

**TOWN OF HAMPTON  
COUNCIL MEETING  
April 1, 2010**

A closed session of Council was held immediately preceding the special Council meeting, commencing at 6:00 p.m. A special meeting of Council was held in the Council Chambers at 27 Centennial Road on April 1, 2010 commencing at 7:00 p.m.

**ATTENDANCE:**

Council: Deputy Mayor Dwight Bond  
Councillor Peter Behr  
Councillor Robert Doucet  
Councillor Clara Lights

Staff: Richard Malone, CAO  
Megan O'Brien Harrison, Clerk/Development Officer

Media: Erin Dwyer, Telegraph Journal  
Kate Braydon, Telegraph Journal (Photographer)  
Terrence MacEachern, Kings County Record

Delegation: Edward Baird, Hampton Real Estate Services Inc.  
Dr. Hugh Baird, Hampton Real Estate Services Inc.

Guests: Shawn Price, 10 Neil Drive  
Andy Lodge, 45 Meadow Avenue  
Melody Jones, 25 Ludlow Lane  
Angela Davis, 131 Donlea Drive  
Walter Davis, 14 Mott Street  
Howard Spalding, 142 Centennial Road  
George R. Stevens, 297 Kennebecasis River Road  
Ellen Hanlon, 39 Law Avenue  
Cherie Davis, 244 Main Street  
Dr. Bill Rector, Keirstead Avenue  
Odeen Whitter, 66 Law Avenue  
Steven Langille, 1319 Main Street  
Erik Klein, 9 Dann Drive

**1. CLOSED SESSION**

In accordance with Section 10.2(4) of the *Municipalities Act*, Deputy Mayor Bond called the closed session to order at 6:00 p.m. and adjourned the closed session at 6:50 p.m. During that time, a number of issues were discussed and the confidential information from such discussions was classified as follows:

<u>Subsection of 10.4 (2)</u>	<u>Category</u>	<u># of Items</u>
(a)	Confidential information protected by law	
(b)	Personal information	
(c)	Financial loss or gain (individual or municipal) or could jeopardize negotiations leading to an agreement or contract	1
(d)	Land transactions for a municipal purpose	
(e)	Violates confidentiality of information obtained from other governments (Federal and/or Provincial)	
(f)	Legal opinions or advice, and privileged communications	1
(g)	Litigation or potential litigation	
(h)	Access to/or security of particular buildings, other structures or systems	
(i)	Information gathered by police	
(j)	Labour/Employment matters	

**2. OPEN SESSION – PUBLIC COUNCIL MEETING**

Deputy Mayor Bond called the Open Session to order at 7:02 p.m.

**3. DISCLOSURE OF CONFLICT OF INTEREST**

Not Applicable

**4. PUBLIC HEARING**

Deputy Mayor Bond called the public hearing to order and turned the floor over to the Town Clerk.

The Clerk stated that the Town of Hampton had received a new application from Edward Baird and Dr. Hugh Baird of Hampton Real Estate Services Inc. to rezone 274 Main Street (PID 00193748) in order to allow for the establishment of a licensed restaurant and pub at that location. Hampton Real Estate Services Inc. asked Council, in accordance with section 3.3 (f) of the Town of Hampton Zoning By-law, to allow the application to proceed at this time in light of the change in conditions highlighted in their application. They proposed the following changes in conditions from the original plan:

- Dr. Hugh Baird has now purchased the adjacent property, so is now able to provide an easement through this adjoining property with the ability to have increased parking and traffic flow directed toward the top of the knoll.

- Hampton Real Estate Services Inc. has altered the building design with a significantly increased Sound Transmission Class (STC). The new design will guarantee a STC of 50 or greater; and
- With Dr. Baird's acquisition of the adjoining property, the future will give this business an opportunity to share utilities, etcetera, thus lowering the environmental impact of this business and neighboring development.

She noted that at the February 9<sup>th</sup> Council meeting, Council passed a resolution that these changes were in accordance with section 3.3 (f) of the Zoning By-law and so the application could proceed.

