

Further, Mr. Sirota presented studies done by the California Fish and Game Preserve in 1947. An excerpt from this study advised: "The question, how much sediment is harmful, has not yet been answered, since most work has failed to measure the amounts of sediment. The Ohio River Valley Water Sanitation Commission reviewed the problem and reached the following conclusion:

Only a small amount of silt shifting in and around the gravel of the bottom, eliminates much of the area suitable for the attachment or hiding of aquatic insects and drastically reduces the total production of these forms. Small amounts of sand and silt not discernible by casual inspection but only on close examination of the bottom materials can bring about drastic and significant changes to spawning grounds."

He then read from another Report, the date of which he could not provide:

"The effect of fine sand and silt on spawning development was found to be the most serious effect although many fish were reported to have spawned in the region, below the sand pit, before 1947. No fish were known to have spawned in the affected part of the river after the work started up. Partial or complete silting up of the ... (little holes and spaces) of the gravel reduced or excluded altogether downward currents." (which supplied the food for the fish).

Mr. Sirota then passed out to Council Members, two small brochures, prepared by the Federal Department of the Environment, on the importance of silt in the life of Trout and Salmon.

Mr. Sirota then presented to Council, slides depicting the present Quarry Operations. These slides showed the aerial view of the sites and the settling ponds associated with them.

He concluded his presentation advising Council that once the small fish are killed, it will not take long for the bigger fish to die off.

The above concluded his presentation.

Questions From Council

Councillor Baker questioned Mr. Sirota as to whether Highway Salt, getting into the Lakes had an effect on the Fish life.

He was advised by Mr. Sirota that usually one year is enough time for a lake to flush out and rid itself of the salt, so they are pretty well holding their own relative to salt. However, he added that the salt used in Nova Scotia, most of which comes from Pugwash, has trace elements in it, usually of arsenic and lead, which do not kill fish but have a lethal effect on the small frye.

Councillor Bayers questioned why the Salmon had not been affected by mud and silt of the sort Mr. Sirota had referred to; he advised that this year there had been the best Salmon run in a number of years.

Mr. Sirota advised that large fish, especially Salmon, can take a lot of abuse, but it is the small fish that will first be affected and eventually the larger fish, such as Salmon.

Mr. Sirota also commented on the trip to Fredericton, advising that there were some significant differences in that Operation and the one proposed for Waverley. Firstly, the Crusher in Fredericton was there before many of the homes, so the people who built there, knew what they were getting into. He advised that in Waverley it is the residents who are there first. He felt that there would be less people settling in Waverley if the Crusher is allowed to go ahead. He also advised that the closest residence to the proposed site, appears to be a Farmer who is selling his land to the Proponent; therefore, it is unlikely that he is going to complain about the Operation.

He also advised that the meeting they had held with the two Gentlemen from the Department of Environment of New Brunswick, he felt was very significant. They advised that they did not know why there were not more complaints because the amount of dust coming from that crusher and the one across the river was the same. He submitted that the lack of complaints was due to the initial filtering out of people who would not build next to a crusher and as well, the people who built knowing the crusher was there cannot complain. As well the layout in Fredericton is totally different than in Waverley, it is on the side of a hill facing about three miles of wooded area. There are no big lakes around and the main view of the Operation in Fredericton is from a ski hill, which is only operating in the winter time, so little complaint would be coming from this direction.

Councillor Lichter questioned Mr. Sirota as to where Mr. Nesbitt had obtained the 1971 Report he had referred to in his presentation to Council. He advised that he had never heard of the Report.

Mr. Sirota did not know either where the Report had come from. He advised that, to his knowledge, the Ratepayers' Association had not been aware of it in 1971 and it had somehow been discovered, due to a lot of investigation by the Association and the people of Waverley since the Crusher Quarry Operation had been proposed.

Councillor Lichter had asked this question, as he felt that if the people of Waverley had been aware of the report in 1971 or 1972, they should have put pressure on every Appropriate Government Department to purchase that site for a Park.

However, Mr. Sirota indicated that they had not been aware of it at that time.

Councillor Lichter then questioned Mr. Sirota as to his opinion of what use, other than parkland, that site could be put to. Mr. Sirota indicated his opinion that it would be good for very light commercial use with proper controls.

Mr. Sirota advised that a Geologist, a resident of Waverley who could not be present tonight, has stated that there is the same kind of rock only eight miles away, without nearby lakes. He felt that would be the appropriate place for a crusher.

Councillor Eisenhauer requested information on the Report referred to, which was prepared in 1971 and read to Council by Mr. Nesbitt.

Mrs. Wendy Nesbitt approached Council and advised that this Report dated in 1971 had been received from Mr. Doug Cullin of the Federal Department of Water Quality Control and Inland Waters, in New Brunswick. She had spoken to Mr. Cullin on the phone who was familiar with the area and who sent the Report to her in the mail.

There were no questions for Mrs. Nesbitt.

Councillor Poirier referred to Mr. Sirota's visit to Fredericton, and his negative comments relative to the Quarry Operation there. She advised that in the Proponent's submission to Council, there was included a letter from the Mayor of Fredericton inclusive of favourable comments on the Fredericton Quarry. She also advised that the River flows right through Fredericton and there have been no complaints with regard to the River in Fredericton.

Mr. Sirota advised that the River was further away from the Operation in Fredericton than the Lakes were to the Metro Aggregates proposed Operation. He also advised that the volume of truck and car traffic of that road is enormous but it is handled by the main Transcanada Trunk Line going to Edmunston. However, the River is separated by quite a distance from the Quarry; it is separated from the Crusher, by the highway, with associated culverts, etc., a recreational golf area, and a baseball diamond. He reiterated that it was a totally different situation than that in Waverley.

Councillor Deveaux was concerned that if all the residents of the Municipality, were opposed to any industrial development, that there would be no place in the County of Halifax for Development to locate.

There were no further questions for Mr. Sirota.

It was moved by Councillor Snow, seconded by Councillor Deveaux:

"THAT there be a ten-minutes recess."
Motion Carried.

Prior to continuation of the "Speakers in Opposition" Councillor MacKay requested clarification as to whether both sides of this issue were to be allowed to give a summation. He advised that this had been allowed in the past on several occasions.

Mr. Cragg advised that the proper procedure for a Public Hearing is that each speaker, be permitted to speak only once; however, Mr. Paul B. Miller, Solicitor for the Waverley Ratepayers' Association has requested in writing that he be permitted to give a brief summation.

This has been agreed to. Therefore, the Proponent will also be given the opportunity for a summation.

Also prior to continuation of "Speakers in Opposition", a curfew hour was set by Council.

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

"THAT Curfew be set, not to exceed 11:00 P.M."
Motion Carried.

SPEAKERS IN OPPOSITION - (Continued)

Mr. Larry Gumbley, Resident of Waverley: Mr. Gumbley advised that, in addition to being a resident of Waverley for approximately 11 years, he is also a member of the Halifax County Industrial Commission. He advised Council of his opposition to the establishment of Metro Aggregates in Waverley, based on the following:

1. lack of compatibility with adjacent development and facilities;
2. Road System, encouraging penetration of existing residential areas;
3. lack of compatibility with existing or proposed development in the adjacent area;
4. lack of compatibility with Historic Sites and Villages Scenic Views and Vistas;
5. Potential impact from traffic generated by the proposed Development on the arterial and regional transportation network.

