

**From:** [Alice Erickson](#)  
**To:** [All Alders](#)  
**Subject:** Common Council - Item 32 Legistar 88148  
**Date:** Sunday, August 31, 2025 9:33:50 PM

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Common Counsel Meeting Tuesday Sept 2, 6:30  
Item 32, Legistar 88148 Merrill Springs Park View Preservation Easement

I would like to attend in person but unfortunately my husband has surgery scheduled for Tuesday afternoon and I will not be available for the rest of that day. So I am sending my concerns now. Thank you for listening.

Alice Erickson  
5109 Spring Ct

"I believe this easement should not be accepted and an accurate map should be drawn using appropriate surveying instruments along with the existing pictures which reflect the view at the time of the sale.

I am speaking as a longtime neighbor (46 yrs) and public user of the park and not from my position in the Friends group. I visit the park often, as do folks from all over the world (just check log book). You will see by the writings what an immeasurable treasure this tiny location is. One of the greatest gifts of this park is the sense of serenity and peacefulness it brings. Much of that is due to Mother Nature. This was disrupted in 2022 when the SE hillside was clear-cut leaving a wide open barren area with a large glass sided house and large new deck looming over the park, taking away much of the feeling of privacy the park had had. That action ignited the issue of the view easement. The city did not take the legally required photos to mark the view easement when the land was purchased in 2012 and the easement grantee did not seek the legally required written permission to clear cut and herbicide on the hillside. Two wrongs don't make a right and a third wrong is imminent. The city is choosing to overlook the past and favor the grantee to the detriment of the enjoyment of the public users of the park.

The new zone map does not accurately represent the view easement at the time of the sale. It does not take into account the old growth oaks and cottage that existed at the time of the sale. Additionally, the new map does not accurately take into account the gradation of the hillside. With the new proposed zoning, none of the beauty and privacy that natural plantings provide can ever be restored.

I will end with a sampling of writings in the log book before the hillside was clear cut. Please listen to your park's users:

- Visiting from Houston – found this park on accident 5 years ago. One of the top places I've ever felt relaxed in my life

- Visiting from Vermont – This park is great and well worth preserving as much of the area development is doing the opposite.
- Visiting from Germany (11 mo old)– I picked some grasses, touched the trees and walked along the benches and said “aww’ to the sound of the waves. I wish there was a tree for climbing when I’m older
- I needed to visit nature, this helps me recharge my soul
- 2 UW Madison juniors taking a break from some tough midterm work. We feel very grateful for finding this special spot.
- 99 and 88 year olds enjoying this beautiful spot. Thank you for preserving it
- I have biked Lake Mendota Dr 35 yrs and just discovered this hidden gem of peace and quiet – history and geology. Thank you all for preserving this invaluable piece of nature and our earth.
- July 4 – I come from Taiwan for intern. Today is the 4<sup>th</sup> day I’ve been in Madison. Today I am here for the sunrise. And it’s really fantastic! I hope this view can be preserved forever!"

**Please vote no and allow the view easement to be revisited and accurately reflect the view that existed when the legal document first became binding.**

**From:** [Faith Fitzpatrick](#)  
**To:** [All Alders](#); [Mayor](#)  
**Cc:** [Guequierre, John](#); [Matt Seib](#); [Hughes, Chad](#); [Blotz, Charlotte](#); [Park Commission](#)  
**Subject:** Common Council Meeting, Item 32, Legistar 88148 Merrill Springs View Preservation Easement Amendment V2  
**Date:** Monday, September 1, 2025 9:28:50 PM  
**Attachments:** [viewshed.compare.pdf](#)

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Dear Council, Attached are two summary slides from the view shed analysis. We were not able to describe the contents of the full attachment in the 3 minute time period or be able to respond to comments and questions that I could have easily answered after the presentation at the Board of Parks Commission. These slides compare the amendment with the much narrower view of the original owner's intent. As currently written the amendment makes the large maple in the shoreline a violation of the view. It could not be replaced. Please also note the lack of trees between the old cottage and the house in question on the second page.

I hope that I can help answer questions about the vertical profile and vegetation heights at the meeting this time.

Why should a private landowner be able to dictate what happens on public land beyond the original view easement and the good faith of the seller?

