

**TOWN OF HAMPTON  
COUNCIL MEETING  
August 14, 2012**

A closed session of Council was held immediately preceding the regular Council meeting, commencing at 6:00 p.m. A regular meeting of Council was held in the Council Chambers at 27 Centennial Road on August 14, 2012 commencing at 7:07 p.m.

**ATTENDANCE:**

Council: Mayor Ken Chorley Deputy Mayor Gary Crossman  
Councillor Peter Behr Councillor Dwight Bond  
Councillor Robert Doucet

Staff: Richard Malone, Town CAO Megan O'Brien Harrison, Clerk/Development Officer  
Gena Fowler, Director of Leisure Services

Media: Laura MacInnis, Kings County Record

Delegations: Sgt. Andy O'Connell – RCMP  
Catherine Burnham, Heart and Stroke, Big Bike Ride for Heart  
Laurie Mills, David Wolpin – Trees  
Jamie Gamble and Jeremy Fry – Hampton River Runners  
AMH Properties – Outstanding Issues, Subdivision Application  
Matt and Andrea Hughes, AMH Properties  
Tim Ryan, Fundy Engineering  
Steve Saunders, Keirstead Quigley & Roberts Ltd.  
John MacGillvray, Solicitor for AMH Properties

Guests: David Carr  
Lindsay Ramsay

**1. CLOSED SESSION**

In accordance with Section 10.2(4) of the *Municipalities Act*, Mayor Chorley called the closed session to order at 6:00 p.m. and adjourned the closed session at 7:00 p.m. During that time, a number of issues were discussed and the confidential information from such discussions was classified as follows:

<u>Subsection of 10.4 (2)</u>	<u>Category</u>	<u># of Items</u>
a)	Confidential information protected by law	
b)	Personal information	1
c)	Financial loss or gain (individual or municipal) or could jeopardize negotiations leading to an agreement or contract	4
d)	Land transactions for a municipal purpose	
e)	Violates confidentiality of information obtained from other governments (Federal and/or Provincial)	
f)	Legal opinions or advice, and privileged communications	1
g)	Litigation or potential litigation	
h)	Access to/or security of particular buildings, other structures or systems	
i)	Information gathered by police	
j)	Labour/Employment matters	2

**2. REGULAR SESSION – PUBLIC COUNCIL MEETING**

Mayor Chorley called the Open Session to order at 7:07 p.m.

**3. MOMENT OF SILENCE AND MOMENT OF REFLECTION**

Councillor Behr led Council in a moment of reflection.

**4. APPROVAL OF AGENDA**

The Town Clerk announced that there are several additional items for Council to consider adding to the agenda, including:

Under New Business 14.3 *Water Treatment System*

Under Delegations: Jamie Gamble and Jeremy Fry – Hampton River Runners

Under Correspondence:

12-104 Hampton River Runners re: Sponsorship Request

12-105 Sussex Health Centre re: Golf Tournament Sponsorship Request

**Moved by Councillor Behr and seconded by Councillor Bond that the agenda of the August 14, 2012 Council meeting be approved with the addition of:**

**New Business Item 14.3 *Water Treatment System***

**Delegations: Jamie Gamble and Jeremy Fry, Hampton River Runners**

**Correspondence 12-104 Hampton River Runners**

**Correspondence 12-105 Sussex Health Centre**

**Motion Carried**

**5. DISCLOSURE OF CONFLICT OF INTEREST**

Councillors were asked to disclose any conflicts of interest as they arise.

**6. PRESENTATIONS AND DELEGATIONS**

**6.1 Hampton RCMP**

Sgt. Andy O'Connell presented the RCMP report for the month of July. He noted that it was a fairly quiet month. Sgt. O'Connell stated that they were still investigating the robbery at the Red Brick Corner Bar & Grill. He stated that the case was progressing. He also reported that they were gearing up for the fall and the school walk through program would be commencing again.

Council had some questions about a recent traffic monitoring device purchased by the Town of Sussex. They asked if the information produced by the machine was valuable to the RCMP. Sgt. O'Connell indicated that it was and that he would arrange for the Town of Sussex to contact Hampton about the purchase.

Council noted that the RCMP presence at the PC BBQTown event was excellent and that foot patrols are appreciated.

