

Call to Order The Public Hearing was called to order with Warden Thurber in the chair at 6:04 p.m.

Attendance

Councillors present:

- Jim Thurber, Warden
- Jimmy MacAlpine, Deputy Warden
- Linda Gregory, Councillor
- Maritza Adams, Councillor

Staff present:

- Linda Fraser, Chief Administrative Officer
- Gordon Wilson, Deputy Chief Administrative Officer
- Marsha Lewis, Secretary

Purpose of Hearing –
Chair

Warden Thurber opened the Public Hearing and outlined that the purpose of this hearing is to provide a formal opportunity for Council to receive public comments on the proposed Municipal Planning Strategy and Land Use By-law for Wind Turbine Development. Council will also receive public comments on amendments that address Wind Turbine Development at the Municipal Airport, Conway Area and in the Digby Wellfield Protection Area. Finally, Council will receive comments on a proposed amendment to the Conway Area Land Use By-law relating to the proposed new Tideview Terrace on Pleasant Street.

Chris Millier-Planner
with the 4 Site
Group

Mr. Millier gave an overview of the process to date and the purpose of the Strategy and By-law. A number of meetings were held to get background information, regulations and reviewed the options for the Municipality. It was noted that Council visited the wind farm site in Pubnico to get insights as to what to expect in the process.

Municipal Planning
Strategy and Land Use
By-law for the
Regulation of Wind
Turbine Development
in the Municipality of
the District of Digby

The purpose of this hearing is to provide a formal opportunity for Council to receive public comments on the proposed Municipal Planning Strategy and Land Use By-law for Wind Turbine Development.

Written Submissions: none

Verbal Submissions: as follows:

Judith Peach

She supported the By-law. She noted a few items which she would like to see clarified.

- a. 2.3 of the Land Use By-law- wind turbine development was not defined.
- b. 4.2.1 of the Land Use By-law-reads shall not exceed 45dB(A) (decibels) which is not clear from the table on the following page in this By-law.
- c. 5.3 of the Land Use By-law-unmaintained public roads not defined. Also not defined in Policy 12 of Municipal Planning Strategy.

Robert Robinson
President of Bay
Wind Field

He was not in favour of By-law. Did not think beneficial to businesses.

- Kristy Herron
Digby and Area
Board of Trade
- She was concerned that the development agreement would be intimidating for businesses. This may be one more level of red tape for businesses. We need to encourage entrepreneurs and investors to want to come here.
- Rick Jacques
Trails Coordinator
- He stated that the Municipal Planning Strategy and Land Use By-law divides domestic and utility scale turbines very well. He is in favour of By-law and that it is right on track.
- Corey Bassel
Vice President
Development
Sky Power
- He stated that the project proposed for Digby Neck is a 30 megawatt project. He has By-law experience in other regions. Also has experience from a developer's perspective. He talked to many businesses and they wanted to know the benefits from development in community.
Any ambiguity can affect future development. During hard financial times it is important that the By-law does not send the wrong message to potential investors.
- Scott Oldewening
Manager of Personnel
and Planning Sky
Power
- He stated that this By-law may pose problems for developers. The Municipality must set clear and measureable standards. The development agreement should be required only after turbine designs are in place because before could mean extra steps if the lay out changes and studies need to be re-done, ex. Municipal Planning Strategy Setbacks-Municipality can decide what the safe areas are and the minimums will not be changed. Criteria for agreement approval very subjective ex. visual impact, data not defined or subjected. He recommended not to pass this By-law. Presented a letter to Council for consideration.
- Cory Bassel
Vice President
Development
Sky Power
- The guidelines are good for a developer but need to be clearer. This will help with future opportunities such as jobs, revenue of land, etc. It will be an investment in the community. He would like to participate in further discussions. He asked Council not to pass the By-law as written today.
- Robert Robinson
President of
Bay Wind Field
- He agrees there should be regulations in place to make sure of safety of wind turbines.
- Rick Jacques
Trails Coordinator
- He welcomes development agreement. There are different impacts to different areas. Council and community should decide if it is right for a particular community.
- Barry Zwicker
President Scotia
Wind Fields
- In the current document statements don't match each other. Digby is supportive but regulations will stop any future wind development. There needs to be predictability and consistency in By-laws and policies. The development agreement can go through the appeal process to the Utilities and Review Board which will look at the By-law and policy for consistency. He noted that other Industries are not regulated in the Municipality such as natural gas, nuclear plant, etc. Why regulate wind turbines? Why is colour so definitive? This makes for restrictions. He noted in Policy 11. Sec. f. Should this be included in this Municipal Policy or should it be Provincial jurisdiction re: water courses, erosion, and wells? He felt that the decision should be deferred. Council should understand more about the wind turbine development process. A developer needs assurance of meeting the requirement up to twenty-four months before his approval can go ahead.

