

DENNIS WATER DISTRICT
Board of Water Commissioners
PUBLIC HEARING ON WIND POWER FEASIBILITY

April 11, 2011 – 6:00 PM
Dennis Senior Center

A meeting, having been duly posted, was held this date at the Dennis Senior Center, 1045 Route 134, South Dennis. In attendance were Chairman Paul Prue and Water Commissioners Charles F. Crowell and Peter L. McDowell. Also in attendance were David Larkowski, Superintendent and Sheryl McMahon, Treasurer.

The meeting was called to order at 5:38PM by Paul F. Prue.

Treasurer explained the reduction in debt service due to re-amortization of the Mass Water Pollution Abatement Trust construction loan for the two iron & manganese treatment plants. The Pool was closed on March 18, 2011 and there was \$704,409.46 in escrowed bond proceeds that the District had not withdrawn. The principal on the loan was \$7,895,590.54. The reduction in the first year of the new schedule would be \$51,333. The Treasurer provided revised numbers for the General Appropriations for FY 2012. On a motion made by Peter L. McDowell, and duly seconded, the Board **UNANIMOUSLY VOTED: to reduce the Principal on Loans amount from \$600,000 to \$560,867 and the Interest and Service Fee on Loans from \$242,090 to \$229,891.**

In addition, this would mean a reduction of the amount of “Free Cash” that would need to be transferred to fund Capital Expenditures. The Treasurer, in consultation with the Superintendent recommended the following funding sources for the Capital Expenditures Article:

CAPITAL EXPENDITURES FOR ALLOCATION OF FREE CASH
Annual District Meeting 4-26-2011

	Request	Free Cash	FY 2012 Water Rates
NEW TRUCKS W/EQUIPMENT	20,000	20,000	
MISCELLANEOUS EQUIPMENT	4,500		4,500
MAINTENANCE & POWER WASHING WATER TANKS	100,000	60,418	39,582
REPLACE CHEMICAL TANKS & APPURTENANT ITEMS	33,350		33,350
MASTER METER UPGRADES	80,000	80,000	
CONSULTING & TECHNICAL SERVICES (Water Audit)	20,000	20,000	
EMERGENCY GENERATORS	180,000	180,000	
PUMP STATION HEATERS	10,400	10,400	
PUMP STATION BUILDING MAINTENANCE	15,000	15,000	
POWER LINE MAINTENANCE	50,000	50,000	
GREEN SAND REPLACEMENT	25,000		25,000
CAPITAL PROJECTS:	538,250	435,818	102,432

On a motion made by Peter L. McDowell, and duly seconded, the Board **UNANIMOUSLY VOTED: to transfer \$100,432 from Water Revenue of the Fiscal Year 2012 and \$435,818 from “Free Cash” for the Capital Expenditures Article.**

The Treasurer advised the Board members that there had been a change in the plan that was

referenced in the Article for conveying land at the corner of Airline and Rte 134 to the Town of Dennis for traffic mitigation and to request Article 97 special legislation. On a motion made by Charles F. Crowell, and duly seconded, ***the BOARD VOTED (2-1-0 with PLM in the negative) to place the Article on the Warrant with the changes for the plan of land identified in the Article as requested by the Town of Dennis.***

Ms. McMahon advised the Board that she took the liberty of drafting an article in order to rescind the authorized and un-issued debt of \$1,604,409.46. On a motion made by Peter L. McDowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: to include an article on the Annual District Meeting Warrant for April 26, 2011, to rescind the remaining \$1,604,409.46 of un-issued debt from the original \$9,500,000 borrowing authorization voted under Article 5 of the Annual District Meeting held April 29, 2008.***

On a motion made by Peter L. McDowell, and duly seconded, the Board ***UNANIMOUSLY VOTED: to sign the Warrant calling for the Annual District Meeting to be held April 26, 2011, at 7:00 PM at the Dennis Senior Center, to authorize the use of signature facsimiles for attested copies of the Warrant and to instruct the Clerk to duly post the warrant in accordance with the By-laws of District.***

Chairman Prue recessed the Board meeting at 5:42 until the opening of the Public Hearing.

Chairman Prue welcomed the members of the public to the hearing at approximately 6:05 PM, introduced the Water Commissioners, Superintendent and Treasurer then proceeded to read the following statement:

The purpose of our hearing tonight is to offer you, regardless of where you live, the opportunity to listen and or be heard regarding the three articles related to wind turbines at the Annual District Meeting on Tuesday, April 26 at 7 PM in this hall. In order to participate in the debate and vote at the Annual Meeting, you must be a registered voter of the Town of Dennis. Because the proposed siting of one or more wind turbines is located near the boundary with the Towns of Brewster and Harwich, the Board felt that a Public Hearing prior to the Annual Meeting would provide those people who would not otherwise be qualified to participate at the Annual Meeting, an opportunity to ask questions and provide comment. Copies of the three articles concerning the possible development of wind power are at the back of the room. An agenda for the hearing and a copy of the rules for conduct of tonight's hearing are printed on the back of the articles.

