

MEETING OF THE FAIRHAVEN BOARD OF HEALTH
March 12, 2012

A Regular Meeting of the Board of Health was held at the Town Hall on Monday, March 12, 2012 at 6:30 PM. The meeting was duly posted. Board members present: Jeannine Lopes and Peter DeTerra. Also present: Patricia Fowle, Health Agent and representatives of Fairhaven Windwise (Windwise).

Mr. DeTerra, Chairman, called the meeting to order at 6:30 PM and asked that the minutes of the meeting of February 21, 2012 be amended or approved.

Motion to approve the minutes was made by Ms. Lopes; seconded by Mr. DeTerra. Vote was unanimous.

Before the Board was Ken Pottel and others from Fairhaven Windwise to address issues raised in an email to the Board about the two industrial wind turbines under construction at Arsene Street. Mr. Pottel would like a Board policy addressing when the turbines must be shut down, preferably auto-shut down, when there is ice drops and ice flings from the blades because the turbines are so close to the bike path. Kurt Trampofch, a wind researcher, discussed the engineering of how blade sensors work in an automatic shut-down, stating the sensors don't always work. The group would like to know who will enforce that the turbines are shut down under dangerous conditions.

Louise Barteau presented copies of the following and are part of this record: Dr. Raymond Hartman's "Comments to The Massachusetts Department of Environmental Protection (DEP) *In re* the "Wind Turbine Health Impact Study, Report of the Independent Expert Panel," January 2012", a letter that Windwise intends to send to residents of the Little Bay neighborhood, Health Assessment Suggested Guidelines, March 2012 by Dr. Sarah Laurie, a WindVOiCe article on self-reporting of adverse health effects associated with industrial wind turbines with an observation chart, a complaint form used by Falmouth Massachusetts, an article on evaluation of wind farm noise policies in South Australia and the Bourne Massachusetts Board of Health WECS Regulation. Ms. Barteau would like to have a pre-turbine operation health assessment performed for abutters to the turbines, along with a resident count which has not been done to date. The group volunteered their assistance. Ms. Barteau would also like to see a clear and well formed complaint process that channels the information locally and to the developer, the Department of Environmental Protection (DEP) and Department of Public Health (DPH). The group would like an on-line complaint form with the Board of Health in the loop. This will allow people to be pro-active utilizing good health practices and thus provide good data for health and noise complaints. The selectmen sent a letter in response to the Board of Health's inquiries of February 10. Both letters are part of this record. Ms. Lopes stated the letter represents the Selectmen and informs what they and the developer are doing in preparation. Ms. Lopes questioned what Windwise would like the Board of Health to do specifically.

Windwise asked the Board of Health to be an active part of the process and secure that the developer is not left in charge of everything. Also included is the health assessment and complaint form previously discussed. The group would like the Board to seek funding at Town Meeting to buy decimeters so that Town owned equipment can be placed in resident's homes to measure sound and infrasound unbiased by the developer.

Ms. Roderiques, a mother of three, asked how many will have to become ill before the Town reacts? Ms. Lopes stated it will be a case-by-case process.

Bruce Paparella of West Island stated he has been deaf for 50 years and just until recently could not hear at all. Now with hearing aids he is able to hear and communicate and he loves life. He is an avid biker and has found whenever he is near turbines he has tremendous head pain and cannot tolerate the noise within. He gave the chairman a copy of The Declaration of Independence and stated he has a right to peaceful living and the enjoyment of life. This turbine robs him of those rights and he will fight and sue to secure

what he has missed all his life and now has found. He also will fight for others who have hearing deficiencies, especially children. This is a challenge.

Attorney Ann DeNardis wanted to know what the Board will do to stop the turbine. The Board now has firsthand knowledge that the turbines do cause illness. Mr. DeTerra stated there is no anticipatory nuisance. Ms. Lopes stated her opinion is that an anticipatory nuisance does not exist and that until the turbines are operational and there is a cause and effect the Board cannot stop the turbines. Attorney DeNardis left the meeting.

Mr. Dippel from Mill Road stated he and his wife are expecting a child and fear the effects of infrasound and audible sound from the turbines on a newborn or unborn child. Ms. Lopes spoke of her own daughter's pregnancy and said that her daughter's physician stated they have never heard of wind turbine syndrome. There are no proven answers. She stated the Board cannot stop something based on supposition.

Karen Isherwood stated she lives 1400 feet from the turbines. She is a cancer survivor on maintenance medication. Her physician would like to decrease the medication she is not sure if the turbines will affect her physical condition.

Barbarra Acksen asked the Board to be proactive and act preventatively. They asked the Board to initiate an action plan and do a health assessment to present to the Board of Selectmen as a starting base and not the other way around. This will reduce the tension that is so divisive. Many of the group stated they would volunteer their time and efforts to get this done working with the Board.

Mr. DeTerra asked that this information be forwarded to the Board and everyone will work together to address the issues. The majority of Windwise left the meeting.

Health Agent's report:

- 540 Bridge Street septic system inspection performed on March 2, 2012 by Ronald Arruda, Fairhaven Honeywagon, Fairhaven. The gravity system is a 1500 gallon tank to a d-box to a 46'6"x 30' constructed in 2003 and is compliant with Title 5 requirements. Motion to accept the report as written was made by Ms. Lopes; seconded by Mr. DeTerra. The vote was unanimous.
- A new retail store opened at 8 Fairhaven Commons Way, Dollar Zone. The store opened before the Board of Health was made aware that it was there. After speaking with the manager, an application was received with the proper information filed and an inspection was performed. A retail food permit was issued.
- Asia Cuisine at 14 Fairhaven Commons Way was sold to Yan and Jackie Chen. An inspection was performed and the restaurant was found to be in code compliance. A food permit was issued to the new establishment China Café.
- Training for access to MAVEN will be given to the health agent in the office on March 19, 2012. This will allow read only access to reportable and communicable diseases in Town. Lisa Russell, Visiting Nurse, is the active case reporter.
- A repair percolation test is scheduled at 301 Mill Road for Friday, March 16.

Invoices and payroll were reviewed and signed by the Board.

There being no other business before the Board, motion to adjourn the meeting at 8:05 PM was made by Ms. Lopes; seconded by Mr. DeTerra. Vote was unanimous.

Patricia Fowle, Health Agent