

**NEW JERSEY NOISE CONTROL COUNCIL MEETING
JANUARY 12, 2010
MEETING MINUTES**

NCC ATTENDEES: J. Lepis (Chairman, Civil Engineer), A. Schmidt (Vice Chairman, Public Member-Registered Environmental Health Specialist), J. Feder (Secretary, Public Member-pending confirmation), S. Szulecki (Public Member-pending confirmation, Ecologist), R. Hauser (DOL, Member), C. Accettola (Public Member-pending confirmation), I. Udasin (Public Member-Medical Doctor), T. Pitcherello (Member-NJDCA), N. Dotti (Public Member), M. Klewin (NJ Motor Vehicle Commission), Eric Zwerling (RTNAC), D. Triggs (NJDEP).

GUESTS: Bill Simmons and Bill Haas from the Monmouth County Health Department

I. ADMINISTRATIVE

Minutes of the November 10 meeting were approved. Elections were held, and Joe Lepis, Arnold Schmidt, and Jerome Feder were elected as Chairman, Vice Chairman, and Secretary, respectively. There was some further discussion of possible courses of action to speed confirmation of pending members, since this remains a problem.

II. NOISE ISSUES FROM PROPOSED WIND GENERATOR

Although the January meeting was originally intended to work on the Model Code, Mr. Bill Simmons and Mr. Bill Haas from the Monmouth County Health Department attended as guests to bring to the Council's attention potential noise issues introduced by the proposed construction of a wind driven electric generator within Monmouth County. This topic preempted the original planned meeting focus. The guests distributed a substantial package of information covering the siting, potential noise, and other issues relating to the proposed construction. They asked: 1) did the proposed facility satisfy the New Jersey Noise regulations? 2) are revisions to the Ordinance necessary, since these generators do make noise, and it is anticipated that more of them would likely be proposed and constructed in the future?

Noise from the wind generation facilities is predominantly in the low frequency bands. Most current noise regulation is based on "A" weighting, which substantially deemphasizes low frequency sounds. Therefore, a quick comparison of the expected noise with the regulation indicated that the proposed facility, which will be some 1600 feet from the nearest residence, would likely generate sounds which, although clearly audible, would likely not violate the New Jersey Ordinance. Octave band frequency sound level limits might apply, but these are relatively lenient for low frequency sound (because of the insensitivity of the ear to low frequencies), so it was likely that even the band limits would be satisfied. No information was presented covering the sound levels which would be generated by the proposed facility below 31 HZ, and there is a possibility that, due to the slow rotational speed of the wind generator, it might generate a lot of low frequency energy, which might cause a possible violation of the New Jersey regulations, but this is speculative.

In terms of possibly introducing future additional criteria to regulate wind generation facilities, Mr. Zwerling brought out the point that our regulatory policy had been to focus on the sounds generated independent of the nature of the source. There was also concern within the group regarding the unknown implications of setting stringent thresholds for low frequency energy, since many

industries might be affected. In general, noise regulations must balance needs to make noise with the right of the public to enjoy freedom from intrusive sounds.

Several courses of possible action were proposed to the guests: 1) obtaining additional information on the anticipated very low frequency sound emissions of the proposed facility; 2) The applicant should provide the Planning Board with related records regarding the anticipated noise emissions, to ensure that they were being accurately forecast and to facilitate remediation in the event that they were not; 3) a suggestion that all aspects of the project be reviewed with respect to environmental, zoning, and planning regulations to ensure that both local and National Environmental Policy Act (NEPA) requirements were being satisfied.

III. NEXT MEETING

The next scheduled meeting is on February 9, 2010.

Respectfully submitted:

Jerome Feder