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CAPE COD  
COMMISSION

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Date: February 16, 2012

To: Hemenway & Barnes LLP  
ATTN: Diane Tillotson, Esq.  
60 State Street  
Boston, MA 02109

John A. Lipman  
Lipman Development Strategies, LLC  
40 Chestnut Circle  
Brewster, MA 02631

From: Cape Cod Commission

Re: Development of Regional Impact  
Cape Cod Commission Act, Sections 12 & 13

Applicant: New Generation Wind, LLC

Property Owner: Tudor Ingersoll, Trustee; Cape Cod Aggregates Corp.  
Laura Peterson, Vice President and Trustee

Project: New Generation Wind

Project #: TR11006

Project Location: Bourne, MA, between Routes 25 and 6, West of the Cape Cod Canal

Map and Parcel: (See Attached)

Recording Information: (See Attached)

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**DECISION OF THE CAPE COD COMMISSION**

**SUMMARY**

The Cape Cod Commission (Commission), hereby denies without prejudice the application of New Generation Wind, LLC ("the Applicant") to construct three 2.5 MW wind turbines and one 2.0 MW wind turbine between Route 25 and Route 6 in Bourne, MA, west of the Cape Cod

Canal, as a Development of Regional Impact (DRI) pursuant to Sections 12 and 13 of the Cape Cod Commission Act (Act), c. 716 of the Acts of 1989, as amended.

## **PROCEDURAL HISTORY**

The Commission received a DRI referral for the New Generation Wind Project on July 2, 2010 from the Bourne Planning Board through Christopher Farrell, Chair of the Bourne Planning Board, which consisted of the construction of seven (7) wind turbines, expected to generate approximately seventeen (17) MegaWatts (MW) of power on 403.5 acres in the Town of Bourne, located west of the Cape Cod Canal. This application was withdrawn by the Applicant on March 1, 2011 due to time constraints. The withdrawal was accepted by the Commission on March 3, 2011.

On March 14, 2011, the Cape Cod Commission received a Development of Regional Impact (DRI) referral from the Bourne Planning Board through Christopher Farrell (Chair) and a DRI application from John Lipman (of Lipman Development Strategies) on behalf of New Generation Wind, LLC for the same project that was previously withdrawn in March 2011. The DRI application was deemed substantively complete on April 27, 2011. The DRI hearing period was opened by Hearing Officer on May 12, 2011 and the first substantive public hearing on the resubmittal of the DRI application was held on May 17, 2011. On June 2, 2011, the Applicant removed two of the turbines (#3 and #6) from the proposal. A public hearing was held on June 16, 2011. The Applicant removed Turbine #4 from the proposal on July 13, 2011. The Subcommittee held additional public hearings on July 20, 2011, and August 1, 2011. The hearing period was closed by hearing officer on August 9, 2011. The Subcommittee held public meetings to deliberate on the project on August 15, 2011, September 15, 2011, September 29, 2011, October 13, 2011, October 20, 2011, October 27, 2011 and November 2, 2011. At the meeting on October 27, 2011 the Subcommittee voted to recommend denial of the project to the Commission. The Commission held a final public hearing on February 2, 2012. The record was closed on February 9, 2012 at 4:30 pm. The Commission held a public meeting on February 16, 2012 to deliberate on the subcommittee's draft recommendation. On February 16, 2012, the Commission voted 9 in favor and 3 opposed to deny the DRI application of New Generation Wind, without prejudice.

## **PROJECT DESCRIPTION**

### **ORIGINAL PROJECT PROPOSAL**

The project as originally submitted and referred on March 14, 2011, consisted of six (6) 2.5 MW wind turbines and one (1) 2.0 MW wind turbine, each with a height of 492 feet (as measured to the tip of the blade at its highest point), for a total output of seventeen (17) MW, as identified on the plan attached to this decision as Original Site Plan. Three (3) of the seven (7) turbines were proposed to have been located within the portion of the site currently occupied by Cape Cod Aggregates sand and gravel mining operation.

### **REVISED PROJECT PROPOSAL**

On June 2, 2011 (prior to the June 16, 2011 public hearing), the Applicant eliminated turbines #3 and #6 from the proposal. On July 6, 2011 the Applicant relocated turbines #2 and #4 to comply with NSTAR's setback requirement of 1.5 times the overall turbine height to the edge of their actual utility line or supporting structure. Turbine #2 was relocated approximately 300 feet south and turbine #4 was relocated approximately 500 feet west. On July 13, 2011 (prior to the July 20, 2011 public hearing), the Applicant eliminated turbine #4 from the proposal, stating

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the relocation of the turbine to comply with NSTAR's requirements did not provide an appropriate setback from nearby residential properties. The current project proposal consists of three (3) 2.5 MW wind turbines (turbines #1, 2, and 5) and one (1) 2.0 MW wind turbine (turbine #7), each with a height of 492 feet (as measured to the tip of the blade at its highest point), for a total output of 9.5 MW. See Exhibit A, attached to this decision and incorporated by reference.

### **MATERIALS SUBMITTED FOR THE RECORD**

The list of materials submitted for the record are identified on Table 1 (see Table 1 attached as Exhibit B), and include the application and notices of public hearings relative thereto, correspondence, the minutes of public meetings and hearings, and all other written submissions received in the course of the hearing process.

### **TESTIMONY**

Minutes from the following public hearings and meetings are available at the Cape Cod Commission:

- May 12, 2011 Hearing Officer
- May 17, 2011 Public Hearing
- June 16, 2011 Public Hearing
- July 20, 2011 Public Hearing
- August 1, 2011 Public Hearing
- August 9, 2011 Hearing Officer
- August 15, 2011 Subcommittee Meeting
- September 15, 2011 Subcommittee Meeting
- September 29, 2011 Subcommittee Meeting
- October 13, 2011 Subcommittee Meeting
- October 20, 2011 Subcommittee Meeting
- October 27, 2011 Subcommittee Meeting
- November 2, 2011 Subcommittee Meeting

### **JURISDICTION**

The project qualifies as a Development of Regional Impact pursuant to the Commission's *Enabling Regulations Governing Review of Developments of Regional Impact* (revised March 2011) Section 3(e)(iii) "*For Outdoor Uses, new construction or development that has a Total Project Area greater than 40,000 square feet.*"

### **FINDINGS**

The Commission has considered the DRI application of New Generation Wind, LLC for the proposed four wind turbine project, and based on consideration of such application and upon the information presented at the public hearings and submitted for the record, makes the following findings, pursuant to Sections 12 and 13 of the Act:

## GENERAL FINDINGS

GF1. As the date of the first substantive public hearing on the proposed DRI was May 17, 2011, this project was reviewed subject to the 2009 Regional Policy Plan (RPP), as amended in March 2011.

GF2. The proposed project that is the subject of this DRI decision is located between Route 25 and Route 6 in Bourne, MA, and west of the Cape Cod Canal. The site comprises approximately 240 acres of undeveloped oak and pine forest, and approximately 133 acres of land occupied by the ongoing Cape Cod Aggregates (CCA) sand and gravel extraction operation, existing roadways, and utility easements. Residential developments and open space abut the 373 acre project site to the north and south. An NSTAR electric easement extends through the northern portion of the sand and gravel pit. Two 115/345 kV high-tension power lines run through the site within the easement, and a 25 kV distribution line, running north-south, passes through the site west of Route 28.

Additional site infrastructure consists of CCA's weigh station, the primary truck access road off Route 6, and graveled surfaces and paved access roads serving the crushing and screening area and other work areas within the pit. Existing water mains, managed by the Buzzards Bay Water District, are located on Route 6, on Heather Hill Drive, and within an easement west of Route 25 crossing Bournedale Road. Municipal sewer is not available in this area of Bourne. An NSTAR gas line running along the east side of Route 25 within its right of way abuts the western side of the Pan Handle Trust parcel.

According to RPP Water Resources Classification Map I, the entire project site is situated in a Potential Public Water Supply Area (PPWSA) and the area proposed for Turbine 7 is an existing Zone II/Wellhead Protection area. Upon request by the Applicant, at the September 8, 2010 Buzzards Bay Water District meeting the Board discussed the possibility of releasing the area from PPWSA designation. In a September 13, 2010 email, Barry Woods, Superintendent of the Buzzards Bay Water District, wrote "After consideration and due diligence, the Board made the following determination. A motion was made, seconded and unanimously voted to indefinitely postpone any action on the proposed request for undesignation of the Cape Cod Commission Potential Public Water Supply Area."

GF3. In accordance with the Cape Cod Commission Act, after several public hearings on the proposed development, the Commission considered whether:

- [1] The proposed development is consistent with the RPP and the Local Comprehensive Plan of the Municipality in which the proposed development is located;
- [2] The proposed development is consistent with municipal development bylaws, or if inconsistent, the inconsistency is necessary to enable a substantial segment of the population to secure adequate opportunities for housing, conservation, environmental protection, education, recreation or balanced economic growth;
- [3] If the proposed development is located in whole or in part within a designated DCPC, it is consistent with the regulations approved or adopted by the Commission pursuant to Section 11 of the Act.

[4] The probable benefit from the proposed development is greater than the probable detriment;

#### LOCAL COMPREHENSIVE PLAN

GF4. The Town of Bourne has adopted a Local Comprehensive Plan which has been certified by the Commission as consistent with the Regional Policy Plan.

GF5. Written testimony dated July 28, 2011 provided by Coreen Moore, Town Planner for the Town of Bourne states, "*The current NGW project will be reviewed under the pre-May 9, 2011 Special Town meeting wind turbine bylaw and therefore would be considered consistent with the LCP which calls for the Town to adopt bylaws and guidelines that promote alternative energy, specifically wind turbines.*" The Commission adopts the testimony of Coreen Moore and finds the proposed development is consistent with Bourne's Local Comprehensive Plan.

#### CONSISTENCY WITH MUNICIPAL DEVELOPMENT BYLAWS

GF6. The Commission finds that prior to the vote at Town Meeting on May 9, 2011, the owners of the land on which the proposed project is located, filed a preliminary subdivision plan, ("Edgehill Park Subdivision Project") with the Planning Board in the Town of Bourne, giving notice of such submission to the Town Clerk pursuant to G.L. c. 40A, Section 6 which states, "If a ... preliminary plan followed within seven months by a definitive plan, is submitted to a Planning Board for approval under the subdivision control law, and written notice of such submission has been given to the City or Town Clerk before the effective date of ordinance or bylaw, the land shown on such plan shall be governed by the applicable provisions of the zoning ordinance or bylaw, if any, in effect at the time of the first such submission while such plan or plans are being processed under the subdivision control law." As such, the bylaws in effect prior to the May 9, 2011 Town Meeting are the bylaws that will govern review of the proposed project by the Town of Bourne Planning Board.

GF7. The Commission adopts the written testimony of Coreen Moore, Town Planner for the Town of Bourne, dated July 28, 2011 and finds that, "The proposed project site is zoned for (R-80) residential use. In addition, the strip of land within 2,000 feet of the canal is zoned as Scenic Development District (SDD), allowing commercial developments (hotels, motels, restaurants and gift shops) as well as residential uses. Several overlay districts also encompass portions of the project site. These overlay districts are the Traffic Management District, the Water Resource District, and the Bournedale Overlay District, which is designated a District of Critical Planning Concern (DCPC) nominated by the Town of Bourne and approved by ordinance by the Cape Cod Commission."

GF8. Written testimony dated July 28, 2011 provided by Coreen Moore, Town Planner for the Town of Bourne states, "*it is determined that Turbines 1, 2 and 5 are CWES [Commercial Wind Energy Systems]*". Ms. Moore further states that "*CWES are noted as not allowed in the R40, R80, VB and B1 however contains a footnote (#10) under districts R40 and R80. Footnote 10 states that CWES are allowed by the "PB" special permit (see Section 2210) only in the Bournedale Overlay District and to be permitted under the provisions of Section 2700, the Flexible Resource District.*" The Commission adopts the testimony of Coreen Moore and finds that the proposed development as it relates to Turbines 1, 2 and 5 is consistent with municipal development bylaws provided that the project be required to fulfill a condition requiring the

Applicant to seek and obtain a special permit from the Town of Bourne for Turbines 1, 2 and 5 in order to comply with local development bylaws.

GF9. Written testimony dated July 28, 2011 provided by Coreen Moore, Town Planner for the Town of Bourne states “the New Generation Wind project is a project that is allowed under zoning in the location shown and is consistent with the Bourne Zoning Bylaws.” Written testimony dated February 2, 2012 provided by Coreen Moore states that “turbine #7 is consistent with the Town of Bourne’s zoning bylaw.” The Commission adopts the testimony of Coreen Moore and finds that the proposed development as it relates to Turbine 7 is consistent with municipal development bylaws.

GF11. The Commission finds that in order to comply with local zoning, the Applicant must file a definitive subdivision plan for the Edgehill Park Subdivision Project, and have such plan approved in accordance with G.L. c. 40A. If the definitive subdivision plan is not approved at the local level, the Applicant shall seek a modification of the Commission's decision, as the New Generation Wind DRI would not be consistent with municipal development bylaws.

#### CONSISTENCY WITH DISTRICTS OF CRITICAL PLANNING CONCERN

GF12. The proposed project is situated within the Bournedale District of Critical Planning Concern (DCPC). In written testimony dated July 28, 2011, Coreen Moore, Town Planner for the Town of Bourne, states that “the New Generation Wind project is ...consistent with the...DCPC.” Ms. Moore states, “The [DCPC] nomination was made to include protection of the following resources: a) Water Resource District;...b) Wildlife, Natural, Scientific, or Ecological Resource District;...c) Cultural, Historic, Architectural, or Archaeological Resource District;...d) Economic or Development Resource District;...e) Transportation Management District.” The Commission adopts the testimony of Coreen Moore and finds that the proposed development is consistent with the regulations approved or adopted by the Commission pursuant to Section 11 of the Cape Cod Commission Act for the Bournedale District of Critical Planning Concern.

#### CONSISTENCY WITH THE REGIONAL POLICY PLAN

The Commission evaluated the proposed development to determine its consistency with the Minimum Performance Standards (MPS) of the Regional Policy Plan (RPP) and makes the following findings for each issue area of the RPP:

#### LAND USE

LUF1. The Commission finds that Turbines 1, 2 and 5 are located in an area designated as an Industrial and Service Trade Area (ISTA) and Turbine 7 is located in an area designated as Other, as mapped by the Town of Bourne on the Land Use Vision Map (LUVVM) incorporated in the 2009 RPP, as amended March 2011.

LUF2. Given the industrial nature of the proposed turbines, the Commission finds that the proposed development is consistent with the *Industrial Service and Trade Area* and *Other* land use designations, as represented by the Town of Bourne’s endorsed Land Use Vision Map, and is consistent with MPS LU1.1 (Development Location).

LUF3. The Commission finds that the proposed turbines have been clustered on the site to the maximum extent possible without jeopardizing operational efficiency. As such the Commission finds that the project is consistent MPS LU1.2 (Compact Development).

LUF4. The Commission finds that the proposed wind turbines are in close proximity to existing utility infrastructure, including an existing NSTAR electrical tower, electrical easement and utility poles and therefore complies with MPS LU2.1 (Connections to Existing Infrastructure).

LUF5. MPS LU3.1 requires that "New Development adjacent to rural landscapes and those lands in active agricultural production shall maintain or provide a thickly vegetated buffer of sufficient width to prevent conflicts between the development and existing uses." The Commission finds that the proposed project is consistent with MPS LU3.1 (Buffers to Agricultural Uses) and provided the project is required through a condition to keep the buffer, as shown on the Applicant's site plan ("Conceptual Wind Turbine Siting Plan," designed by Atlantic Design Engineers, LLC, dated July 14, 2011) intact.

LUF6. The Commission finds the proposed project is consistent with MPS LU3.2 (Impacts to Agricultural Lands).

### **ECONOMIC DEVELOPMENT**

EDF1. Minimum Performance Standard ED4.1 (*Demonstrated Need & Public Benefit*) requires the applicant to provide information on the need for and impact of the proposed project on the local energy markets. The MPS states that the "Development of infrastructure and/or capital facilities shall be in response to existing regional demand and shall improve the availability, reliability, quality, and cost of services."

The Applicant has provided the following documents to address this standard:

- Clear Planet Energy Memorandum: *Community Benefit Summary, New Generation Wind*, dated December 16, 2011
- Massachusetts Clean Energy Center, Letter dated November 3, 2011
- SourceOne Memo: *Clarification of Economic Development and Energy*, dated May 16, 2011
- Summary: *New England Wind Integration Study*, dated November 2010 and prepared by ISO-NE Staff
- Clear Planet Energy Presentation: *Wind power development, economics, & benefits* by Carlos V. Pineda, November 15, 2010
- SourceOne PowerPoint Presentation provided at August 1, 2011 public hearing

*Current Demand & Availability:* The Applicant explains that this project will contribute to meeting the current demand for renewable energy existing under the Massachusetts Renewable Portfolio Standard requirement that 6% currently and by 2020 15% of overall demand must be provided using renewable sources. The Commission finds the proposed development is in response to existing regional demand for renewable energy and will improve the availability of wind-generated energy on Cape Cod.

*Reliability:* In written testimony dated December 16, 2011, Carlos Pineda on behalf of the Applicant states that the project is located proximate to a feeder substation supplying power to all of Bourne and South Plymouth and thus will reduce demand on the transmission system to pull power from more distant sources. In an August 1, 2011 SourceOne presentation, the Applicant also explains that wind resources often coincide with peak demand on summer afternoons, citing one example on July 22, 2011.

*Quality:* New Generation Wind is estimated to produce 520 GWhs of power over 25 years of operation. The Commission finds the proposed development is a renewable energy source that will lessen the region's dependence on fossil fuels.

*Cost:* The Applicant states that wind energy can reduce or stabilize costs of electricity on the spot market by entering the bid stack at a generation cost of zero. The Applicant also states that the project will have a price suppression effect in the New England market, which will include benefits to consumers on the Cape.

Based on this information, the Commission finds that the project complies with MPS ED4.1.

EDF2. The Commission finds that Grazing Fields Farm is working agricultural land.

EDF3. The Commission finds that the proposed development does not comply with MPS ED1.4 as the Applicant has not met its burden to show that the development shall not eliminate or significantly impair the current and future functioning of Grazing Fields Farm.

EDF4. The Commission finds that MPS ED1.1, 1.2, 1.3 and 2.1 do not apply to the proposed project.

#### **WATER RESOURCES/HAZARDOUS MATERIALS AND WASTES**

WRF1. Application materials state that no new pavement is proposed for the project and that "[c]onstruction activities for delivery and erection of the turbines involve a combination of new gravel access roads and gravel widening of existing access roads, temporary gravel laydown areas, and gravel crane pads." The application further states that "upon completion of the turbine construction ..., a small (50'x50') fenced-in compound area will surround the turbine base with a parking area for two maintenance vehicles and a gravel access road." The Commission finds that any potential approval of the proposed project shall require the Applicant to submit bid-level engineered grading & drainage plans, runoff calculations, detailed erosion control plans, and an updated Stormwater Pollution Prevention Plan for staff review and approval in order to ensure compliance with applicable MPS in RPP Section 7 (Stormwater Quality).

WRF2. According to RPP Water Resources Classification Map I, the entire project site is situated in a Potential Public Water Supply Area (PPWSA) and the area proposed for Turbine 7 is an existing Zone II / Wellhead Protection Area (WPA).

WRF3. Upon request by the Applicant, at the September 8, 2010 Buzzards Bay Water District meeting the Board discussed the possibility of releasing the area from its Potential Public Water

Supply Area designation. In a September 13, 2010 email, Barry Woods, Superintendent of the Buzzards Bay Water District, wrote "After consideration and due diligence, the Board made the following determination. A motion was made, seconded and unanimously voted to indefinitely postpone any action on the proposed request for undesignation of the Cape Cod Commission Potential Public Water Supply Area. The Board in its wisdom and by authority of its responsibilities chose to stand as the environmental stewards of the District and in support of the Commissions Potential Public Water Supply Area for existing and future potential sites/sources. As Commissioners of the public water system, this is the action that they have chosen to take in reference to the undesignation request." The Town of Bourne's decision to maintain this Potential Public Water Supply Area designation and refusal to lift such designation indicates its desire to maintain the area located as an area from which the residents of Town of Bourne will potentially draw their drinking water.

