

Township of Tyendinaga

Public Meeting

Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

PRESENT - COUNCIL

Rick Phillips	Reeve
Adam Hannafin	Deputy Reeve
Heather Lang	Councillor
Don McFarlane	Councillor
Wayne Chadwick	Councillor

PRESENT – STAFF

Steve Mercer – CAO Clerk/Treasurer
Yvonne Murphy – Deputy Clerk
Justin Harrow – Director of Planning and Development – Hastings County
Donna Ward – Deputy Treasurer
James Oliver – Fire Chief
Raeanne McGuinness – Recreation Coordinator

PRESENT – TOWNSHIP- PEER REVIEWERS

Chris Bent
John Zatorsky
Chris Rancourt
Jeremy Prah

PRESENT – REPRESENTING CH DEMILL HOLDINGS

Tony Fleming -Lawyer
Ken Hurford – Land Use Planner
Dave Mullet – Project Manager
Brian King - Hydrogeologist
Rob West - Ecologist
Hugh Williamson – Acoustical Engineer
Matthew McIntosh – Traffic Engineer
Rob Cyr – Blasting Engineer
Brian Sulley – Air Quality Engineer

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Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

Reeve Rick Phillips called the Meeting to order at 10:05 am

Declaration of Pecuniary Interest: None declared

MOVED BY: Councillor Heather Lang

SECONDED BY: Councillor Don McFarlane

That this Council receives the USB/Flash drive set of documents related to the application and public comments received over the past 5 years

CARRIED

MOVED BY: Councillor Heather Lang

SECONDED BY: Councillor Don McFarlane

That this Council receives the following documents received since the Notice of Public Meeting was issued on **September 17, 2018**

- **October 10 – Preliminary Planning Comments – Justin Harrow**
- **October 1 – Quinte Conservation Planning Act Review**
- **October 1 – Hastings and Prince Edward District School Board Letter**
- **October 2 – Clayton Long Letter**
- **October 3 – Douglas Stevenson Letter**
- **October 4 – Jim Bates Letter**
- **October 13 – Brad & Bonnie Robinson Letter**
- **October 10 – Andre & Pamela McLaren Letter**
- **October 11 – Marion & Keith Crowhurst Letter**
- **October 8 – Jenna MacKay & Joshua Goodbaum Letter**

Re-Zoning Applications

- Z1/13 – Part Lot 6, Concession 3 (existing quarry) – Extractive Industrial to Special Extractive Industrial – Reduction of setback from lot line from 30m to 0m to permit the excavation of the existing quarry to continue across the common property boundary
- Z2/13 – Part Lot 7, Concession 3 – Marginal Agriculture to Special Extractive Industrial – to permit the use of land for a quarry, with special provisions (5 items)

Reeve Rick Phillips

- Advised all present that this meeting was taking place under Section 34 of the Planning Act
- Advised all present that anyone that wanted to be heard, would be heard, but to please limit presentations to 10 minutes
- Also advised all present that no decision on the application would be made at the Public Meeting
- The current plan was to have the matter brought forward to Council at the Meeting of November 19 for decision.

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

Justin Harrow – Director of Planning and Development – Hastings County

- Provided a short overview of the file and the significant milestones on the file that brought us to this Meeting and that
- The Township, not the County, is the approval authority
- The application for the zoning amendments contained several scientific studies that had been peer reviewed by the Township
- The peer reviewers are satisfied that the reports submitted are accurate
- Peer reviewers, independent of CH Demill Holdings were secured at the expense of the Township
- This is now an opportunity for the public to provide comments on the application and to ask questions

Tony Fleming / Ken Hurford/ Dave Mullet- CH Demill Holdings

Provided an overview of the application and some greater details into the application and what was being asked for by CH Demill Holdings

- Z1/13 is the removal of the current setback of existing quarry as indicated in the Township By-Law
- The removal of the setback is so that in reality, this is an expansion versus two quarries
- Z2/13 is the designation of 63 acres the neighbouring property to Special Extractive Industrial
- Reduction of setback from 30m to 15m to bring into consistency with licensing requirements
- The licensing process although similar is independent to the zoning
- The licensing matter has been referred to the Local Planning Appeals Tribunal (LPAT)
- Consistency with Official Plan Designation approved by province – intended land use is extractive
- The zoning Application is about implementation of OP
- Current licensed tonnage is 500,000, and although the new license application is for 500,000, if approved the licenses will be merged and the total will not exceed 500,000 not 1,000,000 – mining through the common boundary
- Provided details on the site plan
- CH Demill Holdings also described measures being put in place to help mitigate problems
 - Increased setback to 100m from 30m from Blessington Creek to satisfy concerns brought forward by Quinte Conservation
 - Vegetative protective zone and additional 5m from the required 12m
- In closing, Land use is consistent with new approved Official Plan and asks that the zoning be approved

