



OFFICE OF ADJUDICATIONS

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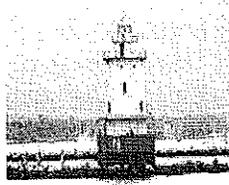
IN THE MATTER OF : ***APPLICATION NO. FM-201300017***

***DEPARTMENT OF ECONOMIC AND
COMMUNITY DEVELOPMENT
FLOOD PLAIN CERTIFICATION
EXEMPTION - STAMFROD*** : ***JUNE 20, 2013***

Written Comment Received at June 19, 2013 Public Hearing

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**CITY OF STAMFORD, CONNECTICUT
HARBOR MANAGEMENT COMMISSION**

VIA EMAIL TRANSMISSION AND REGULAR MAIL

May 22, 2013

Mr. Colin Clark
Connecticut Department of Energy and Environmental Protection
Bureau of Water Protection and Land Reuse
Inland Water Resources Division
79 Elm Street
Hartford, Connecticut 06106-5127

**Subject: Application No. FM-201200017
(Department of Economic and Community Development)**

Dear Mr. Clark:

The Stamford Harbor Management Commission (HMC) has received the Notice of Tentative Determination issued by the Connecticut Department of Energy and Environmental Protection (DEEP) to approve the above-referenced application. That application, submitted by the Connecticut Department of Economic and Community Development, requests an exemption pursuant to Section 25-68d(b) (Flood Management) of the Connecticut General Statutes. The DEEP has also given notice that it intends to hold a public hearing on the application on June 19, 2013.

Described in the Notice, the proposed activities include: "construction of new headquarters building, parking garage, driveways, public accessways, utilities, grading, landscaping, and appurtenant site improvements." In addition, the Notice declares that the "activities include placement of approximately 100,600 cy of fill and substantial structures within the Coastal Special Flood Hazard Area of Long Island Sound."

The site of the proposed activities adjoins the west branch of Stamford Harbor. It is the responsibility of the HMC to review proposals affecting Stamford Harbor and to determine the consistency of those proposals with the Stamford Harbor Management Plan (the Plan). Pursuant to Section 22a-113n of the Connecticut General Statutes, a recommendation of the HMC pursuant to the Plan shall be binding on any official of the State of Connecticut when making a regulatory decision affecting Stamford Harbor, unless such official shows cause why a different action should be taken.

The HMC considered this matter during its meeting on May 21, 2013 and approved a motion to transmit the following initial comments regarding the proposal to the DEEP.

Initial Comments:

1. The HMC is concerned about the potential adverse impacts of the proposal on: a) flood conditions on the property of the Ponus Yacht Club, an existing and viable water-dependent use of the Stamford waterfront; and b) on-land access to the Ponus Yacht Club.

Mr. Colin Clark
May 22, 2013

Page Two

2. The HMC is concerned about the potential adverse impacts of the proposal on future water-dependent development opportunities on the site of the proposed activities.

3. The HMC reserves its right to formally review the application to determine its consistency with the Plan, and to transmit the HMC's findings and recommendations concerning the application to the DEEP during the public hearing process.

You may contact me at (315) 651-0070 or drortelli@hotmail.com if you have any questions.

Sincerely,



Dr. Damian Ortelli

Secretary, Stamford Harbor Management Commission

Cc:

Ms. Kristen Bellantuono, DEEP Office of Long Island Sound Programs
Mr. Jack Conclin, HMC Application Review Committee
Mr. Frank Fedeli, Stamford Office of Operations
Mr. Michael J. Lettieri, Department of Economic and Community Development
Mr. Brian Thompson, DEEP Office of Long Island Sound Programs

June 19, 2013

To:
DEEP Commissioner Mr. Daniel Esty
79 Elm Street
Hartford, CT 06106

From:
Kevin Dailey
18 Oaklawn Ave.
Stamford, CT 06905

Dear Mr. Esty,

Below is an approximate transcript of my verbal comments made to your department during the public hearing on Application number: FM-201300017

I am here tonight to speak out against the intent to grant a special exemption to the Connecticut General Statutes on Flood Management.

Long ago in Stamford's history the hurricane of 1938 caused tremendous damage to the area. It had a tidal surge similar to hurricane Sandy and was one of the main reasons that the hurricane barrier was built to protect Stamford. In recent years the World and our region have experienced weather phenomena like the October storm that dumped nearly a foot of snow on the region and super storms that wiped out Moore, Oklahoma. Hurricane Sandy was just shy of a full hurricane when it struck, yet it did untold physical and economic damage to the region.

Why now are we considering building a project with an approximate worth in excess of ONE BILLION DOLLARS outside of the hurricane barrier which was built to protect just such businesses and costly investments? Have we not learned our lesson? Nature is an unforgiving teacher and a recent report initiated by New York Mayor Michael Bloomberg suggests that tidal levels are continuing to increase and storm water levels may be several feet above what was once thought of as the highest levels anticipated. The fact is that no one expected levels which occurred in hurricane Sandy and we saw mass destruction from that. Had the storm been more focused toward Stamford, it is likely that the water heights in that storm would have been even higher.

I urge the DEEP not to grant any special exemption to allow this type of building to be placed outside of the hurricane barrier. Albert Einstein's definition of insanity is doing the same thing over and over again and expecting different results. It is insanity to place a valuable asset on the "danger" side of the hurricane barrier. In medieval times the kings did not place their

valuables and women outside the castle walls on 14' tall mounds of dirt and think they were safe from Pestilence and Marauders. Why would your department be so arrogant as to put history, and lessons learned aside, for the whims of a Governor and overzealous developer?

In response to the request for "intense use" exemption I also urge the DEEP not to grant any special exemption. The applicant is proposing putting 3000 parking spaces on this land. That is nearly 40 acres of parked cars, of which 1/3rd of them may be at or below normal tidal levels. This amount of cars when lined up will stretch nearly 12.5 miles when trying to get into the building. With only several entrances into the building, we can expect nearly full streets from the site back up to the three entrances off of I-95. The traffic from this building alone will add 1 hour of traffic at each of the three exit ramps off of I-95 during each commuting cycle.

I don't know if it matters to your department or not, but the builder is seeking to put a building that is twice the height of any allowable building in this area. They are also seeking a FAR (floor area ratio) of three times the allowable limit. This is gross over development on a piece of property that was stripped of all development rights other than a boat yard. It is criminal what your department, the DECD, the Governor and this developer are trying to do.

FEMA should not grant any flood insurance for this project and should mandate that this project be self insured. I for one do not endorse my tax dollars to go toward protecting such a foolhardy endeavor as to put a 1 Billion Dollar building in harm's way. The Governor claims Bridgewater to be a "must keep in Connecticut company", then why risk the ability of the company to operate every time a moderate to significant storm comes our way. This is the largest hedge fund in the world. Do you want to shut it down and evacuate the building every time a storm comes along? Not only might we have to bail out the building, this kind of occurrence could cause the government to have to financially bail out Bridgewater due to interrupted operations.

This project is like putting the hens outside of the hen house at night for the fox to come and eat them. I urge you to reject the exemption.

Respectfully submitted,

Kevin Dailey

Remarks by Maureen Boylan
June 19, 2013 Public Hearing
DECD/Bridgewater FMC Exemption Application

My name is Maureen Boylan and I am one of the founders of a grass roots organization called Save the Boatyard. Our mission is to ensure that a full-service working boatyard and marina services are restored on the 14-acre parcel that is the subject of this application.

We oppose the proposed exemptions to the flood management certification requirements for two fundamental reasons: 1) Strand/BRC, the owner of the property, is in violation of state and local environmental and land use laws and 2) Strand/BRC, cannot legally build the proposed facility.

Violation of CCMA: Boatyard demolition

In January 2012, the Strand/BRC illegally demolished an entire boatyard facility on the property – not only *diminishing*, but *eliminating*, a viable water dependent use. That demolition violated local zoning laws ... Strand's zoning certificate ... and the Coastal Management Act.

In response to Strand/BRC's blatant disregard for the law, Stamford's zoning board issued a Cease and Desist last year, which I am submitting into evidence. Item #5 in the Cease and Desist Order addresses the specific requirements under Stamford's Zoning Regulations and the Coastal Management Act that were violated.

As part of its flood management application, the DECD is required to demonstrate consistency with the Coastal Management Act ... but, as the Cease and Desist indicates, it cannot.

The Cease and Desist also points out, in item 14, that Strand/BRC purchased the 14-acre boatyard with knowledge of the City's zoning

regulations and Condition #7 of the general development plan for the site (which I also am submitting into the record).

Condition # 7 states that the final plans “***shall include conceptual plans to improve and insure the continued operation of the 14-acre boatyard as a working boatyard and full-service marina.***”

It goes on to say that “***...there will be no reduction in any current capacity, facilities, uses or services, insuring the continued operation of this important water dependent use***” and that any reduction must be approved by local, state and federal officials.

Ironically, this condition and similar language in Stamford’s zoning regulations were created specifically in response to DEP input – and warnings.

Five years ago when local land use boards were reviewing development plans for the site, the DEP, now the DEEP, issued not one but **seven** letters to local officials reminding them of their legal obligation to ensure that the boatyard operations were not diminished – let alone obliterated!

In August 2006, **Brian Thompson** (who issued the CMA review that’s in the DECD application package) wrote a letter to John Freeman (who was then in-house counsel for Antares and is now corporation counsel for Strand/BRC) that said:

“We [the DEP] must firmly reiterate our view that replacing all or portions of the existing boat yard with non-water-dependent uses is clearly inconsistent with the water-dependent use policies and standards of the Connecticut Coastal Management Act.”

He went on to say:

[The DEP's Office of Long Island Sound Programs] cannot grant authorization for activities that are inconsistent with the policies of the CCMA.

For some mysterious reason – could it be political pressure exerted by superiors? – Mr. Thompson seems to have done an about face in his interpretation of CCMA consistency. He, obviously, is compromised.

In August 2007, Betsey Wingfield, chief of the Water Protection and Land Use Bureau, warned the City that the DEP would take legal action, if necessary, to ensure that development on the site remained consistent with CCMA.

Why has Ms. Wingfield now gone silent?

Back to claims made when, the City approved development plans for the 14-acre parcel ... Attorney William Hennessey, who represented the property owners at the time responded to DEEP's concerns about the boatyard by assuring local officials that the developer's plans did not involve eliminating "any water dependent uses ... including the boatyard". I am submitting into the record two letters from Attorney Hennessey to Stamford's land use officials. Note that his May 2007 letter was also copied to attorney Freeman.

Clearly, the intent, the purpose, and the understanding of the DEEP and City officials was that the boatyard operations would be retained on the property -- and that any such diminishment would be a violation of the CCMA.

Or, were the property owners and its attorneys providing false and misleading information to the City's boards and DEP to simply advance the approval of its plans for its adjacent property?

Proposed building cannot legally be built

Mr. Clark and Mr. Tereso, or more appropriately the DEEP and DECD, have glossed over another fundamental fact with regard to the proposed Bridgewater headquarters building:

It cannot legally be built.

The property owners gave up their right to build a commercial office building on the parcel. **Item #13** in the Cease and Desist and a June 13, 2013 email from Norman Cole that I am submitting into the record state that **all of the development rights from the 14-acre property were transferred and used north of the hurricane barrier, leaving the 14-acre site approved only as a boatyard/marina.**

Funding:

Why is the state bending over backwards in wanting to give Bridgewater Assoc. \$140,000 million dollars of tax payer tax incentives and bonds to the world's richest hedge fund? There has been no formal application presented by BW themselves that there is even an interest in moving here to Stamford and no direct claim that they were even moving out of state, only secret meetings in Switzerland have transpired. It's only fabricated heresay by the Gov., the DEEP, BLT, and others and yet they all are trying to manipulate the public with fabricated and inflated numbers in permitting fees and providing no transparency to the general public in the details. Ray Dalio is worth 10 Billion dollars does he really need our tax payer dollars for a move?

Maritime Support Services:

Maritime support services create jobs and boost the economy. Maritime companies hire people to design and build boats, to clean and polish them, to fuel them, to service and repair them, and to store them during the winter months. And to do that, access to navigable water and adequate space for shoreline facilities is important.

Show NMMA Study!

I, respectfully, request that the grant and exemption to the DECD be denied because the construction activity proposed by the DECD is inconsistent with the Coastal Management Act and the DECD's client has no right to construct an office building on the 14-acre former boatyard parcel.

Clearly, the DEEP has no jurisdiction to even consider the proposed grant to Bridgewater or the requested exemption.

Maureen Boylan

Supporting evidence submitted:

- 1. Notice of Zoning Violation – Order to Cease and Desist** (Vol. 10482, pg 349 Stamford Land Records)
- 2. Zoning Board Certificate approving General Development Plans** (Vol. 9102, page 183)
- 3. DEP letters regarding requirements to maintain the boatyard and CCMA consistency**
 - a. Brian P. Thompson Letter to Stamford Planning Board – Aug. 3, 2006
 - b. Brian P. Thompson Letter to John Freeman – Aug. 29, 2006
 - c. Brian P. Thompson Letter to Robin Stein – Sept. 5, 2006
 - d. Kristal Kallenberg Letter to Norman Cole – May 3, 2007
 - e. B. Thompson Letter to Norman Cole – May 21, 2007
 - f. Kristal Kallenberg Letter to Norman Cole – June 25, 2007
 - g. Betsey Wingfield Letter to Norman Cole – Aug. 10, 2007
- 4. Attorney William Hennessey letters to City of Stamford assuring maintenance of boatyard:**
 - a. May 21, 2007
 - b. June 18, 2007
- 5. Email stating development rights for 14-acre parcel were transferred to adjacent property** (N. Cole to L. Gildea, June 10, 2013)



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 DONNA M. LOGLISCI
 CITY & TOWN CLERK STAMFORD CT
 BLOCK

25, 87, 89, 95, 96

IN RE: Strand/BRC Group LLC : CITY OF STAMFORD
 100 Washington Blvd, Suite 200 : OFFICE OF ZONING ENFORCEMENT
 STAMFORD, CT 06902 : July 16, 2012

NOTICE OF ZONING VIOLATION - ORDER TO CEASE AND DESIST

TO: Strand/BRC Group LLC
 100 Washington Blvd, Suite 200
 STAMFORD, CT 06902

AS ZONING ENFORCEMENT OFFICER OF THE CITY OF STAMFORD I HEREBY NOTIFY YOU, AS FOLLOWS:

1. Section 6-40-19 of the City of Stamford Charter (1987) concerns zoning enforcement and provides that the Zoning Enforcement Officer shall enforce all planning and zoning ordinances and regulations.

2. Article V, Section 16A of the Zoning Regulations of the City of Stamford concerns "Administration and Enforcement". It provides:

It shall be the duty of the Zoning Enforcement Officer, as authorized in Section 558 of the City charter (1977) to enforce the provisions of these Regulations and make such orders and decisions as may be necessary to carry out the intent thereof.

3. Article V, Section 16B of the Zoning Regulations concerns "Enforcement and Penalties". It provides:

The Zoning Enforcement Officer, as authorized, may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair or conversion of any building or structure, or the unlawful use of land, to restrain, correct or abate such violations, to prevent occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about the premises. Whenever such acts shall be in contradiction to the provisions of these Regulations, penalties shall be as provided by the General Statutes.

4. Section 8-12 of the Connecticut General Statutes concerns the procedure to be followed in the event of a zoning violation. It provides:

If any building or structure has been erected, constructed, altered, converted or maintained or any building, structure or land has been used, in violation of any provision of this chapter or of any bylaw, ordinance, rule or regulation made under the authority conferred hereby, any official having jurisdiction, in addition to other remedies, may institute an action or proceeding to prevent such unlawful erection, construction, alteration, conversion, maintenance or use or to restrain, correct or abate such violation or to prevent the occupancy of such building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises.

5. Section 9-J-4-d of the Stamford Zoning Regulations states that if a site contains a viable water dependent use that such use shall be retained. This ordinance mirrors similar language in the Connecticut Coastal Management Act.

6. Section 22a-108 of the Connecticut General Statutes concerns the procedure to be followed in the event of a violation of the Coastal Management Act. It provides in part:

Violations. Any activity within the coastal boundary not exempt from coastal site plan review pursuant to subsection (b) of section 22a-109, which occurs without having received a lawful approval ... or which violates the terms or conditions of such approval, shall be deemed a public nuisance.

Municipalities shall have the authority to exercise all enforcement remedies legally available to them for the abatement of such nuisances including, but not limited to, those under Section 8-12.

7. Strand/BRC Group LLC is the record owner of the premises located at Dyke Lane and at the foot of Washington Blvd as described in Ex. A (deed recorded June 25, 2005 in the Stamford Land Records at Vol 8121 pages 39-47), and also referred to as the 14 acre boatyard, in Stamford, Connecticut, and hereinafter referred to as the "premises". The premises are in a flood plain and were occupied by a boatyard known as Brewer's Yacht Haven Boatyard and Marina. The boatyard was the last in Stamford and likely the largest - and one of only a few remaining -- in the Northeast. It had lifts for hauling boats, full repair service and winter storage.

8. The aforesaid premises are located within the municipal coastal area boundary, which requires approval of a Coastal Site Plan review by the Stamford Zoning Board, as well as the South End Redevelopment District-South (SRD-S). Both require an application for Coastal Site Plan Review before any alterations to the property, including the disturbance, removal or deposition of any soils is undertaken.

9. Strand/BRC Group LLC does business with an address at 100 Washington Blvd, Suite 200, Stamford, CT 06902.

10. The Stamford Zoning Board approved an application by a predecessor in title to Strand/BRC Group LLC for a General Development Plan (GDP) which was recorded on the Stamford Land Records (Vol. 14118 Page 0001; Map No. 14118). Condition #7 of the approved GDP states as follows:

Phase I Final plan submittal shall include conceptual plans to improve and insure the continued operation of the 14 acre boatyard as a working boatyard and full service marina. Unless specifically approved by the Zoning Board and any required state and federal authorities, there will be no reduction in any current capacity, facilities, uses or services, insuring the continued operation of this important water dependent use for so long as the balance of the SRD-S Zoning Tract derives any benefits of the General Development Plan approval, as may be amended.

11. The premises are located in the South End Redevelopment South District (SRD-S). This design district seeks to give highest priority and preference to water-dependent uses and to the protection and encouragement of existing and new water-dependent uses. It was enacted to protect the Brewer's Yacht Haven Boatyard and Marina and to promote new public access opportunities.

12. The General Development Plan for Harbor Point, initially approved on June 25, 2007 (Appl. 206-57) and amended on June 2, 2008 (Appl. 208-05), authorizes a total development of 3,000 residential units and 512,000 square feet of commercial use on each of nineteen numbered development blocks (C1 – C8, S1 – S4 and P1 – P6). The boatyard property is shown as an unnumbered parcel and labeled "Maintain Existing Boat Storage Operations".

13. The 14 acre boatyard property was included within the SRD-S zone to establish additional development value of 700 +/- residential units coupled with the requirement that all of this development value be transferred to other non-flood prone sites within the Harbor Point development, to remove all redevelopment incentive and to preserve the existing boatyard and marina operations.

14. Strand/BRC Group LLC purchased the 14 acre boatyard with knowledge of zoning regulation 9-J-4-d and Condition #7 of the GDP that requires the maintenance of the boatyard.

15. Strand/BRC Group LLC in mid December 2011 secured a demolition permit and proceeded to remove all ten (10) buildings from the boatyard property, substantially completing demolition by January 23, 2012.

16. Strand/BRC Group LLC has terminated the boatyard use and dismantled the physical infrastructure necessary to conduct such use, without notice to the Zoning Board of the intent to re-establish the boatyard.

17. The Zoning Board by resolution dated January 23, 2012, ordered Strand/BRC Group LLC to cease all construction activities on the boatyard property and to perform no alterations to the property, including removal or deposition of any soils, until the Zoning Board has received and approved an application pursuant to Section 9-J-4-d of the SRD-S regulations and an application for Coastal Site Plan Review, and to submit a plan to "reestablish a working boatyard/marina", as required by the Harbor Point zoning approval.

18. On March 5, 2012 Strand/BRC Group LLC stated that it would submit a comprehensive site plan to re-establish a working boatyard/marina within one hundred twenty (120) days (July 3, 2012).

19. On March 9, 2012 Strand/BRC Group LLC submitted a Coastal Site Plan Review application (CSPR-909) to establish an interim boatyard facility for a 2.2 acre portion of the original boatyard property to be maintained and operated until such time as plans are approved for a comprehensive full service boatyard/marina on the property. CSPR-909 was subsequently approved by the Zoning Board on April 2, 2012 pursuant to a public hearing.

20. On May 21, 2012, the Zoning Board by resolution again restated the same preambles as in January 23, 2012 and stated that the Harbor Point development, absent an approved comprehensive site plan to reestablish the mandated comprehensive full service boatyard/marina, continues to be out of compliance with the approved General Development Plan (Condition #7), and stated that the Zoning Board would request a Cease and Desist Order be issued to ensure compliance with the approved General Development Plan (Condition #7), if a comprehensive site plan for a full service boatyard/marina is not filed with the Zoning Board by June 29, 2012.

21. At its meeting on July 3, 2012, the Zoning Board noted that no comprehensive site plan for a full service boatyard/marina was filed with the Zoning Board by June 29, 2012.

22. The violations of Section 8-12, Zoning Regulation Section 9-J-4-d of the SRD-S regulation, the Coastal Management Act, and Condition #7 of the GDP approved on June 25, 2007 and amended on June 2, 2008 (Appl. 208-05, which required that the 14 acre boatyard would be continued as a working boatyard and full-sized marina) are as follows:

Termination of the lease of the boatyard operator, Yacht Haven West by October 31, 2011

Demolition and removal of all ten (10) buildings from the boatyard property, removing the boatyard and its facilities by January 23, 2012

Conducting the demolition and removal of these structures without a Coastal Site Plan Review application or permit.

Failure to submit a comprehensive site plan to re-establish a working boatyard/marina within the time limit of June 29, 2012.

23. You, Strand/BRC Group LLC, are therefore ordered and directed by me as Zoning Enforcement Officer of the City of Stamford, pursuant to the powers vested in my office by the statutes of the State of Connecticut and the charter, laws and ordinances of the City of Stamford, **TO CEASE AND DESIST WHOLLY IN THESE VIOLATIONS BY SUBMISSION OF A COMPREHENSIVE SITE PLAN TO RE-ESTABLISH A WORKING BOATYARD/MARINA WITHIN 10 DAYS OF RECEIPT OF THIS NOTICE, HOWEVER DELIVERED.**

24. Your failure or refusal to comply immediately with the aforesaid order will render you liable for the fines, penalties and sanctions set forth in Section 8-12 of the Connecticut General Statutes which include but are not limited to:

- a. A court issued injunction prohibiting you from continuing the aforesaid violation.
- b. A fine of \$250 per day for your willful violation hereof.
- c. A civil penalty of \$2,500 should your violation continue for more than 10 days from the date of this order.
- d. Attorney's fees and costs incurred in bringing an action against you for willful violation of the law and this order. You may also be liable for other damages available under Connecticut law.

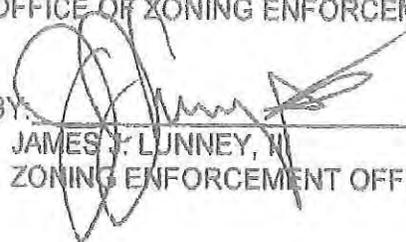
25. Your failure or refusal to comply immediately with the aforesaid order will render you liable for the fines, penalties and sanctions set forth in Coastal Area Management Act, and in particular, Section 22a-108 and 22a-106a of the Connecticut General Statutes, which include but are not limited to:

- a. A court issued injunction prohibiting you from continuing the aforesaid violation.
- b. A fine of \$1000 per each offense, and each day's continuance thereof shall be deemed to be a separate and distinct offense.
- c. Attorney's fees and costs incurred in bringing an action against you for violation of the law and this order. You may also be liable for other damages available under Connecticut law.

26. You are put on notice that a copy of this Cease and Desist order will be placed on the Stamford Land Records and sent to applicable federal and state agencies that are involved in pending applications concerning the premises.

Dated this 16th day of July, 2012.

THE CITY OF STAMFORD
OFFICE OF ZONING ENFORCEMENT

BY: 
JAMES J. LUNNEY, II
ZONING ENFORCEMENT OFFICER

HOLYOKE WATER POWER COMPANY


Robert J. Rosone

Vincent P. Pace
President of the

By 
Roger C. Zaklukiewicz
Its Vice President - Transmission
Technical Support

STATE OF CONNECTICUT)

) ss: Berlin

June 20, 2005

COUNTY OF HARTFORD)

Personally appeared Roger C. Zaklukiewicz as Vice President - Transmission Technical Support of THE CONNECTICUT LIGHT AND POWER COMPANY, signer of the foregoing instrument, and acknowledged the same to be the free act and deed of said corporation, and his free act and deed as such Vice President - Transmission Technical Support, before me.


Timothy R. Carmody
Commissioner of the Superior Court
Notary Public
My Commission Expires: _____

STATE OF CONNECTICUT)

) ss: Berlin

June 20, 2005

COUNTY OF HARTFORD)

Personally appeared Roger C. Zaklukiewicz as Vice President - Transmission Technical Support of WESTERN MASSACHUSETTS ELECTRIC COMPANY, signer of the foregoing instrument, and acknowledged the same to be the free act and deed of said corporation, and his free act and deed as such Vice President - Transmission Technical Support, before me.


Timothy R. Carmody
Commissioner of the Superior Court
Notary Public
My Commission Expires: _____

(W1359354:2)

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~~Book 8121 / Page 40~~

~~Page 2 of 9~~

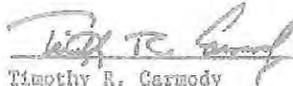
STATE OF CONNECTICUT)

) ss: Berlin

June 20, 2005

COUNTY OF HARTFORD)

Personally appeared Roger C. Zaklukiewicz as Vice President - Transmission Technical Support of HOLYOKE WATER POWER COMPANY, signer of the foregoing instrument, and acknowledged the same to be the free act and deed of said corporation, and his free act and deed as such Vice President - Transmission Technical Support, before me.



Timothy R. Carmody
Commissioner of the Superior Court
Notary Public
My Commission Expires: _____

(W1359354:2)

- 3 -

~~Book 8424 / Page 44~~

~~Page 8 of 9~~

Schedule A

First Parcel

South Parcel (14 Acres)
Stamford, Connecticut

All that certain piece or parcel of land, together with the buildings and improvements thereon, situated off Dyke Lane in the City of Stamford, County of Fairfield and State of Connecticut, being more particularly bounded and described as follows:

Beginning at a point on the southerly line of land now or formerly of Ponus Yacht Club, Inc. at its intersection with the easterly side of the twenty-five (25) foot Right-of-Way described in Book 363, Page 281 and depicted on Map 932 of the Stamford Land Records (SLR) said point being the following seven (7) courses from the intersection of the westerly side of Dyke Lane with the northerly side of land now or formerly of the City of Stamford and commonly known as "Bateman Way;"

running along said City of Stamford S 59° 28' 56" W a distance of 16.35 feet;

S 79° 37' 06" W a distance of 48.00 feet;

S 59° 28' 56" W a distance of 164.15 feet;

S 69° 49' 00" W a distance of 33.43 feet;

S 20° 33' 54" E a distance of 82.90 feet to the northerly side of land now or formerly of Ponus Yacht Club, Inc.;

running thence along said Ponus Yacht Club, Inc. S 69° 26' 06" W a distance of 218.00 feet to the aforesaid easterly side of the twenty-five (25) foot Right-of-Way;

running thence along said Right-of-Way S 19° 34' 54" E a distance of 99.57 feet to the Point of Beginning;

running thence along said southerly side of Ponus Yacht Club, Inc. and along waters of Stamford Harbor-Long Island Sound, each in part, N 69° 10' 48" E a distance of 118.54 feet and S 20° 48' 47" E a distance of 2.27 feet and N 69° 28' 26" E a distance of 58.585 feet to the northeasterly corner of a bulkhead;

running thence along said bulkhead the following six (6) courses:

S 14° 11' 03" E a distance of 74.686 feet;

S 04° 57' 51" W a distance of 76.606 feet;

S 01° 29' 36" W a distance of 66.654 feet;

(W1359354:2)

- 4 -

~~Book 1042/ Page 42~~

~~Page 4 of 9~~

State of Connecticut

SS: Stamford July 16, 2012

County of Fairfield

Then and there, by virtue hereof, the Original,
Notice of Zoning Violation – Order to Cease and Desist

I made service on the with named
Strand / BRC Group, LLC

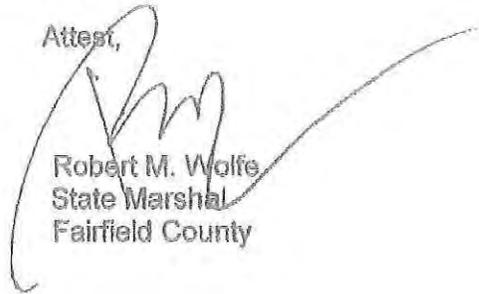
On July 16, 2012, I made service on Strand / BRC Group, LLC by leaving a
true and attested copy of the Original Notice of Zoning Violation – Order to
Cease and Desist, with my doings thereon endorsed,

In the hands of,
David Waters, Strand / BRC Group, LLC, 100 Washington Blvd., Suite 200,
Stamford, CT

One such Copy for each of the within named.
The within and foregoing is the Original Notice of Zoning Violation – Order to
Cease and Desist, with my doings thereon endorsed.

Process	30.00
Travel	4.00
Copies	14.00
Endors	.80
Serv.	0.20
Sec.	0.00
Post	<u>0.00</u>
Total	49.00

Attest,



Robert M. Wolfe
State Marshal
Fairfield County

14118

14118

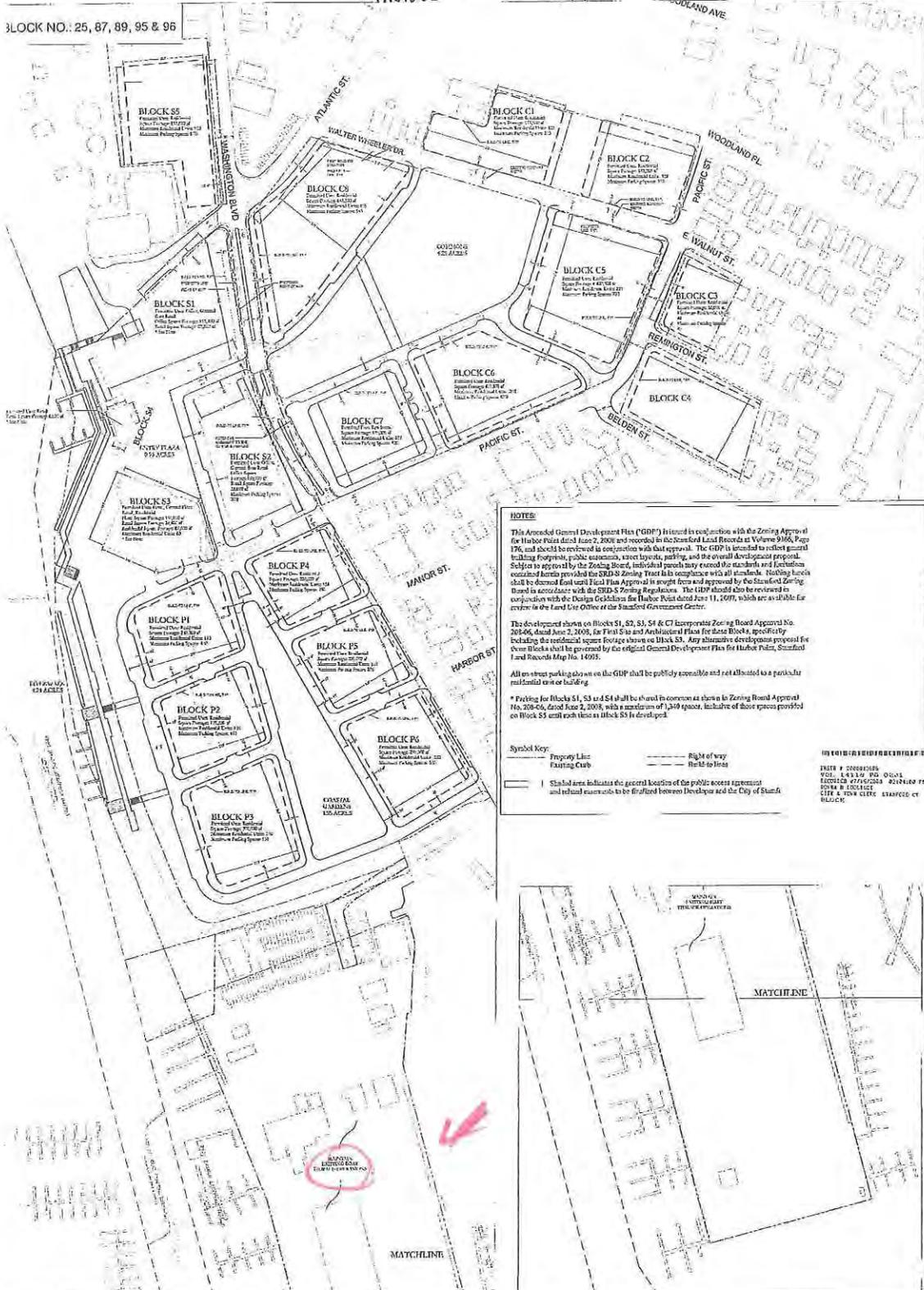
14018

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711612-008

14118

BLOCK NO.: 25, 87, 89, 95 & 96



NOTES

This Amended General Development Plan (GDP) is issued in conjunction with the Zoning Approval for Harbor Point dated June 2, 2008 and recorded in the Stamford Land Records at Volume 9166, Page 176, and should be reviewed in conjunction with that approval. The GDP is intended to reflect general building footprints, public systems, street layout, parking, and the overall development program. Subject to approval by the Zoning Board, individual parcels may exceed the standards and restrictions contained herein provided the SUD-S Zoning Trust is in compliance with all standards. Building heights shall be deemed to meet the Zoning Approval to be sought from and approved by the Stamford Zoning Board in accordance with the SUD-S Zoning Regulations. The GDP should also be reviewed in conjunction with the Design Guidelines for Harbor Point dated June 11, 2007, which are available for review in the Land Use Office of the Stamford Government Center.

The development shown on Blocks S1, S2, S3, S4, S5, S6, S7, C1, C2, C3, C4, C5, C6, C7, P1, P2, P3, P4, P5, and P6 incorporates Zoning Board Approval No. 208-06, dated June 2, 2008, for Final Site and Architectural Plans for these Blocks, specifically including the residential square footage shown on Block S3. Any alternative development proposal for these Blocks shall be governed by the original General Development Plan for Harbor Point, Stamford Land Records Map No. 14993.

All on-street parking shown on the GDP shall be publicly accessible and not allocated to a particular residential unit or building.

* Parking for Blocks S1, S3 and S4 shall be shared in common as shown in Zoning Board Approval No. 208-06, dated June 2, 2008, with a maximum of 1,340 spaces, inclusive of those spaces provided on Block S5 and not those on Block S3 to be developed.

Symbol Key:

Property Line
 Existing Curb
 Right of way
 Easement

Shaded areas indicate the general location of the public access easement and related easements to be finalized between the developer and the City of Stamford.

DATE: 6/20/08
 VOL: 9166, PG: 0041
 RECORD: 277400004 20080620
 BOOK: 9166
 CITY & TOWN CLERK: STAFFORD, CT
 BLOCK:



<p>Harbor Point Stamford, Connecticut</p> <p>RECEIVED ON FILE IN TOWN CLERK'S OFFICE DATE: 7/15/08</p> <p>Applicants: The Strand BPC Group, LLC Address: Walter Wheeler Drive SFE, LLC</p>	<p>Amended - General Development Plan June 2, 2008</p> <p>SCALE 1:100 0 50' 100' 200'</p>	<p>PROJECT TEAM Sarah Associates, Inc. Cooper Robinson & Partners, Inc. Pottinger Business EDI Architecture Munnery and Macfarlane Redden & Wood Inc. Lourenco Engineering Associates, Inc. Sarah Hennessey & Grace</p>	<p>SIGNATURE BLOCK</p> <p>Approved for submission and filing: On July 1, 2008 By: [Signature]</p> <p>Approved by the Stamford Planning Board for filing purposes - Not a final decision On 7/15/08 By: [Signature]</p>
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See Conclusion 7.

A COPY OF THIS RECORD IS KEPT AT THE OFFICE OF THE CLERK OF THE SUPERIOR COURT IN STAMFORD, CONNECTICUT.

Block # 25, 87, 89, 95 & 96

INSTR # 2007019157
VOL 09102 PG 0183
RECORDED 08/07/2007 10:34:16 AM
DONNA K LOGLISCI
CITY & TOWN CLERK STAMFORD CT

ZONING BOARD CERTIFICATE **Block 25, 87, 89, 95, 96**

I, Phyllis Kapiloff, Chairman of the ZONING BOARD of the CITY OF STAMFORD, in compliance with Special Act. No. 619 of the 1953 General Assembly, hereby certify that on April 30, 2007, continued to May 21, 2007, June 4, 2007, June 11, 2007, and June 18, 2007, a Public Hearing was held by the ZONING BOARD on the application of:

APPL. 206-57 & CSPR 790 - ANTARES STAMFORD WATERFRONT MANAGER LLC, ANTARES WALTER WHEELER DRIVE SPE LLC AND THE STRAND/BRC GROUP LLC

Requesting approval of 1) General Development Plans to construct a mixed-use development with multiple buildings containing approximately 512,000 square feet of non-residential Floor Area, approximately 3,000 residential housing units, as well as associated parking, landscaping, open space, and drainage, roadway and utility improvements; and 2) Coastal Site Plan Review

The properties that are the subject of the applications are comprised of several parcels shown as shaded on the following map, all of which are rezoned to South End Redevelopment District, South:



The subject properties illustrated above include all or part of the following parcels:

No. 1: 69 Walter Wheeler Drive (includes the former 717 Pacific Street and 25 Washington Boulevard), Blocks 89 and 90, Assessor Parcel 004-3322, and further described as follows:

Property fronting on Washington Boulevard, Atlantic Street, Walter Wheeler Drive and Pacific Street, totaling 14.34 acres, as depicted on "Property & Topographic Survey depicting Existing Conditions, Prepared for Antares Walter Wheeler Drive SPE, LLC, Stamford, CT", prepared by Redniss & Mead, Inc. being generally bounded Easterly 374± feet by Pacific Street, Southerly 782± feet by Pacific Street, Westerly 1009± feet by Washington Boulevard and Atlantic Street and Northerly 953± feet by Walter Wheeler Drive

No. 2: Block 87, Assessor Parcels 001-8176, 001-8182, 000-7238, and further described as follows:

Property fronting on Walter Wheeler Drive and Pacific Street, totaling 2.93 acres, as depicted on "Property & Topographic Survey depicting Existing Conditions, Prepared for Antares Walter Wheeler Drive SPE, LLC, Stamford, CT", prepared by Redniss & Mead, Inc. being generally bounded Easterly 233± feet by Pacific Street, Southerly 697± feet by Walter Wheeler Drive, Westerly 340± feet by land now or formerly of Holy Name Athletic Club Inc., and Northerly 564± feet by land now or formerly of VR Associates Partnership

No. 3: Assessor Parcels 001-8172, 001-8173, 001-8180, 001-2048, 000-1296, and further described as follows:

Property fronting on Belden Street, Remington Street and Pacific Street, totaling 1.53 acres, as depicted on "Property & Topographic Survey depicting Existing Conditions, Prepared for Antares Walter Wheeler Drive SPE, LLC, Stamford, CT", prepared by Redniss & Mead, Inc. being generally bounded Easterly 206± feet by land now or formerly of Antoni Godlewski and Jorge Abad, Southerly 350± feet by Belden Street, Westerly 190± feet by Pacific Street and Northerly 326± feet by Remington Street

No. 4: Block 96, Assessor Parcels 001-8168, 001-8171, and further described as follows:

Property fronting on Walnut Street, Remington Street and Pacific Street, totaling 0.76 acres, as depicted on "Property & Topographic Survey depicting Existing Conditions, Prepared for Antares Walter Wheeler Drive SPE, LLC, Stamford, CT", prepared by Redniss & Mead, Inc. being generally bounded Easterly 206± feet by land now or formerly of Marian E. Pearson and Alma R. Pincince, Southerly 149± feet by Remington Street, Westerly 216± feet by Pacific Street, and Northerly 165± feet by Walnut Street

No. 5: Block 25, Assessor No. 001-8181, and further described as follows:

Property fronting on Washington Boulevard and Atlantic Street, totaling 2.17 acres, as depicted on "Property & Topographic Survey depicting Existing Conditions, Prepared for Antares Walter

Wheeler Drive SPE, LLC, Stamford, CT”, prepared by Redniss & Mead, Inc. being generally bounded Easterly 425± feet by Washington Boulevard, Southerly 108± feet by Atlantic Street, Westerly and Southerly 305± feet by land now or formerly of Clearwater Associates LLC, Westerly 321± feet by land now or formerly of Sprague Energy Corp. and Thomas G. Radesky, and Northerly 254± feet by land now or formerly of Jay Bee Associates Inc.

No. 6: Admiral's Wharf North & South, Block 25, Assessor Parcel 000-4269, and further described as follows:

Property off Dyke Lane, totaling 13.89 acres, as depicted on “Property & Topographic Survey depicting Existing Conditions, Prepared for The Strand/BRC Group, LLC, Stamford, CT”, prepared by Redniss & Mead, Inc. being generally bounded Easterly, Southerly and Westerly 3259± feet by waters of Stamford Harbor – Long Island Sound, Northerly 548± feet by land now or formerly of Ponus Yacht Club

No. 7: Assessor Parcels 000-9776, 000-9783, and further described as follows:

Property fronting on Atlantic Street, Washington Boulevard and Dyke Lane, totaling 24.29 acres, as depicted on “Property & Topographic Survey depicting Existing Conditions, Prepared for The Strand/BRC Group, LLC, Stamford, CT”, prepared by Redniss & Mead, Inc. being generally bounded Easterly 1663± feet by Washington Boulevard and Dyke Lane, Southerly 1006± feet by land now or formerly of The City of Stamford (Batmans Way) and Ponus Yacht Club, Westerly 1565± feet by waters of Stamford Harbor, and Northerly 579± feet by Atlantic Street

and that the following is a statement of its findings: UNANIMOUSLY APPROVED AS MODIFIED at its meeting held on June 25, 2007, subject to the following conditions:

1. The plans entitled “Site Plan” (“GDP”) by Sasaki Associates, Inc. dated June 18, 2007, are approved as the General Development Plan, subject to the conditions contained herein, and shall be deemed to designate the location of publicly accessible areas, streets, sidewalks, open spaces, and to generally define the location, bulk and use of buildings to guide the subsequent review and approval of final plans. The lines identified as “Build-To Line TYP” on the GDP are intended to establish the general bounds to which a building may extend; provided, however, the Zoning Board, in connection with a Final Plan approval, reserves the right to modify this line to require additional building setback required to meet Section 9.J.5.d of the Zoning Regulations and the Design Guidelines standards, prepared by Cooper Robertson & Partners, Inc. dated June 11, 2007, to provide landscaping, architectural articulation (i.e. stoops, bays, bows cornices, etc.) and to accommodate and address pedestrian and vehicular traffic circulation and operations plans within the area. The following notes to be added to the General Development Plan: 1. Block C8 – “The Shaded area depicted hereon is subject to easement rights to be granted to the City, as necessary, for the widening of Atlantic Street. The required easement shall be granted to the City as a condition to Final Site Plan Approval for Block C8.” 2. To be placed on Block C1 – “The proposed realignment of Walter Wheeler Drive as shown hereon is subject to additional approvals by the City as required by the City Charter.” The Zoning Board may also exempt architectural articulation features from the Build-to line.

2. The scale, height and massing of buildings shall be generally consistent with the illustrative architectural massing plans and design guidelines provided by the applicant entitled, "Harbor Point, Design Guidelines" prepared by Cooper, Robertson & Partners, Inc. and dated June 11, 2007, subject to Zoning Board approval of final Site and Architectural Plans & Requested Uses.

3. No building permit shall be issued until the Zoning Board approves a Final Plan in accordance with Section 9.J.8.b of the City of Stamford Zoning Regulations. Any application for Final Plan approval shall include:

- a. final Site and Architectural plans including detailed exterior architectural designs, materials specifications, color renderings and architectural models of principal buildings, landscaping plans, grading and erosion control plans for all the proposed portions of the site and for buildings proposed for development as required by Section 9.J.8.b and Section 7.2C of the City of Stamford Zoning Regulations. Such plans shall be consistent with Section 9.J.6.f of the City of Stamford Zoning Regulations and generally consistent with the "Design Guidelines", dated June 11, 2007, and the GDP (Drawings A-01 through A-42) revised through June 6, 2007.
- b. a draft "Below Market Rate Housing" Affordability Plan detailing how the application conforms to Section 9.J.5.j of the City of Stamford Zoning Regulations.
- c. submission of a construction sequence and timetable for development of Phase I. Any construction sequence plan shall require completion of the "V" Park and the eastern portion of Teardrop Park and, to the extent that no other approvals are required, a substantial amount of the public access improvements associated with the waterfront esplanade prior to issuance of a Certificate of Occupancy for any Phase I improvements.
- d. a design for the traffic improvements as shown on the drawings entitled, "Harbor Point General Development Plan, Conceptual Site Layout Plan, Drawings #20.01, #20.02, and #20.03," prepared by Langan Engineering, dated April 16, 2007. Said design plan shall be revised to reflect the additional right-of-way to widen Atlantic Street between Washington Blvd. and Walter Wheeler Drive, in accordance with the written recommendations of the City Traffic Engineer, dated June 18, 2007, and submitted for review and approval by the City Traffic Engineer and Transportation Planner and shall include a construction timetable and arrangement detailing the method of financing said improvements. It should be noted that the proposed realignment of a portion of Walter Wheeler Drive has not received necessary approvals of the City of Stamford and the removal of the "dog leg" on Washington Boulevard requires action by the City. If for any reason such approvals are not obtained the applicant shall revise the layout and submit said revision for review and approval by Zoning Board staff.
- e. a design for the stormwater and sanitary sewer improvements as shown on the drawings prepared by Langan Engineering, dated April 16, 2007, entitled: "Harbor Point General Development Plan, Conceptual Grading & Drainage Plan, Drawings #21.01, #21.02, and #21.03;" and "Harbor Point General Development Plan, Conceptual Utility Plan, Drawings

#23.01, #23.02, and #23.03." Said plans shall be modified to include sanitary sewers to serve the boatyard. Such plans shall be modified to conform same to the GDP. Said design plan shall be submitted for review by the City Engineer and shall include a construction timetable and proposed arrangement detailing the method of financing said improvements.

- c. a plan showing new sidewalks, street trees and curbing as generally shown on the drawings entitled, "Harbor Point General Development Plan, Conceptual Site Layout Plan, Drawings #20.01, #20.02, and #20.03," prepared by Langan Engineering, dated April 16, 2007, conforming to the design contained in the "Public Realm Plans" and submitted by the applicant and consisting of the following drawings: A-05, A-09, A-23, A-24, A-25, A-29, A-30, A-31, A-35, A-36, A-37, A-38, as contained in "Harbor Point General Development Plan" dated April 26, 2007 and revised through June 6, 2007. Such plans shall be modified to conform same to the GDP.

4. The first phase of development shall conform to paragraph 3 c above and include the improvements contained on "Drawing A-13 Phasing Plan - Phase 1," dated June 6, 2007 and submitted by the applicant. Improvements planned include 6.61 acres of park land, including the "V" Park, the Waterfront Esplanade (construction of which shall be subject to obtaining all necessary approvals as set forth in paragraph 3 hereof) and a western segment of the "Teardrop Park". The first phase may also include approximately 890 dwelling units, approximately 58,000 square feet of neighborhood retail and convenience service development, a 150 room hotel, and a 100,000 square foot office building. The Applicant shall have two years from the approval of this General Development Plan to submit a Phase I Final Site Plan application, subject to one-year extensions by the Zoning Board, and shall have two years after Final Plan approval for any phase to obtain a building permit, subject to one-year extensions by the Zoning Board. Building permits for all structures and improvements shown on the GDP approval shall be obtained within fifteen years of said approval.

5. Parking amounts reported in the GDP by block (aka "parcel", "sub-parcel") and parking layouts and tandem spaces shown for individual buildings in the Design Guidelines are not approved, and will require separate application and approval of the Zoning Board pursuant to Section 9.J.5.g of the Zoning Regulations.

6. Phase I Final Plan submittal shall include a Parking Management Plan detailing the amount, design, layout, operation and management of all proposed parking and loading areas, and a request for approval of any required parking reductions, shared parking, or use of tandem or valet parking. Adequate public parking shall be provided at each phase of construction, in general proportion to the amount of total project floor area constructed.