WRF4. The Commission finds that Regional Policy Plan Water Resources Goal 2 is "To maintain the overall quality and quantity of Cape Cod's groundwater to ensure a sustainable supply of untreated high-quality drinking water."

WRF5. The Commission finds that Regional Policy Plan Waste Management Goal 1 is "To protect Cape Cod's drinking water by prohibiting land use activities involving the handling, storage, and disposal of hazardous materials and wastes that pose a significant threat to groundwater supplies."

WRF6. Minimum Performance Standard WR2.2 (Prohibition on Hazardous Materials/Wastes) of the Regional Policy Plan states that "Development and redevelopment that involves the use, treatment, generation, handling, storage, or disposal of Hazardous Materials or Hazardous Wastes, with the exception of household quantities, shall not be permitted in Wellhead Protection Areas, except as provided in WM1.2 and WM1.3."

WRF7. The Commission finds that the proposed development is that of four wind turbines. Application materials state that "each turbine utilizes approximately 490 gallons of high-grade, petroleum-based lubricant, including oils, cooling liquids, and a small amount of grease in its mechanical operation." Therefore, the Commission finds that this proposed development involves the treatment, generation, handling, storage, or disposal of Hazardous Materials and/or Hazardous Wastes.

WRF8. Minimum Performance Standard WM1.1 (Hazardous Materials/Waste Restrictions) of the Regional Policy Plan states that "Development and redevelopment that involves the use, treatment, generation, handling, storage, or disposal of Hazardous Materials and/or Hazardous Wastes, with the exception of Household Quantities or less, shall not be allowed within Wellhead Protection Areas and Potential Public Water Supply Areas, except as provided in WM1.2 and WM1.3."

WRF9. The 2009 Regional Policy Plan definition of Hazardous Material is: "Any chemical or substance that when released into the environment will pose a significant contaminant threat to groundwater and drinking water supplies, including petroleum products, petroleum distillates, organic and inorganic solvents, oil-based paints, oil-based stains, insecticides, herbicides, rodenticides, and pesticides. Hazardous Materials do not include Hazardous Wastes, Articles, Consumer Products, and Cosmetics."

WRF10. The 2009 Regional Policy Plan definition of Hazardous Waste is: "Any Hazardous Waste, Universal Waste or Waste as defined in the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000. Hazardous Wastes do not include Hazardous Materials and bio-medical wastes regulated by 105 CMR 480.000.

WRF11. The 2009 Regional Policy Plan definition of Household Quantity of Hazardous Material or Hazardous Waste is: "Any combination, or all of the following: (a) 275 gallons or less of oil on site at any time to be used for heating of a structure, or to supply an emergency generator; and (b) 25 gallons or equivalent dry weight, total, of Hazardous Material(s) on site at any time, excluding oil for heating of a structure or to supply an emergency generator; and (c) A quantity of Hazardous Waste generated at the Very Small Quantity Generator level as defined in the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000 and which is accumulated or stored in 55 gallons or less at any time on the site."

WRF12. Minimum Performance Standard MPS WM1.2 (Credit for Redevelopment) of the Regional Policy Plan states that "Redevelopment within Wellhead Protection Areas that involves use, treatment, generation, handling, storage, or disposal of Hazardous Materials and/or Hazardous Wastes may be allowed to exceed the limits in WM1.1 provided that the quantity of hazardous materials is less than the quantity from the prior use and provided adequate documentation of the previous volume is approved by the Commission."

WRF13. The Commission finds that MPS WM1.2 does not apply to this proposed development because the locations of Turbines 1, 2, 5 and 7 are within undeveloped woodland and therefore do not constitute redevelopment.

WRF14. Minimum Performance Standard MPS WM1.3 (Credit for Removal of Development) of the Regional Policy Plan states that "Development and redevelopment within Wellhead Protection Areas that involves the use, treatment, handling, storage, or disposal of Hazardous Materials and/or Hazardous Wastes may be allowed to exceed the quantity limits of hazardous materials in WM1.1 up to, but not exceeding the amount that the development or redevelopment permanently eliminates at another facility, project, or site within the same Wellhead Protection Area and provided adequate documentation of the volume eliminated is approved by the Commission."

WRF15. The Commission finds that the project is proposed in undeveloped areas consisting of undeveloped woodland and is considered new development. As such, the Commission finds that MPS WM1.2 does not apply to the proposed development.

WRF16. The Commission finds that the project is proposed in undeveloped areas consisting of undeveloped woodland and is considered new development. As such, the Commission finds that MPS WM1.3 applies to the proposed development.

WRF17. The project proposes a total of 2,132 gallons of vegetable oil-based transformer coolant, or 533 gallons per turbine. Application materials indicate the vegetable oil-based transformer fluid is identified by the Material Safety Data Sheet (MSDS) as Envirotemp® FR3™ fluid. Application materials state the fluid "is composed of >98.5% vegetable oil and <1.5% additives (e.g., antioxidants and color)." The Environmental Technology Verification Report submitted as part of the application materials further states that, "Although the components of Envirotemp® FR3™ fluid are food-grade, this product was not intended for human consumption and should not be used as a food product." Further, the Environmental Technology Verification Report

submitted as part of the application materials states that, "Based on the MSDS information on Envirotemp® FR3™'s antioxidants, Envirotemp® FR3™ fluid may produce carbon monoxide, carbon dioxide, nitrogen oxides, and other toxic compounds when the antioxidants thermally decompose."

WRF18. The Commission finds that 1.5% of the vegetable oil-based transformer fluid is a Hazardous Material pursuant to the Regional Policy Plan definition, in that if released, it will pose a significant contaminant threat to groundwater and drinking water supplies.

WRF19. The Commission finds that 32 gallons of vegetable oil-based transformer coolant, or 533 gallons per turbine, exceeds a Household Quantity as defined by the Regional Policy Plan, which is limited to 25 gallons or its dry weight equivalent of Hazardous Materials.

WRF20. The Commission finds that 32 gallons of vegetable oil-based transformer fluid proposed for the four turbines qualifies as a Hazardous Material and exceeds a Household Quantity.

WRF21. Application materials list "Hazardous Materials Amounts" for the turbines as "high-grade, petroleum-based lubricant, including oils, cooling liquids, and a small amount of grease in its mechanical operation." The project proposes a total of 1,945 gallons of petroleum-based lubricants, greases and coolants within the wind turbines (490 gallons per turbine for Turbines 1, 2 and 5, and 475 gallons per turbine for Turbine 7).

WRF22. The Commission finds that the petroleum-based lubricants, greases and coolants meet the Regional Policy Plan definition of Hazardous Material.

WRF23. The Commission finds that the 1,945 gallons of petroleum-based lubricants, greases and coolants, or (490 gallons per turbine for Turbines 1, 2 and 5, and 475 gallons per turbine for Turbine 7), exceeds a Household Quantity as defined by the Regional Policy Plan.

WRF24. The Commission finds that the 1,945 gallons of petroleum-based lubricants, greases and coolants proposed for the four turbines is as a Hazardous Material and exceeds a Household Quantity.

WRF25. The project's construction phase proposes the transfer of an estimated 6,000 to 9,000 gallons of diesel fuel from mobile fuel trucks to construction equipment over the course of approximately four to five weeks. According to the Fueling Plan submitted with the application, *"Vehicles to be refueled on site may include bulldozers, front end loaders, graders, compactors, excavators, backhoes, air compressors, and high lift cranes. To minimize the extent of vehicle fueling conducted on site during construction of the project, personal vehicles, dump trucks, concrete trucks, material delivery trucks, watering trucks and pickup trucks shall not be fueled on site."*

WRF26. The Commission finds that the diesel fuel proposed for refueling activities meets the Regional Policy Plan definition of a Hazardous Material.

WRF27. The Commission finds that the diesel fuel proposed for refueling activities is not required to be offset pursuant to MPS WM1.3 because that fuel currently exists at the Cape Cod Aggregates portion of the site.

WRF28. The Commission finds the total amount of Hazardous Materials for Turbines 1, 2, and 5 is 1,494 gallons (1,470 gallons of petroleum-based lubricants, greases and coolants + 24 gallons of vegetable-oil based transformer fluid).

WRF29. The Commission finds the total amount of Hazardous Materials requiring offsets for Turbine 7 is 483 gallons (475 gallons of petroleum-based lubricants, greases and coolants + 8 gallons of vegetable-oil based transformer fluid).

WRF30. The Applicant proposes to generate a total of 520 gallons of waste gear oil and 16 gallons of waste coolant, or 130 gallons of waste gear oil and 4 gallons of waste coolant per turbine. The supplemental application materials dated July 29, 2011 list the "Hazardous Waste due to periodic maintenance" as "520 gallons of gear oil every 2-4 years" and "16 gallons of coolant every 2-4 years". In the "Hazardous Waste Generation" section of the application materials, the Applicant states, "depending on the amount of maintenance performed in a given month, the quantity may exceed the limits for a Very Small Quantity Generator."

WRF31. The Commission finds the waste gear oil and waste coolant meet the Regional Policy Plan definition of Hazardous Waste.

WRF32. The Commission finds 130 gallons of waste gear oil and 4 gallons of waste coolant per turbine exceed a Household Quantity as defined by the Regional Policy Plan. A Household Quantity of Hazardous Waste as defined by the RPP is "(c) A quantity of Hazardous Waste generated at the Very Small Quantity Generator level as defined in the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000 and which is accumulated or stored in 55 gallons or less at any time on the site. The application materials state the quantity of hazardous waste generation "may exceed the limits for a Very Small Quantity Generator."

WRF33. The Commission finds that the total amount of Hazardous Waste for Turbines 1, 2 and 5 is 134 gallons per turbine. The Commission finds that any potential approval of the proposed development would require that the waste gear oil and waste coolant be replaced one turbine at a time. As a result of this condition, the Commission further finds that the total amount of Hazardous Waste required to be offset for Turbines 1, 2 and 5 is 134 gallons.

WRF34. The Commission finds the total amount of Hazardous Waste for Turbine 7 is 134 gallons.

WRF35. The Commission finds the total amount of Hazardous Materials and Hazardous Wastes for the four turbines is 2,245 gallons.

WRF36. The Commission finds that in accordance with Minimum Performance Standards WR2.2, WM1.1 and WM1.3, the only way the 2,245 gallons of Hazardous Materials and Hazardous Wastes may be allowed to exceed a Household Quantity is to offset the amount the development permanently eliminates at another facility, project or site within the same Wellhead Protection Area provided adequate documentation is approved by the Commission.

WRF37. In order to offset the Hazardous Materials and Hazardous Wastes, to meet WM1.1 and WM1.3, as part of the project's offset proposal, the Applicant proposed to not install a 4,000-gallon above-ground storage tank (AST) from the Cape Cod Aggregates portion of the site. The Commission finds that the Applicant filed its original DRI application for this development on July 2, 2010. Cape Cod Aggregates requested an installation permit from the State Fire

Marshall on October 6, 2010. The Commission further finds that no permits for this tank existed at the time of the original DRI, nor was this tank in use at the Cape Cod Aggregates site. At the time of DRI application, a final permit had not been issued for the tank pending proper installation and inspection by the Bourne Fire Department.

WRF38. The Commission finds that the 4,000-gallon AST being proposed as an offset is not being eliminated, as it does not meet the standard. The Commission finds that an applicant cannot introduce hazardous materials onto a site for purposes of receiving a credit for its offset. The Commission further finds that prior to the original DRI application, the permits and permissions for this oil tank did not exist. The Commission finds that the Collins English dictionary defines eliminate as "to remove or take out." The Commission concludes that the Applicant cannot remove something that did not exist on the site.

WRF39. The Commission finds that the 4,000-gallon AST being proposed as an offset is not being permanently eliminated in that there is no written deed restriction in the record or other mechanism which would guarantee in perpetuity that the same hazardous material would not be reintroduced into the site at a later date. The Commission finds that the Applicant has not provided adequate documentation.

WRF40. The Commission finds that the 4,000-gallon AST was proposed on the Cape Cod Aggregates portion of the site in the Potential Public Water Supply Area and as such would have been removed from the same Potential Public Water Supply Area as Turbines 1, 2 and 5.

WRF41. The Commission finds that the tank was proposed at the Cape Cod Aggregates portion of the site. The Commission finds that the Cape Cod Aggregates site is part of the Applicant's development site. On their application materials, the Applicant states, "A portion of the site contains the ongoing Cape Cod Aggregates gravel operation, which encompasses approximately 140 acres." Because the proposed tank is located on-site, the proposed offset is not at "another facility, project, or site."

WRF42. The Commission finds that there is not adequate documentation of the proposed volume to be eliminated as part of the proposed offset.

WRF43. The Commission further finds that the project does not comply with MPS WR2.2, WM1.1, and WM1.3 for Turbines 1, 2 and 5 as the project is introducing 1,494 gallons of Hazardous Materials and 134 gallons of Hazardous Waste to the site and is offsetting zero (0) gallons of Hazardous Materials.

WRF44. The Commission finds that the Applicant has not proposed any offsets for Turbine 7. The Commission finds that the Applicant has not met its burden to show offsets for Turbine 7. In a letter dated August 9, 2011 from Attorney Diane Tillotson on behalf of the Applicant, the Applicant states "Mr. Ingersoll, on behalf of the Project, has contacted a number of potential users of oil in the Zone II Wellhead Protection District in which the proposed Turbine 7 is to be located. As a result of these conversations, at least one person has expressed a willingness to allow the New Generation Wind project to replace a qualifying oil tank in order to meet the Minimum Performance Standards. This individual, however, does not wish his name to be released and made part of the public record unless and until New Generation Wind has received approvals from the Commission and the Town." The Applicant acknowledged at the October 27, 2011 subcommittee meeting that the Commission did not have enough information to make a determination on their proposed offset's compliance with the Minimum Performance Standards.

The Applicant also expressed no intent to come forward with any additional information at the Commission's November 10, 2011 public hearing to show fulfillment of the Commission's offset requirements. Therefore, the Commission finds that there is not enough information to determine whether the Applicant's proposed offset is to be permanently eliminated at another facility, project, or site, whether it was proposed to be removed from the same Wellhead Protection Area, nor whether there is adequate documentation of the volume eliminated.

WRF45. The Commission finds that the project does not comply with MPS WR2.2, WM1.1 and WM1.3 for Turbine 7 as the project is introducing 483 gallons of Hazardous Materials and 134 gallons of Hazardous Waste to the site and is offsetting zero (0) gallons of Hazardous Materials.

WRF46. The Applicant has requested that the flexibility clause be applied to MPS WR2.2 and WM1.1 in that their alternate approach of containment be allowed for spills of hazardous materials. The Commission finds that the interests protected by MPS WR2.2 and WM1.1 of protecting the groundwater and drinking water from contamination by complete avoidance may not be achieved by the alternate approach of containment because the risk of contaminants going into the water supply are not achieved in that containment is not 100% effective the way avoidance is. Limits on Hazardous Materials amounts are viewed as a zero-risk standard for protecting drinking-water supplies, in contrast to containment which involves some increased level of risk when human error or acts of nature are factored. The Commission finds that no procedures or technologies are as protective as a prohibition on the use, treatment, generation, handling, storage, or disposal of Hazardous Materials or Hazardous Waste in drinking water supply areas as provided for by MPS WR2.2 and WM1.1.

WRF47. The Applicant proffered the use of the flexibility clause and offered other DRIs as precedent for doing so: Barnstable Municipal Airport (DRI/EIRO6011), Cape Cod Mall (TR96025), and BJs (TR20031). The Commission finds that these Developments of Regional Impact are not probative on this case because the applicable Regional Policy Plan to those DRIs were the 1996 and 2002 Regional Policy Plans, which did not contain the protections of Water Resources standard WR2.2 and Waste Management standards WM1.1 because those standards were not contained therein. These newly drafted provisions are first contained in the 2009 RPP as additional protection of the groundwater and drinking water supplies. As such, WM1.1 and WR2.2 provide a specific method for allowing additional Hazardous Materials through offsets. For this reason, the flexibility clause is not appropriate in this instance.

WRF48. MPS WM1.4 states that "*[d]evelopment and redevelopment in Wellhead Protection Areas and Potential Public Water Supply Areas shall prepare a Pollution Prevention and Emergency Response plan for both the construction phase and normal operations that identifies potential contamination sources, threats of Hazardous Material and Hazardous Waste releases to the environment, describes material storage and handling details, containment and contingency plans for spill response, and documents regular inspection and employee education opportunities.*"

WRF49. The Commission finds that in order to be consistent with MPW WM1.4, any potential approval of the proposed project requires staff review and approval of the Spill Prevention, Control & Countermeasures Plan (SPCCP) and the Fueling Plan in order to ensure compliance with MPS WM1.4.

## **HAZARDOUS MATERIALS / WASTES (Cont.)**

WMF1. MPS WM1.5 requires that “[a]ny development or redevelopment that uses, handles, generates, treats, or stores Hazardous Waste...” be in compliance with the state’s Hazardous Waste regulations and specifies the following three items be provided by Applicants to demonstrate compliance with this requirement for purposes of Commission review:

- 1) notification or registration with the Massachusetts Department of Environmental Protection as a generator of Hazardous Waste,
- 2) a written plan to manage the Hazardous Waste prior to disposal,
- 3) a signed contract with a registered, licensed company to dispose of Hazardous Waste.

WMF2. The Commission finds that any potential approval of the proposed project shall be conditioned to require the Applicant to submit necessary information for staff review and approval in order to ensure compliance with MPS WM1.5.

## **SOLID WASTE**

SWF1. MPS WM2.1 requires that “[d]evelopment and redevelopment projects shall address the disposal of construction waste...” and that “a plan shall be provided to demonstrate how the applicant proposes to handle solid wastes, construction and demolition waste and recyclable materials currently categorized by the [DEP] as a waste ban material.” MPS WM2.2 describes the requirements of a construction and demolition (C&D) waste management plan. MPS WM2.3 requires a post-construction waste and recyclables management plan, and MPS WM2.4 deals with the management of “significant amounts” of food wastes.

SWF2. Based on materials submitted for the record, the proposed project would generate solid waste from land clearing activities including but not limited to brush, stumps, logs, and chipped wood waste. Based on materials submitted for the record, the proposed project would also generate other solid waste in the form of used pallets, paper, cardboard, packing materials.

SWF3. The Commission finds that any potential approval of the proposed project be conditioned to require the Applicant to submit a waste management plan for staff review and approval in order to ensure compliance with MPS WM2.1, MPS WM2.2, and MPS WM2.3.

## **COASTAL RESOURCES**

CRF1. The Commission finds that this issue area of the RPP does not apply to the proposed project.

## **NATURAL RESOURCES**

NRF1. The Commission finds that the proposed project complies with MPS WET1.1, 1.2, 1.3 and 1.4, and WPH1.1, 1.4, 1.5, and 1.6.

NRF2. The Commission finds that the proposed project complies with MPS WPH1.2 as the clearing of vegetation and alteration of natural topography associated with the project is minimized.

NRF3. The Commission finds that the proposed project complies with MPS WPH1.3 as fragmentation of wildlife and plant habitat is minimized to the extent feasible.

NRF4. The Commission finds that the proposed project complies with MPS OS1.1 as the development is clustered away from sensitive resources to the extent feasible.

NRF5. The Commission finds that the proposed project complies with MPS OS1.2 as the development layout preserves existing open space connections in this part of Bournedale.

NRF6. MPS OS1.3 requires that a project provide permanently protected open space in an amount equivalent to twice the total cleared area for projects located in Significant Natural Resource Areas (SNRA), or 23 acres for this project. The applicant requested application of BDP OS1.10, where the Commission may reduce the open space requirement by 20% if high quality, naturally vegetated open space is provided in SNRA contiguous to existing permanently protected open space and is made permanently accessible to the public. The Commission finds that the open space requirement may be reduced to 18.4 acres pursuant to BDP OS1.10.

NRF7. The Commission finds that proposed development has been designed to minimize impacts to critical wildlife and plant habitat and significant scenic roads and vistas and as such is consistent with MPS OS1.4 (Sensitive Natural Resources).