6.2 Catherine Burnham, Heart and Stroke, Big Bike Ride for Heart

Catherine Burnham, on behalf of the Heart and Stroke Foundation, presented Council with information about the Big Bike Ride for Heart. She said that the bike is three seats across by 10 seats deep. The bike travels to different communities where teams of 29 riders who fundraise in support of the Heart and Stroke Foundation take a spin on the bike. Money raised supports research and promotion here in NB.

Ms. Burnham stated that they are looking to have the event in Hampton grow. At the moment they have just over enough participants for one team. They hope to have a second team for the event on Wednesday, September 19th, 9 a.m. There is a small group of three Hampton volunteers that assist in organizing the event.

She was asking Council for their support and to help raise awareness. Council suggested that they may want to form a larger committee next year to help get the word out.

Councillors that are able to participate in the September 19<sup>th</sup> event will inform the Town's administrative assistant and make arrangements to get registered.

6.3 Laurie Mills/Dave Wolpin, Trees

Laurie Mills noted that trees, in particular street trees have an economic value, both annually and over the life span of the tree, to our community. He noted that they sequester carbon, help reduce temperature extremes, provide shade from UV radiation, reduce the impact of heavy rainfall slowing down the impact of raindrops and dispersing the water, they help absorb excess water through their root systems and through transpiration modify the humidity in the vicinity of the tree. Mr. Mills said that they add to the aesthetic appeal of the Town, provide a food source for a diverse collection of flora and fauna and help to maintain topsoil through the decomposition of their leaves.

He felt that for every dollar you spent on a tree you would get a value of five dollars back, which is a pretty good investment.

Laurie Mills stated that the Environment Committee commends the Town for its support of tree planting endeavors in the past and makes the following recommendations to ensure that street trees are a prominent part of the Town's future.

1. Identify areas for planting - The Environment Committee has already identified several areas along Main Street that would benefit from the addition of street trees. He stated that these are by no means the only locations in Town in need of planting but represent a logical starting point. Other areas can easily be identified on a long term basis.
2. Identify appropriate varieties and sizes for planting - There are a wide variety of trees available, some native, others imported. All have different attributes and need to be considered on a site by site basis. It is increasingly important to avoid monoculture so that we minimize the possibility of losing all our plantings over a short period of time. The potential impact of global warming also needs to be taken into account.
3. Standardize planting procedures - Ideally, planting should occur in early spring before trees break dormancy. Planting after that time involves more risk and higher maintenance. Watering procedures should be in place for much of the initial growing

season. Minimum standards for planting hole size and type of backfilling should be in established. Most larger jurisdictions in Canada already have this information available. Ensure that all trees have a mulched area at the base to prevent mowers, whipper snippers etc. from getting too close.

4. Use GPS to establish a database which includes location, species, date planted and/or rough estimate of age as well as maintenance notes.
5. Establish an inspection program so that each street tree is inspected on a regular basis. For trees on the Main Street/Town Square the frequency would be greater than in lower traffic areas.
6. Identify funding opportunities - The Town Square trees were funded, at least in part, by donations. This program could be extended to include street trees. An average amount equal to the cost of purchase and planting for a tree can be established for this purpose, Other funding opportunities may arise from NGO's, Trees Canada, ETF etc. In addition, given the long lasting economic benefits of trees for the Town, it would be appropriate for the Town to fund a regular tree planting program. Simply determine a number that the municipality can live with and then plant that number of trees each year. Over time it will add up.
7. Establish a forest management plan for public woodlands. This does not suggest that the town needs to get into the lumber business, but does imply some long term planning to maximize the health of the existing forest so it is better able to ward off insects and disease while at the same time maintaining the integrity of the areas for wildlife habitat.

Dave Wolpin, Owner, Kredl's/Dave's Produce Packs

Dave Wolpin stated that he also wished to speak about tree planting plans for the Town, but that he was proposing a plan to plant small orchards of fruit and nut trees in accessible areas in the Town of Hampton, so that the fruits and nuts are available for harvest to everyone in the community as well as visitors.

He said that he got the idea for this urban agricultural proposal when traveling in South America. He stated that one community he visited has an orange orchard of approximately 20 trees in their Town Square. He said it was a huge attraction with its blooms in the spring and fruit in the fall.