Council comments on opening remarks:

Don McFarlane – Councillor

Asked for further clarification on the proposed vegetative protection zone, as proposed, to protect Blessington Creek and other natural and native vegetative features

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

CH Demill Holdings Response

- Quinte Conservation has asked for a 100m setback from Blessington Creek
- CH Demill Holdings has added an additional 5metres to the previously required 12m required for the vegetative protection zone

Heather Lang - Councillor

Inquired about remediation plans once the quarry is mined out?

CH Demill Holdings Response

- The plan is that once mined out the quarry will fill with water – how long will this take?
- All depends on levels of rain and snowfall – but several decades – at least 20 years for existing quarry
- And appropriate sloping 2:1 will be implemented

COMMENTS FROM THE PUBLIC

John Howes – OPPOSED

Is a Township resident in close proximity to the quarry - 2994 Blessington Rd

- His calculations show that a license 500,000 tons (current) + 500,000 (proposed expansion) = 1,000,000 tons not 500,000 tons
- The Deputy Reeve, due to familial relationship with the quarry operator, is in conflict of interest and should have declared at outset
- Some of the same people on CH Demill Holdings staff also worked on components of the Official Plan, that there is a conflict of interest
- CH Demill Holdings – the plan is that the two licenses if approved be merged together into one license that will have a limit of 500,000 tons
- Deputy Reeve Hannafin – has sought legal advice on this matter and has been advised by his counsel that there is no conflict, and ultimately that question can only be decided by the courts
- Justin Harrow – Hastings County – his feeling is that there is no conflict of interest and that the matters worked on by the same consultants were not closely related
- The company working on the application was not the same company that worked on this facet of the Official Plan

Richard Lindgren – Lawyer –Citizens Against Melrose Quarry (CAMQ) – OPPOSED

- CAMQ is an incorporated nonprofit group with a number of members living and farming within close proximity to the areas of today's discussion
- CAMQ wants to promote good land use planning by:
 - sustaining agriculture
 - supporting residential growth
 - protecting the natural environment
 - public health and safety
- Group members have carefully examined documents related to the application

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

- The group has met on numerous occasions with Township officials, County officials, and Provincial officials regarding license and zoning
- CAMQ has retained a land use planner and environmental geoscientist
- Documents have been extensively reviewed
- Professional opinions and residents opinions conclude
 - rezoning does not constitute good land use planning
 - deny the zoning
- Would like to make three key points
 - 1. Rezoning decision must be consistent with Planning Act OP PPS, this is not in dispute
 - 2. Onus is on proponent that the application is consistent with above, not CAMQ, has CH Demill Holdings met this onus – NO
 - This opinion is held by clients land use planner – not consistent with PPS or OP
 - 3. Many outstanding issues to be adequately resolved
 - Supporting documentation is outdated, incomplete and cannot serve as the basis for approval
 - There are major discrepancies
 - The application lacks merit – the zoning should be turned down
- Mr. Lindgren provided a written submission to CAO Mercer to be included in the public record – which further substantiates this verbal submission

Danielle Emon – On Behalf of Citizens Against Melrose Quarry - OPPOSED

- The group has several concerns and feels that further clarification and work needs completed on all the points outlined below prior to any decision
- Adequacy of Reports submitted
 - Ms. Emon elaborated on this point and noted that they are contained in the document supplied by Mr. Lindgren
 - Missing reports
- Hydrology
 - Increased demand on aquifer
 - Lack of historical data
 - Environmental Review Tribunal Recommendation – cumulative impact study is required
- Traffic
 - Population growth projections are much less than actual
 - Deterioration of Taylors Bridge
 - Current traffic demands
- Blasting
 - Separation issues than need resolved – 50 vs 15 m setback
 - Damage to neighboring homes
- Agriculture
 - Soil mapping issues – soil classification of Class 6R is not correct
 - Dust
 - Hastings Federation of Agriculture Recommendation of March 28, 2014

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

- Non Compliance
 - Permit to Take Water
 - 2016 drought
- Planning Issues
 - Compatibility with residential development
 - Conformity with Official Plan
- Site Plan
 - Issues surrounding adequacy and conformity – setbacks
 - Is there an updated plan – the site plan being considered is unclear

- Ms. Emon explained that these concerns were further explained in the written submission that Mr. Lindgren submitted to Mr. Mercer under Tab 4, and encouraged Council to read this section with care while they consider this matter. This submission will become part of the public record.

