

Perry approves de facto ban on industrial wind farms

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PERRY — A de facto ban on industrial wind farms has been approved by the Town Board.

Board members unanimously approved the new law at Wednesday's meeting. It replaces previous regulations enacted in 2006.

Height is now limited to 125 feet, with a maximum nameplate rating of 110 kilowatts. No shadow flicker will be allowed except on the owner's property.

A minimum setback has been set at twice the windmill's overall height from any road, non-participating structure or above-ground utilities. Commercial turbines would also need to be at least 1,500 feet from the nearest non-participating lot line.

Noise would be limited to no more than six decibels above the average ambient nighttime level, measured at uninvolved parcels' lot lines — meaning properties whose owners don't have leases or easements with the project owners.

Upon any complaints, monitoring would be conducted at the owner's expense by an expert both the owner and Town Board have agreed upon. The monitoring would include low-frequency noise emissions.

A special use permit will be required for any commercial wind energy system or component. Zoning permits would be needed for commercial or residential system, with the former also a site plan review.

An application fee of \$10 per kilowatt hour of nameplate capacity would also be required. Nameplate capacity is the intended full-load capacity of a generating system.

Wind energy has been highly controversial in the town since Horizon Wind Energy proposed the Dairy Hills Wind Farm in 2005.

Horizon ultimately froze the project in 2009 due to its uncertainty. The Town Board voted a year ago to declare the wind farm application null and void.

A 12-month moratorium on wind energy development was enacted last June.