

Hanwell Working Group Meeting – St. James Presbyterian Church (7:45 – 9:45pm)

November 01, 2006

Attendance: Dallas Gillis (Planner, RPDC) Carla Slaunwhite (Planner, RPDC)  
Colleen Adams Mark Gallagher Tony Hetherington Lorie Holland  
John Johnston Serge Levesque Paul Lightfoot Andrew Martin  
Reade Moore Chris Robbins Chris Weadick Adam Wilson  
Keith Manuel (Local Service District Advisory Committee Chair)  
Peter Michaud (LSDAC Member)

New Items Handed Out:

No new items were handed out at this meeting.

Items Covered:

Meeting began with Dallas asking the Working Group (WG) if they had any questions about the ground rules that were passed out and discussed at the initial WG Meeting held October 26<sup>th</sup>/06 following the Open House Information Sessions.

Dallas then asked if group members had filled out their SWOT sheets (Strengths, Weaknesses, Opportunities & Threats). Some people did and some people did not so blank copies were handed out for people to fill out.

Dallas then started a Power Point Presentation that he had prepared explaining the initial elements that are dealt with when a rural plan is being drafted: Objectives, Policies and Proposals and Provisions (see attached presentation). These are the elements that we will be working on developing these next few meetings.

o **Questions about or during the Presentation**

- Would the Plan still be in effect if Hanwell becomes a municipality?

Dallas responded yes, and added that we should consider that as a municipality there would more control over things like taking land for public purposes or money (cash-in-lieu of providing public land), as currently the Province does not acquire land for public purposes because they don't want the responsibility of caring for and maintaining it. He also explained that the Province does not want to take ownership of shared water and sewer systems in unincorporated areas, but if the Hanwell LSD became an incorporated body, they could be responsible for those things. Hanwell is interesting because it is so close to the city of Fredericton, but is difficult to service because homes are built in the middle of the lots.

- Is it possible for the Hanwell area to form local government if the Province won't take on the task of providing services to the area?

Dallas pointed out that it would be controlled by another agency, but right now we can create a plan that can guide development in the area and deal with issues. If Hanwell did switch to some form of independent local government the plan could be amended at the time to suit the needs of the community.

Mr. Manuel, chair of the Local Service District Advisory Committee (LSDAC), explained that LSDAC had contacted the Provincial government regarding this issue and was told that if Hanwell were to form a rural community they are required to get a rural plan in place within 2 years and that they could take on other responsibilities if they chose to.

Mr. Michaud, another member of the LSDAC, elaborated on Mr. Manuel's comments and added that it is not really feasible at this time to take on many other types of responsibilities at this point.

Mr. Manuel informed the WG that the LSDAC has written to the Province and asked the Minister to start the process of evaluating the feasibility of Hanwell becoming a rural community.

- If a rural community were to be formed in the Hanwell area would the entire Hanwell LSD be included (i.e. Yoho area)?

Mr. Michaud responded to this and said that he figured it would all be included as one because the Province seems to be joining places together rather than split them up into smaller areas. It would be more likely that Hanwell LSD and Kingsclear LSD would be considered a rural community together rather than just Hanwell LSD.

- Can additional topics to be covered by policies and proposals rather than just the ones listed in the Community Planning Act (CPA)?

Dallas noted that the topics listed in the CPA are topics for which policies must be included in a rural plan, but there can be policies on other matters if we feel they are needed.

- Will the WG get information regarding definitions of residential uses, etc...?

Dallas explained that in writing the plan, the definitions section will be prepared by the planners, in consultation with the WG, so we are free to define the terms however they suit the Hanwell LSD.

- It was asked if we need to remain consistent with existing legislation

Dallas stated that we can not be more lenient, but we can be stricter. For example, the Department of Environment requires that any development within 30m of any watercourse or wetland requires a Watercourse and Wetland Alteration permit. The rural plan can say all development must stay 30m from all watercourses and wetlands, but it cannot say that development can go within 6m.

Dallas also noted that a rural plan cannot change an unincorporated area into a rural community or municipality, but could include policies that facilitate moving in that direction.

[Dallas finishes explaining the roles of the players in the process - planners write the plan, development officers enforce the plan, the Commission grants variances and Minister adopts and decides on amendments.]

- Who hears a variance that is a bit more than 4-10 foot variance? How much wiggle room does the applicant have?

Dallas gave an example that had gone to the Planning and Appeal Board where an applicant applied to build something that wasn't listed in the list of permitted uses in a certain zone. The applicant asked to be considered as a "similar to and compatible with" use, meaning that the use could be accommodated in that zone without going through the rezoning process, but the planner said it required a rezoning. The applicant appealed to the Provincial Planning and Assessment Appeal Board and the Board said that it was not the planner's decision to make and that the applicant had the right to apply and only the Planning Advisory Committee or Commission has the right to approve or deny the request – not the planners. So the people can apply for whatever they wish but the planners advise the Planning Advisory Committee or Commission on the merits of the proposal.

Dallas talked about terms and conditions that can be assigned to certain uses and that there is a certain scope that they fall within. Colour of buildings cannot be a term or condition imposed on a development, but hours of operation or scale could be.

Dallas explained that once the rural plan is created the LSDAC will have an advisory role, but the WG won't have anything else to do with the plan except as a member of the public commenting at public hearings.

- Once the plan is approved, how is the LSDAC brought in on any issues that may come up?

