

## **HALIFAX REGIONAL MUNICIPALITY**

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### HALIFAX/HALIFAX COUNTY WATERSHED ADVISORY BOARD

December 19, 2001

#### MINUTES

PRESENT: Dr. Wayne Stobo, Chair  
Dr. Sankar Ray  
Mr. Jim Holmes  
Mr. Lawrence White  
Mr. Walter Regan  
Mr. Keith Manchester  
Ms. Ellinor Williams  
Mr. Frank Hope  
Mr. Shalom Mandaville  
Dr. Barry Thomas

ALSO PRESENT: Ms. Lynne Le Boutillier, Assistant Municipal Clerk  
Captain John Owen, Junior, Guest

REGRETS: David Dwyer, Bill Ernst, Peter Murray and Susan Corser

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The meeting was called to order by the Chair at 6:40 p.m., Board Room 1, Dutch Village Road.

**0.1 INTRODUCTION OF NEW MEMBER**

Dr. Sankar Ray, who was recently appointed as District 16's representative was introduced to the Board. Dr. Ray noted that he used to work for the DFO. He is a retired scientist with a special interest in water quality as it affects fish resources.

**1.0 APPROVAL OF AGENDA**

The following item(s) were added to the agenda:

Under New Business:

- 4.2 Case 00403: Application by Noel Fredericks to amend the existing development agreement for 1250 Sackville Drive to permit the expansion of the used car display court.

Additional Information Items:

- 11 Revised Terms of Reference
- 12 Newspaper Article on New Brunswick's proposed policy to protect wetlands
- 13 Nova Scotia's Wildlife Habitat and Watercourse Protection Regulations Brochure

**2.0 APPROVAL OF MINUTES**

The following changes were required to the November 21, 2001 minutes:

- C Page 3, Item 2.0 - Change January 17 to October 17.
- C Page 5, Item 3.4 - 3<sup>rd</sup> paragraph. Sentences 3 and 4 need revision to indicate "it was concluded to follow past practice, i.e. a letter is sent to the community council and copy sent to the proponent with a covering letter immediately advising of the Board's recommendation. The correspondence be copied to staff as well."

The minutes, as amended, were adopted on motion Mr. Manchester and Mr. Regan.

3.0 **BUSINESS ARISING FROM MINUTES**

3.4 **STONERIDGE ON THE PARK (FORMERLY STANLEY PARK), MAINLAND SOUTH**

- C Memo from Gary Porter, Planner dated December 11, 2001 re Case 00317
- C Proposed Amendments (circulated at meeting by United Gulf Developments Ltd. representatives)

In attendance for this item were Kevin Riles, Vice-President, United Gulf Development Limited and Mr. Chris Elliot, Environmental Engineer, AMEC and HRM Planner, Gary Porter.

Mr. Porter gave the Board a short overview of the background of this development noting the following:

- C previous approvals, commencing with original approval in 1990
- C location - Northwest Arm Drive
- C conditions in Development Agreement regarding environmental protection
- C retention ponds originally proposed, but stormceptors have or will be installed instead

Mr. Riles described to the members changes being proposed. He emphasized that the proposed amendments will not change the number of people who would reside in the development, i.e. 1465.

The proposed amendments relate to the following:

- C Five single family lots to overlook Hail Pond (within Hail Pond park area)
- C The two apartment buildings increased in height from 12 to 17 stories but same number of units, i.e. 120. He noted the change to a smaller footprint will result in more green area and thus the opportunity for more landscaping.

The phasing of the project was outlined. Reference was made to the amount of public input into the development, particularly related to Hail Pond. The public identified that they are not happy with the trail system. The public is seeking a trail which is more aesthetically pleasing. The developer is proposing to give HRM \$50,000 to be used for trail development, etc. It was felt by the public that the existing trails were over engineered. They had been essentially designed for sedimentation control during construction in one area. It was noted that Hail Pond is a major recreational feature.

Mr. Riles identified the location of the park entrance and noted that the original proposal

contained 11.3 acres of parkland. The new proposal contains 11.4 acres.

Questions were posed regarding water testing. Mr. Riles advised that up to recently no water testing was done. AMEC has been engaged to commence water testing. The results of the tests will be provided to Mr. Porter in early January.

The Chair questioned the planner on the status of the project. Mr. Porter noted that the development had been approved before amalgamation and before the Board had jurisdiction in this area. Since the development agreement is being amended, staff has brought it to the Board's attention to solicit suggestions on what should be incorporated.

