

# Gales Ferry District

18 Hurlbutt Road / P.O. Box 181

Gales Ferry, Ct 06335-1825

GalesFerryDistrict@gmail.com



September 5, 2024

RECEIVED

SEP 12 2024

Land Use Department

To: Elizabeth Burdick, Director of Land Use & Planning.  
Tony Capon, Chairman, Planning & Zoning Commission

SEP 5 PM 3:31

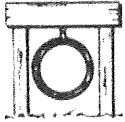
This letter is submitted pursuant CGS §§ 8-21 (Disqualification of members of zoning authorities) and 8-21(Disqualification in matters before planning and zoning boards of appeals) by the Gales Ferry District. The involved parties are Planning and Zoning Commissioner Paul Whitescarver and land use attorney Robert Avena, including his firm Suisman & Shapiro.

Our District represents residents living near the proposed excavation and processing of aggregate from Decatur Mountain at 1737 and 1761 Route 12. We are concerned about the potential impact on health, safety, property values, and quality of life for our members.

We specifically request that Commissioner Paul Whitescarver recuse himself from hearing, deliberating, and voting on GFI (Gales Ferry Intermodal) Application PZ#24-8 SUP and PZ#24-9CAM regarding the proposed excavation and processing of aggregate at 1731 and 1761 Connecticut Route 12.

This request is appropriate because Mr. Whitescarver serves as the Executive Director of the Southeastern Connecticut Enterprise Region (seCTer), which incubates the Wind Collaborative. The mission of the Wind Collaborative includes supporting and promoting offshore wind activities, and it is our understanding that GFI plans to excavate and sell large quantities of gravel and aggregate from Decatur Mountain to the offshore wind industry.

CGS §§ 8-11 and 8-21 provide that "no member of any zoning commission, planning commission, or zoning boards of appeals "shall participate in the hearing or decision of the commission of which he is a member upon any matter in which he is directly or indirectly interested in a personal or financial sense." We believe that Commissioner Whitescarver's executive role in the Wind Collaborative constitutes a conflict of interest under CGS. §§ 8-11 and 8-21, and that he should recuse himself.

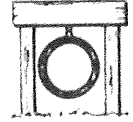


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We also request that land use attorney Robert Avena, as well as Suisman & Shapiro, recuse themselves from representing the Ledyard Planning and Zoning Commission during the hearings and deliberations on GFI and CR Klewin/Sweet Hill Farm LLC applications. This request is based on our understanding that his firm, Suisman & Shapiro in New London, acts as an agent for Avalonia Land Conservancy (abutters to the farm) and the industry-funded Connecticut Wind Collaborative, Inc., of which Commissioner Whitescarver serves as a director.

Respectfully,

Lee Ann Berry

President,

Gales Ferry District