

TOWN OF PORTUGAL COVE-ST. PHILIP'S

June 3, 2008

Meeting was called to order at 7:35 pm.

IN ATTENDANCE:

Mayor:	Norm Collins
Deputy Mayor:	Keith Mercer
Councillors:	Jon Seary
	Steve Andrews
	Bill Fagan
	Adrienne King
Town Manager:	Rodney Cumby
Town Clerk/Treasurer:	Loretta Tucker

Also in Attendance:

Gallery of 12 persons

ADOPTION OF AGENDA

Motion:	Andrews/Seary
08-141	Resolved that the Agenda dated June 3, 2008 , be adopted.
Carried	
Unanimously	

ADOPTION OF MINUTES

Motion:	Andrews/King
08-142	Resolved that the Minutes of May 20, 2008 , be adopted as presented.
Carried	
Unanimously	

BUSINESS ARISING

Town Manager's Report – was read by the Town Manager.
Council would like to ensure that the Household Hazardous Waste is well advertised in the future.

Councillor Fagan asked that his questions relating to Business Arising be listed in the Minutes.

Question Regarding Roads

It was explained to Councillor Fagan that the roads listed under Multi-Year #4 Agreement have been identified by the Engineers and in accordance with the Town's Master Plan. He was also advised that all roads listed are Council owned and Council maintained.

Housing Historic Artifacts

Council will direct Councillor Fagan's question to the Heritage Committee regarding space for housing historic artifacts. (See Motion #08-138 - Heritage Committee)

COMMITTEE REPORTS

Finance and Administration May 30, 2008

1. Accounts for Payment

Motion: Mercer/Andrews
#08-143 Resolved that Council pay the accounts (over \$5000) which total \$146,625.23 of which all is for the Multi-Year #3 overrun.

Carried
Unanimously

2. Multi Year #3 - Completion of Capital Works 50/50 funding 2005-2008

Deputy Mayor Mercer advised that the amount of \$646,575.64 now expensed will complete the Multi Year #3 project as authorized under the funding amount of \$3,514,000.00, in accordance with the Agreement signed between the Province and the Town of Portugal Cove-St. Philips.

He further advised that the Town received a cheque in the amount of \$323,287.82 from the Province, on today's date, for its 50% share and final financial commitment of this Multi Year #3 Project.

Motion: Mercer/Andrews
#08-144 Resolved that Council draw down \$323,287.82 loan proceeds from the Bank of Montreal and Term out this loan amount. This represents Council's 50% share, and final financial commitment authorized under Multi-Year #3 Agreement which was signed by the Province and the Town.

Carried
Unanimously

Deputy Mayor Mercer also advised that the Town is now in overrun with a projected overrun of \$800,000. If the Town chooses to borrow from a financial institution to fund or reimburse this overrun it must seek an *Approval to Borrow* from the Province's Minister of Municipal Affairs.

Circulated for information is attached spread sheet of the Project's financial activity to May 28, 2008.

3. Request for Leave of Absence from Council

Motion: Mercer/Andrews
#08-145 Resolved that Council approve a request from Councillor Butler and grant him a four (4) month, unpaid Leave of Absence from Council. Leave will run to September 30, 2008.

Carried
Unanimously

Planning and Development Committee Meeting – May 27, 2008

1. 126-130 Dogberry Hill Road

Application to Construct Stable - Zoning: RMD
Motion: Andrews/King
#08-146 Resolved that the application to construct a 56 sq. m. accessory building for the purpose of housing a horse at Civic 126-130 Dogberry Hill Road be rejected, as the proposal is contrary to the Development Regulations, Schedule C: Residential Medium Density Use Zone Table.

Carried For: Collins, Mercer, Seary, Andrews, and King
Against: Fagan.

2. 126-130 Dogberry Hill Road

Home Office Business - Zoning: RMD
Motion: Andrews/King
#08-147 Resolved that council conditionally approve the application for a home office business involving the scheduling of appointments for carpentry work at civic 126-130 Dogberry Hill Road, in accordance with the municipal plan and development regulations, and all other regulatory bodies of government.

Carried
Unanimously

Mayor Collins vacated the chair and left Council Chambers due to any perceived Conflict of Interest (distant relative) DM Mercer took the chair.

