

December 4, 2020

Dear members of the Old Lyme Harbor Commission,

My wife Carla D'Arista and I are the new owners of 12 and 19 Tantummaheag Road. We understand that you are meeting on December 8th and may consider safety and security issues relating to the town lane ("Tantummaheag Landing") that bisects our property. We hope that you will consider postponing any such consideration to give us an opportunity to discuss alternative resolutions that we believe would be in the public interest.

It appears that while the Harbor Management Plan purports to limit vehicle parking on this one-way lane to only one single vehicle at a time, the Town does not in fact monitor or enforce that limit, nor impose or enforce any reasonable use requirements, speed limits, or other restrictions at all. The misuse of this lane even under current rules, and the safety and security issues we are now encountering, apparently have been exacerbated by the property's being uninhabited for several years as well as the lack of Town attention.

Since moving into the property in September we have observed people walking through our yard, cars driving on and parking on our lawn, and trucks and cars routinely using our driveway. On two occasions my wife and our dog were nearly run over by large vehicles speeding down the narrow one-lane roadway; the owner of one pickup truck with out of state plates explained that he had located the landing on an Internet site and was unfamiliar with the terrain. In addition to the theft of a canoe owned by a neighbor, the security issues posed by the absence of any reasonable use rules or signage have included visits to the town property after dark and people walking around the house. One Sunday night an unmarked van drove down to the landing in a driving rainstorm, clearly not someone intending to admire the scenery. In view of these alarming safety and security issues associated with motorized vehicles driving, parking, and idling on the clearing site directly in front of our house and driving a few feet from our front door, we asked the attorney who represented us at the closing to contact the selectmen. From what we have seen, the issues of trespassing are not seasonal or weather-related, they have continued on an almost daily basis.

It is worth noting that not only is the end of the lane very remote, but silting-up and the configuration of the Connecticut River make it virtually impossible to launch any kind of small boat except maybe a light kayak or canoe, and then only a few hours a day at very high tide. The rest of the time the river can only be reached by wading through yards of soggy wetlands (most of which must still be negotiated at highest tide) and then mucking across a large mud-flat. These conditions make the shorefront hazardous as well as virtually unusable and should be so listed in the Harbor Management plan (as is Ferry Road, for example). Due to its unsuitability as a boat launch, we have observed only a few vehicles loaded with kayaks. Nor is there even a view of the water from the area where the cars are parking; most visitors

accessing the property by car appear to be sightseers curious about a route to the river who, upon arriving, primarily enjoy the unrestricted view (and use) of our yard and house, and the neighboring properties.

Moreover, there were no Federal or state wetlands protections in place at the time the land was designated for use as a boat launch, and the weight of boats and motorized vehicles now intensifies the current negative environmental impact and wetlands degradation due to this unsupervised access, posing an ecological threat to the birds and wildlife in the estuary that the pedestrians walking the town road come to admire. And of course, when this location was originally designated, there were no large SUVs and pickup trucks to drive into the wetlands, nor was the lane advertised over the Internet as a useable boat launch site.

We certainly did not foresee the kinds of safety, security, and privacy issues posed by motorized vehicles driving, parking, and idling within yards of our house when we agreed to purchase the property. We were aware that the town owned the lane to the end of the cove and that neighbors and others would be using the lane to walk their dogs and view the marsh. We welcome such pedestrians and have enjoyed meeting the families who come down the lane with children who use the small pond that is actually on our property. We certainly understand that the property owners on Coult Lane would not want to lose access to this area but note that these neighbors do not need to drive a few hundred yards from their homes to view the marsh. Moreover our adjacent neighbors are equally concerned about the traffic from unknown people coming to the end of the road out of simple curiosity, parking, walking around and eyeballing the nearby residences. The threats posed by moving and parking motorized vehicles on a one-way dirt lane are further compounded by the proximity of the lane to the front and side doors to our house, especially as many of the cars and vans trespass on our property and make use of our driveway. Beyond the obvious privacy issues, the cars and vans accessing the end of the lane have easy access to our residence and to the contents of our cars and the garage.

The Town prohibits parking on other town property with water access, such as the access to the water at Academy Lane, Ferry Road (on the side closest to the center of town) and Katherine Road, to name a few. Carla's mother owns a home at One Mill Pond Lane where the neighbors respectfully access the pond on foot and are welcome to bring and leave their canoes.

In view of the extremely distressing and disturbing experience we have had with the absence of town regulations and access restrictions, as well as lack of Town supervision, we respectfully request that the committee consider designating this lane for pedestrian use only. This is consistent with the interests of our neighbors, who walk from their homes around the corner to the end of the cove. Signage at the fork in the road where it intersects our driveway near the stone wall which warns that the area is only open to the public during daylight hours and stating that motorized vehicles are not permitted beyond that point would go far toward

addressing these safety and security issues. There is a cleared area by the large tree that would still provide space for a car to park and enough room on the town land at the end of the lane by the stone wall to allow for motorized vehicles to turn around and exit the property without trespassing on ours. These are changes that are in the public interest: protecting our safety and security as well as that of our adjacent neighbors; allowing access under reasonable conditions for all hikers, birdwatchers and neighbors, as well as the occasional kayaker; protecting the ecology of the cove and preventing further erosion to the lane and path to the water caused by tire tracks; protecting all public access but effectively enforcing the current limit of one parking place. Moreover, these are measures that would not in any way derogate or cause the Town to give up any aspect of its ownership rights to the property. Nor would they bar the occasional kayaker from walking or rolling a kayak to the wetlands at high tide. Indeed, we have offered our well house for storage to anyone wishing to leave a light kayak or a canoe near the landing.

We look forward to working with the Town to address the concerns for our safety, security and privacy posed by the current combination of lack of reasonable public access restrictions. Prohibiting cars and trucks is the most important element of a menu of initiatives that is both in our interest and those of the neighboring community; eliminating automobile intrusions, pollution, lights, noise, muddy car tracks, and vehicles blocking access both to the path to the river and the view of our part of the cove ensures that the neighborhood will continue to enjoy this lovely parcel of town property.

Best regards,

George T. Frampton, Jr.

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