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LOCAL NEWS

Posted Jan. 26, 2005

Group files suit opposing wind turbine farms

By Neil Rhines*Herald Times Reporter*

MANITOWOC — A local citizen's group filed a lawsuit on Jan. 18 in Manitowoc County in opposition to a proposed wind turbine farm in the northeastern section of the county.

Several people from the towns of Two Rivers, Two Creeks and Mishicot, formed under the name Citizens Opposing Windturbine Sites, ask for the reversal of a Dec. 20 decision by the Manitowoc County Board of Adjustment to grant Minneapolis-based Navitas Energy, Inc. a conditional use permit to construct 49 wind turbines on private property in the three townships.

The lawsuit also asks the court to disallow the variances granted in the conditional use permit. The variances would have decreased the setbacks, in some instances, outlined in the county's wind energy ordinance (1,000 feet for a non-participating landowner and 600 feet for a participating landowner). Participating landowners are people who have contracted with Navitas to erect one or more 471-foot-tall wind turbine on their land.

The suit contends that the Board of Adjustment "failed" in several areas.

— The board did not grant the variances to Navitas to erect the towers because of any "hardship."

— The board did not "adequately consider the detrimental effects" to property values, health, safety and welfare of people living in the area.

— The board did not require an independent environmental impact study to determine what effect the turbines might have on wildlife and bird populations in the area.

— The decision "represents an exercise of the board's will and not its judgment."

Chairman of the Board of Adjustment Orville Bonde declined to comment on the case.

"I don't know what's going to happen there," he said.

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The turbines, collectively known as the Twin Creeks Wind Farm, would have the capacity to generate 98 megawatts of energy — enough to provide power to about 30,000 homes. Energy would go directly onto the power grid.

The Board of Adjustment's decision requires that lights on top of the tower will be the dimmest allowed by the FAA, and Navitas must guarantee any damage done to town roads by trucks and equipment would be repaired.

The majority of the board agreed with Bonde, in his belief that the wind turbines do not pose a risk to health or safety.

Neil Rhines: (920) 686-2105 or Nrhines@htrnews.com

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