3. Civic 9 Jordan Place

Application to Extend Single Dwelling. Zoning: MIX
Motion: Andrews/King
#08-148 Resolved council approve the application to renovate a residential dwelling by increasing the building height by 1.2 metres and building a 36 square meter extension to the rear of the dwelling at Civic 9 Jordan Place, in accordance with regulation 49 non-conforming use, subject to compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government.

Carried
Unanimously

Note: To check last 2 lines of the technical information to see if this property is, or is not, in the water way protection buffer zone.

Mayor Collins was advised that item #3 had been dealt with and returned to Council Chambers and the chair.

4. 19-21 Copper Head Road

Application to Construct Single Dwelling - Zoning: RUR

Motion:
#08-149

Andrews/King

Resolved that Council approve the application to construct a single dwelling at part of civic 19-21 Copper Head Road, in accordance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government.

Carried
Unanimously

5. 90 Tolt Road

Application to Construct Single Dwelling - Zoning: RI/RR

Motion:
#08-150

Andrews/King

Resolved that Council approve the application to construct a single dwelling at 90 Tolt Road on a lot with pond frontage and a building line setback of approximately 183 meters, in accordance schedule c: residential infill use zone table, condition 8 (iv) development with pond frontage, subject to compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government.

Carried
Unanimously

6. 660-662 Old Broad Cove Road

Home Office Business - Zoning: RMD

Motion:
#08-151

Andrews/Seary

Resolved that council approve the application for a home office accounting business at civic 660-662 Old Broad Cove Road, in accordance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government.

Carried
Unanimously

7. Civic 858-860 & 854-856 (Lot # 7 & 8) Indian Meal Line

Application to Construct Single Dwelling - Zoning: RI

Motion:
#08-152

Andrews/King

Resolved that in order to preserve the wetland in front of the lots between Civic 854 and 860 Indian Meal Line, that Council conditionally approve the application to construct two single dwellings, each with a building line setback of approximately 49 metres, in accordance with Development Regulation 10, Discretionary Powers of Authority and Regulation 42, Building Line and Setback, subject to compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government. Further resolved to conditionally approve a 10 percent variance on lot # 7, subject to Regulations 11 and 32.

Carried
Unanimously

8. 341 Dogberry Hill Road

Application is held for further consideration as the survey shows the adjoining lot is also substandard in total area.

9. 30-32 Western Heights

Application to extend accessory building - Zoning: RI

Motion:
#08-153

Andrews/King

Resolved that council approve the application to extend the size of an accessory building by 30 sq. m. at civic 30-32 Western Heights, in accordance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government.

Carried
Unanimously

10. 103 Neary's Pond Road

General Repairs & Maintenance - Zoning: AG

Motion:
#08-154

Andrews/King

Resolved that Council approve the application to carry-out repairs to the former egg grading building at Civic 103 Neary's Pond Road, provided that the building is not used for commercial purposes (warehouse) at this time. A change in the use of the building requires an amendment to the Municipal Plan and Development Regulations, and is also subject to approval by the Land Advisory Authority.

Carried
Unanimously

11. Eastern Regional Appeal Board

Appeal against a decision of Council concerning Civic 137 Beachy Cove Road. ERAB request for information.

12. 73 Maggie's Place

Resident writes regarding right-of-way off Meadow Heights. Staff will investigate and respond to the complaint

13. 21B Beachy Cove Road

Request for meeting with P & D Committee concerning parking and other site development issues.

A meeting date will be scheduled for the coming week.

Mayor Collins left the Chair and Council Chambers due to a possible Conflict of Interest on item #14 - Deputy Mayor Mercer took the chair.

14. Comprehensive Development Scheme Areas and Road Network Study

Technical Information

The Municipal Plan designated 14 sites as Comprehensive Development Scheme Areas (CDAs), many of which are partially developed. The Committee believes that planning/engineering studies are required for a number of these sites in order to manage development in the best interest of the Municipality. Similar studies are also recommended for other areas of the community that are under pressure for development. The studies will provide direction on how the overall sites may be developed and integrated with the surrounding environment. The sites were selected based on the following criteria:

- 1) *Environmentally sensitive areas such as coastal lands, wetlands, significant water bodies and areas with steep slopes and/or scenic qualities.*
- 2) *Areas that are partially developed but require significant upgrading in order to provide more effective and efficient services, such as emergency services to long dead roads; serviced sections of the municipality that lack street connectivity; and areas that have significant growth potential.*

Areas that are recommended for comprehensive planning and engineering studies are as following:

14.1. Development Scheme Area 1: Anglican Cemetery Road

The Anglican Cemetery Road site is densely developed in an ad-hoc manner along a narrow, and partly steep, dead-end road, which is longer than the maximum requirement for a cul-de-sac. Fire and other emergency services are difficult to provide, as is snow clearing and road maintenance. The site requires a comprehensive plan to determine how best to rationalize the road network to provide more efficient and cost effective services. Issues to be considered include the surface and storm water drainage, incorporating the brook draining from Northeast Pond, road linkages with Churchill Road and an extension of adjacent water and sewage services onto the site.