Your careful attention to the rules of the hearing, which will be reviewed shortly by the Clerk, will provide everyone with an opportunity to be heard. Your cooperation in following these rules will be appreciated by the Water Commissioners as well as your fellow attendees.

Chairman Prue then turned the meeting over to the Superintendent for a project overview and summary of the articles proposed for the Annual District Meeting.

Mr. Larkowski stated that the purpose of the meeting was to inform the public on what is to be voted on at the Annual District Meeting on April 26. He explained that the District is a separate entity relies solely on water rates, fees and cellular lease payments for revenue. The District is not supported by real estate taxes. He summarized the major findings of the Wind Power Feasibility Study that was completed in the Fall of 2010. The proposed site is located between Airline Road and Old Chatham Road and contains approximately 330 acres. The study indicates that a large scale turbine of just under 400' to tip-of-blade. The study also identified some of the hurdles that would need to be overcome for the construction of a wind turbine such as Old Kings Highway Regional Historic, building permits, FAA approval (already received), etc.

Mr. Larkowski reviewed the three articles necessary as the first steps to the development of wind power for the District and to allow the District to lease land to the Town of Dennis for the construction of one turbine for municipal demand.

Article 7 seeks to amend the District's enabling act to allow the construction and maintenance of alternative renewable energy resources and to sell any excess power for the benefit of the District. The article specifically seeks authorization for the Board of Water Commissioners to file the legislation.

Article 8 seeks to authorize the Water Commissioners to file legislation that would allow the District to use the land, originally acquired for water supply protection purposes, for the construction of two turbines, and to allow the Town of Dennis to construct one of those turbines. This legislation is in accordance with Article 97 of the Massachusetts Constitution and will require a 2/3 majority vote in both the state house of representatives and state senate.

Article 9 seeks voter approval to grant an easement to the Town of Dennis for the construction of their own wind turbine on District property. He estimated that all of the legislative approvals would take approximately one year.

Mr. Larkowski noted that there are pictures simulations indicating how visible the two wind turbines would be from various locations around Town and sites in Brewster. The subject of sound generation by the wind turbine was also reviewed. Mr. Larkowski shared his own sound observations taken at varying residential points in proximity to the proposed site. He further explained that, although there are still unanswered questions regarding the wind turbines, the first steps for further development of a project is to obtain legislative approvals as outlined by the articles. He explained that the diagram showing the distances to the nearest residences is preliminary and the final turbine location may vary slightly from what is shown at this meeting.

Ms. McMahon explained the procedures for speaking and read the following rules into the record:

The Rules of this Hearing are designed to ensure a fair and orderly process for public participation. Everyone is asked to abide by these guidelines, so that Public Hearing process can proceed smoothly and all who wish to speak have the opportunity to do so.

Mutual respect, courtesy and patience are the hearing's guiding concepts. Please help maintain an atmosphere where everyone feels comfortable and welcome, regardless of his or her position on the issues. Please do not interrupt anyone while they are speaking. Please remain quiet so others can

hear, please leave the room for any side conversations. Please turn off cell phones or set them to vibrate.

- All Speakers will use the podium at the front of the room.
- Speakers will state his/her name, residence and the organization you represent, if any. And sign in at the podium.
- Speakers will be limited to **five (5) minutes.**
- Speakers may not address the audience or ask for audience participation.
- Representatives from a group or agency may testify only once.
- Speakers should try to avoid unnecessarily repetitive or irrelevant comments. The Chairman has the authority to keep your comments to the subject at hand. A form for written comments is provided at the back of the room and those submitted will become part of the hearing record.
- To allow for equal opportunity for all, and to accommodate the number of people who may wish to speak, yielding time to another person will not be allowed.
- After each speaker has concluded, the Water Commissioners will be asked if they have any questions of the speaker.
- An individual or group representative who speaks may submit written comments or materials for the hearing record. Materials submitted become permanent exhibits and cannot be returned.
- Those in attendance are asked to refrain from disrupting the meeting by making noise of any kind. Side comments and demonstrations such as applause, booing do not contribute to a fair hearing and are strictly prohibited. Anyone who disrupts the proceedings will be asked to leave. Courtesy to others is the order of the day.

The following is a list of those persons who spoke at the microphone and a summary of their questions, comments or concerns.