He envisions something similar for Hampton, with little plots of 20 fruit and nut trees planted around the community. He feels that the project should start small, with planting one orchard. He suggested that near the baseball diamond at the High School may be a good location. Mr. Wolpin felt that we should pick a hearty pear tree and a good apple variety to start and plant ten of each of these types of trees and see how it goes. If that goes well, then the Town could plant more, including pears, peaches, plums, and a variety of apples.

Mr. Wolpin envisioned that the project would be completed in partnership with Hampton Elementary School. He grew up growing food and learning what "real" food was. He felt that involving the youth will increase pride and interest. Students could be responsible for

parts of the project by helping to mulch, prune and organically treat the trees for disease. If there is excess produce, it would be harvested by the school group and given to the community's food basket, or sold by the children at the weekly market as an effort to fund ongoing maintenance and future project development.

Council asked about trees that deer didn't like. Mr. Wolpin stated that it would be important to pick up any fallen fruit or nuts to keep the space clean and unattractive to wildlife. Council also suggested that maybe a parcel of land on the school grounds may be a good option for the first orchard.

Council thanked Mr. Mills and Mr. Wolpin for their presentations and referred the proposals to the Leisure Services Department for their consideration.

6.4 Jamie Gamble/Jeremy Fry, Hampton River Runners

Jamie Gamble, stated that he was the Race Director for the 2012 Hampton 5-Miler. He noted that Jeremy Fry was also present and was the former race director. This year's event is Sunday, September 9<sup>th</sup>.

Mr. Gamble provided Council with a list of items that the Hampton River Runners had supports with proceeds from past 5-miler events. This included donations to the Town of Hampton for trail improvements.

He stated that the event has continued to grow with more than 500 participants taking part last year. He noted that a Canadian Record was also set on the course last year. The Hampton 5-miler was also the 2010 RunNB event of the year.

Mr. Gamble informed Council that the Kids Kilometre had more than 150 participants last year so they have decided to add a new event called "3 for Me". This 3KM Kids race is for runners 16 years of age and younger.

The goal of the Hampton River Runners remains to have all event costs offset from donations and sponsorships so that any money brought in goes out as support for the community. They would like the Town to consider either being a one mile sponsors at a cost of \$500 or be the \$1000 title sponsor of the new Three for Me youth run.

Council thanked them for their presentation.

## **7. ADOPTION OF MINUTES**

7.1 Minutes of July 10, 2012

**Moved by Councillor Behr and seconded by Deputy Mayor Crossman the minutes of the July 10, 2012 Regular Council Meeting be adopted.**

**Motion Carried**

## **8. BUSINESS ARISING FROM MINUTES**

There was none.

## 9. CORRESPONDENCE

#	NAME	DESCRIPTON	Possible Actions
12-087	Rob Moore, MP	Information regarding new ACOA funding opportunity through the Community Infrastructure Improvement Fund	<b>Moved by Councillor Bond and seconded by Councillor Doucet that correspondence #12-087 be received and filed.</b> <b>Motion Carried</b>
12-088	Carole Fournier, Dialogue New Brunswick	Information regarding Dialogue New Brunswick	<b>Moved by Councillor Doucet and seconded by Councillor Bond that correspondence #12-088 be received and filed.</b> <b>Motion Carried</b>
12-089	Robert Sharpe, Director, Design Branch, DOT	Request for 5 Year Designated Highway Plan.	<b>Moved by Councillor Bond and seconded by Councillor Behr that correspondence #12-089 be referred to the Public Works Advisory Committee for recommendation.</b> <b>Motion Carried</b>
12-090	Rob Moore, MP	Invitation to Meeting with Minister of Public Safety	<b>Moved by Deputy Mayor Crossman and seconded by Councillor Behr that Town Staff be directed to confirm the Mayor's attendance.</b> <b>Motion Carried</b>
12-091	Raymond Murphy, UMN	UMNB position on Regional Commissions	<b>Moved by Councillor Behr and seconded by Deputy Mayor Crossman that correspondence #12-091 be referred to Staff.</b> <b>Motion Carried</b>
12-092	Russell King, Chairman, Portage Atlantic	Information on Portage Atlantic	<b>Moved by Councillor Doucet and seconded by Councillor Bond that correspondence #12-092 be received and filed.</b> <b>Motion Carried</b>
12-093	Catherine Snow, Town Clerk, Quispamsis	Copy of Letter to Minister Fitch re: Regional Commissions	<b>Moved by Councillor Behr and seconded by Deputy Mayor Bond that correspondence #12-093 be received and Filed.</b> <b>Motion Carried</b>
12-094	Matthew Paige, NB Association of Fire Chiefs Campaign Office	Request to purchase ad in the New Brunswick Association of Fire Chiefs' Children's Safety Booklet	<b>Moved by Councillor Bond and seconded by Deputy Mayor Crossman that the Town of Hampton purchase a 1/8 Page Business Card Black and White ad in the NB Association of Fire Chiefs annual "Children's Fire Safety Booklet" for a cost of one hundred and ninety dollars (\$190.00)</b> <b>Motion Carried</b>

