



**Local Law Filing**

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

3 of the year 20 25

Local Law Title: LARGE WIND ENERGY CONVERSION OVERLAY DISTRICTS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Be it enacted by the TULLY TOWN BOARD of the  
*(Name of Legislative Body)*

County  City  Town  Village  
*(Select one)*

of TULLY as follows on the attached pages:  
*(Name of Local Government)*

**For Office Use Only**

Department of State Local Law Index Number: \_\_\_\_\_ of the year 20 \_\_\_\_

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

# Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

## 1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number 3 of 2025 of the ~~(County)(City)(Town)(Village)~~ of Tully was duly passed by the Tully Town Board on October 8<sup>th</sup> 2025 in accordance with the applicable provisions of law.

(Name of Legislative Body)

## 2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer\*)

## 3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer\*)

## 4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**Local Law Filing**

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, ascribed as local law number \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_ became operative.

**6. (County local law concerning adoption of Charter.)**

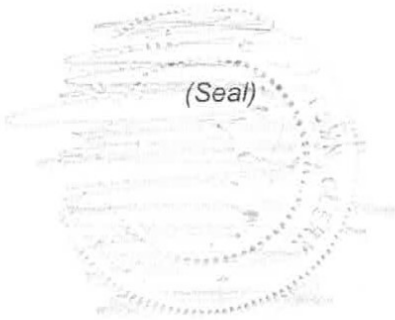
I hereby certify that the local law annexed thereto, ascribed as local law number \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph \_\_\_\_\_ <sup>1</sup> above.

Susan Vaccaro  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Susan Vaccaro  
(Date) October 15, 2025



Local Law Number 3 of 2025, a Local Law Amending the Town Code of the Town of Tully, Onondaga County, New York by creating a new Section 280-11.5 entitled Large Wind Energy Conversion Overlay Districts.

## Section 1. Intent, Purpose, Findings and Definitions

A. The purpose and intent of these supplemental requirements and standards are to regulate the development of large wind conversion projects and related structures in the Town of Tully. It is deemed critical that such projects be sited in a manner and location as to enhance the quality of life in the Town of Tully in compliance with its codes and also with the established Comprehensive Plan.

Any applicant for a Large Wind Energy Conversion System requesting a special permit for the construction of such a system, will first need to establish under this Section, a Large Wind Energy Conversion Overlay District for the siting of the system.

B. Findings: The Town Board of the Town of Tully finds and declares that;

1. Energy is an abundant, renewable and nonpolluting energy resource of the Town, and its conversion to electricity may reduce dependence on nonrenewable energy sources and decrease the emission of hydrocarbons that result from the use of conventional energy sources.
2. The generation of electricity by properly sited wind turbines, including private systems, can be cost-effective and in many cases existing power distribution systems can be used for transmission.
3. Regulation of the siting and installation of wind turbines is necessary for the purposes of protecting the environment, as well as the health, safety and welfare of neighboring property owners and the general public from any potential impacts, including but not limited to those set forth herein.
4. Large wind energy conversion systems represent a significant potential aesthetic impact because of their large size, lighting, shadow flicker effects, and the visual impacts associated with collection systems.
5. If not properly regulated and sited, installation of large wind energy conversion systems can create drainage problems through erosion and lack of sediment control for system sites and access roads, and harm farmlands through improper construction methods.
6. Large wind energy conversion systems may present a risk to bird and other animal populations if not properly sited.

7. If not properly sited, large wind energy conversion systems may present risks to the property values of adjoining property owners.
8. Large wind energy conversion systems can be a significant source of noise which, if unregulated, can negatively impact adjoining properties.
9. Construction of large wind energy conversion systems can create traffic problems and damage local roads.
10. Large wind energy conversion systems can cause electro magnetic interference issues with various types of communications.
11. Large wind energy conversion systems can impact emergency response services.
12. Large wind energy conversion systems can have an environmental impact on wetlands, streams and other natural habitats
13. Large wind energy conversion systems can impact area groundwater and private wells, particularly as a result of blasting operations that might be necessary for construction of such systems.

#### C. Definitions:

1. Applicant. Any person or entity applying to develop, own, locate, construct or operate a wind energy conversion system within the Town. All requirements placed upon an applicant under this article or by way of approval of a permit issued hereunder shall be fully and completely binding upon the owner, his heirs, successors or assigns of any wind energy conversion system being submitted for review hereunder.
2. Planning Board. For purposes of this article, Planning Board shall mean the Tully Joint Village and Town Planning Board.
3. Public Hearing. A meeting announced and advertised in advance, and open to the public, with the public given an opportunity to speak, participate and express their opinions and express their concerns.
4. Large Wind Energy Conversion System. One or more towers, polls or other structures, whether attached to a building or freestanding, designed to be used for the support of a rotor that consists of blades and hub, as well as a nacelle and generator for the purpose of producing electricity intended to provide wholesale electricity production for delivery to local and or regional transmission networks.
5. Large Wind Energy Conversion Overlay District Zone. A district which encompasses part or parts of one or more underlying districts and that establishes requirements for the siting of large commercial wind energy conversion systems.

Application Procedure Overview. The Applicant will submit the materials hereinafter outlined to the Codes Officer of the Town of Tully. The materials will then be forwarded to the Planning Board for their review and recommendation and a final determination will then be made by the Town Board following the procedures hereinafter outlined. The Application will also be referred as required to the Onondaga County Planning Board for their review.

