

Central Planning Authority

Minutes of a meeting of the Central Planning Authority held on November 9, 2016 at 10:00 a.m. in the Conference Room, 1st Floor, Government Administration Building, Elgin Avenue.

24th Meeting of the Year

CPA/24/16

Mr. A. L. Thompson (Chairman) (except 2.16, 5.5)

Mr. Robert Watler Jr. (Deputy Chairman) (apologies)

Mr. Edgar Ashton Bodden

Mr. S. T. (Tommie) Bodden (except 2.7)

Mr. Dalkeith Bothwell (absent)

Mr. Joseph Coe (Acting Chairman 5.5)

Mr. Ray Hydes (left at 2:10)

Mr. Trent McCoy

Mr. Rex Miller (except 2.7)

Mr. Eldon Rankin

Mr. Selvin Richardson

Mr. Fred Whittaker (apologies)

Mr. Haroon Pandohie (Executive Secretary) (except 2.16)

Mr. Ron Sanderson (Deputy Director of Planning (CP))

- 1. Confirmation of Minutes**
- 2. Applications**
- 3. Development Plan Matters**
- 4. Planning Appeal Matters**
- 5. Matters from the Director of Planning**
- 6. CPA Members Information/Discussions**

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APPLICANTS APPEARING BEFORE THE CENTRAL PLANNING AUTHORITY

APPLICANT NAME	TIME	ITEM	PAGE
Yuri Ferguson (EJ)	10:30	2.1	5
Annabeth Cranston	11:00	2.2	9
JIL Corporation Ltd. (KA)	11:30	2.3 & 2.4	12, 20
Carson Rivers (BES)	12:00	2.5	22
Emile Van den Bol	1:30	2.6	28

1.0 CONFIRMATION OF MINUTES

1.1 Confirmation of Minutes of CPA/23/16 held on October 26, 2016.

Moved: Ray Hydes

Seconded: Eldon Rankin

Confirmed

2.0 APPLICATIONS

APPEARANCES (Items 2. 1 TO 2. 6)

2. 1 YURI FERGUSON Block 1D Parcel 570 (F98-0284) (P16-0696) (\$56,572) (EJ)

Application for an after-the-fact one-bedroom house.

An appearance was scheduled for 10:30. The objectors were present and available, but the applicant was not.

FACTS

<i>Location</i>	Hillandale Close
<i>Zoning</i>	HDR
<i>Notice Requirements</i>	Objectors
<i>Parcel Size</i>	7,366 sq. ft.
<i>Current Use</i>	House
<i>Proposed Use</i>	After-the-Fact House
<i>Density</i>	11.83
<i>Allowable Density</i>	4 per acre
<i>Total Site Coverage</i>	23.96%
<i>Building Size</i>	595.5 sq. ft.
<i>Total Site Coverage</i>	23.96%
<i>Proposed Parking</i>	2
<i>Required Parking</i>	2
<i>Number of Units</i>	1

BACKGROUND

February 17, 2000 - A 2-bedroom house was administratively approved.

June 11, 2003 (CPA/17/03; Item 3.09) - The CPA modified planning permission for side setback variance.

Decision: It was resolved to adjourn the application and re-invite the applicant and objectors to appear before the Authority to discuss details of the application.

LETTER FROM APPLICANT

“On behalf of our client, we are writing this letter to humbly request a variance to grant an approval for an application of the proposed Residence in Block 1D Parcel 570 with regards to the lot size and setback from the property line. The

structure was built outside the minimum required setback which is only intended to accommodate our client's mother-in-law and also we have noticed in the same subdivision that there are existing situation as the request of our client.

We are looking forward for your consideration and thanking you in advance."

OBJECTIONS

Email #1

"Sir /Madam the structure is too close to our fence and for safety reasons we CANNOT support the structure in the position that it's at.

What's if there's a fire???

IT WAS DONE WITHOUT PLANNING PERMISSION FOR SURE.

I was told that they told planning that they were putting up a utility house. Even if that was so it is still not in the boundary of the law It is clearly a dangerous! It's a house and people live there.

The pipes that carry waste water and sewage are very close to the property boundary.

IT IS NOT SAFE!

Over 10 years ago my husband and I added on to our home but we went through planning FIRST and followed ALL of the long drawn out rules and regulations! We believe I. FOLLOWING THE LAW.

To be honest I don't understand why we must object because what they have built is out of planning's law so that alone should be enough to make them tear it down or be prosecuted.

Fire hurricane God help us if we get a bad one living next to these people. Please come have look if you can make it through without stepping on a rat or mouse. Their back yard is a junk yard, and yes I know that is a different department.

Trust me we are not in objection to them building adding on or whatever, but not anything that may cause danger or problem to our home. We were considerate of our neighbors and they should be too...And besides it putting our lives in danger.....it's against your PLANNING LAWS.

Please I'm begging you to accept this email being late due to my illness and please take into consideration that I've been calling your department on and off since last year about this structure before it was ever finished .

Please call me at 926-5355 if you need any other information from us.

Or please send an email (it's hard to respond to the registered mail because my husband collects it from the post office when he can but has been going through so much since my diagnosis sometime doesn't get the chance to make it t the post office.

Hence the reason for this late response; I leave on the 8th of October for my pet scan in Miami once again.

Please just come out and have a look and you will see the structure they have built.

I'm sure you would not approve of it being so close to your home.

And NOT WITHIN THE LAWS OF YOUR DEPARTMENT!

Please help.”

Email #2

“Photos showing just how close the house is to the fence.

Also waste pipes.”





PLANNING DEPARTMENT ANALYSIS

General

The applicant is seeking permission for a lot size and setback variance for the after-the-fact one-bedroom house.

Zoning

The property is zoned High Density Residential and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Lot Size Variance

The subject lot is 7,366 sq. ft. in size and there is an existing detached house; therefore, the required lot size for the two houses is 10,000 sq. ft. The applicant is requesting a lot size variance of 2,634 sq. ft. The Authority must determine if there is sufficient reason and exceptional circumstance to allow the lesser lot size.

b) Side and Rear Setback Variances

The side and rear setbacks for the after-the-fact house are 3', but the required setbacks are 10' and 17' respectively. The Authority must determine if there is sufficient reason and exceptional circumstance to allow the lesser setbacks.

**2. 2 ANNIBETH CRANSTON Block 22D Parcel 13 (FA80-0445) (P16-0667)
(\$135,000) (EJ)**

Application for an after-the-fact addition and proposed conversion of a house to a duplex.

Appearance at 11:00

FACTS

<i>Location</i>	Selkirk Drive in Red Bay
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	19602 sq. ft.
<i>Current Use</i>	House
<i>Proposed Use</i>	After-the-Fact addition
<i>Building Size</i>	108 sq. ft.
<i>Density</i>	11.11
<i>Total Site Coverage</i>	29.91%
<i>Proposed Parking</i>	7
<i>Required Parking</i>	2
<i>Number of Units</i>	2

BACKGROUND

January 23, 1981 (**CPA/01/81; Item 0.00**) - The CPA granted permission for a house to be partly used as nursery school.

February 8, 2006 (**CPA/04/06; Item 2.18**) - The CPA grant planning permission for after-the-fact apartments.

October 12, 2016 (**CPA/22/16; Item 2.20**) - The CPA adjourned the application in order to invite the applicant to appear before the Authority.

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

- 1) The applicant is required to apply for a Permit from the Director of Planning **within 6 months of the date of this decision.**
- 2) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

The applicant shall obtain a Final Certificate (of Fitness for Occupancy) **within 12 months of the date of this decision.**

LETTER FROM APPLICANT

"We write on behalf of our client, Ms. Annibeth Cranston, with regards to the following variances;

- A lot size variance – The subject parcel has an area of (19,602sf) which is less than the required (37,500sf) for a duplex and apartments to exist on the same lot in a Low Density Residential area.*
- A side setback variance – the ATF addition exist with a side setback of 3' which is less than the required 10'.*
- A site coverage variance – the ATF floor area of 108sf is 0.55% over the approved existing 29.36% for a total of 29.91%*

We request permission for the development and humbly give the following reasons:

- 1. The applicant is a retiree and is the single occupant of what is now a larger than necessary house with numerous unused bedrooms. She is not financially positioned to build new accommodations, so, in her efforts to sustain retirement and continue to remain on the subject property, the applicant decided that the house would be better suited as a duplex therefore the small one story ATF addition was created in favor of the new unit.*
- 2. The reduced setback is consistent with the setback of an approved ancillary structure on the subject parcel.*
- 3. The adjacent properties were notified by registered mail as required by regulations 8(13) (d) and there have been no objections to date.*
- 4. The addition shall be finished in a manner consistent with the adjoined/existing structures on the parcel and therefore will not imposed any hardship on the neighbors, nor cause any of the neighbors' quality of life, property value, or peaceful co-existence to be negatively affected.*
- 5. The application complies with all other relevant planning requirements.*

We look forward to your favorable response to this variance request. Should you have any queries, please do not hesitate to contact us."

PLANNING DEPARTMENT ANALYSIS

General

The applicant is seeking permission for an after-the-fact addition and proposed conversion of a house to a duplex.

Zoning

The property is zoned Low Density Residential and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Setback Variance

As proposed, the applicant is seeking permission from the Authority for the after-the-fact 108 sq. ft. addition to right side of the existing house; the after-the-fact addition does not meet the required 10' side setbacks, proposed at 3.6'.

Additionally, the applicant has proposed to convert 480 sq. ft. of the existing house to a duplex with the 108 sq. ft. after-the-fact addition serving as entrance and sitting area for this portion of the proposed duplex.

b) Lot Size Variance

The CPA should be aware that the subject lot exists at 19,602 sq. ft. and the subject parcel has four (4) existing apartments and a house; therefore, the CPA will have to consider a lot size variance, mindful that 25,000 sq. ft. and 12,500 sq. ft. is needed for the apartments/duplex respectively for a total of 37,500 sq. ft.

c) Site Coverage Variance

Finally, the after-the-fact addition will further infringe on the allowable 25% site coverage; proposed at 29.91% or (4.91%) over; therefore, the applicant is also seeking a site coverage variance.

SUPPLEMENTARY ANALYSIS

October 12, 2016 (CPA/22/16; item 2.20), the Authority adjourned the application in order to invite the applicant to appear before the board.

At 11:00am, Annibeth Cranston appeared as the applicant. There was discussion regarding certain matters as follows:

- The apartments have existed on site for a long time
- The need for lot size, setback and site coverage variances
- She ran into financial problems and her mortgage is at risk and she need the additional rental income to save her house
- She understands that if this is approved she won't be able to build any more units on the site.

The Authority considered the application and determined that planning permission would be granted for the following reasons:

1. With the exception of the lot size, site coverage and side setbacks, which are addressed below, the application complies with the Development and Planning Regulations (2015 Revision).
2. The proposed application does not comply with the minimum required lot size, the maximum allowable site coverage, and the minimum required side setbacks per Regulations 9(8)(d)(h) and (j) of the Development and Planning Regulations (2015 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to

allow the lesser lot size, additional site coverage and lesser setbacks as follows:

- a) The characteristics of the proposed development are consistent with the character of the surrounding area;
- b) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare; and
- c) The proposal is consistent with the provisions of Section 2.6 of The Development Plan 1997.

2. 3 JIL LTD. Block 14BG Parcel 105 (F12-0040) (P16-0961) (\$1.4 million) (KA)

Application for two (2) single storey commercial buildings for retail and restaurant, and two (2) decks for restaurant use.

Appearance at 11:30

FACTS

<i>Location</i>	North Church Street, George Town
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	No Objectors
<i>Proposed Use</i>	Commercial
<i>Building Size</i>	11,022 sq. ft.
<i>Proposed Parking</i>	36 onsite, 9 offsite
<i>Required Parking</i>	45

BACKGROUND

CPA/20/16; Item 2.1 - The Authority refused planning permission for a commercial building due to lack of parking and not meeting the High Water Mark Setback requirement.

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-5) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) The applicant shall submit a revised site plan showing the parallel parking spaces situated entirely within the subject property boundaries.
- 2) If not already shown on the site plan, the applicant shall submit a site plan that shows the location, dimensions and **size** of the wastewater treatment system (including the disposal system). The treatment system must be labelled as

either a septic tank or an aerobic wastewater treatment system, whichever is applicable.

- 3) If not already shown on the site plan, the applicant shall submit a site plan showing tire stops for the parking spaces and the parking area curbed and surfaced with asphalt or concrete.
- 4) The applicant shall submit a Stormwater Management plan designed in accordance with the requirements of the National Roads Authority (NRA) and approved by the Central Planning Authority. The applicant should liaise directly with the NRA in submitting the stormwater management plan. **The plan must include details of the type of pervious concrete to be used and its location within the parking area, the increased curbing height and the use of catch basins and drain wells.**
- 5) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. *It is suggested that the landscape plan be prepared following the recommendations of the Draft Cayman Islands Landscape Guidelines, found on the Planning Department's website (www.planning.gov.ky) under Policy Development, Policy Drafts.*

In addition to Permit requirements, conditions (6-7) listed below shall be met before a Permit can be issued.

- 6) Construction drawings for the proposed wastewater treatment system and disposal system shall be submitted to the Water Authority for review and approval. The Central Planning Authority must receive confirmation of the Water Authority's approval.
- 7) The applicant shall submit a construction operations plan to the satisfaction of the Director of Planning indicating in sufficient detail how the development will be constructed without interfering with or obstructing adjacent roads, properties and fire lanes. At a minimum, the plan shall indicate the location of material storage, workers parking, site offices, portable toilets, construction fencing and where applicable, the stockpiling of material excavated from the site and material brought to the site for fill purposes.
- 8) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 9) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s).**

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level, [i.e. two feet (2') above the Vidal Bench Mark].

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage**.

The applicant is reminded that the proposed development is subject to compliance with all relevant Laws, including, but not limited to, the Public Health Law, Fire Brigade Law, Water Authority Law and Roads Law.

