



Islands Trust

ADOPTED

Pender Island Waste and Resource Management Commission Special Advisory Planning Commission Minutes of a Meeting

Date: Monday, January 4, 2016 (12:30 p.m.)

Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

Members Present: Elizabeth Montague, Chair
Richard Philpot, Deputy Chair
Dale Henning
Donn Korbin
John Pollard
Jim Petrie
Ursula Poepel
Gordie Duncan
Michael Sketch
Davy Rippner
Ron Underhill (Ex officio Member)

Staff Present: Justin Starke, Island Planner
Shannon Brayford, Recorder

Regrets: None

Others Present: Thirteen (13) members of the public were present
Diane Barber, North Pender Island Trustee
Bruce McConchie, South Pender Island Trustee

1. CALL TO ORDER

At 12:32 Chair Montague welcomed everyone and called the meeting to order.

Chair Montague provided opening remarks which included an overview of the purpose of the meeting and a reminder that the Terms of Reference allow the Commission to identify new sites in addition to those provided in the staff report.

2. ADOPT AGENDA

A discussion was held regarding the agenda and the need for sufficient time for Item 5. It was suggested to move item 5 ahead in the agenda to become Item 3.

By general consent, the agenda was adopted as amended.

3. DEVELOPMENT OF CRITERIA FOR EVALUATING POTENTIAL SITES

Chair Montague recognized Member Underhill as the process facilitator.

Member Underhill provided an overview of the planning process and the meeting's goals. During initial discussions the Commission generally agreed to the following points:

- The Commission is not limited to recommending only one site.
- For consistency, the site will be referred to as a Waste Transfer Site (WTS).
- The criteria will be for the WTS itself which would be a site where items are sorted, segregated and transferred.

Member Underhill opened the floor to brainstorming ideas and the following criteria were raised by members of the Commission and the public:

- Central location
- Minimized visual impact
- Low tax payer cost
- Large enough to accommodate the changing waste stream
- Traffic safety
- Access to services (water, septic, hydro)
- Environmental impact
- Location
- Hydrology
- Protection of water table
- Not on potential farm lands where a viable alternative exists
- Noise
- Public convenience
- Using existing WTS
- Distance to ferry
- Avoid steep long hills on truck transportation route
- Smell
- Minimal size
- Criteria meets expert opinion
- Tourism value
- Sites ability to cope with toxic spill
- Fire hazards
- Broad community agreement with chosen site
- The materials that will be accepted
- Not adjacent to sensitive eco-systems
- Traffic flow at the site
- Space for parking
- Impact on high density users
- Buffer
- Berm for noise control
- Minimum 20 year life span
- Ownership (public or private)
- Minimize transportation greenhouse gas emissions

- Light pollution
- Minimize impact on marine and wildlife

Member Underhill encouraged the group to go through the list and group similar items. The following items were grouped under the heading “location”:

- Central location
- Distance to ferry
- Tourism value
- Not adjacent to sensitive ecosystem
- Minimal visual impact from road
- Fire hazards

Member Underhill asked that the group discuss the items that had been selected under the heading “LOCATION”. The following points were raised:

- Member Henning suggested a central location closer to the density of the public. It was noted that a central location would be more convenient for the majority of the public to reach and more efficient for operators to transport to.
- Chair Montague noted that the Commission does not have a clear understanding of what the public does with their waste and does not know if the WTF needs to be centralized or if it could be in a less central convenient location, such as en route to the ferry.
- Member Korbin noted that just because the WTS is open for particular items does not mean that operators will use it for that purpose.
- Member Henning noted the Capital Regional District (CRD) recommendation is that the siting should be viable for a minimum of 20 years.

A discussion was held regarding the types of material that will be accepted by the WTS:

- It was noted by several members that the Commission does not have a clear definition of the types of materials that will be accepted by the WTS.
- Member Henning commented that if the WTS opens with a basic structure it can then be expanded to accommodate the needs of the island.
- Member Sketch noted that the Commission had defined the materials and obtained general volume estimates at an earlier meeting.
- Planner Starke suggested that for the purpose of this exercise the Commission could list the criteria as a “size that is large enough to handle the accepted materials”, with the definition those materials being left for a later time.

A discussion was held regarding materials sorting at the WTS:

- Member Sketch remarked that there is a provincial imperative that the WTS operate as a sorting facility in order to minimize landfill waste.
- Member Petrie noted that facilities exist elsewhere to deal with reclaiming materials.
- Chair Montague remarked that the goals of the Province and the OCP is to create zero waste and transporting the materials does generate greenhouse gases.
- Member Henning questioned whether the scale of Pender Island can create a operationally efficient and cost effective method to reclaim the materials.