NRF8. The applicant has offered to permanently protect two parcels; one 9 acres (Parcel 78) and the other 12.83 acres (Parcel 20). Both parcels are located within SNRA, including rare species habitat and public wellhead protection areas. Parcel 20 is also located within the state-designated BioMap Core habitat, making it critical for the protection of state-listed endangered species, and a conservation priority. Both parcels are located adjacent to existing protected open space, and will expand a growing network of protected land in this part of Bournedale. Subtracting the area of utility easements from the two parcels brings the area of open space proposed to 20.46 acres.

The Commission finds that the proposed 20.46 acres of open space complies with OS1.3 with the reduction allowed under BDP OS1.10.

NRF9. The Commission finds that approval of the proposed project would require a condition to require permanent protection of Parcels 78 and 20. The applicant has provided a letter indicating that the Wildlands Trust is interested in holding a conservation restriction on these parcels.

NRF10. The Commission finds that approval of the project would require a condition that the installation of the retaining wall near turbine #7 occurs from above to ensure compliance with OS1.6, which requires development that is adjacent to land held for conservation purposes to be configured so as to prevent adverse impacts to these lands.

NRF11. The Commission finds that the proposed Edgehill Park subdivision Project proposes to construct roads on the parcel (Parcel 78) that is proposed as Open Space for this project. The

Commission finds that the proposed subdivision, if approved by the Town of Bourne, shall not conflict with the open space requirements of any potential approval of this DRI.

NRF12. The Commission finds that MPS OS1.5, 1.7, 1.8 and 2.2 do not apply to the proposed project.

### **TRANSPORTATION**

TF1. MPS TR1.4 (*Standards for Driveway Construction*) requires that all access and egress locations for DRIs meet local, county, and/or state and federal access management bylaws, technical bulletins, standards, and/or policies for driveway spacing and separation from the nearest intersections. The Commission finds the project complies with MPS TR1.4.

TF2. MPS TR1.5 (*Route 6 Access/Egress*) states that DRIs that utilize existing access or egress onto limited-access portions of Route 6 provided there is no increase in daily or peak hour traffic volumes utilizing those driveways. As the project will generate two vehicle trips per turbine per month and therefore no significant increase in either daily or peak hour traffic, the Commission finds the project complies with MPS TR1.5.

TF3. MPS TR1.6 requires new utility service to be placed underground where deemed feasible. According to application materials, electrical connections will be via underground electrical lines running from the turbines to existing NSTAR electric lines. As such, the Commission finds that the project complies with MPS TR1.6.

TF4. MPS TR 1.8 states "Acceptable sight distance shall be met and maintained at all access and/or egress locations for DRIs regardless of project traffic generation." Application materials and a letter dated May 2, 1011 (from Joel Kubick of Holmes & McGrath, Inc. to Glenn Cannon, Director of Technical Services, Cape Cod Commission staff) indicates that the project complies with RPP sight distance requirements. As such, the Commission finds that the project complies with MPS TR1.8 (*Sight-distance Requirements*).

TF5. MPS TR2.9 (*Parking Spaces*) state the maximum parking allowed for DRIs shall be no more than the minimum number of spaces required by the town (unless justified by a parking analysis accepted by the Commission). The Applicant is proposing to build two parking spaces at the base of each turbine. In written testimony dated July 28, 2011, Coreen Moore, Town Planner for the Town of Bourne stated that the "table of requirements for parking does not specifically reference parking for wind turbines, but does refer to other uses which shall be determined by the Planning Board during site plan review." The Commission finds that any approval of the proposed project be conditioned to require the project to have no more than the minimum number of parking spaces required by the Town in order to comply with MPS TR2.9.

TF6. MPS TR3.1 states "Regardless of traffic volumes, Level of Service analysis shall be required at all access and/or egress points onto the road system for DRIs". A June 3, 2011 letter from the Applicant requests the use of the flexibility clause. The letter states "*The applicant will not use the driveway after construction except as access for maintenance of the turbines, an average of one maintenance vehicle per turbine per month. If the access/egress is used for any other purpose at some future time, the applicant agrees to realign the driveway in order to comply with construction standards for higher-use access.*" The Commission finds that the Applicant has demonstrated that the project will not generate any significant traffic at the site driveways, therefore the Level of Service at the site driveways will not change due to the project. The

Commission finds that the Applicant has met its burden of proof in demonstrating that the alternative approach is not more detrimental to the protected resource than what would be allowed under MPS TR3.1 and that the use of the flexibility clause in this instance is appropriate in meeting this standard.

TF7. MPS TR3.3 (*Traffic Studies*) states "DRIs shall provide an appropriate traffic study in accordance with the Cape Cod Commission Guidelines for Transportation Impact Assessment..." As the project will be generating an insignificant amount of traffic (two trips per month per turbine) the Cape Cod Commission finds that the preparation of a traffic study is not warranted and that the project complies with MPS TR3.3.

TF8. The Commission finds that the proposed project complies with MPS TR1.4, 1.5, 1.6, 1.8, 2.9, 3.1 and 3.3.

TF9. The Commission finds that MPS TR0.1, 0.2, 0.3, 0.4, 0.5, 1.1, 1.2, 1.3, 1.7, 1.9, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.10, 2.11, 2.12, 2.13, 2.14, 3.2, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, and 3.16 do not apply to the proposed project.

### **ENERGY**

EF1. The first substantive hearing on this project was held prior to the adoption of the May 2011 amendments to the 2009 RPP. As such, the Commission finds that the Energy MPS (E1.7, 1.8, 1.9, 1.10 and 1.11) related to Wind Energy Conversion Facilities do not apply to this proposed development. The Commission further finds that E1.1-E1.6 also do not apply to the proposed development.

### **AFFORDABLE HOUSING**

AHF1. The Commission finds that the proposed development is a commercial DRI as it proposes the sale of energy. As such, the project falls under the "Other" category for the purpose of the affordable housing mitigation required under MPS AH3.1. The Applicant has provided sufficient documentation that the ongoing maintenance and operation of the wind turbines will require fewer than the equivalent of three full-time on-site or contracted employees; therefore, in accordance with Technical Bulletin #10-001 (Guidelines for Calculation of Mitigation for DRIs in "Other" Category for Minimum Performance Standard AH3.1), the Commission finds that the Applicant is not required to provide Affordable Housing mitigation under AH3.1.

AHF2. The Commission finds that MPS AH1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 2.1, 2.2, 2.3, 2.4, 3.2, 3.3, 3.4 and 3.5 do not apply to the proposed project.

### **HERITAGE PRESERVATION AND COMMUNITY CHARACTER**

HPCCF1. There are no historic structures located on the project site, nor is the Applicant proposing to add, alter or demolish an existing structure. As such, the Commission finds that MPS HPCC1.1 (Protection of Historic Structures) is not applicable to the proposed development.

HPCCF2. Bournedale Village is in the vicinity of the project and includes a small collection of historic structures and landscapes related to early development around the herring run. The Public Archaeology Laboratory (PAL) preservation consultants identified the village as eligible for listing on the National Register of Historic Places during prior inventory work in the area.

As such, the Commission finds that Bournedale Village is a cultural landscape (historic vernacular landscape), pursuant to MPS HPCC1.2.

HPCCF3. The Cape Cod Canal is in the vicinity of the project. It is a historically significant canal that Massachusetts Historical Commission (MHC) has previously determined eligible for listing on the National Register of Historic Places for its role in the maritime history of the region, for its three historic bridges, and for its engineering significance. As such, the Commission finds the Cape Cod Canal, including the scenic pullouts, the Herring Run Recreation Area, the Midway Recreation area and the two bridges, is a cultural landscape (historic site) pursuant to MPS HPCC1.2.

HPCCF4. Based on visual simulations prepared by the Applicant titled "Photosimulations" provided by Atlantic Engineering, including "Location "O" – Bourne Bridge Southbound, Location "S" – Canal Rest Area – Cape Side, Location "S2" – Canal Rest Area – Cape Side (Looking North East), Location "T" – Sagamore Bridge, Location "CCC1" – Army Corps of Engineers, Location "CCC3" – Canal Rest Area (Panorama), Location "CCC4" – Canal Rest Area (Panorama #2), and Location "S" – Route 6 Rest Area Canal Overlook" proposed turbines #1, 2 and 7 will be visible from limited areas in Bournedale Village and they will not be visually prominent in views from this landscape. Turbines #1, 2 and 7 will be visible from parts of the Cape Cod Canal, particularly areas at high elevation. These turbines will not be visually prominent from the canal recreation areas because only the upper portions of the turbines will be visible above the trees, and their prominence when viewed from the bridges will be limited by their distance and by the bridge railing structure. As such, the Commission finds that turbines #1, 2 and 7 are located to retain the distinctive qualities of these cultural landscapes and maintain their general scale and character-defining features in compliance with MPS HPCC1.2 (Cultural Landscapes).

HPCCF5. Proposed turbine #5 is located closer to the Cape Cod Canal than the other turbines. Based on the visual simulations prepared by the Applicant titled "Photosimulations" provided by Atlantic Engineering, including "Location "O" – Bourne Bridge Southbound, Location "S" – Canal Rest Area – Cape Side, Location "S2" – Canal Rest Area – Cape Side (Looking North East), Location "T" – Sagamore Bridge, Location "CCC1" – Army Corps of Engineers, Location "CCC3" – Canal Rest Area (Panorama), Location "CCC4" – Canal Rest Area (Panorama #2), and Location "S" – Route 6 Rest Area Canal Overlook", proposed turbine #5 is not expected to have an adverse visual impact from Bournedale Village. Turbine #5 will be visible from the portions of the Cape Cod Canal, including the public recreation areas and the bridges, however, the Commission finds its location will retain the distinctive qualities of these cultural landscapes and maintain their general scale and character-defining features in compliance with MPS HPCC1.2 (Cultural Landscapes).

HPCCF6. In a letter dated May 28, 2010, Massachusetts Historical Commission (MHC) identified the project impact areas for wind turbines #1, 5, 6 and 7 as archaeologically sensitive, noting that the proposed project is located between several core areas of ancient and historic period Native American settlements within the Bournedale area. MHC called for an archaeological survey to locate and identify any significant archaeological resources that could be affected by the project. An Archaeological Survey and Report of the site was conducted by Plymouth Archaeological Rediscovery Project, stating that no significant historic or archaeological resources were identified within the project area. MHC issued a letter on November 15, 2010, stating that no further archaeological investigations were necessary unless project plans changed. MHC subsequently reviewed the revised location of turbine #2 and in a

letter dated August 8, 2011, confirmed that no further archaeological survey work was needed. The proposed project was reviewed by Massachusetts Historical Commission and determined not to impact archaeological resource areas. For these reasons, the Commission finds that the proposed project complies with MPS HPCC1.3 (*Archaeological Sites*). The Commission further finds that no archaeological sites were located on the project site that were eligible for listing on the National Register of Historic Places.

HPCCF7. The proposed project is located within the Bournedale DCPC, which was established in part to protect the rural and scenic character of the area. The project is also located adjacent to the Scenic Highway and the Cape Cod Canal Recreation Area.

HPCCF8. Bournedale Village includes scenic roadways, a collection of historic structures, a herring run, and the Army Corps of Engineers Herring Run Recreation area. As such, the Commission finds Bournedale Village is a scenic area pursuant to MPS HPCC2.3 (*Scenic Roadways & Vistas*).

HPCCF9. The Cape Cod Canal includes multiple public recreation areas, scenic pullouts, and broad views of the waterway and its bridges. Information from the website of the Army Corps of Engineers states the Cape Cod Canal is one of New England's most popular recreational areas with over four million people annually visiting the canal for outdoor activities. Multiple public recreational areas developed by the Corps provide scenic access to the canal, including the Herring Run in Bourne on Route 6 and the Midway Station in Bourne along Sandwich Road. Other key viewing areas for the canal include the scenic parking areas along the scenic highway in Bournedale, the bridges themselves, and the Sandwich Marina area. As such, the Commission finds the Cape Cod Canal is a scenic area pursuant to MPS HPCC2.3 (*Scenic Roadways & Vistas*).

HPCCF10. Based on the visual simulations prepared by the Applicant proposed turbines #1, 2 and 7 will be visible from limited areas in Bournedale Village and they will not be visually prominent. Proposed turbines #1, 2 and 7 will be visible from Canal scenic pull-outs and from the Canal bridges, but because of their distance from these locations they will not be visually prominent and will not present an adverse visual impact. Therefore, the Commission finds turbines #1, 2 and 7 will not present adverse visual impacts to scenic areas in compliance with MPS HPCC2.3 (*Scenic Roadways and Vistas*).

HPCCF11. Proposed turbine #5 is located closer to the Cape Cod Canal than the other turbines. Based on the visual simulations prepared by the Applicant, proposed turbine #5 is not expected to be visible from scenic areas in Bournedale Village. Proposed turbine #5 will be visible from the Cape Cod Canal, including portions of the scenic highway, the scenic pull-outs, and the Canal bridges. Turbine #5 will be more visible from the scenic highway and scenic pull-outs than the other proposed turbines, but its visibility will not present an adverse visual impact to scenic areas and as such the Commission finds it complies with MPS HPCC2.3 (*Scenic Roadways and Vistas*).

HPCCF12. MPS HPCC2.11 requires that *“site lighting and exterior building lights in all development shall meet the following standards:*

- *Employ “shoe-box” type or decorative fixtures, consistent with the architectural theme of the development and which are fully shielded.*
- *Use a mounting configuration that creates a total cutoff of all light at less than ninety (90) degrees from vertical (flood, area, and up-lighting are prohibited).*

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- *Provide total cutoff of all light at the property lines of the parcel to be developed.*
- *Meet a maximum initial horizontal foot-candle level of not more than 8.0 foot-candles, as measured directly below the luminaire(s) at grade."*

HPCCF13. According to information submitted by the Applicant, one or more turbines are likely to be equipped with top-mounted aviation warning beacons as may be required by the Federal Aviation Administration. MPS HPCC2.11 also states in part that "[t]his Minimum Performance Standard shall not apply to aviation warning or marking lights as may be required by the Federal Aviation Administration."

HPCCF14. According to information submitted by the Applicant, exterior lighting would consist of single head pole-mounted lights on 16-foot poles by Visionaire Lighting, American series. The DRI Application narrative and a schematic drawing indicate these lights will be flush mounted to the ground, resulting in an 17 foot, 6 inch maximum mount height. This fixture height and configuration is consistent with requirement that fixture height not exceed 20.0 feet (base + pole + head) per Technical Bulletin 95-001 (as amended 6/11/09).

HPCCF15. The Commission finds that the proposed project complies with MPS HPCC2.11 and that any approval of the proposed project be conditioned to require staff review and approval of proposed lighting including a site visit, to ensure compliance with MPS HPCC2.11 and Technical Bulletin 95-001.

HPCCF16. HPCC2.13 (Underground utilities) requires that all utilities for development shall be placed underground except where the presence of natural features prevents such placement. The Applicant's site plans indicate that all utility lines from the turbines to the proposed interconnection locations will be buried underground. The Commission finds that any approval of the proposed project should be conditioned to require the installation of underground utilities as shown on the plans submitted to ensure compliance with MPS HPCC2.13.

HPCCF17. The Commission finds that MPS HPCC1.4, 1.5, 2.1, 2.2, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.12 and 2.14 do not apply to the proposed project.

#### PROBABLE BENEFIT VERSUS PROBABLE DETRIMENT OF PROPOSED DEVELOPMENT

BDF1. The Commission finds the project's probable benefits include that the project helps meet the State mandate for renewable energy, tax benefits to the municipality, that the project could be an economic stimulator, the green energy rebate program being offered by the project's proponents, the long term evaluation and validation of fitness of purpose that the project would provide, the contribution to lessening dependence on fossil fuels, permanent protection of approximately 20 acres of open space in a Significant Natural Resources Area as further defined in Best Development Practice (BDP) OS1.10, and the contribution this project would provide to the grid.

BDF2. The Commission finds the project's probable detriments include probable negative effects on Bourne's water supply, probable diminishment of property values, probable negative impacts on the local Native American tribe, the proximity of the proposed project to the nearby elementary school, the possibility that this project could detract from tourism, probable health effects of the project, the effect of the project on community morale, and the negative effect on wildlife, including birds and bats.

BDF3. Based on weighing the materials and testimony submitted for the record, the Commission finds that the probable benefit from the proposed development is not greater than the probable detriment. The Commission finds that the probable negative impacts on the residents of Bourne and Cape Cod outweigh the probable economic and energy related benefits the proposed project may potentially provide.

### CONCLUSION

Based on the above Findings, the Commission hereby concludes that:

1. The proposed development is inconsistent with the 2009 Regional Policy Plan, as amended March 2011.
2. The proposed development is consistent with Bourne's Local Comprehensive Plan.
3. The proposed development is consistent with Bourne's development bylaws.
4. The proposed development is consistent with the regulations approved or adopted by the Commission pursuant to section 11 of the Cape Cod Commission Act for the Bournedale District of Critical Planning Concern.
5. The probable benefit from the proposed development is not greater than the probable detriment of the proposed development.

The Commission hereby denies without prejudice the proposal of New Generation Wind, LLC to construct three 2.5 MW wind turbines and one 2.0 MW wind turbine between Route 25 and Route 6 in Bourne, MA, west of the Cape Cod Canal as a Development of Regional Impact pursuant to Sections 12 and 13 of the Cape Cod Commission Act, c. 716 of the Acts of 1989, as amended.

*Peter Graham*  
Peter Graham, Cape Cod Commission Chair

2/16/12  
Date

**COMMONWEALTH OF MASSACHUSETTS**

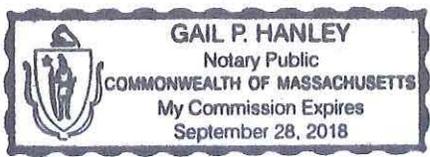
**Barnstable, ss**

Feb 16, 2012

Before me, the undersigned notary public personally appeared

Peter Graham in his capacity as Chairman of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  oath or affirmation of a credible witness, or  personal knowledge of the undersigned.

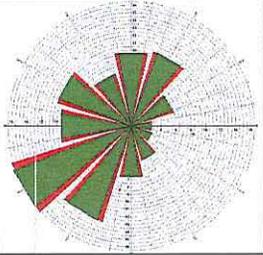
Gail P. Hanley  
Notary Public



My Commission Expires: 9-28-18

<u>OWNER</u>	<u>ASSESSOR PARCEL/REFERENCES</u>	<u>BOOK/PAGE</u>
Tudor G. Ingersoll, Trustee of Bourndale Real Estate Trust	Map 9: Lots 22 & 78	Book 21236, Page 162 (5A) Book 10423, Page 246 (60.45A)
Tudor G. Ingersoll, Trustee of Bourndale Real Estate Trust	Map 9: Lots 78.01 & 78.02	Book 10423, Page 246
Tudor G. Ingersoll, Trustee of Panhandle Trust	Map 10: Lot 9	Book 7808, Page 236 (Approx. 194A)
Cape Cod Aggregates Corp.	Map 10: Lots 10 & 10.01 Map 16: Lots 7,8,9 & 10	Book 9518, Page 210 (126A) Book 13392, Page 246 (57A) Book 22533, Page 248 (5.96A)
Samuel A. Lorusso	Map 15: Lots 46-60 Map 16: Lots 2,6,18, 20-27, 42, 44-60, 55.01, 68-75, 78-105	Book 14227, Page 190 Book 22110, Page 238
Olivia Grace LLC	Map 16: Lots 28, 29, 33, 62	Book 22784, Page 237 (Lot 11) Book 22229, Page 289 (Lot 29) Book 22700, Page 266 (Lot 9) Book 21155, Page 308 (Lot 10)
Tudor G. Ingersoll, Trustee of Heather Hill Road Realty Tr. 36	Map 16: Lot 40	Book 16428, Page 172

"Exhibit A"



WIND ROSE GRAPH



LEGEND	
	GROUND CONTOURS
	LOT LINES
	LOCUS PARCEL
	CLEAR ZONE
	BLADE SWEEP
	WETLANDS
	NHESP 2008 PRIORITY HABITATS
	ZONE II TO TOWN WELLSITES

INFORMATION COMPILED FROM MASS GIS AND THE TOWN OF BOURNE WEB SITES. 2011.07.08 15-14-13 REVISED P.L.C.