Greg Demille – IN SUPPORT

Non Resident

- Lives adjacent to Lafarge quarry, in the Point Anne area, which is 10 times the size of the proposed quarry
- No issues with air quality, noise, dust, vibration, blasting or the environment
- No water or Hydro G issues
- Any concerns he has had, have been addressed – good neighbours

Larry Hannafin – IN SUPPORT

Township Resident – 1510 Shannon Rd

- As a taxpayer, we need a local reasonably priced supply rather than driving longer distances with extra costs to get gravel

Joyce McFarlane (1) – OPPOSED

Is a Township resident in close proximity to the quarry - 258 Melrose Rd

- Water damage to home
- Structural damage to home
- But onus is on me to prove that it is quarry related
- Inadequate vegetative zone – proposal is destructive not nature friendly
- Water issues abound in the area – and bigger quarry operation will compound this
- Council needs to consider the local residents

Rick Howard – IN SUPPORT

Is a resident in close proximity to the quarry – 444 Melrose Rd

- Does not have water issues
- Quarry has been there for years with no adverse effects to him

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

Brad Robinson - OPPOSED

Is a Township resident in close proximity to the quarry - 2376 Blessington Rd

- Has noticed ripped down fences when clear cutting in the area
- Quarry operator owns adjacent property
- Cracks in basement – Demill’s Engineer investigated and would not offer any real opinion
- Homes in his area have issues
- Has lost natural springs on his property – water is running out
- This quarry will destroy the natural environment – this is the time to stop it

Bruce Butters - OPPOSED

Provincial Director Ontario Federation of Agriculture- Zone 12 (Hastings County)

- Hastings Federation of Agriculture represents 600 farms in Hastings County
- Need to protect farmland especially adjacent to quarry
- HFA expresses concerns on expansion
- Increased traffic and conflict with agricultural equipment
- Dust on livestock and crops
- Removal of aggregate changes drainage patterns
- Negative impact on wells
- Loss of good farmland
- OFA is the voice of Ontario farmers
- Need to amend Aggregate Resources Act to protect farmers
- No aggregate should be permitted on prime agricultural lands
- Disputes the findings that this is Class 6 Land – it is much better than that
- Class 1-3 lands are in the surrounding immediate area
- Negative impacts on agriculture have not been recognized

Clayton Long –OPPOSED

Is a Township resident in close proximity to the quarry - 1350 Shannonville Rd

- Mr. Long is the owner of the existing quarry
- Provided an overview and history of the lease arrangement
- Current lease expires in one year
- Does not plan on entering a new lease agreement
- New quarry does not take into account his interest and removal of setback only postpones any rehabilitation of existing quarry
- Concerned about access through his property to the proposed expansion area
- Opposes both zoning applications

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

Brian Derouchie - OPPOSED

Is a Township resident in close proximity to the quarry – 489 Melrose Rd.

- Is experiencing lack of water issues – volume and return rate
- Feels this matter should be decided by the next Council as elections are coming up and change could be coming
- Is an outgoing Council really in a moral position to make this decision?

Michael Alexander

Township Resident - 3303 Harmony Rd.

- What is the existing lifespan of current quarry?
- CH Demill Holdings - 7-10 years
- Alexander - Life expectancy of new quarry?
- CH Demill Holdings no clear response – capacity is 7.5 M tons at an average rate of 225,000 tons per year
- Alexander -Has there been a negative effect of fire wells?
- Fire Chief Oliver – Yes, all over the Township, due to weather conditions it appears
- Asked which way Council is leaning?
- Reeve Phillips/ Deputy Reeve Hannafin - today is a day to receive information to consider information in addition to the material we have received and have had peer reviewed
- Have you considered a plebiscite?
- Reeve Phillips – not on this issue at this time

John Howes (2) - OPPOSED

Is a Township resident in close proximity to the quarry - 2994 Blessington Rd.

