heritage Society was in support of any efforts to preserve this system and wished to be recorded as strongly opposed to any development which could adversely affect this system and further recommended that a study of the proposed development be undertaken prior to a decision being made to proceed with it.

The next speaker in opposition to the PUD Agreement was Mr. Dave MacLean, Chairman of the Riverlake Residents Planning Committee.

Mr. MacLean advised that he was familiar with Industrial Parks, the problems they can cause and the dollars they can generate. He also stated that he was not in agreement with Mr. Denny's dollar figures of \$4 million in taxes over the 200 acres, as the Dartmouth Industrial Park was spread over 600 acres and generates only \$6 million.

He advised that the petition distributed to Council and signed by 700 people requested only that they be given time to contribute to the Planning process and that these people believed in progress and free enterprise as much as the developer and his supporters. However, these people have nothing to gain if the park proceeds and much to lose if it proceeds without the proper controls. He advised that what he was trying to do was to protect the people in the District who have not tried to stop what is going on, but just to ensure that controls are put in place. He advised that Councillors are always interested in receiving public input.

He advised that for many years progress and industry have been predominant over environmental controls and only in the last few years pressure has been put on industry, which has helped to maintain and enhance our standard of living for the future and although developers do not like it, due to the high cost, they do understand and appreciate it, and these controls have to be put in.

He referred Council to an article which had recently appeared in Atlantic Insight advising that in the Province of N. B. there was, up until three years ago, a law protecting ten Industrial Businesses in N. B. from environmental damages they had caused and this law was changed due to the fact that a lot of pollution was caused. He advised that due to the past mistakes regarding environmental protection the Riverlake Residents Association wanted to protect the future from similar problems.

He expressed his hope that his Association would not be forced to go through the planning Appeal Process. He summarized his presentation by urging Council to turn down the proposal as it presently stands and turn it over to the Nova Scotia Planning Appeal Board and his Association would then abide by whatever decision is handed down by this Board.

Mr. MacLean in answer to a question from Councillor Lichter advised that he was opposed to the use of sewer systems on the property in question.

Councillor Lichter then questioned why Council had received the aforementioned application to rezone those lands to residential; he advised that even residential homes would require septic tanks and disposal systems as the area did not have central sewer. Mr MacLean answered that the application was made in order to prevent Council from putting anything on that land before the proper studies were conducted. He advised that the Association is now of the opinion that even Residential Housing could be dangerous, which is why they have requested and recommended that the Municipality go to the Environmental Control Council for more studies.

Councillor Stewart requested Mr. MacLean's point of view regarding the future use of the proposed site and was advised that Mr. MacLean would like to see the land put aside in the land bank for future generation's use as a recreation park with little development. He also advised that this was not the Association's point of view; the Association merely wanted the proper studies conducted to find out what the land would stand.

Councillor Benjamin noted that there were several industries presently located closer to the water than the proposed park, without the benefit of a proper buffer zone; Legay Plastics and the scrap yard in Windsor Junction, for example.

Mr. MacLean advised that he had no desire to see established businesses, some of which were in the area before the Residential Zones, kicked out of the area so long as these businesses were living within the guidelines.

The next speaker in opposition of the PUD agreement was Mr. Wilson Fitt, representing the Windsor Junction Community Centre.

Mr. Fitt explained the location, size and purpose of the Windsor Junction Community Centre, advising that it had been organized since 1949 to provide recreational facilities and programs for Windsor Junction and area residents. He advised that the Community Centre is strongly oriented to the use of Third Lake and more than one half of the Centre's activities are directly related to the lake.

Mr. Wilson's Report (See Report for detail) went into lengthy detail on the following topics: The Lakes and Streams, The proposed Development, Soil Erosion and Sedimentation, Arsenic contamination and Acid Runoff, Waste Disposal, Environmental Monitoring, Citizen Participation and concluded as follows:

"This proposal presents a grave threat to the environment and to the recreational amenities of the region. It has been conceived and presented without the background information that is necessary, and without due regard to the information that is available. The proposals for control and monitoring of the limited range of problems identified by the proposal are inadequate or untested.

