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January 12, 2016

Mr. Tom Mills
Chairman, Stamford Zoning Board
Stamford Government Center
888 Washington Boulevard, 7th Floor
Stamford, CT 06901

Subject: ZB Application 215-02-by The Strand/BRC Group, LLC to amend the Zoning Regulations concerning the SRD-S District

ZB Application 215-03-by The Strand/BRC Group, LLC to amend Condition No. 7 of the Harbor Point General Development Plan and the GDP map and plans

ZB Application 215-04-by Southfield Property, LLC to amend the Zoning Regulations concerning the Designed Waterfront Development District

ZB Application 215-05-by Waterfront Office Building, LP to rezone Stamford Landing from CW-D Coastal Water Dependent to DW-D Designed Waterfront Development

ZB Application 215-06-by Southfield Property, LLC and Waterfront Office Building, LP, for approval of Special Exceptions and General Development Plan (Stamford Landing/Davenport Landing)

ZB Application 215-07-by Southfield Property, LLC and Waterfront Office Building, LP, for approval of Final Site and Architectural Plans and Coastal Site Plan Review (Stamford Landing/Davenport Landing)

Coastal Site Plan Review 978 Application by Waterfront Magee, LLC to provide winter boat storage on property near the Stamford Harbor Management Area

Dear Mr. Mills:

On behalf of the Stamford Harbor Management Commission (SHMC), I am hereby responding to certain comments regarding the SHMC that were expressed during the November 30, 2015 public hearing in the matter of the above-referenced applications.

To paraphrase, the Applicants' attorney, John Freeman, informed the Zoning Board that the Applicants' proposed boating facilities were not intended to be "equal or better" to facilities previously provided on the 14-acre waterfront property identified as the Boatyard Site in the Stamford Harbor Management Plan. Instead, Attorney Freeman asserted that the proposed facilities are "what the Harbor Management Commission asked for" in a "wish list" prepared by the SHMC. Apparently, when referring to that "wish list," Attorney Freeman was referring to a list of boating services included in my June 18, 2014 letter to Mayor Martin, a copy of which is enclosed for your convenience.

The SHMC considered this matter during its meeting on December 15, 2015 and approved a motion to transmit our concerns to the Zoning Board.

Please be advised that our June 15, 2014 letter was intended to address both the adverse impact on Stamford Harbor caused by the illegal removal of water-dependent facilities from the Boatyard Site as well as the opportunity for restoration of Stamford Harbor as a maritime center. The list of boating services included in our letter was not intended to identify services that would be provided at multiple locations in proximity to Stamford Harbor, but rather the services that should be restored on the Boatyard Site. Thus, any assertion that the Applicants' proposals meet a "wish list" of boating facilities prepared by the SHMC is inaccurate.

Thank you in advance for adding these comments of the SHMC to the public record. The comments should be considered in addition to the SHMC's formal statements of findings and recommendations concerning the Applicants' proposals. Those statements were previously provided to the Zoning Board in eight separate letters dated October 26, 2015. For the reasons enumerated in those letters, the SHMC found that the Applicants have not demonstrated that viable replacement boatyard facilities and services of equal capacity and quality to the facilities and services required on the Boatyard Site will be provided by the Applicants elsewhere in the Stamford Harbor Management Area. As a result, the SHMC determined that the Applicants' proposals, when evaluated as a unified plan of action, are inconsistent with the recreational boating and water-dependent use policies of the Harbor Management Plan.

If you have any questions or require any additional information, please contact me at (315) 651-0070 or dortelli@stamfordct.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Ortelli', with a long horizontal stroke extending to the right.

Dr. Damian Ortelli
Chairman, Stamford Harbor Management Commission

Enclosures

cc:

Mr. Frank Fedeli, Stamford Office of Operations
Mr. John Freeman, Attorney, Harbor Point Development
Ms. Kristal Kallenberg, CT DEEP Office of Long Island Sound Programs
Mr. Griffith Trow, Chairman, SHMC Application Review Committee
Zoning Board Members

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June 18, 2014

Honorable David R. Martin
888 Washington Blvd
Stamford, CT 06901

Re: The Future of Stamford Harbor

Dear Mayor Martin,

This is an exciting time in the history of the development of our City's most important natural resource, Stamford Harbor. Under your leadership the Martin Administration can take a proactive role in shaping this history and chart a course that will preserve and enhance this resource for the immediate future and for generations to come. The members of the Harbor Management Commission ("HMC") feel privileged to serve during this time.

