

DEVELOPMENT CONTROL BOARD

MINUTES

Minutes for a meeting of the Development Control Board held on Tuesday, 27th February 2024 at 9:00 AM at the District Administration Annex Conference Room, District Administration Building, Cayman Brac.

6th Meeting of the Year

DCB/06/24

Present:

Capt. Ashton Bodden	-	Chairman
Mr. Delano Lazzari	-	Deputy Chair
Ms. Elsie Kynes	-	Member
Mr. Miguel Martin	-	Member (Ex Officio)
Mr. Jason McLaughlin	-	Member
Ms. Andrea Stevens	-	Planning Officer/ Executive Secretary

Apologies for Absence:

Ms. Carol Busby	-	Member
Mrs. Zanda McLean	-	Member

INDIVIDUALS APPEARING BEFORE THE DEVELOPMENT CONTROL BOARD

<u>NAME</u>	<u>REASONS</u>	<u>TIME</u>	<u>ITEM</u>	<u>PAGE</u>
Jere Johnson	Workshop	9:30 AM	7.02	14
Cayman Development Group	Subdivision	10 AM	5.01	2
Sheppard Construction	Container House	10:30 AM	7.01	13



1.0 **CONFIRMATION OF MINUTES**

1.01 **Minutes DCB/05/24**

A Motion was made by Mr. Jason McLaughlin and seconded by Mrs. Elsie Kynes to approve the Minutes of DCB/05/24 as submitted. The Minutes of DCB05/24 were approved.

2.0 **ROUTINE MATTER**

3.0 **MATTERS ARISING**

4.0 **MINOR MATTERS**

5.0 **SUBDIVISIONS**

5.01 **CAYMAN DEVELOPMENT GROUP, LCW BLOCK 77A PARCEL 44 REM
3 (\$) (LC-P23-0019)**

Application for a 54 lot subdivision.

Appearance at 10:00 AM.

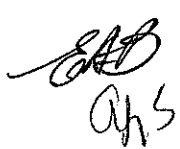
Facts:

<i>Location:</i>	Sam McCoy's Drive
<i>Parcel Size:</i>	55 ac
<i>Existing Use:</i>	Vacant
<i>Notices:</i>	Objection received

Background:

At DCB/15/23 (21st November 2023) it was resolved to adjourn the application for the following:

- 1) Lot widths shall be increased to a minimum of 100 ft.

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- 2) A minimum of two (2), 30 ft wide easements shall be shown which may provide access to future subdivision of adjacent parcels.

Agency Comments:

Department of Environmental Health

“DEH has no objections to the proposed in principle. Any built development must be submitted to DEH for review and approval.”

Fire Service

The Fire Service has marked the subdivision plan approved for access only.

National Roads Authority:

“General Issues

The NRA would like the applicant to provide a comprehensive phasing plan of the project.

There is one main access point to the development and the NRA is concerned that there are no other means of entry to the proposed subdivision. Applicant should have at least 2 3 other means of entry surrounding parcels.

Per NRA’s Design and Construction Specification for Subdivision Roads & Property Development:

1. Section 2.2 Collector Roads (a) Provide direct access to residences and other property, and (c) provide access to the arterial road system

2. Section 5.1 Access Requirements

All subdivisions are required to provide road connections to adjacent property for access or for future extensions

A comprehensive traffic calming plan will be required for a subdivision of this scale, where traffic controls are in place to mitigate speeding and other unwanted behaviours on the road.

Stormwater Management Issues

SAD
CHS

Stormwater controls should be considered as an integral component of any subdivision or site development. It is the responsibility of the developer to ensure that the quantity of stormwater runoff is reduced and prevent uncontrolled runoff flow to buildings and large impervious surfaces that could cause flooding resulting in an environmental impact forming a breeding ground for mosquitos. A comprehensive drainage plan needs to be provided by the applicant for the entire project.

The applicant shall demonstrate that the Stormwater Management system can be designed to include storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties that are lower, and nearby public roadways are not subject to stormwater runoff from this site.

Infrastructure Issues

The NRA advises the CPA to require the developer to provide for signage (stop signs, etc.), street lighting and any other traffic calming measures on the proposed roads of the subdivision. Once the roadway has been taken over as a public road, the NRA can then assume that responsibility. This site will need a stop sign with stop bars at the junction of Sam McCoys Drive.

A thirty (30) ft. wide road parcel needs to be provided in order to have adequate access as the NRA does not endorse the use of vehicular ROWs.

The subdivision's road base shall be constructed to NRA minimum design and construction specifications for subdivision roads - this includes elevations, minimum longitudinal slopes and minimum cross fall of minus 2 percent from the centre line to the shoulder.

The roadway shall be HMA. The NRA shall inspect and certify the road base construction prior to HMA surfacing activities.

All internal roadway curves (horizontal alignment) shall be no less than 46 feet centreline radius. This requirement ensures that the minimum vehicle sweeps for a standard garbage and/or fire truck can be accommodated by the site layout."

Department of Environment

"Ecological Overview

Importance of Primary Vegetation

As seen in Figure 1a and Figure 1b, the application site consists of predominately primary shrubland and dry forest. Primary habitat is mature habitat in its natural state, otherwise uninfluenced by human activity where ecological processes are not significantly disturbed. These habitats are often very old, existing long before humans and may consist of many endemic and ecologically important species. Primary habitat is in severe decline and becoming a scarce and highly threatened resource as a result of land conversion for human activities.

*ERB
AS*

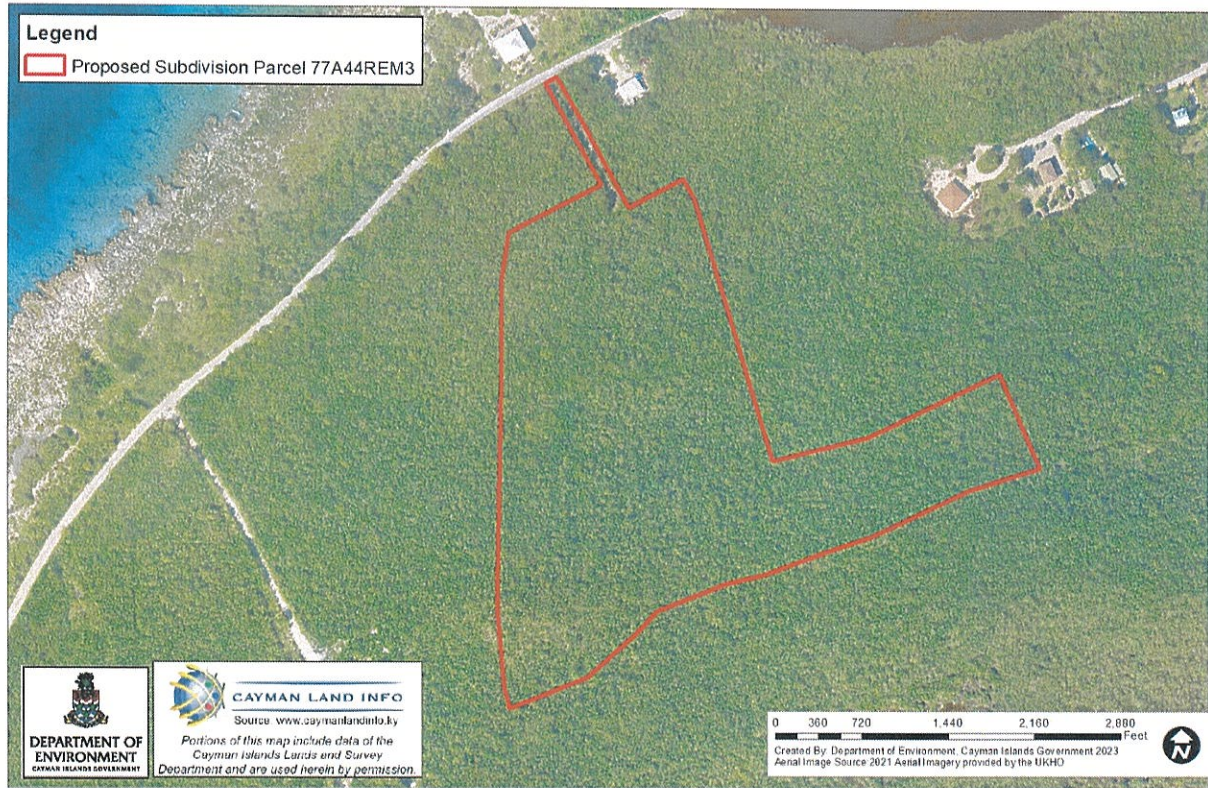
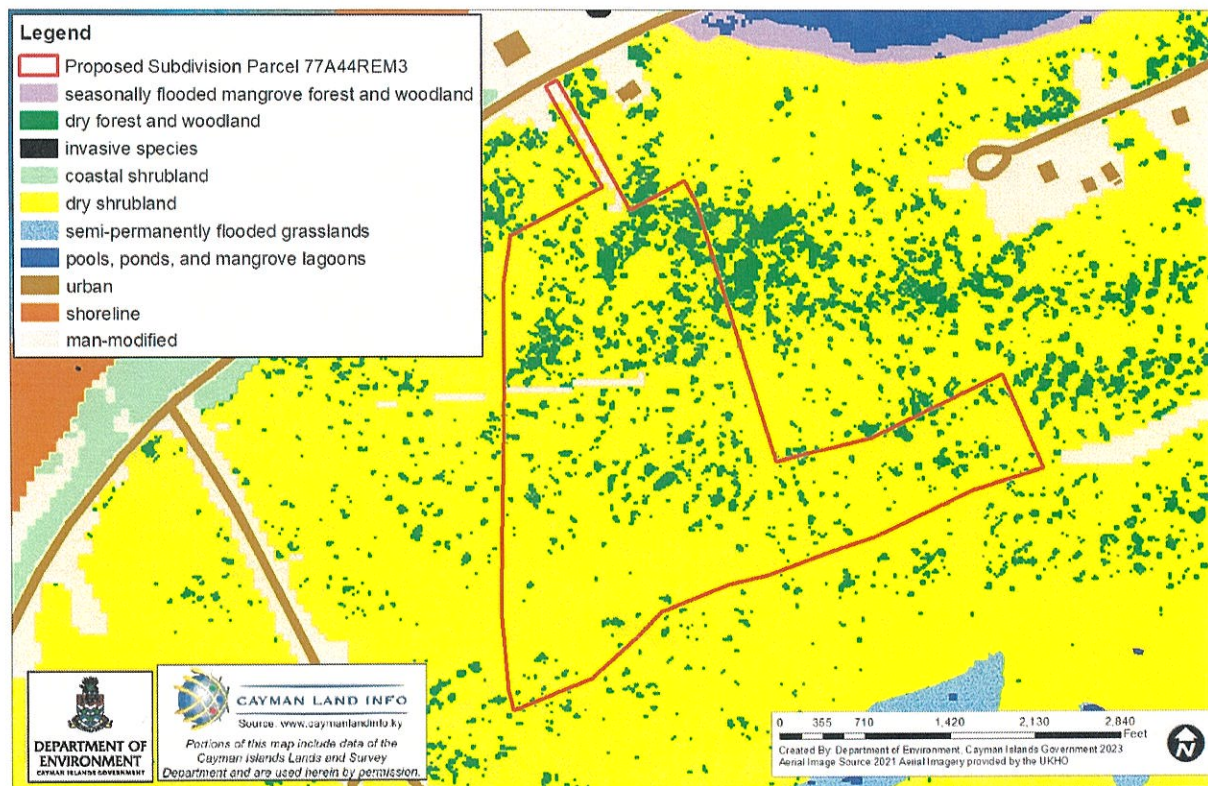


Figure 1a. The application site with the parcel boundary highlighted in red (Aerial Imagery Source, UKHO, 2021).