- Concerned about water levels
- How much water was pumped during the drought of 2016
- CH Demill Holdings – water was monitored closely, a water reconciliation is performed and results are supplied to Ministry of the Environment and Climate Change (MOECC)
- The amount of water pumped from the quarry is less than the amount of rainfall and snowfall received
- The quarry pumps out the rainfall, amounts are dependent on precipitation
- Howes - asked about pop ups
- CH Demill Holdings - There was one in the 90's but nothing since
- Howes - concerned about his well going dry
- Dry wells in the area of the quarry is a well-known fact
- CH Demill Holdings – significant work has been done so that this is mitigated to the greatest extent possible
- Howes - How do you explain the demise of Blessington Creek
- CH Demill Holdings – not related to quarry operations – groundwater is not permeating the quarry
- Howes - asked about a property to the north of the quarry
- It has been clear-cut
- Are there future plans?

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

- It is owned by the quarry operator and doesn't appear to conform to any standards of environmental stewardship
- Reeve Rick Phillips - interjected that the property under discussion was not part of the application

Les McGeachy - OPPOSED

Is a Township resident in close proximity to the quarry – 2028 Casey Rd

- Is Greg Demille who spoke earlier in support, the owner of Fitzgibbon Construction – Yes
- Fitzgibbon Construction uses the quarry extensively so it is in his interest to advance this application
- Mr. McGeachy has cracks in basement
- Need to pressure wash house every two years due to dust
- Brought up the matter of 500,000 tons to be licensed for each quarry, therefore 1,000,000 tons
- CH Demill Holdings – there is no license for second quarry but if approved they will be merged and the total licensed will be 500,000 not 1,000,000

Eugene Craig – IN SUPPORT

Township Resident – 195 Craig Road

- Has lived beside a different quarry for 20 years
- Has had no negative issues
- Already has cracks during construction of new shop – it happens everywhere
- No problems with water

John Malcolm – IN SUPPORT

Non Resident - 841 Casey Rd

- Wished to respond to the concerns expressed about the property to the north brought forward by Mr. Howes and clearcutting and ownership
- He was the previous owner and takes issue with the contention that current condition of that property has anything to do with future northern entrance
- Fences were already down and property had to be cleaned of garbage
- The road going in was his doing not Demill's,
- It was put in to build a house but they changed their minds and sold

Wendy McGeachy - OPPOSED

Is a Township resident is close proximity to the quarry – 2028 Casey Rd

- Expressed concern that the license will ultimately be 1,000,000 tons
- Although there may be no plans at the time to increase production the opportunity exists to increase being what is being discussed
- CH Demill Holdings - we are applying for 500,000 between the two, going to 1,000,000 will require a new license application and none are planned
- There are no plans to ask the license to be increased to 1,000,000 at this time

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

Darlene Quinn – IN SUPPORT

Employee at existing quarry – 13 Melrose Road

- Rarely extract to the licensed limit – it is based on demand
- Business employs 12 people
- Positive economic impact to community and families and secondary businesses
- Allows people in the Township and the local Municipality to get aggregate at a competitive price
- CH Demill Holdings is a good corporate citizen
- CH Demill Holdings has been open to receiving visitors to review data and reports
- Few take up the offer – people complain elsewhere
- If people were concerned about quarry operations why did they build when the quarry already existed?
- CH Demill Holdings has done everything asked of them

Joyce McFarlane (2) - OPPOSED

Is a Township resident in close proximity to the quarry - 258 Melrose Rd

- How has the land been designated as Aggregate, it has always been agricultural, for many many years?
- Does land use planning take into consideration the Aboriginal interest?
- We may later be liable for compensation through the land claim process if aggregate is removed
- We do receive aggregate royalties, but the Shannonville Rd is very rutted due to heavy trucks
- Is the royalty really covering off damages?
- The metering equipment used by CH Demill Holdings on neighbouring properties doesn't work well and scientific methodology is suspect
- Mr. Demill has not made good on promises to mitigate issues
- Trucks are much bigger than in the past
- Dust is an issue
- Property values are down

Debbie Olsen – OPPOSED

Township Resident - 159 Waddingham Rd

- Concerned, in solidarity, with the people who are worried about Blessington Creek
- Lives near the Salmon River and values the natural environment
- They have had a very poor experience living near the Oro-Medonte Quarry
- Excessive dust can causes health issues – they know first hand
- Concerned about the quality of the environment – need a commitment to conservancy
- If the property owner doesn't want it, then why approve?

