

**REGION OF QUEENS MUNICIPALITY  
SPECIAL COUNCIL  
FRIDAY, APRIL 25, 2014  
9:00 A.M.**

**PRESENT:** Mayor Christopher Clarke, Chair  
Councillor Darlene Norman  
Councillor Susan MacLeod  
Councillor Bruce Inglis  
Councillor Brian Fralic  
Councillor Raymond Fiske  
Councillor Jack Fancy  
Councillor Peter Waterman  
Kathleen Rafuse, Chief Administrative Officer  
Jennifer Keating-Hubley, Director of Finance  
Bobbi Jo Goulden, Recording / Management Secretary

**1.0 CALL TO ORDER:**

The meeting was called to order at 9:00 a.m.

Prior to the meeting's regular business, Mayor Clarke wanted to comment on the formal process of amending a Development Agreement and explained the protocols and time lines beginning with the recommendation from the Planning Advisory Committee leading to the Public Hearing and also the appeal process to the Utility Review Board.

Mayor Clarke explained the rules of order for this meeting and explained how it will be conducted. He added that they have invited representation from the Department of Environment, which are responsible for the licensing of Crematoria and to make sure their standards are met.

**2.0 CHANGES / APPROVAL OF AGENDA:**

It was moved by Councillor Norman and seconded by Councillor Fiske that the Agenda be approved as presented.

MOTION CARRIED unanimously.

**3.0 PLANNING:**

3.1 Amendment to Development Agreement with Chandlers' Funeral Service Ltd.

**PUBLIC QUESTION / COMMENT SESSION:**

**Mary Eileen Heaslip  
419 Main Street  
Liverpool**

Ms. Heaslip commented that she is a retired business person, therefore pro business. She has chosen to speak to Council today regarding zoning on this business location. She appreciates the recommendation by the Planning Advisory Committee for Council to complete more research on the issue, and consultations with residents in the immediate neighbourhood before making a decision.

Ms. Heaslip asked that Council refer to regulations and zoning for crematoria in other parts of Canada and communities around the world and spoke of zoning regulations in place in British Columbia and in the Yukon regarding crematoria.

Ms. Heaslip advised that she has spoke with many residents and property owners in the area and found that a decrease in property values is a huge concern to them. They think that their property values will decrease should Chandlers' have a crematorium on their property. She advised that in her research she found information showing that in some cases, property values do decrease if they are located close to a crematorium and spoke of studies completed in the United States and noted a case in the Yukon.

Ms. Heaslip advised that she put a \$40,000 renovation project on hold at her residence due to her concern over this matter. She asked Council to consider if this is the right location for this type of business. She stated that she is concerned about Chandlers' Funeral Service being able to set their own hours of operation and noted that in many areas she researched there are regulations set by government which dictate hours of operation for certain businesses. She noted that currently there are no Bylaws in the Region of Queens on this topic and asked that this be considered as well.

**Scott Dauphinee**  
**22 Summer Street**  
**Liverpool**

Mr. Dauphinee provided a background on of his qualifications as a heating and oil burner technician, with a propane ticket and also noted that he is a volunteer fire fighter. He proceeded to speak of his apprehension regarding the proposed crematorium and advised that he is concerned about noise levels and odor and stated that residents have not been given information regarding these items. He expressed that he is also concerned about the emissions and explained that when researching this topic he found that there will be other emissions beyond water vapor and carbon dioxide that was noted at the Planning Advisory Committee meeting and listed numerous other chemicals and gases involved in the cremation process which could also contaminate the vegetation in the community.

Mr. Dauphinee advised that he spoke to the technicians who work on crematoria in Yarmouth and they advised him that particulate matter is not falling in the immediate area due to the high heat of the system, but particulates are blowing meters even kilometers away depending on the wind direction.

Mr. Dauphinee spoke of his concerns regarding power failure during a burn and not having a backup system in place to complete the process and spoke of a situation in Yarmouth where the local fire department responded to call at the a crematorium in the Town due to the large amount of smoke resulting from the system not working properly during a power failure.

Mr. Scott Dauphinee responded to his apprehension with the propane system, and set back requirements. He spoke of government regulations recently put in place that have occurred in Ontario.

Mr. Dauphinee stated that the current owners of Chandlers' expressed that they are only interested in providing cremation service to their local clients and not providing the service for outside communities. He is concerned about the business being sold and a new owner who could potentially expand its services and run a seven day a week, 24 hour a day operation.

Mr. Dauphinee spoke about decreased property values in the town of Yarmouth for certain properties located near the crematoria in the town and listed examples of a decrease in values over a period from 2012 to 2014.

