

Montville Industrial Wind Turbine Generator Ordinance – Summary of Highlights

The ordinance is written to protect the health, safety and welfare of all the residents of Montville.

It provides for the responsible development of industrial wind turbine facilities. It balances the needs of the residents of Montville with those of industrial wind developers so as not to compromise the health, safety or welfare of any residents.

It provides fair and protective regulation that requires industrial wind developers to be good business partners, good corporate citizens and good neighbors to the residents of Montville.

It does not in any way limit personal home or farm windmills under 150 ft in height and with less than 100 kW generation capacity.

Provides protective setbacks that are based on science, and are drawn from the real-life experience of people who live near industrial wind turbines such as those in Mars Hill, Freedom, and Vinalhaven within Maine, and elsewhere.

Setbacks (the distance between the Project Boundary and non-participating landowners' property line) are the greater of one mile or 13 times the height of the turbine, to the property line of nonparticipating landowners so as to protect their right to enjoy the full use of their property in its entirety. This provision anticipates the larger wind turbines coming into our state. One mile is globally recognized as the absolute minimum setback for 400 ft turbines.

Sound levels in the ordinance are consistent with the actual background noise levels as they exist in rural, residential communities such as Montville.

Sound levels are measured in both dBAs (audible sound) and dBCs (low-frequency noise levels) to protect restorative sleep and health.

Allows abutting landowners the option to sign mitigation waivers for setback distance; sound and noise levels; shadow flicker and blade reflection. A mitigation waiver, which is a legally binding contract between the owner of the wind turbine generator and a non-participating landowner, allows a landowner to decide to waive the protections afforded him by the ordinance on these specific items. Signed mitigation waivers will be recorded with the deed to the affected property in the Registry of Deeds.

Inclusion of an Operational License to make sure that when an industrial wind turbine facility is sold, the new owner/operator will honor all the commitments made to the town by the previous owner/operator.

Requires a decommissioning bond to avoid abandonment of industrial wind turbines and to protect the town from expensive decommissioning costs.

A tax provision that informs the town of the potential impact an industrial wind turbine plant may have on taxes in Montville.

An application process that is transparent, protects the town financially, and a Code of Ethics to avoid conflicts of interest from being part of the process.