

1. **Council Convenes - O Canada** –Warden Hunter called to order the November 9, 2011 session of Cumberland Municipal Council at 1:00 p.m. The meeting was held in the Council Chambers of the E. D. Fullerton Municipal Building, Upper Nappan. O Canada was sung.
2. **Roll Call** - The roll was called by Shelley Hoeg, Executive Assistant to the Chief Administrative Officer. Councillors in attendance: Warden Keith Hunter, Deputy Warden Gerald Read, Councillor John Kellegrew, Councillor Allison Gillis, Councillor Ron MacNutt, Councillor Kathy Redmond, Councillor Phillip Donkin, Councillor Ernie Gilbert, Councillor John Reid, and Councillor Ratchford Merriam. There were also a number of staff in attendance.
3. **Approval of Agenda (Additions/Deletions)** – **IT WAS MOVED by Councillor Gilbert, seconded by Deputy Warden Read to approve the agenda with the following additions and deletion:**
Additions: 11.4 – Budget Error, 11.5 – Recreation Grant, 12.2 – Fire Protection Services Communication Equipment, 13.1 – Pugwash and Area Master Plan Steering Committee Report, 15.3 – Department of Transportation and Infrastructure Renewal, 11.5 – Recreation Grant

Deletions: 9, 12.1

MOTION CARRIED #11-151

4. **Approval of Minutes**

4.1 **Minutes from October 26, 2011 Council Session**

The minutes of October 26, 2011 were approved as presented.

5. **Business Arising from the Minutes**

5.1 **Action List, October 26, 2011** – There was no discussion on this item.

6. **Delegations and Presentations**

Recognition for 25 years of dedicated service was presented to Jeff McFadden, Building Maintenance, by Warden Hunter.

7. **Public Hearings**

The Warden called the Public Hearing to Order at 1:08 p.m. Warden Hunter advised of the purpose and procedure for the Public Hearing.

7.1 **Amendment to MPS/LUB**

Ms. Penny Henneberry, director of Planning and Development went over the steps of the project. The project began with five open houses in August of 2010. The proposed amendments were prepared and presented to various government departments and non government offices. A peer review then took place. Once this was completed a public review was held in three separate public meetings held August, 2011. The next stage is Council review, which is happening today.

The summary of proposed amendments are:

- The separation distance is proposed to remain as currently presented in the land use Bylaw (500 meters)
- Separation distance will not only be from residential development, but from buildings deemed as habitable buildings.
- A waiver provision is provided to allow proposed
- The current language of the LUB allows turbines as-of-right with special requirements prior to the issuance of a development permit.
- The list of special requirements have been amended to address a variety of concerns.
- The newly created domestic scale turbine will be defined in a new section in order to address the “over the counter” installations.
- A provision for allowing new residential development to locate closer to a turbine
- The provision of notifying residents within a certain radius of the issuance of a Development permit
- The four year time limit permit provision will remain (including the renewal provision of two years).
- The creation of a Restricted @ Zone map outlining areas of exclusion such as environmental sensitivity and habitable building separation distance.
- Requirement for the Building Official to review domestic scale turbines.

The Next Steps:

- Council was presented with the proposed amendments (First Reading)
- Council is currently holding Public hearing to hear public comments directly.
- Council can reject or approve amendments or approve with amendments
- If rejected, the current By-Law remains in effect
- If approved, they are forwarded to SNSMR.

At this point, Ms. Henneberry read aloud, all submissions which are attached, as Appendix A, and form part of these minutes.

Upon completion of reading the written submissions, the floor was opened up for personal submissions.

The first speaker was Mr. Gerald Hoganson. Mr. Hoganson advised that he felt that there were very little comments from people with direct experience with wind farms in the written submissions. Mr. Hoganson advised that he and his wife have personally visited two large scale wind farms. One in N.S. and one on P.E.I. At one of the wind farms they did experience noise (at one of the residences approximately 500 metres from the wind farm) equivalent to the sound of a washing machine. At the next wind farm, they stopped at a house that seemed to be the closest in proximity to the turbines, which was more than 1000 from the wind farm and he noticed very little noise.

The second speaker was Austen Hughes, who is a Director of Wind Prospects Inc. He began by commending the work of Ms. Henneberry. Wind Prospects feels that the current set backs are adequate for personal safety and health. Projects that they have completed in Ontario had setbacks of between 500 and 700 meters. Mr. Hughes also advised that his company is also in the process of a community owned windfarm. The setback of 1000 meters would terminate the program. HRM Council chose to extend setbacks to 1000 meters which was not what their Planners suggested. The Planning Document of HRM recommended 500 to 600 meter setbacks.

The third speaker was Craig McCormick who is a resident of Rodney and lives approximately 1800 meters from a wind turbine. He feels that there is no impact to his quality of life whatsoever and that 1800 meters is an adequate distance.

The fourth speaker was Ms. Alice Power. Ms. Power wanted clarification on a couple of points. Most jurisdictions are recommending small clusters and not large fields of turbines, how will be deal with this? Would like to see something on decommissioning as our document doesn't deal with this. What about site light? How can sight light not be intrusive?

The fifth speaker was Mr. Gerald Freeman. Mr. Freeman advised he has been involved with wind turbines for many years. He would like to see Council consider making a recommendation to the Province of N.S. that the windmill companies be policed in their dealings with the landowners. He would also like to see the distance of a windmill from an adjoining land owner be increased.

The sixth speaker was Ms. Lisa Betts. Ms. Betts advised that she has been following the wind turbine issue for many years. Ms. Betts will refer to medical studies. She agrees that not everybody living near turbines have their health affected, but some do. Ms. Betts advised that there were wind developers who were respondents in the public consultation that the Municipality held. She feels that this should not have been allowed. Ms. Betts also feels that the numbers of our consultation were not represented correctly. Glint and Flicker have also created health problems in people.

The public hearing concluded with comments from Council and Staff which were:

Councillor Redmond feels that Cumberland should be zoned. Have different setbacks for different areas within Cumberland. Warden Hunter concurs with this.

Councillor Reid agrees with Ms. Betts on the results of the open house surveys. He feels they are very lopsided. He also feels that the public meetings were not advertised properly. He would also like to have the questions of Ms. Power answered. Councillor Reid feels if we are not going to increase the setback we are doing an injustice to the residents of Cumberland County. Councillor Reid feels that we should be pressuring the Provincial Government to provide transmission lines in more remote areas so that wind mills can go in areas that are not populated.

Councillor Gillis feels that we must do the best we can to satisfy the majority and to do the best we can for our residents.

Councillor MacNutt feels that transmission line costs are not a showstopper for the wind energy industry. He feels that there are a lot of sections of the By-Law that are very beneficial and should not be thrown out due to the 500 meter setback.

A vote was taken to allow the gallery to speak once again to the issue and was passed.

Mr. Clarence Felderhoff advised that he appreciates and agrees with Councillor Reid's comments. Mr. Felderhoff also feels that the majority of the public voice were in favour of the 1000 meter Setback and that this should be listened to.

Mr. Doug Bacon spoke and advised that he is in agreement with Councillor Redmond's comments and wants Council to realize that some members of the County are in favour of wind energy development and doesn't want to see this quashed due to negative feedback from particular communities.

Councillor Donkin advised that he feels the Hearing was very well advertised and disagrees with using the Gulf Shore as a demographic of the Whole. The County of Cumberland is very large and residents of the Gulf Shore should not speak for the rest of the residents of the County and certainly not the rest of Canada. Councillor Donkin feels that windfields will fit very well in other areas of the County.

Joanne MacPherson advised Council her concern is that our By-Law does not mitigate damages for the landowners, whether it be property values, health, and decommissioning of the windfields.

Councillor Redmond requested clarification if the present By-Law would still be in effect if the By-Law today does not pass. She was advised that yes, the current By-Law would remain in effect.

Mr. John Atkinson spoke as a land owner who has been interested in wind farms. For people who want the wind turbines off shore...how close do you want them in your front yards then. To those concerned about property values, some of the companies are offering a community fund which people can participate in.

Deputy Warden Read will not be supporting the 1000 meter setback as he feels it is not necessary.

Councillor Gilbert feels a fair way to zone would be by population density. Councillor Redmond felt this would be a good idea as well.

Warden Hunter closed the public hearing at 3:46 p.m.

IT WAS MOVED by Councillor Redmond, seconded by Councillor Donkin to give Second Reading to By-Law 11-02 to concurrently amend the Municipal Planning Strategy and Land Use By-Law by amending the text as follows:

SCHEDULE "A"

BYLAW 11-02

**AMENDMENT TO THE
MUNICIPAL PLANNING STRATEGY
And
LAND USE BYLAW**

Municipal Planning Strategy

Delete Section 2.3

~~2.3 Renewable Energy~~

~~Renewable or green energy is an energy source that is naturally renewed.~~

~~The provisions of this Municipal Planning Strategy and accompanying Land Use Bylaw are intended to recognize the benefits of renewable energy and the county's renewable energy resources and development opportunities, particularly for wind power. They will establish clear planning policies and development permit requirements in support of the development of wind turbines and will address some of the wind turbine land use concerns. They will also be flexible in order to accommodate advancements in technology and permit wind turbines to be developed without the need to amend the Municipal Planning Strategy or Land Use Bylaw for each development proposal.~~

~~Promoting renewable energy is part of sustainable community development and the municipality's mission "to provide residents with leadership, support, and municipal services that contribute to the well being of the community."~~

And replace with:

2.3 Renewable Energy

Fluctuating energy prices, dependency on imported fuel sources, and the environmental effects of dirty fuel are pressuring communities to understand how they can increase energy security, stimulate healthy sustainable economic development, and make choices that are good for the environment

and human health within the community.

Nova Scotia's dependency on unstable countries for oil and coal put us 'at risk' from an energy supply and cost perspective. Increasing energy costs place significant pressure on existing businesses, on economic growth, and on citizens. It challenges economic viability, stability, and growth, and leaves the province vulnerable to restrictions in energy availability and price volatility.

While Nova Scotia has benefited from the availability of energy from coal and oil in the past, use of these fuels has contributed towards climate change, air pollution, and the depletion of non-renewable resources. Further, climate change causes significant adverse impacts to the environment and human health, which brings additional costs burdens to municipal and provincial governments. Ecosystems and community infrastructure are challenged to adapt to the changes associated with warmer temperatures, melting glaciers, increasing sea levels, and increased storm intensity and frequency.

Canada and Nova Scotia have made important commitments to combat climate change through increased development and use of renewable energy, energy efficiency, and conservation. Nova Scotia recently passed an Act of legislation which has the ultimate goal of transforming Nova Scotia into one of the cleanest and most sustainable environments in the world by 2020.

Municipalities are important to the implementation of climate change initiatives since almost 50% of Canada's greenhouse gas emissions are generated at the community level under the direct or indirect control or influence of municipalities. With objectives to increase energy self reliance and sustainability, communities are taking steps to diversify away from imported energy sources and to increase energy efficiency and conservation.

The provisions of this Municipal Planning Strategy and accompanying Land Use Bylaw are intended to recognize the benefits of renewable energy and the county's renewable energy resources and development opportunities. They will establish clear planning policies and development permit and/or site plan approval requirements for wind energy related projects. They will also be flexible in order to accommodate advancements in technology and permit wind energy related projects to be developed without the need to amend the Municipal Planning Strategy or Land Use Bylaw for each development proposal. As other renewable energy projects come to the forefront, amendments to the Municipal Planning Strategy and Land Use bylaw may be required.

Delete Section 3.3

~~3.3 Renewable Energy~~

~~3.3.1 In order to help protect the environment for the future, support the development of renewable energy systems and minimize any external negative impacts of wind turbines:~~

~~3.3.2 It shall be the intention of Council to include in the Land Use Bylaw, provisions:~~

- ~~a) to define small scale wind turbines as those which have a nameplate generating capacity of up to 100 KW and generate power primarily for on site consumption by individual buildings and are permitted as accessory uses in any zone where accessory uses are permitted;~~
- ~~b) to define large scale wind turbines as those which are not small scale wind turbines and which generate power primarily for sale to a third party and which may be developed either as standalone machines or be grouped with others in a wind farm;~~
- ~~c) to permit the development of large scale wind turbines by development permit, without the need to amend the Municipal Planning Strategy or Land Use Bylaw;~~
- ~~d) to permit large scale wind turbines in the General, Utility, Rural Resource, Commercial and General Residential (Joggins) Zones;~~
- ~~e) to establish special information requirements to be provided by wind turbine project proponents prior to the issuance of development permits and construction;~~
- ~~f) to establish special setback or distance separation requirements between wind turbines and neighboring buildings intended for occupation and public highways;~~

~~g) to establish special height restriction exemptions, rotor blade ground clearance regulations and wind turbine project on site setbacks;~~

~~h) to establish special maintenance, decommissioning, restoration, security and appearance regulations for wind turbine project sites;~~

and replace with

3.3 Renewable Energy

3.3 A - Wind

3.3A-1 The Municipality of Cumberland participated in a Wind Energy Planning project under the terms of reference of a Union of Nova Scotia Municipalities Request for Proposals. This project was funded by the Nova Scotia Department of Energy. The project terms of reference were very specific in that to encourage wind energy projects to locate in appropriate areas the Municipality was to ensure areas that were designated by the Province as existing or proposed protected wildlife areas or other environmentally sensitive lands were to be protected. Should the status of this protection change, the Municipality can review and update its own bylaws accordingly.

