

LATE HANDOUT
ATTACHMENT #1 TO
REGULAR COUNCIL MINUTES
Dec.
2, 2014

Bensons moved next door in Nov 2012, and we burnt our wood stove that winter without hearing any complaints about smoke or odour from them. Our practices had been the same as previous years. We do not know what triggered the change.

At the onset of this issue, relations with Bensons were amicable, Mrs. Benson sometimes knocked on the door or would call. We would make adjustments to the stove by opening the damper or stoking. Our burning methods than were completely different from our current practices, as you will learn. The situation escalateted when I said to them "what have you done to help yourself".

We had never had a complaint in the 30 yrs that we had been burning wood, in fact 2 previous owners of the residence have written letters to support that claim as well as statements and a letter from present neighbors will be presented today.

I started to look around my yard, thinking perhaps I was stopping the air flow through the yard, and we Made the following efforts to appease the situation.

Changes we've made to improve air flow.

Feb2014 Removed 10ft mesh dish from back yard. This was mounted on the south west corner of our back deck even though it was no longer in use, we had considered installing solar panels on it because it was movable to track the sun, but we decided to take it out hoping to help the situation.

Mar 2014 Moved utility trailer further back in our yard . To allow air flow through their yard

Feb2014 Moved wood that was stacked under camper. We had wood under our camper as a

shelter to keep it dry.

Mar2014 Moved camper onto driveway. The camper had been parked on the south east corner of our back yard adjacent to our deck. The earliest we could move that was mid March when the weather was milder because we did not want to crack the fiberglass.

These efforts were done to help the dynamics of air flow when the wind was blowing to the east..

Changes that we're asked of us and commitments

Feb 2014

Bylaw officer Bev Bentley felt that the chimney needed to be extended to help with the situation.

Extended Chimney \$280.00

We received a letter Dated Mar 19 2014 from Bylaw Services requesting that within 60 days we have our "fireplace system inspected by a certified inspector"

Wett inspection \$210.00 with a certified passing grade.

Fire chief and Bylaw officer have provided valuable knowledge. Split the wood into smaller pieces, burn less wood at a time and burn it hotter. We had adopted their suggested practices prior to the meeting Oct 24 2014 and have continued our commitment.

Purchase log splitter \$2200.00

Remove bark from wood.

This we also adopted and have continued this commitment. Doing this has given my wife skinned knuckles as a bonus.

Notify Bensons if we are starting stove after 7 am.

Oct 29 2014 we started stove before 7am. Nov 23 2014 stove restarted after chimney clean and notified Bensons by text to landline.

To make a conscious effort to monitor smoke conditions after start up. To make a conscious effort to monitor weather conditions

We have extended that commitment to each time we add wood (because now the stove is running 24hrs a day) we go outside and observe the direction of the smoke and make any changes we physically can as we have no control over the perpetual winds here in Hinton.

Town of Hinton commitments from Oct 24 2014 meeting.

The only matter that we can speak to is the final item. To make random patrols and inspections of the area without request or complaint to monitor smoke conditions as they may be present. Mark Ryant makes a stop twice a day and to this point hasn't had any issues that we have been informed of.

We are both retired and on a fixed income. The wood heat keeps our gas bills reasonable. We ask for an informed and unbiased decision by town council. And that residents continue to be allowed to heat their homes with wood .

Dec 1 2014

Petition to present to Town Council

We the undersigned of Mountain Street and Fairfax Dr have never had any issue with the smoke or odor coming from Dan & Charlotte Sedgwick's home at 555 Mtn. St.