The Windsor Junction Community Centre has the following recommendations:

1. That a full study of all aspects of the environmental impact of development of these lands be done, reviewing thoroughly the existing studies, performing new studies where necessary, and addressing itself particularly to the following:
  - a) arsenic and acid contaminated runoff;
  - b) erosion potential and control methods;
  - c) liquid waste disposal problems including detailed site analysis for septic field suitability and nutrient loading studies of Third Lake, Three Mile Lake and down stream water bodies;
2. If after the above studies are done, it appears that residential industrial or any other development is suitable for these lands the following controls should be imposed:
  - a) specific density controls for residential and for industrial development;
  - b) specific controls on the type of industry if any, that may be located on the site;
  - c) a prohibition on disposal of toxic or chemical wastes;
  - d) extensive on and off-site monitoring of surface runoff, groundwater and lakes and streams for contaminants of all varieties;
  - e) wide buffer zones and green belts bordering all surrounding bodies of water and in other areas susceptible to erosion;
  - f) close control of the appearance of the site and the buildings to be constructed both during development and after completion;

Finally, in reference to Technical Report #21 entitled WATER-BASED RECREATION IN THE SHUBENACADIE-STEWIACKE BASIN: OPPORTUNITIES, STANDARDS AND PROBLEMS. That Report states:

At the outset it should be stressed that recreation is possibly the "cleanest" use to which a waterbody can be put; it is usually non-polluting even if intensively practiced.

...by and large, recreational use of water tends to suffer from, rather than cause, abuse of resource.

The time when development can be allowed in an unrestricted manner is now long past. Resources, including those of natural beauty and recreation are more necessary and more in demand as the population increases, while simultaneously, the pressures of commerce and industry are all too often compromising them. A delicate balance is necessary. This has not been applied in this case and the Windsor Junction Community Centre sincerely hopes that this will be done."

Mr. Fitt advised that this Public Hearing was a crucial turning point in this decision and was the only opportunity for public input. The remaining steps to be taken by the developer should this be approved this evening, will be steps of a technical nature to try and minimize the effects of the development. There will be no further steps whereby the proposal will have the opportunity to be re-examined or evaluated. Therefore, he urged that Council seriously consider the concerns expressed by the Residents while making its decision to approve or not approve, in principal, this proposal.

In regard to the question of ownership of the land, Mr. Fitt advised that it was only Monday night that they had been informed that Council had been made aware early in May that the lands in question had been transferred to Allstate Investments Ltd. The residents discovered this through the Bedford-Sackville News a week ago, well after Council had discovered this. He then produced an agreement obtained for the price of \$1.00 from the Registry of Deeds, between Industrial Machinery, Otron Direct Sales Canada Ltd. and Allstate Investments Ltd.; Otron and Allstate are companies with the same Principals. This Agreement is an Agreement of Sale and disposes of Industrial Machinery's interest in the land as of May 1st, 1987 if the payment schedule is made and the other terms are met. The purchasers will pay the taxes and have effective control of the land. He advised that this is a major change in the Agreement as the Residents are told that the Park is to be owned by a Nova Scotia Resident who has no intention to pollute the Nova Scotia Lakes, but in fact the land belongs to an Alberta Company who no one knows. He felt this was sufficient reason for the Residents to be suspicious of the PUD Agreement.

Councillor Stewart questioned Solicitor Cragg in regard to the ownership issue. He advised that in the PUD Agreement it states: "The Developer means Industrial Machinery Company Ltd. a body corporate in Bedford."

Solicitor Cragg advised that Mr. Eisenhower was in fact the owner of the property, he has title of the property at the Registry of Deeds; and advised that it was definitely in order to deal with the application and the Agreement, which would be just as binding on any future owners.

Councillor Margeson questioned if Mr. Fitt would be willing to have this area developed so long as there was someone there taking care of the interest of the Community Centre in Windsor Junction as well as the other community groups who have an interest in it, to which Mr. Fitt replied he would.

Councillor Lichter questioned Mr. Fitt in regard to the reference he had made that the Atlantic Health Unit or the Department of Health does not have effective controls over septic tank disposal field maintenance after the initial installation.

He advised Mr. Fitt that this was not an issue that had arisen with this development only, to which Mr. Fitt replied he did not know as he had not been involved in this type of issue before. He also advised the Councillor that he did not have a septic disposal field at his home and that he did not live in the general area under discussion.

Councillor Lichter advised him that many of the people in the Gallery did live in the area and utilized sewage disposal fields. The Councillor advised that he was also in the same position and that he cleaned his own system out without being told that he must. He advised that he has never heard that kind of control requested on the Board of Health but now that this development has come along people are demanding that the control be there. He questioned Mr. Fitt as to why this issue had not come up before this time.

Mr. Fitt advised that because development is becoming more intense all over the County this issue is now arising and more regulation is now necessary.

Councillor Lichter suggested that assuming the entire area was Residential, Roads would have to be put in before the lot approvals could be made and before a population density could be determined. He advised that if the lots were approved in the soil category 1 (there are 1, 2 & 3 categories) then lot approvals would be for 20,000 sq. ft., providing for only about 50 homes on the entire piece of land. The developer cannot know ahead of time what the population density will be until each lot is tested. Therefore, the Residents are asking the Developer to go ahead with things that he legally cannot.