By City Charter the HMC is mandated to implement the Stamford Harbor Management Plan ("SHMP")¹, to make recommendations to the City - including your office, boards and agencies - to further the goals, objectives and policies set forth in the SHMP. This letter is intended to be a first step in performing this duty. The Mayor, as Stamford's Chief Elected Official, has the duty² to provide leadership in advancing the City's goals for the Stamford Harbor Management Area, as expressed in the SHMP. We look forward to assisting you in this effort. Members of the HMC have a deep knowledge of the Harbor, boating and the regulatory and legal framework concerning the Harbor and the development of the waterfront. We can significantly add to the "bench strength" of your administration.

We have attached for your convenience, as Exhibit A, excerpts of City and State laws specific to waterfront development in Stamford. A fundamental understanding of these laws and their interplay is necessary before actions should be taken with respect to prospective

¹ The SHMP was prepared by the HMC in accordance with Connecticut state statutes and adopted by the Stamford Board of Representatives effective March 20, 2009. The provisions of the Plan are consistent with and complement the provisions of the Stamford Master Plan, the Connecticut Coastal Management Act and the City's Zoning regulations and Certificates.

² See Chapter 8 of the SHMP

projects . Also included, as Exhibit B, is a short analysis of these laws which will help you and your administration.

Historical Maritime Context. Stamford has been among the premier centers of recreational boating in western Long Island Sound. It offers a deep water, protected harbor, well located on Long Island Sound that is uniquely suited for many kinds of watercraft activities. Much of our city’s reputation as a boating center was due in large measure to the maritime services available in Stamford. The center piece of these services was most recently Brewer Yacht Haven West boatyard and marina (“BYHW”). BYHW was located on the 14 acre peninsula (the “YH site”) in the SRD-S design district. The physical attributes of this site are significant and include deep water surrounding the entire peninsula, expansive water frontage providing space for a large number of docks and slips, ample land for boat storage and a superior location within the Harbor - close to the head of both the East and West branches - affording easy and quick access to Long Island Sound. BYHW serviced many racing sailboats and other yachts and was a viable, thriving and profitable enterprise. Not surprisingly, the YH site had been devoted to maritime use for more than 100 years.

As is well known and documented, BYHW was demolished in 2011 by the current owner of the YH site, Strand/BRC Group LLC, an affiliate of the developer, Building and Land Technology (“BLT”). It was the last full service boatyard in Stamford. The lack of such a facility in Stamford has diminished the City’s reputation as a maritime center and threatens its future as such. Since the boatyard’s removal, recreational boating activity in Stamford has declined and as a consequence there has been a loss of business and employment in the local marine industry here.

BYHW Demolition / Golden Opportunity. The demolition of BYHW has been a severe loss to the boating public as well as an economic drag to the City³. That said, the situation presents an excellent opportunity for a developer to begin anew with a blank slate to design-build a full service, state-of-the art boatyard facility that will meet the needs of the area now and into the future. While we acknowledge that the City is not solely in charge of the development of the YH site, we do believe that your office has the leadership authority to steer the course of development towards having the site reclaim its regional prominence as a maritime center. We are confident that you will show inspired leadership in pursuing this objective and that the City will exercise its authority appropriately to achieve it. We would be pleased to discuss with you our ideas concerning how this can be accomplished. We wish to express urgency. Decisions made or deferred regarding the YH site pose long-term consequences – some irrevocably - and may threaten future coastal development for Stamford and the region. With this in mind, we wish to share our thoughts concerning the current

³ See discussion in Exhibit B regarding BLT’s litigation with the City.

situation in Stamford Harbor as well as our preliminary vision for the future.

Public Safety at Risk. At present, the only boatyard in Stamford is the “temporary boatyard” located on a small portion of the YH site. The temporary boatyard was imposed by the Zoning Board (“ZB”) on BLT as a result of public pressure for certain boatyard facilities and public safety concerns after the demolition of the BYHW. The temporary boatyard is not a full service boatyard and it cannot not be viewed as such. We do not believe that the temporary boatyard has the capacity to deal with a major storm or other emergency, thus leaving the boating public and shore side property owners at risk. Accordingly, it is urgent that a full service boatyard be restored.

