

## **Town of Amherst Planning Advisory Committee Minutes**

**Date of Meeting:** Monday, February 4, 2019  
**Location:** Council Chambers, Town Hall

**Members Present:** Deputy Mayor Sheila Christie  
Councillor Terry Rhindress (Vice Chair)  
Councillor Jason Blanch  
Citizen Appointee Gordon Goodwin  
Citizen Appointee Ronald Wilson  
Citizen Appointee Larry Pardy

**Staff Present:** Deputy CAO, Jason MacDonald  
Unsightly Premises Administrator, Marc Buske  
Manager of Planning and Strategic Initiatives, Andrew Fisher  
Municipal Clerk Kimberlee Jones  
Administrative Assistant Emily Wainwright

**Others Present:** Town Solicitor, Terry Farrell

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### **1. Call to Order**

Vice-Chair called the meeting to order at 4:37 p.m.

#### **1.1. Approval of Agenda**

**Moved By:** Deputy Mayor Christie  
**Seconded By:** Councillor Blanch  
That the February 4, 2019 agenda be approved.

**Motion Carried**

**1.2. Approval of Minutes**

**Moved By: Citizen Appointee Goodwin**

**Seconded By: Citizen Appointee Wilson**

**That the minutes of the January 18, 2019 PAC meeting be approved.**

**Motion Carried**

**2. Recommendation for Demolition – 1 Spring Street**

Mr. MacDonald explained to the committee that he had just received news from the property owner's solicitor. He paraphrased the email from Jim O'Neill, solicitor for Walter Wells property owner, as followed: Further to our telephone conversation with Mr. Farrell, this will confirm that Mr. Wells has been recently released from the hospital and cannot make it here today and he cannot give proper instructions to his solicitor. So, in view of these extreme circumstances, Mr. O'Neill believes that an adjournment is just and appropriate in these circumstances. He goes on to say that the Spring Street situation and the building did not happen suddenly and that adjourning for two weeks should not be a big deal.

Mr. MacDonald explained that they have spoke to the Town Solicitor on this matter, and he is recommending that we get a motion to defer until Tuesday, the 19<sup>th</sup> of February at noon where we could hear from Mr. Wells.

Kimberlee Jones asked for a motion to defer this agenda item until February 19<sup>th</sup> at noon, when the property owner is able to attend.

**Moved By: Citizen Appointee Wilson**

**Seconded By: Deputy Mayor Christie**

**That the Planning Advisory Committee defer the recommendation of demolition of 1 Spring Street to the February 19, 2019 PAC meeting to allow the property owner to attend.**

**Motion Carried**

Town Solicitor Farrell mentioned that since there were members from the public here tonight, they could allow them to speak. Mr. Farrell suggested that the motion be reversed, so the committee would hear the members of the public before the motion to defer is passed.

The original mover and seconder agreed to amend the motion to allow the public in attendance to speak.

**Moved By: Citizen Appointee Wilson**

**Seconded By: Deputy Mayor Christie**

**That the Planning Advisory Committee amend the motion to allow the members of the public to speak, and to defer the remainder of the motion to the February 19, 2019 PAC meeting to allow the owner to attend.**

**Motion Carried**

**2.1. Staff Report**

Mr. MacDonald reviewed the staff report as included as part of the agenda package.

**2.2 Public Questions/Comments**

Andre K-Saar of 2 Clarence Street. "I wish to thank the Council for your consideration of our opinions and would like to say at this time I have no comments, and I am grateful for the information that I have been given. I will process that and may attend the next meeting."

John Colvert, 48 Rogers Avenue. "I am just interested as I know the owner. I was just curious on how these meetings go on. The question I did have is how this got on the list for demolition. It doesn't seem to be as bad as some of the other places in Town." Mr. MacDonald replied that the Town has received a complaint of the structural integrity of the building, and that is why we looked at it and did our investigation. Mr. Colvert asked if that was public information; the name of that person? Mr. MacDonald replied that they do not disclose it automatically, but inevitable it will be public information. Mr. Colvert replied that "I am was here mostly to observe. I do not have any objections, but to me really there are other buildings in Town that are worse than that. Maybe I will come back on the 19<sup>th</sup>."

Charlie Bishop, 18 Belmont Street. "My question is the package that seemed to come up, are you looking at Mr. Wells' home on Victoria Street. You said that there is a package and wondered if you would do both of them at one time." Mr. MacDonald clarified that Mr. Bishop meant 196 East Victoria Street, and stated that that property is subject to a complaint as well, by a member of the public. This committee has recommended demolition and the property owner has appealed that recommended to Amherst Town Council. There is a meeting scheduled on February 20<sup>th</sup> to hear that appeal.

**2.3 Committee Questions/Comments**

Councillor Blanch stated that hearing these comments made it clear that the functioning of this committee, or the process of dealing with unsightly premises may not be clear to the public. We do not have a mechanism within the Town where we go around looking at properties and making assessment. Currently the way that Amherst deals with unsightly premises is that someone has to come with a complaint. Ultimately, what they would do is fill out a form, then the town would investigate that and follow a process that could ultimately end up here.

Mr. MacDonald clarified that it is true that the Town requires a written complaint in order to investigate a property. However, under certain circumstances, if the Town Engineer or Administrator happens to see something that is a danger to the public, they can act on it. We do not need a complaint if something is jumping

out at us. The other issue is that the role of this committee is to hear two things. The first, is a recommendation for demolition. The administrator cannot make an order to demolish a property. The administrator would recommend to this committee, and then they would decide whether the property is demolished. Everything else, such as broken windows, requirement to paint, anything you can think of that could be dangerous or unsightly, not cutting your grass, the administrator can give orders to do something to different properties.

Deputy Mayor Christie added that she encourages members of the public, that if they see something, they consider to be unsightly, to make sure they do a written complaint to the committee or to Mr. Buske because we cannot do them anonymously. They need to have an actual written name to be taken seriously. They do work their way through the process, and this committee is a very active one. Many properties within the Town limits have already been demolished and many are slated to be, so we are taking it very seriously.

Vice-Chair Rhindress added that this committee has been very busy. When an application comes to us, then it goes back to Council, then they can appeal it, which Mr. Wells did, this is why it takes so long to do anything.

### **3. Adjournment**

**Citizen Appointee Goodwin motioned to adjourn the meeting at 4:57p.m.**

**Motion Carried**

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Kimberlee Jones, Municipal Clerk

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Vice Chairman Terry Rhindress