



Save the Sound[®]

Action for our region's environment.

September 3, 2020

VIA EMAIL

Stacey Davis
Planner II
City of New Haven
165 Church Street, 5th Floor
New Haven, CT 06510

Dear Ms. Davis,

We are writing to seek a 90 day continuance of the commencement of the public hearing in the Applications for Site Plan and Modified Special Permit and Coastal Site Plan Approvals at 19 Wheeler Street a/k/a MBL 082/0974/02001 a/k/a "Fairmont Av" (the "Property") that were submitted to the City Plan Commission on July 14, 2020 with revisions submitted on July 31, 2020. This request is made pursuant to the Governor's Executive Order 7DDD issued on June 29, 2020. This application involves the proposed placement of a new polluting use in what is likely the most overburdened environmental justice community in the state and raises substantial concerns regarding public health, distributional equity and environmental impact on a coastal area.

The extension is necessary because the COVID-19 pandemic has created conditions that effectively prevent and impede meaningful participation in these important proceedings by the community and therefore meaningful consideration of the community's concerns by the Commission. Given the proposed worsening of conditions on an already overburdened site, it is extraordinarily important for a full traditional public hearing that the community may attend or at least as close to that situation as possible.

According the Census Reporter, Census Tract 1427 where the facility is located has a per capita income of \$18,289 (about half the amount in New Haven County as a whole) and has 21.9% of persons below the poverty line (about double that of New Haven County).¹ According to CT Department of Public Health, the neighborhood is 53% Hispanic, 21% black and 21% white. The asthma rate in the census tract is 147.6 per 10,000 people.²

The COVID-19 pandemic has highlighted the problem of the "digital divide" in our society, where wealthier, non-diverse suburban communities (which in this case are the communities contributing waste) have substantial advantages in access to electronic resources than do lower-income and minority communities (those that live, work, and recreate in the impacted area). While much of the reporting on this has been in the context of resources for education,³ it applies equally, if not more so, to community organizing and representation. A Zoom type internet meeting will not allow the type of in-person organizing and deliberation that is necessary to truly understand and explore the impacts that this use will have upon the community.

Given the genuine challenges posed by the COVID-19 pandemic, Governor Lamont has issued Executive Order 7DDD, the purpose of which is to "prevent the potential public health threat and spread of COVID-19 to any person who might participate in the process of submitting, reviewing, hearing, discussing, deciding, or appealing a] . . . commission decision or action . . . and to allow for delays and unavailability caused by disruptions related to the COVID-19 pandemic . . .", Accordingly, commissions are authorized to extend "any statutory or regulatory time requirements . . . hearings, or other time limitations . . . for 90 days provided such extension is granted prior to September 9, 2020."

Given that this application involves substantial impacts and additional burdens to an already severely overburdened community, that COVID-19 will impede effective and meaningful participation in the hearing by the community, and that

¹ <https://censusreporter.org/profiles/14000US09009142700-census-tract-1427-new-haven-ct/>

² <https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/dph/hems/asthma/gis/NewHavenFinalpdf.pdf>

³ See generally, Caroline Levander and Peter Decherney, *The COVID-digital Divide*, Inside Higher Ed, Jun 10, 2020, <https://www.insidehighered.com/digital-learning/blogs/education-time-corona/covid-igital-divide>.

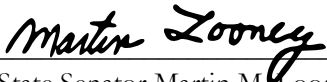
important issues of water pollution, air pollution, nuisance, public health and welfare, traffic impacts, property values, and coastal impacts must be fully considered and resolved, we request that the Commission postpone the commencement of the public hearing in this matter for 90 days beyond the regular deadlines.

Sincerely,

SAVE THE SOUND



By: Roger Reynolds, Senior Legal Counsel



State Senator Martin M. Looney



State Representative Al Paolillo
97th Assembly District New Haven



State Representative Roland Lemar
96th Assembly District New Haven



Alder Rose Santana, 13th Ward



Anstress Farwell, President
New Haven Urban Design League



Nancy Alderman
Quinnipiac River Advisory Committee

s/s

Alder Ellen Cupo, 8th Ward



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