**Atlantic** DESIGN ENGINEERS, L.L.C.  
 P.O. Box 1051, Sandwich, MA 02563 (508) 888 - 9282

Designed by:		<p>SCALE</p> <p>SCALE 1" = 400'</p>	DATE				
Drawn by:			NO.	BY	DATE	REVISION	
Checked by:							
Survey chk. by:							
Approved by:							

PREPARED FOR:  
 NEW GENERATION WIND, LLC  
 P.O. BOX 96  
 HYANNIS, MA 02601

CONCEPTUAL WIND TURBINE SITING PLAN  
 FOR  
 NEW GENERATION WIND PROJECT  
 BOURNE, MASSACHUSETTS  
 JULY 14, 2011

Sheet 1 of 1  
 JOB NUMBER 2634.02

**New Generation Wind Project**  
**Materials Submitted for the Record**  
**Exhibit B**

<b>TABLE 1: Materials Submitted for the Record</b>	
<i>Materials from Cape Cod Commission</i>	<i>Date Sent</i>
Email from Page Czepiga (PC) to John Lipman (JL), Diane Tillotson (DT) re: confirming receipt of fee reduction request, please clarify total disturbed area	3/8/11
Memo from Commission staff to Executive Committee	3/8/11
Email from PC to DT, JL re: attached memo to Executive Committee from Commission staff regarding fee waiver request	3/9/11
Email from PC to JL, DT re: confirming application filing appointment	3/11/11
Email from PC to JL, DT re: can reschedule for a later meeting	3/11/11
Email from PC to JL, DT re: please confirm today	3/11/11
Email from PC to Mark Hebb re: filing fee paid and next steps	3/15/11
Email from PC to Commission Staff re: provide application completeness comments	3/15/11
Email from PC to JL re: confirming receipt of abutters list	3/17/11
Email from PC to Mark Hebb re: submitting testimony	3/23/11
Email from PC to JL re: drafting letter regarding application completeness	3/24/11
Letter from PC to JL, DT re: application completeness	3/28/11
Email from PC to JL, DT re: attached letter regarding application completeness	3/28/11
Email from PC to Paul Revere re: forwarded email	3/29/11
Email from PC to CM re: attached letter from Paul Revere	3/29/11
Email from PC to Coreen Moore (CM), Bourne Town Planner re: wanted to make town aware of letter	3/29/11
Email from PC to JL, DT re: attached three public comment letters	3/30/11
Email from PC to JL, DT re: attached letter from Paul Revere and out of office dates	3/30/11
Email from PC to CM re: want to receive copies of all public comment letters?	3/30/11
Email from PC to Jamie Sloniecki re: Executive Committee and New Generation Wind project fee waiver	3/30/11
Email from PC to Jamie Sloniecki re: attached draft minutes from 3/14/11 Executive Committee meeting	3/30/11
Email from PC to CM re: attached 3 letters from Trish Pye	3/31/11
Email from PC to JL, CM re: attached letter from MA Division of Fisheries & Wildlife	3/31/11
Email from Taree McIntyre to PC re: add email to notification list	4/1/11
Email from PC to JL, DT, CM re: attached letter from Scott MacFaden	4/7/11
Email from PC to JL, DT, CM re: attached letter from Eric Bibler	4/7/11
Email from PC to Commission staff re: need application completeness comments	4/13/11
Email from PC to JL, DT, CM re: attached information pertaining to CVEC and funding of wind projects from Eric Bibler, part 1 of 4	4/14/11
Email from PC to JL, DT, CM re: see above, part 2 of 4	4/14/11
Email from PC to JL, DT, CM re: see above, part 4 of 4	4/14/11
Email from PC to JL, DT, CM re: see above, part 3 of 4	4/14/11
Email from PC to JL, DT, CM re: attached letter from Eric Bibler	4/19/11
Email from PC to Ann Gratis re: thank you	4/21/11

Email from PC to commission staff re: application incomplete letter sent	4/21/11
Email from PC to JL, DT re: attached letter regarding items needed for application completeness	4/21/11
Letter sent from PC to JL, DT, CM re: items needed for application completeness	4/21/11
Letter from Gail Hanley (Commission Clerk) to JL re: billing information and attached public hearing notice	4/25/11
Hearing notice regarding procedurally opening the DRI hearing period by hearing officer to meet statutory timeframes	n/a
Email from PC to JL, DT re: hearing notice (see above)	4/26/11
Email from PC to subcommittee members re: public hearing date	4/27/11
Email from PC to JL, DT, CM re: attached letter regarding application completeness and public hearing information	4/28/11
Letter from PC to JL, DT, CM, et.al re: application completeness and public hearing information	4/28/11
Letter from Gail Hanley to John Lipman re: billing information and attached hearing notice	4/28/11
Hearing notice regarding first substantive DRI public hearing	n/a
Email from PC to H. Luecke, P. Revere, C. Senie, E. Bibler, M. Hebb, T. Buerino, C. Moore, B. Doyle, M. Donald, M. Relin, J. Sloniecki, L. Manter, Rogers, P. Ribnick, S. Bowen, D. O'Connell, L. Green, D. Barth, H. Wysocki, M. O'Connor, annchrispic, jdadornback, captndon40sail, re: attached hearing notice	4/29/11
National Electric Transmission Congestion Study (December 2009); U.S. Department of Energy	n/a
Press Release from ISO-New England re: 2010 Regional System Plan Details power Grid Progress and Initiatives (released October 28, 2010)	n/a
Army Corps of Engineers information on the Cape Cod Canal	n/a
Inventory of Historic Properties in Bournedale	n/a
Information from MassDOT on Bourne and Sagamore Bridges	n/a
Acceptance of Bournedale DCPC decision and ordinance establishing Bournedale DCPC	n/a
Bournedale Overlay District (zoning)	n/a
Email from PC to Eric Bibler re: application is complete and public hearing date	4/29/11
Email from PC to Hendrik Luecke re: testimony at hearings	5/2/11
Email from PC to Ann Gratis re: thank you	5/2/11
Email from Glenn Cannon to Joel Kubick (Holmes & McGrath) re: copy regulatory officer on all correspondence	5/3/11
Email from PC to Roger Hagen re: attached site plans, FTP instructions	5/4/11
Email from PC to John Baci re: attached site plans	5/4/11
Email from PC to DT re: potential 2 <sup>nd</sup> public hearing dates	5/4/11
Email from PC to Don MacPhee re: attached minutes from 3/14/11 executive committee meeting	5/6/11
Staff Report for the New Generation Wind Project to be presented at 5/17/11 public hearing	5/10/11
Email from PC to JL, DT, CM re: attached staff report	5/10/11
Memo from PC to subcommittee re: attached staff report, electronic copy of DRI application, attached correspondence from local officials, attached public comment letters	5/10/11
Email from PC to DT re: tentative date for second hearing, extended testimony	5/11/11
Email from PC to JL, DT, CM re: attached comment letter from D. MacPhee	5/11/11
Email from PC to JL, DT, CM re: attached comment letter from P. Revere	5/11/11

New Generation Wind Project- resubmittal (TR#11006)

Materials Submitted for the Record

Email from PC to JL, DT, CM re: attached comment letter from D. MacPhee	5/11/11
Email from PC to JL, DT, CM re: attached comment letter from D. MacPhee	5/11/11
Minutes from pro-forma hearing to open the hearing period	5/12/11
Memo from PC to subcommittee members re: attached public comment letters and DRI application	5/12/11
Email from PC to subcommittee members re: site visit start time	5/13/11
Email from PC to JL, DT re: site visit start time	5/13/11
Email from PC to JL, DT, CM re: attached comment letter from P. Revere	5/16/11
Email from PC to Peggy Burke re: will provide copies of letter to subcommittee	5/16/11
Email from PC to JL, DT, CM re: attached comment letter from D. MacPhee	5/16/11
Email from PC to JL, DT, CM re: attached comment letter from D. MacPhee	5/16/11
Email from PC to JL, DT, CM re: attached comment letter from P. Burke	5/16/11
Email from PC to JL, DT, CM re: attached comment letter from P. Revere	5/16/11
Email from PC to JL, DT, CM re: attached comment letter from G. MacPhee	5/16/11
Email from PC to JL, DT, CM re: attached comment letter from D. Keeran	5/16/11
Email from PC to DT, JL re: 30 minutes for presentation	5/16/11
Email from PC to JL, DT, CM re: attached comment letter from C. Senie	5/16/11
Memo from PC to subcommittee members re: attached public comment letters	5/16/11
Email from PC to JL, DT, CM re: attached comment letter from J. Brennan	5/17/11
Email from PC to JL, DT, CM re: attached corrected comment letter from J. Brennan	5/17/11
Email from PC to JL, DT, CM re: attached comment letter from M. Hebb	5/17/11
Email from Andrea Adams to Mike Fletcher re: turbine #7 and offsets	5/17/11
Copy of presentation given at 5/17/11 public hearing	5/17/11
Email from PC to Heather Wysocki re: forwarded question to Jessica Wielgus	5/18/11
Email from PC to JL re: will call tomorrow	5/18/11
Email from PC to John Brennan re: hand delivered testimony to subcommittee	5/19/11
Email from PC to JL, DT, CM re: attached request from C. Senie for extended testimony	5/19/11
Email from PC to Chris Senie re: confirming receipt of request	5/19/11
Email from PC to JL, DT, CM re: attached letter from W. Nagle	5/19/11
Email from Nancy Hossfeld to PC re: press release for New Generation	5/23/11
Email from PC to Gail Larsen re: attached draft minutes from 3/14/11 executive committee meeting	5/24/11
Email from PC to JL, DT, CM re: attached request from H. Luecke for extended testimony	5/24/11
Email from PC to JL, DT, CM re: attached public comment letters from L. Gelbian (NSTAR), M. Geist, C. Senie, and B. Nagle	5/24/11
Email from PC to JL, DT, CM re: attached public comment letters from L. Gelbian (NSTAR), S. Cote, S. Zeien, M. Giancola, R. Conron, C. Senie, and W. Nagle	5/24/11
Hearing notice for continued public hearing for June 16, 2011	n/a
Memo from PC to subcommittee re: attached information from the applicant and attached public comment letters	5/25/11
Email from Gail Hanley to Barry Johnson (Bourne Town Clerk) re: attached hearing notice for posting	5/25/11
Email from PC to JL, DT, CM re: attached hearing notice for June 16, 2011 hearing	5/25/11
Email from PC to Eric Bibler re: resubmitting previous testimony	5/26/11
Email from PC to Liz Argo re: attached information explaining expanded testimony process	5/31/11

Email from PC to Robert McCunney re: clarify if speaking as individual	5/31/11
Email from PC to JL, CM re: reminder of 14 day rule	5/31/11
Email from PC to subcommittee members re: potential hearing dates	6/1/11
Email from PC to D. Sheadel re: confirming receipt of request, inquiry re: presentation time	6/1/11
Email from PC to subcommittee members re: potential hearing dates correction	6/2/11
Email from PC to JL re: provide information today	6/2/11
Email from PC to C. Senie re: thank you	6/2/11
Email from PC to DT, JL re: potential public hearing dates	6/3/11
Email from PC to DT re: confirming receipt of letter	6/3/11
Email from PC to subcommittee re: attached letter from applicant revising site plan/eliminating 2 turbines	6/3/11
Memo from PC to subcommittee re: attached information from applicant and attached public comment letters	6/3/11
Email from PC to subcommittee re: attached email left out of packets	6/3/11
Email from PC to Eve Schluter (Natural Heritage and Endangered Species Program) re: attached letter and revised site plan	6/3/11
Email from PC to: H. Luecke, P. Revere, C. Senie, E. Bibler, M. Hebb, T. Guerino, C. Moore, B. Doyle, M. Donald, M. Relin, J. Sloniecki, L. Manter, Rogers, P. Ribnick, S. Bowens, D. O'Connell, L. Green, A. Chrispic, D. Barth, H. Wysocki, M. O'Connor, D. MacPhee, JDadornback re: proposed revisions to site plan/elimination of turbine	6/9/11
Email from PC to those who requested extended testimony re: attached sheet with order/time allotments for extended testimony	6/9/11
Memo from PC to subcommittee re: extended testimony order and attached public comment letters	6/10/11
Email from PC to Mark Hebb re: can not open attached petitions and did not receive signed petitions 1	6/13/11
Email from PC to Richard Moore re: confirming receipt	6/13/11
Email from PC to JL, DT, CM re: attached public comment letters from D. Mann, R. Spurling, A. Kennedy, R. Conron, D. MacPhee, R. Carlson, R. Moore, M. Hebb	6/13/11
Email from PC to L. Manter re: confirming receipt of letter	6/13/11
Email from PC to JL, DT, CM re: attached letter from L. Manter	6/13/11
Email from PC to subcommittee members re: hearing reminder	6/13/11
Email from Jessica Wielgus (Commission Counsel) to majority of CCC members, S. Bowen re: communication policy and lecture series invitation	6/13/11
Email from Jessica Wielgus to S. Bowen re: please provide information to be sent to all members	6/13/11
Email from Jessica Wielgus to S. Bowen re: 20 copies	6/13/11
Email from PC to Hendrik Luecke re: confirming receipt	6/14/11
Email from PC to Don MacPhee re: can not adjust time frames	6/14/11
Email from PC to D. Manter re: confirming receipt	6/14/11
Email from PC to C. Senie re: confirming receipt	6/14/11
Email from PC to L. Green re: record is open	6/14/11
Email from PC to D. MacPhee re: extended testimony order	6/14/11
Email from PC to L. Green re: can enter CD into record	6/14/11
Email from PC to CCC staff re: information needed to analyze revised proposal for consistency with RPP	6/14/11
Email from PC to H. Luecke re: confirming receipt	6/15/11

Email from PC to P. Burke re: will forward to subcommittee, no body deliberating on WECF MPS	6/15/11
Email from PC to D. Manter re: confirming receipt	6/15/11
Email from PC to JL, DT, CM re: attached 1 <sup>st</sup> batch of public comment letters	6/15/11
Email from PC to JL, DT, CM re: attached 2 <sup>nd</sup> batch of public comment letters	6/15/11
Email from PC to JL, DT, CM re: attached 3 <sup>rd</sup> batch of public comment letters	6/15/11
Email from PC to JL, DT, CM re: attached 4 <sup>th</sup> batch of public comment letters	6/15/11
Email from PC to JL, DT, CM re: attached 5 <sup>th</sup> batch of public comment letters	6/15/11
Email from PC to JL, DT, CM re: attached 6 <sup>th</sup> batch of public comment letters	6/15/11
Email from PC to JL, DT, CM re: attached 7 <sup>th</sup> batch of public comment letters	6/15/11
Email from PC to JL, DT, CM re: attached 8 <sup>th</sup> batch of public comment letters	6/15/11
Email from PC to JL, DT, CM re: attached 9 <sup>th</sup> batch of public comment letters	6/15/11
Memo from PC to subcommittee re: attached extended testimony order/teim allotments and copies of presentations and public comment letters	6/16/11
Email from PC to S. Ratey re: confirming receipt	6/16/11
Email from PC to JL, DT re: requesting additional information for revised proposal	6/16/11
Memo from PC to subcommittee re: attached information from Applicant and public	6/17/11
Email from PC to C. Pineda re: confirming receipt of letter	6/17/11
Email from PC to P. Burke re: confirming receipt of letter	6/17/11
Email from PC to P. Burke re: confirming receipt of letter	6/17/11
Email from PC to JL, DT, CM re: attached bound book from C. Senie presented at 6/16/11 public hearing	6/17/11
Email from PC to JL, DT, CM re: attached testimony from: C. Pineda, D. MacPhee, M. Burke, L. Manter, C. Senie, D. Manter, M. Cool	6/17/11
Email from Gail Hanley (Commission Clerk) to Bary Johnson (Bourne Town Clerk) re: please post attached hearing notice	6/17/11
Hearing notice for July 20, 2011 public hearing	n/a
Email from PC to M. Bruce re: speaking at July 20, 2011 public hearing	6/27/11
Email from PC to Jeff Johnson re: file review times	6/27/11
Email from PC to M. Joy re: regulations in effect	6/27/11
Email from PC to JL re: 14-day rule reminder	6/27/11
Email from PC to D. MacPhee re: confirming receipt	6/27/11
Email from PC to D. Macphee re: confirming receipt	6/27/11
Email from PC to S. Bowen re: confirming receipt	6/27/11
Email from PC to JL re: confirming receipt	6/29/11
Letter from PC to M. Gaines re: enclosed audio CDs of minutes	6/29/11
Email from PC to JL, DT, CM re: attached public comment letters from M. Joy, and 2 from D. MacPhee	6/29/11
Email from PC to all CCC members, JL, DT, CM, Paul Niedzwiecki, Ryan Christenberry re: attached link to WebEX presentation from June 14, 2011	6/29/11
Email from PC to H. Luecke re: testimony	6/29/11
Email from PC to JL re: testimony at next hearing	6/29/11
Email from PC to CCC staff re: please provide comments	7/6/11
Email from PC to CCC staff re: attached information regarding project changes due to NSTAR easement	7/6/11
Email from PC to subcommittee re: checking dates for public hearing	7/6/11
Email from PC to JL, DT re: confirming receipt of NSTAR letter/plan revisions and requesting revised site plan (showing distance to nearest structures), clarification re:	7/6/11

if revised photosimulations depict revised locations of #2 & #4, if not please provide revised photosimulations	
Memo from PC to subcommittee members re: attached information from the applicant and public comment letters received since 6/17/11	7/7/11
Email from PC to JL, DT re: check dates for another hearing	7/7/11
Email from PC to K. Owzar re: no GPS coordintes	7/7/11
Email from Peter Graham to PC re: requesting site plan, additional public comment letters	7/8/11
Email from PC to P. Burke re: confirming receipt of letter	7/11/11
Email from PC to D. MacPhee re: confirming receipt of letter	7/11/11
Email from PC to JL, DT re: checking public hearing dates	7/12/11
Email from PC to DT re: need additional information prior to next hearing, subcommittee determines number of hearings	7/12/11
Email from PC to CM re: testimony on project's compliance with DCPC, LCP, Local Zoning	7/12/11
Email from PC to subcommittee members re: will be sending public comment letters and explanation of requested material	7/12/11
Email from PC to S. Riggs re: confirming receipt of letter	7/14/11
Email from PC to J. Longo re: confirming receipt of letter	7/14/11
Email from PC to Commission staff re: elimination of turbine #4	7/14/11
Email from PC to Email from PC to: H. Luecke, P. Revere, C. Senie, E. Bibler, M. Hebb, T. Guerino, C. Moore, B. Doyle, M. Donald, M. Relin, J. Sloniecki, L. Manter, Rogers, P. Ribnick, S. Bowens, D. O'Connell, L. Green, A. Chrispic, D. Barth, H. Wysocki, M. O'Connor, D. MacPhee, JDadornback re: elimination of turbine #4	7/14/11
Email from PC to subcommittee re: elimination of turbine #4 – attached site plan and letter from applicant	7/14/11
Email from PC to DT, JL, CM re: attached public comment letters from M. Cool, P. Revere, P. Burke, D. MacPHee, J. Riha, S. Riggs, J. Longo	7/15/11
Memo from PC to subcommittee re: attached public comment letters from P. Burke, D. MacPhee, J. Riha, Fnhaggerty, S. Riggs, J. Longo	7/15/11
Email from PC to D. MacPhee re: confirming receipt	7/18/11
Email from PC to J. Carlton-Ross re: need laptop?	7/18/11
Email from PC to Liz Argo re: public hearing date and extended testimony	7/18/11
Email from PC to subcommittee members re: public hearing reminder	7/18/11
Email from PC to Henry Oheim at NSTAR re: attached letter from applicant about relocating turbines to comply with NSTAR setbacks	7/19/11
Email from PC to J. Carlton Foss re: please bring presentation on thumb drive	7/19/11
Email from PC to C. Senie re: next hearing	7/19/11
Email from PC to J. Brennan re: testimony	7/20/11
Email from PC to D. Macphee re: extended testimony	7/20/11
Email from PC to Larsmac51 re: providing testimony	7/20/11
Email from PC to D.MacPhee re: providing testimony	7/20/11
Email from PC to J. Brennan re: extended testimony	7/20/11
Email from PC to J. Carlton Foss re: providing extended testimony	7/20/11
Email from PC to DT re: ples provide information prior to August 1, 2011 public hearing	7/20/11
Email from PC to D. MacPhee re: confirming receipt	7/20/11
Email from PC to JL re: providing equipment	7/20/11

