

WindAction Editorial

Noise contaminated home assessed at 50 percent

(Posted January 19, 2010)

Canadian Hydro Developers, Inc.¹ ('CHD') and Ontario have a problem, or at least they should.

Prior to CHD's 67.5 MW Melancthon I Wind Plant coming online in March 2006, concerns about turbine noise and property value impacts were raised by residents in Melancthon Township two-hours northwest of Toronto. CHD assured officials the concerns were unfounded but almost immediately after the project went online complaints were filed. Nonetheless, CHD was back before both Melancthon Township and neighboring Amaranth that same month with a proposal for its Melancthon II project to include an additional 132 MW, 88 turbines.

With complaints coming in on Melancthon I, CHD conceded in July 2006 that it would delay Phase II for up to 12 months to accommodate community requests for a higher-level scrutiny of the proposal. Toronto Sun's environmental reporter Tyler Hamilton bemoaned CHD's decision citing NIMBY and arguing: "Given the dramatic environmental benefits of wind when compared to fossil fuel or nuclear plants, it seems unreasonable to submit these projects to the same level of scrutiny".

The Melancthon II project was ultimately approved and online by November 2008, but the proceedings were contentious particularly on the subject of noise.

Paul Thompson's front porch is located just 360 meters from the Melancthon transformer substation that services both projects. Prior to the second transformer being constructed for Phase II, Thompson complained the constant hum emanating from the substation was audible both outside and inside his dwelling even with the windows closed. He made it clear at public hearings on Melancthon II that the noise was intolerable. With both transformers in place, Mr. Thompson told Windaction.org the noise has required he move out of his house at night and rent other accommodations.

CHD responded insisting that "...all noise level measurements taken near the transformer and on neighbouring properties have been compliant with noise guidelines issued by the Ontario Ministry of the Environment" and that if there are damages from the transformer, which it denied, those damages are the result of Thompson's 'abnormal sensitivity'.

But not everyone agreed with CHD.

Thompson approached the Municipal Property Assessment Corporation ('MPAC') to request a reduction in his property assessment. His home was assessed at \$255,000, a figure he would not have disputed but for the substation noise. The MPAC acknowledged his property was negatively affected but made no adjustment to his home's value. In fact, MPAC testified that "the noise was loud enough to cause significant interference with a telephone conversation he [their representative] had with Mr. Thompson".

Thompson appealed to the Assessment Review Board ('ARB') and in September 2008 the ARB ordered his property valuation be reduced to \$127,000, 50% below market value. The decision was not released until the end of 2009. In their deliberations, the ARB stated "There is evidence that noise contamination exists without any apparent cure."

Tyler Hamilton weighed in on the ARB decision, as well. This time he chastised Canadian Hydro Developers for not doing a better job siting the substation and warned all other developers they "can't afford to make mistakes". It's doubtful Hamilton will ever consider the concerns raised by residents as anything more than NIMBY cries. But one fact cannot be denied. When Ontario passed its Green Energy Act in 2009, the Provincial Government sided with Hamilton and others that higher-level scrutiny of wind siting was unreasonable -- the fallout from that Act has only just begun.

[1] Now TransAlta Corporation