In order to help the Province of Nova Scotia, other levels of government and non-government organizations protect the environment for the future and to support the development of renewable energy systems and minimize any external negative impacts of wind turbines it shall be the policy of Council to adopt a zoning map overlay that defines areas which are not appropriate for small and large scale wind turbines. This Restricted (R) Zone shall include, but not be limited to: designated provincial and federal parks, protected provincial and federal beaches, provincial and federal wilderness areas, known lands of ecological significance, designated municipal, provincial and federal historic sites, provincial wildlife areas, Ramsar wetlands, provincial game sanctuaries, national migratory bird sanctuaries, designated water supply areas, Nature Conservancy of Canada Lands, aboriginal reserve lands, open mining pits and mining related shaft areas, and known significant habitat areas. The map will also graphically show a general setback of 500 metres from civic points. This map will not preclude the requirement for the developer to conduct detailed site investigations and provide proof that said identified restricted areas are not going to be developed.

3.3A-2 It shall be the intention of Council to include in the Land Use Bylaw provisions:

- a) to define small scale wind turbines as those which have a nameplate generating capacity of not less than 10 kW and no greater than 100 kW and generates power primarily for on-site consumption by individual buildings;
- b) to define large scale wind turbines as those which are not small scale wind turbines and which generate power primarily for sale to a third party and which may be developed either as stand-alone machines or be grouped with others in a wind farm;
- c) to establish criteria for the placement of domestic, small and large scale turbines;
- d) to permit small and large scale wind turbines in the General, Utility, Rural Resource, Commercial, General Residential (Joggins) and Village Residential Zones (Pugwash);
- e) to define domestic scale wind turbines as having a maximum height of 27.43 metres (90 feet). Power-generating domestic wind turbines primarily provide power for on-site consumption by individual buildings;
- f) to permit domestic scale turbines in all zones as accessory uses;
- g) to establish special setback or separation distance requirements between wind turbines and habitable buildings and public highways;
- h) to allow a waiver of separation distances;

- i) to establish rotor blade ground clearance regulations and wind turbine project on site setbacks/separation distances;
- j) to establish separation distances from natural gas pipelines;
- k) to establish special maintenance, decommissioning, restoration, security and appearance regulations for wind turbine project sites;
- l) to not limit the number of turbines in a Wind Energy Project in any one area provided all of the turbines meet setback and separation distance requirements;
- m) submission by proponent of the results of public notification if conducted;
- n) to require evidence of the continued use of agricultural land for farm use when turbines are placed on agricultural land;
- o) to require evidence of notification to DND, Nav Canada and Natural Resources regarding potential radio, telecommunications, radar and seismoacoustic interference if applicable;
- p) to require copies of documentation required (obstruction clearance form) from Transport Canada for turbines taller than 30 metres (98.4 feet) and Nav Canada for turbines within 10 kms (6.2 miles) of an airport or taller than 30.5 metres (100 feet) outside the 10 km range;
- q) to require the provision of evidence of an agreement enabling the connection of the turbine(s) to the provincial electricity grid.

3.3A-3 **New Habitable Building Development constructed near Wind Energy Projects**

New *habitable buildings* can be located closer to Wind Energy Projects. If such development does occur, Council is of the opinion it should not prevent an expansion of an existing Wind Energy Project which was established in conformance with this Strategy. However, the expansion of the existing Wind Energy Project should still meet required setbacks or separation distances (unless waived) and not be located any closer to a *habitable building* which has been built closer to a Wind Energy Project.

Land Use Bylaw

Delete Section 10

~~10. SPECIAL REQUIREMENTS FOR WIND TURBINES~~

- ~~a) There is no lot frontage requirement for large scale wind turbines.~~
- ~~b) The minimum lot area and dimensions for the creation or development of a lot for a large scale wind turbine are 37.16 square meters (400 square feet) or area, and the lot must be able to contain a circle 6.1 meters (20 feet) in diameter.~~
- ~~c) The minimum set back for the location of a large scale wind turbine from an existing building intended for human occupation on a neighbouring property is the greater of 500 meters (1640 feet) or 3 times or 300 percent of the height of the wind turbine.~~
- ~~d) The minimum setback for the location of a large scale wind turbine from an external wind power project lot line is the length of the rotor arc, plus 7.5 meters (24.6 feet).~~
- ~~e) The minimum setback for the location of a large scale wind turbine from an internal wind power project lot line is 0 meters (0 feet).~~
- ~~f) The minimum setback for the location of a large scale wind turbine from a public highway is 1 times or 100 percent of the height of the wind turbine.~~
- ~~g) The minimum setback for the location of a large scale wind turbine from an existing building intended for human occupation on the wind power project site is 1.25 times or 125 percent of the height of the wind turbine.~~
- ~~h) The minimum rotor blade ground clearance is 7.5 meters (24.6 feet).~~
- ~~i) The minimum setback for the location of a large scale wind turbine from any other existing or permitted large scale wind turbine that is not part of the same wind power project is 4 times the diameter of the rotor.~~
- ~~j) Finish: A wind turbine shall be finished in a non reflective matte and in an unobtrusive colour.~~
- ~~k) Lettering & Signage: A wind turbine tower shall not contain any commercial advertising. However, the hub or nacelle may display the manufacture's, operator's or owner's name or logo. Site signs shall be limited to those which identify the wind power project, locate access points and provide safety information.~~
- ~~l) Tower Access & Safety: A wind power project shall be protected from unauthorized access by a security fence, with a lockable gate and a minimum height of 1.8 meters (5.9 feet), or by having any ladder or permanent tower access device located no closer to the ground than 3.7 meters (12.1 feet) or, for monopole designs, with internal access only, a lockable door.~~
- ~~m) Lighting: A wind turbine shall not be provided with artificial lighting except for lighting that is needed to meet Transport Canada or other regulatory requirements.~~
- ~~n) Decommissioning: In accordance with a decommissioning plan prepared by the applicant for a Development Permit, all above ground components of the large scale wind turbine or the wind power project, including all buildings and storage facilities, wind turbines wind testing facilities and above ground accessory infrastructure (such as overhead transmission lines and substation) shall be removed from the site (unless it can reasonably established that there is another probable near term future use for any of the said components) and the applicable surface site areas, except for roads, shall be restored to a reasonable natural state within 18 months of the time at which the wind turbines cease to produce power continuously for a period of six months or, in a case where construction of the large scale wind turbine or wind power project is not completed, the time at which the development of the wind power project ceases.~~
- ~~o) Temporary Uses (Test Towers): Facilities for the assessment of wind energy resources (test towers) may be erected for the life of the wind power project. Otherwise, they shall be removed within one year of inactivity.~~

~~p) *Outdoor Storage: All outdoor storage associated with a wind power project shall be screened from view from adjacent properties and adjacent highways.*~~

~~q) *Development Permit Applications Information Requirements:*~~

~~Development Permits shall be required for large scale wind turbines or wind power projects. In addition to satisfying the minimum requirements of Section 3.4 of the Land Use By Law (Application for Development Permit), the following special information requirements shall be provided with the development permit application: A tentative site plan, showing the location of all wind turbines and accessory uses, and plan of the site's environs, drawn to scale, that shows the dimensions and boundaries of all parcels of land, the location of all existing and proposed buildings, structures and use, proposed alterations to the natural features, contours and environmentally sensitive areas on the subject site and within 1 kilometre.~~

~~r) *Development Permits: Development permits are valid for 4 years from the date issued. A development permit may be renewed once for an additional 2 years. A new development permit application, with updated plans, is required for renewals. Prior to the commencement of any construction, the developer must provide the following information:*~~

~~i) *A final site plan, drawn to scale and certified by a surveyor, which shows the final location of all wind turbines and accessory uses.*~~

~~ii) *A decommissioning plan which demonstrates how all above ground components of the large scale wind turbines or the wind power project, including all buildings and storage facilities, wind turbines, wind testing facilities and above ground accessory infrastructure (such as overhead transmission lines and substations) and the applicable surface site areas, except for roads, will be restored to an reasonable natural state within 18 months of the time at which the wind turbines cease to produce power continuously for a period of six months or, in a case where construction of the large scale wind turbine or wind power project is not completed, the time at which the development of the power project ceases.*~~

~~iii) *Copies of all documentation regarding Transportation Canada and Navigation Canada approvals.*~~

~~iv) *Copies of all documentation submitted as part of the requirements of the Canadian Environmental Assessment Act and Nova Scotia Environment Act and Nova Scotia Environment regulations.*~~

~~v) *An emergency response plan for site safety and adequate emergency service personnel training.*~~

~~vi) *A professional engineer's design and approval of the turbine base.*~~

Insert new Section 3.2

3.2 Development Permit

e) Applications for a development permit for a *wind turbine* or *wind energy projects* in the Municipality of the County of Cumberland must comply with those conditions as found in Section 10 of this Bylaw.

f) The Development Permit application for *domestic wind turbines* shall be reviewed by the Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wire anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where the wind turbine is:

i) not attached to a building and is not connected to the power grid;

ii) attached to a building in excess of 20m² (215 ft²) and is not connected to the power grid.

Amend Section 4. Zones

4.1 Zones

Insert the following zone to the list

Restricted Zone R

4.2 Zoning Maps

Insert the follow map

Map 9 Wind Energy Map

Replace Section 10 with the following

10 SPECIAL REQUIREMENTS FOR WIND TURBINES

10.1 Restricted Zone (R)

Wind turbines will not be permitted in the Restricted (R) Zone.

10.2 Small and Large Scale Turbines

- a) There is no *lot frontage* requirement for *Wind Energy Projects*.
- b) The minimum *separation distance* for the location of a *small and/or large scale wind turbine* from a *habitable building* on a neighbouring property is the greater of 500 meters (1640 feet) or 3 times the *height* of the *wind turbine*.
- c) The minimum *separation distance* for the location of a *small and/or large scale wind turbine* from an external *Wind Energy Project* lot line is the *height* of the *wind turbine* plus 7.5 meters (24.6 feet).
- d) The separation distance of *small and/or large scale wind turbine* from a natural gas pipeline shall be 85 metres (279 feet).
- e) The minimum *setback* for the location of a *small and/or large scale wind turbine* from an internal *Wind Energy Project* lot line is 0 meters (0 feet).
- f) The minimum *separation distance* for the location of a *small and/or large scale wind turbine* from a *public highway* is 1 times the *height* of the *wind turbine* plus 7.5 meters (24.6 feet).
- g) The *separation distance* requirements for wind turbine developments shall be waived provided any one of the following conditions are met:
 - i) The wind turbine or turbines are located on the same property as the *habitable building* and no other *habitable buildings* are within the required *separation distance*; or
 - ii) Written consent is obtained from all owners of *habitable buildings* located within the required *separation distance*.
- h) The minimum *separation distance* for the location of a *small and/or large scale wind turbine* from an *existing habitable building* on the *Wind Energy Project* site is 1.25 times the *height* of the *wind turbine*.
- i) *Setback* or *separation distance* requirements will not restrict new *habitable buildings* from being located closer to *Wind Energy Projects* but the new *habitable buildings* shall not be closer than 1.5 times the *height* of a *wind turbine*.
- j) The expansion of an existing project shall not be located any closer to the new *habitable building* which has been built within the *setback* or *separation distance*.
- k) There is no limit on the number of *Wind Energy Project* turbines in any one area provided all of the turbines meet *setback* and *separation distance* requirements.