Mr. Gumbley stated that he is a "Free Enterpriser" and he felt that free enterprise has been a contributor to the Development of the Country, the Province and the County. However, he advised that there is a major difference between the Metro Aggregates proposed Quarry Operation and other companies which are either moving to Waverley or are in Waverley; that difference is that any potential gains of the Community or the County of Halifax are offset by the negative impacts on environment, traffic, existing tax base and social impact. He advised that Waverley as a village is unique in the County due to its location on an historical waterway adjacent to Dartmouth, minutes from Bedford and close proximity to Halifax International Airport make it an aesthetically pleasing historical residential community. He advised that one more quarry operation would without question change the environment of Waverley from its present serenity and beauty to that of heavy industry. He suggested that if the PUD is accepted then Waverley should be appropriately renamed "Quarryville".

Mr. Gumbley re-emphasized the traffic problem in Waverley and the potential it had to become more hazardous if the PUD Proposal should be accepted.

Mr. Gumbley was also concerned about Blasting and about the impact this will have on the Village. He advised that in his home he has had to replace 79 pieces of glass due to seal failure which he attributed to blasting from the present Quarries in the area. He added to that

damage a cracked foundation as well. He advised that his wife had called him a number of times in fear of the blasting; on one such occasion he had driven immediately to Municipal Spraying and Contracting and had verified that a blast had gone off and he verified the time with the quarry operator. However, when he went to Municipal Management, they blamed it on blasting at the new Bedford Bridge until he had verified the exact time the blast went off and who set the blast. However, it has now been two months and the insurance company was never called by the Management at Municipal and he is now considering legal action.

Mr. Gumbley advised that the Metro Aggregates Proposal will be approximately one-half the distance from his home which is on Ridge Avenue, and he is concerned that his problems will increase substantially.

Mr. Gumbley advised that the Planning Department has put as many restrictions into the PUD as possible in order to still allow Metro Aggregates to function; however, he advised that he was not concerned with the PUD itself but with the location of the proposed Operation.

In summary, Mr. Gumbley advised that the County is not gaining very much if it accepts the PUD because the potential problems far outweigh any possible gain.

The above completed Mr. Gumbley's presentation to Council.

Questions From Council

Councillor MacKay questioned whether Mr. Gumbley would prefer a Rock Crusher in Waverley with a PUD Agreement and the Municipal Controls on it, or to see a Crusher simply obtain the necessary permits and go ahead without the PUD Agreement.

Mr. Gumbley agreed that it was a good PUD Agreement; however, he reiterated that it was an extremely bad location in which to have a Rock Crusher. He indicated that a responsible "Free Enterprise" would find another location for this operation.

Councillor MacDonald indicated his opinion that the interests of the Waverley Ratepayers would be better served if the PUD Agreement was approved, rather than to go ahead without the PUD.

There were no further questions for Mr. Gumbley.

Ms. Silvia Isenor, Resident of Waverley: Prior to Ms. Isenor beginning her presentation to Council, Warden MacKenzie welcomed her as a former member of Council.

Ms. Isenor then passed around to Council photographs taken from her home depicting the site of the Quarry. She then addressed the previously discussed report, prepared in 1971, portions of which were read to Council by Mr. Nesbitt. She advised that she was the County Councillor at the time this Report was done and advised that there were a great many reports done at that time, few of which were ever acted

upon. Ms. Isenor also advised that at that time, she was also active in the Community Planning Association of Canada; also active in that Association was Mr. John Deathe, Property Manager for CIL. She had asked Mr. Deathe at that time, if CIL would be prepared to sell that property; however, they were not interested in doing so.

With regard to other uses of the land, she suggested that it could be utilized for the same type of industry as in the Burnside area, where Quarrying is not permitted.

Ms. Isenor advised that her former husband owned Municipal Spraying and Contracting; for this reason she felt quite knowledgeable about blasting and the detrimental effect of blasting. She advised that it was true that blasting in stages could effectively prevent damage from occurring. However, this is not being done in the Quarry, for what reasons she was not sure. Ms. Isenor indicated that due to the blasting, very serious damages are being experienced in Waverley.

Ms. Isenor advised that she had gone to the Metro Aggregates Information Trailer, in order to determine what type of blasting they were proposing. She was advised that they are proposing to remove 300,000 metric tons of rock per year and will have eighteen blasts per year; each blast will have to move 16,666 metric tons of rock, which is 800 or more truckloads of 20 tons. Eighteen blasts per year also means one every two weeks and the people doing the blasting will be preparing for two weeks for each blast which would include drilling the holes. She advised that in order to load a blast of that size, you would have to start loading early in the morning. If a large blast is put off and a low ceiling has moved in, the blast will cause a lot of problems. On a clear, sunny day, there would be no problem as the blast would go straight up in the air; however, if there is a low ceiling the blast will go out and damage surrounding property.

She advised that loading for the blast usually begins at 8:00 in the morning and the weather in Nova Scotia is so unpredictable, that, although it is clear and sunny at 8:00 in the morning by the time you are ready for the blast, the weather could have changed. This, she advised was the situation during the last blast that Municipal Spraying put off.

She advised, that once begun, you could not postpone the blast because once the dynamite is in place, unless you have the area completely fenced and guarded, you cannot leave the area loaded over-night or over a week-end, so if the weather has turned bad, the blast must still be ignited.

Based on the above problems with regard to the blasting, Ms. Isenor indicated her strong opposition to locating another Quarry in Waverley.

Questions From Council

Councillor Wiseman advised that the Proponent indicates their blasting will be done two to three times a week based on a 36 to 40 week operating period per year with a maximum charge of 125 lbs. per delay with

eight to twelve delays per blast. She requested that Ms. Isenor respond to this in comparison with the 18 blasts per year that she had referred to in her presentation to Council.

Ms. Isenor advised that the 18 blasts per year is the information she had received when she went to the Proponent's Information Trailer. She assumed that the information she had been given was what they planned to do with the Operation.

Warden MacKenzie indicated that he had a schedule of blasts from the Fredericton Operation which indicated 18 blasts for the season in 1981, 14 for 1982 and as of June 2, 1983, there were three blasts in 1983.

There were no further questions for Ms. Isenor.

Mr. Don Day, Resident of Waverley: Mr. Day indicated that he had been involved in Waverley, in the Fire Department, the Gold Rush Days, and Planning Committee, since he had moved there ten years ago and most recently he has become a member of PPC for the area.

Mr. Day advised that the Ratepayers' Association had unanimously passed a resolution of opposition to the Metro Aggregates Proposal and to fight the proposal. He advised that it has been suggested that a lot of emotion was evident with regard to this proposal. He also advised it had been suggested that Council must make a decision relative to whether there is a Crusher with or without controls; he felt this was erroneous and that the real issue for Council to decide is if the crusher is in the best interest of the community or the County.

Mr. Day also advised that it had been suggested that the speakers limit their presentations and avoid repetition, if possible. However, he advised that the Public Hearing tonight, is the only opportunity for public input.

Therefore, Mr. Day reiterated the following concerns expressed by previous speakers:

1. Environmental Concerns - He advised that subsequent to the information brought out in previous presentations, it was no longer a matter of whether or not the Operation would pollute the environment but it was a matter of how much it would damage the environment.
2. Traffic - Mr. Day elaborated on the hazardous situation in Waverley at the present time and its potential to become substantially worse, should the proposed Development be approved by Municipal Council.
3. The benefits to the County are far outweighed by the potential hazards which will be realized should the proposal be approved.

