

The meeting of the Subdivision and Development Appeal Board was called to order by Chairperson Busaan at 9:00 a.m. on May 21, 2019 in the Council Chambers of the Lacombe County Administration Office.

Present

Present: Members: John Busaan, Garth Yeomans, Linda McLevin and Eric Jerrard; Subdivision and Development Appeal Board Secretary Michael Kartusch; Director of Planning Services Dale Freitag; Planner/Development Officer Peter Duke and Recording Secretary Allison Noonan.

John McClelland, Greg Martens, Vonda Martens, Jason Brandt, Michael Lewis, Seamus Willex, Jamie Klingenberg, Dale Kromm, Denton Tuck, Martin McKendrick, Jamie Duffy and Ron Griffith were present.

**SDAB 47/19
Agenda**

Moved by Mr. Jerrard that the agenda be approved as presented.

Carried Unanimously.

Hearing Open

Chairperson Busaan opened the hearing with respect to an appeal by John McClelland respecting the decision of the Municipal Planning Commission to approve Development Permit No. 24/19 for a motocross racetrack, known as Xtreme Raceways, on SW 17-39-23-W4M, south of Alix on property owned by Greg and Vonda Martens. No one present voiced any concerns with the board members present hearing the appeal.

**SDAB 48/19
Notification**

Moved by Mr. Yeomans that the Subdivision and Development Appeal Board accept as information the documents submitted by the Planning and Development Department identifying the parties notified of the Board's hearing of this appeal.

Carried Unanimously.

Peter Duke addressed the Board and confirmed that the subject property is legally described as SW 17-39-23-W4M, located south of Alix on property owned by Greg and Vonda Martens. The total parcel size is 64.74 ha (159.97 acres) and is zoned Agricultural "A" District under the County's Land Use Bylaw. Mr. Duke confirmed that the motocross facility has been in operation as a public racing facility since 2002 and the complaints generated from this facility have been on a steady decline since then. No changes are proposed to the hours of operation and the number of race events (five per year) is proposed to remain the same as well. Mr. Duke further confirmed that the facility has a concession building, washrooms, and a finish line tower for lap scoring on race event days and has approximately 10 acres of land is set aside for parking and camping of participants during race events. As well, the facility's employees range from one during regular open days, to an additional four resident staff members during race events.

Mr. Duke advised that the typical weekday traffic on an evening is projected to be approximately 5 to 10 vehicle trips and 20 to 25 on a weekend and the vehicle traffic associated with the events range anywhere from 10 to 150 vehicles and campers depending on the event. As part of the previous approvals, the applicant has been responsible for providing dust control to surrounding residents. Some landowners along the designated route choose to pay for their own dust control, some choose the full compensation as per the conditions of approval. Mr. Duke explained that the applicant has been instructed to create an Emergency Response Plan (ERP) as part of this renewal application to ensure that there is a plan in place should a site-specific emergency arise. The applicant is currently working with the County's Fire Chief to develop this plan.

Mr. Duke advised that the application was pre-circulated to landowners within two miles of the property and landowners adjacent to the access route regarding the renewal application. The County received one letter of objection from the appellant regarding the development and one letter of support of the development from neighboring landowner Jason Brandt. As well, Mr. Duke confirmed that the application was pre-circulated to the County's Operations Department, Alberta Health Services and CN Rail for comments. Lacombe County's Operations Department advised that access to the site is acceptable and the business is not expected to impact surrounding infrastructure. Alberta Health Services indicated that the permit for the concession was cancelled several years ago and should the applicants wish to operate a concession, they would be required to obtain a permit from their office. Furthermore, Alberta Health Services advised that the number of outdoor, temporary washroom facilities must meet the minimum

required for the number of persons attending an event as well as those camping on site. CN Rail had no issues with the proposed renewal.

Mr. Duke confirmed that as the MPC considered the motocross racetrack a suitable use of lands, DPA 24/19 was approved on April 11, 2019, subject to the following conditions:

1. term of the approval for the racetrack to be for five (5) years, after which the applicants will be required to re-apply to the County to continue using the track and other improvements authorized under this approval. Further approval is required from the County for any other improvements, changes or expansions not authorized under this approval;
2. approval to be for public use of the main racetrack by motocross and quad users only, the use of the peewee track, parking areas, the operation of the concession food sales and a washroom facility. The following is not authorized under this permit: use of the access off Range Road 39-2 nearest to the railway tracks, the development of a permanent campground, or the use or expansion of any parking area for the purpose of permanent camping;
3. only five (5) weekend race events will be permitted during each calendar year, namely May to the end of October;
4. hours of operation for the track are limited to the following:
 - a) Tuesday 4:00 p.m. to 9:00 p.m.
 - b) Thursday 4:00 p.m. to 9:00 p.m.
 - c) Friday 4:00 p.m. to 9:00 p.m.
 - d) Saturday 9:00 a.m. to 6:00 p.m. (except for race events)
9:00 a.m. to 9:00 p.m. (for weekend race events authorized by condition 3)
 - e) Sunday track is to be open only two (2) Sundays a month on Sundays, track hours shall be 11:00 a.m. to 4:00 p.m. for non-race weekends and 9:00 a.m. to 9:00 p.m. for weekend race events authorized by condition 3
 - f) Monday long weekends only from 11:00 a.m. to 4:00 p.m.

No use of the track is to take place outside these designated hours of operation, including the Sundays that are designated by the applicants as open for track use.

Please note that no changes will be permitted to the designated days once notification has been sent to neighbouring landowners in accordance with condition;

5. all landowners within two (2) miles of the property, all owners of land adjacent to the access route described in condition 6, and the County are to be notified in writing of the dates and times of the scheduled race events and the other "designated" Sundays by April 1 of each calendar year, at the expense of the applicants. Please make arrangements with the County's Planning & Development Department for notifying landowners. The applicants shall also arrange for notice of these dates and times to be published in the Lacombe County News;
6. all traffic related to the use of the track shall be encouraged to access the property from Highway 11 north along Range Road 23-4 and west along Township Road 39-2. Traffic is also expected to follow this route when leaving the facility;
7. applicants shall be responsible for maintaining directional signs at locations approved by the County and Alberta Transportation to ensure proper access and egress from the facility as identified in condition 6. It is the applicants' responsibility to ensure that users of the facility follow this designated access route;
8. dust control, in the form of calcium chloride or an equivalent dust control product, to be provided during the track operating season at the applicants' expense for a minimum of 200 metres (656 feet) in front of all residences along the designated access route and at the intersection of Township Road 39-2 and Range Road 23-4 for a minimum of 200 metres (656 feet) west on Township Road 39-2. In addition, if requested by the residents along Range Road 24-0 between Township Roads 39-2 and 39-4 (Stanton Road), dust control, in the form of calcium chloride or an equivalent dust control product, is to be provided during the track operating season, in front of such residences, for a minimum of 200 metres (656 feet), with the applicants being responsible for 50% of the cost of such dust control. Please note that additional dust control, such as calcium chloride or an equivalent dust control product, may be required at the discretion of the County if traffic volumes warrant;
9. prior to the issuance of a development permit, the applicants shall supply the County with security in an amount and form acceptable to the County to ensure the due performance of the applicants' obligations respecting dust control. In the event that the applicants are in default in carrying out their obligations for dust control, and fail to rectify their default on notice from the County within the period specified on such notice, the County may immediately take any actions

- necessary to rectify the default and may take action under the security provided by the applicants;
10. if, in the opinion of the County, traffic generated by the racetrack causes dust problems or other safety concerns, the applicants may be required to improve road access to the satisfaction of the County and at no cost to the County;
 11. existing road approach onto Township Road 39-2 nearest the railway crossing shall be used for agricultural purposes only or relocated a minimum of 200 metres (656 feet) west and shall be located and built to the satisfaction of the County's Public Works Department;
 12. any additional access off Township Road 39-2 requires prior approval from the County's Public Works Department;
 13. all parking associated with the operation of the racetrack shall be contained on-site. No parking is permitted within County road rights of way;
 14. Range Road 23-5 may be used as an emergency access for the track and by water trucks required to fill storage tanks at the racetrack;
 15. fencing around the facility shall be maintained by the applicants to ensure that all users of the track remain on the applicants' property;
 16. when in use, the track must be watered as necessary to help contain any dust on the property;
 17. applicants are to ensure proper clean-up and disposal of garbage created by the operation of the track to the satisfaction of the County;
 18. applicants are responsible for ensuring that adequate emergency/medical provisions are in place when any public/commercial use is being made of the racetrack;
 19. the sale of liquor on the property is not permitted;
 20. any additional signage requires prior approval from the County;
 21. applicants are to post a notice, on the Xtreme Raceways website, advising users of the track to: 1) use the encouraged route identified in condition 6 of this approval, 2) obey County road speed limits, and 3) be respectful of other drivers and have consideration for others property (neighbouring properties) while travelling to and from the track;
 22. any contravention of the conditions of the development approval may result in the development permit being revoked by the County;
 23. Prior to the issuance of a development permit, an Emergency Response Plan (ERP) is to be developed by the applicant and approved by the County; and
 24. all necessary Alberta Health Services approvals are to be submitted to the County.

