HOUSE DOCKET, NO. 3355 FILED ON: 1/18/2013

HOUSE . . . . . No. 2960

The Commonwealth of Massachusetts

PRESENTED BY:

Brian R. Mannal

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act concerning zoning.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brian R. Mannal	*2nd Barnstable*
Sarah K. Peake	*4th Barnstable*

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HOUSE . . . . . No. 2960

By Mr. Mannal of Barnstable, a petition (accompanied by bill, House, No. 2960) of Brian R. Mannal and Sarah K. Peake for legislation to prohibit the siting of wind turbines within 3,000 feet of a residence or residentially zoned property. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1757* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act concerning zoning.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 3 of Chapter 40A of the General laws, as appearing in the 2010 Official Edition, is hereby amended by inserting the after the words "the city and town enacting such ordinance and by-law" the following:-

Section 1. The legislature finds and declares that industrial wind turbines can be over 400 feet tall; that as a result of their size, these machines have the potential to reduce property values for nearby residents unless they are sited at appropriate distances from residential areas; that recent studies 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 heart beat, irritability, problems with memory, and concentration, and panic episodes accompanied by internal pulsation; that medical, noise and acoustic experts have indicated that “wind turbine syndrome” can be avoided if industrial wind turbines are sited an appropriate distance from residential property. The Legislature therefore finds that, in order to protect the public health and welfare, and to protect residents from unnecessary reductions in property values, it is both reasonable and necessary to prohibit the siting of industrial wind turbines in or near residential areas.

Section 2. No wind turbine may be erected or installed in the Commonwealth at a site that is closer than 3,000 feet from any residence or residentially zoned property. No state

19 regional or municipal entity may approve or provide funding for any plan, proposal, or permit
20 application for a wind turbine that will be erected or installed at a site closer than 3,000 feet
21 from any residence or residentially zoned property. The provisions of this section shall apply
22 only to wind turbines erected or installed subsequent to the effective date of this act.