Based on the above concerns, Mr. Day was opposed to the proposed Metro Aggregates Quarry Crusher Operation.

Questions From Council

Mr. Day was questioned briefly by Council relative to accident statistics he had brought to their attention during his presentation.

ADJOURNMENT

It was moved by Councillor Mont, seconded by Councillor DeRoche:

"THAT the Special Session of Council scheduled for September 12, 1983 at 7:00 P.M. to deal with Operating Grants be re-scheduled."
Motion Carried.

It was moved by Councillor DeRoche, seconded by Councillor Gaetz:

"THAT the Public Hearing be adjourned until September 12, 1983 at 7:00 P.M."
Motion Carried.

Therefore, there being no further business, the Public Hearing adjourned at 11:10 P.M. until September 12, 1983 at 7:00 P.M.

SEPTEMBER 12, 1983

PRESENT WERE: Warden MacKenzie, Chairman
 Deputy Warden Margeson
 Councillor Walker
 Councillor Poirier
 Councillor Larsen
 Councillor Gaudet
 Councillor Baker
 Councillor Deveaux
 Councillor DeRoche
 Councillor Adams
 Councillor Gaetz
 Councillor Bayers
 Councillor Reid
 Councillor Lichter
 Councillor Snow
 Councillor MacKay
 Councillor McInroy
 Councillor MacDonald
 Councillor Wiseman
 Councillor Mont

ALSO PRESENT: Mr. K. R. Meech, Chief Administrative Officer
 Mr. Robert Cragg, Municipal Solicitor
 Mr. Keith Birch, Chief of Planning & Development

SECRETARY: Christine E. Simmons

OPENING OF PUBLIC HEARING

Warden MacKenzie brought the Public Hearing to order at 7:10 P.M. with The Lord's Prayer.

ROLL CALL

Mr. Meech then called the Roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Larsen, seconded by Councillor DeRoche:

"THAT Christine E. Simmons be appointed Recording Secretary."
 Motion Carried.

PUBLIC HEARING - METRO AGGREGATES - DAY III

Warden MacKenzie reiterated the procedure to be followed for the Public Hearing, advising that upon adjournment August 23rd, Speakers in Opposition were being heard by Council.

SPEAKERS IN OPPOSITION - (Continued)

Mr. Reginald Crosby, 20-year Resident of Waverley and Past Chairman of the Waverley Ratepayers' Association: Mr. Crosby referred to the zoning plan prepared by the Ratepayers' Association and submitted to Council and approved by Council in 1968. Since that time, he advised that there have been frequent changes to the plan which have been submitted to Council and approved as well, until the most recent, which concerned the proposed site, and which was deferred pending the Municipal Development Plan Process in District No. 14.

Mr. Crosby then referred to the Intent of the Regional Development Plan which was in effect in the Municipality until a District has completed its MDP and the MDP has been approved by Council. He advised that the Proposal of Metro Aggregates does not follow the intent of the Regional Development Plan.

Utilizing an Overhead Projector, he presented to Council, slides of various sections of the Regional Development Plan and MAPC which substantiated his claim that the Proposal conflicted with the intent of the Regional Development Plan. These slides indicated the following:

1. With regard to Metropolitan Parks, Trails and Nitches, the position of Waverley, Lake William, Lake Thomas and Lake Charles was indicated. This area was included in the Plan for the Parks, etc. and the proposal, he advised, would go into the middle of this area.
2. MAPC had done a Natural Environmental Survey dealing with unique natural assets. The Lake William and Powder Mill Lake area were included in this survey. He advised Council, in conjunction with this, that the Department of Lands and Forests had asked for Waverley Ratepayers' Association to tend that Park area for people who come to visit it. He advised that the proposed Operation would encroach on this Park and that drainage from the proposed Operation would drain down under the road and into the Park and the Marsh which would endanger the frogs in the Marsh.
3. He also advised that in the Plan, Waverley is identified as being outside the Development Boundary.
4. Also relative to Parks, Trails and Nitches, Waverley is included as a high priority area including Rocky Lake, Powder Mill Lake and First, Second & Third Lakes of Sackville. He advised that when Sackville had their sewage problem, it was leached from those Lakes into the Waverley Lakes and even today, 11 years later, there is still a problem.
5. He advised that the Trails in Waverley go right through the Proposed Location of the Quarry Crusher Operation.
6. On the Plan, the urbanized low, marginal and high areas of impact on natural environment is identified. The high areas identified are around Rocky Lake and where the Proponent is suggesting he will load his material.

Mr. Crosby then gave Council a brief slide presentation depicting a large amount of dust which is blown from the present Municipal Spraying and Contracting Operation, which he advised, is blown up from the Site, even on days when they are not working.

He then showed a slide depicting the fifth Settling Pond of Municipal Spraying (the fifth out of seven). He advised that the four Settling Ponds before the one on the slide have sand and gravel filters, and yet the Settling Pond No. 5 was of a dark muddy color. He advised that although Municipal's Operation was two and one-thirds larger in size than the Proposed Metro Aggregates, Metro Aggregates were only proposing to use one Settling Pond in comparison to Municipal's seven. He referred Council to the remarks of Dr. Cranston who had indicated that some of the siltation will never settle or filter out.

Further slides depicted a dust coating on vegetation and a badly shaken up house with the plaster falling off the walls, which he attributed to the blasting in the area at the present time. As well, there was a slide which showed a cracked foundation on one house only 2000 feet from Municipal. This, he advised, was a result of the blasting taking place at Municipal as well.

There were further slides which depicted the experience of many Waverley residents who had suffered various forms of property damage from the blasting at the two Quarries in Waverley at the present time.

Mr. Crosby then referred to the Proponent's Map in his proposal and indicated that the two scales on it, both imperial measure and metric were in error and that they would not work on the map in the Regional Development Plan. He advised that the two scales do not even agree with each other.

Mr. Crosby then provided Council with some wind characteristic data, which he advised was collected at the Halifax International Airport. Based on this data he indicated there were errors in the wind frequency information included in the Proponent's Report.

This concluded Mr. Crosby's presentation to Council

Questions From Council

Councillor Lichter indicated his exception to Mr. Crosby's use of the Regional Development Plan, as the document on which to base his opposition to the proposed Metro Aggregates Development. It was his opinion that the Regional Development Plan was too restrictive as it pertains to the Rural Municipality and deliberately so in order to subjugate the whims of the two cities. He pointed out that the document is 8 years old and questioned why the Government has not made a move to acquire those lands which they indicated in the Plan were supposedly so sensitive. Councillor Lichter felt that a reasonable Plan for the Municipality would permit more freedom. He also advised that the Regional Development Plan does not refer specifically in any way to the proposed site of the Metro Aggregates Operation.

Mr. Crosby advised that he could not dispute any of Councillor Lichter's above comments. However, he advised that the residents of Waverley had attempted to have those lands acquired by the Government

but were unsuccessful in their attempts. He advised that he was quite certain, there would be specific reference to the proposed site, in the Regional Development Plan, that refer to the fact that the Lakes need to be preserved.

Councillor Lichter advised that he had read the Regional Development Plan many times and he indicated his doubt that the Site was earmarked for anything other than Industrial Development.