Referring to the staff report provided to the Board, particularly the reference to storm water discharge on the second page, Mr. Regan noted it would have been helpful if the members had been provided with a map. The paragraph refers to the requirement that sedimentation ponds be installed at all out falls from this development, but during the latest phase of the development, HRM staff allowed a stormceptor manhole in place of a sedimentation pond. A similar stormceptor is proposed for the outfall behind the five proposed single family units. Chris Hollett identified on the map he displayed their location.

Questions were posed regarding where the water sample was taken for testing. It was identified that the sample was taken from the top left hand corner of Hail Pond, as illustrated on the diagram displayed to the Board. Some confusion was apparent as this appears to be the outlet, ie. the stormceptor was located at the outlet of the pond.

A general observation was made that Hail Pond seems to be in good shape now.

Clarification was sought as to whether there is a storm sewer going to the lake.

Mr. Porter indicated he understood that the storm sewer was discharged into the pond at this point although based on comments by Mr. Elliot, he may be wrong. Chris Elliot also indicated he was not sure what was going on related to the engineering design side of things. Mr. Riles assured the Board these matters will be clarified.

Mr. Regan sought details of what water testing was being done. The proponents asked if the members were familiar with RCAP, a general chemistry package process. Metals, nutrients, suspended solids and coliforms are tested. About forty (40) parameters are being measured by Phillip Analytical. Mr. Mandaville cautioned that Phillip Analytical can't measure phosphorus to the right level. He noted that on the VG labs can. They must be told however that the tests are being done for freshwater. For total phosphorus, he suggested the water testing be done by them.

Referring to page 5 of the Development Agreement, Clause (d) of Section 13, which reads "Prior to acceptance of the sedimentation ponds by the City, the Developer will provide an operations manual stating the required procedures to follow. Further, the Developer will monitor the effectiveness of the maintenance program which will be carried out by the City." Mr. Regan questioned whether this is being done. It was recalled that a sedimentation pond has been replaced by a stormceptor manhole and a second is proposed. Mr. Manchester questioned how long the installation has been in place. Mr. White recalled it being put in by Ocean Contractors last year. Mr. Riles will confirm. He estimated it was installed fifteen (15) months ago. Mr. Riles was asked if any testing has been done. He understood AMEC has done testing and there have been no problems. Nevertheless, Mr. White pointed out that stormceptors require cleaning out and a service record should be maintained.

Referring to item (e) of Section 13 which reads "Additional environmental controls, will be included as required, as covenants in deeds for properties within the development", Mr. White asked if anything was included in the deeds. Mr. Riles noted that United Gulf are quite proud of their protective covenants, which they would be happy to supply to the Board. Mr. Manchester questioned if United Gulf has enforced them. Mr. Riles indicated legal counsel has been hired to review an infraction. The company has got serious in this regard.

Referring to Section 13, item (a) which reads "Sedimentation ponds will be installed at all storm water out falls from the development leading to Hail Pond, Withrod Lake and Long Lake", Mr. Riles was asked if oil, grit separators are being used instead of sedimentation ponds. He indicated this is the case.

Reference was made to Section 13 (b) which reads "The Developer will monitor the water quality of Hail Pond and Withrod Lake in April, July and October of each year and submit test results to the City. This monitoring will continue for the duration of construction within the development site." Mr. Riles noted that United Gulf took over the site in 1998. He recognized that testing should have been done, but were not. Testing has started since Chris Hollett took over. In response to a query from Mr. Regan, Mr. Riles indicated all test results can be provided to the Board through Mr. Porter. Mr. Porter acknowledged that since amalgamation, etc. a lot of monitoring issues related to this development had fallen through the cracks, but staff is trying to get the projects on the rails to ensure the requirements of the development agreement are conformed to.

Reference was made to page 4, Section 12 of Appendix B which reads "Clause 13 (c) of the Agreement be amended to include the requirement for environmental performance guarantees for development of the commercial sites in the amount of \$4,000 per acre." In response to a query from Mr. Regan as to whether this clause is related to the \$50,000 referred to earlier by Mr. Riles, Mr. Porter indicated that the \$50,000 related to the new

amendments of the development agreement.