- Wanda VanTassell She agrees with the By-law. We need protection. She would like to see the community and Municipality work together. Municipality lags behind in land use regulations.
- Julia MacLean
General Manager
Digby & Clare
Community
Business
Development
Center She agrees with having By-laws but companies should know ahead of time before investment can be made. She generally supported the By-law but there needs to be more specific guidelines.
- Evelyn Hayden She agrees with the By-law. Turbines should be more than 600 meters from houses. Wind Turbine developers should not take part in the development of any By-law.
- Anna Fabigan
Rossway She is in favour of By-law. There are a lot of wind farms in Austria where she is originally from. They have a 1,500 meter set back. She feels that the set back in this By-law may affect the health of the residents. She stated that visual impact is important. Big companies still come to Lunenburg and Kings Counties even though no wind turbines are allowed.
- Warden Thurber called three times for any more verbal submissions.
No other verbal submissions.
- Sessions closed for verbal submissions on the MPS/LUB for the Regulation of Wind Turbines at 7:00 p.m.
- Proposed
Amendments to the
Conway and Area
Secondary Planning
Strategy and Land Use
By-law The purpose of this hearing is for Council to receive public comments on amendments that address Wind Turbine Development in the Conway Area.
Verbal Submissions: none
- Proposed
Amendments to the
Digby Municipal
Airport Secondary
Planning Strategy and
Land Use By-law The purpose of this hearing is for Council to receive public comments on amendments that address Wind Turbine Development at the Municipal Airport.
Written Submissions: none
Verbal Submissions: none
- Proposed
Amendments to the
Digby Wellfield
Protection Area
Secondary Planning
Strategy and Land Use
By-law The purpose of this hearing is for Council to receive public comments on amendments that address Wind Turbine Development in the Digby Wellfield Protection Area.
Written Submissions: none
Verbal Submissions: none

Proposed
Amendments to the
Conway Land Use By-
law Relating to the
Proposed New
Tideview Terrace,
Pleasant Street

The purpose of this hearing is for Council to receive public comments on the proposed amendments that to the Conway Area Land Use By-law relating to the proposed new Tideview Terrace on Pleasant Street.

Written Submissions: none

Councillor Amero joined the meeting at 7:08 p.m.

Chris Millier
Planner with The
4 Site Group

Mr. Millier gave an overview of the proposed amendments to the Conway Land Use By-law relating to the proposed new Tideview Terrace on Pleasant Street. There are two items which are inconsistent. These are requirements for loading and parking. He noted that a home for special care with 100 beds would require 200 parking spaces under the current by-law. They looked at Middleton, Sydney and Halifax which only have 50 to 75 parking spaces. He felt that the criteria for nursing homes which are one space for every two beds would be sufficient. This would be about 65 spaces and would include staff and visitors since most people in the facility do not have a car. He stated that unloading a tractor trailer would require two spaces. He felt that one loading space would be sufficient for unloading a tractor trailer which would be separate from other parking.

Verbal Submissions: as follows

Rick Jacques
Trail Coordinator

He discussed a motorized by-pass in Conway which will now be in the Municipality due to there not being enough room in Town because of the space used by the proposed new Tideview facility. This space hopefully can be used for green space and can be adjoining the new facility so residents can make use of it.

Judith Peach

She stated that in this case the development agreement with specific requirements for Conway would have been a good thing.

Nora Peach

She looked at the proposed site and did not think it's a good site. She said that the plans probably cannot change now but thought it might be in the way of other development.

Rick Jacques
Trail Coordinator

He asked if Council accepted the DNR proposal. The Warden told him that the Town is dealing with that issue.

Adjournment

Public Hearing was adjourned at 7:20 pm.

MOTION CARRIED

WARDEN

CLERK