Mr. Fitt replied that the Developer has already spent a great deal of money on the land and the purchaser is paying even more for it; therefore, they must know what they are going to get out of it. They must somehow have conceptually divided up the land into Industrial and Residential lots and priced each one; there must have been some type of density projection.

In return Councillor Lichter indicated that most likely the only estimates have been the maximum lots, assuming the land was good or the minimum lots assuming it was not, advising that this was the only way the Developer could work, since, until the Atlantic Health Unit is capable of giving lot by lot approval, it is anyone's guess.

Subsequent to this discussion, Council adjourned for a five-minute recess.

The next speaker in opposition to the proposed PUD Agreement was Mr. Ralph Bigio.

Mr. Bigio advised that the PUD Agreement offered the community economic revitalization in return for Mr. Eisenhower's economic gain and that the Councillors were present to establish rules under which the PUD could be implemented with the maximum economic gain for the County and the least environmental damage. Mr. Bigio felt that although, environmental damage or a financial loss to Mr. Eisenhower were not likely; it would be more difficult to recover from environmental damage should either or both of these occur. He felt that environmental damage could occur through erroneous design or engineering or due to some unforeseen event.

Mr. Bigio felt that although the Developer had promised to minimize the risk of environmental damage; this risk had not been minimized to the extent of his own financial risk.

Mr. Bigio further advised that in order to reside in Fall River, a family oriented neighbourhood with a slower pace and a natural setting, he had willingly given up such conveniences as: central water and sewer and closeness to employment. He felt that the proposed agreement did not offer sufficient protection to the residents especially as there is no mention of what type of industries would be located in the park. To guide the choice of industries Mr. Bigio would impose the following guidelines: (1) they should exude no odor; (2) they should not create noise above the present noise levels; (3) there should be a great deal of attention paid to architecture and landscaping. Mr. Bigio advised that these restrictions would be in the Developers best interest as he might otherwise have difficulty in selling the Residential lots on his land.

He also advised that due to conflicting interest it would not be wise to give the responsibility of environmental monitoring to the Developer but rather a representative of the Residents.

Mr. Bigio finally, expressed the following desires:

1. That there be firm environmental guidelines, particularly respecting water quality;
2. That the PUD Agreement be binding on any future Developer having an interest in any part of the Development;
3. That the character of the surrounding neighbourhoods be carefully protected when considering future development inside or outside of the proposed Industrial Park.

This completed Mr. Bigio's presentation, subsequent to which there were no questions from Council.

The next speaker was Mr. Paul Pettipas from Fall River, a member of the Riverlake Residents Association. He advised that he was speaking in his own behalf this evening and not on behalf of the Residents Association.

He emphasized that he was a businessman and had invested close to \$2 million in plant facilities, land development, etc. in the past two years and owned companies which employed 50 people directly and more indirectly, a good portion of which live in Halifax County. He advised that he believes in progress and jobs.

He advised that he had watched the development of this proposal from its earlier days, the Developer requesting that the Residents of the area trust him. However, due to numerous statements and instances, Mr. Pettipas expressed reluctance to do so.

Several points which bothered Mr. Pettipas were as follows:

1. The fact that the Developer had sold his interests in the land to Allstate Investments.
2. The fact that the Developer was to be responsible for monitoring of any possible environmental damage.
3. He alleged that the experts working on the project were not objective.
4. He questioned the claims of jobs and taxes, suggesting that they had been exaggerated.
5. Mr. Pettipas also expressed his own opinion that other parks in the Metro Area would have more to offer potential industries but that their proposed Cobequid Industrial Park would attract only undesirable companies.

In summation he stated that while the Developer was promising tax dollars, the Residents were already paying them.

The next speaker was Mr. John Hartlen, Waverley.

Mr. Hartlen urged that the following conditions be considered for any new Industrial Activity in the Cobequid Road vicinity.

1. That Council be absolutely satisfied that there is insufficient capacity at the Industrial Parks at Sackville and the quarry rock crusher flat land at Bedford to accommodate whatever types of industry the Developer is proposing.

In regard to the 2700 jobs which are supposedly to be created at the Cobequid Industrial Park, he advised that it would make little difference if these people commuted to Windsor Junction, Sackville or Bedford.



He also advised in regard to the tax dollars which would be created from the Industrial Park, that this money would soon be eaten up by the eventual necessity for water and sewer services.

Mr. Hartlen advised that he was not impressed with rumours of an oil boom being used as an excuse for the construction of this Industrial Park.

