

### **Fundy Albert Council Public Hearing**

To rezone a portion of the property bearing PID 05115621 from Rural Area (RA) to Dwelling Group for the purpose of a 48-unit mini home park.

**Present:**

- Mayor Campbell**
- Councillor Elderkin**
- Councillor Land**
- Councillor Jonah**
- Councillor Coates**
- Councillor Ward-Russell**
- Councillor Garden**

**Staff Present:**            **Kim Beers – Director, Legislative Services/Clerk**

#### **CALL TO ORDER**

**Mayor Campbell** called the meeting to order at 6:00 pm.

#### **CONFLICT OF INTEREST DECLARATIONS**

None declared.

#### **PRESENTATION FROM PLAN 360 - SOUTHEAST PLANNING REVIEW AND ADJUSTMENT COMMITTEE RECOMMENDATIONS**

[Presentation](#) by Caleb Babin and Phil Robichaud, Plan 360 Planners

#### **REVIEW OF WRITTEN SUBMISSIONS**

12 written submission were read for the [record](#).

#### **COMMENTS FROM GALLERY**

**Mayor Campbell** asked those in the gallery if anyone wishes to speak.

Mr. Terry Leblanc, a long-time resident of 41 Marcombe Street, raised multiple concerns regarding the ongoing and future development in his neighborhood:

1. Maintenance Concerns: He criticized the lack of maintenance by MRM, referencing their

historical neglect since they took over the subdivision in the mid-1980s.

2. **Well Water Testing:** He emphasized the urgent need to test the well water, expressing worry about contamination or environmental impact, especially in relation to the planned developments.
3. **Environmental Impact and Sewer Systems:** Mr. Leblanc questioned how the development and sewer systems would affect the underground water system. He noted the plan includes three sewer systems within the park but pointed out MRM does not maintain the current sewer infrastructure.
4. **Zoning Transparency:** He requested clarity and public access to the construction site and zoning plans.
5. **Traffic Safety:** He highlighted severe safety concerns with traffic on Route 114, describing speeding vehicles coming over a hill near the subdivision entrance and citing multiple near-miss accidents.
6. **Future Development:** Leblanc was wary of more industrial or housing developments, particularly a planned mini-home park. He referenced past intentions for the land to be used for standard homes, not mini homes, and raised concerns about a potential new entrance via Petersfield Street.

Ms. Rebecca Davis, speaking on behalf of her family (residing on Tidewater Court with her husband and five children) and several concerned neighbors, addressed concerns about a proposed rezoning application for a 48-unit mini home park near her community. Her key points included:

1. **Safety Concerns:**
  - She highlighted that children currently cannot walk safely from Tidewater to local businesses due to traffic hazards.
2. **Support for Responsible Growth:**
  - While supportive of responsible development, Ms. Davis emphasized that the proposed density introduces urban infrastructure into a rural area, which could permanently alter the community's character.
3. **Environmental and Infrastructure Concerns:**
  - **Well Water Impact:** The development could place undue strain on this system. She called for a hydrogeological study.
  - **Stormwater Management:** She requested a study to assess whether the proposed infrastructure could handle extreme weather and flooding.
  - **Soil Erosion:** Referenced documented erosion in the area and criticized the lack of soil testing.
  - **Fire and Emergency Conditions:** Stressed the need for planning during drought or fire events.

4. Transparency and Long-Term Planning:

Requested clarity on:

- Whether there are future phases planned beyond the initial 48 units.
- The full extent of the developer's land holdings.
- The cumulative environmental impact if further development occurs.

5. Regulatory Loopholes and Precedent:

She questioned the rationale for not requiring environmental assessments, noting:

- The project narrowly avoids regulations due to flow rate limits.
- Future rezoning of adjacent land could exploit this precedent, bypassing further assessments.

6. Procedural and Ethical Criticism:

- Questioned the process of doing the bare minimum to avoid triggering environmental or soil studies.
- Criticized this approach as irresponsible, exposing the municipality to unforeseen risks.
- Quoted Richard Thompson's letter and provincial correspondence confirming existing erosion issues.

Formally requested that the rezoning process be paused until:

- A comprehensive risk assessment is completed.
- All relevant environmental and infrastructure studies are done.

If findings suggest negative impacts, she asked that the rezoning request be denied outright.

Mr. Richard Thompson who resides on Tidewater Court advised he sent emails to the Clerk and requested them to be read. The Clerk read the two emails for the [record](#).

