

# ORANGEVILLE CITIZEN

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## Amaranth turbine hearings to end today

By WES KELLER Freelance Reporter

Amaranth Council was committed to making site-plan decisions last night, and final arguments at the Ontario Municipal Board hearing into the township's portion of Melancthon II wind farm are expected to end this afternoon.

But, said township lawyer Jeff Wilker Tuesday night, OMB hearing officer Norm Jackson likely will reserve his decision, preferring a written to an oral one. Mr. Wilker said that could take anywhere from one to three months.

The OMB hearing was scheduled to resume this morning. Mr. Wilker said the township would have the option of telling the Board whether it had agreed to the site plans, and Canadian Hydro Developers would have the option of withdrawing its appeal (in the event the township had agreed to the site plans), but the final decision would still rest with the OMB.

Mr. Wilker made the comments during a special meeting of council called for the purpose of hearing public comments on individual site plans for the 22 turbines proposed for Amaranth, and on the underground transmission line.

About 90 minutes into the meeting, when pressed by resident Jill Stephens on the details of Amaranth's agreement with CHD, Mr. Wilker said the Memorandum of Agreement hadn't yet been filed with the OMB because it was not in final draft form. He said the body of the memorandum had been finalized, but the appendices were still handwritten.

The conditions of settlement were no secret, he said. Identically to the Melancthon Township settlement, Amaranth would receive an amenities payment of \$4,000 per turbine per annum for the life of the project - "\$88,000 a year for at least 20 years" in addition to other taxes. (The \$88,000 would be paid directly to the township, and would not be part of the tax revenues to be shared with Education and the county.)

Other settlement issues, he said, included such as noise protocols, indemnification, roads agreements and other such things. As well, CHD would pay for the half dozen or so consultants and experts employed by Amaranth in its diligent review of the proposal.

At the outset of the meeting, Mayor Don MacIver emphasized that the council's role was solely to obtain public input on those two general issues - the site plans and the transmission line. He said the meeting had not been called to hear general comments on the principles of wind farms. "We are not the OMB," he said.

The second transformer at the substation and complaints about its noise became issues at the public meeting, although they are separate issues at the OMB.

CHD project manager Geoff Carnegie did speak to the transformer issues, however. He said CHD had selected a different manufacturer for the second transformer - one with a lower decibel rating. As well, it would be lowered three metres below grade, surrounded by noise absorbing materials, with a further barrier of "acoustic stuff" above.

Surprisingly, there were only about 40 present at the start of the meeting - including observers from neighbouring East Luther Grand Valley, and Joan and John Lever from Melancthon, who had come to speak about their research into health issues related to nearby turbines. (Mr. Lever says there are health issues within two miles of turbines. His assertions are not within the purview of the OMB.)

Residents were persistent in their questioning of whether the transmission lines for Melancthon II would all be underground. Mr. Carnegie and a second CHD representative, John Phillips, said the only exception would be an unexpected occurrence of bedrock. Even then, Mr. Wilker assured the residents that every alternative would have to be considered before any were taken overhead.

He said the township's engineers would have to be satisfied that no alternative was available. And Mr. Carnegie added that overhead lines would be "a last resort."

The line would be of four circuits. In a change from the original plans, two circuits would run down the east side of the 10th Line, and the other two down the east side of the Eighth to 15 Sideroad, then across 15 to the substation. None would rise above ground except when within the substation, Mr. Phillips told Councillor Jane Aultman.

The lines would be generally along the shoulders, at a depth of about one metre, and would be installed in a single trenching, laying and covering operation.

In what might be a curious twist in the hearings, Janikke Heiberg had purchased a property from Roger Petitt, who had an unidentified and apparently never-used airstrip which, nonetheless, had a wind sock which apparently convinced the purchaser there was an airstrip.

The airstrip, if there was one, had not been identified as such in either the various planning reports or the beginning of the OMB hearing. According to Mr.

Wilkers, as a principle of law, the airstrip would not normally be an issue because it was not "in the mill" at the outset.

However, Ms. Heiberg, perhaps as a new purchaser with an honest airstrip belief, became a party to the proceedings. The council was giving her an option to decide whether a movement of one turbine would have an adverse effect on her proposed airstrip.

Resident Earl Cowan raised the issue of landowners reaping the harvest from wind that came from across adjoining properties. "What if I were to build a wall 120 metres high?" (to block the wind from the turbine on adjacent property).

Mr. Wilker said the question goes to the point of "who owns the wind. It's a developing area of law. There's not a lot of jurisprudence," he said.

Setbacks from residences continue to be an issue, and there was some misunderstanding Tuesday.

Mr. Wilker said the concept of 450 metres from non-participating homes had been adhered to in all but one of the 22 instances, in which case it was an agreed-to 440 metres.

As well, setbacks from non-participating property lines was 120 metres. Kevin Robinson was among those who questioned how far removed a new home on a non-participating property would have to be.

In the agreement, said Mr. Wilker, that separation would not be regulated. A property owner could erect a new home as close to a turbine as he or she chose to.

At some point after today, hearing officer Jackson must decide whether the minutes of settlement are acceptable to the Board.

*[Note: This document has been formatted in order to create this pdf document]*