



27 Winter Street, Unit 1,
Sussex, NB, E4E 2H9

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PRAC AGENDA:

**July 15, 2025 at 10 AM
Valley Waters Village Hall
10 Municipal Street, Norton, NB, E5T 0C8**

1. Introduction

- a. Call the meeting to order
- b. Disclosure of Conflict of Interest
- c. Approval of the Minutes
 - i. June 26, 2025
 - ii. March 11, 2025

2. Applications

a. Conditional Use Application

Location: Highway 10 at Coles Island

Purpose: Apply terms and conditions on a Contractors Yard

3. Adjournment

- a. Next meeting - August 19, 2025
- b. Adjournment



PRAC MEETING
Valley Waters Municipal Building
March 11, 2025 10:00 am

Attendance:

Susan Northrup
Harold Keith
Nelson Ball
Bob Bates
Rick Horton
Gordon Keirstead

Public: Dale Clarke

Staff:

Development Officer - Brian Hook
Recording Secretary – Pam Kaye

Meeting called to order by Chair Susan Northrup at 9:58 am. Chair asked if there were any conflicts of interest? None declared.

Motion to accept minutes of January 21 and February 25, 2025, by Harold Keith, seconded by Rick Horton (Motion carried 6-0)

Susan turned the meeting over to Brian Hook to present the property information. Before starting Brian wanted to mention the work done on the Road Association last month, has been looked over by Don More Surveys. They suggest looking at the condominium legislature already in place. They are also interested in the experience of continuing with this project. Bob Bates recommended Chair Susan Northrup send a letter to the two CAO's to start the approval process. The board would like to have Road Association recommendations applied to this application.

1. Property Information	
Applicant	Faithful Farms – Dale Clarke
Property Identification Number	30360713
Location	Route 865
Parish/Village	Norton, Valley Waters
County	Kings
Land Area	17.34 hectares (43 acres)

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2. Proposal	
Proposed Land Use	Building lots and private road with a farm
Existing Land Use	Vacant Wooded
Services	New wells and septic as needed. To be approved as needed. Lots are over 1 acre to meet regulations
Subdivision Name	Faithful Farms Subdivision

Recommendation:

Based on the above evaluation, it is recommended that the Planning Review and Adjustment Committee of Kings Regional Service Commission approve the Proposed Private Road – Faithful Farm Lane as being advisable for the development of the land as per Section 6 (1) of the Provincial Subdivision Regulation. This approval will allow the development officer to approve the proposed Tentative Subdivision Plan – Faithful Farm Subdivision – subject to the following conditions.

1. The following notes are to be placed on the face of the plan:

Lots in this subdivision plan have been approved fronting on a private road. Lots registered, and subsequently developed, may not receive public services, such as school busing, garbage pick-up and snow ploughing, until and unless the road has been constructed to a standard acceptable and transferable to the Department of Transportation and other applicable public authorities.

The “Private Road – Faithful Farm Lane” shown on this plan is not suitable for a public street. The Department of Transportation will not upgrade or maintain the “Private Road – Faithful Farm Lane” in the future. All maintenance services and improvements to the “Private Road – Faithful Lane” are the responsibility of the property owners.

The “Private Road – Faithful Farm Lane” shown on this plan is guaranteed as a right-of-way from Route 865 to all new lots shown and delineated on said “Private Road”. The “Private Road” – Faithful Farm Lane” shown on this plan does not represent a separate building lot.

The Planning Review Adjustment Committee (PRAC) of Kings Regional Service Commission does not carry out on-site inspections of the private road shown on this plan. Construction of a private road on this parcel of land in accordance with all relevant regulations, if any, is the strict and sole responsibility of the property owner or developer. The PRAC expressly makes no representations nor warranties of any nature whatsoever that the condition and construction of the road is suitable for safe movement of vehicle traffic. The PRAC only approves the location of the road shown on this plan and not its condition and makes no representation nor warranties whatsoever with respect to the condition of the road.