- l) The minimum rotor blade ground clearance is 7.5 meters (24.6 feet).
- m) The minimum *separation distance* for the location of a *small and/or large scale wind turbine* from any other *existing* or permitted *small and/or large scale wind turbine* that is not part of the same *Wind Energy Project* is 4 times the height of the proposed turbine that is located closest to the project boundary.
- n) The *separation distance* requirements for a *small and/or large scale wind turbine* from any other *existing* or permitted *small and/or large scale wind turbine* that is not part of the same *Wind Energy Project* shall be waived provided the following conditions are met:
 - i) Written consent is obtained from neighbouring *small and/or large scale wind turbine* projects located within the required separation distance.
- o) Finish: A *wind turbine* shall be finished in a non-reflective matte finish.
- p) Lettering & Signage: A *wind turbine* tower shall not contain any commercial advertising. However, the hub or nacelle may display the manufacture's, operator's or owner's name or logo. Site signs shall be limited to those which identify the *Wind Energy Project*, locate access points and provide safety information.
- q) If a *wind turbine or wind energy project* discontinues power production for a minimum of 1 year the operator shall provide the Municipality with a status report identifying future plans for the site.
- r) Decommissioning: In accordance with a decommissioning plan prepared by the applicant for a Development Permit, all above ground components of the large scale wind turbine or the wind power project, including all buildings and storage facilities, wind turbines wind testing facilities and above ground accessory infrastructure (such as overhead transmission lines and substation) shall be removed from the site (unless it can reasonably established that there is another probable near term future use for any of the said components) and the applicable surface site areas, except for roads, shall be restored to a reasonable natural state within 18 months of the time at which the wind turbines cease to produce power continuously for a period of six months or, in a case where construction of the large scale wind turbine or wind power project is not completed, the time at which the development of the wind power project ceases.
- s) Tower Access & Safety: A *Wind Energy Project* shall be protected from unauthorized access by a security fence, with a lockable gate and a minimum *height* of 1.8 meters (5.9 feet), or by having any ladder or permanent tower access device located no closer to the ground than 3.7 meters (12.1 feet) or, for monopole designs, with internal access only, via a lockable door.
- t) Lighting: A *wind turbine* shall not be provided with artificial lighting except for lighting that is needed to meet Transport Canada or other regulatory requirements.
- u) Sight Lighting: Security or sight lighting shall not be intrusive and shall be directed so that they do not reflect onto adjacent properties.
- v) Temporary Uses (Test Towers): Facilities for the assessment of wind energy resources (test towers) may be *erected* for the life of the *Wind Energy Project*. Otherwise, they shall be removed within one year of inactivity.
- w) Outdoor Storage: All outdoor storage associated with a *Wind Energy Project* shall be screened from view from adjacent properties and adjacent highways.
- x) Public Notification: Evidence and results of public notification if conducted;
- y) When placed on agricultural land, evidence of the continued use of prime agricultural land for farm use;

- z) Evidence of notification to DND, Nav Canada, Industry Canada and Natural Resources regarding potential radio, telecommunications, radar and seismoacoustic interference if applicable.
- aa) Copies of documentation required (obstruction clearance form) from Transport Canada for turbines taller than 30 metres (98.4 feet) and Nav Canada for turbines within 10 kms (6.2 miles) of an airport or taller than 30.5 metres (100 feet) outside the 10 km range.
- bb) Evidence of an agreement enabling the connection of the turbine(s) to the provincial electricity grid.
- cc) The Municipality shall notify all property owners directly bordering the *wind energy project* site upon issuance of a development permit.
- dd) The applicant must submit a site plan drawn to scale, showing the location of all wind turbines and accessory uses and must show the dimensions and boundaries of all parcels of land, the location of all existing and proposed buildings, structures and uses, and proposed alterations to the natural features. This plan must be prepared by a qualified individual (e.g. surveyor, engineer or architect) and must show the details of all required *setbacks* and *separation distances* between on site and off site structures and boundaries. This plan must also show that areas listed within the Restricted (R) Zone are not being developed.

10.3 Special Requirements Domestic Wind Turbines permitted as Accessory Structures

- a) All turbines must meet minimum *separation distance* requirements;
- b) The maximum height of the turbine(s) shall be 27.43 metres (90 feet);
- c) The minimum *separation distance* from the property line shall be 1.5 times the height of the turbine as measured from the base of the turbine;
- d) The minimum *separation distance* requirements can be modified provided the following condition is met:
 - i) Written consent is obtained from all property owners located adjacent to the site to be developed with a *domestic wind turbine*.
- e) The minimum lot size for the subject property shall be 0.4 hectares (1 acre);
- f) There shall be no signs, advertisements or objects, attached to or added to the turbine;
- g) Turbines 6 metres (19.7 feet) or greater in height (as measured from its base to the tip of the blade) shall not be mounted on or attached to any other structure;
- h) All supporting structures such as guy wires or similar support apparatus must be located three metres from the property line.
- i) All supporting structures including guy wires or similar support apparatus shall be clearly visible to a height of 2 metres (6.56 feet) above grade.
- j) Any climbing apparatus shall be a minimum of 3.05 metres (10 feet) above grade.
- k) Turbines less than 6 metres (19.7 feet) in height may be mounted or attached to any other structure.

Amend Schedule “A” Zoning Maps

Insert the following with the appropriate page number reference

Map 9: Wind Energy Map

Amend the Map Attachments

Insert new Wind Energy Map

Amend the Joggins Land Use Bylaw as follows (not to include cross out in adopted version):

3.4 Prohibited Uses – Cliffs and Beach Setback – General & Community Residential Zones

Except for small scale safety and security fences or *structures*, the following uses and *structures* are prohibited in a 20 metre landward setback area from the cliffs and beaches: soil removal; grading, excavation or deposition of fill; material storage or processing; permanent or temporary *structures*, including freestanding ~~utility-scale~~ *small and large scale wind turbines*, communications towers, fences, cantilevers and billboards or signs; outdoor storage of any scrap or salvage material or inoperative motor vehicles or their parts. This provision does not prohibit the accessory storage of material, such as firewood and compost, for the use of residents of the property.

Amend the Pugwash Land Use Bylaw as follows (not to include cross out in adopted version):

3.11 Building Height Requirement Exemptions – All Zones

The maximum building height requirements shall not apply to normal vertical building extensions and certain freestanding structures such as church spires and belfries, water tanks, elevator enclosures, silos, flag poles, television or radio antennae, commercial communication towers, ventilators, skylights, public art, chimneys, clock towers, tree houses, ~~small-scale~~ *domestic scale* wind turbines and solar collection devices.

To amend current or insert new definitions as follows:

Blade means the part of the wind turbine that rotates in the wind and extracts kinetic energy from the wind;

Blade Clearance means the distance from the grade to the bottom of the rotors arc

COMFIT Project means a project that has been approved to receive an established price per kilowatt hour (kWh) for projects producing electricity from qualifying renewable resources. These projects must be majority owned by local community based groups as outlined in the *Renewable Electricity Regulations*.

Domestic Wind Turbine means a turbine that converts the wind’s kinetic energy into either electrical power or mechanical energy. The turbine comprises the tower, rotor blades (either vertical or horizontal) and nacelle. It shall have a maximum height of 25 metres (82 feet). Power-generating domestic wind turbines primarily provide power for on-site consumption by individual *buildings* and are as an *accessory use* in any *zone* where *accessory uses* are permitted.

Guy wire means a cable or wire used to support a tower;

Habitable building means a dwelling unit, hospital, hotel, motel, nursing home or other similar building occupied or capable of being occupied as a home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently.

Kilowatt (kW) is a measure of power for electrical current (1 kW= 1000 watts). A Megawatt (MW) equals 1000 Kilowatts.

Large scale Wind Turbine means any *wind turbine* that is not a *small scale wind turbine* and which

generates power primarily for sale to a third party and which may be developed either as a standalone machine or be grouped with others in a wind farm.

Nacelle means the frame and housing at the top of the tower that is part of a wind turbine enclosing components such as, the gearbox and generator, protecting them from the weather;

Nameplate capacity means the manufacturer's maximum rated output of the electrical generator found in the nacelle of the wind turbine. This equals the electricity produced when the wind velocity is such as where the conversion efficiency is at its greatest.

Net Metering Project is when electricity consumers with small, privately-owned renewable electricity generators offset part or all of their own electrical requirements by utilizing their own generation. Excess self-generation, over own-consumption needs, is credited against purchased energy for billing purposes over a limited period of time.

Renewable Energy or renewable low-impact electricity is any resource that, in the opinion of the Minister and consistent with Canadian standards, is able to be replenished through natural processes or through sustainable management practises so that the resource is not depleted at current levels of consumption This includes but is not limited to: solar energy, wind energy, biomass, run-of-the-river hydroelectric energy, ocean-powered energy, tidal energy, wave energy, landfill gas, liquid biofuel, and other biogas energy.

Separation distance means the distance measured from the base of the wind turbine tower to any specified building, structure, road or natural feature.

Setback means the distance measured from the base of the wind turbine tower to the property line.

Shadow flicker means a condition that occurs when the sun is low on the horizon and the blades pass between the sun and an observer creating a flickering.

Small-Scale Wind Turbine means a turbine that converts the wind's kinetic energy into either electrical power or mechanical energy. The turbine comprises the tower, rotor blades (either vertical or horizontal) and nacelle. It shall have a maximum height of 60 metres (196.8 feet) and a nameplate capacity of not less than 10 kW and no greater than 100 kW.

Supporting structure of a wind turbine includes all structures accessory to the turbine itself, including guy wires.

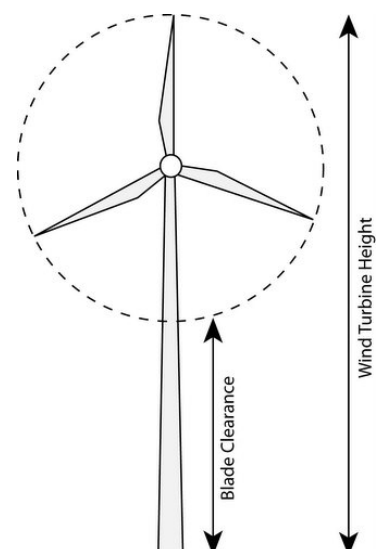
Wind Farm refers to a grouping of more than one interconnected wind turbines on one lot or abutting lots used for the purpose of converting wind power to produce electricity.

Wind monitoring or meteorological tower means a tower used for supporting an anemometer, wind vane and other equipment to assess the wind resource at a predetermined height above the ground;

Wind Energy Project means a *wind farm* which may contain one or more *wind turbine* and associated property, substations and other *utility* systems. It may include *Net Metering* and *COMFIT* projects;

Wind Turbine means a machine and *supporting structure* designed to convert wind energy into mechanical and electrical energy;

Wind Turbine Height means the distance measured from grade to the highest point of rotor's arc;



IT WAS MOVED by Councillor Reid, seconded by Councillor Merriam, to amend the setback in the By-law to 750 meters.

AMENDMENT DEFEATED

IT WAS MOVED by Councillor Gilbert, seconded by Deputy Warden Read to amend the setback in the By-Law to 600 meters.

AMDNEMENT CARRIED

IT WAS MOVED by Councillor Reid, seconded by Councillor Gilbert to not accept the sensitive areas of the Province in our By-Law.

AMENDMENT DEFEATED**MOTION CARRIED #11-152**

IT WAS MOVED by Councillor Redmond, seconded by Councillor Gilbert to direct staff to further develop the potential for the creation of wind development zones within the County.

MOTION CARRIED #11-153

Submission regarding this matter are attached and form part of the Minutes.

- 7.2 Dangerous and Unsigthly Premise – 12380 Highway 4, West Wentworth, Cumberland County -
Warden Hunter opened the public hearing at 4:02 p.m.

Mr. Cottingham, Solid Waste and By-Law Administrator provided Council with a presentation on the Unsigthly/Dangerous condition of the property located at 12380 Highway 4, West Wentworth, Cumberland County. AAN: 03680908 PID: 25161316.

No concerned parties were present to speak to this issue and no written submissions were received.

The public hearing concluded and was closed at 4:10 p.m.

IT WAS MOVED by Councillor Redmond, seconded by Councillor MacNutt to issue an Order FOR AAN 03680908 located at 12380 Highway 4, West Wentworth, to demolish the structure and to remove all the debris to an approved site; work to be completed by December 1, 2011.

MOTION CARRIED #11-154

Staff were directed to look into the Province collecting some of these unpaid monies for us such as demolition fees.

8. **Correspondence**

This information was included in the Council Package. Correspondence received were Thank You's from the Cobequid Fun Tones, the Kidney Foundation of Canada, and the Pugwash District High School.

9. **Planning Issues**

This item was deleted.

