

**THE CORPORATION OF THE MUNICIPALITY OF  
CHATHAM-KENT**

**SPECIAL MEETING OF COUNCIL – PLANNING MEETING**

**COUNCIL CHAMBERS, CHATHAM-KENT CIVIC CENTRE**

**March 25, 2008**

**6:00 P.M.**

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**1. CALL TO ORDER**

The Mayor called the meeting to Order.

Present were: Mayor Randy Hope, Councillors Brown, Clarke, Crew, Faas, Fluker, Gilbert, Herman, McGregor, Parsons, Pickard, Pinsonneault, Robbins, Stirling, Sulman, Vercouteren and Weaver

Absent: Councillor King

**2. APPROVAL OF SUPPLEMENTARY AGENDA**

There was no supplementary agenda.

**3. DISCLOSURES OF PECUNIARY INTEREST (DIRECT OR  
INDIRECT) AND THE GENERAL NATURE THEREOF**

None disclosed

**4. PLANNING SERVICES**

The Clerk reviewed the procedure to be followed during the planning meeting and noted if any person or public body that files an appeal of a decision of The Corporation of the Municipality of Chatham-Kent in respect of a proposed planning application does not make any oral submission at the public meeting or any written submission to The Corporation of the Municipality of Chatham-Kent before the proposed Zoning By-law Amendment is approved, the Ontario Municipal Board may dismiss all or part of the appeal.

The Clerk advised that information on Council's actions would be published on the municipal website ([www.chatham-kent.ca](http://www.chatham-kent.ca)). All persons receiving notice of this meeting will receive a Notice of the Passing of a By-law, relating to any of the planning applications presented here tonight, if approved, including appeal procedures. Any other person who wishes to receive a Notice of Passing or a Notice of Council's decision must submit a written request to the Municipal Clerk.

- (a) Official Plan Amendment & Zoning By-law Amendment  
for the Community of Dover (D-28 DO/98/07/G)  
Gengrowth LP1  
Community of Dover (North Kent)

- (b) Zoning By-law Amendment for the Community of Tilbury East (D-14 TE/19/07/G)  
Gengrowth LP1  
Community of Tilbury East (West Kent)
- (c) Official Plan Amendment & Zoning By-law Amendment for the Community of Howard (D-28 HO/97/07/G)  
Gengrowth LP1  
Community of Howard (East Kent)
- (d) Official Plan Amendment & Zoning By-law Amendment for the Community of Harwich (D-28 HA/96/07/G)  
Gengrowth LP1  
Community of Harwich (South Kent)

The Mayor noted that this proceeding is a continuation of the Statutory Public meeting held on February 11, 2008 to consider four (4) planning applications brought forward by Gengrowth Wind Projects. Council has been made aware and sent to date, all written submissions.

Due to the volumes of speakers the Mayor asked that all speakers be brief and to the point, avoid duplication, provide new and relevant information (if the point has already been made please advise if you agree or disagree). He stated that the list of speakers is located on the wall in the hallway, outside of Council Chambers, and anyone wishing to speak who are not listed, were asked to register with staff.

Issues raised will be recorded and shown on the screen above, starting with points raised on the February 11 meeting. Order of speakers is as follows:

1. Residents, alphabetically and by date of their submission or request to speak,
2. Others (specialists, groups, organizations and companies) alphabetically and by date of their submission or request to speak
3. Proponent (Gengrowth) will speak at the end.

The Mayor will ask for an extension at 10:00 pm to 11:00 pm as Council cannot continue past this time under the Procedural By-law. Council will give fair opportunity to all speakers and noted there were approximately 37 who have requested to speak at tonight's meeting.

Speaker # 1 Monica Elmes, Moore Road, Ridgetown

Ms. Elmes began her submission reading the Chatham-Kent Mission Statement and noted that they have chosen to live and invest in a rural residential area for a high quality of life. Her concern is the noise and noted noise complaints are being reviewed biannually internationally. The MOE have acknowledged problems and are currently under review by the MOE. Noise studies are ongoing by many including doctors who have linked low frequency noise with health problems. Proper setbacks on wind turbines have not been scientifically established.

