

**Town of Bay Roberts
Minutes of Regular Council Meeting
Tuesday, September 27, 2016**

Sixty-Third Meeting of the Seventeenth Town Council
Town Hall, 321 Water Street, Bay Roberts, NL

PRESENT:

Mayor Philip Wood	Nigel Black, CAO
Deputy Mayor Walter Yetman	Christine Bradbury, Town Clerk
Councillor Dean Franey	Ron Delaney, Director Tourism & ED
Councillor Wade Oates	Compass Representative
Councillor Dawe-Roach	Adam Norman, Fire Chief
Councillor Bill Seymour	
Councillor George Simmons	

CALL MEETING TO ORDER

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

AGENDA / MINUTES

Agenda

Motion 2016 – 715 Yetman/Seymour

Resolved, that regular meeting agenda for September 27, 2016 is accepted as presented.
Carried unanimously

Approval of Minutes

Motion 2016 – 716 Franey/Dawe-Roach

Resolved, that regular meeting minutes for September 13, 2016 be adopted as presented.
Carried unanimously

NEW BUSINESS/STAFF REPORTS

55 Badcock Boulevard – Tolerance Letter

Motion 2016 – 717 Yetman/Oates

Resolved, that Council issue a letter of tolerance for the front yard requirements at 55 Badcock Boulevard, subject to the payment of \$500 Tolerance Letter fee.

Opposed by: Mayor Wood, Councillor Seymour

Accepted by: Deputy Mayor Yetman, Councillor Oates, Councillor Franey, Councillor Simmons
 Councillor Dawe-Roach

Motion Carried

70 Badcock Boulevard – Tolerance Letter

Motion 2016 – 718 Yetman/Dawe-Roach

Resolved, that Council will issue a letter of tolerance for the rear yard requirement at 70 Badcock Boulevard, subject to the payment of \$500 Tolerance Letter fee.

Carried unanimously

Planning & Development Committee Report

Motion 2016 – 719 Yetman/Oates

Resolved, that Council accepted the Planning and Development Committee Recommendations Report as was presented.

Carried unanimously

Planning & Development Committee Report

Tolerance Letter Policy

Motion 2016 – 720 Simmons/Franey

Resolved, that Council approved the Tolerance Letter Policy as it was presented.

Carried unanimously

Planning & Development Committee Report

221 Conception Bay Highway – Signage Application

Motion 2016 – 721 Yetman/Oates

Resolved, that the application to erect a sign at 221 Conception Bay Highway be approved subject to receipt of structural drawings and further subject to requirement that approval be obtained from the Department of Transportation and Works.

Carried unanimously

Planning & Development Committee Report

221 Conception Bay Highway – Accessory Building Application

Motion 2016 – 722 Yetman/Seymour

Resolved, that Council issued an Approval in Principle for the accessory building at 221 Conception Bay Highway subject to the requirement of stamped engineered drawing for the structure and further subject to the Town’s Municipal Development Regulations, other pertinent regulations and those required by all other regulatory departments.

Carried unanimously

Planning & Development Committee Report

177 Conception Bay Highway – Signage

Motion 2016 – 723 Franey/Oates

Resolved, that Council approved the application to erect signage on the property 177 Conception Bay Highway, subject to the requirement that an approval be obtained from the Department of Transportation and Works.

Carried unanimously

Planning & Development Committee Report

22-24 Conception Bay Highway – Mobile Vendor Application

Motion 2016 – 724 Yetman/Dawe-Roach

Resolved, that Council advise the applicant that commercial use of the property 22-24 Conception Bay Highway must be advertised as a discretionary use and further reviewed following the period for public input. The applicant will be required to obtain a Food Establishment license from the province prior to operations.

Carried unanimously

Planning & Development Committee Report

Amalgamated Academy – Traffic Flow Changes

Motion 2016 – 725 Yetman/Franey

Resolved, that no changes will be made to the traffic flow in the area of Amalgamated Academy. That correspondence by issued to the school requesting their assistance in managing traffic by having all staff park to the side and rear of the property allowing full use of the front parking lots for buses and pick-up drop off by parents. Further, the Traffic Study Committee will review other alternatives when the committee is formed.

Carried unanimously

Planning & Development Committee Report

Rezoning – Country Road Property

Motion 2016 – 726 Yetman/Seymour

Resolved, that the request for rezoning of property located on Country Road (gravel portion) is currently zoned Rural and is well outside the current “Limits of the Town Services” therefore the request is denied.

Carried unanimously

**Planning & Development Committee Report
Expropriation of Land**

Motion 2016 – 727 Yetman/Dawe-Roach

Resolved, that the request for expropriation of land off Water Street that could be sold at a public auction is denied. Expropriation of this property and the proposed purpose do not meet the requirements of the Urban and Rural Planning Act and therefore would not be approved.

Carried unanimously

**Planning & Development Committee Report
220A George Mercer Drive – Signage Request**

Motion 2016 – 728 Seymour/Yetman

Resolved, that the request for consideration of a sign naming a “private lane” is denied. In order to erect road signage it must be a “Town Road”. If the owner(s) of the private lane were to convey the land to the Town as a non-confirming road then consideration could be given.

Carried unanimously

Planning & Development Committee Report

Action List Items – To be Removed

Motion 2016 – 729 Yetman/Oates

Resolved, that the following items are to be removed from the Action List as per the Planning and Development Committee Report:

#10 – Russell’s Road

#12 - Water Street Expropriation of Land

#14 - Country Road Rezoning

#17 - George Mercer Drive – Signage for Lane

Carried unanimously

Commercial Occupancy Application – 95 Conception Bay Highway

Motion 2016 – 730 Franey/Oates

Resolved, that Council approve the application to open and operate Triple J Precision Carpentry, at 95 Conception Bay Highway, subject to Service NL approval and further subject to the Town’s Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

CORRESPONDENCE FOR ACTION

14 Captain’s Place – Water Build-up

Motion 2016 - 731 Yetman/Franey

Resolved, that Council referred the water build-up concern at 14 Captain’s Place to the Public Works Committee for further review.

Carried unanimously

CORRESPONDENCE FOR INFORMATION

Law Enforcement – Commissionaires

Motion 2016 - 732 Yetman/Dawe-Roach

Resolved, that Council moved the correspondence regarding law enforcement Commissionaires to file.

Carried unanimously

RESOLUTIONS FROM PRIVILEGED MEETINGS

Ratify Motions of the Privileged Meeting held on September 13, 2016

Motion 2016 – 733 Yetman/Dawe-Roach

Resolved, that the following Motions made at the Privileged Meeting held on September 13, 2016 are adopted:

- Motion 2016 – 697 Agenda
- Motion 2016 - 698 Approval of Minutes
- Motion 2016 - 699 Water Street – Belbin Property
- Motion 2016 - 700 Jones v. Town of Bay Roberts – Settlement Offer
- Motion 2016 - 701 Property Access – Morgan Property
- Motion 2016 – 702 Adjournment

Carried unanimously

COUNCILLOR CONCERNS

38 Shearstown Road – Letter

Motion 2016 – 734 Seymour/Oates

Resolved, that Council directed the CAO to write a letter to the resident at 38 Shearstown Road advising them of Tolerance Letter Policy that was adopted this evening, and how her tolerance request followed proper procedure.

Carried unanimously

ADJOURNMENT

Adjourn

Motion 2016 – 735 Franey/Seymour

Resolved, that Council now adjourn the regular meeting at 8:56 PM

Carried unanimously

Philip Wood, Mayor

Christine Bradbury, Town Clerk