The current land use designation for this property under the Municipal Plan, is "Residential" and the current zoning for this property under the Zoning By-law is "Neighbourhood Commercial." The draft By-law #185-09 *A By-law to Amend the Municipal Plan By-law 159-04* would allow for the change in the land use designation for PID 00193748 from "Residential" to "Town Centre."

It was noted a public presentation on the application had been held on February 25<sup>th</sup> and this was an opportunity for the public to hear Hampton Real Estate Services Inc.'s application and to ask questions regarding the proposal. The deadline for written submissions on the application was Tuesday, March 30, 2010 as per the resolution of Council and the advertising regarding same.

The Town Clerk then read into the record all written submissions regarding the proposed development that were received by the deadline as outlined in the notices regarding the public hearing.

### **In Opposition:**

#### George and Elizabeth Tays, 22 Neil Drive

They do not wish to have any kind of rezoning for a pub. They feel this is a very quiet and peaceful area and that the pub should be built somewhere else. They do not feel it is a benefit to have their property values increased as they are currently taxed to their limits. They believe the proposal will bring noise and noise complaints. They wonder how many residents in other parts of Hampton would like the proposed business in their neighbourhood.

#### Shelly Drost and George Tays, Marysview Senior's Facility, 20 Neil Drive

The staff and clients of Marysview Seniors Facility do not want a pub-restaurant near them. Many of the clients have problems sleeping and in the summer they like to have their bedroom windows open. Most of the clients have very good hearing. Staff on the midnight shift often open the front and back doors for a while to air out the facility. They ask that Council consider them in their final decision.

Jim Ballard, Peggy Ballard and Patricia Clarke, 302 Main Street

They are opposed to the rezoning of 274 Main Street to allow for the operation of a licensed restaurant and pub because it is a dangerous location for any business with poor visibility due to the knoll, fast moving traffic and no sidewalks. They are concerned about the noise factor for the homes in proximity to the proposed pub and they are concerned about the increase in late night traffic, both pedestrian and vehicular.

Melody and Jonathan Jones, 25 Ludlow Lane

They are aware that this area is zoned Neighbourhood Commercial. It is a quiet neighbourhood to live in and they love living there. They state that previous businesses that occupied this location were quiet and only stayed open until 8:00 p.m. or earlier and many times were closed on the weekends. These businesses did not have a lot of traffic coming and going. They state that the other businesses located near this area are quiet and do not have a lot of traffic and do not cause the local residents any problems. The people who live in this area stay to themselves and do not make noise to bother others. They feel that rezoning 274 Main Street to Town Centre will create noise concerns, increase traffic and change the way that people live in this location. They feel the proposed hours of operation will interfere with the way that they live. Hearing music play and public standing outside talking and yelling will interfere with their peace and quiet that they currently enjoy.

They are concerned that patrons of the proposed business will wander off the property and on to their property. They feel that patrons "hanging out" will generate noise and that even with security cameras you cannot always control the public. They agree that they are able to call the RCMP to settle the situation but feel this will cause local residents undue stress. They are concerned that the outside area for entertainment will cause daily noise concerns for area residents and do not feel it is appropriate for a residential area.

They feel that their privacy will be invaded and believe that they will be worried to leave their home unattended. They are concerned that the proposed easement through the adjoining property will not alleviate the potential for accidents due to the location of the blind knoll and the bridge. They also have safety concerns for high school students wandering down on their lunch break.

They hope that Council hears their concerns and makes the right choice for all involved.

George R. Stevens, 297 Kennebecasis River Road

He sees the demographics of Hampton as families and senior citizens. He says that families need recreational facilities and safe streets where people can walk. He does not see how families will benefit from the proposed facility. He does not feel that senior citizens need a licensed liquor establishment. He states that given the present demographics of Hampton, he sees no positive benefits of the proposed licensed restaurant and licensed liquor establishment and does not think that the Municipal Plan should be amended.

Angela Davis, 131 Donlea Drive

She resides at 131 Donlea Drive in Hampton and is opposed to the re-zoning application for 274 Main Street for various reasons. She has attended all but one meeting regarding this matter and has heard the views from both parties. She does not live in close proximity of this proposed establishment, but does have friends and family who do and would be affected by this decision. She personally does not have a problem if Hampton Real Estate Services Inc. wished to open a family orientated restaurant in this location, and from what she has heard she does not believe the close residents have a problem with this either. Their issue has been all along that they want to open this as a Restaurant/Pub, which is a big difference. A restaurant typically has appropriate hours of operation and is not something that people would normally be disrupted by. A pub on the other hand will have very late hours of operation, and can have intoxicated people coming and going which causes quite a bit of noise which would affect the current environment the residents are presently used to living in now.