Mr. Crosby advised that the intent referred only to Light Industrial. He advised that Waverley would accept Light Industrial but would certainly not accept a Quarry.

Councillor Lichter questioned Mr. Crosby as to who was the strongest personality in the development of the Regional Development Plan.

Mr. Crosby advised that the author of the Plan was Mr. Maurice Lloyd.

Councillor Lichter advised that Mr. Maurice Lloyd was present on behalf of the Proponent, which is exactly why he did not believe that there was anything in the Regional Development Plan which would be contrary to the Proponent's application.

Mr. Crosby advised that the Plan makes reference to endangered species and included in that were "Snails". He spoke at great length in regard to this valuable resource, "snails", which are present in abundance on the proposed site.

Subsequent to the above, there were no further questions from Council.

Mr. B. J. Tan, 1514 Waverley Road: Speaking as a concerned resident of Waverley, Mr. Tan read to Council the following prepared submission:

"I have concern for problems that could arise as a result of the proposed establishment of a Quarry and Crusher near the vicinity of Rocky Lake Drive. My concern for the Environment, Health, Road Safety and Pollution of our lakes are not based on charge up emotions as some would like to believe, but on facts and studies already made known to this Council by the many experts and specialized persons who spoke before me. As I listened to the Proponents of the motion that is on the floor of this Council, as well as to Opponents of the motion, I have received very little assurances from Metro Aggregates in regard to what they have said they propose to do in addressing those subjects of Environment, Health, Road Safety and Lake Pollution. While I consider myself a little fortunate when compared to other fellow residents, in terms of the distance of my house from the proposed site of the Quarry Crusher, nevertheless, I too, am not spared from breathing airborne arsenic dust. At the present time my neighbours and I can count on drawing water from Lake Williams when our wells run dry; however, with the arsenic dust settling on our lakes as well as the real possibility of higher content of arsenic being drained into our Lakes as a direct result of blasting, my neighbours and I will be deprived of drinking water. I do not doubt that the Parent Company of Metro Aggregates is a good Corporate Citizen. In addressing each one of you tonight, I

would also like to thank Metro Aggregates for the opportunity of this frank and open dialogue with them. I hope those of you who represent Metro Aggregates will carefully consider all the additional information provided in these three sessions of Public Hearings. You must by now realize that we are not against you as individuals but against activities that have very real potential of destroying our community. There are many other ways of utilizing your property to bring about profits. We believe in the free enterprise system. It is synonymous with Democracy. Without Democracy, there can be no free enterprise. We do not want to dictate to you how to utilize your property. We hope as a responsible and good Corporate Citizen, you will not bring about activities on your property that have the potential of destroying the health of the people of the community as well as its environment. We also hope that what you do on your property will not cause residents to have sleepless nights and depreciation of property value. Surely free enterprise and even democracy while giving us freedom to do what we want to do cannot bestow upon us the right to do damage to community people and property. Therefore, please consider our views and our concerns in the proper light. Whatever you choose to do on your property that will enhance the health and well being of the people and community of Waverley will, I am sure, bring about a majority support from all of us in Waverley. We will welcome you with open arms in that context. Honourable Councillors, if the Community of Waverley is an autonomous body tonight, we would not have to inconvenience each one of you into the third Hearing. By a very large majority of votes from the Residents of Waverley, we would have democratically defeated the motion on the floor. However, we are not an autonomous body in Waverley. What we can have or what we cannot have is decided, not by the majority of Residents of Waverley, but by each one of you in Council. Democracy is the exercise of the will of the majority. Honourable Councillors the will of the majority in Waverley is that we do not want activities that can bring such massive damage to individuals health, property and community environment. You can help us to ensure the survival of the practice of democracy. In closing, on behalf of the majority of the Residents of Waverley and myself, I plead with you for the following: Please do not allow our children, our Senior Citizens and those who already have lung problems, to be exposed to arsenic, airborne dust. Please help us to preserve the quality of water in our lakes for the sake of all those in Waverley and the Shubenacadie Canal System who depend upon them. Please help us to prevent dangerous road conditions from developing in our community. Please help to ensure that those who already have to live with noise from existing Quarries will not be subject to additional burden from what is being proposed. What God has made Waverley is unique and beautiful. If we allow men to destroy it over a period of 15 to 20 years, no matter how much money we are willing to spend, to reconstruct and repair it, we will never be able to have Waverley the same as God has given it to use. Help us to treasure this precious community."

The above completed Mr. Tan's presentation to Council. (Note: Mr. Tan's presentation indicates there is a motion on the floor - this is incorrect as there is no motion on the floor at this point)

Questions From Council

None.

Mr. Len Edmunds, Resident of Waverley: Mr. Edmunds advised that he was a mechanical engineer and technologist and a research scientist. He advised that he had done an extensive study of the rock dust in the Rocky Lake area.

He advised that in this study, the dust had been weighed, screened, cooked, tasted, ground, studied through a microscope, spectro-analyzed, blown in a blast furnace, and melted in a kiln. He advised that when it was melted it turned into a dark green color of glass. After cooling and hardening, it began to crack and within a day the cracks had multiplied into millions when it became what it was when it was taken out of the Quarry; millions of little green glass cubes.

He advised that this same thing happens to crusher dust; once it is small enough to pass through a 3-8 screen, which is the smallest product used from the Quarry, the rest being waste. He advised that of this 3-8, 40% will stay on a 100 screen and 60% will go through.

Of that 60%, the average size is 5 microns, a lot of it is a lot smaller. He advised that the pores in human skin are 20 microns; therefore, they can get into your skin. He advised that they can go through filters in a car, can float in the air until rain or mist brings them down, they can float in water for days until it settles in a slime and kills all the life in the lakes which are supposed to support fish life. He advised that the lakes were full of dust that is so fine it cannot be filtered out to be examined.

Mr. Edmunds advised that the dust makes its way through the entire lake system as far as the Bay of Fundy. He advised that the proposed Quarry would add dust as far as Powder Mill Lake and would spoil the whole system.

Mr. Edmunds advised that Waverley had gained \$1,000,000 worth of gold from the Goldrush at \$16.00 an ounce. He advised that this would be 62,500 ounces of gold. The yield, he advised, is usually around 3 ounces per ton of dirt, in order to be a viable mine. However, for comparison purposes, 1 ounce per ton, would be 62,500 tons of dirt dug up. If as much as 10% of that got into the Lakes, there would be 6,250 tons in the entire Goldrush period.

Mr. Edmunds then indicated that the existing Quarry produces at least 9000 tons of dirt per year and of that at least 1200 tons becomes air-borne; this would amount to the whole gold rush every five years, which comes out in a cloud every night, blows toward Truro and gets into the lakes, gardens, homes, clothes and wells. He indicated his opinion, that a good deal of the arsenic in the wells of Waverley could have come from this airborne dust. He indicated that the dust comes from the Crushers, from the screens, the asphalt plant, from the backs of the trucks and the Wheels of the trucks.

Mr. Edmunds passed around to Councillors a geographical map of Nova Scotia advising that in Nova Scotia there are no fewer than seven distinct geographical regions and in order to find an area with the same material in the ground, the Proponent only has to go a few miles away. He does not have to move into the environmentally sensitive and residential area of Waverley.

