

RURAL MUNICIPALITY OF ABERDEEN NO. 373

**Public Hearing**

Held on November 14<sup>th</sup>, 2024 at the Municipal Office, located at  
101 Industrial Drive, in the Town of Aberdeen



The Reeve Martin Bettker called the public hearing to order at 11:00am.

Present: Reeve Martin Bettker, Councilors Graham White, Mark Schaffel, Kevin Kirk, Paul Martens, Jim Korpan and the C.A.O. Bridgette Shwytky

Ratepayers Present: David Bubnick, Janine Bubnick, and Sean Jamison (via speakerphone)

The purpose of the public hearing was to hear concerns/objections/representations regarding the Discretionary Use Permit Application to operate a wood working business as a home-based business at 110 Louise Crescent, under Bylaw 2007-02 also known as the Zoning Bylaw for the RM of Aberdeen No. 373.

Reeve Martin Bettker chaired the hearing, introduced council and staff and then instructed those attending of the procedure that the hearing would follow.

Reeve Martin Bettker read the Discretionary Use application and the written submissions.

**Written submissions:**

**Nicolas Roy- 111 Louise Cres- Have no concerns-** Sean and his family are great neighbors. They are very peaceful and respectful of all our neighbors. Their property has very little traffic which is always family. The property is tidy and well kept. Please reach out if you have any other questions.

**Linton Potzus/Potzus Paving- SW 06-37-02-W3- Have no concerns**

**Kathleen Hamilton- 109 Louise Cres- Have no concerns**

**Chastity & Cory Fleischhacker- 122 Louise Cres- Have no concerns-** We have no concerns with Sean and his business. Infact, I think it is amazing to have a hobby and skill of his level and it's exciting and awesome for the community, cherry hills, & RM of Aberdeen in whole to have people like this apart of it. Lindsay & Sean are great, kind people, the kind of people that are giving to their neighbours. Ex/ my potatoes were horrible and Lindsay sent a group message to all who live in Cherry Hills offering if anyone wanted any to let her know. I took her up on her offer and she gave me a huge box of wonderful potatoes. That's the kind of people they are, caring & giving and obviously talented. PS. When I picked up the potatoes I smelt Sean working in his shop. I have a very strong sence of smell and let me tell you, it was heavenly. It brought me back to a nostalgic time being in a cabin and I only wish I could smell that smell all the time. I can not wait to see what he creates. Christmas is coming up so may have to inquire some Christmas gifts.

**Ken & Brenda Johnson – 106 Louise Cres- Have no concerns**

**Jayden Schmiess-120 Louise Cres-Have no concerns**

**Daniel & Sonja Gorin- 102 Louise Cres- Have no concerns**

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**Hannah & Donovan Wheeler- 101 Louise Cres- Have concerns-** My husband and I strongly oppose the proposed discretionary use for the home-based light industrial business, Devero Designs. We are also against all current and future operations of light industrial home-based businesses that currently run or are pursuing to run this in the future inside of our Country Residential Community.

My husband and I purchased this home in Cherry Hills because it is zoned as country residential. We do not want this development to begin operating as a light industrial development. We also opposed the request at 121 Louise for the same reasons.

My parents live next door where we visit regularly with our small children and the shop where this business will operate is right beside the property line. Hearing table saws, mitre saws and other woodworking equipment throughout the day is not our idea of enjoyable, quiet country living. To date, we have experienced this business operating in their garage with considerable noise and smell from the smoke.

We do appreciate the effort Sean is putting in to abide by the RM's bylaws, as well as additional odour remediation, however, upon further inspection, this is much more than a hobby business. According to their Etsy account, they have generated over 3400 sales via this platform alone in the past 5 years, as well as their Instagram account shows regular travel to trade shows. To keep up with the demand of a growing business, we are concerned the use of the shop, noise and smell will also increase. Cherry Hills Estates is simply not the place to establish a business like this. If his effort is to be 'invisible' to the neighbours, the shop, at minimum, should be relocated to the other side of his property.

If one light industrial business is permitted then this could be an open door to run light industrial in this community to run this type of business. Our concern is with anything that goes along with light industrial including increased noise, smell and potential traffic. We have two young kids and chose to move into a country residential to avoid light industrial use near our home.

We truly hope the RM will be holding to the zoning of this development as we did not buy into this development to have this happen.

**Nicholas Weinrauch & Kate Pederson- 121 Louise Cres- Have no concerns-** We are writing in regards to the discretionary use permit application at 110 Louise Cres in Cherry Hills. AS a fellow small business owner, I understand the benefits that small businesses can bring to communities as well as province wide. Not only does every purchase from a small business keeps local dollars local, small business owners have an increased vested interest in the safety and security of the communities they are located. We have personally toured the location and found that Sean has taken several steps to ensure that there will not be any increase traffic, noise or light and he has taken extra steps to properly filter the exhaust from his laser equipment. As is ours, his goal is to remain invisible to the community and has assured us that he will take any required additional steps to remain that way in the future. We believe that this will be a benefit to our community and fully support the approval of this permit.