10. **Strategic Planning**

- 10.1 Citizen Engagement and Public Relations Action Team – Council was advised that the Citizen Engagement and Public Relations Action Team had its first meeting on October 27, 2011. The goal of the Team is to develop a plan to improve the quality and quantity of the Municipality's communications with citizens, in order to increase their engagement as citizens of, and stakeholders in, the Municipality as a whole. The Team reviewed the steps taken in the planning process to date, decided on "Rules of Order" and what will constitute a quorum. The Team's Project Charter was also discussed.

The Team will be recruiting citizen members within the month of November. It is expected that the Team will meet 8 to 10 times over the duration of the tenure.

IT WAS MOVED by Councillor MacNutt seconded by Councillor Kellegrew to approve that citizen members of any of the Action Teams would receive the same meeting fees and travel expenses as our Committees of Council.

MOTION CARRIED #11-15511. **Financial Reports/Issues**

- 11.1 Tax Collection Report - **IT WAS MOVED by Councillor Redmond, seconded by Councillor Gillis to approve the tax collection report as presented.**

MOTION CARRIED #11-156

- 11.2 Cost Sharing Agreement – Council was advised, by Mr. MacDonald, Director of Finance, that the Municipality's agreement for cost sharing for the paving of J Class Streets expires on March 31, 2012. If Council wishes to continue this program they must enter into a new 3 year agreement with

the Minister of Transportation and Infrastructure Renewal. Staff are recommending approval of a resolution and to authorize the Warden and CAO to sign the agreement on behalf of the Municipality.

IT WAS MOVED by Councillor Kellegrew, seconded by Councillor Reid to approve a resolution regarding Cost Sharing Agreement for J Class Streets and to authorize Warden Hunter and CAO, Rennie Bugley to execute this document on behalf of the Municipality

MOTION CARRIED #11-157

- 11.3 Remittal – Staff are recommending the full balance of AAN 05297346 be cleared from our tax system since the levies for this account were transferred to another account.

Staff are also recommending that the interest accrued between 2001 and 2011 be cleared on AAN 07442963.

IT WAS MOVED by Deputy Warden Read, seconded by Councillor Kellegrew to clear the full balance of AAN 05297346 and to remove the interest accrued between 2001 and 2011 for AAN 07442963.

MOTION CARRIED #11-158

- 11.4 September 30, 2011 Financial Statements – Council was provided with a revenue and expenditure report for the period ending September 30, 2011. Overall revenue and expenditures are within budget.

Mr. MacDonald, Director of Finance advised that an error was made during the 2011/2012 budget with respect to the commercial property tax revenue budgeted for 2011/2012. Each year Property Valuation Services provides a list of commercial properties that qualify for a season reduction on their assessment. This includes businesses such as bed and breakfast operations, cabin rentals, etc.

For 2011/12 the total seasonal reduction to our commercial assessment was \$3,048,775 which equals a reduction in tax revenue of \$80,183. When the adjustment was made to our budgeted figure for commercial taxes this figure was added instead of subtracted, therefore overstating our commercial tax revenue budget by \$160,366.

In balancing the budget we included a \$200,000 contingency, shown as a transfer to the general operating reserve. This amount could be used to offset the shortfall caused by the above mentioned error.

IT WAS MOVED by Councillor Gilbert, seconded by Councillor Gillis to amend the 2011/12 budget figure for commercial taxes from \$3,272,745 to \$3,112,379 and to reduce the transfer to general operating reserve budget from \$200,000 to \$39,634.

MOTION CARRIED #11-159

- 11.5 Recreation Grant - Minudie Community Hall: The hall is requesting \$500 to enable them to keep the hall open for use by local community members and organizations. Due to bad health, the committee members were unable to do their annual fundraising this summer, and if approved this grant will be used to pay their annual insurance in the amount of \$485. The Community Hall is used by the local communities of Minudie, Mill Creek, Barronsfield, River Hebert, Joggins and serves tourist visitors during the season.

Oxford Elementary Home & School: The school has taken the initiative to enhance their exercise programs. Beyond the regular curriculum, students in grades 3, 4 & 5 participate in equestrian, ski and swim programs. These programs develop skills and interest which promote long term healthy lifestyles. The programs are costly to operate. Students are required to contribute a fee to offset the cost and any other small donation are made, however they are in need of \$4,125. (still waiting on a budget)

Council has contributed to this program in the past:

2008	\$2,700 (District 6 \$200, District 7 \$2,500)
2009	\$3,000 (District 6 \$250, District 7 \$2,750)
2010	\$3,500 (District 7)

IT WAS MOVED by Councillor Merriam, seconded by Councillor Reid, to approve recreation grants to:

The Minudie Community Hall	\$ 500	District 9	
Oxford Elementary Home and School	\$1125	District 6	
	\$3000	District 7	
Parrsboro & Area Seniors Christmas party	\$ 100	District 10	Pending Documentation
	\$ 200	District 8	

MOTION CARRIED #11-160

12. **Operational Services/Reports Issues**

12.1 Dangerous and Unsightly Premise Order
This item was deleted.

12.2 Fire Protection Services Communications Equipment – **IT WAS MOVED by Councillor Merriam, seconded by Councillor Reid to approve a transfer of funds in the amount of \$70,000 to the Fire Protection Services Budget for shortfalls regarding upgrades/purchase of communication equipment.**

MOTION CARRIED #11-161

13. **Committee/Other Reports**

13.1 Pugwash and Area Master Plan Steering Committee – CAO, Rennie Bugley updated Council regarding the issue of a joint meeting of the Steering Committee and the Infrastructure Action Team regarding the pre-design study for a water system for Pugwash and Area.

14. **Old Business**

14.1 Cumberland Sportsplex Society – Information was provided as an update.

15. **New Business**

15.1 Restorative Justice Week - It was agreed to declare November 13th, 20th as Restorative Justice Week.

15.2 Ask the County – This item was deferred to the next Council session.

15.3 Department of Transportation and Infrastructure Renewal – Deputy Warden Read advised Council that culverts on the Smith Road are collapsed and have not been repaired.

IT WAS MOVED by Deputy Warden Read, seconded by Councillor Kellegrew to forward correspondence to DOTIR (Minister, and copies to the Area Manager and MLA Brian Skabar) expressing our disappointment with not completing the replacement of culverts on the Smith Road that are collapsed.

MOTION CARRIED #11-162

Councillor Reid informed Council of correspondence he received

IT WAS MOVED by Councillor Reid, seconded by Councillor Merriam to forward correspondence to the Minister of N.S. D.O.T.I.R. (copies to Jaimie Baille, Buffy White and the MLA and express our concern and displeasure with the removal of equipment from Cumberland County (in particular Districts 9 and 10) and the safety concerns that the removal of this equipment may cause.

MOTION CARRIED #11-163

16. **Information Items**

There were none.

17. **Adjournment**

On motion the meeting adjourned at 4:34 p.m.

18. **God Save the Queen**

Penny Henneberry

From: Melanie Prendergast
Sent: Monday, November 07, 2011 9:18 AM
To: Penny Henneberry
Subject: FW: Wind energy project -Gulf Shore

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: Andrew Rector [<mailto:andrew-r@sympatico.ca>]
Sent: Sunday, November 06, 2011 11:36 AM
To: Web Info
Subject: Wind energy project -Gulf Shore

Re: public hearing

I am supportive of a 2000m setback for any wind energy device from a residential dwelling in Cumberland county. I understand that Halifax Regional Municipality (HRM) has recently adopted a 1000m setback. Given that Cumberland County is much more of a rural setting than HRM which is a more densely populated area, it would be reasonable to accommodate a larger setback in Cumberland county.

Thank you for recognizing my concerns.

Andrew Rector
44 Waterview Rd
Gulf Shore

Penny Henneberry

From: Melanie Prendergast
Sent: Monday, November 07, 2011 9:20 AM
To: Penny Henneberry
Subject: FW: Wind energy projects - land use bylaw

Follow Up Flag: Follow up
Flag Status: Flagged

From: Bill and Mary Greatorex [<mailto:greatorex@live.ca>]
Sent: Sunday, November 06, 2011 5:18 PM
To: Web Info
Subject: Wind energy projects - land use bylaw

We have recently moved from Dartmouth to the Pugwash area of Cumberland County. We understand that a review is underway in respect to the municipal regulations of Cumberland County respecting windmills.

We have been advised that the set back required here is currently 500 metres, while the requirement in HRM is 1,000 metres.

We are writing to urge that a setback of not less than 1,000 metres, but preferably 2,000 metres be adopted for Cumberland County.

We believe that this distance would be fair to all parties, but in addition, our personal reason for this plea is that we have a family member who suffers from migraine headaches. We understand that the light flicker produced by windmills often irritates this condition. Locating the windmills at a greater distance from our home will reduce the possible negative impact on our family.

Thank you for your consideration of our views on your timely review of this matter.

The results will have a great impact on the quality of life in this part of our province.

Bill and Mary Greatorex
1500 Gulf Shore Road
Pugwash, NS, B0K 1L0

Penny Henneberry

From: Bert Powell [bert.powell@rogers.com]
Sent: Tuesday, November 08, 2011 1:52 PM
To: Penny Henneberry
Subject: Wind turbine by-law submission

Bert Powell
1145 Gulf Shore Rd.
Pugwash, Nova Scotia
B0K 1L0

To: Cumberland County Members of Council

Date: November 7, 2011

Re: Municipal Planning Bylaws relating to Large Scale Wind Development Projects

Dear Members of Council:

The existing by-law, and proposed by-law changes, buildson a flawed premise: that is there is a “one-size-fits” by-law that is appropriate, and that the margin of safety should be smaller not greater.

I can understand how a standardized by-law is suitable for most development e.g. residential housing where the volumes are expected to be significant. What I can not understand, given the vast size and impact of a wind development, is why Council would not elect to proceed on the basis of a development permit, or a 1,000 meter setback with the provision of seeking a waiver? How many projects does council expect such that the process would be so burdensome? Wouldn't well sited project trump expediency?

Apparently HRM has opted for a 1,000 meter setback. Why would Cumberland County opt for lower standard for its citizens? Given the uncertainty surrounding the collateral effects of wind turbines should there not be a greater margin of safety?

This was a flawed by-law in 2007, and remains so today. I understand that by-laws are an evolutionary process, but inmy opinion this by-law is the lowest standard a County could aspire to. I challenge everyone sitting on the council to ask yourself if you truly believe that this simple by-lawis the right by-law in the context of the number, magnitude,and complexity of the projects it contemplates governing. In fact it is so conspicuous in its deficiency it begs the question as to whose interest it really intended to serve.

Bert Powell

Sent from my iPhone

Penny Henneberry

From: Melanie Prendergast
Sent: Monday, November 07, 2011 9:20 AM
To: Penny Henneberry
Subject: FW: Wind energy projects - land use bylaw

Follow Up Flag: Follow up
Flag Status: Flagged

From: Bill and Mary Greatorex [<mailto:greatorex@live.ca>]
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To: Web Info
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Thank you for your consideration of our views on your timely review of this matter.

The results will have a great impact on the quality of life in this part of our province.

Bill and Mary Greatorex
1500 Gulf Shore Road
Pugwash, NS, B0K 1L0

Penny Henneberry

From: Melanie Prendergast
Sent: Wednesday, November 09, 2011 10:24 AM
To: Shelley Hoeg; Penny Henneberry
Subject: FW: Submission - Wind Energy Projects ~ Land Use Bylaw

From: Bill Matheson [<mailto:williammatheson@gmail.com>]
Sent: Tuesday, November 08, 2011 5:41 PM
To: Web Info
Subject: Submission - Wind Energy Projects ~ Land Use Bylaw

November 8, 2011

To Cumberland County Council,

I am a resident of Pugwash and enjoy the quality of life that our village and its environs provide. The prospect of the development of Wind Energy Projects in our vicinity has me concerned and has led me to consider your proposed amendments to the Land Use Bylaws. I submit the following as input into the process.

The amendments reflect an improved description and approach to the business of making use of wind energy and I applaud the work that has been done. However, I do have some issues with the report. It makes reference to the benefits to the environment and to the reduction of the use of off-shore and dirty fuels but makes no reference to the many criticisms of windmills arising in areas already experiencing these installations. I hear of and read about health and quality of life issues from a number of sources yet they are not mentioned in the rationale for the bylaw choices.

I consider a Wind Farm to be an industrial installation and can only think that industrial complexes belong in properly zoned areas, away from residential and recreational areas. I would support that direction in thinking.

Your lists of industries and business ventures in the county fail to explore recreational activity. I think a closer look would show a considerable growth in recreational activity and business over the last couple of decades and the promise of even more. The impact of industrial installations on recreational business could be damaging.

