

**Town of Amherst
Public Hearing
Minutes**

Date: October 20, 2022
Time: 5:00 pm
Location: Council Chambers, Town Hall

Members Present
 Mayor David Kogon
 Councillor George Baker
 Councillor Hal Davidson
 Councillor Lisa Emery
 Councillor Dale Fawthrop
 Councillor Leon Landry

Members Absent Deputy Mayor Christie

Staff Present
 Jason MacDonald, Chief Administrative Officer
 Andrew Fisher, Director of Planning & Strategic Initiatives
 Kim Jones, Director, Corporate Communications/Municipal Clerk
 Tom McCoag, Corporate Communications Officer
 Natalie LeBlanc, Deputy Clerk

1. Call to Order

Mayor Kogon called the Public Hearing to order.

2. Land Use Bylaw Amendment - Flemming/Paradise Rezoning Application

2.1 Presentation

Mr. Fisher presented.

2.2 Written Submissions

There were no written submissions received.

2.3 Public Comments

John Gillis, 6 Mosher Street, stated he built his home from July to October 2011. He asked exactly where and what street this application pertained to. Mr. Fisher replied it was at the end Flemming Avenue if you turn right, behind Sandstone Crescent, as shown on the map included in the presentation. Mr. Gillis asked if this was in relation to the machinery clearing land off of Oceanview Drive, to which Mr. Fisher replied no.

Mark Morgan, 86 Willow Street, expressed his concern with future large apartment complexes being constructed in this area. He noted there is a large parcel of land here currently for sale, and that he feels the application for Brown/Mosher is just the beginning, that this area could also have potential for large apartment complexes to be constructed on them, which his property would then be surrounded by.

Andy Melvin, 1 Flemming Avenue, asked if the proposed development for this site was 4-units, to which Mr. Fisher replied yes, similar to the ones neighboring the property on Sandstone Crescent. For further clarity he asked if it's for one 4-unit, or four, to which Mr. Fisher replied it is for four, 4-units.

There were no further questions or comments from the public regarding this application.

3. Development Agreement Application - Lot 2021-2R Brown/Mosher Street

3.1 Presentation

Mr. Fisher presented.

3.2 Written Submissions

Mr. MacDonald read the written submissions for the record.

3.3 Public Comments

Wayne Dickie, 32 Donald Avenue, asked about the walkway between his property and 34 Donald Avenue, stating he would like to purchase it so it could not be used as a public walkway. He indicated he has reached out to Mr. Fisher over the past two years about this however no action has been taken. Mr. MacDonald replied that the Town does not own this parcel of land, that it belongs to the applicant. Mr. Dickie asked if it will remain a walkway, to which Mr. MacDonald replied that the plans do not show a walkway, therefore it would remain vacant. Mr. Dickie asked if he could have that in writing, Mr. MacDonald replied it is part of the proposed development agreement. Mr. Dickie replied it is a big concern for him and his neighbor, and that he was told the Town owned it. Mr. Fisher replied the original intent for this parcel of land when Donald Avenue was developed was for a walkway, however it was never fully developed, and that it is owned by the applicant, but does not appear to be part of the proposed development. Mr. Dickie again asked for this in writing. Mr. Fisher replied the purpose of this meeting is for public feedback, and that Council will take into consideration that it has been expressed that the walkway is not wanted.

Evelyn Bradford, 3 Brown Street, noted she is pleased to see that the proposed development agreement does now include stop signs at Brown and Mosher. She expressed her concern with the increase in traffic this proposed development would create. She stated her son is in a wheelchair, which is why they bought in their current quiet neighborhood. She expressed concern for pedestrian safety in general, noting several seniors and dog walkers also use this area. She would like to see sidewalks constructed on Brown and Mosher, as there currently are none. She also is concerned with the limited parking being proposed, wondering where the overflow will go. If it overflows onto Brown and Mosher, she added this will make pedestrian safety even more dangerous.

Dave Smith, 34 Donald Avenue, also expressed concern with the walkway between his property and 32 Donald Avenue, stating there will be no privacy and he doesn't want people using it at all hours of the day and night. He is also concerned with where the snow that would be removed from the proposed development will go.