A discussion was held regarding a WTS and additional drop-off sites:

- Chair Montague and Member Korbin noted that if there are drop-off sites then the WTS would see less traffic from residential users.
- Member Petrie asked for clarification of what constitutes a drop off site and what constitutes a WTS. Member Korbin provided an explanation based on CRD definitions and Planner Starke noted that the WTS would accept materials, provide some sorts of processing, and store those materials until they are sent elsewhere.
- Member Henning questioned whether assuming that there will be a central drop off location is forcing an operational decision on the operators. Member Korbin noted that the drop off location does not assume that materials will then be taken to the WTS.
- A discussion was held regarding whether the drop off site and the WTS should be centrally located. Member Henning suggested that the WTS should be centrally located. He noted that there is a main corridor on the island and by locating the WTS on that corridor it would facilitate use. Member Rippner asked that the topic be revisited at a later time and Member Henning agreed.
- Member Korbin remarked that both a location close to the ferry and one close to the dense population area have been credited with potentially reducing greenhouse gas emissions. He noted that these statements together demonstrate that there is not a clear understanding of which one would produce a reduction. Member Korbin further commented that the island's size might make discussions of distance unnecessary

A discussion was held regarding composting and Member Petrie suggested seeking information from a member of the public who might have more information. He questioned the assumption that most members of the community are composting on their private properties. No member of the public spoke at this time.

Member Underhill asked that the group discuss the items that had been selected under the heading "SIZE":

- 15-35 meter vegetative buffer available.
- 15-35 meter setback

Member Henning read the Ministry of Environment recommendations regarding buffers. Planner Starke provided an explanation of the recommendations and noted that they serve to inform the regulations that are ultimately created under the Local Trust Committee (LTC) jurisdiction.

Member Underhill encouraged the group to go through the list and group similar items under the heading "environment":

- Water, septic and hydro services
- Environmental impact
- Hydrology
- Protection of water table and consideration of aquifer susceptibility.
- Noise
- Smell
- Risk from toxic spill

- Light pollution
- Berm for noise control
- Not adjacent to sensitive ecosystem
- Minimize impact on marine and wildlife

A discussion was held regarding the item “hydrology”. The Commission discussed the value of obtaining a hydrology report and the types of regulations that the Commission could recommend. Planner Starke noted that there are not regulations from an outside body, but the LTC could look at recommendations from those bodies.

Member Henning read a regulation regarding bio solids and compost facilities and noted that this regulation would need to be met. Planner Starke noted that there is also a CRD licence requirement for such a facility and that this would be an operational consideration rather than a land use one.

A discussion was held regarding noise and how to create a criteria related to this concern.

- Planner Starke commented that there are many ways that the environmental issues can be addressed, including a recommendation that the LTC require an environmental impact study. She noted the different tools available to the LTC and the differences for example, between zoning and temporary use permits.
- Planner Starke suggested that noise, odour, dust, light and traffic could be placed under a heading such as “nuisance”. Member Underhill noted that these items might not be related to siting, but should be placed in the parking lot as issues that are brought to the LTC.
- Member Sketch remarked that noise could be left as a criteria for siting because it relates to the size, presence of a berm, proximity to those who would be annoyed, and presence of vegetative cover.
- Member Duncan noted that trucks driving to the locations also create noise.
- John Aftias, a member of the community, commented that traffic and site-related noise is a concern and that the area near the current recycling facility is already experiencing a high volume of noise.
- Candice Zell noted that Pender Island residents place a premium on the quiet atmosphere.

Throughout the discussion, the following items were noted for later conversation under the heading “Parking Lot”:

- Composting
- Site functions related to public education
- List of accepted materials
- Existing models that can be studied
- Drop off site criteria (such as central location)
- Noise, light, dust and traffic

Additionally, the following items were noted under the heading “Assumptions”:

- Site will fit the Official Community Plan (OCP) or the OCP will be modified.

- Visual impact will meet Ministry of Transportation and Infrastructure (MOTI) regulations
- Typical WTS's will handle residential, commercial, demolition, and additional items.
- The WTS will only handle waste from Pender Island.
- The issue of composting is undecided/unresolved.
- The drop-off site should be centrally located
- Future residential garbage may be picked up or will continue to be dropped off.

Note: Planner Starke left the meeting at 2:34 pm.

4. COMMENTS FROM COMMUNITY MEMBERS

Ann Hewlett addressed Members Sketch, Montague, and Rippner. She commented that the conflict of interest issue will continue to be ongoing and noted that the guidelines indicate that the members should seek legal advice from the Islands Trust. She remarked that the public would have to respect that advice, but asked if the members had each sought such advice.

Chair Montague responded that she has asked for legal advice, but has not heard back from the Island's Trust office, noting that many people were on holidays. Chair Montague further remarked that the LTC has the ability to remove members from the Commission and that they were given the opportunity to do so, but had not.

Member Rippner responded that the legal advice sought by Chair Montague was on his behalf as well. He further commented that he was not prepared to step down.

Member Sketch responded that he had sought legal advice from three independent lawyers in addition to the legal advice sought from the Islands Trust. Member Sketch noted that members of the public can obtain legal representation to challenge their place on the Committee and they can also write to the LTC to ask that members be removed.

