



GOVERNMENT OF BERMUDA

**Department of Planning**

*Dame Lois Browne-Evans Building, 58 Court Street, Hamilton HM 12, Bermuda  
Phone: (441) 295-5151 Fax: (441) 295-4100*

**Development Applications Board Minutes**

Minutes of the meeting held on Wednesday, 14 April 2021 at 8:45 AM virtually via Webex.

**PRESENT**

**Board Members:**

- Wayne Dill (Chair)
- David Astwood
- Dalton Burgess
- Patrick Cooper (Corporation of Hamilton)
- Denis de Frias
- Wendy Dunne
- Shabion Postlethwaite
- Josonne Smith (Bermuda Fire and Rescue Service)

**Technical Officers:**

- Paul McDonald (Acting Senior Planner)
- Dolores Vazquez (Planner)
- Yolanda Bashir-Paige (Assistant Planner)

**APOLOGIES**

- Alice Lightbourne
- Calvin Thomas

**MATTERS ARISING AND ACTIONS FROM PREVIOUS MEETING**

The Chair advised the Board of an update to meeting protocol wherein meetings will be closed after 5 minutes from the scheduled start time provided that a quorum is achieved. This will take effect as of the next meeting of the DAB.

**APPLICATIONS**

1. **PLAN-0469-20**
  - Applicant:** Harry Sukdeo
  - Location:** 11 Spicewood Drive, Warwick, BM WK08
  - Description of Proposal:** Proposed Demolition, Renovations and Additions to Create 3 Bedroom Apartment (3 Units Total).
  - Planner:** Yolanda Bashir-Paige

**Discussion:**

The technical officer presented the application with a recommendation to approve.

A Board member queried if construction had already commenced as a few pictures presented to the Board reflected this activity.

The technical officer confirmed that no works affiliated with the host site had been carried out and that the forgoing was associated with the adjoining property to the immediate west.

One Board member voted against the recommendation of the Department and the remainder were in agreement.

**The Board resolved to approve the application, as received October 23, 2020 subject to the following conditions:**

1. The development hereby permitted shall begin before the expiration of 2 (two) years from the date of this permission.
2. For the avoidance of doubt the consent hereby granted is for planning permission only. Prior to the commencement of building operations a separate application for a building permit must be made and approved.
3. Parking and manoeuvring space for 3 cars and 3 cycles shall be established for use in accordance with Policies TPT.20 and TPT.22, Chapter 12 of the Draft Bermuda Plan 2018 Planning Statement, prior to the issuance of a Certificate of Completion and Occupancy.
4. The private outdoor living space shown on the hereby approved plans shall be established for use in accordance with Policies DSN.16 and DSN.17, Chapter 9 of the Draft Bermuda Plan 2018 Planning Statement, prior to the issuance of a Certificate of Completion and Occupancy.
5. In order to ensure that the proposed development is of an appropriate scale, no part of the hereby approved building shall exceed 2 storeys or 24 feet above final grade.
6. In the interest of visual amenity, there shall be no deposition or storage of excavated material on site and all excess unused material shall be removed from the site during the course of building operations and prior to the issuance of a Certificate of Completion and Occupancy.
7. In the interests of visual amenity, existing vegetation shown to be retained on the approved plan shall be protected by any necessary means at the discretion of the building official prior to the commencement of building operations. Any vegetation which is removed or damaged during the course of excavation or construction, shall require the submission of a landscaping plan, via an Application for Revision, showing details of the size, species and number of new plantings to be installed to replace any damaged or destroyed vegetation.

**2. P0041-21**

**Applicant:** Western Stars Sports Club

**Location:** 34 North Shore Road, Pembroke, BM HM04

**Description of Proposal:** Proposed Addition of New Belco Meter and Three Utility Poles with Sports Light Fixtures. (West Pembroke Primary School Field)

**Planner:** Nathan D. Frick

**Discussion:**

The technical officer presented the application with a recommendation to approve.

The Board queried a discrepancy in the height of the proposed lighting columns between the submitted drawings and a letter from the applicant.

Technical officers advised that the applicant may seek to revise the drawings at a later date following the completion of the required lighting assessment.

The Board queried why the date of 31 March 2023 had been chosen for Condition 1.

Technical officers advised that this date coincides with the end of the applicant's playing season whilst providing a reasonable buffer.

The Board questioned how the planning conditions could be enforced.

Technical officers advised that there would be a reliance on neighbours bringing any breaches to the attention of the Department, in which case the Planning Enforcement team would investigate and take appropriate action.

Two Board members voted against the recommendation of the Department and the remainder were in agreement.