Early in your report you talk about the Open House opportunity and conclude from balloting that a 500 metre setback was the most popular as it achieved 15 votes as compared to 6, 12, and 11 for the other options. That's the problem with statistics, they can say whatever you want. To me it is more than clear that the greatest popularity was for setbacks in excess of 500 metres. I count 29 ballots for setbacks in excess of 500 metres as compared to your 15. Clearly the majority voted for setbacks of 1000 metres or more. I encourage you to implement a mandatory setback of at least 1000 metres.

It is obvious to me that a Wind Farm situated in the Pugwash/Gulf Shore/Sunrise Trail area is attractive because we have ready access to the power grid and it is a great opportunity for a developer to move in and get more for less. Past presentations have led us to suspect that these developers are not in the project for the long haul but will quickly sell off their developments and leave the project in the hands of a management company with very little local presence. This is not a good investment strategy for our communities.

I ask that you consider carefully the importance of land use bylaws in protecting the quality of life in our county. Wind energy is a wonderful asset but could be very destructive if not implemented with care and a firm

understanding of how it has impacted others and how we can implement it most wisely.

I remain,

Yours sincerely,

Bill Matheson

PO Box 227
Pugwash, NS
B0K 1L0

Penny Henneberry

From: Melanie Prendergast
Sent: Monday, November 07, 2011 9:23 AM
To: Penny Henneberry
Subject: FW: wind turbine setback

Follow Up Flag: Follow up
Flag Status: Flagged

From: carole [<mailto:cdowney@seasidehighspeed.com>]
Sent: Monday, November 07, 2011 8:57 AM
To: Web Info
Subject: wind turbine setback

Carole Downey
401 Spiddle Hill Road
Tatamagouche, Nova Scotia
B0K 1V0

Council of the Municipality of Cumberland
1395 Blair Lake Road
Amherst, Nova Scotia
B4H 3Y4
November 7, 2011

Dear Counselor LeFresne,

I am writing to you to voice my concern about the noise from wind turbines.

I am the nearest full time resident to the wind turbine on Spiddle Hill. I have lived with the turbine for less than six months and I can tell you now that the current setbacks are not sufficient.

For days on end without stopping or changing the turbine is capable of producing a visceral sound akin to the sound of a boom box through the walls of a cheap apartment. The noise is often the loudest sound in my home and work environment. It continues all night and follows me into my bedroom where I lie awake and listen to the constant whooshing and wish I could make it stop and sleep.

The reduction of residential property values should be the concern of the council. Currently the real estate industry considers the effect of a wind farm to be the same as a dump or crack house on property value.

I believe the current County By Law is inadequate to protect residents from industrial development. The research clearly indicates that most people will complain if a tower is closer than 2000 meters. I strongly encourage your council to be as proactive in protecting your citizens as you are proactive in supporting industrial development.

Please be a leader in the field and increase the setback distance to greater than 2000 meters.

Sincerely,

Carole Downey

Penny Henneberry

From: Melanie Prendergast
Sent: Wednesday, November 09, 2011 8:40 AM
To: Penny Henneberry
Subject: FW: County Bylaw

From: Christina Martin [<mailto:christina@christinamartin.net>]
Sent: Tuesday, November 08, 2011 2:29 PM
To: Web Info
Cc: al.gillis@ns.sympatico.ca; DaleMurray
Subject: County Bylaw

Hi There,

Myself and my husband Dale Murray are writing to say that we are really concerned about the bylaw (only 500m for Turbine set backs). We are all for wind power, but we are concerned about this particular bylaw negatively affecting the people in our community, ourselves included, especially since there is a lot of land in the area that the turbines could be placed where they would not cause suffering to residents (headaches, noise, sickness, vibrations). 500m is just too close!

I'm sure you are hearing from many local people about this. I hope all our voices are heard and a reasonable bylaw can be passed that will support wind power AND protect people in this community.

Thanks for taking the time to read this message:)

Christina Martin and Dale Murray

W: www.christinamartin.net

P: 1.902.800.5302

E: christina@christinamartin.net

It is your work in life that is the ultimate seduction. ~Pablo Picasso~

Penny Henneberry

From: Melanie Prendergast
Sent: Monday, November 07, 2011 9:11 AM
To: Penny Henneberry
Subject: FW:

From: Diane Mattinson [<mailto:dianemattinson@hotmail.com>]
Sent: Saturday, November 05, 2011 2:42 PM
To: Web Info
Subject:

I am a land owner on the Gulf Shore and would like to express my opinion regarding wind turbine regulations. I strongly support the adoption of regulations to increase the set back from habitable dwellings to 2000 m. or, at the very least, 1000 m. as has recently been adopted in HRM.

Sincerely,

Diane Mattinson

Penny Henneberry

From: Melanie Prendergast
Sent: Wednesday, November 09, 2011 8:38 AM
To: Shelley Hoeg; Penny Henneberry
Subject: FW: Submission to Public Hearing re Wind Farm Bylaw Amendments

From: Donald Hill [<mailto:don.hill@ns.sympatico.ca>]
Sent: Tuesday, November 08, 2011 1:06 PM
To: Web Info
Cc: Dr. Paul Downing; Lisa Betts
Subject: Submission to Public Hearing re Wind Farm Bylaw Amendments

Municipality of Cumberland Council,
Offices @ 1395 Blair Lake Road,
Upper Nappan, NS.

To the Warden, Councillors and other civic officials charged with responsibility in matters related to wind farms, wind turbines and their placement, and bylaws affecting same:

We hereby add our voices of concern to the present proposal to establish a wind farm in the area known as the Gulf Shore. A related concern is the matter of bylaw setback approval, should such a development go forward.

Please add this submission to those to be presented at the meeting planned for Nov. 9 @ 1PM.

We have read the submission of Dr. Paul Downing and concur wholeheartedly with his presentation and concerns.

We have been residents (on a seasonal basis) of the Gulf Shore area (41 McLean Point Road) since 1985. We have enjoyed this wonderful, peaceful, location for over a quarter century. Our extended family tries to spend as much time there as possible each spring, summer and fall. We are greatly concerned with what might lie ahead for this part of the municipality.

That concern surrounds the proposed wind farm development and the deleterious effects it will inflict on residents of the Gulf Shore, and the predicted negative effects resulting for the Village of Pugwash.

The history of wind farms being located in the same areas as residential dwellings (seasonal or permanent) is fraught with documented cases of illness, unhappiness and disappointment - perhaps for all but those who stand to profit from them.

While renewable energy sources can be demonstrated as important, so are the lives and health of people who stand to be directly (or indirectly) affected by such installations.

True success is dependent on good judgement being exercised in the development of such sources and resources.

It is not acceptable to permit such developments with a cavalier attitude that seems to say *They will probably be able to live with it.*

It is interesting to note that in the consultations which were undertaken this past summer, that, with regard to the setback distance survey, almost 66% of respondents indicated that a 500 meter setback was insufficient. That is almost 2/3 of the respondents!

It should be abundantly clear that we do not support a wind farm development on the Gulf Shore in the areas specified, and question the validity and do not approve of a setback of 500m where such developments may go forward.

Sincerely,

Don and Vivian Hill

Seasonal address:
41 McLean Point Road,
Gulf Shore,
Cumberland County
Phone: 243-3023

Permanent address:
2 Skeena St.,
Dartmouth, NS, B2W 1P8
Phone: (902) 434-2482

Penny Henneberry

From: Melanie Prendergast
Sent: Monday, November 07, 2011 9:11 AM
To: Penny Henneberry
Subject: FW: Wind Farm

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: JA Wainwright [<mailto:Andrew.Wainwright@Dal.Ca>]
Sent: Saturday, November 05, 2011 2:57 PM
To: Web Info
Subject: Wind Farm

Dear Council Members:

My wife and I have a 1.5 acre oceanfront property with cottage on the Gulf Shore Road. We strongly support wind power but do not want any turbines within 1000 meters of our place. That is the distance HRM has recently allowed. This seems a perfectly reasonable compromise between your current position of 500 meters and the 2000 being demanded by some property owners. 500 meters is absolutely unacceptable.

Dr. Andrew Wainwright
2461 Gulf Shore Road
Cumberland County, NS

30 Bridgeview Drive
Halifax, NS
B3P 2M4

Dr Paul Downing

66 MacLean's Point Road, Gulf Shore, NS (Cottage)
1725 Cow Bay Road, Eastern Passage, NS (Residence)
1-902-462-2554 home, 1-902-471-4333 cell

Municipality of Cumberland County
1395 Blair Lake Road,
RR6,
Amherst, NS,
B4H 3Y4

November 7, 2011

Re:

Comments for the public hearing currently scheduled for Wednesday November 9th at 1pm.

In the matter of consideration of Wind Turbine Bylaw Amendments and in particular the following document

Cumberland Wind Energy Plan - August 2011 (1.12 MB)

Wind Energy Suitability Map 1-1 (1.46 MB)

Wind Energy Suitability Map 1-2 (NS Wind Atlas Data) (1.3 MB)

I remind you that submissions - written, electronic or in person – must be heard by Council.

Dear Municipality of Cumberland County

This letter is an electronic email response to your request for submissions for the public hearing on Wind Bylaw Amendments slated for November 9th, 2011.

I am the vice-chair of the Gulf Shore Preservation Association, a non profit organization which has been involved with a proposed wind farm in our area for several years.

My family, and my wife's family, have been annual cottagers at the Gulf Shore for every summer for the last 50 years.

I am disappointed and frustrated to find that Cumberland County continues to encourage large scale wind farm projects, to the detriment of the adjacent land owners, and to the local economy. In particular, in today's times, advocating a setback of 500 meters from a large turbine to a residential dwelling is almost beyond belief. In our area Cobequid Area Wind Farms Incorporated is proposing placing 12 turbines which are 150 meters tall. Trying to cope with such large structures in an area that contains residential and recreational properties is not acceptable.

The Gulf Shore Preservation Association approached and invited Cobequid Area Wind Farms Inc. to make a presentation at our annual meeting on August 22, 2010 at the Pugwash Legion. The turnout was dramatic. Community interest was so great that the annual Northumberland Links Golf Tournament, a major community event, was cancelled so that people could be there. We had 86 members plus 20 non members, plus guests attend, and the Legion was full.

I must make it clear that the wind farm presentation was not well presented, nor well received. Following the presentation a vote was taken on the following motion:

Specifically addressing the immediate proposal from Cobequid and Area Wind Farms Inc.

It is becoming increasingly clear that commercial wind power is about the economics, not the environment. This is about an intrusive project that takes much, and leaves little. We live in a democracy, and it is our intent and responsibility to use whatever reasonable means necessary to end this threat to our community.

Motion passed, with all in favour, none opposed

In addition, the Gulf Shore Preservation Association presented the following:

Position on Commercial Wind Energy Development

The GSPA's position is that commercial wind energy projects are inconsistent with the responsible development of the area, and that any such development on the Gulf Shore would be a serious setback to the community.

Opposition to any such development is based on the following:

1) Asymmetrical Benefit

Commercial wind energy projects do not promote sustainable growth when inserted directly into an existing community. Such projects are win-lose. They are economically beneficial to outside stakeholders at the expense of those within the community.

2) Conflicting Industries

The commercial wind energy industry conflicts with our current destination tourism, recreational and retirement communities. These critical economic drivers are essential to Pugwash, Wallace and surrounding areas.

3) Margin of Safety Should be Larger, Not Smaller

Given the uncertainty of the environmental, health, and economic

impacts, it is irresponsible to site commercial wind energy development projects within existing communities.

4) Negative Community Growth

Uncertainty stifles growth. The commercial wind energy industry maintains that these projects are benign but prospective community members will choose the certainty of no wind turbines over the uncertainty of living with them. Over fifty years of building the community will be undone with this continued threat.

5) Future Community Growth Stopped

Commercial wind energy projects and the related infrastructure consume prime land areas otherwise available for residential and recreational expansion.

Motion for approval was passed, with all in favour, none opposed

Please understand that the members attending this meeting were well informed, well read on the topic, many have shown leadership in their communities, and many have a professional background and education. This was not a knee jerk reaction, or a not in my backyard response. This was an informed opinion. People in this community are very concerned about large wind turbines, and they believe that their governmental representatives should respect this concern.

Over 50 years I have seen the Pugwash community ebb and flow economically. The traditional economic generators of "Salt Mine, Pulp Wood, Lumbering and Lobstering" have been complimented by a group of people who have chosen to live in the area recreationally. Many are now retiring there, and bring many benefits with them to the community. To threaten this growth with a poorly written bylaw that appears clearly biased towards the myopic view of revenue generation for the county, at the Gulf Shore's expense, is not acceptable.