7. Phase I Final plan submittal shall include conceptual plans to improve and insure the continued operation of the 14 acre boatyard as a working boatyard and full service marina. Unless specifically approved by the Zoning Board and any required state and federal authorities, there will be no reduction in any current capacity, facilities, uses or services, insuring the continued operation of this important water dependent use for so long as the balance of the SRD-S Zoning Tract derives any benefits of the General Development Plan approval, as may be amended.

8. The applicant shall insure construction of necessary sewer, storm water, street and traffic improvements to provide adequate capacity to service the requirements of the project, and shall submit detailed plans, construction timetable and funding sources for such improvements as part of any Phase I Final Plan approval request to the Zoning Board.

9. Phase I Final Plans shall include a preliminary plan for a system of interpretive signage placed at various points along the public access area chronicling the coastal and natural habitats, natural resources, geologic and hydrologic processes, maritime history and development impacts affecting the Stamford Harbor.

10. All public access areas as shown on the GDP drawing entitled "Public Access Plan" prepared by Sasaki Assoc., dated April 25, 2007, shall be subject to the terms of a public access easement granting the general public the right to access same for the intended uses. A public access easement governing all of these areas shall be granted and recorded prior to issuance of a building permit for any Phase I improvements and shall be consistent with the terms and provisions of existing public access easements established for other similar waterfront projects (i.e. Stamford Landing, Village at Stamford Landing, and Avalon Harbor). Submission of Phase I Final Plans shall also include an overall plan for the ownership, operation and maintenance of all proposed public access facilities and areas.

11. Final plans for any in-water improvements shall be accompanied by evidence of required permits from the Conn. D.E.P. and U.S. Army Corps or written staff review comments indicating the likelihood that required permits will be issued. Structural improvements providing meaningful public access immediately adjacent to the waterfront shall be expanded and extended where feasible to maximize the public experience and enjoyment of the waterfront.

12. Submission of Phase I Final Plans and subsequent construction phases shall be accompanied by evidence of the required "remedial action plan" permit approval from the Conn. D.E.P. Remediation measures shall include plans for interim landscaping necessary to make all areas reserved for future development attractive and safe. It is anticipated that these plans may include selective placement of fencing and temporary landscaping, grading and seeding measures.

13. Phase I Final Plans shall include plans to implement a jitney transit system, as outlined in the record of the GDP application (Memo to Zoning Board, from Josh Lecar, Transportation Planner, dated April 26, 2007), to be operational prior to the issuance of any certificate of occupancy for Phase I development. Plans shall include a mechanism to fund and insure the continuing operation of the jitney transit service after development of the SRD-S Tract is complete.

14. Phase I development shall participate in the LEED "ND" pilot program instituted by the U.S. Green Building Council to develop goals, standards and objectives for sustainable development, and shall be designed to comply with the LEED ND Silver standards of the Leadership in Energy and Environmental Design program established by the United States Green Building Council. Prior to the issuance of a certificate of occupancy, applicant's architect shall certify to the Zoning Board that the project satisfies the requirements for LEED ND "Silver" certification.

15. Prior to issuance of the initial Building Permit, payment of the sum of \$50,000 to a consultant selected by the City of Stamford to perform a Master Plan study of the Stamford Transportation Center. This contribution is to be required as a "fair share" contribution which shall be imposed upon other major development projects expected to have impact on the Stamford Transportation Center.

16. Traffic calming measures, when developed and finalized in the City's Traffic Calming Master Plan for the South End, shall be incorporated and implemented within the boundaries of the Zoning Tract and abutting neighborhood streets.

17. This approval shall be effective upon recording of the approved General Development Plan and Design Guidelines on the City of Stamford Land Records. Any material modifications of the General Development Plan, approved by the Zoning Board, shall also be effective upon recording on the Stamford Land Records.

18. Prior to conveyance of any Block, the Applicant shall file a written certification with the Land Use Bureau, executed by the Applicant, that the Block to be conveyed, as well as all remaining Blocks in the Zoning Tract, will remain in compliance with the GDP approval and conditions and these Regulations. Further, the Applicant shall identify the party responsible for providing all required public services and completing construction of all public improvements and necessary infrastructure as shown on plans prepared by Langan Engineering, submitted by the applicant and identified in paragraphs 3 d, 3 e, and 3 f above. This obligation shall cease to apply for any Block which has received final site plan approval.

Effective date of this decision: July 10, 2007

PHYLLIS KAPILOFF, CHAIRMAN



ZONING BOARD, CITY OF STAMFORD, CT

Filed in the Town Clerk's Office of the City of Stamford, CT on August 7, 2007.

20657cer.doc



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Stamford Planning Board
c/o Mr. Robin Stein
Land Use Bureau Chief
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

August 3, 2006

RE: **Proposed Amendment to Stamford Master Plan, MP-390**

Finding: Inconsistent

Dear Board Members:

Thank you for the opportunity to review and comment on the above-referenced proposal. We have reviewed the application materials prepared by Antares Stamford Waterfront Manager LLC including Exhibit 1 dated June 8, 2006 and the Stamford Waterfront Illustrative Plans dated June 15, 2006 regarding the proposal's consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA) [CGS Sections 22a-90 through 22a-112, inclusive].

Project and Site Description

The proposed site Block 25 known as Admiral's Wharf is located on the east side of the West branch channel of Stamford Harbor and encompasses approximately 31.6 acres. Coastal resources on this parcel include coastal hazard areas and a developed shorefront with deep water that has already received approval for a high-speed ferry facility plus significant public access and related uses. "Developed Shorefront" refers to those harbor areas, which have been highly engineered and developed resulting in the functional impairment or substantial alteration of their natural physiographic features or systems [CGS section 22a-93(7)(I)].

Proposal

This site is currently designated as Stamford Master Plan **Category 13 (Mixed Use-Shorefront)**. The purpose of this category is to provide for appropriate mixed-use development of the waterfront in a manner that: **(1) protects existing water-dependent uses and encourages new waterfront uses (2) preserves and enhances public access to waterfront areas and waterfront vistas; and (3) encourages a mix of compatible uses so designed and integrated as to achieve these objectives within the capacity of the infrastructure and complementary in scale to the general character of the area.**

The proposed Master Plan amendment would change the zoning of Block 25 to **Category 12 (Mixed Use Overlay)**. The purpose of this category is to provide for the joint development of large sites and areas (including substantially rehabilitated industrial facilities) in combination with retail, housing, limited low-density offices or other approved uses, which by nature of the type of activity, design and layout are compatible with each other and their surroundings. This category makes no reference to water dependent uses or public waterfront access.

Conclusion

Waterfront properties are an extremely limited resource with the unique capacity to accommodate water-dependent uses, which by statutory definition require waterfront sites. However waterfront properties are also in great demand for many non-water-dependent uses such as residential and retail development, which can be located inland. Please see the enclosed fact sheet for relevant CCMA policies regarding water-dependency. We are concerned that the proposed plan amendment would allow for an overall diminishment of water dependent uses, which would represent an unacceptable adverse impact on water dependent development opportunities as described in the fact sheet. Under the current Master Plan designation, development of the site was recently approved for a mix of water dependent and non-water dependent uses. Clearly, the site is well suited for such uses for which there is a reasonable demand.

Summary/Recommendations

The existing Category 13 classification in the Stamford Master Plan appropriately reinforces the water dependent policies of the CCMA. The subject parcel has already been approved for development that included water dependent uses such as significant public access and amenities and a high-speed ferry terminal, and the parcel's Category 13 status (mixed-use shorefront) should be retained in order to promote and protect future water-dependent development. Therefore, we recommend that the Board deny the proposed amendment without prejudice.

We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to contact Kristal Kallenberg of my staff at (860) 424-3034 or at Kristal.Kallenberg@po.state.ct.us.

Sincerely,



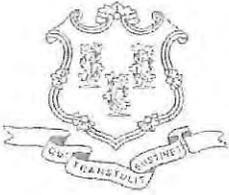
Brian P. Thompson

Director

Office of Long Island Sound Programs

BPT/KK

Enclosure: Water Dependent Use Fact sheet



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Antares Development LLC
c/o Mr. John Freeman, Project Manager
P.O. Box 110237
Stamford, CT 06911-0237

August 29, 2006

RE: Redevelopment in South Stamford

Dear Mr. Freeman,

Thank you for the opportunity to learn more about Antares' plans to redevelop approximately 80 acres in south Stamford at our meeting on August 23, 2006. We agree that the mixed-use proposal offers many opportunities to improve the area including potentially adding a school, adding affordable and other housing units, and remediating and reusing underutilized or vacant brownfields. Of particular interest to the Office of Long Island Sound Programs (OLISP) is the opportunity to significantly increase public access and view corridors to Stamford Harbor from the waterfront site located behind the hurricane barrier.

While most of the development, at least at the conceptual level, appears consistent with coastal management policies, we must firmly reiterate our view that replacing all or portions of the existing boat yard with non-water-dependent uses is clearly inconsistent with the water-dependent use policies and standards of the Connecticut Coastal Management Act (CCMA) [CGS Sections 22a-90 through 22a-112, inclusive]. The boat yard is not only a water-dependent use located at a site with deep-water access, its services are in high demand, partly as a result of earlier replacement of other Stamford marinas with non-water-dependent uses.

As you acknowledged during the meeting, we have consistently stated, going back to the 1980s when interest in the "Helco" parcel first materialized, that partial or complete replacement of the marina with non-water-dependent uses represents an unacceptable adverse impact on water-dependent development opportunities and activities. Since then, there have been no changes to the CCMA or Office policy that alter our interpretation of the issue. Therefore, we will continue to recommend that any proposals of non-water-dependent use of the boatyard parcel be denied, and that residential uses be located landward of the hurricane barrier in accordance with CCMA policies to minimize hazards to life and property and with sound land-use planning principles.

Finally, the state has jurisdiction over most activities conducted at or below the high tide line. Work necessary to develop the waterfront parcels within the project area may therefore require authorization from this Office. We look forward to working with Antares to coordinate the review process for proposed activities such as dredging, rebuilding or modifying bulkheads, constructing new docks, or establishing new

discharge pipes. However, you should be aware that this Office cannot grant authorization for activities that are inconsistent with the policies of the CCMA.

We look forward to working with you to address other coastal management related issues such as managing stormwater runoff and providing meaningful public access walkways and amenities into the development design. As always, we are available to meet with you as necessary to move the project forward. Please contact Graham Stevens at 860-424-4166 or via email at graham.stevens@po.state.ct.us with the Department's Remediation Section to coordinate any follow-up meetings with the staff team assigned to your project.

Sincerely,



Brian P. Thompson
Director
Office of Long Island Sound Programs

BPT/KK/JG

cc: Graham Stevens, DEP Remediation
Arthur Christian, IWRD
Elizabeth Appel, DECD
Robin Stein, Stamford Land-Use Bureau Chief



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Stamford Planning Board
c/o Robin Stein
Land Use Bureau Chief
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

September 5, 2006

Re: Proposed Text Amendment to Stamford Master Plan

Finding: Consistent with Modification:

Thank you for the opportunity to review and comment on the above-referenced proposal. We have reviewed the application prepared by Antares Stamford Waterfront Manager, LLC dated August 28, 2006 for consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA) [CGS Sections 22a-90 through 22a-112, inclusive].

On August 3, 2006 the Office of Long Island Sound Programs (OLISP) determined that the applicant's earlier proposed amendment to Stamford Master Plan, MP-390 was inconsistent with the CCMA and Stamford Master Plan. The proposed amendment would have changed the existing designation of the Admiral's Wharf site from a Master Plan Category 13 (Mixed Use-Shorefront) to a Master Plan Category 12 (Mixed Use-Overlay), potentially opening the door for development that would be inconsistent with the existing policies of the Stamford Master Plan and CCMA regarding present and future water dependent uses, and public access to waterfront areas.

The current proposal would amend the text of Category 12 to include an additional provision (11), "for parcels located on the shorefront, determination that the three purposes of Category 13 (Mixed Use-Shorefront), as set forth in the first sentence of that Category description, are satisfied." While it may be advisable to allow some waterfront parcels to comprise part of a large-scale development project that is appropriately handled under Category 12, all the water-dependent use policies explained in Category 13 should be applicable, not just those described in the first sentence.

Accordingly, in order to protect, preserve and enhance existing and future water dependent uses, and public access to waterfront areas and vistas for increasingly scarce waterfront parcels such as Admiral's Wharf and the peninsula, OLISP suggests the Planning Board recommend that the applicant revise the text by omitting the underlined of the proposed text to read as follows; "for parcels located on the shorefront, determination that the purposes of Category 13 (Mixed Use-Shorefront), are satisfied."

We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to

contact Ms. Kristal Kallenberg of my staff at (860) 424-3034 or by email at
Kristal.Kallenberg@po.state.ct.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian P. Thompson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Brian P. Thompson

Director

Office of Long Island Sound Programs

BPT/KK



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Stamford Planning and Zoning Board
c/o Norman Cole
Principal Planner
Stamford Zoning Board and Land Use Bureau
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152



RE: **Zoning Board Referrals 206-56, 206-57, 206-58, 206-59, 206-60, 206-61, 206-62**
CSPRs 790, 791

Dear Mr. Cole,

Thank you for the opportunity to review and comment on the above-referenced proposals. This Office has not completed its review and would like to remind the applicant and the Stamford Planning and Zoning Board of the requirements for the submission and review of coastal site plan applications under Connecticut General Statutes (CGS) Section 22a-105 (see enclosures). The Commissioner of the DEP is automatically a party to every municipal coastal site plan review and has the right to appeal a municipal decision.

This Office last received applications including coastal site plan reviews, zone map changes and zone regulation changes from Antares Stamford Waterfront Manager LLC dated November 28, 2006. OLISP did not comment on the applications because we were informed that the proposals were to be revised and resubmitted. Apparently there have been several meetings since between Antares and The City of Stamford and subsequent revisions have been made accordingly. However, OLISP has yet to receive an actual application referral from the City of Stamford regarding any of the current revised proposals. This Office received an application package directly from the applicant this afternoon, yet the applicant expects these applications to be referred to the Planning and Zoning Board the evening of April 24, 2007. Up until today our review has been limited to information taken from Legal Notices published in the Advocate and some conceptual development plans. This is especially problematic considering the scope and importance of this 80+ acre project. Pursuant to Section 22a-105(d) of the CGS, **the board must allow the commissioner of DEP 35 days for review and comment before it may render its decision on Zoning Map or Regulation Changes.**

The materials reviewed by this Office prior to the writing of this letter are incomplete and inadequate for proper review by this Office. **Due to the number of applications under consideration for this development proposal and the scope of this project we are recommending the Planning and Zoning Board reschedule the public hearing for these applications not less than 35 days from today, April 24, 2007, the day of our receipt of the revised plans and application materials package.** Any future proposals

should be submitted as soon as possible to avoid further delay in the review process. Again, please refer to the enclosures outlining requirements for a complete coastal site plan review application and the coastal site plan review process.

Thanks again for the opportunity to comment on this project, which holds such great importance for the City of Stamford, the state economy and the preservation of significant water dependent uses such as the Yacht Haven West boatyard, one of the few full-service marinas remaining in this part of the state. We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to contact me at (860) 424-3034 or by email at Kristal.Kallenberg@po.state.ct.us.

Sincerely,


Kristal Kallenberg
Environmental Analyst
Office of Long Island Sound Programs

Enclosures : CGS Section 22a-105, Coastal Site Plan Reviews
CGS Section 22a-109 Coastal Site Plans, Review
Coastal Site Plan Review Checklist



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Stamford Zoning Board
c/o Norman Cole
Principal Planner
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

May 21, 2007

Re: **Application 206-59 Amendment to Zoning Regulations
Antares Stamford Waterfront Manager LLC-SRD-S South End
Redevelopment District, SOUTH**

Finding: **Consistent In Part, Inconsistent in Part**

Dear Board Members,

Thank you for the opportunity to review and comment on the above-referenced text change proposal. We have reviewed the application materials prepared by Antares Stamford Waterfront Manager LLC for consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA)[CGS Sections 22a-90 through 22a-112, inclusive]. We offer the following comments for your consideration.

The proposed zoning district would apply to two waterfront parcels; the former Admiral's Wharf site and the boat yard located on the peninsula south of the hurricane barrier. As we have stated before, the boat yard parcel is unique to the area in that it abuts deep water, has a large, flat upland area, can service large vessels, and stores boats docked at other local marinas because nearly all of Stamford's upland boat storage has been replaced with non-water-dependent uses. This Office has always worked closely with the City to ensure that the water-dependent use requirements of the CCMA have been applied appropriately and consistently. Primarily, this has meant protecting the existing water-dependent uses from being adversely impacted (i.e. replaced or diminished) in any way in accordance with CGS Section 22a-93(17)¹.

We are concerned that changing the underlying zone of the boat yard parcel, and allowing numerous non-water-dependent uses as of right, may present an unacceptable adverse impact on water-dependent uses. We understand that language has been placed in section 4.d of the proposal that would require an applicant to demonstrate that an existing water-dependent use is not economically viable before such a use can be

1. Which states that adverse impacts on future water-dependent development opportunities and adverse impacts on future water-dependent development activities include but are not limited to: (A) locating a non-water-dependent use at a site that (i) is physically suited for a water-dependent use for which there is a reasonable demand or (ii) has been identified for a water-dependent use in the plan of development of the municipality or the zoning regulations; (B) replacement of a water-dependent use with a non-water-dependent use, and (C) siting of a non-water-dependent use which would substantially reduce or inhibit existing public access to marine or tidal waters (CGS Sec.22a-93(17)).

replaced or diminished. While we applaud the effort to include this language, we feel it is insufficient to ensure compliance with CCMA policies. The very purpose of the district appears to be at odds with protecting water-dependent uses, since it states that the SRD-S is "intended to provide for and encourage the land use planning and coordinated development of large-scale mixed-use developments." To accomplish this, the zone includes over 150 uses, only a handful of which are bona-fide water-dependent uses. Through the combination of allowing high-density non-water-dependent uses of the site while allowing elimination of an existing water-dependent use through demonstration of economic hardship, the proposed language in section 4.d could encourage an owner to allow the boat yard (or other water-dependent uses) to fall into disrepair in order to justify replacement and significant economic gain by developing the parcel with other uses with higher profit margins.

Additionally, by allowing the zoning district of the boat yard to include high-density residential housing in a flood hazard area waterward of the hurricane barrier, the city would be promoting an increase in hazards to life and property, inconsistent with CGS Section 22a-92(b)(2)(F)²

We understand that Antares is requesting that the Boat Yard and Admirals Wharf parcels be combined to allow unused FAR from the boat yard parcel to be applied to the Admirals Wharf site, similar to what was permitted for the Admirals Wharf development. However, that arrangement was offered in exchange for a deed restriction preserving the boat yard use in perpetuity, which Antares is apparently unwilling to undertake. The added density was also necessary to offset the cost of remediating a contaminated parcel. We supported this approach, as it was fully consistent with CCMA policies. In this instance, combining the parcels should not be necessary since the new zone allows for significantly more FAR than the D-WD zone allows, and by which the Admirals Wharf development was constrained. For example, the new zone allows for a residential FAR of nearly 1.5. The FAR for the D-WD zone was 1.0. From a planning perspective, we are puzzled that after a new zoning district is created specifically in support of a major development plan, the developer seeks a corresponding special arrangement outside of the zoning standards they are proposing.

 As we have seen with the Admiral's Wharf project, market forces and conditions change over time. It would be surprising if the Antares project, which is projected to be implemented over a 10-year period (+/-), does not undergo changes in reaction to market conditions. Therefore, while changing the zone of the boat yard to SRD-S might appear now to include the necessary mechanisms to adequately protect water-dependent uses, the inclusion of non-water-dependent uses as permitted uses along with the stated purpose of the district may well place the water-dependency of the parcel at increasing risk over time. Even though Antares may intend to maintain the boatyard use at this time, if the

² To manage coastal hazard areas so as to insure that development proceeds in such a manner that hazards to life and property are minimized and to promote nonstructural solutions to flood and erosion problems except in those instances where structural alternatives prove unavoidable and necessary to protect existing inhabited structures, infrastructural facilities or water dependent uses.

city desires to effectively and permanently preserve this unique parcel for a water-dependent use consistent with CCMA policies, the zoning of the parcel must reflect this desire. Accordingly, we strongly recommend that the proposal to change the zoning district of the boat yard parcel be denied. To better protect the water-dependency of the site, we also recommend that the Board seek to change the underlying zone from (D-WD) Designed Waterfront District to (C-WD) Coastal Water-Dependent District. Additionally, we recommend that the City seek to change the parcel to Master Plan Category 14 Industrial-Water Dependent, which more clearly delineates the limits of the site to true water-dependent uses.

While we have no objection to proposing the SRD-S zone change to the Admiral's Wharf site, we recommend that the Zoning Board include the following conditions to any approval of this zone regulation change:

- Building setbacks for non-water dependent uses be defined as a minimum of 30' from the inland base of the hurricane barrier (where applicable) as opposed to 30' from Mean High Water.
- Design of this area should seek to separate the residential use from the public access component of the project in an attempt to reduce any potential conflicts between the uses. Such design options include spatial separation, landscape buffering, signage, elevation changes, lighting, and public amenities.

We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to contact Ms. Kristal Kallenberg of my staff at (860) 424-3034 or by email at Kristal.Kallenberg@po.state.ct.us.

Sincerely,



Brian P. Thompson

Director

Office of Long Island Sound Programs

Enclosures: Fact sheet for Adverse Impacts
Fact Sheet for Water-Dependent Uses
Fact sheet for Coastal Flood Hazards

KK/JG/BPT

Received from the Public Hearing



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Norman Cole
Principal Planner
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

June 25, 2007



Re: Appl. 206-58, Zone Map Change-Antares Stamford Waterfront Manager LLC

Dear Mr. Cole,

Thank you for the opportunity to review and comment on the above-referenced proposal at such short notice. We have reviewed the application materials prepared by Antares Stamford Waterfront manager LLC for consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA)[CGS Sections 22a-90 through 22a-112, inclusive] and offer the following comments for your consideration.

In a letter dated **May 21, 2007** (see enclosure) the Director of OLISP Mr. Brian P. Thompson, expressed concerns with pending Application 206-59, the text change proposal that would rezone most of the Antares development area in southern Stamford, including the boat yard parcel to a newly proposed South End Redevelopment District (SERD-S). SERD-S includes more than 150 uses, a handful of which are water-dependent uses.

Application 206-58 proposes a zone map change for 60 acres of property in southern Stamford currently zoned as Designed Waterfront District (DW-D), General Industrial (M-G), Multiple Family Residence Design (R-MF) and Coastal Water Dependent (C-WD). OLISP's concerns with this proposed zoning map change of the boatyard parcel (DW-D) systematically coincide with comments made regarding Application 206-59. Although the boatyard parcel is contiguous to the 60 developable acres that would potentially comprise the new SERD-S zone, it must be acknowledged that this 14+/- acre parcel is unique in its location, characteristics and existing uses and therefore is vastly different from the other parcels cited for the zone/zone map amendment. First and foremost, the site is appropriately and entirely devoted to an existing water-dependent use that has operated for decades. Additionally, the site is waterfront, in a coastal hazard zone and waterward of a hurricane barrier, rendering it inappropriate for residential development. As stated in the May 21, 2007 letter we are concerned that applying this multiple use zone to a site zoned for water-dependent uses could represent an adverse impact to existing and future water dependent uses. We are consistently puzzled that Antares, whilst reassuring us that non-water dependent uses will not be developed on the boatyard parcel, continue to press for rezoning this site for non water-dependent uses.

In a letter dated **August 3, 2006** (see enclosure) Mr. Thompson articulated concerns about Antares' proposed amendment MP-390 to the Stamford Master Plan which sought to change the boatyard parcel from its existing Master Plan (MP) Category 13 (Mixed-

Use Shorefront) to a Category 12 (Mixed-Use Overlay). OLISP recommended that the Category 13 designation be retained in order to promote and protect existing and future water-dependent opportunities. OLISP met with Antares on August 23, 2006 and reiterated that replacing all or portions of the existing boatyard with non-water dependent uses is clearly inconsistent with the water dependent use policies and standards of the CCMA. We followed the meeting up with a letter dated **August 29, 2006** (see enclosure) to reinforce this. Antares then sought to amend the text of MP Category 12 to include some language from the MP Category 13 in order to apply it to the boatyard parcel. In a letter dated **September 5, 2006** (see enclosure) OLISP contended that the proposed text would undermine the protection of water dependent uses clearly delineated in the then-existing MP Category 13 and recommended a modification of the proposed text so the language regarding water dependent uses would be more clearly stated.

We are reiterating our recommendation that the Board deny without prejudice the proposal to amend the existing zoning and zone map of the boat yard parcel from a D-WD district to a SERD-S district. We are also recommending that the boatyard parcel be rezoned instead from a D-WD district to a CW-D district. OLISP contends that the stronger emphasis on water-dependent uses present in the language of the CW-D district will be necessary to protecting this site, which has been and is continuously threatened by non water-dependent development. Prior to any approvals of zone changes the Board should carefully consider the justification for rezoning the boatyard parcel to a zone that includes a multitude of non water-dependent uses, given that Antares intends to maintain the existing water-dependent uses.

We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to contact me at (860) 424-3034 or at Kristal.Kallenberg@po.state.ct.us.

Sincerely,



Kristal Kallenberg
Environmental Analyst
Office of Long Island Sound Programs

Enclosures: Letter dated August 3, 2006
Letter dated August 29, 2006
Letter dated September 5, 2006
Letter dated May 21, 2007



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



August 10, 2007

Stamford Zoning Board
c/o Mr. Norman Cole
Principal Planner
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

RE: **Stamford Zoning Decision- June 25, 2007, Application 206-59**

Dear Board Members

I am writing to express the Department's concerns regarding the future of water-dependent uses of the site that is presently Brewer's Yacht Haven West Marina. On June 25, 2007 a proposal to rezone 60 acres of Stamford's south end to a new South End Redevelopment District-South (SERD-S) zone was approved by the Stamford Zoning Board. This acreage included the Admiral's Wharf and the Brewers Yacht Haven West Marina parcels that were previously zoned as Designed Waterfront Districts (D-WD). The approved SERD-S zone allows more than 150 new non-water-dependent uses as-of-right that were not permitted under the D-WD. As you know, the Office of Long Island Sound Programs (OLISP) has diligently worked with the City to preserve the boat yard property as a water-dependent use for many years.



We have made it clear in numerous letters over the past year and in meetings with Antares representatives that any zoning changes proposed for the marina parcel that permit uses other than water-dependent uses should represent an adverse impact to existing water dependent uses. We believe the Board missed an opportunity to permanently preserve the boat yard parcel for a water-dependent use by not working to change its zoning designation to Coastal Water-Dependent (C-WD) as recommended by OLISP. By so doing, the water-dependency of the parcel would have been more effectively protected while uses that should not be allowed waterward of the hurricane barrier in a coastal flood hazard area would not be permitted as-of-right.

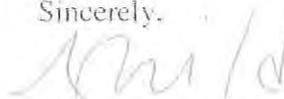
Accordingly, we strongly considered appealing the Board's decision because we believe this change opens the door to allowing future diminishment of the water dependency of the site. We decided not to move forward with an appeal, however, because we believe the intent of the Board was to preserve water-dependent use of the site. Additionally, we did not want to impede the many beneficial aspects of the overall Antares development project from moving forward. However, we remain highly concerned that changing the zoning designation of the parcel will open the door to future diminishment of water-dependent uses of the boat yard site. This is of prominent concern because of the clause that other less water-dependent uses may be proposed if the boatyard is deemed unviable. A patient landowner could create a climate where uncertainty of future plans would result in little capital investment in a working boatyard

thereby paving the way to alternate uses. Our concern regarding this is heightened by Antares declining to take action to assure us and the city that they do not intend to eventually develop the site with non-water-dependent uses, such as granting the boatyard a long-term lease or placing a deed restriction on the boatyard parcel restricting it to water dependent uses.

As always we will carefully review any future proposal to diminish the water-dependency of this unique parcel using all legal and permitting tools available to ensure development proceeds in a manner consistent with the Connecticut Coastal Management Act (CCMA) [CGD Sections 22a-90 through 22a-112, inclusive]. In addition, we stand ready to appeal a decision that results in diminishment of a water dependent use.

We appreciate the Board's continued efforts to implement the water-dependent use policies and standards of the CCMA and look forward to coordinating with you in the future to ensure that the policies continue to be implemented as intended. If you have any questions regarding this or any other coastal management related issue, please contact Ms. Kristal Kallenberg of my staff with the Department's Office of Long Island Sound Programs at (860) 424-3034.

Sincerely,



Betsy C. Wingfield
Chief, Bureau of Water Protection
and Land Reuse

KK/JG/BCW

cc: John Freeman, Antares Stamford Waterfront Manager LLC
Roger Fox, Chairman, Harbor Management Commission
Brian P. Thompson, Director, DEP-OLISP
Kristal Kallenberg, DEP-OLISP
John Gaucher, DEP-OLISP
Graham Stevens, DEP-Remediation

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Mr. Norman Cole
Principal Planner
City of Stamford
888 Washington Boulevard
Stamford, CT 06901

Re: **Application 206-59**
SRD-South – Response to OLISP Letter

Dear Mr. Cole:

The purpose of this letter is to respond to concerns raised by the Office of Long Island Sound Programs (OLISP) in its letter from Brian P. Thompson dated May 21, 2007.

A
As you know, my client is quite aware of the desire of the city and state to maintain the boatyard. In fact, no plan filed by Antares with the Zoning Board involves eliminating any water dependent uses including the boatyard. This has been in part due to several early discussions with members of the Land Use Bureau. Mr. Thompson's statement that his department is concerned in part by the number of "as of right" uses contained in the proposed SRD-South regulation indicates a misunderstanding of the zoning technique and present uses allowed. It must be pointed out that all uses are subject to Zoning Board approval. More importantly, his letter fails to note that the boatyard, unlike all of the other Antares holdings, remains in Master Plan Category 13 (Mixed Use – Shorefront.) This too is in recognition of both the Planning Board's and the Zoning Board's opinion that the water dependent nature of the boatyard on the 14 acre peninsula is important. Moreover, OLISP's concern about the inclusion in the SRD-S text citing standards for the elimination or reduction of a water dependent use seems misplaced insofar as the idea for including those standards was offered by you in order to protect the water dependent uses and already exists in the DWD, which is the current zone for the Marina.

Mr. Thompson is correct in that OLISP did support the Admirals Wharf project. His suggestion that Antares deed restrict the property is clearly misplaced because under Connecticut law, deed restrictions cannot be imposed in connection with zoning approvals. In Bartsch v. Planning & Zoning Commission of the Town of Trumbull Conn. App. 686 (1986), the court found the imposition of a deed restriction by a planning & zoning commission was a violation of Connecticut General Statute CGS 8-2 and a violation of public policy. In Bartsch, the deed restriction was declared void.

Regarding Mr. Thompson's concern regarding the location of the setbacks of buildings from the Hurricane Barrier on the Heleto property, I note that the Antares plan contains setbacks which exceed the 30 foot setback from the Hurricane Barrier he suggested and, in fact, in recent design meetings my client has been encouraged by your staff to move the buildings closer to the Hurricane Barrier.

His final comment that there should be a separation of use between the public access component and private component is unacceptable to my client as we believe there should be a fully integrated "neighborhood" and that the public and private realms should be as seamless as reasonably possible. While certainly entrances to residential buildings will be reserved for those residents, Antares believes there should be a minimal number of barriers separating the public access from residential uses.

In summary:

- 
1. The proposal for both Text Change and General Site Plan approval pending before the board for the Harbor Point project proposes to maintain the boatyard in its entirety on the 14 acre parcel and utilizes all non-water dependent development rights on other portions of the property, thereby adequately protecting the boatyard from the development. Furthermore, the text is purposely written to give the Zoning Board full control and set standards for any further modification of the boatyard and water dependent uses in general. The proposed text is the same as the existing DWD text that currently governs the use of the Marina. Any application to modify the boatyard operation would be by way of a modification of a General Development Plan giving the zoning authorities the highest level of discretionary control. Furthermore, any change to the boatyard would require a new coastal site plan application which would, of course, be referred to OLISP.
 2. Setbacks for residential uses from the top of the Hurricane Barrier exceed those recommended by OLISP.
 3. Unlike OLISP, Antares believes that the residential neighborhood and public access components should be fully integrated.

Sincerely,


William J. Hennessey, Jr.

WJH/jmc

cc: Development Team

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May 21, 2007

Robert M. Stein, Jr., Land Use Bureau Chief
Norman Cole, Principal Planner
City of Stamford
888 Washington Blvd.
Stamford, CT 06901

Re: Application of Antares Stamford Waterfront Manager LLC, Antares Walter
 Wheeler Drive SPE LLC and The Strand/BRC Group LLC for Zoning Text
 Amendments, Zoning Map Change, Coastal Site Plan Approval and Site Plan
 Approval

Dear Mr. Stein & Mr. Cole:

In response to your letter dated April 2, 2007 regarding outstanding issues on the various applications submitted by Antares Stamford Waterfront Manager LLC and its related entities (collectively "Antares") as well as comments raised by the Zoning Board members during the April 30 hearing, below is Antares' response to these items. Your comment is noted in plain text, with our response in italics.

Additionally, we have reviewed and provided revisions to the draft of the zoning regulations you forwarded to Antares. We look forward to ongoing discussions on the language of these regulations. As noted at the April 30 hearing, Antares will incorporate the revisions recommended by the Planning Board into its text amendment language.

STATUS OF THE CURRENT SUBMISSION

1. The various plan submissions are inconsistent, and need to be updated and reconciled with each other. What documents are still valid and considered to be part of the application?
An updated and internally consistent set of all plans was filed on April 18 and distributed to Zoning Board members. Based upon the May 10 meeting between staff and representatives of the applicants, within one week we expect to submit a full set of refinements to the development at Y&T.

2. Accurate site plans and conceptual architectural elevations, building floor plans and parking layouts should be provided, tied to an accurate base map at a scale of not less than 1 inch = 50 feet, with larger scale plans and elevations of key public access facilities and waterfront improvements.

All plans have been provided at the requested scale with the exception of the Cooper Robertson Illustrative Master Plan, which is only available at a smaller scale.

3. The feasibility of all parcels should be demonstrated with conceptual floor plans and garage layouts confirming that parking counts and floor areas can be achieved within the proposed building envelopes, with no exposed parking garage floors.

Detailed plans have been submitted for the Phase 1 parcels that illustrate the likely building floor plans. With respect to parking garage floors, Antares is able to demonstrate that many garage frontages can be lined with other uses. However, all levels and all sides of every garage cannot be wrapped with other uses and in those cases, architectural screening will be provided to mask the appearance of any above-grade garage levels. This is consistent with documents and discussions made by Antares and Cooper Robertson and Partners during recent meetings with staff on May 10 and 18. The specified parking counts can be achieved under these designs. Cooper Robertson will present more information related to this matter this evening.

4. Site plan sections provided in the Harbor Point submission dated March 13, 2007 do not correspond to the current site plan or to the previous submission defining building heights and uses. In some instances, portions of the sections have no dimensions. To convey useful information, the "materials strip" associated with the sections should be labeled. An inset detail at larger scale should be provided of pedestrian streetscapes showing typical paving, curbing and landscape details.

Updated site plans and sections prepared by Sasaki Associates have been incorporated into the most recent submission set and addresses all concerns stated above.

SITE PLAN ISSUES

1. The public open space linkage from the Teardrop Park through Harbor Square out to the Harbor should be strengthened. The office building footprint for Parcel S2 currently encroaches on this open space connection and should be set back further.

Antares agrees that this is critical design area as it serves as the entrance into the Harbor Point Square development area. Architects working on the designs for this portion of the proposal, including Pelli Clarke Pelli Architects and Perkins Eastman, have extensively considered this area. At the design team's meeting with the Stamford Land Use staff stated that the Pelli design for the S2 building had answered his questions about this issue and that modification of the design on this point was not necessary.

2. A conceptual architectural plan for Parcel S1 should be provided. This building defines the northerly boundary of the public square and the southerly frontage on Atlantic Street, and

also adjoins an important portion of the waterfront. Active use should be provided along Atlantic Street at ground level and no parking garage floors should be exposed to view. The terminus of Atlantic Street at the Hurricane Barrier (City property) should be incorporated into the project in a meaningful way with, at a minimum, a pedestrian connection provided to the waterfront and to the public plaza area.

Detailed preliminary plans for Parcel S1, prepared by Pelli Clarke Pelli Architects and Perkins Eastman, have been prepared and submitted for review by staff and the Zoning Board. Sasaki Associates has also prepared a plan that demonstrates a proposed design for the Atlantic Street terminus. Final plans will not be complete for some time as Antares is seeking General Development Plan approval before finalizing all design issues related to Phase 1 buildings and layouts.

3. Strengthen the arrival point at Washington Blvd. and Atlantic St. and the connection into the public plaza area.

As with the items above, Antares agrees that this is an important design area. Revised plans that address this issue have been submitted.

4. Pacific, Manor and Harbor Streets should all connect through to the waterfront, and provide parallel public parking along both sides. By relocating garage access to these streets, it may be feasible to eliminate the roadway along the west side of Triangle Park.

Each of these streets in fact provides pedestrian access to the waterfront. Although Antares understands the goal of this comment, it believes that the pedestrian-friendly area and the extensive park realm would be adversely affected by the addition of vehicular traffic along these streets as well as the elimination of the roadway along the triangle park.

5. All parking garage floors should be located behind active uses of a building and completely screened from view from all streets and pedestrian areas.

All issues related to parking garage floors are addressed in response to Item 3 of the Current Submission section above.

PUBLIC ACCESS CONSIDERATIONS

1. All of the roadway and pedestrian walkways parallel to the hurricane barrier should be at or above the elevation of the barrier to provide open vistas of the waterfront and harbor.

Revised plans, designed as the result of design team meetings between land use staff and Sasaki, have been filed and included in the presentation to the Zoning Board. Antares believes that this current design satisfies the earlier concerns with respect to the road and walkway elevations.

2. Public parking spaces should be provided on both sides of the hurricane barrier roadway, throughout its entire length.

This item has been incorporated into the revised plans.

3. Waterfront public access facilities need further improvement, incorporating opportunity for more types of public activities and uses, and points of interest on the waterfront. The general development plan should commit to providing public facilities (restrooms, drinking fountains, picnic tables, grills, shade structures) and other facilities and services to activate the public access space (kayak rental, fishing piers, bait/tackle kiosk, interpretive signage, transient dock space, public cruise boat dock).

Antares has incorporated these types of public facilities into its plans. The inclusion of these items is subject to review and approval by the Army Corps of Engineers and although Antares is optimistic about their inclusion, final resolution cannot be resolved at this time.

4. In-water docks and walkways warrant further improvement, with evidence of feasibility provided from OLISP and ACOE. Transient dock space and limited marina support facilities should be considered (pump-out, water, power). Potential cruise boat and/or ferry operations should be addressed. Boardwalk facilities immediately adjacent to the water's edge should be enlarged and placed at the lowest possible elevation, and equipped with kiosks and facilities to provide interest and support larger public gatherings. The design intent of the boardwalk extension north of the plaza should be clarified.

Several of these items related to marina uses are currently in place at the Yacht Haven marina and will remain in place under the Antares' proposal. The current plan does provide transient marina spaces and the revised Sasaki plans dated April 27, 2007 address the other issues.

5. Consideration should be given to sloping or stepping the plaza elevation from 20 feet to 17 feet toward the water, to maximize water views.

This item is addressed in response to Item 1 of this section.

6. The end of the public plaza and boardwalk connection to the water's edge is a major focal point warranting further study to articulate a clear function and purpose. Extending the alignment of the plaza to the water's edge should be considered. The rip rapped face of the hurricane barrier should be filled and landscaped.

This item is addressed in response to Item 1 of this section.

BOAT YARD

1. What development activities, alterations and/or new uses are proposed for the Boat Yard property? What is the meaning of "Brewers Point" (location #7 shown on 3/13/07 submission)?

All existing boatyard and marina operations will remain in place under the current proposal, without the addition or elimination of any operations. The notation about Brewers Point has been removed from the plan sheet.



INFORMATION DEFICIENCIES

1. Accurately delineate any streets, open spaces, public access areas or other easements or land rights to be conveyed to the City.

Plans prepared by Sasaki and submitted to your office as full sized plans on May 7, 2007 now delineate these areas.

2. Identify proposed non-residential uses with more specific categories (office, hotel, restaurant, ground floor retail, neighborhood retail/convenience uses) and locate on building floor plans showing the amount and category of uses.

Much of this information is located in the initial submission materials prepared by Cooper Robertson & Partners and remains unchanged. Additional detail for the Y&T site, specifically a proposed merchandising plan, is currently being prepared.

3. Provide accurate perspective drawings, renderings and/or photo-realistic simulated views taken from pedestrian eye level, showing the scale and relationship of buildings, principal streetscapes, open spaces and off-site private development.

These materials have been prepared by Pelli Clarke Pelli, Perkins Eastman, and Sasaki Associates and were presented at the public hearing. Additional renderings depicting the Y&T proposal are in the submitted materials and are currently being developed for presentation at the public hearing continuation after tonight.

4. Locate buildings taller than eight (8) stories on the site plan.

A height diagram is included in the Cooper Robertson materials submitted with the application package. Detailed plans are currently being prepared to illustrate one of several options that could be built under the proposed zoning regulations and design guidelines.

5. Define the scope of improvements to be performed outside the Antares property. *A simple plan illustrating these improvements will be prepared and submitted shortly.*

6. Document the requirements/restrictions of the Army Corps of Engineers regarding alterations to the Hurricane Barrier and required maintenance access, with current contact staff at the ACOE.

The design team has been working with representatives of the Army Corps to document these issues. A meeting was held in early May that was attended by Army Corps staff, representatives of Antares and City land use staff to discuss the current proposal and the work associated with that plan. Army Corps representatives indicated their approval of the plan, subject to final application review.

7. Document the approved remediation plan, with current contact staff at the Connecticut Department of Environmental Protection.

The portion of the development area encompassed by the earlier "Admirals Wharf" plan has an approved Remedial Action Plan in place. Attached for your review are letters from Louriero Environmental Associates regarding the status of the remediation activities on the

Robert M. Stein, Jr.
Norman S. Cole
May 21, 2007
Page 6

properties. All remedial action plans will be prepared by June 15, 2007 with remediation scheduled to commence at the end of June. Our contact at DEP is Graham Sizyans (860-424-1166).

8. Identify any requested divisions of the site intended for conveyance and separate ownership, where conveyances will occur prior to the approval of final site and architectural plans.

The site will be a Planned Unit Development with a condominium ownership structure. Antares is not requesting any division of the site.

9. Provide a phasing plan and development timetable that encompasses the full build-out. *Phase I of the Harbor Point and Y&T developments is tentatively scheduled to begin in this fall. Approximately 890 residential units will be constructed at Harbor Point, with another 175 units at the Y&T site in the renovated Mill Building. With respect to non-residential uses in Phase I, neighborhood retail of 65,000 square feet will be developed at Y&T. The large format retail may be constructed in Phase I if tenants are located. At Harbor Point, office (100,000 square feet), retail (58,000 square feet) and hotel (150 rooms) uses are proposed for development in Phase I.*

In addition, Phase I will include the waterfront improvements (subject to certain Army Corps of Engineers permits), the "V" park, and the southwestern portion of the "Teardrop" park. The "green" at Y&T will also be part of Phase I improvements, as will most of the public infrastructure.

Later phases of both residential and non-residential development will proceed as the market allows.

10. It would be useful to compare the proposed public square and open spaces to existing open spaces within the City of Stamford.

During the April 30 public hearing, Richard Redniss included this comparison in his presentation. If you or the board members would like additional details, Antares would be happy to provide them.

I trust that this letter, along with the revised and updated plan, respond to your concerns. We look forward to continuing discussion of the process.

Sincerely,



William J. Hennessey, Jr.

cc: J. Freeman



Loureiro Engineering Associates, Inc.

April 10, 2007

Antares Admirals Wharf SPE, LLC
Antares Walter Wheeler Drive SPE, LLC
740 Pacific Street
Stamford, Connecticut 06902

Attn: John Freeman, Vice President and General Counsel

RE: **Brownfield Redevelopment Status**
Harbor Point
Stamford, Connecticut

Dear Mr. Freeman:

This letter provides a status update to our correspondence of November 20, 2006 related to the ongoing Brownfield redevelopment activities for the Antares Admirals Wharf and the Antares Walter Wheeler Drive properties located in Stamford, Connecticut (referred to collectively as Harbor Point).

As previously summarized, a Remedial Action Plan (RAP) was approved by the Department of Environmental Protection (DEP) on April 27, 2005 for the Antares Admirals Wharf site. Additional investigations have been completed and an amendment to the approved RAP will be prepared and submitted to the DEP within the next month. We are confident that the RAP amendment will be approved by the DEP by June 2007.

The DEP delegated the investigation and remediation of the Antares Walter Wheeler Drive site to a Licensed Environmental Professional (LEP). As such, the DEP does not formally approve the investigation or remediation for this parcel. Additional investigations and remediation have been ongoing on this site since acquisition. The RAP is currently underway and will be completed by June 2007.

Should you have any questions regarding the information provided in this letter report, please contact me at 860.410.2960.

Sincerely,
LOUREIRO ENGINEERING ASSOCIATES, INC.

George F. Andrews, P.E., L.E.P.
Senior Project Manager



Loureiro Engineering Associates, Inc.

April 10, 2007

Antares Yale & Towne SPE, LLC
740 Pacific Street
Stamford, Connecticut 06902

Attn: John Freeman, Vice President and General Counsel

RE: Brownfield Redevelopment Status
Antares Yale and Towne Site
Stamford, Connecticut

Dear Mr. Freeman:

This letter provides a status update to our correspondence of November 20, 2006 related to the ongoing Brownfield redevelopment activities for the Antares Yale and Towne property located in Stamford, Connecticut (hereinafter referred to as the "Site"). The DEP delegated the investigation and remediation of the Site to a Licensed Environmental Professional (LEP). As such, the DEP does not formally approve the investigation or remediation for this parcel. Additional investigations and remediation have been ongoing on the Site since August 2006. The conceptual Remedial Action Plan (RAP) has been reviewed with the DEP and the final RAP is currently underway and will be completed by June 2007.

Should you have any questions regarding the information provided in this letter report, please contact me at 860.410.2960.

Sincerely,
LOUREIRO ENGINEERING ASSOCIATES, INC.

George F. Andrews, P.E., L.E.P.
Senior Project Manager

From: Cole, Norman

Sent: Monday, June 10, 2013 10:06 AM

To: Gilden, Lorraine C

Subject: RE: Request for Density Bonus Information- South End development

Secretary to Stamford Board of Finance

Lorraine:

Somehow I missed your May 10 email asking this question. The BLT Harbor Point zoning approval involved rezoning property into the South End Redevelopment, South (SRD-S) zone which had the effect of significantly increasing the permitted uses, compared to the previous zoning of the various parcels making up Harbor Point. The 14 acre boatyard was included in the SRD-S zone change with the simultaneous approval of a General Development Plan requiring all of the development rights from the 14 acre property to be transferred and used north of the hurricane barrier, leaving the 14 acre site approved only as a boatyard/marina. The bonus or benefit of placing the 14 acre boatyard into the SRD-S zone is the amount of increased development on the remaining portions of Harbor Point. SRD-S permits 50 residential unit per acre and 0.20 FAR of commercial use. The value of zoning the 14 acres SRD-S can be calculated as follows: residential density = $50 \times 14 = 700$ units; commercial floor area = $14 \times 43,560 \times 0.20 = 121,968$ square feet.

Norman Cole

From: Gilden, Lorraine C

Sent: Monday, June 10, 2013 9:07 AM

To: Judge, Mary

Cc: Cole, Norman

Subject: Request for Density Bonus Information- South End development

Mary:

Board of Finance Chairman Tim Abbazia is looking for the 'density bonus' calculation related to BLT's south end development. I have asked Laure Aubuchon, Norman Cole & Michael Handler- no one seems to have this calculation, but Michael Handler indicates below it is the responsibility of the Zoning Board. Can you shed some light on this ?