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Figure 1b. The application site with the parcel boundary highlighted in red and the different types of vegetation (Vegetation Data Source: DoE, 2013).

We note that the application is for a subdivision, we would not support the clearing of this site at this time. Land clearing should be reserved until the development of individual lots is imminent (through the granting of planning permission for development on those particular lots). This allows the opportunity for the individual lot owners to retain as much native vegetation as possible. Clearing the entire site prematurely removes the choice from the individual lot owners and removes the value the habitat could provide in the time between the preparation of a subdivision and the development of an individual lot.

Primary habitat and native vegetation can be retained and used in a variety of ways on a property:

- It can be retained along parcel boundaries and between buildings to serve as privacy, noise and sound buffers and screening.
- It can be incorporated into the landscaping schemes for low-maintenance low-cost landscaping. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation.
- It can serve as an amenity, providing green space and shade for those who live nearby or on the property.
- It can remain as a habitat for endemic wildlife such as anoles, birds and butterflies. This habitat helps to contribute to the conservation of our local species.
- It can assist with drainage, directly through breaking the momentum of rain, anchoring soil, and taking up of water and indirectly through keeping the existing grade and permeable surfaces.
- It can help reduce carbon emissions by leaving the habitat to act as a carbon sink and allow natural processes to remove carbon dioxide from the atmosphere. Destroying native vegetation releases carbon stored in the plant material, soil and peat.
- When located in an area of wider primary habitat, wildlife corridors can be created connecting areas of a habitat that would have otherwise been isolated through development, allowing for the movement of animals and the continuation of viable populations.

Sister Islands Rock Iguanas

EAB
CRS

The proposed subdivision site also provides habitat for Sister Island Rock Iguanas (Cyclura nubila caymanensis) which are known to nest in the primary habitat in this area. Sister Island Rock Iguanas (SIRIs) are listed in Part 1 of Schedule 1 to the National Conservation Act, 2013, as being 'protected at all times' and are also listed as critically endangered on the IUCN Red List.

Jackhammering and operating heavy machinery is not safe for nesting iguanas. Construction works not only disturb the physical iguana nesting habitat but heavy machinery and associated works can crush or bury iguanas and their nests. The DoE does not support the wholesale clearing of subdivision site or speculative clearing. The clearing and filling of the site could bury iguanas or their nests. If the applicant decides to clear and fill any part of the site, care should be taken as to not bury any iguanas or their nests. The main nesting season for the SIRI is from 1st May – 30th September each year.

Strategic Overview

In the past, the DoE has outlined in response to similar subdivision applications on both Sister islands, that in the absence of a Development Plan providing a strategic framework for development, particularly large-scale proposals, the DoE strongly recommends that before determining this planning application, a comprehensive review of the 'need' for the subdivision of more parcels is undertaken.

The impact of a further residential subdivision on existing infrastructure and the environment of the island should be properly considered and evaluated. As shown in Figure 2 below, there were approximately 1,064 undeveloped subdivision lots under 1 acre in size on Little Cayman in November 2021. Given the number of subdivision applications which have been approved since this figure was last updated almost two years ago (November 2021), the number of undeveloped subdivision lots has likely only increased. Figure 3 shows the proposed subdivision in relation to the similar, yet undeveloped subdivisions that make up much of the surrounding area.

*EAB
G/S*

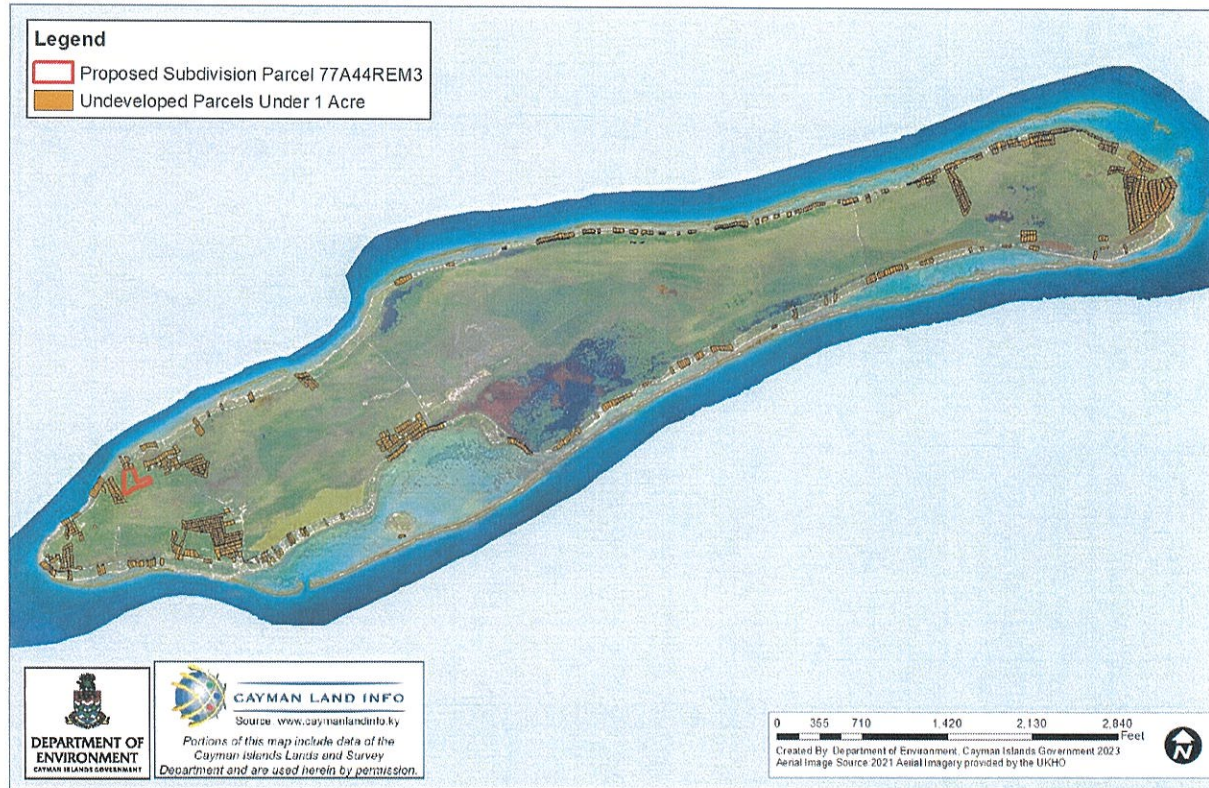


Figure 2. Parcels under 1 acre with no structures present as of 04 Nov. 2021 (Aerial Imagery Source: UKHO, 2021).

GAB
BLS

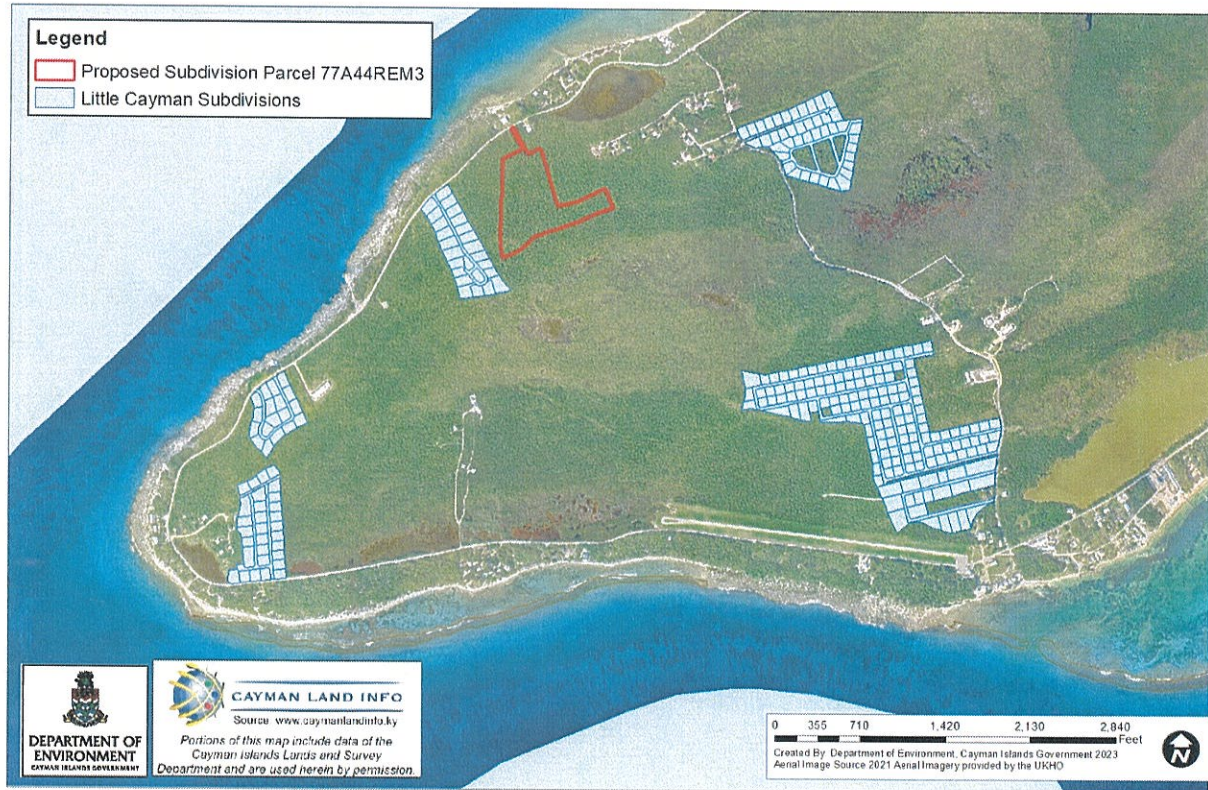


Figure 3. Location of the proposed subdivision highlighted in red in relation to surrounding, undeveloped subdivided parcels highlighted in blue (Aerial Imagery Source: UKHO, 2021).