Mr. Duke advised that on May 2, 2019, John McClelland appealed the MPC's decision to approve DPA 24/19 for the following reasons:

1. Very seldom, in the history of the track have the concerns of the neighboring residents have been considered;
2. The racetrack has never fulfilled the requirements of the permit, ie, signage or lack of, maintain a website for posting of directions and hours or operation; and
3. Other items that Mr. McClelland will present at the hearing.

Mr. Duke explained that County staff have addressed the concerns of the appellant regarding the racetrack operating outside of the conditioned hours of operation by five or six minutes on one instance and by ten minutes on a second instance. After consultation with the applicant, Mr. Duke determined that these were isolated incidents and were not substantial enough to alter the conditions of approval.

**SDAB 49/19
Submission**

Moved by Mrs. McLevin that the Subdivision and Development Appeal Board accept as information the documents provided by John McClelland as Exhibit A.

Carried Unanimously.

Neighboring landowner, John McClelland argued that the MPC should have not approved the application for the following reasons:

1. The racetrack is a nuisance;
2. The County has never provided a definition of affected persons to its planning staff or our members of council;
3. The County has never given consideration to the surrounding residents as it should have; and
4. Conditions of approval have not been enforced.

Mr. McClelland argued that the racetrack is a nuisance to surrounding landowners as it restricts the amount of time that affected landowners can enjoy their property without the noise, increased traffic and dust created by the operation of the racetrack. Mr. McClelland claims that this development directly interferes

with his right to enjoy his property as outlined under the Alberta Bill of Rights. Mr. McClelland argued that some of the conditions imposed by the County's MPC are not followed. Specifically, he does not receive the notice of scheduled race events by the April 1st deadline each year; he has witnessed use of the track outside of the posted hours of operation; he does not feel the website is easy to locate; and no signage has been applied for and installed. Mr. McClelland argued that the County has received numerous complaints regarding these infractions and voiced his belief that the County does not enforce these violations.

Mr. McClelland explained that in 2014 he appealed his property assessment to the County's Assessment Department claiming that the noise and increased traffic generated by the racetrack was a nuisance and lowered his land value. Mr. McClelland indicated that the County's Assessor agreed with him and; subsequently, lowered the value of his property based on the proximity of the track and the disruption it creates in the enjoyment to his land. Mr. McClelland argued that the County did not adequately consider the effect that this development would have on the area residents and community. Mr. McClelland argued that area residents felt the initial concerns raised by affected landowners were not completely addressed or mitigated and felt unheard. Mr. McClelland argued that the applicants allow the users of the track to operate outside of the hours of operation and furthermore, the trash generated by the users of the track affect the community as a whole.

Mr. McClelland argued that the permit allows for too many weekend race events and suggested that the hours of operation be modified to allow only three weekend race events instead of five as currently allowed. Mr. McClelland argued that since the racetrack is now considered a non-profit organization, the hours of operation should be reduced to the following:

- a) Tuesday 4:00 p.m. to 9:00 p.m. every other week
- b) Thursday 4:00 p.m. to 9:00 p.m. every other week
- c) Friday 4:00 p.m. to 9:00 p.m. every other week
- d) Saturday 10:00 a.m. to 4:00 p.m. every other week
- e) Sunday 11:00 a.m. to 3:00 p.m. every other week
- f) Mondays No activity on holidays

Mr. McClelland provided a letter from affected landowners, Arthur and Jean McDermid, indicating their opposition to the development as they feel the noise generated from the racetrack limits their ability to enjoy their property.

Recess Chairperson Busaan called a recess to the hearing.
Time: 10:14 a.m.

Reconvene Chairperson Busaan reconvened the hearing.
Time: 10:24 a.m.

Greg Martens addressed the concerns brought forward regarding non-compliance of the conditions of approval. Mr. Martens advised that signs were installed indicating directions to the site; however, these signs were either vandalized or stolen. Mr. Martens explained that that a permanent sign has now been installed on private property to ensure compliance. Furthermore, Mr. Martens confirmed that the Xtreme Raceways website is maintained on a regular basis, as directed by MPC. Facebook is also being utilized in order to communicate with the users of the track regarding directions to the site and the hours of operation.