Deputy Chair Philpot thanked Ann Hewlett for her question and confirmed with the Trustees that the legal opinion was sought, but had not yet been received.

Chair Montague asked Ann Hewlett why Member Rippner was included in the question. Ann Hewlett responded that she addressed the issue in a letter to the LTC.

Referring again to the policy on conflict of interest, Ann Hewlett noted that she believed that the conflict of interest in question does not represent a single issue, but a larger one that will continue to arise consistently through the Commission's ongoing work.

Note: A break was held from 2:55-3:05 pm and Deputy Chair Philpot left during this time.

Chair Montague called the meeting to order. She invited Member Underhill to provide an overview of the next meeting.

A discussion was held regarding the goals of the next meeting.

Member Petrie remarked that the CRD could be very pivotal in this process and a discussion was held regarding the involvement of the CRD representatives:

- Chair Montague commented that the CRD is waiting for an initiative from the community before providing suggestions.
- A discussion was held regarding the information that the CRD could potentially provide to facilitate the process.
- Chair Montague noted that community information sessions will be held and the CRD representatives will be invited to those.
- Member Sketch remarked that he had asked for the per parcel lot cost of a complete service and the CRD representatives had estimated a cost of \$200-\$250. Member Sketch noted that he had also asked about details for a non-profit operation. He commented that the CRD representatives indicated that they would adapt to the Island's needs.

5. MINUTES OF DECEMBER 14, 2015 FOR ADOPTION

Member Petrie noted the importance of having an audio recording of the meeting and stated that he had written to the LTC to encourage its use.

In addition to recommended revisions the following points were discussed:

- Referring to page 7 Member Sketch asked Member Henning if he (Member Henning) said that when Member Sketch rambles he (Member Henning) often ignores him. Member Henning confirmed that he said this. Member Sketch asked if everyone was happy that the minutes stated that Member Henning "did not recall the conversation" as opposed to saying that he had ignored him. There was general consent that this was acceptable. Chair Montague asked for Mr. Henning to apologize to Member Sketch. Member Henning stated that he has great respect for his fellow member, but that he would not apologize for the statement.
- Member Henning asked when the Agricultural Land Commission (ALC) reconsideration of the Burdett application would be released. Member Sketch and Chair Montague noted that the decision will take time, but that it would be published on the ALC website.
- Referring to page 2, Member Petrie asked whether Mike Burdett asked the question or if it was another member of the public, Gary Steeves. The recorder clarified that while Mr. Steeves participated in the discussion, Mr. Burdett asked the question.
- Member Pollard commented that inclusion of the public's names in the minutes might deter public comment. Chair Montague noted that names are helpful when the minutes are used for reference at a later date and the inclusion of names would encourage respectful interactions.
- Community member Ann Hewlett asked for an explanation of why some community member comments are included and others are not. The recorder explained that this Commission has requested more detailed minutes than those commonly used in the Islands Trust. She further explained that when anyone states a specific point or asks a question it is

included with their name, however in discussions where many people are speaking each specific comment is not usually noted.

The following amendments were put forward by Member Korbin:

- Page 3, replace “he noted that he shares Mr. Burdett’s concerns” with “He said the public perceptions of bias goes beyond the technical issues of bias and conflict of interest described by Mr. Sketch. This is a serious concern”.
- Page 5, after “Trust Council” add “Guidelines for divisors Planning Commissions.
- Page 5, replace “Chair Montague tabled the point of order” with “Chair Montague deferred a decision on the point of order”.
- Page 7, replace “directing” with “asking”.
- Page 8, to the bottom of paragraph four add “He further noted that it was not appropriate to ask Commissioners to uphold the integrity and authority of our local government”.

The following amendments were put forward by Member Sketch:

- Page 6, Bachmeier Farm should read “Allen Industrial Land adjacent to Recycling rented by Bachmeier”. (This amendment was confirmed with Mr. Aftias who was the original speaker)
- Item 5 title should be “Commissioner Confidence”
- Page 9, add “reconsideration” between ALC and decision. (This amendment was confirmed with Ms. Hewlett who was the original speaker)

NP-SAPC-2016-001

It was MOVED and SECONDED THAT the Waste and Resource Management Commission adopt the minutes of December 14, 2015 as amended.

6. NEXT STEPS

An overview of the next meeting was provided by Member Underhill at the completion of Item 4.

7. NEXT MEETING

By general consent the Waste and Resource Management Commission agreed to change the next scheduled meeting from January 15, 2015 at 12:30 pm at the Community Hall to January 15, 2015 at 10:00 am at St. Peter’s Anglican Church.

8. ADJOURNMENT

NP-SAPC-2016-002

It was MOVED by Member Duncan and SECONDED by Member Poepel THAT the Commission adjourn at 3:42.

CARRIED
(unanimous)

Elizabeth Montague, Chair

Certified Correct:

Shannon Brayford, Recorder