The overall impact on the infrastructure and population of Little Cayman should be considered given the scale of the existing parcellation of the island. Hypothetically, should each of the 1,064 subdivision parcels be developed for housing, this could result in a population increase of 2,128+ people for Little Cayman. This would nearly double the current combined population of the Sister Islands, taking the estimated population from 2,257¹, to 4,385+ people (working on an estimate of two persons per household). With nearly twice as many inhabitants, there would be significant pressure on the infrastructure and amenities on the island, which should be assessed within the context of a Development Plan for the island. Against this background, the need for further residential housing development lots should be robustly justified.

Every time a new subdivision is approved and new roads are constructed, there is an environmental impact. If there is no intention to develop these lots, then there is no social benefit or improved living environment for the people of Little Cayman to set against that environmental impact. These subdivisions cause environmental harm from habitat fragmentation and habitat loss, as well as the resource implications that result from the construction of roads and development of infrastructure for these subdivisions.

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OAS

¹ Source: Economics and Statistics Office (ESO), [Population and Demographics 2021](#). Kindly note that the 2021 population statistics did not separate Little Cayman and Cayman Brac's populations but rather grouped them together. The population number referenced is for the two Sister Islands combined. In addition, the 2022 population for Cayman Brac or the Sister Islands was not available from the ESO website at the time of writing this review.

ERB
JMS

There are environmental consequences from the continued approval of these subdivisions:

- *The construction of the roads creates the direct loss of habitat by clearing and filling.*
- *The presence of the roads creates habitat fragmentation, which is a key driver of biodiversity loss because it makes natural areas smaller and more isolated from each other.*
- *The road provides easier access for invasive species such as rats, cats and dogs.*
- *There are 'edge effects' where the area directly next to the road is degraded by the presence of the roads. There are barriers to moving between fragments of habitat, changes to the community composition and changes to aspects such as climate, sunlight, nutrients, and microclimate.*
- *The development of the resultant lots increases the above effects and increases the direct loss of habitat, habitat fragmentation, presence of invasive species, and impacts to surrounding areas.*
- *Issues with resource use with partially-developed, sprawled subdivisions serving only a small number of people.*

Recommended Conditions

For reasons highlighted throughout this review, the DoE does not support the approval of this application. Should the Development Control Board or Planning Department be minded to grant planning permission for the proposed subdivision, the DoE recommends the inclusion of the following conditions in the Planning approval to conserve primary habitat and its ecosystem services until development has been approved and is imminent:

There shall be no land clearing, excavation, filling or development of the resultant parcels without planning permission for such works being granted."

Water Authority

"Please be advised that the Water Authority's requirements for this development are as follows:

Wastewater Treatment

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BS

- *The developer is advised that wastewater treatment and disposal requirements for built development are subject to review and approval by the Water Authority.*

Water Supply

- *Please be advised that the proposed development site is outside the area served by public water supply. The developer will be required to utilize an alternate water source; i.e., cistern or well.*

The Authority shall not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority."

LETTER OF OBJECTION:

Objector #1

(See Attachment B)

PLANNING ANALYSIS:

The application is for a 54 lot subdivision at Sam McCoy's Drive in Little Cayman. One lot is for a road and the remainder lots are for future development. Lots range in size from 10,030 sq ft to 13,800 sq ft. Lot widths range from 80 ft 5 in to 141 ft. There are other major subdivisions in the neighborhood.

APPEARANCE AT DCB/15/23 (21st November 2023):

Mr. Tommy Soffield, applicant, Mr. Greg Abernethy, agent for the applicant, and Mr. Greg Locher, objector, attended the meeting via Zoom.

Mr. Abernethy stated that the proposed subdivision meets all requirements for a Low Density Residential zone in Grand Cayman. He has read the NRA comments. All lots have access. He is willing to meet NRA requirements.

SAB
ALS

Mr. Locher, objector, stated that he bought a lot across the street in 2001. He was attracted to the unique character of Little Cayman. He stated that he thinks the proposal will have negative impacts. Little Cayman does not have a formal Development Plan. Development should be in character with the unspoiled nature of the island. The proposed application may be appropriate for Grand Cayman but not Little Cayman. Mr. Locher had photos of roads that “lead to nowhere” because no one has built in them. He stated that Little Cayman is very expensive. It took over three (3) years for him to build his family home there. Mr. Locher showed DOE comments in a slide show. He thinks there are about 1500 subdivision lots that remain undeveloped. The DOE supports old habitats, not the clearing of lots. Mr. Locher showed a photo of an iguana on the road in a subdivision west of the subject clearing. Little Cayman has a lack of infrastructure to properly deal with septic tanks; raw sewage is dumped into the ground. Building out of the subdivision would mean doubling of the population in Little Cayman. The electrical grid cannot support more demand. Airlift capacity of Cayman Airways Express could not support this. Some roads are still dirt roads. Little Cayman has been placed on the Tentative List as a UNESCO World Heritage Site. Mr. Locher mentioned that other people outside of the Notification radius also object to the application.

Mr. Abernethy stated that the application is only for subdivision lots, not construction of houses. Most lots in other subdivisions are sold. There is a need for land ownership.

Mr. Soffield stated that he works for Cayman Development Group, a developer of land in Grand Cayman and hopefully Little Cayman. This is an opportunity for people to own land. This is an opportunity for people to be able to leave something to their children. His group will finance these lots for @\$350 per month. There is no intention of damaging Little Cayman. This property was bought from a brother & sister.

APPEARANCE AT DCB/06/24 (27th February 2024):

A revised site plan has been submitted. The objector requested to be present when the application was to be considered further.

Mr. Tommy Soffield, applicant, Mr. Greg Abernethy, agent for the applicant, and Mr. Greg Locher, objector, attended the meeting via Zoom.

TS
GB

Mr. Locher, the objector, stated that he wanted to reiterate his previous comments; every time a new subdivision is approved there is an environmental impact. The intent is for new owners of the parcels to be able to leave property to family members. Other subdivisions on the island have been around for many years with no development.

Mr. Sofield stated that he understood Mr. Locher's concerns by he [Mr Locher] was able to build on his parcel, as other people should be able to build on their property.

Decision: It was resolved to grant planning permission subject to the following:

- 1) The applicant shall submit proof that a comprehensive phasing plan has been approved by the NRA.
- 2) The road shall be constructed and paved to NRA standards.
- 3) Utility poles shall be installed.
- 4) Signage shall be installed.
- 5) A surveyor's final drawing shall be submitted for approval prior to registration of the lots.

The applicant will be reminded that clearing of the parcels, or part thereof, by mechanical means requires planning permission.

Reasons for the decision:

- 1) The Board considered all information contained in the Agenda including agency comments, any written objections and any other representations made pertaining to the application.
- 2) The proposed development complies with typical planning parameters required by the Development Control Board as guided by the Development and Planning Regulations (2021 Revision).
- 3) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent parcels, to the neighborhood or to the public welfare.
- 4) There are other major subdivisions in the general west end of Little Cayman with parcels of similar size as the proposed subdivision.
- 5) While the objector stated that people outside of the notification radius objected to the application he provided no proof of this.
- 6) The Board gave careful consideration to all points raised by the objector in his letter of objection as well as during the Zoom meetings.
- 7) The objector failed to supply evidence showing that infrastructure required in the subdivision would inhibit the migration of species.

EBB
CAS

- 8) No empirical evidence was provided from Department of Environment that infrastructure would hinder migration of species.
- 9) No empirical evidence was provided that infrastructure would provide easier access for invasive species.
- 10) The Board accepts that infrastructure is required in order to facilitate development. The Board acknowledges that there needs to be a balance between the environment and development.
- 11) The Board felt that the objector's desire not to have development in the vicinity of his parcel was unreasonable.
- 12) The Board felt it was not relevant to consider the current cost of construction in Little Cayman, as the subject application is for subdivision only.
- 13) The Board considered the lack of infrastructure in Little Cayman. Because the application is for subdivision, and not actual construction, the Board felt that concerns about infrastructure were not significant enough to prevent approval of the application.
- 14) No evidence was submitted to indicate that existing and new subdivision lots in Little Cayman will develop at such a rapid pace that reasonable improvements could not be made to infrastructure.

6.0 NEW APPLICATIONS

7.0 OTHER MATTERS

7.01 **SHEPPARD CONSTRUCTION LTD, LCW BLOCK 77A PARCEL 244 (LC-P23-0021) (\$50,000)**

Application for a guesthouse.

Appearance at 10:30 AM.

Facts:

Location:	Marcus Drive
Parcel Size:	.24 ac (10,454 sqft)
Proposed Use:	Residential
Building Size:	1,857 sq ft
Bldg Footprint:	1,857 sq ft
Site Coverage:	17.8%
No. of Bedrooms:	10

SAB
AS

Required Parking Spaces:
Proposed Parking Spaces: 7
Notices: No written objections received.

Background:

At DCB/15/23 (21st November 2023) it was resolved to adjourn the application and invite the applicant to attend a meeting to discuss the use of containers for housing.