The Chair drew attention to the upper right hand corner of Hail Pond. It was apparent there would be runoff entering Hail Pond from that area. He questioned if there was a pipe or anything under the trail to let water through. Mr. Porter noted that the trail is not constructed in this area yet. Mr. Riles pointed out where the trail ends. He confirmed there are three water courses in the area and two stormceptors are proposed, one of which is installed, as earlier stated.

Mr. Holmes questioned what the distance of the completed trail will be. Mr. Riles will find out and advise the Board.

A discussion followed on the distance from the back lot lines to Hail Pond. It was estimated that the closest distance would be 50 feet.

There was a discussion of the natural vegetation in the area. Mr. Riles indicated the vegetation is very beautiful and the goal of the restrictive covenants is that it be maintained. There will be areas which will have to be cut to construct the trail, however.

Mr. Regan reflected that it would appear the stormceptors are located in water courses. He emphasized this would be undesirable. If this is the location of the first, it would have to be removed.

Mr. Regan asked if a fish survey had been done of the lake. Mr. Riles was not aware of one being done. He expressed confidence that there are no fish in the lake. Mr. Riles noted from living in the area, that the streams in the area are intermittent. Mr. Riles will confirm the existence of any fish.

Mr. Regan asked whether the developer intends to honor the manufacture's recommendations associated with the installation of stormceptors. Mr. Riles indicated it was the developer's intention to comply.

When naturally vegetated areas are disturbed, Mr. Holmes wondered if the developer would consider stockpiling the materials to be used in disturbed areas adjacent to the lake. Mr. Riles indicated they have reused materials such as these in the past and this could be done. He noted that United Gulf has engaged a landscape architect, Darrell Joudrey, recently.

In closing, the Chair advised Mr. Riles that the Board will be developing the Board's recommendations in relation to the application in due course. In the interim, Mr. Porter will follow-up on the items requiring clarification.

Development of recommendations will be done at the January 2002 meeting.

**4.0 NEW BUSINESS**

**4.1 CASE 00265 - REQUEST TO AMEND THE MPS FOR  
TIMBERLEA/LAKESIDE/BEECHVILLE TO ENABLE A MIXED USE GOLF  
COURSE COMMUNITY ON A 530 ACRE SITE, AND TO ENTER INTO A  
DEVELOPMENT AGREEMENT TO PERMIT UP TO 3200 DWELLINGS IN  
CONJUNCTION WITH AN 18 HOLE GOLF COURSE, TOWN CENTRE, AND  
COMMERCIAL AREA (WESTGATE DEVELOPMENT AGREEMENT)**

C Westgate Community Master Plan, dated December 2001

In attendance for this item were Mr. Mitch Dickey, HRM Planner, Margo Cantwell and Mark VanZeumeren, EDM (Environmental Design and Management Limited) consultants.

In his overview, Mr. Dickey noted that the proposal has been in the works for a year and a half. He noted the site is 550 acres in total and located in Timberlea. A mixed residential, golf course community is being proposed. The site is located within the service boundary of the Master Plan approved in 1995. Nine Mile River Investments is proposing this alternative approach to development of Timberlea Village. Mr. Dickey indicated that some changes are required to the MPS for the development. The MPS amendments was approved by Regional Council in October. The Development Agreement was also approved by Western Regional Community Council. The Development Agreement specified that no construction approval can be given until the Erosion and Sedimentation and Stormwater Plans are developed and approved by the Board.

The project is envisaged to accommodate 8,000 people in 3,200 housing units, which is a reduction from the 10,000 people originally to be accommodated. However, the density has been increased in the areas to be developed to allow for the inclusion of a golf course. The golf course is to be designed by Tom Broome. He plans to include wide safety margins in the design, as part of his wilderness golf course look.

It was noted that 50% of the residents will be within a 5 minute walk to the Town Centre. Reference was made to the fact that the development agreement includes opportunities to handle storm water in an interesting manner, i.e. reduced pavement width, the option to use open ditches instead of having everything directed to pipes. The intention is to allow for more water infiltration.

The consultants reviewed the topography of the site with the Board and its location as it



relates to existing developments. In their handout, watercourses were identified and photographs provided of existing issues as identified on the map.

During the review, reference was made to proposed retention (detention) ponds to capture stormwater. Stormwater will be the main source of irrigation water for the golf course. It was noted that the golf course is to be constructed at a lower elevation than the housing development. Effluent from the sewage treatment plant will be used for irrigation in the dry season if possible.