To prevent potential delays and save money, the applicant may wish to coordinate with the following agencies prior to commencing any construction: **Caribbean Utilities Company, a Telecommunication Company of your preference and the Cayman Water Company and/or the Water Authority - Cayman.**

LETTER FROM APPLICANT

“Kindly accept this letter describing the parking design for the proposed mixed-use building on block and parcel 14BG 105. Given the size of the site with a large setback (a 0.88 acre waterfront property) the parking area is limited and does not allow for all parking to be provided on site. My client has asked the CPA to consider having 20% (9 spaces) of the parking requirements located off-site. This falls within Section 8(1)(a) of the Development and Planning Law, which requires that at least 50% of parking be located on-site for General Commercial zones.

Please consider the following when reviewing the parking design -

1. Walk in Customers-Given the location of this site, close to the Royal Watler Terminal, tenants of this mixed-use building (retail and restaurants) are targeting walk-in cruise passengers as well as the local market. Walk-in cruise passengers will account for a large amount of their business -reducing the load on the parking lot during the day. This can be said with certainty because the realtor has found tenants for two-thirds of the building which all plan to target cruise tourists.

2. Shared Parking- The landlord proposes shared parking between retail and restaurant tenants. Such an arrangement reduces the total load on parking because each use demands are heaviest at different hours. Retail is busiest during the day and restaurants are busiest in the evenings. The largest demand on parking will be in the evenings. This is also when retail is closed and if additional parking is needed the unused retail spaces can be utilized. This makes an additional 12 parking spaces available for the 2 restaurant tenants to use (an additional 50% of the required restaurant parking).

In summary, during the day, parking demand will be marginal because of walk-in cruise tourists while during the evenings additional restaurant parking can utilize unused retail parking. Please also note that there will be no private reserved spaces so the concept of shared parking can be utilized to its fullest.

Please see drawing A-004, which describes how the parking requirements of this site are technically fulfilled with satellite parking. Staff from 14BG 102 will park on 14BG 55, allowing for 10 additional spaces to be used for 14BG 105. Note that my client, the landowner of 14BG 105, own both parking satellite sites (14BG 102 and 14BG 52).“

AGENCY COMMENTS

Comments from the National Conservation Council, Chief Environmental Health Officer and Water Authority are noted below.

National Conservation Council

Overview:

The application site is located on North Church Street, adjacent to a Marine Park and the coastal boundary is an intrinsic part of the character of George Town water front's iron shore coast line.



The Department received a modification of the previous application for a commercial building with restaurants and two decks. The modified application is for a similar development but with a smaller built footprint. After review of the application, the Department maintains its overall view on the application and therefore reiterates our comments below.

Comments:

Setbacks: The building setback is approximately 50ft from the mean high water, and therefore does not meet the minimum setback requirements of 75ft on ironshore as per section 8(10)a of the Development and Planning Regulations (2015 Revision). The Department supports the minimum setbacks prescribed in the Planning Regulations due to risks posed by storm events as the property is not protected by an offshore fringing reef nor is in a shallow lagoon. It is important that required setbacks are met to help mitigate against site inundation and

structural damage from waves during storms and hurricanes. Additionally, greater setbacks will help to reduce run-off from the site of sediment and other pollutants such as hydrocarbons from paved areas into the adjacent marine park.

However, we are pleased to see that the decking will be raised off the iron shore to allow some storm surge to pass through.

Parking: The DoE has concerns in regards having a large area of impermeable parking adjacent to the sea will result in overland flow of hydrocarbons etc. during heavy downpours directly into the Marine Park. The applicant confirmed that the parking lot will be curbed and there will be a catchment basin, which consist of 4 deep wells at the seaward end of the parking lot to assist with runoff and stormwater management. The Department welcomes an effort to control run-off from the site as it does not support untreated storm run-off entering the adjacent marine parks. The use of permeable paving would also assist.

Geological features: The DoE noted that some of the natural geological features on the ironshore (including a blow hole); see Figures 2 and 3. The Department is pleased to see that the development will not impact any such features.

In conclusion, the Department recommends that the minimum coastal setbacks specified in the Regulations should be adhered to, particularly within the context of a changing climate with storm intensity predicted to heighten in the coming years, as well as in an effort to mitigate the issue of run-off from the site into the adjacent marine park.”

Chief Environmental Health Officer

“Based on the proposal submitted, the Department has no objections to the proposed in principle with the understanding that the following will be submitted for review and approval:

- 1. Please provide full details/specification on layout and equipment for the proposed restaurant for Units 2 & 10 for review.*

As per the 4th October 2016 meeting, it was discussed that the gate for the garbage enclosure was to be removed. The architect submitted revised drawing indicating the removal of the gates. The drawing was approved and a copy forwarded to Planning via email on 6th October 2016.”

Water Authority

“Wastewater Treatment:

The developer shall provide an on-site aerobic wastewater treatment system of a design certified (NSF/ANSI Standard 40 or equivalent) as capable of achieving effluent quality standards of 30 mg/L Biochemical Oxygen Demand (BOD₅) and 30 mg/L Total Suspended Solids (TSS).

The total treatment capacity of the system shall be at least 5,295 US gallons per day (gpd).

The developer shall provide in-the-ground grease interceptors with a total capacity of at least 3,000 US gallons (two 1,500 grease interceptors) to pre-treat

grease-laden wastewater flows from restaurant kitchen fixtures and equipment including pot sinks, pre-rinse sinks; dishwashers, soup kettles or similar devices; and floor drains. The outlet of the grease interceptor shall be plumbed to the sanitary sewage line leading to the aerobic wastewater treatment system.

The developer, or their agent, is required to submit a proposal per the attached Onsite Wastewater Treatment Proposal Form. The developer is advised that Water Authority review and approval of the system is required as a condition for obtaining a Building Permit.

Water Supply:

- *The proposed development site is located within the Water Authority's piped water supply area.*
- *The developer shall contact Water Authority's Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the public water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains.*
- *The Authority shall not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority."*

PLANNING DEPARTMENT ANALYSIS

General

The application is for the construction of two, single storey commercial buildings for retail and restaurant, and two decks for restaurant use. The site is located on North Church Street.

Zoning

The property is zoned General Commercial and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Setbacks

Regulation 8(10)(a) of the Development and Planning Regulations states buildings shall not be closer than seventy-five feet from the high water mark. The proposed building would be roughly 50' from the High water mark and the proposed decks would range from 30' to 34' from the high water mark due to the jagged edge of the ironshore. The Authority should assess if there is sufficient reason and exceptional circumstance to allow the lesser setbacks.

b) Parking

45 parking spaces are required for the proposed development. 36 spaces are proposed on site with 9 additional parking spaces on 14BG 102. Block 14BG Parcel 102 is within 500ft radius of the application site and would therefore comply with Regulation 8(1)(a). However, the Authority should note the 9 additional spaces would result in reduced parking count for the building on 14BG 102. The applicant has applied to provide offsite parking for 14BG 102 on 14BG 52 which is within 500ft of 14BG 102. The modification application for this new parking arrangement is item 2.4 of this agenda. The Authority should assess if this proposed parking arrangement is acceptable.

c) Design

The Authority should note that two existing old Caymanian style houses would be removed to make way for this modern design building with concrete paving surrounding the building. Section 3.02 of the 1997 Development Plan states the Authority will require a standard of design, construction and landscaping which reflects the local architectural heritage. The Authority should assess if the proposed building design reflects the local architectural heritage.

d) NCC Concerns

The NCC has provided comments and these are noted above.

At 11:30am, Carolyn Johnson, Ian Kirkham and Rob Johnson appeared on behalf of the applicant. There was discussion regarding certain matters as follows:

- A similar proposal was recently refused and this new application does include several changes from the earlier application.

- The decks are now setback farther from the sea; one side went from 10' to 30' and the other side from 20' to 49'.
- The decks will be raised off the ironshore to allow for storm surge.
- To address DOE's concerns regarding runoff from the parking area, they propose to use a combination of pervious concrete, raised curbs, catch basins and deep wells.
- The Authority expressed concerns with the width of the sidewalk and the parallel parking in terms of safety and being partially located within the public road reserve. Mr. Johnson responded with the following:
 - he provided a diagram showing that the proposed sidewalk will be almost double in size and width than what is there now.
 - the parallel parking acts as a safety buffer between pedestrian and moving vehicles
 - the parking spaces offer convenience for the retail shop customers
 - the spaces comply with NRA's design specifications
 - the sidewalk that is there now is about 3'to 4' in the road reserve and this was approved by the NRA
 - this design will allow for organized on-street parking instead of the randomness that occurs now
 - it has been used elsewhere on the Island
- The new design provides 80% of the on-site parking requirement and they are proposing 9 spaces off-site.
- The concept of shared parking in that the retail shops are not open in the evening so all of the parking is available for the restaurants at that time.
- There won't be any future change of use applications for restaurants as they have accommodated two of them in this design so there won't be any future additional demand for parking.
- The applicant did express a willingness to modify the parallel parking is required.

The Authority considered the application and determined that planning permission would be granted for the following reasons:

1. With the exception of the high water mark setback, which is addressed below, the application complies with the Development and Planning Regulations (2015 Revision).
2. The proposed development does not comply with the minimum required setback from the high water mark per Regulation 8(10)(a) of the Development and Planning Regulations (2015 Revision). Pursuant to Regulation 8(11), the Authority may allow a lesser setback having regard to:

- a) the elevation of the property and its environs;
- b) the geology of the property;
- c) the storm/beach ridge;
- d) the existence of a protective reef adjacent to the proposed development;
- e) the location of adjacent development; and
- f) any other material consideration which the Authority considers will affect the proposal.

In this instance, the Authority is of the view that:

- The elevation of the property and its environs is high enough to assist in minimizing storm surge thus allowing the proposed development to be closer to the high water mark.
- The geology of the property includes a robust ironshore coastline and this will assist in minimizing storm surge thus allowing the proposed development to be closer to the high water mark.
- There are existing developments on adjacent properties with similar setbacks from the high water mark. Therefore, the setback of the proposed development is consistent with the established development character of the area and it will not detract from the ability of adjacent land owners from enjoying the amenity of their lands.

3. The Authority took into account all of the agency comments. With respect to the Water Authority and Department of Environmental health, their comments deal with technical matters which will be addressed through conditions of approval and the building permit review process. With respect to the National Conservation Council, the issue of the high water mark setback is addressed above. In regard to the location of the parking lot in relation to the sea, a condition of approval has been imposed requiring a detailed storm water management plan that will address the control of runoff through the use of pervious concrete, raised parking curbs, catch basins and deep wells.
4. The Authority is satisfied that the proposed building design is consistent with the objectives of section 3.02 of The Development Plan, 1997.
5. The Authority accepts the applicant's off-site parking proposal as it complies with Regulation 8(1)(a).

2. 4 JIL LTD. Block 14BG Parcel 102 (F07-0157) (P16-0962) (KA)

Application to modify planning permission in order to allow off-site parking.

Appearance at 11:30

FACTS

<i>Location</i>	North Church Street, George Town
<i>Zoning</i>	G COM
<i>Notice Requirements</i>	No Objectors
<i>Proposed Use</i>	Commercial

BACKGROUND

CPA/09/13 Item 2.4 – CPA granted permission for a commercial building

Decision: It was resolved that having regard to the Development Plan and other material considerations it is expedient to modify planning permission. Now therefore the Central Planning Authority in pursuance of Section 17 of the Development and Planning Law (2015 Revision) hereby orders that planning permission CPA/09/13; item 2.4 be modified to allow off-site parking on Block 14BG Parcel 52.

All other conditions of CPA/09/13; item 2.4 remain applicable.

PLANNING DEPARTMENT ANALYSIS

General

The application is for the modification to the parking arrangement in order to accommodate off-site parking for a new commercial building on 14BG 105. The

site is located on North Church Street.

Zoning

The property is zoned General Commercial and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Off-site Parking

The applicant has submitted an application for new commercial development on Block 14BG Parcel 105. 45 parking spaces are required for the new development, however only 36 are provided on the application site. The applicant owns Block 14BG Parcel 102 which is within 500' of 14BG 105, and therefore in accordance with regulation 891)(a), the applicant would like to utilize parking on this separate site. However, this results in the parking for the commercial building on the 14BG 102, to have to utilize parking from another site (14BG 52) which is within 500' of 14BG 102. The Authority should assess if they are satisfied with the revised parking arrangements.

See item 2.3 for the detailed meeting notes.

Reason for the decision:

1. The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2015 Revision).

2. 5 CARSON RIVERS Block 1D Parcel 721 (F16-0208) (P16-0873) (\$800,000) (BES)

Application for eight (8) apartments.

Appearance at 12:00

FACTS

<i>Location</i>	Opposite the Golden Age Centre on Hell Road, West Bay
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	19,580.2 sq. ft.
<i>Building Size</i>	4,878.22 sq. ft.
<i>Density</i>	17.7
<i>Allowable Density</i>	15
<i>Building Coverage</i>	24.9%
<i>Proposed Handicapped Spaces</i>	1
<i>Proposed Parking</i>	10
<i>Required Handicapped Spaces</i>	1
<i>Required Parking</i>	12
<i>Number of Units</i>	8

BACKGROUND

May 3, 2006 (**CPA/14/06; Item 2.4**) - CPA refused planning permission for a warehouse.

April 8, 2016, an application for 2-lots subdivision (formerly 1D 598) was granted admin approval.

Decision: It was resolved to adjourn the application, **for the following reason:**

1. The applicant is required to submit revised plans showing a maximum of seven (7) apartments. The Authority further resolved that upon submission of the revised plans, approval authority for the application is delegated to the Director of Planning.

AGENCY COMMENTS

Comments from the Department of Environment, Chief Environmental Health Officer, Chief Fire Officer, Water Authority and National Roads Authority are noted below.

Department of Environment

"Further to a review of the above referenced application, the Department of Environment (DOE) has no comments to make at this time as the subject parcel area is man-modified and is of limited ecological value."

Chief Environmental Health Officer

"Based on the proposal submitted, the Department has no objections to the proposed apartments in principle."

The developer is required to have (8) 32 gallon garbage bins. The size of the enclosure stated on the drawing is unacceptable; please see dimensions below.