Thank you,



National Marine Manufacturers Association

nmma.org

ECONOMIC SIGNIFICANCE OF RECREATIONAL BOATING IN CONNECTICUT



TOTAL ANNUAL ECONOMIC IMPACT OF RECREATIONAL BOATING:

\$1.34 BILLION

Number of Recreational Boats*	108,263
Recreational Boating Industry Businesses	537
Total Jobs	10,830
Annual Recreational Boating-Related Spending	\$561.0 MILLION

RECREATIONAL BOATS IN CONNECTICUT

TOTAL BOATS*	108,263
REGISTERED BOATS	108,263
Power boats	91,497
PWCs	10,276
Sailboats	6,431
Other Boats	59
HOUSEHOLDS PER BOAT	12.7



POWER BOATS
85%



PWCs
9%



SAILBOATS
6%



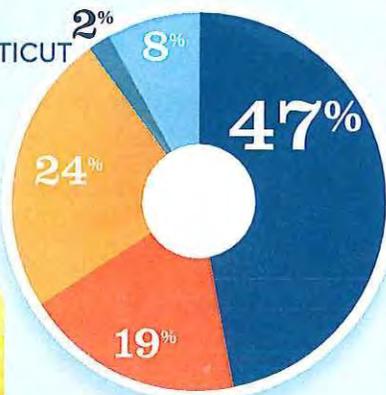
OTHER BOATS
0%



* Total boats are registered boats as reported by states to the USCG.

RECREATIONAL BOATING CREATES JOBS IN CONNECTICUT

TOTAL BOATING JOBS	4,327
Boat Building	358
Motor / Engine Mfgr.	61
Accessory / Supplies Mfgr.	1,047
Dealers / Wholesalers	819
Boat Services	2,042

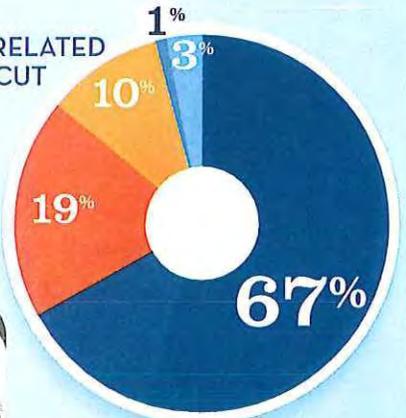


● BOAT BUILDING ● DLRS/WHOLESALEERS
● MOTOR/ENG. MFGR. ● BOAT SERVICES
● ACC./SUPPLIES MFGR.



RECREATIONAL BOATING-RELATED BUSINESSES IN CONNECTICUT

TOTAL BUSINESSES	537
Boat Building	18
Motor / Engine Mfgr.	3
Accessory / Supplies Mfgr.	56
Dealers / Wholesalers	100
Boat Services	360



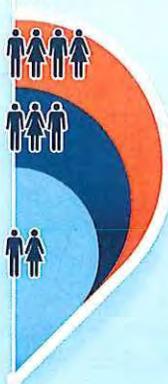
● BOAT BUILDING ● DLRS/WHOLESALEERS
● MOTOR/ENG. MFGR. ● BOAT SERVICES
● ACC./SUPPLIES MFGR.



ESTIMATED JOBS IMPACT OF RECREATIONAL BOATING-RELATED SPENDING IN CONNECTICUT

EST. TOTAL JOBS	10,830
EST. TOTAL LABOR INCOME	\$447.1 MILLIONS
Est. Direct Income	\$184.9
Est. Indirect Income	\$108.2
Est. Induced Income	\$154.0

3,517 INDUCED JOBS
1,956 INDIRECT JOBS
5,357 DIRECT JOBS



RECREATIONAL BOATING INDUSTRY SALES IN CONNECTICUT

Boat Building	\$92.4	\$92.4 MILLION
Motor / Engine Mfgr.	\$35.9	\$35.9 MILLION
Accessory / Supplies Mfgr.	\$606.1	\$606.1 MILLION
TOTAL MFGR. SALES	\$734.4	
Dealers / Wholesalers	\$315.1	\$315.1 MILLION
Boat Services	\$533.0	\$533.0 MILLION
TOTAL RETAIL & SERVICES SALES	\$848.1	

● BOAT BUILDING ● DLRS/WHOLESALEERS
● MOTOR/ENG. MFGR. ● BOAT SERVICES
● ACC./SUPPLIES MFGR.

0 200 400 600 800 1000

Source: NMMMA's Center of Knowledge; Recreational Marine Research Center at Michigan State University



National Marine Manufacturers Association

nmma.org

ECONOMIC SIGNIFICANCE OF RECREATIONAL BOATING IN CONNECTICUT



TOTAL ANNUAL ECONOMIC IMPACT OF RECREATIONAL BOATING:

\$178.5 MILLION

CONGRESSIONAL DISTRICT 1

Number of Recreational Boats*	16,760
Recreational Boating Industry Businesses	48
Total Jobs	1,426
Annual Recreational Boating-Related Spending	\$75.2 MILLION

RECREATIONAL BOATS IN CT-1

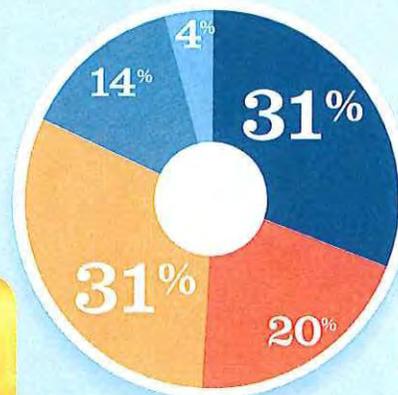
TOTAL BOATS*	16,760
REGISTERED BOATS	16,760
Power boats	14,250
PWCs	1,882
Sailboats	615
Other Boats	13
HOUSEHOLDS PER BOAT	16.9



* Total boats are registered boats as reported by states to the USCG.

RECREATIONAL BOATING CREATES JOBS IN CT-1

TOTAL BOATING JOBS	373
Boat Building	16
Motor / Engine Mfgr.	53
Accessory / Supplies Mfgr.	116
Dealers / Wholesalers	73
Boat Services	115

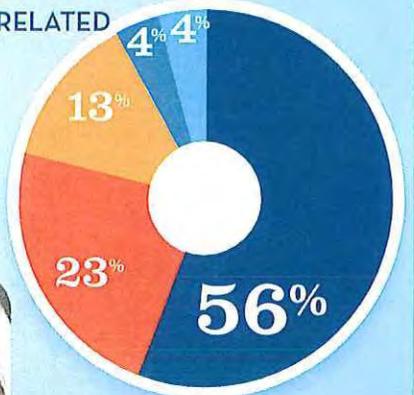


● BOAT BUILDING ● DLRS/WHOLESALERS
● MOTOR/ENG. MFR. ● BOAT SERVICES
● ACC./SUPPLIES MFR.



RECREATIONAL BOATING-RELATED BUSINESSES IN CT-1

TOTAL BUSINESSES	48
Boat Building	2
Motor / Engine Mfgr.	2
Accessory / Supplies Mfgr.	6
Dealers / Wholesalers	11
Boat Services	27

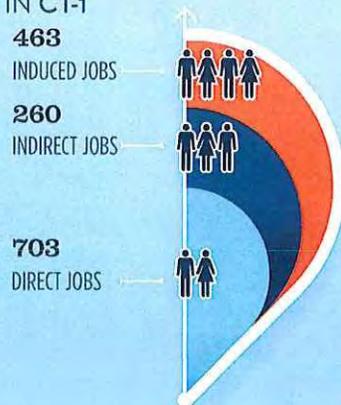


● BOAT BUILDING ● DLRS/WHOLESALERS
● MOTOR/ENG. MFR. ● BOAT SERVICES
● ACC./SUPPLIES MFR.



ESTIMATED JOBS IMPACT OF RECREATIONAL BOATING-RELATED SPENDING IN CT-1

EST. TOTAL JOBS	1,426
EST. TOTAL LABOR INCOME	\$58.9 MILLIONS
Est. Direct Income	\$24.1
Est. Indirect Income	\$14.5
Est. Induced Income	\$20.3



RECREATIONAL BOATING INDUSTRY SALES IN CT-1

Boat Building	\$4.1
Motor / Engine Mfgr.	\$31.2
Accessory / Supplies Mfgr.	\$28.4
TOTAL MFR. SALES	\$63.7
Dealers / Wholesalers	\$35.4
Boat Services	\$30.3
TOTAL RETAIL & SERVICES SALES	\$65.7

● BOAT BUILDING ● DLRS/WHOLESALERS
● MOTOR/ENG. MFR. ● BOAT SERVICES
● ACC./SUPPLIES MFR.



Source: NMMA's Center of Knowledge; Recreational Marine Research Center at Michigan State University



National Marine Manufacturers Association

nmma.org

ECONOMIC SIGNIFICANCE OF RECREATIONAL BOATING IN CONNECTICUT



TOTAL ANNUAL ECONOMIC IMPACT OF RECREATIONAL BOATING:

\$420.8 MILLION

CONGRESSIONAL DISTRICT 2

Number of Recreational Boats*	36,539
Recreational Boating Industry Businesses	216
Total Jobs	3,397
Annual Recreational Boating-Related Spending	\$176.6 MILLION

RECREATIONAL BOATS IN CT-2

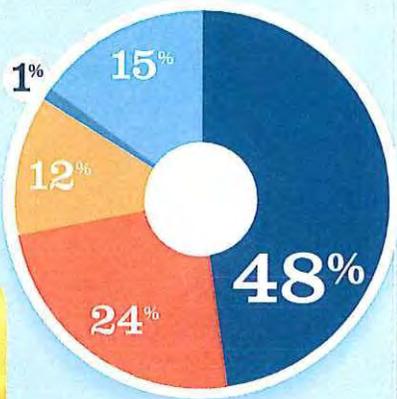
TOTAL BOATS*	36,539
REGISTERED BOATS	36,539
Power boats	31,621
PWCs	2,752
Sailboats	2,146
Other Boats	20
HOUSEHOLDS PER BOAT	7.5



* Total boats are registered boats as reported by states to the USCG.

RECREATIONAL BOATING CREATES JOBS IN CT-2

TOTAL BOATING JOBS	1,802
Boat Building	262
Motor / Engine Mfgr.	8
Accessory / Supplies Mfgr.	224
Dealers / Wholesalers	439
Boat Services	869

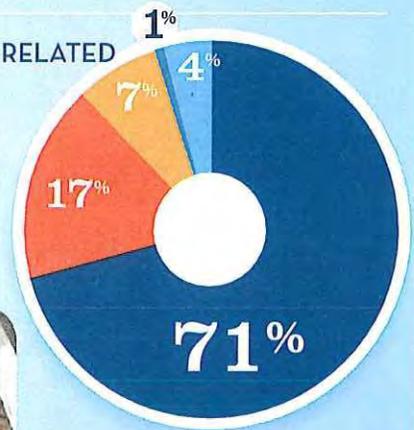


BOAT BUILDING (15%)
MOTOR/ENG. MFGR. (1%)
ACC./SUPPLIES MFGR. (12%)
DLRS/WHOLESALEERS (24%)
BOAT SERVICES (48%)



RECREATIONAL BOATING-RELATED BUSINESSES IN CT-2

TOTAL BUSINESSES	216
Boat Building	9
Motor / Engine Mfgr.	1
Accessory / Supplies Mfgr.	16
Dealers / Wholesalers	37
Boat Services	153

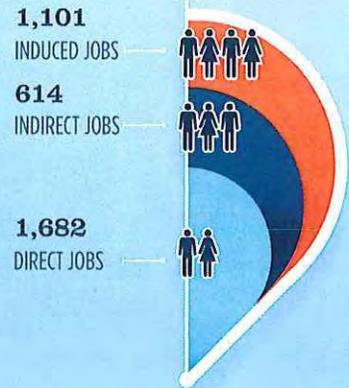


BOAT BUILDING (17%)
MOTOR/ENG. MFGR. (1%)
ACC./SUPPLIES MFGR. (4%)
DLRS/WHOLESALEERS (7%)
BOAT SERVICES (71%)



ESTIMATED JOBS IMPACT OF RECREATIONAL BOATING-RELATED SPENDING IN CT-2

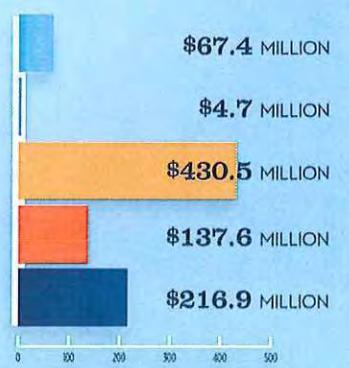
EST. TOTAL JOBS	3,397
EST. TOTAL LABOR INCOME (MILLIONS)	\$139.9
Est. Direct Income	\$57.7
Est. Indirect Income	\$34.0
Est. Induced Income	\$48.2



RECREATIONAL BOATING INDUSTRY SALES IN CT-2

Boat Building	\$67.6
Motor / Engine Mfgr.	\$4.7
Accessory / Supplies Mfgr.	\$430.5
TOTAL MFGR. SALES	\$502.8
Dealers / Wholesalers	\$137.6
Boat Services	\$216.9
TOTAL RETAIL & SERVICES SALES	\$354.5

BOAT BUILDING (17%)
MOTOR/ENG. MFGR. (1%)
ACC./SUPPLIES MFGR. (4%)
DLRS/WHOLESALEERS (7%)
BOAT SERVICES (71%)



Source: NMMMA's Center of Knowledge; Recreational Marine Research Center at Michigan State University



National Marine Manufacturers Association

nmma.org

ECONOMIC SIGNIFICANCE OF RECREATIONAL BOATING IN CONNECTICUT



TOTAL ANNUAL ECONOMIC IMPACT OF RECREATIONAL BOATING:

\$202.4 MILLION

CONGRESSIONAL DISTRICT 3

Number of Recreational Boats*	15,996
Recreational Boating Industry Businesses	70
Total Jobs	1,640
Annual Recreational Boating-Related Spending	\$84.6 MILLION

RECREATIONAL BOATS IN CT-3

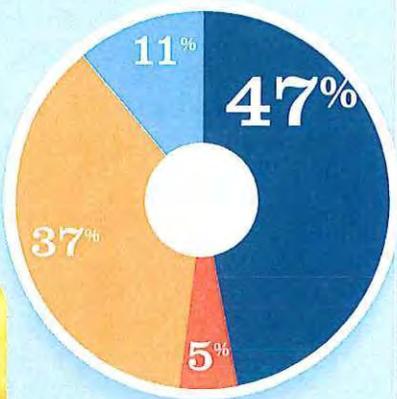
TOTAL BOATS*	15,996
REGISTERED BOATS	15,996
Power boats	13,166
PWCs	1,797
Sailboats	1,027
Other Boats	6
HOUSEHOLDS PER BOAT	17.5



* Total boats are registered boats as reported by states to the USCG.

RECREATIONAL BOATING CREATES JOBS IN CT-3

TOTAL BOATING JOBS	605
Boat Building	65
Motor / Engine Mfgr.	-
Accessory / Supplies Mfgr.	226
Dealers / Wholesalers	32
Boat Services	282

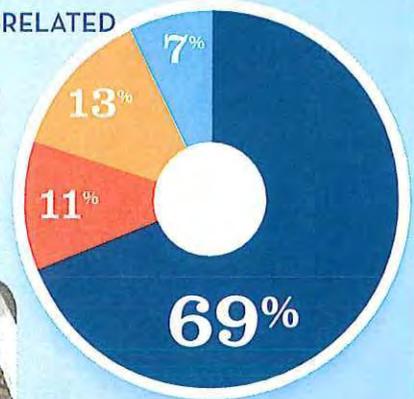


BOAT BUILDING 11%
MOTOR/ENG. MFGR. † 0%
ACC./SUPPLIES MFGR. 37%
DLRS/WHOLESALEERS 5%
BOAT SERVICES 47%



RECREATIONAL BOATING-RELATED BUSINESSES IN CT-3

TOTAL BUSINESSES	70
Boat Building	5
Motor / Engine Mfgr.	-
Accessory / Supplies Mfgr.	9
Dealers / Wholesalers	8
Boat Services	48

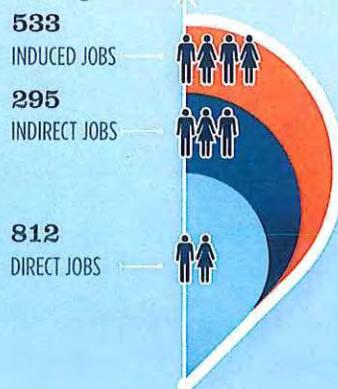


BOAT BUILDING 7%
MOTOR/ENG. MFGR. † 0%
ACC./SUPPLIES MFGR. 13%
DLRS/WHOLESALEERS 11%
BOAT SERVICES 69%



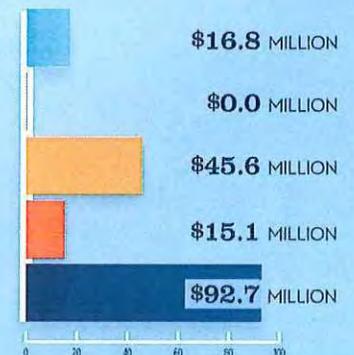
ESTIMATED JOBS IMPACT OF RECREATIONAL BOATING-RELATED SPENDING IN CT-3

EST. TOTAL JOBS	1,640
EST. TOTAL LABOR INCOME	\$67.7 MILLIONS
Est. Direct Income	\$28.1
Est. Indirect Income	\$16.3
Est. Induced Income	\$23.3



RECREATIONAL BOATING INDUSTRY SALES IN CT-3

Boat Building	\$16.8
Motor / Engine Mfgr.	\$0.0
Accessory / Supplies Mfgr.	\$45.6
TOTAL MFGR. SALES	\$62.4
Dealers / Wholesalers	\$15.1
Boat Services	\$92.7
TOTAL RETAIL & SERVICES SALES	\$107.8



BOAT BUILDING 16.8%
MOTOR/ENG. MFGR. 0%
ACC./SUPPLIES MFGR. 45.6%
DLRS/WHOLESALEERS 15.1%
BOAT SERVICES 92.7%

Source: NMMA's Center of Knowledge; Recreational Marine Research Center at Michigan State University



National Marine Manufacturers Association

nmma.org

ECONOMIC SIGNIFICANCE OF RECREATIONAL BOATING IN CONNECTICUT

CONGRESSIONAL DISTRICT 4

Number of Recreational Boats*	19,420
Recreational Boating Industry Businesses	148
Total Jobs	2,665
Annual Recreational Boating-Related Spending	\$134.7 MILLION



TOTAL ANNUAL ECONOMIC IMPACT OF RECREATIONAL BOATING:

\$325.2 MILLION

RECREATIONAL BOATS IN CT-4

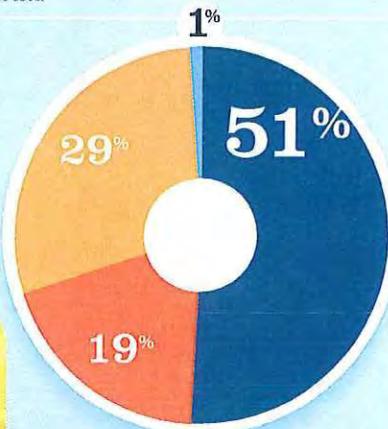
TOTAL BOATS*	19,420
REGISTERED BOATS	19,420
Power boats	15,971
PWCs	1,474
Sailboats	1,972
Other Boats	3
HOUSEHOLDS PER BOAT	13.5



* Total boats are registered boats as reported by states to the USCG.

RECREATIONAL BOATING CREATES JOBS IN CT-4

TOTAL BOATING JOBS	1,187
Boat Building	15
Motor / Engine Mfgr.	-
Accessory / Supplies Mfgr.	345
Dealers / Wholesalers	222
Boat Services	605

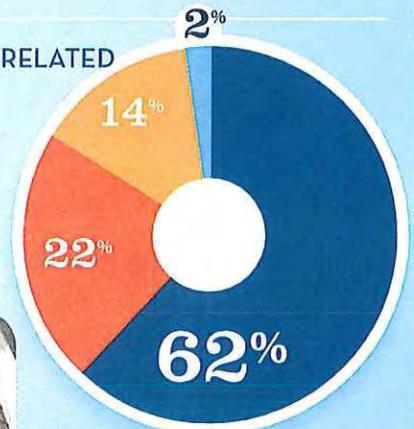


● BOAT BUILDING ● DLRS/WHOLESALEERS
● MOTOR/ENG. MFGR. † ● BOAT SERVICES
● ACC./SUPPLIES MFGR. † 0%



RECREATIONAL BOATING-RELATED BUSINESSES IN CT-4

TOTAL BUSINESSES	148
Boat Building	2
Motor / Engine Mfgr.	-
Accessory / Supplies Mfgr.	21
Dealers / Wholesalers	33
Boat Services	92

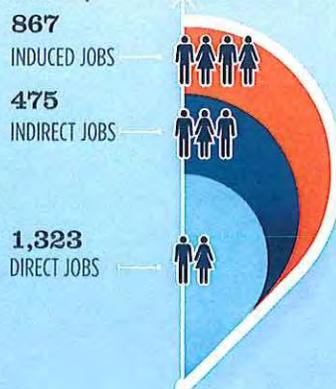


● BOAT BUILDING ● DLRS/WHOLESALEERS
● MOTOR/ENG. MFGR. † ● BOAT SERVICES †
● ACC./SUPPLIES MFGR. † 0%



ESTIMATED JOBS IMPACT OF RECREATIONAL BOATING-RELATED SPENDING IN CT-4

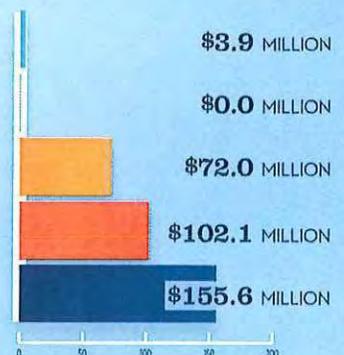
EST. TOTAL JOBS	2,665
EST. TOTAL LABOR INCOME	\$110.3 MILLIONS
Est. Direct Income	\$46.2
Est. Indirect Income	\$26.1
Est. Induced Income	\$38.0



RECREATIONAL BOATING INDUSTRY SALES IN CT-4

Boat Building	\$3.9	\$3.9 MILLION
Motor / Engine Mfgr.	\$0.0	\$0.0 MILLION
Accessory / Supplies Mfgr.	\$72.0	\$72.0 MILLION
TOTAL MFGR. SALES	\$75.9	
Dealers / Wholesalers	\$102.1	\$102.1 MILLION
Boat Services	\$155.6	\$155.6 MILLION
TOTAL RETAIL & SERVICES SALES	\$257.7	

● BOAT BUILDING ● DLRS/WHOLESALEERS
● MOTOR/ENG. MFGR. ● BOAT SERVICES
● ACC./SUPPLIES MFGR.



Source: NMMA's Center of Knowledge; Recreational Marine Research Center at Michigan State University

**Comments by Cynthia Reeder
DECD FMC Exemption Application – Bridgewater HQ
June 19, 2013 Public Hearing**

My name is Cynthia Reeder. I am a resident of Stamford and am speaking on my own behalf; however, I wholeheartedly support the efforts of Save our Boatyard to ensure that a full-service working boatyard, comparable to or better than the previous Brewer's Yacht Haven West Marina, is restored on the 14-acre peninsula in Stamford's harbor.

For decades, DEP and Stamford's land use officials have battled attempts by Strand/BRC and other large developers to overbuild on this portion of Stamford's floodplain and, in the process, destroy Stamford's last working boatyard.

There is no shortage of evidence of this in the media and public records. In Stamford's land records alone there is a large volume of comments and opinions from former DEP and local officials in response to various development proposals for the boatyard site.

(Representative samples are being submitted into the record.)

- In 1985, former DEP commissioner **Arthur Rocque, Jr., who also authored the 2000 Connecticut Coastal Management Manual, warned Stamford Zoning official of potential adverse impacts as defined in the Ct. Coastal Management Acts.** These include:
 - Locating a non-water dependent use at a site that is physically suited for water dependent uses ... or that has been identified for a water dependent use in a municipality's plan of development or zoning regulations

And ...

 - Replacing a water dependent use with a non-water dependent use
- In 2002, DEP analyst John Gaucher told the City that non-water dependent uses on the 14-acre boatyard site would be inconsistent with CCMA policies.
- In a series of letters in 2006 and 2007 DEP reiterated the requirements under the Coastal Management Act to preserve the boatyard and Strand/BRC and its attorneys assured officials the boatyard would be preserved.
- In 2007, Stamford's Harbor Management Commission told the Zoning Board that continuation of the boatyard facility was a high priority among all public objectives for the waterfront and even went so far as to suggest that local zoning laws should specify that "existing water dependent uses may not be replaced by non-water-dependent uses even if said replacement uses provide public access to marine and tidal waters."

- In 2008, Attorney Hennessey, on behalf of Strand/BRC, said that plans for improving the boatyard were in development.
- Eventually, Strand/BRC sought and received permission to transfer all development rights for the 14-acre parcel to other parcels it owns in the South End ... in exchange for preserving the boatyard.

So how did we get here? Quite simply, government officials and the public were duped – we were deceived from the inception.

In 2012, the boatyard that had cemented Stamford's reputation as a major Long Island Sound maritime service center was decimated. Not because Strand/BRC received the requisite permission from the DEP. Not because the demolition was permitted under local laws or as part of Strand/BRC's zoning permit. But, illegally.

What were the consequences to Strand/BRC of breaking the law, of blatantly violating both state and local laws? Not a penalty. Not a fine. Not even a strongly worded letter from the DEEP.

Local authorities issued a Cease and Desist. But, the State ... the DEEP, that is... did nothing. It has totally neglected its duties to enforce the Coast Management Act. DEEP officials have intentionally and deliberately failed to enforce the Coastal Management Act requirements, demonstrating discriminatory enforcement of the Act and reckless conduct.

Talk about reckless conduct ... the DEEP, as part of this application, issued an arbitrary and capricious CAM-consistency opinion. It is using its authority to help direct tens of millions of our tax dollars to Strand/BRC and Bridgewater to remediate private property and underwrite the construction of an 850,000 –square-foot private office building.

The Bridgewater project, Mr. Clark just told us, **does not conform to Connecticut's flood management statutes, which require that proposed activities promote long-term non-intensive flood plain use.**

However, he says, the DEEP is willing to permit this exception to the flood management laws because the DECD claims that underwriting Bridgewater's headquarters is "in the public interest".

But neither the DECD nor DEEP has validated its public interest claims.

Let's take a look at them:

- 1- **It will bring jobs and other economic benefits to Stamford.** DEEP's staff, according to Mr. Clark's testimony, cannot and did not validate this claim.

Neither did the DECD. It has provided absolutely **no** economic analysis to demonstrate how taxpayers will benefit from their gift to Bridgewater. It has not presented one shred of analysis or definitive evidence that jobs will be created. Nor has it provided a shred of evidence that the fully loaded costs to the public of this project will generate a net positive economic benefit.

The DECD won't even reveal the details of its promises to Bridgewater. When I asked for a copy of DECD's August 2012 letter of commitment to Bridgewater – the one that is mentioned several times – the one that is the whole reason we are here – the one that outlines how specifically our tax dollars will be diverted -- I was denied. Because releasing it is not in the public's interest, I was told. The whole DECD application is predicated on the terms of this letter, but not even the DEEP has seen it. I wonder if Ray Dalio, Bridgewater's CEO, would agree to direct his funds or his clients' to a project if he didn't know how they would be used and without proper financial analyses.

Even more concerning, there is nothing in DEEP statutes or regulations that state a permit, or exemption to it, can be issued based on economic promises or benefits.

- 2 **Proposed activities incorporate remediation of an environmentally impacted property.** The remediation, for which we, the State's taxpayers, are kicking in \$16 million according to Mr. Tereso's testimony, was under way before last August when the DECD struck its well-publicized deal with Bridgewater.

There are references to remediating the site in a 2005 property line agreement among Northeast Utilities, Strand/BRC and Ponus Yacht Club. (Stamford Land Records Book 8128, Page 48.)

A COP for the bulkhead repairs was issued in 2010.

Even the recent permit related to remediating contaminated soil was issued last September, months before the DECD submitted its Bridgewater application to the DEEP.

Around that time, the City's Zoning Board authorized commencement of remediation activities when Strand/BRC said the site would need to be remediated regardless of what kind of development the Board approved for the site.

Aside from the fact that the remediation has already commenced, it is not subject to CGS Section 22a-13k. This statute applies to remediation of "environmental pollution at hazardous waste disposal sites and other properties which have been subject to a spill."

Rather, Strand/BRC assumed the obligation to remediate the property under the transfer act when it purchased the property in 2008.

Therefore, DECD claims that the Bridgewater project is in the public's interest because it is subject to environmental remediation regulations adopted pursuant to Section 22a-133k also are invalid.

3 The project will include public access.

DEEP's finding that a narrow pathway around a private non-water-dependent commercial building is consistent with the Coastal Management Act defies the spirit and intent of the Act. Mr. Thompson's assertions that the walkway, a secondary component of the project, appears to mitigate and compensate for the loss of the primary water-dependent use is unreasonable and arbitrary and an abuse of his and the agency's discretion.

The DEEP has bought into "public access" gimmicks that are age-old tricks of developers. In 1985 – more than 25 years ago -- former Stamford Mayor Julius Wilensky pointed this out in a letter to Stamford's Zoning Board. He said:

"The pattern used by speculators and developers to rape our waterfront is well-established. They persuade you that their condos and office buildings are water-related by throwing in a few boat slips ... putting a "public access boardwalk" along the waterfront, and a restaurant or two. This has become a joke. ...a gateman and other security ... keep the public out unless they have business there."

To his last point, the applicant has not even defined how it would establish public access, whether, for example, the land will be transferred to the City or be subject to conservation easements. It also provides no parking for the public.

I am asking the hearing officer to consider the overwhelming evidence and prior DEEP opinions to determine that the proposed project is *not* consistent with the Coastal Management Act.

4 The project will maintain a waterfront marina.

This project actually facilitates the *diminishment* of the waterfront marina facilities that were illegally demolished by Stand/BRC.

Prior to the demolition, the property housed a full-service marina, with a complete range of services -- plus some 360 boat slips. The Bridgewater proposal eliminates all of the slips that were on the south end and in the East Creek – not to mention the boat lift, fueling dock and all of the rigging, boat and engine repair, yacht sales and other maintenance and repairs services provided at the site.

5 The proposed activities incorporate various low-impact development methodologies.

The truth is that the drawings in the application overall are still conceptual and have not been reviewed by local authorities to determine if they meet local flood and stormwater management regulations.

Rather, the DECD is willing to issue a permit now and get the details later.

When public dollars are at stake I think the public deserves to be assured that all details have been finalized before exemptions are approved.

6 The project includes an estuary.

This proposed public benefit was not even evaluated as part of this application, nor has its conceptual design been approved by any other agency.

I am certain there are lingering questions about how impacts on the estuary will be mitigated when the adjacent stormwater pumping station forcefully spews water into the estuary. Therefore, it is premature to assert the actual benefits of this purported public interest.

Connecticut's taxpayers, as Mr. Tereso just told us, have already kicked in \$16 million dollars for environmental remediation on this privately-owned piece of property. These are monies that Gov. Malloy helped direct to the project as Chairman of the State's bond commission.

Now, we the taxpayers are being asked to open our pocketbooks and provide an additional \$115 million in corporate welfare to one of the largest and wealthiest hedge funds in the world so that it can be exempt from the State's flood management requirements.

All in the name of public interest. A public interest that has not been demonstrated. And on a property whose owners have blatantly violated environmental and zoning laws.

I am asking you to fulfill your duties and obligations to the residents of the state and recommend a denial of these exceptions.

Supporting evidence submitted by Cynthia Reeder

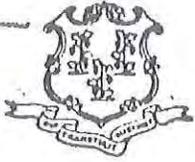
1 Letters and opinions addressing CCMA and local zoning requirement that boatyard be preserved

- a. Arthur C. Rocque, Jr. (DEP) to Arthur Collins (6/21/1985)
- b. Arthur C. Rocque, Jr. to Stamford Zoning Board (8/15/1985)
- c. Julius M. Wilensky (former Stamford Mayor) to Stamford Zoning Board (8/26/1985)
- d. Robert M. Stein memo to The Strand/BRC Groups (12/13/2001)
- e. William Hennessey to Neighboring Property Owners (6/13/2002)
- f. John Gaucher (DEP) to Stamford Zoning Board (6/20/2002)
- g. Brian P. Thompson (DEP) to Stamford Planning Board (8/3/2006)
- h. Brian P. Thompson to Antares Development LLC (John Freeman) (8/29/2006)
- i. Brian P. Thompson to Stamford Planning Board (9/5/2006)
- j. Kristal Kallenberg (DEP) to Stamford Planning and Zoning (5/3/2007)
- k. Brian P. Thompson to Stamford Zoning Board (5/21/2007)
- l. William Hennessey to Robert M. Stein (5/21/2007P)
- m. Stamford Harbor Management Commission (Roger Fox) to Stamford Zoning Board (Phyllis Kapiloff) (6/8/2007)
- n. William Hennessey to Norman Cole (6/18/2007)
- o. Kristal Kallenberg to Norman Cole (6/25/2007)
- p. Betsey Wingfield (DEP) to Stamford Zoning Board (8/10/2007)
- q. William Hennessey to Norman Cole (March 3, 2008)

2 FOIA Request for 8/13/2012 DECD Letter of Commitment to Bridgewater

3 Documents confirming that remediation work has commenced and is subject to the Transfer Act

- a. Nelson Tereso email to Cynthia Reeder (6/18/2013)
- b. Fuss and O'Neill letter to William Buckley (9/19/2012)
- c. 2010 COP: Kristen Bellantuono to The Strand/BRC Group (6/11/2010)
- d. Michael J. Lettieri to Cheryl Chase (11/29/2012)



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



COASTAL AREA MANAGEMENT PROGRAM

June 21, 1985

RECEIVED

JUN 23 1985

STAMFORD PLANNING BOARD

Mr. Arthur Collins
Collins Development Corporation
43 Lindstrom Road
Stamford, Connecticut 06902

Dear Arthur:

Having been misquoted in the press many times over the course of my career, I am certainly not naive about the accuracy of press articles. However, recent articles regarding your development proposals for the HELCO site in Stamford do cause a measure of concern. I am referring of course to allegations, unfortunately attributed to you, that "the State" has no problems with the development proposal.

As you may know, my office in general, and I in particular, have been following the variety of development schemes for the Northeast Utilities/Yacht Haven West property for the last couple of years. I have had initially, and do now have, serious reservations about the proposal as currently presented. In my opinion the relocation of the marina and the placement of dwelling units outside the hurricane barrier is in direct and clear conflict with a number of statutory policies in the Connecticut Coastal Management Act.

I have not been silent regarding these concerns. Two years ago I met with Andy Brecker of Northeast Utilities and Sam Pine of RPPW to discuss conceptual aspects concerning the relocation of the marina and redevelopment of the marina's site. I expressed, I believe quite clearly, very serious potential conflicts at that time. During the course of the following year (1984) this office had correspondence with Stamford officials and meetings with several of Stamford's officials expressing a similar sentiment. As recently as June of last year, I met with Mayor Serrani and again expressed serious reservations and offered to work with the city, any of their advisory committees, and ultimately any developer that was contacted regarding this opportunity.

In spite of the accuracy, or lack thereof, in the press coverage, I feel that my message is not reaching those that it must. Accordingly I recommend that before we find ourselves in

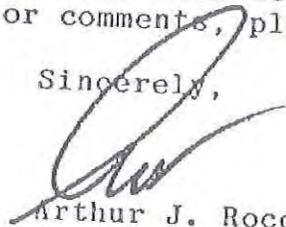
Mr. Arthur Collins

-2-

June 21, 1985

serious, needless and avoidable conflict over any proposals you may be developing for the HELCO property, that we meet and discuss these issues in some detail. In the past I have always found you to be reasonable and candid; hopefully you have found me to be the same. Anticipating your willingness to meet with me, I will have Denise Rodosevich of this office contact you to arrange a mutually agreeable time and location. In the meantime should you have any questions or comments, please call me.

Sincerely,



Arthur J. Rocque, Jr.
Director

AJR/mic

cc Mayor Tom Serrani
Andy Brecker
Jon Smith



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



COASTAL AREA MANAGEMENT PROGRAM

August 15, 1985

RECEIVED
AUG 21 1985

STAMFORD ZONING BOARD

Zoning Board
c/o Mr. Norman Cole
Municipal Office Building
429 Atlantic Street
Stamford, Connecticut 06904

RE: Applications 85-027 Coastal Water Dependent District, 85-028 Mapping of C-WD District, and 85-029 Designed Waterfront Development District

Dear Board Members:

Thank you for transmitting the zoning regulation and zoning map amendments noted above. In accordance with Section 22a-103(b), we have reviewed the amendments for consistency with Stamford's recently adopted Municipal Coastal Program Master Plan revisions and the criteria of subsections (a) and (b) of Section 22a-102 of the Connecticut Coastal Management Act (CCMA).

At the outset, let me congratulate you and your staff for developing zoning amendments sensitive to Stamford's waterfront environment and responsive to the City's Municipal Coastal Program Master Plan revisions. I fully appreciate the time and effort that went into the study and analysis necessary to develop these proposed amendments. In general, the amendments reflect the intent of the CCMA and provide sound direction for the use and development of Stamford's waterfront.

The proposed C-WD, Coastal Water Dependent District, and its proposed mapping which corresponds to the 10-D Shorefront Development and 12-W Industrial Water Dependent Master Plan Categories, definitely advance one of the primary policies of the CCMA regarding waterfront property: "To give highest priority and preference to uses and facilities which are dependent upon proximity to the water..." in areas suitable for supporting such uses. In addition, this regulation and map amendment provide greater predictability for developers and regulators alike by eliminating potential conflicts between the master plan, the zoning regulations, and the statutory standards in the CCMA for coastal site plan reviews. In so doing, a major objective for preparing a Municipal Coastal Program is accomplished.

In balancing the water dependent use policies with other land use policies contained within the City's Master Plan, your Board has accomplished a most difficult task: the development of a zoning district which responds to the City's waterfront.

20

revitalization goals without compromising Stamford's or the CCMA's policies concerning water dependent uses. We acknowledge the tremendous effort that went into developing this D-WD, Designed Waterfront District. In addition to a few technical corrections and suggestions which we have noted in an attached mark-up of the D-WD regulations, we would like to offer two other points for your consideration.

First, among the uses allowed by special permit within the D-WD district are all uses permitted within the C-S District as-of-right, excluding several specified uses. Because the areas eligible D-WD designation include areas prone to coastal flooding and velocity waves, it may be prudent to also add hospitals and nursing homes to the list of exclusions.

Second, we would suggest the inclusion of a phrase specifically acknowledging the City's Master Plan identification of sites suitable for water dependent uses, in order to more completely address the CCMA's standards concerning adverse impacts on future water dependent development opportunities and activities. As you are aware, the CCMA defines such adverse impacts to include but not be limited to:

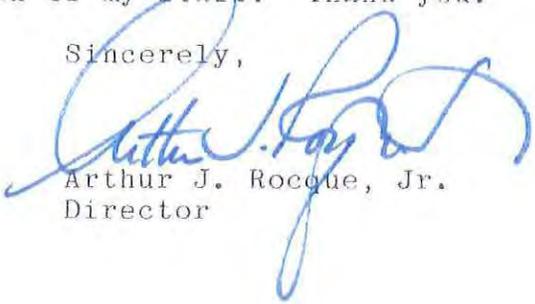
- (A) locating a non-water dependent use at a site that (i) is physically suited for a water dependent use for which there is a reasonable demand or (ii) has been identified for a water dependent use in the plan of development of the municipality or zoning regulations;
- (B) replacement of a water dependent use with a non-water dependent use, and
- (C) Siting of a non-water dependent use which would substantially reduce or inhibit existing public access to marine or tidal waters.

The proposed D-WD regulation aptly address all of these standards except for (A)(ii) with respect to the City's Master Plan (plan of development) identification of water dependent use sites. To address this apparent deficiency, and provide for a regulation which comprehensively addresses the CCMA's adverse impact to future water dependent use standards, we would encourage incorporation of appropriate language into the D-WD regulation. The attached mark-up offers proposed language and placement within the regulation.

Again, we commend your Board and staff for reaching this important MCP milestone. We look forward to working with the City as the last few remaining MCP tasks are completed. If there

are any question or if we can provide additional clarification on the points raised in this letter or the attached mark-up, please contact Denise Rodosevich-Rollman of my staff. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arthur J. Rocque, Jr.", written in a cursive style.

Arthur J. Rocque, Jr.
Director

AJR/DRR/el

85-029

Julius M. Wilensky
51 Barrett Avenue
Stamford, Connecticut 06905

RECEIVED

AUG 26 1985

August 26, 1985

STAMFORD ZONING BOARD

Ms. Margaret Ann Ross, Chairman
Stamford Zoning Board
429 Atlantic Street
Stamford, CT 06901

Dear Ms. Ross:

Your board is to be commended for having taken one small step to prevent the use of our waterfront for non-waterfront related uses. However, you have not gone far enough and you've left a large loophole that could eliminate Stamford Harbor.

First, I hope you'll agree with a logical definition of waterfront uses. Obviously public access is desirable, as are beaches, fishing piers, launching ramps, public and commercial marinas, sailing schools, yacht clubs, public restaurants, and parks and recreational facilities. Long Island Sound is Stamford's greatest recreational asset, and our citizens must be able to enjoy it.

I can't blame Mr. Collins for wiping out five full service boat yards in the east branch. I blame our city fathers for letting him do it, while we had the means to stop it. Enabling legislation was passed nationally and at the state level long ago, a Coastal Zone Management Act. Study money was provided to enable Connecticut's shorefront towns to decide what they wanted on their shores. I have called this to the attention of the present and previous Stamford Mayors and urged action. Stamford has been studying this for four years! We have yet to adopt a CAM plan. This is disgraceful. The job could be done in four months by anyone who knows our waterfront. While they were studying, condos and monstrous office buildings were replacing the East Branch's five boat yards, desecrating our shore. You can't even buy gas there now, let alone service, haul, repair a boat, buy marine supplies, engine or hull work, rigging, sails-- the boating capital of Long Island Sound has been wiped out! Muzzio's in Wescott Cove fared no better. Condos and an out-of-scale office building! Yacht Haven East was one of the largest marinas and boat yards in Long Island Sound. Scofield's and Muzzio's were known for their capabilities, and hauled many famous ocean racers. Doane's, Lindstrom's and Gacher's were used by hundreds of Stamford boatmen.

I have no objection to commercial use of some waterfront, but let it be enterprises which need the waterfront, such as building supplies, scrap yards, fuel oil terminals, or a powerhouse which needs cooling water (if we need one in the future). Except for the powerhouse, these uses are all in place now. Stamford receives oil, sand, gravel, building materials by barge in the east and west branches, and ships out scrap iron including compressed automobiles. Before Rubino

Brothers bought their equipment to squeeze cars, abandoned autos were a constant problem on Stamford's streets. If we wipe out shorefront facilities to receive oil, sand, gravel and building materials, fuel and building materials will cost more in Stamford. Movement of bulk materials by barge is far less expensive than truck or rail. You must protect these waterfront uses. Anyone who preaches condos and office buildings in their place doesn't know how Stamford works. Don't wipe out Stamford Harbor!

* The pattern used by speculators and developers to rape our waterfront is well established. They persuade you that their condos and office buildings are water-related by throwing in a few boat slips, which are later poorly or not at all maintained, putting a "public access boardwalk" along the waterfront, and a restaurant or two. This has become a joke. There's a gateman and other security to keep the public out unless they have business there.

Mixed use is a dangerous euphemism. This would be fine downtown, but let's save our precious waterfront for waterfront-related uses. Condos and office buildings block our waterfront. They should go inland. It fries me that our Mayor and his committee are seeking out a developer to do this to us. He'll put all the condos and office buildings you'll let him, and so would any other developer.

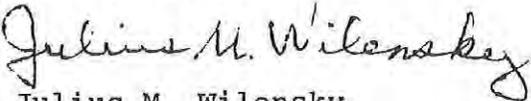
Yacht Haven West is Stamford's only full service boat yard, with space and complete capability to haul and store boats, space to lay out masts and do rigging, engine and hull repairs of any kind, and a good marine supply store. It can't even handle all the work in Stamford now. I've had to go to Greenwich and Norwalk in recent years to get prompt service on my boat. The newest Collins proposal would wipe out this last yard, moving it north to an area bisected by the hurricane barrier. He either doesn't know or doesn't care that Yacht Haven West needs all the space it has to remain viable. You take away some important service capability by making them smaller, and how do they move boats over the hurricane barrier?

The Designed Waterfront Development District is a dangerous loophole. Speculators and developers will make offers they can't refuse, to owners of building supply yards, oil terminals, and scrap yards. We can look ahead to replacement of these vital facilities with condos and office buildings, the same as was done to six boat yards. Mr. Collins and his hired hands say you have gone too far in restricting his plans. I say you haven't gone far enough!

Think also of the effect of further crowding an already crowded South End. Washington Boulevard, Canal Street, and Atlantic Street are the only roads that go under the railroad bridge and Turnpike. They are jammed now. The South End already has mixed use including thousands of industrial jobs and well-kept single family homes, and

not so well kept apartments, as well as a few stores. It can and should be developed for these uses, and traffic flow improved by street widening. If you allow condos and office buildings on the shore, they'll spread all over the South End, wiping out the jobs and homes. Is this what the people living or working there want? Is it what Stamford needs? Look ahead to the predictable consequences of your actions. Protect our waterfront!

Very truly yours,


Julius M. Wilensky

cc: Mayor Serrani
Jon Smith
Chairman PLanning Board
Mort Lowenthal
Stamford Mail
Advocate
Bridgeport Post
WSTC

MAYOR
DANNEL P. MALLOY



CITY OF STAMFORD
ZONING BOARD
LAND USE BUREAU
888 WASHINGTON BOULEVARD
P.O. BOX 10152
STAMFORD, CT 06904-2152

Rec'd @ PH 7/29/02

DIRECTOR OF OPERATIONS
TIM CURTIN

ROBERT M. STEIN, JR., A.I.C.P.
LAND USE BUREAU CHIEF
Tel: (203) 977-4711

NORMAN F. COLE, A.I.C.P.
PRINCIPAL PLANNER
Tel: (203) 977-4719

JAMES J. LUNNEY III, R.A.
LAND USE ADMINISTRATIVE OFFICER
ZONING ENFORCEMENT OFFICER
Tel: (203) 877-8943

TO: THE STRAND/BRC GROUPS, LLC

FROM: ROBERT M. STEIN, LAND USE BUREAU CHIEF

RE: FINAL REPORT, PRE-APPLICATION #DWD-01-01, THE STRAND/BRC GROUP, LLC, "ADMIRALS WHARF", WASHINGTON BLVD / DYKE LN

DATE: December 13, 2001

This report serves to conclude the pre-application review of the above captioned Designed Waterfront Development District proposal, as originally filed on April 30, 2001 by The Strand/BRC Group, LLC. This review has been conducted in accordance with the procedures of Section VII A of the DWD regulations. This report represents the culmination of seven months of discussions with the applicant involving substantial participation from affected City agencies, staff and the public including the State D.E.P. Office of Long Island Sound Programs and the Connecticut D.E.P. Remediation Division. During the course of the pre-application review, the Stamford Zoning Board approved re-zoning of the northerly 14 acres from M-G to CW-D, and approved an amendment of the DWD regulations, thereby validating the proposed DWD designation and joint development of two physically separated parcels. For complete documentation of the pre-application review process, including meeting minutes and all written comments received, interested parties are directed to the full pre-application record on file in the Land Use Bureau offices. The pre-application materials considered in this review are compiled in book form, entitled "Admirals Wharf, Pre-Application Review, Designed Waterfront Development District, The Strand/BRC Group, LLC" dated April 30, 2001.

I. SUMMARY OF PROPOSAL

The proposed DWD designation area consists of a primary 24 acre development site that is currently vacant and a secondary 14 acre parcel currently occupied by Yacht Haven West. The primary development site, which formerly supported a coal gasification plant, electric power generation facility and a storage/distribution terminal for liquid natural gas and petroleum, is generally level and protected from flooding by the Hurricane Barrier, bounded by the Ponus Yacht Club property to the south, by the West Branch of the Harbor to the west, and by Atlantic Street and Washington Boulevard/Dyke Lane to the

north and east respectively. The secondary development site is bounded on three sides by the Stamford Harbor and to the north by Ponus Yacht Club. This peninsula is comprised of filled, bulkheaded land located seaward of the Hurricane Barrier within a designated flood hazard area (elevation 12-13), bounded to the west and south by riparian areas previously dredged and improved for boat slips and boatyard operations. The riparian area east of the site, adjacent to Kosciuszko Park, has not been dredged and includes a small intertidal habitat area at its northerly end, adjacent to the City pump station. Associated development activities are also proposed on three easements or other separately owned properties - Ponus Yacht Club (public access walkway), City of Stamford Hurricane Barrier (public access walkway; ferry terminal), West Branch of Stamford Harbor (ferry terminal).