She feels that the area residents, including seniors, families with young children and a special care home, would not benefit from having a pub open next to them.

She is concerned that there have been no timelines proposed for the construction of an entrance and exit to the property through an easement on the adjoining property. She wonders if the developers plan to block off the original entrance to the property and if not, then believes that the issues and concerns have not been solved regarding this matter.

She wonders if Mr. Baird's supporters would want the proposed business opening next to or in close proximity to their homes/neighbourhood. She feels that most would answer "no."

Cherie Davis, 244 Main Street

She resides at 244 Main Street in Hampton and is opposed to the re-zoning application for 274 Main Street for many reasons. From day one the residents located in close proximity to this proposed establishment have raised several issues such as traffic safety issues, hours of operation, and decreased value in home properties.

She states that at the public presentation it was discussed that the owner was going to build an easement from the property he purchased next to the proposed site in question to "fix" the problem with the blind knoll. This is good, but will they be blocking off the first entrance they currently have into the property to ensure that everyone uses the safe route into their establishment? Unfortunately it's our nature to take the easy route to any place so unless they block off the lower entrance she can't see many people taking the other entrance which means this problem is still ongoing.

As for the hours of operation, she wonders if it is necessary to stay open that late in a small town like Hampton. Being a close resident she is concerned about the noise increase in the late hours due to patrons coming and going and with the noise from the outdoor patio. She works long hours as it is and right now the last thing she wants is to have her

sleep time disrupted due to noisy intoxicated people leaving the pub from midnight to 2:30 a.m.

She does not believe that her property value will increase due to a drinking establishment being opened close by.

She is all for them opening a restaurant even a pub, but not in her neighborhood. There are more appropriate building lots in the town for this, so she is asking that Council turn down the request to have this property re-zoned as Town Centre.

Walter Davis, 14 Mott Street

He is very disappointed that Council is moving ahead on this application at this time. Council has invested approximately \$60,000.00 of Hampton taxpayers' money into a company to do an official review of the Municipal Plan which will deal with matters like this, and yet Council has decided to go ahead on this application without knowing the study's results. He also wonders if anyone ever thought of doing an environmental impact study on noise. He states that they have a small and very nice community here. If the town officials desire another eating/drinking establishment in Hampton then fine, but it doesn't make sense to have it in the middle of residential housing. There should be other designated commercial areas within the town limits for such an establishment. As for the comment of the developer made at the last meeting of increasing the assessed value of our home due to living next to a restaurant/pub, he finds it very difficult to believe. He really can't think of any buyer who would purchase a home next to an establishment that stays open late every night with entertainment, and drinking into the early hours of the morning. This is not the type of neighborhood that he would ever consider bringing up his family.

Shawn Price, 10 Neil Drive

He would like an opportunity to speak at the public hearing. He is still not in favour of the rezoning application.

**In Support:**

Mandy Mckee, 49 Vernon Avenue

She is for Shiretown Publicans.

Jeremy Bradshaw, 26 Mott Street

He wishes to be added to the list of supporters of Edward Baird in his quest to have his Main Street property rezoned to allow for the opening of a restaurant. He believes that those opposed to the idea should realize that they are simply lucky that this area of town isn't zoned appropriately and in opposing the idea to the extent they have so far is just a hideous display of undue selfishness, inflicting harm onto others.

Cathy Burns, 7 Marilyn Court

She is in full support of having the Shiretown Publicans as a place of business in Hampton. Currently this location is underutilized and is not kept up. She feels that this new pub-style restaurant will add a lot to the Town of Hampton. She states that the Vintage Bistro is bringing a lot of people from Saint John and Quispamsis and she feels this additional offering will provide more to Hampton.