2. The Private Road – Faithful Farm Lane must be constructed to a standard that emergency vehicles are able to travel safely without obstruction or problems with a suitable turnaround constructed at the terminus.

Rationale:

1. The proposed private road is an acceptable means to access the proposed lots for full time

use as per Valley Waters Subdivision By-Law.

2. The area along Route 865 is suitable for full-time residents.
3. The Development Officer is of the opinion that the proposed lots are reasonable and desirable for the development of the parcel of land in accord with the intent of the Community Planning Act and Provincial Subdivision Regulation 80-159.
4. The Development Officer has considered the topography of the land, the provision of the lots being suitable for the intended use and convenient access to the lots as per Section 5(4) of the Provincial Subdivision Regulation 80-159.

Bob Bates made a motion to approve the recommendations, seconded by Nelson Ball. Motion carried (6-0)

Next meeting will be tentatively in May, nothing for April.

Adjourned by Bob Bates at 10:30 a.m.

Chairperson, Susan Northrup

Recording Secretary, Pam Kaye



PRAC MEETING
Valley Waters Municipal Building
June 26, 2025 10:00 am

Attendance:

Susan Northrup
Harold Keith
Nelson Ball
Bob Bates
Rick Horton
Gordon Keirstead

Public: Stephanie Pilon, Chris Smith,

Staff:

Dillon Consulting – Stephen Stone
Recording Secretary – Pam Kaye

Chair Susan Northrup the meeting to order at 10:00 am and asked if there were any additions to the agenda. It was noted that the discussion about Private Road Associations should be added.

Gordon Kierstead moved the approval of the amended agenda, seconded by Rick Horton

Chair asked if there were any conflicts of interest? None declared.

No minutes were available for approval; it was determined the March 11 minutes were the last meeting. We will approve them at the next meeting.

Susan turned the meeting over to Stephen Stone to present the property information.

1. Property Information	
Applicant	Chris Smith
Property Identification Number	00187260
Location	361 Route 124
Municipality	Valley Waters
County	Kings
Land Area	4,000m

2. Proposal	
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Proposed Land Use	Seasonal Ice Cream Stand
Existing Land Use	Existing Quonset Hut on the property
Approval Sought	To permit the temporary use of a seasonal ice cream stand

Recommendation:

Staff recommends that PRAC consider allowing the request for a temporary variance for a seasonal ice cream stand at PID 00187260, Route 124, Norton, New Brunswick, for an initial temporary period not exceeding one year, pursuant to Section 53 (2)(i) of the Community Planning Act. This authorization should be subject to the following terms and conditions:

1. That the seasonal ice cream stand operates only for a temporary period not exceeding one year from the date of approval, with the possibility for renewal as per the Community Planning Act.
2. That the total floor area devoted to the ice cream stand operation does not exceed 56 square metres (600 square feet), consistent with the size limitations for other small-scale commercial uses permitted in residential zones such as bakeries.
3. That the applicant provides privacy fencing or landscaped screening along the southern property lines abutting residential properties, as requested by neighbours, to minimize visual and quality of life impacts. The type and location of such screening should be approved by staff.
4. That all signage and exterior lighting associated with the operation comply with Section 5.9 of the Norton Rural Plan and be designed and located to minimize any glare or nuisance to adjacent residential properties.
5. That adequate off-street parking be provided on-site, in accordance with the general provisions of Section 5.4 of the Rural Plan (eg. Table 5.1 for "Other Uses" as a guideline), with a detailed parking plan reviewed and approved by staff.
6. That staff review and approve the final site plan, incorporating all stipulated conditions, prior to the commencement of any operations

There were many questions from the board for the applicant Chris Smith and the neighbour Stephanie Pilon was allowed to give her opinion and her requirements for fencing.

Bob Bates made a motion to approve the recommendations, seconded by Nelson Ball. Motion carried (5-1) (Keirstead).