Agency Comments:

Department of Environment:

“The site is man-modified and of limited ecological value. Best management practices should be adhered to during construction to reduce impacts on the environment. In particular control measures should be put in place to address pollution from expanded polystyrene (EPS) beads on construction sites, for example those used in insulating concrete forms (ICF). Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when it enters the food chain. These beads are very difficult to remove once they enter the environment and they do not naturally break down.

If the Development Control Board or Planning Department is minded to grant planning permission for the proposed works, we recommend the inclusion of the following condition in the approval:

- 1. If the construction uses insulating concrete forms (ICFs) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the environment.*

We also recommend that native plants are incorporated into the landscaping scheme. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation. Landscaping with native vegetation also provides ecological benefits by creating habitat and food for native fauna such as birds and butterflies, promoting biodiversity and providing valuable ecosystem services.”

PLANNING ANALYSIS:

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CLB

Application is for a 10-bedroom, four (4) bathroom, guesthouse to be located at Marcus Way. The guesthouse will consist of two (2) forty ft containers and three (3), 20 ft containers. One of the 20 ft containers will constitute the kitchen. Notices were sent to owners of parcels within a 100 ft radius; no written objections have been received.

APPEARANCE

Ms. Alejandra Paz, architect, and Mr. Wespie Mullings addressed the Board at 10:26 AM via Zoom.

Mr. Mullings stated that he has construction projects in Little Cayman, but he needs housing for his workers. There are currently no containers used for housing in the area but there are three (3), 40 ft containers nearby that are used for storage. The guesthouse he wants to construct will not be permanent. He stated that the guesthouse will be temporary. This will only be needed for 2-3 years. The containers will then be used for storage.

Ms. Paz reiterated that the application is for temporary living space.

These will be steel containers.

The Board reviewed the architectural plans and considered the comments of the DOE, the applicant and his architect.

Decision: The Board took into consideration the comments from the Department of Environment, the application submissions and information provided by the applicant and his architecture. The Board resolved to refuse the application for the following reason:

- 1) The application is not consistent with the Objectives of The Development Plan 1997 in that the use of metal storage containers for the purposes of human habitation would not enhance the quality of life for the persons residing in the containers nor would it safeguard the cultural, social and general welfare of the persons residing in the area. The Board is of the view that regardless of whether the containers could be fitted out to comply with the Building Code, the use of storage containers for human habitation is not an appropriate form of housing, and if permitted would result in negative aesthetic, cultural and social impacts.
- 2) The Board considered the applicant's submission that the proposed use is temporary in nature and therefore should be permitted, to not be sufficient to over-ride deleterious impacts on the cultural, social and general welfare of persons residing in the area, given the proposed time-frame 2-3 years and the potential for this period to be extended, as the development is being sought to cater to three (3) potential construction projects on the island.

SB
QAS

7.02

JERE JOHNSON, CBE BLOCK 104A PARCEL 232 (CB-P23-0054)

Application for a shop/garage.

Appearance at 9:30 AM.

Facts:

Location:	Fish Bowl Loop
Parcel Size:	.6082 ac (26,493 sq ft)
Existing Structures:	Vacant
Proposed Bldg:	768 sq ft
Site Coverage:	2.9%
Structure Height:	10 ft

Background:

At DCB/14/23 (18th October 2023) it was resolved to adjourn the application to invite the applicant to a meeting to discuss the intended use of the building.

Agency Comments:

Department of Environment:



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Figure 1. The application site with the parcel boundary outlined in red and proposed development highlighted in grey (UKHO, 2021).

As seen in Figure 1, the application site is ecologically sensitive. The application site:

- *Is adjacent to National Trust-owned land which is protected under the National Trust Act;*
- *Is located in important breeding and foraging habitat for the Cayman Brac Parrot (a Schedule 1 Part 1 Protected Species under the National Conservation Act (2013)); and*
- *Contains primary dry shrubland and xeromorphic semi-deciduous forest.*

As seen in Figure 1, the application site is man-modified consisting predominantly of old regrowth from 2008 but there is a mixture of primary xeromorphic semi-deciduous forest and primary dry shrubland habitat in the northern section of the parcel. Primary habitat is mature habitat in its natural state, otherwise uninfluenced by human activity where ecological processes are not significantly disturbed. These habitats are often very old, existing long before humans and may consist of many endemic and ecologically important species. Old regrowth still possesses ecological value and may consist of endemic and ecologically important species as well.

Primary habitat is in severe decline and becoming a scarce and highly threatened resource as a result of land conversion for human uses. For this reason, the DoE recommends that the applicant retains as much native vegetation as possible. Native species are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation. Landscaping with native vegetation also provides habitat and food for native fauna such as birds and butterflies, promoting biodiversity and providing valuable ecosystem services.

Primary and native habitat can be retained and incorporated to be utilised in a variety of ways. For example:

- *It can be retained along parcel boundaries and between buildings to serve as privacy buffers/screening.*
- *It can be incorporated into the landscaping schemes for low-maintenance low-cost landscaping.*
- *It can serve as an amenity, providing green space and shade for those who live nearby/on the property.*
- *It can assist with on-site stormwater management and drainage.*
- *It can remain as a habitat for endemic wildlife (helping contribute to the conservation of our local species).*

SAB
COB

- *It can help cut back on carbon emissions by leaving the habitat to act as a carbon sink through avoiding its destruction and allowing natural processes to occur which assist with the removal of carbon dioxide in the atmosphere.*
- *When located in an area of wider primary habitat, wildlife corridors can be created connecting areas of a habitat that would have otherwise been isolated through development, allowing for the movement of animals and the continuation of viable populations.*

*Also seen in Figure 1, the site is located in an important area for the Cayman Brac Parrot (*Amazona leucocephala hesterna*). The Cayman Brac Parrot is a subspecies of parrot which is found nowhere else in the world. It is distinct from the Grand Cayman Parrot (*Amazona leucocephala caymanensis*) and is a Schedule 1 Part 1 Protected Species under the National Conservation Act (2013), meaning that it is protected at all times. The Cayman Brac Parrot is frugivorous (it eats fruits) but also forages on young leaves and flowers. It is a cavity nester and breeds only in mature dry forest (such as the primary forest that covers much of the site). They require large, hollowed-out spaces in trees to nest. This means they are dependent on a limited supply of existing cavities in forest trees to make their nests. Wholescale clearing of application sites removes the possibility of any vegetation providing continued parrot habitat, nesting sites and food. These parrots are an important part of Cayman Brac's natural and cultural history, and together with the Grand Cayman Parrot, these birds serve as a symbol of national pride and natural resource conservation.*

Parrots are a resilient species, but their small habitat range combined with climate change pressures and the increasing conversion of land for human uses mean that the long-term future of these birds depends on the ability to preserve these old growth forests and build sustainably. This further highlights the importance of retaining as much native vegetation as possible alongside the proposed development.

Due to the site being in an important area for the Cayman Brac Parrot and being directly adjacent to National Trust-protected land, we encourage the applicant to consider clearing the garage footprint only. Although the application indicates a house will also be developed on the application site, it is not approved as of yet. Clearing the vegetation of this parcel prematurely will take away its ecological value and valuable ecosystem functions. If the applicant wishes to clear beyond the construction footprint we encourage that the primary dry shrubland and xeromorphic semi-deciduous forest highlighted in Figure 2 below is retained and at least a 25 foot vegetation buffer is left on the northeastern side of the parcel that borders the National Trust-owned land. No clearing outside the parcel boundary should occur. The applicant is reminded that National Trust-owned land is protected under the National Trust Act and any damage or destruction to this land is an offence.

*EB
CAS*

Should the Development Control Board or Planning Department be minded to grant planning permission for the proposed development, the DoE recommends the inclusion of the following conditions in the Planning approval to protect this ecologically sensitive habitat that is important to a Part 1 Protected Species unique to Cayman Brac:

- 1. If the construction uses insulating concrete forms (ICFs) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the environment."*

Applicant's Letter:

"As per your request the garage/shop will be used primarily for storage of typical shop and household supplies and a vehicle. The proposed shop is for personal residential use, there will be no commercial type use. It is possible until the residence is built that I would on occasion stay in the shop area until I can have a local builder construct the residence.

I have not retained an Architect at this time but am talking with Darrell Ebanks, and I would be sure to have him display your statement on the plans when submitted for review. Working at getting planning permission at this time to get started."

Planning Analysis:

Application is for a 768 sq ft shop/garage at the southeast corner of Fish Bowl Loop. The site plan needs to be revised to show a drain field instead of a deep well.

APPEARANCE:

The applicant, Mr. Jere Johnson, addressed the Board at 9:36 AM via Zoom.

Mr. Johnson stated that his application is for a garage & hobby shop. He plans to build a house on the property in the future.

He makes picture frames. Nothing will be sold from the shop.

The Chairman asked if he plans to stay in the building while he is here.

Mr. Johnson stated that he has been coming here for many years, for a week or so at a time. He plans to bring a container this fall. He stated that he doesn't know the rules about staying in it for a night or so.

The Planning Officer stated that he should contact Customs & Border Control (Immigration).

*ESB
CJS*

Mr Johnson stated that he would work with Immigration to find a way to stay in the building. If this is not possible he has other options. He can stay in an Airbnb, with friends or at the Alexander Hotel.

He mentioned growing problems with theft on the island.

It will take at least a year to build.

Decision: The Board took into consideration the comments from the Department of Environment, the application submissions and information provided by the applicant. The Board resolved to refuse the application for the following reason:

- 1) The application is incompatible with the residential character of the neighborhood.

8.0 ENFORCEMENT

9.0 MATTERS FROM THE PLANNING DEPARTMENT

9.01 **Letter from Isaac V Smith regarding rock removal**

"I hereby write seeking your favorable consideration and permission for the removal of storm debris from Block 106E Parcel 6 to Block 107A Parcel 30.

As you may recall, in 1980 Hurricane Allen caused extensive damage to the North Coast of Cayman Brac. Major clean up efforts were made and as a result the rocks, as shown in the pictures attached, were stocked piled.

Our property on the bayside is used for family gathering and recreational purposes. Clearing the area would allow a bigger space for parking, a proper turn-around and would give us the opportunity to naturally beautify the area by restoring the land to its natural condition which would make it more enjoyable for my family.

The removal process would involve heavy equipment and the storm debris would be used as fill once permission is granted to knock off the points at Block 107A Parcel 30.



Your kind consideration to this request is appreciated.