Minimum Enclosure Dimensions for Manual Collection:

Number of Containers *Dimensions (ft)*

	<i>Width</i>	<i>Length</i>	<i>Height</i>
8	5.00	10.00	2.50"

Chief Fire Officer

"The drawings submitted to the Department for comments for Carson Rivers-Application for eight (8) apartments site plan on Block 1D Parcel 721 have been reviewed."

Please denote the location of the required fire hydrant on the site plan, as required by the local Fire Code."

Water Authority

"Please be advised that the Water Authority's requirements for this development are as follows:

Wastewater Treatment:

- The developer shall provide a septic tank with a capacity of at least (2,000) US gallons for the proposed. The septic tank shall be constructed in strict accordance with the Authority's standards. Each compartment shall have a manhole to allow for inspection and service. Manholes shall extend to or above grade and be fitted with covers that provide a water-tight seal and that can be opened and closed by one person with standard tools.*
- All treated effluent shall be discharged into a disposal well; the invert level of the discharge pipe shall be at least two feet above the high water level in the well. The effluent disposal well shall be constructed prior to installation of the septic tank, in order to establish the flow line from the building sewer stub-out, through the septic tank, to a discharge invert level of at least two feet above the high water level in the disposal well.*
- Disposal wells shall be constructed by a licensed driller in strict accordance with the Authority's standards. Minimum required depth of borehole and length of grouted casing are site-specific and are obtained by licensed drillers before pricing or constructing an effluent disposal well.*

EFFLUENT DISPOSAL:

- *Treated effluent from the septic tank shall discharge to an effluent disposal well constructed by a licensed driller in strict accordance with the Authority's standards. Licensed drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.*
- *Treated effluent from the septic tank shall enter the disposal well at a minimum invert level of 4'4" above MSL. The minimum invert level that is required to maintain an air gap between the invert level and the water level in the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.*

Water Supply:

"Please be advised that the proposed development site is located within the Cayman Water Company's (CWC) piped water supply area.

- *The developer is required to notify the Cayman Water Company without delay, to be advised of the site-specific requirements for connection.*
- *The developer shall provide water supply infrastructure per CWC's specification and under CWC's supervision."*

National Roads Authority

"As per your memo dated September 9th, 2016 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Road Capacity Issues

The traffic demand to be generated by a residential development of eight (8) multi-family units has been assessed in accordance with ITE Code 220. Thus, the assumed average trip rates per dwelling unit provided by ITE for estimating the daily, AM and PM peak hour trips are 6.63, 0.51 and 0.62 respectively. The anticipated traffic to be added onto Hell Road is as follows:

<i>Expected Daily Trip</i>	<i>AM Peak Hour Total Traffic</i>	<i>AM Peak 16% In</i>	<i>AM Peak 84% Out</i>	<i>PM Peak Hour Total Traffic</i>	<i>PM Peak 67% In</i>	<i>PM Peak 33% Out</i>
<i>53</i>	<i>4</i>	<i>1</i>	<i>3</i>	<i>5</i>	<i>3</i>	<i>2</i>

Based on these estimates, the impact of the proposed development onto Hell Road is considered to be minimal.

Access and Traffic Management Issues

Two-way driveway aisles shall be a minimum of twenty-two (22) ft. wide.

Entrance and exit curves shall have no less than fifteen (15) feet radius curves, and have a width of twenty-four (24) ft.

A six (6) foot sidewalk shall be constructed on Hell Road, within the property boundary, to NRA standards.

Tire stops (if used) shall be placed in parking spaces such that the length of the parking space is not reduced below the sixteen (16) feet minimum.

Stormwater Management Issues

The applicant is encouraged to implement state-of-the-art techniques that manage stormwater runoff within the subject parcel and retain existing drainage characteristics of the site as much as is feasible through innovative design and use of alternative construction techniques. However, it is critical that the development be designed so that post-development stormwater runoff is no worse than pre-development runoff. To that effect, the following requirements should be observed:

- The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.*
- The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have applicant provide this information prior to the issuance of a building permit.*
- Construct a gentle 'hump' at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto Hell Road. Suggested dimensions of the 'hump' would be a width of 6 feet and a height of 2-4 inches. Trench drains often are not desirable.*
- Curbing is required for the parking areas to control stormwater runoff.*
- Roof water runoff should not drain freely over the parking area or onto surrounding property. Note that unconnected downspouts are not acceptable. We recommend piped connection to catch basins or alternative stormwater detention devices. If catch basins are to be networked, please have applicant to provide locations of such wells along with details of depth and diameter prior to the issuance of any Building Permits.*

At the inspection stage for obtaining a Certificate of Occupancy, the applicant shall demonstrate that the installed system will perform to the standard given. The National Roads Authority wishes to bring to the attention of the Planning Department that non-compliance with the above-noted stormwater requirements would cause a road encroachment under Section 16 (g) of The Roads Law (2005 Revision). For the purpose of this Law, Section 16(g) defines encroachment on a road as

"any artificial canal, conduit, pipe or raised structure from which any water or other liquid escapes on to any road which would not but for the existence of such canal, conduit, pipe or raised structure have done so, whether or not such canal, conduit, pipe or raised structure adjoins the said road;"

Failure in meeting these requirements will require immediate remedial measures from the applicant."

LETTER FROM APPLICANT

"To whom it may concern,

Please be advised that my client is applying to the Central Planning Authority for approval of 8 one bedroom apartments on the above referenced property. My client is also requesting a variance on the parking requirements and lot size. The planning regulations require a minimum lot size of 25,000 square feet and 1.5 parking spaces per unit which would require a total of 12 parking spaces. Due to site restrictions, I have only managed to place 10 parking spaces on the site. That is a ratio of 1.25 spaces per unit. It is my client's position that given these units are considered "low income" units and that the demand for parking spaces won't be typical. Based on his experience, these units are typically leased by employees of the service industry and typically use either motorcycles or bicycles for transportation. While 25,000 square feet of land is prescribed in the law for apartments, I respectfully submit that the proposed development conforms to every other aspect of the requirements. The site coverage does not exceed 25% neither does it encroach on the prescribed setbacks. It is my client's submission that the request for variance would not contravene the Development and Planning Regulations (2013 revision) section 8 (13) (b) (i) "the characteristics of the proposed development are consistent with the character of the surrounding area;" and section 8 (13) (b) (iii) "the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare;". It is with that in mind, that we respectfully request a variance on the parking and lot size requirement.

I trust that the attached documentation meets with your acceptance and that the application will be processed accordingly. I would like to take this opportunity to thank you in advance for your attention to this application and I look forward to your reply."

PLANNING DEPARTMENT ANALYSIS

General

The application is for eight (8) apartments to be located opposite the Golden Age Centre on Hell Road, West Bay.

The proposal would consist of two (2) apartment buildings. Both buildings would contain 4x 1-bedrooms apartments (2,439.11 sq. ft. each).

Zoning

The property is zoned Low Density Residential and the Authority is being asked to consider the specific issues addressed below.

Specific Issues

a) Suitability

The surrounding land uses in the area are dwelling houses, institutional (Golden Age Centre-Block 1D Parcel 171), apartments (Block 1D Parcel 599 adjoining the subject property) and vacant properties. In accordance with

Regulation 9(8) of the Development and Planning Regulations (2015 Revision), apartments are permissible in suitable locations. The Authority must determine if the site location is suitable for apartments.

b) Lot Size Variance

The proposed lot size is 19,580.2 sq. ft., whereas the minimum required lot size is 25,000 sq. ft., or 5,419.8 sq. ft. less than the minimum required. It should be pointed out that the adjoining property (Block 1D Parcel 599) lot size is 25,107.9 sq. ft., which the subject property would be 5,527.7 sq. ft. less than the adjoining lot size (1D599).

c) Density

The proposed density is 17.7 apts per acre, whereas the maximum allowable is 15 per acre. If the Authority is inclined to consider the site favorable for apartments, the proposal should be reduced in number of apartments to comply with the maximum allowable density based on lot size.

d) Parking Requirements

As indicated on the site plan, a total of 10-parking spaces are proposed, whereas a minimum of 12-parking spaces are required. If the proposal is revised for six (6) apartments, a total of 9-parking spaces would be required and the proposal would have an extra parking space for guest parking.

At 12:00pm, Eddie Thompson appeared on behalf of the applicant. There was discussion reading certain matters as follows:

- Apartments in the area on similar size lots.
- Mr. Thompson advised that these units are geared toward the entertainment service industry and that these lower income tenants general don't have vehicles. He referred to existing apartments next door which cater to the same market and the parking lot there is always empty.
- Mr. Thompson advised that his client wants two building, not one.
- A concern of the Authority that there are too many units for the site and that it appears that more parking could be provided.

Reasons for the decision:

- The Authority is of the view that the lot is in a suitable location for apartments given the character of development in the area and that the size is appropriate and a variance could be granted.
- Given the lot size, the maximum allowable number of apartments is 6.7 and the Authority could accept a minor variance to 7 apartments as being acceptable for the site.
- By reducing the number of apartments to 7, there should be space on the parcel for additional parking.

2. 6 EMILE VAN DEN BOL Block 21E Parcel 130 (F10-0014) (P16-0354) (P10-0047) (\$20,379) (CS)

Application for a seawall.

Appearance at 1:30

FACTS

<i>Location</i>	South Sound Road
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	0.83 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	Seawall

BACKGROUND

February 16, 2010 (**CPA/04/10; Item 2.6**) - The Authority granted planning permission for a house, detached garage with a dwelling unit, and pool.

October 12, 2016 (**CPA/22/16; Item 2.9**) - The Authority resolved to adjourn an application for a seawall in order to invite the applicant to appear before them to discuss the high water mark setback variance.

October 26, 2016 (CPA/23/16; item 2.1) – The Authority resolved to adjourn the application because based on the plan submitted by the applicant on the day of the meeting, the proposed wall requires a Coastal Works License and not planning permission.

Decision: It was resolved to adjourn the application in order for the Authority to undertake a site visit on Wednesday, November 16 at 3:00pm.

AGENCY COMMENTS

Comments from the National Conservation Council (via Department of Environment) are noted below.

National Conservation Council (NCC)

“Environmental Overview: The application site is adjacent to the South Sound Replenishment Zone.

Prior to any decision being determined on this application, a revised plan showing the currently proposed seawall should be required of the applicant. The current plan for this application shows two mean high water mark lines, one recently surveyed and the previously existing one from 2008. The applicant has indicated in a note that the seawall is to be setback from the MHWL by 0.5ft but

not its specific shape or footprint; which presumably follows the irregular line of the recent MHW, although this is not clear and does not appear practical (see figure 1).

The proposed sea wall is proposed to adjoin the illegal seawall on the neighbouring property to the west (Jeremy Beck 21E/157) which was refused planning permission by the CPA and was the subject of a subsequent enforcement notice to remove the structure. This illegal seawall is still in place and should be addressed prior to any decision on a similar or adjoining structure in the same location. The existing seawall on the neighbouring property is also likely to be exacerbating coastal erosion on the property which is the subject of this application. The effect of the seawall blocking the flow of sand along the beach system by creating a headland concentrating wave action in the area would mean that any natural replenishment of sand would be limited.

The issue of the undermining of the swimming pool on the subject parcel is in part due to the granting of a setback variance in planning permission when it was built in 2010. The variance granted was for the pool and patio to be setback only 48ft from MHW instead of 75ft required in planning regulations. In order for the proposed seawall to offer the best protection against wave action and coastal erosion it should be sited as close to the swimming pool deck as possible. This would allow as great a setback as possible as a buffer between the hard structure and wave action which would otherwise lead to the reflection of wave energy seaward leading to exacerbated coastal erosion as has been seen in many locations locally.

Comments/Recommendations

The DoE recommends that this application is denied (as the neighbouring properties seawall was previously) pending a resolution to the illegal seawall on the adjoining property (21E/157). The currently proposed seawall does not meet the setbacks required in the Planning Regulations and to grant permission establishes a precedent for creating an armoured coastline along this stretch of South Sound. Further encroachment on natural beach areas would interfere with the natural coastline in the area and potentially impact the Replenishment Zone, which is a protected area under the National Conservation Law.

If the CPA is minded to proceed with determination of this application, without resolving the issue of the adjoining illegal seawall, the DoE recommends that the application is deferred pending the submission of revised plans which position the proposed seawall as near as possible to the pool deck edge.”

LETTER FROM APPLICANT

“Emile Van den Bol, owner of Block 21E Parcel 130 (located at 572 South Sound Road), requests approval for the (re)-construction of a seawall.

At least since the mid-1980s this section of South Sound has experienced consistent erosion of the shoreline. During this 30-year period, the shoreline has never increased, even seasonal. Over the last couple of years, the decrease in shoreline has accelerated.

The Cayman Islands Department of the Environment believes that the significant loss of shoreline may be related to the dredging that took place in front of the property during the 1970s. The rock and sand from this dredging was used to fill in swampland in the South Sound area. The dredging increased the wave action in front of the property, which has drawn sand away from the beach. In the 1990s, the then-owners of the property installed a seawall. However, this seawall was destroyed during Hurricane Ivan. The current owner hired Roland & Bodden, a surveyor company, to conduct a study with respect to the activity of the shoreline since the mid-1980s (Exhibit 1). This study includes a memo from Roland & Bodden and aerial pictures of the property over time starting in 1987. The study concludes that "The parcel in question has constantly experienced deterioration and at no point accretion was experienced."

Due to the wave action, the property owner fears that he will incur significant (financial) damage to his property and continued loss of land. Over the course of past year, the homeowner has lost a substantial amount of vegetation and had to rebuild part of his dock numerous times to keep it connected to the shore. At this point, the erosion is such that a significant storm could compromise the pool and patio structure, and potentially cause the pool to collapse into the Sound. Photographs of the erosion and damage of the shoreline are attached as Exhibit 2. The only option to protect the pool, patio and remaining land is shoreline stabilization in the form of a seawall.

The proposed seawall is planned to be constructed along the high water mark that existed when the house was built 4 years ago. Doing so will enable a smooth connection between the new seawall and the seawall located on the adjacent property (Block 21E 157).

