

Appeal # LA22016

Please find attached some supporting documentation that I feel will support the preliminary approval for the 5 lots on Black Creek Road.

I purchased 32 acres on Black Creek road in July 2019. My intent was to subdivide this parcel over a 5-10 year period. I subdivided 3 lots in winter of 2019/20. My son built a home on one lot in 2020, I sold the remaining two lots in Dec. /21 and May/ 22. The remaining 3 acres behind those three lots is used for my Christmas tree plantation. [1200 Xmas tree seedlings].

In Nov.2020 I contacted Brad Parsons [P.E.I. Highways] about snowplowing road to my sons driveway. He said the snowplow has been coming in road to Kenny Mac Rae residence. The plow wouldn't be going any further on road because the standard of road past Ken Mac Rae wasn't able to support a snowplow service ; road was too narrow and wasn't ditched. He said highways would consider upgrades to road in the future.

In this coming winter season there will be 4 residents living on Black Creek Road year round and with the 2 lots that I have recently sold; both new owners plan to build in fall of 2022/ and summer of 2023. This will make 6 residents residing on road by 2023.

In the summer of 2021 we had a 40-50 mm rain storm. The rain water ran down road past my sons driveway and into the creek. The running water made deep ruts on road and filled creek with silt. Highways came out after storm and put rock filtration around creek. When I discussed the water issue with Brad Parsons; he said this would be a temporary solution. Because the road was narrow and didn't have any ditching or culverts there wasn't much highways could do to fix problem.

I applied for a subdivision application in Dec 2021. It was initially for 4 lots. After surveyor revisited preliminary plan it was decided 5 lots would work better, application was changed to 5 lots at that time. In April 2022 I applied for an additional 5 lots . During consultation with surveyor it was decided because of the great demand for lots in this area this would be a good time for the extra lots surveyed and ready. In August the applications were reviewed and I received preliminary approval for the 5 lot application from Dec 2021. The second application for 5 lots was denied at this time. The preliminary approval lots are located on Black Creek Road but are at opposite end of road from previous approved lots [3] and opposite end from the upgrades to road. My preliminary approval lots are all surveyed for a category 2 perk test. 2 of the 5 lots tested are category 1, which requires a smaller lot size.

In summary, my subdivision applications were carefully considered before I applied.

Costs: Application fees, surveyor fees, sewage category fees, permits and signage fees.
Application was submitted because of demand for affordable lots in area.

Availability of affordable building lots in the area, Bacon Cove subdivision , Nine Mile Creek, 12 lots sold in past 18 months. Wharf Road, Nine Mile Creek, private developer, 6 lots sold in past 18 months. Fairview Meadows subdivision , Fairview , subdivision sold out; 18 lots; Wards Landing subdivision, Rocky Point, 20 lots, subdivision sold out. It is evident there is still a great need for affordable building lots in New dominion, Nine Mile Creek, Fairview area. I have had interest this past summer in building lots and have a deposit on one of the preliminary approved lots.

Seasonal Roads in area:

Cumberland Line Road; Cumberland/Fairview; This is a Government Seasonal Road approximately 2 km. long. The road has been ditched and partially gravelled. It has 8 residents that live year round. This road is snowplowed in winter by the Government

BlockHouse Road, Rocky Point is also a Government seasonal road approximately 1.5 km long. The road is ditched and partially graveled. Approximately 1 km. of road is snowplowed for residents that live on a private road off BlockHouse Road.

Black Creek Road is a seasonal Government road and residents pay property taxes comparable to other public roads. It my opinion that residents on this road deserve the same road services as residents on other seasonal roads in area.

It is my opinion the preliminary approval for the 5 lots was approved because all criteria was achieved to this point of application. I am confident that after consultation with surveyor and subdivision planning personel the application will have final approval. The remaining 20 acres will be used for farmland.

It is my opinion the upgrades to Black Creek Road have had a positive impact on the residents in area and the greater travelling public. The road is busy with traffic especially during summer months. Before the upgrades the road was one lane traffic in some parts of road. Sightlines from private driveways was a safety concern because of no ditches and trees growing on road. It is my opinion the upgrades will have a positive impact on the stream/marshland part of the Fairview watershed. The new ditches with rock filtration sediment filters will greatly enhance the water quality in creek. These sediment filters are now in ditches on both sides of creek.

Mike Hogan