

SHERBROOKE LAKE- PUBLIC ACCESS

KEY TERMS FOR A MEMORANDUM OF UNDERSTANDING (JANUARY 19, 2017)

Please note the following are the key terms proposed to be incorporated into a Memorandum of Understanding, which will be drafted upon approval by Municipal Council.

Parties – Municipality of the District of Lunenburg (MODL) and Municipality of the District of Chester (MODC)

Purpose-

Parties recognize that Public Access to Sherbrooke Lake is a priority of MODL and as such MODL has acquired land for the same. The land is located in MODC and the parties further recognize the desire of both MODL and MODC to ensure the development of public access on PID 6064707 and 60644440 is done in a manner that provides public space and access on Sherbrooke Lake that respects the natural environment and the surrounding community on Sherbrooke Lake. An Adaptive Management Approach shall be employed to ensure the same, working towards an environmentally friendly solution based on evidence and research.

Objective-

To identify key terms and or principles that will inform the design of the Open Space Lands and identify a decision-making process

Decision Making Structure

The terms outlined in this MOU and the recommendations as outlined in the Sherbrooke Lake Access Advisory Committee's final report will inform the design of the proposed park on Sherbrooke Lake. MODL will engage, consult and inform MODC throughout the design and development process.

As the land owner and developers of PID's 6064707 and 60644440, MODL will make decisions and contribute the funding concerning the activities, features and design of the property which is being developed to provide public access.

Design Committee

The Parties will establish a design Committee that will consist of the positions from each municipal unit as assigned by each parties respective Chief Administrative Officer

The purpose of the Design Committee shall be:

- Using the design recommendations of the Sherbrooke Lake Access Advisory Committee and further defined in this MOU, define the key design elements to be provided to a consultant to complete preliminary and ultimately final design
- Consult with the immediate /adjacent neighbors in the development of the design elements
- Oversee the design of the Open Space
- Consult with the larger community of the final design
- Present a draft design to MODL and MODC
- Based on feedback from presentation to MODL and MODC revise draft design, if required.
- Recommend a final design to MODL

Once a final design is accepted by MODL the mandate of the Committee ends and the Committee shall be dissolved.

Design – Key Principles

- a) Public Access should have an environmental focus
- b) Public Access should be safe, clean and secure;
- c) Public Access should be accessible for all

The Final Recommendations in the Sherbrooke Lake Access Advisory Committee Report shall form the key elements of the Open Space design and management, specifically:

An Adaptive Management Approach will be employed where MODL may implement the design over several years. The intention is to ease the development into the surroundings and ensure minimal impact.

Phase 1

The initial development of the property will involve passive recreation opportunities as recommended in the Committee’s Final Report and features that will aid in the safety and

cleanliness of the area. **To further clarify phase one will not include a motorized boat launch. MODL will ensure that:**

- a. Parking on the site will be provided in a manner that diverts traffic from the neighboring lot;
- b. Adequate on-site signage will be provided to direct traffic and users;
- c. There will be adequate trash receptacles that will be maintained;
- d. Washrooms will be provided;
- e. The property will be gated and during the off season the gate will be locked. MODL will employ a gate keeper who will conduct daily park inspections, waste collection, maintenance and will open and close the gate each day. Hours of Operation shall be from 8 am to 9 pm, from the long week-end in May until the long week-end in October.
- f. Any outdoor lighting will be directed away from adjacent properties.
- g. Uses and facilities will be located on the site to help ensure adequate separation distance between the use and/or facility and adjacent properties, with the aim to minimize nuisances such as noise and lights. A visual buffer will be maintained where possible.
- h. To aid in separation, access will be designed as to direct visitors away from adjacent parcel (PID 60647039). There are two access points. The access further away from PID 60477047 will be used for the public access point.

Other features may include:

- a) Swimming Area / Beach Area provided in a location that reduces conflict with other site uses to ensure safety of swimmers
- b) A dock/Slip suitable for canoes and kayaks
- c) Picnic Area
- d.) Hiking Trails
- e.) Change rooms
- f.) Natural playground

Monitoring and Evaluation

After monitoring use and a joint evaluation is conducted, MODL may consider expanding services at Sherbrooke Lake making decisions based on evidence and research and within the terms of this MOU. Prior to considering the same MODL will consult with the immediate neighbors and the larger community.

Phase 2 could include:

- g.) A dock/slip designed to accommodate motor boats **up to 14 feet**. The dock/slip will be designed to prohibit personal watercraft (i.e. seadoos). This aligns with the consulting firm Upland's recommendation of conducting further research before installing a motorized boat launch. Encouraging the use of electric motors will be promoted with future consideration for enabling only electric motors. This feature will only be

developed after monitoring and evaluation is conducted and there is evidence and research to support developing a dock/slip way for motor boats up to **14 feet**.

Stewardship Committee

MODL agrees to establish a Stewardship Committee and MODC will participate by membership on the Committee. The purpose of this Committee will be to establish a water quality monitoring program to establish a baseline to aid in the evidence based decisions concerning the development of the properties. **This approach will aid in gathering essential data and research when making decisions beyond phase one of the development.** The water monitoring program would begin in the 2017-2018 fiscal year which would provide a baseline. The design phase would be in the 2017-2018 fiscal year; with development potentially beginning in 2018-2019. Both MODL and MODC will be equally financially responsible for the water quality monitoring program, with MODC's contribution not exceeding \$7,000 per annum, unless otherwise agreed to by MODC.

MODL and MODC agree to the terms in this MOU and agree to work in good faith to provide public access to Sherbrooke Lake.