

MARINE DRIVE, VALLEY AND CANAL COMMUNITY COUNCIL
MINUTES

July 23, 1997

East Preston Recreation Centre
24 Brooks Drive, East Preston

PRESENT: Councillor David Hendsbee, Chair
Councillor Gordon R. Snow
Councillor Bill Dooks

STAFF: Stephen Smith, Planner
Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

The meeting was called to order at 7:00 p.m. with an invocation.

2. APPROVAL OF MINUTES

MOVED by Councillors Snow and Dooks that the minutes of the June 25, 1997 meeting be approved as circulated. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

MOVED by Councillors Dooks and Snow that the Order of Business be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. PUBLIC HEARINGS

8.1 File No. DA-LM-04-96-03 - Application by John Crawley to enter into a development agreement to permit a wood sawmill in East Preston

Mr. Stephen Smith, Planner, with the aid of overheads and slides, presented the staff report outlining the proposal.

Councillor Snow expressed concern with smoke from burning. Mr. Smith advised there is provision for closed container burning but no open burning is permitted.

In response to Councillor Hendsbee, Mr. Smith advised the Department of the Environment has not made any ruling with regards to burning.

Councillor Hendsbee referenced drainage and asked if the applicant would be obliged to

place crushed rock in the ditch to keep it clear of vegetation to protect against the slowing of water flow. Mr. Smith advised there is no specific requirement in the development agreement to do that other than stating that the applicant must maintain the ditch.

Councillor Hendsbee noted the development agreement puts restrictions on the hours of operation and asked how these restrictions would be imposed. Mr. Smith advised Mr. Crawley would be in violation of the development agreement and the development officer could take steps to ensure the provisions are adhered to.

In response to Councillor Hendsbee regarding dust control requirements, Mr. Smith advised there are no specific requirements in the development agreement but the development agreement provides for a gravel driveway.

Speakers in favour

No speakers came forward.

Speakers in opposition

- Community Council was in receipt of correspondence from Mr. Avery Crawley in opposition to the development.

Mr. Avery Crawley, 2190 #7 Highway, addressed Community Council speaking in opposition to the application stating his main objection is with regards to drainage from the site advising prior to the development of the site he had not experienced drainage problems. He also expressed concerns with depreciation in the value of his home stating he feels bylaws and building codes have been ignored in the erection of this building. He further stated the noise from the operation of the sawmill will take away from the quiet enjoyment of his property. He presented a drainage plan, advising drainage problems were not in existence before the sawmill was erected.

In response to Councillor Snow, Mr. Crawley advised the sawmill property, before it was developed, was at a lower elevation than his property.

Councillor Dooks asked to what extent the drainage problem has been reviewed and questioned whether the problem was because of the mill, stating this needs to be determined.

Councillor Hendsbee stated the letter from Mr. Avery Crawley outlines investigations which he has undertaken to review his drainage situation. He noted the Department of Highways has recognized that runoff from the highway caused some of the problems with water getting onto Mr. Avery Crawleys property and they have taken measures to correct

that with a reditching in the front as well as putting in a culvert to make sure that water is taken away from the property. He stated there was inconclusive information to show whether the previous drainage was before the property was back filled.

In response to a question from Councillor Hendsbee as to whether the ditch will be deep and adequate enough to stop flooding, Mr. Smith advised Environmental Services were on site and felt it was adequate in terms of depth and width to take care of the drainage concerns.

Mr. John Crawley stated there is a ditch on either side of the driveway.

In response to Councillor Hendsbee regarding the placement of a ditch between lots D and C, Mr. Avery Crawley advised this would help alleviate the problem.

In response to Councillor Dooks, Mr. Avery Crawley advised approximately three inches of water comes into his basement.

Councillor Hendsbee stated he would like to ensure that the ditches are adequate and maintained such that the water is not obstructed from flowing away.

In response to Councillor Hendsbee, Mr. Smith advised a drainage plan could be requested and attached as part of the development agreement.