The proposed seawall will be 5 feet tall and will be constructed out of sheets of vinyl piling (see Exhibit 4). This material has been chosen because it is environmentally friendly, durable and strong. This method is preferable to a concrete wall which is much more invasive, or a large boulder wall which may not withstand significant wave action, such as might occur in a severe tropical storm or hurricane. Stone and cement (to tie back the vinyl sheets) will be used to fill the area behind the new seawall. It will be topped off with a wide band of coral stone to make it aesthetically pleasing and consistent with the neighbour's sea wall, as well as to make it possible for people to traverse along the coastline (see Exhibit 5). The vinyl sheet pilings will be placed directly in the sand. In the event that in some places the bedrock is less than 5 feet below the surface these specific sheet pilings will be set in concrete. Silt screens with a 4 foot minimum skirt depth and of sufficient length to fully enclose the working area will be installed if so required.

The vinyl sheets are manufactured by U.S. company, Crane Materials International, based in Marietta Georgia. The installation project will take less than three weeks."

THE REFERENCED EXHIBITS ARE INCLUDED IN THE AGENDA'S APPENDIX "A".

PLANNING DEPARTMENT ANALYSIS

General

The applicant is requesting planning permission for a seawall.

Zoning

The property is zoned Low Density Residential and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) High Watermark Setback

The subject site has a sandy beachfront and therefore is subject to a 75' High Watermark setback (Regulation 8(10)(b)).

The applicant is requesting to locate a seawall 0.5 feet from the High Watermark for the reasons explained in his letter, included in this report and Appendix.

The Authority is minded to consider this request against the provisions detailed in Regulation 8(11):

“The Authority may grant planning permission for a setback to be located at a lesser distance than that prescribed in those paragraphs, having regard to –

- (a) The elevation of the property and its environs;
- (b) The geology of the property;
- (c) The storm/beach ridge;
- (d) The existence of a protective reef adjacent to the proposed development;
- (e) The location of adjacent development;
- (f) Any other material consideration which the Authority considers will affect the proposal.

The Department notes the existing pool is currently set back 35' from the HWM. While in 2009, the pool was proposed at 50' from the HWM. It seems apparent beach erosion is occurring through review of historical aerial photographs.

The Authority is recommended to evaluate the applicant's reasons for the variance and DOE's comments to determine if there is sufficient reason to approve the variance request.

SUPPLEMENTARY ANALYSIS #1

No changes have been made to the application as the Authority invited the applicant to appear before them to discuss the high water mark setback variance.

SUPPLEMENTARY ANALYSIS #2

The applicant has requested that the Authority consider the application has submitted with the proposal for the wall to be 6" landward of the current high

water mark. The applicant has been invited to appear before the Authority to discuss the application.

At 1:30pm, Eve Van den Bol appeared as the applicant. There was discussion regarding certain matters as follows:

- Ms. Van den Bol explained:
 - They didn't want to do what their neighbour did, they have followed the process
 - Their observations of the shoreline don't indicate that the neighbour's wall has contributed to their beach erosion
 - The erosion seems to have gotten worse over the past couple of years
 - This area of the shoreline has never had seasonal beach gains or losses, it has just eroded
 - They need the wall to protect their pool and land
 - They will use a vinyl sheeting which is preferred by DOE
 - They feel that they are being punished for following the right process
- The Authority asked if the wall could be located just in front of the pool. Ms. Van den Bol responded that that would cause a safety problem because it would create a severe drop on the other side of the wall. A wall in that location would render the land on the other side useless and it would just erode away up to the wall. Also, a wall in that location would have to be substantially taller than the 5' wall they are proposing.
- The Authority noted that a site visit would be prudent Ms. Van den Bol concurred. There was discussion and it was decided that the members would visit the site on Wednesday, November 16, 2016 at 3:00pm.

2.0 APPLICATIONS

REGULAR AGENDA (Items 2. 7 TO 2. 17)

2. 7 JASON SMITH Block 22D Parcel 298 (F16-0226) (P16-0949) (P16-0948) (\$90,000) (KA)

Application for clearing of land and construction of docks.

S.T. Bodden and Rex Miller declared conflicts and left the meeting room.

FACTS

<i>Location</i>	Lords Way, Prospect
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	1.71 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Docks

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss details of the application.

AGENCY COMMENTS

Comments from the National Conservation Council (NCC) are noted below.

NCC (via Department of Environment)

“The proposal is to clear the parcels and construct a series of docks along the canal edge. However, the application forms advise that these docks will be associated with a land-based apartment scheme (which does not form part of this planning application). We consider that an application to construct docks ahead of reviewing the land-based elements is premature and both elements should be considered at the same time. This would allow the review of the proposal as an entire project as a whole rather than considering the dock and land clearing in isolation. Having reviewed the aerial imagery of the site and its surrounds, together with topographical information for the area, it is probable that the creek within this site is functioning as a drainage outlet into the canal from surrounding mangrove wetlands (see figure 1 below). It is important for the development of these parcels to not obstruct the drainage of water from the surrounding area into the canal. Filling or blocking the existing creek may lead to flooding of surrounding properties due to surface water becoming impounded.



Figure 1: Aerial Imagery showing the approximate area of the drainage basin (red) and the creek on the subject parcels (blue) (source: LIS 2013 and DOE 2016).

The plans show that some mangroves will be retained, however the DOE would recommend that as much of the existing mangrove cover as possible is retained around the proposed docks. Mangroves provide not only suitable habitat for wildlife, but also other ecosystem services such as improving water quality and shoreline stability reducing wave impacts. The DOE also recommends that the applicant incorporate as many existing mature trees into the landscaping scheme for the development as possible.

If the CPA is minded to grant approval for the docks and land clearing, we recommend that silt screens be used to enclose the working area during construction in order to mitigate against turbidity and that any construction materials are stockpiled away from the water's edge to prevent leaching into the canal."

PLANNING DEPARTMENT ANALYSIS

General

The application is for the clearing of land and construction of docks prior to submitting an application for development. The site is located off Lords Way, Prospect.

Zoning

The property is zoned Low Density Residential and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Timing

The Authority should assess the appropriateness of approving the land clearing and docks prior to an application for the primary development of the site. The applicant has provided a cover letter to explain why they are applying for the land clearing first.

b) National Conservation Council Comments

The National Conservation Council has raised concerns regarding the land clearing and construction of docks. Their comments are noted above.

2. 8 CHARLOTTE JACKSON Block 28B Parcel 351 (F16-0199) (P16-0856) (\$5,200) (CS)

Application for a five (5) lot subdivision.

FACTS

<i>Location</i>	Shamrock Road, Savannah
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	21.3 acres
<i>Current Use</i>	House
<i>Proposed Use</i>	Subdivision
<i>Number of Lots</i>	5

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

- 1) Prior to the commencement of any site works such as filling, grading and road construction (with the exception of minor land clearing needed to establish site levels for the preparation of a stormwater management plan), the applicant shall submit:
 - a) **Within 60 days of the date of this decision**, a revised plan showing a 30' wide road parcel instead of just an easement; and a vehicle turnaround (e.g. half hammerhead).
 - b) Specifications of any proposed underground utilities; including location, type of utilities, and trench dimensions.
 - c) A stormwater management plan prepared in accordance with the requirements of the Managing Director, NRA and approved by the Central Planning Authority. The plan shall be designed to embrace storm water

runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and should include, but not be limited to, the location of all drainage facilities and general grading details of the parcels (roads included). In general, the entire site shall be graded in such a manner that stormwater runoff is no more than that which occurred during predevelopment conditions along private boundaries with any excess runoff directed to one central drainage facility or a series of facilities. ***The plan shall include proposed lot grading in order to facilitate the implementation of condition 2) b) below. Additionally, if the plan includes drainage swales then cross-sections of the swales must be provided.***

- 2) Prior to the subdivision plan being finalized, the following conditions shall be satisfied:
 - a) All underground utilities shall be inspected and approved by the relevant agencies prior to the utilities being buried.
 - b) The property shall be filled in such a manner as to ensure that the subdivision road (s) and a reasonable building envelope for each lot, and the entirety of all lots designated as Land for Public Purposes, are filled to four (4) feet above mean sea level, with the remaining subdivision land being filled and/or graded to a level that will assist in the drainage of the subdivision per the stormwater management plan required in condition 1) c) above. After filling the site, the applicant shall submit a plan prepared by a registered land surveyor indicating spot heights at regular intervals, including the finished grade of constructed access road(s), if any.
 - c) The approved stormwater management system shall be installed on site.
 - d) The final subdivision plan shall indicate a vehicular easement over the subdivision access road in favour of each lot. The final plan must be accompanied with the requisite grant of easement forms detailing the easements to be registered.
 - e) The access road (s) abutting the proposed lots shall have a minimum of a 30' wide demarcated road parcel and shall be constructed with asphalt and approved by the Central Planning Authority prior to the lots being registered. The applicant shall liaise with the Managing Director, National Roads Authority (NRA), at predetermined stages of road construction to ensure compliance with the requisite standards. Failure to do so may render the project unacceptable. Please be advised that the road base shall be constructed to National Roads Authority (NRA) minimum design and construction specifications for subdivision roads. The NRA shall inspect and certify road base construction prior to road surfacing activities.

- f) The applicant shall provide water infrastructure for the entire sub-division. The developer shall submit plans for the water supply system for approval by the Water Authority. The water supply system shall be installed to the Authority's specifications, under the Authority's supervision. Copies of these specifications are available at the Water Authority's office on Red Gate Road.
- g) The applicant shall request to have the sub-division connected to the Water Authority's public water system. This request will be acted upon after the pipelines on the sub-division have been installed in accordance with the WAC specifications and have passed all specified tests.
- h) The applicant shall install fire hydrants per the specifications of the Chief Fire Officer.
- i) The surveyor's final drawing **shall include the surveyed dimensions of all lots** and shall be submitted to the Director of Planning for approval prior to the survey being registered.

AGENCY COMMENTS

Comments from the Department of Environment, Water Authority and National Roads Authority are noted below.

Department of Environment

"The application site has seasonal flooded mangrove forest and woodland in the northern half of the parcel. The southern half where the four smaller parcels are proposed is classed as man-modified. At this time there are no objections to the proposed subdivision."

Water Authority

"Please be advised that the Water Authority's requirements for this development are as follows:

Water Supply:

The proposed development site is located within the Water Authority's piped water supply area.

- *The developer shall contact Water Authority's Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the piped water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the*

approved plans and Water Authority Guidelines for Constructing Potable Water Mains.

The Authority shall not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority.

Wastewater Treatment:

- *The developer is advised that wastewater treatment and disposal requirements for built development are subject to review by the Water Authority."*

National Roads Authority

"As per your memo dated September 6th, 2016 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Stormwater Management Issues

A comprehensive drainage plan needs to be provided by the applicant for the entire project.

The applicant shall demonstrate that the Stormwater Management system can be designed to include storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties that are lower, and nearby public roadways are not subject to stormwater runoff from this site.

The applicant is encouraged to consider stormwater management techniques other than deep wells, and to contact the NRA for advice on these alternative control measures.

Infrastructure Issues

A thirty (30) ft. wide road parcel needs to be provided in order to have adequate access as the NRA does not endorse the use of vehicular ROWs. Please have applicant comply.

The subdivision's road base shall be constructed to NRA minimum design and construction specifications for subdivision roads - this includes elevations, minimum longitudinal slopes and minimum cross fall of minus 2 percent from the centre line to the shoulder.

The roadway shall be HMA. The NRA shall inspect and certify the road base construction prior to HMA surfacing activities.

All internal roadway curves (horizontal alignment) shall be no less than 46 feet centreline radius. This requirement ensures that the minimum vehicle sweeps for a standard garbage and/or fire truck can be accommodated by the site layout."

LETTER FROM APPLICANT

"In response to NRA's request for a 30' road parcel as opposed to a right of way for access, the access that has been proposed is on a separate parcel, (28B 350), which is owned by relatives of the applicant. When the proprietors of 28B 350

complete their development of that parcel the intention is for there to be a road parcel from the North at Caskell Dr. connecting to the approved design at the south of 28B 350, which will create the road parcel. We ask that you allow us to use a 30' vehicular right of way at this time which will inevitably guarantee that a road parcel will be created along the Eastern boundary of 350 in the future."

PLANNING DEPARTMENT ANALYSIS

General

The applicant is requesting planning permission for four (4) house lots and a remainder parcel.

Zoning

The property is zoned Low Density Residential and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Subdivision Access

The four (4) house lots will be accessed via a 30' wide vehicular easement over Parcel 350. The NRA recommends these lots are serviced by a road parcel, which the Authority traditionally supports. The applicant has provided an explanation for the easement, which the Authority is recommended to consider.

The Department further notes the applicant has not provided an adequate turn around area as this access does not connect to another road or easement.

b) Pavement type

The applicant has indicated they wish to use chip & spray to surface the access easement to the residential lots versus asphalt.

Reason for the decision:

1. The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2015 Revision).

The Authority also determined that conditions of approval should be imposed to ensure that:

- there is a road parcel that will facilitate the possible future acquisition by the NRA
- there is a turnaround area at the end of the road to allow vehicles to turnaround without trespassing onto the adjacent private parcels
- the access road is surfaced with asphalt as this is a standard requirements for all subdivision roads per the NRA's specification

**2. 9 CAYMAN SPIRITS COMPANY LTD. Block 13D Parcel 440 (F11-0235)
(P16-0939) (\$200,000) (BES)**

Application for warehouse storage.

FACTS

<i>Location</i>	Off Bronze Road, George Town
<i>Zoning</i>	HI
<i>Parcel Size</i>	1.358 acres
<i>Current Use</i>	Brewery
<i>Proposed Use</i>	Warehouse
<i>Building Size</i>	1,800 sq. ft.
<i>Building Coverage</i>	11.5%
<i>Proposed Parking</i>	12
<i>Required Parking</i>	7

BACKGROUND

January 18, 2012 (**CPA/02/12; Item 2.15**) - The Authority granted planning permission for a distillery with conditions.