2. That the exact type of Industry that is to be established and when it is to be established be known to the surrounding residents.
3. That Council consider the serious and sometimes critical Environmental problems in the vicinity of the Proposed Industrial Site and whether these conditions may be agravated by new Industrial or Residential Building operations.
4. Mr. Hartlen further requested that Council consider the following suggestions:
  - a) That Council endorse the conclusions of the Voluntary Shubenacadie Advisory Board; That the existing environmental study is incomplete and hand back the proposal to authorities for further study.
  - b) Some sort of additional environmental ombudsman or other legal hearing is needed at this point to hear other evidence concerning the serious nature of the environmental problems that surround the Industrial Site.
  - c) Urge Council to draw up, with the co-operation of adjacent landowners a planned future development of the lands that immediately surround the park including a plan of rehabilitation of Waverley's wasted mining lands done with Government funding and even a plan of dredging and rehabilitation of Lake William and Lake Thomas sections of the Shubenacadie Waterway which has a potential in real terms worth far more than the adjacent Industrial Development that is now proposed.

He felt that the Government had an obligation to clean up the damage done by past generations as the land and water surrounding the proposed site is already in serious jeopardy and he felt that the Government should also devise an environmental land use plan to correct those past environmental mistakes.

The next speaker was Mr. Tony Hunter of Windsor Junction; Mr. Hunter first spoke on behalf of Mr. Alfred Evans who, due to work commitments, could not be present but who wished to express his opposition to the PUD Agreement because he had lost faith in the governmental bodies who control environmental monitoring. He gave examples of several environmental disasters in the local area, which were a direct result of bad planning and incorrect monitoring; as, well Mr. Evans was disillusioned about the fact that the Developer for the PUD was going to do his own environmental monitoring.

Mr. Hunter gave a statement as well, on his own behalf, advising that he lived on Eagle Point Drive the nearest residential community to the Proposed Industrial Site. He was worried about the possible acid-runoff, the arsenic poisoning, the traffic and the fact that the residents were being asked to approve a concept and not an Industrial Park. However, it was his contention that they were being asked to approve an Industrial Park and one without adequate waste disposal systems, with or without minor or major blasting, with air, water and noise pollution, any or all of which may be resolved but not on the basis of the information forthcoming on the proposal to this point. Although he appreciated the tax dollars and the jobs that would be forthcoming from the proposed park, he would like assurance that the jobs were not for people to clean up the lakes. He advised that the \$50,000 bond would not begin to pay for damage to the Lakes, waterways and wildlife in the event of environmental disaster.

Mr. Hunter concluded his brief presentation indicating that the many questions of the Council, Mr. Miller, and the concerned citizens should be satisfactorily answered before any approval to proceed is given; not after.

The next speaker was Mr. Roy Newcombe, Windsor Junction. He advised that his community drank water directly from the Lake and spent 75% of their recreational time there with their children, at the community centre, and directly on or in the Lake. He questioned why this area should now be exposed to industrial pollution and high taxes for the eventual sewer system which would come in due to this park, when there is another industrial park just a few miles down the road. He advised that he would rather spend his tax dollars keeping what he had than paying for its destruction.

Mr. Newcombe advised that in response to the remarks that there are already septic tanks and disposal fields near the lake, at Eagle Point Drive, two wrongs do not make a right.

Councillor Lichter advised him that he may have taken a different stand, if when he had moved into the area, the Department of Health had informed him that he could not have a septic tank because there was already one next door and two wrongs do not make a right.

The next speaker was Miss Carol Bonang, Windsor Junction, President of the Windsor Junction Community Centre Youth.

Miss Bonang advised that the Windsor Junction Community Centre Youth did appreciate the financial advantages of the proposed Industrial Park; however, from the point of view of the Youth, they feel the Beautiful, Clean Lakes around which they spend most of their recreational time are of much more value to them. They were in opposition to the PUD Agreement because they enjoy the area the way it is at present and would like to see it stay that way.

Councillor Williams spoke briefly subsequent to Miss Bonang's presentation advising that there was a little more to the decision than the recreational aspects of the area. He advised that there were building considerations, taxes and jobs considerations which would also have to be weighed, in particular the advantage of added employment for the area. He did however, thank her for a very good presentation on behalf of the Windsor Junction Community Centre Youth.

The next speaker in opposition to the PUD Agreement was Mr. Alan Hayman, Solicitor who was speaking on behalf of Mr. George MacKay a resident of Eagle Point Drive.

