

Town of Sussex

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Minutes of Meeting of Council held this

21st day of October, 2013

A.D.,

The Town Council of the Town of Sussex met in special session, by appointment of the Mayor of the said Town, in the Council Chambers of the said Town on Monday the 21st day of October, 2013, at 6:00 o'clock in the evening.

The following members of the Council were present: His Worship Mayor Thorne, Councillors Ryan, Armitage, Wilson, Wright, Boyle and Hutchings. Deputy Mayor Carr was absent. Also present at the meeting were the Chief Administrative Officer, Scott Hatcher and the Town Clerk/Treasurer, Paul Maguire.

It was moved by Councillor Hutchings, seconded by Councillor Wilson, that the agenda for this special Town Council meeting be approved. Motion carried.

No members present declared a conflict of interest on any items on the agenda at this time.

A public presentation was held on the Municipal Plan By-Law Amendment, By-Law # 704-10-13, which would amend the future land use map, dated November, 2010, by changing the designation of a portion of the property bearing P.I.D. # 30343067, from Highway Commercial "HC" zone to a Residential High Density "HD" zone to allow a multi-family residential permitting four buildings each with 12 units for a Condominium Association Development.

The presentation was made by the Developer, Jim Andrews and his Engineer, Marcus deWinter. Mr. Andrews provided several presentation boards of drawings and floor plans for the buildings as well as conceptual plans of the lots to be rezoned showing the buildings and parking lots. Mr.

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Andrews stated that his development would have four buildings with 12 units per building with access off of Lansdowne Avenue South. The units would be two bedroom units with a market target of young professionals or couples who want to downsize. Mr. Andrews noted that the properties would include landscaping and existing buffer zone between Meadow Lane would remain. Each unit would have individual cooling units which would be located on the roof to reduce noise; each building will have an elevator; each unit will be priced in the \$150,000.00 range per unit; and the buildings will fall under the guidelines of the *Condominium Act*.

Marcus deWinter spoke on the Condominium aspects of the project, he noted that the *Condominium Act* is very specific and that provisions in the Act require that enough money is set aside on a monthly basis to fund maintenance and future repairs to the buildings.

The Council and citizens present had an opportunity to ask questions on the presentation. Mr. Sparkes, of Meadow Lane, had a concern about noise from the air conditioning and heating units on the roof. Mr. Andrews noted that the landscaping would help deaden the noise and Mr. deWinter said that the units would be individual units and that the heat pump systems would provide very little noise. Citizens asked questions on the height of the buildings and the elevation of the ground floor as there was a concern whether the buildings would be higher than the existing Shoppers buildings. Mr. Andrews noted that he will develop a profile of the buildings including the elevations and provide that in the next thirty days.

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His Worship Mayor Thorne noted that the buffer zone that was developed during the development of Meadow Lane is not part of this development and is not available for development and will stay as a buffer zone.

Mr. Sparks asked whether there was a list of covenants proposed for the buildings. The developer said that a lot of the requirements of the *Condominium Act* would cover the concerns of the covenants, such as derelict vehicles or motor homes in the parking lots and that Mr. Andrews would consider developing a list of covenants besides the requirements of the *Condominium Act*. Mr. Sparkes and the residents on Meadow Lane also inquired whether he would consider putting a fence between the buffer zone and the development. Mr. Andrews said that he would consider putting the fence up but the fence is not part of his presentation. The residents of Meadow Lane were concerned with residents of the development crossing the buffer zone and entering into the back yards of the residents on Meadow Lane to cross over to St. George Street or to exercise their animals.

The developer noted that the proposed Condominium fee for the month would range between the amounts of \$150.00 to \$200.00 per month and that the proposal is for condominiums not rental units. Questions were asked on the traffic flow out of the development onto Lansdowne Avenue South and Route 121 and in particular the left hand turn onto Route 121 and whether the Town would consider traffic lights being installed at Lansdowne Avenue South. The Chief Administrative Officer noted that Route 121 is a provincially designated highway and that

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the regulations under the requirements of the Department of Transportation would be that in order to have a traffic light there would have to be a traffic warrant analysis that would indicate a need for the installation of traffic lights at Lansdowne Avenue South. However, in consideration the projected increase in traffic would be in the range of 300 cars per day and that there are presently 12,000 to 15,000 cars per day going on Route 121 it would be highly unlikely that the traffic flow would warrant an analysis showing traffic lights were required at the intersection. Also, the intersection has a significant curve and that traffic lights would probably not be recommended due to the configuration of Route 121 and Lansdowne Avenue South.

The Town Clerk informed the Council that the date for the hearing of objections is scheduled for November 21, 2013, at 6:00pm in the Council Chambers and that any citizens who wish to submit written objections should have them submitted to the Town Office before the November 21st meeting.

The Chairman of the Works Committee, Councillor Wilson, reviewed with the Council results of the public tender opening for Contract # 50-001-13, 2013 Capital Improvements – Various streets, which took place Thursday, October 7, 2013, at 2:00pm.

It was moved by Councillor Wilson, seconded by Councillor Armitage, that Council award the tender for Contract # 50-001-13, 2013 Capital Improvements – Various streets, to the low bidder E. J. Cunningham Ltd. for the adjusted tender price of \$299,412.18, inclusive of


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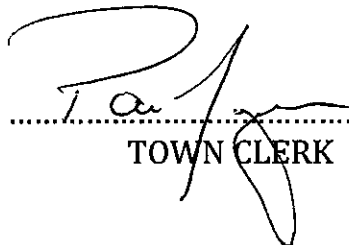
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HST, conditional on reducing the contingency contract amount from
\$21,000.00 to 10,000.00. Motion carried.

It was moved by Councillor Wilson, seconded by Councillor Wright,
that this special meeting of the Town Council of the Town of Sussex
adjourn. Motion carried.


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MAYOR THORNE


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TOWN CLERK