

Public Meeting of Witless Bay Council  
Town Hall  
May 10, 2016

Attending: Mayor Sébastien Després, Deputy Mayor Dena Wiseman, Councillors Kevin Smart, Albert Murphy, Ralph Carey and Ken Brinston

Reporting: Geraldine Caul/Barb Harrigan

1. The meeting was called to order by Mayor Sebastien Despres at 7:34 p.m.
2. **2016-079** Deputy Mayor Dena Wiseman/Councillor Kevin Smart  
Be it resolved Council adopt the May 10, 2016 Agenda as presented.  
**Motion carried unanimously.**
3. **2016-080** Councillor Ralph Carey/Deputy Mayor Dena Wiseman  
Be it resolved Council adopt the April 26, 2016 Minutes of Meeting as presented.  
**Motion carried unanimously.**
4. Business Arising from Minutes:
  - a. Brand Standards – Mayor Despres reported that the Town has a Logo, and the Brand Standards were drawn up and presented to Council about a month ago.  
  
**2016-081** Deputy Mayor Dena Wiseman/Councillor Ken Brinston  
Be it resolved Council adopt the Brand Standards as provided to Council via email.  
**Motion carried unanimously.**
  - b. Outside Worker – Mayor Despres explained the Town has a seasonal position to advertise for general maintenance.  
  
**2016-082** Councillor Albert Murphy/Councillor Ken Brinston  
Be it resolved Council advertise for seasonal maintenance worker.  
**Motion carried unanimously.**
  - c. Dredging of Upper Pond – Mayor Despres said this was a call for quotes only at this time, and not a motion to commence work.  
  
**2016-083** Councillor Kevin Smart/Council Albert Murphy  
Be it resolved Council call for quotes for the purpose of future dredging of Upper Pond.  
**Motion carried unanimously.**

- d. By-election – Mayor Despres explained that the Town called a by-election a couple of months ago, and that one name was offered. The candidate was acclaimed, but prior to being sworn in, he removed his name due to work commitments.

**2016-084** Deputy Mayor Dena Wiseman/Councillor Ken Brinston

Be it resolved Council hold a nomination day on May 30, 2016, and the by-election on June 20, 2016 from 8 a.m. to 8 p.m.

**Motion carried unanimously.**

- e. Gazebo on Ragged Beach – Mayor Despres reported that last summer Council approved a gazebo which was appealed by a resident, and Council's decision was reversed by the Eastern Regional Appeal Board. They ordered Council to send out a Notice of Discretionary Use, and Council had to make a decision once again.

**2016-085** Councillor Ralph Carey/Deputy Mayor Dena Wiseman

Be it resolved Council deny this application based on the fact that it does not meet the Town's development regulations. More specifically, a gazebo is classed as an accessory building, and schedule A of our present Plan defines an accessory building as:

- (1) A detached subordinate building not used as a dwelling, located on the same lot as the main building to which it is an accessory, and which has a use that is customarily incidental or complimentary to the main use of the building or land. The Rural Land Use Zone Table does not provide any provision for a stand- alone accessory building. Therefore Council must deny this application.

**For the motion:** Mayor Sebastien Despres, Deputy Mayor Dena Wiseman, Councillors Ralph Carey and Kevin Smart

**Against the motion:** Councillors Albert Murphy and Ken Brinston

**Motion carried.**

- f. Garage/Porch on 1 Lundrigan's Road – Deputy Mayor Dena Wiseman and Councillor Ralph Carey announced they will be leaving the Chamber because the survey for this application shows Councillor Ralph Carey's name on an adjacent property, and they are asking that Council make a decision on whether they may be in a conflict on this item. Both councillors left the Chamber at 7:54 p.m.

**2016-086** Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council declare Deputy Mayor Dena Wiseman and Councillor Ralph Carey in a conflict of interest on application for 1 Lundrigan's Road.

For the motion: Councillors Albert Murphy and Ken Brinston

Against the motion: Mayor Sebastien Despres and Councillor Kevin Smart

**Motion failed.** [Deputy Mayor Wiseman and Councillor Carey are not in a conflict of interest].

Deputy Mayor Wiseman and Councillor Carey returned to the Chamber at 7:56 p.m.

**2016-087** Councillor Ken Brinston/Councillor Albert

Be it resolved Council approve application for garage/porch on 1 Lundrigan's Road.

**Motion carried unanimously.**

- g. Request for conditional approval for residential development on 20-22 Hillsway Drive.

**2016-088** Councillor Ralph Carey/Deputy Mayor Dena Wiseman

Be it resolved Council go ahead with the Discretionary Use Advertisement, and letters to be written to individuals in the immediate area who may be affected.

**Motion carried unanimously.**

- 5. New Business – No new business to report.

- 6. Finance:

- a. Income statement/payables – presented to Council for information purpose.

- b. Harbour Construction – snow clearing invoices for the period April 3-23, 2016

**2016-089** Councillor Ralph Carey/Deputy Mayor Dena Wiseman

Be it resolved Council pay Harbour Construction for snow clearing invoices for April 3-23/16.

**Motion carried unanimously.**

- c. O'Brien's Trucking Ltd.

**2016-090** Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council pay O'Brien's Trucking invoices.

**Motion carried unanimously.**

- 7. Public Works & Compliance:

- a. **2016-091** Deputy Mayor Dena Wiseman/Councillor Ralph Carey

Be it resolved Council approve application for Home Based Business (Massage Therapy) on 8A Smith's Road.

**Motion carried unanimously.**

- b. **2016-092** Councillor Ralph Carey/Deputy Mayor Dena Wiseman

Be it resolved Council approve application for garage on 8 Country Path Drive.

**Motion carried unanimously.**

- c. **2016-093** Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council approve application for garage on 33 Tamarack Drive.

**Motion carried unanimously.**

- d. **2016-094** Councillor Ralph Carey/Councillor Kevin Smart

Be it resolved Council approve application for garage on 10 Island View Place.

**Motion carried unanimously.**

- e. **2016-095** Councillor Ralph Carey/Councillor Ken Brinston

Be it resolved Council approve application for shed/garage on 21 Tamarack Drive.

**Motion carried unanimously.**

- f. **2016-096** Councillor Ralph Carey/Councillor Kevin Smart  
Be it resolved Council approve application to extend a shed on 128 Gull Pond Road.  
**Motion carried unanimously.**
  
- g. **2016-097** Councillor Ralph Carey/Councillor Ken Brinston  
Be it resolved Council approve application to extend greenhouse on 172 Harbour Road,  
contingent on a plot plan that meets the town's development standards.  
**Motion carried unanimously.**
  
- h. **2016-098** Councillor Ralph Carey/Councillor Kevin Smart  
Be it resolved Council approve application to construct a gazebo and replace patio on 176  
Harbour Road.  
**Motion carried unanimously.**
  
- i. **2016-099** Councillor Ralph Carey/Councillor Ken Brinston  
Be it resolved Council approve application to extend a deck and general repairs on 241 Gallows  
Cove Road.  
**Motion carried unanimously.**
  
- j. **2016-100** Councillor Albert Murphy/Ken Brinston  
Be it resolved Council approve application to divert water subject to any approvals from  
government agencies.  
**Motion carried unanimously.**
  
- 8. **2016-101** Councillor Ralph Carey/Deputy Mayor Dena Wiseman  
Be it resolved Council adjourn at 8:12 p.m.  
**Motion carried unanimously.**