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Exhibit # 144

MEMORANDUM

To: Dwight Merriam, Esq.
Matthew Ranelli, Esq.
Charles Rothenberger, Esq.
David Royston, Esq.

From: Mark Branse

Re: Old Saybrook Planning Commission - The Preserve - River Sound Development, LLC - Open Space Subdivision Special Exception Application

File #: 3029/04-207

Date: January 05, 2005

As each of you now, the final public hearing scheduled for tonight in Old Saybrook has been postponed due to inclement weather, and has been continued until next Wednesday, January 12, 2005 at 7:30 pm in the auditorium of the Middle School. I know that there was a flurry of letters among various parties to this application concerning materials to be displayed for the first time this evening, and requests for the opportunity to review such materials in advance. The bad weather has created a reprieve so that all parties can exchange information as sought, and the Commission and its consultants can receive your materials in time to review them and be prepared with questions for the final hearing.

Though I cannot compel it, I am urgently requesting each of you to bring in sufficient copies of your presentation materials to the Planning Office so that Commission members and consultants may receive them; to exchange copies of such materials with each other; and to avoid substantial new materials thereafter (other than, perhaps, amplifications or supporting data for what you have already submitted); and to do this tomorrow. Since you were all planning to distribute your materials tonight, this should prove no hardship.

There is nothing to be gained from ambushing each other and much to be gained from allowing the Commission and staff to review your materials in advance of the final hearing. You are all attorneys and have a professional obligation to assist the tribunal—the Planning Commission in this case—in its search for truth. Just as important, the Commission is more likely to be influenced by your materials when they have the chance to study and absorb them, and then ask you any questions about them. I think that the Commission is truly studying what you submit and struggling to fully understand and digest it. It is in your interest to help them in this task.

As you know, I will not be able to attend the final public hearing next week. In keeping with my own admonition to you, I will be pressing to turn what would have been verbal comments tonight into a written report and get it to you and the Commission in advance (tomorrow, if at all possible). Thank you for your anticipated cooperation.

cc Robert McIntyre, Chairman
Christine Nelson, AICP, Town Planner

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