*Yours sincerely,
Isaac V. Smith (Mr.)*

Decision: The Board had no objection to Mr. Smith's proposal.

10.0

DCB MEMBERS INFORMATION /DISCUSSION

EAB *ans*

October 18, 2023

Director of Planning, Haroon Pandohie
P. O. Box 235
Cayman Brac KY2-2101

I am writing to object to the proposed residential housing subdivision in Block and Parcel(s) 77A44REM3 which is located directly across from my lot/home on Little Cayman. I purchased this lot in 2001 and in 2003 started construction of a home on the lot. The reason for me to make this commitment was the unique character of Little Cayman and the community that resides there. Each of the Cayman Islands has its own unique character and Little Cayman has been recognized as a place of unspoiled nature, seclusion, and a close-knit community. This proposed residential development destroys all of those concepts.

Specifically I believe that this development would have a negative impact on Little Cayman's community/island in a number of ways.

- 1) This proposal is not consistent with the Little Cayman Development Plan (1997 latest version) Guidelines for Development and Control of Little Cayman, Appendix 2, section 6 ii which states:
 - (ii) It is recognized that Little Cayman is considered a unique island. Every effort should therefore be made to retain its unspoiled character and to make it an attraction for persons interested in natural life. Selected development would encourage such persons to visit Little Cayman. Development should be in harmony with the unspoiled character of the island. Positive efforts should be made to attract the right type of visitor who appreciates natural life and the unspoiled character of Little Cayman.
- 2) This proposal violates the Development and Planning Act (2001 revision) Part III which states:

PART III-Community Planning

 1. Providing for the control of land by zoning or designating it for specific uses.
 2. Regulating the lay-out of housing areas including density, site coverage, subdivisions, spacing, grouping and orientation of houses in relation to roads, open spaces and other buildings.

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3. Determining the provision and site of community facilities including shops, schools, churches, meeting halls, play centres and recreation grounds in relation to the number and site of houses.

- 3) The proposed development would change the character of our neighborhood. With respect to this, the lot sizes in the proposed development are very small. Our neighborhood is currently made up of single-family homes, and the development would introduce a new type of housing density that is not in keeping with the character of our community or Little Cayman. I am also concerned about the impact that the development would have on our property values. I believe that the development would bring down the value of our homes, and this would have a negative financial impact on many of our residents.

- 4) Little Cayman is an extremely costly and complicated place to build and this fact is underestimated by many unfamiliar with Little Cayman. First, there is the price of concrete. In typical MCU or ICF builds, concrete is the most expensive component of a construction project – and in Little Cayman, the cost of concrete is almost twice that of Grand Cayman. The second is the shipping. Every roof tile, piece of lumber, pot of paint, and box of nails has to be shipped in, either direct from Miami or from Grand Cayman. This adds to the cost, timeline, and uncertainty in the logistics and associated supply chain costs. And then there is the question of the workforce. Little Cayman is home to just two full-time builders who are – unsurprisingly – booked up for years to come. The options are, therefore, either to wait or assume the cost of transporting and housing builders, electricians, plumbers, and more from Grand Cayman. There is little housing available for these construction workers on Little Cayman. So while acquiring a lot in Little Cayman may be more affordable than in Grand Cayman, constructing a home is twice as expensive and can take a good deal longer. From personal experience, it took over 3 years for me to complete my home. A 53 unit residential area on Little Cayman will be an impossible task to complete. In support of this objection, I would reference the fact that there are currently fifteen

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hundred (1500) approved development lots on Little Cayman without a structure. Enough is enough for this small island.

- 5) I believe the Development and Planning Act (2001 revision) Part III also applies to the specific point mentioned above with respect to the current situation on Little Cayman after approval of similar high-density residential areas. After approval the developers cleared the land and made a road and not a single structure was erected. So all that was accomplished was the removal of trees and ground cover and installation of a road that is often blocked by a barrier to prevent entry and leads to nowhere. The removal of the trees/woodlands/bush by this developers will result in a significant loss of habitat for birds and iguanas which I have seen in this area. The Development and Planning Act allows for the protection of trees and woodlands:

Preservation of trees and woodlands

25. (1)

If it appears to the Authority that it is expedient in the interests of amenity to make provision for the preservation of any tree, trees or woodlands in any area, it may, for that purpose, make an order (in this Act referred to as a tree preservation order) with respect to any such tree, trees, groups of trees or woodlands as may be specified in the order; and, in particular, provision may be made by any such order —

1. (a) for prohibiting (subject to any exemptions for which provision may be made by the order) the cutting down, topping or willful destruction of trees except with the consent of the Authority which may be given subject to conditions;
2. (b) for securing the replanting, in such a manner as may be prescribed by or under the order, of any part of a woodland area that is felled in the course of forestry operations permitted by or under the order;
3. (c) for applying, in relation to any consent under the order, and to applications therefor, any of the provisions of this Part relating to permission to develop land, and to applications for any such permission, subject to such adaptations and modifications as may be specified in the order; and
4. (d) for the payment by the Authority, subject to such exceptions and conditions as may be specified in the order, of compensation in respect of damage or expenditure caused or incurred in consequence of the refusal of any consent required under the order, or the grant of any such consent subject to conditions.

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6) A 53 residential area with respect to septic systems can have a significant impact on the environment. There are currently no plans for a residential sewer and waste water treatment facility on Little Cayman. In addition, septic system wastewater can leach into the groundwater and contaminate private wells. This can pose a serious health risk to people who drink the water. The impact of a 53 home residential area with respect to septic systems on the environment will depend on a number of factors, including the type of soil, the depth of the water table, and the distance to surface water bodies. However, even well-maintained septic systems can leak wastewater into the environment, so it is important to be aware of the potential risks. The sea is directly adjacent to this proposed project and is a marine protected area. In September 2023 Little Cayman Marine Park areas were placed on the Tentative List of submission by the UK as a UNESCO World Heritage site (<https://whc.unesco.org/en/tentativelists/6690/>) One reason for the marine parks to be even considered for nomination is the current low density of housing on Little Cayman. Little Cayman does not have any government personnel for inspection of septic systems to ensure they are properly maintained and there are no leakage issues. A residential area with this density will most certainly endanger this unique protected area. As with the residential building concerns mentioned above, Little Cayman just does not have the infrastructure to support a development of this size. Even if no leakage issues occur, septic tanks require occasional pumping. Little Cayman's current waste management facility is the dump and is already overflowing without additional pressure from high density projects such as this proposal.

In addition to human waste, there will be trash produced by the residents of this high-density residential area. The Little Cayman dump is currently forced to burn this trash and has an ever growing scrap metal pile and no recycling capability. Little Cayman does not need another Mount Trashmore, as Grand Cayman is currently dealing with.

7) The infrastructure of Little Cayman's electrical grid is inadequate to support additional high-density housing projects. The electrical supply for the island is produced by a diesel fuel generator which currently cannot produce enough electricity to meet demand. Frequently during the hot summer months residents are

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asked to turn off their air conditioning units to meet the demand. The existing power plant cannot reliably produce enough electricity let alone supply additional demand.

- 8) This proposal will add additional strain on the air-lift capability for Little Cayman provided by Cayman Airways Express. Currently Cayman Airways operates two Twin Otters with service between the three Cayman Islands. An additional Twin Otter has been authorized by the Cayman Islands Government, but no timeline has been provided for when it will be in-service. The current air-lift capability is already at capacity with frequent meetings on this issue with the Sister Islands Tourism Association and Cayman Airways. As tourism is Little Cayman's only economic oiler, this additional strain will have a negative impact on the island and community residents. Remember, the Planning Board recently approved a 42 room resort in Kingston Bite. I have personally experienced the lack of air-lift capability to Little Cayman and am forced to delay or cancel inter-island trips due to a lack of available seats.
- 9) The development would increase traffic congestion in our neighborhood / island. Our streets are already narrow and not paved properly for a residential addition of this size. Adding more cars to the mix would make it difficult and dangerous for residents to safely move on the island. In addition, the streets will require increased repair/improvement in the future without additional traffic and Little Cayman roads are at the bottom of the list for Public Works attention, receiving only minor attention each year. Please understand there are still gravel roads on Little Cayman. This increase in traffic congestion directly impacts my current home as the only street in and out of the proposed addition is directly across from my home.
- 10) The proposed residential housing subdivision would have a significant impact on noise and light pollution in our quiet neighborhood. Noise pollution is a major concern for many residents. Little Cayman residents have overcome the issues of building and lack of services to reside in a quiet neighborhood. The development would increase traffic noise on our streets, and it would also introduce new sources of noise, such as construction

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noise and noise from a high density residential area. This would make it difficult for residents to relax in their homes or enjoy their outdoor spaces.

Light pollution is another major concern. The development would introduce new sources of light, such as streetlights, headlights, and porch lights. This would make it difficult for residents to see the stars at night, and it could also disrupt their sleep. One of the great joys of my home is sitting on the porch at night and being able to see the Milky Way galaxy. For many guest this is their first opportunity to see this in a dark night sky. Light pollution can also have a negative impact on wildlife. Many animals rely on darkness to navigate and to hunt. The light from the development could disorient and confuse these animals, making it more difficult for them to survive. I have a bat house constructed at my house to assist this endangered species. I urge you to consider the impact of noise and light pollution on our neighborhood when making your decision about the proposed development.

I have one question for the Planning Control Board concerning this application. The average size for each residential lot is just over 10,000 square feet. Following the building code a structure cannot be built within the fifteen foot of the lot line. What size homes are expected to be built and how will allowances be made for septic systems to be included within the allowed square footage? Is this even legal with the building code?

I strongly urge you to reject the proposed residential housing subdivision. I believe the proposal is not consistent with the Little Cayman Development Plan and violates sections of the Development and Planning Act. As I have outlined above, this development cannot be supported by the Little Cayman's current infrastructure and would be a detriment to Little Cayman and its community. Approval is not in the best interest of Little Cayman residents or Caymanians, regardless of where they live that would like to keep the sister island unique from Grand Cayman or Cayman Brac.

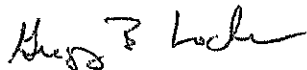
Several long-time Little Cayman residents have written letters of support against approval of this application even though they are outside the required notification distance and will also be submitted. I realize the Development Control Board is under no obligation to consider them.