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

Dave Mullet – CH Demill Holdings – IN SUPPORT

- Addressed the Chair
- Indicated that there had been lots of concerns brought forward and they would like an opportunity to respond
- Reeve Phillips agreed to this request
- Various members of the CH Demill Holdings group responded to the concerns presented thus far

In regards to Blessington Creek - Brian King - Hydrogeologist

- It has remained much the same flows for many years
- There is a seasonal aspect to flow rates
- The outflow of water from the quarry helps contribute to habitat
- The pumping of water from the quarry depends on rainfall
- The issues of flow are more pronounced upstream
- It has not been a stream with vibrant habitat for years, due to the fact that it goes dry on occasion
- Climate change has had an effect – the drought of 2016 was particularly problematic

In regards Dust/ Air Quality - Brian Sulley – Air Quality Engineer

- These aspects are addressed in the site plan and requires approval
- MOECC has standards – Environmental Protection Act
- An extensive air quality assessment was performed as part of the application
- If people feel the dust is excessive the MOECC will investigate
- Charges can be laid under the EPA
- The application and studies performed were to ensure that these parameters would not be exceeded

In regards to Clayton Long's (property owner) objection - Tony Fleming -Lawyer

- CH Demill Holdings' lawyer commented that upon expiry of the first lease, a second lease has been entered into whereby this application is consistent with the terms of the lease agreement
- The lease may be expiring, but a second lease follows immediately
- This new lease, like the prior one allows quarrying on the property
- The lease speaks to access across the properties
- The lease speaks to the entirety of the property, so the request to remove the setback on Z1/13 is consistent with the lease
- Mr. Long has already agreed to this, and a royalty is paid to Mr. Long
- Whether Mr. Long's feels now that this is a bad deal is immaterial to this application
- There is a legal agreement to allow this activity to occur
- His objection is inconsistent with the lease he has already agreed to

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

In regards to the Official Plan/Land Classification - Ken Hurford – Land Use Planner

- Prior to 2004 the lands were designated as Rural, not farm specific
- An amendment was made to the Official Plan in 2004, approved by Hastings County and the land was designated as Extractive
- The new Official Plan, approved this summer, continues to designate the use as Extractive
- The property has not been designated as agriculture for many years
- Through the licensing process OMAFRA made no objection to the license

In regards to the Settling Pond - Brian King - Hydrogeologist

- There has always been one, a quarry could not operate without one
- The pond operated without a license for many years but now a license has been secured – Permit to Take Water
- As part of the licensing process the pond was modified, not back filled, to meet MOECC requirements

In regards to Vibration - Rob Cyr – Blasting Engineer

- There is concern that blasting is contribution to damage to homes
- Blasting is again regulated by MOECC
- Vibration studies are not required, but we do them
- Studies exceed requirements
- Have collected data for last three years so it can be reviewed
- All blasting has met compliance requirements

In regards to Noise - Hugh Williamson – Acoustical Engineer

- Studies have been performed since 2007 in regards to noise
- Baseline data exists for the amount of noise that is generated from quarrying equipment
- Local data is also collected
- Then noise projections can be done for any particular operation
- Berms and other attenuation measures are then designed to ensure that noise levels are within MOECC guidelines

In regards to Roads Damage and Traffic - Dave Mullet – Project Manager & Matt McIntosh – Traffic Engineer

- The quarry pays a fee to the Municipality \$.12 per ton with the rationale that the money be used for roads and road repair
- Large vehicle traffic from the quarry amounts to one half of 1 percent of total traffic
- On review of the Shannonville Rd, based on its construction and lifespan, is consistent with its condition, it is not unusually deteriorated beyond any other County road of its age

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

In regards to the Site Plan - Dave Mullet – Project Manager

- Amendments to the original site plan have only been made as required by the approval agencies to meet their requirements to protect the environment
- No site plan modifications have been made at the request of CH Demill Holdings
- The largest revision was to increase the setback from Blessington Creek at the request of Quinte Conservation
- Other minor modifications have been made to meet agency requests to protect the environment