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-5) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) The applicant shall submit revised building elevations showing the visual appearance improved with architectural embellishments to the satisfaction of the Director of Planning.
- 2) If not already shown on the site plan, the applicant shall submit a site plan that shows the location, dimensions and **size** of the wastewater treatment system (including the disposal system). The treatment system must be labelled as either a septic tank or an aerobic wastewater treatment system, whichever is applicable.
- 3) If not already shown on the site plan, the applicant shall submit a site plan showing tire stops for the parking spaces and the parking area curbed and surfaced with asphalt or concrete.
- 4) The applicant shall submit a Stormwater Management plan designed in accordance with the requirements of the National Roads Authority (NRA) and approved by the Central Planning Authority. **The applicant should liaise directly with the NRA in submitting the stormwater management plan.**

- 5) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. *It is suggested that the landscape plan be prepared following the recommendations of the Draft Cayman Islands Landscape Guidelines, found on the Planning Department's website (www.planning.gov.ky) under Policy Development, Policy Drafts.*
- 6) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 7) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s).**

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level, [i.e. two feet (2') above the Vidal Bench Mark].

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage.**

The applicant is reminded that the proposed development is subject to compliance with all relevant Laws, including, but not limited to, the Public Health Law, Fire Brigade Law, Water Authority Law and Roads Law.

To prevent potential delays and save money, the applicant may wish to coordinate with the following agencies prior to commencing any construction: **Caribbean Utilities Company, a Telecommunication Company of your preference and the Cayman Water Company and/or the Water Authority - Cayman.**

AGENCY COMMENTS

Comments from the Department of Environment, Water Authority and National Roads Authority are noted below.

Department of Environment

"We have reviewed the above referenced application and have no concerns or comments at this time, given that the parcel is classed as man-modified and is of low ecological value."

Water Authority

"Water / Wastewater:

The plans do not indicate any additional water source or sanitary fixtures; if this in fact the case, the Authority has no requirements for this proposal. "

National Roads Authority

“As per your memo dated September 29th, 2016 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Road Capacity Issues

The traffic demand to be generated by the above proposed development of 1,800 sq. ft. has been assessed in accordance with ITE Code 151 – Mini Warehouse. The anticipated traffic to be added onto Bronze Road is as follows:

<i>Expected Daily Trip</i>	<i>AM Peak Hour Total Traffic</i>	<i>AM Peak In</i>	<i>AM Peak Out</i>	<i>PM Peak Hour Total Traffic</i>	<i>PM Peak In</i>	<i>PM Peak Out</i>
<i>5</i>	<i>1</i>	<i>1</i>	<i>0</i>	<i>1</i>	<i>0</i>	<i>1</i>

Based on these estimates, the impact of the proposed development onto Bronze Road is considered to be minimal.

Access and Traffic Management Issues

Two-way driveway aisles shall be a minimum of twenty-four (24) ft wide.

Entrance and exit curves shall have no less than fifteen (15) feet radius curves, and have a width of twenty-four (24) ft.

Tire stops (if used) shall be place in parking spaces such that the length of the parking space is not reduced below the sixteen (16) feet minimum.

Stormwater Management Issues

The applicant is encouraged to implement state-of-the-art techniques that manage stormwater runoff within the subject parcel and retain existing drainage characteristics of the site as much as is feasible through innovative design and use of alternative construction techniques. However, it is critical that the development be designed so that post-development stormwater runoff is no worse than pre-development runoff. To that effect, the following requirements should be observed:

- The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.*
- The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have applicant provide this information prior to the issuance of a building permit.*
- Curbing is required for the parking areas to control stormwater runoff.*
- Roof water runoff should not drain freely over the parking area or onto surrounding property. Note that unconnected downspouts are not acceptable. We recommend piped connection to catch basins or alternative stormwater*

detention devices. If catch basins are to be networked, please have applicant to provide locations of such wells along with details of depth and diameter prior to the issuance of any Building Permits.

At the inspection stage for obtaining a Certificate of Occupancy, the applicant shall demonstrate that the installed system will perform to the standard given. The National Roads Authority wishes to bring to the attention of the Planning Department that non-compliance with the above-noted stormwater requirements would cause a road encroachment under Section 16 (g) of The Roads Law (2005 Revision). For the purpose of this Law, Section 16(g) defines encroachment on a road as

"any artificial canal, conduit, pipe or raised structure from which any water or other liquid escapes on to any road which would not but for the existence of such canal, conduit, pipe or raised structure have done so, whether or not such canal, conduit, pipe or raised structure adjoins the said road;"

Failure in meeting these requirements will require immediate remedial measures from the applicant."

PLANNING DEPARTMENT ANALYSIS

General

The application is for a 1,800 sq. ft., one-storey warehouse storage building. The site is off Bronze Road.

Zoning

The property is zoned Heavy Industrial and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Aesthetics

The Authority should determine if the aesthetics of the building are acceptable and consistent with the recent approvals of the distillery and a warehouse building on the adjoining property.

Reasons for the decision:

1. The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2015 Revision).
2. The Authority also determined that a condition of approval would be imposed to require revised building elevations showing improved aesthetics as this would be consistent with the two other buildings (distillery and warehouse) in the immediate area.

2. 10 CHARLES E. BARNES Block 19E Parcel 104 (FB87-0050) (P16-0976) (BES)

Application to modify planning permission to revise the parking lot layout.

FACTS

Location Barnes Drive off Seymour Road, George Town

Zoning HI

BACKGROUND

November 1, 2005 (CPA/27/05; Item 5.2) - CPA granted planning permission for eight (8) apartments.

Decision: It was resolved that having regard to the Development Plan and other material considerations it is expedient to modify planning permission. Now therefore the Central Planning Authority in pursuance of Section 17 of the Development and Planning Law (2015 Revision) hereby orders that planning permission CPA/27/05; item 5.2 be modified to allow the as-built site layout and sidewalk.

All other conditions of CPA/27/05; item 5.2 remain applicable.

LETTER FROM APPLICANT

"I received an email stating the my request for final approval had been denied due to the following reasons.

A final site inspection was conducted on June 15th, and it was observed that:

1) The 6-ft wide sidewalk is not constructed as indicated on the approved site plan.

Please Note... that I had a 6ft sidewalk, but NRA repaved and raised Barnes Drive on two separate occasions. The sidewalk is there but the road is now higher. It can clearly be seen in the pictures and the paperwork.

2) Parking lot is not layout as per the approved site plan? a revised site plan (2-copies) must be submitted to the Department indicating the existing layout of the parking lot. A modification application would be required for the CPA's consideration.

Please Note... that I have enclosed the revised site plan, 2 copies as requested.

I hope these nows meet your requirements and you will be able to grant an approval. Thank You."

PLANNING DEPARTMENT ANALYSIS

General

The application is for a modification for the parking lot layout. The site is located on Barnes Drive off Seymour Road, George Town. This application is a result of a Final Certificate of Occupancy inspection conducted at the above mentioned site, where it was noted that the parking layout had changed and that the sidewalk may not be adequate.

Zoning

The property is zoned Heavy Industrial and the Department would offer the following comments regarding specific issue noted below.

Specific Issue

a) Side walk

The applicant has submitted an as-built revised site plan indicating 21-parking spaces, which is what was approved in 2005, but they layout has been revised. The Department is of the view that while the layout isn't perfect, it is functional. Further, there is some question as to the adequacy of the existing sidewalk. The applicant constructed the sidewalk, but then the NRA raised the level of Barnes Rd such that the sidewalk is now at the same grade as the road. The Authority should determine if the sidewalk is adequate or if it needs improvement.

Reason for the decision:

1. The Authority considered the application and determined that planning permission would be modified as the application complies with the Development and Planning Regulations (2015 Revision).

2. 11 RAYON EBANKS Block 4B Parcel 483 (FA92-0082) (P16-0772) (\$359,400) (MW)

Application for three (3) apartments.

FACTS

<i>Location</i>	Getsamay Lane, West Bay
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	0.29 acres
<i>Current Use</i>	Approved House Structure
<i>Proposed Use</i>	apartments
<i>Building Size</i>	2,396 sq. ft.
<i>Density</i>	4.35
<i>Allowable Density</i>	15
<i>Building Coverage</i>	18.97%
<i>Total Site Coverage</i>	18.97%
<i>Proposed Parking</i>	6
<i>Required Parking</i>	4.5
<i>Number of Units</i>	3

BACKGROUND

August 4, 1992 (**CPA/08/92; Item 2.2**) - House approved.

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-4) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) If not already shown on the site plan, the applicant shall submit a site plan that shows the location, dimensions and size of the wastewater treatment system (including the disposal system). The treatment system must be labelled as either a septic tank or an aerobic wastewater treatment system, whichever is applicable.
- 2) If not already shown on the site plan, the applicant shall submit a site plan showing tire stops for the parking spaces and the parking area curbed and surfaced with asphalt or concrete.
- 3) The applicant shall submit a Stormwater Management plan designed in accordance with the requirements of the National Roads Authority (NRA) and

approved by the Central Planning Authority. **The applicant should liaise directly with the NRA in submitting the stormwater management plan.**

- 4) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. *It is suggested that the landscape plan be prepared following the recommendations of the Draft Cayman Islands Landscape Guidelines, found on the Planning Department's website (www.planning.gov.ky) under Policy Development, Policy Drafts.*

In addition to Permit requirements, condition (5) listed below shall be met before a Permit can be issued.

- 5) The applicant shall submit a construction operations plan to the satisfaction of the Director of Planning indicating in sufficient detail how the development will be constructed without interfering with or obstructing adjacent roads, properties and fire lanes. At a minimum, the plan shall indicate the location of material storage, workers parking, site offices, portable toilets, construction fencing and where applicable, the stockpiling of material excavated from the site and material brought to the site for fill purposes.
- 6) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 7) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s).**

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level, [i.e. two feet (2') above the Vidal Bench Mark].

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage.**

The applicant is reminded that the proposed development is subject to compliance with all relevant Laws, including, but not limited to, the Public Health Law, Fire Brigade Law, Water Authority Law and Roads Law.

To prevent potential delays and save money, the applicant may wish to coordinate with the following agencies prior to commencing any construction: **Caribbean Utilities Company, a Telecommunication Company of your preference and the Cayman Water Company and/or the Water Authority - Cayman.**

AGENCY COMMENTS

Comments from the Chief Environmental Health Officer, Water Authority and National Roads Authority are noted below.

Chief Environmental Health Officer

“The following comments are submitted with respect to the above application:

a) The department has no objections to the proposed triplex submitted.

a. (4) 33 gallon bins are required

Minimum Enclosure Dimensions for Manual Collection:

Number of Container Minimum Dimensions (ft)

Width Length Height

4 5.0 5.0 2.5”

Water Authority

“Please be advised that the Water Authority’s requirements for this development are as follows:

Wastewater Treatment:

- The developer shall provide a septic tank with a capacity of at least (1,000) US gallons for the proposed. However, the developer has proposed a 1,500 US gallon which would meet the Authority’s requirements. The septic tank shall be constructed in strict accordance with the Authority’s standards. Each compartment shall have a manhole to allow for inspection and service. Manholes shall extend to or above grade and be fitted with covers that provide a water-tight seal and that can be opened and closed by one person with standard tools.*
- All treated effluent shall be discharged into a disposal well; the invert level of the discharge pipe shall be at least two feet above the high water level in the well. The effluent disposal well shall be constructed prior to installation of the septic tank, in order to establish the flow line from the building sewer stub-out, through the septic tank, to a discharge invert level of at least two feet above the high water level in the disposal well.*
- Disposal wells shall be constructed by a licenced driller in strict accordance with the Authority’s standards. Minimum required depth of borehole and length of grouted casing are site-specific and are obtained by licenced drillers before pricing or constructing an effluent disposal well.*

EFFLUENT DISPOSAL:

- Treated effluent from the septic tank shall discharge to an effluent disposal well constructed by a licenced driller in strict accordance with the Authority’s standards. Licenced drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.*

- *Treated effluent from the septic tank shall enter the disposal well at a minimum invert level of 4'5" above MSL. The minimum invert level that is required to maintain an air gap between the invert level and the water level in the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.*

Water Supply:

Please be advised that the proposed development site is located within the Cayman Water Company's (CWC) piped water supply area.

- *The developer is required to notify the Cayman Water Company without delay, to be advised of the site-specific requirements for connection.*
- *The developer shall provide water supply infrastructure per CWC's specification and under CWC's supervision."*

National Roads Authority

"As per your memo dated October 7th, 2016 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Garbage Enclosure

The garbage enclosure needs to be placed elsewhere on site off of the sidewalk path.

Road Capacity Issues

The impact of the proposed development onto Getsamay Lane is considered to be minimal.

Access and Traffic Management Issues

Two-way driveway aisles shall be a minimum of twenty-two (22) ft. wide.

Entrance and exit curves shall have no less than fifteen (15) feet radius curves, and have a width of twenty-four (24) ft.

A six (6) foot sidewalk shall be constructed on Getsamay Lane, within the property boundary, to NRA standards.

Tire stops (if used) shall be placed in parking spaces such that the length of the parking space is not reduced below the sixteen (16) feet minimum.

Stormwater Management Issues

The applicant is encouraged to implement state-of-the-art techniques that manage stormwater runoff within the subject parcel and retain existing drainage characteristics of the site as much as is feasible through innovative design and use of alternative construction techniques. However, it is critical that the development be designed so that post-development stormwater runoff is no worse than pre-development runoff. To that effect, the following requirements should be observed:

- *The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.*
- *The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have applicant provide this information prior to the issuance of a building permit.*
- *Construct a gentle ‘hump’ at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto Getsamay Lane. Suggested dimensions of the ‘hump’ would be a width of 6 feet and a height of 2-4 inches. Trench drains often are not desirable.*
- *Curbing is required for the parking areas to control stormwater runoff.*
- *Roof water runoff should not drain freely over the parking area or onto surrounding property. Note that unconnected downspouts are not acceptable. We recommend piped connection to catch basins or alternative stormwater detention devices. If catch basins are to be networked, please have applicant to provide locations of such wells along with details of depth and diameter prior to the issuance of any Building Permits.*

At the inspection stage for obtaining a Certificate of Occupancy, the applicant shall demonstrate that the installed system will perform to the standard given. The National Roads Authority wishes to bring to the attention of the Planning Department that non-compliance with the above-noted stormwater requirements would cause a road encroachment under Section 16 (g) of The Roads Law (2005 Revision). For the purpose of this Law, Section 16(g) defines encroachment on a road as

"any artificial canal, conduit, pipe or raised structure from which any water or other liquid escapes on to any road which would not but for the existence of such canal, conduit, pipe or raised structure have done so, whether or not such canal, conduit, pipe or raised structure adjoins the said road;"

Failure in meeting these requirements will require immediate remedial measures from the applicant."