Thanks, Faith Fitzpatrick

On Aug 9, 2025, at 7:05 PM, Faith Fitzpatrick <fafitzpa@gmail.com> wrote:

Hello, Please see attached comments and recommendations from the Friends of Merrill Spring Park concerning version 2 of the Merrill Springs View Preservation Easement Amendment for the Board of Park Commissioners Meeting. The recommendations include 2 new attachments that provide more data on the width and vertical extent of the original easement. A copy of the original easement with the photo addendum for reference is also attached.

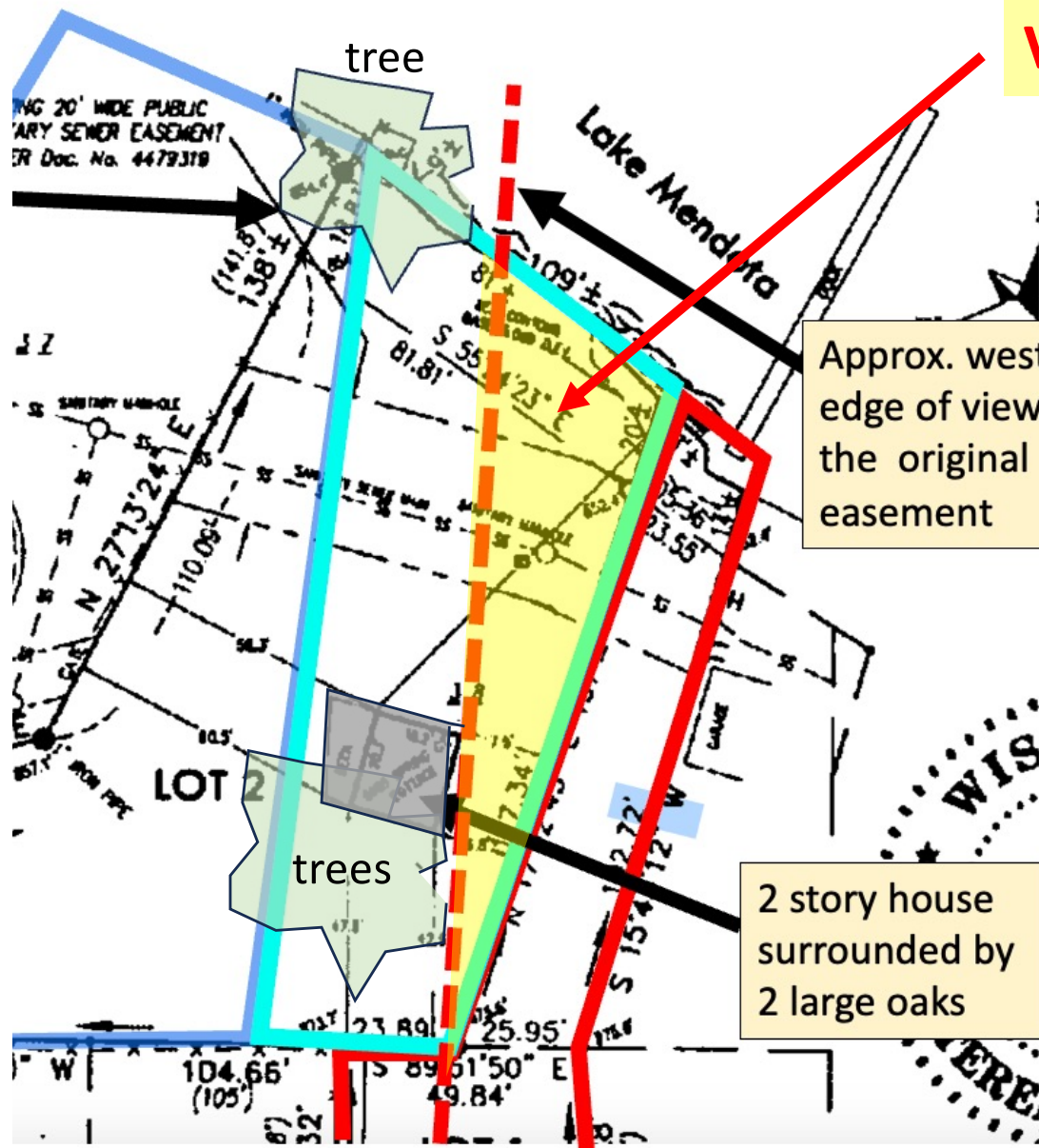
Thank you,

Faith Fitzpatrick

President

Friends of Merrill Spring Park

<88148.FMS.easement.objection.20250809.pdf><88148.FMS.viewshed.attachments.pdf><original View Preservation Easement.photos.pdf>



Viewshed







~2012 time of sale



2025