

**DIGBY TOWN COUNCIL
PUBLIC HEARING
MARCH 2, 2009
COUNCIL CHAMBERS
6:00 P.M.**

Members Present: Mayor Ben Cleveland
Councillor Jean Brittain
Councillor Danny Harvieux
Councillor Brian Manzer
Councillor Peter Turnbull

Staff Present: Tom Ossinger, Town Clerk
Matthew Raymond, Deputy Clerk
Bonnie Duncan, Recording Secretary

Regrets: Deputy Mayor Mike Bartlett
Councillor Ron Matsusaki

1. CALL TO ORDER

The Mayor called the meeting to order at 6:00 PM.

2. OPENING REMARKS

Town Clerk Ossinger stated that the Town had received a request from Mr. Ted VanTassel on behalf of Robert VanTassel to rezone the land located on 34 Third Avenue from Low Density Residential R-1 to multiple Residential R-2 to enable the development of two additional dwelling units in a recently constructed two-unit dwelling.

Town Clerk Ossinger read the by-law requirements and other documentation of the requirements as outlined by Chris Millier of the 4Site Group. (see attached documents). Town Clerk Ossinger stated that a meeting had been attended by Mr. VanTassel, Chris Millier of the 4Site Group as well as himself and the site plan was reviewed and discussed at length. All outstanding issues regarding the rezoning have been addressed. The Planning Advisory Committee recommended the rezoning issue be taken to Council and a first reading was held. The purpose of this public hearing is to address any and all concerns regarding the rezoning of 34 Third Avenue.

3. ACCEPTANCE OF WRITTEN SUBMISSIONS

There was one written submission sent by Stan & Sherri Lewis stating their concerns regarding the rezoning of 34 Third Avenue requesting that the property not be rezoned. (see attached document).

4. ACCEPTANCE OF ORAL SUBMISSIONS

- 4.A. Ms. Deborah Thomas is concerned about the rezoning as her property is next door to the building in question. She stated that she doesn't want trucks in her driveway as the construction is underway as it was when the building was built. Concerns about a fence as well as noise and lack of privacy were also concerns expressed by Ms. Thomas. She would like a 6" fence versus the 4" fence that Mr. VanTassel stated would be put in place. Drainage in front of her property was also discussed. Ms. Thomas stated that she agreed with the letter submitted by Mr. & Mrs. Lewis.
- 4.B. Mr. Donald White expressed his concerns should the rezoning be allowed. His property is behind the building in question and he feels that allowing the rezoning will devalue all property in the area. The lights from vehicles pulling into the parking lot of the building are already a problem and more units mean more lights. He also agrees that a higher fence would be required to be of any use. Mr. White would like to see the rezoning denied.

5. GENERAL DISCUSSIONS

Council asked some questions regarding minimum frontage, side yards, as well as the additional parking that would be required with the addition of two more units. Mr. VanTassel stated that he is willing to put a higher fence in place, as well as address the other concerns expressed by the neighbors. Mr. VanTassel also stated that the two current units are rented by young people at this time and there have been no problems. He is expecting to rent the two new units with no problems.

Following the general discussion Mayor Cleveland stated that the matter would be taken to Council for their consideration and a decision would be made at that time.

6. ADJOURNMENT

There being no further business the meeting adjourned at 6:50 p.m.

MAYOR

TOWN CLERK