



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 a meeting held on Wednesday, 22 April, 2020, at 12:00 am at the 5th Floor, Dame Lois Browne-Evans Building, 58 Court Street, Hamilton HM 12.

PRESENT: Alice Lightbourne (Chair)
Wayne Dill (Deputy Chair)
Jamal Albuoy (Bermuda Fire and Rescue Service)
Cyniqua Anderson (Corporation of St. George)
Dalton Burgess
Patrick Cooper (Corporation of Hamilton)
Denis de Frias
Wendy Dunne; Cynthia Millett
Cheryl Packwood

APOLOGIES: David Astwood
Dexter Johnston

ITEMS FOR DISCUSSION:

APPLICATIONS:

- Terrance Robinson*
26 Devon Spring Road
Devonshire, BM FL01
Retroactive Approval for Kitchen, Bath & Alcove Extension by Removal of Part of Existing Wall & Squaring up Building with Existing Bedroom and Pump Room Corners, Alcove Extension by Squaring Up Existing Living & Dining Room Corners.

PLAN-0096-19 Type: **Final Approval** Decision: **Refused**
Planner: Tamsyn Doran

Discussion: The technical officer presented the application. No questions or comments were posed by the Board.

The Board RESOLVED:

To refuse the application, as received October 18, 2019, for the following reason:

- The applicant has failed to demonstrate to the satisfaction of the Board that he was not responsible for the breach of planning control or that, at the time the development was being so carried out, he did not know, and could not reasonably be expected to have known, that the development was in breach of planning control, as required under Section 20 (2A) of the Development and Planning Act 1974 (as amended).

2. *Gilbert Lopes*
Vacant lot east of 60 South Road, Warwick
 Proposed Temporary 30 Day Permit for Rock Crushing & Sand Sifting Plant.
PLAN-0126-19 Type: **Final Approval** Decision: **Approved**
 Planner: Dolores B. Vazquez

Discussion: The technical officer presented the application. No questions or comments were posed by the Board.

The Board RESOLVED:

To approve the application, as received November 20, 2019, 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. The planning permission is hereby granted for the scope and extent of use described in the application submission. Any alternative use or change in operational circumstances shall require express prior approval from the Development Applications Board. For the avoidance of doubt, no raw material from other sites is permitted to be brought to this site to be processed.
4. The hereby approved quarrying shall take place only between the hours of 8:00am and 4:00pm Monday through Friday (no Saturday, Sundays or Public Holidays) unless express written approval is first provided by the Department of Environment and Natural Resources.
5. This approval is valid for a temporary period of a maximum 45 days from the issuance of a building permit. All rock crushing and sand sifting must cease and all plant and machinery must be removed from the site at or before the expiry of 45 days and prior to the issuance of a Certificate of Completion and Occupancy.

3. *West End Development Corporation*
1 Smithery Lane
Sandys, BM MA01
 Proposed Installation of 135 Roof Mounted PV Solar Panels (48.6 kW), 2,363 Square Feet.
PLAN-0135-19 Type: **Final Approval** Decision: **Approved**
 Planner: Paul McDonald

Discussion: The technical officer presented the application. No questions or comments were posed by the Board.

The Board RESOLVED:

To approve the application, as received November 25, 2019, 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.

4. *J &S Pearman Trust*
18 Laffan Street
City of Hamilton, BM HM09
 Proposed Alteration & Additions to Existing Residence, New 8 ft. High Wall, New 4 ft. High Chain Link Fence, 4 ft. High Wooden Privacy Fencing and New Pergola.
- PLAN-0203-20** Type: **Final Approval** Decision: **Approved**
 Planner: Dolores B. Vazquez

Discussion: The technical officer presented the application. No questions or comments were posed by the Board.

The Board RESOLVED:

To approve the application, as received January 30, 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. The Building Permit application site plan must identify a garbage storage area.
4. In order to ensure that the proposed development is of an appropriate scale, no part of the hereby approved privacy fence shall exceed 6'-0" above final grade.
5. 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.

Any Other Business:

The Director provided an update on service delivery whilst the 'Shelter in Place' rules are in effect. The following was confirmed:

1. Officers who process planning applications and those who facilitate the administration and review of new building permit submission have been granted exemptions to perform their respective duties.
2. Planning applications continue to be resolved through remote DAB meetings and the Scheme of Delegation and to this end, appreciation to DAB members for their willingness to engage via an online platform was expressed.
3. The Department is acutely aware of its role with respect to facilitating projects and keeping the construction industry working. To this end, engagement with key stakeholders such as the Institute of Bermuda Architects and the Construction Association of Bermuda continues in order to develop new procedures regarding how application processing can be expedited.
4. The importance of using online mediums to disseminate information to the public during these times is appreciated and as such, a number of updates and improvements have been made to the Department's

website and, likewise, the Department's Facebook page.

A handwritten signature in black ink, appearing to read "Mr. D. Lightbourne". The signature is written in a cursive style with a large initial "M" and "D".

Chairman of the Development Applications Board

Date 24 April 2020