

I. Name and address

My name is Thom Barclay. I am the owner of 243 Pelham St. and I am speaking on behalf of the Friends of Blockhouse Hill.

II. Introduction

Good evening, everyone. I'd like to thank all of you for taking the time to attend tonight. As our late Mayor Mawhinney used to say, "You can tell what kind of job you are doing by how full the room is".

Preparing this presentation has been a challenge to fit everything into the allowed ten-minute time slot. So, if I'm speaking too fast, don't hesitate to let me know and I'll slow down. All of what I have to say is important and all of what I have to say is aimed at illustrating why we are where we are tonight.

So, as you may have guessed, there is going to be more talked about tonight than just the RFP issued for any potential development of Blockhouse Hill (BH).

III. Municipal Governance

(a) Accessibility

We would like to start off with a brief description of what we believe to be some of the basic tenets that make up the foundation of municipal governance (MG).

MG in Lunenburg is, by its very nature, about accessibility.

Accessible, because we live in a small town, and we have elected friends and neighbours to speak on our behalf.

Accessible, not because we know how to log onto Facebook, but because we actually know one another.

Accessible, because we have a meeting place where we are all welcome to gather, not just by invitation. That place is this place.

(b) Transparency and Communication

MG is also about transparency, and transparent communication.

Transparent communication is a foundation of the relationships between the electors and the elected, and goes far beyond decisions made in in-camera meetings. As an example, selling a town-owned asset or declaring property as surplus is a broad stroke that should not automatically trigger an in-camera meeting.

Transparency is created through open, rigorous, and informed debate.

Being informed means not only educating oneself on the technical aspects of any given issue but also entails determining constituents' thoughts and feelings on an issue, and how that information shapes and steers the debate around the table.

(c) Accountability

We believe MG is also about accountability.

By accountability, we mean stating your position on a given topic and being able to justify or defend it. We also believe that MG carries with it a unique level of accountability, not seen in other levels of government.

In MG councillors are elected at large and not in a specific district, which makes them beholden to all citizens, not to a specific party or cause.

(d) Responsiveness

Responsiveness in MG is another essential element. Small government by its very nature is supposed to be more nimble and adaptable. It has a level of immediacy not seen at the provincial or federal level.

Problems are smaller, less complex and more easily identified, and we should be able to solve them more expeditiously.

So, it is based on our concerns about these tenets of governance, that we, the Friends of Blockhouse Hill, are tonight to oppose the potential development in Old Town of 22.5 acres of lands held in common and granted to the citizens of Lunenburg 264 years ago.

IV. Lunenburg Common Lands (2017) Act

We are concerned that certain procedures required to make this land even available for an RFP may have not been followed. Accordingly, we have asked our MLA to look into the circumstances surrounding the 2017 legislative changes, and her reply is pending.

We contend that the original spirit and intent of designating common land to be held by citizens have been broken by a breach of trust.

That breach of trust occurred when the private member's bill was tabled in 2017. The intent of this bill, as I recall, was only to be able to provide a lease term of longer than 5 years for the use of the lands at the site of the dog park.

Unless there were ulterior motives at the time, this change in legislation has exceeded its original intent and deviated from the spirit of the previous legislation, which secured

ownership, in perpetuity, by the citizens of the town. Not simply common lands, but all lands that are or were discovered to be held in the name of the Town of Lunenburg.

During the passing of Bill 36 in 2017 it also appears that procedural requirements relating to a duty to inform the townspeople were not met. Our MLA has also been asked to have this investigated at the legislative level.

We contend that if the rules had been followed properly, this site would not be legally eligible for the type of development currently envisioned by Council.

V. Implementation of the CCP

The issue of development on BH has been picked up and dropped by previous councils.

After extensive research and communication with various agencies, we are optimistic a solid argument will be made as to why this site should not and should never have been slated for development.

(a) FBH are in favour of residential development

We want to be on record that the FBH are in favour of residential development at any number of sites not encumbered by the many issues this location is saddled with. We would welcome an open forum to discuss the matter further.

(b) The CCP refers to communication as the plan rolls out

It was during this research and information gathering that another alarming issue came into focus: a complete shutting down of any public discourse relating to this RFP or the King St. Extension, using the excuse that it had all been discussed and approved under the Project Lunenburg process that resulted in the Community Comprehensive Plan (CCP). However, subsequently limiting constituents' feedback to simply commenting on designs chosen by Council eliminates any possibility of fulsome discussion.

This is where transparent communication, as mentioned earlier, starts to become a primary concern, regardless of one's stance on an issue.

(c) The CCP is not a law or contract, it is a plan

The application of the CCP as though it were a law, policy or contract has left the mistaken impression that we are all now supposed to sit back and watch the grand plan unfold as it singlehandedly guides Lunenburg into the next 40 years.

Approving a 40-year plan at a brand-new council's first meeting on Zoom probably should have set off some alarm bells, but by and large, people believe and trust in the planning process and were prepared to see the CCP move into the execution phase.

Little did we know it was actually a Trojan horse that was delivering an entirely new mode of governance to our door, setting in motion the serious issues that bring us here tonight, not in a public meeting as many residents of Lunenburg are requesting, but in a limited, 10-minute presentation.