Motion:
#08-155

Andrews/King
Resolved that Council approve the preparation of a *Comprehensive Development Plan* for Development Scheme Area 1 (Anglican Cemetery Road).

Carried
Unanimously

Mayor Collins was advised that Item #14.1 had been dealt with and returned to Council Chambers and the Chair.

Councillor Seary and Councillor King left Council chambers due to a possible Conflict of Interest on 14.2 & 14.3.

14.2. Development Scheme Area 7: Old Broad Cove West

In the past four years the Town has received a number of proposals from property owners who wish to develop residential subdivisions. The site has multiple landowners, four, or more, dead-end streets, and two local streams including a conservation buffer along Goats Cove Brook. The Town is currently in receipt of an application to rezone a portion of the site for the purpose of extending a residential subdivision that was conditionally approved in December 2005. A comprehensive development plan for the site would provide in internal road system involving Chrisara Place, Phil's Hill Road, Bickerstaff and Knapp's Roads with a possible link to Tucker's Hill Road and Beachy Cove Road. Any storm drainage or other environmental issues to be addressed concerning Goat Cove Brook will also be considered.

Motion:
#08-156

Andrews/King
Resolved that Council approve the preparation of a *Comprehensive Development Plan* for Development Scheme Area 7 (Old Broad Cove West)

Carried
Unanimously

14.3. Scheme Area 14: Tucker's Hill (North and South of Goat Cove Brook)

The site is comprised of two large tracts of coastal lands off Tucker’s Hill Road that extends from the intersection of Tucker’s Hill Road with Old Broad Cove road and north along Beachy Cove Road to Beachy Cove. The section of the highway, which is designated as a “scenic road” by the St. John’s Urban Regional Plan, offers limited opportunities to develop access roads to the coastal back lands. The scenic views are of significant value resulting in increasing demands for residential development. Any further infill development along Tucker’s Hill Road will exacerbate the access issue. The study will also consider an internal road layout to make maximum use of scenic views.

Motion: Andrews/Mercer
 #08-157 Resolved that that Council approve the preparation of a *Comprehensive Development Plan* for Development Scheme Area 14 (Tuckers Hill).
 Carried
 Unanimously

Councillor Seary and Councillor King were advised that Item 14.2 and 14.3 had been dealt with and returned to Council Chambers.

14.4. Road Network Study – Bauline Line Extension and Indian Meal Line

The Town has received two proposals to develop residential subdivisions on crown land in the back lands between Bauline Line Extension, (east of Clements Pond) and Indian Meal Line, (west of Olympic Drive). The proposed developments could provide a road link between the two secondary highways, which could impact traffic flows, particularly in view of the proposed new Torbay bypass highway. A road network study will consider a number of planning issues related to future land use zoning, wetlands preservation, internal road network and access points to provincial highways.

Motion: Andrews/King
 #08-158 Resolved that Council approve the preparation of a *Road Network Study* for the area of land east of Bauline Line Extension and west of Indian Meal Line in the vicinity of Clements Pond and Olympic Dive.
 Carried For: Collins, Mercer, Seary, Andrews, and King
 Against: Fagan

