



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 at 8:45 AM virtually via WebEx.

PRESENT:

Board Members:

Alice Lightbourne (Chair)
Patrick Cooper (Corp. of Hamilton)
N. Garon Dowling (Corp. of St. George)
Josonne Smith (Bermuda Fire and Rescue Service)
David Astwood
Sean Tucker
Calvin Thomas
Carmilita Curtis

Technical Officers:

Victoria Cordeiro (Director)
Paul McDonald (Senior Planner)
Dolores Vazquez (Planner)
Matthew Trott (Planner)
Malik Richards (Acting Assistant Planner)

Additional Attendee(s):

Jawonday Smith

APOLOGIES:

Denis de Frias
Wayne Dill (Deputy Chair)

MATTERS ARISING AND ACTIONS FROM PREVIOUS MEETING:

None

APPLICATIONS:

City of Hamilton

1. P0156-23

Applicant: James Cox

Location: 31 Front Street
City of Hamilton, BM HM11

Description of Proposal: Proposed Replacement and Removal of Existing Windows and External Doors.

Date Received: May 17, 2023

Planner: Matthew L. Trott

Discussion: The technical officer presented the application with a recommendation to approve. A Board member questioned if HBAC took into consideration the semi-circular window raised by BNT and whether it was a concern. The technical officer confirmed that HBAC was not concerned about the window.

The Board resolved to approve the application, 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. A building permit shall be obtained from the Department of Planning prior to the commencement of any building operations. The development hereby approved shall not be brought into operation until a Certificate of Completion and Occupancy has been issued.

2. P0527-22

Applicant: Bermuda Tourism Authority

Location: 10 Front Street
City of Hamilton, HM11

Description of Proposal: Continuation of Permission for Existing Three Storey Structure (Bermuda Visitor Service Center).

Date Received: January 25, 2023

Planner: Matthew L. Trott

Discussion: The technical officer presented the application with a recommendation to approve. A Board member sought confirmation that approval was being recommended for an additional two years from the date of approval, and then would have to be removed. The technical officer confirmed yes. BFRS concurs with 2 years period. Board members then discussed backdating approval given prior condition of approval. All agreed to approve extension from date of prior approval for two years from February 2023 with occupancy finishing February 2025. A condition encapsulating this has been added.

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

1. A revision to building permit ref. BC-0175-20 shall be obtained from the Department of Planning within one month of the date of this planning permission and the use hereby approved shall cease unless a Certificate of Completion and Occupancy has been issued within two months of the date of this planning permission.
2. In order to safeguard the amenity of the surrounding area (Front Street and the Waterfront), the permission hereby granted is for a limited period only until 16 February 2025 when the use shall cease and, within three months (by 16 May 2025), all structures shall be entirely removed and the land shall be restored to its former condition.
3. In the interests of ensuring the structural and visual integrity of the temporary structure, a maintenance program shall accompany the application for a revision to the building permit, to include a schedule of painting and rust management and a timetable for the dismantling and removal of the structure within three months from the date that the planning permission expires.

Warwick

3. P0036-23

Applicant: Newstead Belmont Hills Golf Resort & Spa

Location: Belmont, East of Belmont Hills Drive, Warwick

Description of Proposal: Proposed 8 New Pickleball Courts, Concrete Slab with 8 ft. Chain Link Fence Surrounding and 10 ft. LED Downlights.

Date Received: February 24, 2023

Planner: Matthew L. Trott

Discussion: Mr. Sean Tucker declared a conflict of interest and did not participate in the determination of this application. The technical officer presented the application with a recommendation to approve.

The Board resolved to approve the application, 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. A building permit shall be obtained from the Department of Planning prior to the commencement of any building operations. The development hereby approved shall not be brought into operation until a Certificate of Completion and Occupancy has been issued.
3. Parking and manoeuvring space for 15 cars and 35 cycles on the primary lot which accommodates the eight pickleball courts shall be established for use prior to the issuance of a Certificate of Completion and Occupancy.
4. 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, die or become seriously diseased or damaged shall be replaced by trees and shrubs of similar size and species to those originally required to be planted. Similarly, any trees which are shown as being retained on approved plans and are removed or damaged during the course of excavation or construction, shall require the submission of a revised 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 trees. For the avoidance of doubt, the 10 palm trees to be removed from the pickle ball court area must be relocated on the lot.
5. The light fixtures on the proposed light poles shall be hooded and directed so as not to shine directly upon nearby residential properties or public roads, with a maximum height of 10 feet.
6. For the avoidance of doubt the southern portion of the application site zoned Open Space Reserve and Agricultural Reserve shall not be used as a parking area for the pickleball courts.
7. For the avoidance of doubt the hours of operation for the use of pickleball courts shall be restricted to between the hours of 7:00AM to 10:00PM.
8. In the interest of visual amenity and preserving the Agricultural Reserve, the temporary storage of material during construction shall not occur within the Agricultural Reserve zoning.
9. Prior to the issuance of a building permit, the applicant must demonstrate that all material currently stored on the Agricultural Reserve has been removed.

4. P0174-23

Applicant: Emma M Horton

Location: Vacant Lot North of 49 Bloomfield Drive, Warwick

Description of Proposal: Proposed Four Bedroom Home with One Bedroom Apartment (2 Units Total) and Detached Pool House.

Date Received: July 12, 2023

Planner: Malik Richards

Discussion: The technical officer presented the application with a recommendation to approve. A Board member inquired whether only one detached building was permitted per lot. The technical officer confirmed a detached house is permitted containing up to two dwelling units per lot and that accessory structures are permitted.

The Board resolved to approve the application, 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. A building permit shall be obtained from the Department of Planning prior to the commencement of any building operations. The development hereby approved shall not be brought into operation until a Certificate of Completion and Occupancy has been issued.
3. 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, die or become seriously diseased or damaged shall be replaced by trees and shrubs of similar size and species to those originally required to be planted. Similarly, any trees which are shown as being retained on approved plans and are removed or damaged during the course of excavation or construction, shall require the submission of a revised 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 trees.
4. The submission of a building permit application shall include all details associated with the swimming pool backwash pit together with provision of a carbon filter or such other measures to demonstrate removal of chlorine. All details must be accompanied by written approval from the Department of Environment and Natural Resources and the installation of such measures as may be approved shall be agreed by that Department prior to the issuance of a Certification of Completion and Occupancy Permit.
5. In the interest of visual amenity, the hereby approved wall(s) shall be faced with Bermuda stone or rendered and finished to give the appearance of Bermuda stone, and completed prior to the issuance of a Certificate of Completion and Occupancy.
6. In order to ensure that the proposed development is of an appropriate scale, no part of the hereby approved walls and green plastic coated chain link fencing shall exceed 4 feet above final grade.

ANY OTHER BUSINESS:

The acting assistant director gave an update on the status of the Fairmont Southampton SDO.



Chairman of the Development Applications Board

September 6th, 2023

Date