The principal development activities proposed for the primary 24 acre development site are as follows:

1. Passenger Ferry Dock and Terminal - ticket sales, waiting area and parking will be provided within the Conference Center/Corporate Training Facility building and garage.
2. Housing in four principal structures - a total of 500 dwelling units in four story buildings, with parking for 825 cars. A minimum of 50 "below market rate" units will be included.
3. Commercial Building - a 250,000 square foot office building, six stories in height, with structured parking for 750 cars.
4. Conference Center/Corporate Training Facility - a 200,000 square foot facility, four stories in height, with 200 guest rooms, meeting rooms, and training facilities, and structured parking for 430 cars.
5. Public Access Facilities - waterfront promenade extending from Atlantic Street to the southerly property line, with expanded plazas at street ends and clock tower with observation deck.

The principal development activities proposed for the secondary 14 acre development site are as follows:

1. Public Access Boardwalk - waterfront promenade extending from Hurricane Barrier along the easterly and southerly edge of boatyard.
2. Restaurant/Fish Market - a 10,000 sq. ft. one-story restaurant & fish market building with parking for 70 cars.
3. Marina Clubhouse - a 6,000 sq. ft. one-story clubhouse facility with pool.

4 Boatyard Improvements - construction of a new access drive along the easterly side of the boatyard, removal of two metal clad buildings in poor condition and construction of a 4,800 sq. ft. addition to an existing building.

II. CONFORMANCE WITH DWD DEVELOPMENT STANDARDS

The proposed project plans appear capable of satisfying the majority of DWD standards with the following exceptions, where conformity has either not been clearly demonstrated or where Zoning Board approval of alternate standards may be required:

1. Parking:

A total of 2,476 parking spaces are proposed to satisfy the parking demand of this mixed-use project. Sources of parking demand enumerated in the application include: 500 dwelling units, 250,000 sq. ft. of office use, a passenger ferry of undefined capacity, 200,000 sq. ft. of conference/training center, 20,000 sq. ft. of retail, 222 boat slips, 10,000 sq. ft. of restaurant/fish market. Conceptual site and architectural plans indicate the location of 1,923 parking spaces on the northerly site, and 105 +/- spaces on the boatyard site. The apparent discrepancy of 448 spaces needs to be reconciled. The tabulation of project parking should include parking for general public access, retailing and boatyard operations, accompanied by a parking demand study/shared parking analysis justifying proposed parking for the passenger ferry terminal and conference/training center

2. Waterfront Setback:

Residential Building "D" may require a waiver of the waterfront setback standard of 1.5 times building height.

3. Building Height:

The height of the Clock Tower/Observation Deck exceeds the DWD height standard and requires a waiver of the DWD height limit of 70 feet.

4. Floor Area Ratio:

The project total floor area (1,062,400 sq. ft.) satisfies the DWD FAR standard of 0.60 plus a bonus of 0.10 FAR for providing BMR housing. Tabulation of floor area should carefully itemize any buildings listed as "water dependent - exempt". To support the assumption that all proposed structured parking is exempt from FAR calculations, design details should be provided demonstrating how exposed garage floors will be enclosed and landscaped. DWD regulations require parking structures to be "suitably enclosed and landscaped".

III. ATTAINMENT OF DWD OBJECTIVES AND GOALS

1. Water Dependent Uses

Historically, the secondary development site has been used as a boatyard/marina with dry winter boat storage and a variety of marine related retail and service uses (boat store, brokerages, marine diesel, marine electronics, rigging shop, marine police, etc...). The applicant's stated intention is to fully preserve and improve upon all existing boatyard/marina services, although the future status of the current boatyard operator (Brewer's Yacht Haven West) is unclear. Proposed improvements to the boatyard property, summarized above, include a public access boardwalk and new access road leading to a new restaurant/fish market and 100+ space parking lot, a new marina clubhouse, and re-organization and reduction of boatyard buildings. The "improvements" to the boatyard property proposed by the applicant would in effect substitute general public access and non-water dependent uses for portions of the current water dependent boatyard/marina operation. The Connecticut Department of Environmental Protection and the Stamford Environmental Protection Board staff have provided comments in opposition to the addition of any new uses that would reduce the amount of land available for boatyard operations and winter boat storage. The insertion of general public access facilities into a heavy industrial working boatyard also raises compatibility issues with respect to aesthetics and public safety. Compatibility and feasibility of the proposed restaurant/fish market is also in question - year round operation of a restaurant and its attendant parking requirements would significantly impact upland winter boat storage operations.

Findings: Proposed modifications to the boatyard property have not been demonstrated to compliment, support and improve the operation of the current boatyard/marina and may result in displacement and diminshment of a water dependent use, contrary to CAM policies and the standards and objectives of the DWD regulations. As an alternative, consideration should be given to relocating the proposed restaurant/fish market to compliment the ferry terminal and "neighborhood retail" proposed on the ground floor of the conference/training building. In the interest of improving water dependency of the proposal and extending public access in a meaningful manner, consideration should be given to establishing a strong pedestrian linkage to Kosciuszko Park and contributing to additional public access, improved park entrance and related improvements within the park, in lieu of providing public access on the boatyard site. Finally, as a threshold consideration for transferring development rights from the boatyard property, the applicant should guarantee that use of this property will be reserved only for water dependent purposes and ensure that the site is sold or leased on a long-term basis to a qualified boatyard operator.

2. Public Access and Site Design Issues

This 38 acre proposed DWD project is the largest waterfront development site in the City of Stamford, strategically located within three blocks of the Transportation Center and Central Business District. As noted by the applicant, the project's waterfront public access will make a major contribution to the goal of linking downtown Stamford with the

waterfront and to connecting Mill River Park and Kosciuszko Park (Applicant's Exhibit J). The site will be activated during the workday by the proposed conferencing, office and passenger ferry uses, and on evenings and weekends by residents of the site and adjoining neighborhood and the general public. Unlike many smaller waterfront development proposals where token public benefits are offered, this DWD project with its extensive waterfront promenade, has the opportunity (and obligation) to create a major public space with a combination of active retail/restaurant uses and passive recreational facilities on the water.

Unfortunately, application materials provide only a general conceptual plan for the retail uses and public access components of the project, and the pre-application review process devoted relatively little attention to this important issue. Given the limited design information provided, it is difficult to review and judge the merits of the current public access plan. Additional design review meetings should be conducted to reach agreement on the optimal massing and orientation of principal buildings and location of retail uses that will create significant public open spaces and provide for a meaningful public access experience.

The following general comments and observation are offered on the current public access plan:

- The proposed location and footprint of the commercial building and associated parking structure appears to limit the opportunity to create a significant public plaza/open space. Consideration should be given to expanding the public open space area by increasing the setback of the building from the waterfront, compressing the parking footprint, and possibly requesting a modification of height standards.

- Public spaces appear fragmented and should be reorganized to emphasize a primary point of public arrival and activity. The purpose and value of the expanded turnaround at the extension of Manor Street is unclear.

- Public spaces should be designed and organized to support a variety of functions and activities. The relocated maritime village should function as the public landing or gateway, with concentration of public parking, retail shops, restaurants, and ferry terminal. The waterfront promenade continuing to the south should function as a landscaped linear park conducive to passive recreation, with nodes and points of interest interspersed along the waterfront.

- The waterfront multi-use pathway should incorporate and make use of the significant amount of land available from the base of the hurricane barrier to the water's edge.

- A multi-use pathway width greater than 12 feet can be accommodated and should be considered.

- Public access areas should be designed and illuminated to provide for public use after dark.

- The observation tower is commendable. Interpretive signage, historical exhibits, sculpture, water features, and a variety of seating opportunities should be incorporated into the public access area.

Findings: Additional design review meetings should be conducted between the applicant and City staff to reach agreement on the most desirable configuration of public open spaces and massing of principal buildings, and the general design, location and configuration of principal components of the "neighborhood retail", and principal design elements of the public plaza and waterfront park.

3. Parking and Loading Standards

Discrepancies in the tabulation of parking demand need to be reconciled, as already noted above. This task will be simplified if no new uses of the boatyard property are proposed. A basic amount of public parking should be guaranteed, preferably surface parking conveniently located adjacent to the retail/public landing. Parking demand studies should be provided to justify proposed parking amounts for the ferry terminal and conference/training center. Shared parking arrangements should be analyzed using the general methodology entitled, "Shared Parking", published by the Urban Land Institute in 1983, as amended, with proper consideration given to established local and regional patterns of use of comparable developments. Loading requirements should be addressed as the site and architectural planning proceeds, providing for truck deliveries and trash management with minimal conflict with pedestrian and vehicular circulation and aesthetic considerations.

4. In-Water Structures and Activities

Proposed structures and activities below the high tide line or affecting tidal wetlands, while technically outside the direct jurisdiction of the Zoning Board, are closely interrelated to upland activities and to the purposes and objectives of the DWD regulations and CAM Act. Three areas of the site appear to involve activities regulated by the Connecticut D.E.P. and/or the Army Corps of Engineers: construction of the ferry landing, filling of a small tidal wetland area (1,923 square feet) in the northwest corner of the site, inside the Hurricane Barrier wall, and construction of the public access walkway on the boatyard property. Connecticut D.E.P. (Gradante, July 9, 2001) has issued preliminary review comments on a draft permit application for the ferry landing (30' x 90' spudded barge).

Findings: Approval of in-water structures and uses and alteration and/or elimination of tidal wetlands are key to the feasibility and water dependency of the entire project. Public hearings on a formal application for DWD designation should not be scheduled until the Conn. D.E.P. and Army Corps of Engineers have indicated that approval of any required permits can be expected.

5. Flood Hazards

With the exception of improvements proposed on the boatyard property, the ferry landing, and public access facilities seaward of the hurricane barrier, all components of the project are appropriately located on uplands free of flood hazard.

6. Conservation of Natural Resources

The majority of the site has been highly disturbed, with bulkheads and hurricane barrier along the entire waterfront. The ferry landing will be constructed in a portion of the waterfront previously engineered for off-loading barges. A small tidal wetland will be eliminated in the northwest corner of the site, and a somewhat larger freshwater wetland will be eliminated in the southern portion of the primary development site, just north of the hurricane barrier.

7. Public Infrastructure Capacity

The applicant's traffic impact analysis (URS Corp., March 20, 2001) concludes that site generated traffic can be accommodated with implementation of a number of off-site remedial intersection and roadway measures (URS Corp., pp. 20-21). City staff (Bruccoleri, Nov. 27, 2001) accepts this conclusion and offers two additional recommendations: (1) improve Washington Boulevard, between Atlantic Street and Station Place to meet the vision of the Harbor Plan, and (2) consideration of potential transit and transportation demand management alternatives for the site. The applicant reports that all other infrastructure systems are adequate to service the requirements of the project. The Stamford Engineering Bureau should confirm in writing that existing stormwater and sewer lines are adequate. More specific information, by the applicant, on how stormwater runoff will be treated to mitigate potential adverse impacts to water quality will be required.

8. Other Government Agency Approvals

Significant portions of this proposed DWD project are within the jurisdiction of other regulatory agencies. Major approvals are summarized below - failure to secure any of these approvals could halt or significantly modify the project.

1. Dept. of Public Utility Control. The DPUC regulates the sale or leasing of utility company property and must approve the proposed sale of each of the two land parcels. The applicant reported in the pre-application review meeting that DPUC has approved the land sale.

2. Connecticut D.E.P. The Permitting, Enforcement and Remediation Division (Graham Stevens, Nov. 14, 2001 and December 6, 2001) has reviewed the applicant's Remedial Action Plan (RAP) proposing to remediate existing contaminated soils present on the site by installation of an engineered "cap" to safely cover the material.

Final approval of the RAP is subject to issuance of an engineered control variance by the D.E.P. Commissioner. Conn. D.E.P. must also approve plans for the ferry landing, as discussed above. Approval of the ferry landing by the Army Corps of Engineers may also be required given its proximity to a regulated navigational channel and turning basin within the West Branch of the Stamford Harbor. As previously noted, the filling of the tidal wetlands will require a permit from the Connecticut D.E.P.

3. Stamford Environmental Protection Board. The proposed filling of a small freshwater wetland at the southerly edge of the primary development site is subject to approval by the Stamford EPB.

Findings: The applicant should fully report on the status of each of these required permit applications. Indication of preliminary approval or a favorable staff recommendation should be received from the Conn. DEP and Army Corps before a public hearing is scheduled on an application for DWD designation. The applicant reports that the EPB wetlands permit will be secured after approval of DWD designation.

9. Construction, Operation and Maintenance

Due to the complexity and scale of this project, a complete project construction schedule and phasing plan should be submitted. An organizational description should also be provided regarding the long-term operation, management and maintenance of the various project components. Specifically it must be understood how the public access areas, public amenities, passenger ferry terminal and retail uses will be managed and maintained, since some of these uses may operate at subsidized levels. The applicant should declare any intended division of the property for financing and/or ownership purposes, and the intended creation of any condominium or other legal form of ownership with exclusive control of portions of the property.

The Zoning Board, in considering a grant of DWD zone change, may also wish to stipulate a maximum permitted time period within which final site plan approval must be secured.

IV. CONCLUSIONS

In general, this pre-application appears to offer an attractive mix of residential, commercial, water-borne transportation, maritime village and general public access uses, together with the retention of Stamford's last operating boat service facility. Anticipated requests for DWD alternate standards (shared parking; waterfront setback; building height) while requiring further analysis and review, on a preliminary basis appear warranted and consistent with DWD goals. Public access features of the site plan have the potential to create a dynamic waterfront public park, with a combination of active retail and ferry terminal uses and passive recreational facilities along the harbor, that will advance the City's goal of linking downtown Stamford with the waterfront and connecting Mill River Park and Kosciuszko Park. As noted in both the Connecticut

D.E.P. (December 10, 2001) and Stamford E.P.B. Staff (November 29, 2001) review of the Pre-Application, the Admiral Wharf project compares favorably to previous development proposals for the site.

Pending resolution of the issues identified in the body of this report, the applicant is hereby authorized to proceed to file a formal application to the Zoning Board requesting establishment of a DWD District and issuance of a special permit and approval of General Development Plans. All of the specific information requirements detailed within the body of this report should be addressed or submitted along with the normal application requirements defined under Section VIII.B of the DWD regulations. Failure to satisfy any information deficiency findings cited in this report may serve as grounds for rejection of the formal application as incomplete.

- cc: Zoning Board
Admirals Wharf Pre-App Report.doc

SANDAK HENNESSEY & GRECO L.L.P.
C O U N S E L O R S A T L A W

Kevin M. Greco
William J. Hennessey, Jr.
Gary S. Klein
Peter M. Nolin
Jay H. Sandak
Mary E. Sommer
Michael P. Sweeney

Stephanie A. McLaughlin*
Jeffrey M. Knickerbocker
Deborah A. Primps*

*Also Admitted in New York

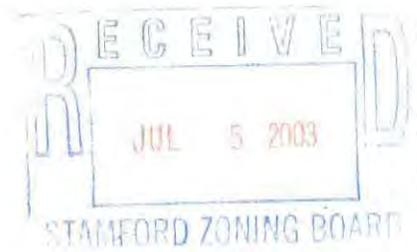
Dear Neighboring Property Owners:

June 13, 2002

970 Summer Street
Stamford, Connecticut 06905-5568

Telephone
(203) 425-4200

Facsimile
(203) 325-8608



Re: Admirals Wharf Zoning Board Application Nos. 202-04 and 202-05

I am writing to you on behalf of the Strand BRC Group, LLC and Collins Bedford Oak, LLC. My clients have filed Applications with the Stamford Zoning Board to develop two properties. One parcel is approximately 24 acres in size and is bordered by Atlantic Street to the north, Washington Boulevard and Dyke Lane to the east, the West branch of Stamford Harbor to the west and to the south by the drive leading into the Yacht Haven Marina and the Hurricane Barrier. The other property consists of approximately 14 acres and is the southerly portion of the peninsula located to the south of the parcel described above. This 14 acre parcel is presently used as Yacht Haven Marina.

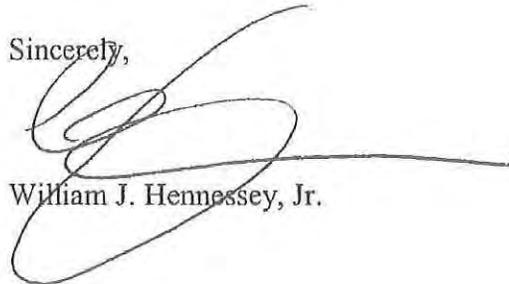
The Applications filed by my client consist of an Application to rezone both parcels from the Coastal Water Dependent District (C-WD) to the Design Waterfront Development District (DW-D); an Application for Approval of a Special Permit and General Development Plan in accordance with the DW-D regulations and an Application for Site Plan Review under the Coastal Area Management Act. Copies of all the above applications, as well as a conceptual site plan of the proposed development are enclosed in this package for your convenient reference. You should also be aware of the fact that the Applicant has submitted a variety of other studies, maps, plans and reports with the Zoning Board. These are available for inspection at the Board's office during normal office hours.

The Applicant proposes that on the 14 acre parcel, the Marina/Boatyard be preserved and enhanced. With respect to the 24 acre parcel, which is currently substantially unused, the Applicant proposes that it be improved with approximately 580 housing units, a Mixed Use Building (containing a Ferry Terminal, Catering Hall, Neighborhood Retail, a Restaurant and 21 live/work loft units) and an Office Building. Parking for all the uses will be provided onsite and an extensive system of Public Access Promenades is planned for various portions of the site including the waterfront edge of the 24 acre parcel.

Because you own property in close proximity to the site, the Zoning Regulations require that you be notified of the pendency of the Applications and of the fact that a public hearing will be held in connection with the Applications by the Zoning Board on Monday, June 24, 2002 at 7:00 p.m. in the Cafeteria located on the 4th floor of the Government Center Building, 888 Washington Boulevard, Stamford, Connecticut.

Should you have any questions, please feel free to contact the undersigned or the Applicant's land use consultant, Richard Redniss at (203) 327-0500. If you prefer, the complete set of Application materials may be revised at the Zoning Board Office during normal business hours.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Hennessey, Jr.", with a long horizontal flourish extending to the right.

William J. Hennessey, Jr.

WJH/jc
Enc.

cc: Zoning Board
Arthur Collins, Sr.
Jack Thomas
John McClutchy, Jr.
Michael Cacace, Esq.
Richard Redniss
John Tesei, Esq.

SCHEDULE A

APPLICATION FOR COASTAL SITE PLAN REVIEW

FILED BY THE STRAND/BRC GROUP, LLC AND COLLINS BEDFORD OAK, LLC

What possible adverse or beneficial impacts may occur as a result of the project?

Due to the limited nature of onsite and nearby coastal resources (i.e. vegetation, shellfish beds, etc), adverse impacts associated with the project are expected to be minimal.

- Possible adverse impacts include erosion and sedimentation of coastal resources during construction and increases in offsite runoff of "suspended solids" during and after construction. However, these potential impacts can be effectively mitigated through the use of proper sediment and control measures.
- Beneficial impacts include value of implementation of Remedial Action Plan affecting soils immediately adjacent to the coastline, construction of elaborate public access including Waterfront Promenade along coastline, significant construction and dedication of significant amounts of public access furthering the goal of linking downtown Stamford to the Waterfront via pedestrian passage ways; planned Ferry Dock and Terminal will expend water dependent usage of the site. Rehabilitation of currently underutilized derelict property (the norther parcel).

How is the proposal consistent with all applicable goals and policies of the CAM Act?

The goals of the CAM Act are advanced in the following manner:

- Protects and encourages existing and new water-dependent uses
 - Conserves significant resources
 - Promotes uses which maximize public access and enjoyment of shorefront
 - Encourages Harbor revitalization that emphasizes public pedestrian district connecting shorefront with adjacent neighborhood and Central Business District
- Protects key public vistas and develops public visual access to coastal landscapes
 - Provides new uses compatible with seasonal cycle of water activities and environmental hazards unique to the coastal area
 - Promotes architectural and site development of design and merit that utilizes natural features, that harmonizes with patterns and scale of coastline, and which remains

compatible with surrounding architecture, and preserves significant structures representing the historic pattern and scale of Stamford's waterfront heritage

- Type and intensity of development project insures positive impact upon adjacent neighborhoods, encourages development of employment opportunities associated with water-dependent uses and prevents adverse impact on municipal service and infrastructure capacities/capabilities.

The Applicant's proposal is consistent with the policies of the CAM Act for the following reasons:

- **Water dependant uses** - Stated policies are advanced in that high priority in preference is given to preservation of Marina/Boatyard and provision of Ferry Terminal and Ferry Service, all of which facilities are dependent upon proximity to the Water.
- **Ports and Harbors** - Stated policies are advanced in that the protection and maintenance of the Mariana/Boatyard gives highest priority and preference to commercial and recreational fishing and boating uses. Provision for Ferry Terminal and Dock gives highest priority and preference to commercial use.
- **Coastal Structures and Filings** - Stated policies are advanced in that all structures in tidal wetlands and coastal waters will be designed, constructed and maintained to minimize adverse impacts on coastal resources, circulation and sedimentation patterns, water quality and flooding and erosion all while respecting and reducing conflicts with riparian rights of adjacent land owners.
- **Dredging and Navigation** - Stated policies will be advanced by minimizing dredging to the area of the proposed Ferry Dock which is the site of an abandoned docking facility used by the prior industrial users.
- **Transportation** - Stated policies are advanced in that the provision of the Ferry Dock and Ferry Terminal upgrade and improve existing transportation facilities in the coastal area.
- **General Development** - Stated policies are advanced in that the proposal is consistent the general planning and zoning principles adopted by the City of Stamford and provides meaningful public access, water dependant uses (Marina/Boatyard provisions for Ferry) and remediation of existing contaminated soils.

What measures are being taken to mitigate adverse impacts and eliminate inconsistencies with the CAM Act?

1. State of the art soil, erosion and sediment controls will be employed during all phases of construction.
2. All catch basins will contain sumps and “hood” devices to mitigate the transfer of suspended solids offsite.



PROJECT
ADMIRALS WHARF
 STAMFORD CONNECTICUT

OWNER
THE STRAND / BRC GROUP LLC
 STAMFORD, CONNECTICUT

ARCHITECT / MASTER PLANNER
DO H. CHUNG and PARTNERS
 189 BEDFORD ST. STAMFORD, CONNECTICUT 06901

ARCHITECT / ARCHITECT
CULPEN & WOOD ARCHITECTS, LLC
 408 HENRY ST. STAMFORD, CONNECTICUT 06901

ARCHITECT / ARCHITECT
THOMAS BAILEY ASSOCIATES
 135 29th AVE. NEW YORK, NY 10001

ENGINEER
REDNISS & MEAD
 22 FIRST ST. STAMFORD, CONNECTICUT 06901

PLANNING FIRM
ILLUSTRATIVE SITE PLAN

A-2

202-05



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



June 20, 2002

Stamford Zoning Board
Norman Cole
Principal Planner
Stamford Government Center
888 Washington Blvd.
P. O. Box 10152
Stamford, CT 60904

RE: Admirals Wharf Coastal Site Plan Application and Zone Change
Washington Boulevard
The Strand/BRC Group LLC and Collins Bedford Oak LLC, Applicant

Dear Board Members:

Thank you for the opportunity to comment on the above-referenced coastal site plan review application and zone change. We have reviewed the application materials prepared by Sandak Friedman Hennessey & Greco, LLP dated April 5, 2002 and offer the following comments regarding the proposal's consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA)[CGS Sections 22a-90 through 22a-112, inclusive]. These comments are made in response to the review requirements contained within Section 22a-104(e) of the CCMA which requires that all zoning regulation changes affecting the area within the coastal boundary be referred to our office 35 days prior to the commencement of a hearing thereon.

The proposed project compares favorably to previous conceptual development proposals for this site in that all of the proposed residential development has been located landward of the hurricane barrier outside the coastal flood hazard area. This mixed-use proposal includes both water-dependent and non-water-dependent uses.

We understand that the review process for this application will consist of several iterations, which explains why most of the information in the application at this stage is general in nature. To this end, our comments reflect the level of detail included in the application.

Zone Change Request

The applicant proposes to change the zoning district of the project area from CW-D (Coastal Water Dependent District) to DW-D (Designed Waterfront Development District). Due to the constraints of the hurricane barrier that exists along a significant portion of the waterfront along the 24-acre property and proximity of the federal channel, this piece is not ideally suited to support commercial/industrial water-dependent uses over the entire site. Therefore, a mixed-use development consisting of both water-dependent uses and non-water-dependent uses appears reasonable.

However, it is unclear in the application as to why the district of the 14-acre marina must be changed, particularly since neither improvements nor a change in use are proposed. Thus, the need for the zone change on the marina parcel should be more clearly demonstrated. If development rights are somehow transferred from one parcel to the other, or if the parcels are in fact to be developed as one parcel, any future redevelopment of the marina portion of the parcel should be subject to a land-use restriction or similar mechanism recorded in the land records. A land-use restriction should ensure that this parcel remains available for commercial/industrial water-dependent uses as it is well suited for such uses and is located in a flood hazard area. Other types of uses would therefore be inconsistent with CCMA policies.

Water-Dependent Uses

The subject property is a large waterfront parcel. As such, significant water-dependent uses must be given highest priority and preference. The site presently contains an operational marina/boat yard on the southernmost 14-acre parcel. The proposal includes the addition of a passenger ferry terminal located at the northern portion of the site and a public access boardwalk that connects the conference center to Kosciuszko Park. Providing a pedestrian connection between the adjacent City Park and the waterfront along the West Branch channel should enhance and increase the use of both sites.

The passenger ferry is a water-dependent use and should be allowed as of right in this zoning district. This use will also act to enhance the public access components of the project, as it will provide in-water activity that adds public interest. In addition to the ferry activity, other project components such as the observation tower, retail, and the restaurant could act to draw the public to the waterfront. It is important that the project is phased such that the Maritime Building, which includes that ferry operation, is constructed in phase I as the ferry is the sole commercial water-dependent use proposed and demand for ferry service appears to be growing.

However, due to the orientation of the federal channel and the existing in-water structures, it may be difficult to operate a ferry at this location without modifying the in-water and waterside structures. While we have met with the applicant to discuss various aspects of the project in general, there is not presently a permit application pending regarding the ferry. We strongly encourage the applicant to schedule a meeting with the department's Permitting and Enforcement staff as soon as possible to ensure that any site constraints can be addressed early in the design phase of this development. Accordingly, we recommend that the Board require significantly more details regarding the ferry operation to ensure that design of this significant water-dependent use can be accommodated at this site in its proposed location and layout.

With regard to the public access walkway along the west branch channel, the proposal includes a 12-foot wide boardwalk atop the hurricane barrier. Additional amenities include seating, lighting, and public parking. Our Office has reviewed and/or participated in the design of numerous public access areas through Connecticut's coastline since the inception of the CCMA. The most successful areas in terms of frequency of use are by far areas that are associated with uses that draw the general public. Such uses typically include commercial uses such as restaurants and retail shops and areas that are adjacent to areas that support public events and activities. As mentioned, this proposal

includes some retail, a restaurant, and a ferry that could draw the public to the waterfront. Additionally, activity from the commercial office building could add significant foot traffic to the waterfront walk on weekdays.

However, our experience has been that projects comprising upscale residential developments often attract few visitors outside the immediate area. Further, if not designed correctly, placing public access amenities in these situations can lead to conflicts between the residents of a development and the general public. The waterfront path, in its conceptual format, is routed extremely close to residential buildings B, C, and D. The path comes to within 5 feet of buildings at some points. Further, the residential units will have balconies that project the personal space of the residents out further beyond the structural limits of the buildings. In order to minimize conflicts between the two uses, more separation and additional landscape buffering should be added. Commercial uses, such as additional restaurants or coffee shops could also provide a beneficial buffer between the public and private residential spaces. Such establishments also draw the public and generate a more comfortable, inviting atmosphere while dampening the potential conflicts between the public and future residents.

In addition, the road layout may discourage public access. The gated entrance and guard booth, which appear to be in place to ensure the public does not enter the residential area, will add to the conflict between the two uses. Will pedestrians be restricted from accessing the waterfront walk via the drive located across from Harbor Street that bisects the residential buildings? This may be another area that has the potential to create a conflict between the residents and neighbors on Pacific, Manor, and Harbor Streets who wish to access the waterfront through the most convenient corridor. Finally, it appears that public traffic will be routed to and along a portion of the waterfront prior to being routed past the entrance to the commercial building and a guard booth. This access road will provide a buffer between the public access areas and the development, but not in the area where it is most needed; between the residential and public access components.

Finally, there is a strip of land (25-50' wide by over 700' long) between the hurricane barrier and the West Branch Channel that is part of the development parcel. This area has great potential for providing additional general public access and should be included in the proposal as this area is directly adjacent to the water and is physically separated from the proposed development of the site in distance as well as elevation. Landscape improvements to this area could also help soften the impact of the view of the hurricane barrier from and across the channel. This area may be large enough to host small scale events such as concerts, picnics, award ceremonies and waterside festivals. It could also be used in conjunction with the proposed catering hall.

Stormwater Management

The proposed development disturbs more than 5 acres of land and therefore is subject to the DEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities ("Stormwater Permit"). The Stormwater Permit requires the retention of the first inch of runoff when stormwater is proposed to be discharged within 500' of non-freshwater tidal wetlands. The discharge of all runoff is proposed through the Dyke Street pump station, which is within 500' of non-freshwater tidal wetlands. As stated in the application, retention will probably

not be feasible due to the contamination of the onsite soil. However, non-freshwater tidal wetlands are adversely impacted by freshwater discharges. We recommend that the applicant relocate a significant portion of the discharge directly to the West Branch channel where distances to tidal wetlands are greater and where increased tidal flushing and dilution will better mitigate potential impacts to tidal wetland vegetation. If such an alternative is not technically feasible, the applicant should demonstrate why it is not.

As mentioned, we understand that the remediation of the site may limit the stormwater management measures, such as retention and infiltration into the soil, that can be incorporated into this project. However, the application material does not contain specific information regarding how stormwater runoff will be treated to mitigate potential adverse impacts to water quality. The material does mention that catch basins will be equipped with sumps and hood traps and that oil/grit separators are anticipated to improve runoff quality from parking areas and streets. While these measures are effective in collecting and trapping medium to coarse sediment and floating debris, they are not effective in mitigating adverse impacts from dissolved pollutants or pathogens.

Without more specific information, we cannot comment on the project's potential benefits or adverse impacts to water quality or coastal resources from stormwater discharges to the channel. Additional stormwater treatment measures that could be incorporated into a stormwater management include separating roof and parking lot runoff and discharging the stormwater through filters with media chosen to remove specific stormwater constituents that are expected to be contained in the runoff from the two sources. A stormwater management plan should be developed that includes source reduction to prevent pollutants from entering stormwater and maintenance measures that ensure that any proposed stormwater BMPs will be maintained to ensure long-term efficiency. We are available to discuss possible stormwater treatment approaches that may offer improved treatment of stormwater runoff generated onsite.

Summary and Recommendations

The proposal includes both active and passive water-dependent uses and non-water-dependent uses that could attract the general public to the site. Considering that the hurricane barrier and the proximity of the federal channel along the waterfront of limit the suitability of the site for significant commercial/industrial water-dependent uses, the proposed mix of uses appears consistent with CCMA policies.

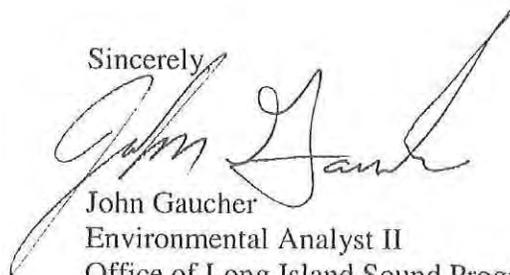
As the development proposal moves through this application process, more detailed information will be necessary to evaluate the potential adverse and beneficial impacts to coastal resources and the project's consistency with coastal management policies. There is sufficient detail included in the application to raise concerns regarding how the public access component of the site is designed and integrated into the project as a whole and how stormwater will be managed to protect coastal resources. To address the concerns raised in this letter, we recommend the following information and modifications be incorporated into the revisions to be submitted in the next phases of this review process. The applicant should:

- 1) Demonstrate the need to change the zoning district of the marina parcel to DW-D;

- 2) Revise site plans to include existing versus proposed grading details;
- 3) Include schematic drawing level detail of the public access walk including all public access amenities;
- 4) Clarify the mechanism whereby the public will be allowed to access the site (i.e. a public access easements or land area dedicated to the city, etc.) and outline the areas on the site plans;
- 5) Explain how and by whom the public access areas are to be maintained and how maintenance will be enforced;
- 6) Modify the site plans to separate the residential uses from the public access area;
- 7) Specify the number and location of all dedicated public access parking spaces;
- 8) Connect the upper walkway to the lower open space area adjacent to the channel; and
- 9) Explore alternative access road layouts that minimize the potential conflicts between public vehicular and pedestrian traffic flow and the proposed residential uses.
- 10) Develop a stormwater management plan which includes source prevention, treatment of dissolved stormwater contaminants and pathogens, long-term maintenance, and monitoring of proposed structural stormwater BMPs;
- 11) Show the locations of all drainage features and stormwater BMPs on the plans; and
- 12) Include drainage calculations related to all drainage infrastructure.

We hope these comments are helpful to the Board and the applicant. We look forward to working with both the applicant and the city to refine the proposal to further protect coastal resources and enhance the existing and proposed water-dependent uses of this significant waterfront parcel. We are available to attend meetings, make additional site visits as necessary, and review updated plans as they become available. Please feel free to contact me to discuss these comments.

Sincerely



John Gaucher
Environmental Analyst II
Office of Long Island Sound Programs

JG/g

cc: John Anderson, Redniss & Mead
Kristen Cavanaugh, DEP OLISP
David Emerson, Stamford Environmental Protection Board
William Hennessey, Sandak Friedman Hennessey & Greco, LLP
Graham Stevens, DEP PERD



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Stamford Planning Board
c/o Mr. Robin Stein
Land Use Bureau Chief
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

August 3, 2006

RE: **Proposed Amendment to Stamford Master Plan, MP-390**

Finding: Inconsistent

Dear Board Members:

Thank you for the opportunity to review and comment on the above-referenced proposal. We have reviewed the application materials prepared by Antares Stamford Waterfront Manager LLC including Exhibit 1 dated June 8, 2006 and the Stamford Waterfront Illustrative Plans dated June 15, 2006 regarding the proposal's consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA) [CGS Sections 22a-90 through 22a-112, inclusive].

Project and Site Description

The proposed site Block 25 known as Admiral's Wharf is located on the east side of the West branch channel of Stamford Harbor and encompasses approximately 31.6 acres. Coastal resources on this parcel include coastal hazard areas and a developed shorefront with deep water that has already received approval for a high-speed ferry facility plus significant public access and related uses. "Developed Shorefront" refers to those harbor areas, which have been highly engineered and developed resulting in the functional impairment or substantial alteration of their natural physiographic features or systems [CGS section 22a-93(7)(I)].

Proposal

This site is currently designated as Stamford Master Plan **Category 13 (Mixed Use-Shorefront)**. The purpose of this category is to provide for appropriate mixed-use development of the waterfront in a manner that: **(1) protects existing water-dependent uses and encourages new waterfront uses (2) preserves and enhances public access to waterfront areas and waterfront vistas; and (3) encourages a mix of compatible uses so designed and integrated as to achieve these objectives within the capacity of the infrastructure and complementary in scale to the general character of the area.**

The proposed Master Plan amendment would change the zoning of Block 25 to **Category 12 (Mixed Use Overlay)**. The purpose of this category is to provide for the joint development of large sites and areas (including substantially rehabilitated industrial facilities) in combination with retail, housing, limited low-density offices or other approved uses, which by nature of the type of activity, design and layout are compatible with each other and their surroundings. This category makes no reference to water dependent uses or public waterfront access.

Conclusion

Waterfront properties are an extremely limited resource with the unique capacity to accommodate water-dependent uses, which by statutory definition require waterfront sites. However waterfront properties are also in great demand for many non-water-dependent uses such as residential and retail development, which can be located inland. Please see the enclosed fact sheet for relevant CCMA policies regarding water-dependency. We are concerned that the proposed plan amendment would allow for an overall diminishment of water dependent uses, which would represent an unacceptable adverse impact on water dependent development opportunities as described in the fact sheet. Under the current Master Plan designation, development of the site was recently approved for a mix of water dependent and non-water dependent uses. Clearly, the site is well suited for such uses for which there is a reasonable demand.

Summary/Recommendations

The existing Category 13 classification in the Stamford Master Plan appropriately reinforces the water dependent policies of the CCMA. The subject parcel has already been approved for development that included water dependent uses such as significant public access and amenities and a high-speed ferry terminal, and the parcel's Category 13 status (mixed-use shorefront) should be retained in order to promote and protect future water-dependent development. Therefore, we recommend that the Board deny the proposed amendment without prejudice.

We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to contact Kristal Kallenberg of my staff at (860) 424-3034 or at Kristal.Kallenberg@po.state.ct.us.

Sincerely,

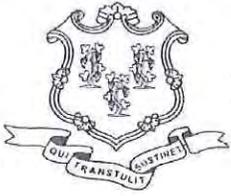


Brian P. Thompson
Director

Office of Long Island Sound Programs

BPT/KK

Enclosure: Water Dependent Use Fact sheet



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Antares Development LLC
c/o Mr. John Freeman, Project Manager
P.O. Box 110237
Stamford, CT 06911-0237

August 29, 2006

RE: Redevelopment in South Stamford

Dear Mr. Freeman,

Thank you for the opportunity to learn more about Antares' plans to redevelop approximately 80 acres in south Stamford at our meeting on August 23, 2006. We agree that the mixed-use proposal offers many opportunities to improve the area including potentially adding a school, adding affordable and other housing units, and remediating and reusing underutilized or vacant brownfields. Of particular interest to the Office of Long Island Sound Programs (OLISP) is the opportunity to significantly increase public access and view corridors to Stamford Harbor from the waterfront site located behind the hurricane barrier.

While most of the development, at least at the conceptual level, appears consistent with coastal management policies, we must firmly reiterate our view that replacing all or portions of the existing boat yard with non-water-dependent uses is clearly inconsistent with the water-dependent use policies and standards of the Connecticut Coastal Management Act (CCMA) [CGS Sections 22a-90 through 22a-112, inclusive]. The boat yard is not only a water-dependent use located at a site with deep-water access, its services are in high demand, partly as a result of earlier replacement of other Stamford marinas with non-water-dependent uses.

As you acknowledged during the meeting, we have consistently stated, going back to the 1980s when interest in the "Helco" parcel first materialized, that partial or complete replacement of the marina with non-water-dependent uses represents an unacceptable adverse impact on water-dependent development opportunities and activities. Since then, there have been no changes to the CCMA or Office policy that alter our interpretation of the issue. Therefore, we will continue to recommend that any proposals of non-water-dependent use of the boatyard parcel be denied, and that residential uses be located landward of the hurricane barrier in accordance with CCMA policies to minimize hazards to life and property and with sound land-use planning principles.

Finally, the state has jurisdiction over most activities conducted at or below the high tide line. Work necessary to develop the waterfront parcels within the project area may therefore require authorization from this Office. We look forward to working with Antares to coordinate the review process for proposed activities such as dredging, rebuilding or modifying bulkheads, constructing new docks, or establishing new

discharge pipes. However, you should be aware that this Office cannot grant authorization for activities that are inconsistent with the policies of the CCMA.

We look forward to working with you to address other coastal management related issues such as managing stormwater runoff and providing meaningful public access walkways and amenities into the development design. As always, we are available to meet with you as necessary to move the project forward. Please contact Graham Stevens at 860-424-4166 or via email at graham.stevens@po.state.ct.us with the Department's Remediation Section to coordinate any follow-up meetings with the staff team assigned to your project.

Sincerely,



Brian P. Thompson
Director
Office of Long Island Sound Programs

BPT/KK/JG

cc: Graham Stevens, DEP Remediation
Arthur Christian, IWRD
Elizabeth Appel, DECD
Robin Stein, Stamford Land-Use Bureau Chief



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Stamford Planning Board
c/o Robin Stein
Land Use Bureau Chief
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

September 5, 2006

Re: Proposed Text Amendment to Stamford Master Plan

Finding: Consistent with Modification:

Thank you for the opportunity to review and comment on the above-referenced proposal. We have reviewed the application prepared by Antares Stamford Waterfront Manager, LLC dated August 28, 2006 for consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA) [CGS Sections 22a-90 through 22a-112, inclusive].

On August 3, 2006 the Office of Long Island Sound Programs (OLISP) determined that the applicant's earlier proposed amendment to Stamford Master Plan, MP-390 was inconsistent with the CCMA and Stamford Master Plan. The proposed amendment would have changed the existing designation of the Admiral's Wharf site from a Master Plan Category 13 (Mixed Use-Shorefront) to a Master Plan Category 12 (Mixed Use-Overlay), potentially opening the door for development that would be inconsistent with the existing policies of the Stamford Master Plan and CCMA regarding present and future water dependent uses, and public access to waterfront areas.

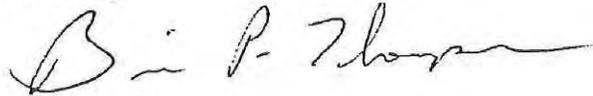
The current proposal would amend the text of Category 12 to include an additional provision (11), "for parcels located on the shorefront, determination that the three purposes of Category 13 (Mixed Use-Shorefront), as set forth in the first sentence of that Category description, are satisfied." While it may be advisable to allow some waterfront parcels to comprise part of a large-scale development project that is appropriately handled under Category 12, all the water-dependent use policies explained in Category 13 should be applicable, not just those described in the first sentence.

Accordingly, in order to protect, preserve and enhance existing and future water dependent uses, and public access to waterfront areas and vistas for increasingly scarce waterfront parcels such as Admiral's Wharf and the peninsula, OLISP suggests the Planning Board recommend that the applicant revise the text by omitting the underlined of the proposed text to read as follows; "for parcels located on the shorefront, determination that the purposes of Category 13 (Mixed Use-Shorefront), are satisfied."

We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to

contact Ms. Kristal Kallenberg of my staff at (860) 424-3034 or by email at
Kristal.Kallenberg@po.state.ct.us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian P. Thompson".

Brian P. Thompson
Director

Office of Long Island Sound Programs

BPT/KK



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Stamford Planning and Zoning Board
c/o Norman Cole
Principal Planner
Stamford Zoning Board and Land Use Bureau
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152



RE: **Zoning Board Referrals 206-56, 206-57, 206-58, 206-59, 206-60, 206-61, 206-62**
CSPRs 790, 791

Dear Mr. Cole,

Thank you for the opportunity to review and comment on the above-referenced proposals. This Office has not completed its review and would like to remind the applicant and the Stamford Planning and Zoning Board of the requirements for the submission and review of coastal site plan applications under Connecticut General Statutes (CGS) Section 22a-105 (see enclosures). The Commissioner of the DEP is automatically a party to every municipal coastal site plan review and has the right to appeal a municipal decision.

This Office last received applications including coastal site plan reviews, zone map changes and zone regulation changes from Antares Stamford Waterfront Manager LLC dated November 28, 2006. OLISP did not comment on the applications because we were informed that the proposals were to be revised and resubmitted. Apparently there have been several meetings since between Antares and The City of Stamford and subsequent revisions have been made accordingly. However, OLISP has yet to receive an actual application referral from the City of Stamford regarding any of the current revised proposals. This Office received an application package directly from the applicant this afternoon, yet the applicant expects these applications to be referred to the Planning and Zoning Board the evening of April 24, 2007. Up until today our review has been limited to information taken from Legal Notices published in the Advocate and some conceptual development plans. This is especially problematic considering the scope and importance of this 80+ acre project. Pursuant to Section 22a-105(d) of the CGS, **the board must allow the commissioner of DEP 35 days for review and comment before it may render its decision on Zoning Map or Regulation Changes.**

The materials reviewed by this Office prior to the writing of this letter are incomplete and inadequate for proper review by this Office. **Due to the number of applications under consideration for this development proposal and the scope of this project we are recommending the Planning and Zoning Board reschedule the public hearing for these applications not less than 35 days from today, April 24, 2007, the day of our receipt of the revised plans and application materials package.** Any future proposals

should be submitted as soon as possible to avoid further delay in the review process. Again, please refer to the enclosures outlining requirements for a complete coastal site plan review application and the coastal site plan review process.

Thanks again for the opportunity to comment on this project, which holds such great importance for the City of Stamford, the state economy and the preservation of significant water dependent uses such as the Yacht Haven West boatyard, one of the few full-service marinas remaining in this part of the state. We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to contact me at (860) 424-3034 or by email at Kristal.Kallenberg@po.state.ct.us.

Sincerely,



Kristal Kallenberg
Environmental Analyst
Office of Long Island Sound Programs

Enclosures : CGS Section 22a-105, Coastal Site Plan Reviews
CGS Section 22a-109 Coastal Site Plans. Review
Coastal Site Plan Review Checklist



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Stamford Zoning Board
c/o Norman Cole
Principal Planner
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

May 21, 2007

Re: **Application 206-59 Amendment to Zoning Regulations
Antares Stamford Waterfront Manager LLC-SRD-S South End
Redevelopment District, SOUTH**

Finding: **Consistent In Part, Inconsistent in Part**

Dear Board Members,

Thank you for the opportunity to review and comment on the above-referenced text change proposal. We have reviewed the application materials prepared by Antares Stamford Waterfront Manager LLC for consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA)[CGS Sections 22a-90 through 22a-112, inclusive]. We offer the following comments for your consideration.

The proposed zoning district would apply to two waterfront parcels; the former Admiral's Wharf site and the boat yard located on the peninsula south of the hurricane barrier. As we have stated before, the boat yard parcel is unique to the area in that it abuts deep water, has a large, flat upland area, can service large vessels, and stores boats docked at other local marinas because nearly all of Stamford's upland boat storage has been replaced with non-water-dependent uses. This Office has always worked closely with the City to ensure that the water-dependent use requirements of the CCMA have been applied appropriately and consistently. Primarily, this has meant protecting the existing water-dependent uses from being adversely impacted (i.e. replaced or diminished) in any way in accordance with CGS Section 22a-93(17)¹.

We are concerned that changing the underlying zone of the boat yard parcel, and allowing numerous non-water-dependent uses as of right, may present an unacceptable adverse impact on water-dependent uses. We understand that language has been placed in section 4.d of the proposal that would require an applicant to demonstrate that an existing water-dependent use is not economically viable before such a use can be

1. Which states that adverse impacts on future water-dependent development opportunities and adverse impacts on future water-dependent development activities include but are not limited to: (A) locating a non-water-dependent use at a site that (i) is physically suited for a water-dependent use for which there is a reasonable demand or (ii) has been identified for a water-dependent use in the plan of development of the municipality or the zoning regulations; (B) replacement of a water-dependent use with a non-water-dependent use, and (C) siting of a non-water-dependent use which would substantially reduce or inhibit existing public access to marine or tidal waters (CGS Sec.22a-93(17)).

replaced or diminished. While we applaud the effort to include this language, we feel it is insufficient to ensure compliance with CCMA policies. The very purpose of the district appears to be at odds with protecting water-dependent uses, since it states that the SRD-S is "intended to provide for and encourage the land use planning and coordinated development of large-scale mixed-use developments." To accomplish this, the zone includes over 150 uses, only a handful of which are bona-fide water-dependent uses. Through the combination of allowing high-density non-water-dependent uses of the site while allowing elimination of an existing water-dependent use through demonstration of economic hardship, the proposed language in section 4.d could encourage an owner to allow the boat yard (or other water-dependent uses) to fall into disrepair in order to justify replacement and significant economic gain by developing the parcel with other uses with higher profit margins.

Additionally, by allowing the zoning district of the boat yard to include high-density residential housing in a flood hazard area waterward of the hurricane barrier, the city would be promoting an increase in hazards to life and property, inconsistent with CGS Section 22a-92(b)(2)(F)²

We understand that Antares is requesting that the Boat Yard and Admirals Wharf parcels be combined to allow unused FAR from the boat yard parcel to be applied to the Admirals Wharf site, similar to what was permitted for the Admirals Wharf development. However, that arrangement was offered in exchange for a deed restriction preserving the boat yard use in perpetuity, which Antares is apparently unwilling to undertake. The added density was also necessary to offset the cost of remediating a contaminated parcel. We supported this approach, as it was fully consistent with CCMA policies. In this instance, combining the parcels should not be necessary since the new zone allows for significantly more FAR than the D-WD zone allows, and by which the Admirals Wharf development was constrained. For example, the new zone allows for a residential FAR of nearly 1.5. The FAR for the D-WD zone was 1.0. From a planning perspective, we are puzzled that after a new zoning district is created specifically in support of a major development plan, the developer seeks a corresponding special arrangement outside of the zoning standards they are proposing.

