

County sued over wind farm

By ELENA GRIMM - egrimm@daily-chronicle.com July 22, 2009

SYCAMORE – A group of DeKalb County residents is suing the county over a wind farm that is set to be erected this year.

County Planner Paul Miller announced the lawsuit, filed Tuesday by about three dozen people belonging to the anti-wind farm group Citizens for Open Government, to the county's planning and zoning committee, which met Wednesday. The case is scheduled to be in court this morning.

"We feel that we want to have the zoning ordinances offer protection as they are written," said Mel Hass, chairman of Citizens for Open Government.

In June, the DeKalb County Board approved wind developer NextEra Energy Resources, a subsidiary of Florida Power & Light, to erect a total of 151 turbines for a project that straddles two counties. Of those, 119 are in unincorporated DeKalb County. Other turbines are proposed for Lee County and the villages of Shabbona and Lee.

The lawsuit includes an emergency injunction to halt any work, Miller said. While no building permits have been issued for towers yet, NextEra does have one site development permit on a private road that is being accessed for the project.

The lawsuit that threatens the wind farm existence comes at the same time the county board is considering putting a stop to expansion or new wind farms for the next three years.

The county board was set to vote on the moratorium last week, but agreed to send the issue back to the planning and zoning committee for further discussion. On Wednesday, that committee gave the same recommendation to the county board to support a moratorium, but under a different name.

The committee, in a 6-2 vote, approved a three-year "period of assessment" instead. Marlene Allen and Ken Andersen voted against it.

Allen, R-Sandwich, said that she changed her mind after getting calls from her constituents who were interested in having wind farms in other parts of the county.

During this time frame, any applications for a special-use permit to develop a wind farm will not be processed.

Chairman Ken Andersen, R-Sycamore, felt it was necessary that the planning and zoning committee revisit the issue because it created a lot of unrest. "I felt we needed some more time to think about what we're doing here and to work through this better," he said.

And he wanted to find a better approach than a moratorium, which he likened to a sense of permanency. "I hate putting up stop signs and breaks on things that we might not want to do," he said.

Michael Haines, D-Kingston, suggested that an assessment period "wouldn't be a stop sign; it would be a caution. A yellow light."

The committee had trouble deciding whether applications should still be reviewed by county staff during the three-year suspension, but agreed that it would be a waste of staff time if those

permits wouldn't be issued.

Neighbors to the wind farm also agreed that applications should not be reviewed.

"How much activity are you going to allow out there in the furtherance of a wind farm before the assessment is actually completed?" asked Steve Rosene, a Shabbona resident who will have several turbines surrounding his property if plans continue.

"We need to see where that truth lies before we impose this on anyone else in the county," Hass said.

The DeKalb County Board is expected to vote on an assessment period at its Aug. 19 meeting.