**David & Janine Bubnick- 112 Louise Cres- Have concerns-** This proposed Discretionary use is to zone from a Low-Density Country Residential to Commercial/Light Industrial to permit a wood working business.

This business operation is not a typical "home" based business that does not interfere with outside noise or odor but rather a wood working business that is currently operating from their garage. The owner advises next year the operation will be moved to the new 30ftx50ft shop to then increase the business operation and grow into the future in the secondary building with the wood working equipment and laser.

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The secondary shop that was built under Permit for Residential use, is at minimum distance of 17 ft from between our property line and 50 ft to our bedroom window and deck.

The current non-compliant operation has been operating since the owner purchased and moved into the home. The operation has an exhaust fan vented to the exterior and runs all day when in operation, the laser exhaust of smoke also runs all day when in operation.

The exhaust motor is a constant hum preventing one to sit on the deck, the hum doesn't stop. Sound of wood working equipment is heard when the garage door is open. The smoke is constant from the laser and not able to be outside when in operation. Outside of the smoke that is always being discharged has an odor associated with it unlike a fire or wood smoker and assume is from how the laser is burning through the wood rather than a higher burn rate of fire or type of wood etc. Our windows to our home remain closed and garage door closed when this is in operation, and we limit our time outside. On a Saturday being home doing outdoor yard work I became sick in the afternoon and next day asked the neighbor what he was burning. I was advised was from exhausting the smoke from the laser cutter, that was last year.

We are good neighbors and do not want to cause friction, but if one wants to run a wood working business and never communicate his intentions of what they are doing or building is concerning.

This business was operating before coming to Cherry Hills Estates and set up this business operating out of two of the three car garage. They later applied for a permit checking it Residential use on the permit but intended for Commercial use.

How we found out of the shop, the owner was preparing the concrete pad beside our home, 17ft from the property line which caused concern of the current problem getting bigger. I contacted the RM to ask what was taking place and was advised the permit was checked Residential and was for 30ft x 50 ft shop with 12ft high walls and if it was checked for Commercial it would not have been approved.

Following a year of frustration as we love the outdoors, which is why we built in this development, we sent notice of Complaint which the By-law officer visited the owner and following resulted in this Discretionary Use being submitted and here we are.

Following this visit from bylaw enforcement, the neighbor texted asking to have discussion which was open to our concerns agreeing the operation should not be impacting one's quiet enjoyment of noise and smell and made adjustments adding a muffler to the exhaust would only operate when the winds are not moving north toward our home and if there is concern to call and will try to fix it.

In summary: The changes made to the current operation from the garage should improve but I can't comment if it has had impact however is great to see is trying to make effort of our concern of this type of wood working operation.

Our greatest concern today is the unknown, what will become of the bigger operation out of the shop that's 50 ft to our bedroom and deck. We are the only ones directly impacted from the Commercial operation operating directly beside our home.

We have tried to rectify this spending 10,000 on evergreens and 8,000 on a good neighbor fence to try and block the sound and operation.

The Proposed Use is a nightmare of what this could end up, thinking we were living in a residential community and not having to be in commercial listening to sounds of saws and motors and smoke

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smells all day. It is not a home-based business and is not compatible with the property zoning and primary uses and unfortunate the growth of the business to build a shop as close to the property line as possible, knowing it was for commercial use and not locate away from a neighbor's home, In short, the noise, smoke, smell associated fire risk, other materials storage in shop is not consistent with Country Residential Zoning. It is appropriate for these businesses to be located in zoned commercial or industrial areas which is why these zoning exist in City's and RM's.

It is hard to trust in what the neighbor is saying will happen to ensure will correct the issues with what has already transpired as we were all misled from the beginning.

We ask the RM not permit the operation for reasons indicated above, which was the answer when the permit was issued, but should there be movement at the very least to review every 6 months at the garage operation and same for the wood working shop but also be restricted to doors, overhead doors and windows closed during operation, flammables not stored in building, exhaust motor and laser smoke exhaust be positioned on south west side of building and not operate weekends. Unless of course the RM themselves do not want a large commercial operation in their current Country residential zoned land.

**Sean Jamison- 110 Louise Cres- Applicant submitted written presentation and photos/video-(photos attached as "Schedule A")** My name is Sean Jamison, I am a hobby woodworker and today I am seeking the approval of council to operate a business from our property under the name Derevo Designs. I enjoy woodworking in my free time and I like to make board games, cutting boards, and other wood items with a Sask or prairie theme. I work full time in Saskatoon as an electrical engineer, I am a member of the association of professional engineers and geoscientists as well as a certified project management professional. My current job title is a construction manager.