Respect the residents of your community, create a bylaw which protects the people, and let us move on with our lives.

Sincerely

Dr Paul Downing, Vice-Chair, Gulf Shore Preservation Association

Municipality of the County of Cumb.

1395 Blair Lake Rd.

RR# 6 Amherst, NS

B4H 3Y4

Nov. 9, 2011

To the Warden and Councillors

I wish to express my deeply felt concerns regarding the creation of a wind farm on the Gulf Shore.

The Gulf Shore Road has become a resort and residential area where properties have created new and increasing revenue for the county. A wind farm would jeopardize further development in this sector of the economy.

The county set-back distance of 500 meters from habitable dwellings is antiquated. Halifax/Dartmouth has a 1000 meter set-back in place.

The policy of generating unreliable electrical energy at a cost 3 times that of conventional production is untenable in a province whose electricity generating cost is the second highest in the country and where major industries are shutting down (viz. New Page and Bowater Mersey) because of the high cost of electricity and other issues.

The future cost of tearing down worn out turbines 20 -25 years in the future will be prohibitive hence the presence of obsolete turbines dotting our coastline for generations to come is an issue to be seriously considered.

Sincerely,

Dr. Clarence H. Felderhof

RR#4, Pugwash, NS

Penny Henneberry

From: Melanie Prendergast
Sent: Wednesday, November 09, 2011 11:02 AM
To: Penny Henneberry
Subject: FW: wind farms

From: Eben Elliott [<mailto:ebenelliott@hotmail.ca>]
Sent: Wednesday, November 09, 2011 10:24 AM
To: Web Info
Subject: wind farms

Cumberland County Planners,

I am in favour of windmills, but lets be reasonable 500m is too close. It should be more than a kilometer from a house.
I am a fisherman and life long resident of Wallace.

Eben Elliott

Folly Lake/Wentworth Valley Environmental Preservation Society

November 8, 2011

Warden Keith Hunter and Council
Municipality of Cumberland
1395 Blair Lake Road, RR6, Amherst, NS, B4H 3Y4
khunter@cumberlandcounty.ns.ca

Re: Land Use By-law Amendments – Relating to Wind Turbines

Dear Warden Hunter and Members of Municipal Council,

I am writing on behalf of the Folly Lake/Wentworth Valley Environmental Preservation Society (FL/WVEPS) to express our view on the proposed amendments to the Land Use Bylaw, specifically as this bylaw pertains to the placement of wind turbines.

By way of background, the Folly Lake–Wentworth Valley Environmental Preservation Society is comprised of permanent and seasonal residents as well as the many other Nova Scotians and out-of-province visitors who frequent this unique natural, recreational and tourism area of our Province. The Wentworth Valley's identity and vision is recognized and marketed as a scenic loop where visitors and residents can enjoy "Four Seasons of Outdoor Adventure". This identity primarily underpins the livelihood of the permanent residents and helps sustain nearby communities.

The area with its great natural beauty has some of mainland Nova Scotia's highest mountain peaks. It is noted for: cross country skiing, hunting, hiking, mountain biking, camping, fishing, ATV and snowmobile trails, photography, fall colours, tourism, forest industries, and a very significant service industry which supports the construction and maintenance of year round recreational residences located in the area. It has a substantial Provincial park and camping area and the Province's largest ski hill, Ski Wentworth, which is also the area's largest employer. It is also important habitat for the endangered Mainland Moose, a raptor flyway, and is near significant bat hibernacula.

We are writing to you in your role as the government responsible for regulating the placement of wind turbines. The FL/WVEPS is very appreciative and respectful of the important role that Council has and continues to play in the establishment of regulations governing the placement of wind turbines. We want to encourage Council to remain vigilant with respect to these and the many important matters that affect our precious community. We have reviewed the proposed changes to the bylaw respecting the placement of wind turbines, as well as the supporting documentation and wish to respectfully request that Council consider more fully the proposed setback distances before passing the proposed bylaw.

The proposed bylaw requires wind turbines to be setback at least 500 metres from dwellings. We respectfully suggest that the proposed bylaw fails to apply a "precautionary science-based approach".

There is a great deal of scientific evidence to suggest that the low frequency noise produced by wind turbines has important and detrimental health effects, such as inner-ear problems. Indeed in Nova Scotia alone there are many reported instances of these and other health problems by persons living in proximity to wind turbines. We don't claim to know the exact distance at which these problems are mitigated. Scientific research has produced varied results. That said,

what is known is that the longer the setback the fewer are the reported symptoms. We respectfully request that Council take the view that the longer the setback, the better, until more is known about the effects. European research is considerably ahead of that which has been carried out in Canada, and in Europe, minimum setbacks are between 1.2 and 1.5 kilometers. Europeans are concerned about low frequency sound waves, which are amplified in hilly terrain such as is found in much of Cumberland County. Once ample measurement has been done of the health effects of wind turbines, setback rules can be adjusted accordingly. Until such scientific research is documented, Council should adopt longer setbacks in order to protect the health and safety of its residents and ratepayers.

While every responsible citizen today recognizes and supports renewable energy sources, we all recognize that such developments must be compatible with the health of the residents of our community. Due to the lack of credible research about the health effects of wind turbines, we have no means of determining if this renewable energy project is compatible with the Wentworth Valley community and the environment.

Many thanks for this important opportunity. For further information or consultation, please contact me.

Yours sincerely,

Karen Henderson
Chair
Folly Lake/Wentworth Valley Environmental Preservation Society
hendersonkaren@eastlink.ca

Copies to:

Keith Hunter <khunter@cumberlandcounty.ns.ca>

Allison Gillis <agillis@cumberlandcounty.ns.ca>

Ron MacNutt <rmacnutt@cumberlandcounty.ns.ca>

Ernie Gilbert <egilbert@cumberlandcounty.ns.ca>

Kathy Redmond <rkjsredmond@ns.sympatico.ca>

John Kellegrew <jkelligrew@cumberlandcounty.ns.ca>

John Reid <jreid@cumberlandcounty.ns.ca>

Gerald Read <garead@cumberlandcounty.ns.ca>

Phillip Donkin <pdonkin@cumberlandcounty.ns.ca>

Penny Henneberry

From: Melanie Prendergast
Sent: Monday, November 07, 2011 9:21 AM
To: Penny Henneberry
Subject: FW: Comment on Wind Turbine Bylaw Amendments for Council for meeting scheduled for November 9. 2011

Follow Up Flag: Follow up
Flag Status: Flagged

From: Gregory Phillips [<mailto:phildon@sympatico.ca>]
Sent: Monday, November 07, 2011 8:30 AM
To: Web Info
Subject: FW: Comment on Wind Turbine Bylaw Amendments for Council for meeting scheduled for November 9. 2011

To whom it may concern, (Please acknowledge receipt. Please use this version of my comments)

Comments for the public hearing currently scheduled for Wednesday November 9th at 1pm.

In the matter of consideration of Wind Turbine Bylaw Amendments and in particular the following documents

Cumberland Wind Energy Plan - August 2011 (1.12 MB)

Wind Energy Suitability Map 1-1 (1.46 MB)

Wind Energy Suitability Map 1-2 (NS Wind Atlas Data) (1.3 MB)

I remind you that submissions - written, electronic or in person – must be heard by Council.

Comments

I have reviewed the proposed Cumberland Wind Energy Plan and find it to be inadequate. I have followed developments with respect to the impact of wind turbines on any number of matters but most particularly with respect to potential health effects and also potential impacts on real estate values. I have read many studies and have come to the conclusion that many of those that dismiss or minimize the potential impacts of wind turbines are either poorly designed or worse blatantly self-serving of the interests of the developers of such projects.

Proposed set-back provisions will not provide residents with the assurances they deserve that wind turbine projects will not unduly interfere with their health or effect their property values.

I urge councillors to follow the lead of their Halifax counterparts and allay the concerns of residents about the future development of large wind turbine projects. Halifax Council approved a 1000 metre setback from habitable buildings for large industrial-style turbines and I would urge Cumberland Council to introduce much larger setbacks than those proposed in the Cumberland Wind Energy Plan of August 2011.

The other rather large failing in the proposed amendments is the lack of provision for any meaningful community consultation process prior to the installation of large-scale wind turbine projects. The proposals speak to expediency rather than any real interest in getting such installations right.

Given their relatively long life span and potential to limit development opportunities on adjacent land (recognizing the potential for health issues; ice throw; and catastrophic collapse of these large structures) the simplistic option of a waiver and the inadequate provisions for set-backs from lot lines should be seriously reconsidered.

Rick Phillips

81 Reid Drive

Gulfshore (Pugwash)

Nova Scotia

Penny Henneberry

From: Melanie Prendergast
Sent: Wednesday, November 09, 2011 8:39 AM
To: Penny Henneberry
Subject: FW: Proposed Wind Turbine Bylaw Amendments

-----Original Message-----

From: Hollis Cole [<mailto:hbcole@nb.sympatico.ca>]
Sent: Tuesday, November 08, 2011 2:12 PM
To: Web Info
Subject: Proposed Wind Turbine Bylaw Amendments

To : Cumberland County Council
Municipality of County of
Cumberland 1395 Blair Lake
Road ,Amherst, NS

From : Hollis B Cole, P.Eng.
141 New Maryland Highway
New Maryland ,NB e3c1h6
Ph 506 450 4945 cell 506 461 0065
2811 Gulf Shore Rd
Pugwash ,NS
902 243 2747
ADI Group Inc 506 454 8000

Please present and consider this submission for the Nov 9,2011 hearing on the referenced matter:

There is much to learn about the long term suitability ,possible benefits or negative impacts of large scale wind turbines or wind farms. Obviously there are many factors to consider and with each part of the County being different drafting of regulations is difficult , but very important. Locally throughout the county there are different economic drivers ,different land uses ,different reasons or potential for growth ,etc.

It is imperative that sufficient margins of safety are built into bylaws where so many unknowns exist with a new system such as wind farms . The concerns of the county residents and businesses must weigh more with Council than outside interests.

One fact that is known is that the economic spin off for local businesses or residents from a wind farm is limited. Long term revenue for municipal or provincial governments (and thus taxpayer benefit) may in fact be negative if other development is lost or curtailed or the power cost from wind is higher than other options (currently the case).

External ownership (as opposed to local) of a wind farm is even more negative ,both from an economic point of view and in addressing concerns for local interests and integration into the community.

Proper setbacks from habitable dwellings or other current land uses are the best way to protect existing development or land use , and the health and safety of persons or the environment (without question effects are minimized by distance even though there still may be problems).

From a tax point of view return to the government coffers from a wind farm will not be different if the set back is 500m or 2000m. On the other hand larger setbacks will have more economic spin off locally during construction because of the slightly higher civil construction costs; costs of towers , turbines,etc don't change and are bought elsewhere in any event.

Amendments to your bylaw are needed but it appears you have not considered the most important item.

I request and strongly recommend that Council increase the setback distance from habitable dwellings with 1000m being the absolute minimum(2000m would be more suitable). Large scale wind turbines and wind farms may eventually be a good news story but there is no proof as yet. They will not ever be a good news story if the proper margin of safety in planning is not employed.

Regards

Hollis B.Cole ,P.Eng.

Sent from my BlackBerry device on the Rogers Wireless Network

Penny Henneberry

From: Melanie Prendergast
Sent: Wednesday, November 09, 2011 8:46 AM
To: Penny Henneberry
Subject: FW:

From: JEAN KEATING [<mailto:keating@ns.sympatico.ca>]
Sent: Tuesday, November 08, 2011 11:28 PM
To: Web Info
Subject:

It has been over 40 years since I first acquired property in Cumberland County, and my love and admiration for the area continues to grow year after year. I never get tired of the peace and quiet, the beautiful sunsets and the coastline where my husband and I raised five children. Two of my sons now have properties in the area.

I have recently learned of the public hearing on Wednesday, November 9, 2011 regarding wind energy projects - land use bylaw in Cumberland County. It is my understanding that a notice was sent to newspapers in Cumberland County regarding this public hearing. Seasonal residents, although many visit and stay at their properties on a year round basis, would probably miss this notice. If tax bill addresses or enclosures are not possible or feasible, a notice in larger newspapers, e.g. The Halifax Chronicle Herald, should be an option.

