

Michelle Walsh-Doucette

From: Philip Rafuse
Sent: Wednesday, May 29, 2024 12:43 PM
To: Michelle Walsh-Doucette
Subject: FW: Intervener Status Submission case LA22002

From: Malcolm MacKenzie [mailto:malcolmmackenzie@live.ca]
Sent: Wednesday, May 29, 2024 12:39 PM
To: Philip Rafuse <PJRafuse@irac.pe.ca>
Cc: brian gillis <bayliner196@gmail.com>; Malcolm MacKenzie <malcolmmackenzie@live.ca>
Subject: Intervener Status Submission case LA22002

Land history: The name Bessie Willow was the name of the schooner that was built alongside a grove of Willow trees on the property. The schooner was built by our great grand father and uncles and was named after our grandmother Bessie. The three lots along the shore down to the left at the end of the Bessie Willow Lane was Gillis family land which our father gifted to his three daughters, Heather, Phyllis and Elaine. We planted trees, made the driveway across the two lots and over the years built a cottage. When Parry Aftab and Allan McCullough purchased two of the three lots we immediately alerted to them the land needed to be surveyed as a portion of our garage was over on my sisters lot. Parry's advice to our family at that time was that she did not want to waste money on surveyors(after all she was a lawyer from New Jersey and claimed her expertise with advising United Nations, Homeland Security, etc. on cyberbullying and travelled the world sharing her expertise). We trusted her advice. Parry prepared an "Agreement of Purchase and Sale" (attached) to accommodate an easement for our garage which crossed the property line. Biggest mistake we made was to rely on her direction; but, it was done!

Since then, we've had to put in a new entrance into our cottage. We found it was necessary for our peace of minds to separate ourselves from Parry and Allan as much as we could. We built a 8 ft. solid fence approximately 400 feet long. Sections of our fence was also knocked down by hurricane Dorian. Google Earth illustrates approximately 3 feet of our garage on neighbouring lot.

Witness Allan McCullough: Under Oath, Allan stated that when he had staked out the new cottage dimensions, he realized that a portion of our garage was built over on his lot. He was well aware of the fact that our garage encroached onto their lot...yet he stated otherwise under oath in his testimony. It was at this point that I lightly tapped Parry on her arm to express my astonishment of this untruth. In fact, between both testimonies, they mentioned "the garage" controversy three times! It was very difficult to remain silent when Allan's remarks towards us, as neighbors, strongly insinuated we were responsible for vandalism. That was absolutely an untrue slanderous statement towards us, as their neighbors.

Witness Parry Aftab: The summer of 2017, Parry and Allan met with Malcolm and Elaine to inform us they were planning to build a structure. Of course, we were not pleased and had expressed our dissatisfaction. We realized it was their land. We had no control over their

intentions as long as they acted within the rules. Parry and Allan testified that in the summer of 2017 they were advised by government that an institutional facility would not be approved for the Bessie Willow property. Yet, attached is correspondence dated December 7, 2017, addressed to the Belfast Community Council supporting “The Cyber-bullying Centre that is in the process of being built in the Point Prim area by Dr. Parry Aftab and Allan McCullough” which clearly contradicts their testimony. In July 2018, construction of their “cottage” began for 3 bedroom, 2 story, 36x48. At the same time advertising on social media that she was building cyber bullying policy training Center in glorious Point Prim. This substantiates her real intention to mislead government and neighbors.

Witness Chris Markides: We strongly question how Mr. Markides could make a true assessment using “sound planning principles” of the structure when he had not visited the site; but rather relied at Google Earth.

Combined Witnesses Allan McCullough and Parry Aftab: During construction in summer 2018, the smaller “man cave” building was moved closer to the big blue building and was being renovated. Parry instructed the carpenter how she wanted renovations to be done as she was planning “very important” people to stay there.i.e. Head of interpol, Microsoft leaders. Those instructions clearly illustrate their plans were continuing for a cyber bullying Center.

Witness Eugene Lloyd

In listenening to Mr. Kleeler’s cross-examination of Mr. Lloyd, he posed the question ... “do you agree that there was no effort from Parry and Allan to give false information” and Mr Lloyd agreed. We submit that there was false information given by the very fact that the dimensions on the permit did not correspond with the dimensions of the actual structure being built. Furthermore, there are additional buildings on the property that do not have building permits. As well, evidence showed that she was announcing her Center at the same time she was telling government she was building a cottage.