**The Board resolved to approve the application, as received January 25, 2021 subject to the following conditions:**

1. The development hereby permitted shall expire on March 31st, 2023 whereby all structures and equipment associated with this development shall be removed from the development site and surrounding area and the site restored to its former condition. Any requests to extend or vary this permission shall require the approval of the Development Applications Board. For the avoidance of doubt, the use will be limited to training purposes for the youth program of the Western Stars Sports Club only, in accordance with the correspondence provided by the applicant to the Department of Planning on March 5th, 2021.
2. For the avoidance of doubt the consent hereby granted is for planning permission only. Prior to the commencement of building operations a separate application for a building permit must be made and approved.
3. In order to safeguard the amenity of the neighborhood, the hours of operation of the hereby approved flood lighting shall be restricted to 4:30pm until 8:30pm, Monday to Friday.
4. For the avoidance of doubt, a detailed lighting plan shall be submitted with a Building Permit. The said plan shall include location, luminary type, wattage, pole height and illumination patterns (light modelling). The lighting shall be designed to reduce the transmission of light that would cause an adverse impact on the neighboring properties.

**3. PLAN-0501-20**

**Applicant:** Lillyfields Ltd.

**Location:** 13 Sharon Lane, Pembroke, BM HM08

**Description of Proposal:** Proposed Three Storey Residential Building, Twelve Two Bedroom Dwelling Units and Basement Garage for 12 Car & 15 Bike Parking, Loft and Retaining Walls (Maximum Height 10 ft.), Demolish Existing Structure.

**Planner:** Dolores B. Vazquez

**Discussion:**

The technical officer presented the application with a recommendation to approve. No questions or comments were posed by the Board.

**The Board resolved to approve the application, as received December 22, 2020 subject to the following conditions:**

1. The development hereby permitted shall begin before the expiration of 2 (two) years from the date of this permission.
2. For the avoidance of doubt the consent hereby granted is for planning permission only. Prior to the commencement of building operations a separate application for a building permit must be made and approved.
3. A Construction Environmental Management Plan (CEMP) containing details of policy ENV.9 of the Draft Bermuda Plan 2018 Planning Statement must be submitted to the Department of Planning for review and approval prior to the submission of a building permit application.
4. In the interest of visual amenity, there shall be no deposition or storage of excavated material on site and all excess unused material shall be removed from the site during the course of building

- operations and prior to the issuance of a Certificate of Completion and Occupancy.
5. Parking and manoeuvring space for 15 cars and 15 cycles shall be established for use in accordance with Policies TPT.20 and TPT.22, Chapter 12 of the Draft Bermuda Plan 2018 Planning Statement, prior to the issuance of a Certificate of Completion and Occupancy.
  6. In order to avoid the discharge of surface water onto the estate road, provision shall be made for the control and disposal of storm water within the curtilage of the application site. Such measures shall be provided prior to the issuance of a Certificate of Completion and Occupancy
  7. In the interests of visual amenity, the entire site subject of this application shall be landscaped in accordance with the hereby approved plans prior to the issuance of a Certificate of Completion and Occupancy. Any trees or shrubs shown on approved plans which are removed, which die or which become seriously diseased or damaged shall be replaced by trees and shrubs of similar size and species to those originally required to be planted.
  8. The communal open space shown on the hereby approved plans shall be established for use in accordance with Policies DSN.18 and DSN.20, Chapter 9 of the Draft Bermuda Plan 2018 Planning Statement prior to the issuance of a Certificate of Completion and Occupancy.
  9. For the avoidance of doubt, the diesel operated fire pump is a form of controlled plant. A license to operate the controlled plant must be obtained from the Department of Environment and Natural Resources and submitted prior to the issuance of a Certificate of Completion and Occupancy.
  10. For the avoidance of doubt, the disposal boreholes for the septic tank and rainwater runoff require a water right, which must be obtained from the Department of Environment and Natural Resources and submitted prior to the issuance of a Certificate of Completion and Occupancy.

4. **BREV0047-21**

**Applicant:** Jen & Russell Young

**Location:** 16 East Shore Lane, Sandys MA01

**Description of Proposal:** Relocation of Pump Room as Noted. Apt. Roof (Storage) Removed Over Living Room. BI-Folding Glass Doors to be Used as Shown in Existing Openings. French Doors Added to Master Bedroom & Apt. Bedroom New Patio Off Master Bedroom. New Pit.

**Planner:** Tamsyn Doran (presented by Paul McDonald)


**Discussion:**

The technical officer presented the application with a recommendation to approve the application for revision. No questions or comments were posed by the Board.

**The Board resolved to approve the revision application.**

**ANY OTHER BUSINESS**

The Acting Senior Planner sought the approval of the Board to waive the requirement for applicants to display site notices for the duration of the current COVID-related shelter in place regulations. The Board approved this temporary waiver, which will take effect immediately until such time as printing businesses are allowed to re-open.

 (ACTING)

APR. 20<sup>th</sup> 2021.

Mrs. Alice Lightbourne  
Chair of the Development Applications Board

Date