

SENATE, No. 2374

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED NOVEMBER 8, 2010

Sponsored by:

Senator SEAN T. KEAN

District 11 (Monmouth)

Senator ANDREW R. CIESLA

District 10 (Monmouth and Ocean)

Co-Sponsored by:

Senators Gill and Scutari

SYNOPSIS

Prohibits siting of industrial wind turbines within 2,000 feet of any residence or residentially zoned property.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/8/2011)

1 AN ACT concerning wind energy and supplementing Titles 13 and
2 40 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. a. The Legislature finds and declares that industrial-strength
8 wind turbines can be over 400 feet tall and have blades that sweep
9 up to 1.5 acres in area; that, as a result of their size, these machines
10 have the potential to obstruct scenic vistas, create large community
11 eyesores, and reduce property values for nearby residents unless
12 they are sited at appropriate distances from residential areas; that
13 recent developments in the area of wind power production have
14 further indicated that the noise and vibration stemming from the
15 operation of large-scale industrial wind turbines may cause nearby
16 residents to suffer from a health condition known as “wind turbine
17 syndrome,” which may result in sleep disturbance, headaches,
18 ringing of the ears, ear pressure, dizziness, vertigo, nausea, visual
19 blurring, racing heartbeat, irritability, problems with memory and
20 concentration, and panic episodes accompanied by internal
21 pulsation or quivering sensations; that people have moved away
22 from their homes to avoid the ill effects associated with “wind
23 turbine syndrome”; and that medical, noise, and acoustics experts,
24 as well as wind energy organizations, have indicated that incidents
25 of “wind turbine syndrome” can be avoided if industrial-strength
26 wind turbines are sited a considerable distance away from
27 residential property.

28 b. The Legislature therefore finds that, in order to protect the
29 public health and welfare, and in order to preserve the scenic vistas
30 enjoyed by State residents and protect residents from unnecessary
31 reductions in property value, it is both reasonable and necessary to
32 prohibit the siting of industrial-strength wind turbines in or near
33 residential areas.

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35 2. a. No wind energy structure may be erected or installed in
36 the State at a site that is closer than 2,000 feet from any residence or
37 residentially zoned property.

38 b. No State entity may approve any plan, proposal, or permit
39 application for a wind energy structure if that wind energy structure
40 will be erected or installed at a site that is closer than 2,000 feet
41 from any residence or residentially zoned property.

42 c. The provisions of this section shall apply only to wind
43 energy structures erected or installed in the State subsequent to the
44 effective date of this act.

45 d. As used in this section, “wind energy structure” means any
46 on- or off-shore turbine, facility, farm, or other structure that is
47 designed for the purpose of supplying electrical energy produced
48 from wind technology, but shall not include a “small wind energy

1 system,” as defined by section 1 of P.L.2009, c.244 (C.40:55D-
2 66.12).

3

4 3. a. No municipal agency may approve any plan, proposal, or
5 permit application for a wind energy structure if that wind energy
6 structure will be erected or installed at a site that is closer than
7 2,000 feet from any residence or residentially zoned property.

8 b. The provisions of this section shall apply only to wind
9 energy structures erected or installed in the State subsequent to the
10 effective date of this act.

11 c. As used in this section, “wind energy structure” means any
12 on- or off-shore turbine, facility, farm, or other structure that is
13 designed for the purpose of supplying electrical energy produced
14 from wind technology, but shall not include a “small wind energy
15 system,” as defined by section 1 of P.L.2009, c.244 (C.40:55D-
16 66.12).

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18 4. This act shall take effect immediately.

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STATEMENT

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23 This bill would prohibit the siting of any industrial-strength wind
24 energy production system within 2,000 feet of any residence or
25 residentially zoned property. It would further prohibit any State
26 entity or local government unit from approving a plan, proposal, or
27 permit application for any industrial wind energy system that will
28 be so sited.

29 The bill’s prohibitions are necessary in order to ensure that the
30 increased use of wind energy in the State will not cause a
31 significant obstruction of scenic views or reduction in home values
32 for New Jersey residents, and, more importantly, will not cause
33 New Jersey residents to suffer from the ill health effects associated
34 with “wind turbine syndrome” – a condition that has been
35 connected with the close placement of industrial-scale wind
36 turbines to residential areas. Symptoms of “wind turbine
37 syndrome” include sleep disturbance, headaches, ringing of the
38 ears, ear pressure, dizziness, vertigo, nausea, visual blurring, racing
39 heartbeat, irritability, problems with memory and concentration,
40 and panic episodes accompanied by internal pulsation or quivering.
41 These symptoms, which are continuing in nature, often force people
42 to move away from their homes. Experts on “wind turbine
43 syndrome,” experts in noise and acoustics, and wind energy
44 associations, however, have all indicated that instances of “wind
45 turbine syndrome” can be avoided if industrial wind energy systems
46 are sited a considerable distance away from residential housing.
47 Such distant siting would also alleviate potential problems
48 associated with vista obstruction, and would ease the impact of

1 industrial wind energy facilities on property values. Consequently,
2 in order to protect the public health and welfare, and preserve the
3 State's scenic vistas and residential property values, it is both
4 reasonable and necessary to prohibit the erection of industrial wind
5 energy facilities within 2,000 feet of any residential property.

6 It is important to note, however, that this bill would not apply to
7 the siting of small wind energy systems that are used primarily for
8 on-site consumption purposes. "Wind turbine syndrome" has been
9 associated only with the residential placement of large-scale,
10 industrial-strength wind turbines. Moreover, small, personal-use
11 wind energy systems are not likely to cause significant vista
12 obstruction or the reduction of surrounding property values, as is
13 true of their larger, industrial counterparts.