



GOVERNMENT OF BERMUDA

Department of Planning

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Development Applications Board Minutes

Minutes of the meeting held on Wednesday, 31 March 2021 at 8:45 AM virtually via Webex.

PRESENT

Board Members:

Alice Lightbourne (Chair)
Wayne Dill (Deputy Chair)
Cyniqua Anderson
David Astwood
Dalton Burgess
Patrick Cooper (Corporation of Hamilton)
Denis de Frias
Wendy Dunne
Calvin Thomas

Technical Officers:

Paul McDonald (Acting Senior Planner)
Dolores Vazquez (Planner)
Malik Richards (Assistant Planner)

APOLOGIES

None

MATTERS ARISING AND ACTIONS FROM PREVIOUS MEETING

Technical officers provided the Board with an update on application reference P0041-21 which was deferred during the previous meeting, noting that the applicant had undertaken additional consultation and provided the Department of further details of the extent of consultation he has carried out to date. The Board was advised that this application is due to be presented at the next meeting, to take place in two weeks.

APPLICATIONS

1. P0037-21

Applicant: Kip Froud

Location: Lot 2 Marsh Lane, Devonshire

Description of Proposal: Proposed Permission to Operate a Crushing & Sifting Plant, 8 Containers to Sit to the North and East, Landscaping, 2 ft. Wide Trench to the North and South

Date Received: 21 January 2021

Planner: Malik Richards

Discussion:

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

The Board queried which measures are to be put in place to prevent processed material from blowing into the adjacent Nature Reserve.

Technical officers advised that there would inevitably be some such impact on the Nature Reserve, however the Terrestrial Conservation section of the Department of Environment and Natural Resources has confirmed its satisfaction of the proposal. Technical officers further noted that the proposal constitutes 'controlled plant' and, as such, would require an operating licence which would include specific mitigation measures to minimise dust and other sources of pollution.

The Board maintained its concerns and queried whether a physical barrier could be installed to mitigate dust and other spillage onto the Nature Reserve.

Technical officers confirmed that an additional condition can be added requiring such additional mitigation to be detailed with the building permit submission. Condition 5 below has been added accordingly.

The Board resolved to approve the application, subject to the following conditions:

1. 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.
2. The development hereby permitted shall begin before the expiration of 2 (two) years from the date of this permission.
3. In the interests of visual amenity, the Nature Reserve zoning of the site subject of this application shall have a planted embankment, berm of clean fill and a clear water trench in accordance with the hereby approved plans. Upon completion, a request shall be made to the Department of Environment and Natural Resources to inspect and approve the said landscaping and a copy of written approval from that Department shall be provided 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 and the berm, embankment and water trench shall be retained.
4. In order to safeguard the amenity of the neighborhood, the hours of operation of the hereby approved development shall be restricted to 7:30 am to 4:30 pm.
5. A dust mitigation plan, to include a physical barrier to prevent spillage onto the adjacent Nature Reserve, shall be submitted to the Department of Environment and Natural Resources for review. A copy of the dust mitigation plan together with written approval from that Department shall be provided prior to the issuance of a Building Permit. All approved measures shall be put in place prior to the issuance of a Certificate of Completion and Occupancy and retained thereafter.

2. PLAN-0534-20

Applicant: Andrew Medeiros

Location: 7 Brighton Lane, Devonshire, BM DV08

Description of Proposal: Proposed 2 Storey Unit With Tank, Garage, Covered Porch, Pool and Pool Deck, Max 10'-0" ft. Rock Cut, New Pit And New Driveway, Existing Shed to Be Removed.

Date Received: 4 December 2020

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, subject to the following conditions:

1. 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.
2. The development hereby permitted shall begin before the expiration of 2 (two) years from the date of this permission.
3. The building permit application shall be accompanied by a partial topographical survey, produced by a Registered Surveyor, confirming the maximum height of the rock cuts required.
4. Parking and manoeuvring space for 1 car and 1 cycle 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.
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.
6. In accordance with policy DSN.22, the building permit application shall be accompanied by a site plan illustrating the location of the communal garbage storage area.

ANY OTHER BUSINESS

None



Mrs. Alice Lightbourne
Chair of the Development Applications Board

Date 1 April 2021