Mr. Edmunds asked that Council vote "no" to the proposed Metro Aggregates Quarry, in Waverley.

Questions From Council

None.

Mrs. Diana Schafer, Resident of Waverley: Mrs. Schafer advised that she has been a resident of Waverley for 12 years and has been a property owner in Waverley for 15 years. She advised that she lives on the Portobello Road and probably will not be affected by the increased traffic. However, she advised that about 200 children in Waverley would be affected by the increased traffic, because they have to walk to the Cheema Club, to their School Bus Stops, and to the Waverley Park, which is the only Public Swimming Area. She advised that to get to these public places, they walk down the Cobequid Road, the Rocky Lake Road and the Portobello Road.

Mrs. Schafer also advised, that fifteen years ago, there was a Public Bus system in Waverley which came from Fall River and would hook one up to any place in Halifax or Dartmouth. This bus system, she advised, was discontinued ten years ago, so now the children have no way to travel over these hazardous roads than on foot. She also advised that she was acquainted with several Senior Citizens who had to be driven to Bedford to walk for ten to fifteen minutes per day, as per their Doctors instruction, because they could not walk safely in Waverley.

Mrs. Schafer urged Council to consider the hazardous traffic situation in Waverley when making their decision; she indicated her position, that Council should not let the traffic situation remain the way it was and should certainly not allow it to get any worse.

Mrs. Schafer also drew Council's attention to two letters previously distributed to Council, one the result of two analysis performed at the Path Lab on rock samples taken randomly from the property where Metro Aggregates plan to build their Quarry. The letter indicated that both samples were high in arsenic content. She felt that Council should have a geological survey done on this and should not accept the survey already made available to them which had only one high reading.

The second letter was from Mr. Miller and had enclosed a Canadian Wildlife Report, in respect to the Lake William Marsh. She advised that the Marshlands included in the Report were those which the Canadian Wildlife Association felt were a high priority to be protected in Canada and included with them was the Lake William Marsh.

Questions From Council

None.

Mr. Fred Billard, Resident of Waverley Mr. Billard advised that he resided at 20 Fraser Drive, Waverley within one mile from the proposed Crusher.

Mr. Billard advised that he had had a limited time frame in which to prepare this presentation to Council and, as well, he had difficulty in obtaining information from all parties involved.

Mr. Billard indicated his opinion that the proposed Crusher was not beneficial to either Waverley or the Municipality as a whole. He also advised that it had been suggested both by Mr. Puglsey, Solicitor for the Proponent and by County Planning Staff, that Council was considering, either a Crusher with PUD Controls or a Crusher without controls. He, however, indicated that this is not the question Council should be considering. He felt there were other alternatives, such as rezoning the land or even a moratorium on the land until the Municipal Development Plan is completed.

He then questioned, that if the proposal goes through with PUD Restrictions, who would be monitoring the restrictions and when would they be monitoring them and with what authority. He questioned whether it would be done by present or new Staff, if it would be done 24 hours a day, and further, if the restrictions are not followed, would they have the authority to have the Operation shut down, if Metro Aggregates were not operating within the confines of the PUD Agreement.

Mr. Billard questioned the ability of Planning Staff to make proper restrictions, to avoid future problems, as they have failed to recognize the present problems in the area, for example: traffic. He felt that the Metro Aggregates Operation controlled by a PUD Agreement drawn up by Municipal Planning Staff would be no different than an Operation without a PUD Agreement.

As far as the potential taxation benefits of the Metro Aggregates Quarry, Competition and the supposed good intentions of Metro Aggregates the Good Corporate Citizen, were concerned, Mr. Billard offered the following:

1. Existing Competition at Rocky Lake is roughly 1,000,000 tons per year and one example of their overhead is their taxes which is approximately \$25,000 per year; the new Quarry will have an output of only 300,000 tons per year and their overhead is higher with taxes of \$33,000 per year. In addition to this, he advised that they would be maintaining pollution controls. Therefore, he asked how the Quarry could be competitive and take away existing business from a Quarry that is already established.
2. Also, if the new Quarry creates jobs and takes business away from the existing Quarry, then the other Quarry will have to lay off its employees. Therefore, he advised, nothing would be gained.

3. Thirdly, he questioned how the Proponent had expected to receive Public Input by opening an Information Trailer, one week before the Public Hearing and by not attending any Public Meetings with the Waverley Residents prior to the Public Hearing.
4. He then questioned whether a Good Corporate Citizen would begin Operations within 12 months of approval of his PUD, as previously indicated by the Proponent, regardless of the fact that a solution to the traffic problem will not yet have been found.

Mr. Billard indicated his position, that due to the deficiencies shown in Staff's PUD Proposal and presentation to Council, and the intentions of the Proponent, as outlined by Mr. Pugsley, to approve the Proposed PUD would be like signing a Blank Cheque. He encouraged Council to consider the alternative of imposing a moratorium on large-scale development, in District No.14 until the Municipal Development Plan is completed in that District.

Mr. Billard advised Council that he had written a letter to Mr. Ken Streach who had replied, "I have seen several industrial developments elsewhere that are very attractive and completely blend with the surrounding residential area. However, it is certainly imperative that the residents carefully plan the future development of the lands surrounding their community." This indicated to Mr. Billard, that Mr. Streach's opinion is that the residents should be the planners.

Mr. Billard advised that if Council rejects this proposal, as per the wishes of the Residents, then the Province will not provide the Proponent with the Permits which he requires to go ahead.

Mr. Billard then briefly reviewed previously-discussed reasons for rejecting the proposal such as:

1. Pollution of Lakes and Air;
2. Future Health Problems;
3. Effects of Blasting, increased Truck Traffic and the resulting Safety Concerns; and
4. Community Standards - Residential vrs. Industrial.

He then referred to two other considerations;

1. Efficient use of Resources by the Municipality;
2. Alienation of the Community - He advised that to impose this Development against the wishes of Waverley Residents will result in a loss of co-operation between the Community and the County.

With regard to number one above, Mr. Billard advised, that tax-wise, residential uses were of greater value as a resource to the municipality than was industrial use. This, he substantiated, with well worked-out assessment figures.

Mr. Billard spoke at length with regard to number two above, indicating that to impose the Metro Aggregates Operation on a Village, which clearly does not want it, could jeopardize the effectiveness of the PPC in developing a Municipal Development Plan for the Area.

Mr. Billard asked Council the following questions:

1. Is it responsible to jeopardize a fragile environment by operating a crusher in this community?
2. Is it responsible to the residents of the community, to ignore their opinions and impose a crusher on them?
3. Is it responsible or economical to throw higher residential tax revenue away to put in this crusher?

Mr. Billard advised that if Council cannot answer the above questions and approves the Crusher Quarry Operation, then he would question who the Council is responsible to; the Developer or the Residents.

Mr. Billard also presented a Petition which included the names of 200 residents in opposition to the Metro Aggregates Quarry Crusher Operation.

Mr. Billard also spoke at length with regard to his lack of confidence in Planning Staff who would recommend approval of this Operation.

Questions From Council

With regard to Mr. Billard's suggestion that no large industrial development be permitted in District No. 14 until the MDP process is completed, Councillor Lichter indicated that there were other considerations in an MDP such as how large a lot should be before it is approved for a single family dwelling or how close it should be to a lake. He questioned whether Mr. Billard would also have residential development halted until this aspect of the MDP is completed. Other planning issues for example were: where should mobile homes be placed, where should commercial development be placed, etc. All of these things would be decided by the PPC; he questioned whether these developments should also be halted until the MDP Process was completed. His point here was that no type of development, in particular, could be stopped until the MDP was completed.