Mr. Martens argued that they are very diligent in ensuring that the track is only used during the hours of operation; however, due to unforeseen instances (bike mechanical failure) there has been a couple of times where a user of the track had to be out past the designated time. Vonda Martens confirmed that she is present at the track during the hours of operation and ensures that all riders are aware of the rules of the track prior to using the facility and adhere to the hours of operation. Mr. Martens explained that the track has evolved significantly since opening in 2002 and their goal is to operate an excellent facility that will accommodate riders from all over North America and support the community in the process. Mr. Martens confirmed that there are medics, an ambulance and the Alix Fire Department is on site during all racing events to ensure the safety of the users; furthermore, Mr. Martens confirmed that he is working with the County's Fire Chief to develop an Emergency Response Plan for the facility.

Mrs. Martens confirmed that the track operates as a non-profit organization, as this allows community groups to utilize the track for fundraising events. Mrs. Martens explained that they are proud to operate a facility that supports the community and local businesses and offers a safe place for kids to learn to ride. Mrs. Martens confirmed that Xtreme Raceways is committed to ensuring that they

adhere to all the conditions imposed by the County to balance a safe and fun environment for their clientele with the needs and concerns of the community.

Neighboring landowner, Jason Brandt, offered his support of the track indicating that he appreciates the opportunity that this facility provides to families to be active outside. Mr. Brandt also confirmed that he has agreed to place a directional sign on his property for Xtreme Raceways to ensure that it will not be stolen or vandalized.

Michael Lewis offered his support of the development stating that the racetrack offers a positive, family friendly environment.

Seamus Willex offered his support of the development indicating that facilities of this nature foster a positive, safe environment for families to enjoy the outdoors, while teaching children respect and responsibility.

Jamie Klingenberg offered his support of the development indicating that he has been a user of the track since it opened in 2002. Mr. Klingenberg believes that the facility offers a positive environment to keep kids out of trouble, offer them direction, and discipline that will carry forward to all aspects throughout their life

Dale Kromm offered his support of the development indicating that kids need a safe, controlled environment to ride their motorbikes.

Denton Tuck offered his support of the development and appreciates that Xtreme Raceways gives kids a place to ride that is safe, controlled, and clean and provides an opportunity to get them outdoors and active.

Martin McKendrik offered his support of the track indicating that controlled racetrack facilities, such as Xtreme Raceways, save the Crown Land from contamination from motorcross bikes and provide a safe, positive environment for riders of all abilities. Mr. McKendrik explained that he volunteers and rides at the track and agrees that racetracks can cause conflict between neighbors; however, he stated his belief that the pros outweigh the cons.

Jamie Duffy offered her support of the development. Mrs. Duffy explained that her son uses the track and indicated that the racetrack offers kids a safe alternative to riding their bikes in public areas. Furthermore, Mrs. Duffy agreed that the racetrack helps the local business community while offering the youth in the area a great, outdoor activity.

Ron Griffith offered his support of the development explaining that he is thankful for a safe place to ride

**SDAB 50/19
Submission**

Moved by Mrs. McLevin that the Subdivision and Development Appeal Board accept as information the email documents submitted by Jeff Reynolds, Shannon Aalders and Chris and Leah Semeniuk to the hearing as Exhibit B.

Carried Unanimously.

**SDAB 51/19
In-camera**

***Moved by Mr. Jerrard that the Subdivision and Development Appeal Board meet in-camera.
Time: 11:16 a.m.***

Carried Unanimously.

**SDAB 52/19
Out-of-camera**

***Moved by Mr. Jerrard that the Subdivision and Development Appeal Board come out of camera.
Time: 11:20 a.m.***

Carried Unanimously.

Mr. Duke confirmed that the motocross track is considered an outdoor recreation facility and is a discretionary use under the County's Land Use Bylaw. The DA also confirmed that the 24 conditions imposed on the Notice of Decision are in place to address and mitigate concerns of the neighbors. The DA explained that the number of complaints received by the County have significantly decreased since the last approval five years ago. Mr. Duke advised that the County have enforcement and nuisance policies and procedures in place to ensure that the approved development does not unduly affect neighboring property owners.

Mr. Martens believes that he has the support of the community and feels that they are diligent in operating their facility in a respectful manner and are committed to following the conditions set out by the MPC, including providing dust control and picking up trash as required.