A discussion was held about the status of the recommendations for a Private Road association. Presentations were given at Butternut Valley and Valley Waters. It was recommended that a representative attend the next meeting of the two areas.

It was later learned the recommendation is at the first and second reading level for Valley Waters.

Next meeting is scheduled for July 15.

Adjourned by Bob Bates at 11:00 a.m.



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Date: July 10, 2025

PRAC REPORT: Conditional Use Application
PLANNER: Stephen Stone, MCIP, RPP

1. Property Information	
Applicant	Dexter Construction Company Limited
Property Identification Number	45213162
Location	Highway 10 Coles Island
Municipality	Butternut Valley (Coles Island)
County	Kings
Land Area	97,000,000m ²

2. Proposal	
Proposed Land Use	Contractors Yard
Existing Land Use	Vacant
Approval Sought	Conditional Use

3. Statutory Authority

Under Section 53 of the Community Planning Act, the Planning Review & Adjustment Committee (PRAC) may attach terms and conditions to uses that are permitted only "subject to terms and conditions" in a zoning by-law.

5. Overview and Evaluation

Application Summary

Dexter Construction requests approval to establish a contractor's yard to:

1. Stage road-building equipment for provincial and local contracts;
2. Stockpile granulars and construction materials on a project-by-project basis;



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3. Store and screen Recycled Asphalt Pavement (RAP) for re-use in road surface remediation.

No permanent buildings are proposed at this time; a compacted gravel pad, perimeter security fencing, and mobile screening equipment are envisioned. The company seeks confirmation of terms and conditions before finalising purchase and commencing due-diligence investigations (environmental, geotechnical, traffic).

Site Description

The subject site is approximately 24 acres (97,000 m²) and is located on the east side of Route 10, just south of the intersection of Highway 2. The site is generally flat and treed and does not include any existing uses or developments. According to Province of New Brunswick reference mapping, the subject property is extensively covered by wetland (in excess of 50%) of the large property. The nearest adjacent property is located 400m to the south of the subject property.

Policy Review:

The following table provides an analysis of the Johnston Rural Plan policies as they relate to Dexter Construction's proposed contractor's yard.

Policy Section	Policy Direction	Application Assessment
PART B – General Objectives (d) Industrial & Commercial Development	<i>“Encourage commercial and industrial development in appropriate locations that provide local employment opportunities.”</i>	The contractor's yard directly supports the regional road-building industry, creating local employment and situating an industrial use on a major highway (Highway 2).



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PART B – Resource Uses Policy (e)	<i>Promote conservation of wetlands and watercourses; require adequate buffering between industrial uses and incompatible neighbours to limit noise, light, odour, vibration, traffic and other nuisances.</i>	Over 50 % of the lot is provincially-mapped wetland. The application confines operations to the upland pad, commits to wetland delineation and WAWA permitting, and provides fencing/landscape buffers to screen operations and control off-site impacts.
Section 3.15 – Buffering Requirements	New commercial or industrial uses abutting sensitive uses must provide a 1.8 m opaque fence or a 5 m landscaped buffer and ensure lighting does not interfere with adjacent landowners.	The recommended conditions require either a solid fence or a 5 m vegetated buffer along public frontages, plus full cut-off lighting, satisfying this clause.
Section 3.18 (3) – Development within 30 m of Wetlands	Any development within 30 m of a wetland must obtain a Watercourse & Wetland Alteration (WAWA) Permit.	A WAWA permit is made a pre-construction condition; no grading or stockpiling can occur inside the 30 m buffer without the permit.
Section 3.13 (3) – Excavation Sites: Prohibition on Toxic Materials	Excavation sites must not be used for the storage or dumping of toxic materials or construction debris.	A specific condition prohibits the storage, handling, or dumping of toxic or hazardous materials on the site, aligning the operation with this environmental safeguard.
Section 3.5 – Separation Distances (Asphalt Plant 750 m)	Asphalt plants must be ≥ 750 m from residential, recreational, or institutional uses.	Although no asphalt plant is proposed, a condition expressly excludes scope-creep into higher-impact operations.