12-095	Karen Webb	Request for 70 pins for the Girl Guides of Canada Trefoil Guild taking place on September 8 <sup>th</sup> at the Lighthouse River Centre.	<b>Moved by Councillor Behr and seconded by Deputy Mayor Crossman that the Town of Hampton approve/deny the request of Karen Webb for 70 pins for the Girl Guides of Canada Trefoil Guild taking place on September 8<sup>th</sup> at the Lighthouse River Centre.</b> <b>Motion Carried</b>
12-096	Dave Ryan, Canadian Folk Music Awards 2012 Local Committee	Requesting assistance in promoting the Canadian Folk Music Awards 2012 taking place in the Saint John region from November 15-18, 2012.	<b>Moved by Councillor Doucet and seconded by Deputy Mayor Crossman that correspondence #12-096 be referred to Staff.</b> <b>Motion Carried</b>
12-097	Leroy Armstrong, Concerned Citizens Regarding Rural Plans	Re: Regional Service Commissions	<b>Moved by Deputy Mayor Crossman and seconded by Councillor Bond that correspondence #12-097 be received and filed.</b> <b>Motion Carried</b>
12-098	Correspondence 12-098 was removed from the agenda		
12-099	M. Gail Quann	Letter commending Cathy Murphy	<b>Moved by Councillor Behr and seconded by Deputy Mayor Crossman that correspondence #12-099 be received and Filed.</b> <b>Motion Carried</b>
12-100	Kevin Coughlin, CBC Cross Country Fun Hunt	Letter looking for nominations for CBC Show Cross Country Fun Hunt.	Council noted that "Osprey Adventures at Lighthouse River Centre" as been selected as a potential site. It will be pitted against another community in New Brunswick starting on Wednesday, August 15th. Voting is from noon on Wednesday until Noon on Friday. Information on the voting is posted on the Town's Facebook page and on hamptontoday.ca. If Osprey Adventures wins the CBC Fun Hunt will be Hampton filming on Sunday, August 19th. Council encouraged everyone to take the opportunity to vote. <b>Moved by Deputy Mayor Crossman and seconded by Councillor Behr that correspondence #12-100 be received and filed.</b> <b>Motion Carried</b>
12-101	Rahma Kouraich, President, Section Sieur-Samuel-de-Champlain	Invitation to National Acadian Day Flag raising at Saint John City Hall	<b>Moved by Deputy Mayor Crossman and seconded by Councillor Behr that any Councillor that wishes to attend should inform the Town's Administrative Assistant and she will confirm their attendance.</b> <b>Motion Carried</b>

12-102	Ruth Saunders, Nauwigewauk	Wondering about recognizing Cathy Floyd	<b>Moved by Councillor Bond and seconded by Councillor Doucet that correspondence #12- 102 be referred to Staff.</b>  <b>Motion Carried</b>
12-103	Hampton Bible Camp	Invite to participate in/sponsor Hampton Bible Camp Classic	<b>Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town of Hampton provide a Tournament Prize to the Hampton Bible Camp Classic.</b>  <b>Motion Carried</b>  Council noted that it should be four identical items so that it can be a prize for a team.
12-104	Hampton River Runners	Request for Sponsorship of the 12 <sup>th</sup> annual Hampton 5 milers	<b>Moved by Deputy Mayor Crossman and seconded by Councillor Behr that the Town of Hampton sponsor the 12<sup>th</sup> Annual Hampton 5-miler by donating five hundred dollars (\$500) to sponsor the One mile marker.</b>  <b>Motion Carried</b>
12-105	Sussex Health Centre	Request for Sponsorship of the Sussex Health Centre Golf Tournament	<b>Moved by Councillor Behr and seconded by Deputy Mayor Crossman that the Town of Hampton sponsor a hole in the Sussex Health Centre Foundation annual golf tournament for a cost of two hundred and fifty dollars (\$250.00).</b>  <b>Motion Carried</b>

