

Quelle Lane Association

October 12, 2011

Members

Marion Open Space Acquisition Commission
Town of Marion, MA

Dear Commission Members:

The Quelle Lane Association urges your commission to withdraw from the Purchase and Sales Agreement for the David Hall property located at the end of Quelle and Bayberry Lanes, which was signed by Commission member John Rockwell.

Our objections to the purchase of this property, which we understand is to be made available to the public, are:

1. Quelle. Bayview, Holly, Cedar and Thistle Lanes are all private roads. Each road is very narrow. In the case of Quelle Lane, the maximum width of the paved portion is approximately 15 feet.
2. The *paved* portion of Quelle Lane is owned by the residents who own homes on the Lane. As the owners of the *paved* Quelle Lane, we do not allow parking on our road by any non-homeowner. This has been our policy for many, many years, and was formalized to insure that public safety vehicles, such as ambulances, could access any Quelle Lane home without the lane being blocked. The same policy exists for the other private lanes in our area.
3. Not only is parking prohibited on Quelle, Bayberry, and the other private lanes, but it also is prohibited on the so-called "paper roads" – the extensions of these lanes that appear in a plan filed with the Registry of Deeds in the 1920s. Parking is prohibited on the Quelle Lane "causeway" and the other paths pursuant to an Order by the Commonwealth of Massachusetts under M.G.L. c. 130, section 105 dated Sept. 16, 1971, which regulates and restricts activities in coastal wetlands and relates specifically to the Quelle Lane area.
4. If the Town or some other entity were to acquire parcels adjacent to the narrow "causeway" which are all in the tidal marsh or underwater, the current practice of prohibiting parking on our roads would continue. And, because parking on the causeway is also prohibited, access to the parcels that may be purchased would be severely restricted. Parking would only be allowed on Converse Road,

where the shoulders are too narrow to hold parked vehicles. This means that cars will end up parking on the private roads, as well as on the yards of Converse Road residents.

5. This planned purchase was done with no notification of the residents of the Quelle Lane, Bayberry Lane area, who have deeded rights to pass and repass over the small amount of land in this area that is not underwater . Approximately 60% of the David Hall parcels are totally submerged under Sippican Harbor; most of the land is underwater at high tide.

6. In addition, we are aware, as you must be also, that the State's Division of Marine Fisheries identified this area as not containing "average numbers of naturally occurring shellfish to the level considered significant" and noted that "endangered species" were "noted at or immediately at" the area.

7. In addition, we believe that the sale price for this underwater, unbuildable, inaccessible land -- \$60,000 before Nov. 21, or \$70,000 after Nov. 21, is way overpriced. In fact the \$60,000 price is over 3,500 percent *higher* than the land is valued by the Marion Board of Assessors.

We respectfully ask that your commission reconsider this purchase, and withdraw from the Purchase & Sale Agreement.

Thank you for your consideration.

Sincerely,

Carol C. Amick
President
Quelle Lane Association