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State faults Falmouth wind turbine study

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A state agency has criticized a town-commissioned noise study for a municipal wind turbine at Falmouth's waste water treatment facility.

Cape Cod Times File/Steve Heaslip

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FALMOUTH — In September, a town-commissioned noise study reported the 1.65-megawatt turbine off Blacksmith Shop Road did not exceed state noise limits.

But that claim is now in dispute, according to a Jan. 24 letter from the state Department of Environmental Protection.

The noise study, conducted by Harris Miller Miller & Hanson Inc., failed to properly present the sound data collected near Wind I last summer in a way that allowed state officials to determine whether the turbine is too loud, according to the letter.

"Our initial review indicates that the Falmouth Wind Turbine Noise Study does not present and aggregate the results in a manner that would allow MassDEP to draw a conclusion regarding compliance with the MassDEP Noise Policy," writes Laurel Carlson, acting deputy regional director for the DEP.

Sound data should have been broken down into one-hour average periods as opposed to three-hour averages, and pure tone data should have been provided in decibels, not statistical form, Carlson said.

Representatives from the consulting company did not return a phone message seeking comment.

Heather Harper, Falmouth's acting town manager, said she is reviewing the matter with the company and hopes to resubmit the data in approximately a week so DEP can make a ruling.

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But for dozens of residents who claim the turbine negatively impacts their health, the DEP letter is further proof town officials rushed the erection of the turbine without due diligence.

"We've become the poster child for how not to do this process," said Todd Drummey, who lives near the turbine.

Drummey and other residents are upset because town officials were told about the flaws in the study months ago but did nothing.

After the town's consultant study came out in September, neighbors directed their own consultants, Noise Control Engineering Inc., to review it. Noise Control Engineering last month pointed out the same flaws in the study as the DEP did, but the town took no action.

"The town said the (HMMH) study gave them a clean bill of health, but it doesn't," said Christopher Senie, the lawyer representing more than a dozen Falmouth residents who live near the turbine.

Multiple neighbors are also troubled that Falmouth officials received the DEP letter on Jan. 24 but did not make it public for nearly three weeks.

Meanwhile, the Falmouth Zoning Board of Appeals has been involved in a contentious hearing regarding the turbine and the decision by Building Commissioner Eladio Gore not to require a special permit for Wind I.

A final vote is expected at Thursday's board of appeals meeting, but the hearing was officially closed last week and no new information can be considered, Senie said.

The delay in notifying residents and their attorneys about the DEP letter was unintentional, Harper said Tuesday. She said she didn't receive it until Thursday because it was e-mailed to former Town Manager Robert Whritenour's address.

The letter was addressed to David Carignan, Falmouth health agent, who did not return a phone message seeking comment Tuesday.

"I can't explain why it wasn't forwarded to me by other staff," Harper said. "I had been away for several days. Perhaps it was a misunderstanding of whether I was around or not."

But that isn't sitting well with residents who have already complained about a lack of communication regarding the turbine.

"I am extremely disturbed by the fact that the town did not share this letter with the abutters, attorneys for the abutters, or the abutter's noise consultant," Drummey wrote in an e-mail to town officials Tuesday. "As the letter is dated three weeks ago, I can only assume that the town did not intend to release this information."

Malcolm Donald, another neighbor, said he is "sickened" by the lack of consideration shown to the residents who live near Wind I.

Many homeowners say they are considering selling their houses due to stress caused by the turbine. An identical turbine on the same lot will likely be operational in the next few months.

"Our independent sound engineers made comments on the town study and where the weaknesses were, but the town doesn't care," Donald said. "This is having an adverse health impact on people's lives."

But Harper cited a plethora of collaboration between the town and Noise Control Engineering during the sound study and said town officials have always been "concerned" about the neighbors' complaints.

Although there will be some minor modifications as to how the second turbine operates, Harper does not anticipate any delays in getting it online.

"The contract is under way for Wind II and we're moving forward," she said.