Witness Alex O’Hara: Mr. O’Hara’s testimony in our opinion gave us a clear insight into the roles and responsibilities of a professional planner. Unlike the expert witness Mr O’Hara visited the site on Bessie Willow Lane several times. We believe these visitations were very essential in assessing the different aspects of all issues in relation to the structure. In our view it would be impossible to do a proper assessment on a structure from an office in another Province. We view this as a very key point. The expert witness used Google Earth to assist him in his evaluation. We viewed the structure ourselves on Google Earth (picture below) and found this it to be a totally inadequate tool to be used in assessing the structure. We strongly believe Mr O’Hara’s professionalism and his extensive knowledge and accreditation level should certainly be relied upon in making a decision in this matter. Furthermore, to paraphrase Mr. O’Hara it would be a grave injustice to allow such structures to be built along the seascapes of Prince Edward Island in the future and would establish a dangerous precedent

Closing remarks by Mr. Keeler: Mr. Kleeler submitted both Parry and Allan gave very clear evidence of their well- intentioned plans to build their dream home.....

We would strongly question their “ well intentioned plans” to build their dream home....while Parry was sharing their plans to build big as they announced on social media during 2018 these three postings:

- Kijiji on May 31 ...”need help building a barn for a children’s charity meeting hall in #pei (point prim) Pass the word!”
- LinkedIn Jun16, 2018...that she was breaking ground on the “JoeAlhadeffYouthDigitalPolicyCenter” on our beachfront on #princeedwardisland.
- LinkedIn Jun 22 ..As we break ground on the new cyber wellness and digital policy Center dedicated to my good friend#JoeAlhadeff on the beachfront in glorious #PEI (Prince Edward Island), I thought I would share the generosity of islanders, and businesses and communities I...

In Summary: As neighbours how could we not be concerned after seeing these postings and watching construction of this towering structure? Our anxiety level was so high, as we were consumed with constantly contacting government to make them aware of what was happening next door to us. (Expect there exists a very thick file somewhere in government ... of calls, emails, texts from us and others concerned with this situation). We’ve been enduring 6 years filled with anxiety ...questioning how this building was allowed to be constructed and now stands looming over us! We seek accountability for intentionally misleading government, our community, and our families. We are witnessing a trend here that may set a dangerous precedent for future developments especially with the heightened construction activity along PEI’s landscapes.

We thank the Island Regulatory Appeal Board for granting us Intervenor status in this case. As well, we thank Phillip Rafuse for answering our many questions prior to this hearing. Trust we will receive acknowledgment of receipt of our submission.

Respectfully submitted,

Brian Gillis

Elaine MacKenzie

Sent from my iPad

AGREEMENT OF PURCHASE AND SALE

THIS OFFER to enter into a binding Agreement of Purchase and Sale is made the
May, 2013.

PARRY AFTAB, of Wyckoff, New Jersey, United States of America and, her husband
ALLAN MCCULLOUGH, of Charlottetown, Prince Edward Island, aforesaid;
(herein called "Purchaser")

Hereby offer to purchase the following described property from:

+
HEATHER MACLEOD, of Stratford, Prince Edward Island and **PHYLLIS DUNN**,
Calgary, Alberta;
(herein called "Vendor")

1. Being provincial parcel number 877639 and 877647. Property known as
Point Prim, PE.
2. For the sum of Seventy Thousand Dollars (\$70,000.00) of lawful money
payable as follows:
 - a) Deposit of Three Thousand Dollars (\$3,000.00) to be paid
this Agreement;
 - b) Further Sixty Seven Thousand (\$67,000.00) to be paid on
title and delivery of conveyance.
3. Conditions of Sale, and, or, Appurtenances:
 - a) Purchaser to provide an easement up to 10 feet to address
forming garage that crosses the property line between