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Zoning Review – Rural (RU) Zone

Zoning Provision	Standard	Application Assessment
Permitted Uses	A contractor's yard is a main use subject to terms and conditions imposed by the Commission.	The proposal is within the list of permitted main uses; the PRAC may attach operational conditions (as recommended).
Minimum Lot Size / Frontage	8 000 m ² lot, 54 m frontage, 38 m depth for contractor's yards.	The vacant parcel significantly exceeds the minimum lot area and frontage requirements.
Front / Side / Rear Setbacks	15 m (arterial/collector) or 7.5 m (local) front; 4.5 m side; 7.5 m rear.	The existing site provides ample space to meet or exceed all setbacks; detailed site-plan review will confirm compliance.
Buffering & Screening	1.8 m opaque fence or 5 m landscaped buffer where industrial uses abut sensitive uses.	A fencing/landscape buffer condition is included to satisfy this requirement along highway frontages.
Environmental Constraint Overlay	Development within 30 m of wetlands requires WAWA approval.	Wetland delineation and compliance with WAWA are mandatory conditions of approval.



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Consultation:

The application is for a conditional use application. The use is permitted, conditionally, by PRAC. Notification was provided for properties within 100m of the subject property as per PRAC's Operating Procedures.

Closing:

Staff have assessed the proposed application against the policies and proposals of the Johnston Rural Plan, the site context, and broader environmental regulations. Our recommendation below reflects the conditions staff believe is appropriate for the subject site.

6. Recommendation

Staff recommends that PRAC consider applying the following conditions on the proposed application:

- 1) That the proponent delineate all wetlands on-site and obtain a Watercourse & Wetland Alteration (WAWA) permit before any earthwork begins, with no filling, grading, or stockpiling permitted within 30 m of a delineated wetland edge unless specifically authorized by that permit.
- 2) That a detailed, scaled site plan—showing grading, drainage, stockpile limits, access geometry, fencing, lighting, and buffer areas—be submitted to and approved by staff prior to issuance of a Development Permit. .
- 3) That the site provide either (a) a continuous 1.8 m opaque fence or (b) a minimum 5 m-wide landscaped buffer along all lot lines visible from public highways, while preserving natural vegetation adjacent to wetlands, to screen the operation from view and mitigate off-site impacts.
- 4) That the proponent denote RAP & Aggregate Management Plan detailing dust suppression measures, maximum stockpile heights not exceeding 6 m, and containment systems for runoff (stormwater management) on the Site Plan prior to receiving a Development Permit..
- 5) That all fuels, lubricants, and hydraulic fluids be stored in double-walled, bermed containers located at least 30 m from wetlands, and that a



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spill-response kit be kept on-site at all times.

- 6) That the storage, handling, or dumping of toxic or hazardous materials on the site be strictly prohibited.
- 7) That the approval excludes higher-impact industrial uses without additional review.
- 8) That all exterior lighting, if applicable, be full cut-off and downward-directed, and any signage comply with Section 5 of the Rural Plan, to avoid glare and maintain rural character.
- 9) That the applicant obtain and satisfy all conditions of a Department of Transportation & Infrastructure (DTI) access permit for the existing highway connection prior to site occupancy.
- 10) That within 12 months of ceasing operations (site closure), the proponent remove all equipment and stockpiles and stabilise disturbed areas unless a renewed approval is granted.

A handwritten signature in blue ink, appearing to read "Stephen Stone".