Jim Bates – OPPOSED

Is a Township resident in close proximity to the quarry - 340 Melrose Rd

- This application runs contrary to the notion of Rural Living at its Best
- Had this application been less adventurous, it would not have received the same level of opposition
- In discussions with the property owner of the expansion, they were not prepared to back away at all from the current application
- This is about money
- Mr. Bates pointed out the eyesore of the old Richmond Landfill and that Point Anne could have been a vibrant waterfront community
- These are examples where money can have very negative impacts on the surrounding landscape in many respects
- Are there no alternatives that are further from residential areas?
- Why put the community at risk?
- Takes issue that the level of blasting is acceptable
- Takes issue with the scientific mythology associated with how blasting studies can be manipulated to meet certain interests
- Concerned about cumulative effects
- More soil studies should be conducted
- CH Demill Holdings - expansion of a current quarry that has been in operation for many years is more reasonable than starting a second quarry somewhere else
- The Community needs gravel for roads and construction, that won't change
- If the gravel comes from out of the Township, no royalty is received

Bernice Chamberlain – IN SUPPORT

Non Resident

- When they purchased their house, 25 years ago, their flow rate was 33 gallons per minute
- In later years they have had dry well experiences
- This is due to rainfall, drought conditions and climate
- Concrete cracks when it gets extremely cold – related a personal experience
- Having to pay other trucks to bring in gravel for local use doesn't make sense, and it's cheaper locally

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

Colleen Cremasco - OPPOSED

Township Resident – 282 Naphan Rd

- Her home is near the Municipal gravel pit
- If this quarry is shut down it may mean increased traffic to the Municipal pit
- In her area the roads are developed to a much less extent and are for the most part gravel
- Sympathizes with dust and traffic concerns
- Regarding the reports that are collected, where do they go, do they go to the Municipal office, who are the stakeholders?
- CH Demill Holdings – reports are submitted as required by various agencies and anyone who requests them, but are not given wide circulation per se
- Deputy Reeve Hannafin – we do receive a lot of material and as a lead up to this meeting
- There is a USB stick in wide circulation that has over 600 documents leading to the file
- Cremasco - Council needs to put in place a requirement to supply water if residents are ill affected so that it doesn't rest with the general taxpayer
- CH Demill Holdings – This is addressed in the contingency plan and if it is determined the quarry was responsible, water will be supplied
- Cremasco - given all the concerns - the science to support the quarry may be biased

David Cowdy - OPPOSED

Township Resident – 159 Waddingham Rd

- Related a personal experience about having property next to a quarry operation – Oro Medonte
- Government was negligent in monitoring
- Dust settled as much as two inches on property
- Peoples health deteriorated
- Land is now contaminated and useless, and probably will be for many years to come
- Reports don't speak to long term effects
- These concerns brought forward are very real – he has lived it
- CH Demill Holdings – The reports have all been reviewed by an independent peer review group paid for by the Municipality and have deemed our work as sound

Gayle Grills – POSITION UNKNOWN

Address Unknown

- Ask for clarification on the setbacks and what amount of setbacks were being asked for on the site plan, and how this related to the application
- CH Demill Holdings – provided explanation for clarification

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

Bob McFarlane – OPPOSED

Is a Township resident in close proximity to the quarry - 501 Melrose Rd

- Wished to be on record that his concerns are consistent with others raised today
- In particular wished to speak to an e-mail, 2014 between Demill Holdings and the Ministry of Natural Resources and Forestry (MNRF) which appears to contradict the fact that this will only ultimately be licensed for 500,000 tons
- This e-mail still speaks to two 500,000 ton applications
- CH Demill Holdings – described how the license application process works but when all is said and done that the license in total, if approved, will be for 500,000 tons
- There was dialogue between Mr. McFarlane and CH Demill Holdings regarding his contention that more quarry meant more aggregate and the ability for CH Demill Holdings to sell the license and that another licensee may want to make the operation much larger

Doug Hadden – POSITION UNCLEAR

Township Resident – 2120 Blessington Rd

- In regards to application Z2/13 and relief from Open Space Zone designations -Asked for clarification
- CH Demill Holdings- Township Bylaw states that a permit to take water can only be approved in an open space zone
- This application is to obtain an exemption to the open zone requirement as the proposed expansion will require a permit to take water independent of the current permit
- Justin Harrow – provided further insight into the Open Space designation and how it applies to the application

Dale Cockins – IN SUPPORT

Township Resident – 964 Cross Rd

- Family has been here seven generations
- Spoke to the character of Charlie Demill and his respect for him