Little did we know that this was all happening in circumstances that created a perfect storm.

(d) The pandemic

I would like to take us back to March 2020 when the world went into a pandemic lockdown.

The mind's eye is a funny thing in its ability to quickly forget and move on.

So I would like to remind everyone about those times, about not seeing friends and family, about having our elderly parents literally locked up in nursing homes, about the fear of coming home after a shopping trip not knowing if you've washed your hands enough, about the job losses and businesses hardest hit like tourism and hospitality, about the incredible sacrifices our front line workers made on our behalf, working in the middle of a fear we didn't quite understand, and about parents and their children trying to juggle more than humanly possible under extreme pressures.

We are suggesting with the benefit of hindsight that this was not the right time to be rolling out a 40-year plan. We contend that the context of that period placed a greater obligation on Council to ensure that their communication with constituents was absolutely transparent.

Relying on a four-year-old level of pre-Covid public feedback, Zoom meetings, and zero in-person representation was not good enough.

Any of the actionable items rolled out deserved thorough discussion and review to establish their continued relevance.

This is particularly important given that the CCP meetings were heavily attended by non-residents.

The pandemic made direct engagement with constituents impossible and Council should have been aware of this fact and acted accordingly, instead of ploughing ahead with a 'plan'.

Transparent communication would also go a long way towards informing the public before decisions are made. What we have, in fact, are residents being told to check the purchasing page on the town's website after the fact.

We would like to see a clear communication and engagement plan, as discussed in the CCP.

The fact that this RFP was a shock to so many people is more indicative of a lack of transparency and less about people's ability to follow along. It was not one person taken off guard, we submit that it was a majority of the Town that was taken off guard.

(e) Circling back to accountability

This brings us back to accountability.

Webster defines accountability as, "an obligation or willingness to accept responsibility or to account for one's actions".

As elected officials on matters pertaining to local government, Town Council does not have the luxury of not having an opinion.

Therefore, to satisfy the promise of accountability made when running for election, public meetings are required so that townspeople can see councillors,

(a) take responsibility for their decisions, and

(b) explain the reasons for their actions.

Where public interest in an issue is widespread, it is Council's duty, at a minimum, to be accessible, accountable and transparent, as they pledged to be on the campaign trail.

The Town's communications department should be acting under a clear communications and engagement policy in its messaging, as was contemplated in the CCP. At this point, we remain bereft of a strategic communications plan for implementing the CCP.

VI. We need to know why

Fiscal accountability is also a looming problem based on large actions and scant information coming from Town Hall.

We are suggesting an immediate and detailed explanation of Council's rationale for divesting almost all of the Town's property assets, particularly its heritage assets.

We are concerned with the lack of transparency around the process by which the Council is, as of 2023, deeming its assets as surplus. This is not a time for political theory on housing needs, but a time for a strategic analysis as to why we are emptying our asset bank.

In addition, we would like some answers as to why, despite being required under the MGA, the divestiture policy was drafted only in December 2022, after the sale of public properties, after Council stated privately its intent to sell the Academy, and after the issuance of the RFP for the King Street Extension.

We would like the town's new divestiture policy explained to the general public, with a focus on why the CAO, an unelected official, should hold so much sway in these matters.

We contend that Council's attempt to divest within the buffer zones attached at both ends of Old Town constitutes a grave risk to our UNESCO designation. We would like to know what action has been and is being taken to mitigate that risk, aside from attempting to change boundaries under the draft Heritage Conservation District Plan and By-law.

Lunenburg is experiencing a huge increase in annual revenue going forward via massive increases in deed transfer and property taxes. Lunenburg has never sold more town-owned structures than it is now divesting, yet this Council is telling us we need to double our population using medium- and high-density housing and develop housing in the UNESCO buffer zone or we risk amalgamation. Again, this is a political theory and has not been presented to the public in the form of facts and figures. Videos posted on a private Facebook group do not an argument make.

VII. We need to talk

For all these reasons and more, we need to talk.

In summary, we are requesting a pause in the RFP process for both the BHH and King St. developments.

We believe it is important that Parks Canada be allowed to get up to speed and weigh in on their position vis-à-vis the threat to the UNESCO designation. We also need a closer review and understanding of what the 2017 legislative process entailed and whether it deprived citizens of their common lands without their participation or consent.

If you read the Town Solicitor's correspondence to the then CAO in the package presented for a vote in May 2017 enabling the legislation to move forward, you will understand our concern over a reference from the Solicitor to the effect, "the townspeople are not aware these are common lands".

At that meeting, Council members did not ask a single question about that letter. And as we understand from our current conversation with the legislature, there was no public meeting scheduled prior to 3rd reading of Bill 36 at the legislature or prior to its proclamation, as required by law.

There are too many moving parts and we need to slow down.

We are optimistic that with the upcoming changes at Town Hall, we can return to a time when different opinions around the table were tolerated and those opinions could be discussed. When people do not have to resort to social media to voice their concerns, and Council allows for public discussion, it is a powerful thing to witness, as clearly demonstrated at the April 11th public meeting on proposed vending by-law amendments.

The CCP clearly states that ongoing public consultation is required as it is rolled out.

Let's action that.

Thank you.

We would be happy to take any questions.