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The notice of application for planning permission was placed in the mail and postmarked September 28, 2023. I did not receive the notice until October 16, 2023, resulting in a three (3) day window of response. It was not sent via registered mail. Concerning this matter I would request future communications on this matter be also emailed. My email address is: GregLocher23@gmail.com

Lastly, I would expressly ask to be heard at the time of hearing of this application. I think a variety of options are available for this request and can be agreed upon prior to the hearing.

Regards,



Gregory B Locher

Owner of Block and Parcel 77A157 Return Address: 8827 Bluestone Bay Court, Sherrills Ford, North Carolina, 28673, USA

cc: Deputy Ron Sanderson



Objector: Gregory Locher

27/02/24 Cayman Brac Development and Control Board

Comments by Mr. Gregory Locher for the February 27, 2024 Cayman Brac Development and Control Board hearing. In addition, I am resubmitting the PowerPoint slides from my comments during the original hearing on November 21, 2023 for the official record.

The legislation governing development in Little Cayman is the Development and Planning Act (2021 Revision), the Development and Planning Regulations (2024 revision) and Appendix 2 (and parts of Appendix 1) of the Development Plan 1977.

In the absence of a development plan specific to Little Cayman, the guidelines set out in Appendix 2 and parts of Appendix 1 of the Development Plan (“**the Guidelines**”) are the only principles against which applications for development on Little Cayman can be considered. My objection centers around these principals and supported by the DOE comments on this application.

1. Section 13(1) of the Development and Planning Act (2021 Revision) (“the Act”) provides that subject to the Act or regulations made under it, permission is required under Part III of the Act for the development of any land. Section 13(1) goes on to provide that except where otherwise provided for by the Act, **permission shall not be given** which would result in a development at variance with a development plan and **in particular in the case of development in Cayman Brac or Little Cayman at variance with the guidelines therefor contained in any such plan.**
2. In the absence of a development plan specific to Little Cayman, the guidelines contained in Appendix 2 (“the Guidelines”) to the Development Plan 1977 are the primary principles to consider when considering the application. The main principles relevant to this application are:
 - a. Principle 6(ii) which states, “It is recognized that Little Cayman is considered a unique island. Every effort should therefore be made to retain its unspoiled character and to make it an attraction for persons interested in natural life. Selected development would encourage such persons to visit Little Cayman. Development should be in harmony with the unspoiled nature of the Island. Positive efforts should be made to attract the right type of visitor who appreciates natural life and the unspoiled character of Little Cayman”;
 - b. Principle 6(iii) which states that “it is recommended that careful access should be provided to the natural features of the Island to enable visitors to enjoy the natural life which is available without jeopardizing these assets”; and



c. Principle 8 which states, in part, that “special care must be taken to avoid the indiscriminate opening up of the island if prime assets are not to be lost”.

In support DOE comments concerning this application:

There are environmental consequences from the continued approval of these subdivisions:

- *The construction of the roads creates the direct loss of habitat by clearing and filling.*
- *The presence of the roads creates habitat fragmentation, which is a key driver of biodiversity loss because it makes natural areas smaller and more isolated from each other.*
- *The road provides easier access for invasive species such as rats, cats and dogs.*
- *There are ‘edge effects’ where the area directly next to the road is degraded by the presence of the roads. There are barriers to moving between fragments of habitat, changes to the community composition and changes to aspects such as climate, sunlight, nutrients, and microclimate.*
- *The development of the resultant lots increases the above effects and increases the direct loss of habitat, habitat fragmentation, presence of invasive species, and impacts to surrounding areas.*
- *Issues with resource use with partially-developed, sprawled subdivisions serving only a small number of people.*

3. Little Cayman is unique because it is the smallest and least developed of the islands making up the Cayman Islands. The Little Cayman Marine Parks and Protected Areas have been submitted by the UK to the UNESCO for inscription on the World Heritage List. According to the UK’s submission dated 13 September 2023, the waters of Little Cayman harbour a rich and rare marine ecosystem that by most measures is beyond comparison to similar reefs in the Caribbean basin. The submission also states that Little Cayman’s environment, with its Cayman Islands Government National Conservation Law designated marine park and protected areas, is a Mission Blue Hope Spot and is recognised as a wetland of international importance under the Ramsar Convention.
4. These special and unique characteristics have been protected and maintained due to the undeveloped nature of Little Cayman. Increasing development and the number of people living on the island, and visiting the island, will have an impact on the island’s unspoiled character. This is, we would argue, directly contrary to the guidelines which require every effort to retain its unspoiled character (6(ii))
5. As excessive development changes the unspoilt character of the island and impacts its natural features, visitors who would otherwise visit to appreciate Little Cayman’s natural beauty may be deterred and instead visitors attracted for reasons unrelated to the island’s natural life may increase in numbers. This would contradict principle 6(ii) of the Guidelines.

In support see DOE recommendations:

The overall impact on the infrastructure and population of Little Cayman should be considered given the scale of the existing parcellation of the island.

Hypothetically, should each of the 1,064 subdivision parcels be developed for housing, this could result in a population increase of 2,128+ people for Little Cayman. This would nearly double the current combined population of the Sister Islands, taking the estimated population from 2,257¹, to 4,385+ people (working on an estimate of two persons per household). With nearly twice as many inhabitants, there would be significant pressure on the infrastructure and amenities on the island, which should be assessed within the context of a Development Plan for the island. Against this background, the need for further residential housing development lots should be robustly justified.

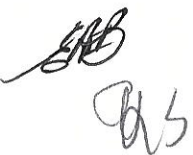
¹ Source: Economics and Statistics Office (ESO), [Population and Demographics 2021](#). Kindly note that the 2021 population statistics did not separate Little Cayman and Cayman Brac's populations but rather grouped them together. The population number referenced is for the two Sister Islands combined. In addition, the 2022 population for Cayman Brac or the Sister Islands was not available from the ESO website at the time of writing this review.

6. The Department of Environment, as recorded in the DCB minutes of the meeting of 21 November 2023, stated that in the absence of a Development Plan providing a strategic framework for development, particularly large-scale proposals, the DoE strongly recommends that before determining this planning application, a comprehensive review of the 'need' for the subdivision is undertaken". Given the number of existing undeveloped subdivision lots (1064 undeveloped subdivision lots under 1 acre in November 2021) and the number of subdivision applications that have been approved since November 2021, approval of another large-scale subdivision at this point would constitute an indiscriminate opening up of the island in contravention of principle 8.

In support of this point DOE comments on this application: *Every time a new subdivision is approved and new roads are constructed, there is an environmental impact. If there is no intention to develop these lots, then there is no social benefit or improved living environment for the people of Little Cayman to set against that environmental impact. These subdivisions cause environmental harm from habitat fragmentation and habitat loss, as well as the resource implications that result from the construction of roads and development of infrastructure for these subdivisions resultant parcels without planning permission for such works being granted.*"

For the official record please note that the objector directly quoted the above figure in comments at the previous meeting.

For the official record, the developer has testified that roads will be constructed and agreed to the NRA recommendation of a second access road to Mary McCoy's Lane. Roads will be installed regardless of the need for planning permission to clear the individual lots. This directly contradicts the developer's statement made that there is no intention to harm



Little Cayman as these lots are being sold as an opportunity for people to leave something for their children.

7. When considering the guidelines it is notable that the unlike Grand Cayman wherein the guidelines specifically look towards development for the future population of the Island, the Guidelines for Little Cayman focus on maintaining it in its unspoilt character. It is not intended to be developed for the future population of the Islands. Instead the Guidelines point squarely at maintain nature and keep it for persons interested in natural life. Carving it up into subdivisions is the antithesis of this.

I urge the Development Control Board to strongly consider these principals in making their decision and not approve this application as submitted.

Respectfully,

Gregory Locher



DEVELOPMENT CONTROL
BOARD

PROPOSED SUBDIVISION,
BLOCK 77A, PARCEL 44, REM 3

NOVEMBER 21, 2023

OBJECTION

GREGORY B LOCHER

GBB *CRS*

SPECIFIC NEGATIVE IMPACTS

1) This proposal is not consistent with the Little Cayman Development Plan (1997 latest version) Guidelines for Development and Control of Little Cayman, Appendix 2, section 6 ii which states:

- (ii) It is recognized that Little Cayman is considered a unique island. Every effort should therefore be made to retain its unspoiled character and to make it an attraction for persons interested in natural life. Selected development would encourage such persons to visit Little Cayman. **Development should be in harmony with the unspoiled character of the island.** Positive efforts should be made to attract the right type of visitor who appreciates natural life and the unspoiled character of Little Cayman.

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DOE COMMENTS ON THIS PROPOSAL

- *Strategic Overview*
- *In the past, the DOE has outlined in response to similar subdivision applications on both Sister islands, that in the absence of a Development Plan providing a strategic framework for development, particularly large-scale proposals, the DOE strongly recommends that before determining this planning application, a comprehensive review of the 'need' for the subdivision of more parcels is undertaken.*
- *The impact of a further residential subdivision on existing infrastructure and the environment of the island should be properly considered and evaluated. As shown in Figure 2 below, there were approximately 1,064 undeveloped subdivision lots under 1 acre in size on Little Cayman in November 2021. Given the number of subdivision applications which have been approved since this figure was last updated almost two years ago (November 2021), the number of undeveloped subdivision lots has likely only increased. Figure 3 shows the proposed subdivision in relation to the similar, yet undeveloped subdivisions that make up much of the surrounding area.*