Timeline: Required application materials shall be submitted to the Town Code Officer along with the appropriate filing fee and said Officer shall review for completeness. If the Officer deems it appropriate, a consultant may be retained, as paid for by the Applicant, to review the submitted materials. Within 30 days of receipt of a completed application package and after any review by a consultant, if any, the Code Officer shall submit the matter for review and recommendation to the Planning Board. The Planning Board shall complete their review within 45 days unless it is deemed appropriate for a public hearing and then within 60 days of the receipt of the application material. They will then forward their recommendation for, against or with modifications to the Town Board. Within 45 days of receipt of the Planning Board recommendation, the Town Board shall conduct a public hearing and after the public hearing is completed and within 30 days, the Town Board shall notify the Applicant regarding their decision for, against or with modifications on the establishment of a Large Wind Conversion Overlay District. These timelines are subject to reasonable modification by the Town Board.

A. An Application to establish a Large Commercial Wind Conversion Overlay District shall include the following:

1. Construction Plan. A detailed construction plan, including but not limited to the construction schedule, hours of operation; designation of heavy haul routes; a list of material equipment and loads to be transported; identification of any temporary facilities intended to be constructed, the number of truckloads by type of vehicle and the duration of construction in each area of the site.
2. Decommissioning and Site Restoration Plan. A decommissioning and site restoration plan shall be prepared by the Applicant. It shall identify the lots of record it applies to and shall indicate removal of all buildings, structures, wind turbines, access roads and or driveways and foundations 4 feet below finished grade; road repair costs, if any; and all grading and revegetation necessary to

return the site to the condition existing prior to the establishment of the Large Wind Conversion Overlay District.

3. Description. A description of the project, including the number of large commercial wind turbines, their height, make and decibel data.

4. Emergency Response Plan. The applicant shall describe what steps are planned to be taken in their emergency response plan to safeguard the site and surrounding areas and how they plan to coordinate with local emergency services.

5. Landscaping plan. A landscaping plan prepared and sealed by a registered design professional showing the current vegetation, describing the area to be cleared. The plan shall also include details pertaining to erosion and sediment control as well as a stormwater management pursuant to any applicable regulations of the State of New York.

6. Proposed Site plan. The applicant shall supply a proposed site plan pursuant to Section 280-9 B of this Code also including any plans for battery storage on the site.

7. Studies. Studies prepared by a qualified person as paid for by the applicant and approved by the Town Board or Code Officer:

a. Agricultural mitigation. An analysis detailing the agricultural mitigation needed to restore a farm operation disturbed by large commercial wind energy conversion systems.

b. Wildlife impact. An analysis of bird migration, nesting and habitat impacts that could be caused by the proposal. Also, potential impact on other native wildlife.

c. Cultural resources. Analysis describing the potential impacts of the project upon cultural resource in the Town of Tully.

d. Electromagnetic interference. An analysis of potential for electromagnetic interference with microwave, radio, television, personal communication systems, 9/11, weather radar, and other wireless communications.

e. Fiscal and economic impact. A property value analysis prepared by a licensed appraiser in accordance with industry standards, regarding the potential impact on the value of lots within a 2 mile radius of the proposed site.

f. Geotechnical impact. Analysis of soils engineering and geological characteristics of the site based on on-site sampling and testing, foundation design criteria for all proposed structures, slope stability, grading criteria for ground preparation and soil compaction.

g. Land use and water impacts. Analysis detailing potentially impacted wetlands, surface water and groundwater resources, stormwater runoff, and the geology and land use of the site.

h. Noise analysis. A noise analysis that shall include a description and map of the project's noise producing features and the noise sensitive equipment, including the range of noise levels and the total frequency characteristic expected at the nearest property lines surrounding the proposed project.

i. Shadow Flicker. An analysis that shall identify locations where shadow flicker may interfere with any residences and roadways within the Town and the expected duration of the flicker. The study shall identify measures that shall be taken to eliminate or mitigate the problem, which may include ceasing operations during periods when general affliction shadow flicker effects are at the greatest.

j. Visual Impact. A visual impact analysis is required and shall include computerized photographic simulations showing the visual impact of the fully developed wind turbines, in both leaf on and leaf off conditions, and demonstrating any visual impacts from key observation points that are located on public or private property within a three mile radius, where the turbines are anticipated to materially alter the view shed and at least one turbine is anticipated to be visible throughout the year. These points will be selected in consultation and approval of the Town.

8. SEQRA review. Applications for wind energy conversion systems are deemed Type I projects under the State Environmental Quality Review Act. The Town shall conduct its SEQRA review in conjunction with other agencies. The record of said review by other agencies shall be part of the record of the Town's proceedings. At the completion of the SEQRA review process, if a positive declaration of environmental significance has been issued and an environmental impact statement prepared, the Town shall issue statements of findings.

9. Public Hearings. All hearings either before the Town Board or the Planning Board shall be conducted as follows: Notice shall be given by first-class mail return receipt requested by the Applicant to all property owners within 2 miles of the boundaries of the proposed wind energy overlay district. The notice will also be published in the Town's official newspaper and on any social media which the Town conducts no less than 10 nor more than 20 days before any hearing, but where any hearing is adjourned by the Town Board or the Planning Board to hear additional comments, no further publication or mailing shall be required. The Applicant will prepare the mailing and mail the notice of public hearing as prepared by the Applicant and approved by the Town. The current assessment role of the Town shall be used to determine mailing addresses. The Applicant will furnish a certificate or affidavit of mailing to all the required property owners as set forth above.

10. Upon the receipt of the report of recommendations of the Town Planning Board and the County Planning Board, the holding of public hearings and the completion of the SEQRA process, the Town Board may approve, approve with conditions or deny the application.

Section 3. Law will take effect upon the filing with the New York State Department of State.