Ms. Elmes commented on Gengrowth's ESR and made reference to her written submission which noted a number of errors in the Front Line project and trusted that Council has taken the time to read it. She has concerns with the process and questioned if the ESR had been reviewed by Chatham-Kent staff and underwent a peer review. She noted the definition from the Ontario Provincial Policy on adverse effects and has concern about the setbacks. She would like to see the notification process for the ESR to include all property owners in the area and be notified by mail from Chatham-Kent regarding proposed projects to ensure due diligence. Ms. Elmes referenced the Chatham-Kent Official Plan with regard to green energy which states that the safety and noise impact will be contained on the site property. She concluded

by submitting a written petition with signatures and noted approximately 40 other submissions had been submitted to Council prior to this meeting.

No comment from Council.

Speaker # 2 Earle Johnson, Muirkirk,

Mr. Johnson noted he is a long time citizen and landowner in Chatham-Kent. Originally green energy was a welcomed income and opportunity, but he urged Council to slow down the process. The previous speaker had already spoken on many of his concerns, but noted an additional concern that there was no reference in the reports to the hazards of damages caused by wind turbines from tornados and lightning. Chatham-Kent is noted as tornado alley with an increase in warnings thereby, possibilities exist and studies report there is damage from wind turbines. Wind turbines are susceptible to lightning due to their height, he has concerns should a fire break out in the upper hub. How will the local fire department contain it? Also, there is no reference in ESR on the impact on agriculture from weed/seed disbursement. With the scale of the development and agriculture, it is possible for weed seed disbursement to become a problem, especially to no till land.

Mr. Johnson suggested a comprehensive study on wind development from an outside firm to preclude any criticism of the study being biased. The study should include bird migration, economic advantages, cost benefit analysis on the effects of wind development on other economic sources, property devaluation, loss of tax revenues, health and social impacts.

Mr. Johnson questioned if there was any scientific evidence for the placement of turbines and asked how the distance was determined by Chatham-Kent for setbacks which are different between single rural dwellings and a residential zone. He understood the standards were already set by Council with the Kruger project and they were possibly not appropriate then, as they are not now.

Mr. Johnson noted there is some misunderstanding in the matter of the Provincial Policy Statement. He felt, it needs to read in its entirety along with the Chatham-Kent Official Plan to ensure they are not in conflict. There are workable solutions with citizens and governing bodies cooperating with a common goal to benefit the entire community.

Councillor Vercouteren sought clarification on the setbacks. Mr. Storey indicated that the setback provision from a lot line minimum distance is 30 metres or the blade length plus 10 metres which are actually the distance that would be used. For an off-site residential dwelling the setback distance is 300 – 350 metres and the setback distance for a residential zone is 600 metres.

Councillor Brown asked if administration was taking note of the questions so they would be answered somewhere in the process. The Mayor indicated that staff is taking notes of all the questions and concerns and are up on the screen for Council to see. If there is a comment or question that does not appear on the screen, ask staff to include it so that all concerns and questions can be answered.

Councillor Sulman sought clarification that Council will be able to ask questions of administration and the proponent later on in the process. He inquired as to where the source for the turbine blade incidents came from. Mr. Johnson indicated it was from the David Craig website. Councillor Sulman asked if the website could be given to administration.

Councillor Gilbert questioned how close Mr. Johnson lived in relation to the proposed wind turbine. Mr. Johnson noted he lives in Palmyra which was within the set back range.

Mayor Hope clarified that the meeting tonight is pertaining to the four (4) planning applications brought forward from Gengrowth.

Councillor Stirling thanked Mr. Johnson for his submission and recommendations for a path forward. Rather than just pointing out the pros or cons about wind energy, he also made suggestions.

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Speaker # 3 Paul Kirktown, Mallard Line, Chatham

Mr. Kirktown's property is located on the south boundary of the Marsh Line wind project. He noted that low velocity could be heard from wind turbines that were two or three times further than the distance of the proposed wind turbines. He indicated that green energy is a must in our times but not in such a large populated area. Health issues, strobe and flicker effects and low velocity noise levels would affect all residences in this area and noted that he did not look forward to any drop in his property value now or any time soon.

