

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE XX – Special Regulations for Wind Energy Facilities

Ordinance No. 2025-17

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article XX:

Article XX, Chapter 255 – Zoning

§ 255-2010. Definitions.

As used in this article, the following terms shall have the meanings indicated:

APPLICANT

Is the legal entity, including successors and assigns that files an application under this article.

APPURTENANT STRUCTURE

Includes those elements or components of a wind-powered electrical generating station other than the tower, nacelle, and blades that are necessary to the proper operation and maintenance of the wind turbine, including but not limited to buildings, access roads and substations.

GENERATING FACILITIES

Wind turbines and electrical lines that are immediately associated with wind turbines.

HISTORIC SITE

Any site, structure, district or archaeological site which has been officially included on the National Register of Historic Places, or which is established by qualified testimony as being of historic significance.

MUNICIPAL REVIEWING AUTHORITY

The Zoning Board of Review.

44 **NACELLE**

45 The frame and housing at the top of the tower that encloses the gearbox and generator.

46 **NON-PARTICIPATING LANDOWNER**

47 Any landowner other than a participating landowner whose land is located within the Town of
48 Coventry or in an adjoining municipality adjacent to the proposed wind energy facility site.

49 **OCCUPIED BUILDING**

50 A residence, school, hospital, house of worship, public library or other building that is
51 occupied or in use as a primary residence or is customarily frequented by the public at the
52 time when the permit application is submitted.

53 **PARTICIPATING LANDOWNER**

54 One or more persons that hold title in fee or a leasehold interest with sublease rights to
55 property on which Generating Facilities or Associated Facilities are proposed to be located
56 pursuant to an agreement with the Applicant or an entity that has entered into an appropriate
57 agreement with the Applicant allowing the Applicant to demonstrate the requisite right, title,
58 and interest in such property.

59 **PERSON**

60 An individual, corporation, partnership, firm, organization or other legal entity.

61 **RESIDENCE**

62 A building or structure, including manufactured housing, maintained for permanent or
63 seasonal residential occupancy providing living, cooking and sleeping facilities and having
64 permanent indoor or outdoor sanitary facilities, excluding recreational vehicles, tents, and
65 watercraft.

66 **SHADOW FLICKER**

67 Alternating changes in light intensity caused by the movement of wind turbine blades casting
68 shadows on the ground or a stationary object.

69 **SIGHT LINE REPRESENTATION**

70 A profile drawing showing prominent features, including but not limited to topography,
71 buildings, and trees, along and in relation to a line of sight extending from an observer's eye
72 to the lowest point visible on a proposed tower.

73 **SMALL-UNIT TURBINE**

74
75 A wind energy facility that is no more than 36 feet tall and that generates no more than 100 kw of
76 electricity and where said electricity is used exclusively for the power needs of the individual
77 homeowner who is also the applicant. Small-unit turbine applications shall be exempt from the
78 requirements of this article; however, small-unit turbines must apply for and satisfy all conditions
79 of a ~~special-use permit~~ use variance obtained from the Zoning Board of Review (or, in the case of
80 Unified Development Review, the Planning Commission) and may not produce more than 40 dB
81 of noise during the day (as measured from 6:00 a.m. to 6:00 p.m.) and no more than 35 dB of
82 noise during the evening (as measured from 6:00 p.m. to 6:00 a.m.). Small-unit turbines that
83 exceed 36 feet in height shall be evaluated at the pre-application meeting with consultation from
84 the Zoning Board of Review. Depending on how significant the requested variance is, the Zoning
85 Board of Review (or, in the case of Unified Development Review, the Planning Commission)

may require the applicant to meet the conditions of this article. An application for a small-unit turbine shall comply with the three-hundred-radius notification area, unless an additional notification area is required by the Zoning Board of Review.

SUBSTANTIAL START

That construction shall be considered to be substantially commenced when any work beyond excavation, including, but not limited to, the pouring of slab or footings, the installation of piles, the construction of columns, or the placement of a Town on a foundation has begun.

TOWER

The freestanding structure on which a wind measuring or energy conversion system is mounted.

TURBINE HEIGHT

The distance measured from the finished grade surrounding the tower to the highest point of any turbine rotor blade measured at the highest arc of the blade.

WIND ENERGY FACILITY

A facility that uses one or more wind turbines to convert wind energy to electrical energy. A wind energy facility includes generating facilities and associated facilities.

WIND TURBINE

A system for the conversion of wind energy into electricity which is comprised of a tower, generator, nacelle, rotor and transformer.

§ 255-2020. Applicability.

- A. Effective January 1, 2024, Code § 255-600, Table 6-1 was amended to make wind energy facilities a prohibited use in all zoning districts. New wind energy facilities are authorized through use variances. Wind energy facilities that were lawfully permitted prior to January 1, 2024 shall be subject to applicable zoning regulations. ~~This article applies to any wind energy facility proposed for construction in the Town of Coventry after the effective date of this article.~~
- B. ~~A wind energy facility that is the subject of an application determined to be substantially complete by the Zoning Board of Review prior to the effective date of this article shall not be required to meet the requirements of this article.~~
- B. This article shall not apply to small-unit turbines, except to require the applicant requesting a small-unit turbine to apply for a ~~special-use permit~~ use variance for said small-unit turbine from the Zoning Board of Review (or, in the case of Unified Development Review, the Planning Commission). The small-unit turbine must also meet the definition and standards of such as set forth herein.

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Section 2. This ordinance shall take effect upon its passage and final adoption.

Positive Endorsement:

Negative Endorsement: (Attach reasons)

Town Solicitor

Date

Town Solicitor

Date

Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive

Referred to/for: Planning Commission on February ____, 2025

First Reading on _____, 2025

Public Hearing on _____, 2025