

Conditional Use Regulation for Small Wind Turbines

Purpose: The intent of the Section is to regulate the placement, construction, and modification of small wind energy systems while allowing the safe, effective, and efficient use of this technology.

Site Requirements:

1. Small wind energy systems shall be considered conditional uses in the Rural District. Small wind energy systems shall be considered conditional uses in the Shoreland Protection and Resource Protection providing all criteria are met within those zoning ordinances.
2. The tower height for small wind energy systems shall not exceed a maximum height of 70 feet.
3. In the case where a lattice type tower is used, the base will be fenced for safety.

Setback requirements:

Small wind energy systems shall be set back a distance equal to 150 percent of the height of the tower and blade length from roads, easements, adjoining property lines and any habitable structure.

Sound Requirements:

An automatic braking, governing or feathering system shall be required to prevent uncontrolled rotation.

Prior to approval, the applicant shall provide documentation from the manufacturer that the wind energy system will not produce noise levels in excess of the following standards, as measured at the closest property line.

Ambient reading without wind tower	maximum Permitted reading with wind tower
<u>45</u> -----	<u>55</u>
<u>50</u> -----	<u>56</u>
<u>55</u> -----	<u>61</u>
<u>60</u> -----	<u>62</u>
<u>65</u> -----	<u>66</u>

Upon complaint of an abutter, ambient and maximum permitted decibel measurements shall be performed by an agent designated by the Planning Board. The report shall be submitted to the Planning Board for review. The fee for this service shall be paid by the complainant unless the maximum permitted decibel level has been exceeded in which case the owner of the system shall pay the fee.

If the maximum decibel readings are exceeded, the installation shall be considered a nuisance and must be corrected within 90 days from notification of the violation and if the violation cannot be corrected, the wind energy system shall be removed or relocated.

The following definitions will be added to Part 1, Section 1.5 of the Zoning ordinance for the Town of North Haven, Maine

Small Wind Energy System: A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 20 kW and which is intended to primarily reduce on-site consumption of utility power.

System Height: The tower height plus the blade radius from the hub.

Tower: The structure on which the wind energy system is mounted.

Tower Height: The height above grade of the fixed portion of a tower, excluding the wind turbine.

Turbine: The parts of the wind system including the blades, generator and tail.