Mr. Billard advised that he had referred to large scale industrial development, in particular, because of the high detrimental impact it could have on the surrounding residential community.

Councillor MacKay requested that Mr. Billard either circulate the letter received from Mr. Ken Streach or that it alternatively be read by Mr. Billard. Mr. Billard then circulated to Council the letter from Mr. Streach.

There were no further questions for Mr. Billard from Council Members.

Mr. David Little, Resident of Lakeview: Mr. Little advised that he was a resident of Lakeview on the opposite side of Rocky Lake. He advised that there were approximately 79 residents in Lakeview, and there is a development going on in the back of the road at the present time which will eventually add another 66 lots. He advised that during a previous night of the Hearing, it had been suggested that it may be possible to divert traffic from Waverley onto the Lakeview Road, as this road was

supposedly used very little. However, he advised that in a number of years, there could be up to 600 people living on the Lakeview Road, and he suggested it would not be a good place to divert traffic onto.

He then advised that he had moved to Lakeview Road several years ago because it was a rural, pretty and unspoiled area. He advised that he would not like to see this changed by bringing into the area, heavy traffic. He advised that everyone on the Lakeview Road have access to the Lake which is used a great deal. He advised that recently a bacteria count has been done on the Lake and it is less than 2 while other lakes in the area are closed. As a comparison measure he advised that 10 is a safe drinking level. He advised that the arsenic had been checked in the lake and is presently undetectable. He indicated his desire to keep the lakes in that condition. As well, he advised that it was the desire of both his wife and himself to bring their children up in an unspoiled, clean and healthy environment such as that which prevails in the community at the present time.

He urged Council to vote "No" to the noise, dust, visual pollution and the traffic which comes along with heavy industry such as a Crusher.

Questions from Council

None.

Mrs. Sheila Scott, Lakeview Road: Mrs. Scott a resident of Lakeview as well, spoke briefly in opposition to the Crusher Quarry Operation, advising that she would like to bring her children up in a clean environment where they could breathe in air and not arsenic.

Questions from Council

None.

Mr. Keith MacLean, Lakeview: Mr. MacLean advised that he was raised in Lakeview which is right across from the Rocky Lake Crusher and will be across from the proposed Crusher Quarry Operation. He advised that in Lakeview, Rocky Lake is used for Recreation. He was concerned about the potential for pollution of this Lake and other Lakes and also about other environmental pollution due to dust.

Mr. MacLean encouraged Council to vote "No" to the Metro Aggregates Proposal in order to ensure that the Lakes remain unpolluted and those that are polluted now do not become worse.

Questions From Council

None.

Mr. Tom McQuire, 234 Portobello Road: Mr. McQuire advised that he lived five houses in on the Portobello Road from its intersection with Rocky Lake Drive. He advised that he had measured the road today and it measured 20 feet across not counting a very small amount of soft shoulder. He had also measured a transport truck which measured eight feet and advised that you could not safely walk or jog on that road and still allow room for two trucks to pass. He advised that to walk down that road is taking your life in your hands and the addition of another rock crusher in Waverley was only going to make the traffic situation worse.

Looking at the benefits of the Operation, he saw \$20,000 to \$33,000 in taxes, since this was not clearly identified, and 17 full time jobs and approximately 75 part-time jobs. He advised that the 75 part-time jobs were probably going to be largely truck drivers.

Mr. McQuire advised that in Mr. Pugsley's report it had been indicated that the Parent Company of Metro Aggregates was a Good Corporate Citizen who have enjoyed hundreds of millions of dollars of business from the Province of Nova Scotia, the County of Halifax and the Federal Government and, in fact, even built the Airport. He was concerned that with that kind of contact and respect through Federal, Provincial and Municipal Government, they may win the Contract to expand the airport, and they would have a good chance of bidding on some of the other projects in the area, due to having their own Rock Crusher and win these contracts and the 300,000 metric ton figure they are talking about could become magnified to 600,000. They may then complete the extraction of rock within ten years and could ruin Waverley in that short time.

He then questioned what would happen if they extract as much as 1,000,000 metric tons of rock per year; they could then complete extraction of rock from the site in 6 years. He questioned what would happen to environment if rock is extracted that quickly from the site if they successfully compete with Municipal Spraying and Contracting.

As a Real Estate Broker for 15 years in the Bedford, Sackville, Waverley area, Mr. McQuire did not feel that the Quarry Crusher Operation would benefit the area due to property devaluation. He indicated that with the high property values and assessments in Waverley now, only 30 more houses would be required to obtain the taxation value that Metro Aggregates would bring into the County. He suggested that if the Operation is permitted to proceed that these 30 new homes will not be realized.

He then advised Council that a previous Speaker had been wearing an Engineering Ring. He advised that Engineers were requested to wear this ring to remind them of a bridge in Quebec which had been planned and constructed by the best trained Engineers and which had fallen. The purpose of wearing this ring was to remind them that even the best plans can fail. He suggested that although the Proposed PUD Agreement was well-planned, it could also fail. He questioned the impact on Waverley if this PUD, well-Planned as it is, fails.

Questions From Council

Mr. McQuire was questioned briefly by Council in regard to the traffic situation in Waverley at the present time.

It was moved by Councillor MacKay, seconded by Councillor DeRoche:

"THAT Council recess for fifteen minutes."
Motion Carried.

SPEAKERS IN OPPOSITION - (Continued)

Mrs. Cheryl Hartlin, Resident of Waverley: Mrs. Hartlin advised that the biggest concern of herself and her husband, with regard to the proposal was relative to pollution. She advised that she resides at Albernie Camper Products, the closest home to the proposed Quarry Crusher, only 1300 feet away. She advised that they are not ratepayers but rent. She advised that her baby son was very sick during his first year of life; this, they had found, was due to pollution in their well. The well had been cracked and she attributed this to the Crusher next door. She wanted to advise, that since the Planning Staff had not realized that they lived in such close proximity to the Quarry, they may have missed other residents in close proximity as well.

She also wanted to bring to Council's attention, the possibility of pollution due to a cracked well, in addition to the other environmental polluting concerns mentioned by previous speakers.

Questions From Council

None.

Mr. Mathew Morgan, Resident of Waverley: Mr. Morgan advised that he had been a resident of Waverley for eight years, one-half of his life time. Although, he had not resided in Waverley as long as previous speakers, he indicated that he hoped to live in Waverley for a good long time. He advised Council that he had been speaking to many of his friends with regard to this issue and he indicated they felt the same as he did relative to Crusher. Therefore, he was speaking to Council with the point of view of the Youth of Waverley.

Mr. Morgan advised that one thing previous speakers have neglected to mention is that on the Rocky Lake Road there are two Elementary Schools; Waverley Memorial and L. C. Skerry. He advised that there were always children crossing the road and walking along it. As well there are people walking on the road, jogging along it and bicycling along it. He reminded Council of the dangers of this. As well, he advised that today the Principle of L. C. Skerry has announced that all Grade Six students living in Frame Subdivision must now walk to school, adding one more dangerous element to the traffic situation in Waverley. He advised that Frame Subdivision was just one and one-half miles within the school bus limit.

