

JAN-04-2005 TUE 10:25 AM DZIALO PICKETT & ALLEN

FAX NO. 8603956349

/ XC: PC 1/5/05
P. 02/03**Exhibit # 137****DZIALO, PICKETT & ALLEN, P.C.**Attorneys at Law
Established 1964David M. Royston
Phillip F. Karpel*
Robert P. Dutcher
Gregory M. Harris
D. Jeanne Messick
John N. Montalbano**
Sean E. Donlan**
Jennifer C. Zettergren
Scott A. Carta
Gregory J. KyciaChester J. Dzialo (Ret.)
John F. Pickett (1928-1983)
Samuel N. Allen (1928-1991)15 Elm Street
P.O. Box 779
Old Saybrook, Connecticut 06475
Telephone (860) 395-6340
Telecopier (860) 395-6349200 Court Street
P.O. Box 661
Middletown, Connecticut 06457
Telephone (860) 638-5400
Telecopier (860) 638-5410

* Of Counsel

** Also member of Massachusetts Bar

Reply To: OLD SAYBROOK

Our File: D4953.001

January 4, 2005

Charles J. Rothenberger
Connecticut Fund for the Environment
205 Whitney Avenue 1st Floor
New Haven, Connecticut 06511Via Facsimile 203-787-0246

Dear Charles:

This is to acknowledge that I received late yesterday by fax your letter to the Planning Commission dated January 3, 2005 in which you advised the Commission that Connecticut Fund for the Environment will be making a "visual presentation" to the Commission and that you anticipate your presentation will take approximately 45 minutes to one hour.

At the fourth session of the Public Hearing on the River Sound application held on December 8, 2004, the Applicant provided the Old Saybrook Planning Commission its consent to an extension of time for the Commission to complete the Public Hearing through the conclusion of the Commission's regular meeting of January 5, 2005. The Commission further indicated its intention to limit the time of the Applicant, the Board and the public to one hour increments, with the final hour for the Applicant to sum up and conclude the Public Hearing. Your proposed presentation thus will be made literally at the eleventh hour of the Public Hearing.

In order that the Applicant have at least some minimal opportunity to prepare a response, please consider this our request that you immediately provide the Applicant with the following:

1. Specific information as to the nature of the "visual presentation".
2. If this presentation consists of video, maps, documents or other demonstrative materials, we would request that we be provided copies immediately.

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Charles J. Rothenberger

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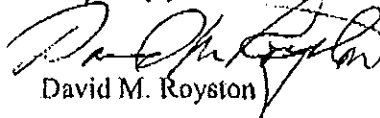
January 4, 2005

3. If other evidence is to be placed in the Record, by testimony or otherwise, the nature of that evidence.
4. If the evidence is to be presented by oral expert testimony, the identity of each expert, the area of his expertise, and the matters upon which such expert is expected to give testimony.

The Applicant is prepared to go to your office, or any other reasonable location you may designate, for the purpose of receiving and/or making copies of such materials as you shall provide. We request that you make these materials available to us by no later than 1:00 p.m. today.

Our receipt of the materials as requested is without prejudice to any claim the Applicant may make with respect to the untimeliness of your proposed presentation.

Very truly yours,



David M. Royston

DMR/js

cc Old Say brook Planning Commission
Dwight Merriam, Esquire
Matthew Ranelli, Esquire
BL Companies