

Friends of Sturgeon Bay Waterfront File Suit Locally

By Roger Levendusky :: 1/29/2016

A group opposed to the construction of a hotel on Sturgeon Bay's west side waterfront has made good on its threat to take the matter to state court. The group calling itself "The Friends of the Sturgeon Bay Public Waterfront," has filed suit in Door County Circuit Court, Branch Two, presided over by Judge Peter Diltz. Earlier this week, a federal court judge dismissed a similar filing. Judge William Griesbach said the case should be adjudicated in state court. Six individuals, Carrie Andersson, Linda and Russell Cockburn, Shawn Fairchild, Kathleen Finnerty, and, Christie Weber, say, because part of the property in question is filled in lake bottom, the "Public Trust Doctrine" applies. Therefore conveying the land to a hotel developer violates their rights under the Wisconsin constitution. The city has countered that it has followed all of the applicable laws with regard to the parcel, including the Department of Natural Resources determination of the "Ordinary High Water Mark." The group is asking that the city and its Waterfront Redevelopment Authority be permanently enjoined from transferring control of the property, that the city and the WRA be enjoined from allowing the construction of a building on the property in question, that the plaintiffs be awarded costs and attorney fees, and, any other relief the court may deem appropriate.