Timothy Cox, 1485 Main Street

He is in full support of the Shiretown Publicans. He has associated himself recently with North Hampton Brewing, better known as Picaroons in Fredericton. He is hoping to be able to do some more interesting things that have been somewhat forgotten in the tradition of brewing with both Picaroons and Shiretowns Publicans. He notes that historically when a cask “keg” went to the pub, it left the brewery just before fermentation was complete so the keg was naturally carbonated. He states that this imparts a very distinctive character and unique experience. It would be good to have Hampton resurrect a historical style which can only garner a good reputation for our area.

Andrew Prosser, 92 Donlea Drive

He is writing to show his support for the new venture. He has lived in Hampton all his life and intends to always be here in this beautiful town. He says we should keep new business coming to the town. He feels we need this to keep community spirit alive and that it can only be good for the town and will help keep our young adults home.

Troy Summerville, 140 Donlea Drive

This is a show of support for the proposed Shiretown Publicans restaurant on Main Street at the old Curves location.

Nick London, 15 Rockcliff Drive

He strongly supports the plans for the Shiretown Publicans and believes that it will be great for our community.

Connor Kyle, 27 Walker Street

He supports Shiretown Publicans.

Matt Scott, 34 Pederson Avenue

He grew up in Hampton and will always consider it his home. He supports Shiretown Publicans. He believes it is a great idea and knows that it will be well run with Edward Baird in charge.

Jeremiah Jones, 1587 Main Street

He has been a resident of Hampton for 22 years and is in full support of Edward Baird’s Shiretown Publicans.

Matthew Cromwell, 49 Vernon Avenue

He is in favour of the plans for Shiretown Publicans.

Melissa Pierce, 168 Guthrie Road, Bloomfield

She would like to show her support for the Shiretown Publicans, as a young working professional who has lived in the Hampton area her entire life. She thinks this type of venue would be a huge success.

Cheryl and Ken Greer, 368 Upper Midland Road

They strongly support Edward Baird and his pub, Shiretown Publicans.

Steve Foot, 26 Wellington Court, Quispamsis

He is for the proposed development. He and his family would certainly make the trip from Quispamsis to this restaurant. Otherwise he really has no reason to visit Hampton other than perhaps to golf.

Eoin MacIntrye, no stated address

She votes for Shiretown and thinks it would be an improvement to Hampton's social scene.

#### **Planning Advisory Committee's Written Comments:**

The Clerk noted that at the request of Council, the Planning Advisory Committee (PAC) reviewed the application of Hampton Real Estate Inc. on February 23, 2010 and passed the following resolution:

*Moved by Lourdes Clancy and seconded by Andre Roux that the Planning Advisory Committee recommend that Council support the application by Hampton Real Estate Services Inc. to rezone 274 Main Street from Neighbourhood Commercial to Town Centre and that Council should give strong consideration to the following terms and conditions:*

- *Council should further investigate STC ratings and require that the entire building is built/renovated to the rating recommended by the Town Engineer for this type of building or to a minimum of STC rating of 50, whichever of the two is greater;*
- *Council should require that Dr. Baird grant an easement from his adjacent property to Hampton Real Estate Services Inc. to allow for a second driveway access to 274 Main Street; and*
- *Application should be approved based on the landscaping buffers as indicated on the submitted site plan.*

*Motion Carried*



The Clerk noted that concluded the written comments on the application.

Deputy Mayor Bond called for public comment. He asked that each person who wished to be heard present themselves at the podium, state their name and address and keep their comments concise and relevant. Deputy Mayor Bond called first for all those who wish to speak in favour of the application.

Steve Langille, 1319 Main Street

Mr. Langille stated that he has lived here since 1993. He said that when he thinks about the other licensed establishments in the Town, he does not believe that any of them have the property setbacks that are as great as the proposed business. He felt that the driveway coming through the adjoining property would deal with the concerns regarding the knoll. Mr. Langille stated that he has faith that Edward Baird will run a tight ship and that the Baird's have made significant investment into the project, so he believes that they will make it something that we will be proud of.