Speaker # 4 David and Mary Lou Langstaff, Ridgetown

Mr. Langstaff has farmland south of Talbot Trail and his property is surrounded on three sides by the proposed Front Line wind farm. His residence is within 300 m south of the proposed rezoning application and his mother, Mrs. Langstaff is about 300 m east of the Talbot Trail. Part of the farm is reforested in cooperation with Ministry of Natural Resources and in the expansion process; the remainder of land is agriculture cultivation.

His concern is with the intent of future development and the setbacks from property lines being inadequate. At this distance there are definite safety concerns, considering that this is not a building but a piece of equipment with a rotor revolving at a high rate of speed. It should be on the property of the lease holder who has assumed this liability. Mrs. Langstaff could find no risk assessment in Mr. Storey's report.

She felt that Council's report gives little information on the effect of setbacks from wind projects on property values, particularly rural residential or plans of subdivision. What is the effect on recreational property in close proximity? What is the impact on the value of homes of our rural seniors to whom their residence is a significant part of their extended retirement plan. The information is vague and only from foreign sources.

The effect of noise and the 300 m setback to an off-site residence is inadequate. Considering Council is in the early stages of an infestation of windmills it is important to have the correct setbacks established now. The general consensus of the industry seems to be 450 m range. What percentage of the Municipality does Council wish to be covered by windmills, 40 – 75 %? The financial, environmental and social impacts need to be considered based on the cumulative effect.

They asked Council to consider delaying the project approval until they have more accurate, more independent information on which to make decisions including a full environmental assessment and a community impact study. Establish off site residential setbacks at 450 m, establish setbacks from non leased property a minimum of the height of the windmill, and establish appropriate set backs or buffer zones from environmentally sensitive natural areas.

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Speaker # 5 Jason Reaume, Paincourt Line

Mr. Reaume's concern is with wind turbine towers along the shores of Lake St. Clair and nearby wetlands and the towers potential to significantly disrupt the waterfowl movement inland and disturb feeding and roosting grounds within the wetlands.

Less than ten percent of the wetlands in this area remain today due in large part to people who invest money and time in maintaining the natural state. If waterfowl is compromised as a result of the introduction of wind turbines the value of the property, as hunting clubs will be lost, and property value will diminish greatly resulting in alternative uses for the land such as agriculture and development. Hunting clubs support the community in many economic areas. This area has been classified and recognized by the Ministry of Natural Resources as the most important classification of wetlands in the province and within this area are rare, threatened, endangered species and species at risk as noted by the Canadian Wildlife Association Services. Mr. Reaume is not opposed to alternative energy resources, but objects to a relatively new technology being introduced into a sensitive wetland area without a site specific, Environmental Review. There is more work and studies needed to get a better idea of the impact of this project and potential risks.

Councillor Fluker asked which organization or person would be qualified to do the type of studies referred to. Mr. Reaume suggested an unbiased consulting firm, independent, one that would be subjected to peer review. It would have to do research in Ontario, but he could not name a specific consultant.

Speaker # 6 Larry Reaume, Charing Cross Road, Chatham

Mr. Reaume is not opposed to alternate energy production, but asked Council to defer any decisions until they can make a more informed decision. The residents of Chatham-Kent have not been properly informed. Also, wind turbines will ruin the visual landscape. Gengrowth reports that the visual landscape of the region will be altered by the presence of the wind turbines and will be visible within the affected sites from adjacent lands. Chatham-Kent Policy 2.5.2.2 states that visual impacts will be contained on the site of the wind farm. He would not have purchased property in this area had he known wind turbines were coming to the area.

Speaker # 7 Brian and Susan Rikley, Hingle Point , Mitchell's Bay

Mr. Rikley noted he is a promoter of green energy but feels it is not suitable for Chatham-Kent. It has no significant value to anyone other than the developer. He noted many countries are taking the position that electricity from wind turbines is too expensive, intermittent, variable, uncontrollable and an unpredictable energy source. The economic gain is only to the developer who will profit from the government's green energy funding and incentive money and later sell it to larger corporations or equity funds, as the tax and production incentives make investing attractive to investment funds. He noted there will be little, short term financial benefit to local citizens of Chatham-Kent from developer investment. He is against subsidies that support companies outside of Canada and investments that have little economic return with a result in real cost such as the loss of quality of life. Approving Gengrowth applications is setting precedence for all other wind farm developers who are lining up to make application. Mr. Rikley asked that Council not make a quick decision based on the information they have, but felt we need an independent, factual, economic and environmental study to determine the real cost and benefit of wind turbines and setbacks.

