

# Union Beach granted stay in battle against proposed wind turbine

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**UNION BEACH** — The battle over a controversial wind turbine project is now tied up in legal appeals.

"Let me guarantee to you that there will be no action whatsoever tonight at the Planning Board hearing," said Stuart Lieberman, a Princeton-based attorney representing Union Beach in the municipality's legal challenge to the project, when asked on Tuesday afternoon if there would be any action on the issue at that night's meeting.

On Monday, the borough was granted a stay pending appeal by Judge Mary Catherine Cuff of the state Superior Court's Appellate Division.

The stay is the latest development in a series of events that, according to Lieberman, included the Planning Board sending the turbine project to the zoning board and the Bayshore Regional Sewerage Authority, which is seeking to build the energy-producing turbine, challenging that decision to a trial court that ruled that the matter had to go back before the Planning Board.

Responding to the stay Tuesday afternoon, Union Beach resident and vocal turbine opponent Bill Heller said, "So far, so good. I think that they (the BRSA) don't have a legal right to put it up against the Planning Board's wishes and all that."

Heller, who has a website opposed to the proposed turbine ([www.noturbine.com](http://www.noturbine.com)), said of the stay, "I think it presses the pause button."

The proposed turbine would be a 380-foot-high project with an estimated cost of \$7.7 million that has been approved by the state Department of Environmental Protection. The DEP issued a construction permit for the project under the state Coastal Area Facility Review Act last June.

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