Odeen Whitter, 66 Tilley Street

He stated that he is in favour of the proposal. He stated that traffic should not be a concern as, in general, traffic on Main Street dies down by 10 p.m. From his experience in the hospitality industry he believes that increased venues means a reduction in entertainment costs, as venues can share the expense of bringing acts into the region. He says this will mean reduced overhead costs for the Bistro and Shiretown Publicans. He stated that young families and young professionals in Hampton are looking for a venue here. He said he would prefer to keep his money in his community and that Hampton is just not a seniors community.

Dr. Bill Rector, Keirstead Avenue

He stated that he has been a resident of Hampton for 36 years. He believes that the Shiretown Publicans will finish things off properly for the Town. He stated that the Vintage Bistro is well run and a tremendous venue but still does not really cater to kids in the 18-30 demographic. He also stated that senior citizens are not all dead. That he, himself, is a senior citizen and he enjoys a drink and a bite to eat at a pub. He said that he has faith in Edward Baird. He said that people are often concerned about change. He used Ossekeag Place and the semi-detached dwellings on Greenwood as examples of when residents were concerned about change, and had expressed traffic and noise concerns but that these projects moved forward and have been an improvement to the community. He stated that change does not necessarily mess everything up and that the community needs to be open minded.

Howard Spalding, 142 Centennial Road

He has been a Hampton resident for thirty years. He raised his family here. He said that change was evitable and that Hampton is not going to stay the same and that residents should embrace the changes. He stated that Dr. Baird's additional land acquisition allows for additional commercial growth. He stated that the building will be constructed in a manner in which noise will be controlled. He is very much in support of the project.

Andy Lodge, 45 Meadow Avenue

Mr. Lodge stated that he is 33 years old with a 15 year old and a 9 year old. He said that he is a young professional family in Hampton. He stated that the type of place that the Baird's are talking about building is lacking in this town. He said that he and his friends enjoy going to a venue that offers great food, live music, is not a wild party, but is a good time. He would love to see this type of place in Hampton. He said that the Baird's have listened to the complaints and tried to deal with them. They have redesigned the building to deal with the sound concerns. They have acquired additional land to appease the neighbours on that side. They have made a significant investment which shows their commitment to the project. Mr. Lodge says that the Town should let business people decide where the best location to operate is. He also noted that his house is located less than one kilometre from the Bistro and he does not hear the noise.

Erik Klein, 9 Dann Drive

He stated that if you build it, they will come and not just to the Shiretown Publicans but to Hampton in general. He stated that 274 Main Street has housed a string of half-hearted business ventures. He said that this is not the case with this proposal. They are dedicated and willing to invest in Hampton. He stated that he is within earshot and is not concerned about the noise. He said that the Noise By-law will control any issues. He said that the building can be engineered for sound. He said that the Baird's have not just met, but exceeded requirements. He is looking forward to the business opening.

Dr. Hugh Baird, on behalf of Bev Harrison, MLA, Hampton-Kings

Dr. Baird stated that Bev Harrison, MLA for Hampton-Kings, had provided him with a letter in case he was not able to attend the public hearing. Dr. Baird read the letter into the record:

“In the matter of the application for rezoning by Edward Baird of the property on Main St., Hampton (previously Curves) I wish to express my support for their request.

I believe that this is compatible with Town Main Street zoning. It will provide employment and encouragement to young entrepreneurs to establish community based businesses, which is in keeping with the vision of the Town for future development.

I encourage the Council to approve the zoning application for this new business.”

The Deputy Mayor called three more times to ensure that everyone who wants to speak in favour of the application has had a chance to speak.

The Deputy Mayor then called for all those who wish to speak in opposition to the application.

Shawn Price, 10 Neil Drive

Mr. Price noted that many examples of what the Shiretown Publicans may be have been tossed around, including East Side Mario's, Swiss Chalet and Montana's. He stated that these are all restaurants with bars in them. The bars all close at the same time as the restaurant, similar to Holly's here in Hampton. He said that this is very different then what is being proposed, which is similar to the 3 Mile Entertainment complex which becomes a bar after 10 pm. He said that facility becomes very loud. He is concerned that Shiretown Publicans will have the same noise issues. He stated that he lives approximately 500 metres from the proposed business and would love to come to the restaurant. His issues are with the pub.