He also presented information on the power output of generating plants in Ontario and commented that the output versus blade speed will determine the level of noise. The accuracy of this site is plus or minus one percent.

Councillor Brown asked for the spelling of the website Mr Rikley was referring to. ([www.sygration.com](http://www.sygration.com))

Councillor Pickard asked what speed a turbine turns at various output capacities. Would it surprise him to know that the blades turn at the same speed, no matter what the output capacity is? Mr. Rikley commented he will verify this information and respond back to Councillor Pickard. Councillor Pickard also suggested that the numbers and math need a fair and honest evaluation and need to be looked at in the proper light and not taken out of context.

Speaker # 8 Rick Siddall, Baldoon Road, Dover

Mr. Siddall commented that Dr. Petrie's report dated February 11, 2008 contained his concerns with reference to the waterfowl in the Lake St. Clair area. One area that has been overlooked is the migration of birds and fly zones. He suggests Council adopt a 5 km buffer zone along lake St. Clair and 3 km buffer zone along Lake Erie Shoreline, both of which are known to be sensitive areas. There has been various discussions on where or where not to place wind turbines, but noted that many organizations have guidelines. The U.S. Fish and Wildlife Association, Audubon Society and Royal Society for the Protection of Birds in Britain all say the same thing; avoid wetlands, areas where birds congregate, migratory routes and landscapes where raptors congregate. He concurs that Chatham-Kent needs more information and independent assessments. There is no corrective action once this is underway.

Councillor Gilbert asked for Mr Siddall's opinion on the Rondeau Bay Basin and asked if the 3 km buffer zone should be applied. Mr. Siddall commented that Rondeau Bay and Mitchell's Bay are a main fly way for swans and suggested Rondeau Provincial Park should be a stand alone area and the buffer line be drawn from the top of the park.

Councillor Weaver asked if there was anything we could learn from the Port Burwell area. Mr Siddall has read many of the reports and visited the sites. The reports have no baseline studies to begin with and raises more questions than answers. The wind turbines could act as both bait and executioner as they attract field mice which is a natural prey for raptors.

Councillor Sulman sought clarification on the different buffer zones from Lake St. Clair and Lake Erie shoreline.

Councillor Fluker inquired about the length of the migration pathway. Mr. Siddall replied the lakes act as a funnel for a huge concentration of migratory birds and these areas are truly unique. If there are problems, no mitigation will resolve it. These are natural systems and we should not stress them.

Councillor Stirling sought clarification of displacement and the funnel area.

Speaker # 9 Patricia Sylvain, Dover Centre

Ms. Sylvain noted Chatham-Kent is embarking on a large scale wind turbine development that will have a detrimental effect on the health and well being of Chatham-Kent citizens due to strong noise levels with adverse health systems such as respiratory impairment and oral pain. She presented new information on low frequency noise and vibration and quoted from the Wind Turbine Report on By-law and Best Practices from Nova Scotia, authored by Jacques Whitford, Environmental Engineer, Scientific Management Consultant, dated January 28, 2008. Low frequency noise is a complex matter and it would be prudent to have more studies on the cumulative effect with proper setbacks .

Councillor Gilbert asked if there is any specific documentation on noise during rain or snow. Ms. Sylvain was not aware of any.

Speaker # 10 Harry Verhey, Grand River Line, Pain Court

Mr. Verhey objects to the proposed amendments regarding setbacks for wind turbines, and the lack of buffer zones from our natural heritage sites, shorelines and significant staging areas for migratory birds. He felt that the Thames River Valley lands and rural settlement areas, have not been properly planned so that wind turbines are sited in a manner which balances environmental, social and economic benefits with potential impacts.

