

Merrill, Hannah

From: Terri Summer [REDACTED]
Sent: Tuesday, May 10, 2011 11:34 AM
To: Merrill, Hannah
Subject: Waterfront owner comments on Shoreline Management

I live on [REDACTED] and own 200 feet of no-bank waterfront and tidelands as well. I have been unable to attend any meetings to date discussing the Shoreline Management Act so I would like to communicate my concerns per Hannah Merrill's advice via this email.

1. **PERSONAL SECURITY ISSUES**

I would not have bought this property in 1998 had it not been a private beach. I spent my first 26 years in Chicago, Illinois. Crime happens. This is a street of second homes and every once in a while a scary person is extraordinarily close to my living room window loitering and I have to decide if this is a dangerous situation and what my options are. My property is well-signed with NO TRESPASSING SIGNS. I have met some extremely rude people who confront me and won't leave my backyard because they believe the beach SHOULD BE public. My house is for sale partially because I am beginning to feel the security risk of living on the water is not worth it. I have had drunks walk up to my kitchen doors and I have to lock the doors and hold onto the phone for dear life. A few neighbors have high-tech security systems in place. If a criminal wears a mask and paints the surveillance cameras, no security team will arrive in time to help the victims. How do I decide who is dangerous in a second? If someone enters my home without permission, my understanding is that I can consider it a lethal threat and can defend my life. How can I judge a stranger's motivation to not leave my backyard when asked? Several recent incidents have caused me real fright and if a particular man ever walks on my private property again, I will file a police report. I consider him a peeping tom. The Supreme Court has re-affirmed THE RIGHT TO PRIVACY in one's own home. I should feel comfortable doing YOGA in my living room. I bought a home on a private beach so I could feel safe and retain my right to privacy. I begin to wonder if I need a firearm in addition to recently taking a self-defense class.

2. **CONSERVATION OF CRITICAL WETLANDS**

The fewer people allowed on this critical wetland and beach, the better off the wetland and beach will be. As a caretaker of this property, it is in a conservation mode. I have a shy 5 acres which provides protection for water/flood management and nesting places for birds. Jamestown has historically had the Audubon highest regional Christmas day count of birds in terms of species variation and in numbers. There is very little litter except for what the tide brings in and it gets picked up. The open space is both a luxury and a community service.

3. **VARIANCES**

My home is the cottage on the block. My neighbors mostly have very up-scale larger homes. This cottage was built in 1991 and is close to the water in front and the critical wetlands in back. A new owner may opt for a variance application so his/her home is similar in nature to the neighbors. I would imagine the set-back would not be as close to the water as it is at this point in time; however, the variance has to take into consideration that the critical wetland is nearby so the potential new house placement needs flexibility. The value of the property is its large private no-bank frontage to the water and having open space in back. I am concerned that the new owner retain options that were in place when we made the decision to buy this property. We had originally intended to build a bigger home on two levels and a new owner may want that option available. I owe an exceptional amount of money for this home and not allowing a new owner a variance could potentially cause me huge losses. A re-built home would be similar to all other homes on Jamestown Beach Lane and would, hopefully, receive a variance should the new owner choose to create more living space by building a two level residence.

Finally, The United States of America is a young representational democracy and its first real rules of law were created to protect homesteaders. Real estate contracts have to be written and will not be honored if they are verbal whereas other contracts CAN be verbal as long as there is an OFFER, ACCEPTANCE, CONSIDERATION, and COMPETENCY. The litigation/mitigation costs for the county if it tries to take away property rights from private beach/tidelands owners will be considerable. For me, again, my primary issue is personal safety. I don't feel comfortable having strangers stand next to my living room and refuse to leave the beach. I have not yet requested police protection and hopefully will never have need of such services as long as the shoreline private property laws are respected and upheld.

Sincerely, Terri A. Summer