He advised that most of the previous speakers had already covered what he had proposed to say; however, he did make the following points:

1. The reason that the Public Hearing of June 17, 1980 was cancelled was not because of the Developer's wish to abide by the concerns of the area residents in regard to the proposed rock crusher and quarry operation but because the Province of Nova Scotia, Department of Transportation had advised that they would not put in an interchange at the intersection of the Bicentennial Highway and the Cobequid Road; this was the reason for the delay.
2. There is a serious environmental problem here and the Residents are being asked to rely on the good judgement of the Developer as a good corporate citizen. However, Mr. Hayman advised that the Developer had sold his land. He went into the legalities of the Alberta practice of selling property under an Agreement of Sale whereby you pay on your property for a period of time subsequent to which you receive your deed. He advised that the purchaser had already paid approximately one quarter million dollars and under the terms of the agreement was already in a position to have some lots conveyed to them. Therefore, he advised that Council should realize they are not dealing with Industrial Machinery Limited but rather, Otron Direct Sales Canada Limited.
3. Mr. Hayman advised that he had made several suggestions to amend the PUD Agreement (The six included in Mr. Birch's report to Council). It was his understanding that the Developer has accepted all conditions except the second one, "That no industries be allowed to locate within the area designated for industrial development until tenders are signed for construction of the interchange at the intersection of the Cobequid Rd. and the Provincial Highway #102."

However, Mr. Hayman felt at this time, that the word "Owner" should appear in the PUD Agreement rather than the word "Developer", as the word Owner appears in various County By-laws and the word Developer is not in the Planned Unit Development By-Law and it should be "Owner" throughout.

4. The \$50,000 Bond, in Mr. Hayman's opinion was extremely inadequate and should be increased to at least \$500,000. Further, that Industrial Machinery Company Limited should be on the Bond for the period of six to seven years that financing is being arranged between that company and Otron.
5. Traffic - He felt that the Department of Highways would not build an interchange to provide relief from a future traffic demand but only for an existing traffic demand. Therefore, he felt that it would be very premature to think that the Province would construct an interchange at that site simply because this PUD was approved when there are far greater needs for road construction. He advised that if development was going to take place for a period of time, then there would be a traffic problem on the Cobequid Road for a period of time.

Councillor Lichter advised Mr. Hayman, in regard to his concern for the the potential traffic overburden on the Cobequid Road, that there was an amendment (point 2 of Mr. Birch's presentation) that no construction begin on the park until tenders have been signed for the interchange, to which Mr. Hayman replied that in this case there would not be an Industrial Park, as the Province would not build one until there is a traffic problem; this, he advised was the reason that the Developer objected to that amendment.

Councillor Lichter advised that it is Council who has the right to approve the PUD or not, or to approve with amendments.

Subsequent to this speaker, the Public portion of the Public Hearing was closed.

Councillor MacDonald requested that he be permitted to resquest some factual information of Mr. D'Eon of the Atlantic Health Unit prior to the two sum-up speakers.

Councillor MacDonald requested approximately how much sewage would be generated by an Industrial Park such as the proposed park as opposed to what would be generated residentially such as from Fall River Village.

Mr. D'Eon advised that in a residential area, it would be approximately 50 gallons per person per day, whereas in an industrial use for an eight hour shift it would be approximately 15 to 35 gallons per day per person.

At this point in the meeting Mr. D'Eon advised that many people were arguing about something they knew very little about. He therefore gave a detailed explanation of the Health regulations, etc. advising that the map Mr. Miller had used in his presentation was drawn up in 1974 when there were no provincial Health regulations and also that the information used in 1974 was not obtained by site investigation, but rather by photo interpretations, well logs, etc. He outlined the conditions which would specify the necessary size of a lot and advised

that it was not his function to look at land for a speculator which is why the Developer had to rely on private consultants, advising that the Department would get involved at a later date. He further advised that he would be very surprised if more than 90% of the land is suitable for development.

He advised that the only kind of industry which would locate on the proposed site would be limited to light commercial, offices and warehousing which would produce only biodegradable domestic waste as anything else would be disposed of elsewhere.

He advised that both the Department of Health and Department of Environment had roles as well as the Occupational Health Branch who would be solicited for advice if there was a problem with any of the industries in the park.

Councillor MacDonald then asked, if and when the developer were to sell the land, would he be required to sell a large enough parcel to accommodate the septic system required, to which Mr. D'Eon replied he would.

Councillor Eisenhauer asked Mr. D'Eon what kind of control the Atlantic Health Unit had if a business was sold to a larger business which would have a greater number of employees. Mr. D'Eon advised that if the business had a 600 gallon septic tank and it sold out to a business with 500 workers then obviously the system would not be adequate and his Department would say so.

Subsequent to Mr. D'Eon's presentation, Mr. Ronald Pugsley, Solicitor for Industrial Machinery Limited made a wrap-up statement on behalf of Mr. Martin Eisenhauer.