Email from PC to J. Carlton-Foss re: directions to hearing	7/20/11
Email from PC to DT re: items that will be requested at hearing this evening	7/20/11
Email from Michael Blanton to D. MacPhee re: please forward all future correspondence to Page Czepiga	7/20/11
Email from Michael Blanton to PC re: forwarded email from D. MacPhee for distribution to subcommittee/project file	7/20/11
Memo from PC to subcommittee members re: attached public comment letters from D. MacPhee (2 letters), S. Harper, D. Manter (two letters), B. Motta, P. Benjamin, M. Fortune, S. Daniels, L. McCarthy	7/20/11
Email from PC to D. MacPhee re: August public hearing information	7/21/11
Email from PC to J. Riha re: confirming receipt	7/21/11
Email from PC to J. Brennan re: next hearing information	7/21/11
Email from PC to RT, DT, JL re: requesting information re: cut and fill	7/22/11
Email from PC to RT, DT, JL re: requesting information re: amount of fuel to be used	7/22/11
Email from PC to CM re: question about parking spaces	7/25/11
Hearing notice for August 1, 2011 public hearing	n/a
Email from Gail Hanley to Barry Johnson re: please post attached hearing notice	7/25/11
Email from PC to J. Carlton-Foss re: will add language, still cannot hear audio	7/25/11
Email from PC to L. Green re: confirming receipt	7/25/11
Email from PC to M. Hebb re: GIS coordinates	7/27/11
Staff Report to be presented at 8/1/11 public hearing	7/28/11
Email from PC to subcommittee members re: attached Staff Report	7/28/11
Email from PC to CM, DT, Kristy Senatori (KS) re: attached staff report, putting information in the record about project's compliance with LCP, DCPC, zoning, parking spaces	7/28/11
Memo from PC to subcommittee re: attached powerpoint presentation from J. Carlton-Foss, attached testimony from J. Brennan, 13 letters from concerned citizens, attached information/testimony from: M. Fletcher, J. Riha, L. Argo, K. Runyon, J. Runyon, M. Hebb, P. Benjamin, C. Senie, L. Bartlett and T. Patterson, L. Green, M. Curran, P. Burke, D. MacPhee (2 letters), L. McLea (with attached CDs from C. Senie (7/20/11 submittal) and Lilli Green (Documents Submitted to the MA DEP/DPH for Expert Panel on 7/19/11)	7/28/11
Memo from PC to DM, DT, JL re: attached CDs: C. Senie's 7/20/11 submittal and 1 from Lilli Green (Documents Submitted to the MA DEP/DPH for Expert Panel on 7/19/11)	7/28/11
Email from PC to JL, DT re: list of items needed to determine compliance with RPP	7/28/11
Email from PC to L. Manter re: confirming receipt	7/28/11
Email from PC to Gail Larsen re: turbine manufacturer	7/28/11
Email from PC to JL, DT, CM re: attached public comment letters from D. MacPhee (two), D. Manter with attached 29 letters from concerned citizens, S. Harper, B. Motta, P. Benjamin, M. Fortune, S. Daniels, L. McCarthy, J. Brannan, 13 letters from concerned citizens	7/28/11
Email from PC to JL, DT, CM re: attached public comment letters from M. Fletcher, J. Riha (two), L. Argo, K. Runyon, J. Runyon, M. Hebb, P. Benjamin, L. Bartlett; note saying C. Senie's information sent under separate cover	7/28/11
Email from PC to JL, DT, CM re: attached public comment letters from L. Green, M. Curran, P. Burke, D. MacPhee (two), L. Mclea	7/28/11
Email from PC to J. Carlton-Foss re: future contact	7/28/11
072811 Staff Report	7/28/11

Materials from 8/1/11 public hearing	8/1/11
Email from Elizabeth Enos (EE) to Chris Kapsambelis confirming receipt of his letter	8/3/11
Email from EE to John Carlton-Foss re: submission of his cd	8/3/11
Email from EE to JL with attached letter from CM	8/3/11
Email from KS to Dan Webb with attached letter from DW in support of project	8/3/11
Email from HM to DT re: NHESP and a NRI	8/8/11
Email from EE to JCF re: problems with sound on cd submitted	8/8/11
Memo from HM to KS re: supp materials filed 7/29/11	8/9/11
Barnstable Municipal Airport 07 Decision	8/9/11
Costco Wholesale Membership Club 94 Decision	8/9/11
Dennis A&P 01 Decision	8/9/11
Cape Light Commons 01 Decision	8/9/11
Email from KS to Kiana Owzar confirming receipt of her email	8/9/11
Email from EE to Glen Berkowitz re: deadline for closing of the record	8/10/11
Memo from EE to subcommittee including materials received for the record since August 1, 2011	8/10/11
Email from EE to Coreen Moore re: next subcommittee meeting	8/11/11
Materials from 8/15/11 subcommittee meeting	8/15/11
Email from EE to subcommittee and applicant re: scheduling	8/16/11
Email from EE to subcommittee to Applicant, subcommittee and Coreen Moore re: next subcommittee meeting	8/22/11
Email from EE to Don MacPhee re: next subcommittee meeting	8/22/11
Email from EE to Gail Larsen-MacPhee re: 9/15 subcommittee meeting	8/23/11
Email from EE to the subcommittee with attached minutes from 8/15 meeting	8/23/11
Email from EE to DT re: large site plan	8/24/11
Email from Gail Hanley to Bourne Town Clerk with attached meeting notice	8/24/11
Email from EE to Lisa Booth re: next subcommittee meeting	9/6/11
Email from EE to subcommittee and applicant re: scheduling	9/6/11
Email from EE to Gail Larsen-MacPhee re: site visit	9/6/11
Memo from EE to subcommittee including draft set of minutes from 8/15/11 meeting	9/8/11
Email from KS to DT with attached extension agreement	9/12/11
Email from EE to subcommittee, CM and applicant reminding them of meeting	9/13/11
Materials from 9/15/11 subcommittee meeting	9/15/11
Email from EE to Don MacPhee re: next meeting	9/16/11
Email from KS to DT re: letter from JI	9/19/11
Email from GH to Bourne Town Clerk re: meeting notice	9/20/11
Email from EE to CM with attached memo from NS	9/22/11
Memo from EE to subcommittee with draft minutes from 9/15, 8/1, 7/20 and memo from NS to KS re: ED4.1	9/23/11
Email from EE to subcommittee and applicant re: scheduling	9/28/11
Materials from 9/29 subcommittee meeting	9/29/11
Email from EE to Gail Larsen-MacPhee re: next meeting	9/30/11
Email from GH to Bourne Town Clerk with attached meeting notice	9/30/11
Email from EE to Don MacPhee re: next meeting	9/30/11
Email from EE to Peggy Burke re: minutes	10/3/11
Email from EE to Lisa Booth re: next meeting	9/30/11
Email from KS to DT re: Regulatory Committee members	10/4/11

Materials from 10/13/11 subcommittee meeting	10/13/11
Email from EE to Margaret Burke re: minutes	10/12/11
Email from EE to Gail Larsen-MacPhee re: next meeting	10/12/11
Email from EE to Mark Hebb re: next meeting	10/12/11
Email from EE to subcommittee and applicant re: scheduling	10/12/11
Email from EE to Peggy Burke re: website	10/12/11
Email from KS to DT with attached extension agreement	10/12/11
Email from EE to DT re: minutes	10/12/11
Email from EE to Heather Wysocki re: last meeting	10/14/11
Email from EE to subcommittee and applicant confirming meeting	10/17/11
Email from EE to Don MacPhee re: next meeting	10/18/11
Email from EE to Lisa Booth re: next meeting	10/18/11
Email from GH to Bourne Town Clerk with attached meeting notice	10/18/11
Email from EE to Gail Larsen-MacPhee re: next meeting	10/18/11
Email from EE to Margaret Burke re: next meeting	10/19/11
Email from EE to Heather Wysocki re: Staff Reports	10/19/11
Materials from 10/20/11 subcommittee meeting	10/20/11
Email from EE to Margaret Burke with attached minutes from 9/15 and 9/29	10/20/11
Email from EE to Gail Larsen-MacPhee with attached minutes from 9/29 meeting	10/20/11
Email from EE to Attorney Senie with attached materials submitted by the applicant at the 10/13 meeting	10/20/11
Email from EE to Peggy Burke confirming minutes	10/20/11
Email from GH to Bourne Town Clerk with attached meeting notice	10/21/11
Email from EE to Chris Kapsambelis re: full Commission meeting	10/21/11
Email from EE to Gail Larsen-MacPhee re:minutes	10/24/11
Email from EE to subcommittee re: scheduling	10/24/11
Email from EE to Margaret Burke re: minutes	10/25/11
Email from EE to Margaret Burke re: next meeting	10/25/11
Email from EE to subcommittee reminding them of 10/27 meeting	10/26/11
GIS Maps of 2,000 foot radius for Turbine 7	10/26/11
Materials from 10/27/11 subcommittee meeting	10/27/11
Email from EE to DT with attached minutes from 9/29.	10/28/11
Email from EE to Mark Hebb re: next meeting and hearing	10/28/11
Email from EE to subcommittee, CM and DT re: next subcommittee meeting	10/28/11
Email from EE to DT re: copies of app materials for full Commission	10/28/11
Email from EE to DT re: materials for Nov 10 <sup>th</sup> hearing	10/28/11
Email from EE to DT re: clarifying materials needed for Nov 10 <sup>th</sup> hearing	10/28/11
Email from EE to Gail Larsen-MacPhee re: Nov 10 <sup>th</sup> hearing	10/28/11
Email from EE to DT re: public testimony distributed to full Commission	10/28/11
Email from EE to RT re: materials including in mailing	10/28/11
Email from EE to Heather Wysocki re: 10/27 meeting	10/28/11
Email from EE to CCC members re: receiving project file for Nov 10 <sup>th</sup> hearing	10/28/11
Email from EE to Heather Wysocki re: next meeting	10/31/11
Email from EE to Gail Larsen MacPhee re: public testimony	10/31/11
Email from EE to Don MacPhee re: receipt of his testimony	10/31/11
Email from EE to Margaret Burke with attached draft minutes from 10/13 meeting	10/31/11
Email from EE to subcommittee and DT with attached mintues from 5/17, 6/16, and 10/13 hearings and meetings	10/31/11
Email from EE to subcommittee, Applicant and CM with attached draft decision	11/1/11

New Generation Wind Project- resubmittal (TR#11006)

Materials Submitted for the Record

Outline from 11/2/11 subcommittee meeting	11/2/11
Email from EE to Chris Kapsambelis with attached draft decision	11/3/11
Email from EE to Peter McPhee with attached draft decision	11/3/11
Memos to subcommittee and full Commission for 11/3/11 mailing	11/3/11
Email correspondence between EE, KS and Joe Longo re: copy of the draft decision	11/3/11
Email from EE to Eric Bibler with attached draft decision	11/3/11
Email from EE to Chris Senie re: records request	11/7/11
Email from KS to DT with attached Extension Agreement	11/7/11
Email from EE to Barry Woods with attached draft decision	11/7/11
Email from Gail Hanley to CCC members and Barry Johnson re: cancellation of CCC meeting	11/8/11
Email from KS to Chris Senie with attached letter from Mass CEC	11/9/11
Email from EE to Heather Wysocki re: cancellation of meeting	11/9/11
Email from KS to Peter McPhee re: cancellation of meeting	11/9/11
Email from correspondence between EE and DT re: copies of all minutes	11/9/11
Email from EE to Chris Kapsambelis re: cancellation of meeting	11/10/11
Email from EE to Kathy Sherman re: cancellation and testimony	11/10/11
Email from EE to Gail Larsen-MacPhee re: cancellation of meeting	11/10/11
Email from EE to Margaret Burke re: minutes	11/14/11
Email from EE to Gail Larsen-MacPhee re: CCC members	11/15/11
Email from EE to DT reminding her to provide property information	12/1/11
Email from EE to Margaret Burke re: public hearing	12/12/11
Email from EE to Lilli Green re: distribution of her email	12/15/11
Email from KS to DT re: availability to meet	12/22/11
Email from KS to DT confirming that Jan 5 <sup>th</sup> hearing will be procedural only	12/28/11
Email from Andrea Adams to KS, EE and Nancy Hossfield with attached procedural hearing notice	12/28/11
Email from EE to Gail and Don MacPhee re: January 5 <sup>th</sup> CCC meeting	12/28/11
Email from EE to Peggy and Ray Burke re: January 5 <sup>th</sup> CCC meeting	12/29/11
Email from EE to Gail Larsen MacPhee re: January 5 <sup>th</sup> CCC meeting	1/3/12
Email from EE to Paul Revere re: January 5 <sup>th</sup> CCC meeting	1/4/12
Email correspondence between KS and DT re: February 2 <sup>nd</sup> CCC meeting	1/5/12
Email from EE to Gail Larsen-MacPhee re: Feb 2 <sup>nd</sup> CCC meeting	1/6/12
Email from Gail Hanley to Barry Johnson re: hearing notice	1/9/12
Email from EE to Sheila Bowen re: Feb 2 <sup>nd</sup> CCC meeting	1/12/12
Email from EE to JL re: signs at CCC meeting	1/24/12
Email from EE to Ted Barten re: update on the project	1/26/12
Email from EE to Lilli Green confirming receipt of her correspondence	1/30/12
Email from EE to DT re: site plan used in PowerPoint	1/31/12
Email from Jessica Wielgus to Greg Sampson re: providing testimony	2/1/12
Email from Ryan Christenberry to Eric Bibler confirming receipt of correspondence	2/1/12
Email from EE to Gail Larsen-MacPhee re: testimony at hearing	2/1/12
Email from EE to Gail Larsen-MacPhee re: testimony at hearing	2/1/12
Email from EE to all CCC members with attached materials received since the mailing	2/1/12
Copy of sign-in sheet from 2/2/12 CCC meeting	2/2/12
Email from EE to Jerry Ingersoll with attached sign-in sheet and copy of letter submitted by Attorney Graimo	2/6/12
Email from KS to Chris Senie confirming receipt of email/attachments	2/6/12

Email from EE to Kiana Owzar re: deadline for submittals	2/6/12
Email from EE to Eric Bibler confirming receipt of letter	2/7/12
Email from Ryan Christenberry to Eric Bibler re: submissions to CCC members	2/7/12
Email from EE to Chris Senie confirming receipt of attachments	2/7/12
Email from EE to Hendrik Luecke confirming receipt of letter	2/7/12
Email from EE to Peggy Burke re: name of speaker at CCC meeting	2/8/12
Email from MB to Mitchell McClain confirming receipt of letter	2/9/12
Email from EE to Mitchell McClain confirming receipt of letter	2/9/12
Email from EE to Michael Giamo, Esq. confirming receipt of letter	2/9/12
Email from EE to Peggy Burke confirming receipt of her letter	2/9/12
<b>Materials from Applicant</b>	<b>Date Received</b>
Email from DT to Gail Coyne re: attached fee waiver request	3/7/11
Email from DT to PC re: revised access roads and disturbed acreage	3/8/11
Email from DT to PC re: below forwarded email from Rich Tabaczynski re: disturbed area is 2.8 acres	3/8/11
Fee Waiver Request Application	3/8/11
Email from JL to PC re: request for later meeting	3/11/11
DRI Application for New Generation Wind Project <i>Note: This link downloads a 793 page pdf file</i>	3/14/11
Email from JL to PC re: abutters list submitted	3/16/11
Email from JL to PC re: checking in on staff review	3/24/11
Email from JL to PC re: thank you	3/30/11
Letter from DT to PC re: attached supplemental and revised DRI application information <i>Note: This link downloads a 483 page pdf file</i>	4/12/11
Email from DT to PC re: below email regarding planning board vote to refer project	4/21/11
Email from DT to PC re: thanks	4/21/11
Email from Jerry Ingersoll to PC re: historic oil use	4/22/11
Letter from Rich Tabaczynski to PC re: attached supplemental and revised DRI application information <i>Note: This link downloads a 334 page pdf file</i>	4/26/11
Email from DT to PC re: understand process	4/26/11
Email from JL to PC re: thanks	4/28/11
Email from DT to PC re: availability for 2 <sup>nd</sup> public hearing	5/3/11
Letter from Joel Kubick (Holmes & McGrath) to Glenn Cannon re: rechecked site distance at CCA driveway on Route 6, complies with RPP	5/4/11
Email from JL to PC re: thanks, will get back to you	5/10/11
Email from DT to PC re: date of second hearing and site visit to Bournedale?	5/10/11
Email from JL to PC re: site visit time works, additional location to visit?	5/10/11
Email from JL to PC re: site visit	5/10/11
Email from DT to PC re: available on June 16	5/11/11
Email from DT to PC re: attached response to Paul Revere	5/13/11
Email from DT to PC re: site visit starting point	5/13/11
Email from JL to PC re: will await confirmation	5/13/11
Email from DT to PC re: will make time limit work	5/16/11
Email from JL to PC re: attached sheet about auditorium equipment	5/16/11
Email from JL to PC re: potential site visit stops	5/16/11
Email from DT to PC re: projector available?	5/17/11
Email from DT to PC re: thank you	5/17/11
Email from JL to PC re: will show up at 2	5/17/11
Memo from Nick Speyer (SourceOne) to PC re: Economic Information about the	5/17/11

project	
Scenic & Historical Qualiteis of the Bourendale/Canal Viewshed Area History, submitted by hand by Diane Tillotson	5/17/11
Email from JL to PC re: attached copy of presentation given at 5/17/11 public hearing	5/18/11
Letter from DT to PC re: applicability of Bourne WECF zoning bylaw	5/19/11
Email from Robert McCunney to PC re: requesting additional time to present information	5/30/11
Email from JL re: attached email from Doug Sheadel requesting additional time to present testimony	5/31/11
Email from JL to PC re: will be providing additional information	6/1/11
Email from JL to PC re: how to provide testimony	6/1/11
Email from DT to PC re: proposal to eliminate turbines 3 and 6	6/2/11
Email from JL re: attached presentation from Dr. McCunney	6/2/11
Email from Doug Sheadel re: 15 minutes for presentation	6/2/11
Email from JL re: attached powerpoint from Nick Speyer, attached ISO-New England study, attached map showing location of oil tanks and Zone II	6/2/11
Email from JL re: attached presentation from Doug Sheadel	6/3/11
Email from JL re: attached revised presentation from Dr. McCunney	6/3/11
Email from DT re: attached memo requesting flexibility related to transportation, hazardous wastes/materials	6/3/11
Email from DT to PC re: dates for another hearing	6/3/11
Email from DT to PC re: potential hearing date	6/3/11
Letter from DT to PC re: eliminating two turbines from site plan and enclosed letter re: requesting use of flex clause	6/6/11
Email from JL to PC re: changes in C.Senie's presentation?	6/15/11
Presentation by Robert McCunney at 6/16/11 public hearing	6/16/11
Presentation by Doug Sheadel at 6/16/11 public hearing	6/16/11
Email from Carlos V. Pineda re: attached letter to subcommittee re: wind turbine industry trends – project development and turbine selection	6/16/11
Email from Jeff Johnson (Holmes & McGrath) re: file review	6/22/11
Email from JL re: attached AWEA-CanWEA Sound White Paper and attached Red Lily Wind Court decision <i>Note: This link downloads a 112 pg document</i>	6/27/11
Email from JL re: attached article on wind turbine noise and stress responses and attached article on wind turbines and epilepsy	6/27/11
Email from JL to PC re: requests for extended testimony?	6/27/11
Email from JL to PC re: table regarding rotational frequencies of turbines (as they relate to epileptic risk)	6/28/11
Letter from RT re: attached revised photosimulations and Zone of Visual Influence plan, and information re: open space plan/estimate of disturbed area, Hazardous Materials/Waste amounts, estimate of land clearing waste	7/6/11
Email from Susan Lowder (ADE) to PC re: attached letter regarding NSTAR easements and attached plans showing revised location of turbines #2 and #4	7/6/11
Email from DT to PC re: will check dates with team, need another hearing?	7/12/11
Email from DT to PC re: attached letter explaining elimination of turbine #4	7/13/11
Revised photosimulations that depict elimination of Turbines #3, 4, and 6 and the relocation of Turbine #2	7/15/11
Revised site plan that depicts the elimination of Turbines #3, 4, and 6 and relocation of Turbine #2	7/15/11
Email from JL to PC re: extended testimony?	7/18/11