The issue is the location of the turbines. The setbacks must be calculated to recognize the beauty and utility of our area. The public appears to be unaware of the turbine locations, actual size and potential adverse effects. Are property values and future residential developments in areas adjacent to wind turbines at risk? Is there a need for provisions that will protect long-range future developments for and near the waterfronts? Is there danger to wildlife? Chatham-Kent is host to some of the most important birds in North America. Chatham-Kent must set policies, which protect present and future residents and mitigates the negative impacts on wildlife, tourism, future residential development and visual impacts of wind turbines.

Councillor McGregor sought clarification from Mr. Verhey that his concern is with the setbacks from residential and settlement areas, and does he think 1 km is a fair setback from settlement areas? Mr. Verhey stated that he would prefer a larger setback, and felt a need for a balanced approach. He referred to the Jones Consulting Group, which is a group of planners, engineers and surveyors who have done extensive research. Council should rely on their comments as opposed to a lay person.

Councillor Fluker asked Mr. Verhey if he has read the Jones Report in its entirety for comments on other concerns such as flicker, noise, tourism and would he concur with most of recommendations in the Jones Report? Would it be a good model for Chatham-Kent to follow? Mr. Verhey admitted to having read the entire report and concurred that the Jones Report would be a good model for Chatham-Kent to follow.

#### Speaker # 11 Reinout Von Martels, Howard Twp

Mr. Von Martels commented that our concerns should be about the climate, not about real estate values. It is all about maintaining present life styles by leaving the smallest ecological footprint. Council should consider, that if Chatham-Kent does not allow wind farm construction, do not expect other businesses to come.

Councillor Clarke asked if there is a proposed wind turbine to be built on Mr. Von Martels property. Mr. Von Martel replied, yes.

#### Speaker # 12 Jim Desat, Wallaceburg

Mr. DeSat commented that he is in support of the wind projects and although there are many arguments against wind energy, those who are opposed have not offered any alternatives. Everything comes with a risk, and wind farms will be built, it is only a matter of where.

#### Speaker # 13 Elizabeth Bushey, Prince Albert Road, Chatham

Ms. Bushey commented, until recently the most prevalent concerns were noise and birds. She has personally visited a wind farm and found the noise similar to the small wind generator in her backyard. Concerns about low frequency noise and the flicker affect had not been raised. With more research, she is more in favour of wind energy than against; with the provision our community is not inundated with turbines. More research needs to be done, as she has many concerns about the impact on local wildlife and migratory birds and not certain of the adverse affects wind farms may have on them.

She noted that not all wind energy production is the same, there are large and small scale wind energy and Chatham-Kent needs to evaluate each on an individual basis. She would like Chatham-Kent to set the trend in wind energy and felt that this is an opportunity to be innovative.

Speaker # 14 Stan Brien, Ridgetown

Mr. Brien lives near the Front Line project and is strongly in favour of this project. Landowners should have the right to take advantage of the resources on their property and wind is one resource. His wife owns a small general store and noted it is busier when there is economic activity in the area. He appeals to Council to review all the evidence and make the right decision. Many are trying to kill the project by causing delays. Chatham-Kent must take advantage of this opportunity as there is no evidence of adverse effects.

Councillor Brown asked Mr. Brien what he would consider to be a comfortable or reasonable setback. Mr. Brien replied that the proposed setbacks are reasonable.

Councillor Clarke commented he was encouraged that many are coming forward to support wind turbines and asked if any turbines were proposed for Mr. Brien's property. Mr. Brien replied, yes saying that farmers need to find alternative income and need to take advantage of opportunities that are available.

Speaker # 15 John Moerman, Ridgetown

Mr. Moerman spoke in favour of wind projects from a principium point of view and relies on the due diligence of Council to sort through the facts to make a decision. Wind energy is as natural as water and wind electricity is just the next step to technological advancement. Wind companies have been proactive in minimizing the ecological footprint so that wind turbines can coexist in our ecology and communities. This is an opportunity for Chatham-Kent to create awareness that Chatham-Kent is hospitable to grow, home to innovation, keen on progress and a place for our own young people to settle and work.