It was noted that there will be very little grubbing during the building of the golf course. Trees will be cut flush with the ground and the areas built up with a growing medium. Ponds are to be built first. The golf course will employ a relatively low fertilizer technique and little run off is anticipated from the course.

The consultants identified a number of existing issues affecting water quality. The effects were illustrated in the accompanying photos.

The first problem identified was related to the Timberlea Parkway. A stream was dammed off by the parkway which resulted in dead evergreens which were illustrated in photos 'a' and 'b' for site 1. Photos 'c', 'd' and 'e', showed the culvert associated with the flooding.

Site 2, was identified as being associated with basement flooding in a developed area.

It was noted that no provision was made for fish passage when any of the culverts were installed. Significant streams were associated with sites 1, 2, 3, 4 and 5.

It was explained that Site 6 is associated with an exit ramp, which is acting as a dam on a natural water course and causing flooding.

During the review of the handout, it was noted that the trails identified are not walking trails but ATV trails.

Photos of Site 10 were provided to illustrate how existing development have lawns right down to the edge of Nine Mile River. A buffer associated with a community park, consisting of 100 feet of undisturbed vegetation was identified between the proposed development and Nine Mile River.

The third sketch in the handout illustrated a proposed pedestrian/stream tunnel under the Timberlea Village Parkway. This will entail a realignment and naturalization of the stream in this area.

Referring to the green area bordering Nine Mile River, it was noted that HRM is working to acquire more parkland. The lower portion of the green strip is privately owned. The Chair referred to the benefit of writing into the development agreement the need to maintain a 100' (30 meters) undisturbed area from the high water mark which would be more effective than inclusion in a covenant.

In answer to a query from the Chair, Ms. Cantwell noted that construction would begin no earlier than the fall of 2002.

The consultants were asked if it is the intention to test the outlet areas of the site. The Board was assured that EDM has Project Managers responsible for maintaining the integrity of the concept. They plan to hire an aquatic scientist.

The Chair complimented the consultants on the document provided.

Mr. Mandaville noted that as he expressed at Council, this is the best planned development he has ever seen.

Mr. Dickey was questioned on whether the Sedimentation and Erosion Control Plans for each phase of the development, including the golf course will come back to the Board for review. He confirmed this will be the case. He noted that if the measures being proposed are not found to be effective, remediation is required and/or changes made to the program.

While in support of coming back to the Board for review of each phase, Ms. Cantwell noted that the consultants' biggest issue is timing. The turnaround time can be very short. She assured the Board that their input was valued and wondered how the Board could work with the consultants so timing does not work to their disadvantage.

The Chair assured the consultants that in instances like this where there are obvious good intentions, recommendations are formulated by the Board the night of the meeting.

Mr. Regan questioned what the EDM had in mind regarding burning. Mr. Dickey indicated that he had neglected to address this issue. He referred to the Fire Services' intention to stop the issuance of Burning Permits. Ms. Cantwell indicated that they already have their Burning Permits. She illustrated how they are dealing with the trucking of materials to an area distant from existing homes to be stockpiled and burnt. She noted that the disposal of stumps can be difficult to deal with.

In answer to a query regarding whether the golf course will be sodded or seeded, the Board was advised that a combination of sodding and seeding is proposed.

Mr. Regan referred to complaints of dump trucks exiting new developments having dirt coming off their tires. Ms. Cantwell indicated that this issue had not been addressed. It was noted that the Dartmouth Lakes Advisory Board have recommended methods to reduce the amount of dirt leaving construction sites from trucks.

The need to try to protect the Western Common from runoff from the site was stressed. The members' attention was drawn to sites 6, 7 and 8 of the handout. The Chair felt this will be addressed as part of the Erosion and Sedimentation Control Plan.

Dr. Ray expressed concern regarding the effects on water courses of pesticide from the golf course in five to ten years time. He questioned what plans they had for pesticide management. He noted that a lot of water bodies could be affected by this development when pesticide laced run off enters the marine environment. Reference was made to the fish in Governors Lake as an example.

Ms. Cantwell indicated she did not have an answer tonight. She noted that they have agreed to follow the HRM Pesticide Bylaw. She felt a Pesticide Management Plan needs to come back to the Board for review.

Dr. Ray questioned how long the proposed water testing will continue. Mr. Dickey indicated it has not been specified. It will be up to the Board to determine the period the various out falls are to be monitored. He noted the Development Agreement requires the golf course development to prepare an integrated golf course management plan. He hoped the Board might provide some comments on it. The problems associated with pesticide and fertilizer use are recognized.