 As we have seen with the Admiral's Wharf project, market forces and conditions change over time. It would be surprising if the Antares project, which is projected to be implemented over a 10-year period (+/-), does not undergo changes in reaction to market conditions. Therefore, while changing the zone of the boat yard to SRD-S might appear now to include the necessary mechanisms to adequately protect water-dependent uses, the inclusion of non-water-dependent uses as permitted uses along with the stated purpose of the district may well place the water-dependency of the parcel at increasing risk over time. Even though Antares may intend to maintain the boatyard use at this time, if the

². To manage coastal hazard areas so as to insure that development proceeds in such a manner that hazards to life and property are minimized and to promote nonstructural solutions to flood and erosion problems except in those instances where structural alternatives prove unavoidable and necessary to protect existing inhabited structures, infrastructural facilities or water dependent uses.

city desires to effectively and permanently preserve this unique parcel for a water-dependent use consistent with CCMA policies, the zoning of the parcel must reflect this desire. Accordingly, we strongly recommend that the proposal to change the zoning district of the boat yard parcel be denied. To better protect the water-dependency of the site, we also recommend that the Board seek to change the underlying zone from (D-WD) Designed Waterfront District to (C-WD) Coastal Water-Dependent District. Additionally, we recommend that the City seek to change the parcel to Master Plan Category 14 Industrial-Water Dependent, which more clearly delineates the limits of the site to true water-dependent uses.

While we have no objection to proposing the SRD-S zone change to the Admiral's Wharf site, we recommend that the Zoning Board include the following conditions to any approval of this zone regulation change:

- Building setbacks for non-water dependent uses be defined as a minimum of 30' from the inland base of the hurricane barrier (where applicable) as opposed to 30' from Mean High Water.
- Design of this area should seek to separate the residential use from the public access component of the project in an attempt to reduce any potential conflicts between the uses. Such design options include spatial separation, landscape buffering, signage, elevation changes, lighting, and public amenities.

We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to contact Ms. Kristal Kallenberg of my staff at (860) 424-3034 or by email at Kristal.Kallenberg@po.state.ct.us.

Sincerely,



Brian P. Thompson

Director

Office of Long Island Sound Programs

Enclosures: Fact sheet for Adverse Impacts
Fact Sheet for Water-Dependent Uses
Fact sheet for Coastal Flood Hazards

KK/JG/BPT

Rec'd @ Y&T 5/21/07

SANDAK HENNESSEY & GRECO LLP
C O U N S E L O R S A T L A W

707 Summer Street Stamford, CT 06901-1026
Telephone (203) 425-4200 Facsimile (203) 325-8608

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Kelly A. Molloy*
Amy E. Souchans
Jacqueline N. Olschan*
Joanna M. Czekajewski
Susan R. Briggs*
Brian A. Daley*

May 21, 2007

*Also Admitted in New York

Robert M. Stein, Jr., Land Use Bureau Chief
Norman Cole, Principal Planner
City of Stamford
888 Washington Blvd.
Stamford, CT 06901

Re: Application of Antares Stamford Waterfront Manager LLC, Antares Walter Wheeler Drive SPE LLC and The Strand/BRC Group LLC for Zoning Text Amendments, Zoning Map Change, Coastal Site Plan Approval and Site Plan Approval

Dear Mr. Stein & Mr. Cole:

In response to your letter dated April 2, 2007 regarding outstanding issues on the various applications submitted by Antares Stamford Waterfront Manager LLC and its related entities (collectively "Antares") as well as comments raised by the Zoning Board members during the April 30 hearing, below is Antares' response to these items. Your comment is noted in plain text, with our response in italics.

Additionally, we have reviewed and provided revisions to the draft of the zoning regulations you forwarded to Antares. We look forward to ongoing discussions on the language of these regulations. As noted at the April 30 hearing, Antares will incorporate the revisions recommended by the Planning Board into its text amendment language.

STATUS OF THE CURRENT SUBMISSION

1. The various plan submissions are inconsistent, and need to be updated and reconciled with each other. What documents are still valid and considered to be part of the application? *An updated and internally consistent set of all plans was filed on April 18 and distributed to Zoning Board members. Based upon the May 10 meeting between staff and representatives of the applicants, within one week we expect to submit a full set of refinements to the development at Y&T.*

2. Accurate site plans and conceptual architectural elevations, building floor plans and parking layouts should be provided, tied to an accurate base map at a scale of not less than 1 inch = 50 feet, with larger scale plans and elevations of key public access facilities and waterfront improvements.

All plans have been provided at the requested scale with the exception of the Cooper Robertson Illustrative Master Plan, which is only available at a smaller scale.

3. The feasibility of all parcels should be demonstrated with conceptual floor plans and garage layouts confirming that parking counts and floor areas can be achieved within the proposed building envelopes, with no exposed parking garage floors.

Detailed plans have been submitted for the Phase 1 parcels that illustrate the likely building floor plans. With respect to parking garage floors, Antares is able to demonstrate that many garage frontages can be lined with other uses. However, all levels and all sides of every garage cannot be wrapped with other uses and in those cases, architectural screening will be provided to mask the appearance of any above-grade garage levels. This is consistent with documents and discussions made by Antares and Cooper Robertson and Partners during recent meetings with staff on May 10 and 18. The specified parking counts can be achieved under these designs. Cooper Robertson will present more information related to this matter this evening.

4. Site plan sections provided in the Harbor Point submission dated March 13, 2007 do not correspond to the current site plan or to the previous submission defining building heights and uses. In some instances, portions of the sections have no dimensions. To convey useful information, the "materials strip" associated with the sections should be labeled. An inset detail at larger scale should be provided of pedestrian streetscapes showing typical paving, curbing and landscape details.

Updated site plans and sections prepared by Sasaki Associates have been incorporated into the most recent submission set and addresses all concerns stated above.

SITE PLAN ISSUES

1. The public open space linkage from the Teardrop Park through Harbor Square out to the Harbor should be strengthened. The office building footprint for Parcel S2 currently encroaches on this open space connection and should be set back further.

Antares agrees that this is critical design area as it serves as the entrance into the Harbor Point Square development area. Architects working on the designs for this portion of the proposal, including Pelli Clarke Pelli Architects and Perkins Eastman, have extensively considered this area. At the design team's meeting with the Stamford Land Use staff stated that the Pelli design for the S2 building had answered his questions about this issue and that modification of the design on this point was not necessary.

2. A conceptual architectural plan for Parcel S1 should be provided. This building defines the northerly boundary of the public square and the southerly frontage on Atlantic Street, and

also adjoins an important portion of the waterfront. Active use should be provided along Atlantic Street at ground level and no parking garage floors should be exposed to view. The terminus of Atlantic Street at the Hurricane Barrier (City property) should be incorporated into the project in a meaningful way with, at a minimum, a pedestrian connection provided to the waterfront and to the public plaza area.

Detailed preliminary plans for Parcel S1, prepared by Pelli Clarke Pelli Architects and Perkins Eastman, have been prepared and submitted for review by staff and the Zoning Board. Sasaki Associates has also prepared a plan that demonstrates a proposed design for the Atlantic Street terminus. Final plans will not be complete for some time as Antares is seeking General Development Plan approval before finalizing all design issues related to Phase 1 buildings and layouts.

3. Strengthen the arrival point at Washington Blvd. and Atlantic St. and the connection into the public plaza area.

As with the items above, Antares agrees that this is an important design area. Revised plans that address this issue have been submitted.

4. Pacific, Manor and Harbor Streets should all connect through to the waterfront, and provide parallel public parking along both sides. By relocating garage access to these streets, it may be feasible to eliminate the roadway along the west side of Triangle Park.

Each of these streets in fact provides pedestrian access to the waterfront. Although Antares understands the goal of this comment, it believes that the pedestrian-friendly area and the extensive park realm would be adversely affected by the addition of vehicular traffic along these streets as well as the elimination of the roadway along the triangle park.

5. All parking garage floors should be located behind active uses of a building and completely screened from view from all streets and pedestrian areas.

All issues related to parking garage floors are addressed in response to Item 3 of the Current Submission section above.

PUBLIC ACCESS CONSIDERATIONS

1. All of the roadway and pedestrian walkways parallel to the hurricane barrier should be at or above the elevation of the barrier to provide open vistas of the waterfront and harbor. *Revised plans, designed as the result of design team meetings between land use staff and Sasaki, have been filed and included in the presentation to the Zoning Board. Antares believes that this current design satisfies the earlier concerns with respect to the road and walkway elevations.*

2. Public parking spaces should be provided on both sides of the hurricane barrier roadway, throughout its entire length.

This item has been incorporated into the revised plans.

Robert M. Stein, Jr.
Norman S. Cole
May 21, 2007
Page 4

3. Waterfront public access facilities need further improvement, incorporating opportunity for more types of public activities and uses, and points of interest on the waterfront. The general development plan should commit to providing public facilities (restrooms, drinking fountains, picnic tables, grills, shade structures) and other facilities and services to activate the public access space (kayak rental, fishing piers, bait/tackle kiosk, interpretive signage, transient dock space, public cruise boat dock).

Antares has incorporated these types of public facilities into its plans. The inclusion of these items is subject to review and approval by the Army Corps of Engineers and although Antares is optimistic about their inclusion, final resolution cannot be resolved at this time.

4. In-water docks and walkways warrant further improvement, with evidence of feasibility provided from OLISP and ACOE. Transient dock space and limited marina support facilities should be considered (pump-out, water, power). Potential cruise boat and/or ferry operations should be addressed. Boardwalk facilities immediately adjacent to the water's edge should be enlarged and placed at the lowest possible elevation, and equipped with kiosks and facilities to provide interest and support larger public gatherings. The design intent of the boardwalk extension north of the plaza should be clarified.

Several of these items related to marina uses are currently in place at the Yacht Haven marina and will remain in place under the Antares' proposal. The current plan does provide transient marina spaces and the revised Sasaki plans dated April 27, 2007 address the other issues.

5. Consideration should be given to sloping or stepping the plaza elevation from 20 feet to 17 feet toward the water, to maximize water views.

This item is addressed in response to Item 1 of this section.

6. The end of the public plaza and boardwalk connection to the water's edge is a major focal point warranting further study to articulate a clear function and purpose. Extending the alignment of the plaza to the water's edge should be considered. The rip rapped face of the hurricane barrier should be filled and landscaped.

This item is addressed in response to Item 1 of this section.

BOAT YARD

1. What development activities, alterations and/or new uses are proposed for the Boat Yard property? What is the meaning of "Brewers Point" (location #7 shown on 3/13/07 submission)?

All existing boatyard and marina operations will remain in place under the current proposal, without the addition or elimination of any operations. The notation about Brewers Point has been removed from the plan sheet.



INFORMATION DEFICIENCIES

1. Accurately delineate any streets, open spaces, public access areas or other easements or land rights to be conveyed to the City.

Plans prepared by Sasaki and submitted to your office as full sized plans on May 7, 2007 now delineate these areas.

2. Identify proposed non-residential uses with more specific categories (office, hotel, restaurant, ground floor retail, neighborhood retail/convenience uses) and locate on building floor plans showing the amount and category of uses.

Much of this information is located in the initial submission materials prepared by Cooper Robertson & Partners and remains unchanged. Additional detail for the Y&T site, specifically a proposed merchandising plan, is currently being prepared.

3. Provide accurate perspective drawings, renderings and/or photo-realistic simulated views taken from pedestrian eye level, showing the scale and relationship of buildings, principal streetscapes, open spaces and off-site private development.

These materials have been prepared by Pelli Clarke Pelli, Perkins Eastman, and Sasaki Associates and were presented at the public hearing. Additional renderings depicting the Y&T proposal are in the submitted materials and are currently being developed for presentation at the public hearing continuation after tonight.

4. Locate buildings taller than eight (8) stories on the site plan.

A height diagram is included in the Cooper Robertson materials submitted with the application package. Detailed plans are currently being prepared to illustrate one of several options that could be built under the proposed zoning regulations and design guidelines.

5. Define the scope of improvements to be performed outside the Antares property. *A simple plan illustrating these improvements will be prepared and submitted shortly.*

6. Document the requirements/restrictions of the Army Corps of Engineers regarding alterations to the Hurricane Barrier and required maintenance access, with current contact staff at the ACOE.

The design team has been working with representatives of the Army Corps to document these issues. A meeting was held in early May that was attended by Army Corps staff, representatives of Antares and City land use staff to discuss the current proposal and the work associated with that plan. Army Corps representatives indicated their approval of the plan, subject to final application review.

7. Document the approved remediation plan, with current contact staff at the Connecticut Department of Environmental Protection.

The portion of the development area encompassed by the earlier "Admirals Wharf" plan has an approved Remedial Action Plan in place. Attached for your review are letters from Louriero Environmental Associates regarding the status of the remediation activities on the

Robert M. Stein, Jr.
Norman S. Cole
May 21, 2007
Page 6

properties. All remedial action plans will be prepared by June 15, 2007, with remediation scheduled to commence at the end of June. Our contact at DEP is Graham Stevens (860-424-4166).

8. Identify any requested divisions of the site intended for conveyance and separate ownership, where conveyances will occur prior to the approval of final site and architectural plans.

The site will be a Planned Unit Development with a condominium ownership structure. Antares is not requesting any division of the site.

9. Provide a phasing plan and development timetable that encompasses the full build-out. *Phase I of the Harbor Point and Y&T developments is tentatively scheduled to begin in this fall. Approximately 890 residential units will be constructed at Harbor Point, with another 175 units at the Y&T site in the renovated Mill Building. With respect to non-residential uses in Phase I, neighborhood retail of 65,000 square feet will be developed at Y&T. The large format retail may be constructed in Phase I if tenants are located. At Harbor Point, office (100,000 square feet), retail (58,000 square feet) and hotel (150 rooms) uses are proposed for development in Phase I.*

In addition, Phase I will include the waterfront improvements (subject to certain Army Corps of Engineers permits), the "V" park, and the southwestern portion of the "Teardrop" park. The "green" at Y&T will also be part of Phase I improvements, as will most of the public infrastructure.

Later phases of both residential and non-residential development will proceed as the market allows.

10. It would be useful to compare the proposed public square and open spaces to existing open spaces within the City of Stamford.

During the April 30 public hearing, Richard Redniss included this comparison in his presentation. If you or the board members would like additional details, Antares would be happy to provide them.

I trust that this letter, along with the revised and updated plan, respond to your concerns. We look forward to continuing discussion of the process.

Sincerely,



William J. Hennessey, Jr.

cc: J. Freeman



Loureiro Engineering Associates, Inc.

April 10, 2007

Antares Yale & Towne SPE, LLC
740 Pacific Street
Stamford, Connecticut 06902

Attn: John Freeman, Vice President and General Counsel

RE: Brownfield Redevelopment Status
Antares Yale and Towne Site
Stamford, Connecticut

Dear Mr. Freeman:

This letter provides a status update to our correspondence of November 20, 2006 related to the ongoing Brownfield redevelopment activities for the Antares Yale and Towne property located in Stamford, Connecticut (hereinafter referred to as the "Site"). The DEP delegated the investigation and remediation of the Site to a Licensed Environmental Professional (LEP). As such, the DEP does not formally approve the investigation or remediation for this parcel. Additional investigations and remediation have been ongoing on the Site since August 2006. The conceptual Remedial Action Plan (RAP) has been reviewed with the DEP and the final RAP is currently underway and will be completed by June 2007.

Should you have any questions regarding the information provided in this letter report, please contact me at 860.410.2960.

Sincerely,
LOUREIRO ENGINEERING ASSOCIATES, INC.

George F. Andrews, P.E., L.E.P.
Senior Project Manager



Loureiro Engineering Associates, Inc.

April 10, 2007

Antares Admirals Wharf SPE, LLC
Antares Walter Wheeler Drive SPE, LLC
740 Pacific Street
Stamford, Connecticut 06902

Attn: John Freeman, Vice President and General Counsel

RE: Brownfield Redevelopment Status
Harbor Point
Stamford, Connecticut

Dear Mr. Freeman:

This letter provides a status update to our correspondence of November 20, 2006 related to the ongoing Brownfield redevelopment activities for the Antares Admirals Wharf and the Antares Walter Wheeler Drive properties located in Stamford, Connecticut (referred to collectively as Harbor Point).

As previously summarized, a Remedial Action Plan (RAP) was approved by the Department of Environmental Protection (DEP) on April 27, 2005 for the Antares Admirals Wharf site. Additional investigations have been completed and an amendment to the approved RAP will be prepared and submitted to the DEP within the next month. We are confident that the RAP amendment will be approved by the DEP by June 2007.

The DEP delegated the investigation and remediation of the Antares Walter Wheeler Drive site to a Licensed Environmental Professional (LEP). As such, the DEP does not formally approve the investigation or remediation for this parcel. Additional investigations and remediation have been ongoing on this site since acquisition. The RAP is currently underway and will be completed by June 2007.

Should you have any questions regarding the information provided in this letter report, please contact me at 860.410.2960.

Sincerely,
LOUREIRO ENGINEERING ASSOCIATES, INC.

George F. Andrews, P.E., L.E.P.
Senior Project Manager

June 8, 2007

Ms. Phyllis Kapiloff
Chair, Stamford Zoning Board
888 Washington Blvd.
Stamford, Connecticut 06904-2152

Subject: Application by Antares Stamford Waterfront Manager LLC and its related companies to amend and apply the Stamford Zoning Regulations concerning the South End Redevelopment District, South.

Dear Ms. Kapiloff:

The Harbor Management Commission has reviewed the application to the Zoning Board by Antares Stamford Waterfront Manager LLC and its related companies (Antares) to amend the Stamford Zoning Regulations concerning the South End Redevelopment District, South (SRD-S) and to apply that district to several properties in the South End, including two prominent waterfront parcels: 1) the property known as the "HELCO" or Admiral's Wharf site adjoining the west branch of Stamford Harbor; and 2) the boatyard located on the peninsula south of the Stamford hurricane barrier (boatyard).

The proposed zoning amendments were described to the Commission by the applicant during the Commission's meeting of May 19, 2007 and were the subject of a special meeting of the Commission on June 6, 2007.

The applicant is aware that the Commission is preparing a Harbor Management Plan for the City of Stamford as authorized by Section 22a-113m of the Connecticut General Statutes and Stamford Ordinance No. 1021. Following approval and adoption of the plan by the State of Connecticut and Board of Representatives, respectively, it will be the responsibility of the Commission to review and make recommendations, consistent with the plan, on any proposal affecting the real property on, in, or contiguous to Stamford Harbor, including proposals received by the Zoning Board and any other City, state, or federal agency.

At this time, prior to approval and adoption of the plan, the Commission wishes to transmit the following comments to the Zoning Board regarding the Antares proposal for amending the Zoning Regulations. Our comments are directed primarily toward the effect of the proposed zoning amendments on the boatyard site which is uniquely qualified for water-dependent uses for which there are clear and significant demands. Access to the harbor from the HELCO site is affected by the presence of the hurricane barrier. As a result, coastal management issues concerning future water-dependent land uses are less pressing with regard to the HELCO site than they are for the boatyard at the present time.

COMMENTS:

1. Due to the size and location of the HELCO and boatyard sites, the disposition of these properties should be expected to have a profound and lasting impact on the future of not only the South End but also the entire Stamford Harbor and its waterfront.
2. The boatyard has extensive frontage on and direct access to the Federal navigation channel in the West Branch of Stamford Harbor. The site was created by landfill for use by boating industries and has been continuously used for such purposes. It was occupied for many years by the Luders Marine Construction Company and in more recent years by one of the largest boatyard and marina facilities on Long Island Sound. A 1983 study prepared for the Stamford Planning Board found, based on cumulative consideration of the number of berthing slips provided, winter storage capacity, and the annual number of boat services and repairs carried out, that the facility at that time was perhaps the largest privately-operated boatyard/marina for the service of pleasure boats on the entire East Coast.
3. The facilities currently provided on the boatyard site, including facilities for the service, repair, and storage of vessels of all sizes, distinguish the existing business on this property from all other water-dependent businesses in Stamford. In fact, the current water-dependent business on the site is now the only boatyard operation in Stamford. The other boatyards that once existed in the City have long since been replaced by commercial office or waterfront condominiums now providing only marina facilities for the docking of boats. Many of those docked boats rely on the service, repair, and storage facilities provided at the boatyard. It is fair to say that Stamford's reputation as a boating center in western Long Island Sound is due primarily to the marine services historically and currently provided on the boatyard site.
4. The Connecticut Coastal Management Act (CCMA) and Stamford's Municipal Coastal Program (MCP) establish strong policies whereby land use plans, regulations, and decisions must give priority and preference to water-dependent uses that require direct access to, or location in, marine or tidal waters.
5. The boatyard site has been the subject of considerable attention by City planning and zoning officials dating back to the early 1980's when Stamford developed its MCP. The City's previous coastal management studies and planning documents identify continuation of a boatyard facility on the boatyard site as a high priority among all public objectives for the Stamford waterfront. Public comments heard by the Commission in the course of its work on the Harbor Management Plan have also emphasized the need for retaining the boatyard services on the site.
6. The pending Harbor Management Plan prepared by the Commission and now in draft form contains a number of provisions applicable to the boatyard, including the following provision supporting continuation of the existing level of boatyard services on the site.

The authority and provisions of the Harbor Management Plan, Master Plan, Zoning Regulations, and Connecticut Coastal Management Act should be applied to: a) encourage and support the continued operation and enhancement of existing water-dependent uses; b) encourage and support the development of appropriate new water-dependent uses; and c) review any plans and proposals for new uses. Future

development projects that may affect established water-dependent uses should not result in significant reduction of available recreational boating services, including marine trades, on waterfront properties adjoining the West Branch. [emphasis added.]

7. The proposed amendments to the SRD-S zone as it would affect the YHW site include amendments to Section 4 concerning permitted uses. A number of nonwater-dependent uses would be allowed on the site and Section 4.d would allow the Zoning Board to authorize the modification of an existing water-dependent use provided that certain conditions are met, including but not limited to submittal by the applicant of a market study and analysis concerning the site's potential to support a water-dependent use under the existing zoning.
8. Given the importance of the existing boatyard services to the local recreational boating community and regional boating industry, the Commission recommends that Section 4.d of the proposed zoning amendments be strengthened to ensure that any future modification of existing water-dependent uses on the boatyard site does not result in any significant reduction of available recreational boating services, including but not limited to boat storage, service, and repair facilities. Further, the Commission recommends that Section 4.d specify that existing water-dependent uses may not be replaced by nonwater-dependent uses even if said replacement uses provide public access to marine and tidal waters. *

Thank you for the opportunity to comment on this important matter. We look forward to continuing to work with the Zoning Board to ensure that Master Plan, Zoning Regulations, and Harbor Management Plan are implemented in the most effective manner to achieve the City's goals for use and conservation of the Stamford waterfront.

If you have any questions or require any additional information, please call me at (203) 356-8742.

Sincerely,



Roger Fox
Chairman

SANDAK HENNESSEY & GRECO LLP
C O U N S E L O R S A T L A W

707 Summer Street Stamford, CT 06901-1026
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June 18, 2007

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Brian A. Daley*

* Also Admitted in New York

Mr. Norman Cole
Principal Planner
City of Stamford
888 Washington Boulevard
Stamford, CT 06901

**Re: Application 206-59
SRD-South – Response to OLISP Letter**

Dear Mr. Cole:

The purpose of this letter is to respond to concerns raised by the Office of Long Island Sound Programs (OLISP) in its letter from Brian P. Thompson dated May 21, 2007.

 As you know, my client is quite aware of the desire of the city and state to maintain the boatyard. In fact, no plan filed by Antares with the Zoning Board involves eliminating any water dependent uses including the boatyard. This has been in part due to several early discussions with members of the Land Use Bureau. Mr. Thompson's statement that his department is concerned in part by the number of "as of right" uses contained in the proposed SRD-South regulation indicates a misunderstanding of the zoning technique and present uses allowed. It must be pointed out that all uses are subject to Zoning Board approval. More importantly, his letter fails to note that the boatyard, unlike all of the other Antares holdings, remains in Master Plan Category 13 (Mixed Use – Shorefront.) This too is in recognition of both the Planning Board's and the Zoning Board's opinion that the water dependent nature of the boatyard on the 14 acre peninsula is important. Moreover, OLISP's concern about the inclusion in the SRD-S text citing standards for the elimination or reduction of a water dependent use seems misplaced insofar as the idea for including those standards was offered by you in order to protect the water dependent uses and already exists in the DWD, which is the current zone for the Marina.

Mr. Thompson is correct in that OLISP did support the Admirals Wharf project. His suggestion that Antares deed restrict the property is clearly misplaced because under Connecticut law, deed restrictions cannot be imposed in connection with zoning approvals. In Bartsch v. Planning & Zoning Commission of the Town of Trumbull Conn. App. 686 (1986), the court found the imposition of a deed restriction by a planning & zoning commission was a violation of Connecticut General Statute CGS 8-2 and a violation of public policy. In Bartsch, the deed restriction was declared void.

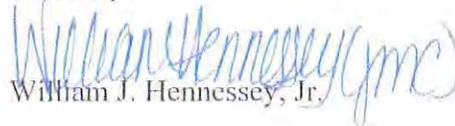
Regarding Mr. Thompson's concern regarding the location of the setbacks of buildings from the Hurricane Barrier on the Helco property, I note that the Antares plan contains setbacks which exceed the 30 foot setback from the Hurricane Barrier he suggested and, in fact, in recent design meetings my client has been encouraged by your staff to move the buildings closer to the Hurricane Barrier.

His final comment that there should be a separation of use between the public access component and private component is unacceptable to my client as we believe there should be a fully integrated "neighborhood" and that the public and private realms should be as seamless as reasonably possible. While certainly entrances to residential buildings will be reserved for those residents, Antares believes there should be a minimal number of barriers separating the public access from residential uses.

In summary:

- 
1. The proposal for both Text Change and General Site Plan approval pending before the board for the Harbor Point project proposes to maintain the boatyard in its entirety on the 14 acre parcel and utilizes all non-water dependent development rights on other portions of the property, thereby adequately protecting the boatyard from the development. Furthermore, the text is purposely written to give the Zoning Board full control and set standards for any further modification of the boatyard and water dependent uses in general. The proposed text is the same as the existing DWD text that currently governs the use of the Marina. Any application to modify the boatyard operation would be by way of a modification of a General Development Plan giving the zoning authorities the highest level of discretionary control. Furthermore, any change to the boatyard would require a new coastal site plan application which would, of course, be referred to OLISP.
 2. Setbacks for residential uses from the top of the Hurricane Barrier exceed those recommended by OLISP.
 3. Unlike OLISP, Antares believes that the residential neighborhood and public access components should be fully integrated.

Sincerely,


William J. Hennessey, Jr.

WJH/jmc

cc: Development Team

Received after the Public Hearing



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Norman Cole
Principal Planner
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

June 25, 2007



Re: **Appl. 206-58, Zone Map Change-Antares Stamford Waterfront Manager LLC**

Dear Mr. Cole,

Thank you for the opportunity to review and comment on the above-referenced proposal at such short notice. We have reviewed the application materials prepared by Antares Stamford Waterfront manager LLC for consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA)[CGS Sections 22a-90 through 22a-112, inclusive] and offer the following comments for your consideration.

In a letter dated **May 21, 2007** (see enclosure) the Director of OLISP Mr. Brian P. Thompson, expressed concerns with pending Application 206-59, the text change proposal that would rezone most of the Antares development area in southern Stamford, including the boat yard parcel to a newly proposed South End Redevelopment District (SERD-S). SERD-S includes more than 150 uses, a handful of which are water-dependent uses.

Application 206-58 proposes a zone map change for 60 acres of property in southern Stamford currently zoned as Designed Waterfront District (DW-D), General Industrial (M-G), Multiple Family Residence Design (R-MF) and Coastal Water Dependent (C-WD). OLISP's concerns with this proposed zoning map change of the boatyard parcel (DW-D) systematically coincide with comments made regarding Application 206-59. Although the boatyard parcel is contiguous to the 60 developable acres that would potentially comprise the new SERD-S zone, it must be acknowledged that this 14+/- acre parcel is unique in its location, characteristics and existing uses and therefore is vastly different from the other parcels cited for the zone/zone map amendment. First and foremost, the site is appropriately and entirely devoted to an existing water-dependent use that has operated for decades. Additionally, the site is waterfront, in a coastal hazard zone and waterward of a hurricane barrier, rendering it inappropriate for residential development. As stated in the May 21, 2007 letter we are concerned that applying this multiple use zone to a site zoned for water-dependent uses could represent an adverse impact to existing and future water dependent uses. We are consistently puzzled that Antares, whilst reassuring us that non-water dependent uses will not be developed on the boatyard parcel, continue to press for rezoning this site for non water-dependent uses.

In a letter dated **August 3, 2006** (see enclosure) Mr. Thompson articulated concerns about Antares' proposed amendment MP-390 to the Stamford Master Plan which sought to change the boatyard parcel from its existing Master Plan (MP) Category 13 (Mixed-

Use Shorefront) to a Category 12 (Mixed-Use Overlay). OLISP recommended that the Category 13 designation be retained in order to promote and protect existing and future water-dependent opportunities. OLISP met with Antares on August 23, 2006 and reiterated that replacing all or portions of the existing boatyard with non-water dependent uses is clearly inconsistent with the water dependent use policies and standards of the CCMA. We followed the meeting up with a letter dated **August 29, 2006** (see enclosure) to reinforce this. Antares then sought to amend the text of MP Category 12 to include some language from the MP Category 13 in order to apply it to the boatyard parcel. In a letter dated **September 5, 2006** (see enclosure) OLISP contended that the proposed text would undermine the protection of water dependent uses clearly delineated in the then-existing MP Category 13 and recommended a modification of the proposed text so the language regarding water dependent uses would be more clearly stated.

We are reiterating our recommendation that the Board deny without prejudice the proposal to amend the existing zoning and zone map of the boat yard parcel from a D-WD district to a SERD-S district. We are also recommending that the boatyard parcel be rezoned instead from a D-WD district to a CW-D district. OLISP contends that the stronger emphasis on water-dependent uses present in the language of the CW-D district will be necessary to protecting this site, which has been and is continuously threatened by non water-dependent development. Prior to any approvals of zone changes the Board should carefully consider the justification for rezoning the boatyard parcel to a zone that includes a multitude of non water-dependent uses, given that Antares intends to maintain the existing water-dependent uses.

We hope that our comments have been helpful to the Board. If you have any questions regarding this or any other coastal management concerns, please feel free to contact me at (860) 424-3034 or at Kristal.Kallenberg@po.state.ct.us.

Sincerely,



Kristal Kallenberg
Environmental Analyst
Office of Long Island Sound Programs

Enclosures: Letter dated August 3, 2006
Letter dated August 29, 2006
Letter dated September 5, 2006
Letter dated May 21, 2007



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



August 10, 2007

Stamford Zoning Board
c/o Mr. Norman Cole
Principal Planner
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

RE: **Stamford Zoning Decision- June 25, 2007, Application 206-59**

Dear Board Members

I am writing to express the Department's concerns regarding the future of water-dependent uses of the site that is presently Brewer's Yacht Haven West Marina. On June 25, 2007 a proposal to rezone 60 acres of Stamford's south end to a new South End Redevelopment District-South (SERD-S) zone was approved by the Stamford Zoning Board. This acreage included the Admiral's Wharf and the Brewers Yacht Haven West Marina parcels that were previously zoned as Designed Waterfront Districts (D-WD). The approved SERD-S zone allows more than 150 new non-water-dependent uses as-of-right that were not permitted under the D-WD. As you know, the Office of Long Island Sound Programs (OLISP) has diligently worked with the City to preserve the boat yard property as a water-dependent use for many years.



We have made it clear in numerous letters over the past year and in meetings with Antares representatives that any zone changes proposed for the marina parcel that permit uses other than water-dependent uses would represent an adverse impact to existing water dependent uses. We believe the Board missed an opportunity to permanently preserve the boat yard parcel for a water-dependent use by not working to change its zoning designation to Coastal Water-Dependent (C-WD) as recommended by OLISP. By so doing, the water-dependency of the parcel would have been more effectively protected while uses that should not be allowed waterward of the hurricane barrier in a coastal flood hazard area would not be permitted as-of-right.

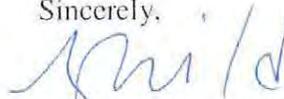
Accordingly, we strongly considered appealing the Board's decision because we believe this change opens the door to allowing future diminishment of the water dependency of the site. We decided not to move forward with an appeal, however, because we believe the intent of the Board was to preserve water-dependent use of the site. Additionally, we did not want to impede the many beneficial aspects of the overall Antares development project from moving forward. However, we remain highly concerned that changing the zoning designation of the parcel will open the door to future diminishment of water-dependent uses of the boat yard site. This is of prominent concern because of the clause that other less water-dependent uses may be proposed if the boatyard is deemed unviable. A patient landowner could create a climate where uncertainty of future plans would result in little capital investment in a working boatyard

thereby paving the way to alternate uses. Our concern regarding this is heightened by Antares declining to take action to assure us and the city that they do not intend to eventually develop the site with non-water-dependent uses, such as granting the boatyard a long-term lease or placing a deed restriction on the boatyard parcel restricting it to water dependent uses.

As always we will carefully review any future proposal to diminish the water-dependency of this unique parcel using all legal and permitting tools available to ensure development proceeds in a manner consistent with the Connecticut Coastal Management Act (CCMA) [CGD Sections 22a-90 through 22a-112, inclusive]. In addition, we stand ready to appeal a decision that results in diminishment of a water dependent use. 

We appreciate the Board's continued efforts to implement the water-dependent use policies and standards of the CCMA and look forward to coordinating with you in the future to ensure that the policies continue to be implemented as intended. If you have any questions regarding this or any other coastal management related issue, please contact Ms. Kristal Kallenberg of my staff with the Department's Office of Long Island Sound Programs at (860) 424-3034.

Sincerely,



Betsy C. Wingfield
Chief, Bureau of Water Protection
and Land Reuse

KK/JG/BCW

cc: John Freeman, Antares Stamford Waterfront Manager LLC
Roger Fox Chairman, Harbor Management Commission
Brian P. Thompson, Director, DEP-OLISP
Kristal Kallenberg, DEP-OLISP
John Gaucher, DEP-OLISP
Graham Stevens, DEP-Remediation

SANDAK HENNESSEY & GRECO LLP
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March 3, 2008

Norman Cole
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Amy E. Souchuns
Jacqueline N. Olschan*
Joanna M. Czekajewski
Susan R. Briggs*
Brian A. Daley*
Patrick J. Hanna*

*Also Admitted in New York

Re: Application of Antares Stamford Waterfront Manager LLC, Antares Walter Wheeler Drive SPE LLC and The Strand/BRC Group LLC for Amendment to the General Development Plan, Coastal Site Plan Approval and Final Site Plan Approval for "Harbor Point"

Dear Mr. Cole:

Enclosed please find applications to the Zoning Board submitted on behalf of Antares Stamford Waterfront Manager LLC, Antares Walter Wheeler Drive SPE LLC and The Strand/BRC Group LLC (collectively "Antares"). These applications relate to the mixed use development known as Harbor Point approved by the Zoning Board on June 25, 2007.

As you will recall, Antares received several approvals in connection with Harbor Point, including adoption of and zone change to South End Redevelopment District – South ("SRD-S"), coastal area plan approval and General Site and Architectural Plan ("GDP") approval. Since the time of these approvals, Antares has further developed and refined the portions of Harbor Point designated for construction in Phase I. Given the breadth of the development plan, the Zoning Board sought the opportunity to review and approve numerous design and use elements that had not been resolved at the GDP stage.

Antares now seeks Zoning Board approval of its revisions to the GDP as well as Final Site and Architectural Plan approval for the areas of Harbor Point identified as Blocks S1 to S5 (Harbor Point Square), Block C7 (Harbor Point Commons), the Waterfront Esplanade/Harbor Walk, the Commons Park and related public improvements. Antares submits a plan for Coastal Area Management approval as well as General Site and Architectural Plan Approval for Phase I of Harbor Point as amended. A detailed description of the plan and requested amendment is provided in Schedule C of the application materials.

We enclose 15 application binders with the following materials for submission to the Zoning Board with reference to the aforementioned applications, as well as full-size copies of the relevant architectural and engineering plans.

Mr. Norman Cole
March 3, 2008
Page 2

- Original Applications, submitted in duplicate:

- Application for Amendment to the GDP;
- Application for Final Site and Architectural Plan approval; and
- Application for Coastal Site Plan Review.

For clarity purposes, one set of Schedules that apply to each of the items indicated on the appropriate form is included in the application materials. These Schedules, lettered A through D, include ownership information, location information, intended uses, and titles of site and architectural plans.

- Three (3) checks representing the application fees as follows:

- \$200.00 for the Site and Architectural Plans filing fee;
- \$200.00 for the Coastal Site Plan review filing fee; and
- \$500.00 for the Public Hearing filing fee.

- The following site, landscaping and architectural plans:

Architectural Plans and Renderings, prepared by Perkins Eastman, dated March 3, 2008

- Cover Sheet
 - Aerial View from West
 - Hotel View at Dusk from Harbor
 - Harbor Square at Dusk
 - Harbor Walk Aerial View
- Block S1
- A-100 Basement Parking
 - A-101 Ground Floor Plan
 - A-102 Mezzanine - 2nd Level Parking
 - A-103 Second Floor - 3rd Level Parking
 - A-104 Third Floor - 4th Level Parking
 - A-105 Fourth Floor - Roof Terrace
 - A-106 Fifth through Eighth Floor (Typ.)
 - A-200 East and West Elevations
 - A-201 North and South Elevations
 - A-202 Exterior Wall Types
 - A-220 Building Sections
 - A-221 Building Sections

Mr. Norman Cole
March 3, 2008
Page 3

Block S2

- A-100 Ground Floor Plan
- A-101 Mezzanine
- A-102 Second Floor
- A-103 Third Floor
- A-104 Fourth Floor - Roof Terrace
- A-105 Fifth and Six Floor (Typ.)
- A-106 Mechanical Floor
- A-107 Roof Floor Plan
- A-200 Exterior Elevations
- A-201 Exterior Elevations
- A-220 Building Sections

Block S3

- A-100 Parking Level
- A-100A Overall Parking Level
- A-101 Ground Floor
- A-102 Second Floor
- A-103 Third Floor
- A-104 Fourth through Sixth Floor
- A-105 Seventh Floor
- A-106 Eighth Floor
- A-107 Ninth through Eleventh Floor
- A-108 Twelfth Floor
- A-109 Thirteenth floor
- A-110 Roof Plan
- A-200 Exterior Elevations
- A-201 Exterior Elevations
- A-202 Exterior Wall Types
- A-220 Building Sections
- A-221 Building Sections

Block S4

- A-100 Ground Floor and Roof Plan
- A-101 Ground Lvl Roof Deck & Floor Plan
- A-200 Building Elevations

Architectural Plans and Renderings, prepared by EDI Architecture, dated March 3, 2008

- A000 Cover Sheet, Sheet Index
- A002 Perspective Rendering

- A003 Perspective Rendering
- A004 Perspective Rendering
- A100 Site Plan
- A101 Ground Floor Plan
- A102 2nd Floor Plan
- A103 3rd Floor Plan
- A104 4th Floor Plan
- A105 5th Floor Plan
- A106 6th Floor Plan
- A107 7th-13th Floor Plan
- A108 14th-15th Floor Plan
- A401 North Building Elevation
- A402 West Building Elevation
- A403 East Building Elevation
- A404 South Building Elevation
- A411 Building Section

Landscaping and Public Access Plans, prepared by Sasaki Associates, dated March 3, 2008

- IP101 Illustrative Plan
- MP101 Materials Plan
- MP102 Materials Plan
- MP103 Materials Plan
- PP101 Planting Plan
- PP102 Planting Plan
- PP103 Planting Plan
- DT101 Site Details
- DT102 Site Details
- DT103 Site Details

Site Engineering and Utility Plans, prepared by Milone and MacBroom, Inc., dated March 3, 2008, entitled:

- C-01 Site Plan – Existing Conditions
- C-02 Site Plan – Existing Conditions
- C-03 Site Plan – Layout
- C-04 Site Plan – Layout
- C-05 Site Plan – Grading & Drainage
- C-06 Site Plan – Grading & Drainage

Mr. Norman Cole
March 3, 2008
Page 5

- C-07 Site Plan – Sediment & Erosion Control
- C-08 Site Plan – Utilities-1
- C-09 Site Plan – Utilities-2
- C-10 Pacific Street Plan and Profile (Southern)
- C-11 Pacific Street Plan and Profile (Northern)
- C-12 Plaza Drive Plan and Profile
- C-13 North Commons Road Plan & Profile
- C-14 North Commons Road Plan & Profile
- C-15 Site Details
- C-16 City of Stamford Site Details
- C-17 City of Stamford Site Details
- C-18 Soil Erosion and Sediment Control Details

Consultant Reports:

- Parking Management Plan, dated March 2, 2008 prepared by Walker Associates, Inc.
- Traffic Impact Study, prepared by EarthTech, dated February 2008
- Traffic Calming Implementation Plan, prepared by EarthTech, dated March 2008
- TOD Transit Management Plan, prepared by EarthTech, dated March 2008
- Below Market Rate Housing Plan, dated February 28, 2008
- Documentation of Remedial Action Plan approval
- Narrative descriptions of compliance with zoning conditions

We look forward to presenting this project to the Zoning Board. In order to confirm the availability of the development team, I look forward to advice as to when the public hearing will be scheduled. If you have any questions about this application or require additional information, please do not hesitate to call.

Sincerely,



William J. Hennessey, Jr.

WJH/ek
Enclosures

cc: Honorable Dannel P. Malloy
Development Team
Robin Stein

HARBOR POINT INTRODUCTION

Harbor Point, the mixed use development proposed by Antares Stamford Waterfront Manager LLC, The Strand/BRC Group, LLC and Antares Walter Wheeler Drive SPE, LLC, received General Development Plan ("GDP") approval by the Zoning Board on June 25, 2007. Since the time of these approvals, Antares has further developed and refined the portions of Harbor Point designated for construction in Phase I. Given the breadth of the development plan, the Zoning Board reserved the right to review and approve numerous design and use elements that had not been resolved at the GDP stage. In doing so, it imposed several conditions on the plan that mandated the submission of various documents in connection with a final plan application.

In order to demonstrate compliance with these conditions and create an orderly final plan submission, the application materials are organized by the GDP Condition to which they relate. Below is a chart that provides a brief description of each condition and the corresponding application book tab at which the relevant materials are located.

Condition and Description	Final Plan Submission
Condition 1: General Development Plan ("GDP") to Control Design	Satisfied
Condition 2: Buildings to substantially comply with "Design Guidelines"	Satisfied
Condition 3a: Submission of final site and architectural plans including landscaping plans, grading and erosion control plans for all the proposed portions of the site and for buildings proposed for development	See Tab A (architecture for Harbor Point Square), Tab B (architecture for Block C7), Tab C (landscaping), and Tab D (civil drawings, including grading and erosion control).
Condition 3b: Draft "Below Market Rate Housing" Affordability Plan	See Tab E.
Condition 3c: Construction sequence and timetable for development of Phase 1	See Tab F.
Condition 3d: Design for the traffic improvements outlined in GDP submission and source of funding for same	See Tab D (plans) and G (funding).
Condition 3e: Design for the stormwater and sanitary sewer improvements outlined in GDP submission and source of funding for same	See Tab D (plans) and G (funding).
Condition 3f: Plan showing new sidewalks, street trees and curbing outlined in GDP submission	See Tabs C & D.
Condition 4: Phase 1 submission to include "V" Park, Waterfront Esplanade, and western segment of "Teardrop Park"	An amendment to Phase I improvements is proposed. See Application Schedule C.
Condition 5: Parking amounts and parking layouts by Block	See Tab D.

Condition 6: Parking Management Plan	See Tab H.
Condition 7: <u>Conceptual plans to improve and insure the continued operation of the 14 acre boatyard as a working boatyard and full service marina</u>	See Tab I.
Condition 8: Construction of necessary sewer, storm water, street and traffic improvements to provide adequate capacity of service the requirements of the project	See Tab D.
Condition 9: Preliminary plan for a system of interpretive signage placed at various points along the public access area chronicling the coastal and natural habitats, natural resources, geologic and hydrologic processes, maritime history and development impacts affecting the Stamford Harbor	See Tab C.
Condition 10: Overall plan for the ownership, operation and maintenance of all proposed public access facilities and areas	See Tab K.
Condition 11: In-water improvements shall be accompanied by evidence of required permits from the Conn. D.E.P. and U.S. Army Corps	A meeting is scheduled for March 6, 2008 with D.E.P. and Army Corps of Engineers with respect to these issues.
Condition 12: Evidence of the required "remedial action plan" permit approval from the Conn. D.E.P.	See Tab L.
Condition 13: Phase 1 Final Plan shall include plans to implement a jitney transit system	See Tab M.
Condition 14: Participate in LEED ND Pilot and applicant's architect shall certify to the ZB that the project satisfies the requirements for LEED ND "Silver" Certification	Submission for LEED certification will be made during construction.
Condition 15: Payment of \$50,000 for Master Plan study of the Stamford Transportation Center	In accordance with the condition requirements, payment will be made prior to the issuance of any building permits.
Condition 16: Integrate City's Traffic Calming Master Plan	See Tab N.
Condition 17: Record approved GDP and Design Guidelines on Stamford Land Records	GDP and Design Guidelines have been reviewed by staff and will be recorded on the land records prior to the start of the public hearing.
Condition 18: Applicant shall file a written certification with the Land Use Bureau, executed by the Applicant, that the Block to be conveyed, as well as all remaining Blocks in the Zoning Tract, will remain in compliance with the GDP approval and conditions and these Regulations	All property remains under Antares' ownership.

Boatyard Plan

Since the approval of the General Development Plan (GDP), and in accordance with Condition 7 of the GDP, the applicant has engaged Sasaki Associates to produce a Conceptual Site Plan for an improvement of the 14-acre boatyard property. Sasaki has coordinated with the current lessee to understand the boatyard operation requirements and desires as well as with the Department of Environmental Protection (DEP) to ensure that the conceptual site plan accommodates necessary activities to remediate contaminated soils on site.

Also, Antares has secured from the DEP a Certificate of Permission to repair bulkheads in need of immediate repair and plans to undertake that work imminently. Antares, together with the current lessee, continues to work on securing permits from the DEP that would allow the site plan dated August 2, 2007, prepared by Sasaki Associates (attached) to be constructed.



Department of Economic and
Community Development

Connecticut
still revolutionary

June 5, 2013

VIA EMAIL

Cynthia Reeder

Re: Freedom of Information Request –Bridgewater FM - 201300017

Dear Ms. Reeder:

I received your email referenced above. Please note that although many records and files of a state agency are available to the public for review or copying, there are a number of categories of documents that the public cannot require an agency to disclose. Conn. Gen. Stat. § 1-210(b) begins with the introductory phrase "Nothing in the Freedom of Information Act shall be construed to require disclosure of." In particular, Conn. Gen. Stat. §1-210(b) (24) provides that disclosure of the following cannot be compelled:

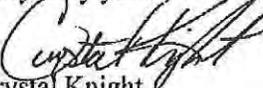
Responses to any request for proposals or bid solicitation issued by a public agency or any record or file made by a public agency in connection with the contract award process, until such contract is executed or negotiations for the award of such contract have ended, whichever occurs earlier, provided the chief executive officer of such public agency certifies that the public interest in the disclosure of such responses, record or file is outweighed by the public interest in the confidentiality of such responses, record or file.

Please note that the contract award process has not concluded. The letter of 8/12/2012 references financial assistance contemplated by the state, but the terms have not yet been negotiated and no contracts for such financial assistance have been drafted by or on behalf of the agency. It has been the long-established policy of the agency, consistent with the Freedom of Information Act, not to disclose any such information until the earlier of the completion of the contract award process or negotiations for the award have concluded.

Accordingly, this will provide DECD's certification, in accordance with Conn. Gen. Stat. §1-210(b)(24), that the public interest in the disclosure of the document that you requested is outweighed by the public interest in maintaining their confidentiality at this time.

However, please see the attached document, which is a copy of a press release issued by Governor Dannel P. Malloy on August 15, 2012. In reviewing the letter dated 8/12/2012 and the press release, we have determined that much of the information in the letter is contained in the press release and have included it here in the hopes that the information contained therein is helpful to you. Should you have any questions on this matter, please contact Amy Filotto, DECD's Legal Counsel and FOI Officer, at amy.filotto@ct.gov or (860) 270-8062 or me.