Councillor Herman commented there are many facts and asked if Mr. Moerman agrees that Council needs to do more research on setbacks. Mr. Moerman agreed that the approach of one size fits all, would not be the right approach. There are sensitive areas, but there is a lot of research in place with reasonable setbacks. This would not be an undo delay, but an unnecessary long one would to undo.

Speaker # 16 Wayne Mardling , Park Avenue, Chatham

Mr. Mardling commented that the pros and cons have already been put forward tonight, but is frustrated with not knowing who or where to go to get information. He asked who is responsible for the removal of the turbine after the expected life span of approximately 25 years, if the turbine is not replaced? Mr. Mardling again raised the concern about the flow of information and Mr. Wolting advised that Mr. Mardling would be given the business card of the Director of Planning Services as a contact.

Mayor Hope commented that Mr. Mardling had raised a very valid point regarding communication, education and an informed public, and feels that Council needs to address this concern.

Speaker # 17 Jennifer Cole, Dillon Road, Chatham

Ms. Cole is speaking on behalf of Wayne Kuiper who was not able to attend the meeting and wanted his concerns regarding health hazards and quality of life near wind farms noted. These are not farms but industrial operations and as such should have proper setbacks between industrial sites and residential areas.

Ms. Cole referenced material from Dr. Nina Pierpont, a respected authority on health and safety issues with respect to wind farms. One of the concerns noted was Wind Turbine Syndrome. This is the clinical name given to the constellation of symptoms experienced by many (though not all) people who live near industrial wind turbines. Some of the symptoms include sleep disorder, noise and pulse sensations, headaches, dizziness and exhaustion. Not all who live near a wind turbine suffer from these symptoms, however it does not mean that others are making them up. There are differences among people in susceptibility and these differences are known as risk factors.

Other concerns include hazards such as blade breakage, fires, shadow flicker, visual landscape effects and interference with radio, television and internet reception. Ms. Cole noted some conflicts with the Storey Samways Planning Report and the Provincial Policy Statement, Chatham-Kent Community Strategic Plan and Chatham-Kent Official Plan. None of the health and safety issues have been properly addressed. At best, in some cases, minimum standards have not been met. In most cases these policies have been neglected. The proposal should not proceed until a thorough review and proper resolution has taken place on all these issues.

Ms. Cole completed her submission commenting that she supports green energy wind technology, but believes moving ahead will be a detriment to the future of wind technology if done improperly. Ms. Cole has contacted other pro wind organizations who commented they could not support wind energy if it would have an adverse effect on human health.

Councillor Stirling commented that Council needs to look at the various experts, not only from New York State, but also local experts such as David Colby, Acting Medical Officer of Health, Chatham-Kent Health Unit. Councillor Stirling read excerpts from Dr. Colby's letter written to Council and noted Dr. Colby's comments on the effect of shadow flicker, impact hazards from ice and noise emissions. In summary, Dr. Colby wrote "as long as the MOE Guidelines for location criteria of wind farms are followed, it is my opinion that there will be negligible adverse health impact on Chatham-Kent citizens. Although opposition to wind farms on the aesthetic grounds is a legitimate point of view in my opinion, opposition to wind farms on the basis of potential adverse health consequences is not justified by the evidence."

Councillor Herman asked that the concern of internet and audio interference be added to the list of concerns to be addressed by administration.

Speaker # 15 Pat Caron, Mallard Line, Dover Centre

Ms. Caron asked to what depth they will have to dig to provide the needed support for wind turbines. How far down can they dig before they disturb the water table? Ms. Caron has a spring fed well and asked who will be responsible if everyone on Mallard and Marsh Line lose their water supply? Who will provide this life necessity?

Councillor Weaver commented that this is a valid concern and needs to be addressed. He asked if the proponent has a plan or a way of establishing a baseline flow and a means of measuring accurately, so residents can determine if there is a change in their water supply.

Speaker # 19 Peter Clibbon, Renewable Energy Systems

Mr. Clibbon commented on some concerns raised this evening. First, with all the research done in Denmark on Ornithology, he did not think the request for a comprehensive analysis of all the bird activity in Chatham-Kent is warranted until a decision can be made on the Gengrowth project.