Firstly he advised that the PUD Agreement was between Industrial Machinery Limited and not Otron Limited; as well, he pointed out to Council that the Municipal Solicitor, Mr. Cragg, had also advised Council of this fact and stated that Industrial Machinery Limited is the proper applicant before Council at the present time.

He also made it clear that Industrial Machinery Limited was willing to accept all the conditions set out by Mr. Birch except for number two (previously stated). He also advised that condition number one states that the Agreement stipulates that the area designated for Residential Development, be developed through the Planned Unit Development By-Law so that the only matter before Council tonight is the approval of the Industrial Park under the PUD Agreement. When the Developer is ready to develop the Residential portion of the Park he must again come before Council with a PUD for this Development which will also be subject to a Public Hearing.

He advised that Mr. D'Eon had made a very important point in advising that the submission on behalf of the opponents to the Development leaves the impression that no further Governmental approval of any kind is required before a "dirty obnoxious use" or any use. This is not the case; any applicant must obtain a Regional Development Permit and

before obtaining this, the applicant must have the approval of the Provincial Department of Health and the Provincial Department of the Environment.

He advised that with respect to monitoring, he advised that the Developer must monitor with methods approved by and with results acceptable to the Provincial Departments of Health and Environment. In addition, any interested party may monitor as well.

Several speakers, he advised, had suggested that the Developer could have a rock crusher operation "Via the back door". He advised that the Developer has given a written commitment, in the amendment proposed by Keith Birch, that a rock crusher or quarry operation will not be used.

With respect to the septic tanks, he advised that each proposed Industry is required to satisfy the Department of Health that its soil conditions can satisfactorily handle the septic tank problems before a building permit will be issued.

It has also been suggested that there is no requirement that the suggested buildings be aesthetically complimentary to the natural environment; but as the developer proposes building Residential homes for sale next to the proposed park, it would be an investment to build the industrial facilities as attractive as possible in order not to deter the sale of the homes.

He advised that with respect to the Environmental concerns there had been extensive and expensive studies done by private consultants, studies by County staff, studies by the County Industrial Commission, and studies by all appropriate Provincial Government Departments with the unanimous conclusion that the Development should proceed. This does not mean that there is any abdication of responsibility once this PUD Agreement is approved; as Mr. D'Eon had outlined there are safeguards through the constant and continuous approvals that are required through the Provincial Departments of Health and Environment.

He further advised that a well-planned community is one with a variety of land uses, not just a residential development but one which includes parks and open spaces, schools, recreational commercial and industrial uses as well. He advised that a single family tax base does not even pay for Educational costs but it is the tax base generated from Commercial and Industrial uses that will provide a community with recreational facilities and a better level of community services as well as jobs for those who live in the area.

This completed Mr. Pugley's presentation.

The last speaker was Mr. Miller, Solicitor for the Riverlake Residents Association.

Firstly, he addressed the comments made by Mr. D'Eon in regard to the 1974 study and map which had been utilized in Mr. Miller's earlier presentation. He did agree that it was a 1974 study which he and Mr. D'Eon had reviewed. He did point out however, that the results of this study have been endorsed by later studies, in particular the Shubenacadie River Basin Board Study which did do on-site analysis. Therefore, he felt there was more support for the 1974 study than had been indicated. He also advised that he had questioned Mr. D'Eon that in the event this PUD Agreement is approved and goes ahead and the Developer spends \$2 to \$3 million, and then a problem arises, how would the decision be made; on environmental grounds or a political decision. He advised that Mr. D'Eon had not answered this question.

Mr. Miller then reviewed the presentations made by the Residents, advising that all presentations were only asking for further studies before a commitment is made to the Development. They desire these studies, he advised, to ascertain what the land will bear. They are also asking for a review of this proposal by the Nova Scotia Environmental Control Council; a board given jurisdiction under the Environmental Protection Act for just such a purpose. The Residents, he further advised, were asking for tighter controls and monitoring and input by local Residents. He advised that under the present agreement, if the residents wish to contribute to the monitoring process, they must first hire qualified professionals who meet the approval of the Developer, and then they have to pay for these professionals. He did not feel that was fair, but felt they should have some supervision in the people who are monitoring as it is, rather than paying extra to hire Consultants to go on that land. He felt this was shutting the Residents out.

In respect to the Shubenacadie Lakes Advisory Board, he advised that this Board emphatically states that more study is necessary. He advised Council that this Board was created by Council and this study was their first major task; to evaluate the proposal. He questioned whether Council having created this Board, was going to listen to the Report.