Mr. Morgan advised that increasing the truck traffic along the roads in Waverley can only lead to disaster, which he indicated is sometimes what it takes before something is done. He requested that Council not wait for a disaster before doing something affirmative with regard to the traffic situation in Waverley.

He also felt it was ironic for the residents of Waverley to be present tonight attempting to stop another Rock Crusher when they should be fighting the already too many rock crushers the area already has to contend with.

He questioned Council and Warden MacKenzie as to what they would be doing if a Rock Crusher were proposing to be located in their backyard and indicated his opinion that they would also be fighting this development.

He reiterated a question by a Councillor on a previous night of the Hearing, which was: "Will the Crusher be dangerous?" Hearing all the advantages and disadvantages, he felt Council knew the answer to this question. He also advised that in other parts of the world people are finally learning and he indicated that in Great Britain which has been in existence a good deal longer than Canada, all open Crushers and Quarries are illegal. They are considered a health hazard. In Great Britain when they want gravel they are required to dredge the Ocean. He did not suggest that this be done here, but he indicated that they are learning in other parts of the World that open Crushers and Quarries are health hazards.

Mr. Morgan concluded his presentation advising that Waverley is a residential area and Metro Aggregates is an Industry which is in the crushing business for the money which makes the World go round. However, he indicated that sometimes, people have to say "No" to money and "Yes" to things that once they are gone, they cannot be replaced such as children that have been hit and killed by trucks and the environment which has become polluted and been destroyed.

The above completed Mr. Morgan's presentation to Council.

Questions From Council

Mr. Morgan was congratulated by Council on his presentation.

There were no further Speakers In Opposition to the PUD.

SUMMATIONS

Mr. Paul B. Miller, Solicitor for the Waverley Ratepayers' Association: Mr. Miller advised that Council has heard from the Village of Waverley now and had had an opportunity to read some of the more than 400 letters from Residents of Waverley and circulated to Council and he felt that there could be no doubt in Council's mind, as to where the people of Waverley stand with regard to this issue; therefore, he indicated that he would not repeat any of the information brought to Council's attention by previous speakers but that he would briefly outline the issues of concern to Waverley Ratepayers which should be considered by Council.

1. Protection of the Lakes and the rate of sedimentation;
2. Dust nuisance to abutting residents and their right to enjoy their property;
3. Traffic and the traffic safety hazard;
4. Blasting and the effects of blasting;
5. Protection of the Lake William Marsh and the Water Fowl Habitat and the Fisheries Habitat;
6. Health Ramifications and arsenic and the possibility of arsenic leaching into the lakes and airborne emission of arsenic;
7. The encroachment of the Proposal on the residential nature and character of Waverley;
8. Economic Issue - the gain from the proposal versus the anticipated tax loss for the devaluation of residential properties;
9. Endangered Species, ie. snails.

He advised that the Proponent indicated to Council that it would be better to have a Crusher with controls than a Crusher without Controls. Mr. Miller felt that this was a tactic of the Developer, to make Council believe they did not have a choice. However, Mr. Miller indicated his opinion that Council did have a choice. He advised that the issue before Council was, "Is the Proposal in the best interest of the Municipality or is it not?" He felt that if, after all the evidence presented to Council, it is still the conclusion that it is in the best interest of the Municipality, then they should vote to approve it. If they felt it was not in the best interest, they should not approve it.

He then questioned the choices Council had, besides approving it, and advised that there is a rezoning application on file from the Association in which they have requested that the land be rezoned commercial. In the event that the PUD is defeated by Council, then that Application must be dealt with at another Public Hearing. In the meantime, he advised that the Developer would not begin the Operation of a Crusher because the letter from the Department of Municipal Affairs indicates that they need a Regional Development Permit and they are not at the stage yet to obtain that Permit and if they were, that Permit is Appealable at the Municipal Board under the Regional Development Plan. He assured Council, that if the Regional Development Permit is issued, it would be appealed and Council would have ample time in which to deal with the Ratepayer's rezoning application.

Mr. Miller than advised that another alternative the Council had was to amend the Zoning By-Law No. 24 and establish a Pits and Quarries Zone. He advised that if there are no controls now, the controls can be legislated by Council by amending that By-Law and determining the Site Characteristics and Location Characteristics which should be put in the By-Law to protect the intrusion of this type of Development into residential areas and to protect the environment. He indicated his hope that Council would instruct its Planning Staff and Legal Staff to look into amending that By-Law and legislating those kinds of controls.

The third choice, Mr. Miller indicated Council had, and which he would not recommend, but which was available, was expropriation. He advised that this was an ultimate remedy, which was not desireable but which was Council's right.

He advised that not only did Council have choices, such as the above, but Council had responsibility to the residents of the Municipality and if the Development was not felt to be in the best interests of the Municipality then it was Council's responsibility to reject the proposal and give the appropriate protection, so that the hazards described throughout the Public Hearing would not occur.

In summary, Mr. Miller advised, that the people of Waverley had experienced a bitter legacy with regard to their Gold Mining Heritage. He indicated that their forefathers did not realize the legacy they were leaving to Waverley. However, Council was knowledgeable in this regard and could make an informed decision.

Mr. Miller requested that Council consider the evidence of both the Proponents and the Opponents and make the decision which is in the best interests of the Municipality.

The above concluded the presentation of Mr. Miller on behalf of the Waverley Ratepayers' Association.

Mr. Ronald Pugsley, Solicitor for Metro Aggregates: Mr. Pugsley advised that Mr. Miller had distributed this evening two letters, one with respect to arsenic and samples which had been taken and the second was with respect to water life and water fowl and he referred to a letter he had written to Andrew McInnis and said that he would advise Council of the reply he received from Mr. McInnis.

Mr. Pugsley advised that the Proponent had spoken to Mr. McInnis more than a year ago and on July 9, 1982 he wrote as follows: "On examination of the site proposed for a Rock Quarry, by Metro Aggregates, Limited, Waverley, Nova Scotia, I find the area characterized largely by rock outcropping, small bogs, ... shrubs and mixed forests of poor quality. In general the potential of this area for wildlife production is low and I know of no rare or endangered plant or animal species present at this location. The wetlands here are comparatively low in value for wildlife species. I would suggest that an undisturbed green belt be established along any significant water course or body of water to prevent soil erosion. (Mr. Pugsley advised that the Proponent had established a buffer zone of 600 feet in width). Further, I suggest you contact the Department of Fisheries with regard to their guidelines governing effluent." He advised that this contact has been made as well, and to his knowledge, there are no Guidelines.

He then advised that at the Hearing on August 23rd, Mr. Bottomly, Chairman of the Shubenacadie Lakes Advisory Board, referred to a letter that he had received at 7:01 that evening from A. J. Crouse, Director of Environmental Assessment. He advised that the inference he had taken from Mr. Bottomly's comment was that Metro Aggregates had misled Council into thinking that they had received final approval for its proposal from the Department of the Environment whereas Mr. Bottomly pointed out that all the Department of Environment was saying was that the Department approved of the work done "as far as it went". He advised that there were two matters he wanted to bring to Council's attention with respect to that comment.