Councillor Snow stated referenced the problem of dust control and stated there should be provision for dust management. He also expressed concern with the burning of sawdust and the resulting smoke. He suggested that there be provisions for no on site burning and a dust control plan.

Mr. John Crawley advised he would not be burning sawdust but rather debris, such as limbs, to keep the property cleaned up.

Councillor Hendsbee suggested that the agreement be amended to include a drainage plan, requirements for dust management control and a limitation on burning.

Ms. Elizabeth Crawley expressed concern with fumes from the diesel engines.

Councillor Snow suggested a stack be put on the mill to decrease the amount of fumes.

Mr. Avery Crawley advised the sawmill was constructed in violation of the building code and no building permits had been issued.

Councillor Hendsbee advised the sawmill is compatible with the land use bylaw for the

area and the zoning allows for a number of mixed uses such as commercial, residential and agricultural.

Councillor Snow stated he would like to see a six foot fence erected across the abutters property along the baseline behind lot D and/or lot C within the next two years.

MOVED by Councillors Snow and Dooks that the public hearing close. MOTION PUT AND PASSED.

Decision of Council

MOVED by Councillors Snow and Dooks that the application by John Crawley to enter into a development agreement to permit a wood sawmill in East Preston be approved with the following amendments: 1) a certified drainage plan be provided; 2) provision for dust management controls; 3) limitation on burning; 4) a stack be placed on the mill and 5) a six foot fence within two years along the baseline of lot C and/or D. Further, that the Marine Drive, Valley and Canal Community Council require the agreement to be signed within 120 days from the date of final approval by said Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods. Otherwise, the approval will be void and obligations arising hereunder shall be at an end. MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

Councillor Hendsbee advised correspondence had been received from the Mayor in response to a letter from the Community Council regarding area rates.

Community Council agreed to receive the correspondence for information.

10. REPORTS

10.1 Mooseland Road/Moose River Road - Name Change

Mr. Barry Prest, Mooseland, addressed Council advising that the road that runs from Highway #7 right through to Highway #224 is called the Moose River/Mooseland Road which has caused problems with 911 calls. He stated they are recommending that the section of road from Highway #7 to the stop sign at Moose River be called the Mooseland Road and the road from Highway #224 to the intersection be called the Moose River Road.

MOVED by Councillors Dooks and Snow that the request for the name change go

forward to the Department of Transportation and appropriate signage be posted.
MOTION PUT AND PASSED.

MOVED by Councillors Dooks and Snow that a letter be sent to the Minister of Transportation, with a copy to the Premier asking that the seven kilometres of highway on the Mooseland road be paved. **MOTION PUT AND PASSED.**

11. MOTIONS - NONE

12. ADDED ITEMS

Councillor Dooks advised Mr. Jack Purcell has contacted him and would like to serve on the Planning Advisory Committee.

Community Council agreed to Mr. Purcell being appointed as a member of the Marine Drive, Valley and Canal Planning Advisory Committee.

13. NOTICES OF MOTION - NONE

14. PUBLIC PARTICIPATION

Mr. Paul Pettipas referenced the May 28, 1997 meeting and asked if a request could be made to staff for an update on the status of the interchange at the intersection of the Cobequid Road and the Bi Centennial Highway.

15. ITEMS FOR NEXT AGENDA

1. Crosswalk - Upper Musquodoboit - Councillor Dooks
2. Crosswalk - Waverley - Councillor Snow
3. Crosswalk - North Preston - Councillor Hendsbee

16. NEXT MEETING

The next meeting is scheduled for August 27, 1997, 7:00 p.m., at the Mooseland Fire Hall.

17. ADJOURNMENT

MOVED by Councillors Dooks and Snow that the meeting be adjourned at 9:30 p.m.
MOTION PUT AND PASSED.

Julia Horncastle
ASSISTANT MUNICIPAL CLERK