**Richard (Dick) Shaw**  
**22 Summer Street**  
**Liverpool**

Mr. Shaw advised that he has been researching the topic of crematoria and wanted to speak on some of the information that he found. He proceeded to list some of the pollutants emitted from a crematorium such as mercury and to spoke of the negative health effects of this chemical.

Mr. Shaw spoke of the "Cons" of having a crematorium in the area and spoke of an incidence in Pennsylvania when a business wanted to build their own crematorium in their area and he listed some issues residents had in that area such as visual, emotional, and health impacts as well as the general fear of death stigma.

Mr. Shaw asked Council to consider a set-back requirement for these types of businesses of 300 meters or more which done in some places in Ontario.

**Bill Cox**  
**121 Bog Road**  
**White Point**

Mr. Cox commented that he is concerned that we are going down a road that has been frequently travelled before, when someone decides that they are going to make an investment in our community. He noted that there are several emotional issues that are being brought forward to try to encourage a decision in one direction without regard to the possible economic benefits to our community and to our people.

Mr. Cox spoke of the research and information that has been presented from locations such as the United States, Australia, and British Columbia, but he wanted to note that we are not living in those areas, we are living in Nova Scotia where we trust our governments to put regulations in place to protect its citizens and we trust the manufacturers of equipment that when they are tested by the various authorities, they are constructed in a manner that would protect the people in the area of which it is to be located. He noted that we have to trust the technology running this equipment as well.

Mr. Cox wanted to comment on the mention of decreasing property values, and advised that this year in Nova Scotia, there have been a number of properties in several locations, where the assessments have automatically gone down either because of lack of activity in the area, no building permits issued in those communities for some time, and various erosions of the tax base which makes properties less saleable, and this is reflected in the assessment values.

Mr. Cox stated that we should be encouraging Chandlers' to continue with their investment and continue with trying to improve the economic lot of our community and added that the Region has been severely hit in the past few years economically, and while we hear that there are possibilities of economic development, and investments by various sources in our area, these are not always coming from people who live here, who have contributed to the community, and who are well known as Chandlers' are. He noted that he does not see the owners of Chandlers' leaving the community once the crematorium is in operation.

Mr. Bill Cox encouraged Council to consider both sides of this issue very carefully when reaching a decision and to remember these are people that don't have a "for sale" sign on their business and we should give them whatever encouragement that we can to proceed with this project within the confines of the environmental regulations and acts. He noted that it is time that we stop doubting anybody who is in authority and start looking at who these regulatory agencies are and whom they are answering for.

**Mary Eileen Heaslip**  
**419 Main Street**  
**Liverpool**

Ms. Heaslip wanted to comment on a case before the courts in Nova Scotia regarding an appeal to a property assessment in 2001, where it was found that the property value decreased due to the presence of nearby business including a crematorium.

Ms. Heaslip asked Council to take a look at the original Development Agreement from 1994 and noted that some of the clauses have not been met.

**Shona Dauphinee**  
**22 Summer Street**  
**Liverpool**

Mrs. Dauphine advised that while researching this topic she found a case regarding Walker's Funeral Home in Herring Cove. They wanted to add a crematorium to their location, and the Council of Halifax Region Municipality denied their request due to it being located in a residential area.

Mayor Christopher Clarke reminded all speakers that there will be a Public Hearing on May 21<sup>st</sup>, 2014, and protocol dictates that they have to provide their comments and presentations once again at the Public Hearing so they can formally be recorded.

Motion:

It was moved by Councillor MacLeod and seconded by Councillor Fralic:

THAT the Council of the Region of Queens Municipality express its support in having Chandlers' Funeral Service establish a crematorium in the Liverpool area;

AND THAT prior to making a decision respecting siting a crematorium on the existing property of Chandlers' Funeral Service, Council take additional time to investigate some of the issues and concerns raised at the Planning Advisory Committee meeting, including holding a consultation session with the local residents.

Mayor Clarke invited representation from Chandlers' Funeral Service to speak to Council on the proposed crematorium.

Kevin Samuels, General Manager, Chandlers' Funeral Service Ltd, wanted to state that they had a presentation ready for this morning, but have decided that they are not going to do it as they feel that no matter how it is presented, it is not a good time due to the negativity on the matter. He advised that they have prepared the following statement:

Chandlers' would like to acknowledge the public's opinions and concerns in regards to the proposed crematorium being built in the present location. In light of the above we respectfully withdraw our application for the Amendment to the lands known as Chandlers' parking lot at this time. This will give Council time to canvas the neighbourhood and communities which have crematoria.

Mr. Samuels commented that he, Mr. MacDiarmid and their consultant's are all in agreement to the motion which was put forth by Planning Advisory Committee and welcome to see what transpires.

It was agreed by Councillor MacLeod and Councillor Fralic to withdraw the motion.