15. Permits Issued (May 06 – May 22, 2008)

#	DATE	ITEM	CIVIC ADDRESS	DEVELOPMENT
1)	May 06/08	Permit	77-81 Tolt Rd.	Single Dwelling
2)	May 09/08	Permit	182 Dogberry Hill Rd.	Accessory Building
3)	May 09/08	Permit	730 Indian Meal Line	Accessory Building
4)	May 09/08	Permit	7-9 Jenny-Lynn Drive	General Repairs & Mtce.
5)	May 09/08	Permit	7-9 Jenny-Lynn Drive	Accessory Building
6)	May 09/08	Permit	19 White Ash Drive	Dwelling with Apartment
7)	May 12/08	Permit	1440 Portugal Cove Rd.	General Repairs & Mtce.
8)	May 12/08	Permit	6 Loop Drive	Accessory Building
9)	May 12/08	Permit	9-15 Marian Place	Occupancy
10)	May 15/08	Permit	15 White Ash Drive	Occupancy
11)	May 15/08	Permit	5 Red Maple Place	Single Dwelling
12)	May 15/08	Permit	9 Beachy Cove Rd.	General Repairs & Mtce.
13)	May 20/08	Permit	200-202 Bauline Line Ext.	Occupancy

- 14) May 20/08 Permit 104-106 Neary's Pond Rd. Occupancy
- 15) May 21/08 Permit 3-5 Round Pond Rd. Occupancy
- 16) May 22/08 Permit 112-116 Windsor Heights General Repairs & Mtce.

Public Works Committee Meeting – No Meeting

1. Signs posted without permits.

Councillor Seary advised that the Public Works Department staff, during the past two weeks, have removed signs which were posted around the Town without a permit. He further noted that such signs erected without permits are illegal and will be removed.

2. Thank you

Mayor Collins will write a letter, on behalf of Council and the Town, to Joan and Stephen Reddin and Luke Janes thanking them for their work in cleaning up debris behind Beachy cove Elementary and other areas within the Town.

3. Road Work

Mayor Collins noted that there is a lot of road work in progress taking place within the boundaries of the Town of Portugal Cove-St. Philip's. Some of this work is presently ongoing by the Dept. of Transportation on the roads that come under the jurisdiction of the Province, such as Old Broad Cove Road and Beachy Cove Road. Also work will be carried out on the bridge on Healey's Pond Crescent, contractor is Rock Construction.

Parks, Recreation, & Community Services Committee – May 28, 2008.

1. Summer Program Rates

Prices for the Summer Program have increased this summer due to the rising cost of supplies for the programs and bus services. The fees are still extremely reasonable and will not hinder families from getting involved. The Day Camp registration has increased from \$65 a week to \$80 a week, with the family rate remaining the same at \$120. The Kinderskills registration has increased from \$40 for 7 weeks to \$60. However, the program has also expanded its hours from 2 half days a week to 2 full days.

2. Campaign: June is Recreation Month

June is Recreation Month. This is a time to promote physical activity and healthy living to all residents of the community. The Town has planned 2 events for this campaign. Monday, June 30th all youth in the community are invited to Rainbow Gully Park for an afternoon of games and activities. That evening there will be a launch of the Walking Program at the Recreation Centre. Please contact our Recreation Department's Director for further information.

3. Garden Competition

The Town will be hosting its Annual Garden Competition July 25th. Members of Council will visit those registered for the event sometime throughout that day. If you would like to register yourself or your neighbor for the event, please contact the Recreation Department.

4. Garbage Guzzlers

Garbage Guzzlers Days are set from June 21st – June 29th. Service groups and organizations are also invited to take part in this event as a fund-raiser. The Town will provide the garbage bags and gloves as well as give a donation for your services. Groups interested are asked to contact the Recreation Department to ensure that groups are not planning on cleaning the same areas. Everyone is invited to participate.

5. Regatta and Music Festival

Planning for the Regatta and Music Festival are well underway. Groups and services have been contacted to see if they are interested in hosting any events. New activities are planned for this year, which should be of great interest to residents and visitors. The Spirit of Newfoundland will be performing, Thursday, July 10th at the Royal Canadian Legion. The final schedule will be advertised the first week of June. If you have anything to add to the events listing or if you would like to sponsor a race, please contact the Rec. Dept.

6. Recreation Newfoundland and Labrador

The RNL conference was held in Grand Falls-Windsor, Thursday, May 22nd to Saturday, May 24th. It was a great success with approximately 150 delegates. At the conference the Town's Recreation Director, Dawn Chaulk was voted as President Elect.

Public Relations Economic Development and Tourism Committee Report - May 29, 2008.

1. Farmers' Market

This is an ongoing topic noting the Town is still sourcing out its location, however it has been noted that the Town can operate this event with a temporary permit since it is not involving any permanent structures. Local farmers are being contacted to get a response as to when the best time would be to market their produce etc. It should also be noted that in the early phases of this project, there will be twelve (12) spaces available, and that 2/3 of that space be reserved for local farmers and the remaining 1/3 be available to local crafters.