Mark Morgan, 86 Willow Street, noted he has lived at his residence for over a decade, and that he and his neighbors are all friends, who help each other out, celebrate special occasions together, share tools and even new recipes. He and his neighbors need help from Council, and because of Council. No one wants this. They are a small group of diverse people, Syrians, Mi'kmaq, African, Irish, and 2 LGBTQIA2S+, who support and know each other. This will not be the case if this development is approved, the residents will not know or care about him or his family, and unfortunately neither will he care about them as there will simply be too many people. He feels a development of this size will have a negative impact on these neighborhood relationships, that he will not know his neighbors, and it will give the area a "city mentality", which no one moved to Amherst for. He feels Council has already made up their minds, and therefore would like Council to consider naming the new road off of Willow with a Mi'kmaq/African Nova Scotian flare, do not say it is an extension of Gallagher as is done with so many other streets where one turns into another even though it's the same street, increase the crisis first response budget to anticipate and de-escalate situations as a result of such a large increase in population and freeze tax rates in the area until construction is complete, and pass it on to the building or be satisfied with the increase tax base when complete, and do not retroactively tack on the savings back to residents when construction is complete.

Judy Tooke, 18 Donald Avenue, indicated she has lived at her property for 42 years. Her biggest issue is with the potential for further flooding, which the Town has not addressed for years. Dickey Brook is overgrown, if there is another flood like this past February it will be awful. There is not enough overflow to put this proposed development here. Her and her neighbors know and support each other, and do not want these buildings constructed in this area.

William Nichols, 107 Willow Street, is not opposed to development but is opposed to this large development. He feels there are signs now of similar development going on in the Quarry field off of Willow Street. He expressed his concerns with traffic increase, which has not been addressed, and does not agree with the statistics given in the traffic study. He is glad there will be stop signs to slow traffic down, however still has other concerns with flooding and overflow, and the culverts not being adequate to address it. He gave an example of a sump pump at a home on Donald Avenue that runs all day long. He asked about the bump-out on Gallagher Street, and noted that nothing in the plan addresses what will be done with it, could it be addressed, will it be used for parking, building, or greenery, or will it be put for sale.

Helena Rudderham, 7 Rhodes Avenue, is concerned with putting what could be 500+ people in this small space and the impact all the way around. She learned this evening that emergency and education services are a provincially responsibility, and asked if emergency services and schools are provincial responsibilities, has the province been notified of this application, and if not why not. She feels it would be irresponsible for Council to permit this development. She expressed concern with climate change, and Dickey Brook, and the dykes that need to be fixed or we will all be under water. She is of the opinion this development cannot be justified, and where are the people are coming from as Amherst's population has remained the same for years. She asked why they cannot build such a large-scale development in a more appropriate area. She feels 4-units would fit better in this area. She added that "we", the residents are the town, and pay to run the town, and that this will increase taxes. She noted that several residents who could not attend this evening were also opposed, and that here tonight are only a small number. She asked what it would take for Council, our representatives, to reject this application.

John Gillis, 6 Mosher Street, quoted a fairly famous Canadian actor who stated the needs of many are outweighed by the needs of a few; he feels this is the case here. He stated he believes in compromise, and all things in moderation, but that this proposal flies in the face of that, it is just unreal. He suggested the people in power consider that instead of these 3 or 4 monsters that stick out ridiculously, they consider allowing only 4-units like the ones we have around town now that are beautiful. He would like to see one story, 4-units developed in this area rather than what is being proposed.

Teresa Nichols, 10 Donald Avenue, indicated she has lived at her residence for 21 years. She is concerned with flooding, and wildlife in the area that they enjoy. She has had three floods, the first one was only inches deep, the next one up to the furnace, but this last time up as high as three stairs, and remained there. The creek behind her property often looks like it will cross the flood plain during the winter thaw. She also expressed concerns with outdoor lighting from the proposed development, adding that the lighting from E.B. Chandler and over the bridge/culvert on Donald Avenue is already too bright. She would like to have them off at night however does not feel it is safe. She feels this development would affect the enjoyment of her property in general.

Dr. Keith Short, 9 Casper Court, stated that although he would not be directly affected by this development, he is concerned with the increase in traffic it would create along Willow Street. He feels the traffic study, done on June 20, did not provide a clear reflection of the amount of vehicular and pedestrian traffic travelling in this area during peak school times, and that Council request it be re-done, as it is not an accurate reflection of what happens on a day-to-day basis. Or Council should go stand on the corner in the morning when children are going to school, the speeds on Willow are not OK. He spoke to Mr. Fisher's point of provincial responsibilities, and to the massive crisis at the Cumberland Regional Hospital due to the shortage of doctors and nurses, and that if Council did not recognize this as a serious issue than they should not be on Council. The hospital and school system are not set up for such a large influx of people, and he feels this, along with the increase in traffic, needs to seriously be taken into account.

