

*Town of Trenton, WI  
Monday, July 24, 2023*

## Chapter 380. Zoning

### Article IV. Conditional Uses

#### § 380-53. Energy conservation uses.

The following energy conservation uses are conditional uses and may be permitted as specified:

- A. Wind energy conversion systems. Wind energy conversion systems, commonly referred to as "windmills," which are used to produce electrical power may be permitted in the M-1 District only, provided that the following information requirements and standards shall apply:
- (1) Application. Applications for the erection of a wind energy conversion system shall be accompanied by a plat of survey for the property to be served showing the location of the generating facility and the means by which the facility will provide power to more than one premises; the plat of survey shall show all properties to be served and the means of connection to the wind energy conversion system. A copy of all agreements with system users off the premises shall accompany the application. The application shall further indicate the level of noise to be generated by the system and provide assurances as to the safety features of the system. Solar easements shall accompany the application.
  - (2) Construction. Wind energy conversion systems shall be constructed and anchored in such a manner to withstand wind pressure of not less than 40 pounds per square foot in area.
  - (3) Noise. The maximum level of noise permitted to be generated by a wind energy conversion system shall be 50 decibels, as measured on a dB(A) scale, measured at the lot line.
  - (4) Electromagnetic interference. Wind energy conversion system generators and alternators shall be filtered and/or shielded so as to prevent the emission of radio-frequency energy that would cause any harmful interference with radio and/or television broadcasting or reception. In the event that harmful interference is caused subsequent to the granting of a conditional use permit, the operator of the wind energy conversion system shall promptly take steps to eliminate the harmful interference in accordance with Federal Communications Commission regulations.
  - (5) Location and height. Wind energy conversion systems shall be located in the rear yard only and shall meet all setback and yard requirements for the district in which they are located and, in addition, shall be located not closer to a property boundary than a distance equal to their height. Wind energy conversion systems are exempt from the height requirements of this chapter; however, all such systems over 75 feet in height shall submit plans to the Federal Aviation Administration (FAA) to determine whether the system is to be considered an object affecting navigable air space and subject to FAA restrictions. A copy of any FAA restrictions imposed shall be included as a part of the wind energy conversion system conditional use permit application.
  - (6) Fence required. All wind energy conversion systems shall be surrounded by a security fence not less than six feet in height. A sign shall be posted on the fence warning of high voltages.

- (7) Utility company notification. The appropriate electric power company shall be notified, in writing, of any proposed interface with that company's grid prior to installing said interface. Copies of comments by the appropriate utility company shall accompany and be part of the application for a conditional use permit.
  - (8) Compliance with Electrical Code. The electrical portion of the installation shall comply with all provisions of the Electrical Code of the Town.<sup>[1]</sup>  
*[1] Editor's Note: See Ch. 174, Building Construction, § 174-4C.*
- B. Solar energy conversion systems. Solar energy conversion systems, including all systems as defined by § 13.48(2)(h)1g, Wis. Stats., when such systems are erected as an accessory structure may be permitted in any district.
- (1) Application. Applications for the erection of a solar energy conversion system shall be accompanied by a plat of survey for the property to be served showing the location of the conversion system and the means by which the energy will be provided to the structure or structures.
  - (2) Construction. Solar energy conversion systems shall be constructed and installed in conformance with all applicable state and local building and zoning codes.
  - (3) Location and height. Solar energy conversion systems shall meet all setback and yard requirements for the district in which they are located. Solar energy conversion systems shall conform to all height requirements of the Zoning Code unless otherwise provided in the conditional use permit issued pursuant to this section.
- C. Earth-sheltered structures. Earth-sheltered structures which are built partially or totally into the ground for the purpose of using the insulating value of the soil to conserve energy may be permitted in the EA, AT, A-1 and R-1 Districts. This subsection does not include conventional homes with exposed basements, split-levels or similar types of construction, and provided further that the following information requirements and standards shall apply:
- (1) Application. Applications for the construction of an earth-sheltered structure shall be accompanied by all of the information required to obtain a building permit, with special attention to be given to the bearing strength of the structure, provision of proper drainage for sanitary, storm and ground water and wastes, proper ventilation, grading of the lot and its effect on adjacent properties, proper exit availability and exterior renderings of the structure to determine its visual affect on adjacent structures. Such standards shall be certified by a registered engineer or architect.
  - (2) Construction. Earth-sheltered structures shall be constructed in conformance with all applicable state and local building and zoning codes. A registered engineer or architect shall certify that the design of the structure is in conformance with all applicable state and local codes.