Very truly yours,


Crystal Knight
Paralegal Specialist
Legal Division
P (860) 270-8225
F (860) 270-8016
crystal.knight@ct.gov

Cynthia Reeder

From: Tereso, Nelson G <Nelson.G.Tereso@ct.gov>
Sent: Tuesday, June 18, 2013 9:11 AM
To: 'Cynthia Reeder'
Cc: Clark, Colin
Subject: RE: Strand/BRC
Attachments: Application to DEEP 6-29-12.pdf; RAP Amendment Approval.pdf

Cynthia – I have attached our application dated 7/2/12 to DEEP to renew our General Permit for the FMC. For this General Permit, a certification or permit is not issued like it would be issued for an Individual Permit Submission for Flood Management.

Under this General Permit, DECD will review the application package to ensure that required general certification conditions are satisfied. DECD will then sign the Professional Certification Form and send a copy of the general permit package to DEEP for their records. The project receives flood management permit/certification on the date that DEEP receives the signed copy of the general permit package from DECD (stamped date of receipt).

For this project, an individual permit was initially submitted in lieu of a general permit package. After it was discussed between DEEP and DECD staff that certain activities were eligible to fall under this General Permit, a letter to DEEP was submitted indicating such.

In regards to the documents that outline the remediation work, the most recent property transfer to The Strand/BRC in August 2008 was subject to Connecticut's property transfer law, and site investigation and clean-up oversight has been delegated to a Connecticut LEP. The Strand/BRC is conducting environmental remediation activities in accordance with the September 19, 2012 Remedial Action Plan (RAP) Amendment prepared by Fuss & O'Neill and submitted to DEEP. On October 26, 2012, the DEEP issued a letter indicating that the RAP amendment was acceptable.

I have also attached the RAP amendment and letter issued by DEEP. The reason it's say draft was because this was included as part of the draft individual permit that was discussed with DEEP at our pre-application meeting before the determination was made that the remediation and bulkhead replacement work could fall under the FMC General Permit.

Nelson Tereso
Project Manager
Office of Financial & Technical Review
State of Connecticut
Department of Economic & Community Development
505 Hudson Street
Hartford, CT 06106-7106

Telephone - (860) 270-8213
Fax - (860) 270-8157
nelson.g.tereso@ct.gov



Follow DECD on  

From: Cynthia Reeder [<mailto:ckreeder@mindspring.com>]
Sent: Tuesday, June 18, 2013 12:21 AM
To: Tereso, Nelson G
Cc: Clark, Colin
Subject: RE: Strand/BRC

Nelson,

Thank you for the documents that you provided. However, they don't appear to include the information that I requested, which was the certification or permit issued for the remediation work now being done on the 14-acre site of the proposed Bridgewater HQ building.

The July 24 letter from Denise Ruzicka to Maya Loewenberg that you provided references "certification submitted on July 2, 2012". I would like to receive this July 2, 2012 document and the actual certification or permit document that outlines the remediation work that was approved by the DEEP on the 14-acre parcel.

Thank you,
Cynthia Reeder

From: Tereso, Nelson G [<mailto:Nelson.G.Tereso@ct.gov>]
Sent: Monday, June 17, 2013 11:46 AM
To: 'Cynthia Reeder'
Cc: Lettieri, Michael J
Subject: RE: Strand/BRC

As requested.

Nelson Tereso
Project Manager
Office of Financial & Technical Review
State of Connecticut
Department of Economic & Community Development
505 Hudson Street
Hartford, CT 06106-7106

Telephone - (860) 270-8213
Fax - (860) 270-8157
nelson.g.tereso@ct.gov



Follow DECD on  

From: Cynthia Reeder [<mailto:ckreeder@mindspring.com>]
Sent: Monday, June 17, 2013 11:02 AM
To: Tereso, Nelson G
Subject: Strand/BRC

Per our conversation, please forward a copy of the current general permit for the Strand/BRC site.

Thanks,
Cynthia Reeder

DRAFT



FUSS & O'NEILL

Disciplines to Deliver

September 19, 2012

Mr. William Buckley, Jr., P.E.
Harbor Point Development LLC
100 Washington Boulevard, Suite 200
Stamford, CT 06092

RE: Remedial Action Plan Amendment
Admiral's Wharf 14-Acre Parcel
Stamford, Connecticut
Remediation Number: 9147

Dear Mr. Buckley:

Fuss & O'Neill has prepared this letter on behalf of the Strand/BRC Group, LLC to describe modifications to the existing Remedial Action Plan (RAP) for the above-referenced Site (shown on *Figure 1*). The Site was most recently transferred to Harbor Point Holding Company LLC in August 2008. The property transfer was subject to Connecticut's property transfer law, and site investigation and clean-up oversight has been delegated to a Connecticut Licensed Environmental Professional (LEP) by the Connecticut Department of Energy and Environmental Protection (DEEP). The original and proposed strategies for meeting objectives in Connecticut's Remediation Standard Regulations (RSRs) are presented in the following sections.

Original RAP Strategy

The DEEP has issued the following approvals associated with the RAP for the Admiral's Wharf 14-Acre Parcel (approvals included in *Attachment A*):

146 Hartford Road
Manchester, CT
06040-5921

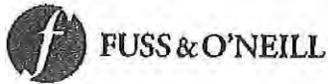
t (860) 646-2469
(800) 286-2469
f (860) 533-5143

www.FandO.com

Connecticut
Massachusetts
New York
Rhode Island
South Carolina

Approval Date	Nature of Approval
---------------	--------------------

<u>June 15, 2007 (DEEP)</u>	<i>Remedial Action Plan, Proposed Admiral's Wharf Development, 14-Acre "Strand" Property (Fuss & O'Neill, 2001)</i>
	<i>Remedial Action Plan Addendum, Antares Admirals Wharf 14-Acre Parcel (LEA, 2007)</i>
	<i>Engineered Control Variance Request, Connecticut Light and Power Company, 14-Acre "Strand" Property (Fuss & O'Neill, 2004)</i>
	<i>Addendum to Engineered Control Variance Request, Antares Admirals Wharf 14-Acre Parcel (LEA, 2007)</i>
June, 2010 (DEEP)	<i>Certificate of Permission, Brewers Yacht Haven West to install sheet pile bulkheads along the eastern, western, and southern portions of the Site to an elevation of 10 feet (also approved by the U. S. Army Corps of Engineers on January 18, 2012)</i>
Modified July 26, 2010	



FUSS & O'NEILL

Mr. William Buckley
September 19, 2012
Page 2

Approval Date	Nature of Approval
December 30, 2011 (DEEP)	<i>Engineered Control & Remedial Action Plan Amendment (Fuss & O'Neill, 2011)</i> <i>Supplemental Information, Engineered Control & Remedial Action Plan Amendment (Fuss & O'Neill, 2011)</i>

Remedial actions proposed in the 2001 and 2007 RAP included the construction of an impermeable engineered control over the "MGP-Impacted Area" and the excavation of up to 6,000 cubic yards of soil from the "Impacted Fill Area" that did not meet either the residential direct exposure criteria (DEC) or GB pollutant mobility criteria (PMC) (see *Figure 2* for the referenced "Impacted Areas"). Existing site grades were to be maintained in both areas.

The 2011 modifications to the RAP included raising site grades above elevation 14 with soil from off-site. An impermeable engineered control would still have been constructed over the MGP-Impacted Area; however, the "Impacted Fill Area" would have been rendered inaccessible by the additional fill and no further active remediation would have been necessary. An ELUR was to be filed to prohibit unauthorized disturbance of the engineered control and inaccessible soil.

Proposed RAP Modification

At both the MGP-Impacted Area and Impacted Fill Area, the revised remedial strategy is anticipated to eliminate the need for an engineered control and address soil exceeding RSR criteria through a combination of excavation and rendering soil inaccessible. In addition, soil/material generated during construction activities in adjacent areas (e.g. bulkhead oversheeting, estuary restoration, and other waterfront-related activities) will be properly characterized and managed. *Figure 2* depicts a conceptual plan for remediating soil.

MGP-Impacted Area

Historical data indicates that soil throughout the MGP-Impacted Area exceeds the GB PMC, residential DEC, and industrial/commercial DEC. Soil above the seasonal high water table in the MGP-Impacted Area will be excavated to address the GB PMC. The residential DEC will be addressed by rendering the remaining soil inaccessible by one of the following methods:

- Constructing a building(s) over the impacted soil
- Excavating at least two feet of soil and covering the remaining soil with a minimum of two feet of fill that meets RSR criteria and a minimum of three inches of bituminous pavement
- Excavating at least four feet of soil and covering the remaining soil with a minimum of four feet of fill that meets RSR criteria.



Mr. William Buckley
September 19, 2012
Page 3

Redevelopment plans are still in progress; therefore, the configuration of buildings, pavement, and landscaping will be further defined when construction plans are completed. Excavated soil will be sampled and disposed of in accordance with state and federal regulations based on the analytical results. Following remediation, an environmental land use restriction (ELUR) will be recorded on the City of Stamford land records to prohibit the disturbance of the inaccessible soil.

Interim Boat Yard

Remediation will be sequenced to facilitate the continued operation of an interim boat yard on the northwest portion of the Site. The Impacted Fill Area and southern and eastern portions of the MGP-Impacted Area will be excavated first. Once excavation has been completed in those areas, the interim boat yard facilities will be removed/relocated and remediation will commence on the northwestern portion of the Site.

Impacted Fill Area

Site investigations have indicated that soil and fill materials in the Impacted Fill Area exceed the residential DEC but not the GB PMC. The residential DEC will be addressed by rendering the remaining soil inaccessible by one of the methods described above (building(s) construction, pavement and two feet of fill, and/or four feet of fill).

Excavated soil will be sampled and disposed of or reused in accordance with state and federal regulations based on the analytical results. If soil meets applicable RSR criteria, it may be reused on-site. Following remediation, an environmental land use restriction (ELUR) prohibiting the disturbance of the inaccessible soil at the Site will be submitted to the DEEP for approval. Following approval, it will be recorded on the City of Stamford land records.

Permitting

Harbor Point has obtained or is in the process of obtaining the following permits and approvals necessary to implement the proposed RAP modifications. Such permits include (but are not limited to) the following:

1. Certificate of Permission – Approved 6/11/2010
2. USACE General Permit – Approved 1/18/2012
3. General Permit for the Discharge of Storm Water and Dewatering Wastewaters Associated with Construction Activities – Submitted to the DEEP on August 30, 2012



Mr. William Buckley
September 19, 2012
Page 4

4. General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer) -- Submitted September 14, 2012
5. General Permit for the Discharge of Remediation Wastewater Directly to Surface Water -- In progress

Soil Management Plan

A Soil Management Plan is being prepared under separate cover to provides guidelines for soil management during site redevelopment and remediation.

Summary

Fuss & O'Neill has modified the existing RAP for the Site to be compatible with planned site redevelopment by eliminating the engineered control at the MGP-Impacted Area and excavating soil exceeding the GB pollutant mobility criteria. The remaining soil throughout the Site will be rendered inaccessible to meet the residential direct exposure criteria through the construction of buildings, the placement of at least two feet of clean fill beneath pavement, or the placement of at least four feet of clean fill in landscaped areas. It is anticipated that remediation activities at the Site will be initiated during the Fall of 2012.

If you have any questions regarding the request for approval to modify the engineered control or the proposed modifications to the RAP, please contact the undersigned.

Sincerely,

Handwritten signature of Kevin L. Vanderveer in black ink.

Kevin L. Vanderveer
Senior Hydrogeologist

Handwritten signature of Robert M. Danielson in black ink.

Robert M. Danielson, LEP, CPG
Vice President

Attachments: *Figure 1* -- Site Location Map
Figure 2 -- Remediation Plan
Attachment A -- Previous DEEP Approvals

c: Jeff Wilcox -- DEEP



DRAFT

79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

October 26, 2012

Mr. John Freeman
Harbor Point Development
100 Washington Blvd, Suite 200
Stamford, CT 06902

Dear Mr. Freeman:

This letter is in response to your request for the Department of Energy and Environmental Protection's ("DEEP") position concerning the proposal by the Strand/BRC Group, LLC (the "Strand") to conduct bulkhead repair and remediation of contamination at the 14 acre property located on Bateman Way (the "Property"), as described in your letter to the Stamford Zoning Board dated October 9, 2012.

The Strand currently has a valid Certificate of Permission from DEEP to perform bulkhead repairs and may conduct such repairs in accordance with all terms and conditions of that authorization. The Strand has provided DEEP with a Remedial Action Plan ("RAP") for the Property and, while formal approval is not required, DEEP staff have reviewed the RAP and find it acceptable. As with all sites, DEEP encourages shoreline stabilization and cleanup of contamination in accordance with all applicable standards and criteria.

If you would like to discuss this matter further, please contact Brian Thompson, Director, Office of Long Island Sound Programs at (860) 424-3650.

Yours truly,

A handwritten signature in black ink, appearing to read "Macky McCleary", written over a horizontal line.

Macky McCleary
Deputy Commissioner

MM/BT



**STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



June 11, 2010

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

The Strand/BRC Group
c/o John Freeman
Harbor Point Development, LLC
901 Main Avenue
Norwalk, CT 06851

**Subject: Certificate of Permission #201001317-KB, Brewers Yacht Haven West Marina
City of Stamford**

Dear Mr. Freeman:

Enclosed please find a copy of the certificate of permission which is being issued pursuant to your application of March 15, 2010. Your attention is directed to the conditions of the enclosed certificate. All work must conform to that which is specifically authorized by this certificate. Any work in tidal wetlands or waterward of the high tide line in tidal, navigable and coastal waters of the State which has not been authorized by a valid permit or certificate of permission is a violation of state law and subject to enforcement action by this Department and the Office of the Attorney General.

Your initiation of authorized activities will be relied upon as your agreement to comply with the terms and conditions of the certificate of permission.

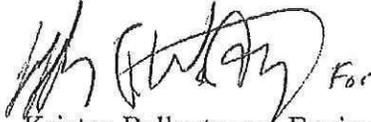
If you have not already done so, you should contact your local Planning and Zoning Office to determine local permit requirements for your project. Also, your activity may be eligible for General Permit authorization from the U.S. Army Corps of Engineers ("Corps"). Most maintenance and reconstruction activities require no further authorization from the Corps. Other activities, generally involving work in tidal wetlands or other special aquatic sites, and in or near a federal Navigation Project or involving filling, must receive written authorization from the Corps prior to beginning work. The State of Connecticut will automatically forward this COP authorization to the Corps for its determination of General Permit eligibility. You do not need to apply directly to the Corps unless they notify you. For more information regarding this federal process, you may write to the Corps New England Division, Regulatory Branch, 696 Virginia Road, Concord, Massachusetts, 02254 or call (978) 318-8335 or (800) 343-4789.

Mr. John Freeman

2

June 11, 2010

Sincerely,

A handwritten signature in black ink, appearing to read "Kristen Bellantuono", with the word "For" written in smaller letters to the right of the signature.

Kristen Bellantuono, Environmental Analyst II
Office of Long Island Sound Programs
Bureau of Water Protection & Land Reuse

Enclosure – COP #201001317-KB

cc: File #201001317-KB

Bill Heiple, Triton Environmental, Inc.
Stamford CEO
Stamford HMC
Diane Ray, Army Corps of Engineers



**STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



CERTIFICATE OF PERMISSION

Certificate No: 201001317-KB

Municipality: Stamford

Site of Activity: Brewers Yacht Haven West, Foot of Washington Boulevard along East Creek and the West Branch of Stamford Harbor

Certificate Holder: The Strand/BRC Group
c/o John Freeman
Harbor Point Development, LLC
901 Main Avenue
Norwalk, CT 06851

Pursuant to section 22a-363b of the Connecticut General Statutes ("CGS") and section 22a-98 of the General Statutes, and sections 22a-359 to 22a-363f and the Connecticut Water Quality Standards dated December 2002, a certificate of permission ("certificate") is hereby granted to oversheet an existing bulkhead and timber cribbing and to install a wave baffle system for flood and erosion control as is more specifically described below in the SCOPE OF AUTHORIZATION. The work performed shall conform to the terms and conditions of this certificate.

*******NOTICE TO CERTIFICATE HOLDERS AND CONTRACTORS*******

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE CERTIFICATE HOLDER ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS CERTIFICATE. FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS CERTIFICATE MAY SUBJECT THE CERTIFICATE HOLDER AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING INJUNCTIONS AS PROVIDED BY LAW AND PENALTIES UP TO \$1,000.00 PER DAY PURSUANT TO THE ADMINISTRATIVE CIVIL PENALTY POLICY DESCRIBED IN SECTIONS 22a-6b-1 THROUGH 22a-6b-15 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES ("RCSA").

SCOPE OF AUTHORIZATION

The Certificate Holder is hereby authorized to conduct the following work as described in application number 201001317-KB, including 8 sheets of plans attached hereto as follows: Figure 1, Site Locations Map; Figure 2, Tax Assessor Map; Figure S1 through S6 dated May 18, 2010 submitted by the Certificate Holder to the Commissioner:

1. retain and oversheet with steel sheetpile and tiebacks approximately 410 linear feet of timber cribbing located along East Creek;
2. oversheet approximately 2,120 linear feet of bulkhead with steel sheetpile and tiebacks along

the west branch of Stamford Harbor;

3. oversheet approximately 440 linear feet of bulkhead with steel sheetpile and tiebacks along the southern portion of the site;
4. install a wave baffle system consisting of 4" x 12" timber or composite boards configured two layers deep, with one layer placed horizontally and one layer placed vertically along the entire face of the steel sheetpile authorized in paragraph 3., of the SCOPE OF AUTHORIZATION, above, as follows:

SPECIAL TERMS AND CONDITIONS

1. All work associated with pile driving along the western and southern portions of the site shall occur between April 1st and June 30th. Such pile driving shall only occur during a continuous 12-hour period each 24-hour period. No pile driving shall be allowed during this remaining 12-hour period in order to protect migrating river herring.
2. The Certificate Holder shall temporarily relocate within the Yacht Haven basin the existing docks and gangways and upon completion of work, shall replace the docks and gangways in their previously permitted locations.
3. The Certificate Holder shall install the steel sheetpile bulkhead authorized herein no more than 18" waterward of the existing bulkhead and timber cribbing on-site.
4. The Certificate Holder shall install the sheetpile bulkheads along the western and southern portions of the site as authorized in paragraphs 2. and 3. of the SCOPE OF AUTHORIZATION, above, such that the top elevation of the bulkhead is no higher than 10' NGVD and includes a steel cap.
5. The Certificate Holder shall install the sheetpile bulkhead along East Creek portion of the site as authorized in paragraph 1. of the SCOPE OF AUTHORIZATION, above, such that the top elevation of the bulkhead is no higher than 8.5' NGVD and includes a steel cap.
6. The Certificate Holder shall fill the space between the old bulkhead and new bulkhead and in the area of the timber cribbing with free draining granular fill as shown Sheets S3, S4, S5 and S6 of the project plans attached hereto unless specifically authorized in writing by the Commissioner.
7. Within the two travel lift wells, the Certificate Holder shall remove the bulkhead and drive new steel sheet pile in its place as shown on Sheet S6 of the project plans attached hereto. The Certificate Holder shall close off the mouth of the wells with a temporary sheet pile cofferdam or similar. The landward side of the bulkhead will be excavated to the sediment level. Upon completion of bulkhead work, the area will then be backfilled with the excavated soils.
8. The work authorized herein shall conform to the Remedial Action Plan approved by DEP's Remediation Division. Specifically, all soil management work related to the bulkhead installation shall be conducted in accordance with the approved Remedial Action Plan.

9. The Certificate Holder shall install the wave baffle system as shown on Sheet S4 of the project plans attached hereto such that the baffle will extend from the top of the bulkhead to approximately -11.0' MLW.
10. The Certificate Holder shall ensure that any work authorized herein in which a water-based barge may be used, shall be conducted during periods of high water only in order to ensure that the barge does not rest on or come in contact with bottom substrates. Any such barge must move to deeper waters during periods of low water. It shall not be a defense to this provision for the Certificate Holder to assert that they have no control over the operation of the barge.
11. All work equipment shall be stored on the upland or on water-borne barges.
12. All waste material generated by the performance of work authorized herein shall be disposed of by the Certificate Holder at an upland site landward of the high tide line and outside of tidal wetlands.
13. Not later than 2 weeks prior to the commencement of any work authorized herein, the Certificate Holder shall submit to the Commissioner, on the form attached hereto as Appendix A, the name(s) and address(es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.
14. Except as specifically authorized by this certificate, no equipment or material including, but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or accessway other than as provided herein.
15. On or before (a) ninety (90) days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any authorized one year extension thereof, whichever is earlier, the Certificate Holder shall submit to the Commissioner "as-built" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all tidal datums and structures.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this certificate shall be completed within five (5) years from date of issuance of this certificate ("work completion date") in accordance with all conditions of this permit and any other applicable law.
 - a. The Certificate Holder may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least thirty (30) days prior to said work completion date. Such request shall describe the work done to date, which work still needs to be completed and the reason for such extension. The Commissioner shall grant or deny such request at her sole discretion.
 - b. Any work authorized herein conducted after said work completion date or any authorized one-year extension thereof is a violation of this certificate and may subject the Certificate Holder to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Certificate Holder shall not deviate from the

attached plans, as may be modified by this certificate. The Certificate Holder shall not make de minimis changes from said plans without prior written approval of the Commissioner.

3. The Certificate Holder shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, CGS sections 22a-28 through 22a-35 and CGS sections 22a-359 through 22a-363f.
4. Prior to the commencement of any work authorized hereunder, the Certificate Holder shall cause a copy of this certificate to be given to any contractor(s) employed to conduct such work. At the certificate site the Certificate Holder shall, whenever work is being performed, make available for inspection a copy of this certificate and the final plans for the work authorized herein.
5. The Certificate Holder shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three (3) days prior to the commencement of such work and no later than seven (7) days after the completion of such work.
6. In undertaking the work authorized hereunder, the Certificate Holder shall not cause or allow pollution of wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this certificate, "pollution" means "pollution" as that term is defined by CGS section 22a-423.
7. Upon completion of any work authorized herein, the Certificate Holder shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
8. Any document required to be submitted to the Commissioner under this certificate or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034
Fax # (860) 424-4054

9. The date of submission to the Commissioner of any document required by this certificate shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this certificate, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this certificate, the word "day" as used in this certificate means calendar day. Any document or action which is required by this certificate to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall

be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.

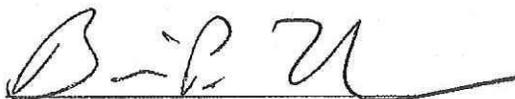
10. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set forth in this certificate. No change in purpose or use of the authorized work or facilities as set forth in this certificate may occur without the prior written authorization of the Commissioner. The Certificate Holder shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this certificate, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
11. This certificate may be revoked, suspended, or modified in accordance with applicable law.
12. This certificate is not transferable without prior written authorization of the Commissioner. A request to transfer a certificate shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Certificate Holder's obligations under this certificate shall not be affected by the passage of title to the certificate site to any other person or municipality until such time as a transfer is authorized by the Commissioner.
13. The Certificate Holder shall allow any representative of the Commissioner to inspect the work authorized hereunder at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this certificate.
14. In granting this certificate, the Commissioner has relied on all representations of the Certificate Holder, including information and data provided in support of the Certificate Holder's application. Neither the Certificate Holder's representations nor the issuance of this certificate shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
15. In the event that the Certificate Holder becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this certificate or of any document required hereunder, the Certificate Holder shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Certificate Holder shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Certificate Holder shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Certificate Holder shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.
16. In evaluating the application for this certificate the Commissioner has relied on information and data provided by the Certificate Holder and on the Certificate Holder's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled

areas. If such information proves to be false, deceptive, incomplete or inaccurate, this certificate may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.

17. The Certificate Holder may not conduct work waterward of the high tide line or in tidal wetlands at this certificate site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-28 et. seq.
18. The issuance of this certificate does not relieve the Certificate Holder of his obligations to obtain any other approvals required by applicable federal, state and local law.
19. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this certificate shall be signed by Certificate Holder and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
20. This certificate is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

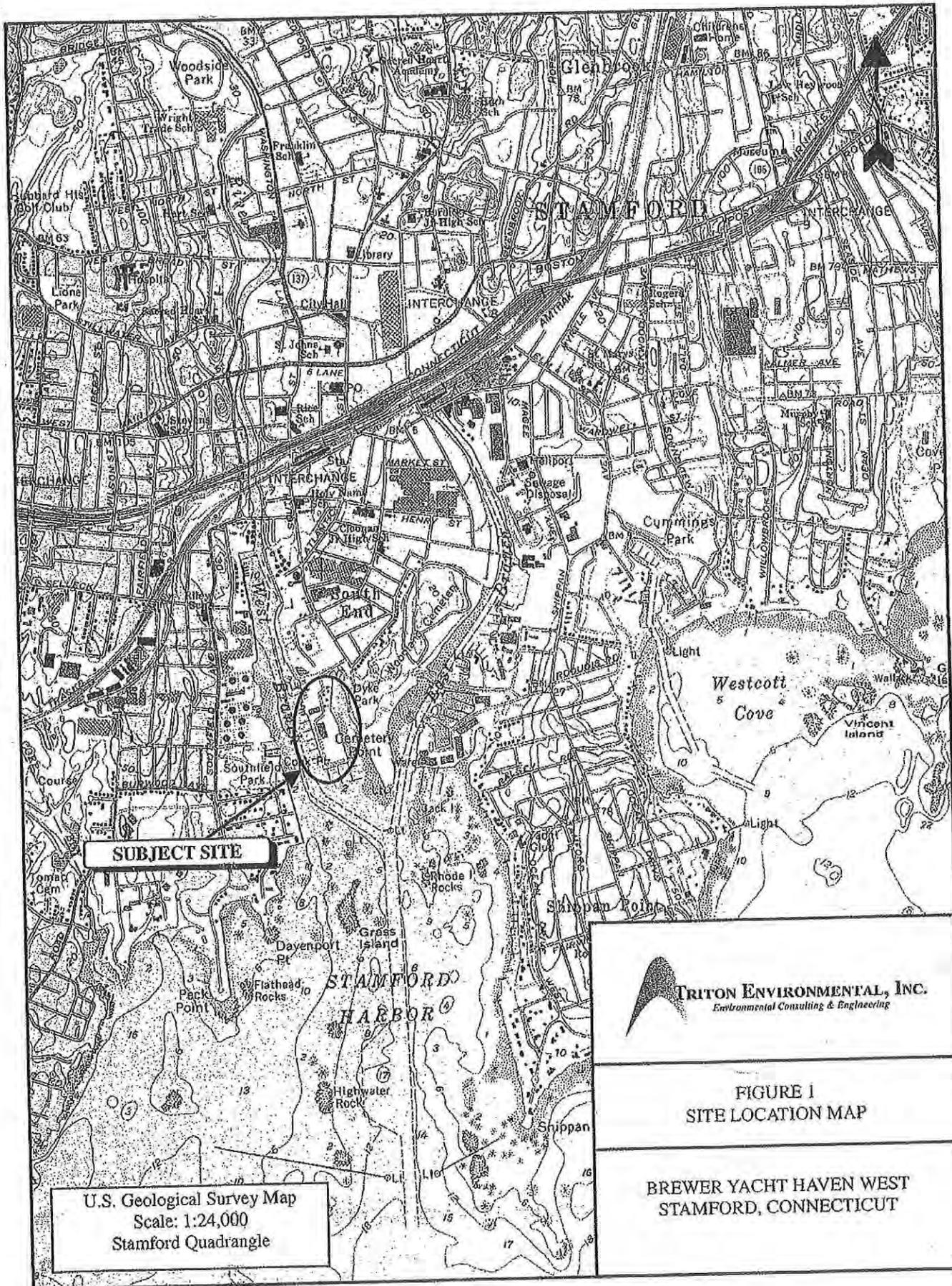
Issued on June 11, 2010.

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Brian P. Thompson, Director
Office of Long Island Sound Programs
Bureau of Water Protection & Land Reuse

Certificate of Permission No. 201001317-KB, Stamford
Strand BRC Group



SUBJECT SITE

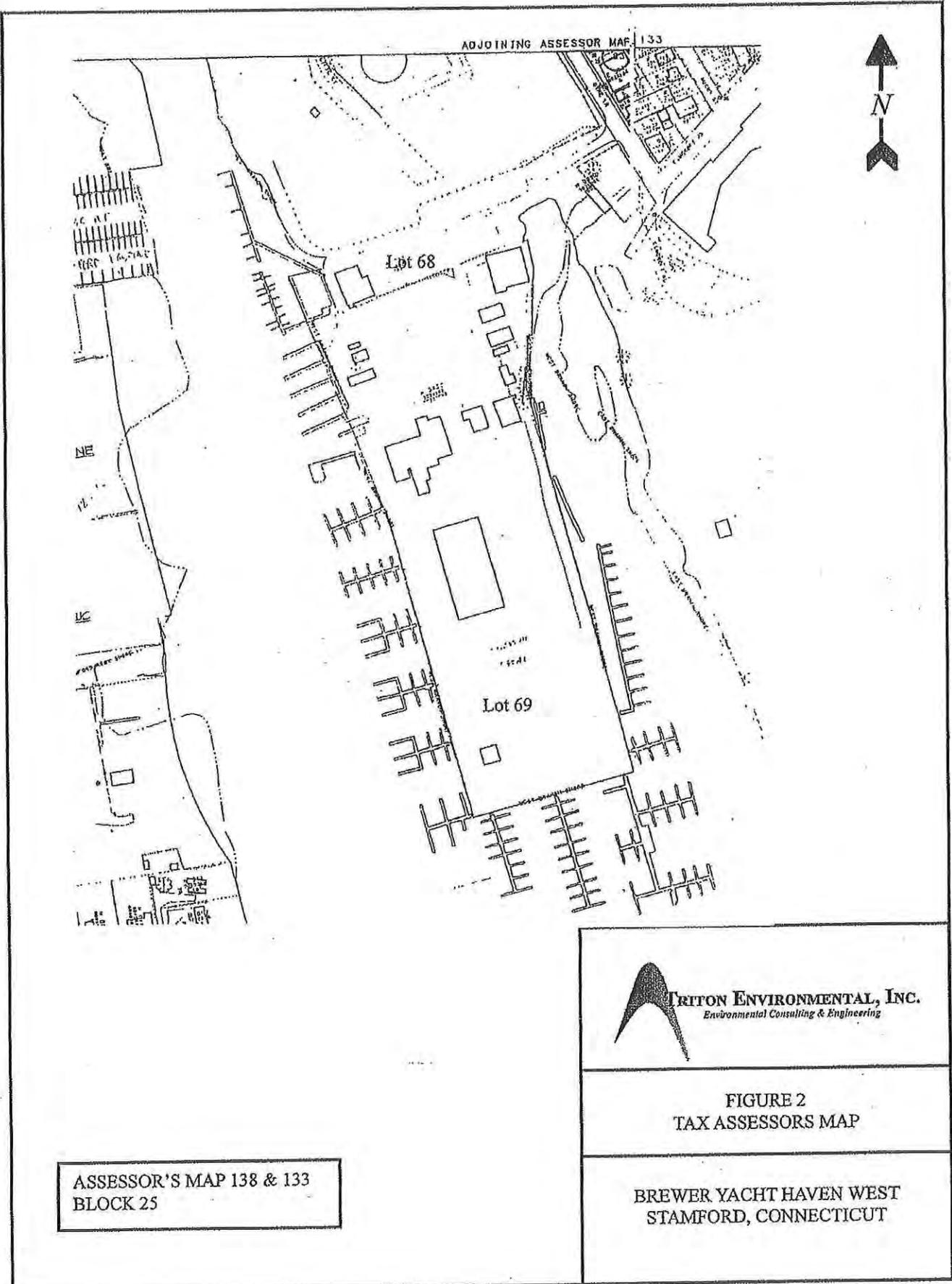
U.S. Geological Survey Map
 Scale: 1:24,000
 Stamford Quadrangle



TRITON ENVIRONMENTAL, INC.
 Environmental Consulting & Engineering

FIGURE 1
SITE LOCATION MAP

BREWER YACHT HAVEN WEST
STAMFORD, CONNECTICUT

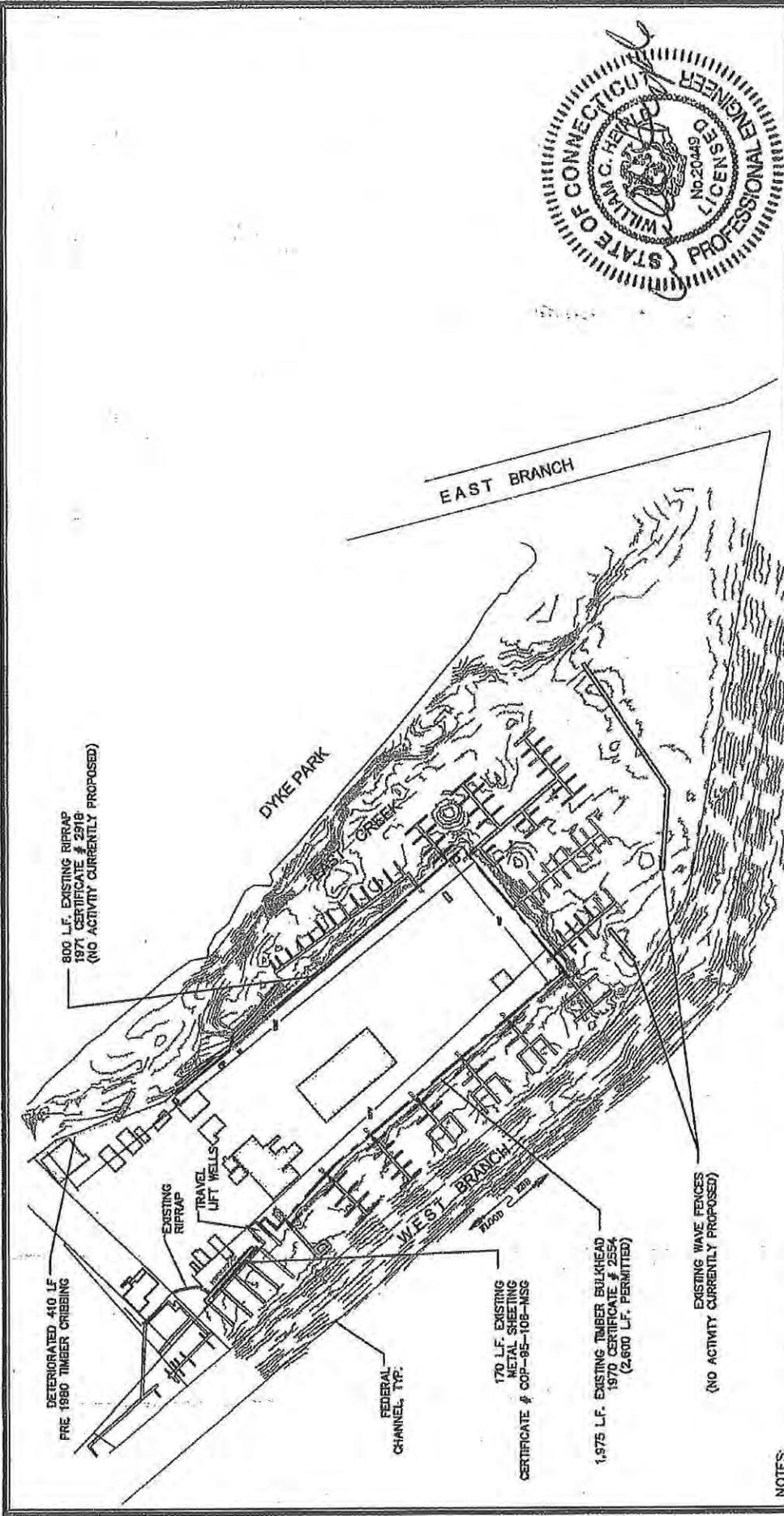


ASSESSOR'S MAP 138 & 133
BLOCK 25



FIGURE 2
TAX ASSESSORS MAP

BREWER YACHT HAVEN WEST
STAMFORD, CONNECTICUT



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Environmental Consulting & Engineering

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FIGURE S1
 SITE PLAN SHOWING
 EXISTING CONDITIONS

CERTIFICATE OF PERMISSION APPLICATION
 THE STRAND / BRC GROUP, LLC
 BREWER YACHT HAVEN WEST
 STAMFORD, CONNECTICUT

DRAWN BY: RGM | APPROVED BY: WCH
 DATE: 5/18/10 | SCALE: N.T.S. | FILE No.: 103356R806

NOTES:

1. THE LOCATION OF ALL STRUCTURES, EQUIPMENT, DELINEATIONS AND OTHER FEATURES PRESENTED ON THIS DRAWING SHOULD BE CONSIDERED APPROXIMATE; THIS DRAWING SHOULD ONLY BE USED FOR GENERAL PRESENTATION PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
2. BASE MAP IS BASED ON A MAP ENTITLED "WEST YARD GENERAL PLAN & CONTOURS" BY ROBERGE ASSOCIATES COASTAL ENGINEERS FOR BREWER YACHT HAVEN MARINA; DATED: 1/4/06; SCALE: 1"= 100'.
 - 2A. BATHYMETRIC CONDITIONS SHOWN IN MLW DATUM. HTL (8.4'), MHW (7.1'), MLW (0.0') NOT SHOWN FOR CLARITY PURPOSES.
3. CONVERSION FROM NGVD TO MEAN LOW WATER DATUM IS +2.9' AND IS BASED ON THE "NEW ENGLAND COASTLINE TIDAL FLOOD SURVEY" PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS.
4. ALL SOUNDINGS AND CONTOURS ARE REFERENCED TO MEAN LOW WATER DATUM (MLW) AND ARE NEGATIVE UNLESS PRECEDED WITH A (+) SIGN.



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Environmental Consulting & Engineering

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FIGURE 52

SITE PLAN SHOWING
 PROPOSED BULKHEAD LOCATION

CERTIFICATE OF PERMISSION APPLICATION
 THE STRAND / BRC GROUP, LLC
 BREWER YACHT HAVEN WEST
 STAMFORD, CONNECTICUT

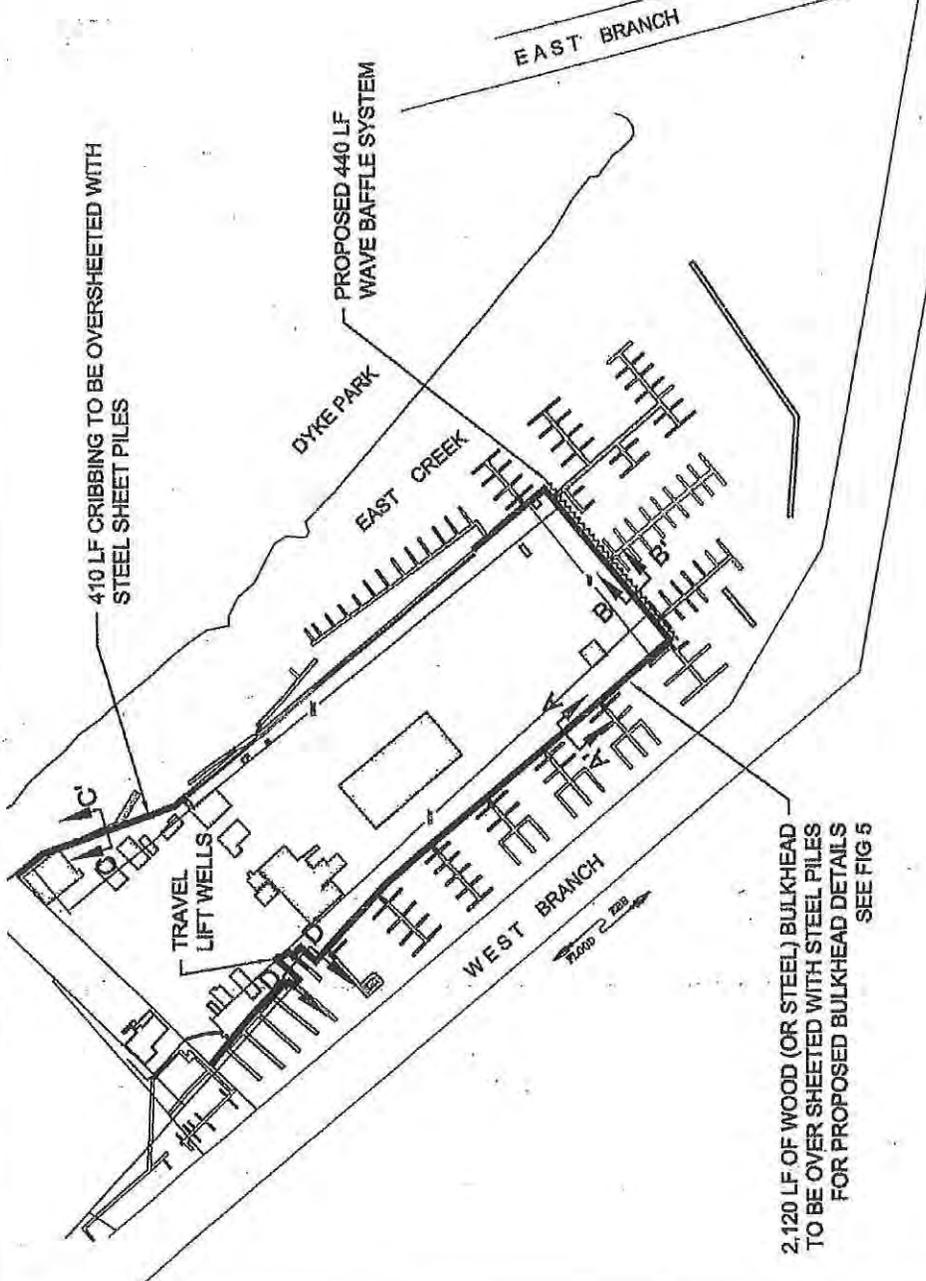
DRAWN BY: RGM

APPROVED BY: WCH

SCALE: N.T.S.

FILE No.: 103356RB06

STAMFORD HARBOR



410 LF CRIBBING TO BE OVERSHEETED WITH
 STEEL SHEET PILES

PROPOSED 440 LF
 WAVE BAFFLE SYSTEM

DYKE PARK

EAST CREEK

EAST BRANCH

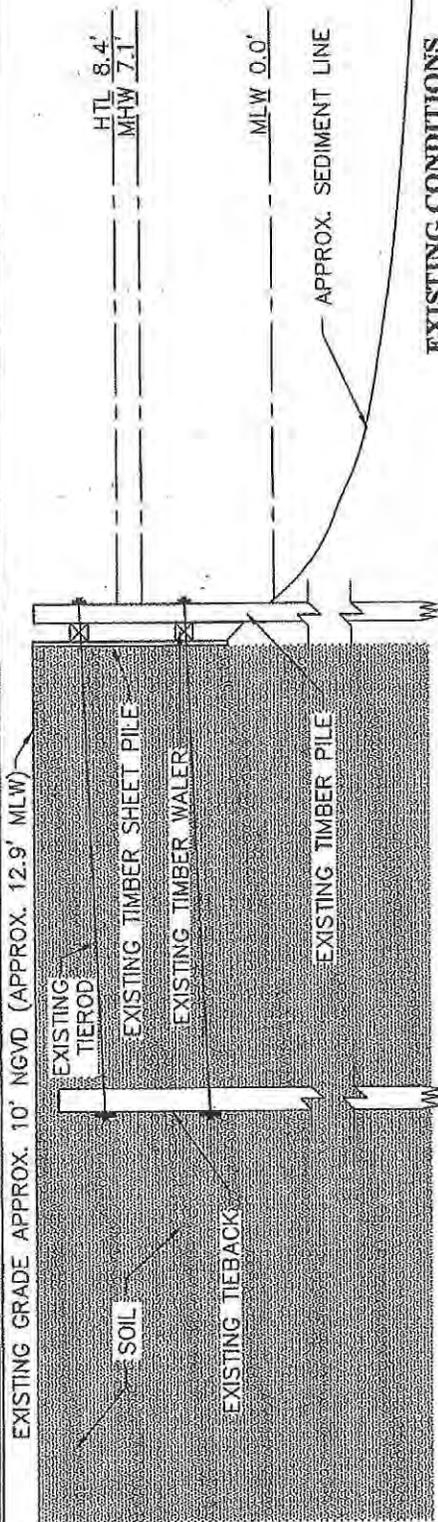
TRAVEL
 LIFT WELLS

WEST BRANCH

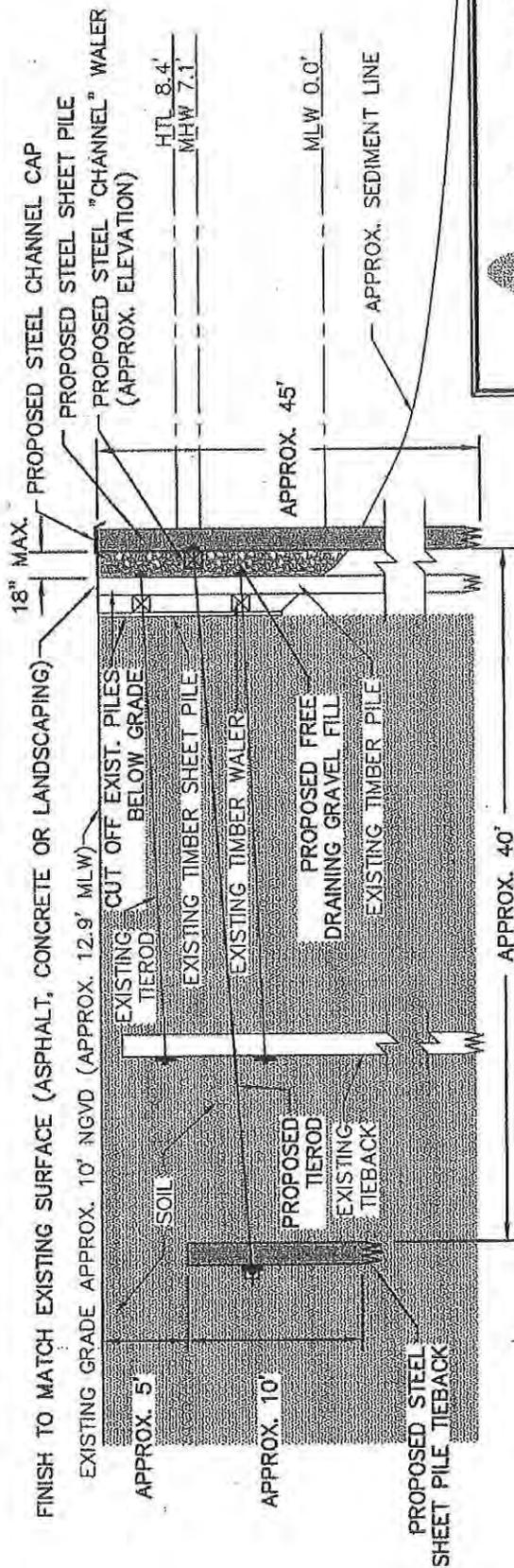
2,120 LF OF WOOD (OR STEEL) BULKHEAD
 TO BE OVER SHEETED WITH STEEL PILES
 FOR PROPOSED BULKHEAD DETAILS
 SEE FIG 5

NOTES:

1. THE LOCATION OF ALL STRUCTURES, EQUIPMENT, DELINEATIONS AND OTHER FEATURES PRESENTED ON THIS DRAWING SHOULD BE CONSIDERED APPROXIMATE. THIS DRAWING SHOULD ONLY BE USED FOR GENERAL PRESENTATION PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
2. BASE MAP IS BASED ON A MAP ENTITLED "WEST YARD GENERAL PLAN & CONTOURS" BY ROBERGE ASSOCIATES COASTAL ENGINEERS FOR BREWER YACHT HAVEN MARINA; DATED: 1/4/06; SCALE: 1" = 100'.
3. CONVERSION FROM NGVD TO MEAN LOW WATER DATUM IS +2.9' AND IS BASED ON THE "NEW ENGLAND COASTLINE TIDAL FLOOD SURVEY" PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS.
4. ALL SOUNDINGS AND CONTOURS ARE REFERENCED TO MEAN LOW WATER DATUM (MLW) AND ARE NEGATIVE UNLESS PRECEDED WITH A (+) SIGN.