Ms. Cantwell noted that the Turf Management Plan will list products to be used.

The Chair asked Ms. Cantwell when the Turf Management Plan would be available. She noted that the development will not likely start for a year and the plan would be available subsequent to that.

Reflecting on earlier concerns expressed by Dr. Ray, Mr. Mandaville noted there is an association of golf courses in Nova Scotia. They are to come up with a plan to hopefully cut down on pesticide use. He also noted that the Department of Environment is taking action in this regard which is a very positive development.

Ms. Cantwell reflected that there are associations such as the Audubon Society which focuses on habitat and the Evergreen Association whose focus is pesticide use. The Chair questioned whether it is the intent for the development to meet the standards of one of these

organizations. Ms. Cantwell indicated this has not yet been decided.

Mr. Regan expressed concern that some of the brooks might be destroyed. Ms. Cantwell assured the Board there is no intent to destroy any brooks. In the event a brook has to be destroyed, Mr. Regan requested that he be advised of this fact. Mr. Regan referred to need to have a fish ladder constructed over the dam at Big Indian Lake. In the event a brook has to be destroyed and compensation is required, it might be used for this purpose. Even in the event there are no fish in a stream, it is a habitat. Reference was made to the no net loss of habitat. Ms. Cantwell reiterated that because of the culverts being installed everywhere, there is no fish habitat. It is the intention of the developer to fix situations at their end.

Referring to page 8, last paragraph which deals with wet areas, Mr. Regan was under the impression that boggy areas would be dug up and made into ponds. Ms. Cantwell explained which areas are to be left as is.

Referring to sewage treatment plants, Mr. Regan indicated he would hate to see a development of this size not have tertiary level treatment. The Chair noted that the treatment plant is located above the HRM parkland and if they ever wished to put in a beach it would be downstream of the effluent release location. Mr. Dickey indicated the Recreation staff don't consider this a suitable place for a beach. He indicated that the engineer, Peter Duncan, is looking into aspects of sewage treatment, as it will affect Nine Mile River and the potential need to upgrade the plant, as it has limited capacity. As a result, only nine hundred (900) units can be developed initially. He understands that a new or expanded plant would have to be upgraded to tertiary.

Mr. Mandaville referred to different levels of tertiary treatment as it relates to the use of effluent being used for golf course irrigation. Reference was made to the use of alum in the process, the pros and cons. The Chair referred to other options. He noted that the Board will likely make a recommendation in this regard. It is recognized that this is not an issue for the developer but HRM.

Mr. Regan indicated he would like to see the 100' (30 meter) non-disturbance zone along Nine Mile River turned over to the HRM. Mr. Dickey indicated that it has been agreed that the lands in question will remain in private ownership. He recognized that there will be a requirement for strict monitoring by HRM.

All in all, Mr. Regan felt the proposal reflected a lot of good things.

In closing, the Chair advised the consultants that the Board will be formulating its recommendations in due course. He complimented them on the documentation provided to

the Board and their initiatives to maximize ground water infiltration.

Due to the time frame, it was decided to postpone developing recommendations until the January 2002 meeting.

**3.0 BUSINESS ARISING FROM MINUTES (cont'd)**

**3.1 ASHBURN GOLF COURSE EXPANSION - BASELINE WATER QUALITY TESTING - UPDATE ON PROGRESS**

It was suggested this item be deferred in the absence of Ms. Corser. Mr. Mandaville noted there appears to be a lot of confusion associated with the testing. He provided an overview of what has taken place to date. In his overview he referred to a letter dated February 1998 to HRM, attention Ms. Maureen Ryan, copied to Dr. Stobo to which the test results were attached. He has advised Ms. Corser of this correspondence. He referred to discussions Ms. Ryan had with Richard van Ingen, the Sackville Rivers Association representative on the Board. He noted that the Board subsequently decided to ask for the testing to be redone so phosphorus is measured properly. The Chair referred to the response from HRM that had been no sampling as no construction had commenced. It was felt this response was inappropriate. It was felt that the matter will have to be readdressed through Ms. Corser.