1. John Leogrand, 38 Greenland Circle, East Dennis: Are the proposed wind turbines the same as the size and design as those in Falmouth. Are the proposed distances from the wind turbine similar to those in Falmouth causing all the problems. Mr. McDowell responded and shared his experience of visiting the Whitely Wind Farm in Scotland with 140 turbines.
2. Claire Ricci, 2 Laura Lane, Dennis: Shared her recent experience hearing the wind turbine at Country Gardens in Hyannis. She said that the Cape is not Oklahoma and it should remain residential and did not want to see any turbines in Dennis.
3. Richard Tomer, 63 W Topelo Road, Harwich: Concerned about possible contamination from this project polluting the aquifer and does the District have any insurance or provisions to take care of it should it happen. Mr. Larkowski said that any contamination at a wind turbine sight would not affect Brewster or Harwich supply becomes of the way the water travels. He further stated that DEP would require an emergency response plan if the project moves forward.
4. Richard Watts, 15 Whig Street, Dennis: Asked about revenue projections. Mr. McDowell said that all of the monies come to the Dennis Water District and reviewed an estimated revenue projection. Mr. Watts sited a conflict between the Feasibility Study and the Site Preparedness Plan

done by the Town of Dennis and the Cape Cod Cooperative Extension Service which did identify that there are endangered species in the area.

5. Gershen Rosenblum, 346 Setucket Road, Dennis: Mr. Rosenblum read a report regarding the noise affecting residents living near the wind turbine in Falmouth. He noted that the Falmouth Selectmen turn off the wind turbine if wind exceeds a certain speed. He suggested that the District consider building smaller turbines considering the population density of the Cape.

6. John Ford, 372 Blacksmith Shop Road, Falmouth: Mr. Ford shared with the audience his personal experience with the noise that emanates from Wind I in Falmouth and another privately owned turbine. He described the severity of his depression and anxiety that has developed since the turbines went on line.

7. Merton Ingham, 11 Hawthorn Street, South Dennis: Mr. Ingham is a member of the Dennis Alternative Energy Advisory Committee and supports the development of wind power. He said it was the right thing for our ecosystem and it will help with the reduction of emissions and pollution. He also said that we need to reduce our energy costs.

8. Joseph Swaluk, 76 Quasons Path, Brewster: He suggested that the Board show common sense and terminate this idea. The project in Brewster has divided the town's people. He believes the Cape is no place for giant wind turbines. He suggested the District consider solar power.

9. Robert Baron, 1450 Rte 6A, East Dennis: Asked how many gallons are contained in the wind turbines that might cause possible contamination if they leaked. He also suggested that because it doesn't matter where the electricity enters the grid, why not put these turbines somewhere else, like Cape Edwards?

10. Rick Judd, 775 Freeman's Way, Brewster: He said that he is concerned about the "community effect" of large wind turbines installed. He said that property values will be affected. In terms of noise, he asked what controls and mitigation the Commissioners would put in place.

11. Rose Austin, 27 Spadoni Way, Dennis: She asked how many residents were within a 3,000 foot radius of the proposed site and if they were all notified of the hearing, how much of the forest would be removed for construction. If the voters vote no on all of the articles, what will happen then? Mr. McDowell said that no additional employees would need to be hired to operate and maintain the wind turbines.

12. Noreen Donahue, 68 W Tupelo Drive, Harwich: She read a statement regarding the operation of the Falmouth Wind I turbine and recommended that any pro forma used to calculate the economic benefit of a turbine in Dennis, not take into consideration wind speeds in excess of 22 miles per hour.

13. Kathleen Sherman, 30 Colonial Way, Brewster: She expressed concerns about setbacks for noise impacts. She also noted concerns about meteorology shear and terrain on the Cape which is different from other areas. She asked that we let the voters know how large the rotors will be in order to capture the wind and they will generate all types of disturbing noise.