## 10. APPROVAL OF ACCOUNTS

- 10.1 **Moved by Councillor Bond and seconded by Councillor Doucet that the Town of Hampton approve the General and Utilities Fund Paid Invoices from July 1 to July 31, 2012 for the amount of four hundred and ninety thousand four hundred and twenty-five dollars and three cents. (\$490,425.03)**

**Motion Carried**

## 11. REPORTS FROM COMMITTEES

### 11.1 Environment Committee

Councillor Behr provided an overview of the Environment Committee report. He said the committee had a lengthy decision on the trees. The committee is looking to establish a fund for planting trees.

Council referred to staff for consideration during the budget process.

As of December 31, 2012 Laurie Mills will be retiring as chair of the Environment Committee which he has been chairing since its inception.



11.2 Economic Development

The Town's CAO reviewed the Economic Development Committee report. He noted that the committee continues to explore the possibility of an electronic sign. The Town has a business park to be installed once it is approved by the Department of Transportation. The new Town sign has been installed at the base of the Hall Road.

11.3 Planning Advisory Committee

Deputy Mayor Crossman noted that the new chair of the PAC is Lourdes Clancy. Deputy Mayor Crossman will serve as vice-chair.

11.4 Fire-Rescue

Councillor Bond reviewed the Fire-Rescue report. It was a busy month.

11.5 RCMP

Council did not comment further on the RCMP report.

11.6 Utilities Commission

Councillor Bond reviewed the Utilities Commission report. He noted that the Commission had been provided with an update on the Search for Water and the Commission is working on amending the by-law to deal with delinquent sanitary sewer accounts.

11.7 Health Care

Council noted that the search for another local Doctor continues.

11.8 Finance

**Moved by Councillor Bond and seconded by Councillor Doucet that the Town of Hampton increase the Town's Credit lines to match 4% of the previous year's budget for both the General and Utility operating funds, as recommended by the Finance Committee.**

**Motion Carried**

**Moved by Councillor Doucet and seconded by Councillor Behr that the Town of Hampton accept the reports from the Environment, Economic Development, Planning Advisory Fire-Rescue, RCMP, Utilities Commission, Health Care and Finance Committees as submitted.**

**Motion Carried**

## **12. APPROVAL OF REPORTS**

12.1 Building Inspector Report

Council noted that there was a significant increase in the value of building permits issued for this same period last year.

12.2 Dog Constable

Council did not comment further on the Dog Constable report.

12.3 Tourism Manager

The Town Clerk reviewed the Tourism Manager's report. She noted that the Locavore Banquet tickets are on sale now at the Visitor Information Centre. The Banquet is taking place on Friday, September 21, 2012. Tickets are \$55 for the meal only, or \$65 for a boat tour and meal. Council will inform the Tourism Manager if they wish to attend the Locovore Banquet.

12.4 Financial Statements

Council did not comment on the Financial Statements.

**Moved by Councillor Behr and seconded by Deputy Mayor Crossman that the Town of Hampton approve the Building Inspector, Dog Constable Report, Tourism Manager, and Financial reports as presented.**

**Motion Carried**

**13. BY-LAWS**

None

**14. NEW BUSINESS**

14.1 Appointment of "Head" under the *Right to Information and Protection of Privacy Act (RTIPPA)*

**Moved by Deputy Mayor Crossman and seconded by Councillor Behr that it be RESOLVED that the Council of the Town of Hampton hereby designates Megan O'Brien Harrison, Town Clerk, to serve as the "head" of the public body, that being the Town of Hampton, pursuant to the *Right to Information and Protection of Privacy Act* ("Act") of the Province of New Brunswick; and**

**BE IT FURTHER RESOLVED that the Council of the Town of Hampton acknowledges that the Town Clerk as "head", may delegate in writing a duty or power of the "head" under the Act to a member of the municipal staff, except the power to delegate, and can impose terms and conditions as considered appropriate and as prescribed under the Act.**