He urged Council to remember that the decision they make will be one which ten years from now they should be able to say to their children, "I made the right decision".

The issue was now on the floor for Council to make a decision if they wished.

It was moved by Councillor Benjamin, seconded by Councillor Baker:

"That Halifax County Council approve the PUD Agreement as submitted by Industrial Machinery Limited with the first and second recommendations of Staff, (#1. "That the Agreement stipulate that the area designated for residential development be developed through the PUD By-Law", #2. "That no industries be allowed to locate within the area designated for industrial development until tenders are signed for construction of the interchange at the intersection of the Cobequid Road and Provincial Highway #102"), omitted and that we add to these recommendations, that a monitoring committee be set up representing the interests and concern of the Residents." (See Motion to Amend.)

Councillor Benjamin advised that he would like the first point omitted as he felt it was unnecessary due to the fact that the land here is no different from the Residential Community of Fall River Village which is next to it. In regard to the second point; he felt this point left the decision to construct the Park or not to construct it up to the Province of Nova Scotia; and this, he advised, was shirking the Municipality's responsibility in making the decision.

Councillor Benjamin in response to Mr. Miller's wrap-up regarding the Shubenacadie Basin Study, advised that he was on this Board and that he had heard the reports of the experts as they progressed. He had copies of a "Highlights of Shubenacadie-Stewiacke River Basin Board Report". He read the following from the Report:

"If properly designed, located and maintained, septic systems can work well, but at present there are no mechanisms to make sure that the existing systems are maintained and repaired. Possible action that could be taken to improve the situation are:

1. A dye testing and bacterial sampling program to find faulty systems.
2. More stringent enforcement of the Health regulations.
3. Establishment of the septic management program, for example: a central body to inspect and pump all septic systems on contract."

Therefore, Mr. Benjamin hoped that the Atlantic Health Unit, would seriously consider that a yearly check-up or inspection could be made, when it comes to the point of installing on-site sewage disposal systems. He felt this was not asking too much because of the sensitivity of the land.

Councillor Benjamin also pointed out that although, there is strong opposition to this PUD Agreement, evidenced by the large turn-out this evening, that there were others, exceeding even this number who were in favour of this PUD Agreement, throughout District 14.

Among those in favour of the PUD Agreement were Mr. Carl Hudson, land owner in Windsor Junction, Mr. Mike Emberley, the first Chairman of the RiverLake Residents Association and Mr. Eric MacNearney, another large land-holder in Windsor Junction; these people had forwarded letters of support along with 25 other letters from interested persons in support of the PUD Agreement.

Councillor Benjamin advised that for the past three years he had been weighing both sides of the proposed agreement and he feels that the arguments in favour of the PUD Agreement outweigh those in opposition.

He felt that by implementing the amendments to the PUD as well as the above stipulations and citizen involvement in the monitoring process, the Developer's hands would be tied in so far as, he would not be able to do anything harmful to the land. He advised that the Health and Environment Departments would overrule any action on that point. He felt the Residents had everything in hand. He reminded those in the Gallery of the strong objection to the establishment of the Halifax International Airport and questioned what the reaction would be if the decision was made to remove it.



He advised that the Environmental concerns could be met and controlled and further advised that as Chairman of the Halifax County Board of Health he had been fighting pollution for years and was not going to allow the Lakes to be ruined.

He urged that council consider his motion favourably.

The next speaker from Council was Councillor Stewart who advised that although there are many areas in Nova Scotia which have both Road and Rail, not all of these are bounded by pure Lakes and Streams on three of four sides. He advised that if the Environment can be protected there was certainly nothing wrong with the Development.

He further spoke in praise of the Developer. However, he felt that if the key issue was to maintain those Lakes in a pristine state Council must be as sure as possible that the Development would not do any harm to them. He advised that after listening to all the presentations he could not be sure that no harm would come to them. Therefore, he was not prepared to vote in favour of the motion as it stood at present. He felt there were two ways to deal with this issue:

1. Return the PUD Agreement to the Planning Department to absorb all the presentations and thoughts from the concern over the size of the bond to what kinds of Industry and who does the monitoring, etc.,
2. Refer the PUD Agreement to the Nova Scotia Environmental Control Council because, if the objections and concerns regarding the environment are not well founded, then there should be no great objection to having it heard by that Council.

He summed up his statements by advising that he could not give blanket approval to the PUD Agreement at the present time without more work.

Councillor MacKay advised that he was in favour of the concept of the Industrial Park; he believed that the Municipality needed a Commercial and Industrial tax base, however, he felt it should be compatible to existing residential development and the environment. Looking back to First Lake in Sackville, he advised that he was President of the Kinsman Club at the time of development and had made a presentation to the Department of the Environment who advised that the area would be given all the necessary safeguards. However, not long after that, the lakes were filled with so much dirt that you could not even skate on the lakes in winter.