Name	Address	Ph #
Denise Welbourne	560 MOUNTAIN ST	865-5032
JEFF & BEU NACAM	549 MOUNTAIN ST	865-4191
Jason & Christine Gunst	105 Fairfax Dr.	865-7714
George & Lynn Rest	580 MOUNTAIN ST	865-4446
Sylvia & Daryl Jeffrey	115 Fairfax Drive	865-7196
Marco Pagnotta	113 Fairfax Drive	710-338
Howard Anderson	548 Mountain St.	865-7912
Raymond Batkin	554 Mountain St	865-5059
Jacques Vallee	558 Mountain St	865-7716
Jaydeen Macibarsky	568 Mountain St.	865-3315
Maria & Dan	565 Mountain St.	817-190
Glenn & Sheila Toof	567 Mountain St.	865-1970
Peter Weidman	575 Mountain St.	817-2490
Peter Wilkinson	579 Mountain	865-1711

Fairfax Dr

115	113	109	105 -	549	555	565	567	Not Home	575	579
Jeffrey	Pagnotta	Bowe	Gunst	Nagarm	Sedgwick	Benson	Berard	Toop	Home	Weidman
										Wilkinson

Anderson.	Barkin	Vallve	Welbourne	Maciberstay	Not home
548	554	558	560	568	

Maligne Dr

Best	580
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Tuesday October 28, 2014.

Daniel and Charlotte Sedgwick
555 Mountain Street
Hinton AB.
T7V 1J6

Dear Daniel and Charlotte,

Re: Nuisance Smoke Concerns – Mediated Discussion Summary.

Firstly we would like to thank all involved for taking the time and effort to sit down at discussions with the Town. The following has been written as a summary of the mediated discussions held on Friday October 24, 2014 and the commitments discussed by all parties involved.

Sedgwick's commitments:

- To continue current practices as discussed with respect to burning smaller pieces of seasoned firewood at hotter temperatures with a reasonable amount of bark removed.
- To make all attempts to light the stove before 07:00 am as agreed to by all parties as reasonable time to do so before the Benson family opens any doors or windows for the day.
- To make an attempt by phone to notify the Benson family prior to lighting the fire anytime after 07:00 am so as to allow the Benson family to be aware of any initial start up smoke in the area. A message being left on the phone was agreed upon as reasonable if the phone is not answered.
- To make a conscious effort to monitor smoke conditions after start up to ensure no smoke has continued to cause nuisance to the Bensons or any other surrounding property.
- To make a conscious effort to monitor weather conditions and to ensure burning during times of West wind or cold weather inversions is only done so in a manner that will not cause nuisance to the Benson family or any other property.
- To attempt to limit start and stop times through the day as reasonable to prevent initial start up smoke to become a nuisance several times a day.
- To maintain civil interactions with the Bensons at all times. If it is felt that interactions may become disorderly they are to cease immediately.

BYLAW SERVICES



Benson's commitments:

- To be conscious of the fact that the generally agreed upon time frame of 07:00 am is a guideline in that any start of or lighting of the fire before 07:00 am without a call is reasonable.
- To continue reporting to the Town Enforcement Services Office any suspected nuisance smoke occurrences.
- To maintain civil interactions with the Sedgwicks at all times. If it is felt that interactions may become disorderly they are to cease immediately.

Town of Hinton's commitments:

- To receive, review and consider all information provided by either party in a fair and unbiased manner.
- To respond to complaints of nuisance smoke by either the Benson family or any other person or persons who may be affected within a reasonable time frame.
- To investigate such complaints in a fair and unbiased manner.
- To, if found to be in contravention of Town of Hinton bylaw #1009 with respect to nuisance smoke, take necessary and appropriate steps to rectify the contravention, including but not limited to the issuance of monetary fines.
- To make random patrols and inspections of the area without request or complaint to monitor smoke conditions as they may be present.

If you feel that you would like to discuss this letter further or if you have objection to anything discussed in this letter please feel free to contact the Town of Hinton Enforcement Services Office at (780)865-6009 or by email at bylaw@hinton.ca

Sincerely,

Ryan Alice
Community Peace Officer #15115.
Town of Hinton

CC:
Manager of Fire Rescue and Bylaw Services
Director of Community and Protective Services
Mathew and Jennifer Benson

March 19, 2014

Dan Sedgwick
555 Mountain Street
Hinton, AB T7V 1J6

Dear Mr. Sedgwick:

This letter is to advise you that a complaint has been received regarding smoke emissions from the fireplace of your residence located at 555 Mountain Street, Hinton.

