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

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning wind energy and supplementing Titles 13 and 40 of the Revised Statutes.

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

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

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

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

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

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

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

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

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

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

4. This act shall take effect immediately.

STATEMENT

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

The bill’s prohibitions are necessary in order to ensure that the increased use of wind energy in the State will not cause a significant obstruction of scenic views or reduction in home values for New Jersey residents, and, more importantly, will not cause New Jersey residents to suffer from the ill health effects associated with “wind turbine syndrome” – a condition that has been connected with the close placement of industrial-scale wind turbines to residential areas. Symptoms of “wind turbine syndrome” include sleep disturbance, headaches, ringing of the ears, ear pressure, dizziness, vertigo, nausea, visual blurring, racing heartbeat, irritability, problems with memory and concentration, and panic episodes accompanied by internal pulsation or quivering. These symptoms, which are continuing in nature, often force people to move away from their homes. Experts on “wind turbine syndrome,” experts in noise and acoustics, and wind energy associations, however, have all indicated that instances of “wind turbine syndrome” can be avoided if industrial wind energy systems are sited a considerable distance away from residential housing. Such distant siting would also alleviate potential problems associated with vista obstruction, and would ease the impact of
industrial wind energy facilities on property values. Consequently, in order to protect the public health and welfare, and preserve the State’s scenic vistas and residential property values, it is both reasonable and necessary to prohibit the erection of industrial wind energy facilities within 2,000 feet of any residential property.

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