James King, 105 Willow Street, indicated he moved here only two months ago, and advised that he shares the single largest property line with this development. Coming from Ontario he is used to this kind of stuff, where things go up, people complain and nothing happens. He would like to know if the potential increase in crime that comes with such a development has been considered.

Jean Thompson, 49 Willow Street, also expressed concern with the increase in traffic this development would result in, and does not believe having three crosswalks between Spring Street and the high school is safe, adding people often park on the street at the Spring/Willow intersection further congesting this area. This is not safe, especially in the morning when the sun is shining brightly along this route. She asked if the increase in workload for police has been considered, has the Police Commission been notified of this application. She feels this property should remain as a greenspace, perhaps a park which would be lovely, but instead if this development is approved will now just be cement, which is too bad.

Jonathan McClelland, with the Cumberland Business Connector, stated he has no connection to this application. He spoke to the population in Amherst, in 1921 was 41,000 in Cumberland region, by 2016 it was 30,005, and increased in 2021 by 500, stating the population is growing. The biggest issue he sees everyday is the lack of workforce, due to the lack of housing. People are turning down jobs because there is no housing, which is part of the doctor and nursing shortage. People cannot afford to live in Moncton or Truro and travel due to gas prices. All businesses in Amherst are facing this challenge of housing shortages.

Connor Manson, the architect for this proposed development, spoke at this time, stating that he knows he is probably one of the only people in attendance that supports this development. He advised that he did not get into this business to ruin communities, but to enhance them. He advised those in attendance that he has heard their concerns, and that a lot of them are out of his control. He assured everyone that the buildings being proposed are state of the art, he can put noise concerns somewhat to rest, but things like potential flooding and increase in traffic are not in his control, as much as he wishes he could solve them. He is here to improve the community, and looks forward to the response from the Town, and continuing to work with them for this development.

Helena Rudderham took to the podium again, commenting that she appreciates the architect's comments, but disagreed in that this would ruin their neighborhood. She agreed that housing is needed, but not this type on this property. She does not want to solve a problem by compounding more.

Jeff Smith, 88 Willow Street, appreciated Mr. Manson's comments as well. However, he has concerns with the traffic study that was completed, was the date coincident. He is not opposed to residences being constructed, wants to see affordable housing, and wants to see the town grow, but responsibly, and feels that permitting this development in this area is incredibly irresponsible. He stated he works in IT and has seen companies grow too big, too quick and then crumble, he does not want to see this happen with our town. He wants the Town to push back on this development, and consider affordable housing instead. He feels this application is incredibly irresponsible, and jeopardizes the safety of the children in this area.

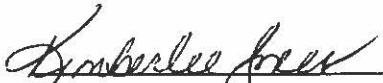
Darlene Daley, 105 Willow Street, noted her property is close to the new road being proposed off of Willow Street. She is concerned about this, and that if a sidewalk is constructed along this side of Willow Street, she will lose a portion of her front yard.

Mr. Dickie spoke again asked about the brook, and why is nothing being done, stating every time there is a flood it is a \$2,000 deductible for the property owner, which does not come off of their taxes. Mr. MacDonald replied the Town has received funding to improve storm water management in the area, and that the Town has taken other measures to clean the brook and culverts. Mr. Dickie also asked if Mr. McClelland lived anywhere near the proposed development, to which he replied no.


Stephen Coates noted he is part owner of the 50 acres of property on the other side of Willow Street across from the proposed development. He indicated he has 6 to 8 lots that have been for sale since 2009 or 2010, they put them on the market again this summer with the unit across from what used to be the old Tantramar Motors and never had one offer all summer. So, if this development is not approved, he knows where there is 50 acres that is open. He spoke to his childhood growing up in this area on Willow Street, and the construction of the asphalt road and the school for the deaf, and that this could not be worse than that.

At this time Mayor Kogon thanked everyone for coming, assured them their concerns would be considered, and closed the public hearing.

4. Adjournment



Kimberlee Jones
Municipal Clerk



David Kogon, MD
Mayor