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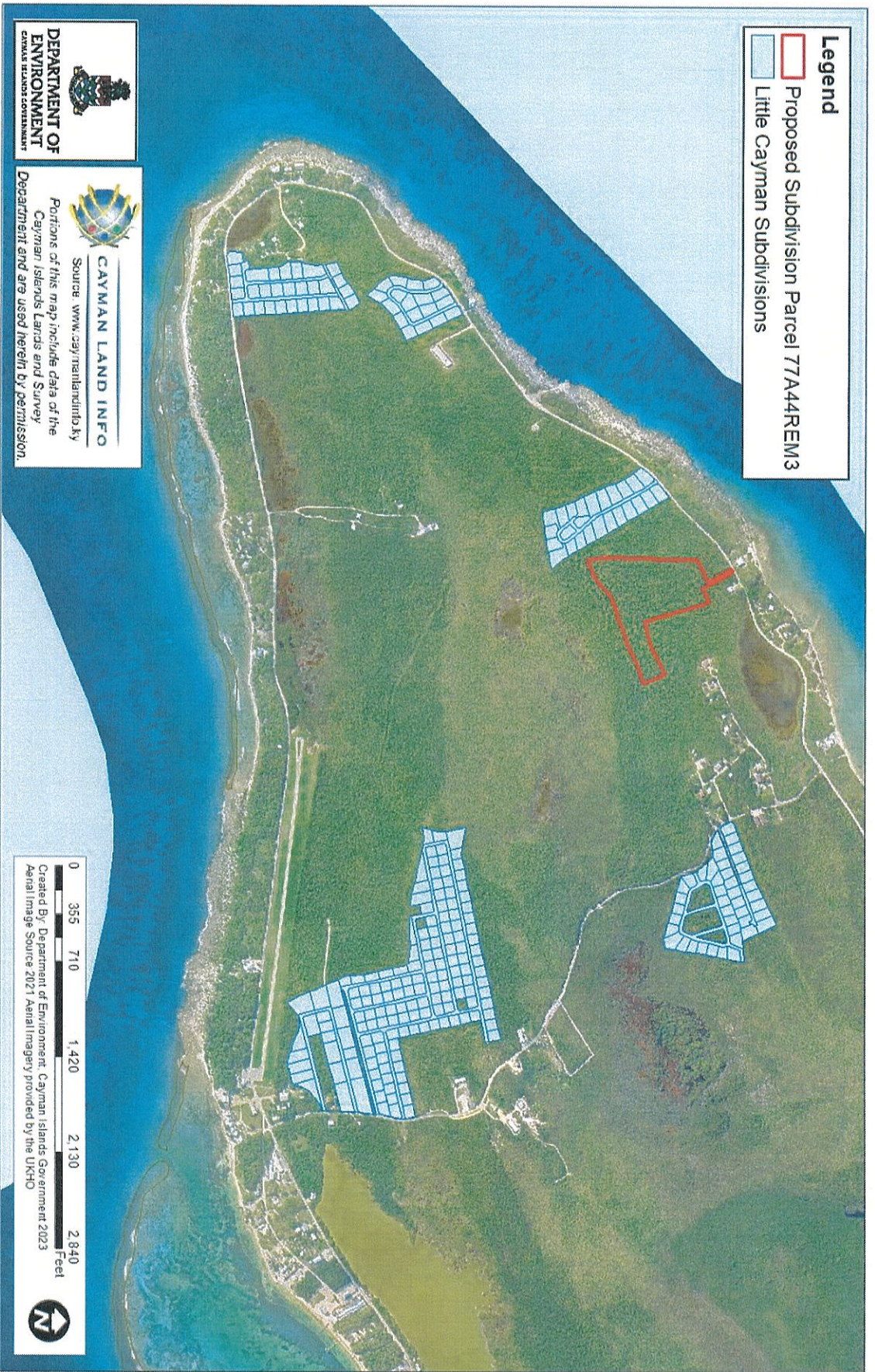
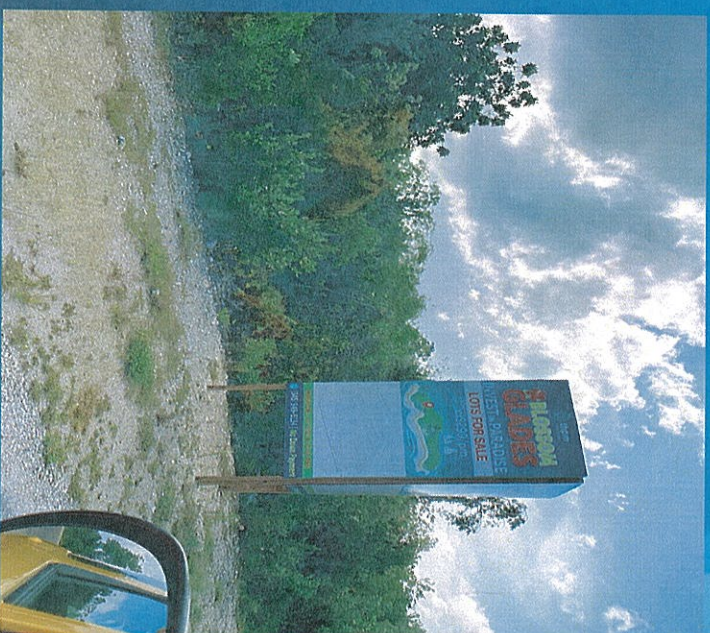
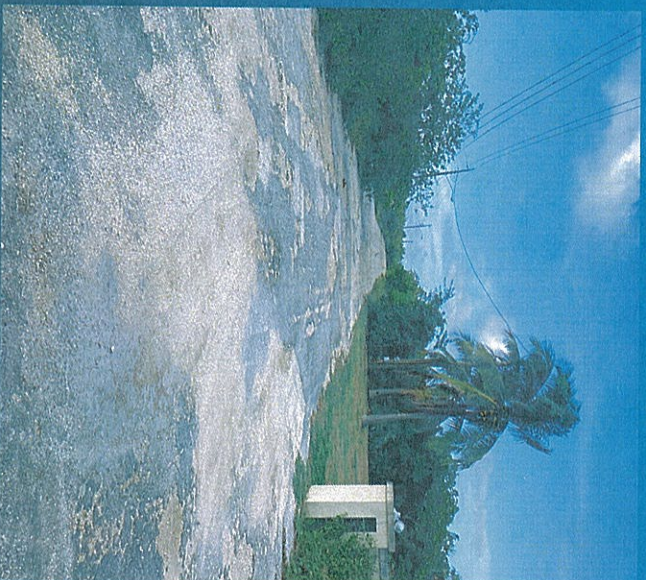
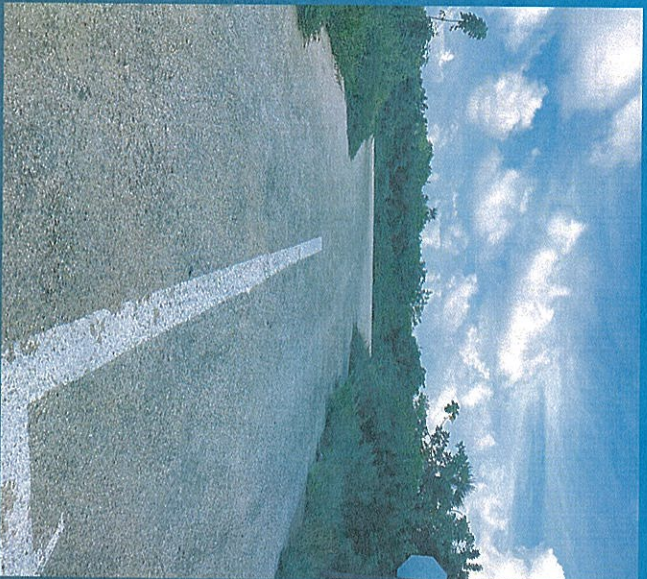
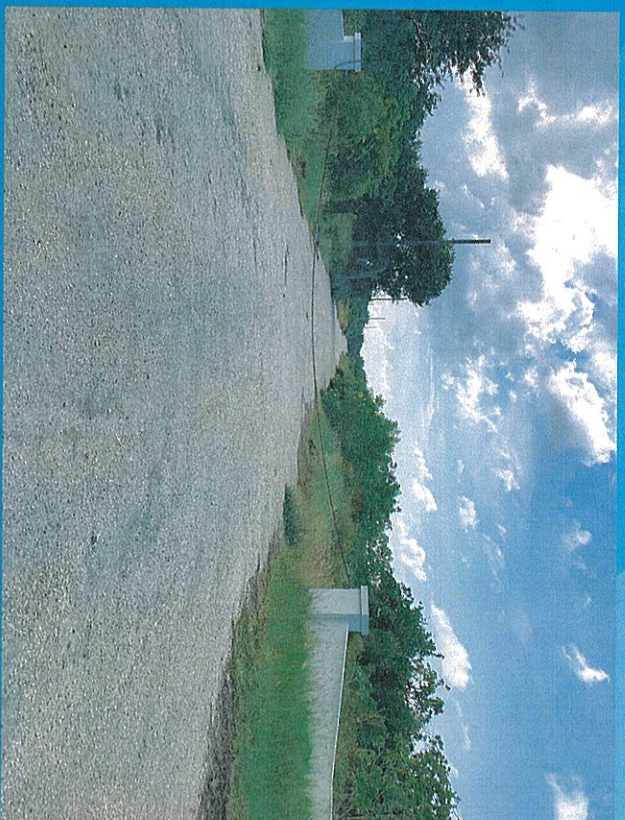


Figure 3. Location of the proposed subdivision highlighted in red in relation to surrounding, undeveloped subdivided parcels highlighted in blue (Aerial Imagery Source: UKHO, 2021).

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- Little Cayman is an extremely costly and complicated place to build and this fact is underestimated by many unfamiliar with Little Cayman.



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DEVELOPMENT AND PLANNING ACT PART 3

- Preservation of trees and woodlands 25. (1)
- If it appears to the Authority that it is expedient in the interests of amenity to make provision for the preservation of any tree, trees or woodlands in any area, it may, for that purpose, make an order (in this Act referred to as a tree preservation order) with respect to any such tree, trees, groups of trees or woodlands as may be specified in the order; and, in particular, provision may be made by any such order —
 1. (a) for prohibiting (subject to any exemptions for which provision may be made by the order) the cutting down, topping or willful destruction of trees except with the consent of the Authority which may be given subject to conditions;
 2. (b) for securing the replanting, in such a manner as may be prescribed by or under the order, of any part of a woodland area that is felled in the course of forestry operations permitted by or under the order;
 3. (c) for applying, in relation to any consent under the order, and to applications therefor, any of the provisions of this Part relating to permission to develop land, and to applications for any such permission, subject to such adaptations and modifications as may be specified in the order; and
 4. (d) for the payment by the Authority, subject to such exceptions and conditions as may be specified in the order, of compensation in respect of damage or expenditure caused or incurred in consequence of the refusal of any consent required under the order, or the grant of any such consent subject to conditions.