Mr. Terry Leblanc asked what watercourse is being referred to in the Plan. Per Mr. Babin, Plan 360 it is the small stream on the north side. Mr. Leblanc advised the name of the stream is Cherry Creek. Mr. Leblanc asked Mr. Babin where the groundwater will go from the proposed mini home park. Per Mr. Babin they do not know those details.

Ms. Rebecca Davis asked if the Well is outside the rezoning. Mr. Babin, Plan 360 showed Ms. Davis the map showing the well location and advised that yes, the well is outside the rezoning but is located on the same PID.

A resident asked where the septic fields are going. Mr. Babin, Plan 360 showed the map showing the proposed locations of the septic fields.

Mr. Terry Leblanc advised he does not trust the developer. He recounted a situation in the White Birch area, where a promised green space was later used for housing development.

Ms. Karen Thompson advised she enjoys biking and walking, and emphasized that Route 114 is already dangerous, and this development would increase traffic risks.

### **QUESTIONS FROM COUNCIL**

**Mayor Campbell** asked if there are any questions from Council.

**Councillor Coates** advised 12 written submissions were received: some in favor, 1 with concerns of traffic on the 114. **Councillor Coates** asked how many notices were sent out, Mr. Babin, Plan 360 advised 51 notices were sent to households within 200 meters of the proposed rezoning. **Councillor Coates** advised there are approximately 100 people in the subdivision, and he does not think there is a great objection to what is being proposed.

A couple residents in the gallery advised they never received a letter.

Mr. Babin with Plan 360 advised that 51 letters were sent out to households 200 meters from the proposed rezoning property. These notices were sent based on information registered with Service New Brunswick (SNB), meaning property owners living out of province (e.g., in Ontario) would have received notices at their registered addresses.

Originally, a 100-meter notification buffer was used for informing nearby residents.

The purpose of the current meeting, following the initial one on May 6, was to expand the notification buffer to 200 meters, ensuring that more residents were informed about the proposed development.

Mr. Richard Thompson expressed his concerns about land erosion and its effects on their property, located at the bottom of Tidewater Court. Their home is located at the lowest point in the area, making it particularly vulnerable to erosion and water runoff; the steep incline of the road makes winter access difficult, requiring four-wheel drive during icy or snowy conditions; he felt it was unfair and inappropriate to exclude homeowners like themselves, who are directly affected, from the planning process; They've had to replace geothermal well covers three times due to erosion, costing them \$30,000–\$40,000; the property includes a ditch over 20 feet wide and deep, carved out by water runoff, which channels directly to the river; this erosion, was made worse by provincial actions, and no adequate mitigation has been provided; despite installing special drainage pipes, the system failed during heavy flow, with water forcefully shooting out (a "rooster tail"), highlighting the severity of the runoff problem.

Mr. Thompson advised he is now spending time and money on repairs instead of normal activities like landscaping.

He advised if the development is approved, those responsible should also fix the problems it creates.

Ms. Davis advised the information provided by Plan 360 did not go far enough down to the

residents on Tidewater Court.

**Mayor Campbell** advised that the topic at hand had been misdirected by unrelated comments. **Mayor Campbell** stated that Plan 360 notified residents within a 200-meter radius, exceeding the usual requirements.

Mr. Thompson advised that he is a former senior ambassador to a deputy minister with 26 years of experience, stating he is familiar with how systems and rules can be maneuvered.

- Asserted that he understands how bureaucratic processes work and recognize when "the game is being played."
- He does not trust the current process and believe manipulation may be occurring.
- His primary request: for those responsible to "own the problem", take accountability for the consequences of their decisions.
- Additionally, he asked that his property location at the very end of Tidewater be recognized to illustrate the direct impact the proposed development would have on them.

**Mayor Campbell** asked Mr. Thompson who built the Street (Tidewater Court). A resident in the gallery advised Downey's built the Street. Mr. Thompson advised it was the province that caused the problem. **Mayor Campbell** advised that this is a different problem than the one being discussed.

Ms. Davis asked Council to be proactive instead of reactive.

Mr. Leblanc asked if the reason an environmental impact study can't be conducted is due to the size of the site? Per Ms. Babin with Plan 360, yes, it falls underneath the size.

### **CONCLUDE PUBLIC HEARING**

**Mayor Campbell** concluded the Public Hearing at 7:05 pm