2. Tourism Map

This is an ongoing topic. The Committee has received feedback from staff and Council; the Town's Tourism Map will undergo just a few more minor changes.

3. Slogan/Logo

Suggested Slogan/Logo "*Portugal Cove – St. Philip's, Enjoying Our Rugged Land and Living Sea*"

Held pending further review and consideration by Council.

This topic will be brought forward to next Council Meeting.

3. Website

The Town's new website is still undergoing updates and changes. More recently we have added a calendar of events, local weather etc. We are still eliminating a few minor bugs within the site.

CORRESPONDENCE

(a) MNL Annual (2008) Convention

NL Convention Registration Package for Wednesday Oct. 8- to Saturday October 11 2008. Council Members are asked to:

- Contact the Town Clerk to advise if you wish to be registered
- Advise if you have or know of accommodations
- Keep this Convention Package for your personal reference.

The following Councillors confirmed attendance at the meeting:

- Councillor Andrews and Mrs. Andrews
- Deputy Mayor Mercer and Mrs. Mercer
- Councillor Seary
- Councillor King
- Mayor Collins and Mrs. Collins

(b) EMCO Corporation Waterworks Invitation:

The Industry Trade Show - at Holiday Inn - June 12, 2008
From 1:30-8:00 pm. - RSVP.

(c) NLAMA – Education Session – June 13, 2008 - Clarenville

(ICSP) “An Introduction to Integrated Community Sustainability”

Town Manager will attend, however the Town Clerk will be out of the Province on vacation from June 12 – June 26.

(d) Ocean Net - Reminder: Oceans Day 2008 Events.

Oceans Day in Newfoundland and Labrador will be celebrated during the period from Friday, June 6 – Tuesday, June 10.

(e) Letter from Mayor Graham Letto – President MNL

RE: Crown Lands – Very important Letter.

This Correspondence has been referred to Planning and Development who will respond **as soon as possible**.

Mayor Collins advised Council that this was a very dear subject to Mr. Herb Brett, former president of MNL, now deceased, who fought hard and long for Municipalities to have the right to all Crown Land within their boundaries.

Mayor Collins gave a report from the FCM Conference held in Quebec City, which he recently returned from, advising that Mr. Brett was given honorary FCM membership, and during a presentation by our present day president Mr. Graham Letto, Mr. Brett was given a standing ovation. He was respected and appreciated by all who knew him. He said, as a Newfoundlander it was very emotional and all NL members felt so very proud to have one of our honored citizens held in such high esteem and receiving such acclaim.

Graham Letto said he would love to see municipalities receive the Crown Lands as it would realize a dream that Mr. Herb Brett had worked so long and hard to bring this to where it is today.

(f) Beachy Cove Elementary

Letter has been referred to Finance and Administration Committee.

(g) June is Recreation Month

Motion
08-159

King/Fagan

Resolved that the Town Council for the Town of Portugal Cove-St. Philips, hereby proclaim that June, which witnesses the greening of Newfoundland and Labrador and serves as a significant gateway to family activities, has been designated as Recreation Month. This will be annually recognized to celebrate the benefits derived year round from quality public and private recreation, and parks resources at the local, regional and provincial levels.

Therefore, our community, in recognition of the benefits and values that recreation, parks and leisure services provide, do hereby designate the month of **June to be Recreation Month.**

Carried
Unanimously

GENERAL/NEW/UNFINISHED BUSINESS

1. Student from Marine Institute (on the job training)

Town Manager advised that we have been successful in getting a student from Marine Institute who will be working with the Town and Mr. Steve Weller at the WWTP. This position is at no cost to the Town.

2. Death of V. Tucker

Councillor Fagan advised that the wife of former Mayor Bill Tucker had recently passed away. Mr. Tucker was the first Mayor and one of the founding members of the Town of St. Philip's.

Council extended sympathies to Mr. William Tucker on the passing of his dear wife.

3. Organizational Review – Meeting.

Mayor Collins advised all members of Council to contact the Town Clerk and advice of their available times in order to arrange a meeting with all members of Council to review the document.

ADJOURNMENT

Motion: Seary/Mercer
08-160 Resolved to adjourn this meeting.
Time: 9:15. p.m.

Carried
Unanimously

Mayor Norm Collins

Town Clerk, Loretta Tucker