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DOE COMMENTS ON THIS PROPOSAL

- Department of Environment

“Ecological Overview

- *Importance of Primary Vegetation*

- *As seen in Figure 1a and Figure 1b, the application site consists of predominately primary shrubland and dry forest. Primary habitat is mature habitat in its natural state, otherwise uninfluenced by human activity where ecological processes are not significantly disturbed. These habitats are often very old, existing long before humans and may consist of many endemic and ecologically important species. Primary habitat is in severe decline and becoming a scarce and highly threatened resource as a result of land conversion for human activities.*

AMB *CLHS*

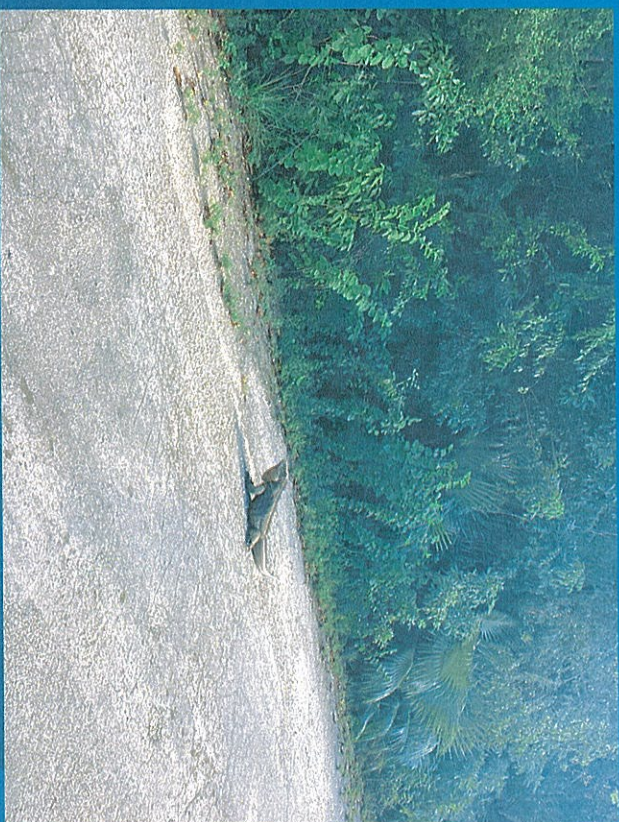
SIGNIFICANTLY DOE RECOMMENDS

- *We note that the application is for a subdivision, we would not support the clearing of this site at this time. Land clearing should be reserved until the development of individual lots is imminent (through the granting of planning permission for development on those particular lots). This allows the opportunity for the individual lot owners to retain as much native vegetation as possible. Clearing the entire site prematurely removes the choice from the individual lot owners and removes the value the habitat could provide in the time between the preparation of a subdivision and the development of an individual lot.*
- *Primary habitat and native vegetation can be retained*

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SISTER ISLAND ROCK IGUANAS

- *Sister Islands Rock Iguanas*
- *The proposed subdivision site also provides habitat for Sister Island Rock Iguanas (*Cyclura nubila caymanensis*) which are known to nest in the primary habitat in this area. Sister Island Rock Iguanas (SIRIs) are listed in Part 1 of Schedule 1 to the National Conservation Act, 2013, as being 'protected at all times' and are also listed as critically endangered on the IUCN Red List.*
- *Jackhammering and operating heavy machinery is not safe for nesting iguanas. Construction works not only disturb the physical iguana nesting habitat but heavy machinery and associated works can crush or bury iguanas and their nests. The DoE does not support the wholesale clearing of subdivision site or speculative clearing. The clearing and filling of the site could bury iguanas or their nests. If the applicant decides to clear and fill any part of the site, care should be taken as to not bury any iguanas or*



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DOE FINAL COMMENTS

- *Recommended Conditions*
- *For reasons highlighted throughout this review, the DOE does not support the approval of this application. Should the Development Control Board or Planning Department be minded to grant planning permission for the proposed subdivision, the DOE recommends the inclusion of the following conditions in the Planning approval to conserve primary habitat and its ecosystem services until development has been approved and is imminent:*
- *5. There shall be no land clearing, excavation, filling or development of the resultant parcels without planning permission for such works being granted.”*

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LACK OF INFRASTRUCTURE ON LITTLE CAYMAN TO SUPPORT THIS PROPOSAL

- SEPTIC SYSTEMS / HUMAN TRASH
- ELECTRICAL GRID
- AIR LIFT CAPACITY OF CAYMAN AIRWAYS EXPRESS

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TRAFFIC CONGESTION

- CURRENT ROAD CONDITIONS ON LITTLE CAYMAN
- SIGNIFICANT IMPACT ON NOISE
- SUPPORTED BY NATIONAL ROADS AUTHORITY
 - Next slide

NATIONAL ROAD AUTHORITY COMMENTS

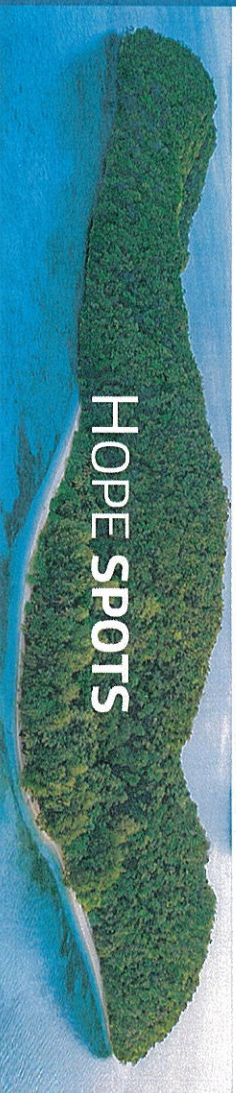
- *The NRA would like the applicant to provide a comprehensive phasing plan of the project.*
- *There is one main access point to the development and the NRA is concerned that there are no other means of entry to the proposed subdivision. Applicant should have at least 2 3 other means of entry surrounding parcels.*
- *Per NRA's Design and Construction Specification for Subdivision Roads & Property Development:*
 - *1. Section 2.2 Collector Roads (a) Provide direct access to residences and other property, and (c) provide access to the arterial road system*
 - *2. Section 5.1 Access Requirements*
 - *All subdivisions are required to provide road connections to adjacent property for access or for future extensions*
- *A comprehensive traffic calming plan will be required for a subdivision of this scale, where traffic controls are in place to mitigate speeding and other unwanted behaviours on the road.*

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OTHER CONSIDERATIONS

- TENTATIVE LIST OF WORLD HERITAGE SITE, UNESCO
- MISSION HOPE BLUE SPOT
- WATER RUN OFF
- SEPTIC TANK LEAKAGE
- PUMPING OF RAW SEWAGE

View Mission Blue's Annual Report



HOPE SPOTS

Hope Spots are special places that are scientifically identified as critical to the health of the ocean. Our Hope Spots are championed by local conservationists whom we support with communications, expeditions and scientific advisory. *I wish you would use all moons at your disposal – films, expeditions, the web, new submissions, campaigns – to ignite public support for a global network of marine protected areas. Hope Spots large enough to save and restore the ocean, the blue heart of the planet.* – Dr. Sylvia Earle



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Little Cayman Marine Parks and Protected Areas

Description

Marking the most profound depths of the Caribbean Sea, the Cayman Trench is as deep as the 12 mountain is high and as long as the border of the United States. Along its northern edge lies the Cayman Ridge, stretching from the Sierra Maestra mountain range in Cuba to the Gulf of Honduras. In that ridge emerge three Cayman Islands, ignited long ago by friction between the North American and the Caribbean tectonic plates: Grand Cayman, Cayman Brac, and Little Cayman.

Little Cayman is the smallest (~26 sq km) and least developed of these Cayman Islands. Its 4.5 km of shoreline is made alternately of bluff limestone and ironstone, the latter of which is differentiated into reef, back-reef, lagoonal, steepl and beach-ridge facies. Its true magic lies off this shoreline, in sea-grass lagoons, barrier reefs, patch reefs, and above all, the plunging sheer coral walls of the mountain under the sea. Within a few hundred meters from shore, the mountain drops down to depths of 1000m – 2000m. The grandiose steep holds enigmatic coral reefs leading to, and following down, the sheer wall. This protected and still pristine geology harbours a rich and rare

United Kingdom of Great Britain and Northern Ireland

Date of Submission: 18/09/2023

Criteria: (vii)(ix)

Category: Natural

Submitted by: Department for Culture, Media and Sport

State, Province or Region: Little Cayman, Cayman Islands

Coordinates: N19 41 11.663 1080 2 27.248

Ref.: 0690

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RUN OFF ISSUES SUPPORTED BY THE NATIONAL ROAD AUTHORITY

- *Stormwater Management Issues*
- *Stormwater controls should be considered as an integral component of any subdivision or site development. It is the responsibility of the developer to ensure that the quantity of stormwater runoff is reduced and prevent uncontrolled runoff flow to buildings and large impervious surfaces that could cause flooding resulting in an environmental impact forming a breeding ground for mosquitos. A comprehensive drainage plan needs to be provided by the applicant for the entire project.*
- *The applicant shall demonstrate that the Stormwater Management system can be designed to include storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties that are lower, and nearby public roadways are not subject to stormwater runoff from this site.*

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LETTERS OF SUPPORT

- Several long-time Little Cayman residents have written letters of support against approval of this application even though they are outside the required notification distance and will also be submitted. I realize the Development Control Board is under no obligation to consider them.

• LITTLE CAYMAN NATIONAL TRUST LETTER OF SUPPORT

- Support the DOE comments on this proposal and urge the Board to heed the the Department of Environment's recommendation that his current application all future applications be held in abeyance until there is a Development Plan for Little Cayman
- Support references to the 1997 Development Plan made in this presentation
- Support references to the 1997 Development Plan Appendix 2 made in this presentation

1997 DEVELOPMENT AND PLANNING ACT

- 1) This proposal violates the Development and Planning Act (2001 revision) Part III which states:

PART III-Community Planning

1. Providing for the control of land by zoning or designating it for specific uses.
2. Regulating the lay-out of housing areas including density, site coverage, subdivisions, spacing, grouping and orientation of houses in relation to roads, open spaces and other buildings.
3. Determining the provision and site of community facilities including shops, schools, churches, meeting halls, play centres and recreation grounds in relation to the number and site of houses.

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