I currently operate consumer grade woodworking machines in the garage of my house, these machines are all available to hobbyists and are not industrial grade. I have a tablesaw, miter saw, sander, dust collector, computer controlled router, drill press, laser cutter, and other small hand tools. The sound and vibration from this equipment is all contained inside of my garage, which remains closed while I am working with tools. I've verified with a decibel meter that there is no perceptible sound from any of my woodworking at any of the property lines.

Our laser cutter uses a very tightly focused beam of light to cut and engrave wood. Smoke is produced as a result of burning wood, similar to a campfire, wood stove, or meat smoker. The quantity of smoke produced is relatively small, however some jobs can take a few hours to complete. An exhaust fan sucks the smoke through 5 filters which removes much of the particulate and smoke before exhausting the air outdoors. I have a 50 foot length of pipe that directs the smoke towards the center of our property where it then disperses into the air. I regularly walk our property line to ensure that no smoke smell leaves our property, and no noise is audible at those points.

Prior to this meeting, I have spoken with all of our direct neighbors, and many of our indirect neighbors to explain what I am doing, and the measures I've taken to ensure we aren't impacting others. At this time, I feel that I've adequately addressed any concerns that have been brought to my attention and will continue to work diligently to maintain a high quality of living for those around us.

I am asking today that council approve my business license application with no restrictions, taking into account the feedback that has been offered by our neighbors and my ongoing commitment to be a good neighbor within our community.



I have included some photos of my equipment, property, and current shop setup. Please feel free to ask questions as they come to mind, and I will be happy to address them.

Photo 1 – Overview of our property, South up.

Photo 2 – Photo of house, attached garage. No storage outside aside from some house related items

Photo 3 – Photo of shop built this year

Photo 4 – Inside of garage, current work space. View of workbench, dust collector, cnc machine. Dust collector and filter collect all of the dust produced in the shop, disposed in garbage. I also use vacuums with hepa filters for finish sanding.

Photo 5 – View of laser cutter. 24"x36" workspace, 120V power supply, 150w total power consumption. Uses less power than 3 standard 60w lightbulbs. This machine uses a variable power laser beam to engrave and cut wood.

Photo 6 – Laser filter box. Fan on top draws air through the filter box from the laser cabinet, exhausts to the door port.

Photo 7 – Inside of filter box. 5 total filter elements, fiberglass (catches large particulate), two merv 8 filters to catch fine particles, one merv 13 filter catches smoke particles, exhaust remaining air outdoors.

Photo 8 – Air quality meter I use in the shop to ensure that the indoor air quality remains acceptable. Used to test outdoors as well, I use it when I walk the property lines checking for sound/smoke smell.

Photo 9 – Hose to move the filtered exhaust air to a different spot on the property. We've moved it further away from the property line to the North and added a muffler at the end, there is zero audible sound and no odor outside of our property.

Photo 10 – End of the hose, noise suppression muffler on the end, exhaust directed South

Photo 11 – Screenshot of "windy" app, I use this to ensure I am only exhausting filtered air on days where there is a) sufficient wind to disperse it and b) days where the wind direction is away from our neighbors to the North

Photo 12 – A product we make – Folding/travel cribbage board

Photo 13 - A product we make – Cribbage board with internal peg storage

Photo 14 – A custom engraved cribbage board

Photo 15 – "Wave" Style charcuterie board

Photo 16 – A wedding gift I made

Photo 17 – A wood & epoxy resin cribbage board

Video 1 – My laser engraving a wheat pattern on a piece of wood for folding cribbage board backers. The laser uses 20psi of compressed air to keep the lens clean, the exhaust system removes the smoke from the work area.

### **Verbal Presentations:**

David and Janine Bubnick made a verbal presentation to express their concerns with the close proximity of the work shop from their residence. They expressed concerns with regards to privacy, noise, smoke, and potential future growth. Mr & Mrs Bubnick conveyed that they perceived the applicant's decision to construct their shop in close proximity to the property line as a lack of respect for their privacy. Mr & Mrs Bubnick submitted photos demonstrating the close proximity of the shop from their residence and a photo of smoke being emitted from an exhaust hose from the applicant's garage. **(Photos attached as "Schedule B")**

Councillor Kirk inquired about the rationale behind the applicant's decision to construct the shop approximately 17 feet from the property line.

The applicant, Sean Jamison, responded that the location was selected to provide access from the existing driveway and met the setback requirements for accessory buildings found within the RM's

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Zoning Bylaw. The applicant also explained the measures that he has put in place to mitigate the concerns of noise and smoke.

Reeve Martin Bettker thanked those in attendance for their written submissions and verbal presentations.

The meeting was adjourned at 11:45 am.

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Reeve



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Administrator