

**Town of Bay Roberts
Minutes of Regular Council Meeting
Tuesday, April 9, 2013**

Seventy Third Meeting of the Sixteenth Town Council
Town Hall, 321 Water Street, Bay Roberts, NL

PRESENT:

Mayor Philip Wood	Nigel Black, Chief Administrative Officer
Deputy Mayor Bill Seymour	Shirley Hawe, Town Clerk
Councillor Clarence G. Mercer	Ron Delaney, Director/Economic Development & Tourism
Councillor Gerald Greenland	Sean Elms, Director of Public Works & Technical Services
Councillor Walter Yetman	Nicholas Mercer, Compass Correspondent

ABSENT:

Councillor Wade Oates
Councillor Melvin Walsh

CALL MEETING TO ORDER

Mayor Wood called the meeting to order at 7:00 p.m.

AGENDA / MINUTES

Agenda

Motion 2013 – 140 – Greenland/Yetman

Resolved, that regular meeting agenda for April 9, 2013 is accepted as presented.
Carried unanimously

Minutes

Motion 2013 – 141 – Yetman/Mercer

Resolved, that regular meeting agenda for March 26, 2013 be adopted as presented.
Carried unanimously

NEW BUSINESS / STAFF REPORTS

Updated Website

Director Delaney presented the town's updated website highlighting a new user friendly format.

Commercial Vehicle Parking

Motion 2013 – 142 – Greenland/Yetman

Resolved, that the Town's current Commercial Vehicle Parking Regulations be rescinded and staff are directed to prepare a revised regulation for Council consideration.
Carried unanimously

NEW BUSINESS / STAFF REPORTS

Municipal Plan & Development Regulations

Motion 2013 – 143 – Yetman/Mercer

Resolved, that Council adopts the Town of Bay Roberts Land Use Zoning, Subdivision and Advertisement Regulations (Development Regulations) Amendment No. 1, 2012 with the following changes:

Backlot Development (amended)

Delete reference to Residential 1 (R1) zone.

- 8) Due consideration will be given to objections to the proposed development from abutting property owners who will be consulted in writing prior to issuing an approval.

Residential Development

- 9) Delete this section and associated map (Map 3).

AND, that Council adopts the Town of Bay Roberts Municipal Plan Amendment No. 1, 2012 with the following changes:

Residential Development

- 6) Delete the section and associated map (Map 3).

Carried unanimously

Planning & Development Committee Recommendation – 71 LT Stick Drive

Motion 2013 – 144 – Seymour/Mercer

Resolved, that approval is given CGL Signworks, as per submitted application, to install a new pylon sign at 71 LT Stick Drive, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments and further, subject to receipt of approval by the Department of Transportation and Works.

Carried unanimously

Planning & Development Committee Recommendation – 2 Parade Street

Motion 2013 – 145 – Mercer/Greenland

Resolved, that approval is give applicant, as per submitted application, to construct a dwelling at 2 Parade Street with a front yard setback of 25 feet and a rear yard setback of 24 feet 9 inches, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

Planning & Development Committee Recommendation – 172 Central Street

Motion 2013 – 146 – Mercer/Yetman

Resolved, that application to construct a dwelling at the back lot portion of 172 Central Street is denied due to inadequate front and rear yard setbacks as required by the Town's Municipal Development Regulations.

Carried unanimously

NEW BUSINESS / STAFF REPORTS

Planning & Development Committee Recommendation – 8-20 Sawdust Road

Motion 2013 – 147 – Yetman/Seymour

Resolved, that application to construct two (2) duplex units at 8-20 Sawdust Road is deferred and referred back to the Planning & Development Committee for further review.

Carried unanimously

Planning & Development Committee Recommendation – Shoreline Subdivision Green's Rd
Councillor Greenland declared a Conflict of Interest and abstained from discussion and voting.

Motion 2013 – 148 – Yetman/Seymour

Resolved, that applicant shall submit new professionally engineered plans and sign a new subdivision agreement based on the policy for new residential small subdivisions which includes paved road, water and sewer installation, and curb and gutter on one side of the road along with the normal subdivision requirements.

Abstained: Councillor Greenland

Motion Carried

Planning & Development Committee Recommendation – Pit Road Quarry Application

Motion 2013 – 149 – Yetman/Greenland

Resolved, that applicant is advised the proposed quarry at Pit Road does not meet the required setbacks of 300m from residential areas and therefore, the application is denied.

Carried unanimously

Planning & Development Committee Recommendation – 66-70 Water Street Infill at Coish

Motion 2013 – 150 – Seymour/Greenland

Resolved, that due to the proposed infill area in the Coish being substantial in size and that certain types of development require publishing, the crown land application is deferred and the applicant is requested to provide a more detailed proposal for what the future development will entail.

