

**WEST HANTS PLAN REVIEW**  
**Public Review Meeting**  
**Brooklyn Fire Hall**  
**June 28, 2007, 7:00 p.m.**

**PRESENT:** Chair Shirley Pineo  
Warden Richard Dauphinee  
Councillor Reed Allen  
Councillor Randy Matheson  
Councillor Tom Brown  
Councillor Anne MacDonald  
Councillor Gloria Shanks

**STAFF:** Lynn Davis, Director of Planning  
Jane Sodero, Senior Planner  
Tracy Robinson, Planning Technician  
Velma Macumber, Administrative Assistant

**REGRETS:** Deputy Warden Gary Cochrane  
Councillor Rick Gaudet  
Mr. John Shanks  
Ms. Traci Curry

**Members of the Public:** 35

**Welcome and Introductions**

Chair Pineo welcomed the members of the public and introduced Councillors and staff.

**Presentation of proposed Municipal Planning Strategy and Land Use By-law**

Ms. Davis explained the purpose of the meeting was to present drafts of the proposed Municipal Planning Strategy and Land Use By-law. Ms. Davis stated this is the seventh and final meeting. The documents are draft only and have not been approved by Council. The Planning Advisory Committee is seeking comments from the public. Once the community meetings have been completed, PAC will be reviewing those comments to decide how to proceed. Ms. Davis stated that assuming the draft planning documents move forward to the formal adoption process, a public hearing will be held so the public will have another chance to give comments. Ms. Davis asked the members of the public to submit any questions or comments by the end of July.

Ms. Davis gave an hour long Power Point presentation explaining the designations established by the MPS, and the zones within each designation and the process for rezoning and development agreements to allow different uses.

The meeting recessed at 8:05 p.m.

The meeting reconvened at 8:25 p.m.

### **Questions and Comments from public**

Muriel Aker asked what the difference was between a trailer, mobile home and a mini home. Ms. Davis reviewed the definitions and advised that a mini home has a pitched roof and is not transported on its own frame while a mobile home has a bow-truss roof and is designed for transportation on its own frame. Ms. Aker asked if mobile homes were segregated from mini homes. Ms. Davis advised that the planning documents are more restrictive about where mobile homes can be placed in the Municipality but existing mobiles are grandfathered. Ms. Aker asked why there are restrictions on mobile homes. Ms. Davis advised that people often express concern about mobile homes, but feel mini homes are more acceptable. Ms. Aker asked if she could place a mobile home on her property in Ellershouse. Ms. Davis stated that mobile homes are permitted in Ellershouse. Ms. Aker asked how long it would take to get a permit. Ms. Davis advised that a permit is normally issued in a few days as long as all information needed by the Development Officer is submitted with the application including an approval by the Department of Environment for on-site septic system, and an approval by the Department of Transportation for driveway access.

Jean Chambers asked if water and sewer services were to be provided in Brooklyn. Ms. Davis advised that under the new planning documents, the Municipality would not provide municipal water and sewer services outside the Growth Centres, so these services would not be provided in Brooklyn. Ms. Davis stated that the planning documents are still drafts and have not been approved by Council yet as they are seeking comments on them. Ms. Chambers expressed concern about the Municipality providing municipal services and the cost being included in their taxes. Ms. Davis advised again that if Council approves the planning documents, municipal water and sewer will not be provided in Brooklyn. Ms. Chambers stated she did not want municipal water and sewer services. Ms. Davis suggested Ms. Chambers write a letter to the Committee advising of her position.

Muriel Aker advised that she was happy with the way things are now and she is not in favour of municipal services.

Jean Chambers stated she was against municipal water and sewer services.

Peter McClare asked if quarries are under provincial jurisdiction and if that meant setbacks could not be controlled. Ms. Davis advised that mining is a provincial matter and he was correct that the Municipality has no control over setback requirements for mining operations.

Peter McClare asked about land banking for agricultural land. Ms. Davis noted that the Province's interest statement says that municipal planning documents must identify good agricultural land and identify ways of protecting it. Ms. Davis advised that the draft planning documents propose extending agricultural zoning to areas that do not have it now. This includes the area from the Kennetcook River up to Cogmagun River, the Scotch Village area, and extending out along Highway 14 toward Martock and Windsor Forks. The agriculture zoning applies to good agricultural land and active farms. Mr. McClare asked if agricultural land was determined by soil quality. Ms. Davis advised that it is based on soil quality using the Canada Land Inventory Agricultural Capability Mapping and active farms.