Councillor MacKay advised that if there had been a little more public input in Sackville, they may not have had to endure the construction of the Correction Centre or the implementation of the Land-Fill Site, etc.

He was in favour of the Proposed Cobequid Industrial Park so long as Council imposed certain stipulations:

1. The interchange should be imperative as the Cobequid and Waverley Roads could not stand any extra traffic at this point in time.

2. The Environmental Concerns - He felt the Environmental Control Council should play a part in this PUD Agreement before it proceeds any further.

He advised that he was not in favour of the PUD Agreement unless it was amended as specified, and if it is not amended, he advised he would make those amendments to it.

The next Councillor speaking on the issue was Councillor Wiseman who advised that she was pleased to hear about the Industrial Park in the beginning due to the prospect of a greater tax base and the possibility of the increase in job availability.

She advised that she had enjoyed both Mr. Eisenhower's presentation and those in opposition as well. However, she did notice several inconsistencies in all the presentations; this had bothered her. For example: the figures with regard to the necessity for rail lines leading into the Industrial Park, subsequent to reading a recent study that indicated that only 4% of businesses require rail facilities. Her largest concern however, was the Environmental concerns of the people in that area, although there was some conflict there as well. (The possibility of increased nutrient loading of the lake resulting in the acceleration of the eutrophication process).

Councillor Wiseman advised that she was not supportive of the motion on the floor, unless all the specifications of the Planning Department, including the interchange, were met, along with the addition of the involvement of the Environmental Control Council.

Councillor MacDonald advised that he was in complete agreement with his fellow Sackville Councillors and could not support the motion without the implementation of the specifications of the Planning Department and the involvement of the Environmental Control Council, to ensure that all Environmental concerns are met.

Councillor Eisenhower advised that his position from the first has been that both the Developer and the Residents have certain rights, as the Developer under the present planning rules, owns the property and has a right to develop it; the Residents as well have the right to protect the community.

Councillor Eisenhower's main concern was to protect the rights of both the Developer and the Residents, the dollar factor being the least of his concerns. He felt the interchange question should be left to the Department of Highways who could determine whether or not development could take place with or without the overpass. He agreed with Mr. Hayman who advised that the Department of Highways would build the roads when they are required and not before. In regard to the request for in-depth studies, he advised that these could not be done until someone came forward and specified exactly where he wished to purchase a parcel of land.

Based on the facts presented, and depending on the Governmental Departments to satisfy the concerns which would come up, he felt he could support the motion on the floor.

Deputy Warden Deveaux questioned Mr. Birch in regard to future ownership and maintenance of the retention ponds, how long this maintenance would go on and how much it would cost the Municipality in the future.

Mr. Birch advised this was impossible to determine until the size and scope of the development was established; this would determine the size of the retention ponds and therefore the scope and cost of the maintenance to these retention ponds. However, they are to be built and maintained by the Developer until such time as the drainage area from where they are taking the storm water run-off is complete. They would then be taken over by the County. He then advised that it would be well within the capability of the County to do and advised that an estimate would be approximately several thousand dollars per year.

Deputy Warden Deveaux was concerned that the actual figure could not be determined.

He then questioned whether the PUD Agreement met all the criteria set down in the submission of Mr. Miller, Section 6, which Mr. Birch advised that it did.

Deputy Warden Deveaux advised then, that he could not support the PUD Agreement without the first two points as specified by the Planning Department. He did, however, speak in favour of Industry and felt that even the local residents were not opposed to Industry. He agreed with the RiverLake Residents Association's request for further study of the PUD Agreement.

Deputy Warden Deveaux amended the motion on the floor, seconded by Councillor MacKay:

"THAT specifications of the Planning Department, #'s 1 and 2 be reinstated and that the Nova Scotia Environmental Control Council be requested to hold a Public Hearing regarding the Environmental concerns prior to approval of the PUD Agreement." (See Motion To Defer)

Councillor Topple spoke in favour of the PUD Agreement and in praise of the Developer advising that he was a good Developer, as evidenced by his many projects, including Bedford Place, and further advising that his acceptance of the many amendments to the PUD Agreement so far are an indication of his sincerity.

He did have several anxieties, among those were hearing this evening about the third party who was going to purchase the land; as well, he appreciated the concerns of the residents. He felt that any decision this evening would go through an appeal process and he advised that he had little faith in the Planning Appeal Board as they would delay the project for a long time. He felt that rather than tying up the Developer or the Residents, that the issue should be deferred to a