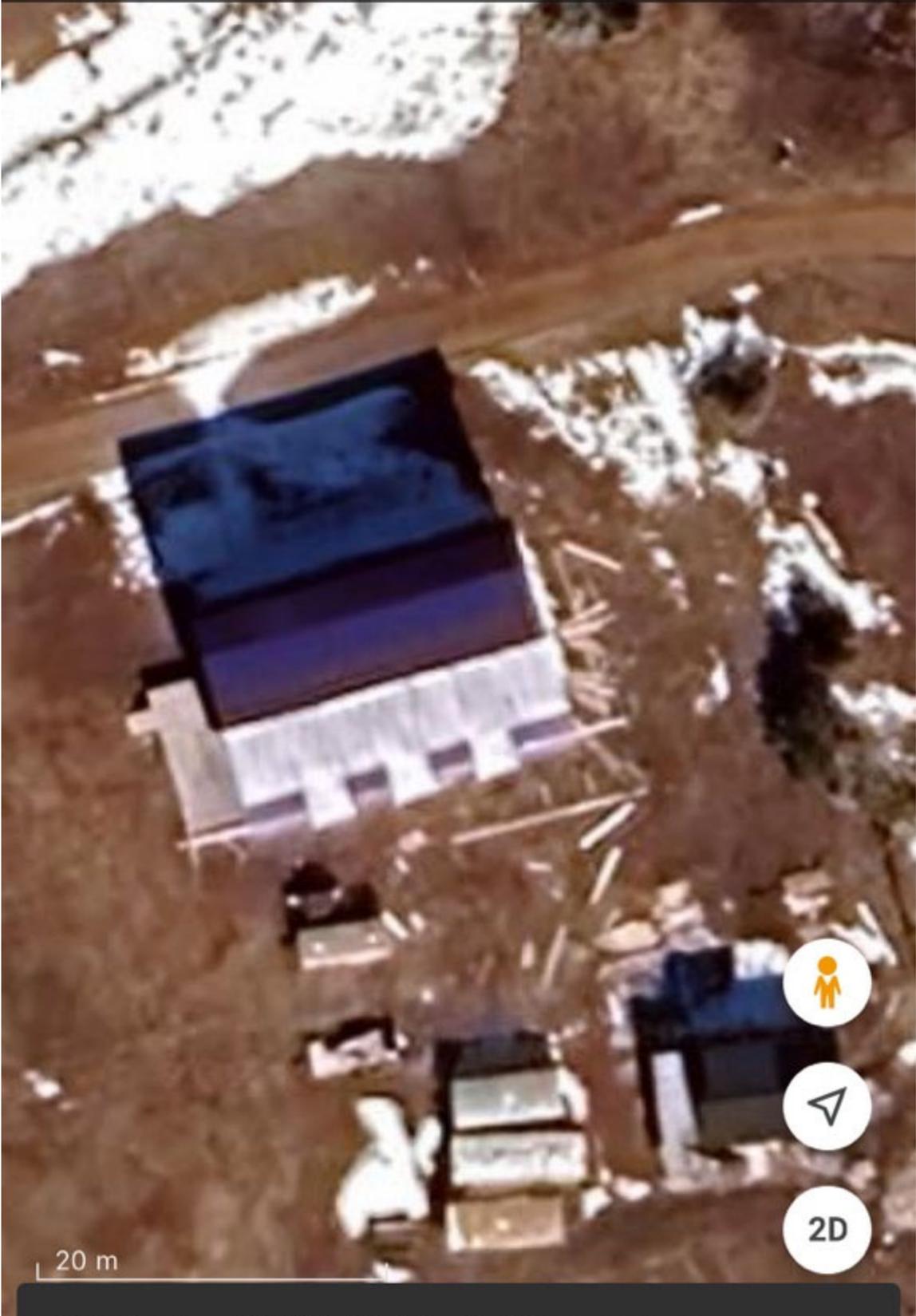


Clubs International District N-1

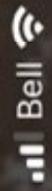
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Council
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Street View



Sent from my iPad



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Select a location highlighted in blue to enter Street View.



AGREEMENT OF PURCHASE AND SALE

THIS OFFER to enter into a binding Agreement of Purchase and Sale is made the ____ day of May, 2013.