As per the Town of Hinton Nuisance Bylaw #1009, Section 4.05 states that:

A designated officer may by written order:

(h) Require an owner, lessee, tenant, agent or occupant of any premises or property in connection with which a fire is burning to take all necessary steps to prevent the spread and emission to the atmosphere, smoke which is opaque, dense or of an odour, which disturbs the comfort or enjoyment of any person or person in the neighbourhood or vicinity.

The Town of Hinton is requesting that your fireplace system be inspected by a certified inspector within 60 days to ensure optimum operation thereby reducing smoke that adversely affects neighbours. For your convenience, we have attached a list of authorized agencies to contact for this inspection. Please provide Bylaw Services with a copy of the inspection report indicating you are in compliance by May 20, 2014.

If you have any questions, please contact the Bylaw Services Department at 780-865-6009.

Yours truly,



Laura Howarth
Director of Community & Protective Services

cc: P. Ensor
S/Sgt M. Fitzgerald
R. West

NOTICE

Compliance Monitoring

Agencies Authorized By Alberta Municipal Affairs to Issue Permits and Provide Compliance Monitoring in Non-Accredited Municipalities

Agency Name	Phone	Fax	Building Permits	Electrical Permits	Gas Permits	Plumbing Permits
Alberta Safety Inspections Inc.	780-897-1998 877-780-7233	780-539-7185 888-780-7232	Yes	No	No	No
Hillside Home Inspection Services Inc.	780- 474-0167	780- 477-3396	Yes	No	No	No
Superior Safety Codes Inc. (www.superiorsafetycodes.com)	780-489-4777 866-999-4777	780- 489-4711 866-900-4711	Yes	Yes	Yes	Yes
The Inspections Group Inc. (www.inspectionsgroup.com)	780-454-5048 866-554-5048	780- 454-5222 866-454-5222	Yes	Yes	Yes	Yes
	780-723-4923 877-723-4923	780-723-3991 888-723-4923	Yes	Yes	Yes	Yes

November 29, 2014

To Whom It May Concern:

I am writing this letter in regards to my neighbor's, Dan and Charlotte, use of a wood stove. My back yard is adjacent to theirs and during the past 8 years my husband has never had an issue with the smell of smoke. I have lived in the house since January 2009 and have also never been bothered by the smell of smoke, as it is a rare occasion that we would even notice any. During this past cold spell Dan's stove has been running steady and I have not smelled smoke at all and we reside on the side of the house where the chimney is located. The new extension on the chimney seems to push the smoke up even higher and away from the houses. We find it hard to believe that someone is complaining so strongly about the smell of smoke when the only overwhelming smell we ever notice is that of the Pulp Mill on windy days. If you have any question please feel free to contact us at 780-865-7714.

Regards,



Christine & Jason Gunst

Date: Monday, December 01, 2014 3:07 PM
To: <dragonslayer59@telus.net>
Subject: 559 Mountain St

To whom it may concern,

I lived at 559 Mountain St for 9 years, from October 2003 to November 2012. We never once, over the 9 years we lived there, had any smoke issues. I had my windows open quite frequently & never had the smoke coming into our house.

My daughter has extreme allergies & if there was an issue with the smoke we definitely would have known about it!

If any further information is needed please do not hesitate to call me.

Sincerely,

Kelli Ducharme
780-817-8123

12/1/2014

Date: Monday, December 01, 2014 4:39 PM
To: <dragonslayer59@telus.net>
Subject: Sedgewick Wood Burning Stove

My name is Terri Bainbridge and my husband, Robert and I resided at 559 Mountain Street from January 1998 – October 2003.

Dan & Charlotte Sedgewick were our next door neighbours for that time period.

Regarding the issue of smoke while the Sedgewick's had their wood stove burning, there was never a issue or a concern while we resided next door to them.

There was never any smoke that entered into our home while they had their wood stove burning.

Living in Hinton, many residents burn wood to heat their home and when you are outside, you will of course smell it.

Can it definitely be determined that it was solely the smoke from Dan Sedgewick's home that was the concern?

Many Hinton homeowners utilize their fireplace or wood stove to negate the cost of heating utilities.

There were many other neighbours on Mountain Street that had their fireplaces or woodstoves burning while we lived on Mountain Street on any given day.

Terri & Robert Bainbridge
780-865-2276

12/1/2014