EXISTING CONDITIONS



PROPOSED CONDITIONS

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Environmental Consulting & Engineering

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FIGURE S3

CROSS SECTION A-A
WESTERN PORTION OF SITE

CERTIFICATE OF PERMISSION APPLICATION

THE STRAND / BRC GROUP, LLC
BREWER YACHT HAVEN WEST
STAMFORD, CONNECTICUT

APPROVED BY: WCH

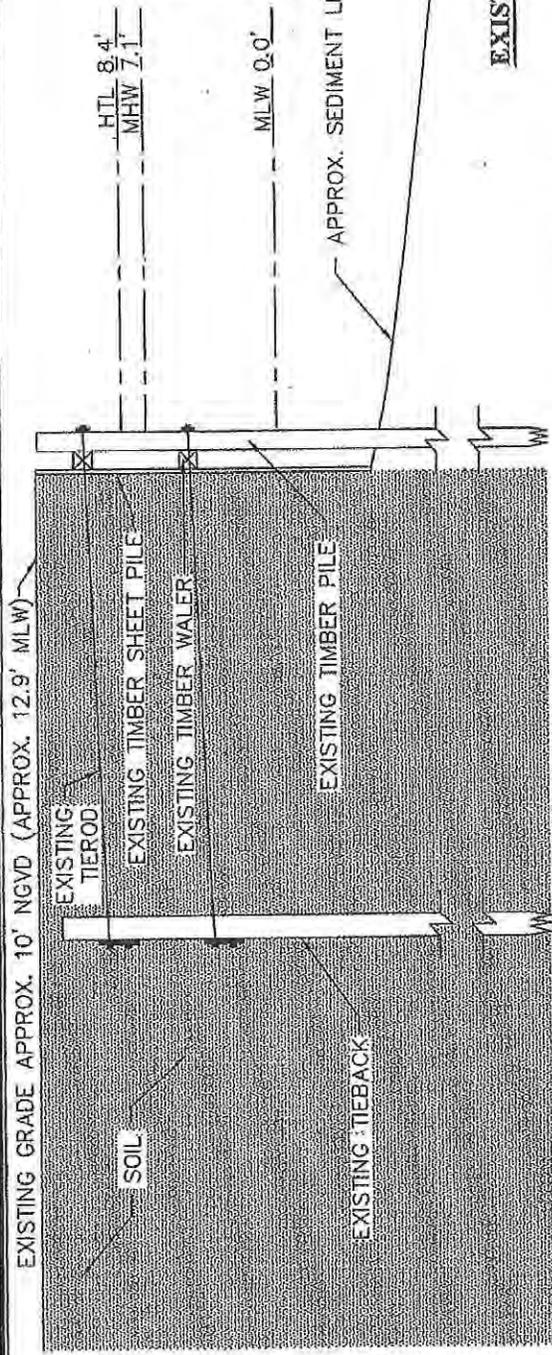
SCALE: N.T.S.

DATE: 5/15/10

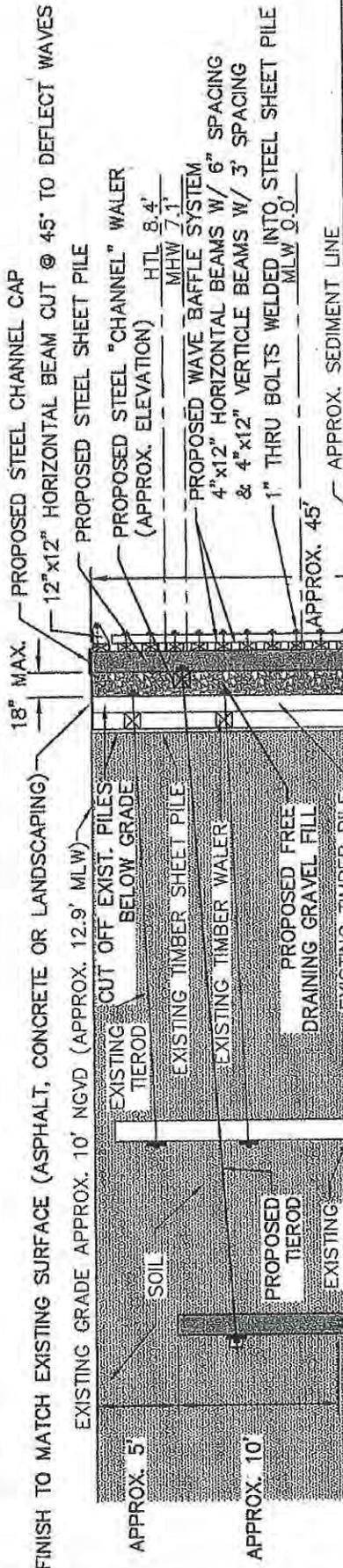
FILE NO.: 103356R806

NOTES:

1. THE LOCATION OF ALL STRUCTURES, EQUIPMENT, DELINEATIONS AND OTHER FEATURES PRESENTED ON THIS DRAWING SHOULD BE CONSIDERED APPROXIMATE. THIS DRAWING SHOULD ONLY BE USED FOR GENERAL PRESENTATION PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.



EXISTING CONDITIONS



PROPOSED CONDITIONS

APPROX. 40'

APPROX. 45'

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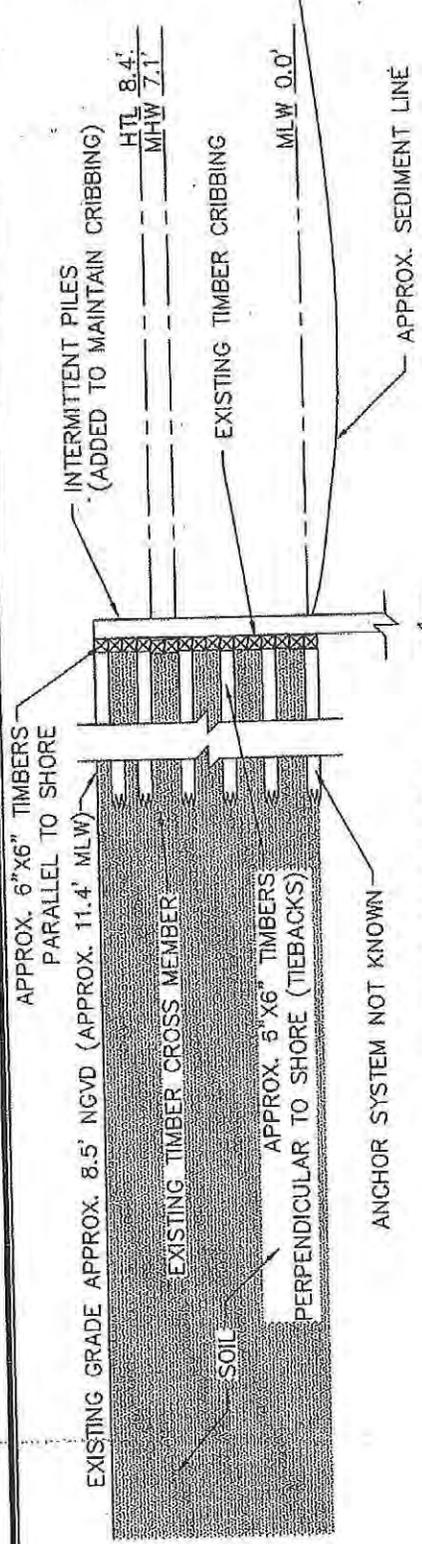
FIGURE S4
 CROSS SECTION B-B'
 SOUTHERN FACE OF BULKHEAD AND WAVE BAFFLE SYSTEM

CERTIFICATE OF PERMISSION APPLICATION
 THE STRAND / BRC GROUP, LLC
 BREWER YACHT HAVEN WEST
 STAMFORD, CONNECTICUT

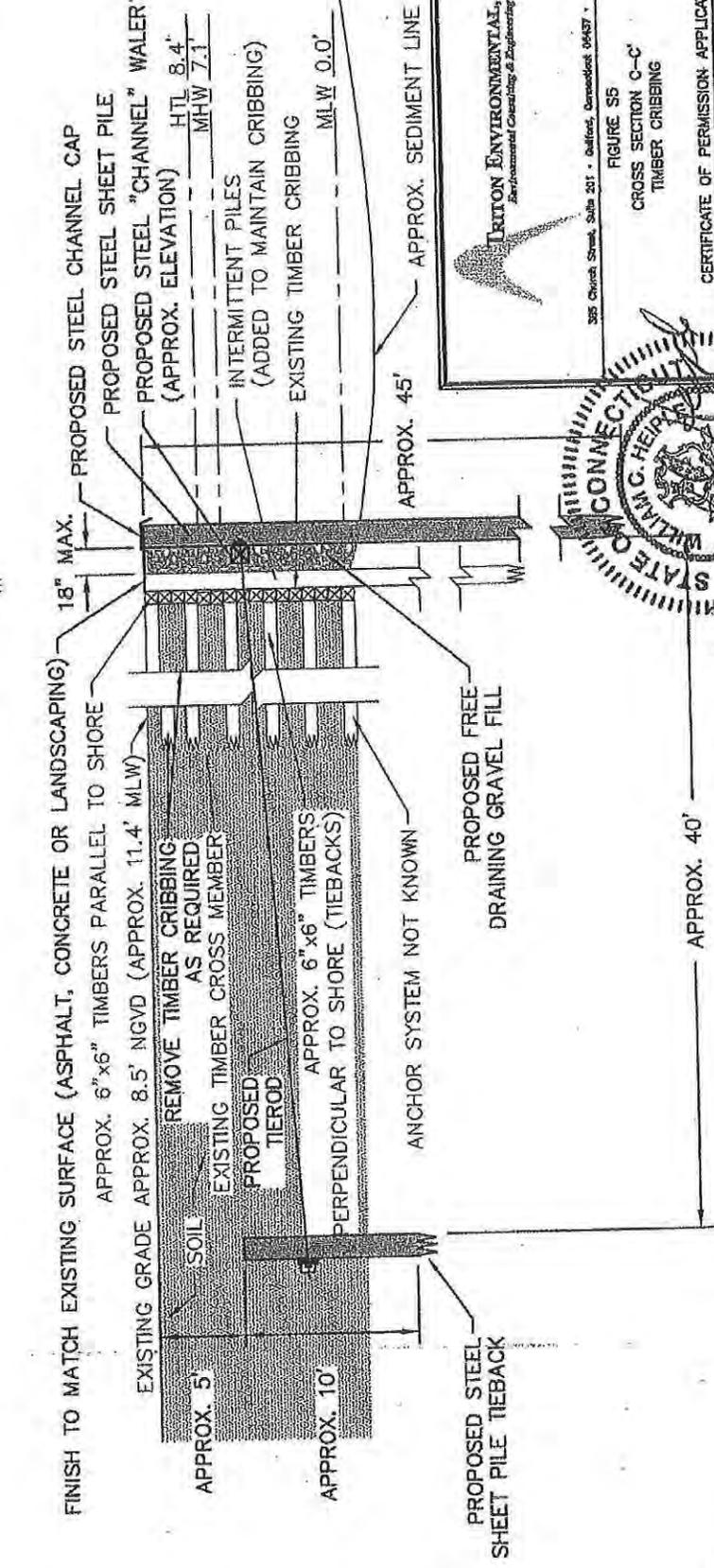
DRAWN BY: RGM
 DATE: 5/18/10
 SCALE: N.T.S.
 APPROVED BY: WCH
 FILE No.: 103356RB06

NOTES:

1. THE LOCATION OF ALL STRUCTURES, EQUIPMENT, DELINEATIONS AND OTHER FEATURES PRESENTED ON THIS DRAWING SHOULD BE CONSIDERED APPROXIMATE. THIS DRAWING SHOULD ONLY BE USED FOR GENERAL PRESENTATION PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.



EXISTING CONDITIONS



NOTES:
 1. THE LOCATION OF ALL STRUCTURES, EQUIPMENT, DELINEATIONS AND OTHER FEATURES PRESENTED ON THIS DRAWING SHOULD BE CONSIDERED APPROXIMATE. THIS DRAWING SHOULD ONLY BE USED FOR GENERAL PRESENTATION PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.

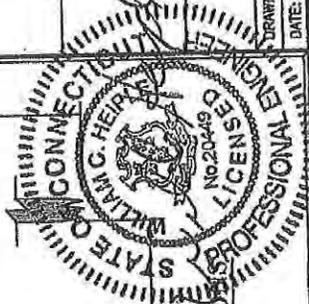
IRITON ENVIRONMENTAL, INC.
Environmental Consulting & Engineering

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FIGURE S5
 CROSS SECTION C-C
 TIMBER CRIBBING

CERTIFICATE OF PERMISSION APPLICATION
 THE STRAND / ERC GROUP, LLC
 BREWER YACHT HAVEN WEST
 STAMFORD, CONNECTICUT

DRAWN BY: RGM
 DATE: 5/18/10
 SCALE: N.T.S.
 APPROVED BY: WCH
 FILE No.: 103356RB06



EXISTING GRADE APPROX.
8' NGVD (APPROX. 10.9' MLW)

EXISTING TRAVEL LIFT TRACK (TYP.)

TRAVEL LIFT

TRAVEL LIFT

EXISTING PILE PIER
TO REMAIN

HTL 8.4'
MHW 7.1'

EXISTING TIMBER
SHEET PILE

MLW 0.0'

EXISTING CONDITIONS

EXISTING GRADE APPROX.
8' NGVD (APPROX. 10.9' MLW)

EXISTING TRAVEL LIFT TRACK (TYP.)

TRAVEL LIFT

TRAVEL LIFT

REMOVE EXISTING TRACK
AND REPLACE UPON
BULKHEAD INSTALLATION

REMOVE EXISTING TIMBER
BULKHEAD AND SHEET PILES
AND INSTALL NEW STEEL
BULKHEAD IN SAME LOCATION

EXISTING PILE PIER
TO REMAIN

HTL 8.4'
MHW 7.1'

MLW 0.0'

NOTE:
TIEBACKS NOT SHOWN.
TO BE INSTALLED AT
SIMILAR LOCATION AS SHOWN
ON PREVIOUS FIGURES.

NOTE:
COFFERDAM TO BE INSTALLED ON
FACE OF TRAVEL LIFT WELLS DURING
CONSTRUCTION TO MINIMIZE EROSION
AND TURBIDITY IMPACTS.

PROPOSED CONDITIONS

NOTES:

1. THE LOCATION OF ALL STRUCTURES, EQUIPMENT, DELINEATIONS AND OTHER FEATURES PRESENTED ON THIS DRAWING SHOULD BE CONSIDERED APPROXIMATE. THIS DRAWING SHOULD ONLY BE USED FOR GENERAL PRESENTATION PURPOSES AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.

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Environmental Consulting & Engineering

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FIGURE S6

CROSS SECTION D-0'

CROSS SECTION THROUGH TRAVEL LIFTS

CERTIFICATE OF PERMISSION APPLICATION

THE STRAND / BRC GROUP, LLC
BREWER YACHT HAVEN WEST
STAMFORD, CONNECTICUT

APPROVED BY: WCH

SCALE: N.T.S.

DATE: 5/18/10

FILE NO.: 103356RB06



OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

**TO: Permit Section
Department of Environmental Protection
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106-5127**

Certificate Holder: The Strand/BRC Group
c/o John Freeman
Harbor Point Development, LLC
901 Main Avenue
Norwalk, CT 06851

Certificate No: 201001317-KB, Stamford

CONTRACTOR 1: _____

Address: _____

Telephone #: _____

CONTRACTOR 2: _____

Address: _____

Telephone #: _____

CONTRACTOR 3: _____

Address: _____

Telephone #: _____

EXPECTED DATE OF COMMENCEMENT OF WORK: _____

EXPECTED DATE OF COMPLETION OF WORK: _____

CERTIFICATE HOLDER: _____

(signature)

(date)

Burnett Reply to DECD application June 19, 2013 re Bridgewater

Good evening. My name is Penney Burnett and I am a resident of Stamford. I am not a boater, but I would like to thank Save our Boatyard for their continued effort to preserve Stamford's unique asset and greatest resource, a boatyard on our deep water harbor. As I understand it, the purpose of this hearing is to consider a request by the state Department of Economic and Community Development to exempt Bridgewater Hedge Funds from the state's coastal flood management regulations so that they can build an office complex on a boatyard in the coastal flood zone. The DECD claims that the construction of this office complex -- on low-lying waterfront property outside Stamford's hurricane barrier and in violation of the coastal flood regulations -- is in the public interest. I am here to tell you that the DECD's proposal does not benefit the public interest, and I ask you to deny this exemption.

I don't need to tell you about the extensive property damage to waterfront properties in Stamford during the last two hurricane seasons, and how it is NOT in the public interest to build an office complex in the flood zone now.

What I will tell you is that DECD is wrong in claiming that the Bridgewater proposal will benefit the public interest because of purported "job retention/creation, taxes, and other economic benefits". As the state's economic development agency, DECD should know that Stamford already has a preponderance of banks and financial service firms - RBS, UBS, GE Capital, General Reinsurance to name a few - most of which have received economic development incentives in recent years. The DECD should also know that, notwithstanding promises to build a strong and vibrant local workforce, most of these firms have been steadily downsizing globally and locally. UBS, which was once touted as the anchor for our financial sector, no longer owns its Stamford property and has moved what is left of its upper management back to New York. RBS has undergone several rounds of massive layoffs, and rumors are that GE Capital is downsizing and may move its operations to Fairfield.

Given the nature of this industry, it doesn't make economic sense to spend state taxpayer dollars and sacrifice a critical waterfront property for this project. The core of the deal is to simply relocate Bridgewater's current employees from Westport to Stamford. This is not job creation. Though the promise is to create more jobs over time, hedge funds are one of the least stable sectors in the financial services industry. Most are short-lived operations built around the personalities of their founders, not their products. [Exhibit 1] Bridgewater is built around the persona of its 64-year-old founder, Ray Dalio. Given Mr. Dalio's age, the inherent risks in the

hedge fund business, and the declining financial sector globally, it is against the odds that Bridgewater will expand or even exist as an economic force in Stamford in ten years time. By the way, boatyards are not transient and a working boatyard has been at this location for over a 100 years.

I can also tell you that the proposed office complex will not create anywhere near the expected property tax revenues for Stamford. The Bridgewater proposal has been estimated to cost \$750 million for an 850,000 s.f. office complex. [Exhibit 2] In theory, that should create a \$750 million property tax value for the city, but that is not the case. For example:

- The \$3.5 billion Harbor Point development, which according to Mr. Freeman is 50% complete, should have a fair market value (FMV) of approximately \$1.7 billion, but according to the recent Revaluation, Harbor Point has a FMV of less than \$600 million. After incentives, the City will receive only \$4.3 million in property taxes for the entire Harbor Point project in fiscal year 2014, not enough to pay for the education of 300 students, let alone road repair, police, fire and other operating costs. The Harbor Point incentives could go on for 40 years.[Exhibit 3 and 4]

Not surprisingly, BLT and others are planning for the Bridgewater Project to have the same incentives as Harbor Point. [Exhibit 5]

- The 400,000 s.f. RBS building (excluding land), built in 2007 at an estimated cost of \$400 million, had a FMV according to the City's assessor of less than \$100 million as of October 2012. In other words, in 5 years the RBS building lost 75% of its FMV. The state provided \$100 million in tax breaks for RBS building. As part of the incentive package, the city agreed as well to forego part of the property tax revenue for the building's first five years. [Exhibits 6 and 7]

Similar to Bridgewater, this deal involved the transfer of jobs from Greenwich to Stamford.

- The 600,000 s.f. General Re building, built in 1984, is vacant. This is what happens after 20-30 years and now what? Strangely, the Assessor's Office does not show what BLT paid for this property in 2012. [Exhibit 8 and 9]
- The major 400,000 s.f. UBS office building, built in 1996, has a FMV of only \$45.7 million as of October 2012, and the real estate taxes on this building (\$763,000) are not enough to pay for the education of 50 students. [Exhibit 10]

Further Stamford has an approximately 30% commercial vacancy rate, and the property values of existing major office complexes have been declining precipitously. Adding another office building will only further depress the property values of Stamford's other office buildings, which benefits no one.

Given these trends, a \$750 million real estate investment will be worth a tiny fraction of that from a property tax standpoint 5 and 10 years from now. . When the coastal flood risk is factored into the equation, one serious hurricane could wipe out Bridgewater's property tax value to the City of Stamford.

State taxpayers fare no better in the deal. A number of recent reports demonstrate that taxpayer subsidies to major corporations are a waste of state and local resources. The New York Times ran an important 3-part series on this issue in December 2012. These articles have been summarized by Richard Florida, Director of the Martin Prosperity Institute at the University of Toronto's Rotman School of Management, the world's leading think-tank on the role of location, place and city in global economic prosperity. According to Mr. Florida, "Incentives do little to alter the locational calculus of most companies...Rather, companies typically select locations based on factors such as workforce, proximity to markets, and access to qualified suppliers and then pit jurisdictions against one another to extract tax benefits and other incentives." [Exhibit 11] In other words, tax subsidies don't drive the deal – they are just gravy.

Please note that Stamford residential property taxes have risen between 300%-400% on average since Stamford started pursuing tax subsidy driven economic development, significantly higher than our neighboring towns which have not pursued this flawed policy. Also, our property values have declined more than those in neighboring towns. These tax subsidies are not in the public interest.

In conclusion, Bridgewater is welcome to relocate to Stamford, and we invite them to shop around our many vacant or soon-to-be vacant commercial properties that are well protected from the coastal flood plain. As far as I know, the 960,000 s.f. UBS buildings and the 600,000 s.f. former Gen Re building are both available and in more ideal locations. We also invite them to consider developing the "hole-in-the-ground" on Tresser Boulevard that has blighted downtown Stamford for years.

Both Stamford and the state of Connecticut are in deep trouble economically, and the DECD's model of throwing taxpayer subsidies at the biggest and so-called greatest financial industry giants is not working. If you grant this exemption to the coastal flood management regulations, you are facilitating a project that has no public benefit, and will inflict more economic harm on the residents and taxpayers of Stamford.

We ask that you deny the exemption request, and that the DECD redirect its economic development programs to support sustainable investments based on our local resources. Here in Stamford, our deep water harbor and its access to Long Island Sound is one of our greatest resources. If the DECD is truly committed to sustainable economic development, it will withdraw this application and sit down with the citizens and residents of Stamford to discuss our needs. Instead of giving precious taxpayer subsidies to one of the richest hedge funds in the world with no economic benefit, let's explore using those subsidies to redevelop a first class, full service marina and boatyard and reclaim Stamford's place as a center of water-related uses that attracts residents, boaters and tourists, and increases all property owners' property values. That would be in the public interest.

Bloomberg

Exhibit 1

Hedge Funds Facing Succession Challenge as Kovner Hands Off Caxton to Law

By Saijel Kishan - Sep 14, 2011

Bruce Kovner is betting he can pull off what eluded **Stanley Druckenmiller** and **Julian Robertson**: Keeping his hedge fund alive after retiring from trading client money.

Kovner yesterday named chief investment officer Andrew Law, 45, to run his \$10 billion Caxton Associates LP. Kovner, 66, who started the New York-based firm in 1983, told clients in a letter that he will retire by the end of the year to pursue personal interests. Peter D'Angelo, 64, the firm's president and co-founder, will also step aside.

Caxton is confronting a difficult challenge for a growing number of hedge funds: managing succession in a business where success is built on the founders' trading skill and reputation. Unlike private-equity firms such as **Blackstone Group LP (BX)**, which transformed themselves from private investment partnerships into public, diversified asset managers, top hedge funds from Robertson's Tiger Management LLC to Druckenmiller's Duquesne Capital Management LLC returned investor money after the founders stepped back.

"Hedge funds haven't done a great job at succession planning," said Myron Kaplan, a partner at New York law firm Kleinberg, Kaplan, Wolff & Cohen PC who advises hedge funds. "The key is to institutionalize the firm and change investors' perceptions of the fund as a single guru's shop."

Hedge-Fund Legends

In the past year, at least three top hedge-fund managers ceased investing client money. **George Soros**, the 81-year-old billionaire, told investors in July that he would turn New York-based Soros Fund Management LLC into a family office. Chris Shumway, 45, founder of Shumway Capital Partners LLC in Greenwich, Connecticut, said in February that he would return capital to clients. Druckenmiller, 58, shuttered his New York hedge fund in August 2010.

Hedge-fund legends including Robertson, 79, and Michael Steinhardt, 70, returned client money in 2000 and 1995 respectively.

"It's a shame that franchise value is being dissipated and not realized by all the people involved, be it the founder, his employees and investors," said Kaplan.

In contrast, the founders of the largest private-equity firms, many of whom are in their sixties, have diversified their businesses and sold shares to the public as part of their efforts to ensure the long-term survival of their companies.

KKR's Future

Blackstone, the biggest private-equity firm, and Fortress Investment Group LLC went public in 2007. KKR & Co. gained a New York listing last year, and Apollo Global Management LLC did the same in March. Carlyle Group this month filed for an initial public offering.

At KKR in New York, co-chairmen **Henry Kravis** and George Roberts set up a management committee where they share oversight of the firm with younger executives who may one day run the business. Kravis, 67, said at the firm's investor day in March that succession is on his and Roberts' minds.

"You have to be assured that George and I think about this every day," he said. "We talk about what will be the future at KKR and you can't run any company, in our view, unless you build a very deep bench of people."

Blackstone said in its 2007 IPO filing that President **Tony James**, 60, would succeed 64-year-old Chief Executive Officer Stephen Schwarzman if he steps down. Schwarzman started New York-based Blackstone in 1985 with **Peter G. Peterson**, 85, who retired at the end of 2008.

'Ahead of Hedge Funds'

Private-equity firms raise money from investors to take over companies, financing the purchases mostly with debt, with the intention of

selling them later for a profit. Hedge funds are mostly private pools of capital whose managers participate substantially in the profits from their speculation on whether the price of assets will rise or fall.

"Succession is one of the things where private equity is ahead of hedge funds," said Daniel Celeghin, a partner at Casey, Quirk & Associates LLC in Darien, Connecticut, which advises asset-management firms. "They have an advantage because the nature of their businesses is more collaborative, decision-making is shared among teams."

Buyout firms are also at an advantage, according to Celeghin, because the capital in their funds is locked up for longer periods, usually 10 years, compared with the common quarterly withdrawal notices for hedge-fund investors.

Preparing Investors

For succession to work at hedge funds, the founders must delegate responsibilities, communicate that to investors and ensure those with added responsibilities are more visible as well as recognized for their contributions, according to Eric Weinstein, who runs the \$4 billion fund-of-hedge-funds business at Neuberger Berman Group LLC in New York.

"This must happen incrementally over a period of years or investors will take their money out following a change of control that can be viewed as sudden," he said.

At Caxton, one of the first hedge funds that sought to profit from macroeconomic trends, Kovner started preparing clients for the change about three years ago when he promoted Law, who joined the firm in 2003, to the new role of CIO. Law manages about 20 percent of the assets, including leverage, of the main Caxton Global Investment fund, or about \$3.5 billion, and has been the main contact for investors.

The fund has returned an average of 21 percent a year since inception, compared with an average gain of 11 percent including dividends by the Standard & Poor's 500 Index. The \$7 billion fund had one losing year, in 1994, when it fell 2.5 percent. In Kovner's time at Caxton, the S&P fell in five calendar years, including a 37 percent drop in 2008.

'Prove Myself'

"I felt that I didn't need to leave and start my own hedge fund because Bruce had a vision for the firm that meant that I had the opportunity to prove myself," Law, who is based in London and will continue to split his time between the U.K. capital and New York, said in an interview in Caxton's Park Avenue office. Kovner declined to be interviewed for this article.

Shumway found out the hard way just how quick investors are to pull their money when he named a new CIO in November and told clients that he plans to step back from managing money. Shumway had sold a stake in his firm to a buyout fund run by Goldman Sachs Group Inc. early last year and said at that time that he planned to set up a partnership.

Within months of the November announcement, clients asked to redeem \$3 billion, prompting Shumway to return all outside money by the end of the first quarter. A Tiger Management alumnus whose firm oversaw more than \$8 billion before shutting, he now runs a family office and invests in new hedge funds.

'Lack of Trust'

"I don't recall staying with a hedge fund after the main manager stepped away," said Peter Rup, CIO of New York-based Artemis Wealth Advisors LLC, which invests in hedge funds for clients. "It's down to a lack of trust in the ability of the successors to step up, so as an investor, why take the risk?"

Other funds have struggled to find and keep the right successor. Soros went through four investment chiefs after the departure of Druckenmiller, his right-hand man from late 1988 until 2000. Keith Anderson, his CIO since 2008, left after Soros said he would return all client money.

Louis Bacon, the 55-year-old founder of Moore Capital Management LP in New York, in the past three years hired senior traders including Greg Coffey and Jean-Philippe Blochet. Blochet quit after 17 months to pursue philanthropy. Bacon hasn't publicly named a successor.

"Succession is not something that some managers want to think about," said Joel Press, founder of New York-based Press Management LLC, who advises hedge funds on succession planning. "It takes a lot of time, effort and creates additional pressures to running their businesses."

'Deep Bench'

Tudor Investment Corp., the \$11 billion hedge fund run by Paul Tudor Jones, hasn't announced a succession plan, according to two people familiar with the matter. Jones, 57, who started his main fund in 1986, told AR Magazine last year that he had no intention to cease trading or retire in the following five years. Tudor is based in Greenwich, Connecticut.

[Leon Cooperman](#), the 68-year-old founder of \$6 billion hedge fund Omega Advisors Inc. in New York, said he doesn't lose much sleep over succession planning. The hedge fund, which employs 35 people, has a "deep bench of talent," he said in a telephone interview, referring to Vice Chairman Steven Einhorn, 62, who has been with Omega since 1999, and co-directors of research Sam Martini, 36, and Jon Aborn, 39, who joined in January.

"Succession is not on my mind," Cooperman said. "I want to be able to match someone like George Soros" who is investing past the age of 80, he said.

Going Public

Among the funds that have managed to reduce the dependence on their founders, many follow strategies that distribute investment decisions among groups of traders or use computer models, rather than relying on a single trader. [Och-Ziff Capital Management Group LLC \(OZM\)](#), the \$30 billion New York company that went public in 2007, is a multistrategy firm that invests in a broad range of assets from stocks to real estate.

James Simons, the 73-year-old founder of Renaissance Technologies Corp. in East Setauket, New York, last year turned over responsibility for his firm, which uses computer models to invest the firm's \$20 billion in assets, to former co-presidents Bob Mercer, 65, and Peter Brown, 56.

[David Shaw](#), founder of D.E. Shaw & Co., in 2002 handed running of his \$21 billion hedge fund to a six-person committee. Shaw, 60, sold a stake in his firm to Lehman Brothers Holdings Inc. in 2007 and spends most of his time as chief scientist at [D.E. Shaw Research](#), which conducts research in computational biochemistry.

'Real Transition'

"For some firms, we have to ask whether it's a real transition," said Kaplan, whose firm is counsel to hedge fund Elliott Management Corp. "Are the founders still running their firms from the shadows, did they share a fair amount of equity and have an appropriate profit-sharing arrangement in place?"

Israel Englander, 62, founder of Millennium Management LLC, has held talks about selling a minority stake in his firm, according to a person briefed on the matter. Englander, who told a conference in November that he plans to be in the business until he's about 80 years old, started New York-based Millennium in 1989 and stepped away from directly trading money five years later. The firm has more than 110 portfolio managers who oversee \$10.8 billion in assets.

'Mentor' Dalio

At Bridgewater Associates Inc., 62-year-old founder [Ray Dalio](#) in the past year started sharing his role as chief executive officer with Greg Jensen, 37, David McCormick, 46, and Eileen Murray, 53, before relinquishing that position in July when he became "mentor." Dalio retained his CIO role, which he has shared with Bob Prince since 1986. Bridgewater oversees \$122 billion out of Westport, Connecticut.

Arrangements such as Dalio's, where the founder gradually shares responsibility with co-executives rather than handing them over entirely, have been popular with a number of other funds.

[Paul Singer](#), the 67-year-old founder of Elliott Management, a \$17.4 billion hedge fund in New York, last year promoted Jon Pollock, 47, to co-CIO. Singer last year created a four-person board of directors that would take control of the hedge fund if Singer were to no longer run the business.

Mark Kingdon, 62, who started Kingdon Capital Management LLC in New York in 1983, told investors in 2009 of his plans to step down by the age of 70 and last year set up a four-person committee, which includes CIO Richard Rieger, to help with the \$4.6 billion firm's succession process.

Spreading Responsibility

At SAC Capital Advisors LP, founder [Steven A. Cohen](#) manages less than 10 percent of the firm's capital, with the rest allocated to about 125 portfolio managers, according to a person familiar with the fund. Last year Cohen, 55, picked four senior traders to help select investments for the \$3 billion he personally oversees. An eight-person team that includes the SAC Capital's head trader oversees the

running of the \$14 billion hedge fund in Stamford, Connecticut.

"Management committees are not the most important part of the succession process," said Press. "Managers must also think about equity, compensation and governance."

Investors in Paulson & Co., the \$35 billion hedge fund run by [John Paulson](#), were told at a Paris event in June that Andrew Hoine, 37, director of research, would become CIO if the 55-year-old billionaire were to step away from the business, according to a person with knowledge of the matter. Paulson has told clients that age 70 would be a good time to retire, said two investors who asked not to be named because the fund is private.

'One-Man Shows'

Paulson owns more than 75 percent of his New York-based firm, while Hoine is one of four employees who each have a stake of less than 5 percent, according to a regulatory filing in March.

"Even with a lot of institutionalization, many hedge funds are to a large extent one-man shows," said Ronan Cosgrave, portfolio manager at Pacific Alternative Asset Management Co., an Irvine, California-based firm that invests in hedge funds on behalf of clients.

Officials for the hedge funds declined to comment.

At Caxton, Law oversees 26 trading teams, which trade a range of assets from commodities to currencies to profit from economic trends. Seven of those teams are based in London, where they manage more than half of the firm's risk. Starting next year, Law, who will be chairman and CEO, plans to institute an operating committee to run the day-to-day business of the firm, which has 220 employees worldwide.

Learning From Kovner

Kovner and D'Angelo will remain investors in the fund and will retain "substantial minority stakes" in the firm, Law said. Law, who has no plans to move to New York, said his trading style has always been similar to Kovner's, and he's learned some valuable lessons, such as understanding markets and cutting risk when they seem to make no sense.

"Most transitions fail due to lack of profitability and personality issues," Law, a former head of Goldman Sachs's proprietary-trading business in London, said in the interview. "When you don't get the markets right, that's when people fall out."

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Exhibit 2

Bridgewater proposal calls for helipad, recreational barge

Proposal calls for helipad, recreational barge

Elizabeth Kim

Updated 3:21 pm, Thursday, May 2, 2013

STAMFORD -- A plan to transform a gritty, industrial stretch of South End waterfront into a glassy headquarters for the world's largest hedge fund came into sharper focus this week, following submission of zoning applications from developer Building and Land Technology.

In addition to a five-story, 850,000-square-foot office, the campus for Bridgewater Associates calls for a helipad, a floating recreational barge, a restored estuary and a marina.

The zoning applications submitted Monday include several renderings and site-plan drawings, providing the first public look at the Bridgewater plan since Gov. Dannel P. Malloy in August announced an incentive deal to keep the Westport-based hedge fund in Connecticut.

The proposed \$750 million project is on a 14-acre peninsula on Bateman Way that, up until last year, had been the site of a working boatyard. BLT, which faces a city cease-and-desist order for removing the water-dependent use, is seeking to rezone the property for commercial use.

The heart of the plan is a giant office complex designed by Cutler Anderson Architects. The Washington-based firm previously designed Bill Gates' private home in Medina, Wash.

Made up of two long, curved buildings joined in the center by bridges and paths, the structure is poised to become the most striking presence on the Stamford coastline. The project's goal, according to the coastal site plan application, is "to house a corporation in an environment that fosters personal interaction and a strong connection to the living world."

The building is significantly larger than originally proposed. Prior to the zoning applications, BLT described the office as 750,000 square feet.

In another noteworthy detail, the applications state the building will be able to accommodate 3,500 people and 3,000 cars. It suggests the company will have the potential to expand well beyond 2,000 employees, one of the benchmarks Malloy officials have set for Bridgewater to receive as much as \$115 million worth of state aid.

Of the amenities, at least two are expected to be open to the public, a component that BLT has touted as providing a larger benefit to the community than a working boatyard. The zoning application describes an estuary restoration on the site's northeast side. The plan envisions a tidal salt marsh in which pedestrians can walk across using a newly constructed boardwalk connecting to Kosciuszko Park.

More controversially, however, BLT is proposing to replace the boatyard with a scaled-back public marina on the site that offers slips but no maintenance or storage facilities.

The developer is in talks with the city and state environmental officials to build a boatyard at a 3.5-acre property it owns at 205 Magee Ave. in Shippan.

But the plan, which has not been formally filed by BLT, appears wrought with complications. Boaters have taken issue with the significantly smaller size of the site and a proposed dredging process they say may take years to complete. Additionally, the stretch of land fronting the water is owned by the city, meaning that BLT would have either to purchase the property or secure an easement, neither of which are guaranteed to happen.

On Monday night, Zoning Board members expressed dismay at the developer for not addressing the boatyard issue prior to submitting plans for Bridgewater. Prior to the Bridgewater announcement, the board had spent months figuring out ways to pressure the developer into reveal plans for the waterfront site, which been reserved for a boatyard used by boaters across the region.

Board member Audrey Cosentini argued the board should not even consider the Bridgewater application until BLT submitted a plan for "adequate boatyard that would fulfill our requirement the way a 14-acre boatyard did.

"To me, that would be the first step," she said.

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DRAFT
Harbor Point Tax Increment Payment Tab
FY 12/13

Exhibit 3

Increment Payment Pro Forma for Payment Due March 15, 2014

Tax Parcel	List No.	Number	Street Name	2009 ASMT	Property Owner	GL 2012 ASMT
C1	004-4846	0	WALTER WHEELER DRIVE	3,123,443	WALTER WHEELER DR LLC	2,574,470
C2	004-4847	0	WALTER WHEELER DRIVE	3,160,166	WALTER WHEELER DR LLC	2,933,350
C3	004-4848	0	PACIFIC STREET	1,527,362	WALTER WHEELER DR LLC	1,296,720
C4	004-4849	0	PACIFIC STREET	3,427,438	WALTER WHEELER DR LLC	-
C5	004-4850	0	WALTER WHEELER DRIVE	5,762,420	WALTER WHEELER DR LLC	6,274,590
C6	004-4851	0	WALTER WHEELER DRIVE	4,401,306	WALTER WHEELER DR LLC	5,456,540
C7	004-4852	0	WALTER WHEELER DRIVE	13,219,630	ONE COMMONS PARK LLC	76,223,710
C8	004-4853	0	WALTER WHEELER DRIVE	6,499,609	WALTER WHEELER DR LLC	5,150,640
P1	004-4835	0	WASHINGTON BOULEVARD	2,970,038	STRANDBERG GROUP LLC	2,349,950
P2	004-4836	0	WASHINGTON BOULEVARD	3,015,663	STRANDBERG GROUP LLC	2,379,000
P3	004-4837	0	WASHINGTON BOULEVARD	3,865,167	STRANDBERG GROUP LLC	3,049,970
P4	004-4838	0	WASHINGTON BOULEVARD	2,705,170	STRANDBERG GROUP LLC	2,134,630
P5	004-4839	0	WASHINGTON BOULEVARD	2,816,053	STRANDBERG GROUP LLC	2,232,130
P6	004-4840	0	WASHINGTON BOULEVARD	3,711,537	STRANDBERG GROUP LLC	2,920,740
S1	004-4841	0	WASHINGTON BOULEVARD	16,289,720	ONE HARBOR POINT SQUARE LLC	52,013,260
S2	004-4842	0	WASHINGTON BOULEVARD	14,600,920	TWO HARBOR POINT SQUARE LLC	41,290,670
S3	004-4843	0	WASHINGTON BOULEVARD	4,364,076	THREE HARBOR POINT SQUARE LLC	3,600,960
S4	004-4844	0	WASHINGTON BOULEVARD	333,297	FOUR HARBOR POINT SQUARE LLC	1,078,250
S5	004-4845	0	WASHINGTON BOULEVARD	3,760,372	WALTER WHEELER DR LLC	2,987,260
SDU1-Y8	004-4834	500	PACIFIC STREET	-	SPECIAL DISTRICT UNIT SD1	-
SDU1	004-4854	0	WALTER WHEELER DRIVE	-	SPECIAL DISTRICT UNIT	-
SDU2	004-4855	0	WALTER WHEELER DRIVE	-	SPECIAL DISTRICT UNIT	-
SDU3	004-4856	0	PACIFIC STREET	-	SPECIAL DISTRICT UNIT	-
SDU4	004-4857	0	PACIFIC STREET	-	SPECIAL DISTRICT UNIT	-
SDU5	004-4858	0	WASHINGTON BOULEVARD	-	SPECIAL DISTRICT UNIT	-
SDU6	004-4859	0	WASHINGTON BOULEVARD	-	SPECIAL DISTRICT UNIT	-
Y1	004-4826	500	PACIFIC STREET	2,676,391	YALE & TOWNE SFE LLC	1,667,440
Y2	004-4827	500	PACIFIC STREET	3,152,028	YALE & TOWNE SFE LLC	2,646,310
Y3	004-4828	500	PACIFIC STREET	3,354,705	YALE & TOWNE SFE LLC	2,567,970
Y4 & 5	004-4829	500	PACIFIC STREET	2,545,466	YALE & TOWNE SFE LLC	72,550,460
Y6-1	004-5117	200	HENRY STREET	-	HENRY STREET LOFTS LLC	10,669,060
Y6-2	004-5118	200	HENRY STREET	-	HENRY STREET LOFTS 5 LLC	3,200,720
Y6-3	004-5119	200	HENRY STREET	-	HENRY STREET LOFTS 2 LLC	10,629,090
Y6-4	004-5120	200	HENRY STREET	-	HENRY STREET LOFTS 3 LLC	10,945,790
Y6-5	004-5121	200	HENRY STREET	-	HENRY STREET LOFTS 4 LLC	3,307,410
Y7	004-4832	500	PACIFIC STREET	11,665,150	SEVEN YALE & TOWNE LLC	15,587,420
Y8	004-4833	500	PACIFIC STREET	5,336,417	YALE & TOWNE SFE LLC	6,720,220
Y9	004-5323	500	PACIFIC STREET	-	-	1,066,370
Y10	004-5324	500	PACIFIC STREET	-	-	3,223,420
Y11	004-5310	500	PACIFIC STREET	-	-	731,470

1) Total Annual Taxes Due on District Parcels:	128,582,004	Total 2012 GL Assessment	400,924,660
** no mill rate increase assumption		x GL 2012 District A Mill Rate	0.0234
		= Total Taxes Due in FY2013-14	\$ 9,758,506.22
2) Calculate Tax Increment Revenue for 6-month period:		Taxes Due July-Dec 2013	\$ 4,879,253.11
		- Non-Increment Taxes (2006 GL Base Yr)	\$ (545,586.50)
		= GL 2012 Tax Increment Revenue	\$ 4,333,666.61
3) Tax Increment Revenue Due To Harbor Point TIF District		50% of Tax Increment Revenue	\$ 2,166,833.31

0.7 = 572,949,514 Final
1/2 for State and City share
4.3
1.7 - Bay area of 3 years Total
0.6 Mill Rate

Harbor Point Tax Increment Payment Pro Forma for Payment Due September 15, 2013

Tax Parcel	List No.	Number	Street Name	2009 ASMT	Property Owner	GL 2011 ASMT
C1	004-4846	0	WALTER WHEELER DRIVE	3,123,443	WALTER WHEELER DR LLC	3,123,443
C2	004-4847	0	WALTER WHEELER DRIVE	3,160,166	WALTER WHEELER DR LLC	3,160,166
C3	004-4848	0	PACIFIC STREET	1,527,362	WALTER WHEELER DR LLC	1,527,362
C4	004-4849	0	PACIFIC STREET	3,427,438	WALTER WHEELER DR LLC	-
C5	004-4850	0	WALTER WHEELER DRIVE	5,762,420	WALTER WHEELER DR LLC	5,762,420
C6	004-4851	0	WALTER WHEELER DRIVE	4,401,306	WALTER WHEELER DR LLC	4,902,890
C7	004-4852	0	WALTER WHEELER DRIVE	13,219,630	ONE COMMONS PARK LLC	74,871,720
C8	004-4853	0	WALTER WHEELER DRIVE	6,499,609	WALTER WHEELER DR LLC	6,499,609
P1	004-4835	0	WASHINGTON BOULEVARD	2,970,038	STRANDBERG GROUP LLC	2,970,038
P2	004-4836	0	WASHINGTON BOULEVARD	3,015,663	STRANDBERG GROUP LLC	3,015,663
P3	004-4837	0	WASHINGTON BOULEVARD	3,865,167	STRANDBERG GROUP LLC	3,865,167
P4	004-4838	0	WASHINGTON BOULEVARD	2,705,170	STRANDBERG GROUP LLC	2,705,170
P5	004-4839	0	WASHINGTON BOULEVARD	2,816,053	STRANDBERG GROUP LLC	2,816,053
P6	004-4840	0	WASHINGTON BOULEVARD	3,711,537	STRANDBERG GROUP LLC	3,711,537
S1	004-4841	0	WASHINGTON BOULEVARD	16,289,720	ONE HARBOR POINT SQUARE LLC	16,565,500
S2	004-4842	0	WASHINGTON BOULEVARD	14,600,920	TWO HARBOR POINT SQUARE LLC	43,521,760
S3	004-4843	0	WASHINGTON BOULEVARD	4,364,076	THREE HARBOR POINT SQUARE LLC	4,364,076
S4	004-4844	0	WASHINGTON BOULEVARD	333,297	FOUR HARBOR POINT SQUARE LLC	389,070
S5	004-4845	0	WASHINGTON BOULEVARD	3,760,372	WALTER WHEELER DR LLC	3,760,372
SDU1-Y8	004-4834	500	PACIFIC STREET	-	SPECIAL DISTRICT UNIT SD1	-
SDU1	004-4854	0	WALTER WHEELER DRIVE	-	SPECIAL DISTRICT UNIT	-
SDU2	004-4855	0	WALTER WHEELER DRIVE	-	SPECIAL DISTRICT UNIT	-
SDU3	004-4856	0	PACIFIC STREET	-	SPECIAL DISTRICT UNIT	-
SDU4	004-4857	0	PACIFIC STREET	-	SPECIAL DISTRICT UNIT	-
SDU5	004-4858	0	WASHINGTON BOULEVARD	-	SPECIAL DISTRICT UNIT	-
SDU6	004-4859	0	WASHINGTON BOULEVARD	-	SPECIAL DISTRICT UNIT	-
Y1	004-4826	500	PACIFIC STREET	2,676,391	YALE & TOWNE SFE LLC	2,257,738
Y2	004-4827	500	PACIFIC STREET	3,152,028	YALE & TOWNE SFE LLC	3,152,028
Y3	004-4828	500	PACIFIC STREET	3,354,705	YALE & TOWNE SFE LLC	3,354,705
Y4 & 5	004-4829	500	PACIFIC STREET	2,545,466	YALE & TOWNE SFE LLC	20,573,900
Y6-1	004-5117	200	HENRY STREET	-	HENRY STREET LOFTS LLC	11,035,010
Y6-2	004-5118	200	HENRY STREET	-	HENRY STREET LOFTS 5 LLC	1,627,200
Y6-3	004-5119	200	HENRY STREET	-	HENRY STREET LOFTS 2 LLC	11,959,520
Y6-4	004-5120	200	HENRY STREET	-	HENRY STREET LOFTS 3 LLC	12,461,180
Y6-5	004-5121	200	HENRY STREET	-	HENRY STREET LOFTS 4 LLC	3,536,020
Y7	004-4832	500	PACIFIC STREET	11,665,150	SEVEN YALE & TOWNE LLC	17,261,420
Y8	004-4833	500	PACIFIC STREET	5,336,417	YALE & TOWNE SFE LLC	5,017,200
Y9	004-5323	500	PACIFIC STREET	-	-	937,510
Y10	004-5324	500	PACIFIC STREET	-	-	3,831,550

15,000 per student
less 800 students

DRAFT
Harbor Point Tax Increment Payment Tab
FY 12/13

Y11

004-5380

500 PACIFIC STREET

418.653

1) Total Annual Taxes Due on District Parcels:	128,582,004	Total 2011 GL Assessment	346,960,510
** mill rate increase assumption		x GL2011 District A Mill Rate	0.01789
		= Total Taxes Due in FY2013-14	\$ 6,207,123.52
2) Calculate Tax Increment Revenue for 6-month period:		Taxes Due Jan-June 2013	\$ 3,103,561.76
		- Non-Increment Taxes (2006 GL Base Yr)	\$ (545,586.50)
		= GL2011 Tax Increment Revenue	\$ 2,557,975.26
3) Tax Increment Revenue Due To Harbor Point TIF District		50% of Tax Increment Revenue	\$ 1,278,987.63

Bottom half mill rate to equal A District Rate

Total Annual Budgeted TIF Payment **\$ 1,278,987.63**

L-11-11-14

LIMITED OFFERING MEMORANDUM

NEW ISSUE - BOOK ENTRY ONLY

NOT RATED

In the opinion of Bond Counsel, based on existing statutes and court decisions and rendered in reliance upon and assuming the material accuracy of representations and continuing compliance by the Harbor Point Infrastructure Improvement District with certain covenants and procedures relating to requirements of the Internal Revenue Code of 1986, as amended (the "Code"), interest on the 2010A Bonds (as hereinafter defined) is excludable from the gross income of the owners thereof for federal income tax purposes and will not be treated as a preference item for purposes of computing the federal alternative minimum tax for individuals and corporations. In the opinion of Bond Counsel, based on existing statutes, interest on the 2010B Bonds (as hereinafter defined) is not excluded from the gross income of the owners thereof for federal income tax purposes. Bond Counsel is also of the opinion that under current law, interest on the Bonds (as hereinafter defined) is excludable from Connecticut taxable income for purposes of the Connecticut income tax on individuals, trusts and estates, and is excludable from amounts on which the net Connecticut minimum tax is based in the case of individuals, trusts and estates required to pay the federal alternative minimum tax. Bond Counsel expresses no opinion regarding any other tax consequences related to the ownership or disposition of, or the accrual or receipt of interest on, the Bonds. See "TAX MATTERS - Tax Exemption of the 2010A Bonds" and "TAX MATTERS - Tax Status of the 2010B Bonds" herein regarding certain other tax considerations.

