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## **Van Hollen wins case against property owners**

*by Bryan Cohen*

MADISON, Wis. (Legal Newsline) - Wisconsin Attorney General J.B. Van Hollen announced a judgment on Thursday against two Delafield property owners who allegedly violated state construction laws related to the environment.

Susanne Michels and Michael Michels, who own property on Upper Nashotah Lake in Delafield, have been ordered to pay \$99,000 in forfeitures, assessments and costs, plus \$5,000 in additional restoration, for alleged violations of Wisconsin's water protection laws.

Susanne Michels and Michael Michels allegedly placed stone walls and boat rails and disturbed more than 10,000 square feet along the bed and bank of Upper Nashotah Lake and in August and September 2009 and placed 70 cubic yards of sand on the bed of the lake without any water regulation or grading permits and with no or inadequate erosion control measures, which would violate state water protection statutes. The defendants have since completed extensive restoration and related corrective action required by the Department of Natural Resources.



Van Hollen

The lake is a navigable water source and an area of special natural resource interest and is home to several threatened or endangered birds, fish and flora. Wisconsin law prohibits the placement of any material of structure on the bed of a navigable water without a permit and prohibits the grading or removal of topsoil from over 10,000 square feet on the bank of a navigable water without a permit.

The order requires that \$99,999 in assessments, forfeitures and costs be paid, plus an additional \$5,000 for planting and maintaining native bushes, shrubs, trees and perennials at the site.

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