LETTER FROM APPLICANT

"I am writing on behalf of Rayon Ebanks who recently applied to the department for an approval of a Triplex, however a lot size and width variance is required. And as such there is sufficient reason to grant a variance and exceptional circumstances exist, which may include the fact; the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare. It is further noted, that the adjoining property owners have been notified of the application.

Should you require further information please feel free to contact me."

PLANNING DEPARTMENT ANALYSIS

General

The application is for six (6) 1-bedroom apartments to be located on Getsamay Lane, West Bay.

Zoning

The property is zoned Low Density Residential and the Department would offer the following comments regarding specific issues noted below.

Specific Issue

a) Suitability

Per regulation 9(8), in the LDR zone apartments may be permitted in suitable locations. To assist in this matter, the Authority should aware that there are no other apartments in the immediate subdivision, but there are several apartment developments in the general area. Of note, no objections were received from the adjacent land owners. The Authority must determine if the subject site is a suitable location for apartments.

b) Lot Size

The size of the subject lot is 12,632.4 sq. ft. The minimum required lot size for apartments is 25,000 sq. ft. As such, the applicant would fall short of the required by 12,367.6 sq. ft. The applicant requires a significant lot size variance and the letter in support of it (see above) does not provide any substantive reasons why the lesser lot size should be allowed. The Authority needs to determine if there is sufficient reason and exceptional circumstance to allow the lot size variance.

The Authority considered the application and determined that planning permission would be granted for the following reasons:

1. Per Regulation 9(8) of the Development and Planning Regulations (2015 Revision), the Authority is satisfied that the site location is suitable for apartments as follows:
 - There are no physical constraints on the site that would prevent the development of apartments.
 - There are several apartment developments in the surrounding area and the proposed apartments are consistent and compatible with the established building character of the area.
 - There is sufficient infrastructure at this site (e.g. public road, water line, electrical service) and in the area (commercial retail, grocery stores, etc.) to support the residents of the proposed apartments.
2. With the exception of the lot size, which is addressed below, the application complies with the Development and Planning Regulations (2015 Revision).

3. The proposed application does not comply with the minimum required lot size per Regulation 9(8)(d) of the Development and Planning Regulations (2015 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to allow the lesser lot size/additional site coverage/lesser setback as follows:
 - a) The characteristics of the proposed development are consistent with the character of the surrounding area; and
 - b) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare.

**2. 12 ROLAND STEWART Block 40A Parcel 62 (FA91-0099) (P16-0750)
(\$140,000) (EJ)**

Application for a swimming pool.

FACTS

<i>Location</i>	1008 Rum Point Drive, North Side
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	Section 15(4) Notices to adjacent parcels (Letters of Consent)
<i>Parcel Size</i>	29,621 sq. ft.
<i>Current Use</i>	Two Houses
<i>Proposed Use</i>	Proposed setback variance for swimming pool
<i>Building Size</i>	N/A (6,803 sq. ft. existing house).
<i>Density</i>	N/A
<i>Allowable Density</i>	N/A
<i>Total Site Coverage</i>	N/A
<i>Proposed Parking</i>	N/A
<i>Required Parking</i>	N/A

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss details of the application.

LETTER FROM APPLICANT

“We write on behalf of our client, Mr. Roland Stewart with regards to the following variance;

A setback variance -The swimming pool is proposed with a 31ft rear setback instead of the required 75ft.

We request permission for the proposed development as shown on the drawings provided and humbly render the following reasons:

- 1. There are other similar cases along the Rum Point Road where swimming pools exist with a setback that is substantially less than required.*
- 2. Though there are wonderful views of the coastline from the property, the shallow water behind the lot is undesirable for swimming as its depth is generally knee high and the seabed is a meadow of seagrass.*
- 3. The proposed design ensures that the high aesthetic and scenic views in the immediate surroundings of this community will not be diminished.*
- 4. The location of the pool is most suitable as it is an extension of the house architecture i.e. shape and immediate environment. Its proximity will offer convenience from the house to the beach for the elderly owners.*
- 5. The adjacent properties were notified by registered mail and there have been no objections to date.*
- 6. We strongly feel that the proposed development would not impose any hardship on any neighbors, nor would it serve to detract from any of the neighbors' quality of life, property value, or peaceful co-existence.*
- 7. The application complies with all other relevant planning requirements.*

We look forward to your favorable response to this variance request.”

PLANNING DEPARTMENT ANALYSIS

General

The applicant is seeking permission for a setback variance for the proposed swimming pool.

Zoning

The property is zoned Low Density Residential and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) High water mark setback variance

The applicant is seeking a setback variance from the Authority for the proposed swimming pool which is proposed at 31-ft from the High Water Mark (HWM) instead of the required 75-ft; a difference of 44-ft from the High Water Mark. A review of the aerial photography does not reveal any other pools or similar ancillary structures with setbacks as deficient as what is proposed. The Authority must determine if the setback variance is warranted having regard to the provisions of Regulation 8(11).

**2. 13 HAROLD WALROND Block 4B Parcel 671 (F16-0215) (P16-0908)
(\$400,000) (MW)**

Application for five (5) 1-bedroom apartments.

FACTS

<i>Location</i>	Finch Drive, West Bay
<i>Zoning</i>	HDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	0.82 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Apartments
<i>Building Size</i>	2,886.3 sq. ft.
<i>Density</i>	20.5
<i>Allowable Density</i>	25
<i>Building Coverage</i>	8.08%
<i>Total Site Coverage</i>	8.08%
<i>Proposed Handicapped Spaces</i>	1
<i>Proposed Parking</i>	9
<i>Required Handicapped Spaces</i>	1
<i>Required Parking</i>	7.5
<i>Number of Units</i>	1

Decision: It was resolved to adjourn the application, **for the following reasons:**

1. The applicant is required to revise the site plan to show the driveway connecting to Finch Dr at a ninety degree angle with 15' turning radii (the applicant is directed to liaise with the Department in this regard).
2. The applicant must provide details of any proposed future use of the remaining portion of the property.

AGENCY COMMENTS

Comments from the Chief Environmental Health Officer, Water Authority and National Roads Authority are noted below.

Department of Environmental Health

“The following comments are submitted with respect to the above application:

1. *The department has no objections to the proposed triplex submitted.*
 - a. *(5) 33 gallon bins are required*

Minimum Enclosure Dimensions for Manual Collection:

Number of Container Minimum Dimensions (ft)

Width Length Height

5 5.0 7.5 2.5”

Water Authority

“Please be advised that the Water Authority’s requirements for this development are as follows:

Wastewater Treatment:

- *The developer shall provide a septic tank with a capacity of at least (1,500) US gallons for the proposed. However the proposed drawings indicate a (2,000) gallon septic tank which would be recommended by the Authority. The septic tank shall be constructed in strict accordance with the Authority’s standards. Each compartment shall have a manhole to allow for inspection and service. Manholes shall extend to or above grade and be fitted with covers that provide a water-tight seal and that can be opened and closed by one person with standard tools.*
- *All treated effluent shall be discharged into a disposal well; the invert level of the discharge pipe shall be at least two feet above the high water level in the well. The effluent disposal well shall be constructed prior to installation of the septic tank, in order to establish the flow line from the building sewer stub-out, through the septic tank, to a discharge invert level of at least two feet above the high water level in the disposal well.*
- *Disposal wells shall be constructed by a licenced driller in strict accordance with the Authority’s standards. Minimum required depth of borehole and length of grouted casing are site-specific and are obtained by licenced drillers before pricing or constructing an effluent disposal well.*

EFFLUENT DISPOSAL:

- *Treated effluent from the septic tank shall discharge to an effluent disposal well constructed by a licenced driller in strict accordance with the Authority’s standards. Licenced drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.*
- *Treated effluent from the septic tank shall enter the disposal well at a minimum invert level of 4’7” above MSL. The minimum invert level that is required to maintain an air gap between the invert level and the water level in the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.*

Water Supply:

Please be advised that the proposed development site is located within the Cayman Water Company's (CWC) piped water supply area.

- The developer is required to notify the Cayman Water Company without delay, to be advised of the site-specific requirements for connection.*
- The developer shall provide water supply infrastructure per CWC's specification and under CWC's supervision."*

National Roads Authority

"As per your memo dated October 11th, 2016 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Road Capacity Issues

The impact of the proposed development onto Finch Drive is considered to be minimal.

Access and Traffic Management Issues

Two-way driveway aisles shall be a minimum of twenty-two (22) ft. wide.

Entrance and exit curves shall have no less than fifteen (15) feet radius curves, and have a width of twenty-two (22) ft.

A six (6) foot sidewalk shall be constructed on access road, within the property boundary, to NRA standards. Please have applicant provide.

Tire stops (if used) shall be place in parking spaces such that the length of the parking space is not reduced below the sixteen (16) feet minimum.

Stormwater Management Issues

The applicant is encouraged to implement state-of-the-art techniques that manage stormwater runoff within the subject parcel and retain existing drainage characteristics of the site as much as is feasible through innovative design and use of alternative construction techniques. However, it is critical that the development be designed so that post-development stormwater runoff is no worse than pre-development runoff. To that effect, the following requirements should be observed:

- The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.*
- The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have applicant provide this information prior to the issuance of a building permit.*

- *Construct a gentle ‘hump’ at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto Finch Drive. Suggested dimensions of the ‘hump’ would be a width of 6 feet and a height of 2-4 inches. Trench drains often are not desirable.*
- *Curbing is required for the parking areas to control stormwater runoff.*
- *Roof water runoff should not drain freely over the parking area or onto surrounding property. Note that unconnected downspouts are not acceptable. We recommend piped connection to catch basins or alternative stormwater detention devices. If catch basins are to be networked, please have applicant to provide locations of such wells along with details of depth and diameter prior to the issuance of any Building Permits.*

At the inspection stage for obtaining a Certificate of Occupancy, the applicant shall demonstrate that the installed system will perform to the standard given. The National Roads Authority wishes to bring to the attention of the Planning Department that non-compliance with the above-noted stormwater requirements would cause a road encroachment under Section 16 (g) of The Roads Law (2005 Revision). For the purpose of this Law, Section 16(g) defines encroachment on a road as

"any artificial canal, conduit, pipe or raised structure from which any water or other liquid escapes on to any road which would not but for the existence of such canal, conduit, pipe or raised structure have done so, whether or not such canal, conduit, pipe or raised structure adjoins the said road;"

Failure in meeting these requirements will require immediate remedial measures from the applicant."

PLANNING DEPARTMENT ANALYSIS

General

The application is for five (5) 1-bedroom apartments to be located on Finch Dr., West Bay.

Zoning

The property is zoned High Density Residential. The proposal complies with density, setbacks, site coverage, parking, and building height, however, the Department would provide comments on two issues below.

Specific Issues

a) Suitability

Per Regulation 9(6), apartments may be permissible in suitable locations. The Authority should be aware that there are apartments on the immediately adjoining parcel as well as on several other parcels in the area. The proposed apartments would appear consistent with the established development character of the area.

b) Driveway location

The property is located on Finch Dr, a public road. There is a narrow strip of land between the property and Finch Dr that is actually an off shoot of the public road and while it is public, it is not constructed. In between Finch Dr and the narrow strip and the subject site, is a small triangular shaped parcel that is in private ownership. It appears that in order to avoid having to cross that private land, as the applicant does not have an easement over it, the site has been designed such that the driveway is in the extreme front corner of the property. This driveway design does not allow for proper turning radii and will lead vehicles to Finch Dr at an acute angle thus creating undesirable sight lines. If the driveway is redesigned such that it meets Finch Dr at a more typical 90 degree angle, then there will be an encroachment problem over the private parcel. It is noted with some confusion, that the NRA has reviewed the plan and has not raised any concerns. The Authority needs to determine if the driveway design is acceptable.

2. 14 PUBLIC WORKS DEPARTMENT Block 43D Parcel 2 (FA82-0387) (P16-0846) (\$1.5 million) (CS)

Application for a 500 seat grand stand, changing rooms, concession stand, multi-purpose court, and two (2) roof structures for existing courts.

FACTS

<i>Location</i>	Bodden Town Civic Centre, Anton Bodden Drive, Bodden Town
<i>Zoning</i>	INST
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	6 acres
<i>Current Use</i>	Civic Centre and Sports Field
<i>Proposed Use</i>	Sports Fields and Grand Stand
<i>Building Size</i>	19,435 sq. ft.
<i>Building Coverage</i>	11%
<i>Existing Parking</i>	64
<i>Proposed Parking</i>	181

BACKGROUND

The James Bodden Civic Centre and playing fields exist on the site.

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-4) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) If not already shown on the site plan, the applicant shall submit a site plan that shows the location, dimensions and **size** of the wastewater treatment system (including the disposal system). The treatment system must be labelled as either a septic tank or an aerobic wastewater treatment system, whichever is applicable.
- 2) If not already shown on the site plan, the applicant shall submit a site plan showing tire stops for the parking spaces **and the parking area curbed and surfaced with asphalt or concrete.**
- 3) The applicant shall submit a Stormwater Management plan designed in accordance with the requirements of the National Roads Authority (NRA) and approved by the Central Planning Authority. **The applicant should liaise directly with the NRA in submitting the stormwater management plan.**
- 4) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. *It is suggested that the landscape plan be prepared following the recommendations of the Draft Cayman Islands Landscape Guidelines, found on the Planning Department's website (www.planning.gov.ky) under Policy Development, Policy Drafts.*
- 5) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 6) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s).**

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level, [i.e. two feet (2') above the Vidal Bench Mark].

