

Final arguments to be presented to OMB in September

• from TOWN on page A1

25 feet above the site, pointing out that from a mitigation standpoint, it creates some challenges.

Arnold highlighted the fact that another nearby development with abutting train tracks is dealing with the noise issue through a noise impact report as a condition of its draft plan approval, but Stovel said he's not satisfied it's something that should be dealt with in the draft plan.

Stovel also said he thinks it's important to see details up front on what the proposed noise barriers — a 2.5-metre tall safety berm with a three-metre tall noise wall on top — would look like, where they'd be located and what they'd be made of.

The NEC's Kathy Pounder also spoke briefly about the noise barriers, noting that the board specified the development plans should allow for scenic walkways, but she wasn't sure how scenic it would be with the safety berm and noise

wall.

During the two days of cross-examination, it was much debated as to whether the developer was supposed to have completed a subwatershed impact study (SIS) to meet the board's requirements.

While the three parties seeking dismissal said an SIS was required, Glen Schnarr of Glen Schnarr and Associates — the planning firm working for CMHL — argued that the board's previous order called for an environmental impact study, not an SIS.

"You can imagine our client wasn't anxious to undertake an expensive study that wasn't required by the board," he said, acknowledging that CMHL did ultimately agree to prepare an SIS earlier this year.

Local resident Colin Best, who has participant status in the hearing, also attended to submit a letter to the board in support of the motion to dismiss. It also suggests a cemetery as an alternative to putting houses on CMHL's property.

"I believe this use would be of greater benefit to all parties and would fit into the NEC's rural area designation while providing public access, views (of the escarpment), woodlot preservation, open landscape and a buffer between the growing Milton urban area and the escarpment," it reads.

After finishing up the cross-examinations, hearing officer Norman Jackson shared his thoughts on the motion to dismiss — something he called a "strong remedy."

He pointed out that, "Not often are there decisions to dismiss because of failure to meet a time constraint."

And whether the motion succeeds or not, Jackson said he's often found motions to dismiss helpful because "they get somebody's attention."

A hearing where final arguments on the motion will be presented has been set for September 20 and 21 in Milton Council Chambers.

Melanie Hennessey can be reached at mhennessey@milton-canadianchampion.com.

Ceremony to honour drunk driving victims

MADD (Mothers Against Drunk Driving) Halton/Peel is encouraging all victims of impaired driving, their loved ones and their friends — regardless of where they live in the two regions — to show their support by attending a special ceremony in Oakville Sunday.

At 1 p.m. MADD Halton/Peel will honour and remember victims by donating a bench to be displayed at Coronation Park, located on Lakeshore Road, just east of Third Line. The bench will serve as a symbol of tribute and respect for impaired driving victims.

Organizers stress the importance of consistently raising the public's awareness to the senseless crime, loss and sorrow felt by many people in the aftermath of a tragic impaired driving car crash.

For further information regarding attending this ceremony, contact the MADD Halton/Peel chapter office at (905) 844-0096 or e-mail info@maddhalton.ca.

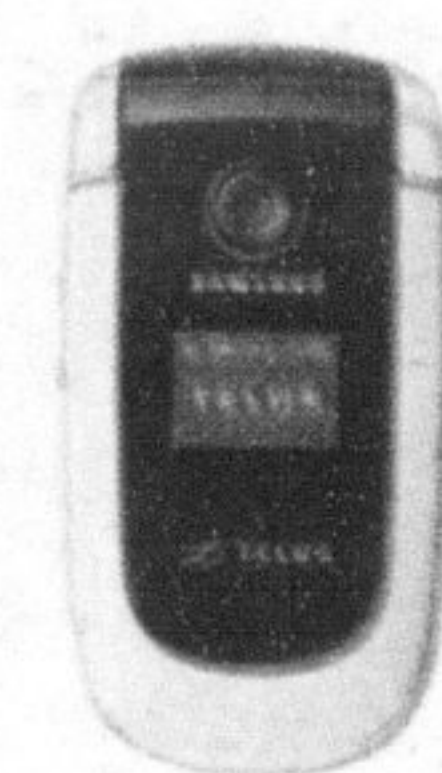
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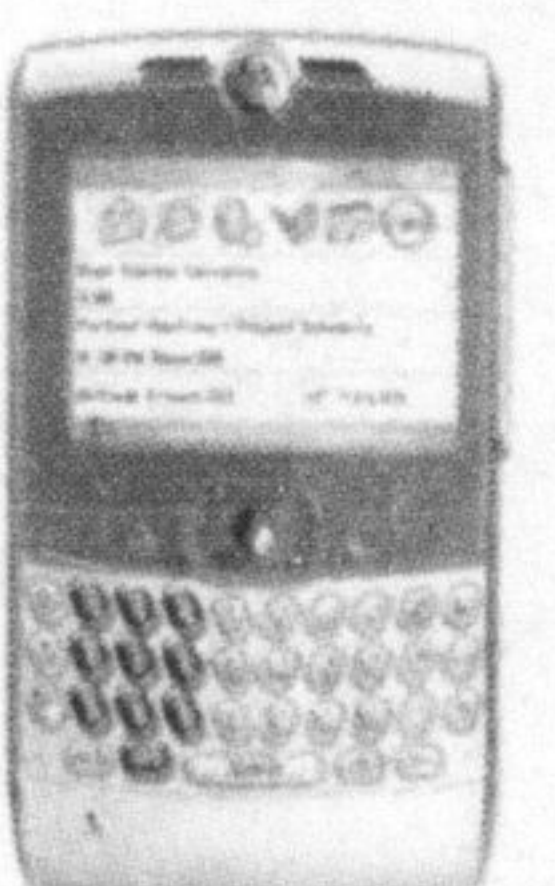
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