PARRY AFTAB, of Wyckoff, New Jersey, United States of America and, her husband, CARL ALLAN MCCULLOUGH, of Charlottetown, Prince Edward Island, aforesaid; (herein called "Purchaser")

Hereby offer to purchase the following described property from:

HEATHER MACLEOD, of Stratford, Prince Edward Island and PHYLLIS DUNCAN of Calgary, Alberta; (herein called "Vendor")

- Being provincial parcel number 877639 and 877647. Property known as Lot 1, and Lot 2, Point Prim, PE.
- For the sum of Seventy Thousand Dollars (\$70,000.00) of lawful money of Canada, payable as follows:
 - Deposit of Three Thousand Dollars (\$3,000.00) to be paid upon signing of this Agreement;
 - Further Sixty Seven Thousand (\$67,000.00) to be paid on the acceptance of title and delivery of conveyance.
- Conditions of Sale, and, or, Appurtenances:
 - Purchaser to provide an easement up to 10 feet to address non-conforming garage that crosses the property line between the neighboring lot and one of the lots being purchased hereunder to neighboring property, now or formerly owned by Elaine and Malcolm MacKenzie, being parcel number 877654;
- Tenancy, if any: Vacant
- The sale shall be completed on the 22nd day of May, 2013, (the closing date) or prior thereto if mutually agreed upon.
- The Purchaser is to be allowed Fifteen (15) days from the date of acceptance hereof to examine the title at their expense. If within that time, any valid objection to title is made in writing to the Vendor, their Solicitor or Agent, which the Vendor shall be unable or unwilling to remove within Fifteen (15) days, and which the Purchaser will not waive, this agreement shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void. Save as to any valid objections so made within such

- This offer, when accepted, shall constitute a binding contract of Purchase and Sale and time shall in all respects be of the essence hereof. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this agreement or the real property or supported hereby other than expressed herein in writing.
- The conveyance (of the property which is the subject of this Agreement) shall be a deed with the usual statutory covenants on Prince Edward Island form, drawn at the expense of the Purchaser to be delivered on payment of the purchase price on the closing date. The said property is to be conveyed free of encumbrances.
- This Agreement shall ensure to the benefit upon the said parties hereto, their respective heirs, executor's administrators, successors and assigns.
- Any tender of documents or money hereunder may be made upon the Vendor or the Purchaser or any part acting for him and money may be tendered by negotiable cheque certified by a Chartered Bank or Trust Company.

Dated at, _____, Prince Edward Island, this ____ day of May, 2013

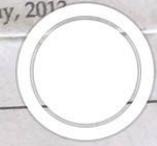
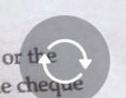
WITNESS PURCHASER

WITNESS PURCHASER

Purchaser's Lawyer and Address
John Carr - Carr, Stevenson & MacKay - 50 Water Street, Charlottetown, PE

Dated at, _____, Prince Edward Island, this ____ day of May, 2013.

WITNESS VENDOR



VIDEO

PHOTO

SQUARE

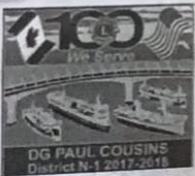


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Lions Clubs International District N-1

December 07, 2017

Mr. Paul MacDonald, Chair
 Belfast Community Council
 3278 Route 1, South Pinette
 Belle River, PE
 COA 1B0

Dear Chair Paul MacDonald and Community Council

RE: Cyber-Bullying Centre

I have received a request for a letter of support for the above, after hearing a presentation concerning Cyber-bullying, I am of the opinion that a centre built and dedicated to Cyber-bullying would be a positive step in dealing with this problem for our youth.

The Cyber-bullying Centre that is in the process of being built in the Prim Point area by Dr. Parry Aftab and Allan McCullough, would aid those young people who have been bullied and hopefully find ways to reduce the problem of Cyber-bullying.

I, as the Lions District Governor for the Lions of District N-1 (2017-2018) support this project and feel it will be a asset to the province of Prince Edward Island, as I understand leaders from around the world would come to Prince Edward Island and meet and discuss the issues of Cyber-Bullying and come up with policies to deal with this problem.

Yours truly,

Paul Cousins
 District Governor
 Lions District N-1
 Prince Edward Island
 New Brunswick and
 3 Clubs in Maine, USA