\$145,000,000

**HARBOR POINT INFRASTRUCTURE IMPROVEMENT DISTRICT
(Harbor Point Project)**



HARBOR POINT

\$129,000,000

**Special Obligation Revenue Bonds
Series 2010A
(Tax-Exempt)**

\$16,000,000

**Special Obligation Revenue Bonds
Series 2010B
(Federally Taxable - Issuer Subsidy -
Recovery Zone Economic Development Bonds)**

Dated: Date of Delivery

Due: April 1, as shown on inside cover

The \$129,000,000 Special Obligation Revenue Bonds, Series 2010A (Tax-Exempt) (the "2010A Bonds") and the \$16,000,000 Special Obligation Revenue Bonds, Series 2010B (Federally Taxable - Issuer Subsidy - Recovery Zone Economic Development Bonds) (the "2010B Bonds") are special obligations of the Harbor Point Infrastructure Improvement District (the "District") located in the City of Stamford, Connecticut (the "City"). The 2010A Bonds and the 2010B Bonds are referred to collectively herein as the "Bonds". The Bonds are payable solely from and secured on a parity basis by the Tax Increment Payments and Special Assessments (each as defined herein), certain funds held by Deutsche Bank National Trust Company (the "Trustee") pursuant to an Indenture of Trust dated as of January 1, 2010 by and between the District and the Trustee, and, with respect to the 2010B Bonds only, the 2010B Subsidy Payment (as defined herein).

The Bonds are being issued to provide funds for (i) financing the costs of infrastructure improvements related to the District; (ii) financing the acquisition of real property located in the District for the construction of public parks with the acquisition price being used exclusively to fund capitalized interest; (iii) funding reserve funds; (iv) financing costs related to the issuance, sale and delivery of the Bonds; and (v) prefunding certain administrative expenses. The capitalized interest period with respect to the Bonds will equal approximately 17 months.

The Bonds are subject to optional redemption, mandatory sinking fund redemption, extraordinary optional redemption and special mandatory redemption as more fully described herein under the caption "THE BONDS - Redemption Provisions."

Interest on the Bonds is payable on April 1 and October 1 of each year, commencing October 1, 2010. The Bonds are being issued in fully registered book-entry form, initially registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). Beneficial owners of the Bonds will not receive physical certificates representing their ownership interest in the Bonds purchased, but will receive a credit balance on the books of the nominees of such beneficial owners. Individual purchases will be in principal amounts of \$100,000 or any integral multiple of \$1,000 in excess thereof. Payments of principal and interest on the Bonds will be paid by the Trustee to DTC for subsequent disbursement to DTC Participants who will remit such payment to the beneficial holders of the Bonds. See "THE BONDS - Book-Entry Only System" herein.

NO APPLICATION HAS BEEN MADE FOR A RATING WITH RESPECT TO THE BONDS, NOR IS THERE ANY REASON TO BELIEVE THAT THE DISTRICT WOULD HAVE BEEN SUCCESSFUL IN OBTAINING AN INVESTMENT GRADE RATING FOR THE BONDS HAD AN APPLICATION BEEN MADE. THE BONDS ARE INITIALLY BEING OFFERED TO "ACCREDITED INVESTORS" ONLY WITHIN THE MEANING OF SECTION 2(15) OF THE SECURITIES ACT OF 1933, AS AMENDED. THE BONDS HAVE NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933, AS AMENDED IN RELIANCE UPON THE EXEMPTION PROVIDED BY SECTION 3(a)(2) THEREIN. NO ACTION HAS BEEN TAKEN TO QUALIFY THE BONDS FOR SALE UNDER THE SECURITIES LAWS OF ANY STATE.

THE PURCHASE OF THE BONDS IS AN INVESTMENT SUBJECT TO A HIGH DEGREE OF RISK, INCLUDING THE RISK OF NONPAYMENT OF PRINCIPAL AND INTEREST. SEE "RISK FACTORS" HEREIN FOR A DISCUSSION OF SUCH FACTORS THAT SHOULD BE CONSIDERED, IN ADDITION TO THE OTHER MATTERS SET FORTH HEREIN, IN EVALUATING THE INVESTMENT QUALITY OF THE BONDS.

NEITHER THE FULL FAITH AND CREDIT OF THE HARBOR POINT INFRASTRUCTURE IMPROVEMENT DISTRICT, THE CITY OF STAMFORD, THE STATE OF CONNECTICUT, OR ANY POLITICAL SUBDIVISION THEREOF, IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS. NEITHER THE STATE OF CONNECTICUT NOR THE CITY OF STAMFORD SHALL BE OBLIGATED TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, OR INTEREST ON THE BONDS. THE BONDS AND THE OBLIGATIONS EVIDENCED THEREBY SHALL CONSTITUTE A LIEN ONLY ON, AND SHALL BE PAYABLE SOLELY FROM THE PLEDGED REVENUES (AS DEFINED IN THE INDENTURE) IN ACCORDANCE WITH THE TERMS OF THE INDENTURE.

The Bonds are offered for delivery when, as and if issued, subject to the approving opinion of Pullman & Comley, LLC, Bridgeport, Connecticut, Bond Counsel to the District, with respect to the validity of the Bonds and the excludability from gross income of interest on the 2010A Bonds for federal income tax purposes. Certain legal matters will be passed upon for the City by its special counsel Robinson & Cole LLP, Hartford, Connecticut, for the Master Developer, Harbor Point Development LLC and the Guarantors by their General Counsel and by their special counsel Day Pitney LLP and for the Underwriter by its counsel, Ballard Spahr LLP, Washington, D.C.. The Bonds in definitive form are expected to be issued in Connecticut and delivered to DTC in New York, New York on or about February 4, 2010.

This cover contains certain information for quick reference only. It is not a summary of this Limited Offering Memorandum. Investors must read the entire Limited Offering Memorandum, including the Appendices attached hereto, to obtain information essential to the making of an informed investment decision.

STONE & YOUNGBERG

Dated: January 21, 2010

- Non-Incremental Tax Revenues and Tax Increment Revenues collected by the City in any Fiscal Year in excess of the Tax Increment Payments due and transferred to the Trustee pursuant to the Interlocal Agreement shall be retained by the City free and clear of any lien of the Indenture.

“Administrative Expenses” means the following costs directly related to the administration of the District for the purpose of financing the costs of the District Improvements: the actual costs of computing the Special Assessments; the actual costs of collecting and enforcing the Special Assessments (whether by the City or otherwise); the actual costs of remitting the Special Assessments to the Trustee; the actual costs of the Administrator and Trustee (including legal counsel) in the discharge of their duties; the costs of the District of complying with arbitrage rebate requirements; the costs of the District of complying with securities disclosure requirements; premiums on sureties provided for the debt service reserve funds; and any other costs of the District or the City related to the administration and operation of the District for the purpose of financing the costs of the District Improvements, including, the costs of official meetings of the District.

“Annual Debt Service” shall mean the payments of principal and interest and any premium on Refunding Bonds in each Fiscal Year.

“Debt Service Requirements” means the payment of Annual Debt Service and Administrative Expenses under the Indenture, less earnings on the Debt Service Reserve Funds used to pay principal and interest on the Bonds.

“Fiscal Year” shall mean July 1 through June 30 of each year.

“Non-Incremental Tax Revenues” means an amount equal to \$1,091,173 per Fiscal Year (which is the value of all real property taxes levied against the owners of the District Property for the Fiscal Year ended June 30, 2008). Such Non-Incremental Tax Revenues shall be retained by and allocated to the City in two equal installments of \$545,586.50 for the September 15th and the March 15th Tax Increment Payments for each Fiscal Year. Payments to be received pursuant to tax fixing agreements or agreements provided for payments in lieu of taxes, penalties and interest are not part of the Non-Incremental Tax Revenues and belong to the City.

“Tax Increment Payments” shall mean, for each six month period ending on December 31st and June 30th, the amount, if any, equal to the lesser of the Debt Service Requirements and fifty percent (50%) of Tax Increment Revenues.

“Tax Increment Revenues” means, for each six month period ending December 31st and June 30th of each Fiscal Year, the portion of the real property tax revenues with respect to the District Property which are collected during such six-month period, less Non-Incremental Tax Revenues of \$545,586.50. Payments to be received pursuant to tax fixing agreements or agreements providing for payments in lieu of taxes, penalties and interest are not part of Tax Increment Revenues and belong to the City.

The payment of the Tax Increment Payments is subject to an annual appropriation by the City for each Fiscal Year in which such Tax Increment Payments are due. The City covenants and agrees in the Interlocal Agreement to budget and appropriate in its general annual operating budget the Tax Increment Payments when due pursuant to the terms of the Interlocal Agreement. The term of the Interlocal Agreement shall expire on the earlier of (i) the date that the Bonds are no longer outstanding under the Indenture; or (ii) forty (40) years from the date of the Interlocal Agreement in accordance with the Interlocal Act (the “Term”). Any default under the Interlocal Agreement that cannot be settled by the parties shall be subject to mediation. In no event may either the City or the District terminate the Interlocal Agreement prior to the expiration of the Term. Except with respect to the District’s pledge of the Tax Increment Payments and certain completion guaranties required pursuant to the Interlocal

2/1/13: with 5

BLT, city assemble Bridgewater pieces

Zoning Board: Will consider BLT headquarters, boatyard
Elizabeth Kim
Updated 10:10 pm, Tuesday, May 7, 2013

STAMFORD -- Despite rising criticisms about the approval process, the Pavia administration and Building and Land Technology appear to be closer to assembling the pieces that would move along a zoning application to build a \$750 million headquarters for Bridgewater Associates on a contested South End waterfront site.

On Monday, the Zoning Board will be asked to decide whether to commence the Bridgewater project zoning approval process. BLT is seeking to construct an 850,000 square-foot office for the Westport hedge fund on a 14-acre property that is zoned for a working boatyard.

Last week, in the first step toward making Bridgewater a reality, board members agreed to initiate review of BLT's proposal for a Shippan boatyard after the administration submitted a letter of intent permitting use of city property in the plans. BLT is pitching a 6-acre boatyard at 205 Magee Ave. in hopes of satisfying the city's requirement for a boatyard in the South End.

The decision to add Bridgewater into the mix would enable city boards to weigh the two applications simultaneously, and presumably, measure the benefits of Bridgewater against criticisms of the Shippan boatyard plan. Under the zoning approval process, the Planning Board, Harbor Management Commission and the state Department of Energy and Environmental Protection would be the first parties to evaluate the project.

Their comments and recommending votes would be forwarded to the Zoning Board, which would then schedule a public hearing.

One potential sticking point preventing Bridgewater from moving forward is the proposed license agreement that is yet to be released by the city. The agreement, which must go to the Planning Board, Board of Finance and Board of Representatives prior to being finalized by Mayor Michael Pavia and Carl Kuehner, the CEO of BLT, would grant BLT the use of city land to expand its boatyard site in return for \$5 million worth of infrastructure improvements.

During a Zoning Board meeting Monday, Norman Cole, the city's Land Use Bureau chief, told members that he had been told a summary of the agreement's terms might become available prior to the meeting that evening. However, as of Tuesday, Cole said he had still not received such a document.

Joseph Capalbo, the city's director of legal affairs, could not be reached for comment.

John Freeman, the general counsel for BLT, said he expected the city to issue the agreement, or a summary of its terms, by the end of this week. He dismissed the ongoing speculation that a dispute over the conditions of the license agreement had resulted in a delay.

"It's just a normal course of negotiations and conversations," he said.

Freeman expressed enthusiasm for the latest course of events. Having the Bridgewater project presented along with the boatyard plan, he said, would be "a great opportunity to have all the facts on the table all at once so everybody can see what the benefits are for Stamford."

The administration has touted a host of potential benefits from the Bridgewater project, including the prospect of more than 2,000 jobs, as well as \$9.8 million worth of building permit revenue, \$6.5 million of additional annual tax revenue and \$50 million in state funding for the widening of the Atlantic Street underpass.

Nevertheless, the deal is expected to face significant opposition. Several city officials, including Board of Finance member and Democratic mayoral hopeful David Martin, and City Rep. Mary Uva, a Republican representing Shippan, have accused Pavia of structuring the city's land deal with BLT as a license agreement so as to illegally circumvent the city's boards. After initially wavering on whether he needed further legislative approval, Pavia has since said there would

Handwritten notes: \$750mill, \$134, \$6.7mill, b=00000, part of 2,150 for Harbor Point

be no deal without the consent of the three boards.

Yet another simmering question is whether a strip of waterfront land owned by the city can even be included in the BLT plans because it was originally purchased to be part of a public park.

The roughly 4,200-square-foot-parcel facing the eastern channel of Stamford Harbor is critical to the proposed boatyard because the site would otherwise be landlocked.

In an op-ed in The Advocate last month, Martin wrote: "There are too many issues concerning navigability, boating safety and traffic, difficulty of access, and "licensing" of parkland for an industrial boatyard." He said he intended to vote against the license agreement when it comes before the Board of Finance.

This past Sunday, an op-ed by Uva sharply criticized the mayor's approach.

Among those on the Zoning Board, Audrey Cosentini, a longtime Republican who is to be replaced after this month, has steadfastly challenged the administration's handling of the matter. On Monday, she opposed allowing the Bridgewater application to move forward.

"By even receiving it, we legitimize something that I think is totally illegitimate," she said.

She added: "That property has been put aside for a boatyard or else we have to have another property for it."

Although BLT has said the latest boatyard proposal will be able to house 509 boats, boaters have continued to attack the proposal as a less than fair replacement, citing the smaller size of the site and its location on a relatively narrow and heavily trafficked channel.

"The 205 Magee application doesn't even remotely compare to what was at the former site," said Maureen Boylan, an organizer with Save Our Boatyard.

The group has vigorously protested the Bridgewater development, citing a violation of city zoning regulations, as well as the state's Coastal Management Act, which protects water-dependent uses.

In what could prove to be a pivotal document, the city is expected to release a second report from a consultant who has been hired to assess BLT's boatyard. Earlier this year, the New York firm of Bermello, Ajamil & Partners Architects, Inc. concluded the 3.5-acre boatyard proposed by BLT was significantly lacking in services and storage options compared to the South End one, commonly referred to as Yacht Haven Marina.

In Tuesday interview, Zoning Board Chairman Thomas Mills said getting the license agreement approved by the boards represented "the first step" in the zoning approval for Bridgewater.

He added any Zoning Board review should wait until the license agreement was approved by the three required city boards.

In summing up the way he viewed the process as working, Mills said, "Bridgewater can't happen if Magee doesn't happen and they know that. There's no way that Bridgewater gets built without a boatyard."

elizabeth.kim@sni.com; 203-964-2265; <http://twitter.com/lizkimtweets>



STAMFORD, CT



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600 WASHINGTON BOULEVARD

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Location	600 WASHINGTON BOULEVARD	Assessment	PID	186250
Mblu	004/ 4048/ //		Building Count	1
Acct#	004-4048			
Owner	RBS AMERICAS PROPERTY CORP			

Current Value

Assessment	
No Data for Current Valuation	

Owner of Record

Owner	RBS AMERICAS PROPERTY CORP	Sale Price	\$0
Co-Owner		Book & Page	9672/ 303
Address	600 WASHINGTON BOULEVARD STAMFORD, CT 06901	Sale Date	08/05/2009

Ownership History

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
RBS GREENWICH CAPITAL PROPERTY		8537/ 113	05/02/2006

Building Information

Building 1 : Section 1

Year Built: 2007
 Building Area: 397378

Building Attributes

Field	Description
STYLE	Office Class A
Stories:	12
Occupancy	2
Exterior Wall 1	Glass Vitro.
Exterior Wall 2	
Roof Structure	Flat
Roof Cover	T&G/Rubber
Interior Wall 1	Drywall/Plaste
Interior Wall 2	
Interior Floor 1	Carpet
Interior Floor 2	Hardwood
Heating Fuel	Gas/LP
Heating Type	Forced Air-Duc
AC Type	Central
Bldg Use	Commercial MDL-94
Total Rooms	
Total Bedrms	0
Total Baths	0
1st Floor Use:	
Heat, AC	Heat/AC Pkgs
Frame Type	FireProofSteel
Baths/Plumbing	Average
Ceiling/Wall	Ceil & Wall
Rooms/Prtns	Average
Wall Height	10
Re Comm Wall	

Building Photo



(<http://gis.vgsi.com/photos/StamfordCTPhotos//\00\10\92\03.jpg>)

Building Layout

PNT[44038]
FUS[382478]
BAS[13900]
SDA[1000]

Building Sub-Areas			Legend
Code	Description	Gross Area	Living Area
FUS	Upper Story, Finished	382478	382478
BAS	First Floor	13900	13900
SDA	Store Display Area	1000	1000
PNT	Penthouse Storage	44038	0
		441416	397378

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
ELZ	Elev Pass	60 STOPS	\$1,848,000	1
PGB	Parking Garage Below	120532 S.F	\$4,640,480	1
PGA	Parking Garage Abov	516439 S.F	\$19,882,900	1
SPR2	Sprinklers - Conc	396378 S.F.	\$457,820	1
SPR1	Sprinklers - Wet	680998 S.F.	\$786,550	1
DH2	Door Overhd Re	2 UNITS	\$5,390	1

EL1	Elev Frght	24 STOPS	\$924,000	1
EL3	Escalator	4 UNITS	\$449,990	1

Land

Land Use

Use Code 200
 Description Commercial MDL-94
 Zone CCN
 Neighborhood 1000
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 4.25
 Depth
 Assessed Value \$23,913,460

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2012	\$64,682,480	\$23,913,460	\$88,595,940
2011	\$103,524,150	\$35,425,850	\$138,950,000
2010	\$108,966,410	\$35,425,850	\$144,392,260

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Exhibit 7

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Home Forum Quant discussion *Quant Matters*

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RBS to build a trading floor across from UBS in Stamford, CT

Discussion in 'Quant Matters' started by Andy Nguyen, Aug 20, 2007.

RBS to Develop New Corporate Office in Stamford, Conn. \$400M complex would also include a live trading floor in addition to office space

Stamford Advocate, The (Stamford, CT) (KRT)
via NewsEdge Corporation

Andy Nguyen
Member

Jun. 30—STAMFORD-- Sheltered from yesterday's high humidity by an air-conditioned, carpeted tent, Royal Bank of Scotland executives and political leaders celebrated the approaching start of construction on the bank's trading complex off Washington Boulevard.

"We're truly excited to be here," RBS Greenwich Capital co-chief executive Ben Carpenter told a crowd of about 100 company executives, politicians and business leaders during a groundbreaking ceremony on the site of the planned building. A kilted bagpiper played as guests entered the tent, while images of the building played on wide-screen televisions inside.

The \$400 million complex is slated to hold a 95,000-square-foot trading floor, and 300,000 square feet of office space for 3,000 employees of RBS Greenwich Capital and RBS' corporate banking operations. RBS Greenwich Capital will move from Steamboat Road on the Greenwich waterfront, while the corporate banking office will move from Manhattan.

Carpenter thanked Gov. M. Jodi Rell and Mayor Dannel Malloy, and their economic development chiefs for moving the project along quickly. "You have all shown a welcoming, cooperative and can-do spirit in bringing this project to fruition in record time," he said.

The state is providing \$100 million in tax breaks for the building. As part of the incentive package, the city has agreed to forego part of the property tax revenue for the building's first five years.

City leaders also agreed to move Richmond Hill Avenue 100 feet to the north to create a larger building lot, and fast-tracked the approval process. After speeches from Carpenter, Rell and Malloy, the crowd moved outside to watch them and other dignitaries thrust chromed shovels into the dirt, smile for the cameras and toss some dirt a few feet.

Malloy complained last week that construction crews were "just pushing dirt" because the state government was holding up construction over a dispute -- supposedly solved years ago -- about right-of-way sales and traffic restrictions.

Yesterday, Malloy thanked Rell.



"A profound thank you for your assistance and all of the people who work in state government," Malloy said. "I certainly want you to know, governor, how deeply appreciative the people of Stamford are for your efforts." Malloy may run against Rell in November. Malloy is being challenged in an Aug. 8 Democratic primary by New Haven Mayor John DeStefano Jr. Malloy and Rell touted the project's benefits for the state and city. "This project's economic benefit is tremendous for the state of Connecticut," Rell said, saying that while RBS has pledged to bring 1,150 new jobs to the state in addition to the 700 employees coming from Greenwich, the building will have space for another 1,150 employees. "We'd like for you to fill that up," she said.

Malloy said the arrival of RBS establishes this city of 120,000 as a major financial center.

"What it really means is that Stamford's place in the financial industry in the world, as a capital of financial services, is now secure," he said.

The move will put two of the world's largest financial firms across the street from each other. UBS, which by market capitalization is the world's sixth largest, has the world's largest trading floor across Washington Boulevard.

RBS ranks eighth by market capitalization. Though its trading floor is designed to be about 8,000 square feet smaller than the one at UBS, and will initially hold about 800 traders, it could eventually hold as many as 1,400 by using built-in expansion space, project director Neil Grassie told a community group on Wednesday.

But RBS must start construction quickly if it expects to move into the complex in late 2008. And that can't happen until it resolves the questions over the state's property restrictions.

The state has maintained that the matter is an issue of negotiating a purchase price for certain property rights, but RBS, Stamford officials and others have argued that the previous owners of the property already paid the state for the property rights in question.

Company officials have called the issue a small one among many in such a complex project, but construction can't start until it is resolved. The company has excavation permits to dig south of Richmond Hill Avenue, so it can continue to do some preliminary work, but can't start major construction until it gets the a traffic permit from the State Traffic Commission, said Frank Garagliano of Turner Construction. Turner will build the 500,000-square-foot complex for RBS.

Grassie, an RBS executive and architect who moved from Scotland to supervise the construction project, acknowledged Wednesday that a payment "could be" a solution to the dispute, but said it is not necessarily the only way forward.

The state Department of Transportation has received two independent appraisals for the property rights in question. One involves the former Clinton Avenue Extension, which the city closed when it sold the land to Louis Dreyfus Property Group, which later sold it to RBS; the other involves rights of way next to the Interstate 95 on-ramp from Washington Boulevard, where part of the building would go.

"The minute we have that price negotiated, the State Traffic Commission is ready to grant their approvals," Department of Transportation spokesman Chris Cooper said.

Rell, who DOT officials said last week was not involved in negotiations, said the DOT has passed the appraisals to Sheldon Goldfarb, RBS Greenwich Capital's managing director and general counsel.

Stamford

2/11/12

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Gen Re

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Harbor Point Developer Acquires Former Gen Re Building

BLT is planning an extensive renovation of the downtown office building, which is now being called the BLT Financial Centre.

Posted by Patrick Barnard, January 9, 2012 at 06:41 pm

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, the developer behind the ambitious Harbor Point mixed-use redevelopment project in Stamford, has reportedly purchased the 614,000-square-foot office building located at 695 East Main Street, formerly the North American headquarters for General Reinsurance Corp.

According to a press release, BLT is planning an extensive renovation of the downtown office building, which is now being called the BLT Financial Centre. The release did not disclose the purchase price nor did it go into details about what the development firm plans to do with the building, which was acquired from Lehman Brothers Holdings Inc. in a deal brokered by Cushman & Wakefield.

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"The BLT Financial Centre acquisition is an extraordinary addition to our Stamford portfolio and we are excited about this opportunity to continue to deepen our roots in the city of Stamford," stated Carl R. Kuehner III, CEO of Building and Land Technology, in the release.

"We anticipate this office complex, once revitalized, will draw businesses to the Central Business District and, as with Harbor Point, will fuel Stamford's evolution as a modern live, work and play city," Kuehner added. "Mayor Pavia and Governor Malloy, and their offices, are spearheading terrific programs to attract businesses and improve our cities."

"I am very glad to see the sale of 695 East Main Street to one of Stamford's major developers," Pavia said in the release. "BLT's commitment to a significant renovation of the facility is a welcome first step in attracting the corporate tenants Stamford has so successfully recruited in the past."

Last week Stamford Patch learned that BLT has submitted a zoning application for a 15-story, 382,455 square foot, 226-unit apartment building at Pacific and Henry streets as part of the massive Harbor Point project, a multi-site plan encompassing more than 80 acres of prime commercial real estate in Stamford's South End. According to a report in the Stamford Advocate, the proposed apartment complex also calls for 295 parking spaces.

Since the estimated \$3.5 billion officially began in 2008, Building and Land Technology has completed three major housing developments: The Lofts (225 units in the former Yale & Towne building), which opened in summer 2010; 101 Park Place (336 units), which opened September 2010; and LockWorks (329 units), which opened in October 2011, as per the Stamford Advocate report.

If approved, the proposed apartment complex would be one of several new buildings that will be soon be added to the city skyline: Last month Stamford developer Thomas Rich introduced a . The 226-apartment high rise, called "The Summer House," also includes 2,200 square feet of ground floor retail, according to a Stamford Advocate report.

In November submitted revised plans to build a hotel consisting of twin 22-story towers at the tip of Washington Boulevard and overlooking Stamford Harbor as part of the Harbor Point redevelopment project. If approved the new hotel buildings would have between 130 and 140 rooms as well as 60 condominium units, according to the Stamford Advocate.

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Exhibit 9



STAMFORD, CT



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695 EAST MAIN STREET

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Location	695 EAST MAIN STREET	Assessment	PID	188136
Mblu	003/ 6794/ //		Building Count	3
Acct#	003-6794			
Owner	695 EAST MAIN STAMFORD LLC			

Current Value

Assessment
No Data for Current Valuation

Owner of Record

Owner	695 EAST MAIN STAMFORD LLC	Sale Price	\$0
Co-Owner		Book & Page	10309/ 014
Address	100 WASHINGTON BLVD STE 200 STAMFORD, CT 06902-9302	Sale Date	01/03/2012

Ownership History

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
SIP OWNER LLC	\$0	9841/ 102	03/16/2010
STAMFORD ASSOCIATES LP		6067/ 282	01/04/2002

Building Information

Building 1 : Section 1

Year Built: 1984
Building Area: 134112

Building Attributes	
Field	Description
STYLE	Office Class A
Stories:	6
Occupancy	
Exterior Wall 1	Metal/Sandw
Exterior Wall 2	
Roof Structure	Flat
Roof Cover	T&G/Rubber
Interior Wall 1	Typical
Interior Wall 2	
Interior Floor 1	Average
Interior Floor 2	
Heating Fuel	Average
Heating Type	Forced Air-Duc
AC Type	Central
Bldg Use	Commercial MDL-94
Total Rooms	00
Total Bedrms	00
Total Baths	00
1st Floor Use:	
Heat/AC	Heat/AC Pkgs
Frame Type	FireProofSteel
Baths/Plumbing	Average
Ceiling/Wall	Typical
Rooms/Prtns	Average
Wall Height	10
% Conn Wall	

Building 2 : Section 1

Year Built: 1984
Building Area: 381159

Building Attributes : Bldg 2 of 3	
Field	Description
STYLE	Office Class A
Stories:	6
Occupancy	
Exterior Wall 1	Metal/Sandw
Exterior Wall 2	
Roof Structure	Flat
Roof Cover	T&G/Rubber

Building Photo



(http://gis.vgsl.com/photos/StamfordCTPhotos//\00\13\04\30.jpg)

Building Layout

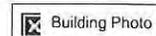
BAS[22352]

FUS[111760]

PNT[19641]

Building Sub-Areas			Legend
Code	Description	Gross Area	Living Area
FUS	Upper Story, Finished	111760	111760
BAS	First Floor	22352	22352
PNT	Penthouse Storage	19641	0
		153753	134112

Building Photo



(http://gis.vgsi.com/photos/StamfordCTPhotos//\00\12\96\69.jpg)

Building Layout

Interior Wall 1	Typical
Interior Wall 2	
Interior Floor 1	Average
Interior Floor 2	
Heating Fuel	Average
Heating Type	Forced Air-Duc
AC Type	Central
Bldg Use	Commercial MDL-94
Total Rooms	0
Total Bedrms	00
Total Baths	0
1st Floor Use:	
Heat/AC	Heat/AC Pkgs
Frame Type	FireProofSteel
Baths/Plumbing	Average
Ceiling/Wall	Typical
Rooms/Prtns	Average
Wall Height	10
% Comn Wall	

Building 3 : Section 1

Year Built: 1984
Building Area: 21585

Building Attributes : Bldg 3 of 3	
Field	Description
STYLE	Parking Garage
Stories:	3
Occupancy	
Exterior Wall 1	Reinforc Concr
Exterior Wall 2	
Roof Structure	Flat
Roof Cover	Average
Interior Wall 1	Typical
Interior Wall 2	
Interior Floor 1	Average
Interior Floor 2	
Heating Fuel	Average
Heating Type	Forced Air-Duc
AC Type	Central
Bldg Use	Commercial MDL-94
Total Rooms	0
Total Bedrms	00
Total Baths	00

BAS[68839]

FUS[312320]

PNT[34420]

Building Sub-Areas			Legend
Code	Description	Gross Area	Living Area
FUS	Upper Story, Finished	312320	312320
BAS	First Floor	68839	68839
PNT	Penthouse Storage	34420	0
		415579	381159

Building Photo



(<http://gis.vgsi.com/photos/StamfordCTPhotos//\00\12\96\70.jpg>)

Building Layout

BAS[7195]

FUS[14390]

Building Sub-Areas			Legend
Code	Description	Gross Area	Living Area
FUS	Upper Story, Finished	14390	14390
BAS	First Floor	7195	7195
		21585	21585

1st Floor Use:	
Heat/AC	Heat/AC Pkgs
Frame Type	Reinf. Concret
Baths/Plumbing	Average
Ceiling/Wall	Typical
Rooms/Prtns	Average
Wall Height	10
% Corn Wall	

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
EL2	Elev Pass	5 STOPS	\$172,000	1
PGB	Parking Garage Below	158367 S.F	\$5,067,740	3
PGA	Parking Garage Abov	475100 S.F	\$14,728,100	3
RP4	Porch Enclsd	8160 S.F	\$294,740	1
EL2	Elev Pass	12 STOPS	\$316,800	3
RP4	Porch Enclsd	8160 S.F	\$294,740	2

Land

Land Use

Use Code 200
 Description Commercial MDL-94
 Zone CG
 Neighborhood 1000
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0
 Depth
 Assessed Value \$0

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
LP9	Patio Brick			1899 S.F.	\$28,490	2

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2012	\$49,418,080 (56%)	\$0	\$49,418,080
2011	\$112,517,240 (63%)	\$0	\$112,517,240
2010	\$132,933,510	\$0	\$132,933,510

Exhibit 70

UBS



STAMFORD, CT



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677 WASHINGTON BOULEVARD #B1

[Sales](#) [Print](#) [Map It](#)

Location	677 WASHINGTON BOULEVARD #B1	Assessment	\$31,793,960	PID	18325
Mblu	004/ 2237/ / B1/			Building Count	1
Acct#	004-2237				
Owner	UBS AG				

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2012	\$31,793,960	\$0	\$31,793,960

Owner of Record

Owner	UBS AG	Sale Price	\$0
Co-Owner		Book & Page	5576/ 155
Address	677 WASHINGTON BOULEVARD STAMFORD, CT 06901-0000	Sale Date	08/24/2000

Ownership History

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
SWISS BANK CORPORATION	\$0	4549/ 176	03/28/1996

Building Information

Building 1 : Section 1

Year Built: 1996

Building Area: 402131

Building Attributes	
Field	Description
STYLE	Prof Off Condo
Occupancy	2
Interior Wall 1:	Drywall
Interior Wall 2:	
Interior Floor 1	Carpet
Interior Floor 2	Vinyl/Asphalt
Heat Fuel:	Gas/LP
Heat Type:	Forced Air-Duc
AC Type:	Central
Ttl Bedrms:	00
Ttl Bathrms:	0
Ttl Half Bths:	0
Xtra Fixtres	
Total Rooms:	
Stories:	14
Residential Units:	0
Exterior Wall 1:	Glass Vitro.
Exterior Wall 2:	
Roof Structure	Flat
Roof Cover	Rolled Compos
Cmrc'l Units:	12
Res/Com Units:	0
Section #:	0
Parking Spaces	0
Section Style:	0
Foundation	
Security:	
Cmplx Cnd	
Xtra Field 1:	
Remodel Ext:	
Super	

Building Photo



(<http://gis.vgsi.com/photos/StamfordCTPhotos/\00\12\33\17.jpg>)

Building Layout

BAS[39052]

FUS[363079]

UBM[3074]

Building Sub-Areas			Legend	
Code	Description	Gross Area	Living Area	
FUS	Upper Story, Finished	363079	363079	
BAS	First Floor	39052	39052	
UBM	Basement, Unfinished	3074	0	
		405205	402131	

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
EL2	Elev Pass	56 STOPS	\$3,673,600	1
EL1	Elev Frght	12 STOPS	\$984,000	1
HL1	Hydro Lift Com	3 UNITS	\$20,660	1
SPR1	Sprinklers - Wet	405205 S.F.	\$996,810	1
OH2	Door Overhd Re	3 UNITS	\$17,220	1

Land

Land Use

Use Code 205
 Description Comm Condo MDL-06
 Zone CCN
 Neighborhood 1000
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0
 Depth
 Assessed Value \$0

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
LP4	Pavng Asphlt			63650 S.F	\$181,400	1

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2012	\$31,793,960	(63%) \$0	\$31,793,960
2011	\$86,140,740	\$0	\$86,140,740
2010	\$86,140,740	\$0	\$86,140,740

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$$31,793,000 \times .024\% = 763,000$$

$$\text{Cost to educate 1 student} = 15,000$$

$$\frac{763,000}{15,000} = 50$$



Exhibit 11

URBAN WORK

The Uselessness of Economic Development Incentives

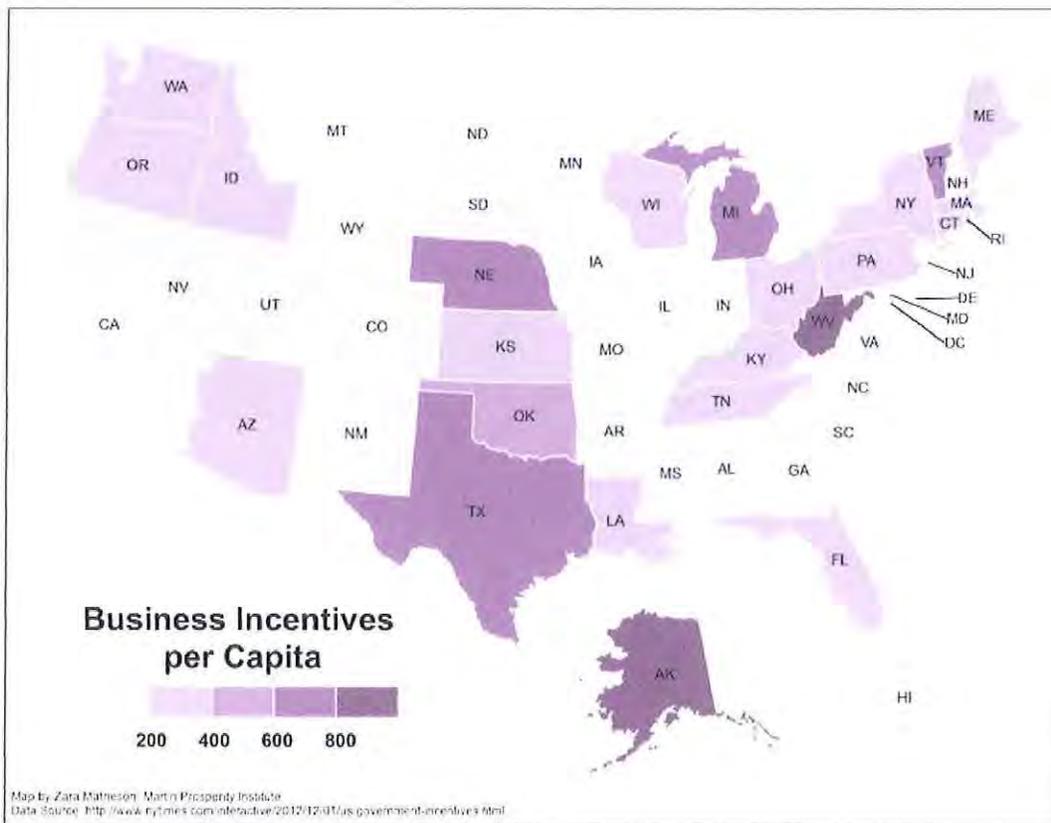
RICHARD FLORIDA DEC 07, 2012 29 COMMENTS

This week, the *New York Times* ran an important series of articles on state and local incentives to business. The reporting was terrific, but even better is the data set the *Times* put together on the scale and scope of these incentives. The paper points out that its reporters spent some 10 months compiling data from states, cities, and counties.

All told, states, cities, and counties give away some \$80 billion to companies each year, including both expenditures and tax abatements, according to the *Times*' estimates. There are 48 companies which have received more than \$100 million in incentives since 2007, led by General Motors, which took in a whopping \$1.77 billion in incentives. Other companies that are part of the \$100 million incentive club include: Ford, Chrysler, Daimler, General Electric, Shell, Dow, Amazon, Microsoft, IBM, Google, Caterpillar, Procter & Gamble, Sears, Boeing, Airbus, Panasonic, and Electrolux. More than 5,000 companies received one million dollars or more in incentives, according to the *Times*' estimates.

When it comes to states, Texas leads them all in these corporate giveaways, with \$19.1 billion in outlays per year, more than 2.5 times the next highest state, Michigan, with \$6.6 billion in annual giveaways. Pennsylvania is third with \$4.8 billion, followed by California (\$4.2 billion), New York (\$4.1 billion), Florida (\$3.98 billion), Ohio (\$3.24), Washington (\$2.35 billion), Massachusetts (\$2.26), and Oklahoma (\$2.19). All in all there are 21 states that grant more than one billion in incentives each year and another 10 that give between \$500 million and a billion.

=



Map by MPI's Zara Matheson

Even more interesting are the *Times'* figures on incentive dollars per capita. The map (above), by the [Martin Prosperity Institute's Zara Matheson](#) based on the *Times* data, shows economic development incentives per capita across the 50 states. Alaska leads, spending a whopping \$991 on incentive spending per person each year. West Virginia is second at \$845 per person, Nebraska third (\$763), Texas fourth (\$759), Michigan fifth (\$672), and Vermont sixth (\$650).

With the help of the MPI's [Charlotta Mellander](#), I examined to what degree these economic development incentives are related to state economic performance. Mellander ran correlations between economic development incentives per capita and economic variables like wages, income, poverty levels, education levels, knowledge workers, and so on. As usual, I note that correlation does not mean causation.

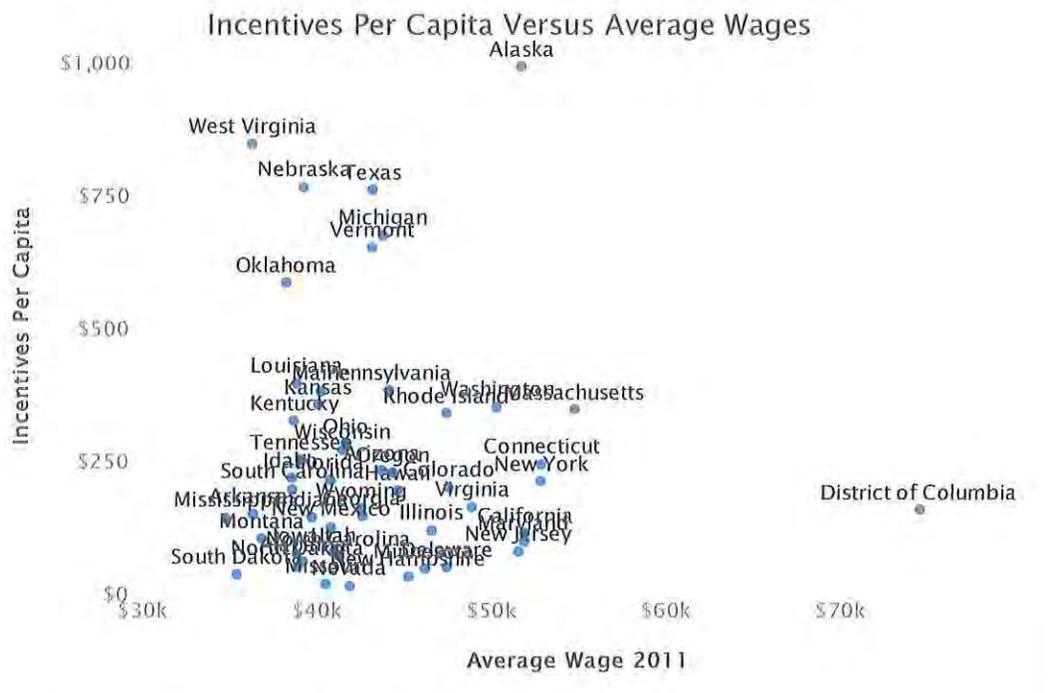


Chart data source: U.S. Bureau of Labor Statistics; The New York Times

Our biggest takeaway: there is virtually no association between economic development incentives and any measure of economic performance. We found no statistically significant association between economic development incentives per capita and average wages or incomes; none between incentives and college grads or knowledge workers; and none between incentives and the state unemployment rate. The scatter-graph above illustrates the lack of any relationship between incentives per capita and wages.

The only statistically significant association we find is between incentives and the poverty rate. This is in line with [other research](#) by Robert Greenbaum and Daniele Bondonio, which finds economic development incentives to be more likely in poorer, more economically disadvantaged communities, especially those that have faced recent economic decline.

Our findings are consistent with the broad body of research on incentives. A detailed 2002 study, published in the *Journal of Regional Science* [PDF] of more than 350 companies that received incentives, found incentives had a negative effect on these companies's ability to create jobs. Using detailed statistical models to control for a wide variety of factors, the study found that companies that received incentives expanded more slowly than others, and worse yet that overall effect of incentives was a reduction of 10.5 jobs per establishment. Incentives had their biggest effect by far not on actual jobs, but on "announced growth," finding that the average business receiving incentives overestimated its future employment by 28.5 jobs.

There is one study that suggests incentives can sometimes play a positive role. Conducted by economists at MIT and the University of California, Berkeley, [it examined](#) the effects of "million dollar" manufacturing plants on community economies, and found that such locational choices led to small increases in wages, productivity, and property values compared with other similar locations. These findings are not too surprising given the focus on large plants in mainly small communities. The study suggests that its results "undermine the popular view that the provision of local subsidies to attract large industrial plants reduces local residents' welfare," but qualifies this with several caveats:

When counties are homogeneous and politicians solely maximize residents' welfare, the successful attraction of a plant will leave property values unchanged. This is because counties raise their bids until the costs equal the benefits and they are indifferent about winning or losing. When counties are not homogenous or if states pay for part of the subsidy, the successful attraction of a plant may result in increased property values. This is because the county that has the most attractive characteristics or the largest contribution from state government can bid less than the second best county, and still win the plant. Finally when local politicians derive private benefits from granting subsidies, they will overbid, and property values may decrease.

The bigger issue is that incentives do little to alter the locational calculus of most companies. The broad body of evidence on incentives, including the *Times* series, finds that incentives do not actually cause companies to choose certain locations over others. Rather, companies typically select locations based on factors such as workforce, proximity to markets, and access to qualified suppliers, and then pit jurisdictions against one another to extract tax benefits and other incentives.

A 2011 [Lincoln Institute of Land Policy study](#) found property tax incentives to be counterproductive, being all too frequently given to companies that would have chosen the same location anyway. So instead of creating new jobs or spurring employment, the main effect of incentives is simply to deplete a community's tax base. Since poorer states and communities are more likely to use incentives in the first place, the end result is to undermine the resources and revenues of the places that can least afford it.

And, a 2012 [report by the Pew Center on the States](#) found that most states that offer incentives do not have effective mechanisms in place to gauge and evaluate them, concluding that fully half of all states do not have even the most basic provisions in place to know whether the incentives they give are in any way effective.

The *Times* should be commended for compiling such detailed data and shining a public light on this incredible economic development boondoggle. We can only hope it helps put an end to this long-standing waste of state and local resources.

Lede image: General Motors Headquarters in Detroit, Michigan on Nov. 3, 2009. (Rebecca Cook/Reuters)

Keywords: Maps, Incentives, Job Growth



Richard Florida is Co-Founder and Editor at Large at The Atlantic Cities. He's also a Senior Editor at *The Atlantic*, Director of the Martin Prosperity Institute at the University of Toronto's Rotman School of Management, and Global Research Professor at New York University. He is a frequent speaker to communities, business and professional organizations, and founder of the Creative Class Group, whose current client list can be found [here](#). [All posts »](#)

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Department of Economic and
Community Development

Connecticut
still revolutionary

November 29, 2012

Cheryl A. Chase, Director
Inland Water Resources Division
Bureau of Water Protection & Land Reuse
Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106

Re: Harbor Point Stamford, CT – 14 Acre Parcel
Flood Management Certification for Minor Activities

Dear Ms. Chase:

On November 19th, the DECD submitted a Flood Management Certification application pursuant to Section 25-68d of the Connecticut General Statutes. The certification was submitted for the purpose of Flood Certification for the *Environmental Remediation of the 14 Acre Harbor Point Redevelopment Parcel*. Fuss & O'Neill had prepared the certification package on behalf of DECD.

Based on follow-up discussions our Departments have had, it has been determined that the proposed Environmental Remediation and Bulkhead Replacement have been designed in compliance with the requirements of Section 25-68d(b) of the Connecticut General Statutes and Section 25-68h-1 through 25-68h-3 of the Regulations of Connecticut State Agencies.

DECD would like to presently withdraw its application, and is submitting the Environmental Remediation and Bulkhead Replacement Project under *Flood Management Certification for Minor Activities Permit FM-201205426* as approved by the Department of Energy & Environmental Protection on July 24, 2012. DECD is certifying that the proposed project activities fall under the two, Bulkhead Repair or in-kind Replacement & Environmental Remediation, of the fourteen types of approved activities covered under this General Certification.

If you have any questions regarding this matter or need further assistance, please contact Nelson Tereso of my staff at (860) 270-8213.

Sincerely,

Michael J. Lettieri
Executive Director
Office of Financial Review & Special Projects

Cc: Nelson Tereso, Civil Engineer, DECD
John Freeman, Harbor Point Development

My name is Carol Ann McClean,

I am the district 3 Stamford republican representative which includes the boatyard.

There is serious concern by property owners in the South End As to what will be the impact to Dyke lane and Elmcroft, which are streets leading to the boatyard and heavily populated with families and local businesses . how will their property be protected, With your flood plane research , and who will pay when they have flood damage from this plan, As well as the increase of traffic which is a true concern and is not in the true benefit to Stamford taxpayers.

This project should not be going forward due to the cease and desist order currently against BLT and Harbor Point due to their action of destroying our boatyard , the Harbor point infrastructure district act, details, specifically section (n) 2, states that Harbor point is direct violation of Stamford ordinances of the demolition of our boatyard, with full knowledge that it would not be rebuilt. Just on this point alone Is a violation of the harbor point district act of 2007.

<http://www.cga.ct.gov/2007/ACT/SA/2007SA-00006-R00HB-07384-SA.htm>,

I am opposition of this project and so are my south end neighbors that have spoke to me about this concern.

This is no economic development that is in the best interest of Stamford taxpayers.

We are firm that our boat yard needs to be returned, full and working and Bridgewater should consider one of the many pristine properties available elsewhere in Stamford.

This rush to build, is not safe and is not in the best interest of Stamford.

One of the last speakers said the tax revenue would be great, he is so misguided, harbor point alone only pays 50% of what the rest of Stamford, so for every child that enters our school, is only paying 1/2 into our system as well as the police, fire, emergency. Stamford tax payers are getting the short end of the stick.

Carol Ann McClean

Stamford RTC

Mcclean.district3@gmail.com