Danielle Emon (2) – On Behalf of Citizens Against Melrose Quarry - OPPOSED

- Had questions about the site plan and how it appears inconsistent with the zoning notice
- CH Demill Holdings – explained the setbacks they were proposing
- They did not write the zoning notice, but that the eventual bylaw, if approved, will set out more detailed particulars
- This is a notice only, the final product/bylaw will be drawn up more comprehensively to establish setbacks
- Emon - why go from the 30m Township setback to 15m setback as per the Aggregate Resources Act
- CH Demill Holdings -this Act overrides Municipal bylaw so the application is to gain consistency with the Act
- Have other areas been considered

Township of Tyendinaga
Public Meeting
Tyendinaga Recreation Hall – 363 McFarlane Rd, Shannonville
Saturday October 13, 2018 at 10:00 am

Minutes of the Public Meeting - NO. 2018-19 Public - Quarry

Wendy McGeachy (2)- OPPOSED

Is a Township resident in close proximity to the quarry - 2028 Melrose Rd

- Why does the Township bylaw state 30m, if the Act only requires 15m setback – what is the rationale?
- Councillor Lang – don't know the reason but if the Aggregate Resources Act trumps the Municipal bylaw, it doesn't really matter

John McFarlane - OPPOSED

Is a Township resident in close proximity to the quarry - 210 Melrose Rd

- Operates a 150 acre farm very close to the properties being discussed for quarrying
- Also rents other lands in the area – a significant amount
- The quarry is affecting the PH level of the soil – crops are not what they were
- Notification for blasting activities is inconsistent and attitudes unprofessional
- With these zoning applications, would an asphalt and /or cement plant be an allowable use?
- CH Demill Holdings – It is permitted under zoning – but not included in proposed site plan
- McFarlane -concerned about future increased tonnage in licensing and potential of sale to another party
- Disputed estimate of 96 trucks per day going forward
- Performance of wells on his family property has diminished over the years

Joyce McFarlane (3) - OPPOSED

Is a Township resident in close proximity to the quarry – 258 Melrose Rd

- Regarding the counting of trucks, it seems reasonable to count a pup trailer the same way as a single tandem when obtaining data
- Trucks come in all shapes and sizes and carry a lot more tonnage than in years past

Larry Hannafin (2) – IN SUPPORT

Township Resident – 1510 Shannon Rd

- We are the Emergency Detour Route for the 401
- It is unreasonable to tribute all road deterioration to quarry operations – there are multiple other large vehicles travelling for various reasons
- Township Peer Reviewer – roads are designed based on traffic characteristics
- It is difficult to determine what truck does what damage, trucks travel all over Ontario and beyond

John McFarlane (2) – OPPOSED

Is a Township resident in close proximity to the quarry – 210 Melrose Rd

- The well on their property to feed cattle is strong, however the one that is used to supply the home is showing much less water than in prior years
- There were no studies done in the early years of the quarry
- This makes it difficult to identify cumulative effects
- Can't always rely just on experts
- Recall the experience of the Richmond Landfill
- Water is the greatest concern

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John Howes (3) – OPPOSED

Is a Township resident in close proximity to the quarry – 2994 Blessington Rd

- Concerned about potential future access to the quarry from Blessington Rd through the newly acquired property to the north
- CH Demill Holdings – no plans in this regard, this is a farm

Rodney Bannister - OPPOSED

Is a Township resident in close proximity to the quarry – 2335 Blessington Rd

- Lives in the “red zone”
- Since living here his house is rattling when blasting occurs
- Has contacted CH Demill Holdings and the Township to be included on blasting notification list – no response
- CH Demill Holdings appears to have a poor relationship with its residents and that should not be the case
- What are the plans for the existing topsoil, will it stay in Tyendinaga
- CH Demill Holdings – the topsoil/overburden will be used for final cover and dressing and construction of berms, it does not leave the site
- You will feel the vibrations of blasting, this is normal and a nuisance but is within all allowable limits
- Bannister - Does Council have any compensation measures being considered
- CH Demill Holdings – the quarry would be responsible if the impacts/damage from blasting was determined to be from quarry blasting
- Baseline data is gathered to determine current conditions and possible future effects
- A pre blast survey is conducted – homeowner data is included with consent
- Bannister – question about trucks in or out of the Township
- CH Demill Holdings – about 80 % leaving the Township as a rough estimate, 20% stays
- Royalties are used to alleviate the roads concerns
- Reeve Phillips – lots of trucks for many purposes use the Shannonville Rd
- Took issue that the Township has not had any contact - we respond quickly
- Bannister – concerned also about the 500,000 tons plus 500,000 tons is 1,000,000 tons not 500,000 as described by CH Demill Holdings
- Dialogue between Bannister and CH Demill Holdings about long terms plans – future tonnage, expansion north, lifespan of quarry, and if royalties received would cover damages
- CAO Mercer – provided a quick overview of costs to maintain/reconstruct roads – the tar and chip program uses the current quarry for aggregate
- Bannister - concerned also about the northern property and access, his driveway has been compromised due to trucks using it as a turnaround
- CH Demill Holdings – no plans to use this property or entry as part of the quarrying operation