**3.2 GLEN ARBOUR - DATA FROM JACQUES WHITFORD SAMPLING**

In the absence of Ms. Corser a message was relayed by Mitch Dickey through the Secretary. Ms. Corser advised that she has yet to receive the data. The data was to be provided to Dr. Blouin first. She was unable to confirm it has been received by Dr. Blouin. She expects its receipt to be imminent. The item was to be transferred to the Status Sheet.

A discussion followed on an e-mail of Mr. Mandaville's regarding the ability of the Halifax branch of Jacques Whitford to conduct certain aspects of testing.

**3.3 SEAFORTH INFILLING**

It was conveyed to the Board that Susan Corser has been trying to contact Glen Warner, Department of the Environment. She has provided him with background information, but he has not got back to her. She suggested that someone on the Board may wish to follow-up. Dr. Stobo volunteered to contact Mr. Warner. The Secretary will provide him with the telephone number. Hopefully a report will be available for the January meeting.

**3.5 BEDFORD/WENTWORTH ESTATES MASTER PLAN**

Mr. Mandaville gave the Board an overview of its involvement with this area starting in January 2000. He recalled the Board discussing the whole master plan, during meetings in March, April and May 2000. As a result, recommendations were made by the Board. He referred to an Information Meeting held last Monday on the Master Plan. Several members of BWAC were in attendance. He advised the members that Clayton Developments are putting together the project. He expressed concern that Clayton Developments are not addressing the Board's recommendations. He acknowledged that the Master Plan being proposed is different, but the Board's recommendations would apply. Mr. Mandaville brought this up at the meeting, but was cut off. Mr. French interceded on his behalf. Councillors Goucher and Whalen expressed concern. He provided a copy of the recommendations to Councillor Whalen. He concluded that a lot of scientific recommendations are not being followed.

The Chair expressed concern as to whether the project will be brought to the advisory boards for input. Mr. Mandaville indicated that Mr. French indicated to him that the advisory boards would be consulted.

It was felt that Ms. Corser should be asked to follow-up to ensure that the Master Plan will come to the Board and the recommendations previously submitted are provided to Clayton Developments to be taken into consideration in the development of their proposal.

### **3.6 MEMBERSHIP**

The Board was advised that Tom Mills, SWEPS, has confirmed that SWEPS wishes to continue to have representation on the Board and Dr. Stobo would continue to be their representative if he so desired.

A similar response was received from Mr. MacKnight of the Shubenacadie Canal Commission. It was indicated that Mr. Manchester was to continue as their representative.

### **4.0 NEW BUSINESS (cont'd)**

#### **4.2 CASE 00403: APPLICATION BY NOEL FREDERICKS TO AMEND THE EXISTING DEVELOPMENT AGREEMENT FOR 1250 SACKVILLE DRIVE TO PERMIT THE EXPANSION OF THE USED CAR DISPLAY COURT**

C Memorandum dated December 12, 2001 from Andrew Bone, Planner re the above case.

Although Mr. Regan indicated he had attended the Public Meeting on this application, in the absence of Mr. Bone, the item was deferred. Although Mr. Bone had asked for the application

to be placed on the next agenda, he may have not known a meeting was being held in December.

**5.0 CONCEPT PLANS**

None.

**6.0 DATE OF NEXT MEETING**

The next regularly scheduled meeting is Wednesday, January 16, 2002.

**INFORMATION ITEMS**

1.0 Letter to Mayor Kelly re infilling.

2.0 October 10, 2001 approved **minutes of BWAC** circulated at the meeting. Reference was made by Mr. Regan to a fish way (ladder) proposed at the Paper Mill Lake dam in association with the Mill Cove item 6.2. He is trying to get fish ways constructed at the Kearney Lake and Quarry Lake dams as well. From discussions with Mr. White, who is also a BWAC member, it was felt that it might be worthwhile setting up a sub-committee to address the situation. It was noted that Quarry Lake falls within the Board's jurisdiction.

Mr. White explained how this relates to the subject of infilling of Moirs Pond, Mill Cove and the desire of the Annapolis Group to divest themselves of the dams. He referred to the condition of the dams and the fact that they have outlived their use, but the municipality does not want to take them over. He noted that more discussion of this matter took place at BWAC's December meeting.

The Chair questioned Mr. White on whether BWAC has written a letter offering advice or provided a recommendation on action. Mr. White indicated they have not, but the matter is likely to be addressed once again at their January meeting.

