



Connecticut Fund for the Environment

✓ XC:PC 1/5/05
Exhibit # 138
FILE COPY

December 29, 2004

Old Saybrook Planning Commission
 Town of Old Saybrook
 302 Main Street
 Old Saybrook, CT 06475

**Re: Public Hearing Procedure
 River Sound Development, LLC
 Special Exception Application**

Dear Chairman McIntyre and Commission Members:

This letter is being sent to follow up with Connecticut Fund for the Environment's oral request that equal time be given to the interveners as is granted to the applicant at the Commission's scheduled public hearing on January 5, 2004. At the close of the last hearing Chairman McIntyre noted that the applicant would be given one hour, the public would be given one hour, and that the Commission would reserve one hour for itself. Connecticut Fund for the Environment, therefore, believes that it is appropriate for one hour to be given to CFE due to its status as an intervener.

Connecticut Fund for the Environment has formally intervened in these proceedings pursuant to Connecticut general Statutes § 22a-19. During the course of the hearings on this application, CFE has shared comment time with the general public. While CFE has been content to not make an issue of this during the previous hearings, as ample time was provided for all parties to be heard, it is essential that CFE be able to present any and all necessary testimony at what is currently scheduled to be the last public hearing on this application. While we may not need the full hour, due process requires that equal time be given to all parties.

Accordingly, CFE requests that the Commission grant the intervening party, Connecticut Fund for the Environment, one hour to address the Commission on January 5, 2004.

Very Truly Yours,

Charles J. Rothenberger