Mr. Clibbon made reference to the comprehensive studies done in the United Kingdom on audible noise and low frequency noise, which concluded that incidence of wind farm noise is low. He noted there are no published statistics or peer review articles in medical journals, so with all the wind turbines around the world, why are not seeing a large number of ill feeling people being studied by the medical profession?

Mr. Clibbon commented on the broader issues of energy production in Ontario. The Provincial government has made a commitment to shut the Provinces' coal power plants by 2014. To accomplish this, the government must get cleaner replacement sources of energy on line by 2014, or the coal plants stay open. Also the tipping point for global warming has been identified to be within the next 8-10 years, after that time some major impacts are irreversible, so taking coal off-line is part of the global solution.

The Gengrowth projects have completed their ESR and appear to have met all the published requirements for faunal inventories and public consultation. Their ESR's have been peer reviewed by government experts and external auditors, and deemed acceptable. There is no reason therefore to deny them a zoning amendment to enable them to construct their projects. Renewable Energy Systems also hopes and expects the same transparent process will be applied to other wind projects in Chatham-Kent.

Councillor Gilbert sought clarification of the development company Mr. Clibbon was representing and asked if they are leasing land in Chatham-Kent for the development of wind energy. She questioned how many turbines are in the project. Mr. Clibbon replied he is the Director of Renewable Energy Systems and the company has approximately 75-100 turbines they want to develop south of Ridgetown along the shores of Lake Erie.

Councillor Gilbert also sought clarification on the criteria developers must meet in order to make it to the electrical grid. Mr. Clibbon commented there are many elements to the project; planning, technology feasibility and ability to achieve competitive power are just a few. Chatham-Kent is targeted by developers because of the above average winds and the capacity to connect into the electrical grid.

Councillor Sulman asked for more information on the United Kingdom study. Mr. Clibbon had made reference to "Research into Aerodynamic Modulation of Wind Turbine Noise", University of Salford, UK, July 2007, <http://www.berr.gov.uk/files40570.pdf>

Councillor Brown asked if the UK report would include the UK standards and questioned if they were the same as Canadian standards. He stated that if Council is going to use the report as a reference, the standards should be the same. Mr. Clibbon could not verify if the UK standards were part of the report and was not familiar with the UK standards.

Councillor Vercooteren noted the time, and the Mayor asked for a motion to extend the meeting until 11:00 pm.

Councillor Parsons moved, Councillor Pickard seconded,

The Mayor put the Motion.

**Motion Carried**

#### Speaker # 20 Darrel Dennis, London Ontario

Mr. Dennis stated that he is a retired Canadian Waterfowl Surveys Biologist. The results of the surveys indicate that the most valuable areas for waterfowl in extreme southwestern Ontario are located at Rondeau Bay and the marshes on the eastern shore of Lake St. Clair and Walpole Island. All towers near waterfowl staging and roosting areas are of concern, especially those that are proposed for the Lake St. Clair area. When the wind farms at Port Burwell were implemented, towers were kept

approximately 3 km away from the Long Point Marshes. Lake St. Clair and Rondeau Bay towers should be kept at least the same distance. Bird assessment in Port Burwell was only able to monitor waterfowl in a field feeding area and not in a roosting and resting area such as the marshes in Rondeau and Lake St. Clair and work on wind tower impact has not been conducted in North America in such areas. Chatham-Kent has some of the most important waterfowl migration areas in Canada. Please consider protecting their values for future generations by preventing the construction of wind towers in close proximity to the marshes. He recommended a setback of 3km or more from these important areas.

Councillor Stirling asked if Mr. Dennis would characterize the potential impact of the four Gengrowth applications on birdlife in Chatham-Kent as minimal. Mr. Dennis replied it would only be minimal in the waterfowl staging and resting areas.

Councillor Gilbert sought clarification that approval of the Gengrowth zoning and official plan amendment applications, would in fact be applied to other applications for development and therefore, the area Mr. Dennis was referring to would be impacted.

Mr Storey replied, yes, but the Official Plan Policy only sets out the studies to be done, not specific to locations, it is the zoning by-law process that is site specific.