Mr. McClelland agreed that the supporters of the racetrack believe it is a valuable recreation area; however, he would like to see a reduction of the hours of operation to allow affected landowners the ability to enjoy their property without the noise of the track. Mr. McClelland also stated that he wanted to reserve the right to appeal to the Crown, if necessary.

Hearing Closed

Chairperson Busaan determined that all parties wishing to be heard had been heard and closed the hearing with respect to Development Permit No. 24/19. Mr. McClelland, Mr. Martens and Mrs. Martens agreed that they had received a fair hearing and determined the hearing closed.
Time: 11:41 a.m.

**SDAB 53/19
In-camera**

**Moved by Mr. Yeomans that the Subdivision and Development Appeal Board meet in-camera.
Time: 12:04 p.m.**

Carried Unanimously.

Recess

Chairperson Busaan called a recess to the hearing.
Time: 12:30 p.m.

Reconvene

Chairperson Busaan reconvened the hearing.
Time: 1:30 p.m.

**SDAB 54/19
Out-of-camera**

**Moved by Mrs. Yeomans that the Subdivision and Development Appeal Board come out of camera.
Time: 1:50 p.m.**

Carried Unanimously.

**SDAB 55/19
DPA 24/19
Xtreme Raceways
SW 17-39-23-W4M**

Moved by Mr. Yeomans that the Subdivision and Development Appeal Board deny the appeal and in doing so uphold the approval of the Municipal Planning Commission to approve Development Permit No. 24/19 submitted by Greg and Vonda Martens for permission to renew the permit for the operation of a motocross racetrack, known as Xtreme Raceways, on SW 17-39-23-W4M, south of Alix, subject to the following conditions, as amended:

- 1. term of the approval for the racetrack to be for five (5) years, after which the applicants will be required to re-apply to the County to continue using the track and other improvements authorized under this approval. Further approval is required from the County for any other improvements, changes or expansions not authorized under this approval;**
 - 2. approval to be for public use of the main racetrack by motocross and quad users only, the use of the peewee track, parking areas, the operation of the concession food sales and a washroom facility. The following is not authorized under this permit: use of the access off Range Road 39-2 nearest to the railway tracks, the development of a permanent campground, or the use or expansion of any parking area for the purpose of permanent camping;**
 - 3. only five (5) weekend race events will be permitted during each calendar year, namely May to the end of October;**
 - 4. hours of operation for the track are limited to the following:**
 - a) Tuesday 4:00 p.m. to 9:00 p.m.**
 - b) Thursday 4:00 p.m. to 9:00 p.m.**
 - c) Friday 4:00 p.m. to 9:00 p.m.**
 - d) Saturday 9:00 a.m. to 6:00 p.m. (except for race events)
9:00 a.m. to 9:00 p.m. (for weekend race events authorized by condition 3)**
 - e) Sunday track is to be open only two (2) Sundays a month on Sundays, track hours shall be 11:00 a.m. to 4:00 p.m. for non-race weekends and 9:00 a.m. to 9:00 p.m. for weekend race events authorized by condition 3**
 - f) Monday long weekends only from 11:00 a.m. to 4:00 p.m.**
- No use of the track is to take place outside these designated hours of operation, including the Sundays that are designated by the applicants as**

open for track use.

Please note that no changes will be permitted to the designated days once notification has been sent to neighbouring landowners in accordance with condition;