Carried unanimously

Flood Risk Mapping – Director of Public Works & Technical Services

Motion 2013 – 151 – Mercer/Greenland

Resolved, that the flood plain lines derived from the Department of Environment's Flood Risk Mapping Report be adopted into the Town of Bay Roberts Municipal Plan and Development Regulations.

Carried unanimously

Clean & Safe Drinking Water Workshop – Director of Public Works & Technical Services

Motion 2013 – 152 – Yetman/Mercer

Resolved, that the report on 2013 Clean & Safe Drinking Water Workshop is accepted for information purposes.

Carried unanimously

NEW BUSINESS / STAFF REPORTS

Public Works Quarterly Report – Director of Public Works & Technical Services

Motion 2013 – 153 – Seymour/Yetman

Resolved, that DPWTS's quarterly report is accepted for information purposes.

Carried unanimously

Councillor Concerns

Deputy Mayor Seymour noted that he would like installation of lights on the soccer pitch/walking track done as soon as possible.

Accounts Payable – March 2013

Motion 2013 – 154 – Yetman/Greenland

Resolved, that accounts payable for March 2013 be approved.

Carried unanimously

CORRESPONDENCE FOR ACTION

Ditch Infilling – 100 Butlerville Road

Motion 2013 – 155 – Mercer/Greenland

Resolved, that correspondence requesting the ditch be infilled in front of 100 Butlerville Road is referred to Public Works Committee for review.

Carried unanimously

CORRESPONDENCE FOR INFORMATION

Waste Recovery Facility – Eastern Waste Management

Motion 2013 – 156 – Mercer/Seymour

Resolved, that Eastern Waste Management correspondence noting progress for development of the proposed waste recovery facility at the former Conception Bay North Incinerator site is placed on file.

Carried unanimously

Municipal Awareness Week – MNL

Motion 2013 – 157 – Yetman/Mercer

Resolved, that MNL's correspondence advising that Municipal Awareness Week is May 27th to May 31st is placed on file.

Carried unanimously

Appreciation Letter – Lloyd Spencer

Motion 2013 – 158 – Mercer/Greenland

Resolved, that copies of Mr. Spencer's letter of appreciation be forwarded to the fire department, Works Superintendent and posted at the council garage.

Carried unanimously

CORRESPONDENCE FOR INFORMATION

50 Plus Club – Treasurer’s Report

Motion 2013 – 159 – Yetman/Seymour

Resolved, that 50 Plus Club’s financial report be placed on file.

Carried unanimously

NEW BUSINESS / COMMITTEE REPORTS

Mayor’s Report – MNL Regional Meeting

Motion 2013 – 160 – Seymour/Yetman

Resolved, that Mayor Wood’s report on the MNL Regional Meeting is accepted.

Carried unanimously

Green / Waste Management

Councillor Yetman advised that Household Hazardous Waste Day is scheduled for Saturday, May 11th at the Fire Hall. Also, a community cleanup day is being planned.

Wetlands

Motion 2013 – 161 – Seymour/Greenland

Resolved, that JMC’s letter of appreciation to Ducks Unlimited Canada for their donation of two wildlife prints is placed on file.

Carried unanimously

RESOLUTIONS FROM PRIVILEGED MEETINGS

Privileged Meeting – March 26, 2013

Motion 2013 – 162 – Greenland/Yetman

Resolved, that the following privileged meeting of March 26, 2013 motions be ratified:

#106 – Approve Agenda;

#107 – Adopt Minutes of February 26, 2013;

#108 – Land Sale at Country Road west of overpass placed on file; and,

#110 – Meeting Adjourned.

Carried unanimously

Deputy Mayor Seymour declared a Conflict of Interest regarding Motion 2013 – 109.

Motion 2013 – 163 – Mercer/Yetman

Resolved, that the following privileged meeting of March 26, 2013 motion be ratified:

#109 – No action will be taken regarding accessory building at 23 Duncan Road.

Abstained: Deputy Mayor Seymour

Motion Carried

NEW BUSINESS

Gas Tax Capital Investment Plan

Motion 2013 – 164 – Greenland/Yetman

Resolved, that approval is given to use the remaining Gas Tax Funding for a portion of the following projects:

Valleyview Storm Sewer Extension Project (Final Phase) – Funding \$194,949.18 (net of GST)

Peddles Pond Water Project – Funding \$429,840.16 (net of GST)

Carried unanimously

ADJOURNMENT

Adjournment

Motion 2013 – 165 – Mercer/Greenland

Resolved, that Council now adjourned the regular meeting at 8:50 p.m.

Carried unanimously

Philip Wood, Mayor

Shirley Hawe, Town Clerk