#### Speaker # 21 Doug Desmond, Ridgetown

Mr. Desmond's submission was on how to make a decision in the planning process. His main grievance is with the Storey Samways Planning Report which, in his view, demonstrates a fundamental misunderstanding of what the process is when you make a planning decision. There are various documents you are bound to take into consideration when making a planning decision. They include the Official Plans of the former Township of Dover, Harwich, Howard and the Municipality of Chatham-Kent Official Plan, although no law should be viewed as persuasive material, the Strategic Plan, and the Provincial Policy Statement. These documents are to a great extent instructions on how to make this decision. They are essentially philosophical documents that set out the values, priorities and goals of the citizens of Chatham-Kent or the Province.

Mr. Desmond's submission is that the Storey Samways Planning Report is completely biased in favour of the applicant as it is not a properly drafted report upon which Council is to rely. Storey Samways appears to have a misunderstanding of their role of interpreting Official Plan Policies for the benefit of Council as they have ignored all of the conflicting values, purposes, priorities and goals set out in the documents. The report zeros in on one value, one priority, and one goal as set out in the Provincial Policy Statement, Section 1.8.

The Provincial Policy Statement clearly states that "it is intended to be read in its entirety and the relevant policies are to be applied to each situation. A decision maker should read all of the relevant policies as if they are specifically cross referenced with each other." Council has not been given the opportunity by Storey Samway to weigh properly the other priorities and it is imperative that Council receive balanced reports particularly in the area of Official Plan amendments.

Mr Desmond noted also that the Storey Samways Report analysis of the Community Strategic Plan zeroed in on only two of the six strategic directions, that of economy and environment. He highlighted some of the conflicts between the Storey Samways Planning report and the various documents used in consideration of a planning application in the area of economy, health, environment and heritage.

Mr. Desmond concluded his remarks in stating to Council that there is a great danger in relying solely on the Storey Samways Planning Report which is *prima facie* biased in favour of the application. He cautioned that Council is going too fast in consideration of

these overly simple official plan amendments and the only control Council will have later would be through site plan and zoning. Given all the money the developers have invested, who will win the argument?

Councillor Pickard interrupted as a point of order and asked if Mr. Desmond's intention is to tie up the process and consume the remainder of the meeting so Council cannot proceed and no one else can speak?

Mr. Desmond clarified that it is not his intention to filibuster the meeting. Council has fifty pages of his written submission. This is an extensive procedure and he is speaking to three Official Plan and Zoning By-law Amendments. Council has been led to believe that they have no choice in this matter. There are conflicts and they have to be reconciled through the review of the priorities, values and goals as set out in the instruments.

Councillor Gilbert thanked Mr. Desmond for drawing the line between Strategic Directions and the Cultural Master Plan and that is an appropriate planning policy.

Mayor Hope noted it was time to bring the meeting to a close. Administration has noted those who wish to speak and there are six people left to speak. He advised that written submissions could be provided to Council or that the public may reserve their right to speak in accordance with s.34 of the Planning Act, before Council on April 14, 2008.

Councillor Gilbert sought clarification on the process. The Municipal Solicitor noted the statutory public meeting is closed as of tonight. There has already been two meetings, and the requirement is only one. Subsection 14.2, requires anyone who was here but did not have a chance to speak, they will be given the opportunity to speak on April 14<sup>th</sup>.

The Mayor asked the Clerk to read the remaining names of those left to speak. They are as follows; Dr. James Ross, Roger Bourassa, Chatham-Kent Chamber of Commerce, Tom Chatterton, Kim Iles / Greg Foster, and Mark Bell.

Councillor Vercouteren moved, Councillor Parsons seconded:

**That Chatham-Kent Council adjourn to its next Meeting to be held at 6:00 p.m. on Monday April 14, 2008 and that Chatham-Kent Council authorize itself to meet in closed session prior to such Meeting to discuss any matters permitted by The Municipal Act to be considered at a Closed Meeting.**

The Mayor put the Motion.

**Motion Carried**

The meeting adjourned at 11:01 p.m.

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Mayor – Randy R. Hope

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Clerk – Elinor Mifflin