Stephen Stone, MCIP, RPP

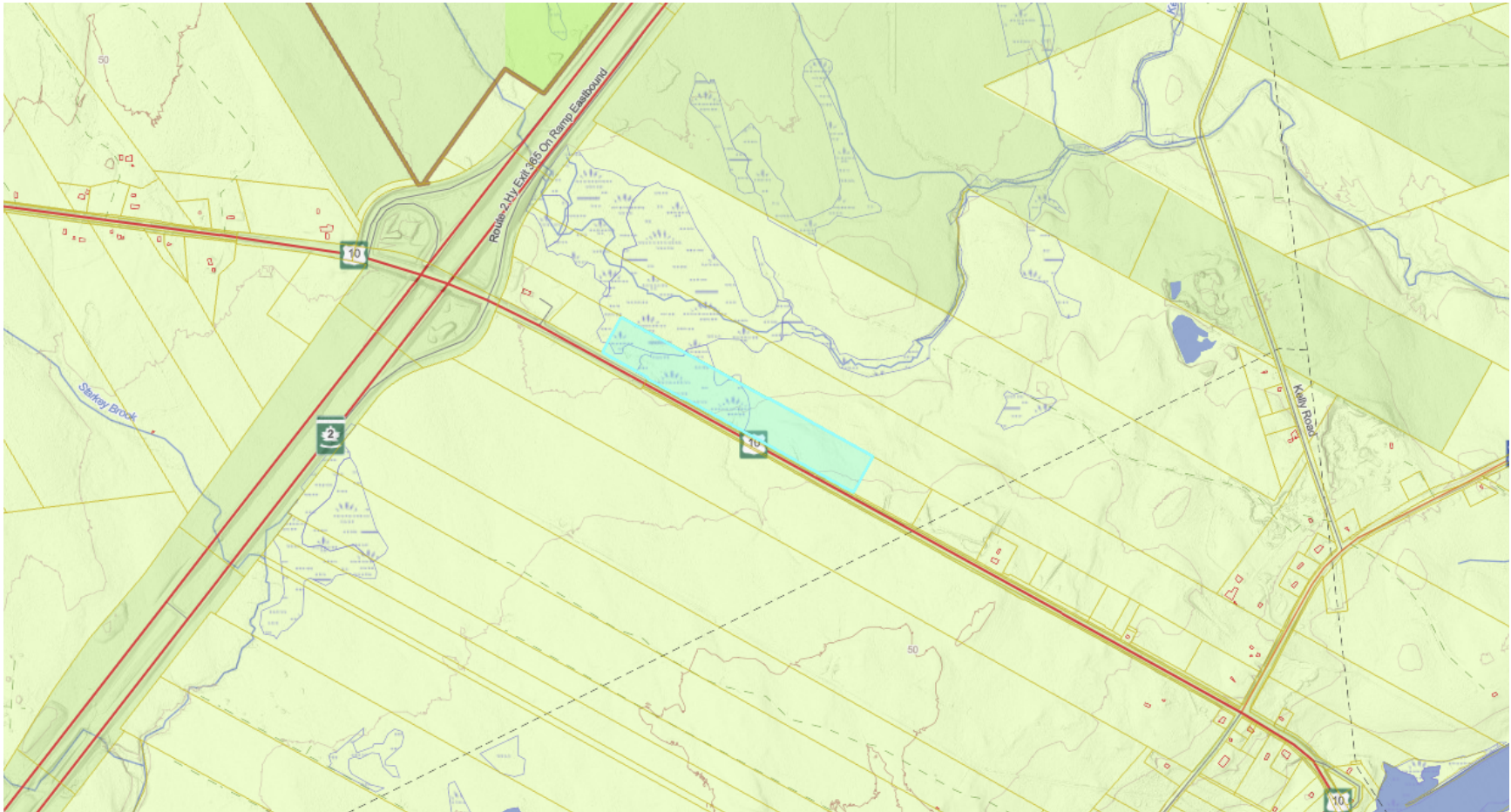
Planning Director
Kings Regional Service Commission

