



ADVICE FROM AN EXPERT *by Mick Sagrillo*

ZONING I

TRIALS & TRIBULATIONS

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Recently, two Wisconsin utilities, Madison Gas & Electric Co. (MGE) and Wisconsin Public Service Corp. (WPS), applied for zoning permits to install 31 660-kW Vestas turbines in my township and the township next to ours.

While utility-scale turbines are considerably larger than home-sized wind systems, the institutional barriers that one may encounter during permitting could very well be the same. Therefore, an examination of the objections raised during the utilities' zoning process should be helpful to anyone dealing with a zoning committee regarding a residential wind generator.

Madison Gas & Electric began their process by holding an open house at a local restaurant/bar. The open house included utility and Vestas representatives who explained the project. During the open house, farmers and landowners interested in "hosting" wind turbines were identified so that the utility could determine whether their property was suitable. After evaluating the sites, MGE signed 30-year contracts with the qualifying landowners.

With contracts in hand, MGE applied to the two local township zoning boards for conditional use permits. The local authorities were consulted even though the utilities were authorized by the Public Service Commission of Wisconsin to proceed. (In addition, a new state law prohibits local blockage of the wind project unless it poses a threat to area residents' health or safety.) Both utilities chose to attempt to secure local zoning permits as a show of good faith in dealing with the townships.

The first round of meetings in both townships was set up to provide information to residents and the zoning boards. Unlike the festive atmosphere of the open house events, the utilities were faced with fierce local opposition and a vigilante attitude. A handful of small property owners had riled up many landowners and gathered signatures on petitions opposing the wind projects.

(Our area of the world is in flux. Once dotted by small family dairy farms and the occasional rural homestead like my own, the surrounding townships are more frequently populated today by one to two acre suburban-style home sites. Most of the new arrivals, anticipating the day when "obnoxious" manure spreaders are history, would prefer to see the townships subdivided instead of farmed. This sentiment was spurred on by out-of-county realtors who profit more by selling gentrified "farmettes"

rather than working farms.)

The range of issues and subsequent objections raised about the 31 turbines were stunning, to say the least. While some of the issues were expected, other seemed to come out of nowhere. The more serious objections brought up included:

- noise from the turbines, based on hearsay, was compared to a train locomotive by someone who had never seen a wind turbine close up;
- land values would plummet because of the wind turbines and towers, comparable to the siting of a trailer park or quarry in the vicinity;
- not only would the 200-foot tall towers be struck by lightning, but they would actually attract lightning, increasing the incidences of strikes in the township;
- the turbines would interfere with TV, radio, and cell phone reception;
- stray voltages would be generated by the turbines or towers;
- blasting the bedrock for the foundations would ruin surrounding wells by dislodging iron and other minerals;
- the utility would have the right to cut down surrounding trees and vegetation on other people's property to reduce turbulence and increase wind flow to the turbines;
- the turbines would attract tourists, which bring with them littering, graffiti, vandalism, and crime;
- tourist traffic would result in children on bikes or farmers on tractors being struck by inattentive drivers gawking at the turbines;
- wildlife would be disrupted and flocks of migrating birds would be killed;
- the utilities could go bankrupt due to deregulation, leaving the abandoned wind turbines to fall into disrepair;
- the ice and snow experienced during Wisconsin winters would damage the turbines, which wouldn't be repaired until warm weather returned; and
- wind turbines are inefficient, not cost effective, and couldn't be installed without huge government subsidies.

In addition, the local attorney hired by the townships to interpret legal issues for them knew that the utilities were under the pressure of the sun-setting production tax incentives. The attorney was opposed to the project and continuously attempted to

delay any decision by the zoning boards in hopes that the utilities would just go away.

Needless to say, the utilities patiently responded to all allegations and questions and secured the zoning permits they wanted. Twenty-nine of the 31 requested permits were granted (by three to two votes in one township) and will be on line by July.

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