Mr. Price expressed his concerns with the STC rating being proposed. He quoted information from STCratings.com. He said that in general loud speech can be understood fairly well through an STC 30 wall. He said that an STC of 50 is a common building standard and that with an STC of 50 people could still be subject to awareness, if not understanding, of loud speech. He said the website talks about the STC ratings in relation to residential dwellings but does not talk about bars.

Mr. Price stated that the easement is great but if the lower driveway is not being closed off then there will still be an issue.

Mr. Price pointed out that following the denial of the last application, Mr. Baird issued a press release stating that he would be putting the project on hold until the next Council, but here we are again. He said that he is not scared of change but feels that Council needs to focus on the younger generation.

Melody Jones, 25 Ludlow Lane

She stated that she is against the proposal for this location. She is not against this establishment in the town, but if it is approved at 274 Main Street it will change the way she lives. She also noted that, yes they live near the train tracks and tolerate the noise of the train, but she stated that the steady noise from a pub cannot be compared to the short period of noise from the train.

Walter Davis, 14 Mott Street

Mr. Davis stated that the report for the Municipal Plan/Zoning By-law review is not in yet, and wonders why Council is voting on this application before the report comes back. He stated that the residents in the area are concerned. He said that certain noises you put up with, citing the ball field noise as an example, but that profanity and noise from a pub at 2:30 a.m. is not something that residents in the area should have to put up with.

George Stevens, Kennebecasis River Road

He stated that he is not for or against the project. He believes that each member of Council needs to search their minds to how this proposal is going to serve families and seniors in the community.

Angela Davis, 131 Donlea Drive

She wonders if the residents present at the public hearing would want this next to them.

Deputy Mayor Bond asked three more times if everyone who wished to speak in opposition of the application has had a chance to speak.

Councillor Doucet stated that in regards to Mr. Davis's question that the Municipal Plan review was not going to provide an answer as to how this property should be zoned. The Clerk added that the consultants would be incorporating any decision of Council into the new plan, but that they would not be making a recommendation on this specific rezoning application.

Deputy Mayor Bond provided Hampton Real Estate Services Inc. with an opportunity to speak.

Edward Baird read again into the record a letter from Eli Wolpin, the designer of the revised building. Mr. Baird read the letter previously at the public presentation. Mr. Wolpin's letter stated that he saw the development of this abandoned site as a great opportunity to refocus the growth of Hampton back to Main Street. He stated that the mass of the building had been modified so that it forms a significant frontage on Main Street and that the front of the building features a public fore court with significant landscaping and a large covered area at the entry. He stated that any noise generated by people gathering at the front of the property would be shielded from the neighbouring properties. He also proposed a garden berm covered with flowers, which would shield the main dining space from street noise. He stated that the wall assemblies will have a minimum Sound Transmission Class (STC) of 50 and will be achieved by using increased drywall thicknesses and absorptive insulation. He said the inspiration for the design came from the history of the English settlement of Hampton and the Baird's long history of raising horses.

Mr. Baird stated that the STC 50 would be the minimum that they would build/renovate the building to.

He stated that it has been a long process and that they had received significant press on the project. He said that the majority of residents are now aware of the project and that support for the project continues to grow.

Dr. Baird stated that Emanus House is in support of the project. He reiterated that he does not feel that the blind knoll will be a concern. He listed other areas that are far more dangerous traffic wise, including the restaurant at Hammond River, the Fire Station and the River Centre. He stated that having development at these locations has not caused significant problems. In regards to Mr. Price's information regarding STC 50 ratings, he stated that it does not take into account that his building will be 100 yards away from any of the neighbouring properties and so the noise will be further muffled. He also pointed out that Mr. Price's home is in closer vicinity to the golf course and that he does not think that Mr. Davis will be able to hear any noise from his property. He stated that at most, a

couple substandard houses may be affected. He said that they purchased the lot in good faith. He said that not one professional, not one person who darkened the door of a university has complained about their application. He wondered who Council is going to focus on. He stated that there would not be little old ladies backing out the driveway. He said that an accounting firm picked the location and the bank thought it was a good location. He said that they could have built a bungalow for what they have spent to date on the project.

Councillor Behr wondered how the noise would be measured. Staff noted that the Town's Noise By-law was at the discretion of the RCMP.

