



Planning Review Adjustment Committee

Tuesday, July 25, 2023

6:30 PM at Simonds Fire Hall, 184 Range Road, Saint John

Minutes of the meeting of the Planning Review Adjustment Committee of the Fundy Regional Service Commission held on Tuesday, July 25, 2023 at 6:30 PM at Simonds Fire Hall, 184 Range Road, Saint John.

1. Call to Order

The Vice-Chairperson, John Cairns, called the meeting to order at 6:32 p.m.

2. Record of Attendance

John Cairns (Vice-Chair)

Shawn Brown

Bernard Brideau

Rob Jeffrey

Ron Bridges

Gregory Moran

Cindy MacCready

Staff

Nick Cameron, Development Officer

Cassie Silhanek, Recording Secretary, FRSC

3. Approval of Order of Business

Motion: To approve the July 25, 2023, Agenda as circulated.

Moved: Shawn Brown

Seconded: Bernard Brideau

Vote: *Motion Carried*

4. Disclosure of Conflict of Interest

None

5. Approval of Minutes

Motion: To approve the June 19, 2023, minutes as circulated.

Moved: Rob Jeffery
Seconded: Ron Bridges
Vote: *Motion Carried*

6. Presentation of Applications

a. Subdivision on a private access (type II subdivision) – PID 30077259 – 10 10 Turtle Lane in Upper Golden Grove, Fundy Rural District

Applicant: Dylan and Jamie Walsh (represented by Tim Walsh, father)

Request:

To subdivide a portion of 10 Turtle Lane in Upper Golden Grove, Fundy Rural District to create one new building lot (lot 23-1) which would be accessed from Upper Golden Grove Road. The remainder of the property (remnant) would be accessed by a private right-of-way (private access) over lot 23-1, which follows an existing driveway currently in use. The remnant has an existing dwelling occupied by the applicant.

Staff Report: Presented by Mr. Cameron.

Letters Received: None.

Staff Recommendation:

Whereas the remnant would be accessed by a private right-of-way over an existing driveway with a well maintained surface;

And whereas the private right-of-way accesses the public road at the only available location within the subject property;

And whereas the dimensions of the proposed lot and remnant meet or exceed the minimum dimensions of the Provincial Subdivision Regulation and the Rothesay Parish Planning Area Rural Plan Regulation for unserviced lots;

Therefore, it is recommended that PRAC approve the private right-of-way on the provided tentative subdivision plan of PID 30077259 as being advisable for the development of the land with the following conditions:

1. Legal right of access, whether by deeded right-of-way, conveyance of right of way or other means, must be assured to subsequent owners, assigns, heirs and successors.
2. The access must be suitable for emergency vehicles.
3. The final subdivision plan must include a note, approved by a development officer, advising development along the private right-of-way shall not receive public services, construction and maintenance of the private right-of-way is the responsibility of the owner, and the private right-of-way is not suitable for a public street.

Discussion:

No questions for staff.

Tim Walsh introduced himself as the father of the applicant and clarified that he had originally owned the property and has since given this property to his son (the applicant) with the understanding that his daughter would like to build a house on the land as well. The subdivision of property was anticipated, and the family is aware of the responsibilities and requirements within the report.

A member of the public asked about work trucks that go in and out of the current driveway. Mr. Walsh clarified that it is only his son's work vehicle that comes and goes from the property and there is currently no building being done. This member also mentioned that he would not like to see commercial development. Mr. Walsh clarified that there is no intention for commercial development.

The question was posed by multiple members of the public on where the building would be placed on the subdivided lot. Mr. Cameron highlighted "Lot 23-1" on the tentative subdivision plan and explained setback requirements for the zone.

A clarification was requested by a member of the public on where the current house sits and who owns the driveway? Mr. Cameron showed the current house on the tentative subdivision plan and explained that the driveway is private property owned by the applicant and would be shared as a right-of-way between the two lots if the application is approved.

A member of the public mentioned that there is concern over the civic number or civic address, as they do not want to change their house number. Mr. Cameron explained that Turtle Lane is a private lane name that has been registered with the New Brunswick 911 Bureau to avoid the need to renumber existing addresses on Upper Golden Grove Road.

Motion: To approve staff recommendation.

Moved: Shawn Brown

Seconded: Greg Moran

Vote: *Motion Carried*

7. Next Meeting

August 21st at 6:30 PM in Kingston, venue TBD

8. Adjournment

Motion: To adjourn at 7:11 p.m.

Moved: Shawn Brown

Seconded: Bernard Brideau

Vote: *Motion Carried*

APPROVED (date) August 21st, 2023

[Original Copy Signed]

John Cairns, Vice-Chairperson

[Original Copy Signed]

Cassie Silhanek, Recording Secretary