

from or percolate into the soils and pollute subsurface or ground waters.

**5.3.35. Water Quality Protection**

An existing or proposed use on a lot must not adversely impact either the quality or quantity of groundwater available to adjacent lots.

**5.3.36. Wind Turbines**

The intent of the Section is to regulate the placement, construction, and modification of wind turbines while allowing the safe, effective, and efficient use of this technology.

**5.3.36.1. Siting Requirements for Wind Turbines**

- a. Wind turbines shall be a permitted use in all Districts.
- b. Each parcel shall be limited to one wind turbine.
- c. Wind turbine towers shall not exceed a maximum height of one hundred (100) feet above existing grade, except school parcels which shall not exceed a maximum height of one hundred forty (140) feet above existing grade.
- d. Wind turbine towers shall not be lighted unless required by the Federal Aviation Administration (FAA).

**5.3.36.2. Setback Requirements**

Wind turbines shall be set back a distance equal to one hundred ten percent (110%) of the height of the tower and blade length from adjoining property lines.

**5.3.36.3. Sound Requirements**

- a. An automatic braking, governing or feathering system shall be required to prevent uncontrolled rotation.
- b. Prior to approval, the applicant shall provide documentation from the manufacturer that the wind turbine will not produce noise levels in excess of the standards in subsection c, as measured at the closest property line.
- c. After approval and installation of the wind turbine, the Code Enforcement Officer shall perform sound measurements at the closest property line to determine ambient and operating decibel

levels utilizing the table below.

<b>Ambient Reading Without Wind Tower (dBA)</b>	<b>Maximum Permitted Reading With Wind Tower (dBA)</b>
45	55
50	56
55	61
60	62
65	66

- d. Upon complaint of an abutter, ambient and maximum permitted decibel measurements shall be performed by an agent designated by the Code Enforcement Officer. The report shall be submitted to the Code Enforcement Officer 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 wind turbine shall pay the fee.
- e. If the maximum decibel readings are exceeded, the installation shall be considered in violation of the provisions of Section 5.3.21 and this Section.
- f. The nuisance violation must be corrected within 90 days from notification of the violation and if the violation cannot be corrected, the wind turbine shall be removed or relocated.

#### 5.3.36.4. Permitting Requirements

In addition to the application and supporting documentation required by Section 8, the applicant for a wind turbine shall provide the following information to the Code Enforcement Officer;

- a. A site plan of the property showing the location of the proposed wind turbine, existing and proposed structures, and any other significant features on the property,
- b. Structural drawings of the tower, base pad, footings, and guy wires prepared by the manufacturer or a professional engineer,
- c. Drawings and specifications of the generator, hub, and blades, prepared by the manufacturer or a professional engineer,
- d. Photographs of the proposed site and the specific wind turbine to be installed.