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MOVED BY: Deputy Reeve Adam Hannafin
SECONDED BY: Councillor Don McFarlane
That this Public Council Meeting be adjourned 1:48 pm.

CARRIED

Rick Phillips, Reeve

Steve Mercer, CAO

NOTE TO MINUTES

As per motion made by Tyendinaga Township Council October 1, 2018, to wit:

MOVED BY: Councillor Wayne Chadwick
SECONDED BY: Deputy Reeve Adam Hannafin
That this Council agrees and supports the audio recording of the upcoming Public Meeting of October 13 regarding the rezoning hearing for the Longs/Melrose Quarry, primarily for the purposes of integrity of the minutes. Be it further moved that this recording initiative be announced at the outset of the Public Meeting and that the audio tape be kept in the Municipal vault for safekeeping after the fact.

CARRIED

The proceedings were recorded, part of the public record and available for review by any interested party

Public Attendees

Bernice Chamberlain	Gerard & Maureen Farrell	Larry & Pat Coffey
Fanhao Gong	Les & Wendy McGeachy	Pat Culhane
William Milligan	William Bell	G Foster
Linda Fuller	Larry Plews	Darlene Quinn
Dave & Linda Stapley	Regan McFarlane	Douglas Stevenson
Frank & Josephine Prevost	Richard Lindgren	Shohn Malcolm
Larry Hannafin	Laura Nash	Tony Kimmett
Greg DeMille	Lynn Phillips	Gayle Grills
Craig Kimmett	Danielle Emon	Mike & Linda Lazier
Tim Enright	Heather Lang	Michael Alexander
Jen Phillips	Bill & Elaine Phillips	Steve & Dawne McLennan
Norman & Jane Long	Mark Demill	Pat & Frank Maloney
Gary Treverton	Richard Howard	Rodney Bannister
Joyce McFarlane	Johnathan Cadlaw	Shirley Campbell
John Malcolm	Peter Mercer	Pat Plewman
Ernie Silhanek	Ed & Jayne Durkin	Mike & Sheila Fox
Derek Baldwin	Linda Martin & Brian Derouche	Fred Whalen
Lesley Baldwin	Bill Doyle	John Spitters
Dorothy Lazier	Brenda Mercer	Doug & Kathy Hadden
Jeanine Jollineau	Eugene & Shirley Craig	Mark Abbott

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M Callaghan	Gloria Kerr	Rich McFarlane
Janel Whalen	Nadine Saga	Paul Gartland
Monica Prevost	Ed Lazier	John Hopkins
Gail Portt	Bill & Anna Summers	John McFarlane
Steve & Barb Whalen	Dave & April Boyce	Mark & Audrey Bradshaw
Christine Lazier	Jim Newitt	Scott Craig
Marjorie McFarlane	W Cockins	Shawn Andrews
Cheryl Phillips	Pam & Andre McLaren	Marvin Crowhurst
David Barlow	Jenna MacKay	Trevor Danielle Howard
Peter & BettyLou Walsh	Josh Goodbaum	Mike Shoniker
David Bates	Mark Szarycz	Claire Kennelly
Brad Howes	Lucas McDonald	Billy Hinchey
Lee Craig	Debbie Olsen & David Cowdy	Jake Hinchey
Gary Kennedy	Kailey Bosch	Murray Atkinson
Theresa McFarlane	Bob Jarrell	James Cross
Bob McFarlane	Brad Robinson	Kevin Pascoe
John Farrell	Joe Whalen	Pat Farrell
Resi Walt	Lynda Hogan	Charles Demill
J Kariamis	Bill Townsend	Karen Maybe
Mike Kariamis	Irene Bemister	Sue Munro
Bruce Button	Stan Saich	Colleen Cremasco
Mary T. Hinchey	Larry Tracey	Barry Flanigan
Dale Cockins	Jackie & Jim Bates	Kevin Long
John Howes	Clayton Long	