Margaret Brown stated she was satisfied with no municipal water and sewer services in Brooklyn. She expressed concern since she lives on a corner lot, and if services were provided does that mean she would be responsible for the costs of pipes on both Highway 14 and Highway 215. Ms. Davis advised that normally, a person would be responsible for the road frontage. Chair Pineo advised that the Municipality has different ways of addressing it, sometimes it is road frontage and other times it is per lot. She stated that when the Municipality was looking at Brooklyn, she believed it was per lot.

Hilda Dimock asked whether Brooklyn would qualify for provincial or federal infrastructure funding because it is designated a Village. Ms. Davis advised that the existing planning documents state the same as proposed now, municipal services would only be provided in Growth Centres and not in the Village. Ms. Dimock asked if the designation could be changed so Brooklyn could qualify for infrastructure funding. Would Brooklyn qualify with the status it is now? Ms. Davis advised that Brooklyn would not qualify with the status it is now in these documents. Ms. Dimock recommended that Council change the designation so Brooklyn could qualify. Ms. Davis advised that the results of the studies had shown that the costs are unaffordable to the residents.

Garnet Davison noted that the planning documents provide for protection of agriculture in Upper Falmouth, but the area outside Brooklyn is not too well protected. He also asked about the protection of forestry, wetlands, and watercourses. Mr. Davison expressed concern about the potential for pollution with cottage development. He suggested extending the boundaries of Falmouth and Three Mile Plains so people can build homes in these areas. Ms. Davis agreed there is not much protection for forest land. She referred to a provision in the Municipal Services Manual that places a limit of 1,200 ft on the length of a dead-end road in an unserviced area. Ms. Davis noted that this provision has limited the construction of new roads in resource areas. She stated that the Committee will be looking in detail at the issue of protecting watercourses after the Plan Review is completed.

Sandra Ettinger stated that she liked the way things are now, meaning no municipal services. Marguerite Walsh agreed with Ms. Ettinger.

Bob Chambers stated he was happy with the way things are now too. He asked about the time line for the proposed planning documents to come into effect. Ms. Davis stated that after tonight's meeting, the seven community meetings will be finished, and the Committee will review all the comments made and decide how to proceed. Ms. Davis said that the Committee hopes to get things wrapped up this fall, but there is no guarantee.

Barry Bruce-Payne suggested to the Committee to evaluate where a future water supply can be found and to limit development in that area. Chair Pineo advised that the Municipality has been constantly over the last five or six years looking for water for the area of Brooklyn and has been unsuccessful.

John Miller stated he was satisfied with the way things are now with no municipal services. Mr. Miller expressed concern about the Department of Transportation road parallel to Highway 101. He noted that power lines have been put up and believes it is the beginning of commercial or residential development. Mr. Miller stated until this winter the road was a dead-end road. He asked if the Municipality had a mandate about roads that run from one municipality to another. Ms. Davis advised that any new private or public roads would have to meet the Municipality's requirements for roads being used for subdivision purposes. Ms. Davis stated it was her understanding that the Department of Transportation service roads are only being used for

access to the properties and they are not intended for development purposes. Mr. Miller advised that the road borders West Hants and East Hants. He asked if this area would be protected from development from East Hants. Ms. Davis advised that on the West Hants side it is zoned General Resource which does allow development but it has to be approved by the Municipality of West Hants. Development cannot be prohibited, but it is development with large lot sizes; 150 ft. road frontage with a minimum lot size of 40,000 sf., and services are not provided.

Garnet Davison expressed concern about high density development of the area by East Hants, and asked if there was any protection from this happening. Ms. Davis advised that the Department of Transportation does not intend the access road to become a main road. Warden Dauphinee commented that woodlot owners use the service road.