**Motion Carried**

14.2 Noise By-law Exemption

**Moved by Councillor Bond and seconded by Councillor Doucet that the Town of Hampton grant an exemption under the Noise By-law to Christy Reid for the purpose of her wedding taking place at the Lighthouse River Centre on September 1<sup>st</sup> at 6 pm until 1 am on September 2<sup>nd</sup> conditional on the doors and windows closing at midnight.**

**Motion Carried**

14.3 Water Treatment System

**Moved by Councillor Bond and seconded Councillor Behr that the Town of Hampton purchase a water treatment system for the Railway Avenue water system at a maximum cost of twenty-four thousand dollars (\$24,000.00) including installation.**

**Motion Carried**

Mayor Chorley called for a five minute recess.

## **15. OUTSTANDING ISSUES**

### **15.1 A.M.H. Properties subdivision application titled: “Tentative plan, Orchard Hills Subdivision overall scheme, dated October 20, 2011**

Councillor Bond declared a conflict of interest and left the meeting.

Matthew Hughes stated that he was representing AMH properties. He stated that he brought a team with him to answer any questions that Council may have. He introduced them as his solicitor, John MacGillvray, his wife Andrea Hughes, Steve Saunders of Keirstead Quigley & Roberts and Tim Ryan of Fundy Engineering. He noted that Dr. Matt Alexander was unavailable to attend the meeting so Tim Ryan was attending on his behalf.

Mr. Hughes stated that the application was brought forth to Council in the fall of 2011. As per the decision of the New Brunswick Assessment and Planning Appeal Board he was presenting his application for reconsideration by Town Council.

He stated that since the decision of the board, he has met with Town Staff.

He has now come up with a revised plan that he hopes he can work with the Town on. He stated that AMH Properties has reviewed the requests of the committees and felt that he has addressed many of their concerns. He has incorporated a walking trail, enhanced the water retention area, added a large park area on the high ground adjacent to the water retention area. He stated that he is willing to develop the playground area, replant nice trees and provide and install playground equipment. He felt that a playground would be an enhancement to the area as there were already several families on Homestead Drive. He noted that he had re-designed Honey Crisp Court, removing the “Flag” lot. This reconfiguration allowed them to gain additional frontage on lots that were previously deficient so variances were no longer required in the cul-du-sac. He stated that he had redesigned the entrance off St. Paul Street but he would let Steve Saunders speak on that. He noted that Tim Ryan will speak on the plans for a Storm Water Management Plan.

He said AMH properties was looking for approval of the new subdivision plan with conditions.

Steve Saunders, Surveyor, Kierstead Quigley & Roberts Ltd, reviewed the revised plan. He said that it had been redesigned since the plan presented in the fall of 2011. He said that the developer had consulted with staff. He noted there was an increased water retention and park area. He said the increase was basically equivalent to two building lots. He said that the walking path would start across from the look-out area known as “Judy’s Bench” and continue to the High School. He said some of the route would be trail and some would be sidewalk. The proposed walkway is all on land owned by AMH Properties and will be 6 metres in width, and almost 9 m at the widest part. He stated that the addition of Crimson Lane meant that Homestead Drive was no longer a straight drive out. This would act as a traffic calming measure. He said that he has confirmed the sight

distance and that it would satisfy a speed of 70 km/hr. He noted that Honey Crisp court now has some larger lots.

Tim Ryan, Fundy Engineering, stated that Fundy Engineering has completed work for AMH Properties including the Water Supply Assessment, Fish Study and some wetland delineation work on the property. He noted that there have been some changes to the Province's wetland regulations. Mr. Ryan stated that the developer is proposing a water retention area. He stated that with engineering you could have provisions dealing with the surface water on the property and you could properly develop the larger parcel of land. He said the study would have to look at how the water will be retained and would need a structure constructed in the retention area to hold the water there.

Mr. Hughes noted that the current culvert has a restrictor on it, placed there by the Town. He said the creation of Crimson Lane and the park area would create a 7 or 8 foot deep natural holding area.

Councillor Doucet stated that there will be concerns about safety with the holding area. The developer stated that the water is spread out over 2.5 acres so that there would not be a large pool. Mr. Ryan stated that you want to encourage re-charge. Mr. Hughes stated that he would be willing to install a board on board fence to separate the holding pond if that is what Council wanted. Steve Saunders stated that the Public Works Superintendent felt that there has been no issues since the Town installed the current restrictor on the culvert.