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage.**

The applicant is reminded that the proposed development is subject to compliance with all relevant Laws, including, but not limited to, the Public Health Law, Fire Brigade Law, Water Authority Law and Roads Law.

To prevent potential delays and save money, the applicant may wish to coordinate with the following agencies prior to commencing any construction: **Caribbean Utilities Company, a Telecommunication Company of your preference and the Cayman Water Company and/or the Water Authority - Cayman.**

AGENCY COMMENTS

Comments from the Department of Environment, Chief Environmental Health Officer, Water Authority and National Roads Authority are noted below.

Department of Environment

“We have reviewed the above referenced application, the subject parcel is classed as a man modified and has limited ecological value, and thus there are no objections to the proposal at this time. However the following comments are offered to Central Planning Authority for consideration:

- The temporary storm water overflow area should be retained as long as possible to assist with storm water runoff of the site.*
- Vegetation should remain as is, unless absolutely necessary for it to be cleared, in order to assist with storm water management.”*

Chief Environmental Health Officer

“The department has no objections to the proposed in principle, provided that a handwash sink, along with the sink shown on drawing A-007 is also provided for the concession stand.

This site has an existing garbage container.”

Water Authority

Please be advised that the Water Authority’s requirements for this development are as follows:

Wastewater Treatment:

- The developer shall provide (2) total septic tanks with a capacity of at least (2,500) US gallons each for the proposed. The Changing rooms and concession stand will be fitted with ONE each 2,500 gallon septic tank. The septic tanks shall be constructed in strict accordance with the Authority’s standards. Each compartment shall have a manhole to allow for inspection and service. Manholes shall extend to or above grade and be fitted with covers that provide a water-tight seal and that can be opened and closed by one person with standard tools.*

EFFLUENT DISPOSAL:

- Treated effluent from the septic tank shall discharge to an effluent disposal well constructed by a licenced driller in strict accordance with the Authority’s standards. Licenced drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.*
- Treated effluent from the septic tank shall enter the disposal well at a minimum invert level of 4’4” above MSL. The minimum invert level that is required to maintain an air gap between the invert level and the water level in*

the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.

Water Supply:

The proposed development site is located within the Water Authority's piped water supply area.

- The developer shall contact Water Authority's Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the public water supply.*
- The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains."*

National Roads Authority

"As per your memo dated September 12th, 2016 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Road Capacity Issues

The traffic demand to be generated by the above proposed development of 28,542 sq. ft. has been assessed in accordance with ITE Code 495 - Recreational Community Centre. The anticipated traffic to be added onto Bodden Town Road is as follows:

<i>Expected Daily Trip</i>	<i>AM Peak Hour Total Traffic</i>	<i>AM Peak In</i>	<i>AM Peak Out</i>	<i>PM Peak Hour Total Traffic</i>	<i>PM Peak In</i>	<i>PM Peak Out</i>
964	58	39	20	78	38	40

Based on these estimates, the impact of the proposed development onto Bodden Town Road is considered to be minimal.

Access and Traffic Management Issues

Two-way driveway aisles shall be a minimum of twenty-two (22) ft. wide.

Entrance and exit curves shall have no less than fifteen (15) feet radius curves, and have a width of twenty-four (24) ft.

Tire stops (if used) shall be place in parking spaces such that the length of the parking space is not reduced below the sixteen (16) feet minimum.

Stormwater Management Issues

The applicant is encouraged to implement state-of-the-art techniques that manage stormwater runoff within the subject parcel and retain existing drainage characteristics of the site as much as is feasible through innovative design and

use of alternative construction techniques. However, it is critical that the development be designed so that post-development stormwater runoff is no worse than pre-development runoff. To that effect, the following requirements should be observed:

- The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.*
- The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have applicant provide this information prior to the issuance of a building permit.*
- Construct a gentle 'hump' at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto Anton Bodden Road. Suggested dimensions of the 'hump' would be a width of 6 feet and a height of 2-4 inches. Trench drains often are not desirable.*
- Curbing is required for the parking areas to control stormwater runoff.*
- Roof water runoff should not drain freely over the parking area or onto surrounding property. Note that unconnected downspouts are not acceptable. We recommend piped connection to catch basins or alternative stormwater detention devices. If catch basins are to be networked, please have applicant to provide locations of such wells along with details of depth and diameter prior to the issuance of any Building Permits.*

At the inspection stage for obtaining a Certificate of Occupancy, the applicant shall demonstrate that the installed system will perform to the standard given. The National Roads Authority wishes to bring to the attention of the Planning Department that non-compliance with the above-noted stormwater requirements would cause a road encroachment under Section 16 (g) of The Roads Law (2005 Revision). For the purpose of this Law, Section 16(g) defines encroachment on a road as

"any artificial canal, conduit, pipe or raised structure from which any water or other liquid escapes on to any road which would not but for the existence of such canal, conduit, pipe or raised structure have done so, whether or not such canal, conduit, pipe or raised structure adjoins the said road;"

Failure in meeting these requirements will require immediate remedial measures from the applicant."

PLANNING DEPARTMENT ANALYSIS

General

The applicant is requesting planning permission for a 500-seat grand stand, changing rooms, concession stand, multi-purpose court, and two (2) roof structures for existing basketball courts.

Zoning

The property is zoned Institutional and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Land Use

Playing fields and sports facilities are specifically listed as acceptable uses within the Institutional zone – Section 14(1).

b) Parking

If the Authority is minded to consider this application as a Place of Public Assembly, then Regulation 8(1)(ii) stipulates that 1 parking space per 4 seats must be provided. The concession stand and changing rooms were calculated at 1 space per 300 s.f. If this approach is accepted, then 132 parking spaces are required and 181 are provided.

The Department did not include the two new roofed areas in the calculation as they are covering existing basketball courts and do not increase the land use.

Alternatively, the Authority could consider ITE's Parking Generation, 4th Edition for a similar land use. The most similar land use studied is Land Use : 488 Soccer Complex. Ancillary amenities may include a fitness trail, activities shelter, aquatic centre, picnic grounds, basketball and tennis courts and playgrounds.

The average parking ratios for ITE's study area and the calculations for this site are:

ITE Calculations	Application Specifics	Parking Required
38 spaces per field	3 courts, 1 soccer field	152

The applicant is providing 181 additional spaces to the 64 existing spaces, which have been dedicated for the Civic Centre use. Regardless of which calculation the Authority prefers, the Department is satisfied with the amount of parking provided. The Authority should determine if the number of spaces is sufficient.

c) Parking Surface

The applicant is requesting the new parking area be surfaced with chip & spray versus asphalt or concrete. Any variance from asphalt or concrete surface requires the Authority's consideration.

Reason for the decision:

1. The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2015 Revision). The Authority also determined that a condition of approval would be imposed requiring the parking areas to be surfaced with asphalt as this is more durable than chip and spray and is a standard requirement for this type of development.

**2. 15 DAVID WATT Block 22E Parcel 439 (F16-0216) (P16-0916) (\$900,000)
(MW)**

Application for a 3-bedroom house with pool.

FACTS

<i>Location</i>	Grand Estates Quay, George Town
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	0.4598 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	House
<i>Building Size</i>	4,963 sq. ft.
<i>Building Coverage</i>	24.8%
<i>Total Site Coverage</i>	24.8%
<i>Proposed Parking</i>	3
<i>Required Parking</i>	1
<i>Number of Units</i>	1

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

- 1) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 2) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

Additionally, once construction has started, condition (3) shall be complied with before a final Certificate of Occupancy can be issued.

- 3) The construction drawings for the proposed swimming pool shall be submitted to the Department of Environmental Health. The applicant shall also submit to the Director of Planning the requisite signed certificate certifying that if the pool is constructed in accordance with the submitted plans it will conform to public health requirements.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s).**

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level, [i.e. two feet (2') above the Vidal Bench Mark].

AGENCY COMMENTS

Comments from the Department of Environment are noted below.

Department of Environment

“We have reviewed the above referenced application and have no concerns or comments at this time.”

LETTER FROM APPLICANT

“Our client is requesting canal setback variance for a proposed pool deck and steps to be constructed within canal setbacks. The pool deck and steps will fall 10’-6” from the canal boundary line.

In making application for such variances, our client is mindful of provisions of Regulations 8 (13) of the Development and Planning Regulations, and would submit that there is sufficient reason and exceptional circumstances that would permit such setbacks, in that:

- i. The characteristics of the proposed pool deck and steps is consistent with the character of developments in the area. There have been approved construction of this type in Grand Harbour.*
- ii. The proposed setback variance will not be materially detrimental to persons residing in the vicinity, to the adjacent properties, or to the neighboring public welfare. Our client would like us to point out that the terraced landscaping surrounding the deck will soften the elevation from the canal and create a natural barrier between the canal and pool deck.*

It should also be noted that the pool deck is un-covered. As such, pursuant to Regulation 15 (4) (b) (iii) of the Development and Planning Regulations, any setback pertaining to the ancillary structure may be determined by the Authority at its discretion.

We thank you for your consideration of this matter.”

PLANNING DEPARTMENT ANALYSIS

General

The application is for a 3-bedroom house with pool to be located on Grand Estates Quay, George Town.

Zoning

The property is zoned Low Density Residential and the Department would offer the following comments regarding specific issues noted below.

Specific Issues

a) Pool Deck / Steps Setback

The pool deck is setback 10’-6” from the canal; whereas, the minimum required setback is 20’ per regulation 8(10)(ea). The Authority should assess if a setback variance should be granted having regard to the provisions of regulation 8(11).

The Authority considered the application and determined that planning permission would be granted for the following reasons:

1. With the exception of the canal setback, which is addressed below, the application complies with the Development and Planning Regulations (2015 Revision).
2. The proposed development does not comply with the minimum required setback from the canal per Regulation 8(10)(ea) of the Development and Planning Regulations (2015 Revision). Pursuant to Regulation 8(11), the Authority may allow a lesser setback having regard to:
 - a) the elevation of the property and its environs;
 - b) the geology of the property;
 - c) the storm/beach ridge;
 - d) the existence of a protective reef adjacent to the proposed development;
 - e) the location of adjacent development; and
 - f) any other material consideration which the Authority considers will affect the proposal.

In this instance, the Authority is of the view that:

- It is only the stairs and a small portion of the deck that do not comply with the required setback, but overall the intent of the required setback is being maintained and this a material consideration that warrants allowing the lesser setback.

2. 16 JAMES WELCOME Block 71A Parcel 39 Rem 3 (F06-0222) (P16-0965) (\$4,400) (EJ)

Application for a six (6) lot subdivision.

FACTS

<i>Location</i>	Off Farm Road in East End
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	3.52836e+006 sq. ft.
<i>Current Use</i>	House
<i>Proposed Use</i>	Subdivision
<i>Number of Lots</i>	6

BACKGROUND

September 14, 2011 (CPA/19/11; Item 2.5) - The Authority granted planning permission for a five (5) lot subdivision (Rem 1).

February 6, 2013 (CPA/03/13; item 2.5) – Planning permission granted for a 34 lot subdivision

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

- 1) The applicant shall submit a revised plan showing the subdivision road fronting the parcels in a separate road parcel.
- 2) The surveyor's final drawing **shall include the surveyed dimensions of all lots and must show all required easements** and shall be submitted to the Director of Planning for approval prior to the survey being registered.

AGENCY COMMENTS

Comments from the National Conservation Council, Water Authority and National Roads Authority are noted below.

National Conservation Council (via Department of Environment)

“The application site is located in East End as shown in Figure 1. The site consist of primary habitat (dry shrubland and sparsely vegetated rock), therefore the following comments are for the consideration of the Central Planning Authority.

Figure 1: LIS 2013 Aerial Imagery Showing the Location of Application Site Outline in Blue

Comments

- *Whilst there are no objections to the principle of the proposed subdivision of land (i.e. the subdivision of a large parcel of land into smaller parcels, without physical development forming part of any such subdivision e.g. construction of supporting infrastructure such as roads), it is recommended that there is no clearing of vegetation until development is imminent. Clearing should be limited to the footprint of the buildings.*
- *Given that site is primary habitat, our recommendation is to retain vegetated buffers between each lot (utilizing the existing vegetation on site). However given the small proposed lot sizes, it would be impractical to have such buffers and we therefore recommend that upon development of subdivided lots that as much vegetation as possible is retained and incorporated into their landscaping scheme.”*

Water Authority

“Please be advised that the Water Authority’s requirements for this development are as follows:

Water Supply:

The proposed development site is located within the Water Authority’s piped water supply area.

- *The developer shall contact Water Authority’s Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the piped water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority’s supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains.*

The Authority shall not be held responsible for delays and/or additional costs incurred by the developer due to the developer’s failure to provide sufficient notice to the Authority.

Wastewater Treatment:

- *The developer is advised that wastewater treatment and disposal requirements for built development are subject to review by the Water Authority.”*

National Roads Authority

“As per your memo dated September 30th, 2016 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Stormwater Management Issues

A comprehensive drainage plan needs to be provided by the applicant for the entire project.

The applicant shall demonstrate that the Stormwater Management system can be designed to include storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties that are lower, and nearby public roadways are not subject to stormwater runoff from this site.

The applicant is encouraged to consider stormwater management techniques other than deep wells, and to contact the NRA for advice on these alternative control measures.

Infrastructure Issues

The NRA advises the CPA to require the developer to provide for signage (stop signs, etc.), street lighting and any other traffic calming measures on the proposed roads of the subdivision. Once the roadway has been taken over as a public road, the NRA can then assume that responsibility.

A thirty (30) ft. wide road parcel needs to be provided in order to have adequate access as the NRA does not endorse the use of vehicular ROWs.

The subdivision's road base shall be constructed to NRA minimum design and construction specifications for subdivision roads - this includes elevations, minimum longitudinal slopes and minimum cross fall of minus 2 percent from the centre line to the shoulder.

The roadway shall be HMA. The NRA shall inspect and certify the road base construction prior to HMA surfacing activities.

All internal roadway curves (horizontal alignment) shall be no less than 46 feet centreline radius. This requirement ensures that the minimum vehicle sweeps for a standard garbage and/or fire truck can be accommodated by the site layout."

