

Community of Kingston

Minutes of regular Monthly Meeting

January 13, 2015

Present:

Alan Miller Chair
Julie Ireson
Jan Holmes
Joe Dolphin
Dwight Thompson
Keith Boire

Regrets:

Tom Coady

Also present

Dianne Dowling, Administrator

Applicant John Burke

CALL TO ORDER:

Meeting called to order by chair Alan Miller at 7:06 PM.

APPROVAL OF AGENDA:

Motion:

To approve the agenda as circulated (M) Joe Dolphin (S) Keith Boire, Motion carried.

APPROVAL OF MINUTES:

Motion:

To approve the minutes of the November meeting as circulated (M) Julie Ireson (S) Joe Dolphin, Motion carried.

BUSINESS ARISING FROM MINUTES:

1. Insulation Company: The Administrator reported that she had received a written request and a check for \$300.00 from Mr. McKenna to officially request the property to be rezoned to Commercial. The Administrator read the letter to those in attendance. The list of property owners within the circle of 1000 feet which was circulated to Council and Dianne Murphy via email October 15, 2014 was discussed. Council noted that the owners of PID # 640326 should also be sent notification of this rezoning request also. Discussed a meeting date and the Administrator is to check the availability of the Recreation Center in February. The chair clarified the process for our new Councilor.
2. Application for a building permit from Mr. Burke reference application # 15-2014 P - PID # 226498: The Administrator circulated a summary of what has happened with this application to date and asked if any Councilor had questions for Mr. Burke. There was some discussion on the historical file on this property. Then the floor was passed over to Mr. Burke to explain his position. Mr. Burke said he has met with several staff from the Department of Environment

concerning the septic categorization of this property. He indicated he does not agree with the categorization done by the engineering firm he hired to assess the site. He said he has done his research and is still committed to building a home on this property. He indicated he is prepared to invest the funds to ensure the septic system is installed so as to not cause any negative impact and he has contacted contractors with estimates as to the cost of the recommendations included in the engineers report. Mr. Burke indicated he has not yet purchased the property but has submitted a conditional offer to purchase. He indicated he had been looking for a lot in this area for a while and this property was the only one he had found.

Councilor Dolphin explained the position Council is currently in considering the engineer assessment of this lot as a category 5 and that the Provincial regulations specify a category 5 lot as undevelopable. He further said the engineering firm had completed this assessment with an unbiased approach and Council has to take this report as fact. Based on that information Council can't approve this application.

The Chair indicated to Mr. Burke that he had two options should he wish to pursue this further:

1. Request the engineering firm reassess the site with Ms. Galloway as the lead, or
2. To get another engineering firm to assess the site to possibly negate the categorization done by Ms. Galloway. Both of these options would need to wait until the spring.

At this point Mr. Burke said he could not pursue this any further as he has sold his house and needs find a site where can start construction as soon as possible. He indicated the delay in dealing with this application has been very frustrating especially since the weather has been favorable and he could have been working on the construction. At this point Mr. Burke requested a written confirmation of the decision and noted an email would be fine. The Administrator said she would send him an email the next day.

At this point Mr. Burke left the meeting.

The Chair asked Council if there was any appetite on the part of Council to reimburse Mr. Burke some of the costs spent on the site assessment. Council discussed this suggestion but decided that this may set a precedent in the future. Then the Chair asked if there should be a motion from Council and the Administrator indicated a motion would be needed and suggested the wording. The question was raised as to if the application could be deemed incomplete since the septic permit categorization done by J.D Backhoe is now in dispute. It was agreed the categorization done by Ms. Galloway's firm would hold more credence than the one completed by J.D Backhoe.

Motion:

*"That since the engineer's assessment completed by **Engineering Technologies Canada Ltd.** of the site categorized this lot as category 5 and since category 5 is deemed undevelopable by the Provincial regulations then a permit for development of this site can not be issued."* (M) Joe Dolphin (S) Keith Boire, Motion carried

The Chair indicated that the correspondence to Mr. Burke include the sympathy of Council concerning the outcome of this application. Discussed the content of the correspondence and the Administrator indicated she would circulate all correspondence proper to sending to Mr. Burke. Council also requested a copy of the provincial minimum standards for septic and appendix C be also included in the correspondence.

COMMITTEE REPORTS:

PLANNING: Report on 2014 approvals circulated for information

FINANCE: Report circulated – Check for \$50.00 issued to the Administrator to reimburse for the gift to retiring Councilor Dianne Murphy. Councilor Ireson to set up a date to review the 2015 budget and noted some of the information required would be the North River Fire Department dues for 2015, Bugbusters fee for 2015 and a quote for the Community signage.

BLACK FLY: Nothing to report

OTHER BUSINESS:

1. Infrastructure Forms: Chair Miller indicated he is on the Central development Corporation Board and the board has identified the Gas Tax fund as an opportunity to combine Gas tax money of several rural communities in order to possibly complete one large project. The administrator indicated that she has two forms that require a motion one to indicate the Community would be utilizing the Gas Tax allocation and the second indicating the Community will not be participating in the Asset Management exercise because there are no assets at the present time.

Motion:

That the Community of Kingston is interested in accessing the National Gas Tax Fund and by signing the letter of acknowledgement acknowledges participation in the program.” (M) Jan Holmes (S) Joe Dolphin, Motion carried.

Motion:

“That the Community of Kingston does not own and maintain any infrastructure as outlined in the following list, and will not be taking part in the asset management exercise: 181 buildings/facilities; 182 Parks; 183 athletic fields; 184 roads/sidewalks; 185 Cultural tourism; 186 land; 187 trails; 188 Water; and 189 Wastewater.” (M) Dwight Thompson (S) Keith Boire, Motion carried

CORRESPONDANCE:

1. Xmas cards and request for funding from Crimestoppers.

ADJOURMENT:

Being no further business motion to Adjourn at 8:50 Pm by Dwight Thompson and seconded by Keith Boire.

Submitted,

**Dianne Dowling
Administrator**