Email from DT to PC re: confirmation of name	7/18/11
Email from DT to PC re: recalculating disturbed area and possible moving turbine #2 closer to pit	7/20/11
Email from DT to PC re: will have information next week	7/20/11
Email from JL to PC re: confirming equipment	7/20/11
Aerial photos of various turbines showing different setbacks, brief narrative about Mass Martime turbine submitted by hand from Jerry Ingersoll	7/20/11
Powerpoint presentation given by applicant at 7/20/11 public hearing	7/20/11
Email from JL to PC r: transportation questions	7/27/11
Email from DT to PC re: will call tomorrow	7/28/11
Letter from RT including supplemental information	7/29/11
Revised site plan from RT	7/29/11
Letter from DT in response to Senie Letter	8/1/11
PowerPoint presentation presented at 8/1 hearing by SourceOne	8/1/11
Email from JL w/Ltr from Nick Speyer in response to Atty Senie's 6/16 letter and proposed findings dated 7/20	8/2/11
Correspondence to/from MHC submitted by Susan Lowder	8/3/11
Email from DT with attached correspondence from NHESP approving the revised site plan	8/8/11
Email from JI to EE and RC with attached material from NORDEX: Nordex - Noise Reduction Nordex - Shadow Flicker Nordex - Safety Manual	8/8/11
Email from JI to EE including attached email to Steven Lamarche, Bourne's School Superintendent	8/8/11
Email from Carl Ingersoll to EE re: the impacts of the turbines on the neighbors	8/9/11
Response letter from MHC 8/8/11	8/9/11
Email from Brian Madden with attached supplemental NRI Report	8/9/11
Email from JI to EE and KS with attached commentary on the Fletchers' recent submittals	8/9/11
Email from DT to KS including supplemental application materials	8/9/11
1 <sup>st</sup> Extension Agreement	8/15/11
Email from DT to EE re: scheduling	9/7/11
Email from DT to KS re: signing an extension agreement	9/13/11
Email from NS to KS with attached memo re: Economic Development	9/14/11
Extension Agreement	9/15/11
Email from DT to KS with attached letter authorizing DT to sign on behalf of applicant	9/16/11
Email from DT to KS with attached letter from JI authorizing DT to sign	10/12/11
Email from DT to EE and KS requesting minutes	10/12/11
Email from DT to KS with attached materials to subcommittee for meeting	10/13/11
Email from DT to EE thanking her for draft minutes	10/28/11
Email from DT to EE re: materials for full Commission	10/28/11
Email from DT to EE re: materials for full Commission and public testimony	10/28/11
Email from RT to EE re: list of documents for full Commission	10/28/11
Email from DT to EE with attached suggested edits for the draft decision and minutes	11/2/11
Email from DT re: extension agreement	11/7/11
Letter from DT to KS requesting cancellation of CCC meeting and extension	11/8/11

agreement	
Extension Agreement	11/8/11
Emailed Extension Agreement	11/8/11
Email from DT to KS re: cancellation of meeting	11/8/11
Email corr between DT and EE re: copies of all minutes	11/9/11
Email from DT to EE re: scheduling of public hearing	11/18/11
Email from DT to EE re: property information	12/1/11
Emails with attached letters from DT to EE re: supplemental information on Hazardous Materials, Economic Development and benefits/detriments	12/16/11
Email from Joanne Dolan Ingersoll to EE re: attendance at the public hearing	12/16/11
Emails from Rich Tabaczynski to EE with attached letters re: shadow flicker and acoustical analysis	12/19/11
Letter via mail and email from Jonathan Klavens to EE with attached letter re: zoning	12/19/11
Letter from DT via mail and email requesting to continue the January 5 <sup>th</sup> hearing date and a signed extension agreement	12/23/11
Email from DT to KS re: confirmation of hearing date	1/3/12
Email correspondence between DT and KS re: February 2 <sup>nd</sup> Commission meeting	1/4/12
Email from JL to EE re: signs at CCC meeting	1/24/12
Email from JL to EE re: providing materials to CCC members	1/26/12
Email from JL to EE following up on previous questions	1/27/12
Email from Diane Tillotson to KS with attached DEP report	1/31/12
Email from Diane Tillotson to KS with attached chart and memo summarizing changes to the decision that the Applicant is requesting be made	2/1/12
Email from DT to KS, PG, and EE with attached letter asking for Roger Putnam and Michael Blanton to be excused from voting	2/2/12
PowerPoint presentation presented by the applicant at full CCC meeting	2/2/12
Email from Jerry Ingersoll to EE asking for the name of and testimony submitted by the Attorney for Grazing Fields Farm	2/3/12
Supplemental materials submitted via mail and email by the Applicant re: Complaint protocol, email correspondence from Coreen Moore, response to noise comments and Attorney Senie and Attorney Griamo's letters, and pictures of the turbines	2/9/12
<b><i>Materials from Public Agencies/Towns/State/Federal</i></b>	<b><i>Date Received</i></b>
Email from Barry Woods (Buzzards Bay Water District Superintendent) to Scott Michaud re: indefinitely postponing action on request for PPWSA undesignation	9/14/10
Referral Form with Special Permit Application <i>With attached large scale site plan (.TIFF files):</i> Sheet 1 Sheet 2 Sheet 3 Sheet 4 Sheet 5 Sheet 6 Sheet 7 Sheet 8 Sheet 9 Sheet 10 Sheet 11 Sheet 12	3/14/11

Sheet 13	
Sheet 14	
Sheet 15	
Sheet 16	
Sheet 17	
Sheet 18	
Sheet 19	
Sheet 20	
Memo from Coreen Moore (CM), BourneTown Planner to PC re: attached signatures from town departments certifying receipt of New Generation Wind DRI	3/15/11
Memo from Kathy Peterson (Board of Health Chair) to PC re: Board of Health determined reasonable health regulations necessary for wind turbines	3/24/11
Email from CM to PC re: is counsel looking at issue?	3/29/11
Email from CM to PC re: will look into issue	3/29/11
Email from Jason Zimmer (MA Dept. of Fisheries & Wildlife) re: attached letter stating Division not opposed to locations of Turbines 1 and 7	3/30/11
Email from Jamie Sloniecki (Bourne Selectmen) re: attached fee waiver request from Applicant and attached fee calculation memo from Commission staff, question regarding fee waiver granted?	3/30/11
Email from Jamie Sloniecki (Bourne Selectmen) re: minutes from 3/14/11 Executive Committee meeting?	3/30/11
Email from Jamie Sloniecki (Bourne Selectmen) re: thank you	3/30/11
Email from CM to PC re: please forward all public comment letters	3/31/11
Email from Ann Gratis (Bourne Planning Board Administrative Assistant) to PC re: attached updated procedural rules	4/21/11
Email from Ann Gratis to PC re: attached DRI referral form, will send minutes next week	4/21/11
Email from Ann Gratis to PC re: attached minutes from 4/29/11 planning board meeting	4/29/11
Recording of Town Meeting in Bourne on 5/9/11 (Note: Recording not available online)	5/9/11
Minutes from 8/18/10 Buzzards Bay Water District Board of Commissioner's Meeting	n/a
Minutes from 9/8/10 Buzzards Bay Water District Board of Commissioner's Meeting	n/a
Letter from Correen Moore, Bourne Town Planner re: compliance with Bourne's Zoning Bylaw, LCP, and DCPC	8/1/11
Letter sent via email, fax and mail from EOEEA to CCC in response to draft decision	12/22/11
Corrected letter from EOEEA to CCC in response to draft decision	12/28/11
Email with attached letter from CM to KS re: compliance with zoning	2/2/12
Testimony from Bourne Financial Development Corporation in support of the project submitted at CCC meeting	2/2/12
Letter from Congress asking for fair and equal consideration to all renewable energy projects coming vefore the CCC, submitted at CCC meeting	2/2/12
Email from Lee MacEachern with attached letter from MassDEP	2/9/12
<b><i>Materials from the Public</i></b>	<b><i>Date Received</i></b>
Email from Mark Hebb re: question regarding filing fee paid and next steps	3/15/11
Email from Mark Hebb re: submitting testimony	3/22/11
Email from Paul Revere to PC re: concerns about DRI referral process	

Email from Paul Revere to PC re: please forward email	3/28/11
Email from Paul Revere to PC re: don't know why email bounced back	3/29/11
Email from Trish Pye re: concerns about project's compliance with Senate Bill NO 2260 and Senate NO 2245	3/29/11
Email from Trish Pye re: concerns about high risk of fire associated with wind turbines	3/29/11
Email from Trish Pye re: attached documentation on adverse health effects of noise on human health and the World Health Organizations guidelines for night noise <i>Note: This link downloads a 193 page document</i>	3/29/11
Email from Eric Bibler re: potential conflict of interest between municipal duties and private capacity as wind energy industry consultant	3/31/11
Email from Scott McFaden (Land Protection Specialist, The Wildlands Trust) re: attached non-binding letter of interest re: potentially holding a permanent conservation restriction on 12.83 acres of land owned by Ingersoll family	4/5/11
Email from Eric Bibler re: wind turbine project funding from Massachusetts Clean Energy Center and Massachusetts Technology Center, part 1 of 4	4/7/11
Email from Eric Bibler re: see above, part 2 of 4	4/7/11
Email from Eric Bibler re: see above, part 3 of 4	4/7/11
Email from Eric Bibler re: see above, part 4 of 4	4/7/11
Email from Eric Bibler re: Bourne Special Town Meeting and , warrant by citizen petition	4/18/11
Email from Eric Bibler re: question about application completeness and public hearing information	4/28/11
Email from Mary O'Connor re: concerns about project	4/29/11
Email from Hendrik Luecke re: presenting information at hearings	4/29/11
Email from Hendrik Luecke re: 3-d video models	5/2/11
Email from Chris Senie re: thank you	5/3/11
Email from Don MacPhee re: question about application fee reduction	5/4/11
Email from Eric Bibler to re: Bourne and preliminary plan	5/10/11
Email from Don MacPhee re: concerns about health hazards from turbine fires	5/10/11
Email from Attorney Paul Revere re: review NGW proposal concurrent with subdivision plan	5/10/11
Email from Don MacPhee re: link to video (turbine in Denmark)	5/11/11
Email from Don MacPhee re: article from National Wind watch	5/11/11
Letter from Barbara Nagle re: concerns about project with attached newspaper articles and letters	5/11/11
Subdivision Plan for "Edgehill Park" submitted by hand from Attorney Paul Revere	5/12/11
Letter from Holmes & McGrath (dated March 21, 2011) to Town of Bourne Planning Board re: "Edghill Park" subdivision plan; submitted by hand from Attorney Paul Revere	5/12/11
Letter to Cape Cod Commission from Attorney Paul Revere re: cancelling 5/17/11 public hearing	5/12/11
Email from Paul Revere re: signed referral form for "Edgehill Park"	5/12/11
Email from Paul Revere re: referral form and project segmentation	5/13/11
Email from Peggy & Ray Burke re: submitting electronic information	5/13/11
Email from Don MacPhee re: European Setbacks and attached correspondence and additional article	5/14/11
Email from Don MacPhee re: letter to the editor by John Brennan	5/15/11

Email from Paggly Burke re: podcast on Wind Turbine Noise	5/15/11
Email from Peggy Burke re: submitted electronically	5/16/11
Email from Paul Revere re: response to Attorney Tillotson's letter	5/16/11
Email from Don Keeran re: attached comment letter from Association to Preserve Cape Cod (APCC)	5/16/11
Email from Gail MacPhee re: attached letter to the editor by John Brennan	5/16/11
Email from Chris Senie re: attached comment letter in response to Attorney Tillotson's letter	5/16/11
Email from John Brennan re: attached comment letter and articles	5/16/11
Email from John Brennan re: attached corrected comment letter and articles	5/16/11
Email from Mark Hebb re: attached article about Neodymium	5/17/11
Email from Sarah Cote to Greg O'Brien re: share comments at hearing	5/17/11
Email from Scott Zeien to Greg O'Brien re: share attached comments at hearing	5/17/11
Email from Mike Giancola to Greg O'Brien re: share attached comments at hearing	5/17/11
Letter from Richard Conron re: Commissin mission as it relates to project and attached letter from Dave Peterson & Jerry Ingersoll to the citizens of Bourne regarding offering payments to those within 2,000 feet of turbines	5/17/11
Letter from Lawrence Gelbien (NSTAR) re: concerns about turbine setbacks to NSTAR rights-of-way	5/17/11
Email from Heather Wysocki re: public hearing still occurring?	5/17/11
Email from Christopher Senie re: attached request for additional time to present information	5/18/11
Email from Walter Nagle re: attached comment letter regarding schools and turbines	5/18/11
Email from Heather Wysocki re: starting hearing times	5/18/11
Email from Heather Wysocki re: thank you	5/18/11
Letter from Maggie Geist and Don Keeran (Association to Preserve Cape Cod) re: comments on various aspects of the project	5/18/11
Letter from Chris Senie to PC re: response to 5/13/11 letter from Dioane Tillotson regarding applicability of zoning	5/18/11
Email from John Brennan re: received previously submitted testimony?	5/19/11
Email from John Brennan re: thank you	5/19/11
Letter from Lawrence Gelbien (NSTAR) re: concerns about turbine setbacks	5/19/11
Email from Eric Bibler to PC re: resubmitting previous filings	5/19/11
Letter from Barbara Nagle re: concerns about project proposal and re: enclosed letters to state respresenatives and Bourne's Board of Health	5/20/11
Email from Gail Larsen re: why did applicant pay reduced filing fee?	5/21/11
Email from Hendrik Luecke re: requesting additional time to present information	5/23/11
Letter from Chris Senie re: requesting additional time to present information	5/23/11
Email from Chris Senie re: finalizing powerpoint closer to June 16	5/23/11
Email from Eric Bibler to PC re: resubmitting additional testimony and question	5/26/11
Email from Liz Argo re: requesting information on expanded testimony process	5/31/11
Email from Paul Revere re: requesting additional time to present information	5/31/11
Letter from David Mann re: proposed benefits of project	5/31/11
Email from Liz Argo re: requesting seven minutes	6/1/11
Email from Hendrik Luecke re: will forward presentation	6/1/11
Email from Glen Berkowitz re: requesting additional time to present information	6/2/11

Email from Chris Senie re: attached draft presentation as pdf	6/2/11
Email from Chris Senie re: attached draft presentation as ppt (see above for presentation)	6/2/11
Email from Glen Berkowitz re: will send presentation	6/2/11
Email from Don MacPhee re: testimony question	6/4/11
Email from Warren and Regina Spurling re: concerns about project	6/7/11
Email from Hendrik Luecke re: attached first draft of presentation	6/8/11
Email from Ann Kennedy re: health and safety concerns	6/8/11
Letter from Richard W. Conron re: attached Bourne ZBA decision and landscape restoration plan for Cape Cod Aggregates	6/8/11
Email from Don MacPhee re: attached letter from Neil Anderson	6/11/11
Email from Rick Carlson re: attached letter in support of project	6/11/11
Email from Don MacPhee re: additional time	6/11/11
Email from Hendrik Luecke re: attached presentation	6/12/11
Email from Mark Hebb re: signed petition 4	6/13/11
Email from Mark Hebb re: signed petition 3	6/13/11
Email from Mark Hebb re: attached article: "An Ill Wind Blows for Denmark's Green Energy Revolution"	6/13/11
Email from Mark Hebb re: signed petition 2	6/13/11
Email from Richard Moore re: concerns with New Generation Wind proposal	6/13/11
Email from Lydia Manter re: attached letter re: concerns of project	6/13/11
Email from Sheila Bowen to majority of CCC members re: invitation to attend lecture series	6/13/11
Email from Sheila Bowen to majority of CCC members re: how to provide information from lecture series	6/13/11
Email from Sheila Bowen re: will provide info, how many copies?	6/13/11
Email from Mark Hebb re: signed petition 1	6/13/11
Email from Lydia Manter re: attached five letters	6/13/11
Email from Mark Hebb re: attached report about wind turbines in Australia	6/13/11
Email from Mark Hebb re: attached presentation by Kurt Tramosch (presented to Bourne Board of Health)	6/13/11
Email from Lilli Green re: resubmit the CD?	6/13/11
Email from Douglas Manter re: attached letter re: Native American concerns	6/13/11
Email from Chris Senie re: attached letter resubmitting testimony	6/13/11
Email from Lydia Manter re: concerns about project	6/14/11
Email from Don MacPhee re: time to speak?	6/14/11
Email from Lilli Green re: thank you	6/14/11
Email from Liz Argo re: dropping off presentation	6/14/11
Email from Doug Manter re: confirming receipt	6/14/11
Email from Peggy Burke re: concerns about project	6/14/11
Email from Lilli Green re: thank you	6/14/11
Email from Peggy Burke re: attached article "Wind turbines: will Makara and Ohariu provide evidence of risks to human health"	6/14/11
Compact Disc entitled "Adverse Health Impacts", from Lilli Green with the following items: Recent Journal Articles: "Scientist Challenges the Conventional Wisdom that What you Can't Hear	6/14/11

Won't Hurt You"

- "Wind-Turbine Noise: What Audiologists Should Know"
- "Responses of the Ear to Low Frequency Sounds, Infrasound & Wind Turbines"
- "Wind Turbine Noise, Sleep, & Health"

#### Reports

- "The Dean Report: A Noise Impact Assessment of the Waubra Wind Farm"
- "Wind Farm Noise: 2009 in Review; Research, Public Concerns, and Industry Trends"
- "Noise Radiation from Wind Turbines Installed Near Homes: Effects on Health"
- "Simple Guidelines for Siting Wind Turbines to Prevent Health Risks"
- "Permitting Setbacks for Wind Turbines in California and the Blade Throw Hazard"
- "Public Health Impacts of Wind Turbines"
- "Comments Received by Minnesota Public Utilities Commission: Bent Tree Wind Project in Freeborn County"
- "Some Health Aspects of Wind Driven Industrial Turbines"
- "Noise Impact Assessment Report: Waubra Wind Farm"
- "Noise Radiation from Wind Turbines Installed Near Homes: Effects on Health"
- "Wind Turbines, Noise, and Health"

#### Presentations

- Mars Hill Wind Turbine Project: Health Effects – Preliminary Findings
- Infrasound: Your ears "hear" it but they don't tell your brain
- The inaudible noise of wind turbines

#### Personal Stories - Falmouth

- Barry Funfar
- Mark Cool
- Sharon Eddy

#### Personal Stories – Newburyport

- Faye Hale
- Karen Blaustein
- Nan Cook
- Patty Spalding

#### Personal Stories – global

- "Wind Turbines Help Create Energy but also Disturb People's Homes"
- "Home in a Wind Farm: the Wirtz Family Story"
- General Statement by Jane & Julian Davis
- Life with the DeKalb Turbines (DeKalb, Illinois)
- "I Experienced Severe Vertigo and my Passenger became Nauseous" (New York State)
- "One Successful Suicide and one Suicide Attempt" (Ontario)
- "Invenergy Wind Farm Violates Noise Rule, Ordered to Comply" (Oregon)
- "Tourist gets Wind Turbine Syndrome from Nearby Turbines"
- "You're Wondering what it's like Living next to Wind Turbines?" (United Kingdom)
- "Wind Turbine Syndrome – Japan"