1. Mr. Bottomly obviously felt that the approval of the Department of Environment is important and that without the approval of the Department of Environment, this proposal should not proceed. - He advised that the Developer agrees with this position.
2. The material that Metro Aggregates has presented to the County includes a letter of February 8, 1983 from the same Mr. Crouse, to Underwood MacLellan, which states in part: "For this component of the preliminary design, we have concluded that you have adequately addressed the environmental issues. We recognize that it is now in order for you to proceed with the detailed design of the project. For final Department approval, it will be necessary for you to complete an industrial waste treatment application form and submit it along with the supporting technical data." - He advised that Metro Aggregates had never, at any time, represented that it had final approval from the Department. All the Proponent has said was that "With respect to the materials submitted to date, they had received approval". He advised that the Proponent recognizes that, in the event that Council approves the concept of the County entering into a Planned Unit Development with Metro Aggregates, that they will then have to enter into a very detailed process in submitting proposals to the Departments of Environment, Health and the County of Halifax for final approval.

Mr. Pugsley advised that the Public Hearing process presents an excellent forum in which the concerns of Citizens can be addressed. He advised that one of the reasons, Metro Aggregates had gone this route was to ensure that Council had a full and complete presentation from the Citizens of Waverley. He advised that subsequent to three nights of Hearing, it can safely be said that this has been accomplished. Unfortunately, from the standpoint of Metro Aggregates, the practice of Council generally does not permit Lawyers to cross-examine those individuals who make representation against the proposal. He advised that cross-examination would test the basis on which the Opponents base their comments.

He advised that a number of statements have been made to Council which the Proponent feels are incorrect and are not based on fact. He brought to Council's attention a few of the notable statements, as follows:

1. Messrs. Edmunds Father and Son, made submissions relative to the levels of dust which would be produced by the Quarry. He advised that Mr. Edmunds Senior had suggested that the dust levels at the Waverley Quarry would be in excess of the dust levels which would be produced at the Fredericton Quarry. At arriving at this conclusion he made reference to the amount of dust produced when a small boulder from the Waverley Operation was crushed to a certain grade. From these figures, he concluded that of an annual 300,000 ton production, 24,000 tons would be uncollectable by settling ponds and a further 7,200 tons would be emitted directly into the air. He advised that the Proponent's experts, Jacques Whitford advises that this method of measuring the amount of fine dust is incorrect and in actual Quarrying and Crushing Operations small rock will not be ground into the small size which Mr. Edmunds

directed to be done in his tests. A certain amount of rock is dissolved from blasting into commercial sizes. Actual Crushing Operations do not require the intensive grinding which was required in Mr. Edmunds' experiment. This method of producing gravel, produces a great deal more dust than the method proposed by Metro Aggregates. He indicated that Jacques Whitford advises that the amount of dust which would be produced at the Waverley Plant was very close to that which was produced at the Fredericton Quarry.

2. The water control system that Metro Aggregates has designed is simple to operate, has great flexibility and sufficient depth to allow for changing situations and any adjustments that may be required because of any monitoring. The Department of Environment are satisfied with this system.

On September 20, 1982, the Secretary of the Shubenacadie Lakes Advisory Board, wrote Underwood MacLellan advising as follows: "The Board has reviewed the re-designed water control system for the proposed Quarry in Waverley of Metro Aggregates Limited. The system is a tremendous improvement on previous designs and appears to present a logical solution to the control of silt from the Crushing and Stockpiling area. The Board has two remaining concerns: (1) the flow of water across the strip of land between the Quarry and Powder Mill Lake. This could be reduced if the larger settling pond were used for make-up water rather than Rocky Lake. (2) Operation or monitoring of the system, the adequacy of the system depends entirely upon day to day operation and the fate of the silt cleaned from the Ponds. The Board feels that this system could be made to work well provided these points are attended to." Mr. Pugsley indicated the bottom line of this letter, is that the Board felt that the system could be made to work. He advised that Mr. Bottomly raised some additional points during the Public Hearing and the Developer is prepared to meet again with the Board to address these complaints as they have done todate.

3. Reference was made by former Councillor, Sylvia Isenor, that there would be 18 blasts per year and that consequently a substantial amount of rock would be blasted on each occasion with correspondingly high charges. He advised that the 18 blasts per year is a figure from the Fredericton Operation and not from the proposed Operation in Halifax County. He referred Council to the third paragraph on page 16 of the Underwood MacLellan Report, which outlines the blasting procedure and it indicates that the proposal will be from as few as 72 blasts to as many as 120 blasts per year and that as a consequence the blast will be smaller and less disruptive.
4. He advised that all people, such as Mr. McQuire, who spoke with respect to traffic, expressed concern about the present level of traffic. He advised that rejecting Metro Aggregates Proposal does not solve the existing traffic problem. He noted that in the Halifax Mail Star on Wednesday, August 31st, the Provincial Department of Transportation and the Waverley Ratepayers' Association will co-operate in the preparation of a detailed traffic flow survey in the Village of Waverley. The Report in the paper, he advised, went on to say: "Ron Giffin, Minister of Transportation, has provided assurances his Department is ready to help find a solution to the fifteen year-old traffic problem".

5. He advised that Mr. Miller and others on behalf of the Waverley Ratepayers Association have referred to the Regional Development Plan and have stated, even if this PUD is approved by County Council it will be necessary for Metro Aggregates to obtain a Regional Development Permit, which Permit, if obtained, is appealable to the Municipal Board. Mr. Pugsley advised that the Regional Development Plan is not an issue at this Hearing but the point to bear in mind is that, if Metro Aggregates has to apply for a Regional Development Permit, it is appealable to the Municipal Board, where the Waverley Ratepayers' Association and anyone else who is opposed to this Development will have the opportunity of presenting their views to the Municipal Board of Nova Scotia with respect to all matters with which they are concerned. He advised that included in this examination will be testimony one would expect from the Department of Environment, the Department of Transportation and the Department of Health so County Council in approving this decision tonight does not mean that the Residents do not have access to another forum; a forum which deals with expert evidence in areas of this kind.

Mr. Pugsley then reiterated from his opening comments in the Hearing, that the obligations of Metro Aggregates will be guaranteed by its Principle, Diamond Construction Limited. Approval by this Council of the PUD is only the beginning of the process. There will have to be lengthy meetings before the PUD is finalized; the PUD will contain provisions providing safeguards for the concerns that have been raised by the Waverley Ratepayers' Association and others. The Municipality's Staff have been present at all the Hearings and have listened to the concerns of the residents. He indicated his opinion that Staff would be taking these concerns into account when they sit down with Metro Aggregates to finalize what safeguards should go into the Agreement. Finally, he advised, that it should be born in mind, that if Council approves the proposal this evening, County Staff does not have the right to finalize the arrangements with Metro Aggregates; the Agreement must come back again to Council for approval.

Mr. Pugsley remarked, in response to the comments of Mr. Tan, that Council is not a forum for giving safeguards for all the problems that can arise in the future in developments of this kind. He advised that at this time, it cannot be anticipated all the problems that will be faced. He advised that it is an on-going process and the PUD will provide for monitoring of problems that are seen now and for monitoring on a continual basis so that problems which will arise in the future will have to be met by Metro Aggregates as well. He advised that approval of the proposal tonight, is not going to give Metro Aggregates a Carte Blanche. The proposal will be monitored in the future by safeguards put in by Council, Staff and the Department of Environment.

The above concluded the summation of Mr. Pugsley on behalf of the Proponent.

This also completed the Public Portion of the Public Hearing.