Just recently the residents of Jeddore, Halifax County, N. S. asked their municipal government, HRM, to adopt a wind turbine setback that would protect their quality of life, and health. The council listened to the residents and decided on a 1000 m setback. Once a lesser distance is established and then found to be insufficient, it would be very difficult to change. Geographically, Cumberland County is the second largest county in Nova Scotia, and that statement tells me that surely our representatives on council would agree to at least a 1000 m setback. This would only cause problems to wind turbine projects that are being proposed near residences and in very unsuitable locations.

The Municipality of Cumberland County, as do all municipal governments, needs tax dollars, but not at the expense of the residents. A council that has been elected to represent the people should be able to see the broad picture and act on behalf of all residents and taxpayers. A responsible wind energy proponent would want to locate in a area that would not interfere with the peace and well being of neighbours.

The papers, television and radio stations are telling us about the chance to have The Bay of Fundy voted as one of the Seven Wonders of the World. This would be such a honour of New Brunswick and Nova Scotia. I would hope that Cumberland County will not be known as a county with large wind turbines that were installed without any thought of future consequences to our residents, our wildlife and our life styles.

Jean Keating
73 Shore Drive, Gulf Shore, N. S.

or 24 Margaree Parkway, Dartmouth, N. S.

Penny Henneberry

From: Melanie Prendergast
Sent: Tuesday, November 08, 2011 10:01 AM
To: Penny Henneberry
Subject: FW: Wind turbine setback distance

Follow Up Flag: Follow up
Flag Status: Flagged

From: Lee Fleming [<mailto:lee.fleming@seasidehighspeed.com>]
Sent: Tuesday, November 08, 2011 9:04 AM
To: Web Info
Subject: Wind turbine setback distance

Dear Cumberland County Councillors and Warden,

I am writing to urge you to consider a set a truly safe setback distance for wind turbines from homes. The proposed 500 m setback is only going to keep the turbine far enough back from toppling on a house; it won't protect the occupants in the house.

I have other concerns as well, and they have been well documented.

Sincerely,

Lee Fleming
Wallace River

Penny Henneberry

From: Shelley Hoeg
Sent: Wednesday, November 09, 2011 10:36 AM
To: Penny Henneberry
Subject: FW: wind turbine setbacks

From: Melanie Prendergast
Sent: Friday, November 04, 2011 11:36 AM
To: Shelley Hoeg
Subject: FW: wind turbine setbacks

From: Joanne MacPherson [<mailto:joannemacpherson@northnovacable.ca>]
Sent: Friday, November 04, 2011 10:55 AM
To: Web Info
Subject: wind turbine setbacks

I am writing to Council to express my dismay and concern that we are still talking about a 500 m setback for wind turbine location from residences. This Council has received reams of information, testimony and evidence that wind turbines situated 500 m or less from homes make residents sick and unable to live in their homes.

I attach this article as it well demonstrates the difference between setting back a wind turbine so it won't fall on a house and setting back a turbine so it won't disturb the residents living in the house and interfere with their peaceful enjoyment. <http://windconcernsontario.wordpress.com/2009/11/06/wind-turbine-setbacks/>

There is no question that wind power production is a profitable industry for those corporations looking to rural areas to set these in place. I was part of the Pugwash group that opposed the wind turbine operation proposed for the Gulf Shore area. A public meeting took place in November 2007 in Pugwash, attending by Charles Demond, shareholder and manager of the Pubnico Windfarm group. Also in attendance was Daniel D'Entremont, Pubnico resident. Mr. D'Entremont told us how he had to abandon his home without compensation because the noise and vibrations from these wind turbines were making his family sick. He said 500 m was not enough of a setback. I believe him. He had to walk away from his home to protect the welfare of his family. Mr. Demond did not respond or try to speak to this, but he did assure our group that his group of investors were not trying to get rich quick at our expense. Five months later in April 2008 the Pubnico Windfarm was sold for \$120 million to an American corporation, and notably because federal law changes would tax their income. How does it help Cumberland County residents agreeing to terms where the owners can avoid paying taxes by selling to foreign interests?

Atlantic Canada's largest wind farm will soon be controlled by an American power giant. Creststreet Power and Income Fund LP announced Friday it had signed a deal to sell Pubnico Point Wind Farm in Yarmouth County and its Mount Copper Wind Power project in Quebec to an affiliate of FPL Energy of Florida for \$121.6 million. FPL Energy is the power generation arm of FPL Group, a publicly traded energy company with US\$16 billion in assets. ...Creststreet Power of Calgary said it decided to put the two wind farms up for sale after a strategic review process, partly due to the federal government's decision to tax income trusts the same as corporations beginning in 2011. "In the end, it was determined that the best course of action for unitholders was to realize on the partnership's assets, distribute the proceeds to unitholders and wind up the partnership," president and CEO Robert Toole said in a statement. <http://www.windaction.org/news/15390>

Two weeks ago I was at the Tatamagouche Farmers market when two residents approached me about their wind turbine problems. They were Carole and Dale Downey, residents of Spiddle hill road in Colchester County. The wind turbines above their property are making Carole sick. She gets headaches, nausea and what she describes as "motion sickness".

She told me when the wind shifts to the northeast she can feel the vibrations inside her home. The Downeys asked me to put them in touch with anyone who might help them.

Help begins with safe setback regulations and this is where Council must do its diligence. 500 m is not a safe setback for residents to continue living in their homes without ailments as the evidence indicates. So let's get rid of this which we know will not work and start discussing a truly safe setback distance. I recommend this be 1000 m.

Joanne MacPherson
Wallace Bay
243-2926

Penny Henneberry

From: Melanie Prendergast
Sent: Tuesday, November 08, 2011 10:01 AM
To: Penny Henneberry
Subject: FW: Wind turbine setback distance

Follow Up Flag: Follow up
Flag Status: Flagged

From: Lee Fleming [<mailto:lee.fleming@seasidehighspeed.com>]
Sent: Tuesday, November 08, 2011 9:04 AM
To: Web Info
Subject: Wind turbine setback distance

Dear Cumberland County Councillors and Warden,

I am writing to urge you to consider a set a truly safe setback distance for wind turbines from homes. The proposed 500 m setback is only going to keep the turbine far enough back from toppling on a house; it won't protect the occupants in the house.

I have other concerns as well, and they have been well documented.

Sincerely,

Lee Fleming
Wallace River

Penny Henneberry

From: Melanie Prendergast
Sent: Wednesday, November 09, 2011 8:55 AM
To: Shelley Hoeg; Penny Henneberry
Subject: FW: Submission to Public Hearing re Wind Farm Bylaw Amendments

From: Lisa Betts [<mailto:ljbetts@seaside.ns.ca>]
Sent: Tuesday, November 08, 2011 5:35 PM
To: Donald Hill
Cc: Web Info; Dr. Paul Downing
Subject: Re: Submission to Public Hearing re Wind Farm Bylaw Amendments

Well done, Don. Thank you for sending this in.

Lisa

On 08/11/2011 1:05 PM, Donald Hill wrote:
Municipality of Cumberland Council,
Offices @ 1395 Blair Lake Road,
Upper Nappan, NS.

To the Warden, Councillors and other civic officials charged with responsibility in matters related to wind farms, wind turbines and their placement, and bylaws affecting same:

We hereby add our voices of concern to the present proposal to establish a wind farm in the area known as the Gulf Shore. A related concern is the matter of bylaw setback approval, should such a development go forward.

Please add this submission to those to be presented at the meeting planned for Nov. 9 @ 1PM.

We have read the submission of Dr. Paul Downing and concur wholeheartedly with his presentation and concerns.

We have been residents (on a seasonal basis) of the Gulf Shore area (41 McLean Point Road) since 1985. We have enjoyed this wonderful, peaceful, location for over a quarter century. Our extended family tries to spend as much time there as possible each spring, summer and fall. We are greatly concerned with what might lie ahead for this part of the municipality.

That concern surrounds the proposed wind farm development and the deleterious effects it will inflict on residents of the Gulf Shore, and the predicted negative effects resulting for the Village of Pugwash.

The history of wind farms being located in the same areas as residential dwellings (seasonal or permanent) is fraught with documented cases of illness, unhappiness and disappointment - perhaps for all but those who stand to profit from them.

While renewable energy sources can be demonstrated as important, so are the lives and health of people who stand to be directly (or indirectly) affected by such installations.

True success is dependent on good judgement being exercised in the development of such sources and resources.

It is not acceptable to permit such developments with a cavalier attitude that seems to say *They will probably be able to live with it.*

It is interesting to note that in the consultations which were undertaken this past summer, that, with regard to the setback distance survey, almost 66% of respondents indicated that a 500 meter setback was insufficient. That is almost 2/3 of the respondents!

It should be abundantly clear that we do not support a wind farm development on the Gulf Shore in the areas specified, and question the validity and do not approve of a setback of 500m where such developments may go forward.

Sincerely,

Don and Vivian Hill

Seasonal address:
41 McLean Point Road,
Gulf Shore,
Cumberland County
Phone: 243-3023

Permanent address:
2 Skeena St.,
Dartmouth, NS, B2W 1P8
Phone: (902) 434-2482

Penny Henneberry

From: Melanie Prendergast
Sent: Monday, November 07, 2011 9:22 AM
To: Penny Henneberry
Subject: FW: Landowner wants setback increased

Follow Up Flag: Follow up
Flag Status: Flagged

From: Joanne MacPherson [<mailto:joannemacpherson@northnovacable.ca>]
Sent: Monday, November 07, 2011 8:40 AM
To: info@cumberlandcounty.ns.ca
Subject: Landowner wants setback increased

My name is Michel Kuntz and I own 160 acres in Wallace Bay along with my partner, Joanne MacPherson, she was raised here.

I grew up in France and 25 years ago the very same wind turbines going up here in Nova Scotia today were being erected, but because they did not work, they did not supply enough electricity to justify the expense, they are gone, torn down, decommissioned.

The developer is telling us that because these turbines originated in Europe it is good news they are bringing them here. That is not true. It is bad news.

I make my living as a carpenter building vacation cabins for people all across Nova Scotia. Often I get asked if I can recommend a property that is safe from two environmental threats - wind turbines and fracking. So the public already knows they don't want to live in areas where these go on.

You folks know that property taxation is a sore issue for those of us who built new homes here in the past 5 years. I built our house in 2007 and our first tax bill had it assessed at over \$200,000 when it was only 50% complete. That is what a property owner in Halifax could expect to pay. If the wind farm gets built, we are leaving. I am not putting our six year daughter in harms way. These turbines make kids sick and no amount of saying they don't is going to change that. Is the County willing to buy our home at the market values used to tax it? That is what is going to happen, folks are going to want out of their homes with compensation paid.

I don't want these turbines built at all because I know they don't work. If Council is going to proceed anyway, I am joining those asking the setback distance of 500 m be increased to 2000 m.

Michel Kuntz
Wallace Bay
243-2926

Penny Henneberry

From: Melanie Prendergast
Sent: Wednesday, November 09, 2011 10:22 AM
To: Penny Henneberry
Subject: FW: turbines

From: Trish Elliott [<mailto:telliott123@hotmail.com>]
Sent: Wednesday, November 09, 2011 9:51 AM
To: Web Info; Al Gillis; Ron MacNutt
Subject: turbines

Planning and Development Cumberland

I am shocked to find that today a proposal of a 500m buffer zone around a home, for the installation of wind turbines is even being considered. 500m is not far enough from a residence. Even the definition of the term home or residence is in question. People need to be able to sleep at night and enjoy their own properties. Huge wind farm companies that are only interested in the money for easy hydro hook ups near populated areas can not be allowed to force hundreds of people out of their homes. We must have a buffer of 2000m. We have vast tracks of land that are uninhabited and suitable for wind farms. This is not about renewable energy to help the environment. HRM just passed a 1000m boundary. Surely we can do better and set a president. This is about hundred of millions of dollars for companies that can be easily sold to the US. The Pubnico wind farm is a prime example. That energy and that money is not benefiting Canadians or even the communities and it is certainly not benefiting the hundreds of people who have either been forced out of their homes or have had their lives ruined. Rural communities are being targeted because there are only a few people affected who are unable to stand up for their rights and the power hookups are cheap. The millions and millions of dollars gleaned by wind farm developers have benefited a handful of large tract land owners and left the small property owners with nothing. We need a 2000m boundary.

I have also heard that the turbines proposed are much larger and more disturbing than the earlier models discussed. They are in fact turbines that European counties no longer use because of their inefficiency.

I did not hear about meetings in our community with regards to this buffer zone proposal. I frequent the Wallace museum and the Pugwash Village hall and did not know anything about this. What this means is that the general public is unaware of the decision being made that could ruin their lives.