Peter McClare asked if the minimum lot area of 40,000 sf. was the smallest lot size in West Hants. Ms. Davis stated in serviced areas there can be smaller lots. She also advised that within the residential zone of the Hamlets, the minimum lot size is 29,000 sf. but a larger lot could be required to meet the Department of Environment's requirement for on-site septic systems. Peter McClare asked if a small existing farm could expand to an intensive livestock operation, if it does not meet the current setback requirements. Ms. Davis advised that every situation has to be looked at individually, but if going from a small scale livestock operation to an intensive livestock operation, it would be required to meet the separation distances. However, in the proposed documents, reduced separation distances can be considered if an agricultural engineer assesses the site for potential of pollution risk. Mr. McClare asked if someone had a business plan in the works for expansion of their operation, if there was any way to prevent new development from locating immediately next to their fence line. Ms. Davis advised that it would be based on whoever gets there first and then you look at what the existing use is. Mr. McClare said he thought some farmers were looking for bigger setbacks because development was impeding their ability to expand their farm operations. Ms. Davis advised that a few years ago, when a public meeting was held to present the first draft of the agricultural policies, the policies were more protective of agricultural land. A new residential lot was required to have 300 ft. road frontage and 3 acres of land. However, the minimum requirements have been reduced in these documents to 150 ft. road frontage and a minimum lot size of 40,000 sf. Mr. McClare stated he was hoping for larger lot size requirements in agricultural zones.

Muriel Aker asked why a large wind turbine was only permitted for two years. Ms. Davis advised that this requirement deals with exploration or test wind turbines. Ms. Aker asked if anyone could have one on their property. Ms. Davis advised that there are concerns with noise and shadows so there are requirements for minimum lot size and setbacks.

Ron Thorpe asked about subdivision of agricultural land zoned AR-2 and AR-3 for residential development. Ms. Davis advised that a single family dwelling can be constructed on a smaller lot with 150 ft. road frontage and minimum lot area of 40,000 sf. Mr. Thorpe asked about the 300 ft. frontage requirement for the remainder lot if it was to be used for agricultural land. Mr. Thorpe asked how road frontage is measured if the land is not flat. Ms. Davis advised that a surveyor calculates the road frontage.

Ron Thorpe asked about public consultation if off-highway vehicle courses are considered by development agreement. Ms. Davis advised that there would be a public hearing with neighbours within 300 ft. of the subject property being notified by mail of the date of the hearing. Ms. Davis advised that the requirement of 300 ft. is a standard requirement for any

rezoning or development agreement. An ad is also placed in the Hants Journal for two weeks advertising the public hearing.

Discussion was held about the 1,000 metre setback for off-highway vehicle courses, and the concerns of noise. It was suggested that neighbours within 1,000 metres be notified.

Laurie Reid stated she is the one who wished to start the off-highway vehicle track in Greenhill. She advised that she and Andrew Connolly have been dealing with noise in the past year. Ms. Reid advised that there is a new product on the market called DBDawg which is inserted in the tail pipe of the bike. There were two informal tests conducted and the results were good. Mr. Connolly was satisfied with the reduction of noise. Ms. Reid advised that she had been in contact with Mr. Connolly and if anyone has concerns about the noise they can call him.

Hilda Dimock stated that it was her understanding that when a water and sewer study was done for Brooklyn it was prepared as a user pay system, so if a person is in that zoned area then it would be those people paying for it. Ms. Dimock asked the Committee to consider that the people who made comments at this meeting do not live in the area most affected.

Ron Thorpe commented that he felt that because there are developments restrictions in Three Mile Plains and Falmouth near the watershed area, that the property owners should be compensated. Ms. Davis advised that all three of the water supply areas have Watershed Advisory Committees which consist of landowners, Councillors, municipal staff, and representatives from the Department of Environment and Natural Resources. The provisions of the zone proposed are something that the landowners agreed on. Ms. Davis noted that the landowners are great stewards of the watersheds, and they work very hard with the Committees to try to protect the watershed. Ms. Davis advised that compensation is not possible.

Peter McClare expressed concern about allowing new development when there is a limited water supply. Ms. Davis advised that one way of dealing with this is creating larger lot sizes that limit how much development occurs. She stated that the Municipality cannot prohibit subdivision on the basis that there is an inadequate water supply. Municipalities have approached the Province in the past for legislative amendments to allow municipalities to require someone who subdivides to have a hydrology study done that examines the water supply to ensure new developments will not affect existing residents' water supply. Mr. McClare expressed concern about the water supply in his area diminishing due to development. He asked if there were any requirements for large developments to protect the water in the area. Ms. Davis advised that at this point, the Municipality does not have opportunity to assess it. One way that it could be addressed, but only if the person has to do a rezoning or development agreement, is to put a provision in the MPS that requires a water supply study.

## **Adjournment**

The meeting adjourned at 9:20 p.m.