

PLANNING  
COMMISSION  
EXHIBIT #58

I am presenting to the Old Saybrook Planning Commission as you give a cursory review of the phase #1 application pending for development of the former Pianta property. This acreage is accessed through Bokum Road just south of the Essex town line and this first step involves a number of homes to be built between Bokum Road and the railroad tracks which they originally wanted to build a causeway over to get into the wet and rocky heart of the 1000 acres.

The earlier Riversound application sought to develop an eighteen hole course with 250 condominiums and dwellings. After passing a similar ~~cursory~~ review of the Planning Commission, it was then the subject of lengthy Inland Wetlands and Watercourses hearings which lasted months. The Town of Essex became a legal intervenor and joined forces with the grassroots Alliance for Sound Area Planning (aSAP), comprised of hundreds of citizens from Old Saybrook, Essex and Westbrook, as well as Connecticut Fund for the Environment (CFE) and State Representatives Spallone, Giuliano and O'Connor, State Senators Daily and Stillman, and Attorney General Richard Blumenthal.

What <sup>WE</sup> ~~all of us~~ objected to was that this 1000 acre maritime forest, the last of this size and scope left in the State, is a giant wet rocky sponge, the sourcewaters of three separate watersheds, the Oyster River, which flows entirely through Old Saybrook and into the sound, right near Old Saybrook High School. The Trout Brook watershed flows westward from this property, through the Holbrook and Westbrook wells, important public water supply for Westbrook, and into the Patchaug River, which also empties into the Sound. The third watershed is the Mud River, comprising 238 acres of the total, flowing east into Essex and joining the Falls River in emptying into the Connecticut River. The extensive engineering, and blasting, filling, and moving earth would be on a scale previously unseen in our region.

After the Old Saybrook Inland wetlands Commission courageously voted the project down, our coalition of CFE, aSAP, the DEP and Essex were joined by Old Saybrook and we were upheld in Superior Court by Judge Aurigemma. Last year, we were upheld even more conclusively in Appellate Court and the State Supreme Court refused to further consider appeals by Riversound.

So now they are putting forward these <sup>market-hungry profits</sup> development schemes from the outer edges in, predicated on something which never came to pass, which would have been Riversound winning in court. The developer is simply trying to get a return for the disappointed investors, who should have never counted on being able to overwhelm the public, and the astute Old Saybrook commissioners in the first place. They are no doubt trying to get a foot in the door once again.

There are some who suggest that for Essex citizens to appear in an Old Saybrook Commission might cause some resentment, but this isn't the case. Not only have we always been highly respectful towards our friends in Old Saybrook, but we in Essex have a huge stake in this.

When we first objected to the impacts of these projects done in extensive wetlands and watersheds, our case was thought to be somewhat circumstantial by some, but as each chapter unfolded with further court presence, we were able to conclusively prove that the proposed activity would have considerable negative impact, and as these impacts have been proven real, this has essentially become the law of the case.

You would be totally justified in telling <sup>us</sup> that you have serious reservations with this.

Don't be lured by offer of playing fields - in fact, you are the <sup>assure</sup> hope that we have that there indeed is a <sup>total</sup> playing field. Philip Miller  
1000 acres - 30% box turtle