Dallas explained that the Commission sends out a letter to adjacent landowners within 100m where there is an application before the commission, which says that the application has come in and if you have any

comments you have the opportunity to express them at the commission meeting. The LSDAC is also notified by the RPDC. Development that occurs as of right (development that is listed as a permitted use within the rural plan) is not open for comment. Only uses that require the rural plan to be amended (a rezoning) or needs to go before the commission allows for public input regarding the development.

- How was the LSDAC created?

Dallas explained that the Department of Environment placed notices in the area and the Minister called a public meeting to be held to form an Advisory Committee consisting of 3-5 people to serve a 2 year term, just to advise the Minister. People were nominated and ballot voting was used to elect the members. Any resident of the area who showed up could vote, but only if it was where their primary residence was located. The 5 people who received the most votes were elected to the LSDAC.

A WG member voiced concern over this procedure.

Mr. Michaud explained that the process was in the *Municipalities Act*, which is the act that governs the election and formation of LSDACs, among other things.

Dallas also noted that the role of the LSDAC is an advisory role in which they provide comments to the Minister. In creating the rural plan, we are not able to change the process or address this issue through the rural plan.

Another member of the WG pointed out that perhaps equal representation would be more acceptable when electing the LSDAC. Dallas explained that this was outside the realm of developing a rural plan and moved the meeting on.

Dallas asked everyone to get out their SWOT sheets and stated that anyone who did not feel comfortable reading it aloud could pass them to him and he will read it for them. Dallas began by reading the sheets that were left at the Open Houses in the comments box.

**SWOT results:**

WG member expressed that they felt ramps are a good thing for the area and the tax base is now larger than the Village of New Maryland. They expressed a concern that Fredericton is a threat because the City wants to annex a portion of the LSD.

Dallas asked the group in general what good a higher tax base is if you're an unincorporated area (not getting taxes), not a rural community, which would get tax money.

It was noted that the tax rate goes up with the lower tax base.

Another WG member agreed that the new interchange is a strength, but a weakness is the road that runs between Route 2 and the City. Threats are dumpsites and old and new service stations.

A WG member expressed their belief that there is tremendous opportunity in Hanwell because there is so much woodland and green space, but this is also a weakness because empty land is seen as land available for development. They articulated concerns that urban sprawl is occurring and unless there is good planning, Hanwell will lose existing green space. The WG member pointed out that there is no form of local governance, no public green space and development is inevitable, but Hanwell should think ahead. They pointed out it was unreasonable to call the City the bad guy when they have and provide all of Hanwell's services. Many people would like to live out here, but there aren't any sidewalks and kids must be sent into the City to school because that's where the services are.

A WG member explained that they live in Hanwell LSD because they like the rural nature of the area, but there needs to be more local businesses and recreation opportunities. They expressed the fact that they did not want to see what happened in New Maryland happen in Hanwell LSD.

Dallas commented that although Route 640 had been mentioned as a common thread of the community it seems that highway 640 is also often a divide.

A WG member made the additional comment that development is a "dog's breakfast" in Hanwell LSD and there is a lack of structure in the area. The WG member spoke of frustration when a neighbour did not get the appropriate permits when building a second unit on his house.

Dallas noted that they (RPDC) are more effective at policing new development because you need a building permit to get your power hooked up, but controlling renovations is a bit more difficult. Dallas states that it seems that people are learning to ensure to the person they hire to perform the work gets the necessary permits and follows the rules.

A septic disposal field discussion then began where various WG members discuss the Hanwell area and how there are many individual septic fields that are questionable in their efficiency. It was pointed out that many people live in Hanwell because it's cheaper and they want the rural lifestyle.

A WG member read off their SWOT sheet listing Strengths: There is a mix of uses in Hanwell and the industrial area will grow with the addition of the new ramps. Becoming a sister community of New Maryland would provide a great opportunity to work with them. There is a good mix of age groups in the area, a growing sense of community and neighbourhood watch seems to be a galvanising force in representing the entire LSD. Weaknesses: no water or sewer services, no overall community representation throughout the LSD, we need to protect our water supply. Opportunities: growing

commercial and industrial activity, but don't mix industrial and residential uses and don't allow development to occur in a hodgepodge manner. There needs to be a central focus like a community hall and Hanwell should resist whatever the City tries to impose on us.

Another WG member listed strengths such as Hanwell being a rural community with privacy, but this is also a weakness. They felt that Hanwell has a great dependence on the City and needs to provide its own fire, police and community services. Growth should focus on a range of uses - not just residential growth. Weaknesses: uncontrolled development that allows developers to do whatever they see fit without providing communal green space or any other amenities for residents.

A WG member noted that Hanwell is the only LSD adjacent to the City that does not have a Rural Plan or is in the process of getting a rural plan.

An additional WG member expressed their belief that uncontrolled development is scary and that it is only a matter of time before negative environmental impacts will show up. They said that they were looking for municipal control.

The next WG member said that there are a lot of law enforcement people who live in the Hanwell area (many of the WG members agreed with him) and that there are quite a few groups in the area who represent the community, but a threat to the community is the abuse of everything.

Dallas commented that lot size is a determining factor in controlling development. Larger lot sizes controls development because it could cool the demand for the standard 1 acre lot.

Dallas stated that in his role he has to step back and also consider the broader interest that is felt province wide and that the rural area needs to be able to work (i.e. gravel extraction, agriculture, etc...) so it is important to examine control of residential growth to avoid conflicts with those resource related land uses.

Dallas wrapped up the meeting.

#### Next Meeting

Next meeting scheduled for Thursday, November 16/06 @ 7:30 pm at the Saint James Presbyterian Church, 1991 Hanwell Road.