



## **Regular Meeting**

**Date:** July 15, 2024  
**Location:** Fundy Rural District  
The Hub, 32 Wallace Road, Browns Flat

**MEMBERS PRESENT** John Cairns, Chair  
Ron Bridges  
Samara Carvell  
Cindy MacCready  
Rob Jeffrey

**MEMBERS ABSENT** Shawn Brown  
Bernard Brideau  
Vacant Position

**STAFF** Scott Borden, FRSC Planning Director  
Cassie Silhanek, FRSC Recording Secretary  
Nikhil Naik, FRSC Development Officer

### **Meeting minutes of the Planning Review and Adjustment Committee.**

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#### **1. Order of Business**

##### **1.a Call to Order**

Chair Cairns called the meeting to order at 6:35 p.m.

##### **1.b Record of Attendance**

It is noted that there are 23 members of the public in attendance for this meeting, names and municipality will be recorded if a member of the public chooses to speak.

**1.c Approval of Agenda**

Chair Cairns called for a motion to approve the July 15, 2024, agenda.

**Resolution Number: PRAC-2024-011**

Moved by: Rob Jeffrey

Seconded by: Ron Bridges

THAT the Committee approve the July 15, 2024, agenda as presented.

Motion Carried

**1.d Approval of Minutes**

Chair Cairns gave notice that the meeting minutes would be ratified next meeting.

**1.e Disclosure of Conflict of Interest**

Chair Cairns called for acknowledgement of any conflicts of interest, there were none presented.

**2. Presentation of Applications**

**2.a PID 30148068; 9867 Route 102, Woodmans Point, Fundy Rural District**

Scott Borden, Director of Community Planning, presented the information from the staff report provided to the Committee. The details presented by Mr. Borden regarding this application are laid out in the staff report, including the photographs presented which were included in the staff report appendices.

Cindy MacCready entered the meeting at 6:39 p.m.

Mr. Borden clarified that the Department of Environment and Local Government contact clarified that there is no significant wetland on this plot and that has been corrected.

Chair Cairns opened the floor to the applicant who was given the chance to speak. Collen Dunwoody, the applicant, noted that there is a recognition of the concerns from members of the community, and added that there is no further intention to add or develop a campground or trailer park. Ed DeSaulniers, DeSaulniers Surveys Inc., representing the applicant, spoke that there was little need to add further to the report that Mr. Borden created, but that he was there to answer any questions the committee may have.

Chair Cairns asked for those who are in favour of the application if they have any comments.

Murray Northrup, Rothesay, spoke in favour of the application, as the person planning to purchase the subdivided lot, giving the room an introduction to himself and their intent with the property to the members of the community present. Mr. Northrup added that he plans to follow the rules placed onto the plot of land by this committee.

Chair Cairns asked for anyone opposed to the proposal to speak and opened the floor to those wishing to comment.

John Smith, Fundy Rural District, noted that he is the neighbour to the property being discussed and brought forward his concerns about the lot size, septic and well operation, permitting, impacts to the environment, and safety.

Catherine McLaughlin, Fundy Rural District, spoke as the original land owner of the lands. Ms. McLaughlin spoke about the development of the private access lane explaining that to her knowledge the private access driveway was not listed as a right of way, it is an easement only and there is no legal agreement. Additionally noting that the main care for the driveway has been maintained through the full time residents she expressed a request for the PRAC involvement in the access concern, and on the lot sizes.

Brenda Rathburn, Fundy Rural District, notes that her concerns are around the environment and noise. There is a note about concern for the lot size and concerns about the notification process.

Lynn Jeanette, Fundy Rural District, noted that she is opposed to the property proposal for the access to the property and its future use.

Peter Logan, Fundy Rural District, noted that there is a concern about future limitations on buildings on the property, and concerns about the safety and emergency services access.

Terry Spear, Fundy Rural District, raised concerns about the width of the road, use of the property, and environmental concerns.

Chair Cairns called 3 times for anyone else to present their opposition,

Additions were heard from Mr. Smith, Mr. Spear, and Ms. McLaughlin, who each reiterated their points previously made.

Chair Cairns opened the floor to the committee for comments, questions, or concerns.

Two members of the committee asked for clarifications regarding the information presented by Mr. Borden.

Chair Cairns asked for anyone who hasn't had the opportunity to speak to the proposal to speak, and opened the floor to those wishing to comment.

Mr. Smith, Fundy Rural District, asked about the survey marking the waterline and its measurement, the surveyor answered.

John McLaughlin, Fundy Rural District, asked about the waterline and the year of the assessment, Nikhil Naik, Fundy Regional Service Commission's Development Officer, answered that the year of use is 2018.

On behalf of the applicant, Frederick A. Welsford, with Gorman Nason Lawyers, spoke on the topic at hand including that the committee is only considering the split of the lot, including the access and the legal uses permitted for the land, noting that if the applicant gets what they are requesting, there will be conditions as recommended by the FRSC staff, and permits need to be acquired and approved before it can be developed.

Chair Cairns noted that there is no rural land use plan for the area, and that those in the community should be invested in their new plan. Chair Cairns also noted that the committee can only vote on what is before them.

Tracy Rathburn, Fundy Rural District, asked about how the right of way works with the property, and if PRAC has any control over this.

Chair Cairns asked the committee for any further questions, however, none were noted.

**Resolution Number: PRAC-2024-012**

Moved by: Cindy MacCready

Seconded by: Ron Bridges

Whereas the proposed building lot would be accessed by an existing Private Access appropriate for the intended use.

And whereas the dimensions of the proposed lot and remnant meet or exceed the minimum dimensions of the Provincial Subdivision Regulation.

Therefore, it is recommended that PRAC approve the proposed Private Access as suitable access for Lot 24-1 and Lot 24-2 in the provided tentative subdivision plan of PID 30148068 (prepared by DeSaulniers Surveys Inc., submitted on May 24, 2024) 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. A utility easement shall be shown on any new lots, as requested by NB Power and Bell or other utilities providing services in the area.

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.
4. Sensitive areas such as flood prone areas shall be identified on the subdivision plan, as instructed by the Department of Environment and Local Government.
5. The final subdivision plan must include a note approved by the development officer, advising that any development within 30 meters of a flood prone watercourse is subjected to Watercourse and Wetland Alteration (WAWA) Permit.
6. Authorization of on-site septic is subject to approval from the Department of Justice and Public Safety.
7. Development on Lots 24-1 and 24-2 are subject to Development and Building Permit(s).

Against: Rob Jeffery, Samara Carvell

Absent: Shawn Brown, Bernard Brideau

**Motion Carried (3 to 2)**

**3. Next Meeting**

It is noted that the next meeting is anticipated to be held on August 19, 2024.

**4. Adjournment**

Chair Cairns called for a motion to adjourn at 7:46 p.m.

**Resolution Number: PRAC-2024-013**

Moved by: Ron Bridges

Seconded by: Rob Jeffrey

THAT the Committee adjourn the meeting at 7:46 p.m.

*Motion Carried*

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John Cairns, Chairperson

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Cassie Silhanek, Recording Secretary

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Date