<ul style="list-style-type: none"> <li>• "Wisconsin, this is Wind Turbine Syndrome!"</li> </ul> <p>Articles</p> <ul style="list-style-type: none"> <li>• "Are Wind Farms a Health Risk? US Scientist Identifies 'Wind Turbine Syndrome'"</li> <li>• "Mental Health and Wind Turbines"</li> <li>• "Residents Sue Wind Companies"</li> <li>• "Wind Turbines Causing Health Problems, Some Ont. Residents Say"</li> <li>• "Wind Turbines (Minimum Distances from Residential Premises) Bill"</li> <li>• "Wind Energy Industry Acknowledgment of Adverse Health Effects, Part 1: Conclusion &amp; Executive Summary"</li> <li>• "Wind Turbines Can Cause Adverse Health Effects: North American Wind Industry"</li> </ul> <p>Other</p> <ul style="list-style-type: none"> <li>• "Whatcom County's Prefiled Testimony"</li> <li>• 7/16/10 letter from Christopher Senie, Esq.</li> <li>• Maine Medical Association's List of Approved Resolutions</li> <li>• "Transcription of Carl Phillips Testimony before the Wisconsin Public Services Commission"</li> <li>• 3/12/10 letter from Nina Pierpont M.D., Ph. D.</li> <li>• "Pierpont to Wellfleet regarding 1.8 MW turbine"</li> <li>• Curriculum Vitae, Nina Pierpont</li> <li>• 2/10/10 letter from Nina Pierpont M.D., Ph.D.</li> <li>• Nina Pierpont's Testimony before the New York State Legislature Energy Committee on 3/7/06</li> <li>• 3/17/10 letter from Paul Sieloff</li> <li>• "Wind Turbines Produce Major Infrasound. Period. No Question About It."</li> <li>• "Wind Energy Industry Acknowledgement of Adverse Health Effects – Part 1"</li> <li>• "Wind Turbines Can Cause Adverse Health Effects: North American Wind Industry"</li> <li>• June 2, 2010 letter to John Auerbach, Commissioner, Department of Public Health</li> </ul> <p>Additional Resources</p> <ul style="list-style-type: none"> <li>• Links</li> <li>• Links to Information in Volume II</li> </ul>	
<p>Bound book of information from Chris Senie to be presented at 6/16/11 public hearing re: images for 6/16/11 public hearing, DEP noise policy information, papers by Dr. Alec Salt, paper entitled <i>"Wind turbine noise and health-related quality of life of nearby residents: a cross-sectional study in New Zealand"</i>, Aerial photos of Hull 1 and Hull 2, information on aerodynamic amplitude modulation, photos of Nordex N-100 from brochure/specifications, and 11/12/10 and 11/22/10 letters to Commission</p>	6/14/11
<p>Email from Chris Senie re: thank you</p>	6/14/11
<p>Email from Fnhaggerty(at)aol.com re: attached article "Bourne Wind Project Kicks up More Dust"</p>	6/15/11
<p>Email from Eric Bibler re: forwarding files</p>	6/15/11
<p>Email from Eric Bibler re: attached article "Hard Lessons from the Fox Islands Wind Project"</p>	6/15/11

Email from Eric Bibler re: "Court Upholds OKH Historic Commission's Determination that Wind Turbine 'Not Appropriate' for Historic District in Barnstable"	6/15/11
Email from Eric Bibler re: Presentation from John Droz	6/15/11
Email from Eric Bibler re: attached McCann Appraisal testimony re: setbacks and property values	6/15/11
Email from Eric Bibler re: attached Wind Turbine Impact Study (real estate/property values) by Appraisal Group One	6/15/11
Email from Eric Bibler re: attached NPS study: "Moderate Noise Can Have Major Impacts on Animals", NPS: Explore Natural Sounds/Who We are, article: "The costs of chronic noise exposure for terrestrial organisms", article: "The 'How To' Guide to Siting Wind Turbines To Prevent Health Risks from Sound", article: "Why Noise Criteria are Necessary for Proper Siting of Wind Turbines", article: "How Loud is too Loud?", DRAFT Map: "Land-Based Wind Energy Placement Considerations for the Lower-Cape", and Vestas Information: "General Specification, V82-1.65 MW MK II"	6/15/11
Email from Eric Bibler re: article: "Wind-Turbine Noise: What Audiologists Should Know", Testimony from M.A. Swinbacks re: setbacks and noise, Affidavit of Michael A. Nissenbaum on health effects of turbines, powerpoint presentation: "Mars Hill Wind Turbine Project Health Effects – preliminary findings", article: "The Brewing Tempest Over Wind Power", article: "The War of Winds", press release: "Wind Turbines Can Cause Adverse Health Effects: North American Wind Industry" and attached report: "An Analysis of the American/Canadian Wind Energy Association sponsored 'Wind Turbine Sound and Health Effects, An Expert Panel Review, December 2009'"	6/15/11
Email from Eric Bibler re: attached 12/7/10 letter from Barry Funfar, 7/2/10 letter from Christy Capone, PhD, 11/17/10 email from Barry Funfar	6/15/11
Email from Eric Bibler re: article: "Wind Power Won't Cool Down the Planet", article: "An Ill Wind Blowing?", article: "Cost and Quantity of Greenhouse Gas Emissions Avoided by Wind Generation"	6/15/11
Email from Eric Bibler re: article/study: "Do Wind Projects Adversely Affect Proximate Residential Property Values?"	6/15/11
Email from Eric Bibler re: attached "Critique of 'The Impact of Wind Power Projects on Residential Property Values in the United States: A Multi-Site Hedonic Analysis'", letter: "Hedonic analysis of the impact of wind power on residential property values in the U.S.", article: "Wind Farms, Residential Property Values, and Rubber Rulers", article: "Loss of Value to Real Property Due the Erection of Wind Turbines", article: "Hammond Panel Adopts Home Guarantee"	6/15/11
Email from Eric Bibler re: attached McCann Appraisal/real estate impact evaluation	6/15/11
Email from Eric Bibler re: U.S. Fish & Wildlife Service Press Release: "Service Transmits Wind Turbine Guideline Advisory Committee Recommendations to Interior Secretary" and attached recommendations	6/15/11
Email from Eric Bibler re: attached article: "Looking for Wind Industry Leadership in Reducing Noise Impacts"	6/15/11
Email from Eric Bibler re: attached email entitled "Federal Judge halts Greenbrier wind project", attached ruling & memorandum opinion: "Animal Welfare Institute et, al., v. Beech Ridge Energy LLC"	6/15/11
Email from Eric Bibler re: attached letter from AG Richard Blumenthal	6/15/11
Email from Eric Bibler re: attached Vestas Letter and attached "Appendix O – Operation & Maintenance Plan"	6/15/11

Email from Glen Berkowitz re: powerpoint questions	6/15/11
Email from Peggy Burke re: concerns about noise and pressure	6/15/11
Email from Peggy Burke re: attached testimony from Sue Hobart	6/15/11
Email from Andrea Ratey re: concerns about project noise/sound	6/15/11
Email from Glen Berkowitz re: presentation coming shortly	6/16/11
Presentation by Christopher Senie at 6/16/11 public hearing	6/16/11
Bound book of information referenced by Christopher Senie at 6/16/11 public hearing	6/16/11
Additional letter from Christopher Senie referenced at 6/16/11 public hearing re: local zoning and the proposed project	6/16/11
Presentation by Hendrik Luecke at 6/16/11 public hearing	6/16/11
Presentation by Liz Argo at 6/16/11 public hearing	6/16/11
Presentation by Glen Berkowitz at 6/16/11 public hearing	6/16/11
Information presented by Don MacPhee at 6/16/11 public hearing re: scale, NJ turbine fires, European Setbacks, letter from Neil Anderson, article: <i>"Wind Turbine Safety Questioned"</i>	6/16/11
Testimony presented by Margaret Burke at 6/16/11 public hearing re: shadow flicker and pressure build up	6/16/11
Testimony presented by Lydia Manter at 6/16/11 public hearing re: concerns about proposed project's impacts on Sacrifice Rock – sacred Wampanoag site	6/16/11
Email from Douglas Manter re: attached article: <i>"Wind Power capacity compromised in Texas, rolling bkackouts as Mexico supplies some back up"</i>	6/16/11
Email from Peggy Burke re: please confirm receipt	6/16/11
Email from Mark Cool re: attached public statement re: personal experience with Falmouth turbine, Air Flow Behind Wind Turbines, Indusy Turbines Wake Separation, wind Turbine Induced Climate Change and references	6/16/11
Email from Peggy Burke re: please confirm receipt	6/16/11
Email from Matthew Bruce re: speaking at 7/20/11 hearing	6/21/11
Email from Sheila Bowen re: link to WebEx presentation	6/22/11
Email from Michelle Joy re: concerns about project	6/23/11
Email from Don MacPhee re: link to letters about turbines	6/24/11
Email from Don MacPhee re: Snopes story about turbines	6/26/11
Email from Hendrik Luecke re: possibility of extended testimony?	6/28/11
Email from Lilli Green re: question about submitting information	7/1/11
Email from Mark Cool re: references for information on low frequency/infrasound	7/2/11
Email from Lilli Green re: question about submitting documents	7/5/11
Email from Paul Revere re: need for revised data, regulatory concerns	7/6/11
Email from Kiana Owzar re: GPS information for project?	7/7/11
Email from Peggy Burke re: attached letter to C. Coffin, Health Agenet, Town of Bourne re: concerns about health effects of turbines	7/8/11
Email from Don MacPhee re: concerns about noise from turbines	7/9/11
Letter from John Riha re: attached information pertaining to shadow flicker & epileptic seizures, siting of sound level moniotoir near construction site, concerns about fire, toxic fues, shadow flicker, close proximity to existing gas lines, concerns about proposed turbine type	7/11/11
Email from John Riha re: correction to materials previously mailed	7/11/11
Email from Fnhaggerty(at)aol.com re: article about concerns with Falmouth turbine	7/12/11

Email from Sallie Riggs to PC re: two attached statements in support of the project (one a statement from the BFDC)	7/13/11
Email from Joe Longo re: project has overall net benefit, applicant listened to concerns of neighbors	7/13/11
Email from Don MacPhee re: stories from Falmouth	7/17/11
Letter from Douglas Manter re: attached 29 letters from concerned citizens	7/18/11
Email from Sharon Harper re: attached letter about concerns with project	7/18/11
Email from Liz Argo re: slide presentation tomorrow?	7/18/11
Email from Liz Argo re: thanks	7/18/11
Email from John Carlton-Foss re: will need powerpoint set-up	7/18/11
Email from Barry Motta re: support wind energy	7/19/11
Email from Don MacPhee to Micahel Blanton	7/19/11
Email from Phil Benjamin re: attached letter in support of project	7/19/11
Email from Chris Senie re: hearing going to be rescheduled?	7/19/11
Email from Don MacPhee re: additional time to present fire information?	7/19/11
Email from Larsmac51 re: providing testimony at hearing	7/19/11
Email from Vern Oheim (NSTAR) to PC re: will route information	7/19/11
Email from John Brennan re: requested additional time	7/19/11
Email from Don MacPhee re: Carnaval engine room fires	7/20/11
Email from Mike Fortune re: concerns with project	7/20/11
Email from Susan Daniels re: attached comment letter re: project concerns	7/20/11
Email from Lisa McCarthy re: attached letter from Samantha Woods	7/20/11
Email from John Brennan re: suggestions?	7/20/11
Email from Don MacPhee re: desires additional time	7/20/11
Email from John Brennan re: additional hearing in august?	7/20/11
Email from John Carlton-Foss re: hearing information	7/20/11
PowerPoint presentation presented by John Carlton-Foss, S.M., Ph.D at 7/20/11 public hearing <i>Note: Associated video clips are not available online</i>	7/20/11
Narrative of extended testimony given by John Brennan at 7/20/11 public hearing	7/20/11
Thirteen Letters signed by various members of the public urging rejection of the project	7/20/11
Letter from Mike Fletcher (of Grazing Fields Farm) re: concerns about the potential effects of the turbines and converting to propane	7/20/11
Newspaper Article " <i>Rare Earths: Elemental Needs of the Clean-Energy Economy</i> " submitted by hand from John Riha	7/20/11
Letter from Liz Argo re: the following attachments: pitch regulated turbine installations with neighbors less than 1500 ft, "Stall-regulated vs pitch-regulated turbine technologies and their relative sound dynamics", visual representations of the surrounding area and DVD (video of panelists from June 28, 2011 CIWIN Forum entitled "Another Side of the Wind Story" and video of interviews of people who live near turbines) <i>Note: DVDs not available online</i>	7/20/11
Testimony from Karen Runyon presented at 7/20/11 public hearing	7/20/11
Testimony from Justin Runyon presented at 7/20/11 public hearing	7/20/11
Testimony from Mark Hebb presented at 7/20/11 public hearing	7/20/11
Testimony presented on behalf of Philip Benjamin at 7/20/11 public hearing	7/20/11
Letter from Christopher Senie with attached proposed findings and list of attached studies: <i>Note: Below material was originally submitted via USB drive</i>	7/20/11

The following studies:

- “Noise From Wind Farms” – Sadberge Parish Council
- “Probable Cause of Aerodynamic Modulation” – Sadberge Parish
- “Wind Turbine Noise, An Independent Assessment” – Stephen Ambrose and Robert Rand, September 10, 2010
- Department for Business Enterprise and Regulatory Reform, “Research into Aerodynamic Modulation of Wind Turbine Noise” – Univeristy of Salford (UK) July 2007
- “The Management of Low Frequency Noise at Three UK Wind Farms”, Department of Trade and Industry (DTI) Summary, 2006
- NOISE-CON 2007 – “Communicating the Noise Effects of Wind Farms to Stakeholders”, Oct. 22-24, 2007
- Acoustic Ecology Institue Special Report: “Wind Energy Noise Impacts”, 11/17/2009
- Dr. Christopher Hanning “Sleep Disturbance and Wind Turbines Noise”, June 2009
- A Problem With Wind Power, Eric Rosenbloom
- Noise annoyance from wind turbines: a review, Swedish Environmental Protection Agency, 08/2003
- Acoustic Study of the Up-Island School District Wind Turbine (West Tisbury, Martha’s Vineyard), December 2009
- Wind Farm Noise and Regulations in the Eastern United States, Soysal and Soysal, September 2007
- Perception and annoyance due to wind turbine noise - a dose-response relationship, E. Pedersen and K. Persson Waye, 2004
- Wind Turbine Noise: What Audiologists Should Know, J. Punch, R. James and D. Pabst, July/August 2010 Audiology Today
- Amplitude Modulation of Wind Turbine Noise: A Review of the Evidence, Dick Bowdler
- An Analysis of the Epidemiology and Related Evidence on the Health Effects of Wind Turbines on Local Residents, Carl V. Phillips, July 3, 2010
- Wind turbines - low level noise sources interfering with restoration, E. Pedersen and K. Persson Waye, 2008
- Perspectives on Wind Turbine Noise, Frits van den Berg, Summer 2009
- Town of Rensselaerville, NY, Wind Power Committee Recommendations Report for Industrial Wind Power, July 2010
- Wind Energy Industry Acknowledgement of Adverse Health Effects, The Society for Wind Vigilance, January 2010
- Wind Turbine Sound and Health Effects: An Expert Panel Review, December 2009
- Fourth International Meeting on Wind Turbine Noise, Rome and Italy: Responses of the Inner Ear to Infrasound, Alec N. Salt and Jeffery T Lichtenhan , 12-14 April 2011
- Fourth International Meeting on Wind Turbine Noise, Rome and Italy: Selection of Outcome measures in assessing sleep disturbance from wind turbine noise, Christopher Hanning and Michael Nissenbaum, April 12-14, 2011
- Wind Turbine Noise: Why Accurate Predictions and Measurements Matter, Robert Thorne, and Daniel Shepherd, November, 2011

<ul style="list-style-type: none"> <li>• Wind Turbine Noise, John Harrison – Queen’s University</li> <li>• Wind Turbine Noise – Clues to the Mystery of Why People are Hurting, William K.G. Palmer, May 2011</li> <li>• Lessons Learned Regarding Wind Turbines and Noise – with Impact on Health and Annoyance 4th International Wind Turbine Noise Conference – Rome, Italy April 2011 and Acoustical Society of America – 161st Meeting – Seattle, WA May 2011, William K.G. Palmer, May 2011</li> <li>• Third International Meeting On Wind Turbine Noise Aalborg Denmark, A New Explanation for Wind Turbine Whoosh – Wind Shear. William K.G. Palmer, 17 – 19 June 2009</li> <li>• Properly Interpreting the Epidemiologic Evidence About the Health Effects of Industrial Wind Turbines on Nearby Residents, Carl V. Phillips</li> <li>• Responses of the ear to low frequency sounds, infrasound and wind turbines, Alec N. Salt*, Timothy E. Hullar, June 2010.</li> <li>• Infrasound: Your Ears “Hear” It But They Don’t Tell Your Brain, Alec N. Salt, PH.D.</li> <li>• Fourth International Meeting On Wind Turbine Noise, Wind Turbine Noise and Health Related Quality of Life of Nearby Residents: a Cross-Sectional Study in New Zealand, Daniel Shepherd, David McBride, David Welch, Kim N. Dirks and Erin M. Hill, April 2011</li> <li>• Waubra Foundation Presentation, Dr Sarah Laurie BMBS, June 2011</li> <li>• Wind and Turbine Syndrome and the Brain, Nina Pierpont, MD, PhD, November, 2010</li> <li>• Problems With Noise Numbers from Wind Farms, Dr. Bob Thorne, October 2010.</li> <li>• Public Health Impacts of Wind Turbines, Minnesota Department of Health, May 2009</li> </ul>	
<p>DPU regulations referenced in the Bourne Zoning By-law</p> <p>Three presentations by individuals hired by his clients:</p> <ul style="list-style-type: none"> <li>• Noise Control Engineering critique of New Generation</li> <li>• Richard Horonjeff’s (consultant in acoustics and noise control) critique of New Generation Wind Project’s noise study</li> <li>• Presentation by David Pressman of Energy Venture Analysis</li> </ul> <p>Powerpoint presentation given by Chris Senie on June 16, 2011</p> <p>Article by Pedersen forwarded into the record by John Lipman</p> <p>Spread sheet comparing Cape area turbines</p> <p>Memo on “Pitch to Feather” turbine controls to Chris Senie from Robert W. Rand</p> <p>Memo to Chris Senie from staff on “Pitch to Feather” controls</p> <p>Binder of information (studies, articles, misc) originally submitted into a previous record on June 14, 2011 in three parts:</p> <ul style="list-style-type: none"> <li>• Part 1</li> <li>• Part 2</li> <li>• Part 3</li> </ul>	
<p>Email from Lucy Bartlett and Tod Patterson re: attached letter in support of the project so fight climate change and 2<sup>nd</sup> attached letter from someone who works approximately 300 feet from Falmouth turbine and don’t notice substantial impacts</p>	7/20/11
<p>Letter from Philip Benjamin re: turbines complementary use of woodlands</p>	7/20/11
<p>Email from Don MacPhee re: question about next hearing</p>	7/21/11
<p>Email from John Riha re: attached amended testimony, question about manufacturer</p>	7/21/11

of turbine and use of Neodymium	
Email from John Riha re: thank you	7/21/11
Email from Lilli Green re: attached article: "Properly Interpreting the Epidemiologic Evidence about the Health Effects of Industrial Wind Turbines on Nearby Residents" and attached CV of the author, Carl Phillips, PhD	7/21/11
CD entitled: Documents submitted to MA DEP and DPH for Expert Panel 7/19/11, submitted by hand from Lilli Green <i>Note: CD material not available on website</i>	7/21/11
CD entitled: Video from Lee County, IL; Life with Wind Turbines, submitted by hand from Lilli Green <i>Note: CD material not available on website</i>	7/21/11
CD entitled: ABC TV program, Australia, The Stepnell Family, submitted by hand from Lilli Green <i>Note: CD material not available on website</i>	7/21/11
Email from Melanie Curran re: attached testimony presented at 7/20/11 hearing	7/21/11
Email from Peggy Burke re: attached testimony presented at 7/20/11 hearing	7/21/11
Email from Don MacPhee re: attached testimony from Neil Andersen	7/22/11
Email from Lisa Cubellis re: concerns about health effects of turbines	7/26/11
Email from John Carlton-foss re: will be back Tuesday	7/26/11
Email from Mark Hebb re: GPS coordinates for turbines?	7/26/11
Email from Don MacPhee re: attached article about toxic process for mining rare earth elements for turbines	7/26/11
Letter from Barbara Nagle re: attached testimony presented at 7/20/11 hearing	7/26/11
Email from Lydia Manter re: attached Cohasset Planning Board minutes re: complaints about Hull 11 turbine	7/27/11
Email from Gail Larsen re: manufacture of turbines?	7/27/11
Letter from Bertrand Chapman Re: rejecting project	7/29/11
Letter from Eva Borsody Das re: positive experience living next to turbine	8/1/11
Letter from Douglas Manter to Senator Murray	8/1/11
Pictures and Info on Grazing Fields Farm submitted by the Fletcher Family	8/1/11
Letter from M. Hebb re: DT's comments about freeze zoning	8/1/11
Letter from Lucy Bartlett in support of the project	8/1/11
Letter from Tod Patterson in support of the project	8/1/11
Article titled "Low-frequency Noise From Large Wind Turbines"	8/1/11
Letter from Margaret Burke against the project	8/1/11
Article titled "T. Boone's Windy Misadventure and the Global Backlash Against Wind Energy"	8/1/11
"T. Boone's Windy Misadventure" submitted by another member of the public	8/1/11
Letter from Kathy Fletcher of Grazing Fields Farm re: offset tanks	8/1/11
Letter from Grazing Fields Farm in opposition to the project	8/1/11
Letter from Al Bosworth re: concerns with turbine #5	8/1/11
22 copies of a letter stating reasons to reject the project signed by 22 members of the public	8/1/11
Letter from Chris Kapsambelis re: SourceOne Memo of 5/16/11	8/2/11
Letter from Gail Larson-MacPhee in opposition to the project	8/2/11
Email from Ann Kennedy re: her concerns about the project	8/3/11
Letter from the Fletchers (Grazing Fields Farm) re: siting of turbine 7 and the historic significance of the property	8/4/11
Letter from Daniel Webb in support of the project	8/4/11 and 8/8/11
Email from John Carlton-Foss to KS re: video presentation	8/5/11