There were no more questions from Council.  
Deputy Mayor Bond concluded the public hearing.

Councillor Doucet stated that they have heard the concerns of residents. He feels that the Baird's have done plenty to help with the concerns. He said that only a handful have shown up or written in to object to the application. He said he feels lots of people support it and there really has not been a lot of opposition. He believes that if you buy property on Main Street you should be prepared for growth and development.

Councillor Lights stated that Hampton needs more businesses and more local employment.

Councillor Behr said that the property should remain Neighbourhood Commercial. He said in his view three residents in the immediate area support the application and seven don't like it. He said these residents have lived there a long time. He said he cannot support the motion, as he supports the residents in the area.

Deputy Mayor Bond stated that Council can address concerns in section 39 conditions. He said that stipulations can be included to deal with noise and safety concerns.

**Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton further the application of Hampton Real Estate Services Inc. to rezone 274 Main Street from Neighbourhood Commercial to Town Centre, which included a Municipal Plan amendment to change the land use designation from Residential to Town Centre, to allow for the operation of a licensed restaurant and pub by proceeding with the amendments to the Municipal Plan and the Zoning By-laws. Specific conditions of the rezoning will be included in an agreement, in conjunction with Section 39 of the Community Planning Act, and will form part of the Zoning By-law amendment.**

**All in favour: Councillor Doucet, Councillor Lights, Deputy Mayor Bond  
All opposed: Councillor Behr**

**Motion Carried**

## 5. READING OF BY-LAWS

The Clerk read By-law 185-0: *A By-law to amend the Municipal Plan By-law No. 159-04.*

**Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton approve the first reading of By-law 185-09: *A By-law to amend the Municipal Plan By-law No. 159-04.***

*All in favour: Councillor Doucet, Councillor Lights, Deputy Mayor Bond*

*All opposed: Councillor Behr*

*Motion Carried*

The Clerk read By-law 185-0: *A By-law to amend the Municipal Plan By-law No. 159-04* by section and title only.

**Moved by Councillor Doucet and seconded by Councillor Lights that the Town of Hampton approve the second reading of By-law 185-09: *A By-law to amend the Municipal Plan By-law No. 159-04.***

*All in favour: Councillor Doucet, Councillor Lights, Deputy Mayor Bond*

*All opposed: Councillor Behr*

*Motion Carried*

Deputy Mayor Bond called a five minute recess.

## 6. NEW BUSINESS

### 6.1 LOADER

**Moved by Councillor Behr and seconded by Councillor Doucet that the Town of Hampton piggyback on the City of Fredericton tender #T09-44 and purchase the loader with standard equipment and options as detailed in tender #T09-44 including Craig quick attach bucket, front plow and wing assembly from Atlantic Tractors and Equipment Ltd. for the price of two hundred and nine thousand two hundred and ten dollars (\$209,210.00) plus tax.**

**Motion Carried**

**6.2 APPLICATION FOR FINANCING**

**Moved by Councillor Doucet and seconded by Councillor Behr that the Treasurer and Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation, a Municipality of Hampton, a debenture in the principle amount of \$717,000.00 on such terms and conditions as are recommended by the New Brunswick Municipal Finance Corporation, and be it resolved that the Municipality of Hampton agree to issue post-dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principle and interest charges on the above debenture.**

<u>General Revenue Fund – Purpose</u>	<u>Amount</u>	<u>Term</u>
<b>General Government</b>		
<b>Protective Services</b>	<b>\$ 340,000</b>	<b>15 Years</b>
<b>Protective Services</b>	<b>\$ 35,000</b>	<b>5 Years</b>
<b>Transportation</b>	<b>\$112,000</b>	<b>10 Year</b>
<b>Transportation</b>	<b>\$230,000</b>	<b>15 Years</b>

**Motion carried**

**7. ADJOURNMENT**

There being no further business for open session, the special meeting of Council was adjourned at 8:50 p.m.

**Moved by Councillor Behr and seconded by Councillor Lights that the Town of Hampton adjourn the special meeting of council of April 1, 2010.**

**Motion Carried**

APPROVED:

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Dwight Bond, Deputy Mayor

\_\_\_\_\_  
Megan O'Brien Harrison, Clerk