Economic Impact. It is the HMC’s view that Stamford Harbor can again be a first class harbor serving recreational boaters as well as water borne industry. Furthermore, the City is uniquely positioned to develop the Harbor as a regional attraction. Done creatively, plus leveraging the tremendous assets the Harbor offers for water activities and public access to them, Stamford’s viability as a place to live, work and recreate will only grow. As a result, the Harbor will attract additional commercial enterprises and employment to support the boating industry and emerging maritime attractions. Long Island Sound is estimated to bring more than \$ 8.9 billion dollars annually⁴ to the regional economy. The waterfront is clearly important to the economic vitality of the area. Unfortunately, Stamford is missing this revenue boat, due to the current lack of marine services.

Vision for the Future. The Long Range Planning Subcommittee of the HMC has begun a vision process for Stamford Harbor; and in this connection has seen two very intriguing and innovative proposals for the YH site...probably ones you saw as well. While little more than colorful concepts illustrated in some detail scaled to the 14-acre site, each provides for a very attractive New England maritime village that would provide significant benefits to the public, including a full service state-of-the-art green boatyard and marina with additional public amenities ancillary to a first rate boatyard. What they clearly show us is that a boatyard is viable on the YH site and that the site is indeed a blank slate encumbered only by our imagination and our obligation to comply with existing regulations.

The HMC, as set forth in the SHMP, envisions a vibrant and multi-purpose harbor. Central to this vision is a waterfront with top notch facilities that, at minimum, include the following amenities, many of which were provided by BYHW and which must be restored in accordance with law⁵.

⁴ Long Island Sound Study (2011 estimate)

⁵ See Exhibit B.

1) A full service boatyard and marina on the 14 acre YH site with the following services: ⁶

- a) Deep-water Slips for 250+ boats - sizes 25 – 125 feet*
- b) Two Travel lift (s), one suitable for larger boats and a mast crane*
- c) Winter storage for 500+ boats*
 - (1) Heated indoor storage for boats which enables winter work and the maintenance of a 12 month work force.
 - (2) Outdoor boat storage*
- d) 12 month repair facilities*
- e) Fuel dock*
- f) Laundry, showers and bathroom facilities *
- g) Sanitary pump-out facilities
- h) Dingy dock
- i) Transient dockage*
- j) Paint facilities*
- k) Spar storage*
- l) Public amenities
 - (1) Waterfront Restaurant
 - (2) Snack bar
 - (3) Recreational facilities
 - (4) Retail boating support businesses:
 - (a) Ship's Store*
 - (b) Sailmaker*
 - (c) Marine electronics sales, installation and service*

⁶ Items marked with a "*" were provided at BYHW and must be restored.

- (d) Outboard engine repair and service*
 - (e) Inboard engine repair and service*
 - (f) Marine refrigeration/air conditioning
 - (g) Marine Clothing
 - (h) New boat sales and brokerage*
 - (i) Propeller service and sales*
- (5) Marine Police, Fire Department and Coast Guard auxiliary offices overlooking the harbor with adjacent dock space for their vessels.
 - (6) Harbor Master office
 - (7) Pedestrian walkway linked to Harbor Point walkway
 - (8) Community sailing/boating schools with space for classrooms.
 - (9) Outdoor Space for summer waterfront events
- m) Link public transportation to the boatyard as a waterfront gateway to the Stamford Transportation Center, Downtown, and other city destinations
- 2) Moorings in the outer harbor for visiting recreational boaters. Access to land from these moorings would be provided by a launch service provided by the operator of the boatyard. Also the dinghy dock at the boatyard would serve as an access point to the City.
 - 3) Town dock to serve as access point to the City.

Clearly, a large parcel will be needed to house all these services and activities. The 14 acre YH site is ideally suited to accommodate them; and as discussed in the legal analysis set forth in Exhibit B, current law and zoning requirements mandate that it function for this purpose. No other available space in the harbor comes close to matching what already exists at the YH site for providing a modern, full service boatyard and marina.

We look forward to a meeting with you soon to discuss our views and our vision.

Respectfully submitted



Dr. Damian Ortelli
Chairman, Stamford Harbor Management Commission

CC: City Board's and agencies:

Zoning Board

Planning Board

EPB

Zoning Board of Appeals

Board of Representatives

Board of Finance

Land Use Bureau