PLANNING DEPARTMENT ANALYSIS

General

The applicant is seeking permission from the Authority for the proposed six (6) lot subdivision. The lots comply with minimum lot size and lot width requirements.

Zoning

The property is zoned Low Density Residential and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Road Parcel

When the 34 lot subdivision was approved, there was a standard condition that there be a 30' wide road parcel and that it be constructed to NRA

specifications. When the final subdivision plan was signed, the road was constructed and complied with NRA’s requirements, but the plan didn’t show the road in a separate road parcel. The Department would recommend that a condition of approval be imposed on the current application requiring the road to be shown in a separate road parcel.

Reason for the decision:

- 1. The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2015 Revision). The Authority also determined that a condition of approval would be imposed requiring there to be a road parcel as this was a previous condition from an earlier subdivision, but it was not complied with when the final survey plans were approved.

2. 17 ST.IGNATIUS CATHOLIC SCHOOL Block 15B Parcel 48 (FA79-0078) (P16-0980) (\$88,000) (BES)

Application for an after-the-fact music room addition.

A.L. Thompson and Haroon Pandohie declared conflicts and left the meeting room. Ray Hydes sat as Acting Chairman.

FACTS

<i>Location</i>	Catholic School on Walkers Road
<i>Zoning</i>	INST
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	8.75 acres
<i>Building Size</i>	880.13 sq. ft.

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

- 1) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 2) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s).**

AGENCY COMMENTS

Comments from the Chief Environmental Health Officer are noted below.

Department of Environmental Health

“The following comments are submitted with respect to the above application:

- 1. The department has no objections to the after-the-fact Costume & Props Drama Stock room; however during a site visit it was noted that the location of the garbage container is unacceptable. There is also no enclosure or wash-down for the existing (8) yd³ garbage container. See the attached DEH Solid Waste Guidelines, specifically section 4.3.5: Location of Enclosure.”*

PLANNING DEPARTMENT ANALYSIS

General

The application is for an after-the-fact music room addition to Catholic School on Walkers Road. As indicated on the plans, the after-the-fact addition is on the second floor located at the rear of Loyola Hall.

Zoning

The property is zoned Institutional and the Department has no specific concerns with the proposal.

Reason for the decision:

1. The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2015 Revision).
- 2. 18 ADARE INVESTMENTS Block 12E Parcel 111 and Block 12D Parcel 104 (FA86-0313) (F16-0042) (P16-1008) (KA)**

Application to modify planning permission to re-locate the garbage enclosure.

FACTS

<i>Location</i>	Galleria Plaza, West Bay Road
<i>Zoning</i>	N COM
<i>Notice Requirements</i>	NA
<i>Parcel Size</i>	3.398 acres

BACKGROUND

CPA/18/15; Item 5.1 – The Authority approved the change of use from retail to restaurant and a re-configuration of the parking area.

CPA/08/16; Item 2.16 - The Authority granted permission for a warehouse on 12D 104 which included the garbage enclosure.

Decision: It was resolved that having regard to the Development Plan and other material considerations it is expedient to modify planning permission. Now therefore the Central Planning Authority in pursuance of Section 17 of the

Development and Planning Law (2015 Revision) hereby orders that planning permissions CPA/18/15; item 5.1 and CPA/08/16; item 2.16 be modified to relocate the garbage enclosure to 12E 111.

All other conditions of CPA/18/15; item 5.1 and CPA/08/16; item 2.16 remain applicable.

LETTER FROM APPLICANT

“On behalf of our client, we would like to request a modification to the planning approval for 12D-104. The project was approved with a 3 bay garbage enclosure to be shared between the two properties in subject. The Garbage enclosure is facing and is being accessed thru Galleria Plaza (12E-111).

This modification request intends to relocate the garbage enclosure in subject to Galleria Plaza lot (12E-111) maintaining a close proximity to the previous approval, and also the same orientation and access.

The reason for the modification is to ensure the continuity of the garbage collection service for Galleria Plaza while the adjacent project construction starts.

The plans allow for a 19 feet asphalt road on the side of the garbage enclosure to continue permitting the one way traffic around Galleria Plaza.

Looking forward to get an approval.”

PLANNING DEPARTMENT ANALYSIS

General

The application is for re-location of the garbage enclosure from 12D 104 to 12E 111. The Authority previously granted planning permission for a warehouse with garbage enclosure on 12D 104 which has access over 12E 111. The applicant would now like to shift the enclosure to the north which would now place it on 12E 111. The garbage would be shared between the two developments on both parcels, 111 and 104. The site is to the rear of Galleria Plaza, facing the Esterley Tibbetts Highway.

Zoning

The property is zoned Neighbourhood Commercial.

The Department has no major concerns with the proposed relocation of the garbage enclosure; however, the proposed re-location of the garbage would result in the access road being narrowed to approximately 19'. Given that this particular access is for one way traffic, the reduction in width should not have a negative impact. The Department of Environmental Health was contacted to ensure their trucks could collect the garbage in the new location; however, no comments were received by the deadline.

Reason for the decision:

1. The Authority considered the application and determined that planning

permission would be modified as the application complies with the Development and Planning Regulations (2015 Revision).

2. 19 JEAN ERIC SMITH Block 2C Parcel 188 (F07-0455) (P16-0896) (P14-0040) (P14-0040) (\$263,110) (EJ)

Application for an after-the-fact addition to create a duplex and a swimming pool.

FACTS

<i>Location</i>	North West Point Rd, West Bay
<i>Zoning</i>	BRR
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	5,406 sq. ft.
<i>Current Use</i>	Duplex
<i>Proposed Use</i>	Swimming Pool

BACKGROUND:

August 9, 2006 (**CE06-0221**) - The Department issued an enforcement warning letter for after-the-fact addition to house.

October 31, 2007 (**CPA/31/07; Item 2.5**) - The Authority granted planning permission for after-the-fact addition to create a duplex.

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

- 1) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 2) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

Additionally, once construction has started, condition (3) shall be complied with before a final Certificate of Occupancy can be issued.

- 3) The construction drawings for the proposed swimming pool shall be submitted to the Department of Environmental Health. The applicant shall also submit to the Director of Planning the requisite signed certificate certifying that if the pool is constructed in accordance with the submitted plans it will conform to public health requirements.

The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s).**

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet

(5') above mean sea level, [i.e. two feet (2') above the Vidal Bench Mark].

LETTER FROM APPLICANT

"I pray this email finds you well and in good spirits. Thank you for your detailed email response of Sept 27th to the application submitted for Block 2C Parcel 188.

Please be aware that prior to our most recent submission registered notifications were sent out as recent as August 19th 2016, as per Dept. of Planning requirements.

Please see attachments below.

It should be noted here firstly, that both adjacent properties have been owned by the same persons since the initial plans were submitted and approved by the CPA in 2007. Further to this, that neither adjacent property owner responded with any objections or complaints then or now. As such, both property owners were twice given ample and express opportunity to voice their concerns about the variance setbacks of both the cistern and the septic tank; then and now.

As you are aware, the CPA had previously approved plans for this property with both the cistern and septic tank in the same location as present.

Also, as mentioned above, registered notifications were similarly sent out back then to both adjacent property owners making them aware of the variance setbacks of both the cistern and septic tank and neither fielded an objection or complaint.

It therefore stands to reason that since 2007 the owners of both adjacent properties have been aware of the location of both the cistern and septic and yet neither have felt the need to complain or object to the present location of the cistern and/or septic tank.

As a matter of fact, the cistern on the west side of the parcel has been in its current location since the early 1980s; way before the current property owners even acquired the property to the west.

The septic tank has been in its current location since around 2005 immediately after Hurricane Ivan rendered the old one, which was behind the house, useless.

Additionally in 2007, prior to the application being approved previously, the issue of adequate parking was raised by the Dept of Planning and successfully addressed personally by myself and Mr. Arnold Berry when I was invited to make a presentation to the then CPA Board of the day.

For the record, the duplex dwelling which exists as 329 NWP Rd., Block 2C Parcel 188, is in reality still a single family home redesigned for my aging mother and myself to occupy where each can have their individual privacy. It is not intended for rent commercially and will not be utilized as such. Therefore the two parking spaces which it was originally submitted with were found to be more than adequate.

The intended use of the property has not changed therefore we have maintained our plan to only provide two parking spaces on site. We sincerely appreciate your cooperation and assistance in this matter.

There have been minor enhancements to the property, as you are aware, and a small increase in square footage also; mostly by adding some outdoor /indoor living space, which was generally to keep with the new development aesthetics of our immediate neighbours and the overall surrounding area.

I trust this response will be adequate and meet with your approval; and I look forward to finally once again moving back into the only property and dwelling my family has ever known as home.

Thank you for your time and consideration of my response to these outstanding matters, I look forward to your favourable reply.

Should you have any further questions or concerns or if I can be of any further assistance please feel free to communicate directly via this email or on 929 8646.”

PLANNING DEPARTMENT ANALYSIS

General

October 31, 2007 (CPA/31/07; Item 2.5), the CPA granted planning permission for after-the-fact addition to create a duplex; however, the applicant did not obtain a building permit and the approval has since lapsed.

Therefore, the applicant is again seeking permission for a lot size variance, setback variance and site coverage variance for the existing duplex and also seeking permission for a swimming pool.

Zoning

The property is zoned Beach Resort/Residential and the Department would offer comments on certain specific issues addressed below.

Specific Issues

a) Lot Size Variance

Additionally, the applicant is seeking a lot size variance for the subject duplex, with the lot existing at 5,406 sq. ft. or 4,594 sq. ft. under the required 10,000 sq. ft. lot.

b) Setback Variance

The applicant is seeking a setback variance from the Authority for the subject swimming pool which is at 10' from the left side and 4.10' at the right side boundary instead of the required 20' side setbacks for this Beach Resort Residential zone. The subject duplex exists at around 1.9' from the right side and 4.10' from the right side instead of the required 20' side setbacks for this BRR zone.

c) Site Coverage Variance

The revised plans dated January 20, 2014 have a slight increase in floor area due to a bay-window added to the rear ground floor and due to the fact that the proposed swimming pool and decking will be added partially underneath the previously approved opened balcony, thus creating a covered deck on the ground floor; therefore will cause a 31.65% site coverage, or 6.65% over the allowable 25%.

d) Lack of Onsite Sewage Disposal

The authority should be aware that the subject parcel does not have an onsite septic tank but has shared sewage disposal with the adjoining septic tank to the east (parcel 173).

The Authority considered the application and determined that planning permission would be granted for the following reasons:

1. With the exception of the lot size and side setback, which are addressed below, the application complies with the Development and Planning Regulations (2015 Revision).
2. The proposed application does not comply with the minimum required lot size and side setback per Regulations 15(4)(a)(ii) and (b)(i) of the Development and Planning Regulations (2015 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to allow the lesser lot size and setback as follows:
 - a) The characteristics of the proposed development are consistent with the character of the surrounding area;
 - b) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare; and
 - c) The proposal is consistent with the provisions of Section 2.6 of The Development Plan 1997.
3. The Authority noted that contrary to the Department of Planning's report, there is no maximum site coverage provision in the Beach Resort/Residential zone therefore no variance is required. The Authority also determined that the proposed site coverage of 31.65% is reasonable and appropriate for the site and surrounding area.
4. The Authority determined that the use of the septic tank on the adjacent parcel is acceptable in this instance.

3.0 DEVELOPMENT PLAN MATTERS

4.0 PLANNING APPEAL MATTERS

5.0 MATTERS FROM THE DIRECTOR OF PLANNING

5.1 CPA PUBLIC MEETINGS

The Authority adopted the Rules of Procedure that were provided to the members on October 16, 2016 and determined that the first open, public meeting would be January 4, 2017

5.2 PIRATES WEEK BANNER SIGNS

The Authority determined that the banner signs that cross the public road in West Bay and Savannah do not require planning permission and they must be removed no later than 3 weeks from the date of this decision.

5.3 EXCAVATED MATERIAL BEING REMOVED FROM SITE

The Authority confirmed its long standing position that when planning permission has been granted for an excavation (not a quarry) where the material is to remain on site, usually for fill purposes, it cannot be removed from that site unless planning permission is obtained for that purpose, regardless of the intended use of that material (fill, road construction, etc.).

5.4 MAINTENANCE OF LAND NOTICE Block 38B Parcel 67 (CE16-0140) (JM)

The Authority reviewed photographs of the site and the dilapidated condition of the building and site.

Decision: It was resolved to authorize the issuance of a Maintenance of Land Notice in accordance with Section 29A of the Development and Planning Law (2015 Revision). Maintenance of Land Notice to take effect at the end of a period of 30 days from the service and compliance with the Maintenance of Land Notice to be completed within the period of 60 days from the date when the Notice takes effect, subject to the provisions of Section 29A(2) and (3) of the law.

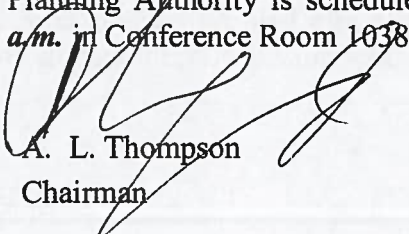
5. 5 DEBRA NAUSED Block 44B Parcel 16 (CE16-0067) (JM)

A.L. Thompson declared a conflict and left the meeting room. Joseph Coe sat as Acting Chairman.

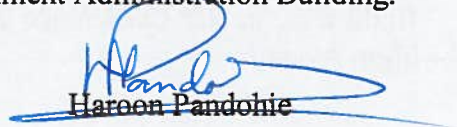
The Authority considered the correspondence submitted by the owner and agreed to extend the period within which to comply with the terms of maintenance of land notice by an additional 60 days.

CPA MEMBERS INFORMATION/DISCUSSIONS

The meeting adjourned at 2:30pm. The next regular meeting of the Central Planning Authority is scheduled for **Wednesday 23rd November 2016 at 10:00 a.m.** in Conference Room 1038, 1st floor, Government Administration Building.



A. L. Thompson
Chairman



Haroon Pandohie
Executive Secretary

cc: All members of the Central Planning Authority