Mr. Mandaville referred to the long history of the dams and the fact that Al McIver had brought the subject up previously. He felt the Board should accept Mr. Regan's recommendation and set up a sub-committee, with Mr. McIver a member.

The Chair was hesitate to take the lead on this matter. He felt the minutes, copies of which will be provided to the BWAC members, should reflect the Board supports the idea of upgrading the dams and fish ways. The Board will follow BWAC's lead in this

regard and if they wish to set up a subcommittee, the Board would participate.

Referring to the reference to trails in the **DLAB minutes** of October 24, 2001, reference was made to the proposal to extend the Shubie Trail System up the west side of Lake Charles/Lake William referred to under item 2.4, second bullet.

**3. MEETING SCHEDULE**

The December 13, 2001 version was circulated at the meeting. Mr. Mandaville asked the members to add to their schedule a meeting of the Nova Scotia Institute of Science, the first Monday of February. They will be dealing with the subject of lake water quality. Mr. Mandaville will be one of the panel members. Details will be e-mail by Mr. Mandaville.

**4. STATUS SHEET**

During review of the Status Sheet it was felt that the following items could be deleted:

- C Subcommittee on Parameters for Water Quality Testing (a submission has been made to Dr. Blouin to which was attached BWAC's response - no response received from DLAB) - See information item 6.
- C Membership
- C Bennery Lake Watershed - Reference was made to the information report provided as information item 8 and the fact that Glen Williams is the Board's representative on the Management Board.
- C Petpeswick Golf Course Stormwater & Erosion Assessment
- C Infilling of Marshes - refer information item 1

Ashburn, discussed under item 3.1 - Susan Corser to follow-up with Maureen Ryan and Paul Dunphy. The Board feels resampling has to be done.

**5. REZONING APPLICATION ON ROSEWOOD AVENUE**

Copies of a report and letters regarding the rezoning application provided.

**6. LETTER TO TONY BLOUIN RE WATER RESOURCE MANAGEMENT STRATEGY**



Copy of correspondence provided. Relates to the item on the Status Sheet re subcommittee on Parameters for Water Quality Testing.

7. **BY-LAW W-101 RESPECTING THE DISCHARGE OF WASTEWATER INTO PUBLIC SEWERS**

Copies of Information reports to Regional Council provided.

8. **BENNERY LAKE WATERSHED PROTECTED WATER AREA**

Information Report and Terms of Reference and Regulations provided.

9. **PAPER MILL LAKE AND OTHER WATERCOURSES**

Copies of a flyer circulated by the Paper Mill Lake Advisory Committee dated November 2001 provided.

10. **REVISED MEMBERSHIP LIST**

Changes required to the term expiry dates for Dr. Stobo and Mr. Manchester.

11. **TERMS OF REFERENCE**

Copies of the revised terms of reference to reflect the recent decision of Harbour East Community Council regarding the jurisdiction of the DLAB were provided. A footnote had been added by Ms. Corser.

10. **NEWSPAPER ARTICLE**

When conveying his regrets for today's meeting, Mr. Dwyer referred to a newspaper article which appeared in the December 9<sup>th</sup>, 2001 issue of the Sunday Herald re "Policy proposed to protect wetlands" for New Brunswick. The policy would restrict development in wetland areas or on sites that fall within 30 meters of a wetland bigger than one hectare. Copies circulated at the meeting. Mr. Manchester suggested it be sent to the Mayor.

11. **NOVA SCOTIA'S WILDLIFE HABITAT AND WATERCOURSE PROTECTION REGULATIONS BROCHURE**

Copies of the above noted brochure from NS Natural Resources provided by Mr. Regan. Mr. Regan explained that the handout was associated with the new forestry regulations. The regulations only pertain to forested lands. He stressed the use of the word "Regulations" not Guidelines.

**7.0 ADJOURNMENT**

Meeting adjourned at 9:30 p.m. The Chair noted that recommendations will be developed on Cases 00317 and 00265 at the next meeting. He encouraged the members to consider their comments and bring their materials to the January meeting.

**NEW MEETING LOCATION**

It was also noted that the January 2002 may be the last meeting of the Board to be held at the Dutch Village Road location. Several alternative locations were identified to the members, i.e. the Keshen Library, Clayton Park West; Fairbanks Centre, Dartmouth; the Spicer Building, Dartmouth, etc. The members will be canvassed on their preference once a list of options has been provided to the Secretary.

Lynne Le Boutillier  
Assistant Municipal Clerk