At this time, Mayor Clarke noted that he would still like to continue with discussions on the topic of crematoria, how they are licensed, the application process and regulations with representatives from the Nova Scotia Department of Environment.

Mayor Clarke introduced David Clarke, Inspector, Nova Scotia Department of Environment, Bridgewater District Office, Inspector for Queens County, and Barry Gillis, Engineer, Nova Scotia Department of Environment, Bridgewater District Office, covering Hubbards to Shelburne County and asked them to provide everyone with more information pertaining to crematoria.

David Clarke explained that any facility wishing to establish a crematorium requires approval through a series of Activities Designation Regulations, which are made pursuant to the Environment Act, and it is a list of activities that require approvals.

Barry Gillis spoke of guidelines, and industry standards in place that need to be followed and spoke of temperature level requirements, and noted emissions from these systems are pretty clean, due to the re-burning process.

Mr. Gillis noted crematoria have to meet industry standard, meet minimum burning requirements, and if operators have issues where the requirements aren't being met, they need to contact them immediately to advise them any problems and explained that there are checks and balances in place within the approval.

Mr. Gillis stated that there are no legislated clearance distances that must be met for crematoria, but noted that he is adding it as an agenda item for meeting that he is attending next week to see if other Engineers within the Department have in practice, set standards for clearance distances for crematoria. He then explained their application process and making sure that it meets their minimum requirements and assuming there are no issues the approval would be issued and the operator of the crematorium would have requirements that would continually have to meet, such as monitoring temperatures, clarity of emissions from the unit, several other minimum of standards that have to be met.

Barry Gillis advised that they have not received any complaints for the Bridgewater facilities which are operating under the same approvals which show that they must be running clean enough not to cause any concerns to the public.

Mr. Gillis advised that noise levels will be set in the application for different levels for different times of the day. These are in place to protect neighbouring properties.

Mr. Clarke explained that in their approval, there are reporting requirements annually and compliance auditing is completed on any facility on a regular basis by the Department of Environment and will they will follow up on any complaints.

Barry Gillis explained that they complete research on the applications as they come to them to make sure that all current standards are met for the particular unit.

David Clarke explained that these units come from a manufacturer who would usually build all units to the strictest standards set by the US EPA or the Canadian regulators.

Mr. Gillis advised that the Department of Environment also have Air Quality Regulations in place that need to be met and monitored. He explained that the standard requirements for air quality levels for the province do not differentiate between residential and industrial areas. They are the same for all areas.

A discussion was held on the stack height requirement needed for a crematorium. Barry Gillis noted that there is no legislation in place in for stack height, but noted that he will check with other Engineers to see what practices are being set in other areas of the province. He also advised that he will inquire if there are any practices being followed regarding crematoria in residential areas.

David Clarke said that when determining a stack height requirement, it has to be based on the site of the facility due to many different factors which have to be examined during the application process.

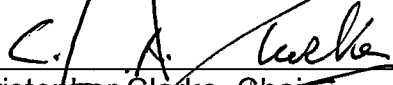
Councillor Norman spoke about air emissions and commented that the exhausts from vehicles and from people burning garbage in their furnaces are creating more emissions than the cremation process. She added that also there are warnings for people not to eat too much tuna or swordfish due to the mercury levels found in them. She thinks that we need to be careful when we site emotional reasons for not wanting things in our neighborhoods because we may be misinformed and have one-sided information. She noted that things need to be kept in perspective and things should be looked at for what they are. The information that has been provided regarding emissions from a crematorium are pretty small compared to other things that we are deal with every day.

Mayor Clarke thanked Mr. Clarke and Mr. Gillis for their information on crematoria, he added that the conversation was germane because the more we know about the topic the better it will be for everyone when making a decision on this topic should it arise again in the future.

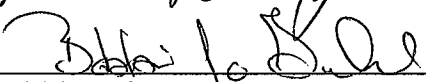
Mayor Clarke thanked Chandlers' for their public spirited, community sensitive, decision this morning and noted that he lived in this community for 54 years and has had nothing but excellent relations with the current and past owners of Chandlers' who have been first class citizens and leaders in our community and he can't conceive of the present owners or anyone connected with Chandlers' doing anything that could be detrimental to this community, and he thinks they have gone more than the extra mile by withdrawing their application. Council will work with them aggressively to find another site. He noted that Mr. Cox was correct when he said that we need to encourage investment and growth in the community, particularly when you have a good company who has a really fine record. We should work with them and move ahead with them.

**4.0 ADJOURNMENT:**

There being no further business, the meeting adjourned at 10:20 a.m.

  
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Mayor Christopher Clarke, Chair

  
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Jennifer Keating-Hubley, Director of Finance

  
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Bobbi Jo Goulden, Recording / Management Secretary

Date approved: May 13, 2014