5. *all landowners within two (2) miles of the property, all owners of land adjacent to the access route described in condition 6, and the County are to be notified in writing of the dates and times of the scheduled race events and the other "designated" Sundays by April 1 of each calendar year, at the expense of the applicants. Please make arrangements with the County's Planning & Development Department for notifying landowners. The applicants shall also arrange for notice of these dates and times to be published in the Lacombe County News;*
6. *all traffic related to the use of the track shall be encouraged to access the property from Highway 11 north along Range Road 23-4 and west along Township Road 39-2. Traffic is also expected to follow this route when leaving the facility;*
7. *applicants shall be responsible for maintaining directional signs at locations approved by the County and Alberta Transportation to ensure proper access and egress from the facility as identified in condition 6. It is the applicants' responsibility to ensure that users of the facility follow this designated access route;*
8. *dust control, in the form of calcium chloride or an equivalent dust control product, to be provided during the track operating season at the applicants' expense for a minimum of 200 metres (656 feet) in front of all residences along the designated access route and at the intersection of Township Road 39-2 and Range Road 23-4 for a minimum of 200 metres (656 feet) west on Township Road 39-2. In addition, if requested by the residents along Range Road 24-0 between Township Roads 39-2 and 39-4 (Stanton Road), dust control, in the form of calcium chloride or an equivalent dust control product, is to be provided during the track operating season, in front of such residences, for a minimum of 200 metres (656 feet), with the applicants being responsible for 50% of the cost of such dust control. Please note that additional dust control, such as calcium chloride or an equivalent dust control product, may be required at the discretion of the County if traffic volumes warrant;*
9. *prior to the issuance of a development permit, the applicants shall supply the County with security in an amount and form acceptable to the County to ensure the due performance of the applicants' obligations respecting dust control. In the event that the applicants are in default in carrying out their obligations for dust control, and fail to rectify their default on notice from the County within the period specified on such notice, the County may immediately take any actions necessary to rectify the default and may take action under the security provided by the applicants;*
10. *if, in the opinion of the County, traffic generated by the racetrack causes dust problems or other safety concerns, the applicants may be required to improve road access to the satisfaction of the County and at no cost to the County;*
11. *existing road approach onto Township Road 39-2 nearest the railway crossing shall be used for agricultural purposes only or relocated a minimum of 200 metres (656 feet) west and shall be located and built to the satisfaction of the County's Public Works Department;*
12. *any additional access off Township Road 39-2 requires prior approval from the County's Public Works Department;*
13. *all parking associated with the operation of the racetrack shall be contained on-site. No parking is permitted within County road rights of way;*
14. *Range Road 23-5 may be used as an emergency access for the track and by water trucks required to fill storage tanks at the racetrack;*
15. *fencing around the facility shall be maintained by the applicants to ensure that all users of the track remain on the applicants' property;*
16. *when in use, the track must be watered as necessary to help contain any dust on the property;*
17. *applicants are to ensure proper clean-up and disposal of garbage created by the operation of the track to the satisfaction of the County;*
18. *applicants are responsible for ensuring that adequate emergency/medical provisions are in place when any public/commercial use is being made of the racetrack;*
19. *the sale of liquor on the property is not permitted;*
20. *any additional signage requires prior approval from the County;*
21. *applicants are to post a notice, on the Xtreme Raceways website and on the Facebook page, advising users of the track to: 1) use the encouraged route identified in condition 6 of this approval, 2) obey County road speed limits, and 3) be respectful of other drivers and have consideration for others property (neighbouring properties) while travelling to and from the track;*

- 22. any contravention of the conditions of the development approval may result in the development permit being revoked by the County;**
- 23. prior to the issuance of a development permit, an Emergency Response Plan (ERP) is to be developed by the applicant and approved by the County; and**
- 24. all necessary Alberta Health Services approvals are to be submitted to the County.**

It is the responsibility of the applicants to ensure that the proposed development meets the requirements of the provincial Safety Codes Act and the associated Regulations. For more information on what permits may be required, contact one of the safety service agencies listed on the attached sheet.

Where the conditions of the development approval require the undertaking of further actions before a Development Permit is issued, such actions must be completed, to the satisfaction of the County, within one year after the date of issue of this Notice of Decision. Failure to do so will result in the approval being withdrawn, unless the County has agreed in writing to a longer period to complete these actions. Any request for an extension of the one-year time limit shall be made in writing and must state the reasons for requesting an extension.

Carried Unanimously.

REASONS:

1. The Board is of the view that no evidence was presented to support the claim that the County Assessor lowered the property value in 2014 based on the fact that the racetrack was noisy and caused a nuisance.
2. The Board is of the view that the applicants have followed the conditions of approval imposed on the previous approval and found that the concerns raised by the appellant regarding operating outside of the hours of operation were isolated incidents that could not be avoided.
3. The Board agreed that Condition No. 22 of the Municipal Planning Commission's approval will allow the County to monitor and enforce, if necessary, any concerns raised by affected landowners regarding noise, dust problems or other safety concerns the County deems inappropriate or in contravention of the conditions of approval.
4. The Board is of the view that the letters of opposition, dated in 2014 provided by the appellant are not current and are not relevant, as no evidence was presented to support these claims.

***SDAB 56/19
Minutes***

Moved by Mr. Jerrard that the Subdivision and Development Appeal Board approve the minutes of the March 21, 2019 meeting.

Carried Unanimously.

***SDAB 57/19
Adjourn***

***Moved by Mrs. McLevin that the Subdivision and Development Appeal Board meeting adjourn.
Time: 1:52 p.m.***

Carried Unanimously.

Chairperson