Put the wind farms in unpopulated areas. The buffer zone must be 2000m.

Thank you,

Patricia Elliott

Penny Henneberry

From: Peter Finley [Peter@mysticcoastrealty.com]
Sent: Tuesday, November 08, 2011 12:34 PM
To: Penny Henneberry
Subject: Wind Turbine by law amendment

Penny. I did submit, a few years ago, a hundred page report which covered in great detail, the negative impact that wind turbine industrial parks had on real estate values. I still have a copy of that if you want. In short, it said that tourist, recreational and cottage industry locations, are the real estate properties that loose the most value. They loose value from the very point of hearing that a wind turbine industrial park is being proposed in their area. The values fall from 50% to 75% and some properties become unsaleable. The Gulf Shore in Pugwash is a great example. The sales there dropped off to nearly zero during the discussions and meetings about wind turbines proposed for the area. This is the area that was the hottest prior to the announcement. It was only this year that we began to see lands changing hands again. The prices were lower by about 30% however. The properties in Malagash and Northport, during the same time, sold faster and for more money than previously. The buyers were buying but not in the area designated as a proposed wind turbine industrial site. There are some properties that do go up in value. Large acres of cut over wood land can go up from \$275 per acre to \$1,000 per acre. This is true for the lands that the turbines are on. The adjacent large acre acricultural properties not under contract by the turbine developer do not usually go up or down. The draft by law amendment has a number of flaws. First the set backs need to be increased. 2 kilometers is a minimum based on my studies. Halifax is adopting 1,000 meters, I believe . The setbacks need to be from the property line and not a building. Encroachment on neighboring properties that do not have a building are radically and negatively impacted. I understand that the by law states that the adjacent land owner can build but why would he? Who would buy this stigmatized property? Who would enjoy living that close to a turbine? No one. The by law is written to insure the rights of the wind turbine developer. It does not protect rights of adjacent land owners enough. A cookie cutter approach is dangerous. I strongly suggest that each application be reviewed for its merits and assessed for its impact on other industres, values and properties. Truly, county wants development but not at any cost. There will be only a limited number of applications. It is manageable. Location and placement is the key to a successful wind turbine industry in Cumberland County. Location and placement is key to protecting our existing properties, values and industries. Developers are interested in profit and locations closest to the grid with cheap land leases. The final point that pertains to real estate value is decommissioning. I strongly suggest that the developer must post a bond to cover the cost of removing the turbines that are no longer in use. The developer of Pubnico sells to a Florida Power company. Who will force them to decommission. Thank you for taking the time. Peter Finley

Penny Henneberry

From: Melanie Prendergast
Sent: Monday, November 07, 2011 9:21 AM
To: Penny Henneberry
Subject: FW: wind turbine setbacks, landowner says good fences make good neighbours

Follow Up Flag: Follow up
Flag Status: Flagged

From: Joanne MacPherson [<mailto:joannemacpherson@northnovacable.ca>]
Sent: Monday, November 07, 2011 8:16 AM
To: Web Info
Subject: wind turbine setbacks, landowner says good fences make good neighbours

My mother, Ruby Kewachuk, asked me to write this email on her behalf as she is unable to write due to blindness.

My late husband, John Kewachuk, and I lived on Wallace Bay for over 50 years, operating a beef farm. It was his wish, and it is mine, that our children inherit the lands we purchased over the years. I managed to hang on to these properties throughout hard times, many sacrifices were required, and so it is upsetting to learn now that this Council is debating on a setback distance of 500 m for wind turbines to be situated adjacent to our land.

In my day good fences made good neighbours and the same should apply today. I am very concerned about how these turbines will affect the neighbours, the wildlife and the birds. My daughter is nearing retirement and wants to build an off grid home on the MacFarlane road property I currently own. This land is very dear to her because it does not have electricity or telephone services and has remained undeveloped. It is as close to nature as one can get, and I hear many others enjoy walking and outdoor recreational activities here.

There is something terribly wrong when outside interests can move in on the citizens you represent and it is up to us to convince all of you to stop it from happening.

I don't know enough to recommend a setback distance but I do urge this council to act on the fact so many of us are coming forward to state 500 m is not far enough.

Ruby Kewachuk
Willow Lane, Pugwash
243-2940

Penny Henneberry

From: Melanie Prendergast
Sent: Thursday, November 10, 2011 11:39 AM
To: Penny Henneberry
Subject: FW: Municipality Letter from Scottish Pines
Attachments: Wind_Farms.pdf; ATT01261.htm

Follow Up Flag: Follow up
Flag Status: Flagged

From: Donna Murray [<mailto:hal@ns.sympatico.ca>]
Sent: Thursday, November 10, 2011 11:28 AM
To: Web Info
Cc: Lisa Betts; Dr. Paul Downing
Subject: Fwd: Municipality Letter from Scottish Pines

We were very disappointed to hear our letter was not read at the Council meeting yesterday. This is the same letter I sent and the attachment was opened by everyone else in CC. Please forward our letter to all the Council members. We would like the opinion of Tourism providers on the Gulf Shore to be heard in regard to Wind Farms.

Donna Murray
Scottish Pines Inc.

Begin forwarded message:

From: Donna Murray <hal@ns.sympatico.ca>
Date: November 8, 2011 10:55:52 PM AST
To: info@cumberlandcounty.ns.ca
Cc: "Dr. Paul Downing" <paul.downing@ns.sympatico.ca>, Lisa Betts <ljbetts@seaside.ns.ca>, The Grays <jeangray@ns.sympatico.ca>, Donna Murray <hal@ns.sympatico.ca>
Subject: Municipality Letter from Scottish Pines

Municipality of Cumberland County
1395 Blair Lake Rd.
Amherst N.S.
B4H3Y4
Nov.8,2011

Re:
Comments for the public hearing scheduled for Wednesday November 9th at 1pm. In the matter of consideration of Wind Turbine Bylaw Amendments.

Dear Municipality of Cumberland County.

This letter is an electronic email submission for the public hearing on Wind Bylaw Amendments slated for November 9th, 2011. We would like to offer our point of view as business operators and members of the Gulf Shore Preservation Association.

We are owners of Scottish Pines, members of Tourism Nova Scotia and have a 4 1/2 star rating with Canada Select. During the past 17 years we have made every effort to promote our beautiful countryside. We offer ocean front log cottage rentals to guests from all over the world. We advertise a peaceful atmosphere and believe the noise and sight of huge turbines in close proximity would not be welcoming for visitors to our area.

Last year alone our guests brought over \$30,000.00 in green fee revenue to Northumberland links. The community of Pugwash greatly benefit from the summer residents and visitors. We have contributed over \$100,000.00 in tax revenue to the Municipality of Cumberland County since we built our cabins in 1994.

We believe in the importance of protecting all shoreline property in Nova Scotia. In a province that is largely uninhabited, it would seem that wind turbines need not be placed in areas that affect tourism, beachfront properties, etc. Presumably proximity to the power grid is the major factor in its proposed location.

Needless to say we support the development of green energy but object strongly to the location of this proposed project and the current set back distances. This land has great tourism and residential potential with sustaining land tax benefits to the Municipality of Cumberland County. We are asking the government agencies to respect our opinion and hopefully anyone visiting this area will understand our objection. This is a worthwhile project by a reputable company but in the wrong place.

Sincerely,
Dr. Harold & Donna Murray

Penny Henneberry

From: Melanie Prendergast
Sent: Wednesday, November 09, 2011 11:32 AM
To: Penny Henneberry
Subject: FW: Wind power

From: mark elliott [mailto:mark_sharonelliott@hotmail.com]
Sent: Wednesday, November 09, 2011 11:17 AM
To: Web Info
Subject: Wind power

To Whom it May concern

I think wind power is the way of the future, but must not be used at the expense of peoples health. The proposed 500 m is just to close to homes, better regulations need to be put in place , which will not allow big companies to come into our rural areas and take over. Just because we are a small area with not so many voices to speak out about these issues does not mean we don't count.

Concerned Citizen
Sharon Elliott

**SHE Properties
26 Shelby Drive
Hammonds Plains, NS B3Z 1K9**

Municipality of Cumberland County
Attn: Allison Gillis, District 4 Councillor
1395 Blair Lake Road, RR6
Amherst, NS B4H 3Y4

8 November 2011

Dear Mr. Gillis or Whomever it May Concern:

Re: Wind Turbine Bylaw

Please accept this submission to the public hearing being held on November 9, 2011.

As property owners on the Gulf Shore, we are very concerned about the proposed wind energy projects for the area, particularly given that the impact of wind turbines on human health remains in dispute. These energy projects, if allowed to proceed, should affect current landowners and residents as minimally as possible.

We respectfully request that Council be prudent in the precedent being set and increase the setback for such projects from existing habitable dwellings to a conservative 2,000 metres. At the very least, we feel that wind turbines should not be allowed less than 1,000 metres from habitable dwellings, which we understand to be the current standard adopted in other areas of Nova Scotia, including the Halifax Regional Municipality.

Sincerely,

S. Adams & E. Lee

Stephanie Adams & Emily Lee
Partners, SHE Properties

Municipality of Cumberland County, Amherst, Nova Scotia

7 November 2011

To Whom It May Concern,

Re: a respectable distance from disturbing wind turbines

I am writing to express my concern with the proposed setback distance of 500 m for wind turbines in Cumberland county. I am a home-owner in Pugwash, 8 Willow Lane.

Wind turbines create noise pollution and should not be within at least 1000 metres from residential property. That is my opinion, and perhaps yours if you knew that a wind turbine was going to be built near your home.

As elected officials, your duty to protect quality of life and property values for people in Cumberland country should guide you to create a world-class standard of protection from noise and vibration pollution from wind turbines.

I have researched the issue online and I get the feeling as if I am reading the proposed standards for cigarette smoke in the 1950s. The obvious pressure from companies trying to make profit from wind turbines, combined with government officials debating levels of harm to animals and humans , seems to be creating minimal standards of protection. What's a little cigarette smoke going to do to babies? Well, fifty years later, we can all attest to the evidence of harm.

I am asking for the setback distance from wind turbines to be at least 1000 metres in Cumberland county. Even better, why don't we encourage wind farms to be created off-shore, like the ones in Europe?

Please respond via email the result of your debate.

Yours truly,

Ms. Teresa Kewachuk

Spiddle Hill Residents' Group
c/o Wayne Edgar
16 Spiddle Hill Road
West Earltown, Nova Scotia
group coordinator email address : plavell@gmail.com

Warden Hunter and Councillors
Municipality of the County of Cumberland
P.O.Box 697
Truro, Nova Scotia
B2N 5E7:

November 7, 2011:

Dear Warden Hunter and Councillors:

We are writing to express our support for Cumberland county citizens who are concerned about a proposed wind farm near to their properties.

We are a group of owners of homes and properties on Spiddle Hill in Colchester county. We have concerns about the recent installation of a wind turbine and a proposed second wind turbine on Spiddle Hill. The current 800 KW wind turbine is placed very close to some of our residences . The distances are 850 metres and greater. It is causing noise disturbances both on our properties and inside some of our residences. We are concerned about possible other effects such as ice throw. We are also very concerned about the siting of additional wind turbines.

We have been working with the company Colchester Cumberland Wind Field. One of our members told the company AGM that his family is disturbed by noise inside their house from the wind turbine which is 1.5km from their house. We have been assured by the company that they will take our concerns into consideration when planning for where the second turbine will be placed. We appreciate the communications with the company so far and their apparent willingness to work with us.

In addition, we have made a presentation on Oct 27, 2011 to Colchester County council and requested their support in our dealings with the wind turbine company. We also requested that they review the wind turbine bylaw and that they increase the setback from wind turbines to residences to a greater distance . We asked that they consider 2 km as the setback distance for medium and large turbines.

We note that Halifax Regional Municipality recently reviewed their wind turbine bylaw and are increasing the setback distance to one kilometer for medium and large turbines in rural areas. In our experience, a one kilometer setback would not be enough.

In conclusion we ask the Cumberland councillors to consider very carefully before allowing wind turbines to be situated close to residences. In our experience only one turbine is already causing problems for residents because it has been placed too close to our houses. We hope that Cumberland County will consider a wind turbine bylaw that requires setback distances of 2 kilometers from residences for medium and large turbines.

Sincerely,

Wayne Edgar and Peter Lavell

on behalf of Spiddle Hill Residents

Nancy Campbell, Pam Swainson, Steven Strople, Judith Potter, Carole Downey, Dale Downey,
Jim Williams, Jane Finlay-Young and Ilga Leja