Attachment 1: Subject Site Location

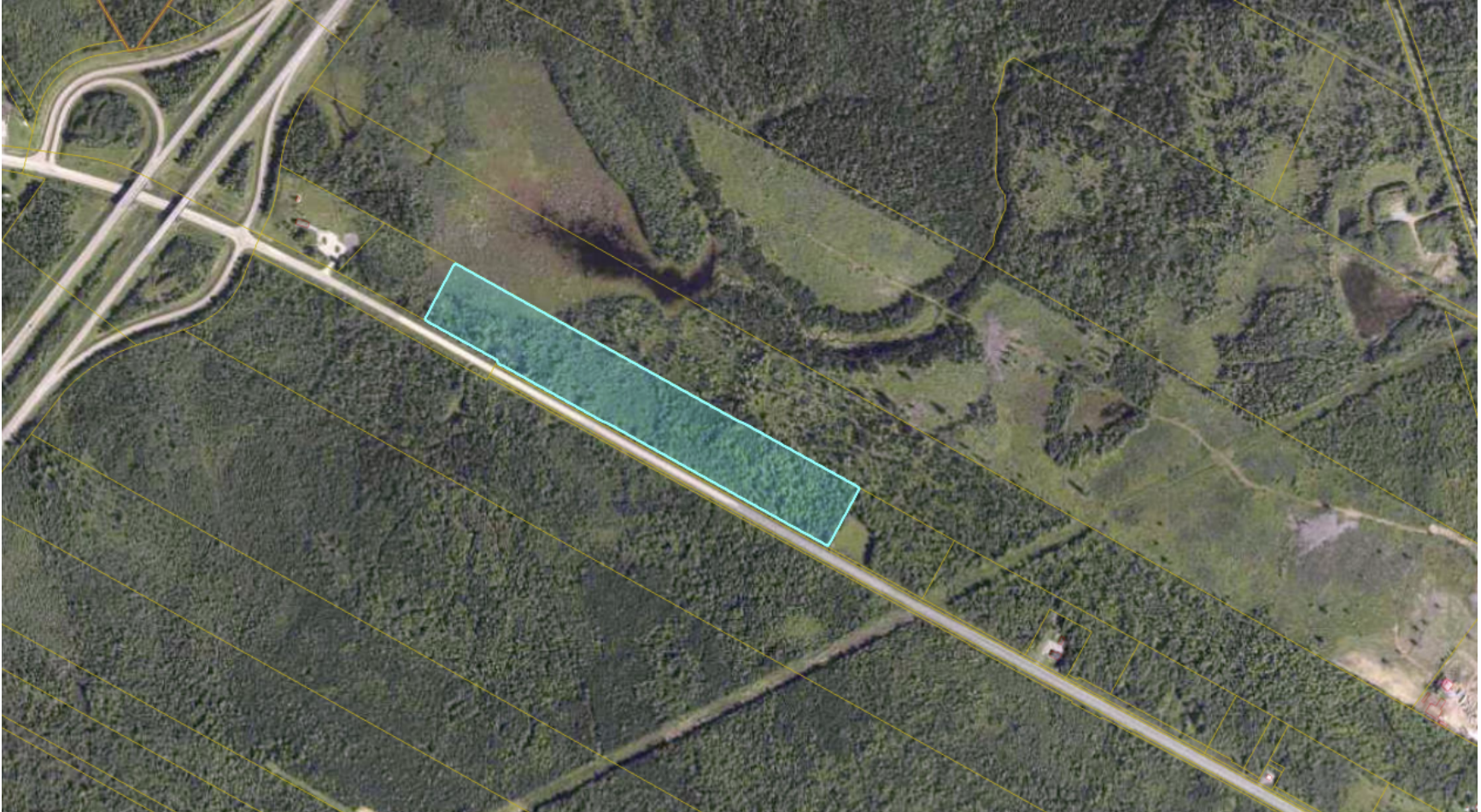
Attachment 2: Satellite View

Attachment 3: Site Photos

Attachment 1: Subject Site Location



Attachment 2: Satellite View



Attachment 3: Site Photos





