

Kingston residents criticize board's inaction on turbines

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KINGSTON -- The hopes of neighbors of four industrial wind turbines off Route 3 were dashed Monday when the Board of Health ignored their demands to shut down the -machines and voted instead to take no action until a pending noise study is done.

The collective frustration of the residents, after months of complaining about health -issues related to the turbines, was voiced by one audience member who shouted at the board after the vote: "Shame on you."

The neighbors want operations ceased at the Independence turbine, a privately owned machine running since May on the town's landfill, and three turbines owned by local businesswoman Mary O'Donnell that have been generating power since last January.

The state has agreed to study noise levels at properties around the Independence turbine, but is months away from having results. Under state statute, local health officials have the authority to take action in matters that threaten public health, and residents were hoping for an order shutting the turbines down until the study is complete. Among other complaints, residents have said noise from the turbines causes sleep disturbances that affect physical and mental health.

After Monday's meeting, Schofield Road resident Greg Merchant was particularly critical of John Breen, the board member who made the motion to do nothing. "He just took the Board of Health's gun and threw it away," Merchant said.

Neighbor Paul Tanous called the vote "a serious embarrassment" to Kingston. "They should all resign," he said.

During the meeting, Breen and other board members who supported taking no action said they couldn't shut down the turbines without hard scientific data to back their decision. That will come when the study is complete, they said.

Joseph Casna, the chairman of the board, asked the owner of the Independence to at least come up with some suggestions for temporary mitigation in time for the board's meeting Jan. 28. But while co-owner -Kially Ruiz said he would take the request back to his partners, Leland Road resident Doreen Reilly wasn't holding out hope for immediate relief.

"I feel like there won't be any changes at all," Reilly said following the meeting. "I don't know how these people can listen to us and not do anything. The town made a mistake with these turbines and has to step up to the plate."

Board member Daniel -Sapir was the only one to vote against taking no action. Sapir later blamed the board's reluctance to shut down the turbines on advice from Kingston's town counsel, Jay Talerman. Talerman warned against a shutdown order prior to completion of the sound study, saying "it didn't make sense" with no scientific evidence to back it up.

Sapir has lobbied unsuccessfully for use of an outside lawyer to advise the board because Talerman had helped selectmen hammer out the lease agreement for the Independence. During Monday's meeting, -Sapir once again brought up the issue. Talerman said he believes there is no conflict of interest at this point.

"I think Jay Talerman ought to be ashamed of himself," Sapir said later. "He is completely immersed in saving the Board of Selectmen's position in this thing."

Talerman wasn't the only lawyer warning against a shutdown. Attorney Philip Brown, representing the Independence owners, said Monday, "If you're going to take steps, I suggest they be taken based on scientific evidence."

O'Donnell's lawyer, John Yunits, suggested a formal public hearing where the health board, turbine owners, and neighbors could work on solutions, to avoid "a multimillion-dollar suit" that a shutdown could prompt.

Residents had thought Monday's session was a formal hearing, as the board's agenda listed it as a "public hearing pertaining to wind turbine complaints and possible enforcement action." It had not been advertised in a newspaper, however, which is required for public hearings.

Attorney Christopher -Senie, who represents some turbine abutters in a suit against the town, also urged health officials Monday to schedule a formal public hearing on a possible shutdown of the turbines, and to turn them off until the hearing is held.

Senie said afterward that he hoped the board would consider setting a hearing to "take a look at whether some mitigation is called for." He added, "They did seem to be saying 'We're not going to tackle this.' "

Meanwhile, the noise study around the Independence is still in the planning stages. Clean Energy Center, a quasi-public agency focused on renewable energy development, was assigned by the state to oversee the work, and Town Planner Thomas Bott said the agency will provide a draft scope of work at the end of this month.

Plans will then be finalized and the testing done, but no timeframe for final results has been set at this point, Bott said.

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Credit: By Christine Legere Globe Correspondent

Illustration

Caption: Some Kingston residents say turbines along Route 3 are causing health issues. George Rizer for the Globe

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