14. Emily Entwisle, 29 Thorwald Drive, South Dennis, Greenzone Club @ DY: Ms. Entwisle supports the development of wind power as a renewable energy source. She said that wind energy was important to improve the environment and our economy.
15. Jim Hudson, 80 Airline Road, South Dennis: Mr. Hudson said he was not opposed to alternative energy. He does oppose the location of this project and size. He is also concerned about the already decreasing property values and that the wind turbines will only make it worse.
16. Howard Bonington, 22 Conifer Lane, South Dennis: Although he appreciated the information and presentation. However, he is concerned that the wind turbines are incompatible with the ambiance that is Cape Cod. He believed that the voters should decide whether to build the wind turbines before asking the state legislature.
17. Fay Hudson, 80 Airline Road, South Dennis: Ms. Hudson asked if solar power had been concerned. Mr. McDowell responded by saying that too many trees would have to be cut down. She believed that solar power would be more acceptable in a residential area. She also suggested that taxpayers might be willing to pay more per year than to have the wind turbines built. She expressed concern that the articles do not inform the voters on what size wind turbines are to be built.
18. Wayne Bergeron, 9 Meadow Lane, Dennis: Mr. Bergeron is a Dennis Selectman but, stated he was not speaking for the Board. He stated that there are so many contradictory studies regarding the adverse health effects from the wind turbines. He believed the District needs to hire people to conduct these studies who are unbiased. He was concerned that the ever increasing cost of living, particularly on the Cape, warrants the savings that can be generated by the wind turbines.
19. Frank Ciambreiello, 302 Setucket Road, Dennis: Mr. Ciambreiello noted that he is a member of the Old Kings Highway Regional Historic District Commission. He was speaking as a citizen. He is concerned about the fragility of the Cape environment and is concerned about a possible oil leak that could be sprayed into the environment while the turbine is operating. He has visited Denmark and their wind farms and he said they were not quiet.
20. Bob Weiser, 6 Birch Drive, Harwich: His house is within 1,200 feet of the proposed wind turbine in Brewster. He said that the real cost of such an energy project is not truly identified. He asked who will ensure the property values of Harwich abutters if the noise is a real problem and is that thinking part of the planning process of the District?
21. Jerry Stevens, 77 Edward Ave, Dennisport: He suggested that the District consider a different type of wind turbine that runs without blades. They have spinning funnels that capture the wind.
22. Patricia A. Holden, 39A Doric Ave, West Dennis: A friend of Mr. Ford from Falmouth. She stated that the diagrams of the distances to the proposed District turbines are less than half of the distance Mr. Ford's residence is to Wind I in Falmouth. She said when she is outside she hears something akin to a low-level jet sound with an amplitude modulation which she claims is what drives people crazy. She claimed that property values are diminished by as much as 41%. She pointed out a short visit to the area is not the same as living there.

23. Linda Salamon, 18 Shore Drive, Harwich: Addressed the myth that wind power is green. She read a statement that claimed wind generated electricity caused coal-fired plants to run intermittently and hence, less efficiently negating the environmental savings from wind turbines.

24. Diane Murphy, 95 Slough Rd, Brewster: She said that the Water Commissioners should examine and consider more closely the fragile environment and protected species that are in the watershed area. She says she walks the District land and considered it beautiful but expressed concern about the clear cutting for the fire roads and that none of the debris was removed. She asked where Mr. McDowell lived and asked that her property values be guaranteed not to decrease. Chairman Prue called a point of order because the discussion was going back and forth.

25. Henry Knight, 103 Pine View, Brewster: He lives within a 2,000 foot radius of the proposed wind turbine. He said he lives two miles from the mid-cape highway and can hear it from all directions. He is concerned that the noise generated will adversely affect the residents of Brewster while Dennis residents receive all the financial benefit.

26. Jill Mullen, 27 Belmont Ave, Harwich: Ms. Mullen lives within 3,000 foot radius. She is opposed to the construction of the wind turbines due to health concerns. She resents the project and asked that the District consider smaller turbines.

27. Barbara Howard, 13 Wintergreen Lane, Harwich: Provided a description of the Cape's aquifer which provides all of the towns with drinking water. She listed some of the possible pollution issues that may be caused by the wind turbine construction project.

28. Gary Christan, 29 Sean Circle, Brewster: Shared his observation of the proposed project. He read from a Denmark report that claimed wind turbines should not be closer than 1.2 kilometers (3,937 feet) from any occupied dwelling. He suggested that even though the estimated revenues from the wind turbines could range from \$400,000 to \$800,000, one law suit could decimate those earnings.

29. John Ohman, 12 Thomas Court, Dennis, Dennis Representative to the Assembly of Delegates: Mr. Ohman announced that there is a public hearing on April 13, 2011, at 4:00 PM, on the proposed regulations from the Cape Cod Commission.

30. Ted Guazzaloca, 76 Glenwood Road, Brewster: Mr. Guazzaloca said the health of his family is his number one concern. His daughters have health conditions which could be exacerbated if the wind turbines do cause strobing and noise disturbances. He wanted to know if the District planned to set aside funds in the case that any of these things come to be true.

31. Alice Kuntz, 67 Tanglewood Drive, Harwich: Ms. Kuntz said her personal life-style is green. She encouraged the Water Commissioners to do their due diligence should they move forward with construction because of their impact on people. She hopes that the project is defeated.

Hearing no further comments by the Board members, Chairman Prue closed the Public Hearing at approximately 8:29 PM.

Respectfully submitted,

Sheryl A. McMahon, Clerk