Email from Richard Conrad to KS re: CCC mission statement and rejecting the project	8/7/11
Email from Margaret Burke to EE re: reasons not to use flexibility clause with respect to hazardous materials	8/7/11
Email from Ellen Moore to KS re: harmful impacts of wind turbines	8/8/11
Email and letter from Chris Senie to KS including: (1) a 9 page letter to the subcommittee, (2) an article on Extreme Wind Shear, and (3) further comments from Acoustical Engineer Richard Horonjeff on the Atlantic acoustical analysis of the project Attached Solar Panel Array from Waterman Design Associates, Inc. (8/1/11)	8/8/11 and 8/9/11
Email from Dorothy Desisto with attached testimony from 7/20 hearing against the project	8/8/11
Email from John Brennan with attached testimony from 8/1 hearing against the project	8/8/11
Email with attached letter from Kristen Brennan to EE re: responsible siting of wind turbines	8/9/11
Email from John B. to EE with attached report titled "Overview of Issues Related to Bats and Wind Energy"	8/9/11
Email from Margaret Burke to EE with attached article that addresses infrasound and low frequency sound exposure as it relates to humans and animals	8/9/11
Email from Andrew Hastings-Black to EE with attached letter from Second Wind	8/9/11
Email from Mary Ellen Small to EE re: negative impacts of project on Real Estate in Bourne	8/9/11
Email from John Berestecky to EE in opposition to the project	8/9/11
Email from Hendrik Luecke with attached additional testimony against the project and a lawsuit from Citizens of the Town of Vinalhaven against Maine DEP	8/9/11
Email from Don MacPhee to EE with attached article related to the adverse health effects of low frequency noise	8/9/11
Email from Mary Ellen Small to KS re: negative impacts of project on Real Estate in Bourne	8/9/11
Email from Don MacPhee to EE in opposition to the project	8/9/11
Email from Margaret Hayes to EE in opposition to the project	8/9/11
Email from Eric Bibler to KS re: ATI Environmental Law Center vs. State of Colorado (Note: Videos not available on CCC website, to view go to website listed in email)	8/9/11
Email from Eric Bibler to Paul Chesser of ATI requesting material on the lawsuit initiated by ATI	8/9/11
Email from Elizabeth O'Connor to EE in opposition to the project	8/9/11
Email from Eric Bibler to KS that includes materials from ATI for consideration in the benefits/detriments analysis	8/9/11
Email from Kiana Owzar to KS and EE including testimony against the project and a peer-reviewed publication on low frequency noise and industrial turbines	8/9/11
Letter from Melvin Peter Holmes addressed to Peter Graham in opposition to the project	8/9/11
Email from Kathy Sherman to KS with attached letter in opposition to the project	8/9/11
Email between Glen Berkowitz and EE with attached letter in support of project	8/10/11
Email from John Carlton-Foss to EE regarding video presentation at last hearing	8/10/11
Letter and photograph from Grazing Fields Farm	8/10/11
Email from Gail Larsen-MacPhee to EE regarding next subcommittee meeting	8/23/11

Email from Gail Larsen-MacPhee to EE regarding site visit	8/31/11
Email from Gail Larsen-MacPhee to EE regarding 9/29 subcommittee meeting	9/29/11
Email from Peggy Burke to EE re: minutes of 9/29 subcommittee meeting	10/2/11
Email from Gail Larsen-MacPhee to EE re: 9/29 subcommittee meeting	10/6/11
Email from Lydia Manter to MB re: photosimulations by Atlantic Engineering	10/6/11
Email from Gail Larsen-MacPhee to EE re: 10/13 subcommittee meeting	10/9/11
Email from Gail Larsen-MacPhee to EE re: 9/29 subcommittee meeting	10/9/11
Email from Margaret Burke to EE re: minutes	10/9/11
Email from Mark Hebb re: agenda for 10/13 meeting	10/12/11
Email from Margaret Burke re: website	10/12/11
Email from Don MacPhee requesting subcommittee to show hands during vote	10/12/11
Email from Heather Wysocki re: 10/13 meeting	10/14/11
Email from Heather Wysocki thanking EE for email	10/14/11
Email from Gail Larsen-MacPhee to EE re: 10/20 meeting	10/18/11
Email from Margaret Burke to EE re: 10/27 meeting	10/19/11
Email from Heather Wysocki re: 10/13 meeting	10/19/11
Email from Margaret Burke to EE re: minutes	10/20/11
Email from Chris Kapsambelis to EE re: subcommittee recommendation	10/21/11
Email from Gail Larsen-MacPhee to EE re: minutes	10/21/11
Email from Christopher Senie to EE thanking her for her email	10/21/11
Email from Christopher Senie to EE with attached letter re: subcommittee deliberations	10/21/11
Email from Gail Larsen-MacPhee to EE re: minutes	10/24/11
Email from Margaret burke to EE re: minutes	10/25/11
Email from Margaret Burke to EE re: next meeting	10/25/11
Email from Mark Hebb to EE re: Nov 10 <sup>th</sup> hearing	10/28/11
Email from Gail Larsen-MacPhee to EE re: Nov 10 <sup>th</sup> public hearing	10/28/11
Email from Heather Wysocki re: 10/27 meeting	10/28/11
Email from Heather Wysocki re: 10/27 votes	10/28/11
Email from Heather Wysocki re: thank you	10/28/11
Email from Margaret Burke re: minutes for 10/13	10/28/11
Email from Gail Larsen-MacPhee to EE re: Nov 10 <sup>th</sup> hearing	10/30/11
Email from Heather Wysocki to EE re: date of next meeting	10/31/11
Email from Don MacPhee to EE with attached testimony re: European setbacks	10/31/11
Email from Don MacPhee to EE with attached article "Legislators Get An Earful at Contentious Cape Turbine Hearing"	11/2/11
Email from Chris Kapsambelis to EE requesting draft decision	11/3/11
Email from Peter McPhee to EE requesting the draft decision	11/3/11
Letter from Gail Larsen-MacPhee urging full Commission to reject the project	11/3/11
Letter from Mass Clean Energy Center	11/3/11
Email from Joe Longo to KS and EE regarding copy of the draft decision	11/3/11
Email from Eric Bibler to Ryan Christenberry re: copy of draft decision	11/3/11
Email from Chris Senie to EE re: materials in the record	11/7/11
Email corr between Heather Wysocki and EE re:cancellation of CCC meeting	11/9/11
Email corr between Chris Kapsambelis and EE re: cancellation of CCC meeting	11/10/11

Contact form from Kathy Sherman re: app materials	11/10/11
Email corr between KS and EE re: testimony for CCC meeting	11/10/11
Email from Gail Larsen-MacPhee to EE re: CCC meeting	11/10/11
Email from Margaret Burke to EE re: minutes	11/12/11
Email from Gail Larsen-MacPhee to EE re: CCC committee	11/14/11
Email with attached letter in support of the project from Allyson Bizer Knox to EE	12/05/11
Email from Margaret Burke to EE re: public hearing	12/11/11
Letter from residents of Hull affirming continued support of the project	12/14/11
Letter from Barry Motta to EE with attached letter in support of the project	12/14/11
Email from David O'Hara to EE in support of the project	12/14/11
Email from Lilli Green to EE with link to documentary film on impacts of turbines	12/14/11
Letter from David Mann in support of the project (re-submitted from 6/1/11)	12/15/11
Email from Lilli Green to EE thanking her for her email	12/16/11
Letter from Keith Mann to EE in support of the project	12/16/11
Email from Duane Caswell to EE in support of the project	12/20/11
Email from Maureen Barillaro to EE in support of the project	12/21/11
Letter from William Locke in support of the project	12/21/11
Email from Gail Larsen-MacPhee to EE re: final CCC meeting	12/25/11
Email from Don MacPhee to EE re: final CCC meeting	12/26/11
Email from Peggy Burke to EE re: January 5 <sup>th</sup> CCC meeting	12/29/11
Email from Gail Larsen-MacPhee to EE re: January 5 <sup>th</sup> CCC meeting	12/31/11
Email from Paul Revere to EE re: January 5 <sup>th</sup> CCC meeting	1/4/12
Email from Gail Larsen-MacPhee to EE re: Feb 2 <sup>nd</sup> CCC meeting	1/5/12
Email from Annette Herbst to KS in support of the project	1/10/12
Email from Jack Pitney to KS in support of the project	1/24/12
Email from Don MacPhee to EE re: DEP's letter to the Commission	1/24/12
Email from Ted Barten to EE re: update on the project	1/25/12
Email from TB to EE thanking her for update	1/26/12
Emails from Lilli Green to EE with attached correspondence to DEP from Eric Bibler	1/28/12
Letter from Kim Gardner in support of the project	1/30/12
Letter from George Jenkins in support of the project	1/31/12
Email from Andrew Clemons to KS with attached letter in support of the project	1/31/12
Email from Romana Vysatova to CCC in support of the project	1/31/12
Email from Peter Clemons and Marianne Benson to KS in support of the project	1/31/12
Email from Liz Argo to RC with attached distributed email re: CCC's anti-wind bias	1/31/12
Email from Scott Zeien to KS and John Lipman in support of the project	2/1/12
Email from JF Manwell to KS and EE with attached letter in support of the project	2/1/12
Email from Eric Bibler to RC asking her to forward previous message and confirm	2/1/12
Email from Justin Cifello to KS in support of the project	2/1/12
Email from Chris Timmons to KS in support of the project	2/1/12
Email from Eric Bibler to RC asking her to forward previous message and confirm	2/1/12
Email from Joyce McConnell to RC and PN re: response to "A Double Standard" and rules being fairly applied	2/1/12
Email from Gail Larsen-MacPhee to EE re: testimony at CCC meeting	2/1/12

Email from Joan Simpson to KS with attached letter in support of the project	2/1/12
Email from Gail Larsen-MacPhee to EE re: testimony at CCC meeting	2/1/12
Email from Bill Fox to KS in support of the project	2/1/12
Email from Sue Corbin to KS in support of the project	2/1/12
Email from Priscilla Koleshis to KS in support of the project	2/1/12
Email from William Rhatigan to KS in support of the project	2/2/12
Email from John and Rachel Nicholas to KS in support of the project	2/2/12
Email from Joyce DeLutis to KS in support of the project	2/2/12
Email from Danielle Nicholas to KS in support of the project	2/2/12
Email from John Eric Rosengren to KS and Greg O'Brien in support of the project	2/2/12
Email from Robert Schofield to KS in support of Jerry Ingersoll's project	2/2/12
Email from Tracy Bowman to KS in support of the project	2/2/12
Letter from Douglas Manter against the project and reiterating the rights of Wampanoag's to practice their religion	2/2/12
Email from Frances Anderegg to KS re: concerns about property values	2/2/12
Email and letter from Michael Giaimo, Attorney representing Grazing Fields Farm against the project	2/2/12
Email from Eric Ingersoll to KS in support of the project	2/2/12
Email from Joyce Lorman to KS with attached email from the superintendent in Portsmouth re: effects of wind turbines, attached email from Joyce Lorman to Superintendent requesting information re: effects of turbine on school and attached mass distributed email from John Lipman requesting support for the NGW project at the Commission meeting on 2/2 and attached explanation of the "misinterpreted regulations"	2/2/12
Email from Meaghan Hall to KS in support of Bay End Farm's proposal	2/2/12
Email from Joanne Dolan Ingersoll with testimony provided at CCC meeting	2/2/12
Email from Tracy Bowman in support of the project	2/2/12
Testimony submitted by hand and email from Carl Ingersoll in support of the project	2/2/12
Testimony submitted by John Riha at the CCC meeting including attached articles and documents related to the project and a DVD of Pandora's Pinwheels (previously submitted by Lilli Green on December 14, 2011, look to previously submittal for link for viewing)	2/2/12
Testimony sent via email and submitted by hand at CCC meeting from Glen Berkowitz in support of the project	2/2/12
Letter from William Rhatigan from EcoTac in support of the project	2/2/12
Testimony submitted by Edward Simpson in support of the project	2/2/12
Letter from Assistant Town Planner from Portsmouth, RI in support of the project	2/2/12
Email from William Fox to KS in support of the project	2/2/12
Email from Scott Zeien, President of Kingman Yacht Center to KS and John Lipman in support of the project	2/2/12
Email from Michael Devine, Principal of Hull High School re: no detriments to having the Hull turbine near the school	2/2/12
Letter from Keith Mann submitted at the CCC meeting in support of the project	2/2/12
Testimony submitted by Monica Mann at the CCC meeting in support of the project	2/2/12
Email from Chris Timmons to KS in support of the project	2/2/12
Letter from George Jenkins in support of the project	2/2/12

Testimony from Kim Gardner in support of the project submitted at CCC meeting	2/2/12
Letter from Joan and Edward Simpson in support of the project submitted at CCC meeting	2/2/12
Letter from Janice Rohlf submitted at CCC meeting in support of the project	2/2/12
Letter submitted by hand and distributed to CCC members at CCC meeting from Attorney Chris Senie with attached documents in favor of the subcommittee's decision	2/2/12
Strategic Health Impact Assessment on Wind Energy Development in Oregon submitted by hand at 2/2/12 CCC meeting	2/2/12
Rebuttal to DEP determination by Ms. Carmen Krogh, submitted by Eric Bibler	2/3/12
"Living Near Wind Turbines Can Be Hazardous to Your Health" and "Wind Energy, Noise Pollution" submitted by Eric Bibler	2/3/12
Letter submitted by James Liedell in support of the project	2/3/12
Email from Tom Durkin to EE in support of the project	2/4/12
Email from Chris Kampsambelis to EE with attached testimony from 2/2 CCC meeting	2/6/12
Email with attached letter from Mark Cool responding to EEA's testimony	2/6/12
Email correspondence between Peggy Burke and EE re: testimony on website	2/6/12
Letter from Gail Larsen-MacPhee to CCC re: lack of any emergency plan coordinated with Bourne's fire department	2/6/12
Letter from Gail Larsen-MacPhee to CCC in support of subcommittee's decision	2/6/12
Letter from Carol Kenney to CCC members re: subcommittee meetings and in support of subcommittee's decision	2/6/12
Email from Attorney Chris Senie with the following attachments (also sent via mail): <ul style="list-style-type: none"> <li>- February 6, 2012 letter to full Commission and Kristy Senatori</li> <li>- Printed List of Items in the Record from the Commission's website</li> <li>- DEP/DPH "Wind Turbine Health Impact Study (January 2012) (previously submitted by the Applicant on 1/31/12)</li> <li>- Oregon Department of Public Health "Strategic Health Impact Assessment on Wind Energy Development in Oregon" (January 2012) (previously submitted at CCC meeting on 2/2/12) (note: 134 page document)</li> <li>- Emails sent to EE on 2/7/12 with above attachments</li> </ul>	2/6/12
Email from Kiana Owzar to EE re: deadline for submissions	2/6/12
Email with attached letter from Eric Turkington in response to DEP and EOEEA testimony and in opposition to the project	2/6/12
Email from Eric Bibler to EE with attached article "Controversy Over Land-Based Wind Turbines Fractures Coalition Government in United Kingdom/Implications for 'Community Morale'"	2/7/12
Email from Pat and Jim Rogers in opposition to the project and re: turbines in Falmouth	2/7/12
Email from Mark Cool in response to State testimony	2/7/12
Email from Dave and Dottie DeSisto in opposition to the project	2/7/12
Email from Lydia Manter with attached article titled "MA DEP/DPH Panel says: Falmouth Wind Turbines 'are too close'"	2/7/12
Email from Michael Fortune to Therese Murray re: political pressure	2/7/12
Corrected email from Michael Fortune	2/7/12
Letter from Barbara Nagle in support of the subcommittee's draft decision	2/7/12

Email with attached letter from Hendrik Luecke in support of the subcommittee's decision and responding to State testimony	2/7/12
Email from Linda Salamon with attached article titled "The True Cost of Wind Power"	2/7/12
Email from David Schlottenmier in support of the project	2/7/12
Email from Jim Potter with attached testimony re: Bourne's review of the project and zoning bylaws	2/7/12
Letter from Douglas Manter with 4 attachments related to negative effects of wind turbines	2/8/12
Email from Christin Evangelista re: effects of turbines at MMR on her children	2/8/12
Email correspondence from Peggy Burke re: speaker at CCC meeting	2/8/12
Email from Fnhaggerty with attached letter re: Low Frequency Study – Falmouth Fairhaven Wind Turbines	2/8/12
Email with attached letter from Susan Daniels re: concerns with the proposed project	2/8/12
Email with attached testimony from John Riha in response to State's testimony and addressing concerns with proposed project	2/8/12
Email from Matthew Brault re: the importance of renewable energy	2/8/12
Email from Eric Bibler with attached letter to EOEEA, DER and DEP re: The Ethics of Wind Turbine Noise	2/8/12
Email from Don MacPhee re: European Setbacks	2/8/12
Email from Don MacPhee with attached letter from Town of Bourne Town Administrator	2/8/12
Email from Eric Bibler with attached letter to EOEEA, DER, and DEP re: "Evaluation of Probable Detriments to 'Community Morale' from wind Turbine Noise from the New Generation Wind Project in Bourne"	2/8/12
Email from Mitchell McClain to EE and MB with attached letter re: concerns with the project and tax assessment	2/8/12
Mass distributed email from Fnhaggerty with attached article by Eric Turkington titled "Commission Should Listen to Bourne on Wind Project"	2/9/12
Email from Walter Nagle in support of the subcommittee's draft decision	2/9/12
Email with attached letter from Michael Giamo, Esq. re: the impacts of Turbine 7 on Grazing Fields Farms	2/9/12
Email from Peggy Burke re: Zoning Board of Appeals in Wareham denied Beaufort Winpowers "Bog Wind Power Cooperative Project"	2/9/12
Email from Eric Bibler with attached letter to Sullivan, Kimmell and residents of Cape Cod with attached editorial by Eric Turkington (previously submitted) and letter from EEA to CCC (previously submitted)	2/9/12
Email from Sheila Bowen, Wind Wise Cape Cod with written version of testimony at CCC meeting in support of the subcommittee's draft decision	2/9/12
Email from Peggy Burke re: concerns about proximity of turbines to residences and elementary school	2/9/12
Email from Mark Hebb re: NGW's Counsel's letter asking Michael Blanton and Roger Putnam to be recused	2/9/12
Email from Melvin Peter Holmes in opposition to the project	2/9/12
Email from Eric Bibler with attached letter to EOEEA, DER and DEP with attached article titled "When a 'Windfall' Isn't Quite What It Seems"	2/9/12
Email from Malcolm Donald with attached testimony re: Falmouth turbines and comparison to those proposed being too close to residences	2/9/12

Email with attached letter/testimony from Kiana Owzar composed on behalf of a group of concerned parents with children who are attending or will attend Bournedale Elementary School	2/9/12
Email from Eric Bibler with attached letter to EOEEA, DEP and DER re: "Senators in Australia Call for Immediate Moratorium on Wind Turbine Development, Decry Failure to Act on Recommendations of Special Inquiry Regarding Hazards"	2/9/12
Email from Kathy Sherman re: concerns with the project	2/9/12