Councillor Behr stated that in his lifetime he has seen this area being flooded.

Councillor Doucet asked if it was the intent to leave the water retention area in its natural state. Mr. Hughes said that it was. Tim Ryan said that it may need to be enhanced. Mr. Hughes said that Dillon Consulting's initial work thought that one acre would be adequate for the water retention area. They are leaving 2.5 acres.

Councillor Doucet asked about his storm water plans. Mr. Hughes said that the new section would be open ditch, but that he would probably storm sewer Honey Crisp Court for aesthetics.

Mr. Hughes stated that there was a natural buffer between the football field and the development, with trees on most lots. He stated that AMH Properties will be planting trees where there are none.

Mayor Chorley had concerns about building lots in the environmentally sensitive area. Mr. Hughes said most of the questionable land would not be street and would be built up 4-5 feet and the remain areas would be engineered lots. He stated that once the lots are filled there will not be a spot for water to gather.

Tim Ryan stated that the wetland delineation guidelines were based on US guidelines, which was based largely on vegetation and soil. He noted that this provided a pretty broad definition of a wetland. He said that now the provincially regulated wetlands are based on the DNR mapping and this land is now free of provincially regulated wetlands.

Mr. Ryan noted that Fundy Engineering had previously completed two Fish studies on the upper stream. There were four fish found, and it was now culverted in.

John MacGillvray, solicitor for AMH properties spoke about the lots. He said with the appropriate engineering it will lessen the impact on old subdivisions. He said when they were developed there were no safety mechanisms that exist today.

Mayor Chorley stated that we need to take precautions as “once in a 100 years” storms cost the town significant money. He stated that many of the problems that the developer is having getting these extra lots approved is related to concern about what problem the water could cause.

Councillor Doucet stated that he is all for growth, but concerned about the effects.

Tim Ryan stated that he hopes what comes out from the province is a more sustainable, engineered solution for handling water on the site.

Matt Hughes said the filled lots will be engineered and will still drain to an open ditch. He said that building up the wet area is not the same as filling in a large brook and building on it. He asked Council to look at the merit of the project as it contained only four engineered lots.

Councillor Behr says that they should not fill in the wet area.

Mayor Chorley asked if the storm water management plan was completed. Mr. Hughes stated that he is awaiting tentative approval first because he doesn't want to spend the \$20,000 for the study if it does not look like Council is approving the project.

Deputy Mayor Crossman asked when Apple Blossom Trail would be opened up. Mr. Hughes says that he plans to pave this summer. He said that he hopes to sell 7-8 houses per year.

Councillor Doucet stated that he felt this revised plan should go to committees for input. Mr. Hughes stated that he felt it did not need to go back to the committees as the committees had reviewed the last plan and he had made revisions based on what he felt were their recommendations.

The Town CAO stated that normally committees would review the changes.

Mayor Chorley made note of the Fundy Engineering correspondence to AMH dated November 2, 2011, page 3, paragraph one “...at this time, that PID 30245112 is free and clear of wetlands based upon the New Brunswick Department of Natural Resources databases. From a development perspective, AMH Properties Limited does not currently have any wetland constraints on the property.”

Mayor Chorley also made note of the Correspondence from Bernie Doucet, Manager, Surface Water Protection, Department of the Environment, Province of New Brunswick

to Matt Hughes, dated March 31, 2011, page 2, paragraph 2, “The GeoNB map indicates that there are no regulated wetlands identified on PID 30245112.”

Mayor Chorley also noted that the regular of wetlands is the Province of New Brunswick.

Councillor Doucet stated that he feels it is the role of Committees to make recommendations on the changes that AMH Properties is suggesting.

**Moved by Councillor Behr and seconded Deputy Mayor Crossman that prior to the Town of Hampton making a decision on the subdivision application of “Tentative plan, Orchard Hills Subdivision overall scheme, dated October 20, 2011” that the revised plan dated July 24, 2012 be sent to Committees of Council for comments.**

**Motion Carried.**

Councillor Bond returned to the meeting.

## **16. ADJOURNMENT**

There being no further business, the meeting of Council was adjourned at 9:24 p.m.

**Councillor Behr that the Town of Hampton adjourn the council meeting of August 14<sup>th</sup>, 2012.**

**Motion Carried.**